

WHAT SHOULD BE DONE TO ADDRESS RACIAL TENSIONS IN MONTGOMERY IN 1956?



[Cover photo credit: Dan Weiner/John Broderick]

HISTORIC DECISIONS GUIDE



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ABOUT THIS ISSUE GUIDE

WHAT IS DELIBERATION?

It's not a debate. It's not a contest. It's not even necessarily about reaching an agreement or seeing eye-to-eye. It's about looking for a shared direction guided by what we all value. It's about examining the costs and consequences of possible solutions to daunting problems.

We engage in deliberation when we:

- + Get beyond our initial positions to deeper motivations—that is, to the things we most care about, such as safety, freedom, or fairness.
- + Carefully weigh the views of others and recognize the impact of various options.
- + Work through our conflicting emotions and experience the tensions among the things we all hold valuable.

Public deliberation is a conversation designed not to win an argument or to reinforce shared opinions, but rather to carefully consider alternative perspectives, and to seek out common ground even when we disagree.

WHAT IS HISTORICAL DELIBERATION, AND HOW DO I DO IT?

Today, we all face common challenges and we must collectively make decisions. Deliberation is one way to productively engage with our shared problems, even when we do not all agree on solutions.

But the need to address shared concerns and make collective decisions isn't new. Throughout the history of the United States, we have faced decision points and problems that no one person or institution (even the government) could solve alone.

This issue guide describes one of these moments in American history: the 1956 bus boycott in Montgomery, Alabama. At this time, legal and social traditions of racial segregation in the American South were being challenged – and it was not yet clear whether this challenge would be successful, or what consequences might result.

As you deliberate, imagine yourself as an American at this time. Think about the fears and concerns you might have had about segregation, about the boycott, and about how this relates to things we all hold valuable (in 1956 and today): safety, freedom, fairness, etc. Remember that people at this time did not know how events would unfold – but they could anticipate some potential tradeoffs to any course of action.

ABOUT THIS ISSUE GUIDE

WHAT'S THE POINT OF ALL THIS?

In part, historical deliberation is an interactive, engaging way of learning about history. Rather than memorizing names and dates, deliberation builds skills of historical empathy (understanding perspectives) and oral communication (careful listening and constructive speech). And you might even learn a few names and dates along the way!

But deliberation is also an approach to any process of group decision-making. Deliberation requires respectful consideration of diverse perspectives, reflecting on the shared values even of the options we oppose, acknowledging the drawbacks even of the options we support, and seeking areas of common ground even among continuing disagreement. These practices can improve any collective decision-making process, from small social groups to national elections. Besides historical education, another goal of this issue guide is to help build your civic skills, so that you can work productively with your fellow citizens to address shared problems now and in the future.

GROUND RULES FOR A FORUM

Before the deliberation begins, it is important for participants to review guidelines for their discussion.

- + **Focus on the options.**
- + **All options should be considered fairly.**
- + **No one or two individuals should dominate.**
- + **Maintain an open and respectful atmosphere.**
- + **Everyone is encouraged to participate.**
- + **Listen to each other.**
- + **Imagine yourself as a citizen at the time when the issue guide is set.**

1956
MONTGOMERY,
ALABAMA

WHAT SHOULD BE DONE TO ADDRESS RACIAL TENSIONS?

It is March, 1956, in Montgomery, Alabama. For the past four months, thousands of African Americans in our city have boycotted the municipal bus system to protest segregation and unfair treatment. But the tensions in our community date back much longer than that. Racial segregation here is both a legal requirement – mandated by both city and state laws – and a way of life. White and Black citizens attend separate schools, use separate toilets, and sit in different sections of restaurants, theaters, and buses. Blacks are expected to show deference to Whites. In many

stores, Black customers receive service only after all white customers have been attended to. Due to discriminatory policies like poll taxes and literacy tests, less than ten percent of eligible Black voters in Montgomery County are registered to vote. As the current boycott demonstrates, many Black Montgomeriesians find this Jim Crow culture degrading. But in a community where segregation has defined our way of life for generations, many are fearful and confused about what change would bring.

