Black women and the civil rights movement

By Aldon Morris

Black women were crucial to the rise and success of the civil rights movement. This fact has often been overlooked because of the visibility of male leaders like Dr. Martin Luther King, Jr., Stokely Carmichael, Roy Wilkins, Whitney Young, Jr., and Malcolm X. Nevertheless, black women assumed both leadership and behind-the-scene roles in the movement. This is not surprising because black women have always been in the forefront of the black liberation struggle. The brutal oppression of Afro-Americans has always prevented black women from being confined exclusively to the role of housewife. They worked in the fields during slavery and they suffered the sting of the whip. At the same time, women like Harriet Tubman and Sojourner Truth worked fearlessly on the Underground Railroad freeing their brothers and sisters.

Following slavery, black women organized campaigns against lynching while they cooked, scrubbed, ironed and mothered for white women. These were the circumstances that produced strong determined women who never knew what it meant to be placed on a "female" pedestal.

Like their historical counterparts, contemporary black women were prominent figures of the modern civil rights movement. Some led and organized dangerous demonstrations, making it clear that they were ready to go to jail and even die for liberation. Others worked the typewriters and mimeograph machines, turning out those communications crucial to the mobilization of the grassroots constituency. Many black women risked jobs and the lives of their families by opening their homes to civil rights activists in the heat of battle. Others erected "citizenship" schools and "freedom" schools in beauty shops and backyards where they taught thousands of illiterate people how to read, write and struggle for freedom.

There were also black women who challenged the men in the movement to abandon sexism so that struggle against injustice in the larger society even more powerful and effective. As Fred Shuttlesworth, a great leader of the movement, put it, "the women made it real."

To capture the spirit and dedication of the women who propelled the civil rights movement, the following paragraphs will take a brief look at the contributions of these women, like so many others, played paramount roles in the movement.

Rosa Parks

Rosa Parks is the mother of the modern civil rights movement. Without her actions, the world might not have been privileged to witness the famous year-long bus boycott in Montgomery, Alabama in 1955-56 and the rise of Martin Luther King, Jr.'s brilliant leadership. On December 1, 1955 Mrs. Parks—a quiet, dignified black resident of Montgomery—defied local laws by refusing to give her bus seat to a white man. Shortly after Mrs. Parks' arrest, the black community of Montgomery organized a mass boycott of the segregated buses. This development is considered to be the starting point of the modern civil rights movement.

Most people believe that Mrs. Parks refused to give up her seat to a white man because she was

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nia did not meet that Constitutional test.

Groups and individuals interested in affirmative action programs wondered to what extent the limitations of Bakke would apply to employment programs.

Some of the questions were answered in Weber, where a private employer developed a voluntary affirmative action program to increase the number of Black workers among its crafts and skilled workers.

The program set as a goal of 50% percent black representation within the draining program until the skilled and craft workers reflected the percentage of Black workers in the surrounding community.

The Supreme Court found the program sufficiently flexible to survive Constitutional scrutiny. That decision left employers and unions in the private sector free to take race-conscious measures to eliminate racial imbalances to traditionally segregated job categories.

In Fullilove, a contractor's association attacked a Congressional spending program which required that a minimum of 10% of the federal funds granted to local governments for public works projects go to businesses owned or controlled by statutorily defined minority groups.

The Association claimed that the Constitution would not permit the Congress to construct racially exclusionary categories to funnel funds to racial minorities. The Court upheld the right of legislative bodies to establish remedial programs when those programs are established to remedy a clearly defined problem.

It stated further that Congress was not required to act in a color-blind fashion even though the results disappointed those who had not themselves participated in discriminatory acts.

The Justices said that "When effectuating a limited and properly tailored remedy to cure the effects of prior discrimination, such a sharing of the burden by innocent parties is not impermissible."

And yet important questions about the limitations on public and private affirmative action programs remained unanswered. Recently in Firefighters Local Union No. 1784 v. Stotts (1984) the Supreme Court did not reach the constitutional issues.

Black firefighters had been retained as part of an affirmative action program while white firefighters with more seniority had been discharged due to a reduction in the size of the employee force at the fire department.

The Court decided that a statutory provision of Title VII of the 1964 Civil Rights Act preserved the seniority of the white firefighters.

The Court said that it was significant that the firefighters union had not been a party to the decision to modify seniority rights. Under the provisions of that statute, legitimate seniority programs may not be disturbed in order to provide for racial preference unless there has been a showing of racial discrimination within the seniority program.

In a case decided in the spring of 1986, called Jackson v. Wygant, (1986) The Supreme Court has begun to answer other important questions about the limitations of affirmative action programs.

In that case a number of white teachers with greater seniority were released while minority teachers with less seniority were retained to maintain recently acquired racial diversity within the teaching staff.

The teachers' union had on several occasions ratified that provision as part of a negotiated agreement with the school board. White teachers who were laid off challenged that provision of the Agreement as a violation of the Equal Protection Clause of the Fourteenth Amendment.

As in the Bakke case the court found that this method of desegregating the employee force was impermissible in a jurisdiction where there had been no allegations of previous racial discrimination.

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