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AT THE HEARINGS: AN AMERICAN MICROCOSM

By ROBERT E. ANDERSON, JR.

*Mr. Anderson is Editor of Southern
Regional Council Publications.*

Mr. Roy Thomas is a middle-aged black man who had lived all his life on a tenant farm in Sumter County, Alabama. It was a skimpy living at best. He had only fourteen acres, but farming was all that he knew and he never thought much about ever doing anything else. In the normal course of events, he probably would have lived out his remaining years, bound to the land and its uncertain yield, dependent on the white landowner not only for his acres, but for his house, seed, fertilizer, and his existence. But times were not normal and, somehow, approaching old age, he had gained a vision of something better. He and his wife had started encouraging their fellow tenants to register to vote. Also, he had heard that the federal government owed him a crop diversion check. When he called on the white landowner and asked about the check, he was told he had signed away his right to it. He did not remember having done so. What he did remember was signing a paper which had been represented to him as a contract for the next year's work. A few days after his confrontation with the landowner, he was ordered off the land.

At recent hearings before the United States Civil Rights Commission in Montgomery, Alabama, he recounted the incident and was asked why he signed the paper without having it fully explained to him by a disinterested party. There was pathos in his reply: "I was just so sure that what he told me was true."

There is a sense of drama about any kind of public hearing, whether held in the austere setting of a legislative hall, the rude, country surroundings of a county courthouse, or as with the Montgomery Civil Rights Commission hearings at Maxwell Air Force Base—an undersized and often overcrowded quonset hut. Perhaps it is because of the attention focused on a witness, his awareness that his words are being recorded and that somehow they might have an impact on events, but no one ever really goes before such a tribunal without inner fear and trembling.

At Civil Rights Commission hearings there is an added element of emotion. The Commission does not hold hearings capriciously and when it comes to town, it is with the full subpoena powers of the United States government. Its subject invariably is controversial and to testify before it carries an element of personal risk for such a man as Mr. Roy Thomas.

But the betrayal of Mr. Thomas was not in itself an event likely to put into motion the civil rights fact-finding machinery of the federal government. He was only one man—a poor black man—and no government agency before had ever shown much interest in his welfare.

What brought the Commission to Montgomery—and it is well to state the fact unequivocally at the outset—was that growing numbers of men like Mr. Thomas, growing numbers of Negroes throughout the South have been migrating North, filling the ghettos and creating "problems"

for cities, which, when they existed only in the South, the nation had been willing to let southern officialdom handle in its own sure way. (For there are ways other than the brandishing of nightsticks or the use of police dogs to contain oppressed people—ways invisible to the vast majority of Americans whose consciences can be stirred to act only in the face of the most palpable examples of violent injustice. Dr. Alan Mermann, a Yale University pediatrician, for instance, told the Commission from his personal examinations of Negro children in Lowndes County that they were not only not getting enough to eat, but the food they did get was inadequate in protein and vitamins. Lack of protein, he noted, can have untold damage on a child's mental and emotional make-up—the most characteristic traits being lethargy, and suspicion of the adult world.)

It is no reflection on the integrity of the Commission to say that it had responded to the terrible crisis in American cities by coming to the source of migrant discontents. As a no-nonsense, but basically powerless, fact-gathering agency, the Commission has made recommendations and issued sore-prodding reports which are often light years in advance of the thinking of the Congress, and, indeed, of the national will.

The Commission actually made no effort to hide its anxiety over the implications of further Negro exodus. ("Are you saying," a member asked one Alabama official, "that our recommendations be that we spend more money to keep people on the farms than we spend to take care of the cities' acute problems?" Invariably, too, the question would be put to Negro witnesses: did they want to move North? Unanimously, the answer was, "no.")

Sitting before the television cameras which apparently recorded the entire five-day session, sweating freely in the heat of the unairconditioned room, the Commission looked like anything but the team of inquisitors come to town (in the words

of Mr. Reuben King, Director of the Alabama Department of Pensions and Securities) "to make a white community look bad." There was, to be sure, the air of a public prosecutor about Mr. Howard Glickstein, staff counsel, slight, wiry, with a crisp courtroom manner, but on the whole the Commission gave the appearance of a citizens group resolved to do an objective reporting job, rather than that of a grand jury listening to indictment presentments. Chairman Hannah, for instance, could be at pains to make even the most fractious witness feel comfortable and at home. Vice Chairman Patterson, a rural Georgian by birth, was sometimes able to achieve a certain rapport with white officials, while at the same time challenging them to bring out the best in the white South to meet the challenge that their deliberations there offered. Mrs. Frankie Freeman, the lone Negro commissioner, seemed to be the only member unable to play the polite southern game of dealing gently with one's enemies. (At one point, her disgust with the testimony of a white factory owner could not be disguised. "What you are saying, it seems to me, is that there has been no real progress for Negroes in Alabama since the days of slavery.")

