Chapter 7–8 from *Claudette Colvin: Twice Toward Justice*

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Adapted by Fishtank Staff

Chapter 7: "Another Negro Woman Has Been Arrested"

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Bringing the gifts that my ancestors gave,
I am the dream and the hope of the slave.
I rise
I rise
I rise.
–Maya Angelou, "Still I Rise"

ON DECEMBER 2, 1955, tens of thousands of black Montgomery residents studied an unsigned leaflet bearing a brief typewritten message. It began: "Another Negro woman has been arrested and thrown in jail because she refused to get up out of her seat on the bus for a white person to sit down. It is the second time since the Claudette Colbert [sic] case that a Negro woman has been arrested for the same thing. This has to be stopped." It concluded:

> We are, therefore, asking every Negro to stay off the buses Monday in protest of the arrest and trial. Don't ride the buses to work, to town, to school or anywhere on Monday. You can afford to stay out of school for one day if you have no other way to go except by bus. You can also afford to stay out of town for one day. If you work, take a cab, or walk. But please, children and grown-ups, don't ride the bus at all on Monday. Please stay off the buses Monday.

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The author was Jo Ann Robinson, who had been up all night with two student assistants at Alabama State, feverishly running the flyers off on the college's mimeograph machine and bundling them into packages. When they finished, she placed a phone call to activate a network of distributors already in place. Soon twenty or so allies were stationed at their posts throughout the city, craning their necks watching for Robinson's car to come into view so they could receive their bundles of flyers and start passing them out in schools, offices, factories, stores, restaurants, and beauty parlors. "Read it and pass it on!" the distributors instructed and sped off. Two of Robinson's most trusted lieutenants were Claudette's favorite teachers, Miss Nesbitt and Miss Lawrence. By nightfall most blacks in Montgomery knew what was up. Those

who didn't know about the one-day bus boycott read about it in the next morning's Montgomery Advertiser, in a story leaked by E. D. Nixon to a trusted reporter.

The "other Negro woman" arrested was Rosa Parks. Just the afternoon before, Mrs. Parks had refused a driver's command to give up her seat to a white passenger on a crowded bus. Then, as had been the case with Claudette, the driver called the police, officers boarded, and one asked her, "Why don't you stand up?" She replied, "Why do you push us around?" He answered, "I don't know, but the law is the law and you are under arrest."

There the similarity to Claudette's arrest ended. Rather than being grabbed by the wrists and jerked up from her seat with belongings flying everywhere, Rosa Parks stood up. One officer took her shopping bag, the other picked up her purse, and they escorted her off the bus and into a patrol car. She sat in the backseat alone, her hands uncuffed, as they drove to police headquarters and then to city hall. After her fingerprints were taken and the paperwork completed, she was allowed to telephone her family.

She was charged only with disorderly conduct, not with breaking the segregation law. She was not jailed. Soon E. D. Nixon and two white activists, Clifford and Virginia Durr, hurried downtown, paid her bond, and took her home, where Fred Gray later met her and agreed to be her lawyer.

The next Monday morning, Mrs. Parks was found guilty in a brief court hearing. She paid a ten-dollar fine and was released. Gray told the judge to expect an appeal. When Mrs. Parks walked out of the dim courthouse and into the cool, bright morning, she was surprised to find several hundred cheering supporters waiting for her.

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Claudette had lit the fuse to a powder keg of protest, but her rebellion had caught black Montgomery by surprise. Now, nine months later, Rosa Parks was embraced by a community ready for action. Claudette had given them the time to prepare. As Fred Gray later said, "I don't mean to take anything away from Mrs. Parks, but Claudette gave all of us the moral courage to do what we did."

Married and in her early forties, Rosa Parks was widely known as an activist through her work with the Montgomery NAACP. As a seamstress at a downtown department store, she repaired, altered, and steam-pressed clothing—work known and respected by both the black professional class and ordinary workers. She was light-skinned but not white. She may not have gone to the Dexter Avenue Baptist Church—she was a Methodist—but she would have been accepted in any congregation. She bridged classes. What she wasn't may have been just as important to Montgomery's black leadership, the preachers and teachers and ASC women and E. D. Nixon. She wasn't a teenager. Hardly "feisty" or "emotional," as Claudette was rumored to be, Rosa Parks struck almost everyone she met as a contained, pleasant, committed, and levelheaded individual. She was safe.

