Illinois State University

From the SelectedWorks of Carol Zeiner

February 24, 2012

Marching Across the Putative Black/White Race Line: A Convergence of Narrology, History and Theory

Carol Zeiner, St. Thomas University

Available at: https://works.bepress.com/carol_zeiner/3/
MARCHING ACROSS THE PUTATIVE BLACK/WHITE RACE LINE: A CONVERGENCE OF NARROLOGY, HISTORY AND THEORY

ABSTRACT

When a woman in the South, whether African American or white, made the decision to become active in the U.S. Civil Rights Movement, she did so in the face of reprisals that ranged from loss of friends and alienation of relatives, to outright social ostracism, loss of employment for family members, physical harm and even violent death. Her choice exposed not only herself, but also members of her family, to those risks. She had to deal with the fear of not knowing which of those reprisals would come her way and, if she had children or were married, which of them might be visited on her children or husband.

The scholarly literature includes works on Black women who braved these risks to stand for racial equality. It has come to include the stories of southern-born, atypical white women who chose to stand in harm’s way in order express their moral convictions for racial justice. It also includes the stories of Northern white women who supported the civil rights movement in the North, and Northern white women who travel south for brief periods to work on specific projects, such as Freedom Summer.

This article introduces a new category of women that, until now, has been omitted from the scholarly literature: northern white women who lived in the South and became active in the civil rights movement, yet intended to continue to live in the South on a permanent basis following their activism. These women already were viewed with suspicion as “newcomers” and “outsiders” in the deeply segregated communities in which they resided. They chose to validate those suspicions and become permanently branded with the pejorative “civil rights supporter” by joining their ostracized women counterparts, both African American, and white, in the fight for social and economic justice for African Americans. This article presents the stories -- a narrology -- of two such women, one as she first made her choice to become active and faced her fears, and the other a seasoned veteran of the civil rights movement in the South. It provides insight into their experiences and the thought processes that led them to challenge the status quo on civil rights.

This article also eliminates a criticism often leveled at legal narrology: the reliability of the stories. It authenticates these women’s stories through their convergence with extensive historic detail, including
comparison with the scholarly literature about other categories of white women civil rights activists. It then goes on to examine their experiences through the lens of the jurisprudential theory, therapeutic jurisprudence. The result is a cogent, reliable addition to the literature that provides another perspective and voice, and deeper understanding of those historic and tumultuous times. Like works on other categories of women who participated in the civil rights movement, this article expands our knowledge of the breadth and complexity of the civil rights movement, biracial activism, and women’s identities and interests.
INTRODUCTION

On February 11, 1968, several hundred black\(^1\) Memphis sanitation workers agreed, by a show of hands, to go on strike for higher wages and improved working conditions.\(^2\) The next day, February 12, 1968, Lincoln’s birthday, “the city of Memphis . . . was hit with a garbage strike. What started as a ‘wild cat’ strike soon escalated into a racial confrontation[. It] then [developed] into a compelling civil rights struggle of national importance, and two months later culminated in [the] assassination [of Martin Luther King, Jr.] that triggered a storm of racial violence that stunned white America. For one [shocking] moment, this southern riverfront city served as a microcosmic reflection of the domestic forces in conflict during [that] traumatic decade.”\(^3\) This article relates the story of two white women, Jean T. Yehle and Barbara B. Vidulich in the civil rights movement on behalf of those workers and their experience as two of the white participants in the Memphis march.

\(^1\) The term "black" was a term of pride and the preferred self-identifier of African Americans at the time that the events in this article took place. Accordingly, it is the term used in this article, except where I am writing in “present voice,” in which places I may utilize the more current terminology, “African American.”


\(^3\) See McKnight, *supra* note 1, at 138.
of April, 1968. That march originally was to be led by Dr. Martin Luther King, Jr. It was led instead by his widow, Coretta Scott King, only a few days after Dr. King’s assassination.

This article adds another category of white woman participants in the civil rights movement to the historical record: northern white women who called the South home and planned to remain permanent residents of the South following participation in the civil rights movement. The two women whose stories are told here are not famous; they played only very minor roles. One’s activism lasted for only a few months, until she and her husband separated. The other’s commitment to the civil rights movement had, by then, extended over most of her adult life and concluded immediately following the events described in this article. They are but two of what is likely well over a half million individuals who took overt action in support of the civil rights movement. Nevertheless, and especially in the South where they lived, the moment that these two women engaged in their first act of overt support, they were irrevocably branded with the pejorative label, “civil rights supporter.” That label could cost a person everything. 

As I read the 1966 position paper of the Student Non-violent Coordinating Committee (“SNCC”), in preparation for writing this article, I admitted that as a white woman that I can never fully comprehend the black experience, psyche or any black individual’s situation during the 1960’s. Nor could the two white women

---

4 I have seen no statistics on the number of individuals who actually participated in some overt, affirmative way in the civil rights movement, and it is likely that an accurate number that can never be known. My best guess is that the number is at least three-quarters to one million persons. The number of persons who were present for Dr. Martin Luther King, Jr.’s “I Have a Dream” speech – all in one place at one time—clearly is an underestimate, but it is 200 - 300,000. http://findarticles.com/p/articles/mi_m1077/is_12_54/ai_55982859/ says 300,000 people; http://blackhistory.com/cgibin/blog.cgi?blog_id=60925&cid=54 says 250,000 people; Connexions Social Justice Encyclopedia, http://www.connexions.org/CxLibrary/Docs/CxPMarch_on_Washington_for_Jobs_and_Freedom.html says 200,000 to 300,000 people.

5 The civil rights era was a volatile time in which participation in the movement was an act of bravery on the part of every supporter of civil rights, black or white, especially in the South, no matter how small his or her role. At this time in the South, even the smallest act of interracial courtesy, such as an polite exchange of words on a public sidewalk could raise eyebrows and result in verbal abuse of the white participant and threats and possible physical violence, against the black participant. In the white community you did not know whether the white man who was, by day, the electrician who worked on the wiring in your house, the postman who delivered your mail, or even a policeman, donned a white sheet at night and meted out unspeakable hatred and violence towards both blacks and whites who were identified with the civil rights movement. Small acts could result in retaliation. Thus, each one of the nameless thousands who actively participated in the civil rights movement had an important decision to make before taking the first overt step. “Am and willing to pay the price? For whites, the price could range from loss of friends and ostracism to, sometimes, a grizzly, violent death. For blacks, the costs usually were higher. Once labeled, there was no turning back.


7 “[H]istorians adhere to standards of truth, but cannot avoid taking sides.” MICHAEL K. HONEY, A Personal Preface to GOING DOWN JERICHO ROAD: THE MEMPHIS STRIKE, MARTIN LUTHER KING’S
whose stories are told in this article. Nevertheless, they participated at risk to themselves and their families based on their strongly held moral convictions. This article communicates their experience at that momentous instant in this country’s civil rights history – 44 years after the fact. It has enabled two friends to reconnect after more than 40 years. It adds another voice and perspective to those tumultuous and critical times – the voice of two northern white women who did not travel to Memphis to work on behalf of civil rights, but who lived in this southern city and would have to continue to live there during and after their civil rights work. It has also allowed those women to reflect on the value of their actions with the perspective and hindsight of age, 44 years of additional life experience, and their continuing observations of changes in the legal, social, economic and political status of persons of color and women in the United States.

The scholarly literature contains works about black women who participated in the civil rights movement in both the north and south. It also contains works on northern white women’s participation in the north, southern white women’s participation in the south, and writings on northern white women who traveled to the south for the specific purpose of working in particular civil rights events then returning to the north. Little if anything has been written about northern white women who lived in the South and intended for the South to remain their permanent homes, yet participated in civil rights activities. This article recounts the stories of two such women. It provides another perspective and voice, and deeper understanding of those historic and tumultuous times. It provides insight into the thought processes that led them to challenge the status quo on civil rights. Like works on other categories of women who participated in the civil rights movement, this article “expands our knowledge of the breadth and complexity of the civil rights movement, biracial activism, and women’s identities and interests.”

---

1 In contrast with women who traveled to the south for Freedom Summer or to participate in specific events with the intent to return to their northern homes immediately afterwards.
4 See generally Throwing Off the Cloak of Privilege: White Southern Women Activists in the Civil Rights Era (Gail S. Murray ed., 2004); Southern Women at the Millennium: A Historical Perspective (Melissa Walker, Jeanette R. Dunn & Joe P. Dunn eds., 2003).
6 Stanley Harrold & Randall M. Miller, Foreword to Throwing Off the Cloak of Privilege: White Southern Women Activists in the Civil Rights Era, at xii (Gail S. Murray ed., 2004).
7 Gail S. Murray, Preface to Throwing Off the Cloak of Privilege: White Southern Women Activists in the Civil Rights Era, at xiii–xiv (Gail S. Murray ed., 2004) (“I remain encouraged
It takes another step in that effort, by adding the voices of yet another category of women into the historical record.

Part I of this article provides background on the social, economic and political situation that existed in Memphis at the time these events took place. Part II contains the stories of Jean and Barbara and adds their voices to our understanding of the civil rights movement. Part III provides analysis. At Part III A., it compares and contrasts these women’s experiences with the white women in the other categories mentioned above. Part III B. goes on to examine Jean and Barbara’s work through the lens of legal narratology. Part III C. then analyzes these women’s experiences based on the principles of therapeutic jurisprudence and concludes that their exercise of their First Amendment rights was an example of therapeutic jurisprudence at work – and for these women it had classic therapeutic results. Part IV is a retrospective. It sets forth Jean and Barbara’s reflections on the impact that their participation has had on their lives since the Memphis march. It is from these outcomes that one can conclude a therapeutic impact.

I. BACKGROUND

Professor Gail S. Murray describes that at approximately the time involved in this article, “white privilege and race discrimination [were] endemic to Memphis culture.”14 She also noted the “lazy paternalism of this Mississippi River town.”15 Black Memphian scholar, C. Eric Lincoln stated in 1968, “[p]sychologically, Memphis has always been in Mississippi. Its presence in Tennessee is a geographical accident.”16 Its location on the Mississippi River not far north of the Mississippi border made it a key part of the transportation network for moving the agricultural products of the Mississippi River lowlands to U.S. and world markets.17 It was also a way-station for migrants, particularly “economically impoverished families possessing only agricultural skills,”18 moving from the [Mississippi Delta region] to northern urban centers to seek a better life. (euphemistically known as the delta flow).19 At one time it had been a center for the sale of slaves.20 Segregation, that the efforts of everyday southern women, both black and white, are making their way into the historical record”). Professor Murray also notes that the “small explosion of works on African American and white civil rights activists and their grassroots organizations is enlarging and revisioning the standard narrative of the civil rights era.” Id. at xiv.

15 See Murray, supra note 14, at 205.
16 See Michael K. Honey, Going Down Jericho Road: The Memphis Strike, Martin Luther King’s Last Campaign 7 (2007).
18 See Collins, supra note 2, at 361.
19 See Collins, supra note 2, at 361.
20 See Earnestine Loveless Jenkins, Images of America: African Americans in Memphis 9 (2009) (stating that “[b]y the mid-19th century, Memphis was the largest inland slave-trading
racial discrimination and racial violence against blacks were part of the continuing history of Memphis.\footnote{See HONEY, supra note 16, at 7–14; see also Anne Trotter, \textit{The Memphis Business Community and Integration}, \textit{in SOUTHERN BUSINESSMEN AND DESEGREGATION} 285–287 (Elizabeth Jacoway and David R. Colburn, eds., 1982).} According to Michael Honey, post Civil War segregation in Memphis reached a high point during the first 50 years of the twentieth century.\footnote{See HONEY, supra note 16, at 10.}

The Memphis chapter of the National Association for the Advancement of Colored People (NAACP)\footnote{Robert Church, Jr., who was the son of the first black millionaire in the South, helped organize a Memphis branch of the NAACP. \textit{See HONEY, supra note 16, at 10.}} “operated as a nearly secret organization and remained pitifully weak until the 1940s.”\footnote{See HONEY, supra note 16, at 10.} In the 1950s, however, it brought suit shortly after the Supreme Court’s decision in \textit{Brown v. Board of Education of Topeka}.\footnote{Brown v. Board of Education of Topeka, 347 U.S. 483 (1954).} Yet school “desegregation was stalled in the courts throughout the late 1950s and 1960s.”\footnote{See Murray, \textit{supra} note 14, at 208.} Lawsuits were filed in the late 1950s against the city bus company, the city’s segregated libraries, and the city’s parks and zoo, to integrate those facilities.\footnote{See Murray, \textit{supra} note 14, at 207.} The suits “were followed by sit-ins at lunch counters, libraries and [an art museum] in 1960.”\footnote{See Murray, \textit{supra} note 14, at 208.} Nevertheless, “the failure of the media to cover the downtown protests”\footnote{See Murray, \textit{supra} note 14, at 208.} led “many white Memphians to believe . . . that the city had largely escaped the southern sit-in movement”\footnote{See Murray, \textit{supra} note 14, at 208.} and “promoted a historical memory in which white moderates, not Black students, were the primary force ushering in desegregation.”\footnote{See Murray, \textit{supra} note 14, at 208.} “The white community . . . believed Memphis to be a model southern city when it came to race relations.”\footnote{See Murray, \textit{supra} note 16, at 208 (citing David M. Tucker, \textit{MEMPHIS SINCE CRUMP: BOSSISM, BLACKS AND CIVIC REFORMERS}, 1948-1968 (Univ. of Tennessee Press, 1980)).} It was a misconception soon to be swept away in the late winter and early spring of 1968.\footnote{Cf. Gail S. Murray, \textit{Introduction} to \textit{THROWING OFF THE CLOAK OF PRIVILEGE: WHITE SOUTHERN WOMEN ACTIVISTS IN THE CIVIL RIGHTS ERA} 12 (Gail S. Murray ed., 2004).}
Memphis also had a long tradition of being anti-labor union, particularly among its public employees. That tradition, as well as perpetuation of segregation, was closely associated with its powerful long-time mayor, E. H. Crump. Crump was elected mayor in 1908. He and his political machine virtually ran Memphis as a one-man dictatorship from the 1910s until his death in 1954. Although “Crump modernized city services,” he did so through the exploitation of cheap labor. He also “entrench[ed] segregation.” He “put Ku Klux Klan leader Cliff Davis in charge of the police and then made him a congressman for [13] terms.” “White employers banned blacks from better jobs and relied on them for low-wage labor in domestic employment, woodworking, cotton, laundry and manufacturing.”

For recently arrived migrants, from the delta flow, “[a]ny job [was] important and relatively better than that which could be obtained in the country” where unemployment was high; these men were recruited as garbage collectors. “One worker tersely remarked, ‘there is no worst job. I would take anything.’” The “workers could be fired or suspended at the mere whim of a supervisor.”

“As for unionization in Memphis, “[W]hen white firefighters, teachers and police officers tried to organize unions, the city fired and blacklisted them. Crump did not want organized workers

---

34 See COLLINS, supra note 2, at 360. The author notes that “[l]abor protests by public service employees had become quite common in the nation by the late 1960’s but the Memphis [situation] . . . was highly unique, since . . . [Memphis had] a long tradition of anti-union bias.” Id. See generally HONEY, supra note 16.

35 Cf. COLLINS, supra note 2, at 361.

36 See HONEY, supra note 16, at 10.

37 See HONEY, supra note 16, at 10.

38 See HONEY, supra note 16, at 10–12.


40 See HONEY, supra note 16, at 11. According to Professor Honey, Crump’s “control over the most populated city in Tennessee increasingly gave him power over state and national elections and the Democratic Party.” Id. at 10.

41 See HONEY, supra note 16, at 11.

42 See COLLINS, supra note 2, at 362.

43 See COLLINS, supra note 2, at 362. Working conditions, as well as the wages and benefits were awful. Id. “Each man was issued a tub for which he was responsible” and “[i]f the tub leaked, fluid from the trash would run down on the employee because he had to carry heavy loads on either his shoulder or his head. One retired worker described his situation, ‘In those days, I would sometimes get put off the bus ‘cause I smelled so bad. I’d even have maggots in my pant cuffs at night. Some people called us the vultures ‘cause we raided the garbage.’” Id. This was referred to as “ragging,” for salvageable castoffs that were needed for basic living requirements because the wages were so low. Id. at 363. The workers were responsible for anything that needed to be disposed of in the neighborhood – fallen trees, construction debris, etc. Id. at 362. All were carried to the truck by hand. Id. at 362.

44 See COLLINS, supra note 2, at 363.

45 See COLLINS, supra note 2, at 363.
exercising any independence or raising the costs of their labor, and opposition to public-employee unionism became a tradition in Memphis."\(^{46}\) In sum, Crump, the segregationist, “offered tight control over blacks, clean streets, efficient city services, and a mostly nonunion environment.”\(^{47}\)

The poor situation for sanitation workers continued after Crump’s death.\(^ {48}\) “Working conditions during the 1960’s became increasingly more repressive as the city attempted to economize with tax dollars.”\(^ {49}\) In 1963, garbage collectors began to be sent home with short pay for a day if they had to sit out a few hours for a rainstorm, and such storms were frequent in Memphis.\(^ {50}\)

II. TWO NORTHERN WHITE WOMEN RESIDENTS OF MEMPHIS MARCH ACROSS THE “RACE” LINE

Jean T. Yehle\(^ {51}\) was born in 1927 and grew up in Hastings-on-Hudson, New York, an affluent bedroom community in Westchester County located within easy commuting distance of New York City. Her father was a highly successful car dealer in Scarsdale; her mother was a traditional, pre-WWII housewife. Jean spent her summers at the family’s home in the recreational and intellectually stimulating Chautauqua community of the Thousand Islands on the St. Lawrence River in upstate New York.\(^ {52}\) She graduated from Duke University with a bachelor’s degree in political science in June 1948.\(^ {53}\) She got along very

\(^{46}\) See HONEY, supra note 16, at 12.

\(^{47}\) See HONEY, supra note 16, at 11. The few unions that existed tended to be segregated. Id. at 3 (stating that “whites operated heavy equipment and belonged to a craft union of engineers, but they had little sense of union solidarity with black workers.”).

The summarizing quotation for which this footnote provides citation is an understatement, to put it mildly. Professor Honey describes a situation in which a Klansman was in charge of police, and black police (of which there were few until the 1960’s) “could not arrest whites or testify against them in court” HONEY, supra note 16, at 11. Many white police officers were “straight from the plantation districts [and] functioned like Klansmen in blue uniforms, brutalizing and insulting African Americans and union organizers with support from white judges, FBI officials, and federal attorneys.” Id. Professor Honey goes on to say that “in 1940 [] the Crump machine cracked down on civil rights activity and thugs beat up several independent black ministers with lead pipes. Fear and conformity, pervasive mistrust, and avoidance of independent thought and action had become hallmarks of Memphis life – for whites as well as for blacks. Police ‘snitches’ kept Crump informed of all civil rights and labor activities.” Id. It is well worth reading Professor Honey’s book in its entirety, as well as Anne Trotter’s piece, to get a more complete picture of what seems to my modern mind unthinkable conditions for blacks. See HONEY, supra note 16; Trotter, supra note 21.

