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COURAGE UNDER FIRE: AFRICAN AMERICAN FIREFIGHTERS AND THE
STRUGGLE FOR RACIAL EQUALITY

A Dissertation Presented

by

DAVID A. GOLDBERG

Submitted to the Graduate School of the
University of Massachusetts Amherst in partial fulfillment
Of the requirements for the degree of

DOCTOR OF PHILOSOPHY

February 2006

Department of Afro-American Studies

COURAGE UNDER FIRE: AFRICAN AMERICAN FIREFIGHTERS AND THE
STRUGGLE FOR RACIAL EQUALITY

A Dissertation Presented

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DAVID A. GOLDBERG

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DEDICATION

To: All African Americans who have struggled
for respect and equality in the fire service,

my godson, Jordan Weinhaus;

and

the memory of
Arthur "Smokestack" Hardy
and my beloved grandmother,
Helen Brenner.

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I would also like to thank every member of University of Massachusetts-Amherst's Department of African American Studies, Esther Terry, Ernest Allen, Steve Tracy, John Bracey, Manisha Sinha, James Smethherst, Bill Strickland, Robert Paul Wolff, Nelson Stevens, and Michael Thelwell, for sharing creating a wonderful environment to work and learn in. I truly believe that I received the best education available in our field of study, and I thank you all for sharing your passion and knowledge. I also want to thank Clovis Semmes of Eastern Michigan University and Jo Ann Robinson of Morgan State University for their guidance and support over the years.

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ABSTRACT

COURAGE UNDER FIRE: AFRICAN AMERICAN FIREFIGHTERS AND THE STRUGGLE FOR RACIAL EQUALITY

FEBRUARY 2006

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This dissertation examines the struggle for racial equality in urban fire departments from the late 19th century to the present. The first half contains extensive case studies of Black experiences in the New York City Fire Department (FDNY) and Baltimore City Fire Department (BFD). Particular emphasis is given to the process of Black inclusion, day-to-day and institutional race relations, and the backgrounds and experiences of Black firefighters in each fire department. The activities of local branches of national civil rights organizations such as the National Urban League and the NAACP, as well as the involvement of local Black political leaders in the struggle for Black inclusion and equal opportunity are chronicled, as are the activities of the Vulcan Society in New York and the Social Association of Fire Fighters in Baltimore.

The second half of the dissertation explores the nationalization of the struggle for equal employment opportunity within the urban fire service. The 1970 formation of the International Association of Black Professional Fire Fighters (IABPFF), its relationship

to the International Association of Fire Fighters (IAFF), and the struggle for “community control” and Black representation within urban fire departments as well as the impact of Title VII, the Civil Rights Movement, the Black Caucus and Black Power movements, and urban rebellions on the organization’s formation and objectives are examined. The evolution, implementation, limitations, and strengths of equal opportunity litigation and remedial relief programs as applied to urban fire departments, the activities of Black firefighters’ organizations, the International Association of Fire Fighters (IAFF), municipal governments, the Department of Justice, and the federal courts during the course of fire department litigation are also documented and analyzed.

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INTRODUCTION

On September 11, 2001 two hijacked jumbo jet airliners plunged into the World Trade Center buildings in New York, exploding on contact. It was immediately clear that that many lives had been lost and that thousands more were in jeopardy. Probable structural collapse due to the force of impact and the tremendous explosions and fires that followed made attempts to rescue the thousands who remained inside extremely dangerous. Despite these conditions, New York's firefighters responded quickly and in large numbers to assist as many people as humanly possible. Approximately three thousand people - including three hundred forty three members of the fire department - died that day. Families were left in shock and in disarray, while the nation's false sense of security was forever shattered. Thousands more, however, escaped death that day thanks in large measure to dedication, selflessness, and bravery of the members of New York's Fire Department (FDNY).

The events of 9/11 greatly enhanced the public's appreciation for firefighters, the courageous services they provide, and the bonds that they share. Known for toughness and stoicism, firefighters broke down into tears while discussing the loss of their company-mates, commanders, friends, and in many cases family members. While grieving, firefighters refused to stop working out of a sense of duty and respect for their fallen comrades and their families, finding solace in the dignity of the work they performed and in each other. As a result of their ability to band together and summon their best in the toughest of times, firefighters came to be viewed across the nation as much more than dedicated and heroic civil servants. As one commentator on post 9/11

America explained, to many, firefighters symbolized “defiance in the face of terror, providing inspiration in a world that has become immensely more frightening and complicated. The world saw how much they loved each other, how much they loved helping others, how much they loved their jobs.”¹ In essence, the members of FDNY represented the best of the “American Spirit,” a spirit that had faced unfathomable adversity, but remained resolute during the toughest of times.

Despite the current, well-deserved respect for firefighters, a highly romanticized and simplistic understanding of firefighters that obfuscates the complexities and contradictions of their working culture and history has developed in post 9/11 America. The same aspects of firefighting that fostered the strong bonds and professionalism exhibited in response to 9/11 - long hours shared together; the closeness of firehouse life and culture; shared meals, sleeping, and living quarters; the need for cooperation, teamwork, codependence, and trust; and a shared sense of duty and job pride - have historically also contributed to clannishness, insularity, divisiveness, and racial discrimination and under-representation.

These issues came to the forefront only shortly after 9/11. A memorial statue inspired by the now famous photo of three white firefighters raising an American flag at Ground Zero that was to depict the three men as a Black, a Latino, and a white firefighter, was commissioned by the FDNY in early 2002 as a tribute to the firefighters who served that day. White firefighters were outraged by the proposal, feeling that it abandoned “historical accuracy for political correctness” and grossly underrepresented number of

¹ Terry Golway, *So Others Might Live: A History of New York’s Bravest: The FDNY From 1700 to the Present* (New York: Basic Books, 2002), p. 343.

white firefighters who both served and/or gave their lives.² To prevent this perceived miscarriage of justice from taking place, white firefighters and their families collected hundreds of signatures from those opposed to the project, while the three white firefighters who appeared in the original photo, along with the newspaper that owned the rights to the photo, *The Bergen Record*, threatened to sue the FDNY and the businessman who was supporting the project.³ White citizens across the county were angered by the plan as well, and voiced their disdain on talk shows and in newspapers. Most, either unaware or disinterested in the facts regarding the situation, expressed anger with Black firefighters for “playing the race card” during a time, which in their estimation, called for patriotism and unity rather than divisiveness and criticism. Despite the threatened lawsuits’ frivolity, the FDNY nonetheless quickly succumbed to the public pressure. Within only a few days, it announced it was rethinking the entire project. Ultimately, a “historically accurate” artistic rendering of the three white firefighters raising the flag was commissioned.⁴

That whites used proportional statistics to contest and ultimately block the creation of the proposed statue was particularly ironic. Black firefighters in New York and across the country have specifically fought for the last thirty-five years to bring the percentage of Black firefighters up to the level of representation of the Black population in given cities, reasoning that white firefighters have repeatedly dismissed as irrelevant.

² “FDNY Cancels 9/11 Statue, Commish to Rethink Memorial,” *New York Daily News*, 12 January 2002, p. 9; “Statue Commemorating Flag Raising at Ground Zero Draws Criticism” *New York Daily News*, 11 January 2002.

³ Ibid.

⁴ Ibid; Steven Strunsky, “Groups: Black Trade Center Victims Not Getting Media Coverage,” *Associated Press*, 30 August 2002; “A Brass Lie,” *New York Post*, 13 January 2002, p. 28.

In the wake of 9/11, for example, Blacks and Latinos accounted for roughly 55% of New York City's total population but only 2.7% and 3.2% of the FDNY respectively.⁵

Black firefighters, both on their own and in conjunction with various civil rights groups at both the local and national level, have continually organized against exclusion, segregation, and institutionalized racism in their respective fire departments, working both within and outside the structures of their respective department and the firefighters' union. Yet despite these protracted efforts and the later advent of affirmative action during 1970s, the situation today is bleak. While the percentage of tax paying minority citizens in cities across the country has increased dramatically in the post civil rights era, fire departments, unlike other areas of public employment, have continued to be dominated by white, non-city residents. Affirmative action, which drastically altered the racial composition of a number of urban fire departments, was largely applied to only the most blatantly discriminatory and resistant fire departments, and was fought tooth and nail by white firefighters and their union, the International Association of Fire Fighters (IAFF). In the last twenty years, these programs have been under constant attack in the courts, and in recent years have been effectively dismantled by the IAFF and the federal courts, leaving these fire departments right back where they started. In other cities, such as Baltimore and New York, affirmative relief programs were never implemented despite proven cases of systemic racial discrimination. Black firemen in these cities had been ignored by the courts because of their ability to organize against the odds and eliminate the most blatant aspects of discrimination in their respective departments. As a result, the brief window of opportunity for remedial relief previously supported by the courts was

⁵ “Statue of Bravest Sparks Racial Flap,” *New York Daily News*, 12 January 2002; “A Brass Lie,” p. 28.

never available to these men and women, and as a result, these departments remain disproportionately white.

While much has been written about urban fire departments, the strong majority of these works have been popular histories designed for “fire buffs” which detail the formation, leadership, and equipment used by fire departments, or contain discussions of emergency responses to “big blazes.” Such works fail to discuss racism within the fire service, let alone interpersonal relations within firehouses. Conversely, a number of works published or republished shortly after September 11th which contain useful edited interviews with firefighters about the nature of the job, the training process, firehouse culture, fire house bonds, emergency response, etc, but fail to address racism or racial conflict, and are more often than not collections of romantic and heroic depictions of firefighters and firefighting.⁶

There are, however, several scholarly accounts of firefighting, including several works on volunteer firefighting during the mid to late 19th century. The “History of Black Fire Fighters,” for example, contains a number of brief vignettes on the presence and experiences of Black firefighters in towns and cities across the nation, and contains valuable, but often undocumented, information regarding the early presence of Blacks, both enslaved and “free,” in “volunteer” companies during the 19th century.⁷ Amy Greenberg’s monograph, *Cause for Alarm: The Volunteer Fire Department in the 19th*

⁶ The best of these are Steve Delsohn’s, *The Fire Inside: Firefighters Talk About Their Lives* (New York: HarperCollins Publishers Inc., 1996); David Halberstam, *Firehouse* (New York: Hyperion, 2002).

⁷ Chuck Milligan and Rev. Ron Ballew, “History of Black Fire Fighters,” unpublished document, in author’s possession.

Century City, is well documented and more thorough.⁸ Much like shorter, article length treatments of the topic, Greenberg's work chronicles the changing image of volunteer fire companies, their social and political activities, and the push towards professionalization that occurred in the wake of the Civil War. All of these studies explore the origins of urban firefighting culture, the historically close ties between firefighters, fire companies, and local politics, and the class and ethnic composition of volunteer departments in cities such as New York, Memphis, Baltimore, San Francisco, and St. Louis, but are limited to cities with all-white volunteer companies.⁹

Most of the scholarly works on firefighting, however, deal with professional urban fire departments during the 20th century and examine the impact of industrialization, urban expansion as well as how technological advancements necessitated drastic changes in the administration, funding, and methods utilized by 20th century fire departments. Malcolm Getz, for example, has studied several elements related to the general economic structure and operation of urban fire departments, ranging from the average percentage of tax dollars involved in their maintenance, the economic and structural impact of fire insurance underwriters, the impact of population and tax dollar declines on budgets, and the costs of equipment, training, overtime, and pensions.¹⁰

⁸ Amy Greenberg, *Cause For Alarm: The Volunteer Fire Department in the 19th Century City* (Princeton: Princeton University Press, 1998).

⁹ See for example: Richard Calhoun, "New York City Fire Department Reorganization, 1865-1870," *New York Historical Society Quarterly*, 60, no. 1 (1976): 6-34; Arlen Dykstra, "Rowdeyism and Rivalism in the St. Louis Fire Department, 1850-1857," *Missouri Historical Review*, 69, no. 1 (1974): 48-64; Amy Greenberg, "Mayhem in Mobtown: Firefighting in Antebellum Baltimore," *Maryland Historical Magazine*, 90, no. 2 (1995): 164-179; James Boyd Jones Jr., "The Memphis Firefighters' Strikes, 1858 and 1860," *East Tennessee Historical Society's Publications*, 49 (1977): 37-60.

¹⁰ Malcolm Getz, *The Economics of the Urban Fire Department* (Baltimore: Johns Hopkins University Press, 1979).

James Craft's work on Black participation and availability in fire service positions in the late 1960s and early 1970s is particularly useful. It documents the availability of Blacks to work in the fire service during a time when department administrators lamented that few Black urban residents were either qualified or interested in joining the fire service.¹¹

There also are several biographical and autobiographical accounts of Black firefighters. Herman Williams's *Firefighter*, Samuel Murray's *Samuel, in Search of a Dream: an Autobiography*, and Charles Ford Williams's *The Chief*, are the only currently published accounts of the lives and careers of individual Black firefighters. *Firefighter* chronicles Williams's rise through the ranks of Baltimore's fire department from his early days as one of the Black pioneers in the 1950s to becoming the city's first Black Fire Chief in the 1990s. While Williams's work details the course of his storied career, most of the information presented in *Firefighter* had previously been available.¹² Murray's work, intended for children, deals with roughly the same time frame, but a very different experience. Murray never climbed the ranks to the degree that Williams did, and spent his entire career in the firehouses of the FDNY. Unlike *The Chief*, these works fail to discuss collective organizing or campaigns for racial equality at length.¹³

¹¹ Craft, James A. *Negroes in Large Municipal Fire Departments: a Labor Market Analysis* (Lafayette: Herman C. Krannert Graduate School of Industrial Administration, Purdue University, 1971).

¹² Many segments of Williams's work, including most if not all of the primary research presented, drew heavily upon my previously published master's thesis. See David Goldberg, "The Integration and Desegregation of Baltimore's Fire Department, 1930-1973," Master's thesis, Morgan State University, 1998.

¹³ Charles Ford Williams, *The Chief* (Stamford: Pictures Truth, 1999); Herman Williams Jr., *Firefighter* (Carlsbad: Mountain Movers Press, 2002); Samuel Moses Murray, *Samuel, in Search of the American Dream: an Autobiography* (St. Albans: Gullah Publishing, 1995).

These issues are addressed in other studies of Black firefighters, but with varying degrees of coverage and detail. Markey and Sherwood's work on Black firefighters in Los Angeles, for example, provides a detailed institutional analysis of the battle to integrate Los Angeles's fire department during the 1950s and the resistance it engendered, but contains nothing regarding the Black experience before or after. Carol Chetkovich's groundbreaking study, *Real Heat*, provides the most comprehensive analysis to date about how minorities and women establish their identities as firefighters in a job environment and work culture dominated by often-hostile white males, but deals largely with the contemporary fire service.¹⁴ There are, however, several historical works, including treatments of the black experience in the fire departments of Houston, Muncie, Indiana, and Columbia, South Carolina. These, however, are short and limited.¹⁵ The best of these works are more detailed studies of Black firefighters in Los Angeles and St. Paul, Minnesota.¹⁶

The black experiences within the fire departments of Baltimore and New York have also received attention, though in an abbreviated fashion. Terry Golway's *So Others Might Live* is a wonderfully written general history of the FDNY that includes

¹⁴ Beatrice Markey and Frank Sherwood, *The Mayor and the Fire Chief: The Fight Over Integrating the Los Angeles Fire Department* (New York: Bobbs-Merrill Co., 1959); Carol Chetkovich, *Real Heat: Gender and Race in the Urban Fire Service* (New Brunswick, N.J.: Rutgers University Press, 1997); Carol Chetkovich, "Integrating the Greatest Job in the World: Race and Gender in the Urban Fire Service," Ph.D. dissertation, University of California Berkeley, 1994.

¹⁵ Darrick Lamont Hart, "Hearts of Fire: The History of Black Firemen in the City of Columbia, South Carolina," Dec. 10, 1996, Constance B Schulz Collection, South Carolina Library, University of South Carolina; Hurley C. Goodall, *Black Fire Fighters in Muncie* (Muncie: Middletown Center, Ball State University, 1997); *History of Black Fire Fighters: Houston Fire Department; 1955-1986* (Houston: 1986).

¹⁶ A.B. Hartsfield-Mills, *The Old Stentorians* (Santa Fe Springs: Stockton Trade Press, 1974); James Stafford Griffin, *Blacks in the St. Paul Police and Fire Departments, 1885-1976* (St. Paul: E&J, 1978).

subsidiary discussions of departmental race relations and the Black experience from the 1930s onward. John Ruffins' "Black Firefighters" deals exclusively with these issues in the FDNY, but ends in the early 1970s. My master's thesis, "The Integration and Desegregation of Baltimore's Fire Department," is the only study of Blacks in Baltimore's fire department. It also ends in the early 1970s.¹⁷ Each of these works contain specific data regarding key events, experiences, individuals, and organizations involved in the fight for racial equality within these departments, but fail to present the experiences of Black firefighters within the contexts of the communities they inhabited or the local and national Black freedom struggles of which they were part and parcel.

Until very recently, labor historians had long ignored the intersection between black workers and the black freedom struggle. In the last few decades, however, several labor historians, including Joe Trotter Jr., Robin Kelley, Michael Honey, David Roediger, Bruce Nelson, Thomas Sugrue, Heather Thompson, Earl Lewis, Eric Arnesen, Robert Korstad, Michael Kazin, Noel Ignatiev, Timothy Minchin, and Herbert Hill - to name only a few - have made tremendous contributions to the expansion, maturation, and increased breadth and scope of studies examining the history of black workers. Yet while Eric Arnesen correctly pointed out that "since the mid 1980s, labor historians have begun to engage issues of race in significant ways," studies of the black freedom struggle within labor during the post-merger period and the significant role played by black working

¹⁷ David Goldberg, "The Integration and Desegregation of Baltimore's Fire Department, 1930-1973," Master's thesis, Morgan State University, 1998; John Ruffins, "Black Firefighters," Wesley Williams Papers, Schomburg Center For Black Research in Culture, New York, N.Y., Box 2; Terry Golway, *So Others Might Live* (New York: Basic Books, 2002).

people in the civil rights movement have been remained limited in both scope and number.¹⁸

While popular and scholarly works have examined urban departments and Black firefighters from a variety of angles, labor historians have paid very little attention to firefighters or even civil service workers as a whole. The works that do discuss the fire service are broad studies of public employee unionism that utilize the institutional approach of “old labor history.” In these sweeping studies, labor relations in fire departments are briefly discussed and compared with labor relations in various other fields of public employment.¹⁹ “New labor history,” the now dominant approach to labor

¹⁸ Quoted from Eric Arnesen, “Up From Exclusion: Black and White Workers, Race, and the State of Labor History,” *Reviews in American History*, 26 (1998): 146-174. Time nor space permit a discussion of the vast amount of literature that has grown out the debate regarding the importance of race, or lack thereof, to American working-class formation. For a good but abbreviated sampling of the positions and arguments involved, see Herbert Hill, “The Problem of Race in American Labor History,” *Reviews in American History* 24 (1996): 189-208; Nell Irvin Painter, “The New Labor History and the Historical Moment,” *International Journal of Politics, Culture, and Society*, 2 (Spring, 1989): 369-70; Lawrence McDonnell, “You Are Too Sentimental: Problems and Suggestions for a New Labor History,” *Journal of Social History*, 17 (Summer, 1984): 629-54; Barbara Fields, “Slavery, Race and Ideology in the United States,” *New Left Review*, 18, no.1 (May-June, 1990): 95-118; Bruce Nelson, “Class, Race, and Democracy in the CIO: The New Labor History Meets the ‘Wages of Whiteness,’” *International Review of Social History*, 41 (December 1996); Noel Ignatiev, *How the Irish Became White* (New York: Routledge, 1995); Alex Lichtenstein, “Racial Conflict and Racial Solidarity in the Alabama Coal Strike of 1894: New Evidence for the Gutman-Hill Debate,” *Labor History*, 36 (Winter 1995): 62-76; Stephen Brier, “In Defense of Gutman; The Union’s Case,” *International Journal of Politics, Culture and Society*, 2 (Spring 1989): 30.

¹⁹ A. Lawrence Chickering, ed, *Public Employee Unions: A Study of the Crisis in Public Sector Labor Relations* (San Francisco: Institute for Contemporary Studies, 1976); Robert Connery and William Farr, eds. *Unionization of Municipal Employees* (New York: Academy of Political Science, 1971); Norma Riccucci, *Women, Minorities, and Unions in the Public Sector* (New York: Greenwood Press, 1990); Sterling Spero and John Capozzola, *The Urban Community and Its Unionized Bureaucracies: Pressure Politics in Local Government Labor Relations* (Cambridge: Dunellen Publishing Co., 1973); United States Equal Employment Opportunity Commission, *Eliminating*

history, developed as a response to the limitations and weaknesses of this top-down or institutional approach, and sought to apply the insights and nuances of social history to the study of workers. With a few notable exceptions, however, labor historians have failed to apply this “bottom up” approach to public employees.²⁰ This study, then, is an attempt to synthesize the approaches of both “old labor” and “new labor” studies, and to contribute to a broadening of the field by focusing on one segment of a long overlooked, and important segment of Black workers, Black public employees.

The current absence of studies of public employees in “new labor” is puzzling. At the end of World War II there were 5.5 million public employees, a figure that quickly rose to 11.6 million by 1967. The number of unionized public employees grew at an even greater rate during roughly the same period - from 400,000 in 1955 to 4,000,000 by the mid-1970s. While unionism on the whole continued to increase yearly into the mid 1970s, “public employee unions accounted for most of this growth during both the 1960s and 1970s,” and beyond. On the other hand, private sector unionism has declined steadily since 1976. In fact, by 1993 only ten percent of all private sector workers were unionized. While public employee unions constituted only 3% of AFL-CIO’s total

Discrimination in Employment: A Compelling National Priority: A Handbook for State, County, and Municipal Governments (Washington D.C.: United States Equal Employment Opportunity Commission, 1979); Sam Zagoria, ed., *Public Workers and Public Unions* (Englewood Cliffs: Prentice Hall, Inc., 1972).

²⁰ Joan Turner Beifuss, *At the River I Stand: Memphis, the 1968 Strike, and Martin Luther King* (Brooklyn: Carlson Publishing Co., 1989); Joshua Freeman, *In Transit: The Transport Workers Union in New York City, 1933-1966* (New York: Oxford University Press, 1989).

membership at the time of the 1955 merger, nearly forty years later they comprised over 20% of the AFL-CIO's total membership.”²¹

Perhaps the greatest irony is that in a field in which scholars rightly and admittedly search for a “useable past,” new labor historians have continued to overlook public employees and their important position within the labor movement while remaining focused on industrial labor during the first half of the 20th century, a segment of the labor force and labor movement that today is becoming less and less relevant due to outsourcing and the current weaknesses of industrial unionism in the U.S. In such studies, the labor movement or a specific union is usually the subject. “Issues of race” are discussed, but within this framework. As a result, the history of white racism and the experiences and perspectives of Black workers have frequently been either neglected or considered to be of subsidiary importance to the labor movement.

This study is self-consciously neither an examination of the Firefighters’ union nor of “race” within the fire service. Rather, it is a work of African American history that unapologetically attempts to tell the story of Black firefighters through their own perspective while also documenting the history of racism within the urban fire service. To accomplish this, I trace the history of Black firefighters in urban fire departments from the late 19th century to the present, but focus primarily on the twentieth century. The first part off the dissertation (chapters 1-5), contains extensive case studies of the Black experience in the Baltimore City and New York City fire departments. The objective of these local studies is to capture and honor the distinctiveness and

²¹ Robert Shaffer, “Where Are All the Organized Public Employees? The Absence of Public Employee Unionism from U.S. History Textbooks, and Why it Matters,” *Labor History*, 43, no. 3 (2002): 315-17.

significance of the individuals, organizations, and struggles waged at the local level, although comparisons with the experiences of Black firefighters in other cities are also made. Each examines the struggle for racial inclusion and equality in each fire department within the social, political and economic context of each city's history so as to place "pioneer" Black firefighters within the context of the communities and racial climates within which they lived and worked. Broader national currents and their impact at the local level are also explored. Special emphasis is given to social, political, demographic, and economic conditions and shifts that took place throughout the century, as well as their impact on the nature and shape of local civil rights efforts, particularly those seeking to address racial exclusion and discrimination in each respective fire department. Each case study focuses on the factors and forces that contributed to the integration of both fire departments, the experiences and conditions faced by the first generation, or "pioneer" firefighters, the institutional barriers they faced, and the day to day and organizational responses of Black firefighters to racial discrimination in their fire departments and local unions.

The second part of the dissertation (chapters 6-7) widens the focus to explore the nationalization of the struggle for equal employment opportunity within urban fire services, a period that began in earnest when previously isolated local pressure groups of Black firefighters established the International Association of Black Professional Fire Fighters (IABPFF) in 1970. The individuals and local organizations involved in the formation of the IABPFF are detailed, as is the impact that Title VII and the Black Caucus and Black Power movements had on the organization's formation, objectives, tactics, and actions. I conclude by examining the history of equal opportunity and

affirmative action case law by analyzing the evolution, implementation, and strengths and weaknesses of equal opportunity litigation and remedial relief programs as applied to fire department discrimination cases from the early 1970s to the present.

CHAPTER 1

THE MAKING OF THE FDNY: INSULARITY AND EXCLUSION

Firemen live in a world apart from other civilians. The rest of the world seems to change, but the firehouses do not. This is, in fact, as close to a hermetically sealed world as you are likely to find in contemporary America: It is driven by its unique needs, norms, and traditions, some of which are inviolable. The New York Fire Department is...largely white, and it is to an uncommon degree composed of men who come from firefighting families, men who, like their fathers before them, have wanted to be firemen since childhood.¹

Firefighting in New York City has a history as old and dynamic as that of the city itself. During the city's early colonial years, firefighting was a rag-tag communally conducted task performed by all those threatened by a given fire. Hooks and ladders were distributed throughout the city to help knock down walls and roofs of buildings to prevent the spread of fire. However, the city's primary line of defense for years were bucket brigades - impromptu groups of people filling, and refilling leather buckets with water to be passed in assembly-line fashion to attempt to quell a blaze. By the 1730s, the city's growth, as well as technological improvements in firefighting equipment, gave rise to the creation of a more formalized firefighting force. At the end of 1731, the city purchased its first two pieces of "modern" firefighting apparatus; water pumps. Then known as engines, water pumps were hand-loaded, hand-pumped, and carried laboriously by hand to fires. To accommodate these new machines, the city, shortly thereafter built

¹ David Halberstam, *Firehouse* (New York: Hyperion, 2002), pp. 5-6.

its first firehouses. In 1737 New Amsterdam's General Assembly called for the establishment of formal volunteer companies attached to a given apparatus, a mandate that gave rise to the formation of a fire department that initially consisted of two formal volunteer companies.²

From its inception, New York's volunteer fire department was rife with political favoritism and ethnic and class biases. When the colony's General Assembly first put out the call for volunteer firemen in 1737, it asked specifically that only "strong, able, discreet, honest and sober men" be utilized. With a limited amount of positions to fill (roughly forty at first), Protestants of Anglo-Dutch descent - the group that had monopolized the city's civic and political sphere for years - were overwhelming found to exhibit these characteristics and quickly came to dominate New York's early volunteer companies. These early Anglo-Dutch volunteer firemen, however, were almost exclusively artisans and tradesmen, unlike the members of the ruling elite who appointed them.³

With only two volunteer fire companies, firefighting in New York was a small-scale operation that continued to rely on bucket brigades and the participation of non-

² For more on the early evolution of the fire pump or engine, see Margaret Hindle Hazen & Robert M. Hazen, *Keepers of the Flame: The Role of Fire in American Culture, 1775-1925* (Princeton: Princeton University Press, 1992), pp. 121-5; Dennis Smith, *Dennis Smith's History of Firefighting in America: 300 Years of Courage* (New York: Dial Press); H.E. Gillingham, "The Fire Engine Used in America," *Bulletin of the New-York Historical Society*, 20 (July 1936). For specific historical accounts of fire fighting and volunteer fire companies in colonial New York, see Terry Golway, *So Others Might Live: A History of New York's Bravest, The FDNY From 1700 to the Present* (New York: Basic Books, 2002), pp. 11-33; Lowell Limpus, *History of the New York Fire Department* (New York: Dutton, 1940); A.E. Costello, *Our Firemen: The History of the New York Fire Departments* (New York: Knickerbocker Press, 1887); *The Volunteer Fire Department of Old New York, 1790-1866* (Scotia, N.Y.: Americana Review, 1962).

³ Golway, *So Others Might Live*, p. 17.

company members. This also included New York's Black population, which grew rapidly throughout the 1700s as the city's economy became increasingly tied to slave labor. In 1703, for example, African Americans represented 14.4 % of the city's population, a figure that would rise to 20.9% by 1746, the majority of whom were enslaved by slave owners with small slaveholdings. While often spread across the city in or around the homes of their masters, there were several settlements consisting of slaves and free Blacks both within and just outside the city's limits. Blacks, like everybody else, were responsible for protecting themselves and the areas they lived, but there is no recorded instance of Black firefighting until the 1780s, during which time a volunteer company documented the participation of an enslaved woman named Molly who "single-handedly pulled the huge engine of Volunteer No. 11 a long distance to a fire in William's Street" in the midst of a blizzard. Historians of Black firefighters speculate that Molly's service in the volunteer fire company was likely due her master being an official volunteer, but it is equally possible that she lived in a settlement nearby and was simply trying to protect her friends, family, and community.⁴

The fact that New York's first recorded Black firefighter appeared during the 1700s is particularly ironic. Since slavery's expansion in New York began, white fears of an impending slave uprising had led most white to associate Black New Yorkers with more the threat of arson rather than fire suppression. Such fears, whether manifestations

⁴ The Black population figures listed appear in Graham Russell Hodges, *Root and Branch: African Americans in New York & East Jersey, 1613-1863* (Chapel Hill: University of North Carolina Press, 1999), pp. 272-3. For the scant information available on Molly, see Victor Collymore, "A History of Black Fire Fighters," *New Amsterdam News*, Special Black Bicentennial Edition, 4 July 1976, p. D-3; Chuck Milligan and Rev. Ron Ballew, "History of Black Firefighters," http://members.aol.com/_ht_a/fireriter/index.html?mtbrand=AOL_US, p. 40.

of guilt or racially deterministic thought, were both sensationalized and well founded. Rather than submitting to the increasingly staunch limitations placed on manumissions, the imposition of Black Codes, and rigors and restrictions of servitude, African Americans in New York, on several occasions, attempted to use fire as a weapon against slavery and racial oppression. “Fire,” for example, “figured prominently in New York’s City’s slave uprising of 1712, as well as in the more destructive Negro Plot of 1741.”⁵ The former began when a band of slaves set fire to a home to lure whites to the area so they could be attacked. Eight whites were killed and twelve injured before the revolt was suppressed. In 1741, Fort George was burned to the ground and numerous other fires were set throughout the city and its surrounding areas in the days that followed. Several white firemen at the time reported having witnessed “one slave mutter, ‘Fire, Fire, Scorch, Scorch, A LITTLE, damn it, By-And-By,’ then throw up his hands and laugh.” While no definitive proof of a “Negro conspiracy” was ever established, Black people were summarily rounded up and punished to deter similar activities in the future. Colonial authorities arrested nearly half of the city’s Black males over the age of sixteen, and thirty-four men and women were executed - thirteen of whom were burned at the stake.⁶

⁵ Margaret Hindle Hazen and Robert M. Hazen, *Keepers of the Flame: The Role of Fire in American Culture, 1775-1925*, pp. 101-2.

⁶ The first quotation originally appeared in Daniel Horsmanden, *Journal of the Proceedings in the Detection of the Conspiracy Formed by Some White People in Conjunction with Negro and Other Slaves for Burning the City of New-York and Murdering the Inhabitants*, Thomas Davis, ed., (Boston: Beacon Press, 1971), but is quoted in Hodges, *Root and Branch*, p. 91. For the volume of arrests and brutal treatment of those found guilty, see Anthony Gronowicz, *Race & Class Politics in New York City Before the Civil War* (Boston: Northeastern University Press, 1998), p. 11; Terry Golway, *So Others Might Live*, p. 24. For further information regarding the experiences of Black New Yorker during the colonial period, see Shane White, *Somewhat More Independent*:

In the wake of the “Negro Plot,” the city and its leaders predictably opted to address the threat posed by the revolt rather than the conditions that had given rise to both white fear and Black desperation. While slavery continued apace, the fire department was expanded and reorganized, in part to better deal with the threat of fire and incendiaries. The department was expanded from two to eight companies, and fire companies were divided into engine and hook and ladder companies, a division of labor that remains the foundation of the department today. Firemen were then assigned to specific companies, and a command structure was established that put a foreman in charge of companies in a given ward.⁷ This shift from bucket brigades supplemented by a few loosely formed companies to a more formal, centralized fire department, as Terry Golway explained, had a tremendous impact on the development of an increasingly insular firefighting culture in New York:

With the department’s growth and increased sense of professionalism (even though the work of firefighting was still strictly volunteer) came a slowly developing but distinctive culture. It was, from the very beginning, a culture born of the bonds firefighters shared with each other and nobody else, for nobody except another firefighter could fully appreciate what they did, and why.⁸

The End of Slavery in New York City, 1770-1810 (Athens: University of Georgia, 1991); Donald Wright, *African Americans in the Colonial Era, From African Origins Through the American Revolution* (Arlington Heights: Harlan Davidson, 1990); Joyce Hansen and Gary McGowan, *Breaking Ground, Breaking Silence: The Story of New York’s African Burial Ground* (New York: Henry Holt, 1998); Hodges, *Root and Branch*; Anthony Gronowicz, *Race & Class Politics in New York City Before the Civil War*, pp. 3-22; Joel Headley, *The Great Riots of New York, 1712-1873* (Indianapolis: Bobbs-Merrill, 1970). For the 1712 revolt, see Kenneth Scott, “The Slave Insurrection in New York in 1712,” *New York Historical Society Quarterly*, 45 (January 1961): 43-74. For the 1741 “Negro Plot,” see Thomas Davis, *A Rumor of Revolt: “The Great Negro Plot” in Colonial New York* (New York: Free Press, 1985); W.E.B. Du Bois, *Economic Co-Operation among Negro Americans* (Atlanta: Atlanta University Press, 1907), p. 25; Leopold Launitz-Shurer Jr., “Slave Resistance in Colonial New York: An Interpretation of Daniel Horsmanden’s New York Conspiracy, *Phylon*, 16 (1979): 137-53.

⁷ Golway, *So Others Might Live*, pp. 24-5.

⁸ Ibid, p. 25.

With firefighting no longer the responsibility of the city's residents, firemen became distanced from the public in their own minds as well as in the minds of the general public. Firemen increasingly came to be seen as folk heroes that were identified with courage, resolve, fierce independence, and strength. This perception was further bolstered during the Revolutionary War when a number of volunteer firemen abandoned the fire department when the British took control of the city to join the Patriot cause either directly or by creating chaos by setting fires or sabotaging the fire equipment used by the Loyalists. In the war's aftermath, 253 Loyalist firemen were expelled from the department and replaced by supporters of the revolution, thereby infusing the department with new members as well as the ideology of the American Revolution, ideals that soon "led the volunteers to demand a direct role in running the department in 1792." The volunteers received their wish, and quickly constructed an organization with its own chain of command, rules and regulations, and jurisdiction over its affairs.⁹

Native-born Protestant artisans continued to dominate the volunteer department as it expanded during the early to mid part of the 19th century. These artisans, as historians Sean Wilentz and Anthony Gronowicz, both have shown - albeit in very different ways - organized to maintain the status quo and control of their way of life and work as New York's began shifting away from a slavery dependent small-scale artisan and merchant based economy to industrial capitalism and proletarianization. As Gronowicz explained,

⁹ For a history of the changing public image of volunteer firemen during the 18th and the 19th centuries, see Amy Greenberg, *Cause for Alarm: The Volunteer Fire Department in the Nineteenth-Century City*, (Princeton, N.J.: Princeton University Press, 1998). The final quotation appears in Golway, *So Others Might Live*, p. 31. For a more complete history of New York's Fire Department during and after the American Revolution, see pp. 26-31.

“[A]rtisans played a reactionary political role in the context of a New York City undergoing massive immigration...The labor movement was brutally racist and fought, more often than not, to uphold slavery.”¹⁰ Artisans were at the forefront of Nativist and pro-slavery politics in New York, and were vigilant in their efforts to racially and ethnically stratify labor and social and economic opportunity. They brought these attitudes to the volunteer fire companies they served in during the first quarter of the 19th century. African Americans had been pushed out of skilled work as the local economy shifted to “free” labor, and not surprisingly, also were excluded from volunteer fire companies by these same artisans.¹¹

Irish Catholics, a despised and oppressed minority in their own right, were also discriminated against by native artisans, but eventually managed to gain token representation in volunteer companies as their numbers increased. By 1830, for example, only seven percent of the city’s firefighting force was Irish, while “nearly 60 percent, were of British ancestry, and slightly less than a quarter were listed as Nordic.” Of this seven percent, “relatively few...were Irish born...perhaps because there was no salary attached

¹⁰ Gronowicz, *Race and Class Politics in New York City Before the Civil War*, p. xvi.

¹¹ Sean Wilentz, *Chants Democratic: New York City and the Rise of the Working Class, 1788-1850* (New York: Oxford University Press, 1984); Gronowicz, *Race and Class Politics in New York City Before the Civil War*. Wilentz’s *Chants Democratic* is at best utopian and at worst apologia and a distortion of the history of race and the American working class. Rather than address the totality of information available, Wilentz skillfully manipulated or discarded information to suit his “myth-making” purposes. In it, he repeatedly skirts and/or misrepresents the actions and attitudes of New York’s white working-class towards African American workers and citizens. For two excellent critiques see, Gronowicz, *Race & Class Politics in New York City*, pp. 49-50 & 139-40 & Nell Painter, “New Labor History and the Historical Moment,” *International Journal of Politics, Culture, and Society*, 3 (1989): 369-70. For more on the declining status of Black artisans during this period, see Gronowicz, p. 30; Shane White, “‘We Dwell in Safety and Pursue Our Honest Callings’: Free Blacks in New York City, 1783-1810.” *Journal of American History*, 75, no. 2 (September 1988): 448.

to the position or perhaps because of the inbred hierarchy of the department.” As had been the case across the pond,, Anglo-Americans also asserted their authority and supremacy over Irish Catholics by circumscribing their access to economic, political, and social power and prestige. In the 1820s and 1830s, Irish Catholics were denounced in America for their inferior religion and personal and social characteristics and habits, all of which Anglo-Americans perceived as the legacy of the group’s socialization under to its own inferior, pre-modern culture and civilization. The general idea, however, was that with Anglo-Protestant supervision, guidance, and rule, the Irish could be redeemed, and taught the cultural and behavioral norms necessary both for civilization and for inclusion as American citizens. As their numbers in America increased, however, the Irish became increasingly associated with inherent and irredeemable disloyalty, drunkenness, cowardice, poverty, dependency, and political corruption; characteristics quite the opposite of those of sobriety, honesty, heroism, republicanism and patriotism stereotypically attached to native-born firemen and the volunteer fire department. “Irish exiles” in America, of course, held a separate view of their own innate qualities, culture, politics, and priorities in America. The Irish collective historical memory, one replete with invasions, colonization, and oppression at the hands of Anglo-Protestants, was that of a group determined to continue to fight Protestant oppression and control both in Europe and the U.S. In 19th century America, the Irish Catholics did just that, actively defending themselves, their communities, and institutions from any and all perceived threats to their independence and prosperity.¹²

¹² Golway, *So Others Might Live*, p. 69; Leo Hershkovits, “The Irish in the Emerging City,” in Ronald Bayer and Timothy Meagher, eds., *The New York Irish* (Baltimore: Johns Hopkins University Press, 1966) p. 26. For a discussion of the evolution of the

The Irish, occupying the poorer sections of the city along with African Americans, were frequent targets of Nativist groups and gangs. Their lack of access to volunteer fire departments hampered their ability to defend themselves and their neighborhoods from such groups. As the 19th century progressed, volunteer fire companies had become increasingly entangled with working-class politics and neighborhood gangs, with each neighborhood company providing local protection from fire as well as hostile outsiders or criminal groups. Fire companies “built their firehouses wherever they wanted, in the process over-protecting some neighborhoods while under-protecting others,” leaving groups underrepresented in the fire companies, such as the Irish, susceptible to attacks and intimidation. Political and demographic changes, however, soon brought a degree of relief and protection to Irish communities.¹³

Deprived of self-governance and political power in their native land and excluded from social and private sector economic power in the U.S., the Irish saw the urban political sphere as one of few areas where they could seize a degree of political power and self-determination. The Irish, however, did not become a political force until they began arriving en masse during and after the Irish Potato Famine. While this “Green Wave” of Irish immigration had a tremendous impact across the country, nowhere was its presence more strongly felt than in New York City. “By 1840, New York’s sixth ward, site of Tammany Hall, was the largest Irish community in the nation.” By 1844, slightly less than a quarter of New York’s population was Irish, a figure that rose to 26% within

popular images and stereotypes of the Irish during the antebellum period, see Dale Knobel, *Paddy and the Republic: Ethnicity and Nationality in Antebellum America* (Middletown: Wesleyan University Press, 1986); Kerby Miller, *Emigrants and Exiles: Ireland and the Irish Exodus to North America* (New York: Oxford University Press, 1985).

¹³ Margaret Hindle Hazen & Robert Hazen, *Keepers of the Flame*, p. 127.

only two years. By 1855, that 34% of the city's voters were Irish, struck fear in the hearts of Protestant Republicans, but was welcomed by Tammany Democrats who, as a result of Irish support, firmly entrenched themselves as the leaders of the city's government.¹⁴

While the tremendous growth of New York's Irish population did not immediately lead to the political take-over feared by many native whites, it did set in motion a dramatic reshaping of New York's social, cultural, and political terrain. Beginning in the 1840s Tammany Hall's Protestant leaders effectively organized and co-opted the Irish vote by offering protection from anti-Catholic campaigns as well as entry level access to the political and patronage processes, processes in which volunteer fire companies had come to play a significant role. By the mid 1800s, firehouses served as important community institutions and political recruiting centers, especially for younger males. New York's Democrats, seizing upon this, began incorporating under class and working class members of the Irish Sixth Ward gangs as well as the various groups of "Bowery B'hoys," into volunteer fire companies. These gang members not only voted for Democratic, but also served as political henchmen and muscle that could help physically "influence" elections while also providing a visible Irish presence in symbolic civil defense positions. The fit was natural. Many of the gang's members were already loosely affiliated with specific fire companies, but their growing numbers and reputation

¹⁴ The quotation appears in Gronowicz, *Race and Class Politics in New York City*, pp. 110-11. Also see p.195, note 1, for Irish population and political participation figures.

as rowdies ready to riot in response to any threat made it advantageous for Democrats to incorporate them into the Party apparatus, either officially or in spirit.¹⁵

The Irish began joining volunteer companies in larger numbers beginning in the 1840s as lower-level politicians used “individual fire companies” as “virtual recruiting stations for Tammany Hall.” Between 1840 and 1860, for example, “the portion of Irish firemen in the Department” rose dramatically “from about 12 to nearly 40 percent.” One such upstart Tammany Democrat was William Marcy Tweed, later known as “Boss Tweed.” Tweed began his career as a volunteer fireman with the Americanus Engine Company, Number Six, or “The Big Six,” a fire company he and State Assemblyman John J. O’Reilly founded in 1848. A skillful politician, within a year of forming the company Tweed was elected foreman by the company’s membership. Like other aspiring Democrats of his era, Tweed actively brought many Irishmen into his company. Comprised formally of seventy-five men, but with gang ties and a number of hangers-on, the “Big Six” fought fires and other fire companies, served as a neighborhood political club, and when needed provided “a bully’s hand on election day.” While company foreman, Tweed established strong ties to voters throughout the Seventh Ward, and in the process, increased his political base and influence within the larger Democratic Party. Tweed, using this base a political stepping-stone, later became district alderman in 1851,

¹⁵ The quotation appears in Gronowicz, *Race & Class Politics in New York City Before the Civil War*, p. 60. For more on democratic splintering during the 1830s and 1840s as well as Jacksonian-based “Democratic Republicanism” in New York, see Gronowicz, pp. 40-128. For Bowery B’hoys life and culture in New York during the 19th century, see Luc Sante, *Low Life: Lures and Snares of Old New York* (New York: Vintage Books, 1992).

doling out patronage, gaining experience, and building the foundation upon which he would consolidated his power and machine following the Civil War.¹⁶

While volunteer positions remained unpaid, the utilization of Irish firemen at this time was particularly significant for Irish Americans because they provided a degree of protection from the very real threat of fire and arson attacks on Irish communities and institutions. Throughout the 1830s, 1840s, and 1850s, fire bombings and arson attacks against Irish Americans had become a relatively common occurrence. Attacks occurred in cities across the country, including Philadelphia, Pennsylvania; Baltimore, Maryland; Charlestown, Massachusetts; and Louisville, Kentucky. Tensions between Nativists and Irish Catholics were high in New York as well. In 1844 Bishop John Hughes threatened that the Irish would torch the city if similar attacks were allowed to take place in New York. No such attacks occurred. Whether or not the presence of Irish firemen served as a deterrent is unclear, but it certainly made Irish New Yorkers feel safer than they would have without them.¹⁷

By the mid 19th century New York's volunteer companies, according to Luc Sante, were "para-political, para-fraternal entities, organized by neighborhood, by ancestry, by religion, by party registration," that tended to fight each other more frequently and effectively than they fought fires. In the past, firefighters were viewed as selfless, disciplined, public heroes with exceptional character and courage. The growing number of working-class and Irish Catholic firemen entering the department as well as the violence increasingly associated with firemen caused local elites, newspapers,

¹⁶ Golway, *So Others Might Live*, pp. 68 & 76; Alexander B. Callow Jr., *The Tweed Ring* (New York: Oxford University Press, 1966) p. 13.

¹⁷ Golway, *So Others Might Live*, pp. 79-80; Margaret Hindle Hazen and Robert M. Hazen, *Keepers of the Flame*, p. 101.

property owners, and Republicans to alter their perception and depictions of firefighters.

As the class and ethnic background of the department changed, volunteer firemen were increasingly portrayed as immoral, drunk, hyper-violent misfits and derelicts that physically and morally endangered the well being of the community and its youth. While their actions often bore this out, their behavior was actually quite similar to that of the native born firemen that preceded them, a fact that had went overlooked or ignored due to their ethnicity or class background.¹⁸

To the city's growing ethnic working class and poor immigrants, however, the hard-drinking, hard-fighting, hard-living, and fiercely independent firemen were urban folk heroes and symbols of the triumph and defiance of Jacksonian "democratic-

¹⁸ For the changing class composition and significance of volunteer companies in New York, the blurred lines between fire companies, ward healers and neighborhood gangs, and the impact that company rivalries had on the department's ability to fight fires, see Luc Sante, *Low Life: Lures and Snares of Old New York*, pp. 77-8 & 197; Frederick Binder & David Reimers, *All the Nations Under Heaven: An Ethnic and Racial History of New York City* (New York: Columbia University Press, 1995) p. 62; Paul A. Gilje, *The Road to Mobocracy: Popular Disorder in New York City, 1763-1834* (Chapel Hill: University of North Carolina Press, 1987), pp. 260-264; Terry Golway, *So Others Might Live*, pp. 67-89; Richard Calhoun, "From Community to Metropolis: Fire Protection in New York City, 1790-1875," Ph.D. dissertation, Columbia University, 1973; For a blow-by-blow, celebratory account of the numerous feuds and fights involving New York's volunteer fire companies, see A.E. Costello, *Our Firemen: The History of the New York Fire Departments* (New York: Knickerbocker Press, 1887).

Amy Greenberg's 1998 study, *Cause for Alarm: the Volunteer Fire Department in the Nineteenth Century City*, argues that volunteer fire departments, at least those in Baltimore, St. Louis, and San Francisco, were not as homogenous in terms of class or ethnicity as previously thought. The study points out that the public perception of firemen changed over time during the 19th century, and that by mid-century, firemen were seen more as the cause of problems than a solution. In her estimation, this was due to the hyper-masculinity associated with the vocation and the fights that ensued as firemen battled each other for dominance. She, however, fails to adequately examine how the growth of Irish members of the department contributed to this shift in public opinion, or if such notions were carryovers of widely held stereotypes regarding Irish behavior, rowdiness, etc.

republicanism” over “high brow” culture, Republicanism, and elite rule. While figures like Davey Crockett served this purpose for southerners pushing westward, in the cities the representative Jacksonian vernacular hero was “Old Mose,” a New York City volunteer fireman. As Alexander Saxton explained in *The Rise and Fall of the White Republic*, “The original Mose...was a characterization of New York’s Bowery Boys. Butcher’s helper, apprentice carpenter or stonemason, Mose the Bowery Boy was a gallant volunteer fireman, wheel horse of city politics and invincible pugilist.” Mose, like Paul Bunyan and Davey Crockett before him, was a national phenomenon, but represented the urban, immigrant working-class white male determined to make his way in America in spite of the Protestant elite and upper classes. He was also fiercely anti-Republican and pro-slavery.¹⁹

While most of New York’s Irish volunteer firemen likely identified with Mose’s political and ideological beliefs, “1,100 of the city’s 4,000-plus firemen” volunteered to fight against the Confederate rebellion when the Civil War commenced in 1861. Most Irish firemen, however, staunchly opposed abolition and the prospect of fighting in a war they felt endangered their own lives and interests. In their estimation, limiting the expansion of slavery could negatively impact the industries they had found unskilled employment in but also threatened to create a large free Black laborer force they would have to compete with both economically and socially. According to Noel Ignatiev, “the Irish, were rejecting not the rigors but the aims of the war,” particularly after enslaved

¹⁹ Alexander Saxton, *The Rise and Fall of the White Republic: Class Politics and Mass Culture in Nineteenth Century America* (New York: Verso, 1990). The character “Old Mose” was based on an Irish American volunteer fireman named Moses Humphries, who was more acclaimed as a pugilist than as a firefighter. For a short description of Humphries’ life both inside and out of the fire department, see Golway, *So Others Might Live*, pp. 68-9.

African Americans necessitated that the cause of the War include emancipation by fleeing to union troops.²⁰

While firemen in New York had been exempted from mandatory military service for years, the federal government removed this provision in 1863, a move that infuriated many volunteer firemen. A member of Engine Co. 33, also known as the Black Joke Engine Company, became one of the first new draftees on Saturday, July 13th, 1863, but vowed that he would not allow the federal government to compel him to fight for black freedom and/or the Union. This particular fireman was certainly not alone in feeling this way. With the start of the draft, opposition to and anger against both the draft and war reached a fevered pitch among New York's white working class. On the morning of July 13th, thousands of white workers walked out on their jobs to protest at the site of the draft. Initially non-violent, the protest took a turn for the worse when the members of the Black Joke Company stormed into the building where the draft was being held, "smashed the selection wheel, and set fire to the building. A Deputy provost marshal who tried to persuade the Black Joke men to fight the flames was beaten to the ground." What followed was "an insurrection against the government that was waging the war, at a moment when the military forces of the enemy were a hundred-odd miles from the city." Numerous African Americans were set upon during the insurrection. Institutions in Black communities, including churches and orphanages, were pilfered and set on fire while an untold number of African Americans and Union supporters were beaten, maimed, and killed. Estimates suggest that roughly one thousand people were killed during the riots

²⁰ Noel Ignatiev, *How the Irish Became White* (New York: Routledge, 1995), p. 88; Golway, *So Others Might Live*, p. 112.

and one hundred different buildings were destroyed. Lasting five days, the mayhem only ceased once Union forces intervened and restored order.²¹

New York's volunteer firemen played a paradoxical role in the Draft Riots. After starting the bloodletting, most firefighters abandoned the riot after the first day and devoted their time to quelling blazes. Whether or not they sympathized with the rioters, the firemen answered the call to service despite being set upon themselves by the angry mobs. Some firemen, in fact, were credited with ushering more than 200 Black orphans to safety when angry mobs continually set fire their asylum as the children remained trapped inside the building. While the volunteer firemen were roundly praised for their courageous and tireless efforts in the face of mayhem, the scope of the destruction, the key role played by volunteer firemen in starting the chaos was the last straw for those already disappointed by the volunteer department and all of its ills. Following the war, the highly organized and modernizing influence of the military was beginning to be applied to the fire service, and would spark the formation of a reorganized, professional fire department with a central command structure and a firmly delineated chain of command. Utilizing aspects of military organizational structure and operational tactics employed during the Civil War in 1865, New York's fire department was reorganized into the nation's first full-time, professional fire department. Formed initially under state supervision, the department was first known as the Metropolitan Fire Department (MFD). While many volunteers were carried over into the department, the transition was far from swift and efficient. Discipline, or the lack thereof, was a major problem. Former

²¹ Iver Bernstein, *The New York City Draft Riots: Their Significance for American Society and Politics in the Age of the Civil War* (Oxford: Oxford University Press, 1990), p. 18. Ignatiev, *How the Irish Became White*, p. 88; Golway, *So Others Might Live*, pp. 112-115.

volunteers, well schooled in adventurism, amateurism, independence, and rowdyism, were averse to working in a more militaristic fashion and being told how to conduct themselves in the institution they had helped to build.²²

Just as these problems began to be ironed out, the MFD came under attack from the Democratic Party. Leading this campaign was none other than former volunteer fireman “Boss Tweed.” Tweed’s assent following the Civil War had further solidified Democratic Party entrenchment within New York’s municipal government. While quite powerful already, Tweed now moved to expand the influence and control of Tammany Hall. To do so, Tweed sought greater access to patronage positions, many of which were under the control of the state government, including those employing large numbers of workers and with large budgets such as the fire department. To remove this hindrance, Tweed petitioned the state legislature to give the city “home rule” over the institutions that served it. Passed only five years after the department’s formation, the “Tweed Charter,” aided by more than a half a million dollars in bribes to members of the state legislature, brought the fire department under his direct supervision and control. The fire department, which under Tweed was renamed the Fire Department of New York City (FDNY), boasted a “seven figure budget” - at least at its inception. Within his first year in control of the FDNY, Tweed hired 754 more Irish firemen and then drained the department’s budget, a feat he completed just prior to being exposed for excessive corruption and then removed from office in 1871.²³

²² Richard B. Calhoun, “New York City Fire Department Reorganization, 1865-1870: A Civil War Legacy,” *New York Historical Society Quarterly*, 60 (1-2), (1976): 33; Hazen and Hazen, *Keepers of the Flame*, p.128.

²³ Golway, *So Others Might Live*, pp. 131-142. From 1865 to 1870 the fire department was under state rule and was known as the Municipal Fire Department, or MFD.

After Tweed's expulsion, the Irish rose in prominence in the Democratic Party - now without sponsors – and took control of Tammany Hall under the leadership of Irish Catholic former volunteer fire fighter, “Honest” Jim Kelly. Civil service jobs became even more accessible as the Irish used their power to secure positions for fellow Irishmen whose limited skills and ethnicity had circumscribed their access to middle-class respectability and economic opportunity in the private sector.²⁴ Control of municipal jobs provided a path out of poverty for the Irish, and like the Anglo-Protestants who preceded them, the Irish self-consciously catered to their own. By the end of the 1870s, “...highly visible jobs, including teaching, police work, and firefighting were strongly dominated by the Irish.” Civil defense positions, however, constituted the strong majority of city jobs available at the time. In 1892, for example, sixty-five percent of all city jobs were in either the police or fire departments. Recruitment for these positions was conducted in conjunction with Tammany Hall, which recruited firemen from predominantly Irish tenement buildings that often housed very recent immigrants. Those who voted accordingly had their assessment paid by political bosses and were then ushered in. Once in the department, “the firemen...served under the direction of superior officers, who in turn were under the direction of Tammany leaders.”²⁵

This process remained relatively undisturbed during both the progressive era and during brief periods of Tammany defeat. Civil Service reform efforts had begun almost

²⁴ This point is made in Lawrence McCaffrey, *The Irish Catholic Diaspora in America* (Washington D.C.: The Catholic University of America Press, 1997), pp.118-9 & 230-1.

²⁵ Hosia R. Diner, “The Most Irish City in the Union: The Era of the Great Migration, 1844-77,” in Ronald Bayer and Timothy Meagher, eds. *The New York Irish* (Baltimore: Johns Hopkins University Press), p. 105; Emma Schweppe, *The Firemen's and Patrolmen's Unions in the City of New York: A Case Study in Public Employee Unions* (New York: Columbia University, King's Crown Press, 1940), pp. 43-5.

immediately after the Irish gained control of civil defense positions, but “civic good government groups” were unable “to disturb the affairs of the department.” In 1883, anti-Irish “progressives” defeated Tammany Hall and passed a statewide civil service law that created a municipal civil service commission designed to end boss politics and Irish political patronage by installing “scientific,” “ethnically impartial,” merit based hiring procedures that, ideally, would replace Irish workers with more qualified middle-class native whites. These reform efforts, however were easily side-stepped by Tammany Hall, as was evident by the growth of the Irish presence within the FDNY shortly after and in the decades that followed the creation the New York’s of civil service. By January 1, 1888, for example, two hundred and eighty-four “of the approximately 1,000 firemen ... listed in a dusty departmental roster...were born in Ireland.” “If American-born firemen with Irish names are included,” the percentage of firemen of Irish descent in the FDNY was greater than 75 percent.²⁶

The Irish went on to increase this imbalance, bending civil service procedures to fit their needs and in the process providing the guise of fairness and meritocracy to what in actuality were patronage positions. Entrance tests, mandated by the civil service commission, were made notoriously easy while provisions allowing departmental leaders, in conjunction with political bosses, to “randomly select” appointees from the pool of those who passed were installed. In theory, all applicants had to meet certain height and weight requirements; pass a medical, written, and physical test; and produce “character witnesses” to qualify. “Creative grading,” evaluations, “string pulling,” and the heavy

²⁶ Emma Schweppe, *The Fireman’s and Patrolman’s Unions in the City of New York: A Case Study in Public Employee Unions*, pp. 60-1; Golway, *So Others Might Live*, pp. 142-4.

presence of nationalistic Irish-Americans throughout the department's upper ranks allowed nepotism and ethnic favoritism to flourish. If one's test scores were low, a letter from the proper ward healer, family member, department member, priest, etc., could secure access. Guised in fairness and objectivity but widely recognized as a "who you know" process, early civil service procedures and the legitimacy they bestowed, produced successive generations of Irish Americans who came to view civil service testing and procedures as the key to social and economic advancement, and ironically, as an important failsafe against favoritism, discrimination, and exclusion. Initially conceived of as a way to limit Irish access to the halls of government as well as to bring fairness and professionalism to a corrupt, ethnically and politically defined system of spoils, the advent of civil service procedures provided growing bureaucracies like the police and fire departments greater political and administrative autonomy than ever before, and allowed the Irish to cement their control of these departments.²⁷

As a result, the FDNY retained the insular work culture established during the days of volunteerism, but did so by fusing longstanding tradition with what had quickly become an increasingly Irish-Catholic department and work culture. Firemen had long established and nurtured a sense of job pride and autonomy that fostered the entrenchment and expansion of a protectionist craft identity that made insularity and resistance to outsiders and outside control dominant characteristics. "The Irish Catholics who came to dominate the Department understood that tradition of separation, and they built on it, even as the Irish won control of city politics...Before long, their traditions and

²⁷ For more on early civil service procedures, their objectives, and ultimate consequences, see Roger Waldinger, *Still The Promised City?: African Americans and the New Immigrants in Postindustrial New York* (Cambridge: Harvard University Press, 1996); Golway, *So Others Might Live*, pp. 145-6.

the Department's traditions were virtually indistinguishable.”²⁸ Protestants derisively stereotyped Irish Catholics as “the fighting Irish,” but the Irish appropriated and reinterpreted this construction as a strength that signified Irish Catholic resolve, bravery, fearlessness, brazenness, and nationalism. “Fighting” against Protestant oppression or for greater access to group power, whether in Ireland or the U.S., were key aspects of Irish Catholic culture, identity, and history. Irish firemen internalized these characteristics, and viewed them as inherent traits that made them, and them alone, suited to serve as firemen, a belief perhaps best symbolized by the FDNY’s motto, “ourselves alone,” which was derived from the Gaelic term and political slogan, “Sinn Fein.”²⁹

Irish Catholic scholar, social critic, and Senator Daniel Moynihan once wrote that Irish Catholics had been good at “acquiring and holding power, but lacked the vision and social conscience to convert it into meaningful change.” Conservative, insular, nationalistic, and tradition-bound, Irish Americans in the FDNY sought to wield and further develop the power they had attained to strengthen and maintain these advantages for future generations of Irish Americans by manipulating and maintaining control of departmental affairs and the hiring process. Moreover, the Irish control of the FDNY had occurred at a particularly fortuitous time. New York was growing exponentially during this period, particularly after the city was consolidated in 1898. As the city’s area and population increased, so too did public works and public services, providing even more outlets for patronage and public employment. The police and fire departments, however, remained the most coveted municipal employment positions available, and were

²⁸ Ibid, p. 146.

²⁹ Matthew Guterl, *The Color of Race in America, 1900-1940*, (Cambridge: Harvard University Press, 2001), p. 77.

dispensed to Irish Americans at an even greater rate than other city jobs. While “Irish employment...in city government almost quadrupled” between 1900 and 1930, the police and fire departments alone employed 21% of all of the city’s Irish employees during this same period.³⁰

Irish control of the FDNY had little direct impact on Black New Yorkers in that Blacks continued to be excluded from the department as they had in the past. However, the political ascent of the Irish - a group traditionally hostile to Black aspirations as well as Black life - offered little hope that a racially inclusive economy and local government was on the horizon. Conflict between the two was of historical proportions, and had been marred by a number of clashes between Irish-American and Black workers that took place during the 19th and early 20th centuries. Over the years, Irish-American workers frequently organized to either expel or restrict Black workers from being able to compete in a number of unskilled and semi-skilled occupations, including stemming, long shoring, domestic service, construction, barbering, waitering, catering, paving, carpentry, machinist and coachmen positions, gardening, etc. They had done so by striking, threatening, and/or exacting violence on Black workers until those doing the hiring agreed to exclude Blacks from the labor force or by taking over previously Black service jobs during tough economic times and relying on fellow whites to favor them over Black

³⁰ Daniel Patrick Moynihan, “The Irish,” in Daniel Moynihan and Nathan Glazer, *Beyond the Melting Pot: The Negroes, Puerto Ricans, Jews, Italians, and Irish of New York City* (Cambridge: Harvard University Press, 1963) p. 229. For similar sentiments, also see Thomas N. Brown, *Irish-American Nationalism* (New York: J.P. Lippencott Co., 1966), pp.132-34; Roger Waldinger, *Still The Promised City?*, p. 210; Steven P. Erie, *Rainbow's End: Irish-Americans and the Dilemmas of Urban Machine Politics, 1840-1885* (Berkeley: University of California Press, 1988), pp. 88-89. Erie argues that access to municipal and patronage jobs actually retarded Irish American mobility in the long run because they clung to working and lower middle-class jobs rather than branching off into newer, higher paying pursuits in other sectors of the economy.

competitors. As David Roediger explained, Irish racism was more than merely a misguided reaction to economic competition. Blacks posed little threat to the interests of Irish workers, particularly in New York, and certainly less of a threat than other European immigrant groups whom the Irish reacted to in a much less violent, confrontational, and hostile fashion.³¹

Irish anti-Black hatred and violence in New York, while at its bloodiest during the 1863 Draft Riots, began before and continued long after the Civil War.³² In 1900, Blacks in New York's Tenderloin district were wantonly attacked for two days by mobs including roving groups of whites as well as the police. Surrounded by Irish American communities and residents, the Tenderloin District was New York's most populated Black enclave. Sporadic violence between the two groups occurred throughout the 1890s, but escalated into what whites at the time referred to as a "nigger hunt" following an altercation between a white and Black man on a hot summer's day. Hundreds of African Americans were badly injured during the attacks, but what was most disturbing was the widespread involvement of the largely Irish-American police department, which quickly escalated what began as a riot into a full-on pogrom. Seeking to protect

³¹ For examinations of Irish-American working-class "agency" in the exclusion of Black workers from various occupations in New York before WWI, see Herman Bloch, *The Circle of Discrimination: An Economic and Social Study of the Black Man in New York* (New York: New York University Press, 1969), pp. 34-67; George Edmund Haynes, *The Negro at Work In New York City: A Study in Economic Progress* (New York: Columbia University Press, Longmans, Green, and Co., 1912); Mary White Ovington, *Half A Man; The Status of the Negro in New York* (New York: Longmans, Green, and Co., 1911). For domestic labor and racial and ethnic transition, see Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (New York: 1986), pp. 156-62. For a broader look at relationship between Irish and Black workers during this period, see. Roediger, *The Wages of Whiteness*, pp. 144-150; Noel Ignatiev, *How the Irish Became White*, pp. 100-119; David Doyle, "The Irish and American Labour, 1880-1920," *Saothar* 1 (1975): 43-4.

³² Paul Gilje, *The Road to Mobocracy: Popular Disorder in New York City, 1763-1834*.

themselves, many Blacks began arming and defending themselves against their attackers, but were rounded up, beaten and arrested by police department members for daring to fight back. The police department, backed by Tammany Hall, escaped reproach in months that followed despite the politicization of the riot and well-organized Black protests. After conducting its own investigation of police conduct during the riot, the department “found” that during the “race war...prompt and vigorous action on the part of the Police” had “kept the situation under control...” Similar outbreaks of violence against African Americans that included the police continued for the next several years.³³

The ethnic composition, hostility towards Blacks, and racism of the members of the police department was similar to that found in the FDNY. For the department’s members, the very notion of having Black peers was as unthinkable as it would necessitate a degree of interaction between the races that white firemen in New York found as unacceptable as their colleagues in the South. Firemen at the turn of the 20th century worked excessively long hours and spent more time together than they did with their own families. This included sharing beds, bathrooms and kitchens, spaces few whites were willing to share with African Americans. On fire grounds, the presence of Black firemen doing the same heroic work as whites threatened - at least in minds of many whites – to lessen the bravery, heroism, and status associated with the job. If Black men, widely viewed in both popular and intellectual circles of the time as innately inferior human beings, could perform one of the most revered and respected duties in American life, white claims of racial superiority, or even Irish claims of “whiteness” or

³³ Gilbert Osofsky, “Race Riot, 1900: A Study of Ethnic Violence,” *Journal of Negro Education*, 32, no. 1 (Winter, 1963): 16-24.

