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The Georgia Historical Society, in approving the marker, raised some important questions about the context, impact and legacy of Martin Luther King Jr.'s treatment in Decatur in 1960. Here is a brief attempt to address them:

- **How was King's experience in Decatur an example of systemic racism in civic institutions (King's harsh sentence for a minor infraction).**

Martin Luther King Jr.'s experience in Decatur -- being sent to a chain gang for using his Alabama driving license in Georgia -- exposed systemic American racial injustice. His stature brought national attention to the acts of civil disobedience already committed by hundreds of students in dozens of Southern cities in 1960.

Georgia's segregationist leaders were hoping to smother this movement by showing Black people that the criminal justice system would humiliate even their most prominent representatives. Movement leaders, meanwhile, were determined to put the entire system on trial in the court of public opinion, making King a martyr to mobilize mass resistance and hopefully force the federal government to end legalized racial discrimination once and for all.

When Georgia Gov. Ernest Vandiver's top aide, Peter Zach Geer, declared at King's sentencing that the chain gang "might make a law-abiding citizen out of him and teach him to respect the law of Georgia,"¹ he was referring to a system of legal oppression maintained to ensure white supremacy and effectively re-enslave African-Americans across the South after the Civil War, so that white people could justify benefiting from the labor of Black people at little or no cost. After the 13th Amendment abolished slavery and involuntary servitude "except as a punishment for crime," states used the law to provide a steady supply of forced labor. For generations thereafter, Black men were convicted of trivial offenses and put to hard labor for some white man's private profit.²

How trivial? Vagrancy laws, which made it a criminal offense to be without work, existed in 48 states and were enforced nearly exclusively against people of color. Some of these laws literally made it a crime to walk while Black: Vagrancy offenses included "strolling about from place to place without any lawful purpose." Any deviation from a

¹ *The Nation and the World 'Sat-in' at Decatur, Georgia*, DeKalb/Decatur News, Oct. 27, 1960)

² Douglas Blackmon, *Slavery by Another Name*, 2008.

labor contract on the part of a Negro worker, share-cropper or tenant farmer was considered fraud, to be punishable by debt slavery, prison or the convict work gang. "The system could not function without the overt collaboration and covert sanction of Government at all levels -- local, state and national," wrote author and activist Stetson Kennedy, who infiltrated forced-labor camps around the South in 1951 to document abuses.³

Covert sanctions of government, meanwhile, extended to lynchings and other extra-judicial acts of terror for 100 years as systemic racial oppression expanded beyond the economic sphere, becoming omnipresent and seemingly unstoppable, governing every interaction between Blacks and whites in America, even if its most egregious abuses were most evident in the South.

As Isabel Wilkerson writes in *Caste: The Origins of Our Discontents*, "The only way to keep an entire group of sentient beings in an artificially fixed place, beneath all others and beneath their own talents, is with violence and terror, psychological and physical, to preempt resistance before it can be imagined."⁴

More than just legalized racial discrimination, Wilkerson calls it a "caste system, based upon what people looked like, an internalized ranking, unspoken, unnamed, unacknowledged by everyday citizens even as they go about their lives adhering to it and acting upon it subconsciously to this day. ... Its very invisibility is what gives it power and longevity."⁵

Atlanta's college students -- the pride of the Black middle class -- sought to make the system visible by publishing "An Appeal for Human Rights" and then getting arrested in segregated spaces. But they struggled to sustain attention and support for their cause. It was King's punishment in Decatur that fully exposed the systemic racism they were challenging, and proved that it could be defeated.

- **How did King's notoriety bring attention to the ongoing, systemic efforts by local officials to suppress the movement?**

Atlanta Student Movement leader Lonnie King, who attended Ebenezer Baptist Church but was not related to its pastors, recruited Martin Luther King Jr. to join them in the October 19, 1960 sit-ins because their boycott campaign was weakening after months

³ Stetson Kennedy, *Jim Crow Guide: The Way It Was*, 131-133, 145.

⁴ Wilkerson, 151.

