

“Arthur Shores and Black Lives Matter”
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When we think of the Civil Rights movement of the 50s and 60s, we tend to think of the “stars” – people like Martin Luther King, Jr., Rosa Parks, Malcolm X, and others. They became famous, rightfully so, because of their words and actions, and also because they became the public faces of the Civil Rights movement.

Behind those shining stars were hundreds of thousands of dedicated, courageous people who each made vital contributions, and it is their combined efforts (along with those major figures’ efforts) that made change possible. Like a giant spider’s web, all these hundreds of thousands of people working together created a huge, complex network of resistance that ultimately, conservative whites could not ignore. The attorney Arthur Shores, a Birmingham, Alabama native, was one of these people.

The slogan, “Black Lives Matter” may be only a few years old, but the sentiment it expresses goes back as far as the earliest days of enslavement. Black lives mattered to white enslavers only if they served to benefit whites in some way. And from the Civil War era to today, African Americans –and other people of color – and their white allies, have been saying that black lives matter, fighting for the rights that were guaranteed by the US government to all people of color.

As a quick history recap, the 13th Amendment abolished slavery, the 14th Amendment guarantees African Americans citizenship rights and promises that the federal government will enforce “equal protection of the laws.” The 15th Amendment states that no one can be denied the right to vote based on “race, color or previous condition of servitude.” These amendments shifted the responsibility for protecting rights to the federal government if states failed to do so.

The ending of slavery and the enactment of federal amendments to give blacks the same rights as whites led to a huge and violent backlash. Millions of white Americans were horrified at the prospect of having to share their nice, neat world with former slaves. The Ku Klux Klan and other whites perpetrated countless

atrocities – lynchings and other acts of brutal violence and cruelty -- against African Americans, and few of these crimes were ever investigated, since the all-white law enforcement and judicial systems either tacitly approved of or actively participated in these acts.

And then there were the South's Jim Crow laws, which forced segregation between African Americans and whites, piling countless humiliations, small and large, upon our darker complexioned citizens. All so white Americans could try to keep blacks "in their place," in other words, away from their white world.

People with power over others generally don't give it up willingly. But people who are kept down will rise up. As Maya Angelou writes, "You may shoot me with your words, you may cut me with your eyes, you may kill me with your hatefulness, but still, like air, I'll rise." The hopes and dreams of equality will not die.

One of the last holdouts of segregation was the state of Alabama. Arthur Shores was born into that state in 1904, in Montgomery. He grew up in poverty and violence, and the ever-present racism of the Deep South. His relatives placed a high value on education, and made it possible for him to graduate from a black high school and to attend Talladega College, an all-black school 60 miles east of Birmingham. It was there that he told his buddies he wanted to be a lawyer in Alabama.

They told him, "You're crazy, Arthur! You're a colored man. You can't even practice law in Alabama! Anyway, no law school in this state will even admit a colored student."

That was true. And Alabama did have a few black attorneys at that time, but no black lawyers who practiced in the courtrooms before all-white judges, all-white attorneys, and all-white juries. They did background work, behind the scenes. Everyone knew that only white attorneys argued cases in Alabama's courtrooms.

Because no law school in the state would admit a "colored" student, Shores took correspondence courses from Chicago's La Salle University, and earned his law degree in 1935. When white students graduated from one of Alabama's law schools, they were automatically admitted to the Alabama Bar association. But

since the black students had to get their degree out of state, they had to take the Bar exam. Bar examiners routinely did not pass colored lawyers. Shores failed twice. The third time, he placed his exam in between the white men's tests so the examiner couldn't identify him as "colored." And he passed.

Arthur Shores was determined to represent his Negro clients in the courtroom. And for the first three years, he was the "Lone Ranger" black attorney in the state of Alabama. A white attorney (the only white attorney) who befriended Arthur at the time later recalled, "That was such a hostile environment for Arthur in those early days. The judges and most everybody in the courthouses were members of the Klan."

The white judges made Shores stand behind the rail in the courtroom. Only the white attorneys were allowed to approach the bench. White judges and white attorneys also called him by his first name, rather than by his title, "Attorney Shores." One judge actually called him "Arthur boy" during a trial. But Shores never complained. "My client is what matters," he told his family. "I'm there to win the case for my clients."

In the early 40s, voter discrimination was so rampant that only about 5 out of every hundred eligible black voters was allowed to register. Working with the local NAACP, Shores filed the first suit in the history of the city of Birmingham on the rights of African Americans to register to vote. He represented seven school teachers who were told that they were "unqualified" to vote, after they were quizzed on topics such as the US Constitution, the Alabama code and property ownership. The case never went to trial, because after the suit was filed, the registrars quickly mailed the plaintiffs their registration certificates.

Shores became known as a civil rights lawyer. He continued to work with the NAACP to reverse the tide of injustices that kept black people from voting. The NAACP was so impressed with his legal abilities that they made him an integral part of the civil rights work in the South. He became their regional council and their most prolific attorney in the state.

The more he addressed the civil rights concerns of African Americans, the more the Klan issued threats against Shores and his family. Their living room window was shot at countless times. He worked on many cases addressing a range of civil

rights issues, including the desegregation of public schools. Things got intense after the Supreme Court ruled in 1954 in “Brown vs. the Board of Education” that public school segregation violated the 14th Amendment and that segregation in public school systems was illegal. They declared that public schools should be desegregated “with all deliberate speed.”

The state of Alabama refused to comply. For the next nine years, Arthur Shores fought for the rights of black students to attend the same schools that white students could. Death threats and promises of violence to him and his wife and two daughters became commonplace. Beginning in 1953, Shores represented a young African American woman, Autherine Lucy, who wanted to attend the University of Alabama. The administration repeatedly turned her down, once they learned that she was not white.