“non-Blackness,” could be called into question or diminished, thus negating some of the myths used to justify Black subordination and white supremacy.³⁴

Most whites firemen saw Blacks more as a danger or threat than as potential heroes or colleagues, however, they were not alone in their unwillingness or inability to conceptualize or accept the idea of Blacks serving as firemen. Many whites could envision Blacks providing a helping hand, but only in a servile capacity. Fire, however, did not discriminate, and firemen, whether Black or white, had to respond to any alarm when called upon. While whites were certainly willing to have black people come into their homes to clean and cook, the idea of Black people entering white homes, businesses, or meeting halls unannounced with firefighting equipment in hand and acting on their own volition offended white sensibilities and evoked white fear that stemmed from time-honored stereotypes. This point was made clear just outside of New York City on September 11, 1903 when a restaurant caught on fire during a fireworks celebration associated with a carnival. The restaurant, W.F. Garnar’s, was filled with white patrons when the front of the dining room caught fire. Volunteer firemen attending the carnival rushed to the scene of the fire to offer assistance, but were greeted as anything but heroes. Despite being stuck in a burning building, panic struck the restaurant’s white patrons as they watched a “crowd of black men” come “rushing in with axes and pikes and other apparatus of firemen.” As the *New York Times* reported, the presence of Black firemen caused more panic and hysteria than the fire itself:

³⁴ For an excellent study on pervasiveness of racism and the construction of race in the social sciences and in American popular culture during this era, see Lee Baker, *From Savage to Negro: Anthropology and the Construction of Race, 1896-1954* (Berkeley: University of California Press, 1998).

Women fainted to the right and left of the invaders, while their escorts grabbed chairs, knives, and forks, or anything at hand as weapons of defense. The black men were too intent on their work to offer any explanation other than that the diners had better get out quietly as the place was on fire...Several of the women diners had been so greatly terrified by the "Darktown Brigade" that they became hysterical, and it was necessary to send them home in carriages.³⁵

Ironically, the "Darktown Brigade" was actually a minstrel group consisting of white volunteer firemen dressed in "weird costumes" and wearing "blackface." While participating in a parade associated with the carnival, they had seen the blaze and sprung into action. The true racial make-up of the "brigade" went unnoticed by the restaurant's patrons until the firemen began "rapidly turning from black to white through the perspiration due to their labors and occasional soakings by the hose."³⁶

The prevalence of racism in society at large and in the fire department offered little hope that Blacks would be allowed to work as firemen in New York City. But as the Irish proved during the early to mid 19th century, departmental hiring and inclusion hinged more on political calculations and pragmatism than disdain for a particular racial or ethnic group. While all non-Irish Catholic groups found gaining access to the FDNY

³⁵ "Black Firemen Cause Panic: Women Faint and Men Prepare for Defense When Patterson's Darktown Brigade Rushes Into a Restaurant," *New York Times*, 11 September 1903, p. 3.

³⁶ Ibid.

Minstrelsy was long a part of both Irish working-class and firefighting culture. Mose, for example, underwent a quick adaptation and was played by actors in blackface shortly after the character had become established in local theaters. The presence of volunteer white firemen dressed as caricatures of Black firemen for the amusement others was both part of this broader tradition as well as joke entertainment designed to show the absurdity and hilarity that would result in Black men serving as firemen. For more on minstrelsy, firefighters, and Mose's transition to blackface, see Eric Lott, *Love and Theft: Blackface Minstrelsy and the American Working Class* (New York: Oxford University Press, 1995) pp. 81-5; David Roediger, *Wages of Whiteness: Race and the Making of the American Working Class*, pp. 99-100; Alexander Saxton, *The Rise and Fall of the White Republic*, pp. 169-71.

during the early 20th century a difficult task, Black New Yorkers, were particularly politically hamstrung due to their limited numbers and influence on electoral politics. Lacking leverage, during the first thirty years of the 20th century, Black political “leaders” played a marginal, buffer role in local politics. As a result, African Americans were largely excluded from all but the least desirable sectors of municipal employment. Charles Anderson, the key Black political operative in New York for the Republican Party, boasted during a 1913 campaign of having secured 697 positions. All but five of these jobs, however, were federal rather than local, with most in the postal service, where Anderson, through his close association with Booker T. Washington, controlled Black patronage throughout the region. Anderson’s Democratic political rivals in the Black community, the United Colored Democracy, eventually produced more city jobs due to their ties to Tammany Hall. But not enough jobs to significantly improve the lives of many Black New Yorkers or inspire confidence in the Democratic machine’s willingness to “take care of” Black voters, even after they began shifting to the Democratic Party in larger numbers during the 1920s:³⁷

³⁷ Ira Katznelson, *Black Men, White Cities: Race, Politics, and Migration in the United States, 1900-30, and Britain, 1948-68.* (Chicago: University of Chicago Press, 1973), p. 78. Washington’s grip on Republican spoils is well known, as was his propensity to punish his political foes by having them relieved of their posts if they failed to comply with his wishes. A most egregious and well known example of this was the firing of “Race First” Black Socialist Hubert Harrison, who after having written two articles against the “Wizard of Tuskegee” in the *New York Sun*, was removed from his job as a clerk in the Post Office in late October, 1911. This firing, while approved by Washington, was due largely to Charles Anderson, who in a September 1911 letter to Washington, informed “the Wizard” of the articles while reminding him: “The Postmaster is my personal friend, as you probably know. Harrison has had charges preferred against him and I think he is liable to be dismissed from the service.” Later when informing Washington of Harrison’s firing, Anderson reiterated how Postmaster Morgan was “a particular personal friend of mine long years standing...”(Italics included in original).

Between 1897 and 1913, as New York's Black population grew from over 60,000 to almost 150,000, United Colored Democracy activity produced fewer than 850 city patronage jobs for blacks, the overwhelming number of which were for unskilled heavy labor, the type of employment which was possible for blacks to obtain in the economy's private sector... While the absolute number of Negro city employees increased during the 1920s from 983 to 2627, in relative terms the black population's share of available patronage was declining.³⁸

While this minuscule number of municipal hirings did little to improve the collective position of African Americans in New York's constricting labor market, a few "Black firsts" did occur during this period in certain areas of employment, including in the FDNY, making New York's among the first major border and northern cities to employ African Americans in their fire department. The others, which included Washington D.C., Chicago and Philadelphia began employing a very small number of African Americans in their fire departments during different times of the late 19th

Both letters appear in Louis Harlan, ed., *The Booker T. Washington Papers* (Hereafter referred to as BTW Papers), Vol. 11: 1911-12, pp. 300-01 & p. 351. For more on Washington and Anderson's control of Republican spoils and appointments in New York and elsewhere, see: BTW Papers, "Booker T. Washington to Theodore Roosevelt, July 11, 1904," Vol. 7: 1903-1904, pp. 530-1; BTW Papers, "Charles Anderson to Emmett Scott, February 3, 1906, Vol. 8: 1904-1906, p. 516; Charles Anderson to Booker T. Washington, March 28, 1910, Vol. 10: 1909-1911, p. 304; Louis Harlan, BTW Papers, Vol. 4: 1895-1898, p. 154 & Vol. 6: 1901-1902, p. xxv; and BTW Papers, "James Sullivan Clarkston to Booker T. Washington, October 16, 1902, pp. 550-2; For information regarding Anderson's career, his connection with Washington, his role in Republican Party politics, as well as his political strengths and weaknesses, see Lewinson, *Black Politics in New York City* (New York: Twayne Publishers, Inc., 1974, pp. 38-42. For a brief description of accomodationist Black politics in New York City as well as Booker T. Washington's influence, see Michael Goldstein, "Preface to the Rise of Booker T. Washington: A View from New York City of the Demise of Independent Black Politics," *Journal of Negro History*, 62, no. 1 (January, 1977): 90-97.

³⁸ Ira Katznelson, *Black Men, White Cities: Race, Politics, and Migration in the United States, 1900-30, and Britain, 1948-68*, pp. 79 & 83; For an examination of Black occupational patterns and wages in New York from 1890 to 1910, also see George Edmund Haynes, *The Negro at Work in New York City: A Study in Economic Progress* (New York: Arno Press and the New York Times, 1968 [1912]), pp. 66-83.

century, but had done so by forming segregated companies. New York, the last of the group to hire Blacks in their fire department, “opted instead to integrate” the FDNY.³⁹

Racial egalitarianism had little to do with this policy decision. Rather, the number of Blacks in the FDNY remained so low for so long that forming a single segregated company, let alone several, remained logically impossible until the late 1930s. Between 1898 and 1913, only five African Americans worked in the FDNY, including an inspector of combustibles, a clerk, and an inspector of oils.⁴⁰ William Nicholson, a former cement tester from Virginia, was officially hired by the FDNY as a fourth-class fireman in 1898. A resident of Brooklyn, Nicholson originally received his appointment in Brooklyn in 1896 before the Borough was incorporated into New York’s municipal government, but was kept on following the city’s expansion. While initially listed as a fireman/driver, he was never allowed to either drive or fight fires. Rather, the day he appeared at his first FDNY assignment orders from Headquarters were sent to his firehouse that immediately detailed him to the FDNY’s Veterinary Department in Manhattan where he served for the next twelve years as stable hand whose main responsibility was caring for and cleaning up after the horses that pulled the fire company’s pumping apparatus. Nicholson eventually retired from the FDNY in 1912 after suffering an undisclosed injury.⁴¹

³⁹ For information on the first Black professional firemen in Philadelphia and Chicago, see Chuck Milligan and Rev. Ron Ballew, “History of Black Firefighters,” http://members.aol.com/_ht_a/fireriter/index.html?mtbrand=AOL_US, pp. 4 & 36-37 & “Chicago’s Colored Firemen, *Cleveland Gazette*, 29 September 1988. For Washington D.C., see “Police and Fireman’s Parade: The Colored Brother Scarce, *Washington Bee*, 11 November 1899, p. 6; “The Fireman’s Parade,” *Washington Bee*, 17 October 1891.

⁴⁰ Ira Katzenbach, *Black Men, White Cities...*, p. 81.

⁴¹ Ibid, p. 78; John Ruffins, “New York’s Black Firefighters,” Unpublished manuscript, in the Wesley Williams Papers, Schomburg Center for Research in Black Culture, New

While Nicholson's 1896 appointment - even as a stable hand - was relatively uncommon, such occurrences tended to occur more frequently in Brooklyn than elsewhere. Prior to its incorporation, Brooklyn hired several Blacks to traditionally lily-white positions. Brooklyn's first Black policeman, for example, was hired in 1891, as were two public works department clerks. Such appointments were due to the establishment of "many middle- and upper-class blacks" in Brooklyn prior to incorporation, their traditional loyalty to the Republican Party, and the need for politicians to secure the vote of the area's Black residents in order to maintain political power in what was a sparsely populated area independent of city politics. Following Brooklyn's 1898 incorporation, however, the "considerable patronage rewards and significant community autonomy, which characterized race politics in the 1880's and early 1890's, had vanished...Rather than being consulted in matters that affected their community, as had been the rule, blacks were now banished to the realm of powerless party auxiliaries." As a result, Black Republicans in Brooklyn, no longer removed or isolated from city politics and Tammany control, lacked ample political leverage in all but the most exceptional of circumstances, and were neglected in all but the most hotly contested municipal elections.⁴²

York, NY (hereafter referred to as SC), Box 2, p. 16-18; Victor Collymore, "A History of Black Firefighters, *New Amsterdam News*, 4 July 1976, p. D-9.

⁴² Harold Xavier Connoly, "Blacks in Brooklyn From 1900 to 1960," Ph.D. dissertation, New York University, 1972, p. 54; Lewinson, *Black Politics in New York City*, pp. 82-4.

As Lewinson pointed out, "three successive Negroes served on" Brooklyn's "Board of Education, under both Republican and Democratic city administrations." Brooklyn's first policemen as well as two Black appointments to the Public Works Department occurred under a democratic mayor, an occurrence Lewinson perceived as most likely "an effort to win black votes from their traditional Republican alliance."

One such election in 1914, a three party race that included the Fusion ticket, provided a small opportunity for local Black Republicans to barter with Tammany Hall for patronage positions. In a last ditch attempt to garner the support of Black Brooklyn's Republican leadership and hence its voters, Tammany Hall approved the hiring of a Black fireman in Brooklyn. John Woodson, a former letter carrier, became New York City's first Black fireman when he officially joined the FDNY on September 21, 1914 and was assigned to Hook and Ladder 106 in Brooklyn. While very little information exists regarding the forces behind Woodson's hiring, his prior foray in the postal service and subsequent appointment to the fire service suggest that George Wibecan, a longstanding postal employee and Black Brooklyn's most noted Republican leader, played a significant role in Woodson's appointment. During the run up to the election Wibecan abandoned the Republican candidate for Mayor and began mobilizing support for Edward Everett McCall, the Democratic Party candidate. Woodson's appointment was not publicized in either the white or Black press, and appears to have been a conditional political reward for Wibecan's support as well as attempt to get he and other Black Republican leaders to support Tammany in the upcoming election while not drawing the ire of white voters who might be "put off" if the appointment had been widely publicized.⁴³

⁴³ For general information regarding Wibecan's political career in Brooklyn, see Lewinson, *Black Politics in New York City*, pp. 83-4; Schneier, *Negro Mecca*, pp. 206-7. For first hand accounts regarding Black political divisions and factionalism during the 1913 election, including Wibecan's positions at the time, see BTW Papers, "Charles Anderson to Booker T. Washington, October 7, 1913, Vol. 12: 1912-14, p. 325; "Anderson to Booker T. Washington," November 18, 1913, Vol. 12: 1912-14. pp. 335-7. Regarding Woodson, The *New York Age*, *Chicago Defender*, *Crisis*, *Baltimore African American* and *Brooklyn Eagle* all failed to mention anything about his pioneering appointment, but it is unclear whether or not they were even aware of it. *The Age*,

Token civil service jobs in Manhattan only began appearing after the 1898 formation of the United Colored Democracy, and after Black New Yorkers in Manhattan began abandoning the party of Lincoln to vote for Tammany candidates in local elections in larger numbers. This process was extremely gradual, proceeding at a snail's pace well into the 1930s. Manhattan's first Black policeman, Samuel Battle, was appointed in 1911, twenty years after Brooklyn hired its first Black police officer. Manhattan's first Black firefighter was also Brooklyn's. In May 1918, John Woodson was transferred to Engine Company 5 in Manhattan after having worked in the Greenpoint section of Brooklyn, where during his second year on the job, he had received a Class III medal for placing himself at "unusual personal risk" while responding to an emergency. Woodson's stay in Manhattan would be brief. After spending four months in Manhattan, he was again transferred, this time to Queens. The reason for these and subsequent transfers after are unknown with the exception of one. In 1934, at the tail end of Woodson's career, his Lieutenant charged him with insubordination. During the departmental hearing that followed, Woodson was acquitted of the charge while the Lieutenant was found guilty of committing an undisclosed act that brought "discredit to

perhaps the most likely place one would find such news, was under the watchful eye of Black Republican Booker T. Washington at the time, and likely would have refused to publicize Wibecan's securing of a patronage position through Tammany sponsorship if he was aware of the appointment. The February 1915 edition of *Crisis*, published only a few months after Woodson's official appointment to the FDNY, ran a brief article on Randolph Tams, the only Black member of Dayton, Ohio's fire department, after he had received the department's highest efficiency rating, but did not mention Woodson's appointment. See *Crisis*, v. 10 (February 1915): 166. The only newspaper that made mention of Woodson was the *New York Times*, but it merely listed his name and appointment and made no mention of his race. See "Police and Fire News," *New York Times*, 20 September 1914, p. 15; "Police and Fire News," *New York Times*, 25 September 1914, p. 13; "Police and Fire News," *New York Times*, 19 December 1914, p. 18. Also see Victor Collymore, "A History of the Black Firefighters."

the uniform of the department.” After the hearing, Woodson was granted a transfer to a company near his home in the Bronx where he stayed until his retirement in 1936.⁴⁴

During the first four years of his career Woodson was the lone Black fireman in the FDNY. He faced ostracism and hatred on the job and toiled in isolation from New York’s growing Black metropolis in Harlem. Woodson’s accomplishments, struggles, and resolve received little fanfare and, and unlike well-known Manhattan-based policeman Samuel Battle, he remained disassociated from Harlem’s Black community and the increasingly race conscious politics and initiatives emerging to help challenge the traditional, accommodationist Black partisan politics in Harlem. The United Civic League (UCL), for example, had been formed in 1913 by “leading figures of the Harlem community,” to conduct “a civic, industrial, political, and educational campaign among members of the race.” The UCL’s leader and guiding force, John M. Royall, held weekly public meetings at the Palace Casino stressing race consciousness, economic nationalism,

⁴⁴ Lewinson, *Black Politics in New York City*, pp. 177-8; For Woodson’s early appointment in Brooklyn, see “Police and Fire News,” *New York Times*, 20 September 1914, p. 15; “Police and Fire News,” *New York Times*, 25 September 1914, p. 13; “Police and Fire News,” *New York Times*, 19 December 1914, p. 18. For Woodson’s subsequent career and later transfers, see Ruffins, “Black Firefighters,” pp. 18-19; Vulcan Society Inc., “The Founding of the Vulcan Society,” Fortieth Anniversary Dinner Dance Program, 4 May 1980, in author’s possession. For a discussion of the allotment and grades of medals bestowed by the FDNY, see Lieutenant Richard R. Hamilton with Charles N. Barnard, *20,000 Alarms: The Memoirs of New York’s Most Decorated Fireman* (Chicago: Playboy Press, 1975), pp. 120-1. For the existing vague description of Woodson’s 1934 hearing, see FDNY, *Rules and Regulations of the Uniformed Force* (New York: William Bratter Inc., 1926); “Fire Department,” *New York Times*, 14 December 1934, p. 33.

Battle, the son of former slaves, was born in Newburn, North Carolina in 1883. Prior to joining the police department, he served as a redcap at Grand Central Station, advancing to Assistant Chief under Wesley Williams’ father. Battle took and passed the police examination in 1910 but his appointment was postponed for a year under the pretense that he had had a pre-existing medical condition that disqualified him. Battle was finally appointed a year later after receiving assistance from Charles Anderson.

and Black representation in all aspects of city governance. Guided by the principle of “a black man first, a black man last, and a black man all time,” Royall and the UCL received backing from an array of church, club, and fraternal groups. Together, these groups combined to lobby for political and economic inclusion as well as increased access to public city services for Black Harlemites. At 1917 meeting, for example, the UCL demanded that Blacks “have representation in the State Assembly and Board of Aldermen, that a squad of Negro firemen and a squad of negro police be appointed for New York City, and that a bathhouse be provided for the exclusive use of negroes.”⁴⁵

While the UCL may or may not have been aware of John Woodson, the all-Black fire company they called for never materialized. Woodson was thus left to fend for himself in a department in where no one supported him or prevented gross injustices and maltreatment from occurring. Lacking options, Woodson pragmatically pursued the path of least resistance in order to survive on the job. While little is known about Woodson’s interactions and experiences on a day-to-day basis, he did later share his approach with the FDNY’s second Black firefighter, Wesley Williams. Woodson found out about Williams’s appointment after having read about it the *Chicago Defender* and offered the following advice in a letter sent to young fireman:⁴⁶

You’ll find quite a lot of jealous and narrow-minded men...Do your work and do it as near perfect as you can...do everything the commanding officers tell you to do, no matter what it might be, do it...Don’t force your friendship on anybody and if there’s an argument, don’t join them, just say “I’m neutral.” If they speak

⁴⁵ Edwin Lewinson, *Black Politics in New York City*, pp. 54-6; “Negroes Make Demands,” *New York Times*, 30 July 1917, p. 9. The terms “Negro” and “Negroes” are not capitalized in the article, and are quoted as printed.

⁴⁶ *Chicago Defender*, New York City Edition, January 1919, Wesley Williams Papers, SCBRC, Box 1, Clippings file; Ruffins, “Black Firefighters,” p. 18.

of our race before you, in your presence, as niggers, pay no attention – go and do something or take a newspaper and read.⁴⁷

Wesley Williams went on to follow much of Woodson's advice regarding on-the-job discipline, work ethic, firehouse relations, and using idle time wisely, but took a much more proactive stance regarding acts of disrespect and racial discrimination. A "race man" who came of age during the flowering of the New Negro Movement, Williams was determined to fight back on many levels, both for himself, and so those of his race could follow.

Wesley Williams, by all accounts was an extraordinary man from an extraordinary family. During the 1890s, Williams' father, James, the son of a former slave, became Chief of Red Caps at Grand Central Station, a job he founded after working for several years at Thorley's, a flower shop located on Fifth Avenue, and as a Red Cap. Eric Arnesen, in a recent study of Black railroad workers, explained that it is widely believed that in 1892 "the enterprising Williams fastened a piece of red flannel to his hat as a means of identifying his availability to carry luggage to the passengers of Grand Central Station." As a result of his success, "the Red Cap came into being."⁴⁸ While Williams may have been the first use to red flannel as a means of identifying himself to potential customers, there were already twenty-five whites and two Black attendants working as porters when he began at Grand Central Station. After working the night shift for several months to supplement his income from the flower shop, Williams switched to the day shift, began working full time, and shortly after was named the Chief

⁴⁷ Ruffins, "Black Firefighters," p. 19.

⁴⁸ Eric Arnesen, *Brotherhoods of Color: Black Railroad Workers and the Struggle for Equality*, (Cambridge: University of Harvard Press, 2002), p. 153

of the Red Caps. As Chief, Williams did relatively well financially and through his duties established political, social, and personal connections with many of America's most powerful figures, including Presidents Roosevelt, Taft, and Coolidge and Senator Robert Wagner as well as the Gould, Vanderbilt, and Morgan families.⁴⁹

Such paternalistic relationships provided experiences and opportunities for Williams and his family that were somewhat typical for the small segment of the old Negro middle-class who were either active politically or made their living taking care of the needs of extremely rich folks, but were unthinkable for most African Americans. The Williams' vacationed at former Vermont governor E.C. Smith's Canadian farm, while James was once a personal guest of former president Theodore Roosevelt's at Oyster Bay. While Mr. Williams hob-knobbed with the rich, powerful, and famous, he also used his status, position, contacts, and access to power to expand opportunities for other African American men. After taking up the leadership of the Red Caps, for example, Williams phased whites out of the vocation and replaced them with Black workers. By the 1930s, 500 Black men worked as Red Caps under him, jobs that in the racially stratified labor market of the time conferred middle-class status and offered some semblance of economic stability and as well as prospects for upward mobility. Throughout his tenure, James Williams made sure to keep summer and vacation positions available for Black college students, whom he ruled "with a rod of iron," while providing them with an opportunity to both finance and further their educations. Lester Granger, the long-time head of the National Urban League and a former Red Cap, was one of many students who greatly benefited from the experience and opportunity Williams

⁴⁹ Allan Macdonald, "Up From Slavery: Four Generations of the Williams Family..." *The World Magazine*, 27 March 1927, p. 5; Ruffins, "Black Firefighters," p. 20.

provided. At a tribute given following James Williams' death in 1948, Granger, explaining the significance of his experience as a Red Cap on his later life remarked: "For me, as for literally thousands of other Negro college students of these and earlier days, the Grand Central Station was more than a place of employment; it was, in many ways, an institution for post-graduate learning."⁵⁰

James Williams's son, Wesley, was born in New York City in 1897, and learned and benefited a great deal from the discipline, example, and connections of his father. Wesley attended both grammar and vocational school in New York, but quit before finishing so he could focus his attention on securing work. He first worked as a "sand hog," or "driller's runner" in the subway excavation under the Harlem River, off Whitehall Street, South Ferry. He then worked a 'Red Cap' at Pennsylvania Station," a location he selected because he "didn't think that working under his father was 'good policy.'" In 1914 he took the civil service examination for the postal service and soon after became a delivery driver for the post office. While the postal work was a very good job for a Black New Yorker during the second decade of the twentieth century, Williams held loftier goals. Inspired by the career of Samuel Battle, Manhattan's first black policeman and former employee and assistant of Williams's father at Grand Central Station, Wesley opted to pursue a similar trailblazing path within the fire service. This decision, his personal fortitude, individual successes and subsequent lifelong commitment to ending discrimination and increasing opportunities for other African Americans in the fire service later made Williams a legend to Black firemen of all era.

⁵⁰ Arnesen, *Brotherhoods of Color*, pp. 153-4; Allan Macdonald, "Up From Slavery: Four Generations of the Williams Family;" Lester Granger, "Battle-Ax and Bread," *New Amsterdam News*, no date, 1948, p. 6, Wesley Williams Papers, SC, Box 1, Clippings file.

As Black former FDNY member and historian of New York's Black firefighters, John Ruffins, explained, "To Black firemen, the Chief is certainly a minor Deity, not only in the New York City Fire Department but to Black firemen throughout the nation. So much of the tone and the will to succeed and excel by black firemen in white departments was imbued by this one black man."⁵¹

In 1918, Wesley Williams placed thirteenth on the civil service written examination for the FDNY. An avid weightlifter, body builder and athlete who once set a record for lifting 692 pounds an inch off the ground with one hand and whose physique was later described by sports writers of the 1920s as comparable to that of Jim Thorpe, Williams became only the second man in FDNY history to earn a perfect score on his physical examination. While his composite test scores placed him at the top of a list of hundreds of applicants, his appointment remained uncertain. All candidates were required to present three letters of recommendation and were subjected to the department's subjective "selection process." While almost all Blacks lacked the political clout to move beyond this point, Williams' father had managed to secure a reference letters for his son, including one from President Roosevelt. Yet in the world of Tammany controlled patronage politics, the most crucial letter Williams presented to the FDNY was

⁵¹ Lewinson, *Black Politics in New York City*, p. 178-9; Allan Macdonald, "Up From Slavery: Four Generations of the Williams Family..."; Untitled Newspaper Clipping, Citation Unknown, 1949, Wesley Williams Papers, Box 1, Clippings File, SC, New York, N.Y.; Captain Clifford Goldstein, "The Vulcan Society: A History of the Negro in the New York City Fire Department," in "Vulcan Society, Testimonial Dance and Dinner, Twenty-Fifth Anniversary, 29 September 1965," in author's possession; Ruffins, "Black Firefighters," p. 22; Chief Williams's remaining influence in New York, and Harlem in particular, is acknowledged by the fact that 135th St. between Lenox Avenue and Adam Clayton Powell Jr. Boulevard was renamed "Wesley Williams Place" in July, 1985. See "Mayor Koch Signed a Bill into Law Naming 135th St. 'Wesley Williams Place' on July 8th," *New York Daily News*, 10 July 1985, p. M-3.

not from the former president, but his father's former boss, Mr. Thorley, "a millionaire and a heavy contributor to Tammany Hall." It was Thorley's support that let "the powers that be, including the Fire Commissioner and the Chief of the Department, know that Wesley Williams was in the Fire Department to stay."⁵²

While unimpeachable test scores and political connections enabled Williams to become Manhattan's first long-term Black firefighter, his credentials did little to shield him from the onslaught of hate and discrimination he met upon joining the department. As one chronicler of his career later explained, "Williams' appointment" had "made Jackie Robinson's stormy entrance into the Big leagues look like a cap-pistol skirmish..." Williams was assigned to Engine Co. 55 on Broome Street in Manhattan. On his first day, every fireman in the house filed requests to be transferred. When explaining why they wanted to leave the men uniformly cited that they refused "to work with a nigger." The Fire Chief and Fire Commissioner froze transfers out of the company for one year after quickly realizing that if the wholesale transfers were permitted, "they would never have been able to keep men in that firehouse from then on."⁵³

After being rebuked by department brass, the men in Williams's company attempted to take matters into their own hands and in a manner they deemed acceptable. On behalf of the company, the company's Lieutenant informed Wesley that the men had decided that would only speak to Williams if he agreed to sleep in the cellar rather than in the bunkroom with the rest of the men. Williams turned down the "offer," and as a result,

⁵² Ruffins, "Black Firefighters," p. 21; Allan Macdonald, "Up From Slavery: Four Generations of the Williams Family..."

⁵³ News clipping, undated, Wesley Williams Papers, SC, Box 1, Clippings File; Wesley Williams, Speech Delivered to Vulcan Society Inc., 28 October 1947, Wesley Williams Papers, SC, Box 2.

was met with long spells of silence that were only disturbed by invectives and taunts.

Even if some whites disapproved of the course of action taken by the company, they did not dare violate the policy for fear of being ostracized and declared a “nigger lover” by their company-mates. Things quickly grew worse as several whites in the company, focusing their attention on making life in the house so hard for Williams that he would quit, began provoking Williams into physical confrontations. During this era, it was common for firemen to either settle their disputes or attempt to intimidate others by “dueling” in the cellar. The victor emerged first, while the loser was left to clean his wounds in the washbasin located in the cellar before appearing before the rest of the company. Williams, however, quickly made it clear to the members of his company that he would not be sleeping or washing up in the cellar any time soon. Williams was more than prepared to prove “his equality by putting his knuckle to jaw,” and possessed several advantages over his company mates that they soon learned through personal experience rather than conversation. A longtime member of the Harlem YMCA, he worked out daily at the Harlem YMCA with several old-time prizefighters, including, Sam Langford, Joe Janett and Panama “Al” Brown. Before he officially joined the department these fighters “shared their expertise with Williams and helped him hone his skills, because as they told him, once you go “downtown with them Irishmen – you are going to have to defend yourself.” His friends were right, but Williams was more than prepared to do so. His early bouts in the cellar were brief and decisive, and invitations downstairs quickly ceased.⁵⁴

⁵⁴ Vulcan Society Inc., “Battalion Chief Wesley Williams, 1897-1984: Founder Vulcan Society, Inc., F.D.N.Y.,” Vulcan Society Inc., Forty-Fifth Anniversary Dinner Dance, 7 June 1985, photocopy in author’s possession; Bill Johnson, “Letter Seeking Donations

Unable to physically defeat or intimidate Williams, the men in his company began turning to less direct and perilous tactics. Firemen worked twenty-hour days, five days a week, and in many ways constituted one's "second family." They shared drinks, meals, frustrations, stories, fears, problems, jokes, and time with one another. Williams was cast out of this arrangement and given the silent treatment other than when being insulted. He was also excluded from company meals. The latter, was fine with Williams because as he explained, "I was afraid to let my food get near them because I know they would have put something in it." It did bother him, though, when the company cups, dishes, and utensils that he had used were destroyed in front of him after he used them. Williams, who was as strong mentally as he was physically was not there to make friends, but to do his job, and by and large was undeterred by most attempts to ostracize him. He did, however, have a breaking point, and refused to tolerate racial epitaphs. "Nobody would speak to me or go near my bed," he recalled. "Sometimes the insults got so heavy that I had to beat a few of the fellows up." While Williams's white company-mates stopped inviting him to the cellar, he was not averse to issuing his own invitations when lessons in respect were deemed necessary.⁵⁵

For the most part, however, Williams used his exclusion from the often mindless, drink induced jabber of the firehouse to his advantage by focusing his attention on strengthening his body and mind. After entering Engine 55, he installed a small gym at the top of the firehouse's hose tower and worked out regularly away from the others. His

for Wesley Williams Tribute," 3 October 1976, Wesley Williams Papers, SC, Box 1; Ruffins, "Black Firefighters," p. 27.

⁵⁵ Wesley Williams, Speech Delivered to Vulcan Society Inc., undated, 1956?, Wesley Williams Papers, SC, Box 2; Chief Williams quoted in Untitled News Clipping, no citation or date, 1949, Wesley Williams Papers, SC, Box 1, Clippings File.

physical regimen not only helped him prepare for boxing tournaments - whether officially sanctioned or of the cellar variety - but also helped him relieve the chronic headaches that plagued most "smoke eaters." During other periods of free time both on and off the job, Williams frequently devoured books. Largely self-educated, he was an avid reader with interests in literature, physiology, history and philosophy. He also spent large amounts of time reading materials to prepare himself for promotional examinations, as he was determined to become the FDNY's first Black Officer and in the process become the commanding officer of those harassing him.⁵⁶

Before he could climb the ranks and command his tormentors, however, Williams first had to finish his probationary period and endure the debasing and dehumanizing indignities meted out by his company-mates. As a probationary fireman Williams was routinely assigned to clean the bathroom or spittoons the other firemen urinated in, or was made to tend the furnace or clean the undercarriage of the apparatus. Such assignments were attempts to frustrate Williams, show him "his proper place," or to make him want to quit the department. Practical jokes, long a staple in firehouse tradition, were frequently played on Williams, but were more sadistic than good-natured. At different time Williams, had his protective fire coat slashed with razors, his fire boots filled with chicken entrails, and his bed moved to the bathroom. Once, a fellow fireman opened a large gash on his head after dropping a wrench from the second floor as Williams was descending the fire pole.⁵⁷

⁵⁶ Ruffins, "Black Firefighters," p. 27-8; Allan Macdonald, "Up From Slavery: Four Generations of the Williams Family...," Wesley Williams, "Speech Delivered to Vulcan Society Inc.," undated, 1956?, Wesley Williams Papers, SC, Box 2.

⁵⁷ Vulcan Society Inc., "Battalion Chief Wesley Williams, 1897-1984;" John Ruffins, "Black Firefighters," p. 25; Wesley Williams, "Speech Delivered to Vulcan Society Inc.,"

Discrimination in the assignment of firehouse tasks or in the form of vicious practical jokes, while demeaning, disgusting and dangerous, paled in comparison to the danger Williams faced on fire grounds. As if fighting fires was not frightening enough, shortly after his arrival rumors began to circulate that the members of Williams's company intended to either lock Williams in a cellar fire or throw him off a roof if he refused to resign. In his first major firefighting duty, Williams and his company responded to a cellar fire in the Bowery district. Ordered to take the nozzle to prove his "courage and staying ability" to the rest of his company, Williams led while the others followed. While directing the nozzle's stream at the heart of the fire, a back draft occurred, sparking an explosion. Williams's company-mates, including his Lieutenant, ran from the building and into the street, leaving Williams for dead. While knocked on his back during the explosion, Williams somehow managed to maintain control of the hose, right himself, and quell the blaze alone. Other fire companies on the scene snickered at the pack of cowards who had abandoned him, while the Chief in charge of the fire "berated the company and officer for their lack of courage," and let them know that "the only one that was fireman was the colored man who they were treating so badly." FDNY officials later conceded that Williams had "saved the building and probably the block."⁵⁸

undated, 1956?, Wesley Williams Papers, SC, Box 2; Charles Ford Williams, *The Chief* (Stamford: Pictures Truth Press, 1999) p. 81.

⁵⁸ Wesley Williams, "Acceptance Speech Delivered to YMCA," no date, 1938?, Wesley Williams Papers, SC, Box 2; Wesley Williams, "Speech Delivered to Vulcan Society Inc.," 28 October 1947, Wesley Williams Papers, SC, Box 2; Ruffins, "Black Firefighters," p. 24; Unidentified New Clipping, 1949, Wesley Williams Papers, SC, Box 1, Clippings File.

By the end of his probationary period, Williams's ability as firemen and toughness had earned him the begrudging respect of many of his company-mates. Once he became a first-grade fireman, he nonetheless requested to be transferred to company in Harlem in order to be closer to his family and New York's largest Black area. Williams's request was denied, but a quarter of the white men in his company were granted their own transfers shortly after the one-year moratorium had expired. Williams was upset about not being allowed to work in Harlem, but conditions at Engine 55 gradually improved in the years to follow. The new group of men who entered the company included several probationary firemen. These new "probies" assumed the duties - such as spittoon and bathroom cleaning, -that had previously Williams's domain. Also, while most of his company-mates remained hostile and dismissive to Williams and the very idea of having Black co-workers, several gradually began to converse with him. Williams also became the company's driver when its old horse-drawn fire engine was replaced with a motorized vehicle in the early 1920s. Several whites in his company had undergone training to drive the vehicle, but Williams's experience and expertise driving motorized trucks in the postal service made him a natural for the task, despite protocols calling for the most senior man in the company perform this duty. Williams's appointment to driver, a relative vacation for a "smoke eater," was resented by several men in his company, including hold-over John O' Toole, a veteran fireman who Williams had had problems with in the past and would continue to butt heads with in years to come.⁵⁹

⁵⁹ Vulcan Society Inc., "Battalion Chief Wesley Williams, 1897-1984;" John Ruffins, "Black Firefighters," p. 25; Wesley Williams, "Speech Delivered to Vulcan Society Inc.," undated, 1956?, Wesley Williams Papers, SC, Box 2. Charles Ford Williams, *The Chief*,

Whatever the men in his company may have thought about Williams, they certainly could not question his fitness and skills as a fireman. Williams had established a name for him self throughout the department during his very first fire action, and only built on this reputation in the years followed. As before, however, Williams received public praise and acknowledgement for his bravery, but was frequently snubbed by departmental brass when it came time to officially recognize his work. On October 19th 1925, for example, newspaper reporters witnessed as Williams, walking with his father on St. Nicholas Avenue while off duty, assisted in the rescue of several Black youths from a burning building. While climbing a ladder to assist several young children on the upper floors of the building, a frantic twelve year-old boy reached out for and missed a parallel ladder. Williams leapt with one arm still clinging to his ladder, caught the young man in mid air, secured him, and then slid down to place him unharmed on the ground. Immediately after, Williams “reascended the ladder and assisted in the rescue of five other children.” Williams had received a departmental citation for a daring rescue of an Italian woman and her six children from a three-story fire in 1920, and asked his Lieutenant to consider him for a Class A citation “for service above and beyond the call of duty” for his 1925 rescue. The Lieutenant, however, denied the request, claiming that the rescue was not worthy of a citation because Williams had done what anyone else would do in the same situation and was not with his company at the time. Not long after, the FDNY bestowed its prestigious Brookman Medal as well as a financial reward to fireman Patrick Russell, whom the department lauded for rendering service above and

pp. 84-5. Charles Ford Williams is Wesley Williams's grandson. While Ford Williams refers to *The Chief* as a work of historical fiction, the sections I refer to are corroborated by a number of speeches given by Wesley Williams as well as in Vulcan Society documents and folklore.

beyond the call of duty by passing “six persons down one by one” and saving an entire family while “responding to a fire on 187 St. Nicholas Avenue.”⁶⁰

While official departmental accolades proved hard to come by, Williams had much greater success receiving acclaim in FDNY boxing tournaments. For three consecutive years - 1923, 1924, and 1925 - Williams reigned as the FDNY heavyweight boxing champion, and beat several ringers who had been brought in to prevent him from winning in the process. The FDNY’s respective champions in various weight class then went on to fight champions from other areas of the civil service in citywide tournaments, and in each year, Williams squared off with the Police Department’s champion. He lost two questionable decisions on points in both 1923 and 1924, but eliminated judging as a factor when he knocked out police department champion Frank Adams in 1925.⁶¹

Williams’ greatest victory came not in the ring, but two years later when he became the first African American in the FDNY promoted above the rank of fireman. He originally took the Lieutenant’s exam in 1924, but faced an uphill battle receiving a promotion from the start. Lacking seniority, Williams received fewer bonus points for time served and was subject to the highly subjective “mental examination.” Of the 3010 men vying for Lieutenant, Williams placed 189th on the list despite these handicaps. Promotional lists remained active for four years, thus all but assuring Williams’s

⁶⁰ “Testimonial Oct 28 To Chief Williams,” *The Chief*, New York, 22 October 1976; “New York’s Only Colored Fireman Saves Six From Burning Building,” Citation Unknown, 1925, Wesley Williams Papers, SC, Box 1, Clippings File; “11 Firemen Heroes Win Valor Awards: Mayor Bestows Tokens of Honor Before Throng in Impressive Ceremony at City Hall,” *New York Times*, 23 June 1925, p. 22; Charles Ford Williams, *The Chief*, p. 95.

⁶¹ “Officials Witness Bouts at Pioneer,” *New York Times*, 13 December 1923, p. 26; “Tom Tunney Wins in Garden Tourney,” *New York Times*, 21 November 1934, p. 25; Allan Macdonald, “Up From Slavery: Four Generations of the Williams Family...”

appointment. Williams, however, left nothing to chance, realizing that the department would do everything it could to circumvent civil service regulations. He began sharing his story with Black newspaper editors In August 1925 in part to document what was going on and also to create pressure on the department. As he explained to the editor of the *New York Age*, “I believe in preparedness, so I am notifying the Negro Press now as I expect a fight about it later on.” Williams’s expectations were fulfilled. FDNY brass began exploring ways to promote Williams without having him command white firefighters. Their first plan was to move him into a desk job at Headquarters rather than to a firehouse. Later, they devised a plan in which Williams was to be appointed the Lieutenant of a water tower Company that was to consist solely of Williams and two recently hired Black firemen, a clear attempt to segregate the department. Williams steadfastly refused both proposals and insisted “on being sent to a company so that white people could see a Colored man ordering white men around.”⁶²

On September 16, 1927 Williams was appointed the Lieutenant of his old Company, Engine 55. In making this assignment, the department broke from standard procedures that called for Lieutenants to be relocated in order to prevent problems that could arise when one had to lead and discipline former co-workers and friends. This, however, had been done in part at Williams’s request rather out of departmental spite. During Williams’s struggle to receive his promotion, Cardinal Hayes, a man with whom Williams’s father had “excellent connections” and who commanded the respect of the

⁶² Wesley Williams to the Editors of the *New York Age*, 9 August 1925, Wesley Williams Papers, SC, Box 1; “Orders Promotion for Negro Fireman,” *New York Times*, 15 September 1927, p. 32; Wesley Williams, “Acceptance Speech Delivered to YMCA,” no date, circa 1938?, Wesley Williams Papers, SC, Box 2; John Ruffins, “Black Firefighters,” p. 30.

largely Irish Catholic FDNY, recommended to the Mayor and Fire Commissioner that Williams be allowed to serve wherever he wanted.⁶³ The Cardinal's request was heeded, and Williams decided to remain with his old company. In do so, he took command of the very busy Bowery district firehouse and many of the same men who had antagonized, berated, and placed his life in danger in the past.⁶⁴

While the men in Engine 55 were well aware of Williams's qualifications and past accomplishments, the idea of taking orders from a Black man didn't sit well initially. When Williams first took over, firemen attempted to sabotage his command and get Williams reprimanded. One firefighter went as far as pouring honey in the fire engine's gas tank, endangering the community so Williams might be found liable for the company not being able to respond to an emergency. Williams, however, realized what was happening and rectified the situation by having a lock installed on the tank. The "ring leader" behind such attempts to discredit Williams was Irish fireman John O'Toole, the most senior man whom Williams bypassed when he had become the company's driver years prior. O'Toole, thirteen years in and still a fireman at the time of Williams's promotion, refused to take orders from Williams and went AWOL, two of the gravest disciplinary infractions within a paramilitary institution like the FDNY. Williams then filed charges against O'Toole. But O'Toole's brother Thomas, Captain of another company in the FDNY and outspoken critic of the Captain of Engine 55 for failing to run Williams out of the department, used his influence with the FDNY's brass to help his

⁶³ Wesley Williams, "Speech Delivered to Vulcan Society Inc.," undated, 1956?, Wesley Williams Papers, SC, Box 2.

⁶⁴ For Williams's promotion to Lieutenant, see *Opportunity*, 5 (November, 1927): 341; *New Crisis*, 34 no. 9 (November, 1927): 305; "Orders Promotion For Negro Fireman," *New York Times*, 15 September 1927, p. 32; "Fire Department," *New York Times*, 16 September 1927, p. 27.

brother escape official disciplinary action, which normally ranged from fines, suspension, and/or dismissal from the department. As a result, John O'Toole escaped departmental action and was instead transferred to the fireboat, one of the most sought after positions in the FDNY. John O'Toole later died suddenly while at his home in 1931, while his brother, Captain Robert O'Toole, would later retired shortly after Wesley Williams was promoted to Battalion Chief and became his boss in 1938.⁶⁵

Williams's experience with John O'Toole was merely one of several examples of Headquarters usurping Williams's authority and making his job as an officer more difficult. While a Lieutenant and later as a Captain, Williams's "company received the toughest assignments at fires" and "...was filled with men who had bad records and were always in trouble, or men who had no friends, political or otherwise." A fireman with a history of drinking problems and misconduct named of Frank Abbott was transferred to Williams's company in 1933 after he had been expelled from Engine 154 for intoxication and being absent without leave. Abbott had moved around for years due to his problems, but kept his job due to political connections. Williams treated him as he would any other man and refused to cut him any breaks or accept any form of insubordination, despite Headquarters' previous lack of support. After Abbott failed to report for fire duty, Lieutenant Williams filed charges against him that were surprisingly followed up on and

⁶⁵ "John J. O'Toole, Obituary," *New York Times*, 9 December 1931, p. 25; "Police and Fire News, *New York Times*, 2 May 1914, p. 16; "Fire Department," *New York Times*, 7 July 1931, p. 25. For Robert O'Toole, see "Police and Fire News, *New York Times*, 29 November 1913, p. 20; "11 Firemen Heroes Win Valor Awards," *New York Times*, 23 June 1925. For Robert O'Toole's retirement as well as the influence of Williams's promotion on it, see "Fire Department," *New York Times*, 6 January 1939; Wesley Williams, "Speech Delivered to Vulcan Society Inc.", undated, 1956?, Wesley Williams Papers, SC, Box 2. For Williams's later promotion to Battalion Chief, see "Negro Fire Captain on Promotion List," *New York Times*, 28 July 1938.

backed by headquarters. In response to the charges, the FDNY levied a substantial fine - ten days pay - and then published the results of its disciplinary hearing both in a circulated departmental order and in the *New York Times*, and in the process served “official notification that when Lieutenant Williams, as any other officer, issued an order it was to be obeyed.” In 1935, Abbott was finally removed from the department after Williams again filed charges against him, this time for having missed five consecutive shifts.⁶⁶

Williams’ personal success story and legendary status grew significantly during the 1930s as he ascended the ranks of the FDNY. He was promoted to Captain in 1934, and took complete command of Engine 55. Only four years later, Williams became the first Black Battalion Chief in U.S. history, earning him acclaim and notoriety throughout

⁶⁶ For Williams’s appointment to Captain, see “Negro Qualifies as Fire Captain,” *New York Times*, 25 August 1933; “Negro to be Fire Captain,” *New York Times*, 25 May 1934; “Ten Get New Fire Ranks,” *New York Times*, 1 June 1934, p. 19; *Opportunity*, 12 (August 1934): 257. For Williams’s early problems with headquarters while serving as an officer, see Wesley Williams, “Speech Delivered to Vulcan Society Inc.”, undated, 1956?, Wesley Williams Papers, SC, Box 2; For a sampling of Abbott’s transgressions and transfers - at least those formally recorded - see “Firemen First Grade,” *New York Times*, 25 December 1931, p. 28; “Fire Department,” *New York Times*, 13 March 1930, p. 34; “Fire Department,” *New York Times*, 19 October 1932, p. 41; “Fire Department,” *New York Times*, 1 June 1933, p. 40; “Fire Department,” *New York Times*, 2 December 1933, p. 29; “Fire Department,” *New York Times*, 28 December 1933, p. 41; Ruffins, “Black Firefighters,” p. 30. For Abbott’s activities immediately prior to coming to Engine 55 and his subsequent transfer, see “Fire Department,” *New York Times*, 8 April 1933, p. 29; “Fire Department,” *New York Times*, 3 June 1933, p. 27. For Abbott’s dismissal, see “Fire Department,” *New York Times*, 18 April 1935, p. 44.

It should be noted that being “under the influence of liquor” was a fairly common charge during this time period. Drinking on the job was a normal practice that was part of firefighting culture throughout most of the 20th century, and in many instances those that didn’t drink were looked at with great suspicion. However, drinking to the point of not being able to show up for work, perform one’s duties, or to respond or wake up to answer an alarm was another matter. Some men, in fact, slept behind the rig when drunk to ensure that they wouldn’t miss a call.

New York and in Black communities across the nation.⁶⁷ Yet despite Williams's personal success and accomplishments, Black representation within the FDNY had remained at a relative standstill throughout his climb within the department. Only two African American firemen were hired during the 1920s - World War I veteran Arnold Joell in 1926, and Edward Brantley in 1928 - bringing the total number of Blacks in the FDNY to only four. Nor did the situation get better with time. Between 1928 to January of 1937, not a single African American was allowed to join the FDNY. When pioneer fireman John Woodson retired in February 1936, only three of the 6,717 members of the FDNY were Black.⁶⁸

As the economy worsened in the late 1920s and 1930s, the department's old guard redoubled their efforts to keep FDNY positions and the security they offered during the Depression limited to friends and family alone, a practice made possible in part by the FDNY's notorious reputation for being a closed society whose members and leadership jealously guarded against the entrance of outsiders, particularly African Americans. To those outside the department, nepotism, racism, and inequality were seen as integral aspects of the FDNY. As a result, few Black New Yorkers bothered trying to join an institution noted for its rigged hiring procedures and hostility towards Blacks - both

⁶⁷ Upon his appointment to Battalion Chief, Williams appeared on the covers of both *Opportunity* and *Crisis*, the official organs of the National Urban League and NAACP, while stories also appeared in Black newspapers across the country. See "Battalion Chief Wesley Williams: Highest Ranking Negro Fireman in the Nation," *Crisis*, 45, no. 9 (September, 1938): cover & 286; "Negro Named Battalion Fire Chief in New York City," *Opportunity* (September, 1938): cover & 280.

⁶⁸ "Only Four Negro Fire Fighters in New York: One is a Lieutenant – Few Make Application for Positions in that Department," *New York Amsterdam News*, 3 January 1934; Golway, *So Others Might Live*, pp.194-197; Guy Brewer, "From Outcast to Commissioner of New York City," *The Queens Voice*, 3 December 1965, p. 2; Ruffins, "Black Firefighters," p. 19.

within the firehouse and outside of it. Despite massive rates of Black unemployment during the Depression, the number of Black applicants to the FDNY during this period had remained extremely small. A 1934 the *Amsterdam News* ran an article that wondered why “no one as yet has come forward with a plausible explanation as to why Negroes have shunned this branch of the city service,” and pointed out that “in ratio there have been at least fifty applicants for places on the Police Force as against every candidate for the Fire Department.” A similar discrepancy also existed between Black applicants to the FDNY and the Sanitation Department.⁶⁹ Seeking to uncover while this was so, the writer of the article interviewed a young man who recently applied to the FDNY. The college-educated man explained to the writer that he had enquired about applying for a job, but had been strongly discouraged by a departmental official. Incredulous at the response he received, the young man then asked the official why he had felt that it would be best to throw in the towel without even trying, to which the official in charge of examination registration replied:

Well, you probably know the answer as well as I do, pal...I'm not trying to discourage you. But I'm just telling you confidentially that they will do everything to flunk you in the examinations. And if they can't do that, they will make your life miserable on the force, send you to a station a heck of a distance away from your home, and you catch the devil from every superior officer. They would have to put you in a station full of white men because we have no Negro station.”⁷⁰

The young man ignored this “advice” and took the examination, but soon found out just how prophetic the official’s words were. Despite having a much higher degree of education than the strong majority of the department, the young man received a failing

⁶⁹ “Only Four Negro Fire Fighters in New York,” *New York Amsterdam News*, 3 January 1934.

⁷⁰ Ibid.

grade and did not appear on the hiring list. While merely one isolated incident, this particular man's experience with the limitations of New York's "meritorious" civil service procedures was certainly well understood by most New Yorkers, be they Black or white and non-Irish. This clearly had decreased greatly the number of applicants willing to either waste their time or subject themselves to similar frustration, even despite the desperate times.⁷¹

⁷¹ Ibid.

CHAPTER 2

SURVIVING WITH DIGNITY: THE FORMATION OF THE VULCAN SOCIETY, 1937-1954

We have had our heads bloodied many times we have not won every battle. And no doubt we may get our heads whacked again and again, because we are not going to back up in our fight for justice and fair treatment to the Negro firemen... When we loose, we go down fighting and always someone on the other side loses prestige and is embarrassed. They must respect you for a good fight. But they will never respect you if you accept the treatment that, as they say, a nigger should be treated.¹

The civil service procedures that guided the FDNY began to come under scrutiny when criticism of municipal political practices intensified during the pinch of the Depression years. Ethnic and political favoritism as well as rampant corruption became exposed when Tammany Mayor Jimmy Walker was exposed for funneling massive amounts of relief funds to himself and his supporters. City employees double-dipped from the coffers while loyal party members who were hardly in need had received an overwhelming proportion of emergency funds, leaving the “the poor humbugged, swindled, and betrayed,” and the city on the brink of bankruptcy. State investigations of Tammany corruption, bribery, and graft followed. Aside from pilfering the poor, state investigators also discovered that Walker had also committed an assortment of unsavory improprieties, including collecting over a million dollars from companies that had done

¹ Wesley Williams, “Speech to Vulcan Society,” 1947, Wesley Williams Papers, SC, Box 2.

business within the city during his administration. After being pressured to step down by the members of his own party, Walker reluctantly resigned in 1932.²

Walker was replaced as Mayor by fusionist reform candidate Fiorello La Guardia, a progressive who came office in 1933 with a mandate to clean up the mess left behind by the Tammany machine. As La Guardia biographer Thomas Kessner explained, La Guardia clearly understood the significance of addressing the spoils system early on. "La Guardia understood the challenge that stood before him. He could not take the reins of the city until he took control over the municipal work force." He accomplished this by dismantling the pre-existing civil service department and replacing it with a Civil Service Commission, which replaced the existing exams, provided stricter regulations regarding testing and grading procedures, mandated public announcements of upcoming tests, eliminated a number of useless and politically appointed positions, and restructured promotions and hiring exams to be based, at least theoretically, on composite, quantitative test scores rather than ethnicity, race, party affiliation, or political connections.³

Throughout the 1930s New York's local civil rights movement had been extremely active, lobbying, boycotting, organizing, pressuring, and picketing to increase spending and improve conditions on publicly funded institutions in the Black community, to expand the relief aid available to Blacks, to prevent rent increases and evictions, and to open up access to jobs in the Black community, including public sector jobs. While the

² Kessner, *Fiorello H. La Guardia and the Making of Modern New York*, pp. 222-37; Robert Pecorella, *Community Power in A Postreform City: Politics in New York City* (New York: M.E. Sharp, 1994), pp. 48-51. The quotation appears in Kessner, p. 287.

³ Kessner, *Fiorello LaGuardia and the Making of Modern New York*, pp. 287-8; Roger Waldinger, *Still The Promised City?*, pp. 211-14.

1935 Harlem riot intensified longstanding demands that more Black policemen be hired to work in Black communities, Black access to the FDNY had remained outside the purview of New York's freedom struggle since United Civic League's 1917 request that an all-Black fire company be formed to service the Harlem area. La Guardia's civil service reforms, however, brought a few more Blacks into the FDNY, but unintentionally and with limited success. Part of the problem was that the civil service reforms had been instituted at a time when New York was in fiscal crisis and unemployment was rampant. Non-Irish New Yorkers, previously excluded from many aspects of city employment, increasingly turned to the civil service as a means to gain employment as well as the economic stability, benefits, and pension that municipal employment could provide. This increased interest in the stability of civil service positions as well as the increased access to such jobs created by LaGuardia's reforms sparked a massive influx of applicants. During 1932, the last year of the Walker mayoralty, only 6,327 New Yorkers applied for civil service positions. By 1939, however, over a quarter of a million New Yorkers applied to the civil service, including large numbers of highly educated people who in the past had steered clear of such positions.⁴

⁴ There are a number of good studies that discuss civil rights activism in New York during the Depression and early 1940s. For the Depression era, see Cheryl Lynn Greenberg, "Or Does It Explode?": *Black Harlem in the Great Depression* (New York: Oxford University Press, 1991); Mark Naison, *Communists in Harlem During the Depression* (New York: Grove Press, 1985); Arna Bontemps and Jack Conroy, *The Seek a City* (Garden City, New York: Doubleday, Doran and Company, Inc., 1945); Winston McDowell, "Race and Ethnicity During the Harlem Jobs Campaign, 1932-1935," *Journal of Negro History*, 69, no. 3/4 (Summer-Autumn, 1984): 136-7; Gary Hunter, "Don't Buy Where You Can't Work: Urban Boycott Movements During the Depression, 1929-1941," Ph.D. dissertation, University of Michigan, 1977. For the Urban League's activities in New York City, see Nancy Weiss, *The National Urban League, 1910-1940* (New York: Oxford University Press, 1974); Edward Lewis, "The Urban League, a Dynamic Instrument in Social Change: A Study of the Changing Role of the New York Urban

The impact of civil service reform on Black access to the FDNY was non-existent for several years due to Depression era cutbacks and hiring freezes La Guardia imposed throughout the mid 1930s in an attempt to keep the city solvent. In 1937, however, La Guardia shifted the FDNY from a two to three-platoon system in order to increase employment and shorten hours. As a result, the city needed thousands of new firemen to fill the manpower void created by this change, and tens of thousands of eager citizens competed for the opportunity. Walter Thomas, who joined the FDNY in 1937, recalled that when he applied, “competition for what was a \$3,000 per year job eliminated all but the fittest of the applying Negroes.” Thomas was one of sixteen Black New Yorkers to earn an appointment in 1937. By 1940, however, fifty Black men had secured positions, a seventeen-fold increase within a four-year period. Nonetheless, with a total of 11,631 members of the force, whites accounted for 99.57 percent of the FDNY.⁵

League, 1919-1960,” Ph.D. dissertation, New York University, 1961. For a longitudinal view of Black politics and grassroots activism in New York, see Lewinson, *Black Politics in New York City*. For coverage of the 1935 and 1943 Riots in New York, see Anthony Platt, *The Politics of Riot Commissions, 1917-1970; A Collection of Official Reports and Critical Essays* (New York: Macmillan, 1971); Dominic Capuci, *The Harlem Riot of 1943* (Philadelphia: Temple University Press, 1977). For New York’s Black City Council members during the 1940s as well as their involvement in the local Black freedom struggle, see Benjamin Davis, *Communist Councilman from Harlem; Autobiographical Notes written in a Federal Penitentiary* (New York International Publishers, 1969); Charles V. Hamilton, *Adam Clayton Powell, Jr.: The Political Biography of an American Dilemma* (New York: Athenaeum, 1991); Lenworth Gunther, “Flamin’ Tongue: The Rise of Adam Clayton Powell, Jr.” Ph.D. dissertation, Columbia University, 1985; Neil Hickey, *Adam Clayton Powell and the Politics of Race* (New York: Fleet Publishing Corp., 1965); Adam Clayton Powell, Jr., *Marching Blacks* (New York: Dial Press, 1973); Kessner, *Fiorello H. La Guardia and the Making of Modern New York*.

⁵ Walter Thomas, “The Integration of the Negro in the New York Fire Department,” *New Amsterdam News*, 23 April 1966, pp. E-3 & E-16; Golway, *So Others Might Live*, pp.194-197.

White firefighters and officers, fearful of the perceived threat posed to racial order and sanctity of the FDNY by the darker .43% of the department, responded to this influx of Black firemen by collaborating to attempt to make the Black experience on the job as demeaning and unwelcoming as possible. Black firemen were made to do “the toilet cleaning, furnace tending, ash removal or” any other task that was deemed to be either dirty, disgusting, or “considered uninviting.” Many FDNY firehouses began enforcing segregation within the firehouse, restricting Blacks from the radio, newspapers, and company meals. In most houses Blacks were not allowed to sit and eat with the rest of the company and were excluded from participating in the company’s commissary – the collection of funds raised to purchase food, coffee and cooking supplies for the entire house. As a result, Black firemen had to buy and cook their own food, and were often forced to use separate dishes and eating utensils. In keeping with the theme of segregation, Jim Crow bedding assignments, in which a specific bed in the bunkroom was reserved for Black use only, also became commonplace. In several instances,

This section on the day to day experience of Black firefighters during the late 1930s and early 1940s relies heavily upon secondary source materials that were either written by Black the Black firemen themselves, or by those to who followed, but had talked extensively to the members of this generation. Many of these materials have borrowed information from Walter Thomas’s article listed above, which was written in the early 1950s, and from Clifford Goldstein’s “The Vulcan Society: A History of the Negro in the New York City Fire Department,” which originally appeared in “The Vulcan Society, Testimonial Dance and Dinner, Twenty-fifth Anniversary,” 29 September 1965, a printed program that is in the author’s possession. These and all other secondary source material sited, however, have been corroborated when possible, with the limited amount of primary materials on the subject still available. Existing fire Department records, located at the FDNY’s Mand Library, are extremely limited and vague, and do not include complaints levied by Black firemen, the contents of specific meetings, or individual company logs, and are limited largely to annual reports.

though, the “Black bed” was removed completely from the sleeping area and placed instead in the bathroom or a screened off area apart from the others.⁶

As the number of Black firemen in the department had increased, segregation and discriminatory treatment in the FDNY had been transformed from a house-to-house operation into a department-wide policy. As a result, leaving one’s own firehouse offered little shelter from day to day efforts to humiliate frustrate and terrorize Black firemen. When detailed to work at other companies, Black firemen were made to carry their firefighting equipment to and from the company their assignment rather than simply borrowing gear from the company they were visiting as whites did. . Whether at one’s own house or on assignment, verbal harassment, physical threats, and/ or the “silent treatment,” became universal occurrences. As with Wesley Williams before, “practical jokes,” when applied to Black firemen were not the normal “initiation lark to test the courage and stamina of the recruit” but a calculated form of “relentless, remorseless, impassionate” “psychological terror” designed to debase Black firemen, show them “their place,” or make them quit.⁷

While conditions within the firehouses afforded Black firemen little opportunity to relax during “down time,” the carryover of racial antagonisms into emergency service made an already dangerous job even more harrowing. Relegated to performing the toughest, most dangerous, and least public assignments, Black firemen were also restricted from serving in coveted and visible positions such as driver, tillerman, fire inspector, or pump operator, thus maintaining the public perception of the FDNY as an

⁶ Walter Thomas, “The Integration of the Negro in the New York City Fire Department;” Clifford Goldstein, “The Vulcan Society: A History of the Negro in the New York City Fire Department.”

⁷ Ibid.

all-white institution. Such positions provided their practitioners with elevated status within the company as well as training and skills and a reprieve from the most dangerous and grueling aspects of firefighting. The latter quickly became the work of Black firemen. For example, the most dangerous, dirty, and physically demanding of all firefighting tasks associated with hook and ladder companies was that of the “extinguisher.” The primary tool utilized by an “extinguisher” was called “the can,” a roughly thirty-five pound container of water that was hand carried in full gear into a “smoke and heat filled room” and then heaved at the fire to provide an initial, but finite, attempt to quell a blaze. While the other members of the company later ventilated the building, the “extinguisher” first identified the epicenter of the fire, and then passed this information onto a corresponding engine company that then turned its hoses on the fire. In engine companies, Black firemen were regularly assigned to “lead off,” or bring out and connect the hose to the pump and or hydrants. They of course then had to return them to the truck after the fire. This task was particularly difficult during winter months when hydrants needed to be cleared of snow and getting damp was especially miserable.⁸

Support from white firemen was both rare and vigorously discouraged. Whites who dared to speak out against discrimination or who supported Black firemen during in-house conflicts were temporarily made to perform “Negro” tasks as punishment and to make an example of any and all who challenged the color line. Even whites that were friendly or had made an effort to either support or treat Black firemen had to be viewed with suspicion, creating a situation where Black firefighters constantly remained on guard and prepared for the worst. “Even in the best of the firehouses,” Walter Thomas

⁸ Walter Thomas, “The Integration of the Negro in the New York City Fire Department.”

recalled, “their was always that fear that some friendly white fireman would have a slip of the tongue and cause doubt to grow where trust had taken root. Each drill session and each tour completed without incident was a blessing and a relief...”⁹

Many of the young Black firemen that entered the FDNY during this period - including Walter Thomas – knew of Wesley Williams, his struggles, his achievements, and rank, and began seeking “The Chief’s” council and assistance to help deal with the problems they were having. Committed to the elimination of segregation and the establishment of equal opportunity within the department, Williams began visiting the commanding officers of specific firehouses where discrimination was being practiced. While often out of his direct jurisdiction or Battalion, Williams attempted to use moral suasion to help alleviate firehouse discrimination and segregation, a tactic that was effective in several instances. Despite being busy with his own duties, Chief Williams soon “found himself intervening more frequently as word got around about his results,” but soon “reached a point where he could not keep up with the demand.” Moreover, even Williams’ successes were limited. He could neither legislate behavior in his absence nor keep up with the rapid spread of discriminatory treatment on his own and on a case-by-case basis. Williams continued in this vein despite its limitations, but also began organizing Black firemen to produce a more effective, united, and sustained attack on overt racial discrimination in the FDNY.¹⁰

In mid 1940, Black firemen, at Wesley Williams’ request, began meeting regularly in Harlem to blow off steam, share their experiences, and to lay the groundwork for the creation of organization designed to attack “any and all” forms of discrimination

⁹ Ibid.

¹⁰ Ibid; Charles Ford Williams, *The Chief* (Stamford: Pictures Truth, 1999), pp. 144-5.

in the department. As a minuscule minority group within an institution known for its insularity, conservatism, and hostility to outsiders, the nascent organization had a particularly difficult time getting others to join. This was further complicated by the fact that Black firemen were assigned to fixed, racial codified groupings, making it logistically impossible for a majority of Black firemen to get together at the same time, even if they had been willing to confront the numerous risks faced by joining. Even more importantly, however, joining an organization that by sheer numbers seemed doomed to failure did not generate a great degree of confidence, a problem that was further compounded by the hardships of the Depression, the relative security provided by maintaining a job in the fire service, and the very real threat of hostility and reprisals that members would certainly face. While Wesley Williams had worked in the FDNY for over twenty years, held a position of authority and relative autonomy, and was guaranteed a significant pension regardless of the reaction of the FDNY, he also realized that “it took courage for the young colored fireman who was just starting his career with a family to think of” to align himself with the group. These men “had everything to loose” if they were dismissed from the department.” Jobs at the time “were hard for anyone to get,” and “for the Negro just about impossible.” Not surprisingly, the group’s earliest meetings were poorly attended and were “comprised of never more than six or ten men.” As Williams explained, “It was a fight for survival in those early days, survival with dignity.”¹¹

¹¹ Ibid; Clifford Goldstein, “The Vulcan Society: A History of the Negro in the New York City Fire Department;” Guy Brewer, “From Outcast to Fire Commissioner of New York City,” *Queens Voice*, 3 December 1965, p. 2. Interview with Vincent Julius, 16 January 2004.