⁵ Isabel Wilkerson, "Caste: The Origins of Our Discontents," 22-23.

of effort and hundreds of arrests. They needed King's notoriety to embarrass Atlanta in the national news and enable all Americans to see the injustice of legalized discrimination.⁶ The police response proved it: While Atlanta Police Capt. R.E. Little escorted them and Spelman students Blondean Orbert-Nelson and Marilyn Pryce to jail, without handcuffs, through Rich's front doors, most of the other 47 student protesters arrested at Rich's that morning were handcuffed and taken out through back entrances to waiting paddy wagons, out of view of the press that had assembled in front of the store.⁷

As Martin Luther King Jr. wrote a year later, "Public relations is a very necessary part of any protest of civil disobedience. The main objective is to bring moral pressure to bear upon an unjust system or a particularly unjust law. The public at large must be aware of the inequities involved in such a system. In effect, in the absence of justice in the established courts of the region, nonviolent protesters are asking for a hearing in the court of world opinion."⁸

King's arrest at Rich's did make news, but Atlanta officials tried hard to minimize it, and the national media would have quickly moved on in the days before the presidential election if not for his harsh mistreatment in Decatur. And while Mitchell made King a martyr, evidence suggests that he was no unwitting victim -- to the contrary, he knowingly risked his life in a high-stakes gamble, putting himself at the mercy of the hard-core segregationists running DeKalb County's criminal justice system so that he could expose the mercilessness of Southern justice toward all Black people.

The tactical maneuvering by King and the Atlanta Student Movement that succeeded in putting Southern injustice on trial in DeKalb County is an aspect of the story that has been largely overlooked. This may be in part because King told Judge Mitchell at his Oct. 25 sentencing that he had been unaware of the probation terms his lawyer had agreed to in the traffic case only weeks earlier.⁹ This claim supported King's image as a victim in contemporaneous news accounts, and was later accepted as fact in multiple historical references and even Coretta Scott King's autobiography, but contradictory evidence indicates that King knew perfectly well that he could be sentenced harshly if he joined the sit-ins, and decided to risk his freedom anyway.

King couldn't deny his signature on the plea document accepting the probation terms, which Mitchell forced him to acknowledge in court. And student leader Lonnie King, who

⁶ Charles Black, as told to Decatur High School student Daxton Pettus in oral history interview, February 2020.

⁷ Jeff Clemmons, *Rich's: A Southern Institution*, 127.

⁸ Martin Luther King Jr., personal letter to Harold Courlander, 30 October 1961. *The Papers of Martin Luther King Jr., Volume VII*, 315.

⁹ Donald L. Hollowell legal files, Martin Luther King Jr. cases, Box 11, Folders 14-15, Auburn Avenue Archives of African American History and Culture.

had been lobbying King since August 1960 to get arrested with the students in the relative comfort of Fulton County, said King nearly backed out on the day before the sit-ins. He recalled years later that his fellow student leader Herschelle Sullivan relayed this news, saying King had told her he couldn't risk violating his probation in the DeKalb County traffic case. Lonnie King then called him, with Martin Luther King Sr. and Wyatt Tee Walker listening in, and persuaded him to join them anyway.¹⁰

The court record and Lonnie King's first-person recollection suggest King chose to commit civil disobedience in Atlanta knowing that it could put him in prison for the trifling "crime" of driving with an Alabama license in Georgia. The movement leaders kept this secret, perhaps to maximize the shock over what King, days later, would describe as "the cross we must bear for the freedom of our people."¹¹

"It was a deliberate strategem to have him be arrested, which would violate his probation and bring national attention," COAHR co-founder Charles Black said. "The probation required that he keep his nose clean. ... It wasn't incidental or accidental at all."¹²

