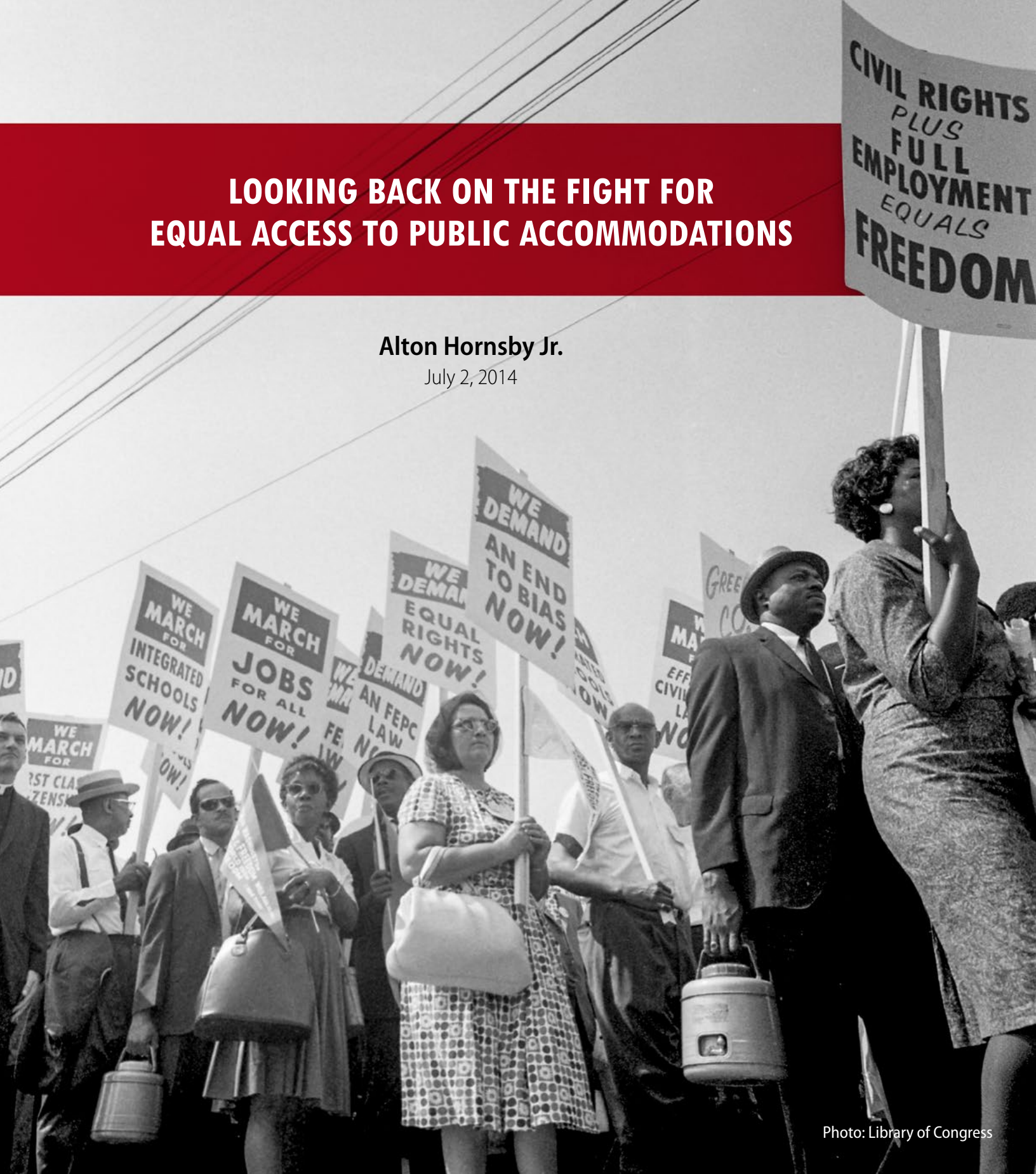


# LOOKING BACK ON THE FIGHT FOR EQUAL ACCESS TO PUBLIC ACCOMMODATIONS

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## Introduction and executive summary

The 1963 March on Washington for Jobs and Freedom was one of the most powerful, yet peaceful, social demonstrations in American history. Belying all initial fears of violence, rioting, or disorderliness, the multitude of faces and voices present on that August day were unified in their demands for equal access to public accommodations, freedom from employment discrimination, voting rights, access to decent housing, adequate and integrated education, full employment, and a living wage. There's no doubt the imagery and articulation of this unity were essential to creating the political momentum that led to the passage of the Civil Rights Act of 1964. This watershed piece of civil rights legislation, signed into law by President Lyndon B. Johnson, dealt a decisive final blow to legally segregated public accommodations, in addition to prohibiting employment discrimination and creating the Equal Employment Opportunity Commission.

The Civil Rights Act of 1964 effectively met the marchers' demand for equal access to public accommodations—although it would take several years before public establishments, particularly those in the South, fully complied with the act's requirements. However, more than 50 years after the March on Washington, the hard economic goals of the march, critical to transforming the life opportunities of African Americans, have not been fully achieved. As documented in other papers in [EPI's Unfinished March series](#), these include the demands for [decent housing, adequate and integrated education, a federal jobs program for full employment, and a national minimum wage of over \\$13 an hour in today's dollars](#).

As we continue to march toward these goals, it is instructive to recognize that the Civil Rights Act of 1964 and its guarantee of equal access to public accommodations was the culmination of a movement spanning generations and propelled by countless victories and defeats along the way.

In fact, prior to the 1960s, the fight for equal access to public accommodations had been characterized by a long history of temporary advancements precipitated by protest, followed by legal retrenchments at the hands of lawmakers and the courts. The Civil Rights Bill of 1875 guaranteed all American citizens “full and equal enjoyment of public accommodations,” but was declared unconstitutional by the U.S. Supreme Court in 1883. During the 1880s and 1890s a series of local ordinances and state statutes, known as Jim Crow laws, were issued to further restrict the freedoms of blacks in the South. As the 19th century came to a close, the Supreme Court set the course of Southern race relations for the next 58 years as the 1896 ruling in *Plessy v. Ferguson* sanctioned the policy of “separate but equal.” Notwithstanding, direct action and legal challenges persisted until the 1954 Supreme Court ruling in *Brown v. Board of Education* ended legal segregation of public schools, building momentum to continue the fight against the unflinching racist policies of the South.

In the decades leading up to the 1963 March on Washington, the spirit of the movement characterized by the march had been growing and taking shape in communities across the country through various local demonstrations and protests. In many instances, demonstrators targeted local businesses—either leveraging buying power through boycotts, or, in the case of sit-ins, using their physical presence to defy segregation as an acceptable business practice. While these demonstrations were predicated on the principle of nonviolence, demonstrators often faced opposition and brutality at the hands of local police as well as ordinary citizens. Ultimately however, these boycotts and sit-ins imposed a sort of economic sanction that served to gradually dismantle discriminatory policies at the local level, setting the stage for the larger national response.