The truth was, of course, that though its mission was "to collect information concerning the economic security and economic opportunities of Negroes in 16 counties of Alabama," the Commission was not there for polite discourse. At a time when the Poor People's Campaign, conceived by the late Dr. Martin Luther King, was moving along the highways out of Memphis, Tennessee, headed ultimately toward a confrontation with the national will to do something about the economic security of poor people everywhere, maybe there was a certain justification for the air of cynicism about the hearings held by some of the civil rights workers in the audience. (It was a cynicism which was probably not directed, really, against the Commission itself, but rather against the governmental process

which allows people to testify time and time again as to their grievances and then tip-toes gingerly around local prejudices, often transmitting its curative funds directly through the same political machinery that made people poor and wretched and which still has a stake in seeing that they stay that way.) Yet, if there was cynicism, so also were there deep undercurrents of resentment among representatives of local officialdom. (At one point, the wife of a rural county school superintendent walked out angrily as a Commission member suggested that perhaps the reason Negro mothers were not enthusiastic about sending their children to the schools the man had directed for 25 years was because they, themselves, had attended the same schools and knew only too well the paltry degree of instruction to be had there.)



The sixteen-county area selected by the Commission for its deliberations could be taken as a microcosm of the worst, probably, in the nation, from the point of view of rural Negro deprivation. (The Mississippi Delta could doubtless rival it, and maybe even in some ways surpass it, but Mississippi had, after all, received more than its share of national attention already.) While over three-fifths of the population in the area still is Negro, there has been a drop of 26.7 per cent in Negro population in the sixteen counties since 1940. Latest available figures show median family income to be \$1,279, 30 per cent that of whites. Four of the counties investigated had median family incomes below \$1,000.

A Commission staff report noted:

For most Negroes who have remained in agriculture, getting a living is at best a difficult proposition. They live at bare subsistence level, and have little hope of escaping if they remain in farming. Most whites, though by no means all, derive a better living from farming. Generally, they have benefitted from the appli-

cation to farming of modern science and technology. The Agriculture Experiment Station of Auburn University reports that the application of modern science and technology is changing a traditional way of life to a modern commercial operation.

. . . The growth in the size of farms and the concomitant improved technology, combined with such factors as government crop control programs and better employment opportunities elsewhere, have resulted in a decline in the number of farmers. Throughout the South, but particularly in the sixteen-county area, the largest number to leave, or be forced to leave the land, have been the black tenant farmers.

Cotton is still the basic crop grown by most of the black farmers . . . This affords a poor living . . . Moreover, cotton is an allotted crop, the acreage of which is restricted by law . . . In contrast, many white farmers diversify their activities among livestock, poultry, dairying, timber . . . soybeans, sorghum, and corn.

As for industrial development, the Commission report stated:

It may be noted that the last amount of job expansion took place in those counties with the highest proportion of non-whites.

It was, one thought, rather surprising to hear that

. . . a current detailed description of employment by race in the manufacturing industries is not possible because this data has not been collected at any level of government.

Yet, it was possible to establish that total capital investment in Alabama industry between 1960 and 1967 amounted to something in the neighborhood of \$2.8 billion, \$1.0 billion of which was in new plants, and the remainder in the expansion of old. A total of 147,530 additional jobs were created in the state as the result of this investment (20,000 of these jobs were established in the sixteen-county

ty area of the Civil Rights Commission study). With Negro income at the level delineated, it took no great powers of deductive reasoning, however, to conclude that Negroes were not proportionately represented in the new labor force which industry brought to the area.