\(^{48}\) Segregationist Henry Loeb was elected mayor in 1968. See Murray, supra note 14, at 210.

\(^{49}\) See COLLINS, supra note 2, at 363.

\(^{50}\) See COLLINS, supra note 2, at 363.

\(^{51}\) Jean’s maiden name was Jean Tomasi.

\(^{52}\) See JOSEPH E. GOULD, THE CHAUTAUQUA MOVEMENT: AN EPISODE IN THE CONTINUING AMERICAN REVOLUTION (State University of New York, 1961). The Chautauqua movement is described as the “most significant venture in popular education in the United States...” Id. at vii.

\(^{53}\) At the time, Duke women attended Women’s College while the men attended Trinity College. While possible, it was unusual for women to take classes at Trinity and Jean did not do so.
well with her traditional female Southern schoolmates, even though Jean, herself, did not quite fit that mold.54 She married her childhood friend and summertime neighbor, Arthur “Art” Yehle, that same month.55 But for her willingness to be unconventional in terms of outspokenness and her keen interest in scholarly, well-informed debates with both men and women, Jean’s life, including the timing of her marriage and her choice of husband, was typical of an affluent, well-educated young woman of her day. Jean and Art lived in New York State for several years then moved to Key Biscayne, a new island community immediately to the south and east of downtown Miami, Florida. Art ran a highly successful business for several years, during which time the couple had two sons. When Art decided to pursue a PhD in experimental psychology, Jean took a job as a research assistant at the University of Miami’s Marine School56 in order to enable Art to get tuition benefits.57

Upon completion of his PhD, Art obtained an appointment to the Psychology Department of Memphis State University58 in a grant-based faculty position. Thus, in September 1967, the family moved to a rented home in the Memphis suburb of Raleigh, Tennessee. It was there that Jean became involved actively in the civil rights movement.59

In Memphis parlance Jean and her family were “newcomers,” people who had not grown up in Memphis. Jean sought to make friends and create a home for her family. She was deluged with welcome baskets and invitations to teas. She was impressed by the Southern graciousness of the gestures and did her best to become a part of the community. Nevertheless, Jean had a vague feeling that the outpouring was more a matter of polite tradition than an effort to fully incorporate her family into the core of the local social structure. She says that, in a way, the “welcome” served to demonstrate to her that she and her family were “different.” They were welcome to be there, but not welcome to become full members of the community in the same way as lifelong residents. As

Nevertheless, Jean spent many out of class hours at the law school with the all male law students—not to find a husband as one might have assumed during those years— but for stimulating discussion and argument of legal and political issues. Jean tended to take assertive, liberal stances that she articulately backed up with well-informed reason based on her extensive reading and the analyses she heard during her summers in the Chautauqua community. These discussions remain among Jean’s fondest memories of college. She notes with amusement that “the law students, all of whom were male, found it intriguing that an attractive, petite woman with dark hair and sparkling blue eyes could be capable of so articulately and forcefully debating issues with the best of them. Many of them didn’t know what to make of me. It was fun.” Interview with Jean Yehle, December __, 2019; notes on file with author.

54 See supra note 51 and accompanying text.
55 Art had a degree in electrical engineering from Cornell.
56 Currently known as the University of Miami Rosenstiel School of Marine and Atmospheric Sciences.
58 Now known as The University of Memphis, Department of Psychology, located within the College of Arts & Sciences.
newcomers, Jean and her family were outside the tight-knit, formal, highly stratified — and of course, segregated — and “very Southern” social structure. Jean and her oldest son, Larry, a 9th grader, felt their “difference” more acutely. Mark, a 6th grader, made friends more easily with the neighborhood children and his classmates. Art was too busy with his work and involved with co-workers and students who came from various parts of the country to be affected.

Yet, by all appearances, and for the most part in actuality as well, Jean adjusted. As the weeks turned into months, Jean felt that the neighborhood women liked her. She kept a lovely home and yard. She was herself attractive, well-mannered and well-bred. She had well-dressed, bright, attractive, personable sons, and a husband who worked long hours in a highly respectable position. Jean said that she knew many women like the Memphis women from her years at Duke. She became friendly with Edna next door and with the woman in the house beyond that. The second woman had a son who was severely handicapped because of a near-drowning accident when he was four. Jean was a kind, helpful neighbor to that woman and her son. Jean was a good listener and a sympathetic, resourceful companion as the woman sought to work through the challenges posed by her son’s condition and the frustration of finding appropriate medical help, particularly surgery to relieve his severe epileptic seizures caused by the oxygen deprivation damage to his brain. Edna, Jean’s next door neighbor, was the choir director of the local Presbyterian church in Raleigh. Edna asked Jean to add her soprano voice to the choir. Although neither Jean nor Art attended that church, it was customary for the choir director to bring in additional voices to augment the church members in the choir. Jean was glad to accept her invitation. Jean recalls that she felt that she was developing warm friendships with these two women.

Nevertheless, Jean felt that she and her family were “walking on thin ice the whole time I lived in Memphis.” They were newcomers, outsiders who “did not fit.” When the Presbyterian church flag was taken and was later found in the stream in the woods behind the Yehle’s home, the Yehle boys were blamed, particularly Larry, the oldest. Nothing they said could change anyone’s mind.

Politically, Jean characterized herself as a liberal Democrat. She says, “Having graduated from Duke I thought of myself [at that time] as neither

---

60 Emphasis is Jean’s.


66 June 28, 2010. Interview with Jean Yehle. Notes on file with author. The next time that “something that didn’t belong there” showed up in the woods behind the house, Larry, still resentful of the prior incident, took the item to the school and ran it up the flagpole.
northerner nor southerner, but just as an American.” In 20-20 hindsight, Jean was a classic northern liberal Democrat. There was nothing “southern” about her except that she loved the natural beauty of the South and had become accustomed at Duke to the niceties of southern social skills. Her politics and worldview were totally northern.

Jean says that until the events described in this article, she had not spoken out or become actively involved in the civil rights movement. However, “I was well-read on all sides of the issues. I believed the students were right [in their sit-ins and their early efforts to desegregate lunch counters and other public facilities].” “I was emotionally and intellectually involved; I was a strong believer [in the objectives of the civil rights movement].” As to discussions with her new friends and neighbors, Jean explained, “I did not discuss the civil rights movement or race with [my new Memphis acquaintances], or even with Edna and my other friend. I didn’t consider it a wise topic of conversation. The view of most Memphis women on civil rights was obvious. I didn’t want to be in a position in which I would have to nod in agreement with something that I considered to be very wrong, or to engage in argument that might adversely impact my children’s safety in school or my husband’s career.” When asked whether this was part of “the thin ice” to which Jean had referred earlier. Her response was “Yes, definitely.”

Not too long after moving to Memphis, Jean met someone very different from her neighbors, Barbara Vidulich. Barbara’s husband, Bob Vidulich, was the chairman of the Psychology Department at Memphis State. He was Art’s boss. In Barbara, Jean found a stimulating conversationalist who was a liberal northern Democrat. Barbara initiated conversation on civil rights and matters of race; she expressed views similar to Jean’s. Jean felt comfortable enough to express her own views to Barbara. The two women formed a friendship. Today, Barbara characterizes her friendship with Jean as “a high spot during my life in Memphis.” Jean says that “without Barbara I never would have become involved.”

In response as to whether there was civil rights tension in Memphis before the sanitation workers’ strike, Jean responded,

---

70 July 7, 2010. Interview with Jean Yehle. Notes on file with author. It is understandable that the neighborhood women did not initiate conversation on the topic “because genteel southern white women rarely discussed their racial attitudes among themselves.” See Murray, supra note 14, at 210 (citing Murray’s interview with Annabelle Whittemore during her work in researching white women’s role in the Memphis sanitation workers’ strike).
It, [Memphis], didn’t think it there was any. The prevailing thought, per the media, especially The Commercial Appeal, the main Memphis newspaper, and among the white population in general, was that [Memphis] was the “Fair City,” the “Shining Light of the Delta,” a perfectly run, beautiful Southern city, with emphasis on “Southern.” Memphis prided itself on being clean, even though it was dumping raw sewerage into the Mississippi River. It was a hypocritical city. That’s what annoyed the hell out of me. The whites didn’t think [racial tension] existed. There was no outward evidence of anyone [white] thinking there was discontent. And, if there had been [recognition of discontent] it would have been [characterized as the work of] outside activists and newcomers, not their citizens or Memphis’ blacks.”

Jean explains that Memphis blacks were paternalistically referred to as “our blacks.” It seemed to Jean that as of early 1968, there was no interest among public officials, and little if any interest among the white population, in departing from the traditional status quo that placed blacks in an unequal, clearly subordinate position. Blacks served in menial, low-paying jobs that few whites wanted.

According to Jean, the Memphis Sanitation Workers’ Strike began in February, 1968 after rain prevented work from being performed on a particular day. Black Public Works employees were sent home with only token pay, but whites in the same category were paid for a full day. This was not the first time that this had occurred, and in jobs in which a day’s wages are crucial to a family’s survival, this was a “big deal.” She said that there were also strong references to a prior incident of a black sanitation worker being crushed to death by a garbage truck trash compactor during a rainstorm because black garbage...
collectors were not allowed to seek shelter from rain in the passenger part of the truck or on white peoples’ property. They had to crawl into the back of the truck with the garbage.83

The strikers were sanitation workers, people at the lowest echelon of the city’s workforce, and Jean believed that all were black.84 Jean said, “The reaction of the City of Memphis and particularly of its new staunch anti-union, mayor, Mayor Loeb,85 was to not give an inch – but to simply crush the strike.”86

“Strikers marched almost daily with signs proclaiming ‘I am a Man’ to get the

---

83 June 28, 2010. Interview with Jean Yehle. Notes on file with author. There are conflicting accounts about the crushing death(s). This is probably because more than one garbage collector died in the line of duty. Thomas Collins notes that when a worker died on the job, “his family received the equivalent of a month’s salary plus burial expenses.” See COLLINS, supra note 2, at 362. Barbara stated that two workers were crushed to death and that the year was 1968. Professor Honey states that two garbage collectors, Echol Cole and Robert Walker died on February 1, 1968 in the garbage portion of the garbage truck, where they were obliged to take shelter from a storm, when they were crushed to death by the faulty hydraulic ram in the poorly maintained truck. See HONEY, supra note 16, at 35. “Two men had already been killed due to a faulty garbage packer that rolled a truck over in 1964.” See HONEY, supra note 16, at 2. Thomas W. Collins noted, “[f]or the sake of economy, men had to use equipment that was frequently obsolete and dangerous.” See COLLINS, supra note 2, at 364. “When two workers were killed in a truck accident in 1964, the employees complained bitterly that the deaths could have been avoided by the installation of proper safety devices.” See COLLINS, supra note 2, at 364. According to Professor Honey, the basic problem issues set out by a union organizer at the beginning of the strike were “pay of less than $70 per week, no guarantees of acceptable wages on rainy days, old equipment and inadequate safety provisions, fear of being fired for belonging to the union and no prospects for any improvements.” See HONEY, supra note 16, at 102; see also GREEN, supra note 2, at 138–141 (account of 1968 workers’ deaths similar to that of Professor Honey, but Green states that the workers were denied entrance to a sanitation depot where white workers in the same department were allowed to wait out the storm and that the two deceased black workers could not seek shelter in the passenger portion of the truck because the doors were locked).

84 June 28, 2010. Interview with Jean Yehle. Notes on file with author. Thomas W. Collins writes “the strikers were mostly black with poor education and little training.” See COLLINS, supra note 2, at 360. From my reading on the subject, I surmise that all of the men who actually handled garbage were black; white sanitation workers held positions like supervisor.

85 Loeb was elected in late 1967 and took office January 1, 1968. See Murray, supra note 14, at 210. Henry Loeb had also served as mayor once before, subsequent to Crump’s death and prior to the time that Jean moved to Memphis. See HONEY, supra note 16, at 34. He had previously been elected mayor and resigned “at the end of 1963, in order to take over his father’s business after he died.” See HONEY, supra note 16, at 45. According to Anne Trotter, Loeb had projected a white supremacist image during the campaign and appeared to represent the whites of Memphis, not the blacks. See TROTTER, supra note 21, at 289; see also, GREEN, supra note 2, at 152–238 (Loeb’s position unyielding).

86 June 28, 2010. Interview with Jean Yehle. Notes on file with author. Anne Trotter describes “Mayor Loeb’s handling of the strike was a tragedy of inflexibility.” Trotter, supra note 21, at 291. Thomas W. Collins reports that “Actually, the greatest amount of violence in the strike came from the city, not the workers. . . . [T]he city made a show of police force whenever possible. During the first protest march (one of many), the police reacted by macing (tear gassing) the strikers and black ministers indiscriminately. Additional gas was used in a black church where marchers had taken refuge from the attack. The police action stunned the black community and probably did more to unify it than any one incident in the history of Memphis.” See COLLINS, supra note 2, at 366.
attention of the community [as to their deplorable working conditions and unequal treatment].

In the suburb of Raleigh in the Lake Windemere area where the Yehles lived, garbage was picked up by a private contractor. Thus, the strike had no impact. Jean says that most Raleigh residents went about their business with no evident awareness of the drama that was unfolding in the city; *The Commercial Appeal* played down the strike, giving it little coverage. At first, officials and the general white population treated the matter simply as a labor dispute, albeit a highly inconvenient one. Reeking, uncollected garbage piled up everywhere in the City of Memphis. The garbage got people’s attention. Mayor Loeb engaged in a partially successful effort to provide for garbage collection through work of supervisors and replacement labor.

According to Jean, the prevailing opinion in Memphis, at least according to *The Commercial Appeal* and city officials, was that the strike and the workers’ complaints were all the work of “outsiders.” “Their blacks” were being incited and manipulated. Many families in Jean’s neighborhood had black domestic help, in particular, cleaning ladies and yard men. The sentiment of those employers was that “We are good to our blacks so why would our blacks not be grateful and realize how lucky they are?” They felt likewise as to the City’s black employees. The city workers’ inequality of pay, appalling working conditions, segregation and little opportunity for advancement were not part of their thought process.

---

88 June 28, 2010. Interview with Jean Yehle. Notes on file with author. See Murray, supra note 14, at 215 (stating that “[t]he major local media, however, portrayed the strike as the mayor and city council saw it: as an unlawful labor dispute financed by East Coast-based national unions. Most white citizens did not interpret the poor working conditions and poverty wages paid to city employees as racially determined at all, but simply as what unskilled laborers could expect in a tax-poor city.”).
90 June 28, 2010. Interview with Jean Yehle. Notes on file with author. July 19, 2010. Telephone interview with Barbara Vidulich. Notes on file with author. Earl Green notes that usually garbage strikes take place in the summer when the odor and possible health hazards are likely to effectuate a quicker resolution, but in this case, the workers were psychologically ready because of the circumstances. See Green, supra note 2, at 151.
91 See Collins, supra note 2, at 366. That author mentioned that the trash collection trucks were accompanied by police cars. Id. I related this information to Jean and Barbara. Barbara stated that some of the “replacement workers” were criminal inmates from the local jail. July 19, 2010. Telephone interview with Barbara Vidulich. Notes on file with author. This, rather than protection against strikers, might be an alternate explanation for the police escort. Barbara, who lived within the city limits of Memphis, did not like the idea of convicted criminals who had not paid their debt to society, and were therefore not considered rehabilitated, coming into her backyard to pick up the trash or for any other reason. July 19, 2010. Telephone interview with Barbara Vidulich. Notes on file with author.
92 (date from notes). Interview with Jean Yehle. Notes on file with author.
In Jean’s view both officials and the white citizenry operated under the assumption that “these workers did not have the same economic rights and privileges as whites, so race came in [i.e., was a factor]; these people were [thought to be] expendable.”94 She continued that “had the strikers been white and at a higher social and economic level [rather than black and in the lowest tier of the workforce], there would have been greater public interest.”95

The racial undertones of the strike – white workers being paid in full for rain days while similarly situated black workers received only token “show up” pay and were sent home for the day – black garbage workers being crushed to death because they had no permissible shelter from the rain except with the garbage in the back of the garbage truck – were present from the beginning.96 While initially downplayed as merely a labor matter,97 the strike soon undeniably became a racial matter. The “I am a Man” signs borne by the black marching strikers, the fact and reasons behind the crushing deaths of the black sanitation workers, the racial composition of the strikers, and ultimately the conduct of city officials made that obvious.98

Uncollected garbage, together with word of the workers plight and the message on strikers’ signs ultimately “got the attention of well meaning, well-educated women, mostly from Protestant churches.”99 These women, predominately wives and mothers, wanted the strike solved – now – and they

---

95 While this is Jean’s view, she had no knowledge of the City’s history with unionization and striking public employees. See supra Part I. Professor Honey discussed the connections and conflicts between civil rights and unionization throughout his book. See generally HONEY, supra note 16.
96 June 28, 2010. Interview with Jean Yehle. Notes on file with author. July 19, or 20, (ck notes) 2010. Telephone interview with Barbara Vidulich. Notes on file with author. Jean and Barbara were accurate in their understanding of the situation. See, HONEY, supra note 16, at 1-11; See Green, supra note 2, at 152 (“Although working conditions were the immediate cause of the dispute, these issues cannot be separated from the larger racial issues which were raised by this strike and the events leading up to it.”).
97 See Murray, supra note 14, at 215.
98 See supra note 86 and accompanying text.
99 June 28, 2010. Interview with Jean Yehle. Notes on file with author. According to Professor Murray, white Memphis women tended to be in accord with the Mayor’s view of the strike during the first month of the strike. When women’s groups began to understand the racial connections, Roman Catholic women’s group and non-religiously affiliated women’s groups also attempted to bring some pressure on the mayor. It is unknown whether the delegation from the Church Women United referred to by Professor Murray was the group with which Jean and Barbara attempted (unsuccessfully) to meet with the mayor. See Murray, supra note 14, at 216.
began to meet to see if they could find a solution. They asked Barbara Vidulich, to join them. According to Jean, Barbara said she was unsure of how well she would be received, so she asked Jean to come along and Jean agreed. Jean was somewhat surprised to see that the group was racially integrated. It seemed to Jean to consist of one representative for each of many prominent churches. A number of the black women members were highly educated at top eastern colleges. She says that she recalls black women from prestigious institutions such as Sarah Lawrence, Bryn Mar and the University of Pennsylvania. Barbara’s discussion was not inflammatory; the women were receptive to Barbara’s ideas.