This report presents a timeline of some of the most pivotal demonstrations for the right to equal access to public accommodations preceding the 1963 March on Wash-

ington. It begins by examining the pre-1960 history of the fight for equal access. The paper then analyzes the various demonstrations and tactics pursued throughout the South in 1960 and beyond, with an emphasis on the sit-in movement and economic boycotts. Next, the paper examines a crucial facet of this fight: the transportation boycotts that began in the late 1940s and continued through the 1960s. The paper concludes by briefly analyzing the confluence of events that culminated in the passage of the Civil Rights Act of 1964, which served to open public accommodations and transportation to all races everywhere in the country. The paper finds:

- In 1960, the impulses released by the *Brown v. Board of Education* decision ending legal segregation in public schools, the bus boycotts in Montgomery, Alabama, and other antidiscrimination demonstrations took a new turn, as African American direct action against segregationist Jim Crow laws was seized by a new generation.
  - This is evidenced by the “sit-in movement” that began in Greensboro, North Carolina, in 1961, when four college students sat down at an all-white lunch counter and requested service. The movement soon spread throughout the South.
- While African American civil rights demonstrators were generally nonviolent, they often attracted a violent backlash from police officials as well as ordinary persons.
- The movement was marked by an extraordinary degree of unity among both genders and all classes, but it rarely had women in leadership roles. There were also differences in philosophies and tac-

tics—sometimes separating young from old, advocates of violence from those espousing nonviolence, and integrationists from separatists.

- One of the more significant results of the struggle to gain equal access to public accommodations was the founding of two new civil rights organizations, the Southern Christian Leadership Conference (SCLC) and the Student Non-Violent Coordinating Committee (SNCC). These direct-action groups differed in philosophy and tactics from the National Association for the Advancement of Colored People (NAACP), which generally eschewed direct action in favor of legal challenges to segregation and discrimination.
- The fight for equal access to public accommodations shows that the foundation for large paradigm-shifting national movements is often built upon smaller community and grassroots demonstrations.
- More than 50 years after the March on Washington, the hard economic goals of the march, critical to transforming the life opportunities of African Americans, have not been fully achieved. These include the demands for decent housing, adequate and integrated education, a federal jobs program for full employment, and a national minimum wage of over \$13 an hour in today’s dollars.
- As we continue to press for achievement of these goals as well, there are important lessons to be learned from places such as Greensboro, North Carolina, and Birmingham, Alabama, about how individuals and communities can leverage their collective power to set new standards and effect change.

This is part of a series of reports from the Economic Policy Institute outlining the steps we need to take as a nation to fully achieve each of the goals of the 1963 March on Washington for Jobs and Freedom. Visit [www.unfinishedmarch.com](http://www.unfinishedmarch.com) for more research on this topic.

## Pre-1960 history of the fight for equal access

As early as the colonial period, African Americans who were not enslaved faced restrictions on their freedom. Although not legally slaves, the restrictions and prohibitions they endured have led scholars to refer to them as quasi-free blacks (Litwack 1961; Hornsby and Salvatore 2004).

The legal and extralegal restraints on black freedom were similar in both North and South. In the area of public accommodations, most colonies excluded blacks. The practice of reserving these facilities or places for whites continued into the birth of the republic and beyond. But by the mid-1800s, public opinion and African American protest led to loosening of some of these restrictions in the North (Litwack 1961; Hornsby and Salvatore 2004).

Up to the Civil War, the situation in the South ranged from limited desegregation to separation to exclusion; most free blacks there were restricted to their own restaurants, hotels, theaters, and other public accommodations.

With Reconstruction after the war came the first national legislative action to provide equal access to public accommodations for all Americans, the Civil Rights Act of 1866. This act, which promoted African American citizenship and foreshadowed the 14th Amendment to the U.S. Constitution, faced considerable opposition in various parts of the country, but particularly in the former Confederate states. The act was, in many places, poorly enforced or ignored. Then, once the Southern legislatures were restored to white Democratic control, public accommodations were segregated or forbidden to blacks by statutes (Hornsby and Salvatore 2004).

Blacks in much of the South witnessed streetcar boycotts; between 1900 and 1906, for example, boycotts occurred in 25 Southern cities. These boycotts sometimes led to limited or brief desegregation of the streetcars, but backlash in the form of white boycotts and violence was com-

mon. And in many instances, African Americans ignored the boycotts or failed to take advantage of opportunities for desegregated transportation.

Cognizant of the discrimination still confronting African Americans in both the North and South, the Radical Republicans in Congress pushed through a new law, the Civil Rights Act of 1875. While the act specifically guaranteed all American citizens “full and equal enjoyment of public accommodations,” white America remained largely opposed to open access to public accommodations. In 1883, the U.S. Supreme Court responded to some of the legal challenges and declared the Civil Rights Act of 1875 unconstitutional (Miller 1966; Hornsby and Salvatore 2004).

In response to the Supreme Court’s ruling, several Northern states passed their own statutes forbidding discrimination in public accommodations. Concurrently, in the South laws were strengthened or new ones were enacted to maintain or require segregation and discrimination. This spate of local ordinances and state statutes, mostly passed in the 1880s and early 1890s, became known as Jim Crow laws (Miller 1966; Hornsby and Salvatore 2004).

Black protest, however, was not stifled. Direct action and legal challenges were most prominent with respect to seating in railroad cars. Unfortunately, these legal challenges were rebuffed by the U.S. Supreme Court in 1896. In *Plessy v. Ferguson*, a case involving railway car seating, the court set the pattern for Southern race relations for more than half a century (Woodward 1981; Hornsby and Salvatore 2004).

By sanctioning “separate but equal” facilities, places, and institutions for blacks, the court left open only direct protests for blacks and the possibility of success with future legal challenges. Fifty-eight years after *Plessy v. Ferguson*, the great black victory over Jim Crow came in 1954, when the U.S. Supreme Court in *Brown v. Board*

of Education declared public school segregation unconstitutional (Kluger 2004; Woodward 1981).

The decision in the Brown case reinvigorated a growing civil rights consciousness among African Americans that had been gaining strength at least since World War II. A major breakthrough in the area of transportation occurred with the Montgomery, Alabama, bus boycott of 1955 and the Supreme Court's ruling the next year declaring bus segregation unconstitutional. Over the next several years, as a result of black boycotts or legal challenges, bus segregation fell in several Southern cities, including Baton Rouge and Tallahassee (King 1958; Morris 1984). The final section of the paper will examine in greater detail the effects of transportation boycotts in the pre- and post-1960 periods.

