Rosa Parks: Foremother & Heroine Teaching Civility & Offering a Vision for a Better Tomorrow

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I. INTRODUCTION

Our nation seems increasingly polarized and, at times, we seem almost torn asunder with hysterical rhetoric that more often divides us than brings us together. Thus, today is a joyous and almost solemn occasion. We meet here primarily to pay tribute to Rosa Parks, but we meet also to put her courage, her commitment, and her wisdom in a historic perspective, so that we can understand the events in the corridors of history that preceded her, impacted on her, and which should shape our future concerns.

For those of us who seek to build a more caring and just nation, we take a meaningful first step when we start out by acknowledging why Rosa Parks is a true heroine in our society. We must pause long enough to ponder what it is that Rosa Parks should symbolize for all Americans. For me the answer is easy. Rosa Parks exemplifies the very best of America: a compelling commitment to justice for all persons, regardless of race, class, creed, national origin or religion. Thus, by the content of her character and her civility, Rosa Parks and those who share her compassionate vision are deterrents to the meanness and non-caring that we see increasingly in America’s public life.

On March 23, 1775, standing in St. John’s Episcopal Church in Richmond, before the Virginia Convention, Patrick Henry exhorted his colleagues to support his resolutions for organizing and arming the Virginia Militia. He said:

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Forbid it, almighty God! I know not what course others may take; but as for me, give me liberty or give me death!¹

And 180 years later, on a Montgomery bus, the demand implicit in Rosa Parks' protest on December 1, 1955, could be paraphrased: "Forbid it, almighty God. I know not what course others may take; but as for me, give me the right to sit anywhere on this bus!" When Patrick Henry, the revolutionary, demanded that King George "give him liberty," his plea for liberty could have been considered to be somewhat hypocritical, because, at the very same time, Patrick Henry, the slaveholder, was a co-conspirator in a system that every day deprived black persons of liberty so that enormous profits accrued to their owners. In contrast, Rosa Parks' protest and her life are devoid of any act that one could call hypocritical. From my perspective, Rosa Parks has been in many ways at least as important in the raising of the American consciousness for freedom and fairness as was Patrick Henry.

For African-Americans, the heroine Rosa Parks is as important as Thomas Jefferson, who authored the Declaration of Independence, and as important as George Washington, who led thousands of troops under his command against King George. In some ways, Rosa Parks may be even more of a significant heroine than they were heroes. She worked as a seamstress in a clothing store. Unlike George Washington, she had no troops under her command, obligated to follow her into battle. Unlike Thomas Jefferson, she did not own a plantation with 200 slaves, whose labors made him a privileged member of the society, with sufficient financial affluence and power to have time to write great documents of protest. She was not invited to the equivalent of an Independence Hall in Philadelphia, where James Madison had been a dominant voice to frame a constitution and to propose a bill of rights. All of the doors that had opened so widely for Patrick Henry, George Washington, Thomas Jefferson and James Madison to advocate their revolution and thereby create a new nation would have been slammed twice in Rosa Parks' face, first because she is a woman and a second time, because she is black.

In 1787, unfortunately we had only forefathers and no foremothers. Thus, more than 200 years after the ratification of the Constitution, we anoint and honor Rosa Parks as a person who should legitimately be called a foremother of the United States. By her nonviolent act on

¹. WILLIAM WIRT HENRY, PATRICK HENRY: LIFE, CORRESPONDENCE AND SPEECHES, VOLUME I, at 266 (1891).
December 1, 1955, foremother Rosa Parks spoke with an eloquence that would be felt and heard throughout the world.

Think of the fascinating contrast in the settings of the revered forefathers' protests and the circumstances of foremother Rosa Parks' protest. Her statement of principle was not proclaimed from the pulpit of an Episcopal church, as was Patrick Henry's. Her defiant stand was not made in the presence of Benjamin Franklin and the other premier statesmen, as was Thomas Jefferson's, when speaking on behalf of the Declaration of Independence, or James Madison's, in support of the Bill of Rights. Her commitment of faith was exercised from the back of a segregated bus in Montgomery, Alabama. Even though the three African-American male passengers went to the most rear seat at the order of the bus driver, Rosa Parks refused to move and give up her seat to a white passenger. By making that modest protest, she was declaring that she, too, was a human being, full of dignity, and that she should be treated as the first-class citizen she was.