Despite its slow start and the numerous obstacles it faced, in 1940 seventeen charter members formed an organization. Given the name the Vulcan Society (VS) after the Roman god of fire and the forging of metal, Vulcanus. the initial impetus for its founding came from similar ethnic organizations in existence in the FDNY since the 1930s as well as organizations in other fields and industries such as the Brotherhood of Sleeping Car Porters (BSCP). The civil service reforms implemented by Mayor LaGuardia had brought an unprecedented number of Jewish and Italian Americans into the FDNY. Members of each group faced hostility and discrimination, albeit on a much smaller and less extreme scale than Black firemen. To combat unequal treatment, Jewish firemen had formed the Naer Tormid Society while Italians formed the Columbian Society. Ostensibly civic organizations, both in actuality were formed to provide a power base from which each group could mobilize against departmental discrimination and build their strength in the FDNY. While both organizations served as a model for Wesley Williams' plan, the Naer Tormid Society was particularly influential on the founding of the Vulcan Society, providing moral and tangible support and sharing its organizational structure and bylaws with the Vulcans.¹²

From its inception, the Vulcan Society fashioned itself as more than merely a firefighters' interest group. Like the BSCP, the Vulcan Society was designed as a labor, civil rights, and community based organization committed to fighting injustice and discrimination on the job, in the labor movement, and in society at large. The Vulcan Society was guided by the following six principles:

¹² Ibid. No official date of incorporation is recorded in the Vulcan Society's records, Wesley William's papers, or in the FDNY's papers, but all secondary accounts agree that the organization was officially formed around mid 1940.

- 1) To maintain close contact with the African American community by supporting its worthy causes.
- 2) Fighting racial bigotry and discrimination whenever and wherever it was found.
- 3) The recruitment of African Americans into the fire service.
- 4) The establishment of fraternal bonds between its members.
- 5) Preparation of its members for promotional examinations.
- 6) The formation of similar fraternal organizations of African American firemen in fire departments across the nation.¹³

During its first five years in existence, however, the organization's long-term goals would have to be put on hold in order to concentrate on building the organization and eliminating the overt forms of segregation and discrimination that were rapidly spreading throughout the FDNY.

Surprisingly, headquarters initially greeted the Vulcan Society with open arms. The organization was granted official recognition by the FDNY, thus giving the Vulcan Society direct access to headquarters and the Commissioner of the department. While it is unclear if this decision was made to placate Black firemen or because Headquarters simply did not take the small group seriously, the department's subsequent actions help rule out a commitment to racial equality as a driving force behind the decision. Headquarters attempted to "solve" the FDNY's "race problem" by approaching the newly recognized members of the Vulcan Society with a plan calling for the formation of one or two segregated companies in Harlem companies to be supervised by Chief Williams. Chief William's previously denied 1920 request to be transferred to Harlem was now suddenly resurrected and approved. The transfer, approved by Headquarters twenty years after the fact, was presented to Williams as a reward for services rendered rather than as

¹³ Vincent Julius, "Minutes from Meeting of the Vulcan Society, INC., F.D.N.Y., 28 July 1999, p. 4, Vincent Julius Papers, Palm Coast, Florida, copy in author's possession; Interview with Vincent Julius, 17 January 2004.

means to segregate the department. In a veiled reference to the organization's formation, the FDNY's brass told the Vulcan Society's membership that segregation was now being pursued not as an attempt to appease aggrieved whites, but because they had "figured that you all prefer to be together."¹⁴

While "it certainly would have been easier to have worked in firehouses with an all-black compliment including officers," the Vulcan Society saw the plan as an affront to their humanity and the principles of equality, and also recognized that if carried out, Black expansion and opportunities to advance within the ranks of the department would be greatly circumscribed. Wesley Williams, for example, would have kept his rank, but would be relegated to performing the duties of a Captain and would not have any further opportunity to advance up the departmental ladder. Furthermore, entry-level Black firemen would have only two Lieutenant positions to compete for, thus creating a situation in which Black access to officer positions, pay increases, and more plentiful pensions would be dependent upon the death of Williams and prior Lieutenants. Even more disturbing, however, was the realization that the formation of an all-Black company could also be used to either freeze the rate of Black hires and/or eventually faze Blacks out of the department all together, as had happened in cities such as Newark, New Jersey; Richmond, Virginia; Montgomery, Alabama; and Columbia, South Carolina during the 19th and early 20th centuries.¹⁵

¹⁴ Walter Thomas, "The Integration of the Negro in the New York City Fire Department," Charles Ford Williams, *The Chief*, pp. 144-5; John Ruffins, "Black Firefighters," p. 38.

¹⁵ Howard Rabinowitz, *Race Relations in the Urban South, 1865-1890* (Athens: University of Georgia Press, 1996), p. 228; John Ruffins, "Black Firefighters," p. 38; Ron Ballew and Chuck Milligan, "History of Black Firemen," pp. 10-16; "1st Negro Lieutenant Names in Richmond, Virginia, *Jet*, 15 September 1955, p. 9; "Richmond, Virginia, Hires Negro for First Time, *Journal and Guide* (Norfolk), 8 July 1950, p. 10;

The Vulcan Society's initial battle against segregation was thus "a struggle for survival," both for the organization itself as well as for continued Black access to FDNY jobs. While Wesley Williams had insisted from the organization's inception that the weight of his office not overshadow the will of the body of Black firemen and in turn, refused to hold office, he nonetheless took the lead in the struggle against segregation. Williams first refused his transfer to Harlem and derided department officials for their skewed, discriminatory logic, rhetorically asking if they intended to also form all Irish, all Italian, and all Jewish firehouses. Leaving nothing to chance, Williams then elicited the support of Harlem residents, whom he asked to write to FDNY to voice their disdain with the segregation plan. He also notified the NAACP of the proposal. Earlier in 1940, the NAACP had assisted Black subway workers after they had been constitutionally barred from joining the Brotherhood of Locomotive Engineers and were restricted from entering skilled and white-collar positions. At the NAACP's urging, Mayor LaGuardia, became directly involved in the matter, offering assurances that "Negroes will have equal opportunity for employment in the IRT and BMT transit lines under New York City ownership and operation." While it is unclear whether or not the threat of NAACP involvement factored into the FDNY's decision-making process, departmental brass did drop the proposal after the NAACP became involved. Known for its general disdain of outsiders and outside interference, the FDNY likely abandoned the plan to prevent the

""Richmond, Virginia, Hires Negroes for First Time, *Pittsburgh Courier*, 12 August 1950, p. 10.

Both Richmond and Newark utilized Black Volunteer Companies during the 19th Century, but Blacks were phased out when these departments became professionalized, paid departments. In Columbia, Blacks served in the fire service until 1920, at which time the department's engines were mechanized and Blacks were taken off the payroll.

NAACP from having an opportunity to attract political attention to race relations within the department.¹⁶

The Vulcan Society successfully staved off the segregation of the department but in the process the FDNY had conveniently sidestepped addressing other aspects of discrimination that were already in place. Despite LaGuardia's prior statements against discrimination, general reputation as a liberal supporter of Black equality, and his strong relationship with NAACP Executive Secretary Walter White, he continued to take a hands-off approach with the FDNY despite numerous appeals from the NAACP and the Vulcan Society for direct intervention. While the Vulcan Society continued to pressure LaGuardia to get involved, they also explored other options both within and outside the department. While little direct help came either the municipal government or from local civil rights activities, the tremendous growth and maturation of anti-employment discrimination movements at the local, state, and federal levels did help influence, prepare, and galvanize the Vulcan Society for battles that soon followed.¹⁷

While the “Don’t Buy Where You Can’t Work” campaign of the 1930s and early 1940s utilized direct action tactics to gain Black access to jobs in Harlem stores and public utilities, the NAACP and National Urban League (NUL) relied largely on conciliation to achieve similar ends in industry. As World War II began, the NAACP,

¹⁶ “LaGuardia in Statement on Subway Jobs,” *New Amsterdam News*, 6 April 1940, pp. 1 & 5; Wesley Williams, quoted in John Ruffins, “Black Firefighters,” p. 37; Vulcan Society Inc., “Early Undertakings of the Vulcan Society,” in “Vulcan Society: Fortieth Anniversary Dinner Dance”, 4 May 1980, in author’s possession; Guy Brewer, “From Outcast to Commissioner of New York City,” *The Queens Voice*, 3 December 1965, p. 2; Walter Thomas, “The Integration of the Negro in the New York City Fire Department,” p. E3; Charles Ford Williams, *The Chief*, p. 151.

¹⁷ LaGuardia was a noted “fire buff,” and was often spotted responding to fires. For information regarding his admiration for firemen as well as his stint on the auxiliary force, see Golway, *So Others Might Live*, pp. 196-199.

Urban League, and B'nai B'rith continued this approach to attempt to secure jobs for Black Americans in defense industries and unions, but were largely unsuccessful. American entry into World War II, increased war and defense production, manpower shortages, and the inherent contradiction of a white supremacist nation supporting freedom abroad but segregation and discrimination at home, however, increased both Black militancy and leverage. As Cheryl Lynn Greenberg explained: "With the perceived need for unity in wartime, the rising demand for workers, and the increased public sensitivity to racism brought about by a reaction against Nazism, government officials and white leaders yielded to some limited black demands."¹⁸

In 1940, for example, "only 142 of the 29,215 employees in ten war plants in the New York City region were Black." While the NUL's previous attempts to increase Black access to these positions had been of the NUL had been ignored, "most unions involved in defense work agreed to lift their bans against blacks" after members of the National Urban League and New York branch had met with federal officials in late 1940 and early 1941. Later in 1941, local branches of the NAACP and NUL joined with Black leftist organizations including the Negro National Congress and the Negro Labor Victory Committee (NLVC), as well as several Black-led CIO unions to secure defense jobs for Black workers at Sperry Gyroscope's plant on Long Island. Putting equal opportunity in employment into practice, however, proved to be much more complicated than simply getting unions to drop racial barriers or getting Black workers entry level positions. Racial segregation and discrimination had remained legal, and most heads of industry and

¹⁸ Andrew Kersten, *Race, Jobs, and the War: The FEPC in the Midwest, 1941-46* (Urbana: University of Illinois Press, 2000), p. 1; Cheryl Greenberg, "Or Does It Explode?": *Black Harlem in the Great Depression* (New York: Oxford University Press, 1991), p. 198.

union members were in no hurry to comply with the wishes of civil rights organizations and Black workers. Even where Black workers had gained access to jobs, they remained stuck in largely in dead-end, unskilled, or temporary positions.¹⁹

Recognizing both the limits of conciliation as well as the opportunity to push federal and state governments to live up to war-time rhetoric by taking official positions on discrimination, civil rights groups and their political allies began galvanizing support for the passage of anti-employment discrimination legislation. Such efforts had begun to bear fruit shortly before the U.S. entered the war, but became more widespread and well organized as civil rights groups pressed forward to demand that such laws be actively enforced. In early 1940, for example, Democrats in New York State's Legislature had introduced a bill prohibiting "labor unions...from discriminating because of race, color or creed" that was passed by an overwhelming margin. That same year President Roosevelt "ordered that the rules governing" federal "civil service appointments be changed to prohibit discrimination on racial as well as religious and political groups" after the NAACP and other civil rights organizations had appealed for this measure "for a number of years." While official statements condemning discrimination such as these were a welcomed change, they lacked enforcement powers that could compel compliance and had thus been rendered ineffectual.²⁰

¹⁹ "Anti-Bias Bill is Approved," *New Amsterdam News*, 20 January 1940, pp. 1 & 16; "Passes Bill to End Union Bias," *New Amsterdam News*, 27 January 1940, pp. 1 & 7; Martha Biondi, *To Stand and Fight: The Struggle for Civil Rights in Postwar New York City* (Cambridge: Harvard University Press, 2003) pp. 4 & 7; Cheryl Greenberg, "*Or Does It Explode?: Black Harlem in the Great Depression*" (New York: Oxford University Press, 1991), p. 201; "Urban League Asks Better Integration of Negroes In National Defense Program," *New York Age*, 2 November 1940, p. 8; "Fighting for Defense Jobs; They Wrote This Letter," *New York Age*, 26 October 1940, p. 2.

²⁰ "Hail Order Baring Bias in U.S. Civil Service," *New York Age*, 23 November 1940;

It wasn't until 1941, when A. Philip Randolph and the March on Washington Movement (MOWM) threatened to march 100,000 Blacks on the nation's capital if the government failed to address segregation in the armed forces and labor market that enforcement mechanisms were finally implemented at the federal level, albeit temporarily. Responding to the need to maintain war production as well as the potential negative publicity that the threat of the march posed, President Roosevelt struck a deal with Randolph. The President refused to desegregate the armed forces, but did approve "Executive Order 8802 banning employment discrimination because of race, creed, color, or national origin for employers with defense contracts, labor unions, and civilian agencies of the federal government," and created a temporary organization, the Fair Employment Practices Committee (FEPC), to enforce the order during the war. While the FEPC ultimately proved to be very limited in scope, effectiveness, and duration, its creation was significant in that it "made the federal government the enforcer of racial equality for the first time since Reconstruction" and "became a postwar model for city, state, and federal involvement in employment discrimination."²¹

²¹ The quotations in this paragraph appear in Andrew Kersten, *Race, Jobs, and the War: The FEPC in the Midwest, 1941-46*, p. 2; Martha Biondi, *To Stand and Fight*, p. 4. For the MOWM, see Harold Garfinkel, *When Negroes March, The March on Washington and the Organizational Politics for the FEPC* (Glencoe: Free Press, 1959); John H. Bracey and August Meier, "Allies or Adversaries? The NAACP, A. Philip Randolph and the 1941 March on Washington," *Georgia Historical Quarterly*, 75 (September 1991): 1-17; Richard Dalfiume, "The Forgotten Years' of the Civil Rights Revolution," *Journal of American History*, 55 (1968): 90-106. For more on the history of the FEPC and its impact, or lack thereof, on Black workers, employment discrimination, and the fight for democracy at both the national and local levels during World War II, see, Andrew Kersten, *Race, Jobs, and the War: The FEPC in the Midwest, 1941-46*; Roger Daniels, "Bad News from the Good War: Democracy at Home during World War II," in *The Home Front War: World War II and American Society*, ed., Kenneth Paul O'Brien and Lynn Parsons (Westport: Greenwood Press, 1995) pp. 157-72; Richard Polenberg, *War and Society: The United States, 1941-1945* (New York: J.P. Lippencott, 1972); Louis

The Vulcan Society drew upon the tactics and momentum of both traditional civil rights organizations and the more militant, direct action oriented groups of the era, mixing and matching strategies to stave off attacks within the department as well as in the firemen's union, the Uniformed Firemen's Association (UFA). As with most other firefighters' associations of the time, the UFA functioned more as a benevolent society than a traditional union. While the organization lacked collective bargaining power and the right to strike, it did have direct access to headquarters, handled grievances, and was allowed to bring resolutions to the Commissioner regarding certain aspects of departmental affairs. African Americans, as with ethnic minorities before them, had always been allowed to join the UFA but received few benefits from their association with the organization. Composed largely of Irish firemen, the union had traditionally been antagonistic towards minority members of the department, and frequently fought against the interests of their own union "brothers." As a result, the Vulcan, Naer Tormid, and Columbian Societies not only represented the interests of their respective minority groups, but often did so while being opposed by the very organization that their members were dues paying members of.²²

Kesselmen, *The Social Policies of the FEPC; Ruchames, Race, Jobs, and Politics* (Chapel Hill: University of North Carolina Press, 1948); "The Fair Employment Practice Movement in Perspective," *Journal of Negro History*, 31 (January 1946): 30-46; Herbert Hill "Twenty Years of State Fair Employment Practices Commissions: A Critical Analysis with Recommendations," *Buffalo Law Review*, 14 (1964): 22-69.

²² Emma Schweißgebel, *The Firemen's and Patrolmen's Unions in the City of New York: A Case Study in Public Employee Unions* (New York: Columbia University, King's Crown Press, 1948), pp. 19-20. For more information on the UFA as well as its parent body, the International Association of Fire Fighters (IAFF), see New York City Labor Records Survey, "Uniformed Firefighters of Greater New York, 1913-1984," Survey Folder NYLV 90-A16, Robert F. Wagner Labor Archives, Tamiment Library, New York University, New York, NY; J.J. Gibbons, "Short History of the IAFF," *International Fire Fighter*, V. XXIII, (Supp. To September 1940 issue); "Uniformed Fireman's Association

In 1942, for example, the UFA approved a medical, surgical, and dental plan that included “special cards” labeled with the letter “C” in order to identify Black firemen and restrict them from receiving medical care from white doctors. Hoping to nip this problem in the bud, the Vulcan Society asked the Co-Chairmen of the UFA’s Line Organization Committee, firemen Edwin Hoysradt and Anthony Tini, to attend a conference to discuss the matter. On October 15th, Wesley Williams and Vulcan Society President William Chisholm informed Hoyradt and Tini that while they indorsed the medical plan generally, they refused to accept being treated differently than anyone else and demanded equal coverage. Tini and Hoysradt told the Vulcan committee that they would abolish the “special cards” if the group of doctors involved in the plan approved of the change. Yet after informing the Vulcans that the Medical Committee accepted the change, Tini retreated a few weeks later, explaining to Chisholm, “because of the Un-American ideals and practices of some of the Doctors this discriminatory condition...would have to remain.” Tini did, however, offer an alternative. The union agreed to allow Black firemen to have their “special cards” changed, but only if they agreed to see only Negro doctors. On November 30th, the Vulcan Society contacted the President of the UFA, Vincent Kane to voice their displeasure with the union and its “special plan” as well as to “respectfully suggest” that he “inform all interested persons that we desire no special privileges, nothing more than is accorded to any other firemen and we will accept nothing

of New York Notes 35 Years of Progress,” *International Fire Fighter* (January 1954): 7-9; Mark Maier, *City Unions: Managing Discontent in New York City* (New Brunswick: Rutgers University Press, 1987), pp. 92-107. For a more general description of public employee unions, see Joshua Freeman, *Working-Class New York: Life and Labor Since World War II* (New York: The New Press, 2000), p. 202.

less.” On the same day, they also contacted Fire Commissioner Walsh to discuss the matter further.²³

The Vulcan Society recognized from past experiences that moral appeals alone would likely have little impact on either the UFA or the Commissioner, and also asked the NAACP for assistance if the Commissioner failed to act. After a predictably fruitless meeting, the NAACP, on behalf of the Vulcan Society, presented Mayor LaGuardia with a letter detailing a number of discriminatory practices in the fire department which included the union’s Jim Crow medical plan as well as Jim Crow bed assignments, unequal Black access to transfers, the personnel division’s maintenance of a list of Black firemen, “the failure to make Blacks acting officers on the basis of seniority,” and the complete exclusion of Black firemen, despite superior qualifications, from the fireboat and rescue companies as well as from Red Cross Instructor and Auxiliary Speaker details. The letter, which the NAACP released to the press the day before sending a copy to LaGuardia, urged the mayor to issue a local “order comparable to the President’s Executive Order 8802.” They also reminded the mayor that such practices were in “direct opposition” to the principles he claimed to support, and that “unless, you yourself enact some measure to eliminate these discriminatory practices, they will continue to the detriment and irreparable damage of a large section of the population of this city.” It is unclear whether or not LaGuardia attempted to intercede in the matter through back

²³ William Chisholm, President, Vulcan Society to Patrick Walsh, FDNY Fire Commissioner, 30 November 1942; William Chisholm to Walter White, December 1942 (specific date not given); William Chisholm to Vincent Kane, President of the Uniformed Firemen’s Association. These sources appear in the NAACP Papers, Part 15: Segregation and Discrimination Complaints and Responses, 1940-1955, Series A: Legal Department Files, U.P.A., Reel 6. (Hereafter referred to as NAACP Papers, Part 15, Series A); Wesley Williams, “Speech to Federation of Negro Civil Service Organizations, 1958?, Wesley Williams Papers, SC, Box 2.

channels, but the discriminatory conditions listed by the NAACP remained unchanged in subsequent years and no local version of Executive Order 8802 was ever applied to New York's civil service. The UFA, however, did succumb to the pressure created by the Vulcan Society and NAACP, and eliminated the discriminatory aspects of the health plan shortly after.²⁴

The Vulcan's success in preventing the Jim Crow medical plan from materializing angered much of the white rank and file and sparked an escalation of white resistance within the department. A number of hostile whites - including firefighters, the members and leadership of the UFA, and fire officers- began expanding their efforts to denigrate and subordinate Black firemen within the FDNY. Such efforts often received either tacit or direct support from the highest levels of the department, including Fire Commissioner Patrick Walsh, and second in command, Fire Chief McCarthy. According to Wesley Williams, Walsh, who was appointed Fire Commissioner by LaGuardia in 1941, frequently responded to the grievances of presented by Vulcan Society delegations by remarking, "I don't know why God made colored people, but I guess he knew what he was doing." In truth, Walsh was more a willing accomplice than the ringleader. The strengthening of the color line within the FDNY at this time certainly involved

²⁴ Vulcan Society to NAACP, 7 December 1942; William Chisholm to Patrick Walsh, 30 November 1942; NAACP Press Release, "Mayor Urged to Crush Civil Service Discrimination Practice," 11 December 1942; Walter White to Mayor LaGuardia, 12 December 1942. NAACP Papers, Part 15, Series A.

It is possible that the UFA made this concession after being reminded by the NAACP that they were in violation of the 1940 resolution passed in the New York State Assembly outlawing union discrimination. While I unsuccessfully searched the LaGuardia and NAACP Papers to attempt to corroborate this, I was unable to locate or gain access to the UFA's Papers, if they exist at all.

departmental benign neglect, but had been driven by white resistance to racial equality and the unchecked power afforded to fire officers, and in particular, firehouse Captains. Lieutenants, the immediate superiors of the firemen, enforced firehouse policy and orders, but Captains set the tone for the entire house. Captains were traditionally afforded great leeway by both their Battalion Chiefs and FDNY brass, and ran their firehouses with extremely limited outside interference or supervision so long as they maintained the integrity of the FDNY, which Headquarters apparently believed was not contingent upon racial equality. This “hands off” policy emboldened many white firemen and officers to rightfully interpret the brass’s unwillingness to become officially involved in the issue as official support.²⁵

As the Vulcan’s frequently pointed out in their meetings with Fire Commissioner Walsh, racial discrimination was not only immoral, un-American, and divisive, but against the department’s existing rules and regulations. Section 222 of the FDNY’s 1937 Rules and Regulations, for example, specifically forbade members from performing “any act which may be instrumental in arousing religious or racial hatred, whether by their speech, writing, or the dissemination of any material designed to bring about ill will against any creed or race,” while sections 16 to 32 of the department’s Official Action Guide, instituted in 1940, had mandated that bed and shift assignments be conducted in an impartial, rotating fashion. The Vulcans recognized early on that these rules were not

²⁵ Wesley Williams, “Speech to Vulcan Society,” 1961? (Undated), Wesley Williams Papers, SC, Box 2; Golway, *So Others Might Live*, p. 199; Kathleen Packard, *LaGuardia’s Fire Chief* (New Albany, Ind.: Fire Buff House, 1993).

Walsh, who was 72 when appointed, was Mayor LaGuardia’s second Fire Commissioner. The first, John McElligott, was forced to resign after “six firefighters were charged with taking bribes while inspecting oil burners” in 1941.

and would not be upheld by departmental brass unless they were compelled to do so by outside forces. While previously limited to fighting discrimination within the department and largely on a house-to house basis, the Vulcans, due the emergence of a “peculiar and consistent scheme used in making assignments for Negro firemen” as well as several particularly troubling instances of firehouse discrimination, were determined to expand their struggle and force the FDNY to deal with matter on a systematic level.²⁶

Between 1940 and 1944, the number of Black firemen in the FDNY doubled from roughly fifty to one-hundred.²⁷ Consequently, attempts to subordinate Black firemen became more frequent and brazen than earlier, escalating to the point where a distinct, institution-wide pattern of discrimination had taken shape. In an attempt to move beyond the futility of dealing primarily with Fire Commissioner Walsh, the Vulcans again attempted to turn to Mayor LaGuardia to curtail departmental discrimination. On August 9th 1944, an anonymous Vulcan member sent LaGuardia a letter informing him of the conduct of Captain Paul Rush of Engine Co. #17 on Broome Street in Manhattan, who was “daily disseminating anti-Negro sentiment among white members of his company” and had established Jim Crow bedding assignments which hadn’t existed prior to his arrival. Reminding LaGuardia of recent events in Philadelphia where white transit

²⁶ FDNY, “Section 222,” in *FDNY Rules and Regulations* (New York: FDNY, 1937); FDNY, “Special Order No. 222” in *FDNY 1940 Annual Report*, “ (New York: FDNY, 1940); Melvin Anderson, President of the Vulcan Society, to Fire Commissioner Patrick Walsh, 14 October 1944, Wesley Williams Papers, SC, Box 1.

²⁷ *New York Age*, 7 October 1944, p. 6.

These figures include Wesley Williams, who of course was not a fireman but a Battalion Chief. Also, several more African Americans may have been in the FDNY at this time, but may have been light enough to pass for white and opted not to identify as “black” in order to increase their mobility and/or not subject themselves to the endless harassment that most Blacks faced.

workers, with the support of both their union and the local administration, went on strike to prevent Blacks from advancing into white positions, the anonymous author explained that his chief concern was not this particular isolated incident, but its significance on the state of race relations within the department. “By assigning special beds to said members,” the author explained. “he (Captain Rush) is setting an example which weak or prejudiced Officers of other companies in the Department might decide to follow and thereby start serious inter-racial trouble.” This was neither hyperbole nor rhetorical flourish. A month after the Mayor refused to intervene, Wesley Williams wrote back to inform LaGuardia of the consequences of his inaction. Captain Rush, in the interim, had “forced the Lieutenant in charge of Hook and Ladder # 18 (the companion company to Engine # 17) to adopt similar ‘Jim Crow’ tactics.” When the Vulcan Society appealed to the Lieutenant to stop this practice, “he said he could do nothing as those were the orders of his superior officer.”²⁸

Around the same time, Edward Brantley, a fireman since 1928, was being kept from receiving a promotion to Lieutenant by departmental brass. Brantley had passed the Lieutenants’ examination in 1941, placing 311th on a list that remained active for four years. From July 1941 to February 1943 the FDNY promoted three hundred and two firemen to Lieutenant, leaving Brantley ninth on the list and assured of moving up during the next round of promotions, while three other Black firemen were further down the list. Rather than promoting Brantley, the FDNY’s leadership instead stalled for time, despite

²⁸ Anonymous to Mayor Fiorello LaGuardia, 9 August 1944; Wesley Williams to Mayor Fiorello LaGuardia, 18 September 1944, Wesley Williams Papers, SC, Box 1. For information regarding the Philadelphia Transit Strike, see Allan Winkler, “The Philadelphia Transit Strike of 1944,” *Journal of American History*, 59, No. 1. (June, 1972): 73-89; Herbert Hill, *Black Labor and the American Legal System: Race, Work, and the Law* (Madison: University of Wisconsin Press, 1985), pp. 274-308.

needing and already having money allocated for 249 new Lieutenants, “a far greater number than has ever been allowed to exist in the history of the Fire Department.” Prior, the longest period of promotional inactivity had been six months. In the year the FDNY allowed to pass promotions “to the rank of Marine Engineer, Pilot, and Captain” were all approved and put forward, but no Lieutenants were approved. Brantley, acting on his own behalf, contacted Walter White and Thurgood Marshall of the NAACP on September 14th to ask if “anything could be done” to help quietly rectify the situation. Marshall, in a letter to Walter White, wrote that “in view of the fact that Chief Williams is the only Negro officer in the Fire Department... LaGuardia should not let this list die without appointing at least one Negro Lieutenant.” Regardless of Marshall’s opinion, LaGuardia allowed the department to let the list expire.²⁹

The proverbial straw that broke the camel’s back, however, was a situation that developed in a firehouse in Brooklyn in the first week of September. Lieutenant Otto Claus of Engine Co. # 221 ordered that two beds, to be used exclusively by Black firemen, be removed from the main area of the bunkroom and placed directly “in front of the door to the toilets.” After unsuccessfully attempting to halt the practice “in house,” the company’s two Black firemen sought the assistance of Wesley Williams, who informed Commissioner Walsh of the situation. Walsh, in turn, ordered Deputy Chief Petronelli to investigate and resolve the matter. “Deputy Chief Petronelli, instead of correcting the condition, aggravated the situation by promoting racial hatred, with the approval of Lieutenant Klein who was on duty, in stating antagonistically that it would be

²⁹ Thurgood Marshall to Walter White, “Memorandum,” 14 September 1944; James Kottnauer, President, Lieutenant’s Eligible’s Association to Walter White, 6 November 1944. NAACP Papers, Part 15, Series A.

embarrassing for a white fireman to sleep in a bed after a Negro firemen had slept there.”

Petronelli then notified Commissioner Walsh that “there was no cause for complaint,” and thus no need for further action. After hearing this, Wesley Williams went down to meet with Petronelli personally in an attempt to reason with him. Petronelli, however, told Williams that similar practices were conducted in the Boston Fire Department, and that he saw no reason to discontinue them in this particular house or at any other in his Battalion. Even Commissioner Walsh and his assistant felt that Claus, Klein, and Petronelli had gone too far, and ordered “the Deputy Chief in charge of Brooklyn and Queens, Martin Carrig, to further investigate. Carrig...corrected the condition by ordering that the two beds be returned to their original location,” but the beds nonetheless remained segregated.³⁰

“It was these acts of racial hatred by Deputy Chief Petronelli, Lieutenant Claus and Lieutenant Klein, and the possibility of more widespread and obnoxious racial practices, which indicated the necessity of eliminating all racial discrimination in the Fire Department.” Wesley Williams, the man largely responsible for most of the Vulcan Society’s previous activities and actions, used the situation at Engine # 221 to stress the need for the Vulcan Society and its members to become more militant and proactive. During a Vulcan Society meeting on September 18th, 1944, Williams challenged the manhood of the organization’s members by asking them, “are we men or are we mice?” Designed as means to instill a militant mood and fighting spirit while also driving home the point that Black firemen had stiffen their resolve, Williams then attempted to rally the

³⁰ NAACP, “Memorandum for Conference,” 30 October 1944, NAACP Papers, Part 15, Series A; Wesley Williams, Speech to Vulcan Society, 18 September 1944, Wesley Williams Papers, SC, Box 1.

troops to action by challenging the manhood of the race itself and how it had represented itself so far in the FDNY.³¹

No other racial or religious group in this Fire Department would stand for this bed situation except we Negroes. I am very surprised that they did not put the beds into the toilet, or down the cellar. The more we stand for without protesting, the more they will force down our throat. Why even the Commissioner's aid, Chief Heaney, said that is going to far. In plain words, its alright to kick the Nigger in his ass but do not leave your shoe up there.³²

In Williams' estimation, too many Black firemen were paying the price for their collective inability or unwillingness to fight to demand the respect and/or fear needed to rectify the situation. The Vulcans, he explained, should not be "too critical about this ignorant and criminal Negro who is quick with the knife and gun. If it wasn't for the fact that the average white man feels that he will run into that type of a Negro, he would indiscriminately go around cuffing Negroes." Rather than accepting pyrrhic victories, the Vulcans, in Williams' estimation, needed to learn from this strategy and let everyone in the department know that they would be vigilant in the pursuit of equality, not only stave off these most recent attacks but to prevent them in the future as well.³³

To achieve this objective, Williams met with "fearless fighter" and "one of the best organizers in our race," Congressman Adam Clayton Powell Jr., and constructed a plan designed to force New York's municipal government to intercede and officially outlaw racial discrimination and segregation in the FDNY. The first part of the plan

³¹ NAACP, "Memorandum for Conference," 30 October 1944, NAACP Papers, Part 15, Series A; Wesley Williams, Speech to Vulcan Society, 18 September 1944, Wesley Williams Papers, SC, Box 1; Vulcan Society Inc., "Early Undertakings of the Vulcan Society," in "Vulcan Society: Fortieth Anniversary Dinner Dance", 4 May 1980, in author's possession.

³² Wesley Williams, "Speech to Vulcan Society, 18 September 1944," Wesley Williams Papers, SC, Box 1.

³³ Ibid.

consisted of data collection. A committee of Vulcan members compiled a list of all firehouses where Black firemen worked, then interviewed members of each house to determine where and how segregation and discrimination were being practiced and where they were not. By compiling this data, the Vulcan Society was able to document that eerily similar forms of discrimination were practiced at more than twenty of thirty-five firehouses where Blacks were stationed. No single firehouse housed more than three Black firemen, and in houses with three Blacks, they were uniformly assigned to fixed groups and rotations in order to prevent them from working at the same time, thereby ensuring that they all used the same bed. In companies with less than three Black firemen, similar results were achieved but by different means. Only one Black firemen was permitted to work at a time beds were segregated by placing “the names of the Negroes...on the bed,” rather than by placing them in fixed groups.³⁴

The Vulcans met again on October 2nd and unanimously voted to have Vulcan President Melvin Anderson request a conference with Commissioner Walsh, Mayor LaGuardia, and five Vulcan Society members – Wesley Williams, Melvin Anderson, William Chisholm, Lindsey White, and Herman Reed – to discuss “certain flagrantly undemocratic practices of racial discrimination in some firehouses.” Commissioner Walsh arranged for a conference on October 30th, and all parties agreed to attend. Shortly before the meeting, however, Walter White, at the request of Wesley Williams, asked and received the Mayor’s permission to attend the conference. Ultimately, however, neither Walter White nor the Mayor attended. Edward Dudley, Assistant Special council for the

³⁴ “Negro Firemen Make Segregation Charge,” *New York Times*, 8 December 1944, p. 13; City Council To Air Race Discrimination In Fire Department, *New York Age*, 9 December 1944, p. 1; NAACP, “Memorandum for Conference,” 30 October 1944, NAACP Papers, Part 15, Series A.

NAACP, replaced White, whose train was late, while LaGuardia's absence was "unexcused." Without the Mayor present, the conference was predictably ineffectual. The Vulcan Society outlined the scope and impact of Jim Crow bed assignments as well as violations of departmental rules and regulations in the appointment of "acting Lieutenants," as Blacks with seniority, including Edward Brantley, had been passed over in favor of junior white firemen to prevent white firemen from receiving orders from Black men. The Vulcans pointed to the Commissioner's involvement with the problems Blacks faced at Engine # 221, hoping to get Walsh and Fire Chief McCarthy to concede that the department recognized segregation as a violation of departmental rules and regulations, but both adamantly insisted "that no rights of the Negro had been violated" and if they had, the officers involved would have been brought up on charges. Later, Edward Dudley reported back to Walter White that Commissioner Walsh had flippantly remarked "that the only out he saw was to remove all the beds."³⁵

Dudley and the committee of Vulcan members were disappointed, but retained hope "that a short conference with the Mayor can iron out the entire matter."³⁶ Yet as in the past, conditions continued to grow worse as LaGuardia remained aloof and distanced from the Vulcan Society's case. As the Vulcans explained in a letter to Black Judge Hubert Delany, "The fact that they have been successful in preventing our group from seeing the Mayor has caused the opposition to take even greater courage and become

³⁵ Walter White to Mayor LaGuardia, 27 October 1944; Walter White to Wesley Williams, 27 October 1944; Edward Dudley to Walter White, "Memo," 30 October 1944; Vulcan Society, "Memorandum for Conference," 30 October 1944; Walter White to Thurgood Marshall, 30 October 1944; Vulcan Society Inc., Untitled notes for conference, October 1944, NAACP Papers, Part 15, Series A.

³⁶ Edward Dudley to Walter White, "Memo," 30 October 1944, NAACP Papers, Part 15, Series A.

more brazen than ever...to such an extent, that instead of the condition remaining static or improving...it has become worse and is right now spreading to other companies in the department." Since meeting with the Fire Commissioner, two other firehouses instituted segregated bed assignments, including Hook & Ladder #47 in the Bronx, and Engine #40 in the heart of Harlem. The Vulcans were particularly incensed with the later and that "...this condition is forced down our throats right in our own community." The Vulcans then asked Delany to speak to the Mayor on their behalf and to inform him of their intention to picket all firehouses in Black communities where discrimination was being practiced, hoping that the threat of picketing in communities that had exploded in frustration only fifteen months prior during the Harlem Riot of 1943 would force LaGuardia's hand. LaGuardia responded to the threat, but not in the decisive fashion they had hoped. After being informed of the VS's intention to picket, LaGuardia demanded that the Fire Commissioner move the Captain of Engine #40 and replace him with someone who would eliminate 'Jim Crow' to prevent "an ugly situation from developing." LaGuardia reiterated his previous promise to meet with representatives of the Vulcan Society and the NAACP, but continued to avoid doing so.³⁷

While the Vulcan Society hoped that LaGuardia would eventually act, it also prepared to take their case elsewhere to create more pressure on the Mayor or settle the issue through other external channels. From the inception of the Vulcan's campaign, both Wesley Williams and Adam Clayton Powell Jr. had planned to use the press to create

³⁷ Vulcan Society to Judge Hubert Delany, 16 November 1944, Wesley Williams Papers, SCBRC, Box 1; Walter White to Roy Wilkins, "Memorandum," 5 December 1944," NAACP Papers, Part 15, Series A; Wesley Williams, "Speech Delivered to Federation of Negro Civil Service Workers," 1961; "Speech Delivered to Federation of Negro Civil Service Workers," 1958?, both in Wesley Williams Papers, SC, Box 2.

public awareness and the publicity necessary to have the matter raised in New York's City Council if need be. In early November, the Vulcan Society introduced their case to the general public, leaking information regarding conditions in the FDNY as well as their prior meetings with the Fire Commissioner to the Black press, including local editions of the *Pittsburgh Courier* as well as the *New York Age* and *New Amsterdam News*. After LaGuardia balked and then failed to have the matter systematically addressed following the incident in Harlem, the VS, with help from Adam Clayton Powell Jr., then contacted Powell's successor on the City Council, Communist Councilman Benjamin Davis, who issued a strong resolution condemning fire department discrimination.³⁸

Davis, a former editor for the *Daily Worker* and longtime Communist Party leader in Harlem, joined fellow traveler Peter Cacchione on the twenty-five man, Tammany dominated City Council in 1944. During his campaign, which was supported by Powell Jr. and his broad-based constituency, Davis ran "upon the theme of winning the war and demonstrating against Hitler racism by advancing the cause of Negro representation at home." Davis, while later serving a five-year term in a federal penitentiary in Indiana for violating the Smith Act, explained his relationship with Cacchione, their popular front objectives, as well as the staunch resistance they faced in his posthumously released autobiography, *Communist Councilman From Harlem*:

³⁸ Ibid; "Negro Firemen Protest Jim Crow in Firehouses," *New York Age*, 4 November 1944, p. 1; Wesley Williams to Ludlow Werner, Editor, *New York Age*, 20 February 1946, Wesley Williams Papers, SC, Box 1; Benjamin J. Davis, *Communist Councilman From Harlem: Autobiographical Notes Written in a Federal Penitentiary* (New York: International Publishers, 1969), p. 130.

I have looked through national editions of the *Pittsburgh Courier* and *Chicago Defender* to locate these articles at the Schomburg Center, but did not find them. The City editions of these papers likely contain the materials referenced in several second-hand accounts and in personal correspondence, but these editions have not been saved for posterity.

Pete and I never failed to support any measure of any councilman which to any degree reflected the needs of the people of New York. The voters had crossed party lines in electing us, and we crossed party lines in upholding their best interests. But neither of us had any illusions that we would break any records in obtaining the passage of legislation. We realized that the greatest value of our presence was that “we were tributes of the labor-Negro-progressive movement.”³⁹

While Davis and Cacchione were committed to nonpartisanship, the City Council’s Tammany majority did not hold similar commitments. Numerous resolutions introduced by the two men were blocked or held up, including the resolution Davis introduced on November 28th, 1944 calling for the condemnation of the FDNY for perpetuating discriminatory practices, including maintaining “Negro beds” and placing racial restrictions on promotional opportunities. “The city council,” Davis recalled, “refused to pass my resolution condemning such practices, but only agreed to enact a resolution to investigate the complaint through a special hearing. I conferred with the Negro firemen and we decided to accept the change from “condemnation” to “investigation” – confident that the facts exposed would force an improvement in conditions. The city council majority preferred an investigation because they anticipated hopefully that none of the Negro firemen would show up to testify – for fear of loosing their jobs.”⁴⁰

The Vulcan Society’s members prepared for the hearing,, scheduled for December 7th, 1944, but also made one final overture to LaGuardia on December 5th via Walter

³⁹ Benjamin Davis, *Communist Councilman in Harlem*, p. 123-4.

As Davis explained in a note attached to this statement, “Evidently, this was a “crime” – and it was one of the prime reasons for the defeat of Proportional Representation in 1947, and for the three party gang-up against me in the 1949 campaign.” Powell Jr., Cacchione, and Davis had all been elected as a result of the decision to elect councilmen based on proportional representation that had become the law of the city as a result of a charter adopted in 1936.

⁴⁰ Ibid, p. 130; “City Council to Air Race Discrimination in Fire Department,” *New York Age*, 9 December 1944.

White. The organization gave LaGuardia the option of either finally meeting and addressing the situation himself or face having the FDNY's dirty laundry, and consequently his own complicity in the matter, exposed in the press and City Council. LaGuardia remained unmoved. Tammany Hall, though, was more proactive, and attempted to sabotage the hearing by having the Fire Commissioner and other members of the brass begin the proceedings by refuting charges of discrimination before they had even been made publicly, an obvious attempt to deter Black firemen from testifying out of fear of reprisals. Tellingly, even the hearing was segregated, with the white ‘leaders of the department lined up on one side of the room and Negroes on the other...’⁴¹ The Vulcans were neither intimidated nor deterred by the surprise appearance of their superiors. Benjamin Davis, who was censured and silenced by his colleagues throughout the hearing, greatly admired the resolve, courage and dignity they exhibited despite the scare tactics being employed by both the FDNY and the city council:

The Negro firemen, a militant and intelligent group, showed up with bells on. They were solid as a rock, and they burned with the kind of fire – the fire of the struggle for justice and dignity – they couldn't be put out. They jeopardized their jobs, their seniority and tenure rather than be intimidated. They made a powerful and impressive appearance – surprising the Tammany majority on the committee. There were about 40 of them – the committee room was jammed; the reporters from City Hall press room, hearing there was to be a big show, hung from the rafters.⁴²

After departmental brass vehemently denied that any form of discrimination had ever existed, every Vulcan Society member in attendance testified to contrary, naming names

⁴¹ Edwin Lewinson, *Black Politics in New York City*, p. 179; Clifford Goldstein, “History of the Negro in the New York City Fire Department;” Walter Thomas, “the Integration of the Negro in the New York City Fire Department.”

⁴² Both the quotation and earlier accounts of the hearing appear in Benjamin Davis, *Communist Councilman in Harlem*, pp. 130-31.

and detailing the scope, impact, and history of these practices. While the City Council's Tammany majority ultimately quashed Davis's resolution, the hearing helped make it known that the Vulcan Society, despite being severely outnumbered, was a force to be reckoned with. Moreover, the attention brought to FDNY discrimination as a result of the hearing and corresponding press coverage marked the beginning of the gradual elimination of overt discrimination in the department.⁴³

II

While the hearing, in retrospect, later proved to be a watershed moment for both the Vulcan Society and the FDNY, its immediate impact was negligible at best. The FDNY's brass, after being subjected to public scrutiny, began pursuing backdoor methods to maintain firehouse segregation almost immediately following the hearing, and did so by collaborating with the leadership of the UFA. In private meetings with the UFA's leadership, Fire Commissioner Walsh and Fire Chief McCarthy encouraged the union to push through a resolution that called for the firemen of each house to decide work rotations and sleeping arrangements on a majority rules basis. The resolution was then to be presented to headquarters, passed, and incorporated into official policy, thereby providing official approval of a policy that on its face was not racially neutral, but in actuality was designed to institutionalize firehouse segregation and the maintenance of Jim Crow beds for years to come. The plan was for the resolution to be passed prior to a scheduled December 21st meeting in which the Vulcan Society along

⁴³ Ibid.

with NAACP Special Assistant Council Edward Dudley were to present the final findings of their investigation to the Commissioner.⁴⁴

The UFA's past history of selective representation not only prevented the plan from being implemented, but actually provided an opportunity for the Vulcan Society and their allies to use the UFA to their own advantage. Sympathetic whites informed the Vulcans of the collusion taking place between Headquarters and the UFA, and as a result, on December 20th 1944, the Vulcan Society, in conjunction "with friendly whites and the...Naer Tormid Society," packed what was intended to be a sparsely and selectively attended meeting and voted down the proposal. Seizing a rare opportunity in which they outnumbered their opposition, they then submitted and passed a resolution of their own which put the UFA on record as opposing, "any religious or racial discrimination in the Department in any form." Penned by founding Vulcan member and Wesley Williams' "right-hand man," Lindsey White, the resolution officially bound the union's members and leadership to uphold Section #222 of the FDNY's rules and regulations, and thus made anyone who practiced, supported, requested, or condoned any form of racial or religious discrimination in violation of the union's own bylaws. When the Vulcan Society met with Commissioner Walsh a day later to once again ask him uphold Section #222, they now did so with the entire city watching and - much to Walsh's surprise - with the blessing of the UFA. In response, Walsh promised to "take all steps within his power combat discrimination within the department existing in any form whatsoever..."

⁴⁴ Wesley Williams, "Speech to Vulcan Society," 1961? , Wesley Williams Papers, SC, Box 2; "Fire Commissioner's Directive Points to Order Banning Jim Crow," NAACP Press Release, 11 January 1945, NAACP Papers, Part 15, Series A.

and few weeks later, issued a departmental order informing each of member of the department that Section #222 would be upheld and that violators would face official charges.⁴⁵

Both the Vulcan Society and Dudley recognized that Walsh's promise and new found commitment to Section #222 would have little impact if violators continued to go unpunished. In a statement released shortly after Walsh's order was issued, the NAACP reminded the FDNY that it was "prepared to take further action in the even of non-compliance." Changes did take effect, but only on a gradual and small scale. "Here and there Negroes were seen in the tiller seats on the ladder trucks, others were seen driving and a few were seen operating the pumping engines." These changes, however, more from the Vulcan Society's ability to convince individual Captains to make assignments based on standard operating procedures rather than race, than from above. Not surprisingly, many of problems of the past still lingered. In an October, 1945 letter to Adam Clayton Powell Jr., Wesley Williams again asked the Congressmen for his help, citing still operative "Jim Crow" bed assignments "in the majority of Fire Houses," headquarters' continued maintenance of "a system of identifying Negro personnel by a code mark on the cards of Negro personnel," and headquarters' refusal to appoint Black firemen with superior educational backgrounds, training, and skills to special units within the department. Neither Powell nor the NAACP, however, was able to produce the desired results so long as LaGuardia remained in office. Powell's complex relationship

⁴⁵ Assistant Fire Chief John McCarthy to Deputy Chief, 7th Division, 4 January 1944; "Fire Commissioner Issues Order Banning Discrimination in New York Fire Department," NAACP Press Release, Draft, January 1945; "Fire Commissioner's Directive Points to Order Banning Jim Crow, 11 January 1945. All appear in NAACP Papers, Part 15, Series A.

with Mayor LaGuardia, distance from the city, and the priority given to wartime concerns locally, prevented Powell Jr. from exerting any direct influence, while in the wake of the City Council meeting and the airing of the department's dirty laundry, the NAACP's access to either the departing Mayor or Fire Commissioner had been exhausted.⁴⁶

Conditions continued to stagnate until Irish-born Democrat and American Labor Party (ALP) candidate William O'Dwyer replaced LaGuardia as Mayor in 1946. O'Dwyer took office at a time of unprecedented Black political mobilization at both the grassroots and electoral levels. A year earlier, Black and "ethnic organizations prodded the legislature to pass the nation's first state law, the Ives-Quinn Law, banning racial and religious bias in employment," which "established the State Commission Against Discrimination (SCAD), a watchdog agency to oversee the enforcement of its provisions." Moreover, Black voters in Manhattan now constituted roughly fifteen percent of the borough's electorate, and had formed an impressive voting bloc that managed to elect four (out of sixteen total) Black assemblymen in the next four years. During his campaign, O'Dwyer supported equal opportunity measures such as the Ives-Quinn Law, the establishment of a permanent FEPC, received ringing endorsements from

⁴⁶ Wesley Williams to Congressman Adam Powell, 20 October 1945, Wesley Williams Papers, SC, Box 1; "Fire Commissioner Issues Order Banning Discrimination in New York Fire Department," NAACP Press Release, Draft, January 1945; "Fire Commissioner's Directive Points to Order Banning Jim Crow, 11 January 1945, NAACP Papers, Part 15, Series A; Walter Thomas, "The Integration of the New York City Fire Department." For more on Powell Jr. and LaGuardia's working relationship and prior political disagreements, see Charles V. Hamilton, *Adam Clayton Powell Jr.*, pp. 116-135.

the non-Communist left, and had hired the politically astute and well respected Black Harlemite J. Raymond Jones as his campaign manager.⁴⁷

A shrewd Tammany democrat, O'Dwyer took all these factors into consideration when making his appointments following the election. Responding to the negative publicity created by the hearing, alliances made during the course of a close campaign, as well as continued pressure from the Black press, Congressman Adam Clayton Powell Jr., and J. Raymond Jones, O'Dwyer selected Frank Quayle to replace Patrick Walsh as Fire Commissioner. Quayle, a white Democratic Party leader in Brooklyn and former Captain in the FDNY, had helped stem racial and religious discrimination in his previous job as Postmaster of Brooklyn, experience O'Dwyer realized was needed to finally begin to address discrimination in the FDNY.⁴⁸

Quayle wasted little time in making his presence felt, and instituted a number of initiatives to eliminate overt forms of racial discrimination immediately following his appointment. He began by removing a number of the "old-line" fire officers who had dominated the department since the beginning of LaGuardia administration and were

⁴⁷ Frederick Binder and David Reimers, *All the Nations Under Heaven: An Ethnic and Racial History of New York City* (Columbia University Press, 1995), p. 198; Lewinson, *Black Politics in New York City*, pp. 72-5.

⁴⁸ "O'Dwyer's Cabinet List," *New York Times*, 31 December 1945, p. 19; "Quayle Resigns as Fire Head On Eve of Mayor's Inaugural," *New York Times*, 14 November 1950, p. 1. While O'Dwyer took up for a cause made public by Benjamin Davis during the City Council hearing, he did so while simultaneously distancing himself from the councilman. During his campaign, O'Dwyer, as means to fend off election time charges of ties to the Communist Party, insisted that Tammany rescind their endorsement of Davis. See "Davis Forced Off Tammany's Slate at O'Dwyer's Behest," *New York Times*, 25 July 1945, p. 1; "Dropping of Davis Fails to End Row," *New York Times*, 26 July 1945. For attempts to link O'Dwyer to Communists During the election, see "O'Dwyer Attacked in Communist Aid, *New York Times*, 28 July 1945, p. 11; "Ernst, Once Backer of O'Dwyer, Shifts; Attorney Turns to Goldstein, Charging Reds, Tairmany and Underworld Aid Rival Charges Communist Ties," *New York Times*, 18 September 1945, p. 21.

close associates of Walsh and his predecessor. By doing so, Quayle served notice that racial discrimination would no longer be ignored or assisted by the Commissioner's office, but would instead be subject to departmental action. Quayle also prohibited the personnel department from tracking Black firemen and responded favorably to requests from Adam Clayton Powell Jr., non-Irish ethnic firefighters' organizations, and the Vulcan Society that minority groups within the department be given a voice and presence at Headquarters. He appointed several Black firemen to Headquarters, all "firsts" in the FDNY. Later, after meeting with the heads of the various firefighters' organizations, Quayle then asked the Jewish, Irish Catholic, Protestant, Italian, and Black firefighters' organizations to each select an individual to serve as the Commissioner's chauffeur-aid in order to increase communication between these groups and the Commissioner and eliminate "the departmental red-tape that ordinarily tied up such meetings or communication." The Vulcan Society selected its first president, William Chisholm, to serve in this capacity, and for the first time had direct and equal access to a sympathetic and responsive Fire Commissioner, a victory that Wesley Williams explained to Adam Clayton Powell Jr. that had "added tremendously to the prestige of the Vulcan Society."⁴⁹

⁴⁹ Walter Thomas, "The Integration of the Negro in the New York City Fire Department;" Quoted in Guy Brewer, "From Outcast to Fire Commissioner of New York City;" John Ruffins, "Black Firefighters," p. 40; Wesley Williams to Adam Clayton Powell Jr., 20 February 1946, Wesley Williams Papers, SC, Box 1; Untitled News Clipping, Wesley Williams Papers, SC, Box 1; Wesley Williams, "Speech Delivered to Federation of Negro Civil Service Workers, 1961, Wesley Williams Papers, SC, Box 2.

When Quayle asked each group to select a representative to serve as a Chauffeur's Aide, Irish firemen did not have their own ethnic fireman's organization. Their numbers and influence were so great within the department that they did not form a branch of the Emerald Society in the FDNY until the 1950s. Rather, they gained representation through their control of the department's Catholic association, The Holy Name Society. For more on the FDNY's ethnic organizations and their history, see James Gifford,

The City Council hearing, the Vulcan Society's increased influence during the Quayle administration, and the gradual elimination of Jim Crow beds and racially restrictive appointments and assignments removed any doubt about the organization's viability and potential for the future. Increased public awareness of the group as well its growing involvement in local political and social affairs also bolstered the Vulcan Society's prestige, both in the Black community and among Black members of the FDNY. In 1945, the Vulcan Society held its first annual dinner dance at the Savoy Ballroom in Harlem, using some of the proceeds raised to purchase a group lifetime membership in the NAACP, becoming the first civil service group in the nation to do so. A year later, the Vulcans received a "certificate of Honor from the National Office of the N.A.A.C.P. in appreciation for soliciting 115 new members for the 1946 membership campaign," and also participated in a campaign to secure the appointment of a Black member to the New York City Board of Education.⁵⁰

This expansion of the Vulcan Society's activities was due to Wesley Williams's early insistence that the organization play an active role in community affairs, an objective made possible, in part, by the growth in membership that began during the post-war period. Many of the Black firemen who refused to join the organization during its earliest years began to join en masse either during or after the City Council hearing. As would be the case in the years that followed, individual rationales for joining varied and

"Dissent in Municipal Employee Organizations," in Robert Connery and William Farr, *Unionization of Municipal Employees* (New York: Proceedings of the Academy of Political Science, Vol. XXX, No. 2, 1970), p. 163; Interview with Vincent Julius, 19 January 2004.

⁵⁰ John Ruffins, "Black Firefighters," p. 40; "Thirty-Five Years of Vulcan History," Vulcan Society Inc. F.D.N.Y. Presents Annual Scholarship Dinner Dance Commemorating 35 Years of Achievement," 18 April 1974, Event program in author's possession; Lewinson, *Black Politics in New York City*, p. 181.

often entailed several factors. For certain members of this particular generation of Black firemen, the absence of the threat of retribution in the wake of the council hearing had made the decision to join the organization easier. For others, the Vulcan Society's foray into non-political, social events such as dinners, dances, and drinking sessions provided those not interested in getting directly involved in discrimination battles with a social outlet and sense of camaraderie that came from "blowing off steam" with other Black firemen. The Vulcan Society's access to the Fire Commissioner and Headquarters had also provided those with less altruistic or personal agendas to join. Chisholm, as the Commissioner's Aide, and Williams, who was often consulted on matters pertaining to Black firemen, could, on occasion, pull strings for those seeking transfers or appointments, and were thought to be much greater advocates of the organization's members than Black firemen who had remained outside the group. Membership also increased through the incorporation of incoming Black firemen, a process that was made easier by the publicity generated during the City Council campaign and the group's subsequent initiation of recruitment campaigns in Black communities. Through his relationship with the editor of the *New York Age*, Williams, for example, wrote a half-page guest editorial in 1946 entitled "Fire Dept., A Career For Negroes" in which he shared his personal history and urged Black New Yorkers to consider pursuing careers in the fire service. The Vulcan Society then followed this up by establishing recruitment centers at YMCA's in Harlem and Brooklyn as well as at the Williamsbridge Community Center in the Bronx where they met with potential recruits to provide "information and instructions concerning the civil service examination for firemen."⁵¹

⁵¹ Wesley Williams, "Fire Dept., A Career For Negroes," *New York Age*, 7 September

Many of Black firemen that entered the FDNY during the immediate post-war period - either as a result of the recruitment campaign or of their own volition - were returning veterans. After fighting to keep the “world safe for democracy,” these men demanded that they receive these same rights at home and tended to gravitate towards the Vulcan Society. In the process, they injected the organization with new members, militancy and youth. The growing number of young Vulcan members created new opportunities as well as uncharted, but welcomed problems. In years past, “it had been difficult to get a good turn out and to get men to accept nominations for office, but by the end of 1947 the organization had “grown in size and prestige to the extent where men actually compete for the honor of holding office.” There was fierce competition for leadership posts in the organization’s elections for 1948, with a number of younger firemen challenging the organization’s original leadership cadre for posts, creating internal divisions as well as the potential for stagnation and a future leadership vacuum, factors Williams urged members consider when casting their votes. “The life and progressiveness of your Society,” Williams opined, “is very dependent on the young

1946; “Thirty-Five Years of Vulcan History;” Vincent Julius, Notes for workshop on “The Founding of the International Association of Black Professional Firefighters,” Augusta Georgia, 5-8 November 1998, Vincent Julius’s personal papers, copy in author’s possession. I owe a special debt of gratitude to Mr. Julius, a thirty-two year veteran of the FDNY who was gracious enough to share materials with me while writing his own historical novel on the Black experience in the FDNY entitled *Red Flames, Black Firefighters: The African American in the New York City Fire Department, 1938-1984*.

Favoritism, both within and outside the Vulcan Society had been charged even prior to the City Council hearing. While attempting to “rally the troops” on September 18th, 1944, for example, Williams changed course in the middle of his speech to refute rumors that had been circulating that no “Negro can get a transfer unless it comes through me.” The fireman transferred in this particular instance was William Chisholm, but Williams denied that he had anything to do with it. Similar suspicions continued after Chisholm became Commissioner’s Aide and others within the Society’s “inner circle” were transferred and/or appointed.

blood now been properly trained, so as to take over and carry on as the old men pass out.

Your various committee appointment, etc. should be well lined with young men.”⁵²

Williams had worked in the FDNY for nearly thirty years and was on the verge of retirement. After providing tactical, directional, and political guidance to the Vulcan Society for a number of years, Williams felt that future leaders of the organization needed training and experience to facilitate a smooth transition following his departure and wanted to be sure that the best, brightest, and most dedicated men were placed in leadership positions rather than “Empire Builders,” or those who would use or guard the organization for their own benefit rather than for the will of the body. He began this process early on in the organization’s history by hand selecting and grooming Robert O. Lowery to succeed him as the guiding force of the Vulcan Society. Lowery joined both the FDNY and the Vulcan Society in 1941, and five years later, was one of the first Black firemen designated to Headquarters, where he served as a Fire Marshal and arson investigator for the next seventeen years. Born in Buffalo, New York, Lowery moved to New York City at a young age, attending public schools and then City College for three semesters “before economic reasons forced him to get a job.” An extremely bright man, Lowery’s educational background, however, hardly set him apart from his contemporaries. As a later Black member of the FDNY explained:

⁵² Wesley Williams, “Speech to Vulcan Society,” 1948, Wesley Williams Papers, SC, Box 1.

Veterans predominated the FDNY’s new hires during the postwar era, be they Black or white. Applicants were given bonus points for military service, points that came in handy in the highly competitive entrance examination.

...A lot of these fellows, they were all college guys, you know. They just couldn't make the money, steady, that they could in the fire department... If the playing field had been even, most these fellows would have been outstanding at what they did.⁵³

While only one of many Black men in the department whose ability to fully utilize and develop his potential in other arenas had been restricted by racial discrimination, Lowery's leadership skills, his commitment to political and social action, affability, and political savvy set him apart from his colleagues, a fact that was acknowledged not only by Williams but also by the Vulcan Society's membership, which elected Lowery President in 1946, a post he held for the next five years and ten more times between 1951 and 1963.⁵⁴

Throughout the 1940s and early 50s, Lowery, with Williams's assistance, expanded the Vulcan Society's work within the Black community and strengthened the bond between the VS and other groups of Black civil service workers, particularly New York's Black policemen. Lowery and the Vulcan Society played an instrumental role in helping Black policemen gain official recognition for their organization, the Guardian Association. In 1949, while the two groups also held annual charity basketball games in Harlem between 1948 and 1950 that raised \$29,200 for various charities - including \$11,200 for Sydenham Hospital as well as smaller but significant contributions donated to the Harlem YMCA, the NAACP, New York Foundling Hospital, Camp Claver, Mt. Morris Hospital, and the Pioneer Athletic Club. In 1951, the organization

⁵³ Interview with James Callender, 21 January 2004, in author's possession.

⁵⁴ "Lowery Appointed Deputy Fire Head," *The Chief*, 24 November 1963; Anthony Prisendorf, "Lindsay Picks Negro To Head Fire Dept.," *World Telegram*, 23 November 1965, pp. 1 & 3; New Top Fireman," *New York Times*, 23 November 1965; "Lindsay Names Lowery City Fire Commissioner, 27 November 1965 p. 1; Ruffins, "Black Firefighters," pp. 43-5.

began what also became a yearly tradition, Vulcan sponsored Christmas parties for shut-in children at Harlem Hospital, where for years senior Vulcan Society member “Big Clarence” Pitts played Santa Claus and distributed gifts.⁵⁵

Thus, when Wesley Williams retired from the FDNY in 1952 after sustaining injuries in a car accident while on duty, the Vulcan Society’s stability and link to the Black community was no longer in doubt. In tribute to its founder, the Vulcan Society held a testimonial dinner for “the Chief.” As the *New York Times* reported, “four hundred and fifty persons, many of them Negroes, attended the dinner, which was held at the Concourse Plaza Hotel, the Bronx.” The event was sponsored by African American luminaries from all walks of life, including Joe Louis, Ralph Bunche, Hubert Delany, Lester Granger, Adam Clayton Powell Jr., “Sugar Ray” Robinson, and NAACP Chairman Dr. Louis Wright, as well as prominent whites, including then New York City Mayor Vincent Impellitteri, Police Commissioner George Managhan, and Fire Commissioner Jacob Grumet. Mayor Impellitteri addressing the crowd explained: “We are not honoring Wesley Williams because he is a Negro. We honor him because he represents the finest kind of American tradition in fire-fighting.”⁵⁶

For Black firemen of his generation as well as those that followed, however, Williams was to be remembered for his skills and courage as both a firefighter and as a

⁵⁵ John Ruffins, “Clarence,” in Vulcan Society Inc. F.D.N.Y. Presents Annual Scholarship Dinner Dance Commemorating 35 Years of Achievement,” 18 April 1974, Event program in author’s possession. Ruffins, “Thirty-Five Years of Vulcan History;” Interview with Vincent Julius, 19 January 2004.