Coretta Scott King, for her part, wasn't just the distraught pregnant wife of a martyr -- she played a key role by revealing candidate Kennedy's phone call to reporters. This sign of federal support gave leverage to the movement and provided political cover for Georgia's segregationist leaders. Gov. Ernest Vandiver then worked through middlemen to pressure Mitchell to reverse his ruling of the day before, leaning on his connections to set up Robert F. Kennedy's phone call to the judge. As condemnation grew nationwide over King's harsh sentence, the "Dixiecrats" took action to free him knowing that in Georgia they could blame the Massachusetts Democrats for any fallout.¹³

- **What other information can we provide about how King's treatment affected state politics and also the larger civil rights movement**

King's mistreatment in Decatur proved to be a turning point for the civil rights movement, by showing white leaders that denying black people the most basic equal

¹⁰ Lonnie King, *Atlanta Student Movement Timeline, Committee on Appeal for Human Rights (COAHR), 1960-1964*, <https://www.crmvet.org/info/60asmtim.htm>

¹¹ Letter to Coretta Scott King from Reidsville prison, Martin Luther King, Jr. Papers (Series I-IV), Martin Luther King, Jr., Center for Nonviolent Social Change, Inc., Atlanta, Ga., Box 7, folder 24. Stable URL: <https://kinginstitute.stanford.edu/king-papers/documents/coretta-scott-king>

¹² Charles Black, interview with Michael Warren, Sept. 19, 2020

¹³ Clifford Kuhn, "There's a Footnote to History!" *Memory and the History of Martin Luther King's October 1960 Arrest and Its Aftermath*, *The Journal of American History*, Vol. 84, No. 2 (Sep., 1997), pp. 583-595. Stable URL: <http://www.jstor.com/stable/2952574>

treatment under law was no longer defensible in national politics. Real, lasting change would take much longer to achieve, but the Kennedys' interventions on King's behalf, facilitated behind the scenes by Vandiver and other segregationists, showed defenders of racially discriminatory laws that they were on the losing side and would have to adapt.¹⁴

King's brief imprisonment also helped broaden and democratize the movement, according to Tomiko Brown-Nagin in "Courage to Dissent: Atlanta and the Long History of the Civil Rights Movement." What had before been the exclusive work of Black elites -- a select group that W.E.B. Dubois called "the 'Talented Tenth'" -- became, in fits and starts, much more participatory. The city's older black leaders had counseled a go-slow approach that would make Atlanta one of the last southern cities to desegregate. Thurgood Marshall, whose courtroom victories with the NAACP Legal Defense Fund laid the groundwork for the Civil Rights Act of 1964 and Voting Rights Act of 1965, had privately "coffed at the idea that a mass movement of people untrained in the law could break Jim Crow." He said Martin Luther King had led the youth astray and the sit-inners needed to end their nonsense before they got people killed. But there was a before and after to the national attention that King's chain-gang sentence brought to the sit-in movement: From that point on, real change often resulted not just from court challenges, but from a combination of mass protest and economic pressure shifting the political context for legal reforms.¹⁵

King's mistreatment provided a dual lesson that energized advocates of direct action nationwide: It showed potential white allies that if the legal system could treat the esteemed Martin Luther King Jr. this way, no Black person could be spared from dire punishment for the most trivial offense. (The Associated Press story on his sentencing led with this angle, noting that "Dr. Martin Luther King Jr., holder of degrees from at least five colleges, may spend time in a road gang if his appeal is denied.")¹⁶ The episode showed potential activists, meanwhile, that if King's arrest could put a president in the White House, then other direct actions also might produce tangible results.

Those results took years. With the arrested students out on bail and King free on appeal, their movement lost its immediate leverage.¹⁷ King's brief imprisonment had made him a national figure: As an example of reaction in the Black media, The

¹⁴ Kuhn, *ibid.*

¹⁵ Tomiko Brown-Nagin, *Courage to Dissent: Atlanta and the Long History of the Civil Rights Movement*, 1-4.

¹⁶ Associated Press, *Integration Leader Martin Luther King Draws 4-Month Sentence in Court*, Oct. 26, 1960.

¹⁷ Brown-Nagin, 161, 179.