Jean and Barbara continued to work with the group, although for Jean it was not without trepidation. As a “newcomer” she was already somewhat suspect in the community. She had two children in the local public schools and she did not want them to be harassed or harmed. Art was new to his job and Jean did not want her activity to jeopardize his career. She consoled herself a bit by deciding not to tell her children and by thinking that “she and Art might be insulated since she was participating at the request of the Department Chair’s wife – or at the very worst – the Department Chair would be gone along with Art because Bob was supportive of his wife’s involvement.” Jean had secret hopes that if the two were fired, Bob might feel morally bound to help Art find another job in academia.

There were usually 18 to 20 women at the meetings, not always the same women. To this day Jean does not know if it was part of any officially organized group with a name, or simply women who were deeply moved by the workers’ dilemma and wanted the strike resolved. And, they wanted it resolved with

---

102 July 7, 2010. Interview with Jean Yehle. Notes on file with author. Jean was under the impression that Barbara was asked to come speak to the group and did so. Barbara clarified that she had not been asked to speak, but merely to attend. But she did speak up and her words seemed to be accepted. Aug. __, 2010. Telephone interview with Barbara Vidulich. Notes on file with author.
105 (6/28 or 7/7. Check notes.) Interview with Jean Yehle. Notes on file with author.
106 The United Council of Church women, “[k]nown as the Church Women United, after 1966,” “sought members from all local Protestant churches . . . [and] provid[ed] an opportunity [to work on benevolence] projects and to socialize across racial lines.” See Murray, supra note 14, at 206. “Because of the input of African American members, Church Women United donated money for striking sanitation workers in 1968.” Id.
higher salaries and better working conditions for the sanitation workers. While participating in this group, Jean learned from her new black acquaintances that Memphis was the center of black society for the upper Mississippi Delta region. Families that had become well-to-do through businesses within the black community, such as insurance and undertaking, moved to Memphis. They sent their children, male and female, to prominent universities, and these women had returned with a world view that was far broader than women who had never left Memphis. These women wanted progress for blacks. In many ways, their views were consistent with Jean’s. She reports that this was the first time that she had met such women of color. She enjoyed their company and learned a great deal from them. According to Jean, the group asked Barbara Vidulich to utilize her expertise to find a solution to the strike. Through her work with the NAACP Barbara knew people on both sides. She developed ideas as to how to mediate the strike. Although now, over 40 years later, Jean does not recall the plan precisely, she was convinced at the time that it would have worked.

Barbara called the mayor’s office and scheduled a meeting. A number of women, both black and white from this prominent group, including Jean, dressed in their most business-like attire, accompanied Barbara to the meeting. It never occurred. They were made to wait in the mayor’s office all afternoon, without seeing him. At approximately five p.m. the mayor appeared. He told the women, “You’re not Memphis women, if you were, you would be at home fixing dinner for your husbands.” With that, he left. They were never able to speak with the mayor or present their ideas.

Jean also explained that by 1968 the activities of Dr. Martin Luther King, Jr. and the Southern Christian Leadership Council (SCLC) had turned from integration of public facilities and securing basic Constitutional rights, those having been gained at great cost earlier in the civil rights movement and

---

109 There was only one black family on Key Biscayne, the family of the former manager of the coconut plantation and exotic plant center that had occupied Key Biscayne prior to its development with tract housing. That family lived in cottages that had been reserved from development by the prior owners of the land. July 7, 2010. Interview with Jean Yehle. Notes on file with author. Jean’s experience parallels the experience of many white women who became involved in Memphis’ Church Women United and the Saturday Luncheon Club described by Gail Murray. See MURRAY, supra note 14, at 206, 209.
110 Jean continues to be grateful for their influence in her life.
111 June 28, 2010. Interview with Jean Yehle. Notes on file with author. Barbara says that again, Jean is attributing too much importance to Barbara. Barbara was not asked to develop a plan but that all the women shared their ideas. Barbara confirmed, however, and stated that she was the one who called the mayor’s office to schedule the meeting. July 19, 2010. Telephone interview with Barbara Vidulich. Notes on file with author.
112 Jean’s recollection is that the group consisted of five or six women, but she does not recall the precise number in the group.
somewhat secured by the Civil Rights Act of 1964.\textsuperscript{114} By this time, Jean said, Dr. King had shifted his focus to poverty and economic opportunity and a measure of opposition to the Vietnam War because of its impact on the economic status of blacks.\textsuperscript{115} Moreover, Dr. King and his non-violent approach were beginning to seem old fashioned, even out of touch with the times, to newly ascendant black leaders.\textsuperscript{116} She went on to explain that Dr. King was planning a Poor People’s March on Washington, D.C., beginning from the Mississippi


\textsuperscript{115} June 28, 2010. Interview with Jean Yehle. Notes on file with author. Again, historical accounts are in accord with Jean’s version of events. \textit{See} WEISBROT, \textit{supra} note 12, at 189–90 (stating that “[b]y 1965 the war against Vietnamese Communists was siphoning funds from programs just beginning to aid the ghettos. . . . [I]t appeared to some black leaders that social reform might soon become a casualty of war.”). \textit{See generally} HONEY, \textit{supra} note 16, at 76–97. Professor Honey stated that “[b]y 1967, the Movement had reached a turning point. . . . [King] increasingly tried to find a unifying theme and strategy in a ‘second phase’ that would lead to the realization of economic and social justice as well as civil rights. . . . [In a speech May 2, 1969 to the Teamsters] titled ‘Civil Rights at the Crossroads,’ King still pushed for the coalition between labor and civil rights that had triumphed in the passing of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, but King’s second phase required a more radical demand: to resolve centuries of intertwined racial and economic injustice by overthrowing American capitalism.” \textit{Id.} at 93. Furthermore, Professor Honey went on to state that “[a]s if that were not enough, King felt compelled to open yet another front of conflict. In a stunning speech at Riverside Church on April 4 [1967] – one year to the day before his death – King . . . boldly condemned America’s Vietnam War as an unjustified, cynical, and hopeless slaughter of poor people of color.” \textit{Id.} at 93-94. King’s indisputably clear stance on Vietnam broke with the White House and the federal government that previously had, to some extent, protected the civil rights movement. \textit{Id.} This schism fueled FBI Director J. Edgar Hoover’s long-standing hatred for King. \textit{Id.} at 90. \textit{See also}, McKnight, \textit{supra} note 2, at 142, n.10, 146, n.18.

\textsuperscript{116} June 28, 2010. Interview with Jean Yehle. Notes on file with author. To illustrate her point, Jean noted the radicalization of SNCC under the leadership of Stokely Carmichael, the militancy, and commitment to armed struggle and revolution espoused by The Black Panther Party founded by Huey Newton and Bobby Seale in 1966, that group’s spokesperson, Eldridge Cleaver; and Malcolm X [who encouraged revolution “by any means necessary” as stated in his posthumous autobiography that was published in late 1965]. \textit{See} Kate Coleman, \textit{Souled Out: Eldridge Cleaver Admits He Ambushed Those Cops, NEW WEST}, May 19, 1980, at 17. To provide a Memphis example, radical youth were beginning to speak up in the community. \textit{See} HONEY, \textit{supra} note 16, at 219. Prof. Honey said, “Prior to 1968, few people would have thought anyone more radical than James Lawson. But none of his credentials from earlier years necessarily impressed people coming of age in the late 1960s. What the Invaders [a more radical group of Memphis youth] saw in Lawson was a somewhat older minister with conventional clothing, very clear diction, precise ideas of how a movement should be organized, and a belief in nonviolence as almost a litmus test for activism. They didn’t see him or his group bringing the system to a halt. They viewed Martin Luther King Jr., in the same way.” \textit{See} HONEY, \textit{supra} note 16, at 239. Rev. Lawson’s “group” is described at note 119, \textit{infra}. 
Delta, in the Spring of 1968. At the same time, it was Jean’s distinct impression that black militants were gaining more influence and that the earlier civil rights movement was about to be replaced by “Black Power” and violent confrontation.

Local leaders of the strike requested the assistance of Dr. King. From Jean’s perspective, the sanitation workers’ plight seemed to mesh well with the purpose of the Poor People’s March. Dr. King agreed to assist in Memphis and came to lead a march that took place on March 28, 1968. The march was poorly organized. Youths unassociated with the march broke store windows. It is unclear who sparked the violence. When violence broke out, Dr. King left the march and was driven away in a vehicle.

---

117 June 28, 2010. Interview with Jean Yehle. Notes on file with author. Historical accounts are in accord with Jean’s version of the events. The Poor People’s March was intended “to bring an interracial group of America’s poor to Washington, DC. Once there, they would create a shanty town on the Mall, and, if need be, engage in nonviolent civil disobedience to exert pressure on the federal government to reverse its continued scaling down of the War on Poverty.” MARK NEWMAN, THE CIVIL RIGHTS MOVEMENT 129 (Praeger Publishers 2004).


119 Early in the strike, the City of Memphis obtained an injunction enjoining activity by union organizers. See HONEY, supra note 16, at 216. Thus, leadership was taken over by a committee composed of pastors from black churches. See HONEY, supra note 16, at 219. They named their group Community on the Move for Equality (COME). See HONEY, supra note 16, at 219. The group selected Rev. James Lawson as their leader. See HONEY, supra note 16, at 219, 221 (“Dan Powell, the AFL-CIO’s white southern political director, said the injunction created the one situation that could defeat the city: It took the strike out of the realm of collective bargaining and placed it in the context of a communitywide freedom struggle led by black ministers. Mayor Loeb thereby ushered in one of the last unified mass movements of the civil rights era.”).

120 June 28, 2010. Interview with Jean Yehle. Notes on file with author. According to McKnight, “Scores of black youth armed with iron pipes, bricks, and long wooden sticks used to carry placards were smashing windows and looting stores all along the Beale Street march corridor.” See McKnight, supra note 2, at 154.

121 See McKnight, supra note 2, at 154. That morning, many teenagers walked out of their schools in support of the sanitation workers. See GREEN, supra note 2, at 240; see also HONEY, supra note 16, at 336. Black ministers on site at the schools wanted students to stay in class for the duration of the school day after which those students who wanted to participate in the march would be transported by bus in organized fashion to the march starting point. See GREEN, supra note 2, at 240. According to a radio report 20 – 25 police cars with as many as four to five officers per car surrounded Hamilton High School, a predominantly black school. See GREEN, supra note 2, at 240. Professor Honey says that the reason for the police to rush to the school was brick throwing by some of the many students milling around the school. See HONEY, supra note 16, at 336. According to Honey, the “[o]fficers sealed off the area, got out of their cars, put on helmets, pulled out their nightsticks, and began walking toward the students.” Id. Shortly thereafter, when the students began trying to march downtown, police began pushing students back into the school and a report was leaked that two students were injured during the police incident, one critically. See GREEN, supra note 2, at 240; see also HONEY, supra note 16, at 336 (there were rumors that the female back student had been killed by police). There were also conflicting stories as to whether
Of course, according to Jean, local officials blamed the violence on Dr. King and the marchers.\textsuperscript{123} “Dr. King vowed to come back to lead a better organized, non-violent march in keeping with his principles.”\textsuperscript{124}

Jean did not participate in the march of March 28th. She was well aware that, although Dr. King and his followers were dedicated to non-violent, peaceful protests, as were most of the early civil rights activists, participants in the civil rights movement did so at the risk of great social and economic harm, and bodily injury, including death.\textsuperscript{125} Jean pointed out that by then, the three civil rights workers, Michael Schwerner, James Chaney and Andrew Goodman, had been murdered in Mississippi.\textsuperscript{126} The first Selma Alabama march had ended when police on horseback charged the marchers, brutally clubbing them and cracking skulls.\textsuperscript{127} In Birmingham, peaceful marchers had been attacked with police dogs, beaten and clubbed by police, and smacked to the ground with water from fire hoses pressurized to have the same impact as a club.\textsuperscript{128} Gripping photos had appeared in \textit{Life} magazine.\textsuperscript{129} Voter registration workers in Freedom Summer of
1964 had worked in great danger. White female workers had not been spared from violence. Earlier in the movement, Freedom Riders had been beaten bloody. Thousands had been arrested and jailed during the course of the civil rights movement; they now had arrest records. Crosses had been burned in the yards of blacks and their supporters, and the intimidation did not stop there. Unlike the white college student Freedom Summer voter registration workers who were to go home at the end of the summer, or could leave earlier if the going got too tough, Jean explained, she lived in Memphis. Her children went to school in Memphis. Her husband’s new and treasured career was there. It wasn’t just about her, and Jean was very circumspect, although committed to the work of the women’s group to resolve the strike. She said little to Art, although he was aware that his boss’ wife was involved and that she had asked Jean to help her. Jean says she did not put him in the awkward position of asking for his support or opposition. Besides, unlike many wives of the time, she was not one to ask her husband’s “permission” every time she wanted to do something. She said nothing to Edna or her other social friends. Nor did she say anything to her sons. This was all part of walking on “thin ice.” In a way, she was beginning to lead a bit of a double life.

Jean and Barbara also believed the rumors that the FBI was gathering information on many people who were active on behalf of the strikers. This fit

Rights Photography of Charles Moore, at 18.


ck notes for date. Interview with Jean Yehle. Notes on file with author. See Poussaint, supra note 12, passim.

ck notes for date. Interview with Jean Yehle. Notes on file with author. See WEISBROT, supra note 12, at 57.

ck notes for date. Interview with Jean Yehle. Notes on file with author. See WEISBROT, supra note 12, at 114 (Freedom Summer workers: 1000 arrests); see also, WEISBROT, supra note 12, at 134 (stating that “Dallas County’s jails packed in some three thousand blacks.”) and WEISBROT, supra note 12, at 72 (“[T]he Birmingham campaign and the other protests it helped spark over the next seven months engaged over a hundred thousand people and led to nearly fifteen thousand arrests.” (citation omitted)).

ck notes for date. Interview with Jean Yehle. Notes on file with author. See Poussaint, supra note 12, at 401 (stating that “[t]he white female participant in the civil rights movement in the South [was] subject to unique and unanticipated stresses.”) Many returned home. See Poussaint, supra note 12, passim; see also WEISBROT, supra note 12, at 114 (stating that “[b]y summer’s end most of the project workers [male and female] headed back north, reflecting on the cost of their efforts or, in some cases, trying to forget their collective nightmare.”).

At that time in U.S. history, it was common for an employee to work for the same employer for his entire career. Job changes sometimes meant that the employee had done something wrongful.
in with Jean’s belief that J. Edgar Hoover had great hatred toward Martin Luther King, Jr., believed that the civil rights movement had ties to Communism, and that dissidents posed a threat to the country.143 “It was a frightening time to live in Memphis, and a dangerous time to get involved.”144

Ralph Abernathy and Andrew Young were heavily involved in organizing the second march that was scheduled to be led by Dr. King. They wanted to be sure that it would be a pacifist march with only strikers and their supporters involved. They did not want those who might think that the march was an excuse for violence to participate.145 A meeting was scheduled at the Mason Temple for the night of April 3 in preparation for the second march.146

Jean said,

“Even though neither Barbara nor I intended at that time to march, we decided to attend the meeting. Barbara obtained seats for us up front, in the balcony, almost over the speakers.”147

“I said nothing to my husband. He was involved in something connected with the University that night. The boys would be doing their homework then watching television. They were old enough to be left alone for the evening. I did not tell them where I was going.148 It was a terribly stormy night – the proverbial ‘dark and stormy’ night. 149 The wind was blowing very hard.

“[T]he FBI, desperate to prove the director’s pet thesis of communist infiltration and control of the civil rights movement, indiscriminately targeted for surveillance all individuals and groups connected in any way with the protest movement.” See McKnight, supra note 2, at 145–46. “[T]he FBI file on the Memphis operation revealed that any name connected with the strike or related activities was routinely indexed [i.e., fed into the Bureau field office’s files, checked against any previously compiled FBI file, and ultimately ‘warehouse[d]’ as part of the permanent record of this domestic intelligence operation].” Id. at 148. I do not know whether Jean’s, or Barbara’s, name was collected as someone who was a potential threat to the United States, but if it occurred, I am amused at the “Homeland Security” of the day. Not long afterward, Jean could have had easy access, not to just any valuable target, but directly to the President of the United States, Richard Nixon, in her parent’s kitchen.

143 July 20, 2010. Interview with Jean Yehle. Notes on file with author. Jean was correct in her assessment again. See McKnight, supra note 2, at 146 n.18 (describing Hoover’s campaign against King). McKnight stated that “[i]n brief Hoover’s thesis was that the civil rights movement of the 1960′s was controlled by communists. He insisted, even when it meant overriding the informed judgment of top FBI officials, that the black movement was directed by foreign influence and posed an internal security threat. He mercilessly badgered dissenting senior FBI official for their failure to see the old communist principle at work in the civil rights movement.” Id.

Tree branches were straining and creaking in the wind. Once we were seated inside Mason Temple, we could hear things rattling on the outside of the building. Rain pelted down. Maybe it was the violence of the earlier march, maybe it was the weather, maybe it is 20-20 hindsight invading my recollection, but it seemed like a foreboding night.¹⁵¹

At the meeting, which was jam-packed with people, the vast majority of whom were black, Ralph Abernathy talked and talked. It was pouring rain outside with loud lightning and thunder. The wind was audible. From our vantage point, we saw mostly the back of [Abernathy’s] head. We couldn’t quite hear everything he said. P.A. systems were not as good in those days. Up in the balcony where we were sitting it had gotten very hot and humid. It seemed that Abernathy droned on; I was getting sleepy in the hot, stagnant air. It is my understanding that the organizers sent for Dr. King, asking him to speak. When he arrived and addressed the audience, we once again saw more of the back of our speaker’s head than his face. Again, it was difficult to hear, but he spoke more loudly and passionately, so we heard more. By straining to hear, we missed only the occasional phrase. Dr. King’s body language was very tired – worn down, exhausted.¹⁵² I was struck by how spent he seemed.¹⁵³ Yet his words were fervent and I could tell that he was deeply committed to everything that he was saying. We heard part, but not all of Dr. King’s famous, last speech, the Mountaintop Speech, because of the acoustics.¹⁵⁴ I was deeply moved, and my commitment grew.¹⁵⁵

The next afternoon, April 4, 1968, my son Larry and I went shopping for school clothes because Art and I had already determined that Larry would attend a northern boarding school the next school year. We were on the way home; I was driving

¹⁵¹ This is approximately Jean’s description to me during the summer of 1982, when she first told me a bit about her experience. I thought then that “someone” needed to research the connections and write about this.


¹⁵³ This sentence was in Jean’s description during the summer of 1982.


from Memphis to Raleigh on Austin Peay Highway. The radio was playing. I was stunned, horrified, when an announcer broke in and said that Dr. King had been shot. Shortly later, there was an announcement that the gunman was escaping on Austin Peay Highway with law enforcement in hot pursuit. The escape and police chase would be in the same direction that Larry and I were traveling. I didn’t want to be in the middle of that so I pulled over as far as I could onto the grassy shoulder of the road and stopped the car. We waited, expecting to hear screaming sirens and see speeding cars at any moment. Absolutely nothing happened. After about 45 minutes, I pulled back onto the highway and drove home. The Austin Peay Highway story was one of several hoaxes called into radio stations that day that were announced as news tips.  