⁵⁶ “Negro to be Next Civil Service Chairmen, Mayor Say, but He Does Not Identify Him,” *New York Times*, 19 June 1952; “Negro Fire Chief to Retire Tuesday: Injuries End Williams’ Career After 33 Years – Highest Officer of Race in U.S.,” *New York Times*, 27 March 1952; Wesley Williams to George Powell, President of the Vulcan Society, 24 June 1952; Chief Wesley Williams Dinner Committee, Vulcan Society Inc., “Announcement,” 14 May 1952, Wesley Williams Papers, SC, Box 1.

champion of Black equality. During the course of his thirty-three year career, race relations in the FDNY changed dramatically, thanks in large measure to Williams's selflessness and vision. At the time of his retirement, Williams was the highest-ranking Black fire officer in the nation, and had helped force the FDNY to address overt institutionalized discrimination and segregation to a degree unheard of elsewhere. Jim Crow beds, which had remained in a few firehouses until the late 1940s, were a thing of the past by 1952, while Black firemen were increasingly being utilized as "regular motor pump operators, chauffeurs, tillermen, building inspectors." Black access to acting positions also increased, while Black firemen were no longer precluded from receiving promotions. Three Black firemen, for example, had risen to the rank of Lieutenant by 1952, while five others were on the verge of being appointed.⁵⁷

III

While racial discrimination still pervaded many aspects of the department at the time of Williams's retirement, Black firefighters in "the Big Apple" had fared much better than their peers in other major cities due largely to the efforts of the Vulcan Society. The only fire departments that rivaled the FDNY in terms the number of Black firemen employed or in positions beyond the rank of fireman were those with segregated companies. Philadelphia, for example, had two Black Captains and one Black Lieutenant by the early 1950s, but was not integrated until 1951. Elsewhere on the east coast, Jersey City, New Jersey had no Black firemen until 1950, while Newark had refused to hire a single professional Black fireman until 1952. In the Midwest, Blacks had worked on integrated basis in both Detroit and Cleveland since the 1940s, but in only a token

⁵⁷ Walter Thomas, "The Integration of the Negro in the New York City Fire Department."

fashion. Cleveland's fire department, for example, began hiring Blacks in 1943, but only twenty-one Black men entered within the next ten years. Chicago's fire department rivaled New York in terms of the total number of Blacks in their department, but had maintained segregated fire companies led by a white Battalion Chief until 1958. Chicago, in fact, was among the last northern cities to eliminate segregated companies, waiting until 1965 to do so. On the west coast, Oakland and Los Angeles also maintained segregated companies - Los Angeles since the late 19th century, and Oakland since 1920. Despite the protracted efforts of local civil rights leaders, organizations, and Black firefighters themselves, each remained segregated until after Supreme Court ruled "separate but equal" unconstitutional in *Brown v. Board of Education*. Elsewhere in the west, San Francisco and Seattle hired Black firefighters for the first time in 1955 and 1959 respectively.⁵⁸

While Wesley Williams' exploits were known across the country, Williams and the Vulcan Society had been busy fighting their own battles and remained largely unaware of the conditions faced and struggles waged by Blacks in other fire departments. Due to the local nature of such campaigns, coverage of Black firemen in nationally

⁵⁸ "Philadelphia Has Integration in Fire Houses, *Afro-American*, 4 August 1951, p. 20; "First Fireman Goes on Duty in Newark," *Afro-American*, 11 October 1952, p. 22; "First Negro in Jersey City, N.J., *New Amsterdam News*, 11 March 1950, p. 7; "World's Finest Fire Academy," *Ebony*, September 1961, pp. 58-61 & 64; Don Babwin, "Spate of Slurs Latest Chapter in Chicago Fire Department's Rocky History With Race," *Associated Press State and Local Wire*, 6 April 2004; "Vanguards of Cleveland," Johnny Brewington Jr.'s Personal Papers, East Cleveland, Ohio, in author's possession; "NAACP Charges Dept. with Discrimination. Chief States Practice is Traditional and Has His Approval," *Chicago Defender*, 20 March 1954, p. 7; "Integration of Firemen Ordered," *Chicago Defender*, 25 June 1955, p.3; "Integration to Resume in January 1956 after Present Chief Leaves," *Afro-American*, 17 December 1955, p. 3; Carol Chetkovich, *Real Heat: Gender and Race in the Urban Fire Service* (New Brunswick: Rutgers University Press, 1997); Sarah Wheelock, "The Desegregation of the Oakland Fire Department," http://nacroft.berkeley.edu/ROHO/education/ind_projs.html, copy in author's possession.

circulated Black periodicals or newspapers - such as *Ebony*, *Jet*, *The Defender*, *Afro-American*, or *Pittsburgh Courier* – was largely limited to celebratory stories of “black firsts” rather than exposes on working conditions or ongoing struggles for Black equality. This, however, began to change when Washington D.C.’s federally controlled fire department, which had employed Blacks in segregated companies since 1870, began to be scrutinized by civil rights leaders that were seeking to establish a national precedent regarding segregation prior to the Brown v. Board decision. In late 1948, prominent Black leaders, including W.E.B. Du Bois, Dr. J. Finley Wilson, Dr. Benjamin Mays, and Bishop O. Ward Nichols, among others, produced a report documenting “the gross discrimination that exists in the nation’s capital,” and issued “a Call for a Legislative Assembly and Rally for Civil Rights” to be held in February, 1949 to demonstrate “united support for a legislative program to wipe out segregation,” that included the passage of the Fair Employment Practices Bill, the Anti-Poll Tax Bill, the Anti-Lynching Bill, as well as the elimination of “the system that prevents Negro citizens from achieving full and equal status in Federal employment.”⁵⁹

Addressing segregation within Washington D.C.’s Fire Department, despite manpower shortages and departmental support for integration, would prove to be much more difficult than in other areas of federal employment in the nation’s Capital. Washington D.C.’s Fire Commissioner and Fire Chief announced their intention officially integrate the department in 1951, but Georgia Dixiecrat James C. Davis introduced a bill in the House District Committee that would give the Committee the

⁵⁹ Dr. J. Finley Wilson, et al., to Thurgood Marshall, 24 December 1948; James Marshall to Walter White, 18 November 1948; both in NAACP Papers, Part 15, Segregation and Discrimination Complaints and Responses, 1940-55, Series B, Administration Files, Group 11, Box A-16, “General Office File,” Reel 1.

power to repeal the order and maintain segregated companies. As a result, integration was delayed as the bill sat in limbo, thereby compounding already existing manpower shortages in white areas of the city. Unable to wait any longer, in 1952 District Commissioner Donohue, in conjunction with the department's Fire Commissioner and Chief, announced a specific plan calling for surplus Black firemen to be transferred into understaffed white companies, but the Firemen's Union of Washington D.C., International Association of Fire Fighters (IAFF) Local # 36, adamantly refused to comply with the proposal. At the Vulcan Society's behest, New York's Fire Commissioner Jacob Grumet, spoke out against Local 36 while speaking to a Jewish group in Washington D.C., comments that appeared the next day in *The New York Times*. The Vulcan Society, hoping to assist their brothers in the nation's capital, also sent letters of protest to every Congressman from New York, asking them to do all in their power to ward off the segregationists and demand compliance with the previous integration order. These efforts, however, had little impact. On November 25, 1953, the Board of Commissioners issued a formal order outlawing employment discrimination in the District's various agencies, but exempted the fire department from having to comply. The move emboldened the members of Local # 36, who issued a statement in the press that blended sports metaphors with inflammatory, Red Scare rhetoric, chiding "meddlers" for using "Hitlerian tactics" to level "spurious" charges of discrimination as a means to "change the living pattern of this country to coincide with their surrealistic philosophy."

The union went on to remind its enemies that “the Fire Department is not a facility to be lightly used as a political football, to be blithely kicked around by left-footed halfbacks.”⁶⁰

African Americans in the nation’s capital were outraged and demanded that the union and fire department be subject to the same standards as every other area of federal employment, a point made clear in following letter sent by “Oldest Inhabitants, Inc.,” a organization of 400 Black residents of the nation’s capital, to AF of L’s President George Meany:

The actions of this local union places upon you, and the parent body of the A.F. of L., the stigma of supporting their position in this undemocratic situation as your silence in the matter would be construed as an endorsement of their action, and we petition you to take the proper steps to halt such procedures on the part of this local Union, that hinders the order of the President of the United States to abolish all evidences of discrimination in the government of the District Columbia.⁶¹

Meany, who received a similar letter from the Washington Chapter of the Unitarian Fellowship for Social Justice a few weeks earlier, contacted the IAFF after reading Local #36’s statements in the press, but agreed with the IAFF’s position that the men of Local #36 should be allowed to continue to operate without outside interference, and opted to leave the matter alone.⁶²

⁶⁰ “Jewish Unit Honors Goldman and Grumet,” *New York Times*, 31 March 1952, p. 22; Ruffins, “Thirty-Five Years of Vulcan History;” “D.C. Firemen Hit ‘Spurious Race Criticism,’ newspaper clipping, George Meany Papers, George Meany Memorial Archives (hereafter GMMA), Silver Springs, MD, RG1-027, Box 5, File 17.

⁶¹ William D. Nixon, President, Oldest Inhabitant, Inc. to George Meany, A.F. of L President, George Meany Papers, GMMA, Box 5, File 17.

⁶² Edwin Bennett, Jr., President, Washington Chapter Unitarian Fellowship For Social Justice to George Many, 16 January 1954, George Meany Papers, GMMA, Box 5, File 17; IAFF to George Meany, 22 January 1954, George Meany Papers, GMMA, Box 5, File 17.

Segregation continued unabated until the Supreme Court's ruling against "separate but equal" in *Brown v. Board* provided District officials with a window to bypass the pending Davis bill and reorder integration. The District's Board of Commissioners removed the order's exclusionary provision on August 19, 1954 and scheduled fourteen Black firemen to be transferred to understaffed, previously all-white companies beginning on September 17, 1954. Local # 36, in an attempt to drum up public support for segregation, purchased a full page add in *The Washington Star* entitled, "An Open letter to President Eisenhower and the District of Columbia Commissioners." Subtitled "Let's Not Discriminate in the Name of Non-Discrimination," the statement threatened that whites would resign or retire if integration was allowed to proceed, and would thus cause the department to be overstaffed with inherently less efficient Blacks, who, it its opinion, would threaten the interests of "every property owner" in the city. The union's leadership threatened to seek an injunction if the Commissioners refused to postpone the order until Congress could properly "study" it, but the department held firm, a position that was reinforced when the White House requested that department officials meet with Government Contracts Committee (GCC) to keep them abreast of their progress.⁶³

Recognizing that the GCC had no real jurisdiction over departmental affairs, James Davis called for a Congressional hearing on the issue. During the March 1955 hearing white firemen and union members openly flouted the policy set by the District Commissioners. One particular fireman, however, outdid the rest. Fireman Elvin Propst

⁶³ "Capital's Firemen Fight End of Bias," *New York Times*, 15 September 1954, p. 17; "Racial Integration in the District of Columbia Fire Department," 14 October 1954, George Meany Papers, GMMA, Box 5, File 17; "Civil Rights Gain Hailed by G.O.P.," *New York Times*, 9 August 1955, p. 14.

was so brazen, racist, and demeaning during his testimony that New York Congressman Arthur Klein referred to the fireman's remarks as "the most disgraceful statements uttered since Hitler was in power." While the local branch of the NAACP implored the new Chair of the District Commissioners, Samuel Spencer, to discipline Propst, no action was taken. Propst, in fact, was promoted to Sergeant only three months later, a move recommended by Fire Chief Millard Sutton and unanimously approved by the three members of the Board of District Commissioners. "Civic leaders and government representatives," including Congressman Charles Diggs, Arthur Klein, Adam Clayton Powell Jr., the local branch of the NAACP, the American Council on Human Rights, and the Federation of Civic Associations, demanded that the promotion be rescinded, but to no avail. Local NAACP President, Eugene Davidson, called Propst's promotion a "gratuitous surrender to forces of reaction," but in truth, this process had been underway for some time. As Adam Clayton Jr. pointed out, months earlier department officials "issued orders that no rank-and file white fireman shall be transferred to a previously all-Negro outfit where they would have to take orders from Negro officers."⁶⁴

While the integration of the Washington D.C. Fire Department was the only instance of its kind that drew direct attention from the White House and Congress, similarly contentious and protracted battles were taking place simultaneously in other cities across the nation during the 1950s. The most publicized battle, however, took place not in the nation's capital but in Los Angeles, where Blacks had worked in the fire department since 1897. L.A.'s Black firemen, in conjunction with civil rights groups and community leaders, had struggled to increase their numbers and promotional opportunities since 1940. These early battles, however, were not to integrate the department, but to increase the number of all-Black firehouses and Fire Officer positions available to Blacks. From the 1920s forward, Black firemen in Los Angeles were

⁶⁴ Ibid; "Intimidation," *Washington Post*, 19 October 1951; "Powell Says Capital Measure Would 'Dis-Integrate,'" *New York Times*, 25 February 1955, p. 13; "Diggs Assails Promotion of Fireman Who Opposed Mixing," *Afro-American*, 9 July 1955, p. 6.

gradually restricted to one of two firehouses, Engine Co. # 14 and Engine Co. #30. While these companies were ran by Black Lieutenants and Captains, hiring and promotional opportunities were finite and dependent upon the retirement or resignation of existing Black members of the department. Furthermore, the two all-Black companies were part of a larger Battalion and were under the command of a white Battalion Chief.⁶⁵

Members of Los Angeles' Black community, "under the leadership of Charlotta Bass, publisher of the *California Eagle*, approached" Los Angeles' Fire Chief, John Alderson to request the formation of two more Black companies, in the process creating an all-Black Battalion that would be led by a Black Battalion Chief. As historian A.B. Hartsfield-Mills explained, this request to expand segregation was "based on the premise that...it would not be doing violence to the Chief's position to keep" Blacks out of white companies while also opening up "positions in lesser ranks...since each new station would require new men in all classes." Chief Alderson, however, denied the request, responding, "I am unalterably opposed to and will never approve another segregated station." His opposition to idea was not that of civil rights champion, but of a man determined to restrict Black expansion in the future. In a move that appears to have been an attempt to placate Bass and others in the civil rights community, in 1946 and 1947 Alderson manipulated existing civil service procedures to pass over hundreds of whites to hire twenty-nine new Black firemen. These men, however, were relegated to the already overcrowded two Black fire stations, creating a situation where an over-abundance of Black firemen could be seen "hanging all over the rigs" during emergency duty.⁶⁶

⁶⁵ A.B. Hartsfield-Mills, *The Old Stentorians* (Santa Fe Springs, CA: Stockton Trade Press, 1974), pp. 7-25.

⁶⁶ Ibid, pp. 7-28, quotation from p. 24. For more on Charlotta Bass and the *California Eagle*, see Marti Elizabeth Tippens, "Talking Back: How Publisher and Activist Charlotta Bass Challenged Inequality Through the California Eagle," M.A. Thesis, California State Northridge, 2001; Robert Gottlieb, et al., *The Next Los Angeles: The Struggle for a Livable City* (Berkeley: University of California Press, 2005); Gayle Hardy, *American Women Civil Rights Activists: Biobibliographies of 68 Leaders, 1825-1992* (Jefferson, N.C.: McFarland, 1993). For general information on Engine Co. # 14

While a number of older Black firemen favored segregation due to its social comforts and the limited competition it bred, most of the younger, highly educated Black firemen wanted their equality acknowledged so they could have an opportunity to showcase their talents and compete on an equal footing. To achieve this objective, several men began to meet with the leadership of local branch of the NAACP. In 1953, the local branch of the NAACP turned its full attention to segregation in the fire department, the last vestige of overt segregation that remained in the city's government. After having temporarily dropped the issue during the 1952 Mayoral campaign, NAACP branch President Loren Miller presented newly elected Mayor Norris Poulson, Chief Alderson, and the Los Angeles' Fire Commission with a petition in August 1953 that charged that the racial restrictions being practiced were in violation of the constitutions of both California and the United States. Mayor Poulson asked the Fire Commission to investigate the charges, and to "take summary action as may be necessary to completely eliminate any such unfairness..." if such practices proved to be true. However, after ignoring the charges for four months, the Fire Commission and Chief Alderson denied their merit, claiming that while separate, the department was equal, and would "continue to appoint, promote and transfer employees of the Department for the best interests of all the City of Los Angeles." A prolonged power struggle between the Mayor, Alderson and the Commissioners ensued, producing delays and rhetoric but no action.⁶⁷

The NAACP, seeking a more timely solution, then took its case to Superior Court. The trial, which began in March 1954, began with a bang. The first witness, Chief Alderson set the tone by claiming that Black under-representation in the department (3% of the department as compared with 10% of the city's Black population) had resulted

prior to integration, also see "Negro Company in Los Angeles, Cal. Holds Top Honors, *Our World*, March 1953, pp. 12-15.

⁶⁷ The quotes and information given here appear in both Hartsfield-Mills, *The Old Stentorians*, pp. 43-8 & Frank Sherwood and Beatrice Markey, *The Mayor and the Fire Chief: The Fight Over Integrating the Los Angeles Fire Department*, Inter-University Case Program, Vol., 43 (New York: Bobbs-Merrill Co., Inc., 1959) pp. 5-13.

from Black educational inferiority rather than a preordained cap on the number of Blacks in department. Later, however, Alderson openly admitted that limited segregation was an intentional policy of his design. When asked if assignments in the department were made solely on race, Alderson was less direct, claiming that “every assignment which I have made during my term of office has been based not on race but on what in my considered opinion was best for the morale of the Department, the efficiency of the Department and the benefit to the people of the City that the Department serves.” As the trial proceeded, the Supreme Court’s ruling in the *Brown v. Board* decision as well as corresponding shifts in state law fostered a rift in the previously airtight alliance between the Fire Commission and the Chief. Alderson, widely respected for running one of the most effective fire departments in the country, threatened “that he would retire if his jurisdiction on such matters was usurped,” but the Fire Commission, seeing the writing on the wall, altered course and admitted to the city’s attorney that assignment decisions had been based on race, and asked if the Brown decision now mandated a change in policy. The City Attorney, a supporter of Alderson, advised that the decision remained the Chief’s. Unsatisfied, the NAACP, with the assistance of San Francisco Assemblyman William Byrum, took the issue to state level, asking State Attorney General, Edmund G. Brown whether or not the City Attorney’s position had merit under the law, a interpretation Brown found untenable:⁶⁸

In view of the State’s policy against racial discrimination, it is not likely that any responsible official of this State or of a city would admit that his action in personnel management matters is based solely on race. However, where, over a long period of time there appears a systematic exclusion of members of a certain race from the opportunity and privileged accorded others similarly situated, the court will conclude that the action is attributably to racial discrimination rather than to the lawful exercise of discretionary authority.⁶⁹

⁶⁸ Hartsfield-Mills, *The Old Stentorians*, pp. 46-7; “NAACP Charges Dept. With Discrimination: Chief States Practice is Traditional and Has His Approval, *Chicago Defender*, 20 March 1954, p. 7.

⁶⁹ Quoted in Sherwood and Markey, *The Mayor and the Fire Chief*, p. 18.

At Mayor Paulson's urging, the Fire Commission, ordered Alderson "to take steps to eliminate racial segregation," and "to submit within six weeks a report on how Negro personnel could be integrated gradually at stations other than the two...manned exclusively by Negro firemen." The Mayor's year old integration order, however, was not "finally acted upon and issued to the Chief" until October 28, 1954, and proceeded with "all deliberate speed from that point forward.⁷⁰

Alderson was determined to subvert the integration of the department by any means necessary, a stance that had been reinforced by the support and encouragement he received from the City Council, International Association of Fire Fighters Local 748, numerous white citizens, and an "independent" group of white firemen known as the "Fact Finding Committee," who had went around the department to petition white firemen to support segregation while tracking those who refused. Alderson, however, also wanted to keep his job. Not wanting to provide the Mayor with an enforceable excuse to fire him, he transferred the first non-white fireman into a previously all-white company in March 1955, and fourteen others over the course of several months. As one white fireman who came on the job in 1954 recalled, these fifteen men were subjected to intense bigotry and discrimination that permeated their experiences:

Under Alderson it was a virtual hell for the black men who were called firemen and, incidentally, who were darn good firemen. Even, so, a standard statement made by some of the brass was to the effect that every time they came to a fire "all the 'baboons' would be on the roof chopping, never inside fighting the fire."⁷¹

"High department officials," it was later discovered, "had instructed white firemen to ostracize and harass transferred Negroes," and worked hand in hand with the "fact finding committee" to isolate, ostracize and punish those unwilling to fall in line. Whites who refused to sign the "fact finding" committee's petitions were transferred to "hate

⁷⁰ "Anti-Bias Move Started: Los Angeles Fire Department Aims to End Racial Bars," *New York Times*, 23 July 1954, p. 33; "Integration Tiff Stirs Los Angeles," *New York Times*, 28 August 1955, p. 81; Hartsfield-Mills, *The Old Stentorians*, p. 48; "Los Angeles to Mix Firemen in Fire Stations," *Chicago Defender*, p. 3.

⁷¹ Edwin Domeier, quoted in A.B. Hartsfield-Mills, *The Old Stentorians*, p. 73.

houses,” stations Alderson and his officers created specifically to punish and isolate both Black firemen and the “nigger lovers” who resisted being active participants in departmentally sponsored intimidation and harassment. White fireman Keith Kentworthy, for example, was brought up on charges for “filing a false log entry” and “insubordinate conduct,” and for recording the content of the “official harassment instructions” as well as specific incidences of harassment in his company’s log. Kentworthy received a six month unpaid suspension, but was relocated to a “hate house” after winning his appeal.⁷²

In May 1955, a group formed by Los Angeles’s Black firemen during the 1950s, The Old Stentorians, in conjunction with the NAACP, petitioned the department to end “token integration,” threatening to take the matter to court again. While a reconstituted Board of Fire Commissioners gave a firm order to the Chief to eliminate harassment and nominal integration, Alderson remained unresponsive. After information regarding the conspiracy against Black firemen and white nonconformists came to light during Kent Kentworthy’s appeal, the NAACP stepped up their attack on the Chief, filing a criminal complaint with United States Attorney Laughlin Waters, charging Alderson with violating the civil rights of Los Angeles’ Black firemen. While the case was pending, the Board of Fire Commissioners - now filled with new appointees selected by the Mayor to help foster both integration and the Chief’s ouster – outlawed interdepartmental petitions, began disciplining the officers carrying out Alderson’s dictates in “hate houses,” and restricted the Chief’s access to the City’s Attorney, whom he’d been relying on for information “to bolster his position in delaying integration.” The pressure, oversight, as well as growing internal dissention became too much for the embattled Chief to handle. In mid November, Alderson announced he would step down from his position in January,

⁷² “Integration Tiff Stirs Los Angeles;” “Los Angeles Gets Segregation Test,” *New York Times*, 21 August 1955, p. 65; Hartsfield-Mills, *The Old Stentorians*, p. 78. For a full accounting of Kentworthy’s experiences with the Chief and in the department, including his later ouster, see pp. 73-82.

1956. No longer worried about maintaining his position, Alderson then “unilaterally ordered every Negro fireman in the city back to the all-Negro stations.” The Board of Fire Commissioners and the Poulson fired Alderson for “insubordination” two days later, and announced that integration would resume in January 1956, thus finally ending a two and half year battle to desegregate the LAFD.⁷³

For Los Angeles’s Black firemen, Alderson’s ouster and the advent of “integration” only marked the end of one phase of their struggle for equality. As Hartsfield-Mills explained, “the harassments, hazings, and indecencies continued” in the post-Alderson era, but “took on a more subtle, less open quality.” Such “subtle measures” included Jim Crow eating utensils, mess halls that had the full, but not official, support of most commanding officers. While life in the fire stations remained relatively the same for Black firemen, getting into the department and getting promoted became even more difficult. Civil Service procedures implemented during Alderson’s tenure, including subjective “oral examination” which had been installed in 1954 and consisted of questions such as, “what’s it like to be called ‘nigger?’” or “are you a pusher for integration?” In March 1956, departmental brass, in an attempt to give the Department greater discretion in whom it hired, upped the weight of the oral exam from 30 to 40 percent of one’s composite score, a move clearly designed to limit the number of minorities hired by the LAFD. The weight of the oral exam was again increased in 1958, this time to 50 percent. Not surprisingly, the proportion of Black firemen in each year’s recruiting classes had dropped precipitously - from 15.5 percent in 1946/1947 to four-tenths of a percent in 1958. Between 1954 and 1958, a total of five Black men were

⁷³ “Segregation in Assigning Negro Firemen to Stations,” *Chicago Defender*, 4 June 1955, p. 3; “Fire Department Charged With Segregating Firemen, *Chicago Defender*, 21 May 1955, p. 5; “Fire Department Charged With Segregating Firemen, *Afro-American*, 21 May 1955, p. 9; “Integration Tiff Stirs Los Angeles;” “NAACP Asks for Indictment of Fire Chief on Grounds of Depriving Negro Firemen of Constitutional Rights,” *Afro-American*, 10 September 1955, p. 13; Hartsfield-Mills, *Old Stentorians*, p. 93; “Integration to Resume in January 1956 After Present Chief Leaves, *Afro-American*, 17 December 1955.

appointed to the LAFD, but only two were kept on the force beyond their required probationary period. At this same time, Black firemen in New York were beginning their “golden age” within the FDNY.⁷⁴

⁷⁴ Hartsfield-Mills, *Old Stentorians*, pp. 30-37 & 100-115.

CHAPTER 3

NEW YORK'S BLACK FIREFIGHTERS & THE VULCAN SOCIETY IN THE MODERN CIVIL RIGHTS ERA, 1954-1968

Chief Williams had recognized and seen that the most important need for the department was for the few Blacks that were in job to get together. And that spirit carried over to this group - what I call the second generation of Vulcans.¹

The New York City Fire Department is a microcosm of America and although it has often been said that ‘there is no concept of color in a smoking, burning room,’ how much of our time on duty is spent in smoky, burning rooms?²

Los Angeles's Mayor, after learning in 1954 that the LAFD had to be integrated to conform to the *Brown v. Board* decision, formed a committee to examine “successfully integrated” fire departments in other cities. Designed to provide the LAFD’s top officials with an effective model to follow, the committee soon visited the FDNY to “study and survey...the perfect integration of the Negro into the New York Fire Department.” At the time the committee conducted it’s survey, black representation in the segregated LAFD was ironically higher than in the “integrated” FDNY. In 1954, Blacks constituted 3.3 percent of the LAFD but only roughly two percent of the FDNY. This gap would later shift when LAFD officials “simplified” the process of integration by making sure that few, if any, Black firemen were hired. Only twelve of the 2435 firemen hired by the LAFD between 1951 and 1971 were African American; while only three of these twelve men received their appointments between the years of 1958 and 1968. In contrast, during the late 1950s and early to mid 1960s, the FDNY hired Black firemen at a rate not surpassed either before or since. By 1966 roughly 700 Black firemen worked in the department while the percentage of Black firemen more than doubled to a near all-time

¹ Interview with Vincent Julius, 16 January 2004. Throughout this chapter I refer to Mr. Julius as both Vincent and “Vinnie,” the name frequently used by his friends and peers.

² Vincent Julius, “Remarks – Black History,” Speech Given to Cultural Society, FDNY, Fire Department Headquarters, New York, Vincent Julius Papers, Palm Coast Florida, Photocopy in author’s possession.

high of 4.5%. The impetus for these hires came from severe manpower shortages that resulted as those who had entered during LaGuardia's tenure as Mayor began retiring. The need for firemen during this period was so great that many probationary firemen bypassed fire school and were immediately assigned to positions in understaffed firehouses.³

While a number of Black New Yorkers capitalized on the limited opportunities available, African Americans nonetheless remained grossly underrepresented in the FDNY throughout the period. As in Los Angeles, alterations were made to civil service guidelines during the 1950s that circumscribed Black access to the FDNY, albeit to a lesser degree than in the LAFD. The number of Blacks hired would likely have been even greater had the FDNY not altered the "alliance law" to allow applicants living outside Brooklyn, Queens, the Bronx, and Manhattan to work in the FDNY. This change - facilitated in part by the scores of highways built during the 1950s, the expansion of subway lines to outlying boroughs and cities, and white flight, also occurred right after the largest single group of Black firemen had come into the job in 1957. Bob Brooks, a member of this class, recalled that this was only one of several alterations made that limited the number of Black firemen:

Black members came in great numbers in 1957 – that was the biggest list. Right after that, they changed two laws. They ...changed the "alliance law... so

³ For Poulson's committee and its utilization of the FDNY as a model, see Wesley Williams to Federation of Negro Civil Service Workers, September/October (?) 1961, Wesley Williams Papers, SC, Box 1; Hartsfield-Mills, *The Old Stentorians*, p. 56. The figures and percentage of Black firemen in the LAFD either appear, or were computed, from data presented in *The Old Stentorians*, pp. 42, 122, 138 & 142 as well as Sherwood and Markey, *The Mayor and the Fire Chief*, p. 5. The number and percentage of Black firemen in the FDNY are estimates culled from total personnel figures listed in the FDNY's *Annual Report, 1953-1954*, Mand Library, New York, NY; Terry Golway's, *So Other Might Live*, p. 210, and from an estimate of the number of Black firemen in the FDNY given in Walter Thomas's, "The Integration of Negro in the New York City Fire Department," which was written in 1952. The estimate liberally assumes a fifty man increase during a one year period, bringing the assumed number of Black firemen to 250 and comparing this figure with the total number of FDNY employees documented for 1953, 11,200.

outsiders could come in. But they also changed another procedure by changing the physical examination into qualifying...It had counted for 50% of your score. We would make high physical marks, so they made that as a qualifying thing...They absolutely tried to knock us out.⁴

Much more is known about the men who entered the FDNY during the 1950s and 1960s than their predecessors. Interviews with several men who joined the FDNY during this period suggest that few, if any, of the men who eventually became firemen had ever given much thought to fire service work. Vincent "Vinnie" Julius, from a young age had loved boats and dreamt of becoming a merchant seaman, not a fireman or even the Captain of a Fireboat. While growing up in the Bronx, Julius had known of only one Black fireman, but as he explained, "it didn't impress me any because I had no plan to be a fireman." Likewise, James Callender and Bob Lanier -who joined the FDNY in 1959 and 1962 respectively - "had never been to a firehouse" before their first day on the job.⁵ But like many other African Americans in postwar New York, Julius, Callender, Lanier, and countless others took a battery of civil service examinations in hopes of securing one of the few positions that offered Black workers a secure future, a good pension, and a better way of life for themselves and their families:

All of the guys in the community, that's all they were doing, taking the civil service tests...at the end of the war, that was the popular thing to do. My father used to say, 'I don't have money to send you to college. You can forget that,' and that 'you got to go to work when you get out of school.' Well, the best way to work and have a good career was a civil service job...Civil service was the key for the Black man in the north at the end of the war. You got paid every two weeks, you had a steady job, you could educate your children, you lived good. When I was a kid, those kids that had bicycles at Christmas time, most of their fathers worked at the post office – there may have been a few that worked in commercial industry, Wall Street and all of that, but as elevator operators, messengers, porters, things like that.⁶

While an increasing number of skilled and semi-skilled private sector jobs started to become available to Black New Yorkers during the 1950s and early 1960s, Black

⁴ Interview with Robert Brooks, 16 January 2004.

⁵ Interview with Jim Callender, 16 January 2004; Interview with Vincent Julius, 17 January 2004.

⁶ Interview with Vincent Julius, 17 January 2004.

workers remained the “last hired and first fired,” and were largely restricted from advancing to higher paying or more prestigious positions. Pressure created by civil rights movement as well as the activities of more traditional civil rights organizations such as the Urban League and the NAACP had also helped open up a limited number of white-collar positions. Fred Fowler, in fact, remembered the late 1950s and early 1960s as a time when many companies were actively searching for Black employees in order to proclaim, “we have one!” These token positions were usually dead-end jobs that were white-collar in title, but not in pay. Fowler, for example, “broke the color barrier” in two separate glue companies, but left his job as a chemist in a glue factory in Greenpoint, Brooklyn after learning that his immediate superior, who worked for the company for “about thirty years,” was only making “twenty to thirty dollars more” than he was. Fowler’s salary as a chemist - \$85 a week – doubled when he left to join the FDNY in 1964.⁷

Others left more lucrative but less secure private sector jobs to pursue careers in the fire service. James Lee and Harry Horton, both of whom were trained as airplane mechanics while serving in the Air Force, worked for several different airplane manufactures upon returning home, including Grummond Aircraft, Republic Aviation, and Lockheed Martin. When wartime demand decreased, their positions became less secure. “Those were all government, federal jobs...contracts, so maybe a year or two you’re working good – plenty of overtime – but then they have their cutbacks.” Horton and Lee struck with their union to protest proposed pay decreases in the late 1950s. “We stayed out for three months,” Horton recalled, “and we settled for the same thing we would have got if we had stayed...In other words, we were out walking the picket line, weren’t getting paid, and it made us so mad cause when we walked out, we got nothing. The other guys, the guys in the union, the representatives, they got their salary, but the guys on the picket line, we got nothing.” Horton had taken both the police and fire

⁷ Interview with Fred Fowler, 19 January 2004.

department examinations earlier, and left for the FDNY when he came up on the list in 1960. James Lee followed six months later after already turning down the police department because they asked “too many questions” during the hiring process, a nuisance he did not want to face throughout his career. Lee, with a home in Queens and a young family to support, turned to the fire department for its security, long-term benefits, and flexibility. He had been making \$8,000 a year as a hydraulic mechanic, but took a \$2,800 pay cut to join the FDNY when workers at Lockheed went on strike again.⁸

“I weighed that (the pay cut), and said, that’s a better job for me and my family...I left Lockheed after they went on strike...The decision to go on was because I didn’t know when the next strike was coming. And I made a decision, you know. Is it less money? Can I afford to live on less money, cause I know this is just the entrance and...you’d be making more after a year in...There’s three increments you get no matter what the base salary is, you were gonna get those increments. And I figured, by the time I get these three increments, I’ll be making what I was making...I had a little money so it wasn’t that I was really operating in a hole. And, I had the opportunity to work a second job.”⁹

The social prestige, periods of downtime between emergencies, flexible schedule, and corresponding opportunity to further supplement one’s income by working a second job also attracted men in other areas of the civil service. During the 1950s and 1960s, a number of postal employees – a segment of public employment with a tradition of hiring African Americans that dated back to the days of Booker T. Washington and Charles Anderson – left the postal service to pursue careers in the FDNY. Bob Lanier, a fill-in mailman, wanted more than the irregular hours he was receiving and had grown tired of being required to memorize postal schemes and streets while off the clock. Vinnie Julius also worked in the postal service prior to joining the FDNY, but as a full-time mailman. Julius found postal work mundane and disinteresting, and was dissuaded from continuing by the political nature of the promotion process. “Every time you got a check,” he explained, “five or ten percent of your check had to go to the Democratic Club if you wanted to be promoted.” The social status afforded to firefighting also entered into his

⁸ Interview with Harry Horton, 19 January 2004; Interview with James T. Lee, 18 January 2004.

⁹ Interview with James Lee, 18 January 2004.

decision. Being a letter carrier provided a solid, respectable career, but being a fireman “had a glamour to it.” Similarly, James Callender, a transit worker who took the fire department’s exam after being encouraged by his neighbor in Brownsville, fireman and Vulcan Society member Clarence Pitts, joined the FDNY in large part because of his favorable impression of Pitts and the life he had made for himself. Pitts’ recommendation, Callender explained, made an impression on him because “he [Pitts] was a man to be respected, he carried himself well, and, his wife was gorgeous!”¹⁰

Many of the men who came into the FDNY had also qualified to become members of the New York Police Department (NYPD). Despite the power and authority inherent in policing, most men felt that police work offered fewer social, economic, and psychological benefits and produced more potential problems and hardships. Eric Reape, for example, turned down the police department because he knew several Black policemen that were having a very rough time:

I had a friend who was a policeman...he made the Captain’s list, but they wouldn’t make him. He went half nuts...That happened to quite a few of the fellows that were at the top of that list. So when they kept calling me, asking me if I wanted the job, I said no, I don’t want the job.¹¹

While the ethnic composition and resistance against Blacks was similar in both departments, the hostility of white members of the police force towards Black New Yorkers was something all applicants had experienced personally or had heard about throughout their lives, be it at the dinner table, church, barbershop, street corner, bar, etc. Countless stories appeared in local Black newspapers over the years recounting rampant instances of police misconduct, racial bias, and brutality, and this reputation, perhaps more than anything else, led many men to join the FDNY instead. Vinnie Julius, after qualifying to become a member of the NYPD, turned down the offer because he felt that “people wouldn’t be safe with me with a .38 caliber pistol in my hand. I’d fight at the

¹⁰ Interview with Bob Lanier, 19 January 2004; Interview with Vincent Julius, 20 January 2004; Interview with James Callender, 20 January 2004.

¹¹ Interview with Eric Reape, 16 January 2004.

drop of a hat...I wouldn't take no guff, so it wouldn't suit me to have that kind of power." While the positions paid the same, Julius felt that "there was a little more respect for being a firefighter" and "people were not afraid to get close with you because you couldn't harm them or lock them up," a point reinforced by a veteran Black NYPD member who told historian Edwin Lewinson, "unconsciously people even feared their relatives and friends who were on the police force because of their power." Rather than facing the public scorn and distrust often associated with police work, Julius and his contemporaries turned instead to a job widely perceived as benevolent in nature and whose practitioners were respected and glorified rather than feared. James Callender, on the way to fires, often received encouraging words from Black residents - particularly women - who would shout things like, "you go baby!" while waving to him and his company-mate Bobby Turner, a reception not often afforded Black policemen.¹²

While Black firemen in New York during the postwar era may or may not have had it better than their cohorts in the police department, they most certainly faced fewer problems than their predecessors or their contemporaries in other cities. This, however, was little consolation. The key difference between the Black experience in the FDNY and that in the past or in other fire departments at the time was that Headquarters - due primarily to prior Vulcan Society action as well as the growth of the organization – was no longer officially sanctioning or encouraging overt discrimination. During the mid-1950s, for example, the LAFD's Chief Alderson actively encouraged white firemen and officers to provoke violent confrontations with Black firemen in order to provide an excuse to bring Black firemen up on charges and expel them from the department. While the FDNY's brass, prior to Frank Quayle's tenure as Fire Commissioner, had done everything in their power to maintain and back segregated sleeping arrangements and discriminatory job assignments, by the 1950s the department's position on racial relations

¹² Interview with Vincent Julius, 17 January 2004; Interview with James Lee, 18 January 2004; Lewinson, *Black Politics in New York City*, p. 182; Interview with James Callender, 20 January 2004.

and discrimination - while hardly egalitarian – had changed significantly. In 1955, for example, an unnamed Black fireman struck his superior officer - perhaps the gravest offense one could commit in a paramilitary organization such as the fire department - after being referred to as a “Black Son of a Bitch.” According to the *New Amsterdam News*, upon hearing the insult, the Black fireman “swung with all his might, breaking his superior’s nose, and inflicting other injuries, causing him to go to the hospital.” Both men filed charges against each other - one for discrimination, the other for insubordination – but the department’s fire officers’ organizations then joined the fray to demand that the FDNY uphold the sanctity of its’ chain of command and fire the Black fireman. A few years earlier, this course of action would have been a forgone conclusion, but the FDNY’s then Fire Commissioner, Edward Cavanaugh, instead ordered “both men to withdraw charges.” While the Black fireman in question received a small fine and short suspension, the Commissioner’s “moderate” stance raised the hackles of the incredulous members of the department’s officers’ organizations who had not yet grown accustomed to having their authority, behavior, and jurisdiction called question, particularly on matters of race and discrimination.¹³

Cavanaugh’s decision, however, was not a victory for the Black fireman in question or an example of Headquarters’ newfound commitment to racial equality. Rather, it was more an indication of the growing influence of the Vulcan Society. According to Vinnie Julius, the President of the Vulcan Society for much of the 1960s and an active member prior, department officials and officers, leery from prior battles, carefully avoided protracted confrontations with the Vulcan Society to avoid outside interference in departmental affairs. “In those days,” Julius explained, “the last thing anyone in the department wanted to hear was that the Vulcan Society was on the

¹³ Wesley Williams to Federation of Negro Civil Service Workers, September/October (?) 1961, Wesley Williams Papers, SC, Box 1; Hartsfield-Mills, *The Old Stentorians*, p. 56; Jimmy Brooks, “Heat in the Fire Department,” *New Amsterdam News*, 17 December 1955, p. 9.

case...They were afraid of us. We had the power of the community and the fear of downtown...We had power far outweighing our numbers...They knew that if you had a problem with one Vulcan, you had a problem with all of us."¹⁴

The Black firemen of this “second generation” were largely veterans of military service and were determined to fight back, but now did so with much greater support from the higher echelons of the FDNY than in the past. Yet while the Vulcan Society’s reputation as a force to be reckoned provided Black firemen with an unprecedented degree of space, security, and standing in its dealings with brass, most conflicts between white and Black firemen were largely hashed out “in-house” and without organizational involvement. Pride, self-respect, and instinct led Black firemen to confront firehouse discrimination on their own and in “real time.” They also well understood that if they failed to stand up for themselves, problems and maltreatment would only get worse. While “black beds” were gone, harassment and other forms of segregation were common as whites tested young firemen to see just how much they could get away with. When Reginald Julius joined 46 Engine in 1949, for example, a white fireman in Julius’s company “smashed a coffee cup that Julius had used at breakfast” in an attempt to let the Naval veteran know that his colleagues did not consider him an equal and would not permit him to use the house’s supplies because of his race. After laughing at man heartily, Julius told him, “boy, you just give me the chance,” and then turned to address the entire company. “I ain’t leaving this job because it’s all I got. I will break every dish in this house. I will bend every knife, fork, spoon, and we will eat off the table with our fingers. Don’t fuck with me. I got shrapnel in my head, and I ain’t too correct anyway.” Julius only had a few problems after that morning, but handled them with force and creativity. On several occasions Julius took his antagonists down to the cellar to apply thorough beatings. When the men in his company filled his boots with water, Julius instead “walked to work one day collecting dog-doo and put it in their boots,

¹⁴ Interview with Vincent Julius, 17 January 2004.

everywhere.” His younger brother, Vinnie, faced similar problems when he was detailed to the all white 18 Truck shortly after being appointed in 1953. The company’s white firemen refused to speak to Julius and later threatened to restrict him from eating with the company. “The day you put a meal on that table and I’m not counted in,” Julius told the men, “I’ll turn over that table and fight every mother fuckin’ one of you!” Whether this inspired respect or fear is unclear, but every meal thereafter began with the announcement, “Vinnie, dinner is served.”¹⁵

By the early 1960s, such experiences became less frequent. Bob Lanier, who entered the department in 1962, explained, “fortunately, I came in when the racism was gone from the department...not completely gone, but most of it by my time was in isolated houses with racist Captains.” This was due in large measure to the unwillingness of the earlier firefighters to tolerate racial harassment. Moreover, as more and more Black men entered the department during the late 1950s and early 1960s, Black firemen were less isolated and could work with and for one another to ensure that the white members of their company didn’t get out of line. This, in turn, helped set the tone for entire firehouses and protected soft-spoken men like Jordan Sims from being harassed and allowed them to settle into the job:

In that firehouse, you had nice guys who were tough. I went in there with some guys who were “Super Blackmen.” Bob Turner, Al Travis, Donald Moses –they were tough. I wasn’t like that. I didn’t know anything about that. They could stand up...these young Blacks, they were men, you know.¹⁶

The increase in the number of Black firemen in the department also helped increase the influence and strength of the Vulcan Society. Like the other fraternal organizations in the department, the Vulcans sent delegations to meet with probationary firemen on orientation day to inform them of the organization’s existence, programs, as

¹⁵ Reginald Julius, quoted in Terry Golway, *So Others Might Live*, p. 205; Reginald Julius, quoted in Dennis Duggan, “At Fire Department Race Issue Lingers, *New York Newsday*, 29 July 1999, p. A 59; Vincent Julius, quoted in Golway, *So Others Might Live*, p. 206; Interview with Vincent Julius, 19 January 2004.

¹⁶ Interview with Jordan Sims, 17 January 2004.

well as the date and location of its next meeting. Most Black firemen joined shortly after. “As soon as we got appointed,” Harry Horton recalled, “they grabbed us.” Fred Fowler and the three other Black men his class, seeking “safety in numbers,” went down to the Vulcan Clubroom in Harlem together to join. Jim Callender, however, became a member of the Vulcan Society before he had even officially joined the department. As he explained, Clarence Pitts “had been monitoring my progress on the list and bothering me constantly, and invited me into his house. He had cases of liquor – I don’t know how the hell he got it, but he always had it – he said, ‘have a load off and have a little drink.’ He poured a drink and I had a drink, and he says, ‘congratulations.’ Right then, he had me sign the thing to make me a member of the Vulcans.” The Society’s recruitment efforts also benefited from an alteration made to the Vulcan Society’s constitution in 1959 which established a Membership Field Delegates’ Committee that divided recruitment and dues collection responsibilities into assigned territories. The organization’s attention to detail and vigilance created notable gains. By the beginning of 1962, 414 of roughly 500 Black firemen in the department had become Vulcan Society members, while 209 new members joined between 1959 and 1961, with 83 joining in 1960 alone.¹⁷

The increase in dues paying members as well the incorporation of a second generation of men committed to building the organization and fighting for Black advancement within and outside the department, gave the organization the human and financial capital it needed to expand and improve upon its programs. In 1958, the organization experienced fiscal growing pains as expenditures, including the cost of moving to a larger, permanent clubroom on 124th Street and Lenox Avenue a year prior, surpassed revenues and had left the organization more than seven hundred dollars in debt. Within a year, the Society not only paid off its’ debts, but also raised a surplus of more

¹⁷ Interview with Fred Fowler 19 January 2004; Interview with James Callender, 21 January 2004; Interview with James Lee, 18 January 2004; Interview with Harry Horton, 19 January 2004; “Vulcan Society Annual Report, 1959,” *Vulcan News*, February 1960; “Vulcan Society Annual Report, 1961,” *Vulcan News*, February 1962.

than five hundred dollars; a figure that rose to nearly four thousand dollars by the end of 1961.¹⁸

While financial solvency and security had resulted from the increase in dues paying members, the subsequent expansion and success of the Vulcan Society's programs was more a byproduct of the character, dedication, and commitment of both pre-existing Vulcan members as well as the younger generation. Together, the men committed themselves to expanding the organization's activities and power, fighting discrimination, and increasing the number of Black officers in the FDNY, all of which, in the Vulcan Society's estimation, went hand in hand. While recruitment campaigns for new members had begun as early as 1946, a promotional study program was not established until 1956. Led by Vulcan members Captains Dudley Glasse and Augustus Beekman as well as Lieutenants Luther Hooey and Manuel Skillings, this initial preparatory class prepared twenty-eight Vulcan members to take the 1959 Lieutenant's examination.¹⁹

Through guided and cooperative studies, the Vulcans hoped to eliminate some of the disadvantages Black firemen faced as "outsiders within" the department's "old-boy" network. During this particular period, firemen could receive tutorials and study materials from Delahanty, a civil service school that offered preparatory classes for promotional exams. While no official examination of the FDNY's testing procedures or its subsequent loopholes was ever conducted, Black firemen were certain that different groups within the department, through contacts with members of the personnel department or Headquarters, were being given outside information that gave them an unfair advantage. As Bob Lanier explained, "the range of material to study - things that could be on the test - was so large...What we would do is go to Delahanty and we would coordinate and stay up with the overall fire department materials...Some white guys, they

¹⁸ "Vulcan Society Annual Report, 1959," *Vulcan News*, February 1960; "Vulcan Society Annual Report, 1961," *Vulcan News*, February 1962.

¹⁹ Vincent Julius, "An Historical Chronology of the Vulcan Society, Inc." *Vulcan News*, February 1987.

would be directed to an area or two the test was going to go in...they didn't necessarily have the questions, but they were told the area...so they'd know where to concentrate their studies. Delahanty would be give us a broad idea...but we were never privy to specific information about the areas as many were.”²⁰

At Vulcan Society study sessions, instructors instead covered the full spectrum of subjects that could possibly appear on an exam, including hydraulics, “leadership and decorum necessary for an officer,” fire codes, departmental rules and regulations, administrative codes, training bulletins, personnel management, National Board of Fire Underwriters Bulletins, etc. Despite having the odds stacked against them, the promotional study programs were highly successful. The first study group helped “twenty of the twenty-eight members” place “on the 1959 civil service list for promotion to Lieutenant.” By the end of 1961, there were twenty-three Black Lieutenants in the FDNY, while instructors Skillings and Glassee advanced to the ranks of Captain and Battalion Chief, respectively. The men who advanced later returned the favor, serving as instructors and assistants for future classes. In 1960 and 1961, the Society conducted a second study program taught in part by Lieutenants Henry Richardson, Charles Burgess, Reginald Julius, and Charles Elliott, all of who had been students in the first group. The success of the first study group made the study classes one of the most popular programs of the organization. Ninety-eight members participated in the second study program, producing classes that were so large that members had to be broken into smaller groups.²¹

The first study group’s success rate was due to both the commitment of its instructors, Vulcan members as well as the large demand for new officers at the time. With all the retirements taking place, the personnel department had to go further down the lists than normal to fill manpower voids, creating more promotional opportunities

²⁰ Interview with Bob Lanier, 19 January 2004; Interview with Fred Fowler, 19 January 2004; Interview with Vincent Julius, 20 January 2004; Vincent Julius, “An Historical Chronology of the Vulcan Society, Inc.” *Vulcan News*, February 1987.

²¹ “Promotion to Lieutenant Study Program,” *Vulcan News*, February 1962.

than had existed at any time. When the number of available promotions were limited, internal political connections became very important if one hoped to make it beyond the cut off point. Unlike other ethnic groups in the FDNY, no Vulcan member had ever been in an upper level decision-making position within the department. As a result, the organization lacked the political clout and connections needed to move lists down to ensure that a specific member or members would be promoted before a given list expired. “If you had a big list with three or four hundred men and it was getting towards the end of the list,” Fred Fowler explained, “‘eligible groups’ would form to push the list. They would try to get their political people to push – well – to make room for them...The Irish had the main track. Then, you would have the Steubens, (German Americans) - they had a track. Then you had the Columbians (Italian Americans).²²

The Vulcan Society was shut out of this arrangement for a number of years, but attempted to rectify this imbalance by utilizing the limited means available to them to increase their sway internally. Under Robert Lowery’s leadership, the organization employed a number of tactics designed to increase the organization’s power and influence in a way that did not directly challenge the FDNY’s long established traditions or sensibilities. Rather than seeking reform by appealing to those outside the FDNY, as had been the case during the 1940s, the Vulcan Society instead “played the game” from

²² Interview with Fred Fowler, 19 January 2004; Interview with Vincent Julius, 17 January 2004; “Meet Bob Lowery,” *The Guardians News Bulletin*, August 1960, p. 3. For Chief Williams friendship with Dickens as well as the Vulcan Society’s support of Hulan Jack during the 1940s, see Lewinson, *Black Politics in New York City*, p. 181; “Honorary Fireman,” *New Amsterdam News* 26 April 1947. For Williams’ involvement with community groups and civil rights organizations and leaders, see Edward Lewis, National Urban League to Wesley Williams, 20 February 1950, Wesley Williams Papers, SC, Box 1; “Testimonial Oct. 28 To Chief Williams, *The Chief*, 22 October 1976. The Vulcan Society’s support of Hulan Jack and J. Raymond Jones during the 1960s is also discussed in Lewinson, p. 181, Lowery’s involvement with a wide array of organizations, ranging from civil rights, community and several labor organizations, is documented in “Lowery Appointed Deputy Fire Head,” *New York Times*, 22 November 1963; “Bob Lowery Gains Support from Many Civic Groups, *Pittsburgh Courier*, 24 August 1963, p. 1. For Hulan Jack’s encounters with both Jones and Powell Jr. as well as his rift with Tammany Hall, see Lewinson, pp. 89-95 & 123-6.

the inside in an attempt to increase their influence without attracting the ire of Headquarters. To gain entrance to department's spoils system, the organization relied largely on Lowery's political savvy, guile, and personality. Lowery was recognized by Blacks and whites alike as "fireman's fireman" - perhaps the single highest compliment in a department not known for compliments - and as a person who was at ease with just about anyone. Lowery used his charisma to the Vulcan Society's advantage, and consciously cultivated social and working relationships with a diverse array of people of influence within the department. These relationships helped break down existing barriers between groups and also improved the organization's relationship with those at Headquarters who could produce tangible results and increased opportunities for Black firemen. This strategy, as Robert Lowery's mentee, Vinnie Julius explained, was designed to ingratiate and disarm the FDNY's leadership, and frequently involved liquor:

We never gave an affair where we didn't invite the Commissioner, the Deputy Commissioner, the Chief of the Department, or the Assistant Chiefs. And of course, when you got them to the affair, you gave them a close seat, you put the best whiskey on the table, and try to get them drunk so that when they got drunk, they'd open their mouths...The next day, when they were sober, you'd say, 'now what about last night? I remember taking about a problem last night,' and the problem was solved. That's one of the things Bob Lowery taught me...he didn't drink much, but he knew the power of the bottle.²³

While department officials may or may not have felt duped the next day, similar tactics had been employed by white ethnics for years and were preferred to having departmental issues aired outside the department, a phenomenon Lowery recognized, respected, and used to his advantage. While the FDNY was a quasi-military organization, it also operated on the more universal principle of "you scratch my back, I'll scratch yours." Transfers, processed through the department's personnel department, provide a good example. While the FDNY's rules and regulations contained specific provisions regarding the impartial allotment of transfers, the actual process had little to do with the "book." Upon becoming a Lieutenant, Vinnie Julius, along with the other

²³ Interview with Vincent Julius, 17 January 2004.

members of his promotional class, were told as much by the head of Personnel Department, who explained that “there are two transferables, there’s the transfer book, then there’s the actual transferable.” Wesley Williams, recognizing how the process worked years earlier, used personal contacts and influence on a few occasions to help “push through” the transfer requests of Vulcan members. By the 1950s and 1960s, the Vulcan Society had established a direct pipeline to the Personnel Department. When transfers or assignments were sought, the Vulcan Society contacted a “bag man” at headquarters who “handled all the transfers” for them.²⁴ As Harry Horton explained, special assignments were handled in much the same way, and were funneled directly through the organization:

There have been cases where some people wanted a certain assignment or transfer...At this particular time, the Vulcan Society had a lot of clout. And the Society was really respected. They could help, you know. They could send the names down to Headquarters and there was a chance that you’d get a shot at it. But, you’d have to go through the Society.²⁵

These types of connections, of course, did not happen over night, but had been cultivated over time. Over the years, the organization made a point to reach out to not only “higher ups,” but to the rank and file members of ethnic organizations as well. Similarly, the Vulcan Society was extremely pro-union. Despite numerous differences regarding racial matters, it required all its members to be UFA members and published union updates in the *The Vulcan News* that announced UFA meetings and encouraged attendance and support of the organization. Such relationships gave the Vulcans increased leeway and access, but perhaps more importantly, helped establish ties to people who later moved up in the ranks or who “knew people” at Headquarters. Once high-level contacts were established, the organization took great pains to thank and expand its growing network at Headquarters:

²⁴ Interview with Fred Fowler, 19 January 2004; Interview with Vincent Julius, 17 January 2004.

²⁵ Interview with Harry Horton, 19 January 2004.

Come Christmas time, we would go down to headquarters with a trunk full of spirits, all individually wrapped, named and packaged. We'd "walk the floor" of headquarters...wish them a merry Christmas and give them their gift...You had to make the circuit at Christmas time. You saw your friends, and those whom you wanted to be friends with...you gave them the best stuff!²⁶

Such tactics help produce new opportunities for Black firemen, ranging from transfers to creation of Black niches in certain details or assignments. Yet despite their political guile, the organization remained a relatively minor player within the FDNY. Lacking strong political connections and the corresponding ability to exert pressure upon the department's leadership from accepted outside channels, the organization's "pull" paled in comparison to the larger and politically connected fireman's union and white ethnic organizations. During the 1950s, Robert Lowery, seeking to lessen this weakness, built upon the base created by Wesley Williams in prior years by strengthening and expanding the organization's relationship with community groups, civil rights organizations, and prominent Black politicians. Williams, who remained involved with the organization, was good friends with Black Democratic stalwart Lloyd Dickens, while Lowery and the Vulcan Society maintained strong relationships with two of the most influential Black politicians in the city, J. Raymond Jones and Hulan Jack. Jones, known as "the Fox" for both his grey-streaked hair as well as for his political cunning, began his political career during the 1920s and served as Black party leader, organizer, and respected advisor and strategist for a wide array of Democrats over the course of a career that spanned more than fifty years. Jones did not run for office until 1963, but had served as campaign manager for O'Dwyer in 1944, for Adam Clayton Powell Jr. during his 1958 reelection campaign for Congress, and as one of Mayor Robert Wagner's campaign managers and strategists in 1961. Hulan Jack, a supporter of Tammany Hall since the 1930s, was Manhattan's first Black borough president, a position he assumed in 1953. Jack later butted heads with Jones and Adam Clayton Powell Jr. - as well as many Harlemites - when he followed Tammany Hall's lead and denounced Powell Jr. during

²⁶ Interview with Vincent Julius, 17 January 2004.

the Congressman's 1958 campaign. While considered a lackey by many Harlem residents after the 1958 election, Jack stayed on as borough chief until the early 1960s, at which time he left Tammany to realign himself with Jones and Powell Jr., a transgression for which he was later brought up on corruption charges and ran out of office by Tammany regulars.²⁷

Hulan Jack's removal from office was just one example of the limitations placed upon Black politicians in New York during the postwar era, constraints that greatly hindered the Vulcan Society's ability to compete with the pressure and influence peddling wielded by white firemen and their political allies via the UFA as well as through inter and intra departmental ethnic organizations. From the time Benjamin Davis began his "stormy" second term on New York's City Council in 1944 to Hulan Jack's 1953 rise to borough president, the Vulcan Society lacked a single office holding Black political ally. At the same time, the small percentage of Black firemen in the FDNY further limited the organization's ability to create pressure and/or wield direct influence within the department. Jack's victory over five other Black candidates, however, marked a new window of opportunity as well as an indication of the increasing significance of the

²⁷ Interview with Fred Fowler, 19 January 2004; Interview with Vincent Julius, 17 January 2004; "Meet Bob Lowery," *The Guardians News Bulletin*, August 1960, p. 3. For Chief Williams friendship with Dickens as well as the Vulcan Society's support of Hulan Jack during the 1940s, see Lewinson, *Black Politics in New York City*; p. 181: "Honorary Fireman," *New Amsterdam News* 26 April 1947. For Williams' involvement with community groups, civil rights organizations and Black political leaders, see Edward Lewis, National Urban League to Wesley Williams, 20 February 1950, Wesley Williams Papers, SC, Box 1; "Testimonial Oct. 28 To Chief Williams, *The Chief*, 22 October 1976. The Vulcan Society's support of Hulan Jack and J. Raymond Jones is discussed in Lewinson, p. 181, Lowery's involvement with a wide array of organizations, ranging from civil rights, community and several labor organizations, is documented in "Lowery Appointed Deputy Fire Head," *New York Times*, 22 November 1963; "Bob Lowery Gains Support from Many Civic Groups, *Pittsburgh Courier*, 24 August 1963, p. 1. For Hulan Jack's encounters with both Jones and Powell Jr. as well as his rift with Tammany Hall, see Lewinson, pp. 89-95 & 123-6. Also see, Charles V. Hamilton, *Adam Clayton Powell Jr.: The Political Biography of an American Dilemma* (New York: Athenaeum, 1991); Adam Clayton Powell Jr., *Adam by Adam: The Autobiography of Adam Clayton Powell Jr.* (New York: Dial Press, 1971).

Black vote locally. In an attempt to capitalize upon these trends and to expand the organization's base, Robert Lowery and Chief Williams, in conjunction with the leaders of other Black civil, service organizations, helped found and organize the Federation of Negro Civil Service Organizations (FNCSO), an umbrella group initially composed of the Vulcan Society as well as Black sanitation, U.S. Treasury department, and transit worker organizations that grew rapidly in the next few years.²⁸

Modeled after other amalgamated groups of white ethnic civil servants, the FNCSO sought to create a critical mass that could strengthen the political power and influence of Black civil service workers by offsetting the numerical disadvantages they faced in individual departments. While similar to their white ethnic counterparts, the city initially refused to grant the organization official recognition as it had to the others. In 1957, two years after the FNCSO's initial formation, Hulan Jack and Anna Hedgman, Mayor Wagner's assistant and "the first Negro to hold a cabinet-level post in the city government," persuaded the Mayor to grant the group its charter. Within the next decade, the FNCSO expanded to include twenty-one different Black civil service worker organizations and represented "55,000 employees," making "it of about average size when compared with" the similar ethnic civil service federations. While Black civil service workers - including many Vulcan members - later complained that the organization lost its militancy and was out of touch with both its constituents and the

²⁸ Benjamin Davis, *Communist Councilman from Harlem*, p. 144, Davis referred to his second term as a "stormy one," and recalls LaGuardia telling him at his swearing in, "you're going to have tough sledding this time." Other quotations in this paragraph appear in Lewinson, *Black Politics in New York City*, p. 180-81. For Hulan Jack's prior relationship with the Vulcans as well as the Society's role in the founding of the FNCSO, see Clifford Goldstein, "The Vulcan Society: A History of the Negro in the New York City Fire Department." For Jack's election as well as the left-led initiatives and campaigns that paved the way for the election of a Black borough president see Biondi, *To Stand and Fight*, pp. 208-221.

times, during its early years the Vulcan Society - and Robert Lowery in particular - played a major role in steering the organization on a more activist and proactive path.²⁹

Initially designed as a nonpartisan organization primarily concerned with elevating Black civil service workers into administrative posts, the Federation quickly immersed itself in partisan and civil rights politics, largely at Robert Lowery and Wesley Williams' urging. In its early years, the FNCSO registered Black voters and courted and mobilized support for candidates – almost exclusively Democrats – who expressed support for civil rights initiatives and greater Black access to public employment opportunities. In doing so, it established itself as a political force to be reckoned with. In 1958, for example, Governor Harriman appeared before the Federation at a private meeting and solicited its support and assistance in mobilizing and registering Black voters for the upcoming election push. In response, the FNCSO sponsored a “Right to Vote – Fight to Vote” rally at Manhattan Center in 1959 that featured guest speakers Daisy Bates, Roy Wilkins, Martin Luther King Jr., and Jackie Robinson. The rally registered Black voters in New York City and raised money to financially assist “the fight to secure voting rights for Negroes in the South.” The \$2,600 raised during the event was divided equally between the Southern Christian Leadership Conference (SCLC) and the NAACP.³⁰

While Norman Saunders of the Sentinel Society of the U.S. Treasury Department was the President of FNCSO at the time, the Federation’s early emphasis on political empowerment and civil rights activism bore the strong imprint of Lowery, Williams and the Vulcan Society. The Federation later acknowledged as much in 1961 when it presented its’ first two “meritorious service awards” –themselves a carry-over from the

²⁹ Lewinson, *Black Politics in New York City*, pp. 180-81; Clifford Goldstein, “The Vulcan Society: A History of the Negro in the New York City Fire Department;” “Honorary Fireman,” *New Amsterdam News*, 26 April 1947.

³⁰ Milton Bracker, “Harriman Labels G.O.P. Race ‘Phony,’ *New York Times*, 26 October 1958, p. 51; Interview with Vincent Julius, 17 January 2004; Lewinson, *Black Politics in New York City*, p. 180.

Vulcan Society - to Wesley Williams and Robert Lowery respectively. Lowery considered the FNCSO and Vulcan Society as an integral part of the broader civil rights movement and encouraged Black firemen to see themselves and the two organizations' in this same vein. While the Vulcan Society participated in the 1959 "Right to Vote – Fight to Vote" rally, Lowery, in a 1960 article in the *Vulcan News*, called out those who remained distanced from Vulcan Society, FNCSO, and the civil rights initiative they supported, by linking these remaining fence sitters with ignorance, snobbery, and elitism:

We know that many Negro civil servants – after years of mis-education – still question the need for organizations of Negro employees, and we know that there are such persons in the Fire Department. It is these same individuals and their counterparts in the general community who still believe that Little Rock is a myth and that Negroes work as charwomen and laborers and still reside in slumhouses because they prefer these conditions or are lacking in ambition.³¹

Community involvement and participation in and support of civil rights groups and campaigns had long been a part of the Vulcan Society. Over the years the organization sponsored fire prevention programs in Black communities, tutored high school students, organizing recruitment campaigns, registered voters, honored local figures who had made significant contributions to the struggle for racial equality - including Thurgood Marshall and Kenneth Clark - and raised money for a number of community groups, hospitals, charities, and local and national civil rights organizations and campaigns. Civil rights activism in the South, however, intensified the organization's commitment to the freedom struggle, and moved the organization beyond fund raising and community service and into an even more proactive role outside of the FDNY.³²

The leadership of the Vulcan Society had been active prior to 1960, but was attempting to instill a greater sense of connection to the civil rights movement as well as

³¹ "Vulcan Society Annual Report, 1959," *Vulcan News*, February 1960.

³² Vincent Julius, "Notes to Vulcan Society, Inc. Meeting," 28 July 1999, Vincent Julius Papers, photocopy in author's possession; "Negro Fireman Cite Teacher, *New York Times*, 11 May 1958; Vulcan Society, Inc., "Memo: Reasons for Consideration," Wesley Williams Papers, SC, Box 1.

a greater degree of militancy and involvement throughout its ranks. Lowery and the Vulcan Society's Executive Board, however, did not wait for those who remained aloof to see the light before becoming involved on their own. In 1959, for example, the Vulcans came to the assistance of Black firemen in New Rochelle who had been barred from joining their department's union, UFA Local 273. After being informed of the situation by Richard Jones, one of New Rochelle's four Black firemen, the Vulcan Society contacted the Executive Board of their Local, UFA 94, and requested that the union demand that Local 273 comply with the constitution of their parent body, the International Association of Fire Fighters (IAFF) as well as "the anti-discrimination laws of our state." Through the FNCSO, the Vulcan Society helped file a formal complaint with the State Commission Against Discrimination (SCAD), which in turn investigated the matter and issued a directive demanding that Local 273 "amend its constitution and By-Laws so that they provide that any duly appointed firemen will automatically become a member of the local at any time after the completion of his probationary period..." In January 1960, the union admitted two Black firemen following the completion of their probationary period. By February, however, the two senior Black members of the department who initiated the campaign to break the union's color barrier had yet to receive applications. Richard Jones, a thirteen-year veteran of the department, then sued for damages under the state's Civil Rights Law. Shortly after, the other Black fireman, Lewis Newton, was admitted into the union, while Fire Chief Walter Bell then dismissed Jones for living outside the city's limits, a rarely enforced provision that had been enacted in retribution for Jones's activism. The Officers of the Vulcan Society and the NAACP came to Jones's defense and helped secure a re-hearing scheduled in April. Jones admitted to living outside the city at the hearing, but was reinstated pending his reestablishment of residency in New Rochelle.³³

³³ *Vulcan News*, February 1960; *Vulcan News*, May 1960; "Color Bar Dropped By Fireman's Group," *New York Times*, 7 February 1960, p. 26.

The Vulcan Society also became increasingly involved in local electoral politics around this time. Wesley Williams, Lowery, and numerous other Vulcan members had been politically active and personally close to a number of Black politicians for years, but their political activities had been conducted at the individual rather than organizational level. While the UFA supported the same candidates in both the mayoral and presidential election, John F. Kennedy and Mayor Wagner, they did not endorse the Black candidates that the Vulcan Society supported for the local slate. While Black firemen could have simply allowed the FNCSO endorse candidates on their behalf, Lowery insisted that the organization provide its own voice. In retrospect, it is clear Lowery was attempting to both increase the visibility of the organization and position himself for a possible appointment in the Mayor's next administration. While the UFA endorsed Mayor Wagner during the 1961 campaign, the Vulcan Society was the only ethnic organization to give an independent endorsement. Moreover, Lowery came out in support of Wagner publicly and worked on his campaign along with J. Raymond Jones, one of Wagner's campaign managers.³⁴

The Vulcan Society's endorsement of Wagner as well as Lowery's personal involvement in his campaign only enhanced his already stellar record of political activism, public service, and administrative and educational experience. These efforts perhaps put him in a good position to receive an appointment. During the 1930s, Lowery had taken graduate classes in public administration at City College and in the early 1960s attended Michigan State University's National Institute on Police and Community Relations. Lowery had made a name for himself in the Black community and in labor circles over the years through his participation in the Vulcan Society and the FNCSO. He was also active in a numerous civil rights and community organizations such as the St.

³⁴ Vincent Julius, "Notes to Vulcan Society, Inc. Meeting," 28 July 1999, in author's possession; Vulcan Society, Inc., "Memo: Reasons for Consideration," Wesley Williams Papers, SC, Box 1; Guy Passant, "Murphy Assails P.B.A.'s 'Politics,'" *New York Times*, 12 October 1961, p. 1.