## The fight for equal access: 1960 and beyond

In 1960, the impulses released by the Brown decision, the Montgomery protests, and other antidiscrimination demonstrations took a new turn; African American direct action against Jim Crow was seized by a new generation. This is evidenced by the "sit-in movement" that began at Greensboro, North Carolina, in 1961 when four college students sat down at an all-white lunch counter and requested service. The movement soon spread throughout the South. While the participants were mostly black college students, they were often joined by white collegians, black high school students, and adults of both races.

The pattern that was established involved an initial sit-in at a lunch counter, restaurant, theater, or other place of public accommodation. Often additional sit-ins followed until the participants were arrested or the facilities were closed. Simultaneously, boycotts were called against local white merchants in the area. Sometimes, particularly after mass jailings or appalling acts of white violence, large numbers of African Americans (and occasionally their white allies) would march to the city center,

to the jail, or to a government building. In all of the demonstrations the participants included a cross section of the African American community—ministers, church members, and the nonreligious; professionals, domestics, and laborers; men, women, and children. But there were also divisions. Although women were a large part of the movement, they were rarely afforded any of the top leadership roles. And there were differences in philosophies and tactics. Eventually younger, more militant protesters, many of them associated with SNCC, broke with the nonviolent creed and tactics of Martin Luther King Jr. and the SCLC and embraced "Black Power."

To be sure, sit-ins were not new. For example, the Congress of Racial Equality, or CORE (a biracial group founded by 100 men and women in 1942), launched sit-ins at two Chicago restaurants in 1942. Although Illinois laws prohibited discrimination, the two targeted restaurants, Jack Spratt Coffee House and Stoner's restaurant, continued to exclude blacks. The two restaurants grudgingly agreed to serve all customers after local police refused to arrest the demonstrators. In that same year, three students from Howard University began protests at Washington, D.C., restaurants. The protests continued into the next year. The John R. Thompson Restaurant in downtown Washington was targeted. The restaurant's owners at first seemed to relent, but the offer to serve blacks lasted only a few days. Their hardened attitude was partially aided by Howard University president Mordecai Wyatt Johnson who, fearing that a Southern-dominated Congress might cut off funds to Howard, ordered protesting students to desist. But using a long-overlooked Reconstruction-era civil rights law, African Americans, led by one of the original sit-inners, Pauli Murray, successfully petitioned the Supreme Court, which barred discrimination at John R. Thompson in 1953 (*District of Columbia v. John R. Thompson Co.*). In 1958 Clara Luper, a white leader in the local NAACP, led a sit-in at the Katz Drugstore in Oklahoma City. Eventually other department store lunch counters were also visited by sit-inners. Results were mixed, but within

a few years after the initial protests, more than 100 restaurants and lunch counters began serving African Americans. Pre-1960 protests were also held in Wichita, Kansas, in 1958 and in Tampa, Florida, and Louisville, Kentucky, in 1959 (Graves 1989; Raines 1977; Lawson 2004).

While many Southern cities, large and small, as well as a few rural Southern areas experienced direct action protests, several sites stand out for their overall significance in the civil rights movement. These include Greensboro, North Carolina; Nashville, Tennessee; St. Augustine, Florida; Louisville, Kentucky; Atlanta; Albany, Georgia; Baltimore; Danville, Virginia; Orangeburg, South Carolina; Cambridge, Maryland; Birmingham, Alabama; and Jackson, Mississippi (Zinn 1965; Oppenheimer 1989).

### ***Greensboro, North Carolina***

Following the initial sit-ins and limited desegregation of lunch counters and restaurants in Greensboro, North Carolina, in 1960, demonstrations continued over the next several years, aimed at desegregating remaining eating establishments, theaters, and other public accommodations. As of May 1963, Greensboro prisons were overcrowded with more than 700 protesters, mainly students. Then on May 22, 1963, 2,000 demonstrators, youth as well as adult, staged a silent march into downtown Greensboro. At this time the city's mayor, David Schenck, appointed a negotiating committee to seek solutions to the city's problems. African American negotiators demanded full desegregation of public accommodations as well as school desegregation and an end to employment discrimination. In return they would end the marches. Once negotiations proceeded apace, the marches were indeed temporarily suspended. But when it became clear that the negotiations were not producing the desired results, demonstrations resumed. Among the leaders of the new marches was Jesse Jackson, then a student at North Carolina A&T University. When Jackson and his fellow protesters were arrested and charged

with "inciting a riot," other demonstrators blocked major streets in the downtown area. Mayor Schenck then called for full desegregation of public accommodations and a halt to the marches. By the fall of 1963 desegregation of Greensboro eating establishments had gone from less than a dozen to more than 25 percent (Chafe 1980; Wolff 1970).

### ***Nashville, Tennessee***

African American students in Nashville, Tennessee, began preparing for nonviolent protests as early as 1959, and starting on February 13, 1960, students from Fisk University, Baptist Theological Seminary, and Tennessee State University—mainly led by James Lawson, Diane Nash, and John Lewis—began sit-ins in various stores with the goal of desegregation at lunch counters. After about two weeks, the owners closed the counters without serving any of the students. During the next three months the sit-ins continued, not only at the stores but also at the Greyhound and Trailways bus terminals (Williams 1987; Lawson 2004; Hornsby 2011).

The first violent responses from the opposition occurred on February 27, "Big Saturday," as James Lawson dubbed it. A group of whites attacked the sit-in, resulting in the arrest of 81 protesters, but none of the whites. The demonstrators were found guilty of disorderly conduct. They chose jail rather than paying the fines levied against them.

In an attempt to resolve the conflict between the store-owners and the protesters, Mayor Ben West appointed a biracial committee to investigate segregation in the city. However, despite numerous attempts at a compromise, the students declared that they would accept nothing less than the desegregation of public accommodations. The negotiating committee recommended that the lunch counters be divided into black and white sections, but the protesters rejected the proposal (Williams 1987).

On April 19, 1960, the home of one of the adult leaders of the movement, attorney Z. Alexander Looby, was

bombed. Later that day thousands of black and white protestors marched silently to the courthouse, where they confronted city officials. They prayed and demanded responses from Mayor West. The mayor, who had previously opposed the student leaders because of the economic losses suffered by business owners in Nashville, did on this occasion listen to such leaders as C.T. Vivian and Diane Nash. He was especially moved by Nash's eloquent oration on the immorality of blacks buying in one part of a store, but not being able to eat in another. He was also very concerned about the intensification of white violence. Thus at the end of the meeting, he declared that the lunch counters should be desegregated. On May 10, 1960, three months after the first sit-ins, "Nashville became the first major city in the Deep South to begin desegregating" its public accommodations (Hornsby 2011; Lovett 2005; Williams 1987; Wynne 2011).