This generally was the statistical situation which only by implication told the full story of Negro poverty. There was no statistical measure that could pin-point the plain fact that Negroes in the Alabama Black Belt historically have lived under conditions little better than that of involuntary servitude, all the while, victims, too, of a genuine agricultural revolution. (Most agricultural experts have for years counseled and pushed for larger, more diversified farms with the glib philosophy that those pushed from the land will be able to find a living in that panacea of all panaceas—industrialization. Negroes, however, have found all too often that what was true on the farm was true in the factory and until passage of the Civil Rights Act of 1964 they were totally excluded from sharing in all but the most menial jobs. Nor is the situation much different in rural industries today where the owners offer explanations beyond the more obvious ones of racial discrimination to account for lack of Negro participation. Negroes, they will say, are unqualified, always with the tacit sneer, too, that they are unqualified because they are unqualifiable, this despite the fact that the schools in which they have been "separately but equally" educated have not, in the words of Commission staff director William Taylor, "even come up to Plessy vs. Ferguson.")

And so it was necessary once again, after all the statistics were recorded to tortuously squeeze out of five days of hearings, the story of how all the statistics came to be in this era of unprecedented national, regional, and state prosperity.

The testimony of one Negro mother summed up one facet of it. She worked six days a week as a domestic for a white planter, and earned a dollar a day. She

was fired because she allowed her employer's father to breach plantation etiquette. He drove her children down to to the cotton fields in his own automobile. It amounted somehow to his treating her as an equal. She found another job at \$12 a week, and she draws \$26 a month in aid to dependent children. It takes all she makes to buy food stamps; there isn't money to go around for shoes. Question: How did you get by before you got on welfare? Answer: On credit.

There were others who gave the Commission glimpses of what poverty and deprivation inspired by generations of environmental racism can do. There was the ex-army sergeant, father of two children, who came back home to Autauga County and tried to find local employment only to be told to "ask Martin Luther King for a job." He re-enlisted.

There was the angry Tuskegee student who reduced everything to its most elemental terms when he said that there were only two solutions to the problems of the Negro poor—revolution or genocide. (His position, Chairman Hannah informed him testily, was irrelevant.)

But for the most part, the hard-core poor were not present in great numbers. There were enough to establish the existence of poverty, but not so many as to feel the emotional impact that comes from hearing vast numbers reveal before you that their lives are no more than afflictions to be tolerated and borne like so many cases of leprosy. SCLC's Hosea Williams, testifying as to the aims of the Poor People's march, in a sense spoke for those who were not present. The march, he said, "is the last chance for America to save itself from internal corruption."

Another witness, Albert Turner, a Black Belt farmer, seconded Williams' statement and added that there is an economic freeze on Negroes in the Black Belt. "They blame it all on automation," he said, "but Negroes who have been evicted are in those places where they are a majority and pose a threat to the power structure."

Two Negro employees of a sawmill

operated by the American Can Company in Bellamy, Alabama, described living and working conditions which, Mr. Glickstein later commented, were reminiscent of "an Eighteenth Century novel." One of the men told how he came to be \$300 in debt to the company store and how during one two-week pay period when he was due to draw \$139, he had received \$5.00. The rest was deducted from his paycheck. The other Negro employee described deplorable conditions at the Negro school in Bellamy. There was, he said, no inside plumbing. There was a single water spigot on the school grounds and an outhouse. He created a stir among the Commission members when he told of a statement read by a company spokesman the day before as employees were checking out at the time clock. The statement referred to the Civil Rights Commission hearings, and noted that company spokesmen had been subpoenaed to testify. "One of the things we expect the Commission to ask us is whether the company housing situation at Bellamy will be changed. Right now we are not sure what we will be able to do because of cost and other problems. The recent open housing law may force us to stop renting any houses to either white or colored employees in the near future, if it is not possible for us to make changes." The timing of the statement, coming as it did the day before Negro employees were also scheduled to testify, was considered by the Commission to be potentially intimidating. The plant superintendent who had read the statement was present and as the Negro witnesses were excused, the Commission went in to executive session with him and a number of his associates.

What action, if any, was taken against the man was not revealed. He did admit later when the session reopened to the public that he had read the controversial statement and in a somewhat cryptic comment on its intent added that the company is looking for a housing plan "to stay within the law and accommodate to the housing situation as we presently see

it." He said the company presently rented 120 houses to Negro employees and 45 houses to white employees. All of the white homes were equipped with indoor plumbing, but only eight of the Negro homes were. He said that of the company's 270 Negro employees, only three held jobs above the service level; two of those had been promoted within the past two weeks; gratuitously, he added, "we try to train our people to do what they have the potential to do, regardless of race or color."