George Association, the National Urban League, the Manhattan Executive Board of the Greater New York Councils of the Boy Scouts of America, the Labor Committee of the United Negro College Fund, the Greater New York Chapter of the Negro American Labor Council, and the Williamsbridge Branch of the NAACP, where at different times he had served as the Chairman of the Political Action Committee and on the executive board.³⁵

Within the FDNY, Lowery was recognized as a highly effective and decorated Fire Marshall who earned his stripes by putting countless arsonists operating in Harlem behind bars. Moreover, since being reappointed in 1961 to the position of Acting Lieutenant, Lowery distinguished himself as a tough, fair, and courageous officer who was as good a leader as he had been a fireman. He also had earned the begrudging respect of Headquarters. While the department's brass adamantly opposed and resisted many of the changes he and the Vulcan Society had fought for, they had to respect the organization and the way Lowery had conducted himself as its President. This respect was a consequence of the great pains Lowery had taken to increase communication and understanding between Black and white firemen and officers by working directly with the unions and ethnic organizations to rectify problems and conflicts without involving the FDNY's brass. Perhaps most importantly, Lowery had respected the department's culture of insularity, pragmatically keeping the struggle for racial equality "in house" and operating within channels deemed acceptable by the department's higher-ups.³⁶

Despite Lowery's stellar reputation, experience, and ties to Wagner and the Democratic Party, he was nonetheless bypassed when Mayor Wagner following his reelection appointed two new Deputy Fire Commissioners. Harry P. Morr, the pre-

³⁵ Vulcan Society, Inc., "Memo: Reasons for Consideration," Wesley Williams Papers, SCBRC, Box 1; "Bob Lowery Gains Support From Many Civic Groups," *Pittsburgh Courier*, 24 August 1963, p. 1; "Lowery Appointed Deputy Fire Head," *The Chief*, 22 November 1963.

³⁶ Ibid.

existing Second Deputy Commissioner, had originally been appointed by Wagner in 1954, but was purged on the first day of the ‘new’ Wagner administration after having aligned himself with Democratic regulars during the Democratic primary. Wagner replaced Morr with Brooklyn attorney Bernard Alderman and again turned to a departmental outsider upon filling the vacant Third Deputy Fire Commissioner post, selecting Ralph Ortiz. Ortiz, an honorary Fire Chief and Puerto Rican resident of the Bronx who owned several undertaking establishments in and around Spanish Harlem, campaigned on Wagner’s behalf in the Puerto Rican community, and his appointment was a way to thank both he and the Puerto Rican community for their support.³⁷

Ortiz’s stint as Deputy Commissioner, however, would be brief. Wagner’s new Fire Commissioner, twenty-five year FDNY veteran Edward Thompson, disliked Ortiz from Ortiz’s first day on the job. Ortiz shared similar feelings after several months on the job, and found the Chief to be “stupid, ignorant, bigoted, and phony.” Their mutual disdain for one another, however, did not become public until May 1962, when Thompson accused Ortiz of making “defamatory and disparaging remarks about the Fire Department” during a fire prevention talk given at the Harlem YMCA. Newspaper sources reported that Ortiz had commented on the small percentage of Black firemen in the FDNY as well as the pressing need for more “qualified Negroes to seek to become firemen.” After learning about Ortiz’s “disparaging remarks” from a departmental informant, Thompson confronted the Deputy Commissioner at Headquarters, threatening to bring charges against him and have him fired. This sparked an argument “in such loud

³⁷ Charles Bennett, “Fire Aide Ousted in Mayor’s Purge: Dismissal is Part of ‘New’ Regime’s First Day on Job,” *New York Times*, 3 January 1962, p. 21; “2 Fire Officials Settle Quarrel: Thompson and Aide Resolve Differences at Early-Hour City Hall Conference,” *New York Times*, 22 May 1962, p. 39.

tones that other persons in fire headquarters,” as well as the press, became privy to its contents. As soon as the feud became public, Mayor Wagner attempted to quickly quell the dispute by instructing his Deputy Mayor, previous Fire Commissioner Edward Cavanaugh, to hold what became a three-hour meeting with the two men at City Hall the next day. While the particulars of the meeting were undisclosed, the two men reportedly shook hands after Thompson agreed to drop the proposed charges and Ortiz apologized in the press for the “harsh things” he had “said earlier about Mr. Thompson.” Following the meeting, Cavanaugh told the press that while he planned to meet with representatives of the Vulcan Society as well as with several Fire Chaplains who were “distressed” about growing “feuds in the department,” he considered the matter “resolved.” Wagner concurred, but warned, “any renewed outbreak of the feud...could result in the ouster of one or both of them.”³⁸

While the Mayor and Deputy Mayor believed that the conflict had been calmed down, Adam Clayton Powell Jr. was unsatisfied with their skirting of the issue of discrimination and sought further action. On June 6th, Powell Jr. - at the time the chairman of the House Committee on Education and Labor - “assigned a group of investigators to confer with Fire Commissioner Edward Thompson, Deputy Commissioner Ralph G. Ortiz, Negro employees of the department and others to determine if public hearings would be necessary.” A week later, Powell’s aide, Odell Clark, interrogated Commissioner Thompson about race relations and the number of Black Chief Officers (Battalion Chiefs) in the department. During the interview, Chief

³⁸ Ibid; “Mayor Cautions Fireman on Feud,” *New York Times*, 23 May 1962; “Deputy Fire Commissioner Ortiz Calls for More Negro Firemen,” *New Amsterdam News*, 19 May 1962.

Thompson acknowledged that only one Black man occupied the rank of Battalion Chief, former Tuskegee Airman Dudley Glasseye who had been promoted in late 1960, but denied that racial discrimination existed within in the FDNY or played any role in the number of Black firemen or officers in the department. Powell then met with Robert Lowery to get the Vulcan Society's response to the charge of racial discrimination. Rather than making a case in press or pushing the issue further, Lowery implored Powell Jr. to allow City Hall and the FDNY to handle the matter on its own, a suggestion the Congressman abided by. Lowery's decision to dissuade Powell likely resulted from an understanding that the Vulcan Society stood to gain more by siding with the FDNY and City Hall than with the Congressman, who at the time, was at odds with the local Democrats who oversaw the department's affairs.³⁹

By working with Powell Jr., Lowery and the organization would risk being rendered ineffective, silenced, and isolated once the public spotlight no longer fell on the department, a fate that had befallen Deputy Commissioner Ortiz following his "public outburst." Despite Wagner's prior warning about future feuding, Commissioner Thompson continued to pursue Ortiz's ouster from the department in the months that followed. Ortiz remained in the FDNY, but was now being isolated and rendered ineffectual. Rumors of Ortiz's removal from the post swirled in both the FDNY and the

³⁹ "Powell Asks Study of Fire Department," *New York Times*, 6 June 1962, p. 28; "Powell's Aide Questions Fire Commissioner on Bias," *New York Times*, 13 June 1962, p. 22; Vulcan Society Inc., "Press Release for Photo" 14 February 1963, Wesley Williams Papers, SC, Box 1; "Historic Picture," *New Amsterdam News*, 22 February 1963, News Clipping from Wesley Williams Papers, SCBRC, Box 1; Vulcan Society, 1963, "Memo: Reasons for Consideration," Wesley Williams Papers, SC, Box 1; "New Inc., "Deputy Mayor Cavanaugh New York, Jersey, Conn.," *New York Times*, 1 April 1963, p. 31; "Deputy Mayor Cavanaugh Declares Discrimination Ended in Fire Department," *New Amsterdam News*, 9 June 1962, p. 7.

press for several months. Nearly a year after the initial confrontation at Headquarters, departmental officials made their move, shadowing Ortiz and then charging him with "pressuring" Broadway theaters for free tickets. In the wake of the charge, Ortiz was then subpoenaed and made to appear before a New York County grand jury on March 8, 1963 to answer to the charge. While the grand jury opted not to take action against him, Mayor Wagner had already accepted - and likely arranged - Ortiz's resignation, effective March 15th.⁴⁰

A day after Ortiz's resignation became public, "The Rounder," the *New York Courier*'s political gossip columnist reported, "a drive is on to get the Deputy spot for Robert Lowery," while a separate column in the paper announced that "the members of the 51,000 member Federation of Negro Civil Service Organizations, Inc., and more than a score of other leading civic and community agencies and leading government and political officials are urging Mayor Robert Wagner" to appoint Lowery. The campaign, spearheaded by Vincent Julius, Robert Lowery's mentee and eventual successor as Vulcan Society President, began primarily in the press, but later evolved into a large-scale grassroots effort.⁴¹

Recent events in Birmingham involving the use of firemen to repress Black demonstrators left an indelible impression on many Americans, but particularly outraged New York's Black firemen. The use of fire hoses on non-violent protestors violated the oath taken by all firemen - to serve and protect the public - while the utilization of

⁴⁰ "New York, Jersey, Conn." *New York Times*, 1 April 1963, p. 31; Civic Groups Boom Robert Lowery For Deputy Fire Commissioner, *New York Courier*, 19 March 1963.

⁴¹ The Rounder, "New York Political Roundup," *New York Courier*, 9 March 1963, p. 4; "Civic Groups Boom Robert Lowery For Deputy Fire Commissioner, *New York Courier*, 19 March 1963.

Birmingham's fire department as a weapon against both peaceful protestors and the constitution of the United States had made a mockery of the benign reputation long afforded to the occupation, its practitioners. For New York's Black firemen, however, the racism that gave rise to the events that transpired in Birmingham represented attitudes that were eerily similar to those held by many of the whites they worked and lived with on a day-to-day basis. These views had increasingly come to the surface as white members the FDNY began critiquing race relations and the civil rights movement to their Black colleagues. Vinnie Julius, for example, vividly remembered watching the events of Birmingham while on duty, and having "nasty words" with several whites who gleefully responded to the footage of events taking place in Birmingham by shouting, "knock em' down!" These same men, he went on to point out "expressed the belief on so many occasions, that all was well between white and black Americans, and that 'all that Black people had to do was to pull themselves up by their bootstraps.' But on the other hand they denigrated the efforts of African Americans who were trying to get for themselves and their children what was promised to them by the United States Constitution."⁴²

Enraged by the blatant racism and hypocrisy of the members of both Birmingham and New York's fire departments', Julius, then the Executive Secretary of the Vulcan Society, pressed for official FDNY condemnations of the actions taken by Birmingham's Fire Department. Several line organizations, including the Naer Tormid Society and the Anchor Club immediately issued strong rebukes of Birmingham's Fire Department. The

⁴² Vincent Julius, "There is Nothing New Under the Sun, Except the History That One Has Not Read," Speech Given to the International Association of Black Professional Fire Fighters, Southeast Region, Atlanta, GA, November 1998, photocopy in author's possession; Interview with Vincent Julius, 20 January 2004.

UFA, in a letter to its parent body, the IAFF, wrote: “It is unthinkable that a high pressure water hose, which in the hands of a firefighter has so long been an instrument of mercy and protection should now be used as a weapon of destruction,” and asked the IAFF to condemn the act. It later also passed a Vulcan authored resolution condemning the use of firefighters against protestors. When Julius presented the resolution to the Uniformed Fire Officers Association (UFOA), the members of UFOA tabled the resolution rather than putting it to a vote. After conferring with the UFOA’s leadership, fifteen to twenty Vulcan Society members appeared before the UFOA on July 28th, the day the resolution was to be debated, and read a statement detailing, “the pain suffered by the members of the Vulcan Society as they watched fellow firefighters abuse the African-American citizens of Birmingham.” A heated and stormily contested two and half hour debate ensued, but passage of the resolution was finally ensured when “every member of the Executive Board of the U.F.O.A.,” disgusted with many its members, “left the dais, took the microphone on the floor and spoke in favor of the passage of the proposed resolution.”⁴³

While New York’s Black firemen knew first hand the importance of having Black representation, the FDNY’s administration and the impact that their long absence from such positions had had, the significance of having a Black Deputy Fire Commissioner had not become clear to many until after Birmingham. As the March on Washington for

⁴³ Robert Lowery to John Corcoran, President Local 854, Uniformed Fire Officers Association, 7 June 1963, Wesley Williams Papers, SC, Box 1; Lowery to Corcoran, 10 July 1963, Wesley Williams Papers, SC, Box 1; Vincent Julius, “Historical Chronology of the Vulcan Society,” Personal Papers of Vincent Julius, photocopy in author’s possession, p. 4; Interview with Vincent Julius, 17 January 2004; Vincent Julius, “There is Nothing New Under the Sun, Except the History That One Has Not Read,” Speech Given to the International Association of Black Professional Fire Fighters, Southeast Region, Atlanta, GA, November 1998, p. 5.

Jobs and Freedom approached during the late summer, efforts to secure Lowery's appointment intensified. Vinnie Julius mobilized the entire force of the Vulcan Society, launching a massive grassroots campaign. As he explained to Vulcan members, if successful, "you will have a voice in the administration" and for the first time, "problems that arise out of the fact that you are a Negro will be resolved from the top down and not as they are now, from the bottom up." Membership responded immediately. During roughly a two week period, Vulcan Society members worked around the clock, making the rounds in "Black communities, churches, housing developments, supermarkets, community centers, and before organized groups." By August 15th, "more than 10,000 persons" had signed "petitions urging Mayor Wagner to appoint Acting Lieutenant Robert O. Lowery to the open position of Deputy Commissioner of the New York City Fire Department."⁴⁴

Lowery's mentor, Wesley Williams, also did his part, writing Mayor Wagner's secretary, Julius Edelstein, to remind him of existing support for Lowery in both the Black community as well as in the Fire Department. Williams, who had already served as a non-paid appointee on the Wagner administration's "Committee to Help Reduce Racial Tensions in Harlem," reminded Edelstein of Lowery's prior support for the Mayor as well as the significance of having a Black Fire Commissioner in a city where the number of fires, population density, and lives lost at fires were highest in Black sections of the city. Williams did not refer to the events in Birmingham, instead stressing the progressive statement New York could make by being the second city in the country to

⁴⁴ "Bob Lowery Gains Support from Many Civic Groups;" "Harlem Backing Lowery," *New Amsterdam News*, 24 August 1963, p. 41; Robert Lowery to James L. Hicks, Executive Editor, *New York Amsterdam News*, 10 July 1963.

appoint a Black Fire Commissioner. Nor did he mention the growing resentment towards firemen in New York's Black communities that recently surfaced in "a series of incidents...in Harlem and other areas" where "rocks and other objects" were thrown at firemen while responding to emergencies, events Wagner was surely already quite aware of.⁴⁵

Surprisingly, the only organization that did not strongly support Lowery had been the NAACP. In a letter to the NAACP's Roberta Williams, Lowery wrote to complain that "after more than 18 years of continuous support of the NAACP and other efforts for Negro advancement, from my standpoint and that of the Membership of the Vulcan Society, it is a pity that no one could be prevailed upon to ask Roy Wilkins to say a few words on my behalf as he has on many similar occasions for other individuals." This particular letter followed several earlier exchanges in which Williams had chided Lowery for being a detractor of the NAACP, largely because recent funds raised by the Vulcan Society had been sent to the SCLC rather than the NAACP. Particularly annoyed that Williams suggested that he read up on the NAACP's recent activities in the South,

⁴⁵ Wesley Williams to Honorable Julius Edlestein, Secretary to the Mayor, 5 August 1963, Wesley Williams Papers, SCBRC, Box 1. For Wesley Williams's prior appointment, see Paul Crowell, "Mayor Names 22 to Ease Racial Tension in Harlem," *New York Times*, 10 September 1959, pp. 1 & 30.

Williams's comment regarding New York's opportunity to "be the second City in the Country" to make such an appointment was intended as a subtle dig at the Mayor for failing to appoint Lowery in the first place. Earlier in the letter, Williams wrote: "May I humbly state that it is a pity that the City of Los Angeles, beat New York City out on such an appointment." Los Angeles, which had turned to the FDNY and Williams in the past for advice regarding curbing discrimination, appointed Henri O'Bryant Jr. to the city's Board of Fire Commissioners in 1961, becoming the first African American in the nation to hold such. For O'Bryant Jr.'s appointment, later installation as President of the Board, as well as a brief personal history and description of his career outside the fire department, see "Negro Installed as Head of Coast Fire Department," *New York Times*, 26 July 1963.

Lowery responded by telling her, “it is my understanding that Dr. King and the SCLC were largely responsible for Birmingham.” Williams had been right in one respect. In recent years Lowery had lost respect for the organization. In an earlier letter to former Vulcan Walter Thomas, Lowery cited a recent *New York Times* article that stated, “many middle class Negroes line up with the whites in given issues so that the poorer Negroes have no one to help them...the NAACP and the Urban League do nothing to help these people.” He closed the letter by remarking, “THANK GOD THE VULCANS AIN’T MIDDLE CLASS!!!”⁴⁶

Lowery was not alone in this assessment. While the members of the Vulcan Society earned middle-class paychecks, they drew status distinctions between themselves and Black professionals that were based on the type of work they conducted, their lifestyles and attitudes, and their family backgrounds. As Vinnie Julius explained: “We came more from a working-class, hard-time background. We were more of the hard working, hard drinking, hard partying type.” During the 1960s, Vulcan Society members made further distinctions between themselves and members of the Black middle-class based on their attitudes and relationship to the Civil Rights Movement. In their estimation, Vulcan Society members, unlike Roberta Williams or other members of the “Black Bourgeoisie,” were able to empathize rather than judge, or at best sympathize with, those who were willing to move beyond conventional tactics and put their bodies and lives on the line for the betterment of others. Despite these perceived differences, the

⁴⁶ Robert Lowery to Mrs. Roberta Williams, 7 July 1963, Wesley Williams Papers, SC, Box 1; Robert Lowery to Walter Thomas, 18 June 1963, Wesley Williams Papers, SC, Box 1.

Wilkins later lauded the Mayor for selecting Lowery. See “Negro Appointed by Mayor Wagner as 3rd Deputy Fire Commissioner, *New York Courier*, 23 November 1963, p. 1.

Vulcan Society were not adverse to joining with those of the Black “elite” to support worthwhile pro-integrationist events, including as the March on Washington for Jobs and Freedom. Vulcan members, along with members of the UAW, FNCSO, representatives of the United Settlement Houses, Youth Centers, the NALC, and NAACP came from New York in droves to attend the August 28th march, where over one hundred members of the Vulcan Society served as marshals.⁴⁷

Despite the momentum of the Civil Rights movement, the public outcry for Lowery’s appointment, and growing rift between the FDNY and the city’s Black citizens, Mayor Wagner remained mum on Ortiz’s replacement for several months despite the addition of 10,000 more signatures to the Vulcan Society’s petition. At an FNCSO meeting held on October 8, 1963, NAACP attorney Constance Baker Motley, upon being presented with the organization’s distinguished service award, stressed that the struggle for Black equality had done little to improve Black equality and representation in the North. Motley observed that “public apathy and official indifference” restricted Blacks from receiving important governmental posts and appointments in Northern cities despite the rapid growth of the Black population in these areas as well as the availability of numerous qualified Black candidates. Mayor Wagner was in the audience, and followed Motley after being introduced by none other than Robert Lowery. Before beginning his speech, the Mayor thanked Lowery and told him and the larger audience, “we’ve had some discussions about you recently and we’re glad to see you move ahead soon.”⁴⁸

⁴⁷ John Ruffins, “Thirty-Five Years of Vulcan History;” M.S. Handler, “400,000 From New York Area To Take Part in Capital March,” *New York Times*, 25 August 1963.

⁴⁸ “Apathy to Negro is Laid to North: N.A.A.C.P. Council Charges Refusal of Public Posts,” *New York Times*, 20 October 1963.

True to his word, on November 15, 1963 Wagner announced Lowery's appointment. Less than a week later, the twenty-year FDNY veteran was officially sworn in as Deputy Fire Commissioner. While highly publicized in both the white and Black press, Lowery's appointment went unreported in the FDNY's official journal, *With New York City Firemen* (WNYF), a conscious slight that prompted an incredulous Wesley Williams to voice his disdain to the man responsible for the journal, the Fire Commissioner:⁴⁹

It seems to me that reporting this act in the WNYF, a magazine that reaches fire officials and citizens throughout the our Nation and the world, would have been helpful in pointing up the Mayor's desires to keep New York City in the position of national leadership in the fight for racial equality. I, for one, a man whose career as the first negro fire officer in the United States was reported widely throughout the world, am amazed that the editors of the official fire department magazine could fail to take notice of the appointment of New York City's first Negro Deputy Fire Commissioner, an event that was reported on in Yokohama, Japan.⁵⁰

While Lowery's appointment was not newsworthy to the editors of WNYF, it did offer tangible evidence and hope to Black firemen that the struggles waged over the years were finally beginning to make a major difference in the opportunities available to Black firemen as well as on the operations of the department as a whole. For years, the Vulcan Society was forced to rely on political savvy, creativity, and a creative use of alcohol to

⁴⁹ Interview with Vincent Julius, 19 January 2004; "Wagner May Pick Lowery," *New Amsterdam News*, 26 October 1963. For Lowery's appointment, see "Lt. Robert Lowery – Negro Appointed by Mayor Wagner as 3rd Deputy Commissioner of NYC Fire Dept. at \$ 10,750 a yr.," *New Amsterdam News*, 23 November 1963, p. 1; "Lowery Appointed 2 Deputy Fire Head;" "Negro Appointed Deputy Fire Aide: Lowery Succeeds Ortiz – 2 Puerto Ricans Named," Newspaper Clipping in Wesley Williams Papers, SC, Box 1; "Lowery Named," *New Amsterdam News*, 23 November 1963, p. 1; "Negro Appointed by Mayor Wagner as 3rd Deputy Fire Commissioner," *New York Courier*, 23 November 1963, p. 1.

⁵⁰ Wesley Williams to Fire Commissioner Edward Thompson, 14 December 1963, Wesley Williams Papers, SC, Box 1.

make minimal inroads into avenues already available to whites. With Lowery's appointment, Black firemen finally had one of their own in a high-level position at Headquarters and hoped he would be able to carve out equal space and opportunity not only for existing Black firemen, but those that would follow as well.

Lowery's ascension to the Deputy Fire Commissioner post did not have the immediate impact that Black firemen and Lowery himself had hoped. Unlike Baltimore's fire department, where the members of the Board of Fire Commissioners were the ultimate arbiters of departmental regulations and conduct, the Deputy Commissioner (different name, same post) position in the FDNY was largely ceremonial and powerless, as Ortiz's experience had shown. Although Lowery did help gain Black access to coveted, previously all-white companies such as Rescue 1 and 105 Truck in Brooklyn, this had largely been achieved through the Vulcan Society. His new post, however, did have an immediate impact on the Vulcan Society. Upon receiving his position as Deputy Commissioner, Lowery stepped down as President after nine consecutive years as the leader of the organization. His successor, Vincent Julius, jokingly recalled that he began the campaign to elevate Lowery to Deputy Commissioner as a means to finally clear some room for himself at the top of the organization. In truth, Lowery had been preparing Julius to replace him for a number of years. "From the time I came into the fire department," Julius explained, "he picked me and put me to work...First, he appointed me the Chairman of the Welfare Committee, then I became the Chairman of the Entertainment Committee...all at his prodding – except when I became President – I wanted to be President, so I got him the hell out of the way!" Julius credits Lowery with teaching him how to deal with department's power structure, "how you

have to fight them...how to move around amongst them and never let them think they owned you," as well as how to keep records, settle disputes, and establish a consensus prior to bringing an issue to a vote. He also taught Julius the art of "walking the floor" at Vulcan functions, greeting each member personally, laughing, talking, and hugging their wives "so the wives knew and the members would say, 'gee, this guy, the President, took the time to come over here and talk with us."⁵¹

Julius's Presidency was made immeasurably easier due to the foundations already laid by his predecessor. Julius and the Vulcans now had a direct pipeline to the highest echelons of the FDNY. While the two men never talked on departmental phones, Lowery would call Julius at home to inform him of issues, to address budding problems, or to coordinate strategy. Lowery, for example, would give Julius a "heads-up" when personal conflicts between Black firemen or officers and others in their company reached Headquarters, or when marital and/or drinking problems were noticeably affecting the behavior and/or performance of a given fireman. The Vulcan Society would then police its own, sending "problem solvers" to straighten out issues before they escalated further. Only if the problem persisted, were charges brought.⁵²

⁵¹ Interviews with Vincent Julius, 17 January 2004 & 19 January 2004 & 20 January 2004; "Wagner May Pick Lowery," *New Amsterdam News*, 26 October 1963; "Apathy to Negro is Laid to North: N.A.A.C.P. Council Charges Refusal of Public Posts," *New York Times*, 20 October 1963. For Lowery's appointment, see "Lt. Robert Lowery – Negro Appointed by Mayor Wagner as 3rd Deputy Commissioner of NYC Fire Dept. at \$ 10,750 a yr.," *New Amsterdam News*, 23 November 1963, p. 1; "Lowery Appointed Deputy Fire Head;" "Negro Appointed Deputy Fire Aide: Lowery Succeeds Ortiz – 2 Puerto Ricans Named," Newspaper Clipping in Wesley Williams Papers, SC, Box 1; "Lowery Named," *New Amsterdam News*, 23 November 1963, p. 1; "Negro Appointed by Mayor Wagner as 3rd Deputy Fire Commissioner," *New York Courier*, 23 November 1963, p. 1.

⁵² Interview with Vincent Julius, 19 January 2004.

The two men also worked in concert to continue recruitment, voter registration, and community outreach programs that Lowery had worked on during his tenure as President. In 1962, the Vulcans had sponsored a recruitment drive in which “one thousand announcements were mailed to churches and organizations,” Vulcan “members visited churches and community centers to distribute placards and literature and to disseminate information” about upcoming entrance exams. Members of the organization also taught study classes to help prepare those interested. Ironically, the 1962 campaign began because Lowery had agreed with the assessment of the man he eventually replaced, Ortiz. Rather than voicing a public complaint, though, the Vulcan Society funded and took full control of the drive to help rectify the problem of under-representation. A year later, the group participated in the Board of Education’s Higher Horizons Program, speaking to over 14,000 students in minority areas about the civil service and their careers. During Julius’s tenure, the Vulcan Society went on to tutor students in Black communities, and later teamed up with the Brownsville/East New York Community Progress Center to help establish a civil service study program for local residents. Efforts to register Black voters continued as well. In 1964, for example, the Vulcan Society was ironically the only organization in the entire FDNY to participate in the Firehouse Voter Registration Campaign that was centered around registering voters at firehouses in the minority areas of the city.⁵³

In 1964, the Vulcan Society recognized that Lowery stood a good chance to become the first Black Commissioner, or Chief, in the nation if the party that had appointed him stayed in power, and in turn, backed Democrat Abe Beame after Mayor

⁵³ Vincent Julius, “Historical Chronology of the Vulcan Society, Inc.,” pp. 4-5; “Thirty-Five Years of Vulcan History.”

Wagner bowed out of the mayoral race. Beame won the Democratic primary and then faced Conservative William F. Buckley Jr. and John Lindsay, a Republican backed by Wagner's former supporters in the Liberal Party, in the mayoral race. Beame began as heavy favorite because Democrats outnumbered Republicans in New York City by a three to one margin. Despite this natural advantage, Beame managed to lose in the closest mayoral election in a quarter of century. During the voting, Lindsay had garnered an unprecedented degree of support from traditionally Democratic white ethnic and Black voters. The Democrats who voted for Lindsay, however, had split their tickets. As a result, Lindsay became Mayor, but with strong Democratic majorities elected to both the City Council and the keeper of the city's purse strings, the Board of Estimates. As Lindsay's allies at the *New York Times* realized, "this was a victory won not because Mr. Lindsay is a Republican, but in spite of it."⁵⁴

Tradition suggested that Lowery's stint in the upper echelons of the FDNY would end following the election of a Republican. Lindsay, however, was neither a traditional, partisan New York City politician nor in a position to become one. Observers were nonetheless shocked when Lindsay selected Democrat Robert Lowery as Fire Commissioner of the FDNY for his first appointment. The Mayor was aware of Lowery's political allegiances, but as Lowery told reporters, he "never asked me how I voted, and I never told him." He was "surprised, elated, and just a little bit nervous"

⁵⁴ Paul Montgomery, "Beame, Confident of Victory, Pushes On in Friendly Areas," *New York Times*, 1 November 1965; "Lindsay's Astounding Victory," *New York Times*, 3 November 1965, p. 38; "Seesaw Contest: Vote is Tightest Here in Quarter Century – 13% for Buckley," *New York Times*, 3 November 1965, p. 1. Lindsay campaigned hard in Black communities and expressed a firm commitment to civil rights initiatives. During the election he garnered approximately one-third of the Black vote, doubling the total received by the Republican candidate during the previous mayoral election. See Lewinson, *Black Politics in New York City*, p. 99.

when told of the decision, but was also very proud to have become the first Black “top fireman” in any major city in the nation. Lindsay received heavy praise for filling the post with the “the best fireman” rather than a crony, but politics, of course, had played into the decision. By appointing Lowery in a public and celebratory fashion, Lindsay single-handedly appeased his Liberal Party supporters, offered an olive branch to the Democratic Party, and attempted to placate the frustrated Black New Yorkers he had begun courting when rioting broke out in Harlem in 1964.⁵⁵

Lowery began in 1966 and served as Fire Commissioner throughout Lindsay’s two consecutive terms as Mayor. Unlike his tenure as Deputy Commissioner, Lowery, as Fire Commissioner, had a noticeable and immediate impact on race relations and Black opportunity in the FDNY. Within his first year on the job, Lowery made several notable appointments and involved the department in areas that had previously been neglected. Within two weeks of being sworn in, Lowery appointed African Americans Arthur B. Williams as his Executive Assistant and Mrs. Anita Murphy as his Executive Secretary. A month later, he formed a Community Relations Bureau to improve the image of the department, to increase communication and the relationship between the FDNY and the

⁵⁵ Numerous articles appeared that announced or commented on Lowery’s appointment, including Terrence Smith, “Lindsay Selects a Negro to Head Fire Department,” *New York Times*, 24 November 1965, pp. 1 & 24; “Quotation of the Day,” *New York Times*, 24 November 1965, p. 41; “New Top Fireman,” *New York Times*, 24 November 1965, p. 24; Anthony Piesendorf, “Lindsay Picks Negro To Head Fire Dept.,” *New York World Telegram*, 23 November 1965; “Most Unusual,” *New York Journal American*, 26 November 1965; “Robert Lowery Gives His All to City and Community Work,” *New York World Telegram*, 23 November 1965; “Lindsay Names Lowery City Fire Commissioner: First in Lindsay’s New City Cabinet,” *New Amsterdam News*, 27 November 1965, p. 1; Cathy Aldridge, “Ideal Family Backs New Commissioner,” *New Amsterdam News*, 11 December 1965; “Lowery Named,” *New Amsterdam News*, 23 November, 1963, p. 1; “Robert Lowery Named N.Y. City Fire Commissioner by Mayor-Elect John Lindsay,” *Jet*, 9 December 1965, p. 5.

residents it served, to increase fire prevention awareness, and to recruit city residents to the department. Lowery named then Vulcan President Vinnie Julius as the point man for the project. In this capacity, Julius, while in plain clothes, met with city residents and community organizations, explaining the responsibilities and services offered by the department, and developing relationships to let people know that the members of the department in their communities were there to help, and would be responsive to their needs. Julius also trained the eighteen Lieutenants who were assigned to the program, and coordinated and conducted street fairs and career programs for the city's youth.⁵⁶

Lowery, as Commissioner of the nation's largest fire department also used the weight of his office to help combat racial exclusion and discrimination in surrounding departments. In April 1966, the village of Nyack, New York issued \$40,000 in bonds for the purchase of firefighting equipment for suburban volunteer fire departments that excluded African Americans. In response, the Congress of Racial Equality (CORE) filed suit in the State's Supreme Court to prevent public money from being disbursed to public institutions that were in violation of the law. Subsequent investigations of volunteer companies throughout New York City's surrounding counties found widespread discrimination being practiced "in Suffolk, Westchester, Nassau, and Rockland Counties." Upon receiving this report, Commissioner Lowery announced, "The New York Fire Department will no longer extend its cooperation to volunteer companies in neighboring counties that practice exclusion from membership because of race, creed, or color."⁵⁷

⁵⁶ Interview with Vincent Julius, 19 January 2004.

⁵⁷ "Lowery Names Two Negroes as His Top Aids," *New Amsterdam News*, 15 January 1966, p. 8; Vincent Julius, "Resume," photocopy in author's possession; "Suit Hits Bias

Lowery's early run of creative programs, path-breaking appointments, and innovative leadership, however, were soon overshadowed by tragedy. At roughly 9:30pm on Monday October 17th, smoke began billowing from Wonder Drug & Cosmetics, a pharmacy located in five-story building in downtown Manhattan. The men of 33 Engine answered the first alarm, but were soon after joined by 18 Engine and 7 Truck. The men of 33 Engine were assigned to the building's west side in an attempt to contain the fire and prevent it from spreading to the rest of the neighborhood. Men from both 18 Engine and 7 Truck then entered the drug store to locate the center of the blaze and directly attack it. Within minutes, a large section of the floor of the drug store collapsed with the men in the building. Those outside "heard a crash and saw a fireball explode from the drug store basement...Ten firefighters in the rear of the store had fallen into the burning basement." Firefighters outside the building rushed in to rescue their peers, and brought ten men to safety. Twelve men, however, had remained trapped in the inferno, the highest number of departmental fatalities ever incurred at a single fire in the then one hundred year history of the department. Commissioner Lowery arrived late that night to talk with the men on the scene, and confer with Mayor Lindsay. After surveying the damage, Lowery, who had witnessed numerous deaths and had become hardened to the ravages of fire over the course of his career, could do nothing but cry.⁵⁸

The Wonder Drug fire not only took the lives of twelve FDNY members, it also had made twelve women widows and thirty-two children fatherless. This included the wives and six children of Black firefighters and Vulcan Society members Bernard

in Fire Depts., "New Amsterdam News, 16 April 1966, p. 1; "Lowery Bars FD Help To Biased Volunteers," 18 June 1966; p. 26.

⁵⁸ Golway, *So Others Might Live*, pp. 219-24; "3 Negro Firemen Parish," *New Amsterdam News*, 22 October 1966, p. 1.

Pepper, Carl Lee, and Joseph Kelly. Years earlier, the Vulcan Society established “death benefits to beneficiaries of members,” and would later present the widows of these three men with \$1,200. Yet these families required more personal attention and care in the fire’s immediate aftermath, and the Vulcan Society attempted to do all in its power to assist the families of their brothers in their time of need and sorrow. After learning what had happened, Vinnie Julius attempted to console the wives of the three men, but was of little help. “I learned that day that when a woman loses her husband in the line of duty, a man, particularly another fireman, cannot talk to her...I couldn’t do it.” Several wives of Vulcan members then stepped to fill this void, consoling the three widows, preparing meals for the families, and helping take care of the children so the women could grieve and have time to themselves.⁵⁹

Almost immediately after, the women formed a women’s auxiliary to the Vulcan Society, the Vulcanettes. Like its parent body, the Vulcanettes gave scholarships and held their own events, functions, and fundraisers. They also supported the Society during its functions, such the annual Vulcan picnic, and at times of death, “both line of duty and non-line of duty. The Vulcanettes provided its members with a social outlet and sense of community, bringing together women who shared the experiences of living in fear of what might happen to their families every time their husbands went to work as well as the primary responsibility of running their households and raising their children while their husbands were on duty, working second jobs, or using their free time to prepare for promotions. The Vulcanettes, however, almost did not come into being as an auxiliary, as a number of Black firemen “didn’t want their wives associated” with the Vulcans, and

⁵⁹ Ibid; Interview with Vincent Julius, 17 January 2004

were adamantly opposed to the idea. The reasons for this opposition varied. The most vocal opponents were often men who were unfaithful to their wives who feared that the Vulcanettes would provide their wives with a forum that would untangle the web of untruths they had been telling regarding their schedules, after work activities, or mutuals they claimed to have worked while they were actually with someone else. Others, however, either didn't want their wives opening themselves up to nosiness and gossip or wanted to keep their family time separate from their time "with the guys." Resistance was so strong, in fact, that Vinnie Julius, realizing the auxiliary was about to be shot down by the membership, cut off the vote, the first and only time he ever took this drastic measure during his Presidency. After suppressing the vote, Julius explained, "I got finally got the Society, if not to approve them, to get the hell out of the way."⁶⁰

Fred Fowler was a supporter of the Vulcanettes. Before he began preparing for promotional examinations, Fowler began to notice that a number of men who frequently studied to work their way up the promotional ladder - both Black and white - had broken homes. Before he began studying to become a Lieutenant, Fowler encouraged his wife to participate in the Vulcanettes, and found the group to "a big help" to both he and his wife. Fowler was one of many Black firemen preparing for promotion during the late 1960s. The Vulcan Society, under the new slogan "Put More Black Men in White Hats and Helmets," resumed its Lieutenant's exam study group, and later expanded the program to prepare men for Captaincies. By late 1966, there were four Black Battalion Chiefs, three Black Captains, and forty Black Lieutenants in the FDNY. The next year,

⁶⁰ Lewinson, *Black Politics in New York City*, p. 182; Interview with Vincent Julius, 17 January 2004; Interview with Fred Fowler, 16 January 2004; Interview with Vincent Julius, 16 January 2004; Interview with James Lee, 18 January 2004; Interview with Jordan Simms, 16 January 2004.

Lowery appointed Battalion Chief Augustus Beekman Assistant Deputy Chief of the Department, placing Beekman in control of the Community Relations Bureau, and in the process, making him the first African American in the U.S. to reach the staff level of any major fire department.⁶¹ While Vulcan Society members were glad to have Beekman, Williams, and Lowery in high-level positions, they remained unsatisfied with the limited number of Black officers in the department as a whole. To rectify the situation, Vulcan study class leaders began expanding and improving the study program, as new instructors joined with the old to help better organize and coordinate classes into more efficient and focused study groups:

What would happen was that you'd have the assignments, they'd break the class up into small groups so that you'd be working with two or three other fellows depending on how many people showed up. So, you'd form a group and each group would have a different subject. They would sort of coordinate the whole thing. That's all they did, coordinate and make sure that you didn't get off the subject; that you stayed focused on the subject and keep it smooth time wise. At that time we still had the Delahanty and everybody would study the same stuff. So what we would do is go to Delahanty and we would coordinate and stay up with the overall fire department materials.⁶²

The study group's greatest advance, however, occurred through its incorporation of modern technology. Delahanty had moved out of the city into several different areas, thus offering more classes. Seeking to capitalize on the increased number of classes available as well as scope of materials covered, the Vulcans, Eric Reape explained, "used to send members from our study classes to the different areas. We wasn't supposed to, but we'd take tape recorders with us to make sure we was getting the information that

⁶¹ Interview with Fred Fowler, 19 January 2004; Deputy Chief Augustus Beekman appointed as Deputy Asst. Chief of the NY Fire Dept., "New Amsterdam News, 30 December 1967, p. 1; "Augustus A. Beekman, Negro Battalion Chief to Become a Deputy Chief of the Dept.," *New Amsterdam News*, 29 October 1966, p. 1.

⁶² Interview with Bob Lanier, 19 January 2004.

they were giving out to the others. That's when we made the big surge in members on the job who were officers.”⁶³

This “surge,” which began in the late 1960s, was actually quite gradual.

According to Vinnie Julius’s estimates, fifteen percent of all Black members in the FDNY were fire officers at one time, but this did not occur until the 1980s. During the late 1960s, however, the patience of Black firefighters was growing thin, and some began to feel that neither Lowery nor the Vulcan Society were being aggressive or focused enough. As Fire Commissioner, Lowery not only had to run the department but was also being counted on to make up for past injustices, and in certain quarters, pave the way for Blacks to take control of the department as the Irish had before. In an early attempt to quell expectations, pressure from below, and potential charges of favoritism from whites, Lowery, upon taking his post, told Black firemen that “he didn’t want to see the eleventh floor of Headquarters, which was the Commissioner’s office, turn Black...he didn’t want everybody coming to see him.” This angered a number of Black firemen, many of whom believed that Lowery either forgot why they had supported him in the first place, or thought that Lowery was beginning to fall victim to the dual illusions of liberalism and the significance of his high level post.⁶⁴

The lofty expectations of many Black firemen as well as their criticisms of Lowery were both unrealistic and unfair. Lowery controlled neither the hiring or promotional processes, and certainly lacked the corresponding political assistance and power needed to impose his will on the department, let alone usher in Black control.

⁶³ Interview with Eric Reape, 16 January 2004.

⁶⁴ Interview with Vincent Julius 19 January 2004; Interview with James Callender, 21 January 2004.

While he could expand lists to secure promotions before lists expired, the city's finances were in shambles throughout most of tenure, and only got worse as the years progressed. The number of fires, false alarms, arsons, attacks on firemen, and civilian deaths due to fires had risen precipitously, while manpower had stayed the same. Beginning in 1966, the UFA pushed Lindsay to hire new men and give substantial raises to department members, but the mayor was growing closer and close to financial crisis, and was more interested in closing firehouses than staffing them with more expensive firemen. In the process, Lowery's hands were largely tied, a fact many Blacks later acknowledged. As Fred Fowler later reflected, "I think he did what he could do." James Callender agreed, and believes that Lowery "did a great job" and did "what he could do. That was, keep the lid on and enable some fellows to get into areas which they weren't able to get into before." Yet as both men also acknowledged, "at the time, we never thought he did enough."⁶⁵

A clear generational rift had developed within the ranks of Black firemen that echoed similar generational and ideological rifts in the larger Black freedom struggle. Years earlier, both Lowery and the Vulcan Society were largely perceived as being militant, and saw themselves as "men of the people" who were committed to helping others and bringing people into the larger Black freedom struggle. Almost as soon as Lowery became Commissioner, however, younger Vulcan Society members began to wonder aloud if the Vulcan Society had become too gradualist and middle-class in orientation for the times, its membership, and the pressing tasks confronting it. David

⁶⁵ Interview with Fred Fowler, 19 January 2004; Interview with James Callender, 21 January 2004; Golway, *So Others Might Live*, p. 230-32. For the UFA's negotiations with the Mayor and the "partial work stoppage" that ensued, see "'Slowdown Begun By City's Firemen; Police to Picket,'" *New York Times*, 2 April 1967, pp. 1 & 25.

Floyd, for example, asked voters during his 1966 run for Vulcan Society Trustee: “Is the Vulcan Society becoming one of those sophisticated Negro organizations instead of a strong black organization?” Floyd also felt that the organization had become “involved in too many civic, social or political activities instead of solving our own problems first.” If elected, Floyd pledged to attempt to “unite all Black firemen along the Eastern Seaboard into a Negro Federation of Fire Fighters,” and push for “BLACK POWER” in the Fire Department,” which in Floyd’s estimation entailed “more than a commissioner or a commissioner’s driver, but – two Black officers in each unit.”⁶⁶

Frustration with the gradual pace of change among Black firemen, however, paled in comparison to the animosity and resentment growing between Black ghetto residents and the fire department. Most firemen working in Black communities were white, non-city residents that looked upon locals with mixture of detachment, fear, and hatred. To ghettoized residents, firemen had come to be seen as an arm of a larger, hostile colonial army that had been put in place to keep Blacks in their place and protect white owned property rather than the people who lived and worked with them. White firemen, for their part, viewed this period in the FDNY’s history much differently, but in similar, militaristic terms, and refer to the late 1960s and early 1970s as “The War Years.” This tension deeply troubled Black firefighters, who felt that their white colleagues’ hatred and contempt for Black people had only escalated frustrations born of poverty, discrimination, and powerlessness. After being promoted to Lieutenant and then relocated to a firehouse in the heart of Black Brooklyn, Bob Lanier was struck by the distance between the men in the company and local residents: “I noticed they always had

⁶⁶ *Vulcan News*, Special Election Edition, 7 November 1966.

the doors down, so I began leaving them open. And then I would stand downstairs. I lived in the area. I knew people. I was always out talking to the people that'd be coming by. The white guys, I don't know if it was intentional, they just never thought about it.”⁶⁷ Lanier’s experience was quite common for the time, as many whites, fearful of the rise in Black militancy, had hunkered down and isolated themselves. Most of the FDNY’s white firemen had little contact with Black people outside the job, and were uncomfortable around and afraid of them, particularly as the Black Power movement had emerged and inner city residents began demanding more control over their lives and communities. As James Lee recollected:

When I was a Captain, there was this one white guy who had to get food for the company. He didn’t want to go out to get the meal by himself. He wanted to take the rig out. But I didn’t know why he wanted us to take the rig out... So, I told him no, ‘it’s your turn to go to the store...and I got work to do.’ I found out later on, the guy was afraid.⁶⁸

While sporadic attacks against firemen occurred during the early 1960s, white fears were not fully realized until Martin Luther King’s 1968 assassination. While large-scale rebellion did not erupt in New York as in other cities, several “outbreaks” of arson did occur in areas of Harlem, Brownsville, Bed-Stuy, and East New York. Firefighters in these areas battled both blazes and enraged Black citizens, several of whom were reported to have fired guns at fire companies while they extinguished blazes. While white accounts of this three-day period following King’s assassination make it sound as if a full-on race war had broken out, Black firemen remember this period as rare instance when white firemen welcomed their Black colleagues with open arms and appreciation and came to understand the utility of having Black representation within the department.

⁶⁷ Interview with Bob Lanier, 19 January 2004.

⁶⁸ Interview with James T. Lee, 18 January 2004.

As Eric Reape recalled, “That was a time when the white firemen were glad to have Blacks with them! In fact...they volunteered some guys to join them” to protect themselves.⁶⁹ Jim Callender, a Fire Marshall at the time, had volunteered on his own, but later questioned the motivations of those in command:⁷⁰

When Martin Luther King was assassinated, I was in Car No. 1, riding through Brownsville, East New York with another Black guy. I thought it was great to tell people, “Hey, don’t burn down your own house...I was so naïve, I thought I was doing somebody good. What they were doing was putting me out there in case somebody wanted to take a shot...It would have been me.⁷⁰

The attacks on firemen following King’s assassination, regardless of the racial attitudes or fears of their white colleagues, deeply troubled the FDNY’s Black firemen on several levels. For the first time in their careers, Black firemen, who viewed themselves as “men of the people,” were being perceived as “middle-class sell-outs” by inner city Black lumpen and unemployed youths and as more of a symptom of the problem than allies in struggle. While Black firemen shared much of the anger and frustration of those who had taken to the streets, they could not understand why men who were trying to extinguish blazes to save lives and homes in Black communities - be they Black or white, prejudiced or unprejudiced - were now coming under attack. Vincent Julius, on behalf of the Vulcan Society, condemned the attacks in *The New Amsterdam News*:

With personal knowledge of the damage, sorrow and hardship wrought by fire, we are pained by the actions of those who interfere with the Fire Department...We as Firefighters and Fire Officers, take great pride in the devotion to duty and the exemplary efforts of members of this department in the protection of property and the saving of lives, regardless of Color, Religion or Political Persuasion.⁷¹

⁶⁹ Interview with Eric Reape, 16 January 2004.

⁷⁰ Interview with James Callender, 21 January 1968.

⁷¹ “Vulcans Angry At Attacks,” *New Amsterdam News*, 13 April 1968, pp. 1 & 49.

This statement, however, did little to quell the anger and frustration that had spawned the attacks, and they continued in the months that followed. That summer, Commissioner Lowery reported that one hundred and sixty incidents of assaults occurred in June alone. Most of these attacks consisted of firemen having objects ranging from “beer cans, bricks, and milk cartons” thrown at them. In one instance, however, a company had a refrigerator tossed off a roof at them while fighting a fire. Direct physical attacks, while not common, also began increasing in frequency. On June 30th, members of 46 Engine were assaulted “with sticks and clubs as they were leaving a fire at Claremont Parkway and Third Avenue.” By August 1968, FDNY Fire Chief John O’Hagan reported that more coordinated and violent attacks, including the setting of booby-traps “so that firemen would injure themselves when they raced in to fight fires,” were occurring approximately once a week.⁷²

White firemen didn’t understand why firefighters were being targeted. As Captain Robert Curley of 50 Engine told *New York Times* reporter David Shipley, “We can’t appreciate why anyone would want to hurt us. It’s bewildering. They are rebelling against the establishment. What establishment? We’re breaking our backs here. We’re part of the establishment all of a sudden?” A number of white firemen, however, did little to dispel this notion when they began carrying illegal Blackjacks to protect themselves while on the job. While whites were understandable scared and angry, Black firemen rightfully feared that they had viewed entire communities as their adversaries rather than a few knuckleheads, and in doing so, did little to improve the situation or to

⁷² David Bird, “City Fire Chief Tells State Panel Of ‘Guerrilla’ Attacks in the Slums,” *New York Times*, 15 August 1968; David Shipley, “Some Firemen Carrying Blackjacks on Slum Calls,” *New York Times*, 15 July 1968.

enhance the image of firemen as members of the community rather than hostile outsiders. As Black Lieutenant John Ruffins opined at the time, "the key problems facing" the FDNY "are basically a lack of communication between the Department and the community, the very definite gulf of misunderstanding that develops between the city resident of a depressed area and the commuter civil servant who collects a salary, does a good job, possibly, but whose heart and soul lies in Lynbrook."⁷³

Ruffins was not alone in his assessment. A month before King's assassination, the National Advisory Commission on Civil Disorders (the Kerner Commission) released its findings regarding the causes of prior urban disturbances and had issued recommendations to help prevent outbreaks of violence from reoccurring. Formed by President Johnson in 1967 in the wake of the Detroit and Newark riots, the Kerner Commission's report cited American racism and apartheid as the key causes behind the unrest. As the Commission reported, "Great numbers of Negroes have been excluded from the benefits of economic progress through discrimination in employment and education and their enforced confinement in segregated housing and schools." With regard to civil defense positions and the growing rift between Black inner city residents and fire and police departments, the Commission issued the following mandate:

Fire Departments, like Police Departments, must improve their relations with the communities they serve in order to gain the community cooperation and assistance that are essential for effective fire-fighting. This requires going out of the fire house and becoming acquainted with people in the neighborhood. Fire Department officials have the obligation to develop programs to achieve these goals.⁷⁴

⁷³ David Shipley, "Some Firemen Carrying Blackjacks on Slum Calls;" John Ruffins, "Black Firefighters," p. 54.

⁷⁴ Kerner Commission, *Report of the National Advisory Commission on Civil Disorders*, (New York: Bantam Books, 1968) p. 496.

The Commission went on to indicate the importance of both increasing minority representation and employing men from inner city neighborhoods in order to provide local control and a direct connection between local residents and their city's police and fire departments. "To accomplish this goal," the Commission recommended, "that municipal authorities review applicable civil service policies and job standards and take prompt action to remove arbitrary barriers to employment of ghetto residents."⁷⁵

Mayor Lindsay and Robert Lowery took the findings and recommendations of the Kerner Commission to heart. In 1969, the FDNY entered into a joint program with the federally sponsored Model Cities Administration to create the Fire Department Model Cities Program. Designed to strengthen contacts between the FDNY and ghetto residents to increase fire prevention programs and education, and to prepare inner city residents for civil service positions, including the fire department, the program began in Brooklyn. Thirty unemployed local residents between the ages of sixteen and twenty-seven were recruited and then hired as Cadets and paid a minimum wage. They were trained in subjects such as: general education, Engine and Ladder Company responsibilities and operations, overhauling equipment, Fire Department tool, mouth-to mouth resuscitation, community relations, public speaking, departmental rules and regulations, FDNY tradition and history, general FDNY operations, and filing for and taking civil service examinations. After receiving their training, the men then gave fire prevention lectures at local schools, community centers and churches and performed hydrant inspections and

⁷⁵ Ibid, p. 294; Peter Rossi, et al, "Between Black and White – The Face of American Institutions in the Ghetto," in *Supplemental Studies for the National Advisory Commission on Civil Disorders* (Washington D.C.: U.S. Government Printing Office, July 1968): Chapter 6.

maintenance. After the Central Brooklyn Office was established, a similar program was initiated in the Bronx.⁷⁶

The UFA opposed the Model Cities program from its inception, and attempted to thwart any and all subsequent initiatives aimed at increasing minority and inner city recruitment. When the FDNY and Personnel Department created a trainee/Cadet program that was designed to provide two inner city residents with an apprenticeship and later a job with department, the UFA attempted to block the program from carrying out separate examinations for entrance into the program. While initially unsuccessful, the UFA did eventually succeed in preventing the results of the program from being certified, thereby preventing the two posts from being filled. In a sign of things to come, the union had opposed the program on the grounds that its separate testing track and residency requirements discriminated against non-inner city residents and went against standard civil service procedures. The union had thus made it clear to Black firemen, Commissioner Lowery, and the Mayor that reforms suggested by the Kerner Commissioner would be fought every step of the way.⁷⁷

While the Vulcan Society and Commissioner Lowery remained active by stepping up Black recruitment efforts and community relations and outreach programs during the late 1960s, the negative perception of FDNY, culturally biased entrance examinations, union resistance, and firmly entrenched civil service rules and regulations stunted their ability to increase minority representation. Attempts to have stricter residency requirements enforced were also vigorously opposed and thwarted by the UFA, which had been largely responsible for the relaxing of these requirements in the first place.

⁷⁶ John Ruffins, "Black Firefighters," pp. 48-52.

⁷⁷ Ibid, pp. 57-8.

Thus, at a time when New York's minority population was rapidly expanding and the FDNY held the distinction of being the only fire department in the country with a Black Commissioner, Black representation in the FDNY was actually on the decline. Only four of the four hundred and forty seven firemen who had been hired in 1968 had been Black, while the percentage of Black firemen in the FDNY would fall to 3.7% by a 1972.⁷⁸

The problems faced in New York in terms of the high rate of fires and deaths in Black communities, gross Black under-representation, white backlash and racial insensitivity among white firemen, attacks on fire department personnel, and institutional racism in hiring and promotional procedures were shared by Black firemen across the nation. As will be discussed in Chapter 6, New York's Black firemen increasingly reached out to Black firemen elsewhere during this period to share strategy and to create a well-organized critical mass that could attack, on a more systematic level, the problems they faced. In doing so, Black firemen hoped to combat the conservatism and reactionary role being played by both their union and its parent body, the IAFF, by taking the struggle for racial equality to the national level.

⁷⁸ Hartsfield-Mills, *The Old Stentorians*, p. 142; *New York Times*, 24 March 1971; International Association of Black Professional Fire Fighters, "Discrepancy Index," NAACP Papers, Library of Congress, Washington D.C., Legal Department, Part V, Box 1347; Terry Golway, *So Others Might Live*, p. 239; Bill Kovach, "Race Discrimination Found in U.S. Fire Departments," *New York Times*, 5 January 1973, p. 30.

CHAPTER 4

A MONUMENTAL STRUGGLE IN MONUMENT CITY: THE INTEGRATION OF BALTIMORE'S FIRE DEPARTMENT, 1930-1954

INCIDENT

Once riding in old Baltimore,
Heart-filled, head-filled with glee,
I saw a Baltimorean
Keep looking straight at me.

Now I was eight and very small,
And he was no whit bigger,
And so I smiled, but he poked out
His tongue, and called me, "Nigger."

I saw the whole of Baltimore
From May until December;
Of all the things that happened there
That's all that I remember.

Countee Cullen

Throughout most of the 19th and 20th centuries, Baltimore, Maryland was the prototypical border city, blending the economic and commercial characteristics of the north with the racial and social practices of the slaveholding and segregationist south. Prior to conclusion of the Civil War, Baltimore was a shipbuilding port city linked directly to the commerce of slavery, but not reliant on slave labor itself. "At the onset of the Civil War," for example, "a scant 1 percent of the city's population were slaves." Baltimore, however, did have the largest urban free Black population in the country. Agricultural-based slavery in the region had diminished as the "peculiar institution" shifted westward and moved from the production of tobacco and grains to cotton.

Manumissions, largely the result of the high cost of maintaining slave labor for seasonal crops with limited profit margins, had become increasingly common in Maryland in the 19th century. Blacks, whether enslaved or free, worked largely as domestic laborers or as skilled and unskilled workers in manufacturing jobs associated with the city's port industries. When war broke out, Maryland maintained slavery but continued to support the Union. In the wake of the war, Baltimore's hybrid history and dual exposures created a distinctly "border" urban culture. While whites would later claim that the city's position "on the middle ground" helped foster the development of a modern 20th century city that fused northern industry and efficiency with southern gentility and "charm," for African Americans like poet Countee Cullen, "Charm City" was more notorious than welcoming and more hateful than charming.¹

As historians Barbara Fields and Christopher Phillips have explained, during the 19th century Baltimore presented a strange blend of opportunity and racial oppression for African Americans. In the ante-bellum period both enslaved and free Blacks lived and worked in the city. For enslaved Blacks - Frederick Douglass being the most famous - servitude in Baltimore provided greater mobility, both on a day-to-day basis and in the potential to secure one's manumission or escape. While the economic opportunities available to free and enslaved blacks declined as the demand for labor abated during

¹ Quotation from Elizabeth Fee, et al., *The Baltimore Book: New Views of Local History* (Philadelphia: Temple University Press, 1991), p. xiv. For slavery, free Blacks, and articulations of the "middle ground" thesis, see Christopher Phillips, *Freedom's Port: The African American Community of Baltimore, 1790-1860* (Urbana: University of Illinois Press, 1997); Barbara Jeanne Fields, *Slavery and Freedom on the Middle Ground: Maryland During the Nineteenth Century* (New Haven: Yale University Press, 1985); Robert Brugger, *Maryland: A Middle Temperament, 1634-1980* (Baltimore: Johns Hopkins University Press, 1988); Bettye Jane Gardener, "Free Blacks in Baltimore, 1800-1860," Ph.D. Dissertation, George Washington University, 1974.

economic downturns and increased European immigration, life in Baltimore nonetheless provided a respite from the brutal nature of plantation life and access to a strong and cohesive Black community with its own institutions that transcended the boundaries of free or slave status. As the century progressed and the Civil War approached, however, so too did the hardening of racial lines in the law, social order, and labor market. Racial violence increased, while white Baltimoreans began demanding manumissions be brought to a halt. While the 13th Amendment eventually made the issue of manumission restriction a moot point, efforts to restrict Black social, economic, and political mobility and equality persisted throughout the post-bellum period and well into the 20th century.²

After the Civil War, the city's economy was integrated into the eastern seaboard's expanding network of capitalist development. One of few border cities with a commercial, manufacturing, and industrial base, Baltimore's economy modernized rapidly during the late 19th and early 20th centuries, but had done so as a "branch town" with local industries bought out by larger outside investors. Baltimore's post-war expansion, modernization, and incorporation into the northeastern economy, however, took place within a distinctly southern and segregationist context:

Baltimore was...part of the Northeastern coastal economic subsystem...but had a unique, particularly Southern, place within this subsystem. It was the subsystem's southernmost outpost, and it had the strongest and most direct commercial ties to the South. It also had the most direct demographic connections to the South. Moreover, Baltimore was the only North Atlantic metropolitan region that had Southern territory in its immediate hinterland, and was the only one of the subsystem's urban centers situated within a strongly Southern cultural zone – the

² Christopher Phillips, *Freedom's Port: The African American Community of Baltimore, 1790-1860*; Barbara Jeanne Fields, *Slavery and Freedom on the Middle Ground: Maryland During the Nineteenth Century*; Leroy Graham, *Baltimore, the Nineteenth Century Black Capital* (Washington D.C.: University Press of America, 1982); William Paul, "The Shadow of Equality: The Negro in Baltimore, 1864-1911." Ph.D. Dissertation, University of Wisconsin, 1972.

only one where the color bar was systematically articulated throughout the economy, politics, and culture in a manner “more southern than Virginia.”³

Baltimore had been occupied by Union forces during the Civil War but remained in the Union throughout and was never officially “reconstructed” during the post-bellum period. Despite this fact, white Baltimoreans and Marylanders, as the 20th century approached, increasingly sought to “redeem” the city and further establish its identification with the racial order of the South by actively pursuing segregation and disenfranchisement. In February 1904, for example, the Maryland State Legislature attempted to pass a bill to disenfranchise all of the state’s black residents, the majority of whom resided in Baltimore. The bill was tabled, but only because disaster struck the “Monument City” the week the matter was to have been considered.⁴

February 7th, 1904, a cold and blustery Sunday morning, the city of Baltimore caught fire. Later known as the “Great Fire,” the blaze was likely ignited by an errantly tossed cigarette or cigar, but quickly developed into an “epic conflagration” that raged uncontrollably for the next thirty hours and reduced the city’s commercial center and urban core to rubble. While quite miraculous in that only one person lost his life, by the time the fire burnt out it had destroyed over one hundred and forty acres, or roughly 70 city blocks, wreaking havoc on the city’s urban landscape, business community, residents, and workers. The fire caused approximately one hundred million dollars in damages, a staggering and unprecedented figure for the time, and destroyed 1,526

³ Andor Skotnes, “The Black Freedom Movement and the Workers Movement in Baltimore, 1930-1939,” Ph.D. Dissertation, Rutgers University, 1991, p. 20.

⁴ Jean Baker, *The Politics of Continuity; Maryland Political Parties from 1858 to 1870* (Baltimore: Johns Hopkins University Press, 1973); *St. Paul Appeal*, 20 February 1904, p. 2; Margaret Law Callcott, *The Negro in Maryland Politics, 1870-1912* (Baltimore: Johns Hopkins University Press, 1969).

buildings and roughly 2,500 businesses, banks, and merchant shops, while 35,000 Baltimoreans were left jobless in the dead of winter. While the affected area was largely a commercial district, it was also home to 80 percent of the city's craft workers, many of who lived above or near their places of business. These skilled workers lost not only their dwellings and places of employment, however, but their meeting halls as well. Roderick Ryon, for example, estimated that more than half (24 of 40) of the union halls in the area were destroyed in the fire.⁵

Neither the city nor its Fire Department had been equipped to combat modern "high rise" fires. Efforts to combat or curb the Great Fire had been exhaustive, but largely in vain. Over four hundred of Baltimore's firefighters responded to the blaze, but technological limitations including the use of horse drawn hoses and pumps, extremely limited water power and pressure, and a lack of adequate manpower pitted a dedicated but antiquated Fire Department against an ancient foe that proved even more dangerous in a modern setting. While reinforcements came from cities along the eastern seaboard – roughly 800 firemen came from places near and far - Washington D.C., Philadelphia, New York, Wilmington, Annapolis, Wilmington, Altoona, etc. – they were of limited help because many of their hoses did not fit Baltimore's distinctive fire hydrants. While there was probably little they could have done collectively to quell the fire, the ability of

⁵ Roderick Ryon, "East-Side Union Halls: Where Craft Workers Met, 1887-1917," in *The Baltimore Book: New Views of Local History*, Eds. Elizabeth Fee, Linda Shopes, and Linda Zeidman (Philadelphia: Temple University Press, 1991) pp. 107-9; *The Archivist Bulldog* (Maryland Historical Society), 25 March 2002, pp. 1-2; Brennen Jensen, "Lives Lost: One," *Baltimore City Paper*, September 3-9, 2003; "A Burning Interest in Baltimore's History," *Johns Hopkins Professional Studies*, Fall, 2003.

this collection of firefighters to confront the disaster was also further retarded by the racism of Baltimore's firefighting force:⁶

Afro-American fire fighters from Philadelphia and other points, who were sent to the assistance of Baltimore, were subjected to considerable humiliation because of the objection of the Baltimore firemen, who did not care to work with Afro-Americans. It has been suggested that thousands of dollars worth of property could have been saved had more time been spent in fire fighting and less to the discussion of race prejudice.⁷

For adult members of Baltimore's Black community, the snubbing of Black firemen from other cities represented yet another insulting "incident" of Jim Crow in Baltimore, but for one observer, Arthur Hardy, a 3 year-old living in Northwest Baltimore's Black community, the Great Fire, the presence of black firemen, and the heroic attempts to quell the blaze produced a life-long obsession with firefighting. In his youth, Hardy would spend as much time as possible hanging around firehouses and chasing fires and apparatus. Nicknamed "Smokestack," both because of his diminutive stature and the presence of such stacks on the horse-drawn fire trucks he pursued, Arthur Hardy later became a founding member of Baltimore's 1st Black auxiliary fire company. However, he never had an opportunity to fulfill his dream of becoming a professional fireman because Baltimore's fire department excluded Blacks until 1953. By then, "Smokestack" Hardy was fifty-two years old.⁸

The prolonged absence of Black firemen in a southern city like Baltimore was neither a foregone conclusion nor a surprise. Some southern cities, including Atlanta,

⁶ *St. Paul Appeal*, 20 February 1904; *Baltimore Afro-American*, 9 February 1904. The pumps available to the Fire Department at this time were very limited in range and were unable to reach the core of fires in buildings beyond three or four stories.

⁷ *St. Paul Appeal*, 20 February 1904; *Baltimore Afro-American*, 9 February 1904.

⁸ Interview with Guy Cephas, 17 March 2002, Black Fire Fighters Museum, Baltimore Maryland; *Baltimore Sun*, 15 July 1998.

Norfolk, Birmingham, and Memphis, and Houston had always excluded Blacks from serving as firemen. Charleston and Columbia, South Carolina; Durham, North Carolina; Nashville, Tennessee; Montgomery, Alabama; Savannah, Georgia; Richmond, Virginia; and New Orleans, Louisiana all utilized Black firemen in varying circumstances during either the antebellum or Reconstruction eras.

These first groups of African American firefighters tended to serve in “volunteer” fire companies in southern cities with large Black populations. During the ante-bellum period, Blacks - both free and enslaved - were consigned or “recruited” to join “volunteer” fire companies. The first documented case occurred in New Orleans in 1817, where the city’s white Fire Commissioners had the power to conscript any and all bystanders and was reported to have assigned free and enslaved African Americans to fire duty. In 1825, Savannah, Georgia also began adding Black firemen. Both free Blacks and slaves served, but were organized into separate companies. Whites, of course, had their own. The white officials who supervised enslaved fire fighters, known as the “Masters of Engines, were authorized to administer “‘prompt and immediate correction’ whenever a slave ‘disobeyed or otherwise offended.’” Despite their legal status as property, slaves received a wage of 12.5 cents per hour for time spent drilling or fighting fires, and received paid rewards for being among the first respond to an alarm or for extinguishing a fire. “Free Negroes” also received these wages. If slaves who had been “hired out” received some of the fruits of their labor, they did so only with either with their owner’s consent, behind their owner’s backs, or both. Apparently, Savannah’s leadership was quite content with this arrangement. By 1856, a strong majority of Savannah’s firemen were slaves (62.5%), while 82.5% of the department was Black.

