Chapter 4: "It's My Constitutional Right!"
from *Claudette Colvin: Twice Toward Justice*

By: Phillip Hoose
Adapted by Fishtank Staff

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Early in life, I had learned that if you want something, you had better make some noise. —Malcolm X

March 2, 1955

CLAUDETTE AND HER CLASSMATES got out of school early that Wednesday because of a faculty meeting. When she stepped outside, the afternoon air was warm and muggy, already like summer. Claudette spotted some friends and ran to catch up with them. The group walked together for a few blocks, then got on the Highland Gardens bus at Dexter Avenue and Bainbridge Street. She handed the driver her pink coupon, which allowed a student to ride for five cents—half fare. Since there were no whites in the front of the bus, she and her classmates walked straight down the aisle without getting off.

Claudette slid into a window seat on the left side, near the exit door and about halfway back. A schoolmate plopped down beside her, and two other Booker T. Washington students took the seats across the aisle in the same row. Balancing her textbooks on her lap, Claudette settled back and gazed absently out the window as the bus pulled away from the curb.

As the bus moved east along Dexter Avenue, the seats filled up block by block with white passengers getting off work from the downtown stores and offices. The ten front seats went quickly, and soon riders were standing in the aisle, keeping their balance by clutching poles as the bus stopped and started. Just before they reached Court Square, Claudette
Page 32 realized that a white woman was standing in the aisle between the four seats in her row.Clearly the woman expected Claudette and her three schoolmates to vacate the entire row so she could sit down in one of the seats.

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CLAUDETTE: The motorman looked up in his mirror and said, “I need those seats.” I might have considered getting up if the woman had been elderly, but she wasn’t. She looked about forty. The other three girls in my row got up and moved back, but I didn’t. I just couldn’t.

Rebellion was on my mind that day. All during February we’d been talking about people who had taken stands. We had been studying the Constitution in Miss Nesbitt’s class. I knew I had rights. I had paid my fare the same as white passengers. I knew the rule—that you didn’t have to get up for a white person if there were no empty seats left on the bus—and there weren’t. But it wasn’t about that. I was thinking, Why should I have to get up just because a

driver tells me to, or just because I'm black? Right then, I decided I wasn't gonna take it anymore. I hadn't planned it out, but my decision was built on a lifetime of nasty experiences.

After the other students got up, there were three empty seats in my row, but that white woman still wouldn't sit down—not even across the aisle from me. That was the whole point of the segregation rules—it was all symbolic—blacks had to be behind whites. If she sat down in the same row as me, it meant I was as good as her. So she had to keep standing until I moved back. The motorman yelled again, louder: "Why are you still sittin' there?" I didn't get up, and I didn't answer him. It got real quiet on the bus. A white rider yelled from the front, "You got to get up!" A girl named Margaret Johnson answered from the back, "She ain't got to do nothin' but stay black and die."

The white woman kept standing over my seat. The driver shouted, "Gimme that seat!" then "Get up, gal!" I stayed in my seat, and I didn't say a word.

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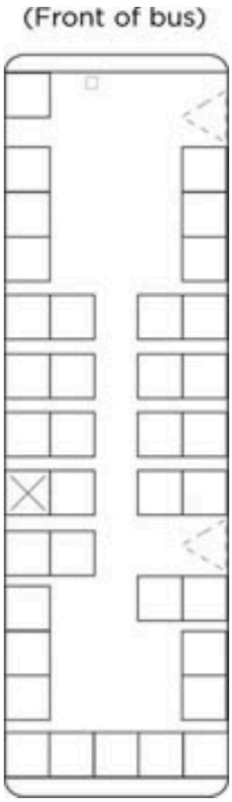
Page 33 **EXASPERATED BY CLAUDETTE'S NONRESPONSE**, the driver pushed on to Court Square, Montgomery's major downtown transfer station for city buses. In the late afternoon rush hour, scores of weary passengers were lined up behind signs reading "Colored" and "White."

At Court Square, the driver snapped open the doors and hollered for a transit policeman to come inside and make an arrest. Seconds later, a uniformed officer clambered aboard and the driver pointed down the aisle at Claudette. "It's her," he said.

During these moments as the bus idled, several passengers boarded through the rear door. One, a pregnant woman whom Claudette recognized as her neighbor Mrs. Hamilton, sat down heavily
Page 34 in the empty seat next to Claudette. Of course, Mrs. Hamilton was totally unaware of the standoff between Claudette and the driver. All she knew was that for some reason a policeman was coming her way. When he arrived, the officer saw that now there were two blacks seated in the disputed row. He ordered both women to rise. Mrs. Hamilton replied that she didn't feel like getting up. Claudette also refused.