CHALLENGES TO SEGREGATION

In the last few years, traditional Southern segregation has faced increasing challenges. During World War II, African American soldiers protested against being asked to preserve democracy abroad while their country failed to protect their democratic rights at home. During the war, squadrons of African American military pilots famously trained in Tuskegee, Alabama, 35 miles from Montgomery. In 1948, after the war was over, President Harry Truman ordered the desegregation of the armed forces. This has had particular impact in Montgomery, where one out of seven families includes someone who works on the nearby air force bases, Maxwell and Gunter. These employees work in a desegregated environment where Black and White airmen eat at the same tables and use the same facilities, and return home to a city where such contact is socially forbidden, and often legally prohibited.

Two years ago, in 1954, the United States Supreme Court ruled in *Brown v. Board of Education of Topeka* that it is unconstitutional for public schools to segregate students by race. The Alabama state legislature passed a resolution declaring this ruling to be “null, void, and of no effect” in our state, and 101 federal legislators (including all Senators and House members from Alabama) have signed onto a “Southern manifesto” insisting that the decision is unconstitutional. No public school system in Alabama has yet begun to desegregate. The Supreme Court is not backing down, issuing a second ruling last year demanding that public schools desegregate with “all deliberate speed.” As of now, in 1956, Montgomery’s school system has made no steps toward desegregation, but the *Brown v. Board* ruling has raised both expectations and fears of this outcome.

THE BUS ISSUE

The issue of segregation on the buses is only a small, symbolic part of African Americans' protests against segregation. Indeed, civil rights activists and Black political leaders in Montgomery have called for a range of other reforms, including desegregation of public parks and the hiring of African Americans for municipal civil service jobs. But the buses themselves have also been a repeated source of conflict. In accordance with the city segregation code, the front rows of bus seats are reserved for whites, and the back rows for Black passengers. Between these two sections are seats which African Americans are permitted to occupy

if they are empty, but are forced to vacate in deference to White passengers. Bus drivers are empowered with police powers to enforce these rules. Black bus riders are also required to pay their fare to the driver at the front of the bus, get off, and board again by another set of doors in the back.

In 1950, a uniformed Black veteran named Brooks, after having paid his fare to ride the bus, refused to exit and reenter by the back doors. In the ensuing altercation over his ten-cent fare, a police officer shot and killed him. During the year 1955 alone, at least three African American women were arrested on Montgomery city buses for refusing to vacate seats for white passengers: 15-year-old student Claudette Colvin in March, 18-year-old maid Mary Louise Smith in October, and 42-year-old assistant tailor and civil rights activist Rosa Parks in December.

C. 6, § 10 MONTGOMERY CITY CODE C. 6, § 13

Sec. 10. Separation of races—Required.

Every person operating a bus line in the city shall provide equal but separate accommodations for white people and negroes on his buses, by requiring the employees in charge thereof to assign passengers seats on the vehicles under their charge in such manner as to separate the white people from the negroes, where there are both white and negroes on the same car; provided, however, that negro nurses having in charge white children or sick or infirm white persons, may be assigned seats among white people.

Nothing in this section shall be construed as prohibiting the operators of such bus lines from separating the races by means of separate vehicles if they see fit. (Code 1938, §§ 603, 606.)

Sec. 11. Same—Powers of persons in charge of vehicle; passengers to obey directions.

Any employee in charge of a bus operated in the city shall have the powers of a police officer of the city while in actual charge of any bus, for the purpose of carrying out the provisions of the preceding section, and it shall be unlawful for any passenger to refuse or fail to take a seat among those assigned to the race to which he belongs, at the request of any such employee in charge, if there is such a seat vacant. (Code 1938, § 604.)

Sec. 12. Failure to carry passengers.

It shall be unlawful for any person operating a bus line in the city to refuse, without sufficient excuse, to carry any passenger; provided, that no driver of a bus shall be required to carry any passenger who is intoxicated or disorderly, or who is afflicted with any contagious or infectious disease, or who refuses to pay in advance the fare required, or who for any other reason deemed satisfactory by the recorder should be excluded. (Code 1938, § 699.)

Sec. 13. Smoking.

It shall be unlawful for any person to smoke a cigar, pipe or cigarette upon any bus in the city; provided, however, that

“EVERY PERSON OPERATING
A BUS LINE IN THE CITY
SHALL PROVIDE EQUAL BUT
SEPARATE ACCOMMODATIONS
FOR WHITE PEOPLE AND
NEGROES ON HIS BUSES...”