Charleston South Carolina followed suit two years later when it manned half of its twenty volunteer companies with Black firemen.⁹

Other cities in the South did not use Black firemen until compelled to do so by either the Civil War or Radical Reconstruction. Richmond Virginia, the capital of the Confederacy, “professionalized” its’ fire department relatively early in 1858, providing each company with ten slaves “of good character” to perform the exhausting and grueling task of operating the hand pumps. During the Civil War, the city hired two Black firemen to help protect property as the Union Army began bombarding the city, and white male citizens were busy fighting for the Confederacy.¹⁰

Most southern Black fire companies were formed in former Confederate cities during Radical Reconstruction. In Atlanta, Richmond, and other cities where Radicals were weak, post-war fire departments became exclusively white. In cities with firm Radical control such as Raleigh, Nashville, and Montgomery, segregated companies were created during the late 1860s. Nashville had an antebellum ordinance prohibiting black firemen, which Radicals overturned, forming the all-Black East Nashville Fire Company, “over the strong opposition of local residents and insurance underwriters.” Unlike other all-Black fire companies, at its creation the East Nashville Fire Company was placed under the leadership of a Black Captain.¹¹

The Black fire companies in the south were separate, but hardly equal. In Durham, for example, Black firemen were given the cheapest, most out dated equipment, and were housed in the most run down station. Durham’s Black engine company

⁹ Chuck Milligan and Rev. Ron Ballew, *History of Black Fire Fighters*, pp. 3-15.

¹⁰ Ibid, p.10.

¹¹ Harold Rabinowitz, *Race Relations in the Urban South, 1865-1890* (Athens: University of Georgia Press, 1996), pp. 266 & 296.

operated hand pumps while white fire fighters used a modern steam engine. Bucket and ladder companies shared similar discrepancies. Durham's Black bucket and ladder company's equipment was valued at \$500, while the equipment used by the two white companies were valued at #3500 and \$1500 respectively. At the turn of the century, Black firemen throughout the south were gradually phased out their respective fire departments as segregation hardened and firemen began to receive wages. All-Black volunteer companies had been in existence in Columbia South Carolina since the 1840s, but were discontinued when the department was professionalized in 1903. The Black drivers of the horse drawn apparatus were kept on for their experience and expertise, but the other Black firemen were relieved of their duties. Black drivers remained on the job in Columbia until 1921 when they were removed after the city's horse drawn engines were replaced with more modern equipment. By the 1930s, Black firemen had been removed from most major urban fire departments in the mid and Deep South.¹²

Conversely, while fire departments south of Baltimore became all-white during the late 19th and early 20th centuries, a few border cities began forming segregated companies during this period. The first to do so was Washington D.C. which formed its first segregated company during the 1870s. Over fifty years would pass, however, until in 1923 another border city, Louisville, hired Black firemen. Louisville's formation of Black fire companies was an anomaly that went directly against the tide of race relations in the region. After Baltimore in 1910 became the first city in the nation to pass a

¹² Ibid, p. 407, note # 57; "Fire Horses Answer Charleston Alarm: For First Time in Two Years They Go Into Action While Motor Engine Is Repaired," *New York Times*, 26 March 1933, p. E6. This article claims that Charleston was the only remaining southern city with Black firemen, although segregated companies were also in existence in Mobile, Alabama Nashville, Tennessee, and Louisville, Kentucky.

residential segregation ordinance, cities across the upper and mid south, including St. Louis, Richmond, and Louisville, soon after followed suit. The ordinances restricted Blacks - other than servants, domestics, etc.- from moving into white communities, were immediately contested by Black residents in each city. In Baltimore and Louisville, local branches of the NAACP fought against the ordinances in both city councils and in the courts, and eventually succeeded in having the ordinances outlawed after taking the issue before the Supreme Court in the 1917 case, *Buchanan v. Worley*.¹³

While the Supreme Court's decision halted the legal sanctioning of residential segregation, social segregation and political negligence continued unabated in the years that followed as most border cities had fallen under the control of the Democratic Party. Louisville, however, was an exception to this general rule. Republicans seized control of the city government in 1917, but once elected, neglected the demands for greater access to municipal positions and funds that Black Republicans had made during the campaign. In Louisville, Blacks accounted for forty-percent of registered Republicans, and in 1921 a break away faction formed the Lincoln Independent Party (LIP) in an attempt to combat white Republican indifference. The LIP ran a slate of candidates in 1921 that was soundly defeated. Republican party leaders, whose hold on power was precarious to

¹³ On race relations and Black life in Louisville during this period, see George C. Wright, *Life Behind a Veil: Blacks in Louisville, Kentucky, 1865-1930* (Baton Rouge: Louisiana State University Press, 1985); For the formation of Louisville's Black fire companies, see Scott Cummings and Michael Price, "Race Relations and Public Policy in Louisville," *Journal of Black Studies*, 27, No. 5 (May 1997): 615-49. For the spread of residential segregation ordinances, efforts to combat them, and the Supreme Court case that ensued, see Roger Rice, "Residential Segregation by Law, 1910-17," *Journal of Southern History*, 34, No. 2 (May 1968): 8-23; *Buchanan v. Worley*, 245 U.S. 60, 74 (1917).

begin with, received the message in the election's aftermath, and in 1923 attempted to appease Black voters by forming Black police and fire companies.¹⁴

In Baltimore, Democrats had remained in power by courting the city's white ethnic voters, and the opportunity created in Louisville never presented itself in Charm City. As a result, Baltimore's fire department remained lily-white and largely Irish. Unlike New York or Boston, Irish Americans settled in Baltimore in proportionately smaller numbers, and "never became as influential in the urban region's institutions as they did elsewhere." Nonetheless, Irish Americans seized control of Baltimore's Fire Department during the late 19th Century, and had passed jobs in the department from family to family and generation to generation. Racial integration was viewed as a threat not only to acceptable notions regarding the "place" of African Americans in Baltimore and the South, but also to the livelihoods of white firefighters, their friends, and the sanctity of the close-knit, ethnically and racially defined firehouse culture they had developed.¹⁵

These bonds had been formed by the dangerous work performed and the hours and days spent living with one another, and were grounded in the time-honored traditions of excluding, denigrating, and setting themselves apart from African Americans. When other groups, particularly Polish and Italian Americans, entered the department in larger numbers as ethnic barriers subsided during the 20th century and the city and Fire

¹⁴ Scott Cummings and Michael Price, "Race Relations and Public Policy in Louisville," pp. 615-49; George C. Wright, "Black Political Insurgency in Louisville, Kentucky: The Lincoln Independent Party of 1921," *Journal of Negro History*, 68, No. 1. (Winter, 1983): 8-23.

¹⁵ Interview with John T. O'Malley, 17 March 1997; Interview with Herman Williams, 24 March 1997; Andor Skotnes, "The Black Freedom Movement and the Workers Movement in Baltimore, 1930-1939," p. 36.

Department expanded, Catholic identity and shared racism served as a powerful galvanizing and unifying force within the department. Well into the 1950s, Fire Department members of all ethnicities joined together with family and friends, bonding in their shared “whiteness” by performing annual minstrel shows at Baltimore’s old Polytechnic high school.¹⁶

Ninety-four years would pass between the time Baltimore’s Fire Department was formed and when it finally was integrated. This despite a nearly quarter of a century struggle for Black inclusion waged by a various local civil rights organizations and advocates. Of all major departments within the city government, Baltimore’s Fire Department was the most resistant to racial inclusion. Integrating the fire department came to represent not only a battle to secure jobs and mobility for African Americans, but also a test of the power of the city’s black freedom struggle.¹⁷

Unlike New York, the integration of Baltimore’s fire department was a central objective of Baltimore’s early freedom struggle. Efforts to secure black inclusion within Baltimore’s Fire Department began in earnest during the late 1920s, and were part of a broader campaign to increase Black representation in both the police and fire departments, to equalize teachers salaries, to repeal Jim Crow laws, to increase training and opportunities in the arts and industries, and to improve black public institutions.

¹⁶ Interview with Martin McMahon, 17 April 1997. Ironically, in 1952 Polytechnic High School became the first integrated school in Maryland. For more information regarding the integration of Polytechnic see *Toward Equality: Baltimore's Progress Report* (Baltimore: The Sidney Hollander Foundation, Inc., 1960), p.11. For more on the role of minstrelsy in forging white working-class consciousness and solidifying the “whiteness” of various ethnic groups see *Eric Lott, Love and Theft: Blackface Minstrelsy and the American Working Class* (New York: Oxford University Press, 1995); David Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (London: Verso Press, 1991).

¹⁷ The Baltimore City Fire Department was professionalized in 1859.

Initially, these issues were not raised by grassroots organizations or civil rights groups per se, but were instead voiced through the pages of Baltimore's premier black newspaper, the *Afro-American*. As historian Bruce Thompson pointed out, "the Afro, functioned as a carrier of community political culture" in Baltimore, linking generations in the struggle against segregation and discrimination. The *Afro*'s influence was due in large measure to seminal political role played by the family which published the paper, and their strong relationship with civil rights activists and organizations such as the NAACP and Urban League¹⁸

The *Afro* was initially founded by Reverend William Alexander of Sharon Baptist Church in 1892 "to encourage political militancy in the African-American community," but was on the verge of folding within several years. In 1896, the Afro's first printer, former slave John H. Murphy Sr., bought the paper, combined it with the Baltimore Ledger, and saved the weekly paper from bankruptcy. Murphy Sr. and his wife Martha, friends of Booker T. Washington and Republican loyalists, took over as the paper's editors and the paper became extremely popular and successful. When John Murphy Sr. died in 1922, his son Carl Murphy took control of the *Afro*, and under his direction, "the paper "grew from a Baltimore weekly to a national chain." Carl Murphy, a member of both the Maryland Interracial Commission (the first organization of its kind in the nation) and one of Black Baltimore's most respected and powerful families, provided a bridge between the earlier generation of activists and those coming of age. While the *Afro* was distributed nationally, Murphy, as editor, produced a local political line and agenda

¹⁸ Bruce Thompson, "The Civil Rights Vanguard: The NAACP and The Black Community in Baltimore, 1931-1942," Ph.D. Dissertation, University of Maryland, College Park, 1996, p. 70.

during the 1920s that helped inspire and direct Baltimore's black freedom movement as it matured and expanded during the 1930s.¹⁹

Appearing in each copy of the *Afro* above the editorial section from the 1928 to 1942 was a list of issues that the paper and its editor supported. The first of the seven items was the hiring of "Colored police men and women and firemen." Dedicated to his ever-growing newspaper, Murphy's activism was largely conducted behind the scenes and consisted of advising, financially backing, and coordinating and publicizing specific campaigns. In 1932, for example, the *Afro* publicized a registration drive that produced nearly 6,000 new black voters. With regard to the hiring of Black police and firefighters, however, campaigns through the press proved less effective. Continuing a trend begun under his father's leadership in 1900 when the *Afro* began calling for the hiring of black police in Northwest Baltimore, Carl Murphy, during the 1920s and 1930s, produced several feature articles on cities that employed Blacks successfully in civil defense position, including several further South. The *Afro*'s position was that Black officers would better understand the people and communities they served, curb police brutality, and help alter the negative perception and lack of trust many Blacks had in the Police Department. Similar articles regarding the Fire Department appeared as well, but less frequently. In both cases, however, the *Afro* stressed that black Baltimoreans not only had a right to have access to jobs that their tax dollars funded but also deserved equal treatment and protection from city agencies in their respective neighborhoods, services

¹⁹ Bruce Thompson, "The Civil Rights Vanguard: The NAACP and The Black Community in Baltimore, 1931-1942," pp. 59-60; Haywood Farrar, "See What the Afro Says: The Baltimore Afro-American, 1892-1950;" Karen Olsen, "Old West Baltimore: Segregation, African-American Culture, and the Struggle for Equality," in *The Baltimore Book: New Views of Local History*, Eds., Fee, Shope, and Zeidman (Philadelphia: Temple University Press, 1991), p. 67.

that due to the prevalence of racism in the city and past experiences with police and fire department negligence, demanded black representation.²⁰

Articles and exposés in the *Afro* raised awareness, outrage, and activism in the Black community, but failed to produce even a public hearing on Black inclusion, let alone the desired result. The efforts of civil rights groups prior to the late 1930s were similarly limited. In 1930, for example, the Baltimore Urban League (BUL) petitioned Baltimore's Fire Board for a meeting regarding the hiring of African Americans, but was ignored. The BUL continued to pressure the city, its Mayors, and the Board of Fire Commissioners throughout the 1930s, but its efforts continually were rebuffed.²¹

Efforts to gain black representation in the police department were more successful. Spurred by the successes and enthusiasm for the "Don't Buy Where You Can't Work" campaigns and the tremendous success and growth of the City-Wide Young People's Forum (1932-1942), the Baltimore NAACP, after years of limited support and ineffectiveness, reorganized in 1935. With tactical, financial, and editorial support from the *Afro*, the Baltimore NAACP, under the tireless leadership of Lillie Mae Jackson, expanded rapidly and made concerted efforts to broaden its activities, membership, and connection to Black Baltimore's institutions and people.²²

During the 1930s, the City-Wide Young People's Forum, led by Lillie Mae Jackson's daughter, Juanita, held numerous informational meetings, several of which

²⁰ Bruce Thompson, "The Civil Rights Vanguard: The NAACP and The Black Community in Baltimore, 1931-1942," pp. 60-1; Haywood Farrar, "See What the Afro Says: The Baltimore Afro-American, 1892-1950," pp. 294-5.

²¹ "First Ten Men Appointed to Fire Department," *Baltimore Afro-American*, October 17, 1953.

²² Andor Skotnes, "The Black Freedom Movement and the Workers Movement in Baltimore, 1930-1939," p. 82.

addressed the employment of black municipal employees. In 1932, members of the Forum, after being addressed by Mayor Howard Jackson, began pressing the Mayor regarding “his position on hiring blacks as fire fighters, police officers, and clerical workers. While “Mayor Jackson side-stepped the issue,” Forumites continued to press the issue in the years ahead. Harry Nice, a Republican gubernatorial candidate in the 1934, promised during a speech to the Forum that he would hire a fair-minded man to run the city’s state run Police Department if elected. Following Nice’s election, the Forum attempted to hold the governor to his word by gathering 5,000 signatures on a petition calling for the hiring of black police and the installment of a sympathetic commissioner. While the governor stalled, Black Baltimoreans pressed forward. In 1937, the Maryland League of Republican Voters, in conjunction with the NAACP, opened a training school in 1937 to help prepare black applicants for the entrance exam. Endorsed by the *Afro*, the training program trained 183 men and women within a year. In 1937, one of the program’s participants, Violet Whyte became Baltimore’s first black police officer. A year later, four black men also gained jobs in the department. All five, however, were refused uniforms, only allowed to arrest blacks, and were denied weapons until 1942 when the NAACP and Urban League joined forces to rectify these inequities.²³

While inclusion within the police department was token inclusion at best, the success of the campaign did signify the increasing political power and effectiveness of Baltimore’s black freedom struggle. Learning from this prior success, civil rights groups began coordinating their activities to help eliminate Jim Crow in the fire service as well.

²³ Haywood Farrar, “See What the Afro Says: The Baltimore Afro-American, 1892-1950,” pp. 250 & 294-95; Bruce Thompson, “The Civil Rights Vanguard: The NAACP and The Black Community in Baltimore, 1931-1942,” pp. 53 & 249-50.

By the early forties, the BUL, in conjunction with the NAACP, began recruiting African Americans to take the civil service examination for the fire department, the first stage of securing a position within the department. In 1944, Trust Brown became the first African American to achieve a passing grade on the examination, but was subsequently passed over by the Fire Board. Departmental regulations required that the Civil Service Commission present to the Fire Board four more names than the number of vacancies available. For example, if one man was to be hired, the Fire Board received a list of five men to select from. If ten men were to be hired, the Board was presented with fourteen names to select from. In the past, this arrangement helped strengthen nepotism and political favoritism, but was now specifically being used to bypass black qualifiers.²⁴

Working in unison with the BUL, the NAACP requested conferences with the city's Board of Fire Commissioners in 1946 and in 1947. As had been the case in the past, these requests were brushed aside. In order to force the Fire Board to confront the issue, the BUL and NAACP attempted to stack the hiring lists with as many black firefighter candidates as possible to create a situation in which the Fire Board or Civil Service Commission would have to choose between upholding civil service procedures or blatantly violating their own regulations. After being rebuked by the Fire Board in January 1947, the BUL's Labor Department, with the help of Black fire fighters from New York, set up training classes to prepare individuals for the exams. These training programs, however, met with less success than the previous drive for police applicants.

²⁴ *Baltimore Afro-American*, 17 October 1953; Baltimore Urban League, *Baltimore Urban League Annual Report: 1947* (Baltimore: Baltimore Urban League, 1947) p. 7; "Plea to Recruit Negro Firemen is Rejected," *Baltimore Sun*, Evening Edition, 10 Jun 1949.

While only 30 potential candidates attended the sessions, fourteen men passed the examination in 1947 and became eligible for employment.²⁵

While the reasons behind the relatively low turnout are unclear, it may be assumed that timing, the economy, and the notorious reputation of the Fire Department within the Black community help account for the discrepancy. The police drive, for example, had taken place in the midst of the Depression. Jobs were scarce and civil service positions offered not only employment, but job security as well. In contrast, the campaign to recruit potential black fire fighters occurred after the color line had been broken in many now thriving industries, industries that were benefiting and expanding with the economic boom created by World War II. “By the end of the war, companies that had once excluded blacks were advertising in the *Afro-American*, although according to the BUL’s Alexander Allen, it was ‘the economics of the situation’ more than Roosevelt’s ‘fair employment’ Executive Order 8802 that final cracked Baltimore’s segregated shop floors. Some companies just ran out of workers to hire,” Allen recalled. Another factor, however, was that the BUL’s program was intentionally selective and had specifically sought men with military experience and/or some degree of college education to ensure that enough blacks would place high enough on the list to create the dilemma desired.²⁶

²⁵ Baltimore City Board of Fire Commissioners (Hereafter referred to as BCBFC), *Minutes*, 15 January 1947; BCBFC. *Minutes*, 21 September 1946; *Baltimore Afro-American*, 17 October 1953; Baltimore Urban League, *Annual Report*: 1947. p. 7; Interview with Vincent Julius, October 17, 2003; Baltimore Urban League, *The Baltimore Urban League: 50 Years of Service to Baltimore* (Baltimore: Baltimore Urban League, 1974), p. 6.

²⁶ Kenneth Durr, *Behind the Backlash: White Working-Class Politics in Baltimore, 1940-1980* (Chapel Hill: University of North Carolina Press, 2003), p. 25.

The BUL's plan worked - at least in theory. When possible, however, the Fire Board continued to side-step black applicants as it had before. When the position of black applicants prevented such maneuvering, the Fire Board merely invalidated and returned the list to the civil service, opting to hire no one rather than include African Americans. Undeterred, the following year the BUL requested that the city provide information regarding the number of African Americans employed in civil service positions. When the Executive Secretary of the Fire Department made public that "no colored persons are currently employed by the Fire Department service," a meeting was called between BUL President Sidney Hollander, his staff of three, and Baltimore's newly elected Mayor, Thomas D'Alesandro Jr. Two weeks after the meeting, Hollander, in a letter to the Mayor, stressed that black inclusion into the Fire Department would "help calm a situation that is causing a lot of bad feelings" among Baltimore's expanding black population and voting bloc.²⁷

Democrat Tommy D'Alesandro was a native of Baltimore's Little Italy and former ward healer who had broke with Baltimore's Democratic machine prior to running for Congress in 1938. During the mid to late 1930s D'Alesandro had refashioned himself into Baltimore's preeminent New Deal politician, and enthusiastically supported New Deal programs, organized labor, and the causes of working people in general throughout his tenure in the nation's capital. While in Washington, however, a more liberal, local-based New Deal coalition, led by Republican Theodore McKeldin, who was backed by a

²⁷ Baltimore Urban League, *The Baltimore Urban League: 50 Years of Service to Baltimore* (Baltimore: Baltimore Urban League, 1974) p. 6; BCBFC, *Minutes*, 26 February 1953; BCBFC, *Minutes*, 15 January 1947; "Baltimore Urban League to Mayor," Thomas D'Alesandro Jr. Papers, Baltimore City Archives, Series 23, Box 282, File 156; "Mayor to the Baltimore Urban League," D'Alesandro Jr. Papers, Baltimore City Archives, Series 23, Box 282, File 156.

consortium of civil rights and progressive organized labor groups, ran against the incumbent - machine aligned Mayor Howard Jackson - and won. During this election, former Curran machine stalwarts in white ethnic communities in East Baltimore like D'Alesandro's own Little Italy had reversed party affiliation to back McKeldin and his liberal platform. As Kenneth Durr has explained, the success of Baltimore's local "New Deal coalition" not only temporarily broke the old-guard machine, but also altered the course of Baltimore's politics for years to come:

From that point on, factional bosses who relied on the support of labor and ethnic groups took control over Baltimore's Democratic politics. Previously white working-class votes could be bought cheaply, but the liberal organizations demanded legislation instead of favors, ensuring that statewide, Bourbon-Baltimore Democratic coalitions would become hard to maintain.²⁸

D'Alesandro, a vigorous supporter of New Deal policies and the cause of labor during his stint in Congress, benefited greatly from his New Deal advocacy in Congress - particularly his support of organized labor – and Baltimore's political shift. Considered a voice of the working-class, upon his election to Mayor in 1947, "blue collar Baltimoreans began to feel represented rather than just appeased...and that their voices were being heard." D'Alesandro's working-class support, however, was decidedly white. Whereas "Tommy" garnered 68% of the vote in white working-class wards, only 44% of voters in black wards had broken with their traditional party to support the East Baltimorean Democratic candidate. D'Alesandro was approachable and aware of the significance of the Black vote. Despite making himself available to civil rights organizations and their

²⁸ Durr, *Behind the Backlash: White Working-Class Politics in Baltimore, 1940-1980*, p. 23; Also see Jo Ann E. Argersinger, *Toward a New Deal in Baltimore: People and Government in the Great Depression* (Chapel Hill: University of North Carolina Press, 1988); Argersinger, "Toward a Roosevelt Coalition: The Democratic Party and the New Deal in Baltimore," *Maryland Historical Magazine* (Winter 1983): 299-318.

concerns early in his first term, but did little to rectify such problems, including in the fire department.²⁹

Six months after receiving Hollander's letter, Mayor D'Alesandro requested that the Fire Board conduct a hearing with the BUL to discuss the possibility of appointing African Americans to the Fire Department. At the hearing, the BUL presented the case for racial inclusion by citing numerous cities in the South that had included African Americans in their departments with great success. These included Mobile, Alabama (1921), Louisville, Kentucky (1923), Nashville, Tennessee (1885), Charleston, South Carolina (1874), and most importantly, Baltimore's neighbor, Washington D.C. Despite these examples, Baltimore's Fire Board was in no hurry to either integrate their ranks or allow for Black inclusion. The Board announced that it would "adhere to the same policy that was established by previous Fire Boards for appointment of eligibles to positions as firemen," a policy that the *Evening Sun* opined had continually "disregarded the names of Negroes who appeared on the civil service list when making appointments to the department."³⁰ Disgusted, Carl Murphy, in an article in the *Afro* later in the year, celebrated the presence of "the 900-odd colored firemen who help man the hoses and fight the blazes in 43 cities across the nation," but chastised "backwards cities like Baltimore" that "have not opened firemen jobs to colored citizens."³⁰

²⁹ Durr, *Behind the Backlash: White Working-Class Politics in Baltimore, 1940-1980*, pp. 55-6.

³⁰ BCBFC, *Minutes*, 12 May 1949 & 26 February, 1953; "Baltimore Urban League Newsletter," D'Alesandro Papers, Baltimore City Archives, Series 23, Box 282, File 150; BCBFC, *Minutes*, 26 February 1953; *Washington Bee* (Oct., 17, 1891); *Washington Bee*, 11 November 1899, p. 4; *Baltimore Sun*, Evening Edition, 10 June 1949; *Baltimore Afro-American*, 15 October 1949; Baltimore Urban League, "Report to the Industrial Department, November 10 to January 1950." National Urban League Papers, Library of Congress, Washington D.C., Series 13, Box 5.

The Board's disheartening decision also prompted the BUL and Americans for Democratic Action, a liberal civic organization committed to integration, to write the Mayor to voice their disappointment with the lack of progress in breaking racial barriers to the Fire Department as well as in other city agencies. Other groups chimed in as well. In 1951 the American Council on Human Rights chided the Mayor for failing to bring an end to Jim Crow in Baltimore, reminding him that he would soon have to defend his record in the upcoming election. Although unsuccessful in its attempts to break the color barrier in the department during the first several years of the D'Alesandro administration, the BUL had laid important groundwork for the years ahead. First, it had finally communicated directly with the Fire Board. Second, beginning with its 1949 Annual Report, the League had set integration of the Fire Department as one of its top priorities. Furthermore, the BUL had gained an assortment of allies and contacts with other civil rights groups. Together, these groups made the Mayor aware of the importance of the issue to Baltimore's Black voting bloc, and would continue to remind him in the years ahead.³¹

While D'Alesandro had won in 1947 without extensive black support, changing demographics within the city during the 1940s forced him gradually to increased his attention to matters of discrimination and segregation. Between 1940 and 1950 Baltimore experienced one of the largest gains in non-white population of any major city. Non-whites increased by 99,658, expanding the city's total non-white population to

³¹ Americans For Democratic Action to Mayor, D'Alesandro Papers, Baltimore City Archives, Series 23, Box 282, File 158; American Council on Human Rights to Mayor, D'Alesandro Papers, Baltimore City Archives, Series 23, Box 282, File 158; Baltimore Urban League, *Baltimore Urban League Annual Report, 1949* (Baltimore: Baltimore Urban League, 1949), p. 13; Steven Gillon, *Politics and Vision: The ADA and American Liberalism, 1947-1985* (New York: Oxford University Press, 1987)

266,053, while the white population increased only by 30,959 to a total of 723,655. By the mid 1950s, his trend was Not only was Baltimore's black community the most populous ethnic community in Baltimore, it was also extremely well organized and unified. By 1946, for example, Baltimore's NAACP had 18,000 paid members and was the second largest branch in the country. While Baltimore's Black population had always been the largest racial or ethnic minority group within the city, white out-migration, increases in the percentage of the city's black population, and a strong-knit civil rights movement had helped to establish the Black voting bloc as a powerful and influential segment of the voting population that could be ignored only at a politician's peril.³²

Mayor D'Alesandro Jr. apparently got the message. As election time approached in 1951, the Mayor greatly increased his support for policies aimed to improve socio-economic opportunities for African Americans. With the Mayor's support, the BUL was able to successfully broker several African American firsts in both the private and public sectors: African American cab drivers, an intern in Pediatrics at City Hospital, nurses at U.S. Marine hospital, an X-ray technician at Sinai Hospital, the placement of a law stenographer, and even a promotional representative for a local brewery. By supporting the work of the BUL and other civil rights groups, the Mayor secured the support of Baltimore's African American voting bloc, and easily won his reelection bid.³³

The strength of the moral message passed onto the Mayor by civil rights organizations as well as the emerging power of the African American voting bloc surely

³² *An American City in Transition* (Baltimore: The Sidney Hollander Foundation, 1960), p. 21; *Baltimore Afro American*, 20 September 1952; Bruce Thompson, "The Civil Rights Vanguard: The NAACP and The Black Community in Baltimore, 1931-1942," p. 368.

³³ Maryland Commission of Equal Opportunity, *Toward Equality; Baltimore's Progress Report* (Baltimore: The Sidney Hollander Foundation, Inc. 1960), p. 24.

influenced D'Alesandro. Economic factors, however, warmed him to the idea of integrating the Fire Department. Population growth and widening city boundaries required an expansion of city services (fire, police, highways, schools, sewer systems, etc). In fact, the Baltimore Committee on Governmental Efficiency and Economy had recommended such expansion as early as 1948. As a result, from 1948 to 1953, the city of Baltimore had increased spending on police, fire, and civil defense by 41%. Spending for the Fire Department increased 36%, slightly less than the overall average, but significant amount nonetheless.³⁴

As the city government expanded public services to meet the needs of the city, it also faced growing manpower shortages. Manpower problems in the fire department had existed for a number of years, and had been compounded during the 1940s when hiring lists were invalidated to ensure that no Black men were allowed to enter the department. By 1952, however, the National Association of Fire Insurance Underwriters (NAFIU) had grown impatient with the city, and brought the issue to the forefront by informing the city that fire insurance rates would escalate dramatically if they continued to fail to properly staff the department. NAFIU told the city that approximately 200 new firemen were needed in order for the city to avoid fines and rate increases. The city could not afford to ignore the NAFIU. Baltimore's debt had grown exponentially with the city

³⁴ "Baltimore Commission on Governmental Efficiency and Economy, Recommendations," 1948, Baltimore Commission on Governmental Efficiency and Economy Papers, Langsdale Library Archives, University of Baltimore, Baltimore, Md., Series V, Box 24.

during the 1940s and 1950s, and the city could ill-afford to not adequately protect newly annexed areas or the costs that would accrue if it didn't.³⁵

Competition from private industry and white-collar jobs further compounded the department's manpower problems. Many whites were gaining entrance into higher paying, private sector service positions. Also, many of the whites that the Fire Department appealed to often had a difficult time passing the civil service examination. In 1952, for example, only one of every five men to take the department's civil service examination achieved a passing grade. In response, the Baltimore's firemen's union, AFL Local 734, began a campaign to have the entrance tests simplified, despite the fact that the department already only required a sixth grade education to qualify to take the test. As a result, within ten days the Fire Board agreed to go back to the easier examination that had been used three years prior.³⁶

At the same time, the firemen's union was also actively fighting for a decrease in their hourly workload. In 1952, Baltimore's firefighters worked 67 1/2 hours per week. In what became an intense political battle between the Mayor and his political rivals, Local 734 and the City Council Labor Committee proposed an ordinance that called for a 48-hours per week. If successful in decreasing each firemen's weekly shift from 67 1/2 hours to 48 hours, as requested by union leader Raymond Fogarty, the number of men

³⁵ Baltimore Urban League, *Baltimore Urban League Annual Report, 1953* (Baltimore: Baltimore Urban League, 1953) p. 7; *Baltimore Sun*, Evening Edition, 1 October 1952; National Fire Insurance Underwriters to Baltimore Commission on Governmental Efficiency and Economy, 1952, Baltimore Commission on Governmental Efficiency and Economy Papers, Langsdale Library Archives, University of Baltimore (Baltimore, Md.), Series V, Box 23.

³⁶ Malcolm Getz, *The Economics of the Urban Fire Department* (Baltimore: Johns Hopkins University Press, 1979) p. 69; *Baltimore Sun*, Morning Edition, 12 December 1952; *Baltimore Sun*, Evening Edition, 23 December 1952.

needed to satisfy the NAFIU standards would dramatically increase. Realizing the economic impact the ordinance would have, Mayor D'Alesandro vetoed it. The veto, however, nearly was overturned by the City Council. During the legislative battle that ensued, Local 734 President Raymond Fogarty, several city politicians, and members of the striking sanitation department battled the Mayor tooth and nail. While aligned with labor in the past, D'Alesandro had little patience for public sector unions threatening to strike or cause problems for the city. D'Alesandro portrayed these public sector unions as irresponsible bodies attempting to highjack the taxpayers who would be made to foot the bill. By and large, the general public, including members of private sector unions agreed, thus distancing D'Alesandro from any obligation he might have previously felt to the fire fighter's union.³⁷

No one better understood the significance of the confluence of these developments than the BUL. In the organization's 1953 Annual Report, they spelled out what the integration of the Fire Department would mean: "1) more men will be available to make our city safe at a time of manpower shortages, 2) the city would be able to avoid penalties from the National Association of Fire Insurance Underwriters, 3) the discarding of the 95 year tradition of excluding Negro men from the Fire Department."³⁸ The organization had been waiting since 1930 for an opening from which they could finally break the department's color barrier. That fissure finally appeared on January 23, 1953, when the official A.F.L. weekly for Maryland, the *Federationist*, reported the following

³⁷ *Baltimore Sun*, Morning Edition, 1 December 1952; *Baltimore Sun*, Evening Edition, 10 December 1952; *Baltimore Sun*, Evening Edition, 15 February 1953; *Baltimore Sun*, Morning Edition, 25 February 1953. Kenneth Durr, *Behind the Backlash: White Working-Class Politics in Baltimore, 1940-1980*, p. 79.

³⁸ *Baltimore Urban League, Annual Report, 1953*; p. 7.

statement from a member of the Baltimore Federation of Labor (BFL) regarding integration:

Pointing to the fact that Negroes have served with distinction in various departments of municipal, state and federal governments as well as in privately owned public facilities, Baltimore Federation of Labor (BFL) delegates voiced no objection to employment of Negroes as firefighters.³⁹

Almost immediately after, on February 4, 1953 the BUL petitioned the Mayor again to arrange a meeting between the BUL, the Board of Fire Commissioners, and representatives from Local 734 for "the purpose of further discussing the hiring of Negro fire fighters who qualify themselves through regular channels." Two days after receiving the letter, D'Alesandro forwarded it to the Board of Fire Commissioners, instructing them to "arrange the conference as desired, letting me know the date that you select."⁴⁰

President William Passano, Executive Secretary Furman Templeton, BUL member and long time integration advocate, Father William Casserly, and the BUL's Industrial Secretary, Fred Nichols represented the BUL at the meeting, and were joined by Baltimore Fire Officer's Association President Elmer Kestling and members of his staff, Baltimore Fire Fighter's Association President Raymond Fogarty and his staff, and the Board of Fire Commissioners, consisting of President Frank Bauer and Commissioners James Lacy Sr. and William Hilgenburg. Only Father Casserly and Mr. Bauer had been

³⁹ Baltimore Federation of Labor, *The Federationist*, 23 January 1953; BCBFC, *Minutes*, 26 February 1953.

⁴⁰ "Baltimore Urban League to the Mayor," 4 February 1953, D'Alesandro Jr. Papers, Baltimore City Archives, Series 23, Box 282, File 156; BCBFC, *Minutes*, 26 February 1953; BCBFC, *Minutes*, 11 February 1953.

present at the 1949 meeting. The BUL began the February 26th meeting by issuing the following statement:⁴¹

We respectfully suggest to the Board of Fire Commissioners that they become sensitive to these changing times in Baltimore and act in accordance with the will of the majority of Baltimore citizens and take the lead in this municipal employment rather than be forced into it by public opinion.⁴²

The BUL again presented data on how other southern cities – including St. Louis, Kansas City, and Washington D.C. - were beginning to discuss shifting from segregated companies to completely integrated departments. Furthermore, the BUL informed the Fire Board, much to their surprise, that "fifteen Negroes" had recently taken the entrance examination. After disclosing this fact, Passano pushed forward, and asked: "Assuming that some of those fifteen are approved by the City Service Commission, will your board pass them for employment?" Nobody associated with the Fire Department dared to answer the question directly during the meeting. When Mr. Templeton asked union president Fogarty if his association had a position regarding the integration of the department, his reply was simply, "no." Mr. Kestling, president of the Officer's Association, was less direct, saying that he would have to consult his constituency before issuing a statement, a position Fogarty later adopted.⁴³

During the meeting, both union groups claimed that they and their membership had never discussed their views regarding integration. Reflecting back four decades later, John O'Malley, a white fire fighter who entered the department in 1941, concurred,

⁴¹ BCBFC, *Minutes*, 11 February 1953; BCBFC, *Minutes*, 26 February 1953; Baltimore City Board of Fire Commissioners to Mr. William Passano, Executive Director, BUL, 18 June 1953, National Urban League Papers, Library of Congress, Washington D.C., Series 1, Box 80.

⁴² Ibid.

⁴³ BCBFC, *Minutes*, 26 February 1953; *Baltimore Sun*, Morning Edition, 27 February 1953.

stating, "We just didn't think about the possibility, we were just so lily-white."⁴⁴ With regard to the article in *The Federationist*, President Fogarty asserted that the B.F.L. had overstepped its boundaries in making a statement that allegedly spoke to the position of Local 734. After less than an hour, the meeting was then adjourned with the understanding that both unions would discuss the matter with their constituencies, and at a later date would issue a formal statement on their positions regarding integration to both the BUL and the Board of Fire Commissioners.⁴⁵

The Baltimore Fire Officers Association submitted the results of a unanimous vote against integration during an April 9, 1953 meeting with the Fire Board, reading the following proclamation: "Resolved, that because of the manner in which the working conditions and hours of employment of the department are at present conducted, it is deemed inadvisable that members of the colored race be appointed to the Fire Department of Baltimore City at this time." At this same meeting, the Board proceeded to inform both union presidents that the department would be "unable to legally avoid the admittance of blacks into the department in the future." The Fire Department's Executive Secretary, Pinky Wilkinson, a former fireman himself, offered a glimmer of hope to whites as the meeting closed, by remarking, "the subject. . .will be given due consideration and such action taken as may be deemed advisable."⁴⁶

The Mayor's role in this turn of events became apparent in a letter from the BUL thanking the Mayor for his "helpful efforts." Apparently, the Mayor had explained to the Fire Board that: 1) he appointed them and could fire them as well, and 2) that for several

⁴⁴ John T. O'Malley, interview with author, 17 March 1997, in author's possession.

⁴⁵ BCBFC, *Minutes*, 26 February 1953; *Baltimore Sun*, Morning Edition, 27 February 1953.

⁴⁶ BCBFC, *Minutes*, 9 April 1953.

reasons, both pragmatic and idealistic, he had to integrate the department at this particular time. The Mayor's involvement, however, had taken place mainly behind closed doors for the purpose of creating the illusion that the Fire Board was solely responsible for the decision. David Glenn, who helped broker the deal with the Mayor while working as Fred Nichol's Industrial Relations Assistant at the BUL, recalled D'Alesandro telling him: "Tell all my friends and all the friends of civil rights what I'm doing. But, don't make this generally known, and don't go out making any speeches." Thus, the Mayor sought to avoid drawing the ire and attention of the many anti-integrationist members of his largely white working-class constituency while also appealing indirectly to left-wing, liberal, and most importantly, African American voters.⁴⁷

Lillie Mae Jackson, President of the Baltimore Chapter of the NAACP, then pressed the issue further by submitting a letter to the Fire Board warning that legal action would be pursued if immediate steps weren't taken to employ African Americans. Not long after, on May 15, 1953, African American James Carter placed first on the eligibility list for employment in the Fire Department. As a result, the Board of Fire Commissioners was finally compelled to officially state their position regarding integration. On June 18, 1953 the decades of work by the BUL, NAACP and others was finally rewarded when the Board of Fire Commissioners issued a statement to the press that confirmed that the department would hire African Americans. Questions, however, still remained. The black community expressed immediate concerns about how the men

⁴⁷ "Baltimore Urban League to the Mayor," D'Alesandro Papers, Baltimore City Archives, Series 23, Box 282, File 158; Interview with David Glenn, 24 April 1997; For more on D'Alesandro's political coalition, popularity, and appeal to Baltimore's white working class, as well as the city's white working class's general political stance regarding the local civil rights movement, see Kenneth Durr, *Behind the Backlash: White Working-Class Politics in Baltimore, 1940-1980*.

would be received and assigned, as was evident in an editorial published in the *Afro American* which appealed publicly to the Mayor and the Fire Board not to form segregated companies.⁴⁸

At the same time, the BUL and the Baltimore Civil Service Commission (CSC) began actively to publicize future examinations to increase the number of African American applicants. To attract more men, the CSC circulated flyers throughout the summer announcing a starting wage of \$3,600 per year, paid vacations, a pension program, and test credits for those who had served in the armed services. At the same time, the BUL, through the *Afro American* and *Baltimore Sun*, frequently advertised upcoming examinations and job opportunities in the Fire Department. Aside from the media, the BUL also used word of mouth to inform Baltimore's African American male population of the coming opportunity. Many of the men who eventually became fire fighters recalled BUL representatives such as David Glenn, Fred Nichols, and Furman Templeton walking through neighborhoods and asking men to take part in the examinations, particularly those with military backgrounds who were eligible for credits. Most African American applicants took the test without having any prior knowledge about fire fighting. David Echols, who entered the department in 1954, noted in

⁴⁸ BCBFC, *Minutes*, 30 April 1953; *Baltimore Sun*, Morning Edition, 20 June 1953; *Baltimore Sun*, Evening Edition, 15 May 1953; *Baltimore Afro-American*, 20 June 1953; BCBFC, *Minutes*, 19 June 1953; *Baltimore Sun*, Morning Edition, 19 June 1953; *Baltimore News American*, 20 June 1953; *Baltimore Afro-American*, 27 June 1953; Baltimore City Board of Fire Commissioners to William Passano, Executive Director, BUL, 18 June 1953, National Urban League Papers, Library of Congress, Series 1, Box 80; Lester Granger to Mr. R. Maurice Moss, 19 June 1953, National Urban League Papers, Library of Congress, Series 1, Box 80.

retrospect, "I only took it (the examination) because I was asked to take it. It wasn't a job I was especially interested in because I knew nothing about the job."⁴⁹

Ironically, James Carter never did get an opportunity to become a firefighter. He was initially passed over by the civil service while the Fire Board was still debating how to assign African Americans. Then, on September 19, 1953, Carter was recalled to the armed service. As a result of Carter's departure, African American Charles Scott became the highest ranked man on the civil service list. Then, on October 17, 1953, the Fire Department announced the placement of Scott and nine other African American men into the Fire Department. The Fire Board, however, remained unsure about what type of policy it would implement, as was made evident by Fire Board President Frank Bauer, who remarked, "the Board has not decided yet whether to maintain separate Negro companies. At present," he added, "there are not enough trained men to make up such companies and the ten appointed by the Board yesterday will be assigned in white companies." The first ten African American men to join the department were: Louis Harden, Ernest Barnes, Charles Scott, Charles Miller, George McKnight Jr., Roy Parker, Lee Babb, Cicero Baldwin, and Earl Jones. These men ended the Fire Department's long-standing policy of racial exclusivity when they officially became probationary Baltimore City firefighters on October 21, 1953. Within a year and a half, four new classes which contained large numbers of African Americans joined these ten gentlemen. By the end of

⁴⁹ *Baltimore Sun*, Morning Edition, 20 June 1953; *Baltimore Afro-American*, 20 June 1953; *Baltimore Sun*, Evening Edition, 16 October 1953; Interview with James Edwards, 20 March 1997; Interview with David Echols, 14 March 1997; Interview with Charlie Thomas, 29 March 1997; Interview with Herman Williams, 24 March 1997; Interview with David Glenn, 24 April 1997.

1954, in fact, the number of African Americans in the department had grown to eighty-eight.⁵⁰

The first four classes of African American men, were moved to take positions with the Fire Department by two factors, the desire to secure a steady, good paying job, and to help confront the color barrier both within and outside the department. For a large majority of African American fire fighters, the \$3,600 per year salary was significantly higher than their previous salaries. Financial security was not their only motive. In fact, some African Americans took significant pay cuts to be a part of the integration effort. Herman Williams, for example, held a substantially higher paying position at Baltimore Transit, where he had been one of the first African American drivers in 1952. At the time he joined the Fire Department in 1954, Mr. Williams had been making \$5,200.⁵¹ Williams recalled that his decision to enter the department had hinged mainly on his involvement with the BUL and his commitment to the freedom struggle:

I became a firefighter because the Urban League, once again, was still trying to break the color barriers. So they asked a bunch of us guys, maybe thirty or forty of us to go down and take the test. . . I went into the Fire Department and left the

⁵⁰ *Baltimore Afro-American*, 17 October 1953; *Baltimore Sun*, Evening Edition, 16 October 1953; *Baltimore Sun*, Morning Edition, 20 June 1953; List of first three classes compiled by Vulcan Blazers, Baltimore, Md., in author's possession; *Baltimore Sun*, Evening Edition, 16 October 1953; *Harper v. Baltimore City Council and Mayor*, #71-1352-y, U.S. 4th Circuit Court (Baltimore, Md.) December 1971 (This citation refers to the papers and evidence presented during the case that are stored by the federal courts rather than the court's recorded opinion alone); Interview with Roy Parker, 6 February 2002; Furman Templeton, Executive Director, Baltimore Urban League, to Mr. R. Maurice Moss,, Associate Executive Director, National Urban League, 22 December 1953, National Urban League Papers, Library of Congress, Series 1, Box 81.

⁵¹ Interview with James Edwards, 20 March 1953; Interview with David Echols, 14 March 1997; Interview with James Crockett, 12 March 1997; Interview with John T. Murray, 19 March 1997; Interview with Ed Heckenrote, 4 April 1997; Interview with John T. O'Malley, 17 March 1997; Interview with Herman Williams, 24 March 1997.

transit company not because I wanted to be a firefighter, but it was all a part of being with the Urban League, breaking down the color barrier.⁵²

While Williams may or may not have been aware of it at the time, he stood to gain more economically in the fire department over time. With time-in increments, his salary would approach that of his previous job, while his hours later provided him with the opportunity to work a second job and thus secure a second income. Moreover, the fire department, at least theoretically, offered more room for advancement.

Since no African American had ever been a fire fighter in Baltimore, few of the men had given much thought to the occupation or even knew what it entailed upon entering. Of the eighteen African American members of the first three groups to enter the department interviewed for this study, only one had prior fire fighting experience, which he had obtained while in the Air Force.⁵³ Most of the men reported to the department with no experience, few expectations, and a "wait and see" attitude. They did realize, however, that as the trailblazers in this groundbreaking shift, they would face fierce resistance. Charles Thomas, a member of the third class with black trainees, recalled the mindset of he and his peers when they entered the department:

We wanted to become firemen because it was a challenge. . .The Fire Department started in 1859 . There were no blacks in the department until we came along, October 17, 1953 - 94 years later. We were met with stern opposition. I guess most of us expected that - it was a job that blacks had never been on.⁵⁴

All men who joined underwent the same thirteen-week training regiment, which included weekday sessions at "fire school" and assignments to specific firehouses for "hands on

⁵² Interview with Herman Williams, 24 March 1997.

⁵³ Interview with James Edwards, 20 March 1997.

⁵⁴ *Baltimore City Paper* 16 February 1997 p. 18; Interview with Charlie Thomas, 29 March 1997.

training" every Saturday. During the early fifties the "fire school" was located in the back of 36 Engine Company, on Bentlou St. and Edmondson Ave. Here, classes of cadets ranging in size from 40 to 65, learned about the rules and regulations of the department and were taught how to fight contained fires. "Fire school" was completely integrated, and included all the members of a given class. At the "fire school" most African American recruits were treated relatively fairly and few racial incidents occurred. In some classes camaraderie developed among trainees, both black and white, as the men joked with one another and challenged each other to perform better in drills. The semi-hospitable conditions found at fire school, however, did not carry over into the firehouses.⁵⁵

Designed to teach the cadets how to man the watch desk, perform in-house tasks, and fight fires, Saturday assignments usually turned into long, grueling days in which no one spoke to Black firemen other than to harass or make fun of them, tell them to clean something, or to stay near the watch desk to learn how to perform a given task. Both rank and file fire fighters and the heads of the department contributed to this maltreatment. Moreover, every firehouse to which African Americans were assigned had segregated facilities, complete with Jim Crow bathrooms containing toilets and face bowls reserved solely for African American usage.⁵⁶

⁵⁵ Interview with James Edwards, 20 March 1953; Interview with David Echols, 14 March 1997; Interview with Charlie Thomas, 29 March 1997; Interview with James Crockett, 12 March 1997; Interview with John T. Murray, 19 March 1997; Interview with Ed Heckenrote, 4 April 1997; Interview with John T. O'Malley, 17 March 1997.

⁵⁶ Interview with James Edwards, 20 March 1953; Interview with David Echols, 14 March 1997; Interview with James Crockett, 12 March 1997; Interview with Charlie Thomas, 29 March 1997; Interview with John T. Murray, 19 March 1997; Interview with Herman Williams, 24 March 1997; Interview with Ed Heckenrote, 4 April 1997; Interview with John T. O'Malley, 17 March 1997.

Down time is and has always been an integral part of firefighting. Most of one's time on duty is spent waiting for something to happen. Having compatible co-workers with whom to converse and pass the time is thus very important. Instead of good companionship, most, if not all, African American recruits were met with social ostracism and received cold stares when they reported for Saturday duty. Even the whites in their own training class separated themselves from the African Americans once in an assignment house, thus rooting themselves firmly with the department's old guard. White firefighters who wanted to talk with African American recruits faced the likelihood of being reprimanded or ostracized themselves by other white firefighters. As a result, most Black firemen remained socially isolated during their Saturday training sessions, and were not allowed to join the "second family" of the firehouse.⁵⁷

Most of the Black firemen who entered the department at this time knew very little about each other, and were often disappointed with the lack of communication between themselves and the relatively few established black fire fighters. Several factors contributed to this limited communication. It is reasonable to assume that some permanent assignees felt that the safest course was to avoid the ire of their co-workers by acquiescing to the pattern of ostracism established by the white veterans toward the black recruits. After all, once assigned permanently, the men had to work with hostile whites 67 1/2 hours per week, while the African American trainees were merely passing through. Not approaching the cadets may have seemed to be the easiest way for

⁵⁷ Ibid; Baltimore *City Paper*, 16 February 1997 p. 18.

established Black firemen to avoid further conflict and harassment from the men in their company.⁵⁸

Nonetheless, some established African American firemen did discuss the situation with newer recruits. Most of these conversations centered on job responsibilities or sharing information regarding tips on who was fair and trust-worthy in the department and who to avoid. During these interactions the men vented to each other about their experiences. As James Edwards pointed out, the communication barriers that existed early on were quickly broken down as the men spent more time together and got to know each other:⁵⁹

My Saturday assignments were at 11 Truck and 3 Hose, one of the busiest houses in the city. We had one or two black fire fighters that were assigned there. . .We sat around and talked about everything . We always discussed. We had no choice. We didn't really plot back then, it was just a matter of letting each other know what you're possibly going to run into, or what was happening in certain situations.⁶⁰

The men were reassigned to permanent stations after completing their training period. It was in these companies that they spent the majority of their time at work, living with their respective companies and fighting fires when called upon. For equipment, firefighters wore a uniform while on watch, and had turn-out boots, a fire coat, and pants for fighting fires. All firemen were made to buy their own fire fighting equipment. As a result, many men began their jobs with equipment ill suited for fighting

⁵⁸ Interview with David Echols, 14 March 1997; Interview with Charlie Thomas, March 1997.

⁵⁹ Interview with James Edwards, 20 March 1997; Interview with James Crockett, 12 March 1997; Interview with John T. Murray, 19 March 1997.

⁶⁰ Interview with James Edwards, 20 March 1997.

fires.⁶¹ As David Echols, a career fire fighter who entered the department in 1954, recalled:

When we graduated from the school, we were issued civil-defense helmets to fight fire with no turnout gear or anything. I fought fires in a thick jacket and a pair of rubbers to go over my shoes. We had to buy our own clothes during that time. When the white fellows came out of school, they were loaned fighting gear to fight fires with and we would be hanging on the outside of the wagons with nothing on.⁶²

Unlike their white counterparts, very few African American recruits were offered equipment by veteran white firefighters. One exception was John Murray, who was provided with an overcoat by his Captain until he was able to get himself a turnout coat. Few if any white firefighters, however, provided Black firemen with official fire fighting gear, and unlike whites, they were made to carry what equipment they did have to work daily because Blacks were not allowed to leave their belongings in firehouses over night.⁶³

Disparities arose even while fighting fires. Blacks were often made to perform the least desirable tasks, such as being made to dethaw fire hydrants in winter, or to "lead off," the carrying, attaching, and returning of the heavy hoses to and from hydrants. Usually, the men with the least time in were given these duties; however, instead of less experienced whites, more experienced Black firemen were given these tasks. In spite of these practices, most Black firemen enjoyed their time spent fighting fires. It was during emergency situations that they were able to escape the tension found in many of their

⁶¹ *City Paper*, 16 February 1997 p.19.

⁶² Ibid, p. 20; Interview with David Echols, 14 March 1997.

⁶³ Interview with John T. Murray, 19 March 1997; *City Paper*, 16 February 1997 p.19; Interview with David Echols, 14 March 1997; Interview with Charlie Thomas, 29 March 1997; Interview with James Crockett, 12 March 1997; Interview with Herman Williams, 24 March 1997; Interview with Edgar Waddell, interview with author, 26 February 1997.

houses, and to establish their identities as firefighters and community workers and heroes.⁶⁴ Also, fire fighting provided one of the few opportunities where Black and white firefighters had to communicate, trust, and rely upon one another:

The fire fighting, or emergency work we did was a relief. In that situation you kind of leave everything behind you. . .to be continued. . .let's take care of this first, because the eyes of Baltimore City are on you. You need to be working efficiently, and as a unit in order to get the job done . . .it's hard to escape depending, because you are depending on each other to stay alive. Then, when we would get back, it went back to business as usual.⁶⁵

The civility of race relations in the houses followed the attitudes of the Captains in charge of each house. As a result, interpersonal relations and other conditions varied from house to house. However, in all houses In Baltimore, both "good" and "bad," Black firemen were made to use segregated toilet facilities and beds. Throughout most of the fifties, not even "good" captains in the quasi-military department were willing to break Jim Crow. In firehouses with a "good," or fair captain, African Americans were allowed to control the television, eat with the entire company, join the "coonskin" (a collection fund for household items used by firemen such as the T.V., condiments, food, coffee, etc.), and receive instruction about how to perform certain tasks or use different apparatuses. Perhaps most importantly, some "good" Captains had managed to create an environment in which interactions between officers and firemen were sterile and stern but fair.⁶⁶ In a 1997 interview, former Baltimore Fire Chief Herman Williams, recalled the

⁶⁴ Interview with John T. Murray, 19 March 1997; Interview with David Echols, 14 March 1997.

⁶⁵ Interview with David Echols, 14 March 1997.

⁶⁶ Interview with John T. Murray, 19 March 1997; Interview with James Edwards, 20 March 1997; Interview with David Echols, 14 March 1997; Interview with James Crockett, 12 March 1997; Interview with David Echols, 14 March 1997; Interview with Charlie Thomas, 29 March 1997; Interview with Herman Williams, 24 March 1997;

impact that his "good" Captain had on how he was treated and received at his first assignment:

When the captain of Engine 57 knew I was coming, he lined up all men and told them that they were going to treat me in a civil manner. He wasn't going to have any of that discrimination business in his fire house and anyone that didn't like it, could leave. . .he set the tone for how things were going to be. When I walked in the house, I wasn't greeted with open arms but there certainly wasn't any open hostility.⁶⁷

In "good houses" such as this, or even those with relatively friendly white firefighters, pioneer Black firemen still had to be on guard. Lindsey Washington Jr., a member of the first group of black fire fighters to enter the department, recalled that despite being assigned to a relatively hospitable firehouse throughout his nine-year career, "you never knew who your friends were, or if someone was being nice to you would turn around stab you in the back."⁶⁸

At "bad houses," African Americans faced an assortment of indignities such as being made to eat separately, use separate eating utensils, not being allowed to watch T.V., or not being allowed to participate in "the coonskin," and were subjected to an assortment of racial slurs and jabs. In some houses, African Americans weren't allowed to drink coffee, but were expected to make it for the rest of the house. Also, many African Americans dealt with other indignities such as having their beds short sheeted, having eggs put in their turnout boots, and numerous other petty but disturbing forms of hatred

Interview with Ed Heckenrote, 4 April 1997; Interview with John T. O'Malley, 17 March 1997.

The "coonskin," as described to me by Black firemen, got its name from a bygone era when the men in each company pooled together their funds by depositing equal shares into a coonskin cap.

⁶⁷ Interview with Herman Williams, 24 March 1997.

⁶⁸ Interview with Lindsay Washington Jr., 11 May 2002.

and resistance by whites. One of the more common "tricks" whites played was to leave the fire grounds for a fire without sounding the alarm or waking up an African American on duty. The penalty for missing a fire was a written reprimand, extra days of duty, and usually a fine.⁶⁹ The impact of being subjected to such a hostile environment was dramatic, as James Crockett, member of the third class of Black firefighters explained:

It is extremely hard, as a worker, sleeping and living in a house with men 14 hours at night, 10 hours a day, knowing that they didn't care for you. You had to be on the watch constantly to protect yourself; you didn't know when somebody was going to do something objectionable to you, so it was extremely hard and it was hazardous. It was not a pleasure to go to work, even though you enjoyed the work you were doing.⁷⁰

Black firemen realized early on that many overtly racist actions were being conducted to incite them and put them in a position where they could be fired. Such situations were particularly troublesome to these proud men because they were excluded from the union and thus denied access to channels of communication necessary either to pursue corrective action or to defend themselves against charges. Recognizing the systemic limitations placed on them, early most men ignored such incidents when possible. On several occasions, however, Black firemen responded to discriminatory and racist treatment by attempting to "beat the hate" out of their company-mates.⁷¹

While the department's Jim Crow living conditions angered most, for some they offered certain advantages. Edgar Waddell, a member of the second class with African

⁶⁹ *City Paper*, 16 February 1997 p.19; Interview with Calvin Johnson, 30 April 1997; Interview with James Edwards, 20 March 1997; Interview with James Crockett, 12 March 1997; Interview with John T. Murray, 19 March 1997; Interview with Herman Williams, 24 March 1997; Interview with David Glenn, 24 April 1997; Interview with Charlie Thomas, 29 March 1997.

⁷⁰ Interview with James Crockett, 12 March 1997.

⁷¹ Interview with James Edwards, 20 March 1997; Interview with Herman Williams, 24 March 1997.

American fire fighters, observed that when living with a large group of men, many of whom had less than stellar sanitary habits, having your own clean toilet and sink "wasn't all that bad."⁷² The segregated facilities and lack of union representation, however, did make it clear that they would have to exert their dignity, demand respect, and fight to achieve equal opportunity in the department if any change was going to take place. Much to Mr. Waddell's chagrin, the integration of his company's sinks took place shortly after. The change in policy, however, resulted not from protest or the actions of Black firemen, but from white firemen growing tired of waiting while Waddell and the other African American in the company at the time, Lindsey Washington Jr., had a sink and toilet all to themselves.⁷³

The early years were so frustrating that several men - many of whom had fought for their country only to become "segregated heroes" at home - quit the department. Charles Scott, the first African American appointed to the department, for example, resigned after only three years, while Lindsay Washington Jr. left after nine years to pursue a career as a teacher. Most, however, stuck it out and attempted to find their niche and carve out some space for themselves in their company by temporarily tolerating the conditions they faced while they also began to search for opportunities to improve their situations. A significant number of the men who remained not only wanted to keep their jobs, but also were committed to eliminating segregation and discriminatory policies. Two major factors helped them work through these tough conditions; the support they received and provided to each other, and the strong support and admiration that they

⁷² Interview with Edgar Waddell, 26 February 1997.

⁷³ Interview with Lindsay Washington Jr., 8 February 2004.

received from the Black community.⁷⁴ As James Edwards recalled, While many whites were actively trying to prevent African American firefighters from asserting their dignity and pride in the firehouse, the reception they received from African American Baltimoreans, James Edwards points out, gave them all the strength and encouragement that they needed to persevere:

Out on calls I would see black folks on the corner in complete admiration - they couldn't believe what they saw. When I was in Roland Park, there were a lot of black maids - domestic workers - and they prayed for us in church. They loved us. They couldn't believe what they saw. I said to myself, "This is something that I'll never forget," because they backed us in their own little way better than anybody around.⁷⁵

⁷⁴ Interview with David Echols, 14 March 1997; Interview with Charlie Thomas, 29 March 1997.

⁷⁵ *City Paper* (Baltimore) 16 February 1997 p.19; James Edwards, interview with author, 20 March 1997.

CHAPTER 5

BLAZING FOR JUSTICE: BALTIMORE'S PIONEER BLACK FIREFIGHTERS FIGHT BACK, 1954-1969

When you are right, you cannot be too radical; when you are wrong, you cannot be too conservative. The Negro knows he is right. He has not organized for conquest or to gain spoils or to enslave those who have injured him. His goal is not to capture that which belongs to someone else. He merely wants and will have what is honorably his.¹

I think the thinking in those days in the fire service was that we were going to enter and we weren't going to last long. . I remember one gentleman over at 29 Engine and 22 Truck on Park Heights Avenue, George McKnight, who got into an argument with some white guys and he told them, "I'll tell you one damn thing, I know what you all are thinking, that we're gonna' leave. Let me tell you, we're here to stay!"²

From the day that the first group of Black firefighters had come on the job white firemen had gone out of their way to make the Black experience inside Baltimore's fire department as unequal and unbearable as possible. Their coordinated efforts, however, failed to achieve their objective, and instead strengthened the resolve of a number of proud Black firefighters who responded to their maltreatment by not only refusing to quit but by organizing to take the struggle for racial equality inside the fire department. After a lengthy struggle by others to gain access to the fire department, Black firemen began their own battle for equality by joining together to seek ways to eliminate segregation and discrimination on the job, in the firehouses, and in the firefighter's union, Local # 734.

Between 1954 and 1969, Black firefighters in Baltimore, with no support within the department, waged a number of important campaigns to change the department. They

¹ Martin Luther King, *Why We Can't Wait* (New York, N.Y.: Signet Books, 1964), p. 87.
² Interview with Charlie Thomas, 29 March 1997.

often had to combat collusion between white firemen, officers, and several non-responsive Boards of Fire Commissioners just to be able to voice their grievances with little likelihood that they would be addressed. The biggest problem faced by those who entered the department during the 1950s was their total exclusion from Local # 734, the one body within the department authorized to represent the interests and grievances of firemen through its direct contact with the department's brass and Board of Fire Commissioners. The fireman's union, an affiliate of the International Association of Fire Fighters (IAFF), had been formed in October 1942. "After having been denied the right to form an organization of any kind" for a number of years, in late 1944 the group finally received official recognition from then Mayor Theodore McKeldin and the Board of Fire Commissioners. While not initially an official collective bargaining agent, Local # 734 nonetheless assumed a powerful voice within the department, as was made evident by its later involvement in discussions regarding Black inclusion.³

Local # 734 was a voluntary organization that built its membership base through active and early recruitment and solicitation. As new classes of firemen entered, the fire department provided the union's secretary with their names and assignments. Membership cards were then made out by the union's secretary and given to the union stewards of each respective firehouse. The stewards then presented new firemen with their membership cards, and informed them of how they could become members of the union. To join, new members had to obtain three signatures from existing union members and also pay a nominal start up fee. If they failed to join within a sixty-day

³ Fred Baer, "The Editor's Alarm," *International Fire Fighter*, (November, 1942): 1; "Baltimore Fire Fighters Know Value of Organization," *International Fire Fighter*, (July, 1943): 2-4; Roy O. Rule, "Baltimore Fire Fighters' Local Recognized by Board of Fire Commissioners," *International Fire Fighter*, (September, 1944): 7.

grace period from the time of their appointment, firemen were required to pay back dues from the end of the grace period to the time they eventually joined the organization. The effectiveness of this recruitment method was undisputable. By 1960, 1428 of the department's 1630 firemen were members of Local # 734 members, and almost all had joined immediately after entering the department. Of the two hundred and two non-union member firemen, twenty-two were white firemen who had refrained from joining, while the remaining one hundred and eighty non-members were Black firemen who had been denied the opportunity to join.⁴

Local # 734 did not have a specific provision in its' bylaws or constitution barring Blacks. At the time the union's formation, they hadn't needed one. When Blacks did begin to enter the department, the union opted to utilize less formal methods to exclude Blacks rather than revising its bylaws. Early on, however, the question of Black exclusion had yet to be resolved. A few of the earliest Black members of the department had received membership cards from their stewards, were recruited to join, and applied to enter. Roderick Hill and Samuel Ennis, for example, were approached and recruited by their respective union stewards after receiving their permanent assignments. In Ennis's cases, his steward asked if he had ever been involved with a union prior to joining the BFD. A former UAW-CIO member, Ennis promptly showed his union card and was given an application. Hill also received an application from his steward, but without any stipulations. Eager to join, both men quickly filled out their forms and submitted the seventy-five cent initiation fee. A month later, both men were surprised to find that the

⁴ Baltimore EEOC, "In the Matter of the Baltimore Fire Fighters Association, Local # 734, Complaint No. 58-64," George Meany Memorial Archives (Hereafter referred to as GMMA), Silver Spring, Maryland, AFL-CIO Civil Rights Department, Record Group 9, Box, 8, Folder 56.

union had failed to deduct their dues from their paychecks. When they inquired as to why, their stewards had no answers. Neither heard anything further regarding the status of their applications. Shortly thereafter, Black fireman Andrew White received and submitted his application to union steward Raymond Kyle, but also heard nothing. Upon asking Kyle what had happened to his application, White was told, “it had not been processed because the Union was not ready to accept Negroes.” Kyle also admitted to White that he had been excoriated by several of his white friends when they found out he had even given White a card to fill out.⁵

Not surprisingly, most Black firemen never got this far. Most union stewards simply refused to discuss the membership process with new Black firemen and withheld their membership cards. James Thomas, for example, “saw two applications to join the Union on the watch desk of his Fire House, one for him and one for a white firefighter who had been assigned to that Fire House at the same time.” Thomas watched as his white colleague was presented with his card, but Thomas never received his. While Thomas never inquired further, others, including Calvin Campbell and Edward Bunch, asked their stewards for applications after seeing whites receive theirs. Both men were informed by their steward that he would give them an application card, but that it wouldn’t do them any good. In the few instances where the required signatures were obtained, Local # 734 simply set aside the applications. In most instances, however, Black firemen could not find whites that were willing to sign for them. Even those who felt that Blacks should be allowed in the union refused to act out of fear of retribution and isolation within the department. As Ed Heckenrote, a fireman, union member, and

⁵ Ibid.

advocate of Black inclusion, explained, "the problem was that you had to have three signatures to join the union and a lot of men were afraid to sign the petition to allow the Blacks to join because they were afraid of harassment from their fellow firefighters."⁶

Angered by the union's refusal to represent Black firemen, a small group of Black firemen began to come together to help offset their collective lack of representation and to try to eliminate segregation within firehouses. Initially, however, the organization had started as a way for the men to vent their frustrations and share experiences with others facing similar problems and indignities. As David Echols, who joined both the department and the group of Black firemen in 1954 described these early meetings:

Back in 1954, I guess anywhere from 12-15 men began to meet...We were just a group of guys that would get together to ventilate and to comfort each other, and to strengthen those guys that were the weakest and encourage them to hold on.⁷

Many of the men who attended these early meetings remained in close contact with the Baltimore Urban League (BUL), Labor Secretary Fred Nichols, and his assistant David Glenn. Particularly concerned with the utilization of openly segregated beds, sinks, toilets, showers, and other firehouse equipment, the group frequently asked members of the BUL to intervene on their behalf. David Glenn, a BUL employee throughout most of the 1950s recalled, "They [Black Fire Fighters] called me incessantly...with all kinds of problems, ...problems with their Captains, or dirty tricks the whites would pull on them." Although Mr. Glenn would then discuss these and other problems with the Board of Fire Commissioners, in most instances both he and the BUL lacked the power to force the department's leadership to take corrective action.