### ***St. Augustine, Florida***

The NAACP chapter in St. Augustine, Florida, began demonstrations in 1963 that resulted in the desegregation of several lunch counters. But much segregation and discrimination remained; demonstrations thus continued, and white racist attitudes remained virulent. In 1964, when Martin Luther King Jr. and other members of the SCLC led marches in the city, they were accompanied by Northern college students and adults, including Mrs. Mary Parkman Peabody, the 72-year-old mother of the governor of Massachusetts. They were assaulted by angry whites. On June 11, 1964, Martin Luther King Jr. was arrested at the Monson Hotel. While incarcerated he wrote a letter to Rabbi Israel Desner of New Jersey asking him to recruit other clergy to participate in the movement. A week later several Jewish rabbis were arrested during a "pray in" at the Monson Hotel. During this time St. Augustine was also the scene of the first major "wade-in" of the civil rights movement. The wade-ins occurred at the St. Augustine beach between June 18 and July 1, 1964. On June 19 the wade-inners were viciously attacked by a white mob, and some were nearly drowned.

Whites continued to verbally and physically oppose the demonstrators until the protests ended on July 1, 1964 (Garrow 1989; Colburn 1985; Warren 2008).

### ***Louisville, Kentucky***

Starting in the mid-1950s members of the NAACP, CORE, and others conducted sporadic demonstrations aimed at desegregating public accommodations in Louisville, Kentucky. At the same time they petitioned the mayor and city council to adopt legislation requiring desegregation. The city refused. Thus on February 9, 1961, the activists launched a full-scale campaign, including sit-ins and stand-ins at downtown lunch counters and restaurants. Arrests, which eventually totaled 700, followed. At the same time the protest leaders called for a boycott of downtown department and variety stores. The boycott was particularly effective during the Easter season of 1961. When early negotiations to achieve desegregation and end the boycott failed, the demonstrations were intensified. In April 1961 the mayor announced a plan to desegregate all eating places by May 1. However, the city council declined to pass the proposed ordinance. Large protests resumed. This time, however, there was violence perpetrated by whites. Twenty-nine persons, including seven whites, were arrested during the melee. The protests continued for the next two years. On May 14, 1963, the Louisville Board of Aldermen passed an ordinance granting equal access to public accommodations for all of its citizens (Ford and Morgan 2009).

### ***Atlanta***

One of the longest, most dramatic, and nationally influential sit-in movements occurred in Atlanta. Atlanta had long achieved a reputation of handling racial disputes peacefully through negotiated settlements among white and black leaders. Hence, as the sit-in movement erupted in early 1960 and black college students prepared for protest, adult black leaders, including college administrators, counseled caution. Hoping to achieve restraint and

delay, they supported full-page ads in Atlanta newspapers documenting the pervasiveness of segregation and discrimination in Atlanta and calling for a redress of the grievances. The manifesto was called “An Appeal for Human Rights.” While state segregationist leaders denounced the appeal—with some calling it communist-inspired—others, such as Atlanta’s moderate mayor, William B. Hartsfield, called it reasonable and worthy of a response. The appeal even caught the eye of national political leaders and journalists who saw it as a possible alternative to disruptive sit-ins. However, their hopes and those of local leaders were dashed when on March 15, black college students from the six schools comprising the Atlanta University Center conducted a sit-in blitz in downtown Atlanta. Reflecting the moderation of civil rights activities in Atlanta, they initially targeted only lunch counters and restaurants in government buildings and in train stations. Soon, however, the sit-ins spread to downtown department and variety stores and were accompanied by massive arrests and some violence (Hornsby 2009; Lefever 2005).

Because many of Atlanta’s top leaders, black and white, were either opposed to or skeptical of direct-action protests, a negotiated settlement seemed elusive. In this stalemate, the sit-in leaders turned to a reluctant Martin Luther King Jr., an Atlanta native, for help. King joined a demonstration on October 19 at Rich’s department store, the largest in the South. His arrest brought national and international attention to the Atlanta sit-in movement. But more importantly, it may have determined the outcome of the 1960 presidential election (Lawson 2004; Hornsby 2009; Grady-Willis 2006).

Immediately after the arrest, King was placed with the other black demonstrators arrested with him in the Fulton County jail in Atlanta. But soon local and state segregationists saw an opportunity to further prosecute and persecute the national civil rights leader. Discovering that he was on probation for a minor traffic offense in neighboring DeKalb County, a local judge there revoked his

probation and ordered him sent immediately to the notorious state prison in Reidsville, Georgia. These developments sent shockwaves across black America, as well as much of white America and the world. The two leading presidential candidates, Republican Richard M. Nixon and Democrat John F. Kennedy, were engaged in a very close race for the White House. Both candidates acknowledged the concern that many Americans, especially King’s family and friends, had for King’s safety at Reidsville. However, candidate Kennedy went further than Nixon when he personally expressed his sympathy in a telephone call to Mrs. King. The candidate’s brother, Robert M. Kennedy, used his influence with Georgia state Democratic leaders to win King’s release on bail. These actions caused jubilation in much of black America and persuaded enough additional black voters, especially in the North, to give their votes to Kennedy and to give him the election—albeit by a narrow margin of over 2 percent.

Interestingly and ironically, all of this did not persuade Atlanta’s leaders to begin desegregating lunch counters and restaurants. Instead, after reluctant and painstaking negotiations, they only agreed, in early 1961, to begin limited desegregation after Atlanta’s public schools were desegregated in the fall. The black leaders, old and young, were roundly scolded for assenting to this agreement. Were it not for the calming influence of Martin Luther King Jr., the agreement might have been broken and the leadership thoroughly discredited. The first desegregation came to Atlanta’s restaurants and lunch counters in late September 1961—one-and-a-half years after the sit-in movement began (Lawson 2004; Hornsby 2009).

The Atlanta sit-in movement was remarkable in three other aspects. First, it used modern technology, including two-way radios, to assign and move demonstrators. Second, the masses of black Atlantans broke with their more timid older leaders and supported the students in a very



effective boycott of downtown merchants. And third, it produced a “poster boy” of the movement, Julian Bond.

The efforts to desegregate Atlanta theaters involved much smaller numbers of African American demonstrators, but their goals were still accomplished largely through the Atlanta style of negotiated settlement. The first target was Atlanta’s large and luxurious Fox Theater. While the Metropolitan Opera Company (Met) was on tour at the Fox, two blacks, with tickets in hand, attempted to enter the dress circle to witness a performance. Later four blacks with balcony tickets also attempted to claim their seats but were turned away. However, within three weeks of these incidents, Rudolph Bing, general manager of the Met, advised his “friends” in Atlanta that the Met would no longer perform before segregated audiences. By the end of 1961, with the decision of the Met fresh in mind, African American students threatened movie “stand-ins” at all downtown theaters if racial barriers were not lifted. Then in March 1962 former Atlanta mayor William B. Hartsfield, who had become known as a racial moderate, brokered a deal that led to the limited desegregation of most downtown theaters by June 1 (Finkleman and Harmon 1996; LeFever 2005; Hornsby 2009).