For her catalytic moment of courage, today we honor Rosa Parks. Yet we must put her contributions in some historic perspective. We must understand the linkage between her calm protest on December 1, 1955 and the actions of other legendary figures throughout American history. These were individuals whose spirits could not be crushed, whose determination could not be deterred, whose love for liberty and insistence on justice could not be turned back. Through their protests, they helped rebuild their world, to move our society from the sinking sands of bigotry, hatred and callousness to a more civilized foundation.

Because of the shortage of time, let me, as to this corridor of history, discuss only heroines—women who have displayed the raw courage, and also often the gentleness, that Rosa Parks exemplifies.

II. EARLIER HEROINES

Let me start first with two black heroines—Harriet Tubman and Sojourner Truth.

Harriet Tubman was a leader of the Underground Railway, bringing slaves to freedom. Harriet Tubman made at least fifteen trips from the North into Southern slave states. She freed more than 200 slaves, including her entire family, through the Underground Railway and earned the name “Moses” among the slaves.

3. *Id.
4. *Id.
5. *Id.* at 1152.
Tubman was active in the Abolitionist movement, and was a spy, nurse, feminist, and social reformer during the Civil War and afterwards. She nursed wounded Union soldiers back to health and taught freedpersons strategies for survival. Harriet Tubman joined in the women's movement because she thought that the liberation of blacks and women were related in the struggle for human advancement. She was asked late in her life whether she believed women should have the right to vote. She replied, "I have suffered enough to believe it."

Sojourner Truth was another voice in the struggle to end slavery and for the liberation of women. She was a powerful speaker and purportedly once said:

Dat man over dar say dat womin needs to be helped into carriages, and lifted over ditches, and to hab de best place ev'rywhar. Nobody eber helps me into carriages, or ober mud-puddles, or gibbs me any best place! And a'n't I a woman? Look at me! Look at my arm! (And she bared her right arm to the shoulder, showing her tremendous muscular power). I have ploughed, and planted, and gathered into barns, and no man could head me! And a'n't I a woman? I could work as much and eat as much as a man—when I could get it—and bear de lash as well! And a'n't I a woman? I have borne thirteen chilern, and seen 'em mos' all sold off to slavery, and when I cried out with my mother's grief, none but Jesus heard me! And a'n't I a woman?!

When speaking of heroines, I do not think only of women of color. For, in the corridors of history, there have been some extraordinary white women who also have made a critical difference in the pursuit of justice. Let me give you the stories of three such women who, in the antebellum period, risked their lives amidst threats of violence and imprisonment because they thought that black people should be treated fairly and justly. These are:

Prudence Crandall—Brought up a Quaker, Crandall opened up a school in Connecticut which accepted black girls. In 1833, she was arrested, tried, and convicted by a lower court for bringing black girls

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6. Id. at 1151-54.
7. Id. at 1154.
8. Id.
9. Id.
10. Nell I. Painter, Sojourner Truth, in Notable Black American Women 1147, 1150 (Jessie C. Smith ed., 1992). There is some dispute as to whether this quotation is accurate, but regardless as to its authenticity it conveys the emotion and anger which Sojourner Truth represented.
into the state to provide them an education. Her real “crime” was in teaching black girls to read.

Margaret Douglass—A Southern gentlewoman, she opened up a school for free black children in the slaveholding state of Virginia. She was convicted of the crime of teaching blacks to read and was sentenced to prison. Douglass was shunned by her entire community, supported only by her daughter, and her persistence was an attestation to the strength of her character and convictions.

Myrtilla Miner—In Washington, D.C. in 1851, she established a school, which eventually became a college for training black teachers. She, the students, and the school itself, were threatened often with mob violence and with legal challenges. Miner was ostracized from a large portion of white Washington society for her actions. Central to her thoughts and actions was a belief that education was the liberator of the oppressed.

When we look to the post-Civil War period, there are four persons who preceded Rosa Parks who, because of their protests, would also be called heroines.