⁶ Ibid; Interview with Ed Heckenrote, 4 April 1997.

⁷ Interview with David Echols, 14 March 1997.

Moreover, the BUL remained removed from the issue of union exclusion, which in turn prompted the Black firemen to form a more formal organization to specifically confront this problem.⁸

In 1956, the small, informal group of Black firemen that had been meeting for two years was reconstituted into the Social Association of Fire Fighters (SAFF). SAFF was founded after Charlie Thomas, one of the original participants in the less formal meetings, had gone to Detroit in 1955 to attend a conference that served as a precursor to the formation of the A. Philip Randolph led Negro Trade Unionists Committee (NTUC). Formed just prior to the AFL-CIO's merger, conference attendees had come together to issue a mandate that the AFL-CIO include "a clear provision in the new federation's constitution guaranteeing equal rights and non-segregation; Negro representation in the executive council; a campaign to organize the South on a non-segregated basis; strong and adequately supported Fair Employment Practices Committees with authority to act effectively; and the expulsion of any union failing to eliminate discrimination after a fixed time limit." At the conference, Thomas had the opportunity to speak with Randolph, and asked the labor leader for advice regarding the best way to attack the problem. Randolph told Thomas that the best thing he could do is go back and organize the men on his own and use all means available to keep the issue alive. Armed with the advice of one of his heroes, Mr. Thomas returned to Baltimore, began formally organizing Black firemen, and fostered the formation of SAFF.⁹

⁸ Interview with David Glenn, 24 April 1997.

⁹ The quotation appears in Philip Foner, *Organized Labor and the Black Worker, 1619-1981* (New York: International Publishers, 1981), p. 314; Vulcan Blazers, "History of the Vulcan Blazers" (Baltimore, Md.), photocopy in author's possession; Interview with Charlie Thomas, 29 March 1997; Interview with Charlie Thomas, 11 April 1997. Also

The name of the organization – intended to be as non-threatening as possible – had been selected with good reason. Thomas realized that the organization and its membership would come under intense scrutiny as soon as whites throughout the department became aware of its existence. The name actually was selected to skirt a departmental regulation stipulating that members of the department could not hold membership in any labor oriented organization other than Local 734 or Local 964, the Fire Officer's union. "It became SAFF, Social Association of Fire Fighters," explained founding member David Echols, "because it wasn't labor, it was 'social', so that gave us a cover." Few black firefighters, however, were willing to join the organization despite its innocuous name. One hundred and eighty African Americans entered the department from 1953 to 1960, a total that would exceed the number of Black men who were hired throughout the entire decade of the sixties. Yet, SAFF initially consisted of only 20 members during its first year.¹⁰ Decades later, one of the organizations earliest members recalled the major obstacle SAFF faced:

We'd have meetings and actually guys would be scared to come to the meeting cause they were afraid that somebody might find out. It was amazing how blacks thought back in those days. . .But, there were those of us that wouldn't let that faze us. . .In our generation it was the times. I mean, you knew there was

see Ray Marshall, "The Negro and the AFL-CIO," in *Black Workers and Organized Labor*, Bracey, Meier, and Rudwick, eds., (Belmont: Wadsworth, 1971), pp. 199-227.

¹⁰ Interview with David Echols, 14 March 1997; *Baltimore Sun*, Morning Edition, 16 September 1960; Baltimore EEOC, "In the Matter of Baltimore's Firefighters' Association, Local # 734," Complaint No. 58-64, AFL-CIO Civil Rights Department, Discrimination Case Files, 1947-1984, GMMA, Record Group 9, Box 8, Folder 56; Interview with David Echols, 14 March 1997; Interview with Marion Bascom, 18 March 1997; Interview with David Glenn, 24 April 1997; Interview with Charlie Thomas, 11 April 1997; Interview with James Edwards, 20 March 1997; Interview with Herman Williams, 24 March 1997; Interview with Calvin Johnson, 30 April 1997; Interview with Charlie Thomas, 29 March 1997; Interview with James Crockett, 12 March 1997.

discrimination. But just as whites say, some blacks "knew their place," whatever that means.¹¹

Despite its small membership base, SAFF pressed forward, making gaining access to Local # 734 its primary objective. A month after the organization's formation, individual members began pressing union members for membership card. SAFF's Vice President, Olin Moyd, for example, asked union member John Wolff to secure an application for him. Wolff, who was in the union but not active, told Moyd, "as far as I know, they do not let colored fellows in." Later, when Moyd approached another union member in his company, Stanley Sobus, he was told that the issue of Black inclusion "had been raised a number of times at union meetings, but had been beaten down in the voting."¹² Or, as Herman Williams reflected in a more direct manner:

We [black fire fighters] all decided that we were going to apply for the union and we were flatly turned down. I asked to join on my own and they would say, "We'll let you know, we'll get back to you." That's what they would say to your face, and at the union meetings it was a lot of, "We're not going to let those niggers in."¹³

A month before the formation of SAFF, David Echols had asked his company-mate, Local # 734's Vice President Robert Pumfrey, to speak to Black firemen about the union and its stance on racial matters. Pumfrey declined, but the union's leadership warmed to the idea after learning of SAFF's formation. In March 1956, Pumfrey sent out postcards to every firehouse in the department to invite all firemen to a meeting to be held at the union later in the month where the problems and possibilities associated with Black inclusion into the union were to be discussed. The meeting, however, was never

¹¹ Interview with Herman Williams, 24 March 1997.

¹² Baltimore EEOC, "In the Matter of the Baltimore Fire Fighters Association, Local # 734, Complaint No. 58-64."

¹³ Interview with Herman Williams, 24 March 1997.

intended to be either an open forum or an official union event. Much to their surprise, the members of SAFF were joined only by Local # 734 President, Raymond Fogarty, Secretary-Treasurer William Scheffel, and a couple of white firemen who remained at the back of the meeting hall and did not participate in the discussions that followed. Forgarty began by claiming he had called the meeting as a favor to Black firemen, and that he was interested in finding out how many men would join if allowed. He then explained that the issues discussed would remain off the record, that all applications had been put aside for the time being, and that white union members would vote on the matter later and inform SAFF of their decision. Black firemen soon found out that the union had really called the meeting to discuss just what Black firemen meant by asking for union inclusion. Would, for example, Blacks actually expect to use the same union hall, and perhaps more importantly, be allowed to socialize at the same bar? The leadership of the union wanted to know if Blacks would demand to participate in social events, or if they would accept being segregated from union sponsored events such as picnics for orphans. Basically, the union wanted to know if Black firemen would accept being placed in a segregated local or in Local #734, but with a number of restrictions.¹⁴

Rather than waiting for an answer from the union, SAFF instead enlisted the assistance of their old allies at the BUL and turned their attention to firehouse segregation. Both Industrial Relations Director Fred Nichols and his assistant David Glenn began attempting to meet with the Board of Fire Commissioners in 1955 to discuss the use of "restricted" signs prohibiting Black firemen from using certain beds, eating utensils, bathroom facilities, and in some houses, mop sinks. Meeting with little success,

¹⁴ Baltimore EEOC, "In the Matter of the Baltimore Fire Fighters Association, Local # 734, Complaint No. 58-64."

in late 1956 the BUL stepped up their pressure, criticizing the Fire Board for having allowed Jim Crow signs and other forms of segregation to continue without censure. The Fire Board responded to this criticism by stating: "the Fire Department ought to receive a little praise for race relations in the department rather than complaints based on 'impressions.' While the department refused to publicly acknowledge the existence of discrimination, later that year Acting Chief Charles Thiess, a day after the Fire Board had met with David Glenn and Fred Nichols, issued an Executive Order requiring that "all signs restricting the use of beds, toilets, washbowls, or other facilities in company's quarters must be removed immediately." While the signs came down in most fire houses, segregation continued on a de facto basis with the full support of company Captains.¹⁵

Meanwhile, the union had still not responded to Black firemen regarding its decision on Black inclusion. While Black firemen heard "through the grapevine" on several occasions that the union had voted against them, they were never given official word of any decision. In truth, cracks had begun to surface in the union's united front. While white firemen had voted to continue to exclude Blacks, several dissenters had emerged for the first time. While these men differed as to why they were opposed to Black exclusion, a number shared the pragmatic rationale offered by Ed Heckenrode:

There was a lot of discussion, pro and con at the union meetings. . . The older guys were against it, and most of the younger guys felt they should be allowed to join.

¹⁵ BUL Executive Board, "Minutes," 27 September 1955, National Urban League Papers, Library of Congress, Washington D.C., Series 1, Box 80; *Baltimore City Paper*, 16 February 1997, p. 19; *Baltimore Sun*, Morning Edition, 24 April 1956; *Harper v. Baltimore City Council and Mayor*, case #71-1352-y, 13 December 1971, U.S. 4th Circuit Court, (Baltimore, Md.); BCBFC, *Minutes*, 8 November 1956; Baltimore City Fire Department, "Departmental Order No. 5-56," 9 November 1956, National Urban League Papers, Library of Congress, Washington D.C., Series 1, Box 80.

My position was they should be in. And the reason my position was that way was because I figured that if my union dues are being paid to go after pay raises, I certainly want them to be paying it as well as me. They're going to get it anyway, they're going to reap the benefits. You know, the issue of no free lunches.¹⁶

While the number of dissenters was not large enough to alter the union's course,

Black firemen continued to press the issue, using the assistance of the limited number of white supporters to place the union in a bind that might force the matter to be settled once and for all. In 1958, Lawrence Bynum received an application form from a white member of his company. Bynum filled out the application and managed to get the two signatures that his steward had told him were required. Bynum's application was returned to him shortly after, and included notations calling for him to secure another signature and submit \$98.50 to the union in order to cover back dues that had accrued since 1954. The request for back dues to be paid to an organization that had actively excluded Black firemen since they had entered the department left Bynum dumbstruck. After gathering himself, Bynum wrote a letter to Local # 734's parent body, the IAFF, to ask for their assistance in dealing with this clear-cut case of racial discrimination. While the IAFF forwarded the letter to the AFL-CIO's Civil Rights Department, Bynum never received a reply from either organization.¹⁷

Undeterred, Bynum then filed a complaint with the Baltimore EEOC a week after writing the IAFF. Baltimore's EEOC was a relatively new body that had been approved by Baltimore's City Council on April 9, 1955 by a 14 to 6 vote, making "Baltimore...the first city south of the Mason-Dixon line to declare its public policy to be opposed to

¹⁶ Interview with Ed Heckenrote, 4 April 1997.

¹⁷ Lawrence Bynum to International Association of Fire Fighters, 28 September 1958, AFL-CIO Civil Rights Department Papers, GMMA, Silver Spring, Md., Record Group 9, Box 8, Folder, 63; Baltimore EEOC, "In the Matter of the Baltimore Fire Fighters Association, Local # 734, Complaint No. 58-64."

employment discrimination.” The movement to pass equal employment opportunity legislation in Baltimore had begun in earnest during the spring of 1954, and over the next year was pushed and supported by a wide array of labor and civil rights organizations, including the Baltimore Jewish Council, the BUL, the Baltimore NAACP, the Catholic Interracial Council, the Department of Christian Social Relations of the Council of Churches, the Baltimore Industrial union Council (CIO), the Baltimore Federation of Labor, and ironically, the AFL-CIO. In order to ensure the bill’s passage, however, a provision calling for an “equity court” to serve as the “final enforcement step” in the fair employment practices process had been dropped. As a result, Baltimore’s EEOC could conduct public hearings after receiving complaints, but lacked power to enforce compliance. For Bynum and Baltimore’s other Black firemen, however, the creation of the Baltimore EEOC provided them with a rare opportunity to voice departmental and union grievances publicly without having to wait any longer for the department or the union to be kind enough to do their jobs and treat Black firemen equally.¹⁸

At the time Bynum filed his complaint, Baltimore’s EEOC was backlogged with cases and was grossly understaffed and under funded for the enormous task at hand. Black industrial workers and civil rights organizations in Baltimore had lacked an official avenue to fight discrimination on the job and in the unions since the FEPC had been active, and now turned to the nascent organization for assistance. Roughly a year and a half passed before the EEOC was able to process the complaint, during which time several important developments began to take shape. In the summer of 1959, President

¹⁸ Baltimore EEOC, “In the Matter of the Baltimore Fire Fighters Association, Local # 734, Complaint No. 58-64;” BUL, “Memorandum: Passage of Equal Employment Opportunity Legislation in Baltimore,” 15 May 1956, National Urban League Papers, Library of Congress, Washington D.C., Series 1, Box 80.

Charlie Thomas traveled with Troy Brailey, the Chair of the Baltimore NAACP's Labor Committee as well as the President of the Baltimore Branch of the Brotherhood of Sleeping Car Porters (BSCP), to attend "The Committee of Seventy-Five" conference in New York which had been called by A. Philip Randolph to plan the formation of the Negro American Labor Council (NALC). At the conference, Thomas again spoke with Randolph about the problems SAFF faced trying to end the racist policies and practices of the Local 734. When Thomas returned to Baltimore, he did so with strengthened labor and civil rights contacts in the Washington D.C./Baltimore area, as well as a plan to take their grievance regarding Local # 734 directly to the IAFF.¹⁹

In early February 1960, thirty-one members of SAFF as well as BUL representative Marvin Jones and attorney Robert Watts traveled to the IAFF's national headquarters to meet with Secretary-Treasurer John Kabakcus. Their purpose was to ask that the IAFF compel Local # 734 to uphold the AFL-CIO's constitution, which called for the federation and its bodies "to encourage all workers, without regard to race, creed, color national origin or ancestry, to share equally in the full benefits of union organization." They also reminded the IAFF of the pending EEOC complaint. The IAFF remained non-responsive, and told SAFF and its representatives that the matter could and would have to be solved by Local # 734's membership.²⁰

¹⁹ Quotation from Philip Foner, *Organized Labor & the Black Worker*, p. 334; Interview with Charlie Thomas, 11 April 1997; Interview with Charlie Thomas, 29 March 1997; Interview with James Crockett, 12 March 1997; Interview with James Edwards, 20 March 1997; Interview with John T. Murray, 19 March 1997.

²⁰ Baltimore EEOC, "In the Matter of the Baltimore Fire Fighters Association, Local # 734, Complaint No. 58-64;" Interview with Charlie Thomas, 11 April 1997; Interview with Charlie Thomas, 29 March 1997.

After returning from this meeting, Charlie Thomas wrote to the union to request that a number of union applications be sent for specific Black firemen. SAFF member Edward Bunch's application came with a notation informing Bunch that he was required to collect three signatures and submit one hundred and forty-eight dollars in order to join, ten dollars for an initiation fee, one hundred and thirty-eight in back dues. Undaunted, Bunch asked his union steward, William Ball, to sign for him. Angered, Ball asked Bunch why he had singled him out, to which Bunch explained, "others would follow if the shop steward signs." Ball refused, as did the rest of the men in the company. Later that evening while Bunch was manning the watch desk, Bunch heard fireman David Norton making loud racist remarks to the other members of the company. Bunch jumped up and joined Norton in the adjoining room. When confronted, Norton cowardly denied making the remarks, but soon after cut to the chase by remarking, "Why do you fellows want to join the union? You aren't wanted. You have a club of your own." Then Norton rhetorically asked if he could join SAFF. Bunch informed Norton that SAFF was not a racially exclusive organization and that he would be welcomed. In response to his prior statements, Bunch "explained that they wanted to join because the union was recognized but the club was not." When Bunch then asked Norton why he wasn't welcomed to join the union, Norton inarticulately explained, "I don't want you in because you're colored and I'm white." Later that evening, Norton, soliciting support for continued discrimination and exclusion, was heard to have said to the Captain of the house: "If Negroes get into the firefighter's union, they would get into the fire officers union next."²¹

²¹ Baltimore EEOC, "In the Matter of the Baltimore Fire Fighters Association, Local #

While Bunch's experience was hardly dissimilar to those who had preceded him, it occurred just as the Baltimore EEOC finally began investigating Bynum's 1958 complaint. Armed with the copies of Bunch and Bynum's application forms and their corresponding demand for back dues, in May 1960, the EEOC "issued a formal complaint charging the union with racial discrimination," and ordered a public hearing to be held on June 15th. On June 4th, Charlie Thomas filed a formal complaint with George Meany, the President of the AFL-CIO, which also informed Meany of the impending EEOC hearing. Meany and the AFL-CIO, seeking to avoid the embarrassment of the hearing at a time when the NAACP, Negro American Labor Council and Black workers across the country had become extremely vocal regarding the organization's unwillingness to enforce anti-discriminatory measures, sprung into action.²²

On June 8th, Meany, in a memorandum to Civil Rights Department director Boris Shishkin, asked Shishkin to "suggest" to the IAFF's President that "he make every effort to have Local 734 place itself in compliance with the AFL-CIO Constitution," and to make every effort to ensure that the hearing would never take place. That same day, Shishkin contacted Francis Philbey, a member of the Baltimore Local of Postal Clerks, Vice-President of the Baltimore Council of the AFL-CIO, and a member of the Baltimore Employment Opportunity Commission to arrange to have the EEOC hearing postponed for ninety days. Philbey accomplished this a day later. On June 10th, Shishkin met with the President of the IAFF as well as Local # 734's President Raymond Fogarty and the

734, Complaint No. 58-64."

²² Ibid, *Baltimore Sun*, Morning Edition, 28 June 1960; Boris Shishkin, Director of AFL-CIO Civil Rights Department to George Meany, AFL-CIO President, 29 July 1960, George Meany Files, 1940-1980, George Meany Memorial Archive, Silver Spring, Md., Record Group 1, Box 5, Folder 18.

rest of the union's executive council to review the matter and let them know that segregation would have to come to an end. Shishkin also arranged to speak directly with Local # 734's membership twice during the last week of the month to try and come up with solution that could be put to a vote.²³

Fogarty certainly welcomed Shishkin's direct involvement, as he realized that he was in quite a bind. While he went back to his constituents to tell them that they had been charged with violating by-laws of the AFL-CIO by excluding Black firemen, and might have their charter revoked if it failed to comply with the regulations of the national organization," he remained largely detached from the matter in the weeks ahead. Fogarty realized that if he pushed too hard for integration, he would likely offend the union members who had put him in office to represent their interests. However, if he failed to act or pushed for further resistance, Fogarty would greatly upset both Meany and Shishkin and might put the existence of his union in jeopardy. Hedging his bets, Fogarty, in the weeks leading up to Shishkin's appearance, had Francis Philbey explain to the membership for him that integration must take place and that the only question that remained was how it would be done.²⁴

When Shishkin spoke the membership, he addressed the question of how they would integrate rather than if. In so doing, he proposed a compromise to the members of the union. White firemen already realized that they would have to integrate the union, but still clung to the idea of charging Black firemen exorbitant back dues. Shishkin

²³ Ibid

²⁴ Interview with Charlie Thomas, 11 April 1997; Interview with Ed Heckenrote, 4 April 1997; Interview with David Glenn, 24 April 1997; *Harper v. Baltimore City Council and Mayor*, Case #71-1352-y, 13 December 1971, (U.S. 4th Circuit Court, Baltimore, Md.); *Baltimore Sun*, Morning Edition, 9 June 1960; *Baltimore Sun*, Morning Edition (Baltimore) 29 July 1960.

instead proposed that the union agree to alter its “By-Laws in order to open the union rolls to new members for sixty days, effective August 2, on special terms. The special terms are that any member of the Fire Department not previously a member, would be admitted to union membership, on payment of an initiation fee and of back dues for the period of his service in the Department, the total not to exceed \$25.00,” a proposal that he union passed on July 28th. While Shishkin had been selling “the compromise” to white firemen, he had sent the Black Assistant Director of the AFL-CIO’s Civil Rights Department, Theodore Brown, to pitch the idea to Black firemen through their representative, NALC President Troy Brailey. While Shishkin asked Brown to urge their acceptance of the new formula and considered the deal done, Brown was taken aback by Shishkin’s arrogance, and wrote to explain to his boss that Black firemen would decide on their own and that he personally found the “compromise proposal” to be an insult not only to the Black firemen, but also to the labor movement and mission of the Civil Rights Department that they both worked for.²⁵ Brown felt that:

[T]he decision should be solely theirs whether they will or will not be willing to pay a penalty...It would seem unsound for a trade union precedent to be established that a penalty irrespective of how small should be paid by a worker whose sole reason for not joining the was due to their color.²⁶

Shishkin, however, was unmoved, and set his sights on finalizing the compromise rather than correcting its inherent wrongs. While the Baltimore Urban League was not representing the Black firemen in this instance, Shishkin sent AFL-CIO Regional

²⁵ Boris Shishkin, Director of AFL-CIO Civil Rights Department to George Meany, AFL-CIO President, 29 July 1960, George Meany Files, 1940-1980, GMMA, Record Group 1, Box 5, Folder 18; “Union Opened to Negroes,” *Baltimore Sun*, 28 June 1960.

²⁶ Theodore Brown, Assistant Director, AFL-CIO Civil Rights Department to Boris Shishkin, 29 July 1960, Executive Director, AFL-CIO Civil Rights Department, AFL-CIO Civil Rights Department Papers, GMMA, Box 8, Folder 63.

Director Oliver Singleton to drum up their support. On August 2, 1960, both the *Baltimore Sun* and *Afro-American* printed the BUL's statement of support. Armed with this endorsement, Singleton then met with the members of SAFF a few days later to ask them to accept the plan. SAFF agreed to consider it, but made no further statements.²⁷

The union issue galvanized wide spread support for SAFF and had helped dramatically increase its membership. By the end of 1960, 96 Black firemen - or more than half of all Black firemen in the department - had joined the organization. In September, the membership of SAFF, after waiting to see if the union would eventually wave the payment of all back dues, finally voted on the matter. The results were resounding. All 96 members voted against accepting the union's "compromise" proposal. When asked by the press why the Black firemen simply did not pay the twenty-five dollars, Troy Brailey ex rhetorically asked the *Baltimore Sun*'s Fire Department beat writer, "How can you owe back dues in an organization in which you have been denied membership?" Both SAFF and Brailey continued to support the union and much of the work it did regarding informal bargaining. They even encouraged those who could enter on equal terms to join the organization. Four newer Black firefighters, for example, joined Local # 734 with SAFF support because they had been allowed to enter at the same rate charged incoming white firemen.²⁸

²⁷ *Baltimore Sun*, 2 August 1960; *Baltimore Afro-American*, 2 August 1960; Oliver Singleton, Director Region 4 to Boris Shishkin, 8 August 1960, AFL-CIO Civil Rights Department Papers, GMMA, Box 8, Folder 63.

²⁸ *Baltimore Sun*, Morning Edition, 16 September 1960; Interview with David Echols, 14 March 1997; Interview with Marion Bascom, 18 March 1997; Interview with David Glenn, 24 April 1997; Interview with Charlie Thomas, 11 April 1997; Interview with James Edwards, 20 March 1997; Interview with James Crockett, 12 March 1997; *Harper v Baltimore City Council and Mayor*, Case #71-1352-y, 13 December 1971, (U.S. 4th Circuit Court, Baltimore, Md.).

At a meeting in September, 1960 Troy Brailey vowed to SAFF's membership that he would not let the issue die, saying "despite the termination of the 60-day compromise of the local union, the door is not closed to you as far as the AFL-CIO is concerned." Brailey went on to state, "the civil rights committee of the AFL-CIO agreed unanimously that the 'penalty' arrangement was untenable."²⁹ In truth, the Civil Rights Department had orchestrated the whole arrangement. Brailey, however, was unaware of this because his primary contact, Theodore Brown, had opposed the proposal. In October, Brailey contacted Brown again to request that he meet with the City's "leading citizens and Negro firemen" to discuss the role that the AFL-CIO would play in future negotiations. The issue, however, was out of Brown's hands, and in the months that followed, little help was forthcoming. The sixty-day grace period had already expired while the previously postponed EEOC hearing also had been cancelled. As a result, Mr. Shishkin and company no were longer concerned with Local # 734's affairs. During an NALC meeting on February 16, 1961 in Washington D.C., Charlie Thomas informed the delegates that "the great majority of Negro firefighters say they have never been offered membership cards whereas new white appointees are continually solicited for membership." He also explained that several men who had managed to obtain the three required signatures had "recently been voted down by the union."³⁰

On the same day that the NALC conference was taking place, the EEOC again threatened to summon Local # 734 to a public hearing. Feeling pressure from the leadership of the IAFF and the AFL-CIO, the union reached a settlement with the Executive Board of SAFF on May 8, 1961 which stated that "all non-union members in

²⁹ *Baltimore Sun*, Morning Edition, 16 September 1960.

³⁰ *Baltimore Sun*, Morning Edition, 19 February 1961.

the Baltimore City Fire Department, regardless of length of service," would be allowed to join the union after payment of a \$10 initiation fee. After the membership of SAFF voted and accepted the settlement, the organization's leadership decided to split the \$10 charge with its members. As a result, Black firemen who wanted to join would pay the same five-dollar start up fee charged to white union applicants.³¹

While most Black firemen then joined the union, a significant number refused to join Local # 734 because they were unwilling to accept any compromise on the principle of equality and could not forgive the union and its membership for their racist reaction to their entrance in the department. In an interview in 1997, James Crockett explained his position:

I fought to gain acceptance for those that wanted to join. I myself had some reservation about it because they discriminated against us for no reason what so ever. Here we are in a position where we can save their lives, along with the lives of others, and they didn't think enough of us to permit us to join the union. The union fought for us to get the same pay they got, the same uniforms, the same working conditions, but yet they didn't want us as members. I've always felt that if you don't want me, why force myself on you. I never did join.³²

By 1965, however, a slight majority of Black firefighters had joined Local # 734.³³

Black firefighters also waged several other campaigns to alleviate segregationist and racist practices. During their battle against the union, several Black firemen had filed separate complaints with the EEOC charging the department's administration with tacitly supporting racial bias in both interpersonal relationships and in the assignment of duties and appointments. The EEOC, in a letter to the Board of Fire Commissioners, outlined

³¹ *Baltimore Sun*, Morning Edition, 16 February 1961; BCBFC, *Minutes*, 28 October 1960.

³² Interview with James Crockett, 12 March 1997.

³³ *Harper v. Baltimore*, Case #71-1352-y, 13 December 1971, (U.S. 4th Circuit Court, Baltimore, Md.); *Baltimore Sun*, Morning Edition, 14 March 1965.

the complaints of over a half a dozen Black firemen but refused to name either individual plaintiffs or offending whites. The explanation for this action was: "the Commission is not so much concerned with establishing guilt as it is in seeing to it that steps are taken to prevent such incidents from recurring."³⁴ The EEOC likely withheld the names to prevent harassment or maltreatment of the Black firemen who filed the complaint by white members of the department. Following this letter the EEOC conducted a meeting with the Fire Board on November 22, 1960, and discussed numerous charges of discrimination that had begun to "reappear in high frequency."³⁵

Most of the issues described by the EEOC had been in practice since Black firemen entered the department. Several complaints related to preferential assignments and promotions for whites regardless of their efficiency or seniority ratings. Also, many complaints focused on the continued usage of segregated facilities, such as racially restricted access to showers, toilets, televisions, newspapers, and radios. The Chief of the Fire Department, John Killen, responded to the charges by uniformly denying the existence of any form of discrimination. Killen "informed" the EEOC "the men have a right to team with anyone they choose" and went on to assert that "any fire fighter, white or Negro, must prove himself before he is accepted." He then went on to "blame the victims," asserting "those who are complaining of discriminatory treatment are undoubtedly without the ability to handle these jobs." Undaunted, the Executive Secretary of the EEOC, Philip Camponeschi, called for an investigation by the Fire Board, and asked to sit in during the proceedings. The Fire Board, however, refused this

³⁴ BCBFC, *Minutes*, 28 October 1960.

³⁵ BCBFC, *Minutes*, 28 October 1960.

request, but told the EEOC that the members of the Board of Fire Commissioners and Chief Killen would investigate the complaints on their own.³⁶

Two months after adamantly denying charges of discrimination to the EEOC, the Fire Board issued a General Order reminding "all members of the department that no facilities shall be especially designated for any member or members of the force." The order, however, excluded beds and lockers from this policy. Chief Killen explained his rationale for the policy in the *Morning Sun* by explaining, "generally one Negro is assigned to each of the three shifts in a company that is integrated. It is common practice to assign the same bed for all Negroes to use when on night duty." What the Chief failed to mention was that when Black firemen were detailed to other companies with only one "reserved" bed and one African American already on duty, the detailed man was made to either leave the house or sleep on the floor, even if "white" beds were vacant. The Fire Board apparently felt the General Order would be enough to placate the EEOC, and proceeded to issue the "findings" of their "investigation" of racial bias. After a month and a half of "intense" investigations, the Fire Board found no validity to any of the complaints waged through the EEOC. The Fire Department had again side stepped discrimination charges by serving as its own judge and jury. Following his tenure as Chief, Killen testified in District Court that he never really investigated charges of discrimination during his long tenure as Chief because in his words, "I didn't feel they existed."³⁷

³⁶ *Morning Sun*, Morning Edition, 23 November 1960; *Baltimore Sun*, Evening Edition, 23 November 1960; *Baltimore Afro-American*, 12 November 1960; BCBFC, *Minutes*, 22 November 1960.

³⁷ *Baltimore Sun*, Morning Edition, 25 January 1961; BCBFC, *Minutes*, 22 November 1960; BCBFC, *Minutes*, 27 January 1961; *Baltimore City Paper*, 16 February 1997 p.19;

Despite resistance of the Chief and the Fire Board, several good things materialized from the work of the EEOC. Since the EEOC first issued their formal complaint in October of 1960, five Black firemen who had long been passed over despite their seniority had been made "acting" officers, thus gaining the experience necessary for advancement as well as increased pay. Also, social and living conditions had begun to slowly improve in many houses, albeit at a sporadic and varied pace. Conditions, however, were certainly not as equitable as Fire Board President James Lacy Jr. assumed when he remarked in 1961, "the discriminatory practices of the past have been eliminated." Two highly publicized events that occurred shortly after demonstrated the inaccuracy of Mr. Lacy's statement.³⁸

An example of the limits of the "new progressivism" Commissioner Lacy Jr. spoke of regarding the department's leadership and its white constituency was the case of Sherwood Gambrill. In early 1961, Mr. Gambrill was one of three African Americans assigned to Engine Co. No.13. In February, a rumor circulated that Gambrill tested positive on a "T.P.I," or "Wassermann Test" (for syphilis), when he applied to the Police Department in January 1960. After being informed of the rumor by the union, the Fire Board immediately became involved in the matter. Shortly after, the Board forced Gambrill to take a second Wassermann test at the City Venereal Disease Clinic. The test, however, came up negative. After receiving the negative, Fire Department physician Dr.

Harper v. Baltimore, Case #71-1352-y, 13 December 1971 (U.S. 4th Circuit Court, Baltimore, Md.); Interview with Calvin Johnson, 30 April 1997; Interview with James Edwards, 20 March 1997; Interview with James Crockett, 12 March 1997; Interview with John T. Murray, 19 March 1997; Interview with Herman Williams, 24 March 1997; Interview with David Glenn, 24 April 1997; Interview with Charlie Thomas, 29 March 1997.

³⁸ *Baltimore Sun*, Morning Edition, 29 January 1961.

Kirk Moore then sat down with members of Engine Company No. 13 and the Board of Fire Commissioners to inform them that a "positive Wassermann Test does not necessarily mean that a person has syphilis, but rather that he had a germ within the blood stream that could be any one of a great number of diseases." Despite being told that the test commonly produced false positives and that Gambrill had resoundingly passed his most recent test, the Fire Board, with the support of both unions, insisted that Gambrill resign. Gambrill, however, refused to comply.³⁹

Less than a month later Gambrill was charged with "being guilty of conduct prejudicial to the good order, reputation and discipline of the Fire Department and loitering in and about Engine Company No. 13 quarters while off duty."⁴⁰ The Fire Board also claimed that Gambrill had "failed to comply with the ordinary rules of good behavior observed by law abiding, self respecting citizens by being guilty of immoral habits and conduct tending to cause unrest, discontent and the lowering of morale of members of Engine Company No. 13 and the Fourth Battalion in general."⁴¹ This tirade was especially odd because Gambrill had recently received a very solid efficiency rating.⁴² Three white company-mates soon after charged that they had witnessed Gambrill washing his penis in the firehouse sinks on several occasions, often in open view. Others, including the officer of the house who had approved Mr. Gambrill's efficiency rating, soon after began to complain about Gambrill's work habits and performance. Several other firefighters and officers also testified to having seen Mr.

³⁹ *Baltimore Afro-American*, 9 September 1961; BCBFC, *Minutes*, 21 February 1961; *Baltimore Afro-American*, 9 September 1961.

⁴⁰ BCBFC, *Minutes*, 21 February 1961.

⁴¹ *Ibid.*

⁴² *Baltimore Afro-American*, 9 September 1961; *Baltimore Sun*, Evening Sun, 9 August 1961; BCBFC, *Minutes*, 19 June 1961.

Gambrill in his car in compromising positions with different women on several occasions. During his March 28, 1961 hearing before the Board of Fire Commissioners, Gambrill denied the charges and expressed resentment about how the case was handled, stating "up until now, I have received very little cooperation from my officers and other members in getting information concerning my charges," and that "the charges seem to have stemmed from another issue." Gambrill also questioned the fact that the charges were not made at the time of the alleged incidents, as was departmental procedure. In response to Mr. Gambrill's objections, the Board of Fire Commissioners fired him on the spot.⁴³

Gambrill was rightfully angry, and was determined to contest the Fire Board's decision. After consulting with the leadership of SAFF, Gambrill acquired the legal services of a friend of the organization, attorney Tucker Dearing. Dearing and Gambrill then filed an appeal with the Civil Service Commission that ultimately resulted in two separate hearings. After examining his case, the Commission ruled that Gambrill had been "dismissed for reasons other than the good of the service," and recommended that he be reinstated and granted back pay. Despite being issued a letter by the Civil Service Commission announcing the ruling, the Fire Board still refused to comply. In appreciation, union representatives thanked the Board for their stand, stating that they "supported the effort by the Fire Board to maintain the personnel of this department on the highest plane-especially morally and sanitarily." The unions and the Fire Board held firm for over a month until Baltimore's then Mayor, Harold Grady, threatened to fire the entire Board if it failed to comply with the mandate set forth by the Civil Service

⁴³ BCBFC, *Minutes*, 28 March 1961.

Commission. Grady's involvement in the matter was quite surprising. Grady had not once spoken publicly about Fire Department affairs when Black firemen filed charges of bias through the EEOC, or as they struggled to end racial exclusion in their union. Despite the Mayor's firm stance, the Board of Fire Commissioners still refused to comply, and instead implored the Mayor to schedule another hearing or to conduct one for himself. While pending, "friends" of the department phoned the Mayor and other city officials in support of the Fire Board's stance. Grady, however, was unimpressed with the Fire Department's recalcitrance, and on Sept 7, 1961 had Gambrill reinstated to the department with back pay. Gambrill, after one week back on the job, collected his back pay and resigned.⁴⁴

The case of George McKnight of 22 Truck, a member of the first class with African American firefighters, provides yet another example of the continued hardships faced by Black firemen during 1960s. In 1962, McKnight charged that his company's Captain was discriminating against him and the other Black firemen in the house. All three African Americans in the company testified they had been passed over for "acting man" positions, and as a result, didn't get a chance to gain on-the-job training. McKnight went on to say that they had been passed over numerous times in favor of less experienced white fire fighters. The men also reported that they had continued to be ordered to use separate bathroom facilities by their Battalion Chief. Angry at this "outburst," Chief Killen charged that Mr. McKnight was guilty of violating departmental rules "by his criticism of his superior officers and by engaging in a movement to create

⁴⁴ *Baltimore Afro-American*, 9 September 1961; Interview with Charlie Thomas, 11 April 1997; *Baltimore Sun*, Morning Edition, 9 August 1961; BCBFC, *Minutes*, 19 June 1961; *Baltimore Sun*, Evening Sun, 5 September 1961;

dissension by not conforming to and implicitly obeying all rules, regulations and orders."

In light of the General Order denouncing segregated facilities the previous year, Killen's outburst was striking. Rather than disciplining the Captain, Battalion Chief, or the Black firemen who had filed the charges, the Board of Fire Commissioners instead dropped all charges, and transferred McKnight to another company to prevent further "friction."⁴⁵

The situations faced by Mr. McKnight and Mr. Gambrill symbolized the stiff opposition presented by the unions and the Fire Board to any and all Black firemen who dared to challenge the system. The Civil Service Commission later remarked that these types of cases indicated "the pressures which are being brought to bear and the extremes to which the firemen [white] and their representatives are willing to go to accomplish their purpose."⁴⁶ It became very clear that the white members of the department would continue to work together to prevent Blacks from advancing and that racial equality would be attained only if Blacks were somehow able to exert influence within the ranks of the department, or if a Board of Fire Commissioners was appointed with members sympathetic to their plight and willing to confront racism and its institutionalization at its core.

Recognizing the numerous disadvantages African Americans faced in trying to crack the promotional machine of the union, SAFF members began gathering information and forming study groups to assist new test takers. Department policy required firefighters to serve five years before they became eligible for promotions. In 1958,

⁴⁵ *Baltimore Sun*, Morning Edition, 8 November 1961; BCBFC, *Minutes*, 7 November 1961; *Baltimore Sun*, Morning Edition, 7 November 1961; *Baltimore Sun*, Morning Edition, 10 November 1961; *Baltimore Sun*, Morning Edition, 10 November 1961.

⁴⁶ *Baltimore Sun*, Evening Edition, 5 September 1961.

Black firemen were eligible for promotions for the first time and began to prepare for the challenge. In an interview, James Crockett recalled that:

We decided that from that point on, we would not be the low man on the totem pole. We were going to take the examination, and we were going to work together so that we wouldn't be on the bottom of the list. And then we would be in a better position to break down some of the discrimination.⁴⁷

Promotional examinations consisted of three components, a written test, a performance test, and an efficiency rating determined by superior officers. A significant portion of the score used to rank eligible men for promotions was a subjective efficiency rating (30%), a fact that didn't bode well for men who had never been well received or treated equally in the department. Considering the climate of race relations at the time, it is not surprising that on average efficiency ratings were significantly lower for African Americans. In 1961 and 1962, for example, not one African American fireman was given a maximum efficiency rating. During these same years, however, forty and sixty-eight percent of white fire fighters seeking promotions received maximum ratings.⁴⁸

The largest portion of the promotional score was taken from the written test, (60%). Over a period of years union members had secured and compiled testing materials, which they used to help prepare for exams. In the early 1960s, it was common for white firefighters to have the actual test or study material very similar, prior to taking promotional examinations. Up until 1973, the tests used by the Civil Service Commission contained questions that had been written by senior members of the Fire Department, many of whom were former Local # 734 members. By networking and

⁴⁷ Interview with James Crockett, 12 March 1997.

⁴⁸ *Harper v Baltimore*, Case #71-1352-y, 13 December 1971 (U.S. 4th Circuit Court, Baltimore, Md.)

passing privileged information among themselves, most white firemen scored extremely well on the written test throughout the 1960s.⁴⁹

Lastly, the men were required to pass performance tests (10%) to show competency at specific tasks. Many whites had gained a competitive advantage by receiving hands-on experience at the firehouse or while serving as acting men –filling in at a "higher" position where they performed the tasks of Pump Operator. Acting men were supposed to be chosen based on seniority, but as George McKnight's experience showed, in most houses Black firemen had been passed over for acting duty in favor of less experienced white firefighters, often after they had shown these very same junior firemen "the ropes."⁵⁰

Despite these institutionalized obstacles, Black firemen, through shear will and determination, made several significant inroads. A few of the more "progressive" managed to secure some of the same study materials used by whites, and in turn, began passing this information on to their peers. Herman Williams, the first Black fireman to gain a promotion by passing the test to become a Pump Operator in 1959, had secured study materials by sneaking books out of his captain's office. Also, a white Lieutenant in Williams' company who took a liking to Williams gave him an old copy of the Pump Operator test. After earning his promotion, however, Williams was not afforded the same respect as white Pump Operators. Unlike the other, Williams was not allowed to drive the apparatus, a primary aspect of the job. Instead, white men would drive to the fire,

⁴⁹ Ibid; Phone interview with Martin McMahon, 17 April 1997; Interview with Ed Heckenrote, 4 April 1997; Interview with John T. O'Malley, 17 March 1997; Interview with Calvin Johnson, 30 April 1997.

⁵⁰ *Harper v Baltimore*, Case #71-1352-y, 13 December 1971 (U.S. 4th Circuit Court, Baltimore, Md.); Interview with James Crockett, 12 March 1997; Interview with John T. Murray, 19 March 1997; Interview with David Echols, 14 March 1997.

while Williams then jumped into the apparatus to control the pumps after arriving at the scene of a fire. Following the firefighting process, Williams was then made to ride on the back of the truck by his Captain rather than remaining in the Pump Operator's traditional spot. Many men began following Williams' lead. As early as 1960, over 28 percent of the men taking the Pump Operator's examination were African Americans, despite making up only roughly 10% of the entire department. Throughout the 1960s, several African American men managed to move up in the department after receiving exceptionally high marks on their written exams. One of these men was James Thomas, who became the department's first Black Lieutenant in 1962. His fellow officers made Thomas sleep in the bunkroom rather than in the officer's office. In 1966, all five African American men eligible for promotions attained higher ranks, prompting the Fire Board to "reevaluate" its testing and promotional procedures.⁵¹

In 1967, the Fire Board responded to this increase by changing the grading scale of the test. The new policy added weight to the written test and took value away from the performance test. In the three years that followed this shift of policy, Black firemen scored equally as well as whites on the performance tests, but began to score significantly lower on the new written section. Ironically, in the old system Black firemen had achieved greater parity in the written examination than in the performance test.⁵² For some men the constant manipulation of policy to secure white advancement became too much to take. After eleven years in the Fire Department, James Crockett, in his a letter of

⁵¹ Interview with Herman Williams, 24 March 1997; Interview with Calvin Johnson, 30 April 1997; *Harper v Baltimore*, Case #71-1352-y, 13 December 1971 (U.S. 4th Circuit Court, Baltimore, Md.); James Crockett, "Notes to Disciplinary Hearing," 18 May 1964, photocopy in author's possession.

⁵² Interview with John T. O'Malley, 17 March 1997; *Harper v Baltimore*, Case #71-1352-y, 13 December 1971 (U.S. 4th Circuit Court, Baltimore, Md.).

resignation dated May 7, 1964, told the Fire Board of his experiences with Baltimore's Fire Department:

Gentlemen, for more than ten years I have been the "low man on the totem pole" and the "low man on the totem pole can never look up, he must look down." . . . I could not attempt to name or count the number of new men I helped to break in at Hose Company No. 1. because the turnover has been tremendous. However, there comes a time Gentleman, when you get tired of beating your head against a brick wall, you get tired of fighting for what you feel is right and just and it is then time to make a change. And so gentlemen, because of the DISCRIMINATION, because of the PREJUDICE and because of the UNFAIR treatment exerted upon me and most of the Negro Fire Fighters, I hereby tender my resignation.⁵³

Crockett had given the department ten days notice, five more than the department's Rules and Regulations required. While serving out the rest of his time, his company-mates at Hose 1 inquired as to why he had quit. Crockett answered honestly by telling the members of his company precisely what he told the Fire Board and Chief. His Lieutenant, Thomas Potter Jr., took offense at the charges of discrimination leveled by Crockett and the numerous examples he cited. With only two days of work left in the BFD, Lieutenant Potter Jr. brought Crockett up on charges for "claiming unjust treatment, discrimination and prejudice, and by being guilty of conduct prejudicial to the discipline of the Fire Department, by making unfounded statements of unfairness, discrimination and prejudice by certain officials of the Fire Department." Chief Killen responded to the charges by revoking Crockett's resignation, and calling for a disciplinary hearing to be held on the 18th, the day after his service to the department had been scheduled to end. Rather than ignoring the hearing, Crockett showed up ready to fight. When given the floor, he did not address the charges against him, but indicted the

⁵³ James Crockett, "Letter of Resignation," 7 May 1964, Personal Papers, photocopy in author's possession.

department's brass for systematically excluding Blacks from serving as drivers for Battalion Chiefs, filling in at the infirmary or hospital unit, instructor positions at the Fire School - despite the presence of several Black firemen with college training and teaching degrees, all posts at Headquarters, the Fire Alarm office, the Marine Division, the repair shop, and pumping station. In retribution, Killen suspended Crockett, and in the process extended his official tenure with the department. He was not officially relieved of his duties until the first week of June after he had bypassed Killen and tendered his second letter of resignation directly to the Fire Board.⁵⁴

Like Crockett, many Black firemen during the 1960s began to lose faith that the department would change, and that they would never be afforded the opportunity to compete on an even playing field. Union representation had been ineffectual due to the small number of Black firemen in the union in comparison to whites. As a result, Local 734 continued to base its agenda on the wants and desires of white firefighters. Furthermore, African American firefighters received little if any support from the union in disciplinary matters because their complaints dealt largely with the conduct of white men who were either members of the Fire Fighters' union or the Fire Officers' union. For years, these organizations had worked together and supported one another to keep African Americans out of the Fire Department, and later out of the union. When the unions were forced to decide whether to support a white union member or a Black union member, the decision rarely took long. Thus, despite being allowed to join Local # 734, African Americans still lacked real representation and as a result, suffered greatly. While

⁵⁴ James Crockett to BCBFC, "Resignation," 27 May 1964, James Crockett's Personal Papers, Photocopy in author's possession; James Crockett, "Notes to Disciplinary Hearing," 18 May 1964, Personal Papers, Photocopy in author's possession.

a few men beat the odds and gained low-level promotions, the majority of African Americans remained "low men on the totem pole," despite years of experience. While most African Americans probably agreed with Mr. Crockett's sentiments, the strong majority of men refused to resign. For them, the battle was just beginning. Crockett, too, did not give up on the cause he had fought ten years for. After leaving the department to work as a Real Estate agent, Crockett maintained close contact with his peers, and continued to maintain an active interest in departmental affairs and conduct.

Outside of minimal promotional success, the mid to late 1960s was a period of stagnation for Baltimore's Black firemen. While SAFF members had continued to take stances on departmental matters during the early 1960s and later participated in the loosely formed promotional study groups, the organization had formally disbanded in the wake of union inclusion and the EEOC investigations. As the organization had earlier explained to both the Fire Board and EEOC, it had initially been formed as a means to gain union inclusion and did not want to be considered in violation of the department rule stipulating that all BFD could join either the fire officers' and firefighters' unions. While SAFF members continued to meet, they now did so in an organization - Los Diakanos - that was truly social in scope and focus. Headed by Charlie Thomas, Los Diakanos "sponsored numerous entertainment events in Baltimore and other cities and states along the east coast," and donated the majority of proceeds from their events to charities. This, however, again placed Black firemen in a position where they lacked a voice in disciplinary matters and departmental affairs as not a single Black member of the department had been assigned to Headquarters. Black firemen, as a result, made little

progress during this period, and remained without a voice in the department until the Board of Fire Commissioners was reconstituted after the 1967 mayoral race.⁵⁵

In 1968, Thomas D'Alesandro III replaced Theodore McKeldin as Baltimore's Mayor. D'Alesandro III, known by many as "Little Tommy," was the son of Thomas D'Alesandro Jr., the mayor who had assisted in integrating the Fire Department in 1953. "Little Tommy," however, took the helm of a city very different than the one his father had governed, and with a very different constituency. After many years of white out-migration and steady African American in-migration, Baltimore was on the verge of having an African American majority. In fact, by the end of his four-year term, African American Baltimoreans accounted for 50.9% of the city's total population. Little Tommy" was keenly aware that a large proportion of his supporters were Black, and that he would have to represent their interests if he hoped to be reelected. Unlike his father, however, "Little Tommy" had less appeal among Baltimore's increasingly conservative white working-class and had established a much deeper and more personal connection to the African American community.⁵⁶

Less than a month after becoming Mayor, D'Alesandro III appointed three African Americans to important city government posts. All three appointees were civil rights activists who were highly respected by Baltimore's Black communities. Charles Law, an active member in local civil rights struggles, was appointed to the Civic Center

⁵⁵ Vulcan Blazers, Inc., "History of Vulcan Blazers of Baltimore City," Annual Leadership and Awards Banquet, Program in author's possession; Interview with Charlie Thomas, 11 April 1997.

⁵⁶ U.S. Census Bureau, *County and City Data Book, 1972: A Statistical Abstract Supplement* (Washington D.C.: U.S. Government Printing Office, 1973) p. 690.

Commission. Solomon Baylor, a lawyer and President of the Baltimore Chapter of the Congress of Racial Equality (CORE), joined the Zoning Board. With his last appointment D'Alesandro III selected Dr. Marion Bascom to become the city's first Black member of the Board of Fire Commissioners.⁵⁷

Prior to joining the Board of Fire Commissioners, Dr. Bascom served as the Pastor of Douglass Memorial Community Church on the city's west side. He had also played a leading role in Baltimore's Interdenominational Ministerial Alliance (IMA), a civil rights group that engaged in direct action protests throughout the 1950s and 1960s to eliminate racial barriers throughout the city. Bascom was joined on the Fire Board by two white men, first time member Konstantine Prevas, and longtime Board veteran Jim Lacy Jr., who had served since 1960 much to the chagrin of Black firemen. D'Alesandro III's Fire Board appointments worried the leadership of both fire unions, who were concerned about where the majority would rest among the new Board. The unions knew they could count on the Irish Catholic Lacy Jr. to support their interests, for he had repeatedly done so in the past. But, they were also aware that Bascom had been associated with SAFF years prior, that many Black firemen attended his church, and that he would be pushing the department to alter its racial practices and policies. Mr. Prevas, however, was the swing vote. Bascom's appointment surprisingly went uncontested. Rather, both unions seemed more worried about Prevas, a lawyer who they

⁵⁷ Harold McDougall, *Black Baltimore: A New Theory of Community*, (Philadelphia: Temple University Press, 1993) p. 127.

feared was anti-labor. D'Alesandro III placated union leadership by vouching for Prevas, and as a result, his appointment passed without further resistance.⁵⁸

Immediately after assuming his post, Bascom began attacking overt and covert racism. He let it be known throughout the department that his primary goal as Fire Commissioner was to "right the wrongs that exist in the department." Within his first three months, Bascom brought many ignored or unknown facts regarding discrimination into the open. At one of the Board's first meetings during his tenure, Bascom chided the department for not having any African Americans in any higher echelon positions. In recognition of Local # 734's negligence regarding its Black members, Bascom also expressed an interest in improving communication between the Board and the BFD's Black members. To accomplish this, the Fire Board arranged for two meetings between themselves and any and all Black members of the department who wished to air their grievances or discuss their experiences.⁵⁹

These meetings served as a major turning point. For the first time in their history in the BFD, Black firemen were being asked by the Fire Board to voice their complaints and were being heard rather than being silenced or punished for voicing protests. During these meetings Black firefighters complained of still being made to use separate beds in certain houses, being subjected to ostracism and verbal abuse, and having to train white men only to get passed over by these same men for promotions and appointments. Another major complaint was that no African American had ever been named as a driver.

⁵⁸ *Baltimore Sun*, Morning Edition, 16 January 1968; *Baltimore Sun*, Evening Edition, 19 January 1968.

⁵⁹ *Baltimore Sun*, Evening Edition, (Baltimore) 20 March 1968; *Baltimore Sun*, Morning Edition, 13 March 1968; BCBFC, *Minutes*, 12 March 1968; BCBFC, *Minutes*, 12 March 1968; *Baltimore Sun*, Morning Edition, 20 March 1968; *Baltimore Sun*, Morning Edition, 21 March 1968; *Baltimore Sun*, Morning Edition, 23 March 1968.

for any of the department's ten Battalion Chiefs, appointed positions that were highly coveted "honorary posts." While Bascom was predisposed to assist black firefighters, the testimony given at these meetings played a pivotal role in winning Prevas's support. After hearing one hundred and forty men explain how they had, and continued to endure, years of racism and discrimination, Prevas joined Dr. Bascom's "crusade" to improve employment conditions and opportunities for Black firemen. For the first time in the department's history, a majority of the three man Fire Board was in favor of actively pursuing equal opportunity, and together Prevas and Bascom set out to test the limits of this new found power.⁶⁰

Following the hearings, Rev. Bascom began his own investigations of the department by conducting random "spot checks" in firehouses across the city. During his first round of visits, Bascom found three houses that still had segregated sleeping accommodations. At all three houses, the officers on duty informed Bascom that the "policy" of segregation had been verbally passed on from one Captain to the next since 1956 when "reserved" signs had been outlawed. In these same houses, the segregation of toilets, sinks, and showers was also still enforced. While the "restricted" signs had long been taken down, segregation remained in their place. Following his investigation, Bascom told his fellow Commissioners that the only way to end overt and covert racism was to "retrain the men," and restructure the department.⁶¹

Mr. Lacy and the unions saw the situation differently than Bascom and Prevas. Despite evidence to the contrary, the department's white majority refused to even acknowledge the presence of discrimination. In fact, after the Board's two meetings with

⁶⁰ *Baltimore Sun*, Evening Edition, 20 March 1968.

⁶¹ *Baltimore Sun*, Evening Edition, 28 March 1968.

the department's Black firefighters, Fire Board President Lacy indicated that he still was not convinced that discrimination existed, stating "As far as I know, there is no segregation in the Fire Department and I do not consider the matter a problem." The unions were even more adamant. Both groups were incensed by what they considered to be a "witch hunt." Local # 734 President Raymond Fogarty called the charges "strictly spurious and entirely without foundation," and claimed that the hearings had created "growing resentment" among white fire fighters. As had been the case in the past, any effort to deconstruct white control and the status quo that was BFD tradition was to be met with staunch resistance, denials, and increasing hostility.⁶²

Black firemen were of course grateful to finally have a Fire Board that was willing to investigate and act on their complaints. Many whites, however, had grown accustomed to having their way, and were outraged by the activist role of the Fire Board. Several incidents reflected this growing anger. Immediately after learning about the discrimination hearings, one white firefighter started a fight with an African American in his company who had had the nerve to testify. In a later meeting with the Fire Board on April 21, 1968, a member of the Fire Officer's union informed the Board that the investigations "must be stopped," because the process "was causing the department irreparable harm and cutting the department in two." Historically, the unions and the Fire Board had worked together to create a separate and unequal department without concern for the division that racial divisions that Blacks had frequently protested. Racial divisions had not troubled whites in the past when they were helping to enforce them, but when Blacks gained access to the higher echelons of the department and began to have a

⁶² Ibid; *Baltimore Sun*, Evening Edition, 22 March 1968.

say in departmental affairs and conduct, white backlash exploded throughout the department.⁶³

With Bascom and Prevas on the Fire Board, the policies which had been used to protect the interests of white firemen and their union began to come under fire. As a result, in the following three years the relationship between the Fire Board and unions quickly eroded as they butted heads repeatedly, each charging the other with being biased and discriminatory. One of things that had angered Bascom most during his "spot checks" had been the lack of Black visibility in several important sections of the department. After learning that the Fire Alarm Bureau never had an African American employee, Bascom sought to remedy this situation. Promotions to the Fire Alarm Bureau offered no pay raise and required no competitive testing for placement. Therefore, Bascom and Prevas overruled Lacy's vote and appointed two Black firemen to the Fire Alarm Bureau in June 1969. These two appointments drew hackles from the union. Newly elected Local # 734 President Charney Harris received a complaint from a white firefighter who had more seniority than the two Black firemen who had been appointed, but had been passed over. In the hearing that followed, Harris remarked that "the Board's policy of desegregation at all costs is getting out of hand and we want every man treated as an equal. . .this is just another case of discrimination" Angered by Mr. Harris' posturing and positioning of whites as the victim, Dr. Bascom shot back, "your accusation of segregation in reverse makes me laugh."⁶⁴

⁶³ *Baltimore Sun*, Evening Edition, 21 April 1968.

⁶⁴ BCBFC, Minutes, 3 June 1969; *Baltimore Afro-American*, 11 June 1969.

The Fire Alarm Bureau consisted of 30 employees. Its primary job was to determine the amount of manpower and technical resources that were needed to respond to a fire alarm.

Despite the verbal feuding, an agreement was reached between the Board and the unions in which both appointments were upheld, but an understanding was reached that established that all Fire Alarm Service positions would be filled through competitive testing.⁶⁵

In 1969, former BUL worker and longtime friend of many Black firemen, David Glenn, became the director of the Baltimore Community Relations Commission (CRC), a group which had evolved out of the Maryland EEOC. In a letter to the Fire Board Mr. Glenn stated the position of the CRC with regards to the Fire Department: "Our organization is primarily interested in getting more Black people to become members of the Fire Department and to improve the distribution of Black members within the many different divisions of the department." After meeting with the CRC, the Fire Board appointed African American Arthur Hicks to head the Fire Bureau. While this hiring may have been coincidental, Mr. Glenn felt he had forced the issue, and informed the press that he was determined to "to break the previously all-white department." During the meeting with Glenn, the Fire Board also commissioned the CRC to conduct a study to examine the department's hiring and promotional procedures and policies.⁶⁶

Despite the efforts and rhetoric of the Fire Board and the CRC, Black firemen nonetheless remained at "low end of the totem pole," lacking both equal representation and promotional mobility. By 1970, African Americans made up less than 14% of the department despite constituting almost half of the city's population. During the same

After making these decisions, the Bureau then assigned specific units to respond to the given emergency.

⁶⁵ *Baltimore Sun*, Evening Edition, 19 January 1968.

⁶⁶ BCBFC, Minutes, 5 August 1969; *Baltimore Sun*, Morning Edition, 13 August 1969; Interview with David Glenn, 24 April 1997.

year, 150 African Americans had taken the entrance examination, but only twenty were hired into the department. Furthermore, prior to July 1970 not one Black fireman had ever risen above the rank of Lieutenant, thus the BFD did not have a single Black Captain, Battalion Chief, Deputy Chief, or Chief.⁶⁷

This pattern finally came to an end on July 21, 1970 when Louis Harper became the BFD's first African American Captain after placing first on the Civil Service list. Mr. Harper, however, was only one of 120 Captains. All Black firemen realized that they still had a long way to go, and that Harper's appointment would mean little if the civil service continued to circumvent Black promotions when possible. Just after earning his promotion, Louis Harper was guarded and not overly enthusiastic as well, telling the press, "I have to admit, there is a lot of irony about this promotion. I am sure that there were blacks before just as capable of becoming a Captain, but because of deep rooted prejudices they were overlooked." Despite now being an officer, Harper remembered well the treatment he had received as he had climbed the ranks of the department. In fact, two years prior Harper had been one of the 150 men who had aired their grievances during the 1968 meetings.⁶⁸

While the support of the Fire Board and CRC had certainly helped, much more needed to be done. Most Black firemen attributed their lack of progress in the department to the union's refusal to represent Black firemen as equal members of both the union and the department, as well as to the manipulation of civil service procedures, two areas where a sympathetic Fire Board could offer little protection or assistance. Unsure how to

⁶⁷ *Harper v. Baltimore*, Case #71-1352-y, 13 December 1971 (U.S. 4th Circuit Court, (Baltimore, Md.).

⁶⁸ *Baltimore Sun*, Evening Edition, 22 July 1970; *Baltimore Afro-American*, 15 July 1970; BCBFC, Minutes, 21 July 1970.

proceed, in 1969 Charlie Thomas was approached by a delegation of “roadrunners” from New York’s Vulcan Society who had traveled to Baltimore to invite the city’s Black firemen to an upcoming conference in New York that was to serve as the precursor to the later formation of the International Association of Black Professional Fire Fighters (IABPFF). After some discussion, Thomas formed a delegation of Baltimore’s Black firemen to attend the conference. Eleven men, all of whom had previously been involved in SAFF, made the pilgrimage to the conference on November 1, 1969. There they explained to explain the specific obstacles they faced in Baltimore, as well as discussing the problems with systemic racism, under-representation, white backlash, and growing resentment in Black urban communities towards firefighters and fire departments, all problems Black firefighters across the country faced.⁶⁹

At the conference, the men had had a chance to speak at length with Black firefighters from other cities for the first time. The Baltimore contingent was surprised to learn the widespread nature of the problems they faced, and that Black firemen further north were having many similar problems. While they found out that anti-discrimination efforts in all cities were being staunchly opposed and fought against by fire unions nationwide, they were surprised to learn that they had been the only group at the meeting who had had to struggle so hard just be included into their union. Unlike SAFF, the members of the Vulcan Society had always been allowed to join their local firemen’s union. While each group had fought to eliminate overt discrimination within their respective departments, the Vulcan Society, unlike SAFF, had remained strong and in

⁶⁹ Vulcan Blazers Inc., "The History of the Vulcan Blazers;" *Baltimore Sun*, Evening Edition, 4 September 1970; Interview with Charlie Thomas, 11 April 1997.

operation since its formation and had even established itself as a "pressure group" that was recognized and in direct contact with the FDNY's brass.⁷⁰

Following the conference, the men returned to Baltimore with a new vision for a Black firefighters organization and shortly after began planning the formation of their own organization, the Vulcan Blazers, which they patterned after the Vulcan Society. Due to the past popularity of SAFF and the severity of discrimination against Black firefighters, the Vulcan Blazers grew rapidly. Within a year of its' founding approximately one-third of the department's African American members had joined the nascent organization. Within a short period of time, the Blazers elected Charlie Thomas the organization's first president, published a constitution, held regular meetings, and began dues collection. After building up the organization for almost a year, the Blazers formally announced their existence to the Board of Fire Commissioners on September 4, 1970, and were granted official recognition shortly after.⁷¹

The Blazers wasted little time asserting themselves within the BFD. They began with every intention of working with and through the firefighters' union, but their union brethren were not as receptive to this idea. While Local # 734 initially obliged when the Blazers presented Local # 734 with a list of grievances to present to the Fire Board, white hostility and resistance towards both the Blazers and the Fire Board intensified in the months that followed. The Blazers, despite rampant white backlash, refused to be silenced or intimidated and continued their assault on institutionalized racism within in the department. However, Local # 734's continued resistance to any and all initiatives

⁷⁰ Ibid.

⁷¹ *Evening Sun*, 5 September 1970; Interview with Charlie Thomas, 29 March 1997; Interview with Charlie Thomas, 11 April 1997; *Baltimore Sun*, Evening Edition, 4 September 1970.

designed to foster racial equality forced the organization to seek other alternatives.

During the 1970s, the Blazers, like Black firefighters across the country, turned instead to the International Association of Black Professional Fire Fighters (IABPFF) and the federal court system in an attempt to challenge the institutionalized foundations of racial discrimination in the urban fire service.⁷²

⁷² *Baltimore Sun*, Evening Edition, 30 September 1970; *Baltimore Sun*, Evening Edition, 29 September 1970; *Baltimore Sun*, Morning Edition, 30 September 1970; Charlie Thomas, interview with author, 26 April 1997; BCBFC, *Minutes*, 29 September 1970.

CHAPTER 6

THE FORMATION OF THE IABPFF AND THE RISE OF FIRE DEPARTMENT DISCRIMINATION LITIGATION

Whenever this issue of compensatory or preferential treatment for the Negro is raised, some of our friends recoil in horror. The Negro should be granted equality, they agree; but he should ask for nothing more. On the surface, this appears reasonable, but it is not realistic. For it is obvious that if a man is entered at the starting line in a race three hundred years after another man, the first would have to perform some impossible feat in order to catch up with his fellow runner.¹

Irish Catholics took care of their own first without a lot of apology for doing so, without any dubious language from timid leadership about guarding against “backlash.” Everyone understood it to be a perfectly legitimate procedure. Of course, there would be “backlash.” Organization begets counterorganization...The so-called white backlash against black people is something else: the embedded traditions of institutional racism being brought into the open and calling forth overt manifestations of individual racism...It was, in fact, racism defending itself. In the black community, this is called “White folks showing their color.”²

On October 1, 1970 four hundred and fifty Black firefighters began a three-day conference in Hartford, Connecticut that had been called “for the express and sole purpose of forming a national association of Black professional firefighters.” On the opening day, keynote speaker John Stewart, the head of the Hartford Fire Department’s Special Services Unit as well as the city’s Black firefighters’ organization, the Phoenix Society, told those in attendance that urban rebellions and the dramatic increase of fires in inner city communities had finally brought attention to the blight, neglect, and disaffection found in ghettoized communities, a call that Black firemen could no longer ignore. “No longer can we sit by and leave the present situation to our inaction,” Stewart

¹ Martin Luther King Jr., *Why We Can't Wait* (New York: Harper & Row, 1964), p. 134.