When the case went to trial, another NAACP attorney, Thurgood Marshall, stayed at the Shores’ home to work on the case with Shores. It was an especially dangerous time. The neighborhood men organized a “neighborhood watch” from 5 pm to 8 am. They were fully armed and took turns guarding the house.

People often described Shores as a deeply religious man. Shores’ wife, Dodie, was frightened for the safety of their family and repeatedly begged him to agree to move out of Alabama. But he never doubted that his calling was to serve the African American people of Alabama. He would reply, “Dodie, we’re going to fight this and stick it out. We can’t move away. There are people here who are counting on us.”

In February of 1956, after the Supreme Court’s ruling, Autherine enrolled. On her third day of classes, riots ensued, incited by mostly outside agitators. President Eisenhower refused to get the federal government involved. At the end of February, the school “permanently” expelled her. Autherine felt she had done all she could, and moved out of state. Thurgood Marshall wrote in a letter to her, “whatever happens in the future, remember for all concerned, that your contribution has been made toward equal justice for all Americans and that you have done everything in your power to bring this about.”

In the summer of 1963, Alabama was the only state in the nation that still barred African American students from attending state-supported, traditionally-white

schools. When George Wallace ran for governor the previous year, he promised to keep the state's school segregated. "As your governor," he vowed, "I shall refuse to abide by illegal court orders to the point of standing at the schoolhouse door if necessary." And on June 11, 1963, that's exactly what he did.

Two black students, Vivian Malone and James Hood had enrolled at the University of Alabama. They had both tried to enroll before and had been turned down because they were black. They were being represented by a group of NAACP lawyers that included Arthur Shores. That morning of June 11, the two students arrived in a car with more than 100 protective guards waiting to escort them into Foster Auditorium.

Shores' daughter, Barbara, writes,

The press crowded around the entrance of Foster Auditorium with their news cameras set up, waiting to film the live show-down. President Kennedy himself had federalized the Alabama National Guardsmen, who stood armed outside of the university. State troopers in patrol cars pulled up at the campus, and troopers on motorcycles drove up and down the streets ready to keep the peace in case of trouble. Some guards carried billy clubs and wore steel helmets.

In Washington, DC, President Kennedy and Attorney General Robert Kennedy discussed how the situation would be handled if Wallace refused to allow the two black students into Foster Auditorium.

The Alabama heat index was almost unbearable on that June day as Governor Wallace drove up in a state trooper's car. [He then walked to the door of the auditorium and] ...stood defiantly in the school's doorway, chin held high, jaw clenched, as he blocked the entrance with his body. Everyone waited to see what he would say and do...

No one moved as cameras recorded the event. Wallace held the small microphone...near his mouth, and tried to look strong and confident. Still, he seemed nervous.

Then US Deputy Attorney General Nicholas Katzenbach approached Wallace and handed him a printed presidential order, “received less than an hour ago.” He asked Wallace to step aside. Wallace responded with a speech that began, “The unwelcomed, unwanted, unwarranted and force-induced intrusion upon the campus of the University of Alabama today of the might of the Central Government offers frightful example of the oppression of the rights, privileges and sovereignty of this State by officers of the Federal Government...”

When he was finished, Katzenbach again asked Wallace to step aside. Wallace said he would stand by his statement. Next, National Guardsman Lieutenant General Henry Graham walked to the podium, and told him it was his “sad duty” to ask the Governor to step aside.

Wallace then made another statement. When he was through, some in the crowd clapped politely. Someone removed the microphone from around Wallace’s neck, and in the last moment recorded in the newsreel, we see him start to walk down the sidewalk, away from the doorway.

Wallace looked straight ahead and “passed crowds of reporters, guards, and onlookers, and climbed into a waiting car. The car drove away quickly.” (Barbara)

After Wallace left the scene, James Hood walked through the entrance of Foster Auditorium, escorted by soldiers and without incident. Vivian Malone, also escorted, followed him. Arthur Shores, who was there to witness the entire scene, later said he considered that “his greatest moment in Alabama’s history.”

But it was still a dangerous time in Birmingham. That August of 1963, the Shores’ house was bombed by the Klan, and Arthur Shores narrowly escaped with his life. The bombing enraged black people in Birmingham. That same month, Birmingham’s public schools were being ordered to allow blacks into the all-white schools. On September 4, registration day, there were crowds of enraged white people “picketing, fighting, shouting, jeering and even crying,” around one school near the Shores’ home. (Birmingham Post-Herald reporter Lillian Foscoe)

The Shores had barely completed the rebuilding of their home. That night, the house was bombed again. Dodie, Arthur’s wife, was knocked unconscious. Violent mobs began rioting and transformed their neighborhood into a war zone.

It took more than 100 riot police to disperse the crowd and bring some order to the mob.

It shook up Shores and the rest of his family. His wife and daughters reacted with intense anger. Shores, though, seemed to have an unwaveringly forgiving spirit. And he often spoke of his conviction that by working through the courts, things would change for the better. He was confident, because he knew the law was on his side, and he would watch white defense attorneys with bemusement as they struggled to contort the laws to conform with their racist views.

So much has happened in the 50-plus years since those days. Some things have changed radically, and some things are still the same. But Shores' daughter, Barbara, writes, "Who would have known in 1963 that my own son, Damien Larkin, would become a student today at the University of Alabama at Tuscaloosa, studying for a doctorate in communications?"

"When the days get hard here,' [my son] tells me, 'I think about Granddaddy's courage. I know Granddaddy is smiling down on me.'"

Arthur Shores lived by the understanding that, as the Rev. Dr. Martin Luther King, Jr., expressed it, "power at its best is love implementing the demands of justice." May we embrace the wisdom of the many who have gone before us, so that we, too, can use our power at its best: love, implementing the demands of justice.