In the mid-1860’s, Mary Miles took a seat in a railroad car in Philadelphia, headed for Oxford, Pennsylvania. A “rule of the road” required the conductor to make blacks take seats at he end of the car. Mary Miles nevertheless sat in the middle of the car. When the conductor asked her to take a seat at the end of the car, she refused. He put her off the train.

Mary Miles sued because of her forced removal from the car. She received a favorable verdict of $5 against the railroad. The trial judge had charged the jury “that a regulation which prohibits a well-behaved colored person from taking a vacant seat in a car simply because she is colored, is not a regulation which the law allows.” Though the Supreme Court of Pennsylvania did not sustain her verdict, Mary Miles was a Rosa Parks for the nineteenth century.

12. Id. at x.
13. Id. at 99, 121, 203-04.
14. Id. at 122-23.
15. Id. at 205.
17. Id.
18. Id.
19. Id.
20. Id.
21. Id. at 215.
In February 1868, before the adoption of the Fourteenth Amendment, Catharine Brown bought a railroad ticket from Alexandria, Virginia to Washington, D.C.\textsuperscript{22} The railroad maintained two separate cars, one for blacks and the other "for white ladies, and gentlemen accompanying them."\textsuperscript{23} Catharine Brown attempted to enter the white ladies car, but as she was doing so, she was directed to enter the other, colored, car. Catharine Brown insisted she enter the white ladies car.\textsuperscript{24} The railroad employee forced her out of the car and insulted her.\textsuperscript{25} She then went into the car reserved for "coloreds" for the rest of her journey.\textsuperscript{26} Her suit ultimately came before the United States Supreme Court, which affirmed the lower court judgment against the railroad for $1,500.\textsuperscript{27}

One hundred and ten years ago, in May 1884, Ida B. Wells Barnett purchased a first-class ticket on a Memphis-to-Woodstock, Tennessee railroad line. She took a seat in the ladies' car, but a conductor directed her to the smoking car. She refused to move. When the conductor grabbed her arm, she bit him and held firmly to her seat. It took two men to dislodge her. They dragged her into the smoking car. "[T]he white ladies and gentlemen in the car," she recalled in her autobiography, "even stood on the seats so that they could get a good view and continued applauding the conductor for his brave stand."\textsuperscript{28} While she was successful at the lower court level, winning several hundred dollars, the state Supreme Court of Tennessee reversed the trial court's decision.\textsuperscript{29}

Six days after the court's decision, Ida B. Wells Barnett recalled:

\begin{quote}
I felt so disappointed because I had hoped such great things from my suit for my people generally. I [had] firmly believed all along that the law was on our side and would, when we appealed to it, give us justice. I feel shorn of that belief and utterly discouraged, and just now, if it were possible, I would gather my race in my arms and fly away with them. O God, is there no redress, no peace, no justice in
\end{quote}

\begin{footnotes}
\item [22.] Railroad Co. v. Brown, 84 U.S. (17 Wall.) 445, 447 (1873).
\item [23.]\textit{Id.}
\item [24.] \textit{Id.} at 447-48.
\item [25.] \textit{Id.} at 448.
\item [26.] \textit{Id.}
\item [27.] \textit{Id.} at 452-53. Congress had conditioned the company's operating license on its operating its railroad cars for persons of all races. The railroad's segregation of the races was inconsistent with the Congressional condition that no person be excluded from the cars on account of color.
\end{footnotes}
this land for us? Thou hast always fought the battles of the weak and oppressed. Come to my aid this moment and teach me what to do, for I am sorely, bitterly disappointed. Show us the way even as thou led the children of Israel out of bondage into the promised land.  

Sixty years later, or, as I would phrase it, with the passage of at least three generations, in 1944, Irene Morgan was traveling on a bus, from Gloucester County, Virginia, through the District of Columbia, to Baltimore, Maryland. Those of you under forty probably have no comprehension as to how the segregated system on buses worked. Blacks were supposed to move to the very rear of the bus, and the rows would be filled up from the back towards the front as their numbers increased. If blacks had gotten off the seats closer to the middle seats and there was open space behind them, then any blacks sitting in front of an empty seat had to move back so that the seats in the middle could be filled by whites. The seating division was solely a racial categorization. There was no segregation on the basis of hair color, with blondes in one section and redheads in another. There certainly wasn’t any separation on the basis of religion, with Jews in one section, Catholics in another and Methodists in still another. Race was the sole criterion.

