



Global Nonviolent Action Database

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African Americans sit-in against segregation at Royal Ice Cream Parlor in Durham, N.C., 1957

- U.S. Civil Rights Movement (1950s-1960s)

Time period notes: End date is set on the date that the protesters lost their last appeal and were fined.

23 June

1957

to: 15 July

1958

Country: United States

Location City/State/Province: Durham, North Carolina

Location Description: Royal Ice Cream Parlor on Roxboro and Dow Streets

Goals:

To challenge the constitutionality of segregation laws

Methods

Methods in 1st segment:

- 048. Protest meetings › Rev. Moore organizes protesters in his church before the sit-in
- 160. Reverse trial
- 162. Sit-in › Young African American students in the Royal Ice Cream Parlor

Methods in 2nd segment:

- 160. Reverse trial

Methods in 3rd segment:

- 160. Reverse trial

Methods in 4th segment:

- 160. Reverse trial

Methods in 5th segment:

- 160. Reverse trial

Methods in 6th segment:

- 160. Reverse trial

Notes on Methods:

Beyond the actual sit-in, the rest of the action that took place was in the form of court appeals, as the protesters pushed their case further and further to gain recognition.

Classifications

Classification:

Change

Cluster:

Democracy

Human Rights

Group characterization:

- African American and white students
- young adults

Leaders, partners, allies, elites

Leaders:

Reverend Douglass Moore

Partners:

Not known

External allies:

Attorney William Marsh Jr.

Involvement of social elites:

Not known

Joining/exiting order of social groups

Groups in 1st Segment:

- Attorney William Marsh Jr.

Groups in 2nd Segment:

Groups in 3rd Segment:

Groups in 4th Segment:

Groups in 5th Segment:

Groups in 6th Segment:

Additional notes on joining/exiting order:

The protest and court proceedings were fairly isolated, not gaining very much recognition or outside support.

Segment Length: *Approximately 4 days*

Opponent, Opponent Responses, and Violence

Opponents:

The Royal Ice Cream Parlor in Durham (Immediate); Segregation laws (ultimate)

Nonviolent responses of opponent:

Refusal to serve the protesters at the ice cream bar.

Campaigner violence:

None known

Repressive Violence:

Not known

Success Outcome

Success in achieving specific demands/goals:

0 points out of 6 points

Survival:

1 point out of 1 points

Growth:

0 points out of 3 points

Notes on outcomes:

The sit-in did not change the segregation laws, but in that historical context it was an achievement to provide the example.

There was no growth, and the protesters stuck together until the last day in court.

In the 1950's, Durham North Carolina was like most cities in the South: hot and segregated. At the time, the civil rights movement was already polarizing the nation, with the Montgomery bus boycotts in 1955 bringing to prominence such names as Martin Luther King Jr. and Rosa Parks (see "African Americans boycott buses for integration in Montgomery, Alabama, U.S., 1955-1956"). In Mississippi, the brutal murder of Emmett Till that same year became an archetype of the horrendous nature of southern racism at its most cruel. Amidst the violence and racial tension, Martin Luther King Jr. founded the Southern Christian Leadership Conference (SCLC) in January 1957 and declared his commitment to nonviolence as the most effective methodology for the civil rights movement. The SCLC and King were to become iconic symbols of civil rights activism, and his nonviolent philosophy influenced many civil rights activists.

The lingering schism between the races was exemplified by the segregation of small businesses, schools, and other institutions. Because segregation was so prominent, it was the target for many civil rights campaigns during the 1950s and 1960s. In 1957, a small group of local blacks from Durham, North Carolina, organized to fight it in their hometown. Their target was the Royal Ice Cream Parlor, which had two entrances: one on Dowd street marked 'White only' and one on Roxboro street marked 'Colored only.'

On June 23, Reverend Douglass Moore, who was a pastor at the local Asbury Temple Methodist Church, held a meeting to organize a small group of protesters for a sit-in at the ice cream parlor. Six members of the black community, Mary Elizabeth Clyburn, Claude Glenn, Jesse Gray, Vivian Jones, Virginia Williams and Melvin Willis attended the church to be a part of Moore's plan, which they planned to execute that same evening. At the time, two prominent black organizations in Durham, the Black Ministerial Alliance and the Durham Committee on Negro Affairs did not support the idea of a sit-in, but Moore and his six young followers were committed to their cause. When they left the church they had formulated a plan that they hoped would yield the most effective results: Instead of trying to enter through the door on Dowd street they would use the door on Roxboro street and pass through the divider that waitresses used to move between the white and black sections of the ice cream parlor.

The protesters took this route and entered the white section where they seated themselves in two booths and waited to be served. The staff firmly refused. But the protesters continued to order ice cream until the manager told them to leave. The protesters responded to this demand by ordering yet another round of ice cream until the manager threw up his hands and called the police.

When the police arrived, officers confronted the protesters in both booths and tried to compromise. They were told if they simply left now, the manager would not press charges and they would be free to carry on as if nothing had happened. The protesters, keeping calm amidst the chaos, explained to the police officers that they just wanted to be served some ice cream. Miffed as much as was the parlor's manager, the police decided they had no choice but to arrest every one of the young protesters and haul them off to jail. There were seven arrests made on charges of trespassing that day, for which the coverage in Durham newspapers was mixed. The Carolinian, an African American publication based in Raleigh, printed the story on the front page, while other mainstream newspapers such as the Durham News and Observer downplayed the story's significance.

In court the following day, the six protesters and Rev. Moore were found guilty by the judge of trespassing, and each was fined \$10. However the protesters were not ready to let that be the end of their struggle, as they hoped their actions would challenge the very constitutionality of the segregation law. They made an appeal to the Superior Court where attorney William Marsh, Jr., defended them before an all-white jury and a full courtroom. Virginia Williams, one of the protesters, recalls that the protesters were not offered seats in court but instead made to stand before a row of seated, white police officers. Presently, Marsh requested that the police officers give up their seats for his clients, and the officers did so 'with an attitude,' allowing Rev. Moore and the six young protesters to share the bench.

Although their plea was not guilty, the Superior Court judge ruled against them, and the protesters had to appeal to the North Carolina Supreme Court. The Supreme Court was no more yielding, and ruled to uphold the charges against them. In one final attempt to make their voices heard, the protesters boldly appealed their case the U.S. Supreme Court, but it refused to hear the case on the grounds that the protesters' rights had not actually been violated. On July 15, 1958, the protesters were fined a total of \$433.25 and faced with the realization that despite their plight, segregation laws in Durham had not budged. Despite this, the Royal Ice Cream Parlor sits-in led to the first court case testing the legality of the segregation law, a pioneering event that may have paved the way for the widespread 1960 Greensboro sit-ins that were considered pivotal to the U.S. Civil Rights Movement (see "Greensboro, NC, students sit-in for U.S. Civil Rights, 1960").

Research Notes

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