All eyes turned to the policeman. As much as he might have wanted to evict Claudette, he hesitated to bully a pregnant woman. Cocking a thumb toward Mrs. Hamilton, he addressed a group of black men seated in the rear. "If any of you are not gentleman enough to give this lady a seat," he said, "you should be put in jail yourselves." Two men rose and scrambled off the trouble-filled bus. Mrs. Hamilton slowly walked back and took one of their seats. Now Claudette was again alone in her row.



The X on this diagram indicates where Claudette was sitting on the Highland Gardens bus when she was arrested.

Hoose, P. (2009). *Claudette Colvin: Twice toward justice.* Square Fish.

The officer ordered her to get up. Again Claudette refused. He returned to the driver and explained that as a transit policeman he lacked the authority to make an arrest. The doors closed behind him as he stepped down into the street and the bus pulled away again. One block north, at the intersection of Bibb and Commerce streets, a squad car was waiting. This time, when the Highland Gardens bus door opened, two Montgomery city policemen climbed aboard. Passengers held their breath.

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CLAUDETTE: One of them said to the driver in a very angry tone, “Who is it?” The motorman pointed at me. I heard him say, “That’s nothing new . . . I’ve had trouble with that ‘thing’ before.” He called me a “thing.” They came to me and stood over me and one said, “Aren’t you going to get up?” I said, “No, sir.” He shouted “Get up” again. I started crying, but I felt even more defiant. I kept saying over and over, in my high-pitched voice, “It’s my constitutional right to sit here as much as that lady. I paid my fare, it’s my constitutional right!” I knew I was talking back to a white policeman, but I had had enough.

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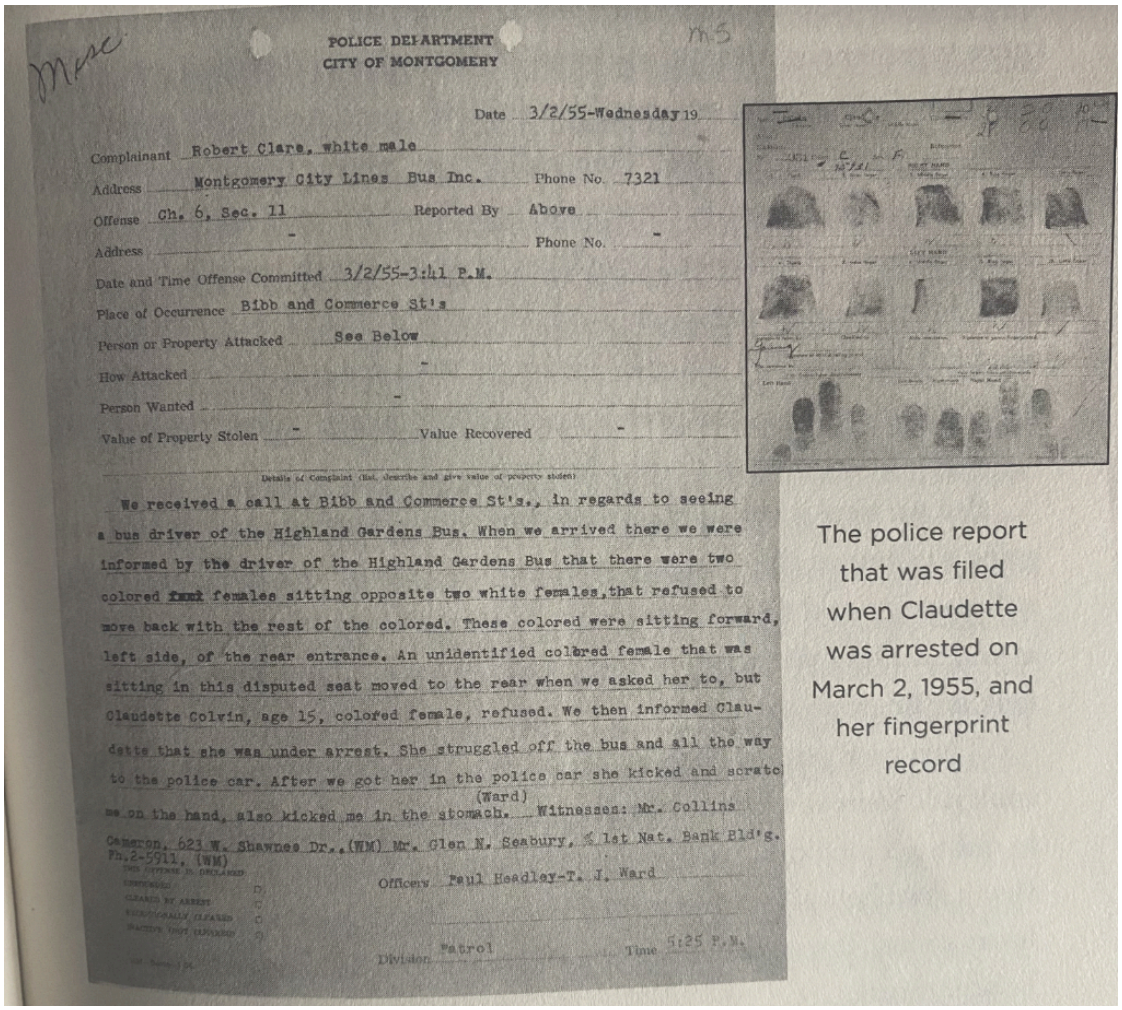