Irene Morgan refused to comply with the bus driver’s request that she move further back to the last row that was partly occupied by other black passengers. Morgan was arrested, tried, and convicted in the Virginia courts. But the United States Supreme Court reversed, holding that the Virginia law placed an undue burden on interstate commerce. Morgan’s courageous act, in 1944, was a continuation of the legacy of protest made earlier by other women and which just over a decade later would be repeated by Rosa Parks.

Eleven years after Irene Morgan was arrested in Virginia, Rosa Parks was arrested in Montgomery, Alabama in 1955. Ultimately, more than a year after her arrest, the United States Supreme Court held that the state-imposed segregation statute which constituted the basis for the arrest of Rosa Parks was unconstitutional.

Though it is appropriate to call Rosa Parks the mother of the current Civil Rights Movement, we must note that, in a legal generational

30. Id.
33. Morgan v. Virginia, 328 U.S. at 375.
34. Id. at 386.
sense, she was preceded by generations of protestors. To put it in a genealogical timespan, Rosa Parks is the mother; Irene Morgan, because of her protest in 1944, is the grandmother; Ida B. Wells Barnett, because of her protest sixty years earlier, in 1884, is the great, great, great grandmother; and Catharine Brown, in 1872, and Mary Miles, in 1866, are the great, great, great, great grandmothers. Thus, there has been a continuum of heroic women, from the slavery fields that Harriet Tubman confronted, to the segregation that Rosa Parks challenged.

III. ROSA PARKS' VISION

In paying tribute to Rosa Parks today, we would be foolish if we categorized her protest as merely an advocacy against racial segregation and other forms of racial discrimination. The true Rosa Parks spirit encompasses areas that are not limited solely to racial protest.

It would be nice if we could conclude that Rosa Parks' vision, of more and more people living together in peace and harmony and love, was being implemented today. It would be reassuring if we could say Rosa Parks' public persona was limited to those dreadful experiences she encountered in Montgomery, Alabama. It would be gratifying if we could say that, after moving to Detroit to escape the racial harassment she and her husband received in Alabama, she had encountered a totally supportive community in which she could live in peace and harmony.

Though I am certain that she has had many positive experiences in Detroit, there is one event that occurred recently that again brought this premier human rights leader to maximum media attention. On August 30, 1994, at the age of eighty-one, thus thirty-nine years after her Montgomery, Alabama protest, she was taken to the Detroit Receiving Hospital, where she was treated for the swelling of the right side of her face, possible chest bruises, and as it was later discovered, her pacemaker had been damaged.

The event started as she was upstairs in her home, heard a noise downstairs, went to investigate and discovered a man reeking of alcohol. Her back door had been knocked off its hinges. The man told her someone else had knocked down the door and that he was there to

36. *See infra* note 58 and accompanying text.
ROSA PARKS

protect her. Then he hit her. He fled on foot with about fifty dollars.\textsuperscript{39} The burglar was not some member of a white supremacist group who would have hounded her decades earlier in Montgomery, Alabama. He was not one of the many racists described in her autobiography,\textsuperscript{40} who had insulted her while she attempted to walk with dignity on Alabama streets in 1955. He was an African-American, purportedly a drug addict, and someone who seemed desperate for funds.