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Page 67 **DR. MARTIN LUTHER KING, JR.**, rose early the morning of Monday, December 5, rushed to his picture window, and peered out at the first buses as they moved past his house. They were nearly empty. Usually they were filled with maids and black schoolchildren. Excited, he jumped in his car and drove around Montgomery to inspect other buses during the morning commute. In an hour of driving, he saw a total of only eight black passengers on the buses. Clearly the message “please . . . don’t ride the bus at all on Monday” had reached almost everyone.The Reverend Martin Luther King, Jr., was a passionate speaker. For Claudette, his speeches “just brought out everything you wanted to say to a white person”

That evening, a “mass meeting” was held at the Holt Street Baptist Church, to celebrate the day’s triumph and to plan for the future. By 7:00 p.m., nearly one thousand people were wedged shoulder to shoulder inside the brightly lit church, while four thousand more gathered
Page 68 outside in the chilly darkness to hear songs and speeches and prayers broadcast through makeshift speakers.

Dr. King, elected just that morning as president of the Montgomery Improvement Association, was the main speaker. It was his first major public speech that wasn’t a church sermon, and he needed to inspire this crowd. When introduced, he grasped the sides of the
Page 69 pulpit and took a moment to collect himself. Turning to Rosa Parks, seated behind him in a special place of honor, he began, “Just last Thursday . . . one of the finest citizens in Montgomery . . . was taken from a bus—and carried to jail and arrested—because she refused to give up—to give her seat to a white person . . . And since it had to happen, I’m happy it happened to a person like Mrs. Parks, for nobody can doubt the boundless outreach of her integrity. Nobody can doubt the height of her character, nobody can doubt the depth of her Christian commitment."

Toward the end of his address, Dr. King delivered lines for which he would be remembered. “And we are determined here in Montgomery,” he said, his voice rising in intensity, “to work and fight until justice runs down like water and righteousness like a mighty stream.” His passionate words rocked the church. “Standing beside love is always justice,” he continued. “Not only are we using the tools of persuasion—but we’ve got to use the tools of coercion.” When King sat down to thunderous applause, the crowd inside and outside was ready to act. The Reverend Ralph Abernathy took the pulpit and read a resolution asking that all citizens refrain from riding buses operated by Montgomery City Lines, Inc. “All in favor of the motion, stand,” Abernathy said. Everyone in the room climbed to their feet.

It was the first of millions and millions of steps to come. The Montgomery bus boycott was born.

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Chapter 8: Second Front, Second Chance

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We are going to hold our stand. We are not going to be a part of any program that will get Negroes to ride the buses again at the price of the destruction of our heritage and way of life.
—W. A. "Tacky" Gayle, mayor of Montgomery

WITH THE TURN of the new year of 1956, Montgomery throbbed with excitement. Day by day, reporters and photographers poured into town to cover the Negro bus protest in the heart of Dixie. As the boycott entered its second month, black leaders continued to press for the same three modest changes that Jo Ann Robinson and others had requested two years earlier—which did not include integrated seating—but city officials wouldn't budge. "Give them an inch and they'll take a mile," they told one another. The City Lines bus company declared the proposed changes illegal and said that, unfortunately, their hands were tied.

Mass meetings continued at black churches every Tuesday and Thursday night. Young, round-faced Dr. Martin Luther King, Jr., who urged boycotters to refrain from violence and seek charity toward whites in their hearts, inspired crowds with stirring speeches that often included ideas and philosophies from distant times and places. He talked about the power of love to change the world. "He had poetry in his voice, and he could snatch scripture outa the air and make it hum," said E. D. Nixon, who admitted "he was saying it better 'n I ever could." King began to emerge as a charismatic national figure.