### ***Albany, Georgia***

The Albany, Georgia, direct action movement was launched in 1961 with sit-ins at lunch counters, bus stations, and libraries. They involved students from Albany State College and members of SNCC. The sit-ins were accompanied by boycotts and marches. Hundreds were jailed. However, local police chief Laurie Pritchett was able to disperse the prisoners among jails in several surrounding counties, thus preventing the jails from filling up (Branch 1988; Williams 1987).

When little progress was made toward desegregation, the local leadership invited Martin Luther King Jr. and his SCLC to join the protests. King himself was arrested during a large demonstration on December 1, 1961. King declared that he would refuse bail until the city negoti-

ated a settlement. The city agreed to some concessions, but the agreement broke down once King left the city. King returned to Albany in July 1962 and was again arrested for demonstrating. He was later sentenced to 45 days in jail or to pay a fine of \$176. King vowed to remain in jail. But after only serving three days of his sentence, the civil rights leader was released. Albany police chief Pritchett had arranged for his fine to be paid and ordered him out of jail. King’s release highlighted growing divisions among the Albany demonstrators as to philosophies and tactics. With the entrance of SCLC into the protests, divisions among the local black leadership were now coupled with disagreements between SNCC and SCLC. Thus when young blacks threw toys and paper balls at police, King called for “A Day of Penance” to encourage nonviolence and remain on “the moral high ground.” In July King was again arrested in Albany, remained in jail for two weeks, and then left town for good (Williams 1987; Branch 1988; Lawson 2004).

Some observers and scholars have called the Albany movement a major failure for the civil rights movement and for Martin Luther King Jr. Pritchett’s tactics contributed to the lack of success. Pritchett decided to try to avoid adverse national publicity by preventing overcrowding in the jails and avoiding extreme acts of police brutality. He thus robbed the movement of the later sensationalism it achieved at Birmingham. Secondly, there were divisions among young and old, and between traditional or moderate black leaders and more radical ones. Thus, the movement did not seem to have a guiding philosophy. Yet others reject the thesis, pointing to the large numbers of ordinary blacks who participated in the movement, risking jobs, limb, and life; as Martin Luther King Jr. himself said, “They straightened their backs up” (Williams 1987; Tuck 2003; Branch 1988; Carson 1981).

## **Baltimore**

In March 1960 African American college students and a few white allies began picketing at a Baltimore, Maryland, department store, theater, and ice cream parlor. There were several arrests. Shortly thereafter, several downtown department stores desegregated their lunch counters. However, other restaurants and theaters remained segregated. In June several students, including 16-year-old Robert Mack Bell, were arrested during a sit-in at a Baltimore restaurant and convicted of trespassing. Led by Juanita Jackson Mitchell and Thurgood Marshall of the NAACP, the convictions were appealed to the Maryland Supreme Court, which upheld the convictions. When the case reached the U.S. Supreme Court, the court at first refused to hear it and sent it back to the Maryland Supreme Court. Meanwhile the state of Maryland passed a public accommodations law, and the U.S. Congress passed the Civil Rights Act of 1964. Then on April 9, 1965, in the case of *Maryland v. Robert M. Bell et al.*, the U.S. Supreme Court reversed the 1960 convictions.

In February 1963, students from predominately black Morgan State University began a demonstration at the all-white Northwood Theatre in Baltimore. Twenty-five of them entered the lobby of the movie house while others picketed outside. When the protestors refused orders to leave the theatre, they were arrested and charged with trespassing.

## **Danville, Virginia**

Outside of Birmingham, perhaps the most violent responses to direct-action protests came in Danville, Virginia, during the summer of 1963. On May 31, African Americans, led mainly by ministers in the Danville Christian Progressive Association, marched downtown to the municipal building. They demanded, among other things, desegregated public accommodations.

The city promptly rejected the demand and instead, using a pre-Civil War statute, sought injunctions against

“any person conspiring to incite the colored population to insurrection.” On June 10, 60 high school students marched to the municipal building. Their leaders were arrested. Many of the other protesters ran away, but were chased into a blind alley where high-pressure hoses were turned on them. Many were knocked down, and some had their clothes blown off. The police then pounced on the protesters with night sticks and arrested them. When their parents came to the jail to look after them they, too, were arrested for contributing to the delinquency of a minor. But demonstrations continued through the summer of 1963. Meanwhile, responding to a plea from local leaders, members of SNCC and CORE joined the protests. Several of them were arrested. In the end there were more than 600 arrests in Danville. On July 11, Martin Luther King Jr. arrived in Danville, but did not lead or participate in a demonstration because the group that showed up to march was too small; the size of the group was indicative of the waning enthusiasm for demonstrations. The Danville protesters’ demands were never met by local authorities; desegregation of public accommodations came only after the passage of the Civil Rights Act of 1964 (Garrow 1989).

## **Orangeburg, South Carolina**

On February 25, 1960, several students from predominately black South Carolina State University and Claflin University sat in at a variety store lunch counter in downtown Orangeburg, South Carolina. The lunch counter was immediately closed and its stools were removed. The students, however, continued their sit-ins and picketing over the next few weeks. On March 15 more than 1,000 students marched downtown in a peaceful protest. They were attacked by police with billy clubs and tear gas. Firemen also turned high-powered water hoses on them in freezing weather. About 400 of them were arrested and convicted of “breach of peace.” But in 1963 the U.S. Supreme Court declared that the arrest violated the First Amendment guarantee of the right to petition for a redress of grievances.

In February 1968, black students in Orangeburg attempted to desegregate the town's All Star Bowling Lane. The students were denied entrance into the facility. Over the next two days, 20 mostly student protesters gathered on the campus of South Carolina State University to demonstrate against the continued segregation at the bowling alley. That night, the students threw fire-bombs, bricks, and bottles, and started a bonfire. As police attempted to put out the fire, an officer was injured by an object thrown at him. The police later claimed that they believed they were under attack by small arms fire. Police then fired into the crowd, killing three male students. Twenty-eight others were injured by police action. The protesters, however, consistently maintained that they did not fire at police officers, but rather threw objects and insulted the policemen.

The federal government later brought charges of excessive force against the state patrolmen. But in the federal trial all nine defendants were acquitted. In a state trial in 1970, the activist Cleveland Sellers, one of the black protesters, was convicted of a charge of rioting. He served seven months in state prison, after getting time off for good behavior. Twenty-five years later, Sellers was officially pardoned by the governor of South Carolina (Sellers and Terrell 1990; Nelson and Bass 1999; Shuler 2012).