Pittsburgh Courier quoted an observer saying “These white folks have now made Dr. Martin Luther King, Jr. the biggest Negro in the United States.”¹⁸ A week after Kennedy’s inauguration, Frank Sinatra hosted a five-hour tribute to King at Carnegie Hall that raised \$50,000 for the movement. But Kennedy didn’t even mention segregation, civil rights or race in his inaugural address,¹⁹ and took no immediate action on King’s repeated appeals for progress. The two men didn’t meet formally until October 1961, when Kennedy rebuffed King’s idea that the president could make a Second Emancipation Proclamation declaring all segregation in violation of the 14th Amendment.²⁰

But King’s mistreatment, by drawing national attention to the Atlanta students’ pressure campaign, paid dividends later by converting enemies into allies. When President Kennedy needed support for what would become the Civil Rights Act of 1964, he turned to Atlanta Mayor Ivan Allen. The mayor had been intimately involved in negotiating with the protesters as Chamber of Commerce president, complaining after King’s arrest that “the national publicity was running us crazy” and harming Atlanta’s reputation. Answering the president’s call to testify before Congress in July 1963 -- a month before the March on Washington and four months before Kennedy was assassinated -- Allen broke ranks with every other elected southern official in calling for an end to segregation, which he called “slavery’s stepchild,” in testimony that was met with national acclaim.²¹ Congress approved the Civil Rights Act a year later, with almost every Northerner in favor and every Southerner still opposed, after a months-long filibuster led by Sen. Richard Russell of Georgia.

- **Did this event impact tactics or strategies in other areas?**

The outsized response to King’s mistreatment in Decatur showed the Atlanta Student Movement how coordinated acts of civil disobedience and economic pressure could combine with court challenges to force change. As David Garrow put it, the sit-ins and King’s brief stay in Reidsville prison “had resolved the debate about civil rights methods in favor of direct action, and had thrust King to new prominence as the principal symbol of the southern movement.”²²

No longer would students heed the appeals for patience from an older generation of civil rights leaders, such as attorney A. T. Walden, and the Revs. William Borders and Martin

¹⁸ Taylor Branch, *Parting the Waters: America in the King Years, 1954-1963*.

¹⁹ Branch, 384-385.

²⁰ David J. Garrow, *Bearing the Cross: Martin Luther King Jr., and the Southern Christian Leadership Conference*. 161-170.

²¹ Brown-Nagin, 224-226.

²² Garrow, 171.

Luther King Sr. in Atlanta. Nor would they wait for the NAACP Legal Defense Fund's courtroom victories. Daddy King even joined their street protests when talks in Atlanta stalled months later.²³

Movement leaders leveraged King's notoriety -- if he could endure prison, so could many more -- to recruit people to take action in their own communities. And the fundraising that came with King's new national stature and the demonstrated power of Black voters to bring change enabled the Southern Christian Leadership Conference and the Student Non-Violent Coordinating Committee to hire more staff and launch new initiatives, including voter registration efforts.²⁴

But with segregation still intact in Atlanta after King's brief imprisonment, many felt it was a big mistake to be freed on bail after acts of civil disobedience. "We lost the finest hour of this movement when so many hundreds of us left the jails across the South," James Lawson, who would later train Freedom Riders in the tactics of nonviolent protest, said during an October 1960 speech in Atlanta. The Student Nonviolent Coordinating Committee tried to enforce this by rejecting volunteers who were unwilling to serve time behind bars, over the strenuous objections of Marshall, who told sit-in leaders in 1961, "Once you've been arrested, you've made your point. If someone offers to get you out, man, get out!"²⁵

Hostile whites also pushed back. "Georgians Unwilling to Surrender," a group led by governor-elect Lester Maddox, staged counter-demonstrations at the students' picket lines, and Ku Klux Klan members paraded, while Atlanta's business leaders refused to meet with the students. It took waves of arrests by students insisting on "jail not bail" on the first anniversary of the sit-ins in March 1961, and a boycott during the busy Easter shopping season, to force the Chamber of Commerce to talks.²⁶

Atlanta's lunch counters weren't desegregated until days after nine Black students finally entered the city's all-white high schools, on Aug. 30, 1961.²⁷ By then, seven years had passed since the Supreme Court ruled in *Brown v. Board of Education* that public schools must desegregate nationwide with "all deliberate speed." Atlanta was the 104th city to desegregate since the Atlanta Student Movement began the year before, and even then, "the vast majority of businesses and city offices remained within Jim Crow's grip."²⁸

²³ Branch, 381.