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Determined to apply economic pressure peacefully, black protesters let the nearly empty buses rumble on by like green ghosts, ignoring the doors that snapped open invitingly at the corners, and devised their own transportation system. Coached by leaders of Baton Rouge's bus boycott of 1953, the Montgomery Improvement Association (MIA) designed an alternative to the buses on the scale of a wartime military transport system, moving tens of thousands of maids and yard men and clerks and students around Montgomery's far-flung neighborhoods every day. And it was entirely voluntary—it ran on dedication, generosity, and hope.

The MIA network was unveiled in detail at a mass meeting on December 12. There would be forty-two morning pickup "stations" and forty-eight evening stations scattered throughout Montgomery. These points had been carefully plotted on maps by mail carriers, the

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workers who knew the city best. The central dispatch station would be a black-owned downtown parking lot, manned by an on-call transportation committee. The "buses" would be a giant car pool consisting of ordinary people's automobiles. Car owners were asked to lend their vehicles to the MIA car pool so that other people could drive them around town. For most people, especially if they had little money, having a car was a proud symbol of status. Letting total strangers drive one's car around all day was a hard thing to ask, but nearly two hundred people turned over their keys to the boycott.

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Here's how it worked: a maid needing to get across town to her white employer's home would walk to the morning station nearest her home and wait for a ride. After work she would walk to the nearest night station to be picked up and driven to a drop-off point nearer her home. Since it was against the law for private cars to charge fares like licensed taxis, the network would be paid for by donations collected at the mass meetings. Most of the rides would be free.

Though the network was elegantly designed, there were not enough seats in the car pool to replace an entire city bus system. Thousands of black workers, including many who were elderly and some who were disabled, set out from home in the predawn darkness and walked miles each

Page 76 day. Some preferred to walk to show their support for the boycott rather than accept a ride even from the MIA car pool. One MIA driver told the story of having come upon an elderly woman hobbling along the road.

"Jump in, grandmother," he said to her, pushing open the door. She waved him on. "I'm not walking for myself," she said. "I'm walking for my children and my grandchildren." Family members made enormous sacrifices and sometimes hobbled home with barely enough energy to eat supper. And family chores like shopping had to continue. That meant more steps. The foot-weary warriors told their stories at the mass meetings, inspiring and encouraging one another to keep walking.

Many were initially skeptical of the boycott. "When they first sent the leaflets saying 'don't ride the bus,' I was worried about my momma," remembers Alean Bowser. "I got angry, and I said they'd better not do anything to her. I thought she'd still go on riding the bus because she did housecleaning and she worked far away from home. But then they had worked out this whole plan of having people to drive and pick up. I got behind it. I and three other girls from my

Page 77 typing class at school started working at the Baptist Center, typing up and mimeographing lists of the

people who were driving in the bus boycott. We had to make the list every third night in order to keep the information current. They had stations downtown. Who was driving this direction and that direction. I had to call the drivers and make sure they were still willing and available. And people in most families had walking jobs, too. I was appointed to walk downtown and pay our bills. But I could use the network for that, too."

CLAUDETTE: When I got back to Montgomery, of course I stayed off the buses. Mostly I rode with my mom in a used Plymouth Dad bought for her. She needed it, because she worked way up out of town in a place the car pool didn't go to. Dad was very frugal. He saved enough to buy a TV set, too, so we could keep up with the boycott. We'd watch the news every night. The boycott was always the headline—it was the biggest story in the South. I also read Jo Ann Robinson's editorials in a little newsletter that came every month.

The people Mom worked for were sympathetic to the boycott. The first sign of this was

Page 78 they didn't fire Mom when they found out I was arrested. They weren't rich; they were just

average people. They paid my mom three dollars a day and bus fare. The lady used to bring her home after work on the days when Mom didn't drive.

The boycott was relatively easy for people on King Hill because we already had our own community transportation system in place. We were isolated—just three little streets on top of a hill on the edge of town. We had no stores up there, so we had to go through white neighborhoods to shop downtown. To get off the Hill, three or four people would pitch in to pay someone a quarter to drive them to and from work. They'd drop the maids off house by house because everybody was going in the same direction.