### ***Cambridge, Maryland***

Cambridge, Maryland, became the scene of some of the most sensational and dramatic events during the civil rights movement. On March 29, 1963, African Americans and their white allies, mostly students, marched to downtown theaters with the intention of sitting in at theaters and a skating rink. A group of hostile whites, yelling epithets, blocked their way. Several protesters, including the principal leader, Gloria Richardson, were arrested and charged with trespassing. Once protesters were released after a local judge assessed fines of one cent, the protests resumed in May. Restaurants, theaters, and skating rinks were targeted, and more arrests ensued. Then on June 12

more than 500 protesters again marched in downtown Cambridge. Again they faced a white mob, but on this occasion some of the blacks were carrying weapons. Two days later several white-owned stores in an African American community were burned. At the same time, in a gun battle between whites and blacks, two whites were killed. When police entered the area they were pelted with rocks. As this violence subsided, Maryland Governor J. Millard Tawes called for a one-year moratorium on demonstrations. African American leaders rejected the request. The governor then declared martial law in Cambridge and ordered the National Guard to patrol the city. Interestingly enough, many African Americans welcomed the presence of the Guard as a better alternative to the racist local police force, while many other blacks resented the presence of the army "of occupation."

In July 1963, as tensions seemed to cool a bit, the Guard was withdrawn. But almost immediately demonstrations resumed, and so did white attacks on the protesters. Some blacks again reacted violently. White-owned stores were set on fire, and at least a dozen whites were shot. The governor recalled the National Guard. The soldiers were to remain in the city for almost one year—the longest deployment of a military force in an American city since the reconstruction era. On July 23, U.S. Attorney General Robert Kennedy entered into the biracial discussions aimed at resolving the crisis. He helped forge a "Treaty of Cambridge" which, among other things, called for the desegregation of public accommodations. The treaty divided both black and white Cambridge. Some in both communities supported it; others vigorously opposed it. For example, a group of whites were successful in calling for a referendum to overturn the accord. Some black leaders urged African Americans to boycott the vote, arguing that their group should not "beg" for freedom. Thus no more than 50 percent of black voters participated. The referendum was approved 53 percent to 47 percent. After more than two years of protest, Jim Crow's back could not be broken in Cambridge; it would take the Civil Rights Act of 1964 to

desegregate public accommodations in the town (Levy 2003).

## ***Birmingham, Alabama***

As significant as other demonstrations were, the protests in Birmingham, Alabama, in the first three months of 1963 had such a profound impact nationally and internationally that they have been called a turning point in the civil rights movement.

Known as “Bombingham” because of the numerous explosions ignited by white supremacists to repel black advancement, the city remained completely segregated. For years Reverend Fred Shuttlesworth, a leader of SCLC, and the Alabama Christian Movement for Human Rights (ACMHR, an affiliate of the SCLC) had led demonstrations to integrate schools and public accommodations with no success. Shuttlesworth had been beaten and his home bombed. In 1962, after black students at the city’s Miles College had initiated an effective boycott of downtown businesses to protest segregation and discrimination, merchants agreed to desegregate lunch counters, toilets, and drinking fountains. But Public Safety Commissioner Eugene “Bull” Connor instead arrested Shuttlesworth and sent municipal inspectors to the establishments, threatening to close them down for building code violations if they went ahead with the desegregation. The merchants then called off their plans to desegregate.

On April 3, 1963, Martin Luther King Jr. and the SCLC launched a new round of demonstrations in the city. King rejected calls for further delay pending additional negotiations, contending that African Americans had waited long enough (Williams 1987; Lawson 2004).

Shortly thereafter the police started to arrest downtown marchers, and an Alabama judge enjoined King and more than 130 civil rights activists from participating in demonstrations. King decided to violate the state court order and staged a march on Good Friday, April 12. The civil rights leader was arrested and spent the next week

incarcerated. From his cell he wrote the famous “Letter from a Birmingham Jail,” which was smuggled outside and published. In it King explained to moderate white clergy why he did not call off the demonstrations to allow time for new negotiations to succeed. “For years now I have heard the word ‘Wait!’” King complained. “It rings in the ear of every Negro with piercing familiarity. This ‘Wait’ has almost always meant ‘Never!’ We must come to see, with one of our distinguished jurists, that ‘justice too long delayed is justice denied’” (Williams 1987; Lawson 2004).

However, with King and others in jail, the demonstrations lost some of their momentum. As a result, on April 20, King chose to post bail. He then made one of the most controversial decisions since Albany: He approved of using children as demonstrators. On May 2, children ranging in age from six to 18 left the Sixteenth Street Baptist Church, adjacent to downtown, and marched into the streets of Birmingham. Bull Connor, policemen, and firemen greeted them with snarling, biting police dogs and high-pressure water hoses. The youngsters as well as adults in the march were knocked to the ground and against buildings and trees by the force of the water. Several were also struck by police billy clubs. Those who escaped ran back to the church. Hundreds were arrested, adding to those already incarcerated. As the jails overflowed, some protesters were imprisoned at the city’s state fairground (Williams 1987; Branch 1988; Lawson 2004).

The scenes of the violent repression at Birmingham were seen across the country and around the world. The outpouring of public opinion against Birmingham forced the White House to take urgent notice. President Kennedy sent the assistant attorney general for civil rights, Burke Marshall, to Birmingham to mediate between civil rights leaders and the city’s businessmen. Secret negotiations began on May 5, while demonstrations continued. On May 8, a “Senior Citizens’ Committee” of white businessmen and King and his allies agreed

to a deal desegregating lunch counters, restrooms, fitting rooms, and drinking fountains in large downtown department and variety stores, as well as the hiring of an unspecified number of black sales clerks. By the end of July, five department stores had integrated their lunch counters, a few black clerks were hired, the city council removed its segregation laws from the books, and the municipal golf course, which Connor had closed, opened to blacks (Williams 1987; Branch 1988; Lawson 2004).

Schools, theatres, hotels, and restaurants remained segregated, and white violence continued. On May 11, a bomb exploded at the Gaston Motel, where Martin Luther King Jr. had been staying, though King was not there at the time. That same evening, white racists planted sticks of dynamite that blew away the front portion of the home of the Reverend Alfred Daniel Williams (A.D.) King, Martin's brother. In response, a crowd of blacks left the Gaston Motel and retaliated by throwing rocks and bottles at the police who came to investigate the bombing. The blacks also attacked white pedestrians and burned stores in the surrounding area. The violence ended the next day as King and other African American leaders helped restore order. A month later, on Sunday, September 12, white racists struck again. A bomb blast ripped through the basement of the Sixteenth Street Baptist Church, killing four young girls attending Sunday school in the church basement and injuring other worshippers attending services upstairs. Once again, rioting erupted, and before the day was over two more black teenagers had been killed (Eskew 1996; McWhorter 2001; Williams 1987).