Dr. King was dead. Shockingly horrible, violent race riots broke out all over the country, in big cities and in small towns. Based on television and radio reports the riots were violent, brutal, and bloody. Parts of many cities were on fire. People were being killed. Memphis, however, was silent. Dead silent. It was as if the City was in shock.  

On Sunday, I took my place with the choir at the Presbyterian church. During his sermon, the pastor said that all this was the work of outsiders and newcomers who didn’t understand their fine community and how well it treated blacks. Memphians were not at all responsible for what had happened in their Beautiful City. It was all newcomers.

---

157 June 28, 2010. Interview with Jean Yehle. Notes on file with author. Jean speaks proudly of Memphis in this moment and says it reflects well on Memphis that it reacted with shock and deadly silence akin to mourning, rather than violence. Jean’s memory may be faulty on this point, or it is possible that she never became aware of violence in Memphis that night. The literature contains references to some violence in Memphis that night, primarily involving property damage, but it was more isolated and limited than the riots that rocked much of the country. See HONEY, supra note 16, at 442–43. Professor Honey stated that “[d]espair, grief, rage, frustration and fear gripped black Memphians, as curfew and riot conditions once again descended on the city. Within minutes of the announcement of King’s death, young black people began pouring into the streets. In the neighborhood around Tillman and Johnson, blacks with guns pinned down police cars and reportedly wounded two officers – one of only a few incidents in which people directed gunfire at the police.” Id. Professor Honey went on to state that “[t]he city pulled Memphis Transit Authority buses off the streets after dark – after rocks and bricks had damaged fifty-six of them. That night, police received 806 emergency phone calls and arrested 245 people, including eighteen women and eleven juveniles.” Id. at 443. Likewise, McKnight stated that “a wave of arson, looting, and sniping [occurred] in Memphis” that night. See McKnight, supra note 2, at 155.  
behind the pastor, in full view of the congregation. I noisily got up, walked across the stage and walked out. People had no reaction to my one-person walk-out. It was as if I was invisible. They treated it as if I suddenly had to go to the bathroom and didn’t come back. No one ever asked about it or said a thing to me, not even my friend Edna who, as usual, was right in front of me directing the choir that day.  

The organizers of the march decided that the march would go on. They were not going to be cowed or silenced by the assassination of Dr. King. They would go on despite the riots in other cities; and they would honor Dr. King. Dr. King’s widow, Coretta Scott King, would lead the march. I had seen and heard enough. I had had it. The events of the last few days were unspeakable. I had to march. I had to march here in Memphis. So did Barbara. I did not care who saw me, but on the other hand I did not tell my sons, husband or anyone, other than Barbara, that I was going to do it. I made up my mind and I did it.

Early on the morning of the march, I drove downtown and parked my car. The city seemed strangely vacant but for those associated with the march. I met Barbara at our appointed spot. A couple of other ladies, who I believe were from the women’s group met there as well. I looked around as we wordlessly lined up according to instructions, eight abreast, holding hands. We were fairly near the front of the march, approximately __ from the front. We were on a bit of a rise on _____ street. I looked behind me. There were thousands of people there. I have never seen so many people in one place. On every side street there were little yellow school busses bearing the name of a church in south Tennessee or north Mississippi. It seemed that the black communication network had reached out and every heartbroken, angry or grieving person responded. There were marchers silently lined up, eight across, as far as I could see. I also noticed

---

160 June 28, 2010. Interview with Jean Yehle. Notes on file with author. See Larry W. Yackle, *Parading Ourselves: Freedom of Speech at The Feast of St. Patrick*, 73 B.U. L. Rev. 791, 797 (1993) (speaking on power of marching and the loss of anonymity associated. “Indeed, one can scarcely imagine a more definitive and graphic way for a citizen to manifest himself to the world than to march down the street, arm-in-arm with friends and neighbors, displaying his allegiances for all to see. To abandon the anonymity of the crowd and take a place in the lists is to affirm as few other actions can the ideas and people one calls her own.”).
that there almost no white faces in the crowd at all except mine, Barbara’s and a few others, almost exclusively women. It was mind-boggling to be a part of this event – to clearly speak my mind—albeit in total wordlessness. It was mind-boggling that so few whites were participating and that I was one of them.

The scene was tense. The marchers wore determined expressions, some angry-looking, but all clearly in mourning. Some looked like they had been crying. Grim looking young National Guardsmen, I believe all white males, who looked to be 19- to 20- years old, lined up every few feet along the march route. It was obvious to me that they were not men with years of training and experience. That was not a very comforting thought. They were stone-faced. Their loaded rifles were in front of them with bayonets affixed. In addition to the little yellow school busses, there were troop carriers in the side streets. Was I frightened? You bet I was frightened! Look at what was going on in other cities. There were flames leaping into the sky in those cities. There were bloody riots in which people were being shot or beaten by mobs. People were grievously injured or killed. There was no way of knowing whether the march would disintegrate into violence. It was all unfamiliar to me, [an inexperienced activist.] I was exposing myself to possibilities beyond my control. Here, Tennessee National Guardsmen, with bayonets that are used to herd,—or even worse stab -- people were just a few feet away! I was not so naive as to think that the National Guardsmen were there to protect the marchers. They were there to “quell” any disturbance that might erupt. And I was clearly among those to be “quelled.” Yet, 

---

162 Jean did not recall that Bob Vidulich attended, but says he might have been there. Sept 2010. Interview with Jean Yehle. Notes on file with author.


167 July 7, 2010. Interview with Jean Yehle. Notes on file with author. Commissioner of Fire and Police, Frank Holloman, also feared that the march would erupt into violence. See Green, supra note 2, at 295.

was glad to be there. It was important and it was necessary. It was important that I, a white Memphis housewife, was there. It was all the more important because there were almost no other whites there. One might think that I was screaming in protest inside. But in actuality, I think I was a little in shock. By then I think I was acting in unity, according to instructions, and on instinct. It just had to be done.

We were close enough to the front that we could see people who looked like Coretta Scott King, Ralph Abernathy and Andrew Young step in line at the front of the march. The marchers began to move forward. We were totally silent. Not a whispered word could be heard. The only sound was the sound of feet. It was dramatic. It was emotionally moving. It was noble. It was totally lost on the young National Guardsmen.

It might have been lost on those young guardsmen, but we were “saying” it anyway, in total silence –except for the sound of thousands of marching feet. We marched toward the park. We continued to slowly walk up a rise. I looked back again. Again, as far as I could see there was nothing but totally silent marchers, eight abreast. It was awe-inspiring. And then there were those National Guardsmen lined up along the entire route. It was intimidating.

Although there had been hecklers present and vicious verbal attacks on marchers by spectators at other civil rights marches, as well as violent physical attacks, I don’t remember seeing any spectators. There was no heckling. Just silent marchers and the National Guard. It was as if the entire city had fallen into a state of silent shock. The air was heavy with sadness.

---

176 This was part of the risk that I was knowingly assuming in participating in this march.
When we got to the park, Coretta Scott King addressed the crowd. The public address system was awful. I couldn’t hear a thing. I stayed for a while and then quietly walked to my car and drove home.\(^{179}\)

I think *The Commercial Appeal* said there were only 4,000 in the march, or at least that was the number that was being mentioned about town.\(^{180}\) Although I am not skilled in estimating crowds, there were obviously many more than that.\(^{181}\) When local officials and local news media talked or wrote about the march, it was very different than what we saw. Barbara and I often said to one another ‘Were we there? It doesn’t sound like the same event.’\(^{182}\)

Conduct, particularly association for a particular purpose and participating in a march, constitutes non-verbal speech.\(^{183}\) When asked about the message in her work with the women’s group and her silent participation in a march that could have turned violent or had other highly negative consequences, Jean replied, “I was saying, blacks needed justice and equality, both socially and economically. I was saying we were disgraced as a city and as a nation by this unspeakable conduct toward blacks. This was wrong, and I wanted it fixed – now. And, the murder of Dr. King was awful. He deserved our respect and mourning. His death was terrible for the nation, for civil rights, and for Memphis.”\(^ {184}\)

Jean says, “Interestingly, and thankfully, I suffered no direct repercussions that were obvious to me.” Art continued in his work and the boys continued at school. If anyone knew about her activism, “no one mentioned a word to me. They simply ignored me. However, I never knew if it would change in one awful instant. That was another aspect of the ‘thin ice.’”\(^ {185}\)


“Perhaps it was fortunate – for me – that there were not more spectators or local media, but I also felt that our message had been suppressed.”

When the school year ended, Jean and her sons left Memphis to spend a highly anticipated summer in the Thousand Islands. Art continued his work at the university and joined his family in the Thousand Islands when he could. During the summer, Jean’s neighbor, the woman whose son had been injured, found a surgeon in Montreal who was willing to do brain surgery on her son. The surgeon believed that he could relieve the violent seizures. The woman had found no one in the United States who was willing to do the surgery. Many times during the summer, Jean made the long trip to Montreal to sit with her neighbor at the hospital. The surgery was successful. The seizures were greatly reduced in their severity and frequency.

As mentioned earlier, Jean and Art had decided to send Larry to boarding school rather than have him attend the high school in Memphis. He was enrolled in a prestigious school in Massachusetts. The initial plan was for Jean and Mark to return to Memphis. They and Art were to live in another rented home in the Memphis suburbs. Ultimately, Jean and Mark returned to Key Biscayne instead while Art continued his work at Memphis State University. Jean was rehired at the University of Miami Marine School. About leaving Memphis, Jean said, “I liked Edna and the woman whose son had the surgery. I liked Barbara a lot. Memphis was a very pretty city with its zoo and many attractive areas like Germantown, but I left it with no regrets.” I was never so happy to get out of anywhere in my life.

As a newly single mother, Jean needed to return to the workforce to augment the financial support she and the boys were receiving from Art. In addition, interesting work at the Marine School gave stability to a life that was in a period of change. Although Jean did not formally participate in any further civil rights activities, she continued to read avidly on the subject. She was outspoken in her community, and there was no question as to her viewpoint. Through the years, she also encouraged others, including me, to speak out, through action, on important issues of rights.

Barbara B. Vidulich was born Barbara Bader and grew up in the borough of Queens in New York City. Her father was a linotype operator, a liberal Democrat and a staunch supporter of unions. Barbara adopted his liberal

186 June 28, 2010. Interview with Jean Yehle. Notes on file with author. Jean was wrong about the media, but believes she now is correct about the fact that local media coverage was insufficient to expose her participation.


189 Jean inspired me to participate in the women’s march in support of the Equal Rights Amendment that was led by then Florida Governor Bob Graham in our state capital, Tallahassee, Florida, on June 7, 1982. Also, with her encouragement, I urged staid Miami law firms to hire African American summer associates and attorneys, long before it became “fashionable.”
northern Democrat views. She attended integrated schools throughout her primary and secondary education. She and her future husband Robert “Bob” Vidulich attended Hartwick College in Oneonta, New York. It, too, was integrated. When Barbara and Bob married and lived in married housing, an interracial couple lived next door. Upon Bob’s graduation, the couple moved to Lansing, Michigan where Bob did graduate work. As in Oneonta, the couple’s Lansing neighborhood and acquaintances were integrated. To the Vidulichs, integration was proper, but mostly, it was “simply no big deal.”

Unlike Jean, Barbara became involved in civil rights work long before the Memphis Sanitation Workers’ Strike. Her husband was deeply involved as well. They were bold and outspoken in their participation. Their efforts in support of the civil rights movement began shortly after they moved to Baton Rouge, Louisiana in 1958 where Bob had obtained an appointment to the faculty of Louisiana State University. Barbara was then 25 years old.

Louisiana was in strife over school desegregation at the time that the Vidulichs arrived in Baton Rouge. There were great difficulties in New Orleans where officials considered closing public schools rather than desegregating.

In Baton Rouge, things were a bit better, but the state had its own Un-American Activities Committee, and desegregation was considered to be un-American. People like the Vidulichs who openly supported desegregation were put under surveillance.

There was no branch of the NAACP in Baton Rouge; however there was a branch of the American Friends Service Committee, in which the Vidulich’s next-door neighbor held a leadership position. The neighbor’s telephone was monitored.

191 During the drive to Baton Rouge, the couple stopped at a gas station. Barbara found that there were three restrooms with doors respectively marked “Ladies, Men and Colored.” She asked her husband, “What in the world is going on around here? What are we getting into?” Bob reassuringly said, “Don’t worry. It will be alright.” July 19, 2010. Telephone interview with Barbara Vidulich. Notes on file with author.

192 Id.

193 Id. The 1954 Brown v. Board of Education decision “threw the state into an uproar.” See Shannon L. Frystak, Elite White Female Activism and Civil Rights in New Orleans, in THROWING OFF THE CLOAK OF PRIVILEGE: WHITE SOUTHERN WOMEN ACTIVISTS IN THE CIVIL RIGHTS ERA 181, 185 (Gail S. Murray ed., 2004). The legislature passed laws to counter school desegregation, and “the statewide Louisiana School Board succeeded in delaying any desegregation activity. Finally in May 1960, [Federal District Court Judge J. Skelly Wright] imposed an integration plan [for public schools],” Id. at 186. The Orleans Parish School Board asked the segregationist Governor to block desegregation, and the governor considered closing the public schools that year. Id. In 1959, Gladys Cahn and Rosa Keller “organized Save Our Schools (SOS), arguably the most important of the organizations formed during the New Orleans school desegregation crisis.” Id.

194 Id. The American Friends Service Committee is an organization that “includes people of various faiths who are committed to social justice, peace and humanitarian service.” See About AFSC, AFSC.ORG.
tapped in rather clumsy fashion. He pointed out the clearly visible line that was used to tap his telephone. They all had a good laugh.  

Barbara became active in writing letters to newspapers and the legislature urging that schools not be closed in order to avoid integration. She frequently went against the grain of southern society, both publicly and privately, for instance, having a meal with her black cleaning lady as her guest, which would have been surprising, if not shocking, to both blacks and whites. During the summer of 1965, the summer following the highly dangerous Freedom Summer in which large numbers of northern students came to the South to engage in massive voter registration drives among blacks, Bob was a volunteer worker in the continuation of that registration drive. It was very dangerous work, and Bob’s boss directed him to call home every night to report on his activities and whereabouts. Despite the calls, Barbara spent an uneasy summer.

By Barbara’s estimation, over half of the faculty of LSU were northerners. Many were involved in efforts in support of integration. The faculty lived in close proximity to one another and were supportive of one another. Thus, despite the opposition, surveillance, and sometimes danger, to which many of them were subjected because of their stance on civil rights, they enjoyed a sense of community among themselves.

In 1966, the Vidulichs moved to the greater Memphis area when Bob accepted the position of Chair of the Psychology Department at Memphis State University. Barbara continued her role of “faculty wife.”

Barbara volunteered one day a week at the NAACP. At some point, probably around 1967, Barbara placed the campaign poster of a black man who was running for mayor on her lawn. The campaign was clearly doomed because of the man’s race; nevertheless, Barbara supported him and displayed his sign. She notes that, “For the whole remaining duration of the time I lived in Memphis, the ladies in the neighborhood garden club snubbed me. If it was essential that

---

http://www.afsc.org/about (last visited July 22, 2011). It was founded in 1917 during World War I.  
Id. The work of the American Friends Service Committee “is based on the principles of the Religious Society of Friends [the Quakers], the belief in the worth of every person, and faith in the power of love to overcome violence and injustice.”  
Id.  
198 The cleaning lady insisted upon closing the drapes in the dining room “so no one would see her” before she would sit down at the table as a guest in the Vidulich’s dining room.  
199 This was the summer in which Schwerner, Chaney and Goodman were murdered. See supra notes 125 – 130 and accompanying text. The students who volunteered to register voters, as well as the full time civil rights workers who led the registration drives faced great danger. See WEISBROT, supra note 12, at 99–100.  
201 Id. See infra Part III.C. In therapeutic jurisprudence, this mutual support constitutes validation.  
203 Barbara had a momentary loss of recollection as to the mayoral candidate’s name. Id. Anne Trotter states that “A.W. Willis, the first black member of the state legislature since Reconstruction” ran for mayor in 1967. See Green, supra note 2, at 288.
they speak, they were very snippy to me.” Like Jean, Barbara also says she felt like an “outsider” who “did not fit” in Memphis. But her impressions were more negative than Jean’s. Barbara described the Memphis’ locals as “stuffy, snooty and totally hypocritical.” Jean notes that, “It was the hypocrisy of Memphis that bothered Barbara the most. That really made her angry.” Barbara says that while Memphis prided itself on having the “efficiency of the north and the charm of the South,” it had neither.  

While many northerners were on the faculty at Memphis State, they lived in more far flung parts of the city and were less involved with one another. Barbara missed the sense of community and mutual support that she had enjoyed in Baton Rouge.  

Martin Luther King Jr. spoke in Memphis at least three times that Barbara recalls. All were at the Mason Temple an “enormous black church, the largest in Memphis.” The first was a religious service at which Dr. King preached. Barbara attended and found it to be so impressive and moving that she planned to bring her three sons, then ages 9, 11 and 15, to the service when he preached in the future. Her sons “loved the service and hearing Dr. King.” Even today as adults in their 50s, all three recall the service and remember it as an important moment. Barbara says that the occasion on which she brought her sons was Dr. King’s last appearance at which he gave his famous Mountaintop speech, and that her husband Bob was there also. Jean has no recollection of the children or Bob being there. Jean says she thinks the children attended the second service at which Dr. King appeared.  

By 1968 when the sanitation workers’ strike took place, Barbara was deeply involved in the Memphis civil rights movement through her volunteer work for the NAACP. Barbara notes that the direct cause of the sanitation workers’ strike was the incident in which black public works employees were sent home, again (it happened frequently) with only show up pay on that particular rainy day in February while white workers drew a full day’s pay. She says, however, that the real inspiration for the sanitation workers’ strike was the
crushing of two co-workers in the back of the garbage truck some time earlier. Barbara corrects Jean’s recollection, saying that there were two sanitation workers who were crushed to death in the earlier incident, not one.  

Barbara said that at the beginning, the men wanted a raise and safer working conditions. According to Barbara, that is what they were looking for, not a union. She elaborated saying that these black men, who worked a 40-hour week, brought home salaries that were below the federal poverty level. Barbara recalls the almost daily marches and the signs, “I Am a Man.”

Barbara also said that in his effort to break the strike, Mayor Loeb, who she describes as “a totally despicable man,” used prisoners from the county jail to collect the garbage as part of his replacement labor. She, among others, did not want prisoners coming into her backyard with official authorization, even if it was to collect garbage. “It was a shameful way to break a strike.”

Barbara was supportive of the sanitation workers’ situation. She confirms the invitation of the women’s group, that the group was interracial, that she called to schedule the meeting with the mayor and the means by which she, Jean, and their companions were summarily dismissed after waiting all afternoon. She does not remember the exact number of women who went to the mayor’s office to participate in the meeting.