MONTGOMERY CITY CODE

THE MONTGOMERY IMPROVEMENT ASSOCIATION

Rosa Parks had long been a respected member of Montgomery's Black community, and a leader in the fight for civil rights. Outraged at her arrest, fellow activists distributed thousands of flyers calling for a one-day boycott of Montgomery buses, on December 5, the day of Parks' trial. Very few African Americans rode the buses that day. That night, thousands of African Americans attended a mass meeting of the newly formed Montgomery Improvement Association (MIA), an organization dedicated to organizing boycott efforts and fighting for civil rights in Montgomery. The MIA elected Martin Luther King, Jr., the 26-year-old pastor of a local Baptist church, as its president. King pledged to continue the boycott, saying, "we are determined here in Montgomery to work and fight until justice runs down like water."

**"THE MIA HAS
ARRANGED AN
ALTERNATIVE SYSTEM
OF CARPOOLS, DRIVEN
BY VOLUNTEERS,
TO PROVIDE
TRANSPORTATION."**

The MIA made three demands of the city: courteous treatment of African American passengers by drivers, the hiring of African Americans as drivers, and a revised "first come, first served" segregation system, which would not require Black passengers to stand to make room for Whites to sit. The boycott has continued for the last four months. Most of Montgomery's African American citizens have continued to support the protest, but they have little to show for it except worn shoe leather. In the past, many African Americans have in the past depended on the bus system for transportation to work. The MIA has arranged an alternative system of carpools, driven by volunteers, to provide transportation. And in all weather, people walk, ignoring the mostly-empty buses. The MIA raises funds both in Montgomery and across the country. An immense fundraising and organizing effort is necessary to sustain the boycott and keep the carpool running.



[Photo Credit: AP Photo/Horace Cort]

STALEMATE

However, the city has refused to make any concessions to the MIA's demands. Police officers have harassed carpool drivers, and arrested them for minor traffic violations. Only days ago, on March 22, MIA president Martin Luther King, Jr., was convicted under a state law which prohibits conspiring to interfere with a lawful business. He was fined \$500, plus court costs. Refusing to pay what he considered an unjust fine, he was sentenced to 386 days of incarceration and hard labor. King has appealed the ruling, and remains free for the time being, but the sentence

hangs over him – and the 88 other boycott organizers indicted under the same law. The bus boycott has exposed our city's longstanding divisions on racial issues, but we seem to be no closer to resolution than when the protest began. And these divisions have turned violent. Two bus drivers have reported having shots fired at their vehicles, and bombs have exploded on the porches of King and another protest leader, E.D. Nixon. Luckily, no one was injured in these bombings, but these events leave people fearful and on edge.

WHAT DECISION IS BEST FOR MONTGOMERY?

MAKING A HISTORIC DECISION

Our city is more divided than ever, and we face crucial questions as a community about how to address the tensions exposed by the bus boycott. How do we create a society in which all of our citizens feel safe, respected, and free to pursue their own beliefs? No one wants the current status quo – ongoing protests, and open conflict between different segments of our city – to last forever.

All of our citizens must make decisions about how Montgomery should address the obvious tensions in our city. And no matter what values they decide to prioritize, there will be inevitable tradeoffs and drawbacks. These are hard decisions, and citizens from across our community must deliberate about these choices.

OPTION 1

KEEP MONTGOMERIANS SAFE

THE ONGOING BUS BOYCOTT HAS DIVIDED OUR CITY, BUT ONE THING THAT UNITES MONTGOMERIANS OF EVERY RACE AND CLASS IS CONCERN FOR THEIR PERSONAL SAFETY.

Many African Americans have experienced violence, and feel unprotected by the police or courts. All of our citizens should recognize that these are reasonable concerns. Even supporters of segregation should agree that Jim Crow should not be a license for Whites to commit violence against Blacks. Segregation has been a basic way of life in our city for generations, and many in our city fear that chaos and violence will result from changing this system. We must be cautious about changes that will exacerbate these fears. The current protest is counterproductive to the goal of decreasing the tensions in our city and ensuring the safety of all our citizens. This boycott disrupts our traditions and inflames passions on every side.

OPTION 1: KEEP MONTGOMERIANS SAFE

Segregation has defined Montgomery's way of life for generations, and sudden change risks disrupting our society, inspiring fear in our citizens, and even provoking violence. At the same time, segregation should not mean that African Americans have to live in fear. Our city's racial politics will continue to evolve, but we should first and foremost prioritize safety and security for all our citizens.