Few other representatives of private enterprise were able to present much brighter pictures of Negro employment prospects within their own companies. An Alabama Power Company spokesman said that of the company's 5,394 employees, only 472 are Negroes. Of this number, only 50 are in jobs above the service level. He said the General Services Administration, with which the company had federal contracts, has never complained about the company's pace of recruiting Negro employees. He blamed prohibitive union contracts for the company's lack of progress. Three other companies, including two textile manufacturers and a paper company, professed to be willing, even eager, to hire Negroes at levels above their customary roles of janitor and maid, but all insisted that they were not able to find enough qualified Negroes for the jobs available. They said they are not recruiting the unqualified with the express purpose of training them for higher-paying jobs.

The obvious point which the businessmen were making was that the school system had failed to do its job. This was indisputable. It was apparent, for instance, in question and answer sessions with school superintendents that the quality of education available at predominantly Negro schools was inferior to that offered at white schools. Thus an exasperated Mrs. Freeman remarked, "We have come full circle here. Business tells us it needs qualified people. You, in effect, are telling us

that the schools haven't even come up to 'separate but equal!' When are you going to come into compliance with the U. S. Supreme Court decision?" Her vexation was understandable, but the schools were not totally to blame. Business surely had played a role in dictating the course of Negro education. For if its representatives could complain that the schools weren't teaching Negroes marketable skills, educators could reply that hitherto business had refused to employ Negroes in positions where such skills would be useful.



No one probably was surprised at the testimony which emerged from questioning representatives of the Department of Agriculture. The Civil Rights Commission itself in 1965 examined the activities of the department's supportive agencies and found them to be operating in a palpably discriminatory manner. In summarizing its findings, the Commission stated:

. . . the prevailing practice has been to follow local patterns of racial segregation and discrimination in providing assistance paid for by federal funds. At the same time, the department has not developed adequate procedures for evaluating the degree to which its programs reach Negro as well as white rural residents.

Three years later, it seemed, the situation was little changed in Alabama. The Commission's staff noted, for instance, that between April and October, 1967, a total of 89 per cent of the visits made by white male Extension Service agents were to whites, and 96 per cent of the visits of Negro males were made to other Negroes; 94 per cent of the visits made by white female workers were to whites; 99.6 per cent of visits made by Negro female workers were to other Negroes. Dr. Fred Robinson, State Extension Service director, was hard-pressed to explain the figures on any ground other than the self-evident one (that a policy of segregation existed within the Service), but he tried. He said

visits were made by request and that the Extension Service never went out to seek those in need of help. In the area surveyed by the Commission staff, there were 46 white Extension Service workers, and 26 Negro Extension Service workers; 72,000 potential Negro recipients, 27,000 potential white ones.

The staff report also noted that "neither in Alabama nor in any other state of the United States does a Negro fill the chief extension position in a county office . . . The selection of chief Extension personnel is a matter of local control . . . The state will not overrule the wishes of the county political authorities, regardless of a candidate's qualifications."

Queried closely on the point by Commissioner Rankin and Vice-Chairman Patterson, Dr. Robinson repeatedly stated that "we stay with the local structure." As Rankin pursued the point ("Would you buck the power structure if you thought it was wrong?") he was checked by Chairman Hannah, who intervened to note that he, himself, had been a county agent for some ten years and knew what the State Extension Service was up against. "The agency is just set up that way," he said, leaving many in the audience with the feeling that it was likely to stay that way despite any recommendation that the Civil Rights Commission might make to the contrary.

Mr. Robert Bamberg, administrator of the Farmer's Home Administration for Alabama, and a former state commissioner of agriculture, had some ideas about land reform that he wanted to pass on to the Commission. As a farmer himself with 1,200 acres, much of it in timber, he thought it would be good to re-distribute land, if all that was re-distributed belonged to the federal government. He mentioned, particularly, federal parks, which he seemed to think were serving no useful purpose now. He also wanted to say—off the record if the Commission pleased, and the record, presumably, was shut off—that even if one took all the land

and divided it up equally among everyone, that it was an inexorable law of nature that "the strong take it from the weak and the smart take it from the strong."

Back on the record, he astonished the Negro farmers present by stating unequivocally that all of his Negro tenants earned hard cash after the end of the season, averaging \$1,200 a year. (A Negro farmer testifying earlier had said he was lucky to clear \$100 and most often ended up in debt, an experience that seemed to be shared by most Negro tenants of his acquaintance.)