Barbara was at home with out of town houseguests when Dr. Martin Luther King, Jr. was shot. During that week, she and her husband had been making arrangements to provide a home for the three young children of an ill relative. The children were there, as was the children’s father. On that particular day, Barbara’s husband was out of town. Barbara learned of the shooting when the phone rang. It was her husband asking “What is this I hear about Martin Luther King, Jr. being shot?” “There was absolutely nothing on Memphis television about the shooting for about an hour. I called Maxine Smith at the NAACP. Maxine was crying; it was then that I learned that the news from my husband was true.” Martin Luther King, Jr. was dead. Barbara informed her houseguests. One of them, Johnny, said

---

218 Id.
219 Id. July 20, 2010. Telephone interview with Barbara Vidulich. Notes on file with author. But they soon recognized that a union was the way to get what they wanted. Id.
220 Id.
221 Id.
222 Id.
225 Id. Professor Honey, who moved to Memphis in August 1970 as a southern civil liberties worker, noted that he was “part of a small handful of younger activists who joined with the embattled veterans of the Movement. As such, [he] was fortunate to meet many of the characters in the book . . . includ[ing] . . . the inspiring civil rights leader Maxine Smith . . . .” See HONEY, supra note 7, at xv.
“It served the black son-of-a-bitch right.” Barbara was appalled, but not surprised.226

“The shooting was a [huge disgrace] on the city. It was very ugly.”227

Barbara’s recollection of the facts concerning the march is much like Jean’s, except that Barbara says that Bob marched also. Barbara says that she asked her black cleaning lady to watch the three children so that she and her husband could participate in the march. The cleaning lady readily agreed and was very moved that Barbara and Bob would march.228 Jean says that she does not recall Bob being there, “But he may have been. The march itself was the most important thing on my mind that day.”229 Barbara confirms the absolute silence of the marchers; she confirms that their facial expressions ranged from anger to overwhelming sadness. She confirms that the only sound to be heard was thousands of feet. She, too, was greatly moved. However, Barbara says that she was not so much frightened as overwhelmed by sadness at the death of Dr. King. Barbara confirms that the troops had bayonets affixed and were spaced a few feet from one another all along the march route. As an experienced civil rights activist, Barbara says that she knew the difference between federal troops who were sent to protect marchers and local and state police who posed a threat. She said that these troops were definitely there to protect the marchers and prevent violence, but that whenever you march there is danger. She also added that until she read Jean’s account, she had not realized that Jean was frightened.230

Barbara’s recollection is that the officials’ 4,000-marcher estimate was completely wrong. Barbara, too, thinks that there were several times that many marchers. Like Jean, Barbara was proud to be among the marchers standing up for what was right. She was also impressed by the marchers’ conduct while the rest of the nation was burning.231

---

227 Id.
228 Id.
230 July 20, 2010. Telephone interview with Barbara Vidulich. Notes on file with author. Ck date. This may have been Aug conv. While Barbara is correct that “feds” at an event typically were called out to protect the minority participants (e.g. federal troops protecting marchers in second Selma march; federal marshalls protecting Little Rock schoolchildren after Brown decision), there may, in this instance, have been some accuracy in Jean’s fears. During the days immediately following the assassination of Dr. King, the riots that shook America were so violent and deadly that everyone in the vicinity was in mortal danger. Memphis Commissioner of Fire and Police, Frank Holloman, believed that “there might be [ ] violence and even the police officers who were assigned along the march route may be in danger.” Green, supra, note 2 at 295. Obviously, if the police or the Guardsmen had been attacked or fired upon, they likely would have been less than precise as to exactly who, among the marchers and the precipitators of violence, needed to be subdued/defended against.
231 July 20, 2010. Telephone interview with Barbara Vidulich. Notes on file with author. Ck date. This may have been Aug conv.
After the march, Barbara and Bob took full responsibility for the children of their ill relative. Barbara’s life changed profoundly as she became the stay at home mother to three children under age five. She had to give up her volunteer work with the NAACP, and virtually all of her activities outside the home. Her duties, time and focus had to be, and were, on the little ones who were now under her care. She also noted that the civil rights movement was changing and that active roles were being taken over by persons of color.\textsuperscript{232} She felt that she had served the movement well and focused on parenting.

Barbara says that she missed Jean very much when Jean left Memphis. She says she went on to complete her education. Barbara also reported that several years after Jean left Memphis, Barbara and Bob divorced. Barbara left Memphis and she, too, said “[s]he was never so glad to get out of anywhere in [her] life.”\textsuperscript{233}

III. ANALYSIS

One purpose of this article is to communicate and preserve two white women’s experience of the events surrounding the Memphis sanitation workers’ strike and their participation in the Memphis civil rights march following the assassination of Dr. Martin Luther King, Jr. Fortunately, their first-hand accounts are still available. In so doing, this article achieves its greater purpose of augmenting the historical record of this traumatic time by adding and analyzing another category of women who participated in the civil rights movement. It fills in one of the historical blanks. These women’s reasons for getting involved, and the meanings and impacts they associated with their participation -- both at that time and in the forty plus years that followed -- extend our knowledge. They provide illuminating insights into the civil rights movement and even an inkling of the beginnings of feminism.

The differences in reaction between the two women, as well as the conflicts between their recollections make their stories all the more real.\textsuperscript{234}

This article fits within the genre of legal storytelling, sometimes referred to as “legal narratology.”\textsuperscript{235} The experiences recounted also invite analysis based on the principles of therapeutic jurisprudence, also known as “TJ” by those who study or practice in that field. This analysis looks at Jean and Barbara’s stories from both perspectives, as well as comparing their experiences with those of other groups of white women who were active in the civil rights movement. The last of these analytic methods confirms the significance of this narrative, situates Jean and Barbara’s experience within the varieties of experiences of other white

\textsuperscript{232} Id.
\textsuperscript{233} Id.
\textsuperscript{234} The differing reactions illustrate the range of experiences of women in the civil rights movement. The conflicts between the stories of the two women illustrate how eyewitness accounts can differ and how witnesses’ memories can fade or change over time.
women participants in the civil rights movement, and enriches the later analyses based on narratology and therapeutic jurisprudence. It is presented first.236

A. Comparison and Contrast with Other Categories of White Women Activists.

The stories of Jean Yehle and Barbara Vidulich are important because their situation differed from others whose experiences have been recorded. Jean and Barbara were northern white women who lived in the South at the time of their activities, and planned to continue living there on a permanent basis. Comparison and contrast with the experiences of women in other categories provide further insight and show how Jean and Barbara’s stories fit into this important moment in civil rights history.

Although their situation differed, Jean and Barbara in many ways fit the profile of northern women who were involved in civil rights in the 1960’s in the North. Information on that group is drawn from a study of white women activists in New Jersey by Rhoda Lois Blumberg, described in Careers of Women Civil Rights Activists.237 Interestingly, although civil rights activists typically are envisioned as college age persons, a 1964 national survey of white activists found that fifty-two percent of them were over thirty,238 and Jean’s year of birth, 1927, was precisely the median in Blumberg’s sample.239 Most of the white northern females in the study were wives and mothers during the 1960’s and highly valued that role;240 both Jean and Barbara shared this characteristic. Blumberg noted, “A strong emotional reaction to injustice, sometimes but not always focused on race, was the personal precondition [to participation in the civil rights movement] expressed clearly by the women.”241 The same was true

236 The comparisons with women in other categories come primarily from social science literature; the use of work from other disciplines is characteristic of both legal narratology and therapeutic jurisprudence, especially the latter.

237 See generally Blumberg, supra note 10. Blumberg studied a sample of 41 adult women civil rights activists in New Jersey. Id. at 710. The purpose of her paper was to examine the “processes and contexts of their involvement, and the meanings attached to civil rights work.” Id. at 709. The study began with the preconditions to their involvement and examined the evolution of their roles, including changes during the Black Power phase of the civil rights movement; the study also followed up to look at the then current activities of the adult women in the sample, as of the mid-to-late 1970’s. Id. at 709.

238 See, Blumberg, note 10 at 709 (citing ALPHONSO PINKNEY, THE COMMITTED: WHITE ACTIVISTS IN THE CIVIL RIGHTS MOVEMENT (New Haven: College and University Press 1968)).

239 See Blumberg, supra note 10, at 710.

240 See Blumberg, supra note 10, at 712. Blumberg goes on to state that “[i]n some cases, [the women’s] husbands were partners in social movement activity, while [other women’s husbands] placed some restraints on their wives.” Id. Clearly, Barbara’s husband was a co-laborer in the movement. Jean felt constrained because of her husband and family, not so much because of direct restraint, but rather because of concern for them. Given the greater level of risk of condemnation, retaliation and physical harm in the South as compared to the North, this is understandable.

241 See Blumberg, supra note 10, at 712.
of Jean and Barbara. Like those studied, “the movement was an intense experience which gave meaning and direction to their lives.” 242 Both Jean and Barbara were political liberals and came from politically liberal families. Barbara came from a unionist family. 243 Jean came from a privileged, politically active, staunchly liberal Democratic background. 244 As a newcomer to the civil rights movement, Jean was somewhat shy in her initial involvement. 245 For both Jean and Barbara, their participation in the civil rights movement and the activist women’s group “felt right.” 246 All of these characteristics are noted by Blumberg. Both Jean and Barbara’s reasons for ending their active participation in the movement: for Jean, a change of status and need to seek full-time employment; and for Barbara, providing a home for an ill relative’s three small children, matched reasons cited in the Blumberg study. 247 Even their eventual full time employment, for Jean, administrator, and for Barbara, teaching,

242 See Blumberg, supra note 10, at 710.
243 July 19, 2010. Telephone interview with Barbara Vidulich. Notes on file with author. Blumberg noted that “[a] little more than a quarter of the women came from homes with radical or labor backgrounds . . . .” See Blumberg, supra note 10, at 714. “Over 70% [of Blumberg’s sample] report having been socialized to a humanistic, religious, or political ethic stressing justice and equality.” Id. at 712. The former was true of Barbara; the latter was true of both Jean and Barbara.
244 Jean’s family was so politically active and connected that Jean once shared a car ride of about an hour with Eleanor Roosevelt as Jean’s mother drove Mrs. Roosevelt (in a new Cadillac from her husband’s dealership) from an engagement in New York City to Nyack, New York. November 23, 2011. Interview with Jean Yehle. Notes on file with author.

Another side story about the political contacts of Jean’s parents, and particularly her father, merits recording. After Jean’s father sold his auto dealership, Jean’s parents moved to Key Biscayne and purchased a house on Biscayne Bay. It just so happened that their home was only a few houses away from what was to become known as President Nixon’s Key Biscayne White House. It was also near the home of Nixon’s close friend, Bebe Rebozo (of Watergate fame). Jean’s father owned Key Biscayne Bank and Trust with Bebe Rebozo, and Nixon was an occasional visitor to the Tomassis’ home to enjoy a hearty breakfast prepared by Jean’s mother. Despite their strongly held political differences, the President and Jean’s father liked one another and Nixon could count on Tomasi to give him the hard line liberal Democrat view on almost any subject. At times when discussing politics with his fellow Republican Rebozo, Nixon would refer to Mr. Tomassi and ask “What does the Ol’ Democrat think?” November 23, 2011. Interview with Jean Yehle. Notes on file with author.
245 “Most sample members report that they did not translate their first internally-felt reaction against racial injustice into overt action. The personal pain was tolerated because of shyness, uncertainty, or a sense of powerlessness. . . .” See Blumberg, supra note 10, at 713. However, it should be noted that as a Northern woman in the South, Jean had additional reasons for not voicing her views to her Southern neighbors – the proportionally greater risks involved. “[T]ypically, the first mode of entry into the movement came through membership in traditional organizations, such as YWCA’s, PTA’s, church social action groups, Leagues of Women Voters, and political parties.” See Blumberg, supra note 10, at 715. Except for the latter, the same was said of southern white women who became active in the movement. See infra Part III. A.
246 See Blumberg, supra note 10, at 717.
247 “Personal and family health, and the need to find full-time employment turned out to be important variables [in duration of involvement].” See Blumberg, supra note 10, at 719–20.
matched the top two eventual professions of the northern women participants in the Blumberg study.\textsuperscript{248}

Blumberg noted that terms such as “civil rights radicals” versus “civil rights liberals,”\textsuperscript{249} or “core” versus “peripheral”\textsuperscript{250} members, have been used to differentiate among civil rights activists based on their commitment to the cause, as distinguished from their over-all political radicalism.\textsuperscript{251} If such labels are used, Jean, as a newcomer to the movement whose activities were limited in time and extent, was clearly a “civil rights liberal” or “peripheral” member, while Barbara’s long term involvement in two Southern cities, her active participation with the NAACP, and her willingness to be exposed to danger and retaliation made her a “civil rights radical” or “core” activist.\textsuperscript{252} This difference might explain the differing emotional reactions of Jean versus Barbara during the march. Jean was very frightened. It was the first time she had taken such a risk, and she was on her own, without the family support enjoyed by Barbara. No one knew where she had gone if she failed to come home. Jean had never seen law enforcement in the role of “them” rather than “us” before. On that occasion, for just one moment, Jean experienced and identified with blacks’ characterization of law enforcement – intimidating, frightening, potential perpetrators of great physical harm.\textsuperscript{253} Her emotional reaction was, for just that instant, a miniature version of that described by Sheyann Webb, a 12-year old black girl, as she saw troopers and Sheriff Jim Clark’s possemen on horseback at the Edmund Pettus Bridge shortly before the officers’ brutal attack on marchers participating in the first Selma to Montgomery march.\textsuperscript{254} As a civil rights neophyte, Jean did not distinguish between local and state law enforcement, both of which were often the perpetrators of shocking violence against civil rights activists, and national guardsmen, who were directed by federal authorities and were at times called in to protect marchers.\textsuperscript{255}

\begin{flushleft}
\textsuperscript{248} See Blumberg, supra note 10, at 725. A reading of Careers of Women Civil Rights Activists in its entirety reveals further similarities. See generally Blumberg, supra note 10.
\textsuperscript{249} See Blumberg, supra note 10, at 711 (citing ALPHONSO PINKNEY, THE COMMITTED: WHITE ACTIVISTS IN THE CIVIL RIGHTS MOVEMENT (1968)).
\textsuperscript{250} See Blumberg, supra note 10, at 711.
\textsuperscript{251} See Blumberg, supra note 10, at 711.
\textsuperscript{252} Blumberg also described the concept “white positivism” that was said to characterize “that small number of white Americans who not only think that blacks should gain complete equality for their own sake, but believe that it is essential for liberating whites, morally and ethically.” See Blumberg, supra note 10, at 711 (quoting CHARLES F. MARDEN & GLADYS MEYER, MINORITIES IN AMERICAN SOCIETY (5th ed. 1977)). Blumberg went on to say that the women in her sample most closely fit the concept “white positivism,” or “civil rights radicals.” Id. Both Jean and Barbara fit within the former concept, but only Barbara would fit within the latter.
\textsuperscript{253} Not “the nice policeman on the corner” as many young white girls, including myself, were apt to envision.
\textsuperscript{254} See generally, SHEYANN WEBB, SELMA, in “TAKIN’ IT TO THE STREETS” 52 (Alexander Bloom & Wini Breines eds., 1995).
\textsuperscript{255} In the second Selma to Montgomery march, undertaken with federal court approval, soldiers protected the marchers. See Webb, supra note 254, at 56. “[W]e . . . went to the bridge and there
Barbara had been at odds with government officials before; she also was aware instantly of the difference between “dangerous” local and state law enforcement versus federal forces, although she also believed that she likely was “on the Feds radar screen” and therefore had reason for some concern. Like Jean, Barbara was keenly aware of the deadly rioting in other cities, but Barbara was not especially frightened during the march. Barbara’s dominant emotion was great sadness at the loss of Dr. King and a sense that Memphis was a city in disgrace. To her, the march was but another entry, albeit terribly sad and somewhat dangerous, in a joint career of civil rights activism she shared with her husband, a career that had involved much danger.

Unlike northern women involved in the civil rights movement in the North, Jean and Barbara’s activities conflicted directly with the cherished mores of the southern society in which they lived. It attacked Jim Crow upon which the southern (and Memphis’ own) social and economic systems were based. Moreover, such activism was hardly ladylike and threatened the revered symbol of “sacred white womanhood,” a fundamental element of the self image of the South. According to Dr. Alvin Poussaint, in his article, *The Stresses of the White Female Worker in the Civil Rights Movement in the South,* about northern white women who came to the South as civil rights workers,

> The white woman st[ood] at the very center of the ‘Southern way of life.’ For the Negro she [wa]s the tabooed and revered object. It has been in her name and for her glory that the white South has oppressed, brutalized, lynched, and mutilated the black man for centuries. Violation of the sociosexual taboo[s] surrounding the white woman has frequently meant instant death for the Negro, particularly the Negro male.

For a southerner to undermine the status quo meant rejection and danger. For a female to do so was more offensive because she was undermining the myth

---

256 Jean’s only prior negative experience with a government official was the brief dismissive and demeaning encounter with Mayor Loeb at his office.
257 Barbara and Bob did not bring their children to the march even though they had brought them to hear Dr. King speak at the Mason Temple. The thought of bringing their children to the march did not cross their minds – they got a sitter.
258 For Barbara’s husband Bob, the risks during the voter registration drive of the summer of 1965 were like those of Freedom Summer. He risked imminent bodily harm, kidnap and murder. For Barbara during Bob’s activities in the summer of 1965, she was a woman without a college education who risked widowhood, with children to raise without her husband’s income, if he were killed. For her own activities, she directly risked vilification, social rejection and possible physical harm, but it did not compare with the grave danger faced by voter registration field workers.
259 See generally Poussaint, *supra* note 12, *passim*.
of sacred southern white womanhood. For a northern newcomer female to do so and to expect to be welcomed and enfolded into the community was folly.\textsuperscript{261}

Given her background and schooling, Jean was thoroughly aware of this. She knew it instinctually as well as intellectually. She also knew the role she had chosen for her life. Jean saw her role as a wife and mother in the light of the times. Furthering her husband’s career, protecting her children, and being an upstanding member of the community were valued aspects of her life. They were key elements of her identity. Jean knew what she was risking. She wanted to live up to her convictions about racial justice, but she did not want to be the cause of harm to her husband and sons. She was taking her first tentative steps on a potentially dangerous journey – alone. She was also less sure than Barbara about her family’s situation. She was new to being “a faculty wife,” but she knew that her husband wanted to be a professor more than anything. And, she knew that Art was in a grant-based position; he did not have tenure; he was not even on the tenure-track, but longed to make the conversion. Except for Barbara and Barbara’s husband, Jean knew nothing of the faculty’s views on racial matters, but she knew the volatility of the issue. And, she knew that a faculty could decline to appoint an applicant to a tenure-track position without stating the real reason for their decision. In contrast, Barbara knew that she was risking social rejection in the community and possible physical danger, but she did not care. She had done so for a long time. She and her husband were co-laborers in the movement. They had made that decision years earlier as they drove by car on their move from Lansing to Baton Rouge. They had included their children in the effort, and, by the time they got to Memphis they were a team of seasoned civil rights activists. Besides, Bob had tenure and had been recruited heavily by Memphis State. Barbara and Bob felt relatively secure based on past experience with LSU’s refusal to dismiss faculty for their stance on racial issues despite political pressure. And, Bob was well known and established. He could get a job elsewhere, if necessary.