Tradeoff: Prioritizing safety and the maintenance of the existing social order means that segregation's injustices will be preserved for years to come.

EXAMPLES OF WHAT MIGHT BE DONE

African American citizens should end the current boycott of Montgomery buses, which is disruptive to the economy and in violation of state law.

Montgomery Public Schools should be cautious about implementing desegregation in order to minimize disruption and violence.

The police should rigorously investigate all crimes in Montgomery, including acts of physical violence and sexual violence directed against African American citizens by White citizens.

TRADEOFFS TO CONSIDER

... But this will require African Americans to submit to a system of segregation many find humiliating, and which maintains racial divisions in our city.

... But this is contrary to the spirit of the *Brown* decision, and means that students of color will continue to experience an unequal, segregated education system.

... But this gives employers the power to restrict the political speech and actions of their employees.

OPTION 2 INTEGRATE MONTGOMERY

SEGREGATION IN MONTGOMERY'S SYSTEM OF PUBLIC TRANSPORTATION HAS BEEN A SOURCE OF TENSION IN OUR CITY SINCE 1900, WHEN MONTGOMERY FIRST INTRODUCED ITS LOCAL SEGREGATION ORDINANCE.

At that time, many African Americans boycotted the trolleys in protest, but were unsuccessful in getting the policy reversed. The current boycott may or may not prove more effective than the former one, but the fact that this same issue remains a source of conflict now, more than a half-century later, demonstrates that only genuine justice will solve the problem.

AS PROTEST LEADER JO ANN ROBINSON HAS ARGUED, IF "SOME INTELLIGENT, ORGANIZED GROUP [DOES] NOT ... SEEK IMPROVEMENTS...

ANGRY HOT-HEADS WILL RESORT TO OTHER MEANS"

OPTION 2: INTEGRATE MONTGOMERY

Montgomery will never be truly free of tension until all of its citizens feel that they are treated with respect, as equal members of society. The protesters involved in the current boycott should continue to fight for this goal on the buses, in public schools, and in every aspect of public life.

Tradeoff: Protesters could pay a heavy price – including facing violent reprisals – for their actions, and disruptive protests might promote social change but foster long-term resentments and social divisions.

EXAMPLES OF WHAT MIGHT BE DONE

The city of Montgomery should swiftly integrate its public schools, as required by the recent *Brown v. Board of Education* decision.

African Americans should register to vote, demanding access even when state laws and local officials attempt to prevent them.

Opponents of segregation should challenge racial codes in the courts, arguing that state and local segregation laws are unconstitutional.

TRADEOFFS TO CONSIDER

... But dismantling the segregated Black school system will end a source of community pride and professional employment for Montgomery's African Americans.

... But this confrontational tactic will cause more conflict, and African Americans are a minority both in Montgomery and across the state, and may continue to be outvoted.

... But even if this is successful, this process will be slow, and orders from distant federal courts may not change minds on the ground in Montgomery.

OPTION 3 LET INDIVIDUALS AND BUSINESSES MAKE THEIR OWN CHOICES



[Photo credit: Dan Weiner/John Broderick]

SEGREGATION ON MONTGOMERY BUSES IS REQUIRED BY BOTH MUNICIPAL AND STATE LAWS. BUT SEGREGATION IS A SOCIAL SYSTEM AS MUCH AS IT IS LEGAL.

After long practice, Montgomerians are accustomed to dining, worshipping, and socializing in separate spaces. Even if all legal requirements of segregation were removed, this would probably continue to be the case in most contexts. A business's choice to segregate often is due to tradition and expectation, as much as it is a legal requirement. For example, there is no city law requiring barbershops to segregate their customers by race, but Blacks and Whites still patronize different establishments by the choice of both customers and business-owners. If we permitted individuals and businesses to make their own choices in other contexts, we could avoid unnecessary conflict.

OPTION 3: LET INDIVIDUALS AND BUSINESSES MAKE THEIR OWN CHOICES

Segregation in Montgomery is not only a legal matter, but also an outcome of the choices made by every individual and organization. Changing the opinions of every Montgomery citizen would be impossible, but we can empower everyone to socialize, work, and speak in ways that reflect their own values.