That assault of August 1994 received public attention in every major newspaper and, of course, Jesse Jackson provided the quotation of the moment. He pointed out that Rosa Parks "was not assaulted by the Ku Klux Klan or racist skinheads. She was struck by a young black man . . . one of those for whom civil rights protesters sacrificed so much."\textsuperscript{41} He said that the tragedy is that crime is so prevalent, "we have come to accept it as normal."\textsuperscript{42}

One of Rosa Parks' neighbors declared, "This block used to be quiet. Not no more."\textsuperscript{43} The neighbor, who moved there twenty-seven years ago, said that now, "Crack and drugs and gangs and younger people [are] preying on older people. It's all moving in right on top of us, just like everywhere else."\textsuperscript{44}

The Chairman of the Detroit Chapter of the NAACP said: "I think it is a disgrace to humanity that we have reduced ourselves to the degree that we can disrespect our elders . . . . That is not a white thing, a black thing, a brown thing; it's a human thing. She could have been my grandmother, your grandmother."\textsuperscript{45} When asked what she would like to say to Rosa Parks, the attacker's sister said: "I'm really sorry this had to happen to you, or anyone who is your age."\textsuperscript{46} The attacker's mother said jail might be the best place for her son.\textsuperscript{47}

We do not pay proper tribute to Rosa Parks by merely condemning the civil rights abuses of the 1960s or merely noting that she is a heroine of this century. We honor her most if, today, we reinform people about the true goals of the Civil Rights Movement. Please note that I use the word "reinform" and not "redefine." The Civil Rights Move-

\begin{thebibliography}{99}
\bibitem{39} Id.
\bibitem{40} \textit{Rosa Parks, Rosa Parks: My Story} (1992).
\bibitem{41} Rooting Out Another National Shame: Black-on-Black Crime Crisis Pointed Out by the Assault on Civil Rights Figure Rosa Parks, L.A. TIMES, September 2, 1994, at B6.
\bibitem{42} Usborne, \textit{supra} note 37, at 11.
\bibitem{43} Debbie Howlett, \textit{Humanity Fails Rosa Parks, No One Safe, Not Even 'A Legend'}, USA TODAY, Sept. 1, 1994, at A3.
\bibitem{44} Id.
\bibitem{45} Id.
\bibitem{46} Police Say Assailant Recognized Rosa Parks, Then Assaulted Her, CHI. TRIB., Sept. 3, 1994, at A11.
\bibitem{47} Id.
\end{thebibliography}
ment does not require a redefining of its principles. Rather, we must reinform the nation of those principles.

At its core, the Civil Rights Movement has always sought dignity and justice for all people. We must, in the continuous struggle that is the Civil Rights Movement, focus on the abuse of all persons in the 1990s; whether they are victims of violence, burglary, robbery, rape, murder, or mayhem; or whether they are victims of poverty and despair, racism, gender, religious or ethnic discrimination. We honor Rosa Parks most if we support those rational policies that can decrease the escalation of crime, those policies that allow as many persons as possible to lead constructive lives, and those policies that decelerate racial, religious and gender hostilities.

How do we put the August attack on Rosa Parks into perspective, and what does it mean for the civil rights struggle? We cannot allow politicians and others to take the cheap political perspective and say that all young poor people in inner cities should be put in orphanages, or jails, or left to fend for themselves if they don’t have a strong family support system. We must remind the nation that it is easier to shout that one is tough on crime and then put millions of young people in jail for decades than to understand the plight that contributes to violence and other crime. We are, and have been, as a nation, at the point where both the leaders and followers in our nation must pause and seek honest resolutions. Honesty requires that we start by acknowledging some hard facts.

- The number of people living in poverty was reported last year to have risen to 14.7% of the entire population, a rise for the third straight year.49
- The poverty rate among African-Americans was 33%, and for Hispanics, more than 29%.50
- One of four American children lives in poverty.51
- In the third quarter of 1993, the national unemployment rate was 6.6%; for African-Americans, the rate was 12.6%.52 These figures may be understated, according to the National Urban League, whose figures measure total unemployment as 13.1% and African-American unemployment as 23.2%.53

50. Id.
51. Id.
52. Id. at 4.
53. Id. The National Urban League employs what they title a “Hidden Unemployment Index,” which uses official government figures to count discouraged workers and involuntary part-time workers.
The nation's record on child health is just as distressing:
- The United States has a higher proportion of lower birth weight babies than thirty-one countries.\textsuperscript{54}
- The nation's infant mortality rates rank 19th among developed countries.\textsuperscript{55}
- Our polio immunization rate for children of color ranks 70th in the world. And only 10\% to 42\% of children starting school receive critical immunizations on time.\textsuperscript{56}

With these shocking lapses in our national agenda, it is not surprising that some leaders are attempting to shift our focus away from these realities and on to the supposed demons—such as “liberals” and welfare recipients—who are pictured as the cause of society’s ills.