My family duties increased during the boycott. Mom was gone a lot, because she used her car to drive people places. We didn't donate our Plymouth to the boycott because Mom needed it to get out of town for work, but since we had a car people were constantly coming
Page 79 around to say, "Mary Ann, can you take me and a couple of others to this place or that?" Dad didn't drive and I didn't have a license yet, so I did more cooking and cleaning and shopping and laundry while Mom drove. I had several cousins who drove taxis, and they'd come and take me to town when I wanted. A lot of people volunteered their cars for the boycott and dipped into their savings to buy gasoline during that time. Everyone pulled together.

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Page 81 Fred Gray thought he saw the way out—it was the same path he had envisioned from the day he heard of Claudette's arrest. Why not go to court and sue the city of Montgomery and the state of Alabama, arguing that if segregated schools were unconstitutional—as the U.S. Supreme Court had ruled in Brown v. Board of Education—then weren't segregated buses? Instead of politely asking for modest reforms in seating patterns and more courteous behavior from the drivers, why not try to obliterate the segregation laws in court? If judges agreed, the city would have to give up. Once the buses were integrated, there would be no need for a bus boycott.

Gray, like the NAACP lawyers in New York who were closely following the boycott, was tired of playing defense. He wanted to mount a legal attack on behalf of all black riders as a class-action suit, not just to defend protesters who got arrested and charged as criminals one by one. Success would depend on putting the right case in front of the right judges in the right courtroom.

Since judges representing the state of Alabama and the city of Montgomery court systems were all but certain to be hostile, the lawyers knew that their only chance was to argue their case in a federal court, where judges might listen with an open mind to an antisegregation suit offered by black lawyers.

Any lawsuit challenging the constitutionality of a state law was supposed to be heard by a panel of three judges in a federal court—that was the rule. Whether federal judges based in Alabama would actually follow it and hear the case was the big question. If they did, the suit would still be heard and decided in Alabama, but the judges would represent the United States government, not the state of Alabama or the city of Montgomery.

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The Montgomery Improvement Association voted to let Gray go ahead with the
Page 82 lawsuit—the "second front," as it came to be called—and raise money to pay for it. Gray went to New York to huddle over legal strategies with NAACP lawyers, then returned to Montgomery and filed the suit in the federal building. To his delight, the suit was accepted as a constitutional challenge to state law and assigned to a threejudge federal panel.

Next Gray began to look for plaintiffs—those people whose names would appear on the lawsuit and who would testify in court. The idea was to put on the witness stand black passengers who would testify to how JimCrow had made their lives miserable while they were just trying to get from place to place.

Courage would be their number one requirement. They would be placing their lives in grave danger, and the lives of those they lived with. From their seat in a tiny witness box in a packed courtroom, plaintiffs would face aggressive white lawyers firing questions at them as white judges looked on. Fred Gray knew well that all their lives black people had been taught
Page 83 to defer to whites. Somehow these plaintiffs would have to find the steel to speak freely and the composure to think clearly while seated in a pressure chamber. And they would need to have a good story to tell.

The lawyers ruled out Rosa Parks. Her case was still being appealed, and they wanted the new federal lawsuit to be independent of any existing criminal case. Besides, Mrs. Parks had been arrested for disturbing the peace, not for breaking the segregation law. The MIA members proposed many candidates, and Gray interviewed the most promising. In the end, he whittled the list down to five names. All were women. This was because more women than men rode the buses, and because Gray and his colleagues wanted to protect the jobs of men, who were typically regarded as the breadwinners in families. All five women Gray selected had been bullied and insulted and cheated on buses, and all were still angry about it. It may have been a short list, but Gray thought it was a good one.

Ironically, the only one of the five who had previously appeared in court on a bus case was the youngest. But she had gone through the most. She had been tested by fire. Claudette Colvin had been on Fred Gray's short list from the moment he conceived the suit. He picked up the phone and dialed a familiar King Hill number.

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