The stresses faced by Jean and Barbara were similar in some ways to those of young northern white women who traveled to the South to serve as civil rights workers as described by Dr. Alvin Poussaint in \textit{The Stresses of the White Female Worker in the Civil Rights Movement in the South} \textsuperscript{262}. Yet in many ways, they were very different. The young “outsider” women described by Dr. Poussaint expected to be vilified by the southern white population. They were

\textsuperscript{261} Tinkr v. Des Moines Independent Community School District, 393 U.S. 508-09 (1969), (discussing the risk one takes when exercising their right of freedom of expression in the form of symbolic speech that deviates from the majority opinion and the important impact of that deviation will have on history. “…[O]ur Constitution says we must take this risk,... and our history says that it is this sort of hazardous freedom-this kind of openness-that is the basis of our national strength and of the independence and vigor of Americans who grow up and live in this relatively permissive, often disputatious, society.”).

\textsuperscript{262} See generally Poussaint, \textit{supra} note 12, passim.
delivering a karate kick to the jaw of the “sacred white womanhood” myth to which the South clung. They were not exempt from vicious verbal or physical attack because of their gender. In the southern view, they were fallen women who deserved to be loathed and punished. Jean and Barbara were fully aware of the extreme reaction, involving both verbal vilification and physical violence, by segregationist southerners against the college age northern women who traveled to the South to participate in the Freedom Summer voter registration drives of the summer of 1964, not quite four years earlier. This awareness was reflected in Jean’s fear and Barbara’s unsentimental resolve.

In addition to expected animosity from segregationist southerners, women who traveled to the South to participate in civil rights efforts faced unexpected stresses. According to Dr. Poussaint, many experienced ‘cultural shock’ similar to that of Peace Corps workers in foreign countries upon finding themselves, usually by choice, sharing the homes, food and social activities of impoverished black families with little education. In addition, those families did not know how to react to the new, taboo members of their households. And, the white women discovered their own unconscious attitudes toward people of color, all of which added to their stress. When these women went out in the field to encourage voter registration or to perform other field work at considerable risk to themselves, poor black families often reacted with distrust and fear that the women workers sometimes mistook for apathy. Middle class blacks often joined in rejecting them. “Many [civil rights] project leaders would not accept white girls in their areas because of the heightened prospect of racist violence when they were present.” Their presence also generated difficult, and often disruptive, interpersonal relations among project co-workers ranging from awe, resentment and jealousies, to thinly veiled, and outright, hostility. Often, these were the only white women to whom black workers had access and some directed their reactions to discrimination and “sacred white womanhood” - bitterness, resentment and hostility - toward these women.

See Poussaint, supra note 12, at 403.
See Poussaint, supra note 12, at 401.
See Poussaint, supra note 12, at 403.
See Poussaint, supra note 12, at 402.
See Poussaint, supra note 12, at 402.
See Poussaint, supra note 12, at 402.
See Poussaint, supra note 12, at 402.
See Poussaint, supra note 12, at 100, 110.
See Poussaint, supra note 12, at 402.
See Poussaint, supra note 12, at 402.
See Poussaint, supra note 12, at 402.
See Poussaint, supra note 12, at 402.
See Poussaint, supra note 12, at 403.

These uninformed outsiders were asking them to take risks for which there could be retribution long after the civil rights workers had left – murder, beatings or other physical harm, loss of jobs; cancellation of home, business and farm leases; termination of sharecropper arrangements; shopkeepers refusing to sell needed goods, etc. See WEISBROT, supra note 12, at 94, 100, 110.

See the penalties for interaction with “white women” at text accompanying note 260, supra.
Blacks quite understandably resented the media attention paid to white girls who were the target of any type of racist violence. Dr. Poussaint reported that one black female worker exclaimed, “We’ve been getting beaten up for years. . . . But these white girls come down here for a few months and get all the publicity. Everybody talks about how brave and courageous they are. What about us?”

Moreover, many of the white women contributed to their own difficulties by entertaining their own fantasies of the “beautiful white woman leading the poor, downtrodden, and oppressed black man to freedom and salvation” or falling victim to a sense of guilt. Dr. Poussaint noted that the combination of stresses was overwhelming for all but the most emotionally mature of the group. Many went home early in emotional turmoil.

Jean and Barbara completely avoided this aspect of the stress that plagued many northern women who came to the South specifically for the purpose of participating in civil rights work. However, Jean and Barbara traded it for their own particular type of stress. The northern women who came to the South solely to serve as civil rights workers had the option to “go home,” and many of them did so in reaction to the stress. Jean and Barbara had no such option. They were home, and the more they acted on their commitment to civil rights, the more they risked retribution and social, economic, emotional and physical harm to family and home. Jean, in particular, feared these threats. As between these two categories of women, the northern women who came to the South as temporary civil rights workers, or northern women for whom the South was now home, it is open to debate as to which group suffered the greater stress.

If the northern white women who came to the South to work for a time in the civil rights movement were despised and characterized as “outside agitators,” southern white women who became involved in the movement could be labeled “traitors” by segregationists -- and sometimes, they were so labeled, and so treated.

Material for this section is largely drawn from Professor Gail S. Murray’s anthology, *Throwing Off the Cloak of Privilege, White Southern Women Activists in the Civil Rights Era.* Interestingly the book was inspired while Professor Murray was researching the Memphis Sanitation Strike. Professor Murray became “acutely aware of the absence of women’s voices in the history of that labor and civil rights struggle.” In her work to see whether women played a role in that effort, she “discover[ed] a whole network of black, white, and biracial organizations [of women] working on various kinds of racial

---

276 See Poussaint, *supra* note 12, at 402–03.
278 See Poussaint, *supra* note 12, at 404.
279 See Poussaint, *supra* note 12, at 401, 404, 405.
280 See generally Poussaint, *supra* note 12.
281 See generally Murray, *supra* note 11.
282 See Murray, *supra* note 13, at xiii.
issues." She went on to compile an anthology of experiences of native-born southern white women in the civil rights movement in various parts of the South. The white southern women who became active in the 1950’s and 1960’s movement on behalf of the civil rights of blacks were atypical. Most southern white women went along with the Jim Crow status quo. Many southern white women embraced a racial superiority ethic.

Unlike the few white antislavery women in the decades leading up to the Civil War who labored in the North in an effort led by, and largely shaped by white men and women, these women labored in the South in a movement initiated, dominated and supported mostly by African Americans. 

“The civil rights movement was principally a southern undertaking. . . .” “In order to support these black initiatives, white women had to concede some of the racial privilege to which they had been accustomed.”

“[T]he movement faced fierce, sometimes violent, resistance from many of its opponents. Therefore the white women of the South who opposed segregation and gave varying degrees of support . . . did so within a very dangerous context. . . . [T]hey acted directly against powerful segregationist forces in their southern communities. Often they went against their own family’s racial views.”

Although the southern white women activists were atypical in their opposition to Jim Crow, they were everyday women. Most of the women whose stories appear in Murray’s volume were married, middle-aged and privileged. Most came from urban settings, but there were also those who labored in rural

283 See Murray, supra note 13, at xiii.
284 See Murray, supra note 33, at 4–6.
285 See Harrold, supra note 13, at xi.
286 See Murray, supra note 33, at 9. Thus, Jean did not discuss matters of race with them. See supra note 70 and accompanying text. Professor Murray elaborates that the myth of southern white womanhood envisioning the southern white lady placed on a pedestal, as “the recipient of a long tradition of privilege and protection[,]” was the premise for “much of the support for male political power, racial segregation, and ingrained class mores. . . .” See Murray, supra note 33, at 2.
287 See Murray, supra note 33, at 2 (“[M]edia images born in Little Rock and New Orleans of white mothers screaming invectives as African Americans sought to enroll in public schools confirm that many white women embraced a racial superiority ethic.”).
288 See Harrold, supra note 13, at xi–xii.
289 See Harrold, supra note 13, at xii.
290 See Harrold, supra note 13, at xii.
291 See Harrold, supra note 13, at xii. Professor Murray noted that even while voluntarily undertaking such risks to become supporters of racial equality, the women in her essays “struggle[d] with the dark corners of racism in themselves” as well as in their communities. See Murray, supra note 13, at xiv. I speculate that even today, many pro-equality whites, possibly even myself, have such corners of guilt or racism that need to be cleaned out.
292 See Murray, supra note 33, at 3.
Despite Professor Murray’s focus on the more mature age group, some white female southern college students became involved as well. According to Murray, “[t]he [adult] women featured [in her book] had to negotiate the boundaries of southern gender and racial norms with additional baggage in hand: their marital responsibilities, social status, and domestic roles [that] were already well established when they became involved in racial justice activities.” Thus, these women were in comparable status to Jean and Barbara. Professor Murray opines that these adult women and the white southern female college students “shared only their proclivity for community organizing and their abhorrence of racial injustice.”

The precursor to activism for adult southern white women activists was often involvement in traditional women’s groups for women of their status – church benevolence projects, United Church Women, missionary aide societies, and the YWCA. Often their roles as mothers and concern for the future contributed to their decisions to become involved. They participated in a network of organizations, the members of which provided them with moral support helpful in withstanding opposition. Some organizations provided opportunities for black women to educate southern white women about the evils of Jim Crow and to help them “understand[ ] the daily indignities and disabilities racial discrimination perpetuated.” Some provided opportunities for interracial friendships. “Most white activists readily acknowledged their indebtedness to mentors in the African American community.”

293 See Murray, supra note 33, at 3.
294 See Murray, supra note 33, at 8 (citing Christina Green, “‘We’ll Take Our Stand’: Race, Class and Gender in the Southern Student Organizing Committee 1964-1969”, in HIDDEN HISTORIES OF WOMEN IN THE NEW SOUTH 191 (Virginia Bernhard ed., University of Missouri Press 1994)).
295 See Murray, supra note 33, at 8. Although Professor Murray does not discuss the matter, this sentence recognizes that women at that time operated under the disabilities of “coverture” once they married. See infra note 343 and accompanying text. Professor Murray notes directly at least one woman “attributes the awakening of her feminist consciousness to experiences in the civil rights struggle” and that “the original feminist protest letter” written by Mary King and Casey Hayden was written in reaction to conditions that were commonplace in SNCC (Murray also notes that King and Hayden maintain that gender discrimination did not hinder their fight for racial justice). See Murray, supra note 33, at 8. Professor Murray also states that “[m]any of the white [female] student activists who left the Student Nonviolent Coordinating Committee (SNCC) turned to activism on behalf of women’s issues.” Id.
296 See Murray, supra note 33, at 8.
297 See Murray, supra note 33, at 9–16.
298 See Murray, supra note 33, at 11–13.
299 See Murray, supra note 33, at 9.
300 See Murray, supra note 33, at 6. The quoted language refers to the women profiled in Murray’s book. However, a reading of the Introduction to Professor Murray’s book, and Chapter 8 specifically concerning Memphis, indicate that this was characteristic of many of the women who worked for racial justice. See Murray, supra note 33, at 1–22; Murray, supra note 14, at 204–229.
301 For example, the Memphis’ Saturday Luncheon Club. See Murray, supra note 14, at 209.
302 See Murray, supra note 33, at 6.
“Shortly after the black freedom struggle gained national attention through its direct action campaigns, journalist William Peters wrote that ‘[i]ncreasingly in the South, quietly and usually without fuss, white women – and more particularly white churchwomen – are lining up on the side of desegregation.’” \(^{303}\) “Some . . . affiliated with black organizations” and others “worked in separate white organizations dedicated to [the civil rights movement].” \(^{304}\)

Although the transition from traditional southern woman to civil rights activist may have occurred without fanfare, it was not without consequences. The southern white women’s support for the civil rights movement placed them squarely in the “dangerous context” mentioned above. They “risk[ed] their own social and physical security to work for change.” \(^{305}\) “Those activists with children feared for their safety . . . .” \(^{306}\) Some were merely despised. Others suffered damage to their property; physical attacks, and death threats. \(^{307}\) One woman “and her husband were indicted on charges of sedition in the 1950s for helping a black family buy a home in a white neighborhood.” \(^{308}\) Even the moderates were on “thin ice,” like Jean and Barbara.

The women in Professor Murray’s anthology “spent their adult lives . . . pursuing racial justice and equal opportunity.” \(^{309}\) “[M]ost . . . became pariahs in their church and social circles.” \(^{310}\)

Southern white women who cooperated with the civil rights movement did so at differing levels and with differing strategies. \(^{311}\) Some “cultivated [connections and] friendships with socialists, Communists, labor organizers, and African American civil rights activists.” \(^{312}\) Others held onto their genteel “white gloves and pearls” personas as they challenged deep-seated white prejudice while remaining focused on women’s domestic and moral roles as society’s housekeepers. \(^{313}\) Most of the southern women, it seems, had a racial justice conversion experience that moved them to throw off their cloaks of white privilege. \(^{314}\) For some, that conversion came out of Christian convictions of the

\(^{303}\) See Murray, supra note 33, at 3 (citation omitted).

\(^{304}\) See Harrold, supra note 10, at xii.

\(^{305}\) See Murray, supra note 33, at 9. Professor Murray notes that their activism came “at the cost of friendships, status, economic security, and sometimes family support.” Id.

\(^{306}\) See Murray, supra note 33, at 13.

\(^{307}\) See Murray, supra note 33, at 13-14.

\(^{308}\) See Murray, supra note 33, at 14.

\(^{309}\) See Murray, supra note 33, at 16. Professor Murray notes that “[w]e know little about the southern white women who entered the civil rights struggle briefly and then left it to resume private lives, other volunteer causes, or professional careers.” Id. Jean would fit this description, but within her own category, the activist category of northern white women who lived in the south.

\(^{310}\) See Murray, supra note 33, at 10.

\(^{311}\) See Murray, supra note 33, at 14–16.

\(^{312}\) See Murray, supra note 33, at 14.

\(^{313}\) See Murray, supra note 33, at 14–15. Murray, supra note 33, at 4 (“social housekeeping’ role,”)

\(^{314}\) See Murray, supra note 33, at 9 - 12.
brotherhood of all people. For others, it arose out of southern noblesse oblige. Still others "believed they had escaped a kind of 'bondage' . . . when they confronted their own racial prejudices." All the women [whose stories were collected by Professor Murray] shared a basic optimism, perhaps ill founded, about the willingness of white southerners to change. They held deep commitments to equal justice and fair play.

Jean and Barbara shared commitment to equal justice and fair play with white southern women activists. However, as outsiders without lifelong ties to the community, they were less optimistic, and perhaps more objective, about the willingness of southerners to end Jim Crow and its accompanying racial and economic inequality. They believed that change would be slow in coming — and ugly. They were very much aware of the resistance and violence that had already transpired in the civil rights movement. Barbara and Jean lived in and were active in the same “dangerous context” as the white southern women. Unlike the local born women, they had no safety net of intact relationships. However, as newcomers, they did not have to bear the termination of lifelong friendships due to their activism. Barbara, up until the time chronicled in this article, had devoted most of her adult life to the cause. Although she had not been in Memphis for most of that time, she was probably well on her way to pariah status in Memphis.

Neither Jean nor Barbara had to undergo a “conversion experience” in order to oppose Jim Crow. Barbara had grown up in an integrated community and had had black friends for many years before moving to the South. For her, integration was proper and “no big deal.” She was “shocked into activism” by the evidence of Jim Crow that she saw as she and her husband had traveled by car during their move from Lansing, Michigan to Baton Rouge, Louisiana. Jean’s experience with racial matters had been primarily intellectual. She was greatly offended by the hypocrisy and complacency toward the status of blacks that she saw when she moved to Memphis. Barbara’s encouragement inspired her to act. At the time she began to attend the biracial women’s group meetings, Jean had never before had college educated black female acquaintances. The mentoring she received from the black women in the group provided further incentive. Both Jean and Barbara found the economic and social injustice of the south to be abhorrent as did their southern counterparts.

315 See Murray, supra note 33, at 10.
316 See Murray, supra note 33, at 7, 10.
317 See Murray, supra note 33, at 9 (citing Fred Hobson, But Now I See: The White Southern Racial Conversion Narrative 2, 5 (Baton Rouge: Louisiana State University Press 1999)).
318 See Murray, supra note 33, at 9.
319 See supra notes 192 and accompanying text.
320 June 28, 2010. Interview with Jean Yehle. Notes on file with author. Professor Murray notes similar experiences among southern white women activists: “Many white [women] activists sought ‘tutoring’ from African American friends in order to root out paternalistic tendencies and radicalize their understanding of race-class dynamics as they committed themselves to biracial work;” (Murray, supra not 33 at 16); Most white [women] activists readily acknowledged their
Professor Murray’s introduction to her anthology began with a picture of the Memphis Cares Rally. The caption read, in part, “The Memphis Cares rally, a biracial gathering held in Crump Stadium in Memphis three days after the assassination of Dr. Martin Luther King, Jr.”

The picture showed mostly white faces with some black faces in the gathering. Neither Jean nor Barbara attended the event. Jean was not even aware of it, but hearing about it 44 years later made her angry. She felt that if Memphis really cared, it would not have tolerated the black sanitation workers’ situation and would have demanded that its leaders correct the situation immediately when the strike began and the facts became known. In fact, they should not have tolerated the economic oppression in the first place. “What Memphis really cared about was the fact that it was a city in disgrace. Its’ hypocrisy had been found out and its image badly damaged. This was a rally for image control.”

When I showed Jean the picture, Jean said, “Where were all those white people and the cameras during the march? Why didn’t they march? – Oh, but if they had marched, they would have also been supporting badly mistreated black workers as well as honoring Dr. King.”

She laughed as a smile flashed across her still attractive face and sparkling blue eyes, “I think I just made my point.”

I read to Jean the following from Professor Murray’s Introduction

In Memphis, some women became activists only after the assassination of Dr. Martin Luther King, Jr. Initially believing

indebtedness to mentors in the African American community.” Murray supra note 33, at 6.