It was easy to dismiss Mr. Bamberg as no more than an archetype, to be, in that strange southern way, put off by his presence, gambited by his showmanship and thereby to let him escape without ever really getting him to concede much of anything. It was only later, analyzing the Commission staff reports, that one saw the Commission had been handled by an expert. He seemed on safe ground when he admitted that it was true Negroes received only 16 per cent of the total money loaned through FHA. It was also true, he said, that they had less ability to repay. He was on less solid ground when he also conceded that of 203 employees working under his administration, only five were Negroes. But somehow after the question was answered, he managed to turn the tone of the inquiry toward larger policy-making decisions, throwing out the bait that the solution to all the South's agricultural problems is 100 per cent parity. This created a general discussion of price supports and cotton production and somehow no one ever got back to what action he proposed to take

about bringing Negroes into his department.



The Alabama Advisory Committee to the Civil Rights Commission filed a 64-page report examining the Agricultural Stabilization and Conservation Service in the Alabama Black Belt. The report outlined once again the shocking treatment which Negro farmers were subjected to in 1965 elections to fill the ASCS community committee posts.* (Community committeemen are elected by the farmers themselves; they, in turn, name county committeemen. County committeemen are all-powerful in distributing county crop allotments.) In addition, the report noted that the ASCS makes only the most feeble attempts to inform Negro farmers of the services available to them. "Information . . . has not really been given at all"; a civil rights worker from Dallas County told the Advisory Committee: "If you don't know the right questions to ask, you don't get the information you need . . ."

The testimony of representatives from the contract compliance divisions of the Department of Defense and the General Services Administration clearly shocked both the Commission members and the audience. Though many were expecting a *pro forma* attempt at disguising failure with slippery statistics, characteristic of practically every other county, state, and federal official who testified, the spokesmen for DOD and GSA were astoundingly candid. The Defense Department admitted, for instance, that out of 2,800 prime contractors, it had within the past four years visited only four hundred to check

*Public hearings conducted by the Advisory Committee heard charges that county committees deliberately nominated large numbers of Negroes for community committees in order to dilute Negro voting power. Some Negroes said that where there were two or more Negro farmers in one house, only one ballot was received. Tenant farmers told of being evicted for voting in the ASCS elections. The Advisory Committee report also noted that since 1964, the number of Negro community committeemen has risen from none to 23, but no Negro has yet been named to a county committee post in Alabama despite the fact that Negroes represent a majority of farm operators in 12 Alabama counties. (For a more detailed analysis of the controversial elections, see, "White Power in the Black Belt," by Miriam Wasserman, NEW SOUTH, winter, 1967.)

on employment practices. Ninety-three per cent were recommended for revisits; 10 per cent (or 43 plants) had actually been revisited. Yes, both departmental spokesmen admitted, neither department had ever cancelled a contract because of unfair employment practices. They tried to negotiate their differences with their contractors, they said. The General Services man pointed out, too, that you "do not create jobs by cancelling contracts." Not only was it *possible* that a company might be cited for non-compliance and then complete the job before it complied, they knew of cases where it had happened.

Once, in Milwaukee, the Defense man said, he had recommended that a Navy contract be cancelled, and "I thought the Secretary of the Navy was going to be on me." (It would, one thought, be an interesting, but maybe impossible piece of detective work to find out why more contract cancellations had not been attempted. Where does the pressure come from when a company is scheduled for compliance action and nothing happens? One hesitates almost to ponder the question too long, but when you consider the number of military bases in the South, and how close the region's economy is tied to Defense contracts, a process of deductive reasoning is possible: "A" [the plant

owner threatened with compliance action] talks to "B" [his congressman], and somehow no further action is taken. Or, in another context, it might be the way the GSA contract man described it in commenting on Alabama Power Company employment practices. "There is some doubt as to whether a utility comes under Title V." For if you cancel power company contracts, he noted, "people will be using candles." In other words, utilities are monopolies which provide vital services that transcend the human right of a man to seek employment on the basis of his humanity.)

Somehow it all seemed to come back finally to the same point. America is where it is because, in the words of SCLC's Hosea Williams, "of its internal corruption." At no point in the hearings was that corruption more terribly revealed than in the testimony of an apparently well-meaning physician who was in charge of a recently funded OEO medical assistance program in Lowndes County. He said the way he justified to his white friends his being associated with the project at all was on the basis of the payroll the project brought to the county.

It was as if he had felt the need to justify operating on a dying man by how well he was regarded at the bank.