### ***Jackson, Mississippi***

On May 12, 1963, African American leaders in Jackson, Mississippi, including members of the NAACP, sent a letter to white political and business leaders demanding, among other things, desegregation of the city's public accommodations. Jackson's white leaders rejected the demands. Instead, Jackson Mayor Allen Thompson appointed his own "Negro Committee," which was

"composed of conservative, pro-segregation" blacks (Moody 2004). On May 28, 1963, sit-ins began at a lunch counter in a Jackson department store. The demonstrators, mostly students from nearby Tougaloo College, were attacked by a white mob which, among other things, poured coffee, salt, and syrup all over the students. Police eventually rescued the demonstrators from the mob. Two weeks later one of the leading forces of the civil rights movement in Jackson, Medgar Evers, was murdered in the driveway of his home. It was later determined that a Ku Klux Klansman, Byron De La Beckwith, was responsible for the crime. This tragedy inspired the Kennedy administration to intervene in the Jackson protests. As a result, a few African Americans were employed by the city, most notably policemen to patrol black communities. Local black leaders then called off the protests without achieving desegregation of lunch counters (Salter 1987; Dittmer 1995; Andrews 2004; Marshall 2013).

### **Equal access to transportation**

In addition to fighting for equal access to public establishments such as lunch counters, stores, restaurants, and theaters, civil rights advocates also sought equal access to transportation. Prior to the 1960s, segregation on streetcars, buses, and railroad cars was consistently challenged by blacks and their allies, both in courts and through direct action including boycotts, such as the famous one in Montgomery, Alabama, in 1955. Other pre-1960 protests occurred in Baton Rouge, Louisiana; Tallahassee, Florida; and Atlanta.

The Montgomery boycott began on December 1, 1955, when Rosa Parks, a local seamstress and civil rights activist, refused to give up her seat to a white person. Her arrest enraged much of Montgomery's African American community. Spurred by the eloquent and fiery oratory of a newly arrived minister, Martin Luther King Jr., the community, in a crowded mass meeting, unanimously agreed to boycott the buses.

In subsequent mass rallies in Montgomery and elsewhere, the meetings oft-times included fervent preaching and spirited singing. Despite economic intimidation, arrests, beatings, and bombings, Montgomery's blacks refused to ride the buses until the U.S. Supreme Court ruled segregation on them unconstitutional on December 20, 1956 (Branch 1988; Robinson 1987).

The bus boycott that began in Baton Rouge, Louisiana, on February 11, 1953, was actually the first successful black boycott in the modern era. The African American community was angered by a recent increase in bus fares. Blacks, most of them domestic workers and laborers, made up at least 80 percent of the transit company's passengers. This fare increase seemed especially unreasonable to many in light of the fact that blacks faced daily segregation and discrimination on the buses. The Reverend T.J. Jemison, a recent arrival in the city, led an appeal to the city council to amend the segregation laws to permit blacks to sit in the front seat of buses as long as they did not sit in front of a white passenger. The city council passed the amendment unanimously, and it was to take effect on March 29, 1953. However, during the first three months of its existence, the law was not enforced. In June 1953, reacting to the rough treatment of a black woman who tried to sit in "the white section" of a bus, blacks demanded enforcement of the recently passed amendment. Bus company officials complied with the request; however, some white bus drivers refused to accept the order and, instead, went on strike in protest. On June 19, 1953, Louisiana's attorney general ruled the new amendment unconstitutional. African American leaders immediately called for a bus boycott. The highly successful boycott crippled the bus company and had other negative economic impacts in the city. Thus, some white leaders were encouraged to enter into negotiations with African American leaders. The agreement restored the essence of the amended bus seating law, and on June 24, 1953, the boycott ended (Fairclough 1995; Lawson 2004).

The incident that provoked the Tallahassee, Florida, boycott occurred on May 27, 1956, when two Florida A&M University students defied segregated seating laws on buses and were arrested for "trying to incite a riot." The next day Florida A&M student leaders called for a student boycott of the buses. Two days later adult black leaders, under the leadership of the Rev. C.K. Steele (head of the Tallahassee NAACP) and James Hudson (president of the Tallahassee Ministerial Alliance), called a mass meeting of local citizens, which endorsed a community-wide boycott. By July 1, 1956, the bus company was insolvent and was forced to shut down service throughout the city. In August, the bus company hired several black bus drivers for routes in the African American communities. This move encouraged some blacks to return to the buses. But the Florida A&M student leaders and the leaders of the adult coordinating committee urged continuation of the protests. The city responded by arresting several of the blacks who were operating carpools; they were convicted and assessed fines of more than \$10,000. Among the African Americans' response was an attempt by two ministers to ride "whites only" buses on Christmas Eve 1956. White racists, including members of the Ku Klux Klan, simultaneously stepped up their acts of intimidation and violence. Meanwhile, aided by some white students from Florida State University, black leaders continued their attempts to desegregate the buses. Amid these activities and increased national publicity, Florida's "moderate" governor, Leroy Collins, ordered bus service suspended. Meanwhile, behind-the-scenes negotiations continued in an effort to break the stalemate. In late January 1957, these efforts led to some bus seating desegregation, particularly on predominantly black routes, and the boycott faded (Rabby 1999; Branch 1988).

### ***Freedom Rides***

In 1941 the Interstate Commerce Commission (ICC) issued a ruling in the case of Sarah Keys v. Carolina Coach Company declaring segregation in interstate bus travel illegal, but the ICC did not enforce its ruling. In

two cases in 1946, *Boynnton v. Virginia* and *Morgan v. Virginia*, the U.S. Supreme Court ruled that segregation on interstate buses was unconstitutional. The next year the first notable “Freedom Rides” testing the ability to ride desegregated on interstate buses occurred. Led by biracial groups, including members of CORE, the riders selected the Upper South states of Kentucky, North Carolina, Tennessee, and Virginia. Characterizing their foray as a “journey of reconciliation,” they entered these states from Washington, D.C. They first encountered trouble in Virginia and North Carolina, where at Chapel Hill the mob turned its fury particularly on one of the white riders, James Peck. Although no further serious outbreaks of violence occurred as the riders continued their journey, there were many arrests, and when they ended their demonstration on April 23, segregation on buses and in terminal waiting rooms continued (Peck 1962; Meier and Rudwick 1973).

The next major demonstrations seeking to ride desegregated interstate buses were the more-publicized Freedom Rides that began in 1961. Based on the earlier model provided by CORE in 1947, a biracial group of riders started out from Washington, D.C., on May 4. They planned to ride through the Deep South into New Orleans, hoping to arrive on May 17, the seventh anniversary of *Brown v. Board of Education*.