Tradeoff: Emphasizing individual choice will not necessarily change the minds of citizens accustomed to segregation, so social inequities may continue to exist, while allowing competition between segregated and integrated institutions could lead to conflict.

EXAMPLES OF WHAT MIGHT BE DONE

State and local laws requiring certain private businesses to segregate their customers should be repealed, and each business should choose for itself which customers to serve and how to treat them.

Parents unhappy with public school desegregation under *Brown v. Board of Education* should enroll their children in segregated private schools.

African American citizens unhappy with the treatment they receive or the lack of Black employees at particular businesses should create and support Black-owned alternatives.

TRADEOFFS TO CONSIDER

. . . But many businesses will continue to discriminate.

. . . But this risks replacing a public segregated school system with a private one, and inequalities in the education system will persist.

. . . But not all markets will support separate businesses, and creating entirely separate commercial spaces might promote social division.



**STOP! DO NOT READ
UNTIL AFTER FORUM**

WHAT DECISION IS BEST FOR MONTGOMERY?

The ideas in this guide – the actions in each option, and the values underlying them – are based on real ideas proposed or enacted by Montgomerians during the era of the bus boycott. But the type of conversation imagined here – open to all, involving a range of voices and perspectives, and respectfully considering alternatives –

rarely occurred in 1956 Montgomery. To be sure, the boycott provoked conversations about segregation, but usually within segregated spaces. The biracial committee which had been formed early in the boycott to negotiate the dispute disbanded after December 19, 1955.

THE END OF THE BOYCOTT

For the Montgomery Improvement Association, the boycott was necessary precisely because it forced local Whites to hear African American voices which would have otherwise been ignored. Throughout the boycott, its most prominent leader, Martin Luther King, Jr. emphasized that the goal was to open a dialogue in which all could participate. As he would write afterwards in his own account of the boycott, “Men often hate each other because they fear each other; they fear each other because they do not know each other; they do not know each other because they cannot communicate; they cannot communicate because they are separated.” Segregation often prevented all Montgomerians from participating in the same conversation, from deliberating together, or recognizing the values they all shared, such as safety, justice, and freedom.

In the end, the bus boycott lasted thirteen long months. From December 5, 1955, into the blistering heat of the 1956 Alabama summer, and into the winter again,

Montgomery’s African American population almost unanimously avoided the buses. Throughout the city, Black Montgomerians walked, volunteered in the MIA’s carpool system, and attended mass meetings to discuss the progress of the protest. Rosa Parks, Martin Luther King, Jr., and other protest leaders traveled the country, giving speeches and soliciting donations to support the MIA. Nationally, the protest won influential friends. After meeting with Parks, former first lady Eleanor Roosevelt wrote in her nationally syndicated column, “Human beings reach a point when they say: ‘This is as far as I can go,’ and from then on . . . it will be resistance.” The protest put financial pressure on the bus company, which lost thousands of dollars each day during the boycott, and local White-owned retailers, who saw a decline in sales to African American customers. However, local officials in Montgomery remained unmoved. Mayor Gayle declared that the boycott’s goals were “the destruction of our social fabric.”

Meanwhile, the lawsuit which the MIA had filed against the city wound its way through the federal courts. The MIA sued on behalf of four Black Montgerian women, each of whom had experienced discrimination on city buses. The case ***Browder v. Gayle*** – named after Aurelia Browder, one of the plaintiffs, and W. A. Gayle, Montgomery’s mayor – was filed on February 1, 1956. On June 5, a federal court in Alabama ruled in the case, declaring that laws requiring segregation on public transportation were unconstitutional. However, Montgomery continued to enforce segregation rules, pending an appeal of the case to the United States Supreme Court. The boycott continued.

In two rulings in November and December of 1956, the Supreme Court upheld the lower court’s decision, and rejected Montgomery’s appeal. On December 20, the city finally agreed to desegregate the buses, and the following day, after three hundred and eighty-two days, the boycott ended. Reporters photographed King, Parks, and other protest leaders sitting on the front seats of city buses, alongside White passengers. A wave of violence against the homes of boycott organizers and the newly integrated buses themselves followed. But the Supreme Court’s ruling ensured that public transportation systems in Montgomery and across the South would never again be segregated.



[Photo credit: Getty Images/Don Cravens]

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