POLICE DEPARTMENT
CITY OF MONTGOMERY

Date 3/2/55-Wednesday 19

Complainant Robert Clare, white male
Address Montgomery City Lines Bus Inc. Phone No. 7321
Offense Ch. 6, Sec. 11 Reported By Above
Address - Phone No. -
Date and Time Offense Committed 3/2/55-3:41 P.M.
Place of Occurrence Bibb and Commerce St's
Person or Property Attacked See Below
How Attacked -
Person Wanted -
Value of Property Stolen - Value Recovered -

Details of Complaint (list, describe and give value of property stolen)

We received a call at Bibb and Commerce St's., in regards to seeing a bus driver of the Highland Gardens Bus. When we arrived there we were informed by the driver of the Highland Gardens Bus that there were two colored ~~fmmx~~ females sitting opposite two white females, that refused to move back with the rest of the colored. These colored were sitting forward, left side, of the rear entrance. An unidentified colored female that was sitting in this disputed seat moved to the rear when we asked her to, but Claudette Colvin, age 15, colored female, refused. We then informed Claudette that she was under arrest. She struggled off the bus and all the way to the police car. After we got her in the police car she kicked and scrato (Ward) me on the hand, also kicked me in the stomach. Witnesses: Mr. Collins Cameron, 623 W. Shawnee Dr., (WM) Mr. Glen N. Seabury, % 1st Nat. Bank Bld'g. Ph. 2-5911, (WM)

Officers Paul Headley-T. J. Ward

Division Patrol Time 5:25 P.M.

The police report that was filed when Claudette was arrested on March 2, 1955, and her fingerprint record

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One cop grabbed one of my hands and his partner grabbed the other and they pulled me straight up out of my seat. My books went flying everywhere. I went limp as a baby—I was too smart to fight back. They started dragging me backwards off the bus. One of them kicked me. I might have scratched one of them because I had long nails, but I sure didn't fight back. I kept screaming over and over, "It's my constitutional right!" I wasn't shouting anything profane—I never swore, not then, not ever. I was shouting out my rights.

It just killed me to leave the bus. I hated to give that white woman my seat when so many black people were standing. I was crying hard. The cops put me in the back of a police car and shut the door. They stood outside and talked to each other for a minute, and then one came back and told me to stick my hands out the open window. He handcuffed me and then pulled the door open and jumped in the backseat with me. I put my knees together and crossed my hands over my lap and started praying.

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All ride long they swore at me and ridiculed me. I recited the Lord's Prayer and the Twenty-third Psalm over and over in my head, trying to push back the fear. I assumed they were taking me to juvenile court because I was only fifteen. I was thinking, Now I'm gonna be picking cotton, since that's how they punished juveniles—they put you in a school out in the country where they made you do field work during the day.

But we were going in the wrong direction. They kept telling me I was going to Atmore, the women's penitentiary. Instead, we pulled up to the police station and they led me inside. More cops looked up when we came in and started calling me [horrible names]. They booked me and took my fingerprints.

Then they put me back in the car and drove me to the city jail—the adult jail. Someone led me straight to a cell without giving me any chance to make a phone call. He opened the door and told me to get inside. He shut it hard behind me and turned the key. The lock fell into place with a heavy sound. It was the worst sound I ever heard. It sounded final. It said I was trapped.

When he went away, I looked around me: three bare walls, a toilet, and a cot. Then I fell down on my knees in the middle of the cell and started crying again. I didn't know if anyone knew where I was or what had happened to me. I had no idea how long I would be there. I cried and I put my hands together and prayed like I had never prayed before.

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MEANWHILE, schoolmates who had been on the bus had run home and telephoned Claudette's mother at the house where she worked as a maid. Girls went over and took care of the lady's three small children so that Claudette's mother could leave. Mary Ann Colvin called Claudette's pastor,the Reverend H. H. Johnson. He had a car, and together they sped to the police station.