321 See Murray, supra note 33, at 1.

322 CZ: INSERT CITE TO INTERVIEW. Although the rally itself may not have been motivated by business image concerns, Ann Trotter is of the opinion that most business leaders’ interest was primarily financial and a matter of image. And, as for “image” it is equally true that Memphians prided themselves on their imagined “clean city” image mentioned earlier. See supra note 77 and accompanying text. Anne Trotter concludes that “[p]rior to Dr. King’s murder, probably 75 to 95 percent of the white business community had supported [Loeb’s intractable hard line position on the strike].” See Trotter, supra note 21, at 297. Only very late, April 2, 1968, two days before King’s assassination, did business leadership emerge to attempt to get Loeb to end the strike – not because they repudiated the mayor or his position on the strike, but because national coverage was putting the city in the worst possible light and this was bad for business. Id. at 295. Two businessmen, John T. Fisher and Fred Beesom, had become involved in early March 1968 when they had vague premonitions of disaster and tried to “do something.” They and two others, attempted to no avail to get the mayor to relent, then went to meet with Rev. Lawson, the leader of COME, on March 18, 1968. They were equally unsuccessful in persuading other businessmen and council members to talk with Lawson. According to Trotter, the “Memphis Cares” rally was organized by Fisher, with no Chamber of Commerce assistance, in three days after King’s death, as an expression of Fisher’s concern about the community. It (the rally) was a tough session, the first time in years that there was real communication between the races. Id. at 296. Business concern about image intensified after King’s death when an article in Time magazine referred to Memphis within one sentence both as a “Southern backwater” and a “decaying Mississippi River Town.” Id. at 297 (citing Nation: THE ASSASSINATION, TIME MAGAZINE, Apr. 12, 1968, at 18).

323 CITE TO INTERVIEW

324 NEED CITE FROM JEAN
that their city had “good race relations” because there had been no violence during desegregation, many came to face and understand their ignorance about African Americans’ constant struggles. One referred to the Memphis Sanitation Workers’ strike as a “Paul of Tarsus experience” that opened her eyes to the double oppression of race and class in her supposedly genteel city.325

and,

“For many white Memphians, this rally marked the beginning of their work with the Panel of American Women or the Concerned Women of Memphis and Shelby County.”326

“In that case,” Jean replied, “the rally served some positive purpose and I’m very glad that more white women became active after I left Memphis.”327

B. Legal Narratology

Legal storytelling or “legal narratology”328 “is concerned with the story element in law and legal scholarship.”329 It is connected closely to the law and literature movement.330 A story, or narrative, “is a true or fictional account of a sequence of events unfolding in time, the events being invented, selected, emphasized, or arranged in such a way as to explain, inform or edify.”331 Narratives are commonly used “in history, in biography, in literature, in myth and most religions.”332 “Legal historians and anthropologists [employ] individual

325 See Murray, supra note 33, at 11–12 (citing an Interview by Gail S. Murray of Annabelle Whittemore (Oct. 19, 1999)).
326 See Murray, supra note 33, at 1. The Memphis chapter of the former organization was formed shortly after Dr. King’s assassination. See Murray, supra note 14, at 217. The latter organization was formed in 1969 when the Memphis City Council refused to take seriously the positions of Memphis women who were both endeavoring to assist sanitation workers and avoid another confrontation when the sanitation workers’ contract had to be renegotiated by July 1969. Id. at 219, 221.
327 FN FROM JEAN.
328 See Posner, supra note 235, at 737.
329 See Posner, supra note235, at 737.
330 See Posner, supra note 235, at 737. Professor Posner describes it as a subspecialty of the law and literature movement. Id. Professor Amy Ronner relies upon the work of Professor Jane Baron in dividing law and literature into three subsets, the “humanistic” (which includes law in literature), the hermeneutic (which includes law as literature and proposes that literary interpretative theory be used to analyze legal documents) and the narrative strand that incorporates legal storytelling and posits that stories are the heartbeat of the law. See AMY D. RONNER, LAW, LITERATURE, AND THERAPEUTIC JURISPRUDENCE, 14–15 (Carolina Academic Press 2010). Professor Ronner then goes on to connect law and literature with therapeutic jurisprudence. Id. at 17. This article applies the analytic mode. See infra Part III.C.
331 See Posner, supra note 235, at 737–38.
332 See Posner, supra note 235, at 738.
stories to enrich intellectual or cultural description, or respond to normative problems.\textsuperscript{333} Stories are important in litigation.\textsuperscript{334} They play a smaller role in legal scholarship, but are growing in importance.\textsuperscript{335} Narratives are used especially “to stir the reader to a more vivid awareness of the predicaments of the oppressed.”\textsuperscript{336} They typically are the story of a person within the oppressed population, such as women and minorities,\textsuperscript{337} and are referred to as “‘stories from the bottom.’”\textsuperscript{338} “The core of the storytelling movement is the claim that stories told by the oppressed have special value.”\textsuperscript{339}

“[S]tories can contribute significantly to our understanding of the law . . . \textsuperscript{340}

The modern civil rights movement is particularly well suited to presentation via legal narratology. It is a movement that started “from the bottom,” \textit{i.e.}, by blacks – the population subject to the oppression – and was dominated and supported primarily by blacks.\textsuperscript{341} It cannot be fully comprehended without understanding the stories and goals of its many participants. The more stories we learn from different categories of participants, the more comprehensive our understanding will become. These stories are compelling; and law is a crucial element in them. For example, the first Selma to Montgomery march ended in a shockingly attack by law enforcement officers upon the marchers. The second Selma to Montgomery march was enabled by a court order.\textsuperscript{342} The legal move of nationalizing the state National Guard in certain states provided protection for activists’ exercise of rights protected by federal law. The Supreme Court’s decision in \textit{Brown v. The Board of Education} and the manipulations of law in various states were critical in the drama of school desegregation.

At the time that Jean and Barbara engaged in the activities in this article, no one would have considered their stories to be “from the bottom” or anywhere close to it. Rather these are stories of women of the “privileged” class who took offense to the oppression of blacks.\textsuperscript{343} Today’s feminist thinkers would point out

\textsuperscript{334} See Posner, \textit{supra} note 235, at 738.
\textsuperscript{335} See Posner, \textit{supra} note 235, at 739.
\textsuperscript{337} See Farber, \textit{supra} note 336, at 808.
\textsuperscript{338} See Farber, \textit{supra} note 336, at 808.
\textsuperscript{339} See Farber, \textit{supra} note 336, at 824. “[S]pecial benefits may flow from stories ‘from the bottom.’” \textit{Id.} at 808.
\textsuperscript{340} See supra note 333 - 339 and accompanying text; see also supra note 288 – 289 and accompanying text.
\textsuperscript{342} This, however, does not mean that Jean and Barbara could not be the subjects of oppression.
that they were subjected to their own variety of oppression, even if they were not consciously aware of it. Perhaps it made them more empathetic to the very obvious oppression of blacks. They joined the southern women described by Professor Murray by “throwing off” their “cloaks of privilege” to join the civil rights movement. This point is also made by scholar Michael Honey who has written extensively on the Memphis march and personally took part in activist activities there, starting in 1970.  

Professor Honey says,

> In Memphis, King joined forces with black workers, ministers, young people, women, and a broad range of activists who turned the town upside down for sixty-five days in the winter of 1968 under the banner, ‘I Am a Man.’ It was the simplest of demands: the right to human dignity, which translated to union power on the job. Union organizer William (Bill) Lucy called this mass community mobilization “the spirit of Memphis.” King defined that spirit as one in which the better-off help the poor to change their lives.

As participants from the majority sector who insisted on dignity and economic fairness for blacks, Jean and Barbara precisely fit this description. Yet,
there is more about women like them that has yet to be included in the record. These particular women were northern white women who lived in the South and who intended, at the time of their civil rights activism in Memphis, to remain living there on a permanent basis. Legal narratology is the most appropriate way to begin to fill in the “blank” in the literature about the activism of women in Jean and Barbara’s classification.

A number of criticisms have been leveled at legal storytelling as a form of legal scholarship. This article will not attempt to describe in detail, support or debunk any of them. They are raised simply to show how this article has attempted to address some of them. Among the objections raised against legal narratology are the questions of their representativeness (also referred to as “typicality”) and the reliability of the stories. Professors Farber and Sherry also maintain that legal scholars utilizing this method need to “articulate the legal relevance of the stories, and to include an analytic dimension in their work.”

As for the issue of reliability/veracity, the fact that Jean and Barbara’s stories so perfectly fit both Honey’s profile and Dr. King’s description – although neither of them were aware of Honey’s work or Dr. King’s description, or the many other scholarly works about the Memphis strike – help establish their credibility. Their stories also mesh with the attitudes and facts described by Professors Murray and Trotter, as well as Earl Green’s dissertation. There are so many congruencies between the women’s stories and these sources which were unlikely read by Jean and Barbara – especially Green’s dissertation, that reliability of their stories is the most obvious conclusion. The common threads in Jean and Barbara’s narrative with the literature about both northern white women and southern white women are logical, as are the distinctions between Jean and Barbara’s experiences and those of northern white women who came to the South for civil rights work. The logical connections with and distinctions between other information at our disposal, information not likely read by Jean or Barbara, help establish their credibility. Of course, there were differences in the women’s renditions of the facts – in the categories of “who else was there” and in what seems to be Jean’s perhaps inflated opinion of Barbara’s role in the women’s group and in the group’s recommendations for the mayor. In and of themselves these differences illustrate truths that people’s recollections fade over time, and that their recollections can differ depending on their preexisting relationships with other actors and what seemed important or noteworthy to them at the time the events were occurring. The stories also evidence differences in the emotional

---

346 Professor Posner refers to it as representativeness. See Posner, supra note 235, at 742. Professors Farber & Sherry use the term typicality. See Farber, supra note 336, at 809, 838–40.
347 Professors Farber and Sherry refer to this as “validity.” See Farber, supra note 336, at 831. They note, “[o]ne might view this as the question of whether the raw ‘data’ of the stories themselves are sufficiently reliable that they can be put to further use . . . .” Id.
348 See Farber, supra note 336, at 809.
349 See generally HONEY, supra note 16.
350 See generally Murray, supra note 14; Trotter, supra note 21; Green, supra note 2.
reactions of the two women. These differences do not detract from the stories; rather, they add depth and genuineness. It makes it clear that the women did not contrive their stories. Although the legal narratology of Jean and Barbara is a first effort to add women in their category to the factual historical record, the consistency of their stories with the rest of the record seems to make it a generally reliable starting point.

As for whether the stories of Jean and Barbara are representative of women in their category, it is hard to tell since this work is, to the best of my knowledge, the first to add this additional category of participants. This article does not purport to insist that they are typical. Other white women in their category in other cities may have had different experiences. Other northern white women who participated but intended to remain permanent residents of Memphis may have had different reactions. This is a starting point. However, I feel that it is a good starting point. The similarity of Jean and Barbara’s reasons for getting involved (although a decade apart) and what they were trying to “say” through their involvement would seem to be typical because of their commonality across other categories of white women civil rights activists.

In response to the concern that narratives may be sometimes presented as an end in themselves with little analysis, this article has tried to situate Jean and Barbara among the several categories of white women who became involved in the struggle for civil rights. Analyses based on legal narratology and therapeutic jurisprudence are also included. Interestingly, there is considerable congruence among the analyses, despite their varying origins in social science and law. Of course, analysis, and storytelling itself, are slanted by the storyteller’s perspective and that of the reader. My admiration for these women, and for Jean in particular, is evident. This story, like every other, is mediated by what the subject chooses to say and to emphasize, and by the perspective of the storyteller. I have tried to be transparent by stating my own position and the political positions of Jean and Barbara in the Introduction. Finally, it is important to note that even the traditional, supposedly objective, detached style of legal scholarship has a perspective, traditionally, the majority male way of reasoning, without the relational component that is important to women.

Finally, as for relevance, Jean and Barbara’s stories are highly relevant because they add another category of female civil rights activists to the historical record via first hand accounts. Their stories expand our knowledge of the breadth and complexity of the civil rights movement and expand our understanding of the participation of white women in that movement. Professor Murray has noted that “Recent civil rights history has highlighted the many different voices and strategies that came together to produce ‘the movement.’ Racial difference is but one of the (imposed) categories that separated individual participants. To emphasize the contribution of ‘whites’ might seem to detract from the centrality of African American agency [in the movement].”\footnote{See Murray, supra note 33, at 4.} Thus, it is
important to emphasize that this was a black movement, led by blacks. Yet, without the story of white response – in all its various guises – to black activism, the full story of the civil rights movement cannot be understood. A critical investigation of the white female activist experience remains necessary.\(^\text{353}\)

\textbf{C. Therapeutic Jurisprudence}

The “story” of America’s racial civil rights movement of the 1950’s and 60’s was the story of discrimination and oppression versus rights central to personhood. Jim Crow laws, together with the customs and societal norms that generated those laws and perpetuated both segregation and the economic exploitation of African Americans, were pitted against what are today recognized as federally protected rights, among them constitutional rights protected by the Bill of Rights and federal laws.\(^\text{354}\) This legal narratology invites analysis through therapeutic jurisprudence. This subpart of the article analyzes Jean and Barbara’s experiences, and particularly their reliance on their fundamental rights as citizens, through the lens of therapeutic jurisprudence.

Therapeutic jurisprudence is a jurisprudential philosophy, or way of thinking about, studying and analyzing law, that had its beginnings in the late 1980’s or early 1990’s and was developed initially by its founders, Professors David Wexler and Bruce Winick, to analyze mental health law.\(^\text{355}\) In the ensuing years, it has been applied to an expanding number of areas of law, criminal law,

\(^{352}\) See text accompanying notes 288 and 289, supra.\(^{353}\) See Murray, supra note 33, at 4.\(^{354}\) William v. Wallace, 240 F. Supp. 100, 106 (M.D. Ala. 1965) (confirming that “…the law in this country constitutionally guarantees that a citizen or group of citizens may assemble and petition their government, or their governmental authorities, for redress of their grievances even by mass demonstrations as long as the exercise of these rights is peaceful. These rights may also be exercised by marching, even along public highways, as long as it is done in an orderly and peaceful manner…”).\(^{355}\) Murray, supra note 33, at 15, also notes that the white women activists described in that book “saw themselves as exercising their rights as citizens. . . .” Jean and Barbara were exercising their right of Freedom of Association to strengthen the civil rights movement through participation. James M. McGoldrick, Jr., Symbolic Speech: A Message from Mind to Mind, 61 Okla. L. Rev. 1, 13 (2008) (discussing association in conjunction with speech, stating that “[e]ven the freedom of association seems to be not speech itself, but rather an activity so closely connected to speech as to be protected as a corollary of free speech to the same degree as the association’s message would be protected.”). NAACP V. Alabama, ex rel. Patterson, 357 U.S. 449, 460-61 (1958) (declaring that “[i]t is beyond debate that freedom to engage in association for the advancement of beliefs and ideas is an inseparable aspect of the ‘liberty’ assured by the Due Process Clause of the Fourteenth Amendment, which embraces freedom of speech.”).\(^{356}\) David B. Wexler, Two Decades of Therapeutic Jurisprudence, 24 Touro L. Rev. 17, 18 (2008) (hereinafter, “Two Decades”). See Bruce J. Winick, Therapeutic Jurisprudence Applied: Essays on Mental Health Law 11 (1997) (hereinafter, “TJ Applied”). The first full length book to use the approach of therapeutic jurisprudence was David B. Wexler & Bruce J. Winick, Essays in Therapeutic Jurisprudence (1991) (hereinafter, “Essays on TJ”), which is a series of essays mainly in the area of mental health law.)
juvenile justice, family law, estates and trusts, and contracts, among others. Therapeutic jurisprudence is not merely a field of theoretical study. It finds practical application in analyzing laws, counseling clients, resolving disputes, designing sentences, the functioning of civil courtrooms, practicing preventative law, and the development of legal policy. Problem-solving courts, of which there are now many in the United States, rely on the principles of therapeutic jurisprudence. The influence of therapeutic jurisprudence is also international in scope.

Therapeutic jurisprudence a jurisprudential philosophy that “stud[i]es] the role of the law as a therapeutic agent.” It seeks to utilize social science as it examines whether law and the particular legal proceedings being examined have positive (therapeutic) or negative (antitherapeutic) impacts on the physical and mental health of the individuals it affects. It recognizes that, “legal

357 See Wexler & Winick, Essays on TJ, supra note 356, at __, (explaining how therapeutic jurisprudence probably has application across the entire legal spectrum); see Winick, TJ Applied, supra note 356, 12 (therapeutic jurisprudence has now been applied to correctional law, sexual orientation law, disability law, evidence law, personal injury law, labor arbitration law, commercial law, workers’ compensation law, probate law, and the legal profession).


363 Winick, Jurisprudence of TJ, supra note 360, at 185. In the area of criminal law, it is sometimes confused with, but must be distinguished from, a way of thinking that sees all convicted criminals as victims who ought not be held responsible for their misdeeds. Therapeutic jurisprudence did not arise from that school of thought, but rather from the more pragmatic approach that punishment alone does not produce changed behavior, but rather willing participation in serving a punishment/penalty designed with particularity to have the rehabilitative effect of behavioral change and taking responsibility for one’s acts.

364 Winick, TJ Applied, supra note 356, at 3 (“Therapeutic Jurisprudence seeks to apply social
procedures... constitute social forces that, whether intended or not, often produce therapeutic or antitherapeutic consequences. It is a normative philosophy, in other words, suggests what is good and “ought to be,” rather than merely observing and reporting “what is.” “[I]t posits that positive therapeutic effects are desirable and should generally be a proper aim of law, and that antitherapeutic effects are undesirable and should be avoided or minimized.” It is also consequentialist in that it studies what actually happens in practice, and evaluates law based on its consequences. Therapeutic jurisprudence holds that a sensitive policy analysis of law calls for a systematic study of law’s therapeutic or antitherapeutic effects.

Although it is normative, Therapeutic jurisprudence does not place therapeutic consequences as the ultimate goal of law. It does not act as a sort of litmus test. Rather, it is an analytic tool. Therapeutic jurisprudence holds that although in general positive therapeutic consequences should be valued and antitherapeutic consequences should be avoided, there are other consequences that should count, and sometimes count more. There are many instances in which a particular law or legal practice may produce antitherapeutic effects, but nonetheless may be justified by considerations of justice or by the desire to achieve various constitutional, economic, environmental or other normative goals. Therapeutic jurisprudence therefore does not suggest that therapeutic considerations should outweigh other normative values that the law may properly seek to further. It does not end the conflict when other normative values are in conflict. Rather, it calls for

\[\text{science to examine law’s impact on the mental and physical health of the people it affects.}\]

\[\text{see also AMY D. RONNER, LAW, LITERATURE AND THERAPEUTIC JURISPRUDENCE 3–41 (describing therapeutic jurisprudence as well as its connection with other jurisprudential philosophies, particularly law and literature).}\]


\[\text{Winick, TJ Applied, supra note 356, at 5.}\]

\[\text{Winick, Jurisprudence of TJ, supra note 360, at 188 (1997); Winick, TJ Applied, supra note 356, at 4 (1997).}\]

\[\text{Winick, TJ Applied, supra note 356, at 4; See Winick, Jurisprudence of TJ, supra note 360, at 188.}\]

\[\text{Winick, Jurisprudence of TJ note 360, at 188; Dennis P. Stolle, Integrating Preventative Law, supra note 365, at 45 (The empirical studies of social science can be used, and are desirable when appropriate, to test the impact of laws and legal processes).}\]
an awareness of [therapeutic and antitherapeutic consequences to enable] a more precise weighing of sometimes competing values.\(^{370}\)

Jurisprudential philosophies, if normative, “value” something. For instance, law and economics “values” enhancing efficiency and wealth maximization.\(^{371}\) Therapeutic jurisprudence “values” the dignity of the individual human being and therapeutic (i.e., positive) impacts of laws and legal proceedings on the physical and mental health of the individuals it affects.\(^{372}\)

Thus, boiled down to its most essential element, therapeutic jurisprudence adds to legal analysis in a formal way, the dignity and value of the individual human being.\(^{373}\) As such, it is a fascinating analytic tool with which to analyze Jean and Barbara’s involvement in this particular event in the economic and civil rights movement, which had at its heart “the simplest of demands[,] the right to human dignity,”\(^{374}\) as exemplified by its banner “I Am A Man.”