²⁴ Garrow, 155.

²⁵ Brown-Nagin, 179.

²⁶ Brown-Nagin, 163-166.

²⁷ Clemmons 131-133.

²⁸ Brown-Nagin, 171.

- **Were other civil rights leaders affected by this event?**

What happened in Decatur gave MLK tremendous stature, but this didn't immediately resolve the Atlanta students' demands, let alone answer the broader movement's appeals for an end to racial discrimination. The day after Kennedy was elected president, a manager at a segregated Nashville restaurant responded to John Lewis's sit-in by switching on a fumigation machine and locking him inside, literally treating him like an insect.²⁹

But Judge Mitchell's legal about-face and his ignominy outside the South in the court of public opinion emboldened civil rights leaders.

Some were encouraged to take aim at the whole system of race laws, rather than challenge each one piecemeal. Led by Len Holt, a "movement lawyer" for SNCC and COAHR, Lonnie King, Herschelle Sullivan, Benjamin Brown and Charles Lyles filed an omnibus suit, on May 17, 1961, the seventh anniversary of *Brown v. Board of Education*, against "Much of the Cancerous Racial Segregation that is Festering Within Atlanta." Rather than target institutional racism piecemeal, *Brown v. Atlanta* sought to "abolish racial segregation and racial discrimination in the use and enjoyment of every public facility." The next year, on Aug. 27, 1962, a federal judge struck down all Atlanta ordinances requiring segregation in city parks, theaters, arenas, public halls, auditoriums, and other places of public assembly as unconstitutional under the 14th Amendment. It took another federal consent decree and more political and economic pressure from sustained protests before Mayor Allen pushed to implement the court order, in the face of the widespread mobilization of the black community, the threat of economic ruin, and the prospect of more federal civil rights legislation."³⁰

Charles Black, a co-founder of COAHR as a Morehouse College student who was arrested in the sit-ins and who squeezed into Mitchell's packed courtroom to watch him sentence King, drew lessons from the ways power was leveraged during that event when he finally sat down with the owners of Atlanta's theaters to negotiate their desegregation. Black said Richard Rich and Police Chief Herbert Jenkins were brought in for the talks, and Black asked both men to address the theater owners' fears of a violent backlash and the loss of white customers. Black said Jenkins agreed that his officers' job was to prevent violence, while Rich, whose stores lost \$10 million during the students' campaign, said his stores suffered no violence and that business was good

²⁹ Branch, 380.

³⁰ Brown-Nagin, 198.

once the boycotts ended.³¹ With that, the theater owners finally surrendered, ending segregation in April 1962 with the opening of the Metropolitan Opera.³²

“Movements were inspired all across the country after that moment,” Black said. “Folks made the connection that King’s arrest made the difference in getting Kennedy elected. That’s a big deal. So clearly people were inspired across the country -- if his arrest can have this impact on this nation, then hey, this is worth doing -- let’s stay the course on non-violent civil disobedience. It can have results.”³³

This research addendum was written by Michael Warren in September 2020 with support from the Commemorating King in Decatur team: Decatur High School students Emma Callicutt, Halle Gordon, Alonzo Labiosa, Daxton Pettus, Genesis Reddicks, Adelaide Taylor and Liza Watson, their teachers Katrina M. Walker and Ben Skillman, and DHS administrators.

³¹ Black, *oral history interview, February 2020.*

³² Lonnie King, *Atlanta Student Movement Timeline*

³³ Black, *interview with Michael Warren, Sept. 19, 2020*