One of the first major acts of violence occurred in Rock Hill, South Carolina, where now-Congressman John Lewis was attacked. In other towns and cities, including Charlotte, North Carolina, and Jackson, Mississippi, several riders were arrested, either for sitting desegregated or attempting to use all-white waiting rooms or cafeterias. Then on May 14, a mob, composed largely of Ku Klux Klansmen, firebombed a bus carrying Freedom Riders. As the riders escaped from the burning vehicle they were viciously beaten by the mob. Their lives were probably saved by warning shots fired over the heads of the Klansmen by Alabama highway patrolmen. However, another bus with riders aboard reached Anniston,

Alabama, shortly after this incident. Klansmen boarded the bus and beat the riders into semiconsciousness. Then, at Birmingham, Alabama, another mob of Klansmen, aided by local police under direction of police commissioner Eugene “Bull” Connor, severely injured several riders, beating them with baseball bats, bicycle chains, and iron pipes. White riders especially were targets of the mob’s fury. For example, CORE member James Peck, who as noted above also participated in the 1947 Freedom Rides, required more than 50 stitches for the wounds to his head (Branch 1988).

In view of these incidents and the dangers ahead, as well as the refusal of some operators to drive buses with Freedom Riders as passengers, some Freedom Riders wanted to abandon their journey and fly to New Orleans. But others, like SNCC leader Diane Nash, argued successfully that violence should not be allowed to halt the movement. Thus, on May 17, a new group of riders left Nashville for Birmingham. They were arrested, but later released and driven by police to the Tennessee state line. Within short order, however, they returned to Birmingham (Branch 1988; Arsenault 2006; Niven 2003).

As new riders joined the group in Birmingham, the plan was to go on to the Alabama state capital at Montgomery. But bus drivers again refused to move their buses. It took pressure from Attorney General Robert Kennedy to force Greyhound Bus company officials to order drivers to take the riders from Birmingham to Montgomery. The attorney general’s office also persuaded a reluctant Alabama Governor John Patterson to offer protection for the riders during their trek from Birmingham to Montgomery. But when the bus carrying the riders reached the Montgomery city limits on May 20, the Alabama highway patrolmen withdrew their protection. As the bus reached the downtown bus station, a mob lay in waiting and savagely beat the riders, causing several of them to be hospitalized. Also injured was John Seigenthaler, a justice department official, who was beaten into unconsciousness (Branch 1988; Niven 2003).

Appalled by this new round of violence and concerned by the unfavorable publicity generated throughout the world by this bloody incident, the Kennedy administration sent some 400 U.S. marshals to Montgomery and worked behind the scenes to negotiate a settlement. Meanwhile, on May 21, Martin Luther King Jr., who had not been involved in the planning or direction of the Freedom Rides, arrived in Montgomery and spoke before a crowd packed into Ralph Abernathy's First Baptist Church. Outside, white mobs formed, assaulted black onlookers, torched parked cars, and flung rocks and Molotov cocktails at the church. Meanwhile, King kept in telephone communication with Attorney General Kennedy, who monitored the crisis. U.S. marshals fought to repel the siege and fired tear gas into the crowd, but were outnumbered. As gas fumes sifted inside the church, King counseled calmness and peace. Finally, Governor John Patterson, under intense pressure from the federal government, declared martial law and sent in the National Guard to restore order and free the churchgoers (Branch 1988; Niven 2003).

The attorney general finally worked out an agreement for Alabama state troopers to protect the bus riders on the next leg of their trip and then have Mississippi authorities escort them to Jackson. Once safely there, city officials would have them peacefully arrested, tried, and convicted for violating the state's segregation laws. All went according to plan as Freedom Riders continued to pour into Jackson throughout the summer and fill the cells at the state penitentiary. On May 29, Attorney General Kennedy petitioned the ICC to promulgate regulations banning interstate bus segregation. The Freedom Rides maintained pressure on the administration and the commission, and finally in late September the ICC issued a decree declaring that by November 1, 1961, interstate as well as intrastate bus carriers and terminals must abandon segregation. By the end of 1961, CORE reported that it had surveyed 200 bus stations in the South and discovered that most obeyed the ICC regulation. The majority of recalcitrant operators were located in Mississippi and

northern Louisiana, but by the end of 1962, legal action had dismantled much of the remaining segregated terminal facilities (Williams 1987; Branch 1988; Niven 2003).

## The Civil Rights Act of 1964

Because of the need for Southern congressmen's votes for his legislative initiatives, President John F. Kennedy had tread lightly during the civil rights movement, intervening only to make sure that fundamental law was adhered to and to prevent serious violence. But the repressive acts at Birmingham, viewed nightly on television around the world, and the pressures of African American leaders finally forced him into public action. On June 11, 1963, following the desegregation of the University of Alabama under the protection of federal marshals, President Kennedy adopted some of the spirit of Martin Luther King Jr.'s "Letter from a Birmingham Jail" and went on television and embraced the goals of the movement on legal and moral grounds. Shortly thereafter his allies in Congress introduced the Civil Rights Act of 1963. However, it was stalled in Congress by a combination of Southern Democrats and Northern Republicans. It was only after Kennedy's assassination on November 22, 1963, and the ascendancy of Lyndon Johnson to the presidency that the bill was passed. Johnson, using the mood of the country after Kennedy's death and his skills as a longtime Southern senator, was able to secure passage of the measure and signed it on July 2, 1964 (Risen 2014).

The 1964 Civil Rights Act guaranteed to all persons "the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation . . . without discrimination or segregation on the ground of race, color, religion, or national origin."

## Conclusion

History is often marked by major shifts or turning points in society. One such turning point in American history



and for African American history in particular was when President Lyndon Johnson signed into law the Civil Rights Act of 1964. This watershed piece of legislation forever changed the quality of life for African Americans in this country by dealing a decisive final blow to legally segregated public accommodations and prohibiting employment discrimination.

The 1963 March on Washington for Jobs and Freedom—still held as a pinnacle of the civil rights movement—is often credited with creating the political momentum necessary for passing this law. However, this paper shows that the foundation for large paradigm-shifting national movements is often built upon smaller community and grassroots demonstrations, such as those documented in this report. Still, more than 50 years after the March on Washington, the hard economic goals of the march, critical to transforming the life opportunities of African Americans, have not been fully achieved. As documented in other papers in EPI's Unfinished March series, these include the demands for decent housing, adequate and integrated education, a federal jobs program for full employment, and a national minimum wage of over \$13 an hour in today's dollars. As we continue to press for achievement of these goals as well, there are important lessons to be learned from places such as Greensboro, North Carolina, and Birmingham, Alabama, about how individuals and communities can leverage their collective power to set new standards and effect change.

## About the author

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