IV. Where Do We Go From Here: Chaos or Community?

In April 1967, twelve years after Rosa Parks’ protest and one year before his death, Martin Luther King was becoming increasingly weary: millions of Americans seemed to have misunderstood the total essence of the civil rights struggle, and he felt that there were powerful forces driving this country into escalating and uncontrollable chaos. He made a desperate effort to clarify our agenda in a book titled \textit{Where Do We Go From Here: Chaos or Community?} But his message seems not to have been heard. Too many Americans thought that all the Civil Rights Movement wanted was equal access to public accommodations and the right to vote. We wanted then, and this nation must seek now, much more far-reaching progress.

First, we must build a broader and more durable sense of \textit{community} which embraces \textit{all} persons of goodwill. We must identify and focus on the factors that are tearing our society apart. We must recognize our individual and institutional contributions to the turbulence that engulfs us. Blindness to our own faults and failures in this area is a symptom of a disease which has infected many Democrats and many Republicans, many blacks and many whites, many “liberals” and many “conservatives.”

Second, there is an almost universal failure to comprehend what was the ultimate goal of the Civil Rights Movement. While we fought against racial, gender, religious and national origin discrimination, we sought far more than the eradication of those manifest forms of injus-

\textsuperscript{54} A.B.A. \textsc{presidential Working Group on the Unmet Legal Needs of Children and Their Families}, \textsc{America's Children at Risk} 35 (1993).
\textsuperscript{55} \textit{Id.}
\textsuperscript{56} \textit{Id.}
tice; we also strove for the creation of a society which assured fundamental economic justice for all.

The pervasive failures that are destroying our cities must be countered by civic responsibilities assumed by *everyone*, by both white and black people, by both business and labor, by urban, suburban and rural constituents. Blacks can no longer justify their failure to deal with these pathologies by pointing to racism, and whites can no longer justify their failure to join in a sense of community to rebuild our cities and our nation because they have adulation for the triumphs of African-Americans such as Michael Jordan and Whitney Houston. Their feats on the basketball court and stage should not blind us to the devastation of racism, poverty and economic disparities that engulf our nation.

We must retain a sense of history; America must understand what Martin Luther King meant when he said:

We are now faced with the fact that tomorrow is today. We are confronted with the fierce urgency of now. In this unfolding conundrum of life and history there is such a thing as being too late. Procrastination is still the thief of time. Life often leaves us standing bare, naked and dejected with a lost opportunity. The 'tide in the affairs of men' does not remain at the flood; it ebbs. We may cry out desperately for time to pause in her passage, but time is deaf to every plea and rushes on. Over the bleached bones and jumbled residues of numerous civilizations are written the pathetic words: 'Too late.'

I know how hard it is to start again. And I know how some of you may feel that you cannot start again. But I also know that we cannot stay where we are now in 1994. It seems that each generation must begin anew the struggle for justice for all. This is our destiny. In order to work effectively, we need a sense of history and an understanding of what Rosa Parks and others have said and done. Rosa Parks and other foremothers have brought forth a vision for a better tomorrow for this nation, one of inclusion that truly dedicates us to the doctrine of “equal justice for all.” We honor Rosa Parks most when we dedicate ourselves to the mission she described in 1992:

> Sometimes I do feel pretty sad about some of the events that have taken place recently. I try to keep hope alive anyway, but that's not always the easiest thing to do. I have spent over half my life teaching love and brotherhood, and I feel that it is better to continue to try to teach or live equality and love than it would be to have hatred and

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prejudice. EVERYONE LIVING TOGETHER IN PEACE AND HARMONY AND LOVE . . . that's the goal that we seek, and I think that the more people there are who reach that state of mind, the better we will all be.\(^5^8\)

We should always remember Rosa Parks as a foremother and heroine teaching civility and offering a vision for a better tomorrow.