Typically, therapeutic jurisprudence studies law from the perspective of the therapeutic or antitherapeutic impact of laws and legal proceedings on the people it affects. Jean and Barbara were not parties to “legal proceedings” in the sense of being parties to a court case or administrative hearing. They were however, parties to a major struggle that arose out of laws and customs based on laws.\(^{375}\) Jean and Barbara’s involvement had everything to do with the “impact of laws.” There were laws and legal processes that were pitted against the sanitation workers, almost all of whom were black, versus laws being utilized by the activists – and changes in the law and social and economic customs that were being sought by the activists. The “laws” that the civil rights movement, and


\(^{372}\) Zeiner, supra note 358, at 767. Winick, *Jurisprudence of TJ*, supra note 360, at 188 (“Although law is designed to serve various normative ends, scholars should study the extent to which these ends actually are furthered in practice. Once it is understood that rules of substantive law, legal procedures, and the roles of various actors in the legal system such as judges and lawyers have either positive or negative effects on the health and mental health of the people they affect, the need to assess these therapeutic consequences should not be neglected”).

\(^{373}\) Zeiner, supra note 358, at 768

\(^{374}\) Honey, supra note 7, at xvii.

\(^{375}\) Therapeutic jurisprudence finds further support from one of the intended purpose for the First Amendment of the Constitution. Freedom of Speech serves so much more than protecting speech, it bestows piece of mind and validation through the right of expression. *Thomas v. Collins*, 323 U.S. 516, 531 (1945). Justice Rutledge delivered the opinion of the Court stating that “[t]he First Amendment gives freedom of mind the same security as freedom of conscience, and the grievances for redress of which the right of petition was insured, and with it the right of assembly, are not solely religious or political ones, and the rights of free speech and a free press are not confined to any field of human interest.”).
Jean and Barbara in this particular instance were fighting against were the legally entrenched system of Jim Crow and its concomitant economic discrimination. Their tools were the exercise of their constitutional rights, the law of the land, under the Bill of Rights.376

Among therapeutic jurisprudence’s predominant principles is that in order to achieve a therapeutic result, a participant in a legal procedure should be a voluntary participant in the process.377 Clearly, Jean and Barbara’s activism was voluntary. Each of them made a conscious, well-considered choice. Jean, in particular, considered the ramifications of her choice and made a decision, at least at first, to be circumspect. When Jean became more public in her activism, it was as a result of her own conscious choice and strongly held convictions.378 Barbara’s very public activism, both in Baton Rouge and Memphis, was the result of her own deliberate choice. Thus, the element of voluntary participation is met, unquestionably. Professors Ronner and Winick note that a sense of voluntary participation in a legal process is often generated by having a voice that receives validation during that legal process.379 Thus voice and validation become important to achieving a therapeutic result. One focus in their discussion of voice and validation, especially that of Professor Ronner, is on the litigation process.380 In this context, having a sense of ‘voice’ means having the “opportunity to tell their story to a decision maker,” the court or a jury.381 “Validation” is “the feeling that the tribunal has really listened to, heard, and taken seriously, the litigants’ stories.”382 Professor Winick wrote extensively about these elements in the context of voluntary and involuntary mental health treatment.383 Neither the defendant in a criminal trial, nor the juvenile whose

376 William v. Wallace, 240 F. Supp. 100, 106 (M.D. Ala. 1965) (stating that “[t]he law is clear that the right to petition one’s government for the redress of grievances may be exercised in large groups. Indeed, where, as here, minorities have been harassed, coerced and intimidated, group association may be the only realistic way of exercising such rights.”). See also, Cox v. State of Louisiana, 85 S.Ct. 453 (1965); Edwards v. South Carolina, 372 U.S. 229 (1963); Fields v. South Carolina, 375 U.S. 44 (1963).


378 Yackle, supra note 160.

379 Ronner & Winick, Antitherapeutic PCA, supra note 365, at 501.

380 Ronner & Winick, Antitherapeutic PCA, supra note 365; See generally Songs of Validation, supra note 377.


382 Ronner & Winick, Antitherapeutic PCA, supra note 365, at 501; NATHALIE DES ROSIERS, FROM TELLING TO LISTENING: A THERAPEUTIC ANALYSIS OF THE ROLE OF COURTS IN MINORITY/MINORITY CONFLICT, at 56 (2000) (The role of the court should be as listener and not just a teller of rules); Ronner, Songs of Validation supra note 377, at 93 (“when individuals participate in a judicial process, what influences them the most is not the result, but their assessment of the fairness of the process itself”).

alleged criminal acts are being adjudicated, is a “voluntary participant” in the proceedings, in the usual sense of those words. The prospective patient is not a “voluntary” participant in civil commitment proceedings. Nevertheless, experts in the field of therapeutic jurisprudence have said that having a voice and experiencing validation, can give rise to a sense of voluntary participation, even for those who are not “voluntary” participants in an adjudication. Social science has found that some of the characteristics of voluntariness – a participant who is at peace with the outcome of the proceeding and emerges with respect for the law and legal authorities -- can be achieved through a system that treats the participant with fairness, respect and dignity.

When considering Jean and Barbara’s activism, the elements of voice and validation are not essential to achieving a substitute for voluntary participation. Nevertheless, it is interesting to look for the elements of voice and validation.

Like most participants in the civil rights movement, Jean and Barbara clearly had a “voice.” Barbara found voice early on, through her writing in Baton Rouge and her family’s activism in that city. In Memphis she had a voice through her work with the NAACP, and the political sign for a black candidate that she displayed in her yard. Jean and Barbara both had a voice through their participation with the women’s group in Memphis and through the message sent by their attendance, in business-like attire at the mayor’s office – even though the mayor insulted them and rebuffed them, and refused to meet. Jean and Barbara had a voice when they attended the (meetings for Barbara) (a single meeting for Jean) at the Mason Temple at which Dr. Martin Luther King, Jr., among others, spoke. Jean had a voice when she staged her one-woman walkout from the church.

The two women expressed their loudest voice – even though they uttered not a single word – during the Memphis march following Dr. King’s

184 (1997); Ronner & Winick, Antitherapeutic PCA, supra note 365; Ronner, Songs of Validation, supra note 377.
384 See Ronner, Songs of Validation, supra note 377, at 95.
385 Ronner & Winick, Antitherapeutic PCA, supra note 365, at 505.
386 Yackle, supra note 160 (“The right of expressive association rests on the First Amendment itself, which protects both the individual’s freedom to speak alone and his freedom to associate with others for the purpose of magnifying his voice. This kind of associational right is preeminently volitional and purposeful. The individual’s deliberate choice of what to say is inextricable from her choice of the company in which to say it—in order to get it said in the most effective way.”).
387 Spence v. State of Washington, 418 U.S. 405 (1974) (stating that affixing a peace sign on an American flag displayed in the window was conduct that constituted speech and displayed “[a]n intent to convey a particularized message was present, and in the surrounding circumstances the likelihood was great that the message would be understood by those who viewed it.”).
388 Brown v. State of Louisiana, 383 U.S. 139 (1966) (commenting on the black protesters, stating that “[t]hey sat and stood in the room, quietly, as monuments of protest against the segregation of the library.”). Which the Court held to constitute exercising First Amendment protected speech, although not one words was said. See also Tinker v. Des Moines Independent Community School District, 393 U.S. 503 (1969) (holding wearing an armband to express a certain view was a type of symbolic speech protected under the First Amendment.).
This most historic aspect of their work was a perfect example of the exercise of the right to free speech, via action, without vocalizing a single word. The “decision makers” Jean and Barbara sought to reach with their “voices” were the public -- of Memphis specifically -- but the larger public, both northern and southern. They sought to reach lawmakers (local, state and national), and the media that could communicate their voice to the public and decision makers. As for media, they did not have a great deal of success with The Commercial Appeal that initially downplayed the sanitation workers’ strike and the Memphis march. Nevertheless, Jean and Barbara knew that even that “slanted” media outlet had “heard” their “voice;” it simply had chosen to suppress the news. Jean and Barbara knew that eventually the word would get out – it did, out as evidenced by the volume of literature on the Memphis sanitation workers’ strike.

\[\text{Brown v. State of Louisiana, 383 U.S. 141-42 (1966) (supporting that non-verbal speech associated with conduct constitutes speech protected by the First Amendment, stating “As this Court has repeatedly stated, these rights are not confined to verbal expression. They embrace appropriate types of action which certainly include the right in a peaceable and orderly manner to protest by silent and reproachful presence, in a place where the protestant has every right to be….”). See also Tinker v. Des Moines Independent Community School District, 393 U.S. 503, 505-06 (1969) (stating that “[t]he District Court recognized that the wearing of an armband for the purpose of expressing certain views is the type of symbolic act that is within the Free Speech Clause of the First Amendment.”). See generally, Edwards v. South Carolina, 372 U. S. 229 (1963). James M. McGoldrick, Jr., Symbolic Speech: A Message from Mind to Mind, 61 Okla. L. Rev. 1, 13 (2008) (confirming that “[t]he second type of symbolic speech case relates to those activities not in and of themselves speech, but which are so entwined with speech as to be inseparable from it. Common examples of this category recognized by the Court in past cases are marching, picketing, soliciting charitable contributions, selling magazines or other publications, distributing leaflets, and donating money to political causes.”).)}


In therapeutic jurisprudence theory, voluntariness is the key element. For Jean and Barbara, their exercise of voice confirmed to themselves their voluntary participation.

The element of validation is a fascinating aspect of the therapeutic jurisprudence analysis of Jean and Barbara’s civil rights activism. In therapeutic jurisprudence, validation means, “the feeling that the tribunal has really listened to, heard, and taken seriously, the litigants’ stories.” In the civil rights movement, in general, the audience, listened to, heard and took seriously the movement’s voice. However, some of the decision makers, particularly those in the South, did not agree, at all, with what the “voice” of the movement was saying. Validation, defined as stated above, can be positive validation – agreeing with the participant – or negative validation – confirming that the voice had been heard, but disagreeing with its message. It is not hard to conclude that Jean perceived that her Memphis neighbors may have listened to, heard, and taken seriously, her voice in the Memphis civil rights struggle. Her fear that her neighbors might “in one awful instant” mete out vengeance on her and her family confirms that she believed that they had “heard, listened to, and taken seriously” her one-woman protest at the church, and her participation in the march, if they had been made aware of the latter. She perceived that she had been heard; she feared that she had been heard; that was sufficient.

For Barbara, the snubbing she received and was, for her, validation that her voice, in posting the political sign, working for the NAACP, arranging the “meeting” with the mayor, attending the rally and marching were “listened to, heard and taken seriously.” She was thankful that the “validation” was not the fear of death under which her husband had earlier performed his voter registration activism, or the retribution that was visited upon other civil rights activists. Barbara didn’t care that she was disliked in the community, because for her, it confirmed that the neighborhood knew what she stood for; it was a form of validation.

Moreover, both women felt that they might have been indexed by the FBI –i.e., taken seriously – yet another, although not particularly welcome, form of validation. On the positive side, they received encouragement and support from the women’s group and each other. Barbara received encouragement and support from her husband and sons. It also seems that they self-validated because what

392 Hurley v. Irish-American Gay, Lesbian and Bisexual Group of Boston, 515 U.S. 557, 568 (1995) (discussing the impact of marching as a form to get across an important message stating “[h]ence, we use the word ‘parade’ to indicate marchers who are making some sort of collective point, not just to each other but to bystanders along the way.” The Court continues, “Parades are thus a form of expression, not just motion, and the inherent expressiveness of marching to make a point explains our cases involving protest marches.”).

393 See McKnight, supra note 1, at 145–46.
they were doing “felt right,” they were doing something that they believed was right, moral and important, even at some personal risk.

And, it was validating that the sanitation workers were able to unionize and reach an agreement with the city. Although the workers received only minimally more compensation, they were afforded more dignity in terms of better treatment on the job and due process in job actions against them, instead of the arbitrary, intimidating mistreatment that characterized the Public Works Department earlier. The question of the whether and extent to which exercises of constitutional rights must be successful in order to bring about a sense of validation appears to be a fruitful source for additional work by constitutional scholars who also work in the field of therapeutic jurisprudence.

The laws that Jean and Barbara were relying upon in fighting Jim Crow were their fundamental rights under the Bill of Rights: freedom of speech, the right to assemble, freedom of association and the right to redress grievances against government. Jean and Barbara report that they felt empowered by having the right to exercise those freedoms, and felt that it was “just” to exercise those rights in support of those who were being denied basic rights. As is obvious from the next section of the article, Jean and Barbara’s exercise of their basic freedoms in support of the civil and economic rights of the sanitation

394 See Blumberg, supra note 10, at 717.
395 Although it is beyond the scope of this article, studies of persons who were badly harmed, or whose civil rights activities were unsuccessful, either initially or in the long term, would shed light on whether the exercise of one’s constitutional rights must be successful in order for there to be a therapeutic outcome from the “impact of laws” in the arena of the civil rights movement.
396 It would also be fascinating, from a therapeutic jurisprudence standpoint, to study the impact on staunch segregationists of the civil rights movement and changes in law as well as the subsequent retrenchment in enforcement.
397 U.S. CONST. amend. I.
398 U.S. CONST. amend. I.
399 U.S. CONST. amend. I; see also NAACP v. Alabama, 357 U.S. 449 (1958) (holding that the freedom of association is an essential part of the Freedom of Speech because individuals can engage in effective speech only when they associate with others).
400 U.S. CONST. amend. I.
401 Jean and Barbara’s small role in history relied on rights entrenched in American culture through the heart of the Constitution, exercising their right Freedom of Speech on a public street. Hague v. Committee for Industrial Organization, 307 U.S. 496, 515 (1939) (opinion of Mr. Justice Roberts, joined by Mr. Justice Black) (“Whenever the title of streets and parks may rest, they have immemorially been held in trust for the use of the public and, time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions. Such use of the streets and public places has, from ancient times, been a part of the privileges, immunities, rights, and liberties of citizens.”); Frisby v. Schultz, 487 U.S. 474, 480, 108 S.Ct. 2495, 101 L.Ed.2d 420 (1988) (“[W]e have repeatedly referred to public streets as the archetype of a traditional public forum…”); See generally Edwards v. South Carolina, 372 U. S. 229 (1963).
402 NAACP v. Alabama, ex rel. Patterson, 357 U.S. 449, 460-61 (1958) (The Supreme Court
workers had therapeutic, i.e., positive, impact on them over the course of many years.

IV. REFLECTIONS

What has been the long-term impact on these women of their activities in support of the Memphis Sanitation Workers’ strike and their participation in the civil rights march following the assassination of Dr. Martin Luther King, Jr.? Both of them have vivid, moving recollections of Dr. King and his final, Mountaintop speech.

Barbara is glad that she brought her sons to hear Dr. King at Mason Temple and that it remains such a strong, positive recollection for them. For Barbara, her participation was another campaign in a commitment that had, by that time, extended throughout most of her adult life. It was a fitting last chapter in her active involvement in the civil rights movement. And now, after all these years to learn that she inspired Jean, a woman she so highly respected, to act on her own commitment to the civil rights movement, is truly satisfying.

Barbara is glad she did it. Her activities on behalf of the civil rights movement are part of who she is, and a part of her legacy to her children and her country.

For Jean, following her participation in the events of those days, she no longer had merely an intellectual commitment to civil rights. She gained a visceral identification with the struggle that has remained with her throughout her life. Despite the short term of her active involvement, it strengthened her commitment to civil rights. It impacted her view of the women’s rights

effectuated that “[e]ffective advocacy of both public and private points of view, particularly controversial ones, is undeniably enhanced by group association, as this Court has more than once recognized by remarking upon the close nexus between the freedoms of speech and assembly.”.

Both women have had interesting lives and very successful careers. After she finished caring for the children of her ill relative, Barbara went back to school. She completed her bachelor’s degree and went on to obtain a PhD. She became a professor in the field of accounting and recently retired from the University of Colorado in Boulder. Jean rose to the position of Public Information Officer for what is now known as the Rosenstiel School of Marine and Atmospheric Sciences of the University of Miami. In that capacity, she has had the opportunity to interview, work with, and write about some of the world’s most renowned figures in those fields. She has considerable expertise of her own. Following her retirement from the Rosenstiel School, she remained connected with the institution by becoming its Archivist. She is presently working on gathering oral histories of many of the important figures in the marine and atmospheric sciences who spent part of their careers at the University of Miami.


movement, of politics in general, and forever impacted her view of herself. It gave her the gumption to act courageously and to depend upon herself and her convictions in difficult times.\textsuperscript{409} She has been less inclined than many women to see herself as a “victim,” and more likely to take action. She believes she has been more apt to question the status quo and more willing to do what she believed was right, even if it varied from the status quo, than if she had not had this experience. She believes that having participated in these events has helped her distinguish between what is important and what is not important. As a result, Jean says she learned to be her own person and to participate more fully in life – to think more deeply, to act with more insight, and to laugh with greater pleasure.\textsuperscript{410} It has made her more able, and willing, to mentor women. She says she is a better, stronger woman for having done it.\textsuperscript{411} And I, for one, can see all these results in how she has lived and how she has inspired others.\textsuperscript{412} American society has a new category of women participants in the civil rights movement, introduced into the historical record through Jean and Barbara.

\textsuperscript{409} July 7, 2010. Interview with Jean Yehle. Notes on file with author. As an aside from the author, both women are now divorced. Although both report that they do not believe that their activism had anything to do with their divorces, I wonder whether the personal strength that Jean enhanced through her participation, and the ability to depend upon herself in difficult circumstances – as well as the ability to publicly break with the status quo as to how “everybody else” lives – gave her the gumption to leave a very trying situation. Nevertheless, she maintained a very positive relationship with her ex-husband for the rest of his life; that positive connection, was good for her sons, good for both ex-spouses, and good for everyone who was friends of the family. It took a strong woman to accomplish that.


\textsuperscript{411} Id.

\textsuperscript{412} I am deeply indebted to her.