² Stokely Carmichael & Charles V. Hamilton, *Black Power: The Politics of Liberation in America* (New York: Vintage Books, 1967), pp. 55-6.

explained. "We must mobilize and bring about the changes that must be."³ The next evening, New York's Fire Commissioner Robert Lowery, addressed the delegation, stressing the need to "ways to stem and reverse the tremendous increase in demand for fire services in inner-city areas," and pointing to New York's Model Cities Program as an important example of the kind of new, innovative techniques needed to both improve community relations and curb the dangers of fire in impoverished areas.⁴

The organizers of the conference agreed, but called the meeting because they felt that Black firefighters first had to get together themselves before they could work effectively within inner city communities. Therefore, the majority of conference was spent dealing with the nuts and bolts of organization building. Plenary groups met the first and second day to establish recommendations for the organization's "name and structure, purpose and aims, membership and dues, constitution and by-laws." These recommendations were then presented to the delegates on the final day and voted on. Attendees from cities both large and small established four regional territories for affiliate organizations, dues structures and voting procedures, agreed upon the organization's constitution and by-laws, and arranged for regional meetings and elections to be held at a

³ "Convention of Black Professional Fire Fighters," *Vulcan News*, September 1970; Vincent Julius, "The Founding of the International Association of Black Professional Firefighters," (hereafter referred to as IABPFF), Speech given to IABPFF, Southeast Region, Augusta Georgia, 5-8 November 1998, Photocopy in author's possession; W. Edward Wendover in "Black Firefighters Hold 1st Convention, *Hartford Courant*, 2 October 1970.

⁴ W. Edward Wendover, "First Black Fire Commissioner Calls for Improved Services," *Hartford Courant*, 3 October 1970; W. Edward Wendover, "Black Firefighters Hold 1st Convention, *Hartford Courant*, 2 October 1970.

later date.⁵ The firefighters also selected a name for the group, “The International Association of Black Professional Fire Fighters (IABPFF).” The preamble to the IABPFF’s Constitution explained its’ mission as follows:

Whereas we, black fire fighters, aware of the increasing complexity of fire problems and those of our brothers within the community, feel called upon to form an organization for the purpose of studying and solving such problems; in order to take our place in the vanguard of civilization. We hereby form an organization for the purpose of cultivating and maintaining professional competence among Fire Fighters and establishing unity and brotherhood, also keeping alive in the interest among retired members, for the avowed purpose of improving the social status of our race, and increasing professional efficiency.⁶

At the inaugural meeting, the delegates also elected the organization’s first National Board: Daniel Austin of St. Louis. Sergeant at Arms; John O. Fryer, of Baltimore, Financial Secretary; Carl Jones. of Columbus, Corresponding Secretary; William Borgden Jr., of Philadelphia, Recording Secretary; Charles Hendricks, of Philadelphia, Treasurer; and Robert Paul, of Gary, Indiana, Vice President. The man selected to head the organization was David Floyd, who four years prior had called for the formation of a regional organization of Black firefighters during Vulcan Society elections. Upon addressing the organization. Floyd greeted the membership with a raised Black fist and told the membership that his first priority was to improve Black recruitment and to make urban fire department’s more representative of the communities they served. “We find across the country a trend for civil servants to live outside the area

⁵ Joel Lang, “Black Firemen Form Group,” *Hartford Courant*, 4 October 1970; W. Edward Wendover, “First Black Fire Commissioner Calls for Improved Services, *Hartford Courant*, 3 October 1970.

⁶ IABPFF, “IABPFF Convention Program. 1974,” Regency Atlanta Hotel, Atlanta, Ga., 28 September 1974, Photocopy in author’s possession; “Black Firemen to Meet,” *Tri-State Defender*, 14 September 1974, p. 3.

that pays their salary,” Floyd told the audience. “Jobs should go to people in the community. Outside people lose interest and spend wages elsewhere.”⁷

The selection of David Floyd as the IABPFF’s first President was fitting. Known by his peers in the Vulcan Society as a “natural born leader” and “activist” who worked well with younger and older Black firemen alike, Floyd had been tireless in his efforts to recruit inner city youth to the FDNY, a campaign that fostered a dramatic increase in the number of Black applicants in 1970. During the 1960s, Floyd, along with other Vulcan Society members and Black firemen from Hartford, Philadelphia, and New Jersey, had helped lay the foundation for the organization’s formation by traveling from city to city during the late 1960s to organize groups of Black firemen and to strengthen the bonds between groups already in operation.

While the IABPFF would have never have come into existence without the efforts and vision of Floyd and his fellow “road runners,” its formation was also the culmination of a larger and longer process in which the distance and isolation of Black firemen had gradually been bridged. This process began during the 1950s, but quickened as a result of the Civil Rights and Black Power movements as well as the responses they engendered within the urban fire service.⁸

⁷ Vincent Julius. Speech given to IABPFF North East Regional, New York, NY, 28 January 1995, Photocopy in author’s possession; *New York Times*, 31 August 1969; Joel Lang, “Black Firemen Form Group,” *Hartford Courant*, 4 October 1970; Interview with Vincent Julius, 20 January 2004; “A Young Black Firefighter with a Clenched Fist,” *Hartford Times*, 4 October 1970.

⁸ Information regarding Floyd’s reputation and relationship within and outside the department has been culled from numerous interviews, including the following: Interview with Bob Lanier; Interview with James Lee, Interview with Harry Horton, Interview with Jordan Sims, Interview with James Callender, Interview with Fred Fowler; Interviews with Vincent Julius, 16 & 17 January 2004. For the early origins of the IABPFF, see Vincent Julius, “The Founding of the International Association of Black Professional

Helping establish similar groups in other fire departments across the country had been among the Vulcan Society's guiding principles since its formation in 1940. Initially, however, the organization remained consumed with its own struggles in the FDNY. After solidifying itself through years of struggle, Black firemen in surrounding cities began establishing contact with the organization. Nearby Newark, New Jersey hired its first Black fireman in 1952. Four years later, Newark's Black firemen created the Vulcan Pioneers, an organization modeled after the Vulcan Society to curb maltreatment and discrimination in their department. Ironically, the Pioneers had never come in direct contact with the Vulcan Society or its members. Rather, over the years they had read about the organization's activities and functions in the Black press.

However, once formed the Pioneers contacted the Vulcan Society to invite its members to their first annual dinner dance.⁹ According to Vinnie Julius, one of two Vulcan Society members who attended, this event marked the founding of a social network that matured in the years that followed and which ultimately provided the foundation upon which a national Black firefighters' organization was built:

Myself, another Vulcan and our wives went over there and we met these guys in Newark. So that started it. We started going to one another's social events. Then we met the guys in Philadelphia...A guy from there was visiting New York, saw a Black fireman, and talked to him. He asked if we had an organization and how he could get in contact with us. The guy gave him my phone number and he called me. Then, the guys from Hartford and Jersey City also contacted us. So now, these five groups, from 1956 to 1960, o.k., we kept a loose affiliation. But from 1960 onward, we started going to all of one another's dances, dinners, and things like that. We'd reciprocate. It was a round circuit. We'd go to Hartford, New

Firefighters," Speech given to IABPFF, Southeast Region, Augusta Georgia, 5-8 November 1998, Photocopy in author's possession; Vincent Julius, Speech given to IABPFF North East Regional, New York, NY, 28 January 1995.

⁹ "First Fireman Goes on Duty In Newark," *Afro-American*, 11 November 1952, p. 22.

Jersey, and then to Philadelphia. It was mostly social. Some shop was talked about how you respond to certain stuff, but most of it was social.¹⁰

These rotating social gatherings continued throughout the 1960s, bringing Black firemen, their organizations, and families closer together. “We...went to visit each other, you know, with our wives,” recalled James Lee. “We used to have such a good time goin’ to these different cities...oh, we had a busload, maybe ten, fifteen couples. Usually we went down their for a specific purpose. We went to a dance, and usually the dances we dinner dances.”¹¹ These social functions gradually came to include work related discussions as Black firemen grew frustrated with the slow pace of change and growing backlash in both society at large and in their respective fire departments. “The impact of the Civil Rights Revolution” Vinnie Julius explained, “was tearing the sheep’s clothing off some of the racially antagonistic wolves in our local fire departments” and “more and more of our discussion became centered on the racial problems in our local fire stations.” Such conversations began at the Hartford’s Phoenix Society in 1966. Later that year, David Floyd proposed that the Vulcan Society make the formation of a regional association of Black firefighters one of its top priorities during fall elections, but the idea remained largely dormant until after the outbreak of urban rebellions following the assassination of Martin Luther King Jr. As Julius recalled, we were “sitting on the lawn at the home of one of the members of the Phoenix Society after the 1968 Memorial Day Weekend Picnic, it was either the Late Robert Nelson of the Vulcan Pioneers of Hudson County (Jersey City, New Jersey), or...the Late Charles Hendrix. Valiants, Philadelphia,

¹⁰ Interview with Vincent Julius, 17 January 2004.

¹¹ Interview with James Lee, 18 January 2004.

who made the statement, “Lets start to meet to consider forming a formal organization to deal with these problems.”¹²

In the fall of 1968, men from each city began meeting regularly to help each other deal with and combat the specific problems they were facing. In the winter, they elected a Board of Officers and named John Stewart of Hartford’s Phoenix Society as the organization’s interim chairman. By the spring of 1969, the group, which at this time was called itself the “Black Professional Fire Fighters,” held rotating monthly meetings in New York, Hartford, Philadelphia, Jersey City, and Newark that became increasingly formal and focused. A group of men from all five cities who attended every meeting, regardless of its location, emerged to form the nucleus of the nascent organization. These “road runners” began formulating an agenda for the organization, but also established strong bonds between firefighters in the different cities that helped ensure survival. Following each meeting, the host organization held social gatherings where the men drank, blew off steam, shared stories, and enjoyed each others company. These sessions were referred to by the group as its post-meeting “attitude readjustment” period.¹³

As the men grew closer, the “road runners” expanded their focus and goals beyond the northeast region, and began exploring the idea of forming a national organization. However, they had no idea which cities had Black firemen or how they could be reached. Robert Lowery stepped in to help the group. He contacted the nation’s premier Black fire buff - Baltimore’s own Arthur “Smokestack” Hardy - to find out

¹² Vincent Julius, Speech given to IABPFF North East Regional, New York, NY, 28 January 1995, Photocopy in author’s possession.

¹³ Vincent Julius, “The Founding of the International Association of Black Professional Firefighters,” Speech given to IABPFF, Southeast Region, Augusta Georgia, 5-8 November 1998, Photocopy in author’s possession; Interview with James Lee 18 January 2004; Interviews with Vincent Julius, 17 & 19 January 2004.

which major cities employed Black firemen, and when possible, to provide names and contact information. Since his early years, Hardy had collected any and all new clippings pertaining to Black firefighters and firefighting in general, and corresponded with a number of Black fire buffs and firemen. While Hardy was able to identify several cities with Black firemen and provide contact information for the men he had corresponded with, this information was hardly complete. To fill the remaining void, Lowery helped the Black Professional Fire Fighters secure contact information for the heads of fire departments across the county, whom they then asked to help put them in touch with Black firemen in their respective cities.¹⁴

The Vulcan Society, on behalf of the emerging organization, drafted a letter which it sent to Black firemen in ninety-six of the nation's largest cities. Sent out in mid-September, the letter invited Black firemen to attend a two day Black Fire Fighters' conference on October 31 and November 1, 1969 in New York City that would address "the following topics: a) Recruitment of Black Youth for the Fire Service, b) Harassment of Firefighters, c) Promotional and Internal Problems of Fire Departments, d) Fire Prevention in the Ghetto Community, e) Convention of Black Professional Firefighters in 1970." Despite the relatively short notice, two hundred and fifty Black firemen attended, including representatives from Boston, Cleveland, St. Louis, Los Angeles, New Orleans,

¹⁴ Interview with Guy Cephas, 7 May 2002; Interview with Vincent Julius, 20 January 2004.

Cephus, a fellow Black Baltimorean and enthusiastic fire buff, was "Smokestack Hardy's friend and protégé. Hardy's collection is currently stored at the Black Firefighters' Museum on Baltimore's eastside, which also doubles as Mr. Cephus's apartment. Former BFD Black firemen, James Crockett, attempted to secure a permanent location for these items in an old fire house for the last several years, but the city has yet to act on this request.

Washington D.C., Chicago, Detroit, and Baltimore. The men attended panel discussions led by senior Vulcan Society members, and later agreed to meet again in 1970 to officially found a national organization.¹⁵

Immediately following the conference, “the ‘road runners’ packed their overnight bags, gassed up their cars and hit the roads again,” hoping to inform and attract new groups of Black firemen to join the organization. Now, however, the original “road runners” were joined by new members who also began spreading the word to other Black firemen in cities in the South, Midwest, and along the West Coast. In between recruitment trips, the men gathered to construct proposals regarding the organization’s constitution, requirements, structure and voting procedures, procedural problems, objectives, and names that would be presented and voted on at the group’s founding conference in Hartford a year later.¹⁶

While the IABPFF was formed as a means to help Black firefighters deal with the specific issues affecting them and the communities they served, it was also a response to and a natural outgrowth of the Black Power movement. Throughout the 20th century, Black workers formed their own labor unions and caucus groups while also working with larger Black labor councils such as the NALC, the National Negro Congress, and

¹⁵ David Jackson, President of Vulcan Society, “Dear Brother Firefighter,” reprinted in the *Vulcan News*, 18 September 1969; “Black Firefighters to Hold Conference,” *New Amsterdam News*, 4 October 1969, p. 4; “Black Firemen to Meet,” *New York Times*, 29 October 1969; Joel Lang, “Black Firemen Form Group”; Vincent Julius. Speech given to IABPFF North East Regional, New York, NY, 28 January 1995; Vincent Julius, “The Founding of the International Association of Black Professional Firefighters,” Speech given to IABPFF, Southeast Region, Augusta Georgia, 5-8 November 1998; Interview with Vincent Julius 21 January 2004.

¹⁶ Vincent Julius, Speech given to IABPFF North East Regional, New York, NY, 28 January 1995; Interview with John Stewart, 20 September 2003; Interview with James Lee, 18 January 2004.

National Negro Labor Council, in an attempt to combat union and job exclusion and discrimination. The groups that emerged during the late 1960s, however, tended to be much more audacious and militant than their predecessors. While interpretations regarding the meaning of Black Power, its relevance to specific situations, or the tactics it encompassed varied greatly, Black workers' organizations, regardless of their ideological or political orientations, shared two common characteristics:

- Black Power in the unions has taken many forms – black caucuses, wildcat strikes in defiance of institutionalized union procedures, black unions organized outside the traditional AFL-CIO structure, and even black revolutionary union movements. But all such forms have had two things in common – the militancy of their demands and anger over the long lag in response to these demands by unions and management.¹⁷

Black caucus groups had been in existence for a number of years, but became more common and vocal during the late 1960s. Caucus groups formed in the United Steelworkers Association (USWA), the American Federation of Teachers, the Transit Workers Association, the International Ladies Garment Workers Union, and the United Auto Workers had demanded for years that their unions move beyond tokenism and paternalism, and allow for greater Black representation in decision-making positions within the union, and that they remove the segregated job structures and unequal access to seniority and promotional opportunities that had become institutionalized through the collaborative efforts of the union and their employers in collective bargaining. However, prior attempts to use conventional channels, including the Civil Rights Departments in both their internationals as well as the AFL-CIO, had been fruitless. Over the years, Black workers learned that union “civil rights departments” were more concerned with

¹⁷ Philip Foner, *Organized Labor and the Black Worker, 1619-1981* (New York: International Publishers, 1981), p. 401.

representing the interests of “the discriminators in organized labor rather than the black workers who are the victims of white racism within the house of labor.”¹⁸

During the late 1960s, Black caucus groups presented their grievances to the leadership of their internationals, but also began incorporating picketing, and in some instances, wildcat strikes, to attempt to force the unions to finally act against discrimination in the bargaining and promotional processes. Without majorities in their unions, however, caucus groups were relatively ineffective, and their appeals were repeatedly voted down and ignored by white workers who were unwilling either to acknowledge the existence of racial discrimination or to do anything that would compromise the institutionalized advantages and power they had accrued over the years. Not surprisingly, many Black workers came to view the AFL-CIO and its affiliates as hopeless, bankrupt bureaucracies geared more toward the protection of jobs and of the racial status quo than the interests of Black workers or the working-class in general. In response, Black caucus members in a variety of industries with significant numbers of Black workers - such as transit, teaching and the steel, garment, and automotive industries - broke away from official union structures to form independent organizations “not tied to management and the rotten, racist power structure.”¹⁹

¹⁸ Ibid, p. 407.

¹⁹ Ibid, pp. 402-8. Also see, Damon Stetson, “Negro Members Are Challenging Union Leaders,” *New York Times*, 29 June 1969, p. 37; John O. Killens, “Black Labor and the Black Liberation Movement,” *Black Scholar*, 2 (October 1970); Herbert Hill, “Black Dissent in Organized Labor,” in Joseph Boskin and Robert Rosenstone, eds., *Seasons of Rebellion: Protest and Radicalism in Recent America* (New York: Harper & Row, 1972); For Black workers’ struggles in the steel industry, see Bruce Nelson, *Divided We Stand, American Workers and the Struggle for Black Equality* (Princeton: Princeton University Press, 2001) pp. 235-42; Ruth Needleman, “Union Coalition Building and the Role of Black Organizations: A Study in Steel,” *Labor Studies Journal*, 25, No. 1 (Spring, 2000); “White Supremacy in Steel Unions,” *Mohammad Speaks*, 27 June 1969. For the

Black workers and contractors took a similar approach in the construction industry, but faced even greater difficulties. In Chicago, Pittsburgh, New York, Detroit, Cleveland, and Seattle, Black workers and contractors, in conjunction with community and Civil Rights and Black Power groups, formed independent Black Construction organizations to demand a greater minority access to jobs in federally funded projects in their cities. While a few of these groups actually secured the right to bargain on the behalf of Black workers, their influence remained limited. In an attempt to build their strength, Black Construction Coalitions from across the country met during the same month Black Fire Fighters' held their New York meeting and "adopted motions for a separate national black construction union." "The obstacles to creating such an organization" however, "proved so formidable that little came of the resolutions."²⁰

Unlike large industrial unions, which had incorporated the large number of black workers that the companies had hired, the building trades unions controlled the hiring process and had actively excluded Black workers from the skilled trades unions for years. Following the passage of Title VII in 1964, the construction industry became "the object of more protest and litigation concerning employment discrimination" that any other segment of the economy.²¹ After Title VII "went into effect, the federal courts found that many building trades unions were engaged in illegal systematic discriminatory racial practices and the courts for the first time ordered sweeping relief to Black plaintiffs in

USWA's and white worker's perspectives regarding the struggle against discrimination within the steel industry, see Judith Stein, *Running Steel, Running America* (Chapel Hill: University of North Carolina Press, 1998). For a trenchant critique of Stein's work, see Herbert Hill, "Race and the Steel Workers Union: White Privilege & Black Struggles, Reprinted from *New Politics*, Vol. VII, No. 4, New Series, (Winter, 2002): 1-58.

²⁰ Philip Foner, *Organized Labor and the Black Worker*, pp. 408-9.

²¹ William Gould, *Black Workers in White Unions: Job Discrimination in the United States*, p. 281.

class action suits and began to impose restrictions on the power of the unions to determine eligibility for employment.” Title VII cases regarding the building trades gave rise to the Philadelphia Plan, which marked both the beginning of the affirmative action goals as a legally supported remedy for instances of employment discrimination. From the moment hiring goals were introduced, the building trades unions, seeking to maintain their control of the hiring process, began engaging in both direct and indirect resistance.²²

While the IAFF did not control fire department hiring like the trades unions, Black firemen faced many of the same problems as Black construction workers. Like Blacks in the construction trades, Black firemen faced rising hostility and backlash from their unions and its membership, and made up such a small percentage of their parent union that forming a formal caucus group offered little hope for success. Nonetheless, while the IABPFF had been organized independently of the IAFF, David Floyd made clear when talking to the press during the organization’s founding conference that “the organization was meant to work within the International Association of Firefighters” and held out hope that “the IAFF would help the new group solve its problems.” Additionally, Black firemen had been required to be registered members of their local IAFF affiliates in order to join the IABPFF.²³

While Floyd and the IABPFF let it be known that they desired to work within the IAFF, the union, its local affiliates, and their white membership were doing little to inspire confidence in their willingness to represent the interests of the union’s Black members. At the national level, the IAFF was doing nothing to assist minority recruitment efforts or to reach out to Black firemen. Locally, Black-led campaigns to

²² Ibid.

²³ Joel Lang, “Black Firemen Form Group.”

establish residency requirements were continually rebuffed by IAFF affiliates. Used to having their way within their respective fire departments, IAFF locals remained stubbornly resistant to any and all attempts to eliminate even the most egregious forms of discrimination, and either fought against such campaigns or refused to act on behalf of their Black membership.

In the late 1960s, Black firemen in Washington D.C.'s rescue squad, for example, were "given a separate breathing device...so whites would not have to put their mouths on the same machine," and were relegated to Jim Crow beds. Washington D.C.'s IAFF local, however, refused to intercede in the matter, and Black union members were forced to file discrimination charges with the District's Human Relations Council on their own.²⁴ Conversely, in Baltimore, the Vulcan Blazers managed to convince Local # 734 to present the following grievances to the Fire Board: 1) racial bias in the selection of "acting men," 2) racially assigned beds, 3) failure to post forthcoming fire fighter examination announcements in African American communities, 4) racial designations on rosters and personnel files in the Sixth Battalion, and 5) insufficient training of black members in driving, pumping, tillering and ambulance service.²⁵ The Fire Board then moved to rectify these problems, passing and actively enforcing departmental orders outlawing any remaining manifestation of discrimination. The Chief of the Sixth Battalion was called in front of the Board to explain his usage of the designation (Col.) next to the names of Black firemen in his Battalion, and was officially reprimanded and

²⁴ Donald Johnson, "Attacks on Firemen Hamper Recruiting in Many Big Cities," *New York Times*, 27 June 1970.

²⁵ *Baltimore Sun*, Evening Edition, 30 September 1970; *Baltimore Sun*, Morning Edition, 29 September 1970; *Baltimore Sun*, Evening Edition, 30 September 1970; Interview with Charlie Thomas, 26 April 1997; BCBFC, *Minutes*, 29 September 1970.

forced to stop the practice.²⁶ The Fire Board then implemented a department-wide policy regarding bed assignments, warning each Battalion Chief that they would be held directly responsible for any act of noncompliance in their respective jurisdictions.²⁷ Within a month, three of the Fire Department's ten Battalion Chiefs received reprimands that went on their records for failing to enforce the new policy.²⁸

While Local # 734 leadership had presented these issues to the Fire Board, they had grown accustomed to having such issues ignored, and were angered by the Fire Board's "activism" and "constant focus on race relations." In a statement printed in the Local 734's newsletter, "The Baltimore Firefighter," Local # 734's President, Charney Harris reacted to these changes in policy by calling for the abolition of "the outdated" Fire Board, which he claimed didn't "know what a Fire Department is or even designed to do."²⁹ Following the union's lead, white resentment and hostility escalated. Battalion Chief John Kimmitt, for example, refused to shake Commissioner Bascom's hand following a disciplinary hearing regarding the continued existence of Jim Crow sleeping and living arrangements in his Battalion.³⁰ It also was around this time that Bascom began receiving death threats and demeaning phone calls and letters at his home. The harassment so severe that Bascom had to have his home guarded by the police.³¹

White backlash within the FDNY was equally strong, but not as brazen. In a 1970 article on rising racial animosity within the FDNY, Wesley Williams remarked that

²⁶ Ibid.

²⁷ Ibid.

²⁸ BCBFC, *Minutes*, 2 November 1970.

²⁹ *Baltimore Sun*, Morning Edition, 16 December 1970.

³⁰ *Baltimore Sun*, Morning Edition, 11 November 1970.

³¹ Interview with David Echols, 14 March 1997; Interview with Marion Bascom, 4 March 1997; Interview with Charlie Thomas, 26 April 1997.

he was saddened by the lack of progress being made: “I really thought things were changing and getting better,” but “there’s more bitterness and hatred inside the firehouse now than when I was there.” In the author’s opinion, “the racial situation in the country at large” had fostered the growing hostility. “It has triggered a racist fervor among white firemen, who the blacks contend, are often “beautiful hard hats” with little or no understanding or sympathy for the different cultural backgrounds, life styles and identities of black people.” Several Black firemen interviewed for the article, for example, pointed out that it was common to see white firemen look out from their inner city firehouses and remark, “They’re all savages out there” or “Don’t these niggers know any better way to live.” Like the city’s, “hard hats” - white construction workers – many of New York’s white firemen were extremely vocal advocates of the racist status quo. A group President Nixon and subsequent historians have mistakenly labeled the “silent majority.” White firefighters dismissed their Black colleagues and their “black talk” and adorned their fire trucks with American flag decals as a symbol of support for the Vietnam War as well as disdain for those who dared question the status quo. The UFA, in support of its white membership, publicly endorsed reactionary Conservative James Buckley for the U.S. Senate. As Al Washington, who worked in East New York/Brownsville, explained, being in his firehouse in the early 1970 was “like being in Archie Bunker’s living room.”³²

What particularly troubled the Vulcan Society, however, was the UFA’s staunch resistance to the Model Cities Program cadet program which was about to conduct a

³² Lacey Fosburgh, “Rise in Racial Tension Among Firemen Stirs Fears,” *New York Times*, 25 July 1970, pp. 1 & 21; Al Washington quoted in Golway, *So Others Might Live*, p. 277.

competitive examination to select for training two inner city residents who would enter the FDNY as firefighting apprentices. In 1971, the UFA and UFOA joined forces with the city's other Uniformed Services Unions to contest the cadets programs in various municipal departments. The unions claimed the program violated and sidestepped long established civil service procedures, unfairly discriminated against citizens who lived outside "Model Cities" neighborhoods, and "gave preferential treatment and competitive advantage to Blacks and Puerto Ricans." While their attempts to postpone the October 2, 1971 examination failed, they later received an injunction preventing "the list of men passing the examination from being certified," thus temporarily rendering the program null and void.³³

In 1970, a time when Fire Chiefs nationwide were lamenting how difficult hit had become to recruit new firemen, particularly minorities, the Vulcan Society - under the direction of David Floyd- had funded, organized, and ran an independent recruit campaign and "persuasively encouraged 1,638 black men to take the Civil Service examination for becoming a fireman." an increase of 40% when compared to previous years. As in other cities across the country, the Vulcan Society's efforts were conducted without any kind of support from their local union or its parent body. The organizations that made up the IABPFF therefore were shocked when the U.S. Department of Labor gave the IAFF a substantial grant in 1971 to be used to create local programs to recruit and train 1,200 minorities to enter the fire service in the following cities: Boston, Buffalo, Chicago, Cleveland, Dallas, Jacksonville, Los Angeles, Louisville, Memphis,

³³ John Ruffins, "Black Firefighters," p. 49.

Minneapolis, Oakland, Seattle, Tacoma, and Washington D.C.³⁴ Based on past experiences, the IABPFF doubted the seriousness of the IAFF's commitment to the project. As David Floyd made clear, upon receiving the grant, the IAFF did little to assuage their doubts:

Many black fire fighters, including myself, doubt the sincerity and the capability of the IAFF to render the service agreed to in terms of the grant. We are skeptical when we consider that in the past it has not actively assisted us in increasing minority representation in the fire service. It appears that our doubts are confirmed when we note that the IAFF has not contacted black fire fighters in their efforts to increase minority representation in fire departments.³⁵

In 1972, Floyd, with financial support from the John Hay Whiney Foundation, traveled across the country to investigate "the IAFF-administered recruitment programs" in five of the aforementioned cities, Boston, Cleveland, Chicago, Memphis, and Washington D.C. What he found was "confusion, unresponsive and ineffective conditions," "lethargy," a lack of commitment, and graft. The director of the recruitment program in Boston, for example, was an old friend of William McClennon, a former Boston firefighter who had left to assume the presidency of the IAFF. According to Floyd, Boston "IAFF officials had such a poorly planned program that it can be said it had no program at all." From December 1971 to March 1972, "no recruitment campaign was being conducted, in spite of the fact that the Boston fire Department was about two-hundred men short at the time." Nonetheless, the program's director had received over \$5,000 for his efforts. When asked by Floyd to produce "outlines, guidelines, or a

³⁴ Donald Johnson, "Attacks on Firemen Hamper Recruiting in Many Big Cities;" David Floyd, "Report on IAFF-Administered Recruitment Programs Within Fire City Fire Departments: Boston, Chicago, Cleveland, Memphis, and Washington D.C.," (Prepared for The John Hay Whiney Foundation), 7 September 1972, NAACP Papers, Library of Congress, Washington D.C., Part V, Box 352.

³⁵ Ibid.

tentative schedule of activities constituting his agenda," the director had nothing to provide. Boston's Civil Service Commission cancelled the fire departments' 1972 examination. As Floyd pointed out: "The IAFF selected the Boston Fire Department without having any written guarantee that a firemen's examination would be given this year." In Floyd's opinion, the Boston program had been set up as a money grab, and never intended to recruit black men and prepare them to take the civil service examination. As a result, Black representation in the Boston Fire Department remained at less than one percent of the total force.³⁶

Not all of the IAFF recruitment programs that Floyd examined were quite as bad or as Boston's, but with the exception of Chicago's program, which had a Black director, all seemed to have been set up for failure. In Cleveland, the white director of the program hired a Black recruiter, but did not inform him of the goals or structure of the program, or the amount of money available. The recruiter, however, improvised, putting out TV commercials and print adds in Black newspapers. The IAFF, however, failed to produce a single flier to be presented in Black communities that announced the date and time of the upcoming examination. Largely because of the efforts of the programs recruiter, 205 of the 1,077 men who registered for the department's 1972 examination were Black. In Memphis, "local chapter of the IAFF to be used for other purposes." Fliers produced for Memphis's program simply listed requirements, announced a training program and provided a number to contact, but did "nothing to imply that the fire service is actively recruiting black men." Also, training of potential applicants had been limited to a two-week period prior to the exam, hardly enough time to familiarize Black

³⁶ Ibid.

applicants with the material they would be expected to know. In Washington D.C., as was the case in Memphis and Cleveland, training sessions were held at “very inadequate facilities” that were either “too small or poorly equipped, or both,” despite the fact the grant included a \$2,000 allowance for each program for rental space.³⁷

While the IAFF’s negligence was one factor contributing to Black under-representation, Floyd and IABPFF also understood that recruitment was merely one aspect of much larger, institutionalized problem. In New York, for example, whites passed the 1970 entrance examination at a rate three times greater than Black applicants. Those who did pass, usually placed so low on the eligibility list that they were well out of the range within which one could expect an appointment. While whites pointed to the superior educational skills of white applicants, the tests were clearly biased. Twenty percent of the examination consisted of “current events and city government” questions, material hardly indicative of one’s ability to perform as a fireman.³⁸ As Fred Fowler explained, in highly competitive examinations where a several point swing could take an applicant out of the running for a position, questions pertaining to the local Catholic Church or Staten Island politics served to ensure that few Blacks would qualify to be hired.³⁹

While the biased nature of civil service testing was a concern of Black firemen across the country, David Floyd, during his investigation of IAFF recruitment programs, also discovered other institutional obstacles being employed to exclude Blacks. In

³⁷ Ibid.

³⁸ *The Vulcan Society of the New York Fire Department, Inc., et al., v. Civil Service Commission of the City of New York*, 360 F. Supp. 1265; 5 FEPC (BNA)1229; 6 Empl. Prac. Dec. (CCH) P8904 (DC SNY 1973); *Vulcan Society v. Civil Service Commission*, 5 FEPC 699 (DC SNY 1973).

³⁹ Interview with Fred Fowler, 16 January 2004.

Memphis, the final decision as to whether a black man would be hired rested in the hands of Claude Armour, the Chief of the Department. While written, physical, and medical examinations were first required, oral interviews with Armour were the final phase in the hiring process. As Floyd reported, a number of Black applicants had passed the three prior examinations, but were disqualified by Armour as a result of their “performance” in the highly subjective oral interview.⁴⁰

With their unwillingness to work with Black firemen, biased civil service procedures firmly entrenched, and some fire departments actively subverting Black attempts to gain equal opportunity, few avenues existed within which Blacks could push the fight against discrimination forward. While workers outside the civil service could pursue mediation or litigation through the EEOC and then the courts, Title VII, in its original form, had not applied to Black firemen. Employment discrimination cases in other occupations during the late 1960s and early 1970s, however, created several important precedents that Black firemen would later attempt to seize upon.⁴¹

In 1971, a employment discrimination case filed by Black public utility workers in North Carolina was decided that greatly impacted the course of employment discrimination litigation and had a direct bearing on the situation faced by Black firemen. In the landmark case, *Griggs v. Duke Power Co.*, the Supreme Court widened its interpretation of Title VII violations to include unintentional or “facially neutral” societal

⁴⁰ David Floyd, “Report on IAFF-Administered Recruitment Programs Within Fire City Fire Departments: Boston, Chicago, Cleveland, Memphis, and Washington D.C.”

⁴¹ For an historical analysis of formation of Title VII, its numerous loopholes, and the role played by politicians and the AFL-CIO in circumscribing its scope and enforcement powers, see Herbert Hill, “Black Workers, Organized Labor, and Title VII,” Chapter in *Race in America: The Struggle for Equality*, eds., Herbert Hill and James E. Jones (Madison: University of Wisconsin Press, 1993), p. 265.

and institutional policies that disproportionately disadvantaged minorities. In doing so, the Court ruled that statistical discrepancies could be used to prove a “pattern or practice” of discrimination, a precedent that shifted the burden of proof from the plaintiffs to the employers.⁴²

In the *Griggs* case, the Supreme Court ruled that the Duke Power Company’s high school graduation and aptitude test requirements were illegal because they were not job related and because longstanding racism and institutionalized inequities - both on the job and in society at large - had circumscribed the ability of Black North Carolinians to compete on an equal basis for both entry level and promotional positions. Unequal access to quality education in North Carolina as well as the disproportionate rate in which Black North Carolinians had quit school to enter the workforce to try to offset the wide racial disparity in wealth created a situation in which 34% of white males, but only 12% of Black males in North Carolina, had high school diplomas. With regard to aptitude tests, the Court found the tests to be highly biased, referring to statistics gathered by the EEOC which had “found that the use of a battery of tests, including the Wonderlic and Bennett test used by the company in the instant case, resulted in 58% of whites passing the test as compared to only 6% of the blacks.” To combat the disparate impact created by these policies, the court ordered that all tests used by the company be validated, and ordered an affirmative action plan be adopted to atone for past discrimination.⁴³

The *Griggs* decision represented both the potential and limitations of employment discrimination litigation. While the Supreme Court had shifted the burden of proof from the plaintiffs to the defendants, the Court’s ability to issue relief that could dismantle the

⁴² *Griggs v. Duke Power Co.*, 401 U.S.C.C. 424 (1971).

⁴³ Ibid.

structural roots of employment discrimination was limited by clauses that had been inserted into Title VII by hostile Senators who, in conjunction with the AFL-CIO, had circumscribed Title VII's power, scope, and impact before it was passed.⁴⁴ One such clause, inserted by Senator John Tower of Texas, supported testing procedures so long as they were job related and adhered to EEOC testing guidelines. If this stipulation was met, the disparate impact of these examinations became legally irrelevant, as the Supreme Court made clear in its decision:

If, as here, an employment practice that operates to exclude Negroes cannot be shown to be related to job performance, it is prohibited, notwithstanding the employer's lack of discriminatory intent...The act proscribed not only overt discrimination but also practices that are fair in form, but discriminatory in operation. *The touchstone is business necessity* (emphasis added). If an employment practice which operates to exclude Negroes cannot be shown to be related to job performance, the practice is prohibited.⁴⁵

As a result, the previous tests were to be replaced by validated examinations. However, once this had been done, employers could use any test, "whether it was a good test or not" so long as it had been professionally developed, and could no longer be evaluated for racial bias.⁴⁶

Despite the limitations of the Supreme Court's ruling in *Griggs v. Duke Power Co.*, the decision, as Herbert Hill explained, was part of a larger, significant trend in which the federal courts began to expand their focus to take into consideration the institutionalized nature of racism in America as well its impact on Black workers as a whole:

⁴⁴ Herbert Hill, "Black Workers, Organized Labor, and Title VII."

⁴⁵ *Griggs v. Duke Power Co.*, 401 U.S.S.C. 424 (1971).

⁴⁶ Alfred Blumrosen, *Modern Law: The Law, Transmission System and Equal Employment Opportunity* (Madison: University of Wisconsin Press, 1993), p. 383, n. # 33. Senator Case made this quote while debating Senator Tower when the later proposed amendments designed to circumscribe Title VII.

In Griggs, and in other decisions, the courts are focused on consequences that are rooted in historical social patterns of discrimination. For the first time, the federal courts are doing what state fair employment practice commissions and previous rulings had failed to do – confronting the systematic structure of discriminatory practices instead of merely providing limited relief for individual plaintiffs.⁴⁷

While Griggs addressed an issue at the core of racial inequality in fire departments discrimination and under-representation - biased entrance testing procedures - racial discrimination in public employment was not covered by Title VII in its' original form. Prior to 1972, when Congress amended Title VII to include civil service workers, Black firemen lacked a legal avenue to present employment discrimination in the courts. This, however, changed when the long ignored 1866 Civil Rights Act was revived by the Supreme Court in the 1968 *Jones v. Mayer*, and later expanded in subsequent litigation by appellate courts to include employment discrimination.⁴⁸

Established one year after the 13th Amendment legally abolished slavery, “the Civil Rights Act of 1866 was passed to destroy the remnants - the “badges and incidents” of slavery perpetuated by the discriminatory practices of private individuals.”⁴⁹ It’s rebirth, application, and significance to employment discrimination cases after nearly one hundred years was an extremely significant development, particularly for Black firemen. The aspect of the Act that applied directly to employment discrimination, Section 1981, varied significantly from Title VII. Unlike Title VII, Section 1981 did “not require deference to state agencies” or that Black workers first undergo a conciliation period

⁴⁷ Herbert Hill, *Black Labor and the American Legal System: Race, Work and the Law*, p. 62.

⁴⁸ Ibid, p. 69; William Gould, *Black Workers in White Unions*, pp. 49-52.

Jones v. Mayer dealt with racial discrimination in housing, and provided relief under §1982 of the 1866 act. During a series of appellate decisions in 1970 and 1971, the courts held that § 1981 of the 1866 act applied to employment discrimination as well.

⁴⁹ Herbert Hill, *Black Labor and the American Legal System*, p. 63.

under the guidance of the EEOC before charges could be filed in court.⁵⁰ Also, unlike the “colorblind” language used in Title VII, § 1981 specifically required that “all persons...shall have the same right...to make and enforce contracts...as is enjoyed by white citizens.” While interpretations of Title VII had evolved to the point where the courts agreed “that the present effects of past discrimination”- including discrimination that occurred prior to the Act’s passage in July 1965 – “the revival of Section 1981 as an independent basis for litigation” allowed the courts “to reach past actions even if they have no present effects.”⁵¹

For Black firemen, however, perhaps the most important difference between Title VII and Section 1981 was that the latter provided coverage for all Black workers, including civil service workers. While Black firefighters now had a legal avenue to pursue, Section 1981 was not without problems. During the early 1970s, the courts tended to refer to contemporary legislative debates and disagreements regarding Title VII when shaping precedent on employment discrimination cases filed under the Civil Rights Act of 1866. Also, while Section 1981 plaintiffs could get their cases to court in a more timely fashion, they did not “have the help of the EEOC in investigating and litigating” their cases.⁵²

Despite these limitations, Black firemen in several cities, after a number of years in struggle, jumped at the opportunity to see if the ruling handed down during Griggs would be applied to fire department cases brought under § 1981. From 1971 to January 1973, three separate fire department discrimination cases made their way to the district

⁵⁰ William Gould, *Black Workers in White Unions*, p. 52.

⁵¹ Herbert Hill, *Black Labor and the American Legal System*, p. 84.

⁵² Gould, op cit, p. 52.

courts, including cases filed by the Vulcan Society of New York and the Vulcan Blazers of Baltimore. Surprisingly, however, Blacks in Minneapolis, Minnesota, a city without a history of struggle within the fire department and a relatively small Black population began what soon became a protracted, nationwide legal battle to fight systemic racism and gross minority under-representation in urban fire departments.

In 1970, minorities accounted for 6.44% of Minneapolis's total population, but not one member of the Minneapolis Fire Department's (MFD) 535 members was a minority. In the MFD's entire history, only two Black firemen had worked in the department. The first, hired in 1944, had been dismissed during the probationary period for an alleged violation of the department's uniform code. The second man served for a number of years before retiring as a District Chief in 1962. His ability to climb the ranks of the department, however, said more about the absurd nature of racial discrimination than it did about the egalitarian nature of the department. The District Chief was an extremely light-skinned Black man who had entered and advanced within the department by concealing his racial identity, a point that the Department's Chief attempted to obfuscate when trying to cite his success as an example of racial equality within the department: "He's a good friend of mine. I call him a Negro. I don't know whether he would admit to it, but I can personally say he is a Negro."⁵³

In 1969, local civil rights agencies began pressuring the MFD to increase minority recruitment efforts and alter existing requirements that had a discriminatory impact on minority applicants. The same year, a local civil rights and anti-poverty agency, the Mobilization of Economic Resources (MOER), was encouraged by city officials to for a

⁵³ *Carter v. Gallagher*, No. 4-70 Civ. 399., F.2d., 3 FEPC (BNA) 692; Empl. Prac. Dec. (CCH) P8205 (1971).

Subcommittee designed to provide recommendations regarding ways to improve minority representation and recruitment within the department to the city's Civil Service Commission (CSC), Fire Department, and its IAFF affiliate. After studying the matter, the Subcommittee met with representatives of the CSC and recommended that it make a litany of changes, including eliminating the cultural bias found in the existing entrance examination, dropping the high school requirement except for promotional purposes, changing the minimum age requirement from 21 to 18, allowing applicants to obtain a chauffeur's license by the end of six months of employment rather than by the time applications were to be filed, and dropping the existing height requirement. The CSC, more interested in presenting the appearance of cooperation than in actually implementing the proposed alterations, distributed a memorandum "to all fire department personnel" following the meeting "which characterized the Subcommittee's proposals as an effort to lower standards."⁵⁴

At a public hearing held shortly after, MOER and the Urban Coalition of Minneapolis proposed that an affirmative action program be adopted to offset the department's gross racial imbalance. The CSC rejected the idea, and instead proposed that they would work with civil rights and community groups as well as the firefighters' union to improve recruitment in minority communities. They also agreed to hire a consulting firm to create a new, "validated" written examination. During the recruitment drive, community groups distributed applications throughout minority communities while the firefighters' union placed men in community centers to receive applications. However, the applications given to white union members never made their way back to

⁵⁴ Ibid.

the CSC. Upon learning of this, a class of applicants that had been affected by the CSC and union's neglect, as well as the department's history of racial exclusion, charged that the CSC and MFD had violated U.S.C. §§1981, 1983 and the Equal Protection Clause of the 14th Amendment.⁵⁵

On March 9, 1971, Judge D.J. Larson rendered the District Court's decision in the case, *Carter v. Gallagher*. Larson systematically documented the department's rich history of discriminatory practices and then pointed to numerous aspects of the department's existing hiring procedures that had a disparate impact on minority applicants. Following precedent set earlier in the year in *Griggs v. Duke Power Company*, Larson pointed to the overwhelming statistical discrepancies that existed as proof of *prima facie* discrimination, and then called into question the "business necessity" and validity of a number of qualifiers utilized by the CRC, including the high school graduation requirement and the entrance examination itself:

The evidence shows that no substantive knowledge of fire fighting practices or procedures is essential for the fire fighting applicant...An educational requirement for promotions within the department may have some justification, but at the entry level position of fire fighters there is no necessary basis for that position...The Minneapolis Fire Department seeks applicants who have the ability and willingness to practice and learn the procedures of fire fighting...The requisite ability to learn does not imply the ability to have immediate and long-lasting retention of principles or procedures which are demonstrated on one occasion or on a few occasions, for the Minneapolis Fire Department engages in continuing retraining of all personnel on all aspects of fire fighting procedure and theory.⁵⁶

Larson, however, was limited by testing provisions that had been codified in the 1964 Civil Rights Act, and could not attack what he had identified as the foundation of

⁵⁵ Ibid.

⁵⁶ Ibid.

systemic racism in the department, the testing requirement itself.⁵⁷ Instead, he required that future tests be validated by the EEOC and that the high school requirement, be dropped with the understanding that new firefighters would have two years to either graduate or pass a high school equivalency examination. While the institutional roots of discrimination remained largely intact, “the court” also “ordered that an ‘eligibility list’ of blacks, American Indians, and Spanish surnamed applicants be established,” and that “absolute preference” be given those on the list until twenty positions were filled.”⁵⁸ Larson closed his opinion by stating that “the Court shall maintain jurisdiction of this action,” but also called upon the Circuit Court to conduct a hearing to determine the constitutionality of the CSC’s “local durational residency requirement” which called for all applicants to have lived in the state for five years or more.⁵⁹

When the case appeared before the Circuit Court, the three-judge panel widened the scope of its inquiry to examine the constitutionality of Larson’s relief program. The Circuit Court, overstepping its boundaries, overlooked existing legal precedents that supported Larson’s decision. Attempting to turn back the legal clock, the Circuit Court vacated Larson’s judgment and seemingly dismissed the legality of class action lawsuits by issuing the following statement regarding the basis for its decision:

Under the (District) court’s minority preference provision, a White person who, in a subsequently conducted examination fairly conducted and free of racial discrimination, obtains a higher rating than a minority person is denied employment solely because he is a White man. The fact that some unnamed and unknown White person in the distant past may, by reason of past discrimination in

⁵⁷ The testing provision in Title VII allowed entrance examinations so long as they were “professionally developed ability tests” that conformed to EEOC guidelines. The clause, inserted by Republican Senator John Tower of Texas, was added to Title VII while the Civil Rights Act was being neutered in the Senate.

⁵⁸ William Gould, *Black Workers in White Unions*, p. 103.

⁵⁹ *Carter v. Gallagher*, op cit.

which the present applicant in no way participated, have received preference over some unidentified minority person with higher qualifications is no justification for discriminating against the present better qualified applicant upon the basis of race.⁶⁰

The Circuit Court, however, did grant a petition for a rehearing *en banc* to determine the legal feasibility of the District Court's quota relief system. At this rehearing, the Circuit Court agreed that "the absolute preference of 20 minority persons" violated "the constitutional right of Equal Protection of the Law to white persons who are superiorly qualified," but also reaffirmed the District's Court's decision to institute an affirmative action program. The court's problem with the previous plan was it wording in that it diverged from previous precedents by providing immediate relief members to a set number of minorities while freezing white hires until this "quota" was filled. Instead, the court presented a modified plan that staggered the court ordered relief program:

Ideas and views on ratios and procedures may very widely but this issue should be resolved as soon as possible. In considering the equities of the decree and the difficulties that may be encountered in procuring qualified applicants from any of the racial groups, we feel that it would be in order for the district court to mandate that one out of every three persons hired by the Fire Department would be a minority individual who qualified until at least 20 minority person have been so hired.⁶¹

The Carter trilogy was a significant turning point in the struggle for racial equality in the urban fire service. While the "back and forth" of the Carter cases clearly indicated a legal differences of opinion regarding the usage of affirmative action, hiring goals, and quotas as a form of relief from proven cases of discrimination, it did show that the Supreme Court's widened interpretation of Title VII violations set forth in *Griggs v.*

⁶⁰ Quoted in William Gould, *Black Workers in White Unions*, p. 103.

⁶¹ Ibid, p. 104; *Carter v. Gallagher*, 452 F2d. 315 (8th Cir.) (reporting both panel and en banc opinions), *cert. denied*, 406 U.S. 950 (1972).

Duke Power Co. could also applied to discrimination charges filed under the 1866 Civil Rights Act and/or the Equal Protection Clause of the 14th Amendment. Shortly after the first Carter decision, however, Title VII was amended to include firefighters and other groups of municipal employees. Despite this, Black firemen in New York and Baltimore, after following the Minneapolis case, also sought relief under Sections 1981 and 1983 of the 1866 Civil Rights Act in *Harper v. Baltimore* and *The Vulcan Society v. New York*.

These two cases differed from the Carter trilogy in that the departments in question had long since achieved limited minority representation. In each case, the city's Civil Service Commissions, local IAFF affiliates, and white firefighters entered the fray, joining together to oppose discrimination. Like Carter, the decisions rendered in each case reflected the limitations and malleability of the Griggs "victory" as well as the increasingly problematic "color-blind" reinterpretation of § 1981 being used by some courts to dismiss affirmative relief, which was perceived as a threat the individual rights of white firemen. Moreover, unlike the Carter cases, the use of statistical discrepancies between the percentage of Black firefighters and the racial composition found in the city and its surrounding areas to establish *prima facie* discrimination had been challenged in a recent case regarding discrimination in Boston's fire department, and in turn, made the tremendous disparities found in each city's fire department legally irrelevant.⁶² As a result, both cases appeared in court at a time when employment discrimination litigation and precedent remained in flux, and many judges were contesting the decisions rendered in case like *Griggs* and *Carter*.

⁶² Alfred Blumrosen, *Modern Law: The Law Transmission System and Equal Employment Opportunity* (Madison: University of Wisconsin Press, 1993), p. 46.

The Baltimore case, *Harper v. Baltimore*, resulted from the Vulcan Blazer's monitoring of Carter I as well the activism of Fire Commissioner Marion Bascom. Around the time the Carter case began, Mayor D'Alesandro III, the man who appointed Bascom, decided not to run for reelection. As a result, new Fire Commissioners would be appointed in 1972, creating a potential return to business as usual in the BFD. As a result, Bascom, during his last year on the Board, stepped up his efforts to eliminate fire department discrimination by attacking the obstacle that he felt had been most responsible for restricting Black representation and mobility within the department - civil service tests and procedures. Reiterating the opinion of numerous experts on the subject of the tests, Bascom contended that the tests were culturally biased and discriminatory, but faced a major stumbling block. Entrance tests were administered by the Civil Service Commission (CSC), and were out of his and the Fire Board's jurisdiction. While the Board lacked the power to make direct modifications to the testing process, earlier in the year the EEOC had issued specific guidelines for the CSC to follow in order to prevent discrimination and biased testing.⁶³ With the Mayor's support, the Fire Board approved the formation of "The Pope Commission," a group of ten individuals mainly from academia who were to examine the tests for racial bias. If they found bias in existing procedures, the Commission also was instructed to propose methods and new procedures to fix any and all problems with discrimination in the department. The Pope Commission found rampant discrimination throughout the department, and found several long existing illegal practices and procedures in testing. To remedy deeply ingrained racial

⁶³ Richard Arvey, *Fairness in Selecting Employees* (London: Addison Wesley Publishing, 1979), p. 43; Robert Guion, "Employment Tests and Discriminatory Hiring," in *Negroes and Jobs: A Book of Readings*, eds. Louis Ferman, Joyce Kornbluh, and J.A. Miller (Ann Arbor: University of Michigan Press, 1968), pp. 323-37.

discrimination, the Commission proposed that an affirmative relief program be established for both hiring and promotions. Its findings were later presented to the Civil Service Commission, but were completely ignored.⁶⁴

In mid 1971, the unions negotiated a contract with the city that would reduce the work week (56 to 48 hours), increase salaries, and create five new Battalion Chief positions that were to be filled from the existing Civil Service list. The first two issues were well received by all, Black and white. However, the promotional proposition particularly angered the Vulcan Blazers because not one Black fireman was even eligible to compete for these new positions. To become a Battalion Chief, firemen were required to have at least twenty years experience in the department and have been a Captain for at least two years. Louis Harper, the only Black Captain in the entire department, had been in his position for less than a year. Moreover, no Black fireman had twenty years of experience because they Blacks had been excluded form the department until 1953. If the contract passed, Black firefighters would miss out on the largest promotional opportunity for fire officers in years, thereby maintaining the lily-white status of the upper echelons of the BFD for years to come. Black firemen would have to wait until white officers either retired or died to have another opportunity to become Battalion Chiefs.⁶⁵

The Blazers voiced their opposition in a letter to the Fire Board, and demanded that three of the proposed Battalion Chief positions, and half of any new promotional

⁶⁴ BCBFC, 8 December 1970; *Harper v. Baltimore City Council and Mayor*, Case #71-1352-y, 13 December 1971, (U.S. 4th Circuit Court, Baltimore, Md.)

⁶⁵ BCBFC, *Minutes*, 1 December 1971.

spots which might open up during the contract's length, be filled with Black firemen.⁶⁶ Commissioner Bascom expressed his support, stating: "the present system of promotions should be changed to provide greater upward mobility for black members of the Department."⁶⁷ Prevas concurred: "If we pursue the usual legal course or follow what is considered the logical process, it will be a long time before we see the desired visibility in the upper echelons of the department."⁶⁸ Two days later, the Board of Fire Commissioners held a special session attended by 15 members of the Vulcan Blazers and their attorney, Leroy Carroll.⁶⁹ The Blazers, perhaps emboldened by the success of Black firemen in Minneapolis, toughened their stance on the contract issue. Mr. Carroll, on behalf of the Blazers, now demanded that Black firemen receive all five Battalion Chief positions to rectify the historic exclusion of Blacks in the upper ranks of the department.⁷⁰ The Board indicated its sympathy with the Blazers' position, but informed Carroll and the group that it lacked the power necessary to alter the promotional system as the "matter was under the jurisdiction of the Civil Service Commission as is required by the City Charter."⁷¹

On December 1, 1971 the Board of Fire Commissioners went to the Mayor's office to sign a Memorandum of Understanding that would ratify the union contract. After they arrived, however, Reverend Bascom told the Mayor, who was a personal friend and frequent visitor of his congregation, that he refused to sign the contract because he felt that the agreement was discriminatory and would perpetuate and solidify the department's

⁶⁶ BCBFC, *Minutes*, 24 November 1971.

⁶⁷ Ibid; *Baltimore Sun*, Evening Edition, 30 November 1971.

⁶⁸ Ibid.

⁶⁹ BCBFC, *Minutes*, 26 November 1971.

⁷⁰ Ibid.

⁷¹ Ibid.

old boy network.⁷² After an hour of deliberations, Mayor D'Alesandro III, who had only a month left in his term, proposed that the Memorandum of Understanding be signed by all, but with the understanding that the City Solicitor would seek a "test case" in Federal Court to decide if the contract should be altered to give Black firemen special preferences as a way to reverse the impact of years of systematic discrimination.⁷³ Bascom agreed to the deal, but only after the Mayor agreed to stipulate that all hirings and promotions to Battalion Chief would be frozen until the matter had been resolved in court.⁷⁴

The case proceeded quickly. First, City Solicitor George Russell, along with the Vulcan Blazers, selected civil rights attorney Kenneth Lavon Johnson to represent the plaintiffs in what Russell termed "a friendly test case."⁷⁵ Mr. Johnson, who had accumulated years of experience in civil rights law while working in the Civil Rights Division of the United States Department of Justice, took the case at an exciting time in civil rights legal history.⁷⁶ On December 7, 1971 Johnson, on behalf of all of the department's Black firefighters, filed racial discrimination charges against the city, fire department, and CSC.⁷⁷ Legal protocols and white interveners, however, held up the trial for over a year. First, Russell motioned for the case be dismissed due to a lack of evidence, and insisted that the hiring and promotional injunction be lifted.⁷⁸ Judge Joseph Young denied the dismissal motion, telling Russell that already "the evidence had shown

⁷² BCBFC, *Minutes*, 1 December 1971.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ *Baltimore Afro-American*, 4 December 1971.

⁷⁶ *Harper v. Baltimore City Council and Mayor*, Case #71-1352-y, 13 December 1971, (U.S. 4th Circuit Court, Baltimore, Md.)

⁷⁷ *Harper v Baltimore City Council and Mayor*, Case #71-1352-y, 13 December 1971, (U.S. 4th Circuit Court, Baltimore, Md.)

⁷⁸ Ibid.

a prima facie case of de facto discrimination.⁷⁹ The case was held up again when 13 white fire officers and both fire unions asked to be joined to the suit, claiming that the city was "acting in collusion with the African American plaintiffs with complete and prejudicial disregard for the rights of whites."⁸⁰ Judge Young allowed the men and the unions' request.⁸¹

By November 1972 what had at one point been referred to as a "friendly test cast" had became an out and out war. Mr. Johnson submitted a motion requesting a money judgment for millions of dollars for "back pay and punitive damages, plus attorney's fees" for all Black firemen who had ever served in the department.⁸² A motion had been filed to recover back pay for the four plaintiffs named in the case, but Johnson wanted to make it clear that the case was a class action suit rather than adjoined individual cases. Mr. Russell became infuriated when Judge Young carried the motion. By permitting the motion to pass, Judge Young joined all Blacks to the four plaintiffs initially listed. Therefore, the friendly test case Mr. Russell spoke of a year prior had quickly evolved into a mufti-million dollar class action suit in which all of the city's Black firemen were pitted against the Fire Department, the city, the white membership of the unions, the City Solicitor, and the Fire Board. Russell, a respected Black lawyer who recently lost in attempt to become Mayor, but who perhaps continued to posture for local politicos, was

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² *Baltimore Sun*, Morning Sun, 6 February 1973; *Harper v. Baltimore City Council and Mayor*, Case #71-1352-y, 13 December 1971, (U.S. 4th Circuit Court, Baltimore, Md.).

outraged by Mr. Johnson's money judgment motion. In response, Mr. Russell removed the Assistant City Solicitor from the case, and decided to try it himself.⁸³

The trial finally commenced in February 1973. The courtroom filled with members of the Fire Department, both white and black, each of whom sat separately and hoped for different outcomes. The trial lasted five weeks and featured numerous expert witnesses who offered testimony regarding the validity of the department's testing procedures and promotional policies. A number of Black firemen testified during the case, recounting their experiences within the department. White firefighters also testified, in an attempt to refute the charges and maintain existing promotional procedures and practices.⁸⁴ Mr. Russell presented the closing statements for the defense, and began with a quote from Pogo: "We have met the enemy and they is us." Employing a defense that would make Clarence Thomas proud, Russell told the court that while he was Black, he had felt "obligated to defend the fairness of the Fire Department." Russell implored the court to promote those who had "earned their way" and contended that "blacks and whites, working together, had already solved the problem of bias within the Department," as was evident in the promotion of four Blacks to the rank of Captain during the trial. In Russell's estimation, this dramatic increase of Black Captains, who now constituted 5 % of the rank, was proof that court intervention was not needed.⁸⁵

The case ended on May 3, 1973. Judge Young of the 4th District Court found that the plaintiffs had proven a *prima facie* case of discrimination. After recounting several

⁸³ Interview with George Russell, 28 April 1997; *Baltimore Sun*, Morning Edition, 5 June 1973.

⁸⁴ Ibid; *Baltimore Sun*, Evening Edition, 1 February 1973; *Baltimore Sun*, Evening Edition, 6 February 1973.

⁸⁵ *Baltimore Sun*, Evening Edition, 7 April 1973.

examples of overt discrimination, segregation, harassment, ostracism, and heightened Black attrition rates that had been presented in testimony, Judge Young opined:

Responsibility for each of these instances of discrimination rests squarely with the defendants. It was the city of Baltimore which permitted the collusion of the Board of Fire Commissioners and the Civil Service Commission which resulted in black exclusion from the Fire Department prior to 1953. It was the fire board, appointed by the Mayor of Baltimore and responsible under the city charter for Fire Department affairs which condoned segregation in the use of Fire Department facilities and victimization of blacks in many forms in the fire house affairs. It was the City and the Board which failed to take any corrective action...The defendants, by what they did and, charged with the responsibility to act, by what they did not do, deprived the plaintiffs of the laws guaranteed by the Fourteenth Amendment and violated 42 U.S.C § 1981 and § 1983.⁸⁶

Despite the strong wording of this section of his decision, Young opted only to provide injunctive relief, thereby freezing hiring in all open positions, including sixteen promotional slots, until "corrections" were made. As in *Carter*, Young called for the revamping and validation of the department's entrance examination. In 1971, Blacks constituted 45% of all test takers, but only 12% of those hired, discrepancies that the court could not ignore:⁸⁷

Every year for which we have information regarding the percentage of applicants to the Department who were black, the percentage of black employees was much lower. And both the written and penmanship tests contribute to this result. The fact that the adverse impact demonstrated by that discrepancy survived the elimination of the penmanship exam in 1971, corroborated what the statistics for the earlier years indicated – that the written exam played an independent and significant role in diminishing black appointments.⁸⁸

To remedy the problem, Young mandated that "standing on the fire fighter eligibility list shall be determined by an applicant's written score" on a validated test "and veterans"

⁸⁶ *Harper v. Mayor and City Council of Baltimore City*, 359 F. Supp. 1187, 4th Cir., 5 FEP Cases (BNA) 1050 (U.S. Dist., Md., 1973).

⁸⁷ Ibid.

⁸⁸ Ibid.

points only,” and ordered the department to “give preference to city residents over non-city residents so long as there is a sufficient number of qualified city applicants.” Young, however, refused to implement an affirmative action program of any kind, and permitted the BFD to hire from the very entrance examination he had found to discriminatory pending validation of a new examination. While Young acknowledged the crippling effects of BFD discrimination on job conditions, hiring rates, and equal opportunity in general, he merely ordered that the department’s hiring system and testing procedures be brought into compliance at a later date.⁸⁹

With respect to what Young referred to as the more “threatening” issue of promotional representation, Young ruled that the plaintiff class had failed to establish a *prima facie* case of discrimination. Black firemen, in conjunction with Baltimore’s Civil Rights Commission, presented scores of evidence documenting the impact that racial exclusion, discriminatory entrance exams, promotional exams, job assignments, and subjective evaluations of performance had on retarding Black promotional advancement. The CRC, for example, presented data regarding racial bias in the promotional process. It found that other than Louis Harper, the Black firemen who passed their exams had finished just below the highest-ranking whites, and were never promoted. In assigning “acting” positions, which provided hands-on experience regarding the more technical aspects of upper level positions, the department had frequently based their decisions on race rather than seniority as regulations called for, thus providing experience that could come in handy on examinations or equipment tests. Testimony also had documented that

⁸⁹ Ibid.

information regarding promotional opportunities as well as access to study materials, had been racially restricted for many years.⁹⁰

In an attempt to counter these arguments, the defendants – white firefighters, the unions, the CSC, and the city – presented statistical materials claiming that efficiency ratings and written promotional test scores had remained “substantially equal” since the passage of the 1965 Civil Rights Act. The CRC recognized that the written scores had equalized, but then showed data documenting how discrepancies in efficiency ratings had undergone the exact opposite transition during this same period, and had served to lower the overall scores of Black applicants enough to remove almost all from contending for a promotion. To prove this point, the CRC showed hiring lists and the scores of those passed over or promoted. According to this material, in most instances, the difference between gaining a promotion or “staying put had often hinged on variations in scores of as low as one-tenth of a point. After lauding the defense for presenting excellent data, Young remarked: “The Community Relations Commission work proved unusually uninformative and the expert testimony was flatly contradicted by the facts.” Later in the decision, Young thanked Russell, stating that “the Court is especially indebted to the City Solicitor, who, with unusual perseverance, expertise and good humor, sought out the facts that the plaintiffs could not, or would not, produce, enabling the Court to arrive at an informed conclusion.”⁹¹

Not surprisingly, Young largely left the promotional process untouched, and only elected to reduce the time-in-grade requirements for each position. He refused, however to grant any form of remedial relief, stating that “strict scrutiny” should be given to all

⁹⁰ Ibid.

⁹¹ Ibid.

forms of race-based relief, a position the Supreme Court would adopt nearly fifteen years later, but which was not in line with legal precedent of the day:

No sufficiently compelling need exists for the imposition of quotas. Such quotas would reinforce the view that it is the race of the applicants that is important, rather than their qualification. That was the operative view of the Baltimore City Fire Department less than a generation ago. Because effective relief can be granted without resort to this device, the Court will avoid it...In contrast to hiring quotas, alteration of the permissible hiring area is a remedy that is both in keeping with the civil service merit hiring system and suggested by the facts of this case...A remedy which corrects this cause of imbalance logically follows and has the additional advantage at the entrance level of reinforcing the importance of personal qualification, rather than race.⁹²

Perhaps one of the most interesting aspects of the District Court's ruling in *Harper* relates to the white firefighters who intervened on the side of the CSC, the city government, and Board of Fire Commissioners. By the trial's conclusion, sixteen whites had been added to the case, all of whom were members of Local # 734. The union itself, however, never officially joined the case, and the white interveners had been included as individuals rather than as a class or an institutional body. In the process, the interests of the union as well as that of white firefighters were protected during the trial, while the union remained sheltered from judicial scrutiny:

Though the individual white firemen who intervened in this suit were beneficiaries of the discriminatory policies of the defendants, they did not have the authority in and of themselves to alter the aspects of the entrance and promotional procedures which are the basis for relief.⁹³

As a result, Local # 734, which had vigilantly fought against integration prior to 1953, completely excluded Blacks until 1961, supported and bargained for the implementation of seniority-based promotional requirement that perpetuated racial discrimination and the

⁹² Ibid.

⁹³ Ibid.

department's job ceiling, and had failed to represent it Black members both before and during the trial, escaped being held accountable for their actions.

In January 1973, just before *Harper v. Baltimore* had finally gotten underway, Black and Hispanic firefighters in New York also filed discrimination charges in District Court. In *Vulcan Society v. Civil Service Commission, et al.*, minority firefighters brought action against the FDNY and Civil Service Commission for discrimination in both hiring and promotional processes and procedures. While preparing for their case, the Vulcan Society, as well as five minority applicants who had taken the most recent entrance examination but not placed high enough to be appointed, sought an injunction to prevent the FDNY from making appointments from the existing hiring list because the tests used to compile the list "did not fairly test the skills and qualifications necessary to be a fireman, and "discriminated in effect against black and Hispanic firemen applicants due to the low relative scores they achieved on it." While the tests in question had been held in 1968 and 1971, respectively, the motion for an injunction had been filed after the FDNY, after a long hiring freeze that had been in effect from March 1971, announced during the first week of 1973 that one hundred and twenty new firemen would be appointed - thirty-five of whom would be taken from the 1968 list, and eighty-five from the 1971 examination – while an additional six hundred and twenty-eight men from the 1971 list would be hired in the immediate future. Minority firemen asked the court to stop the appointments from being made because not only were the tests invalid, but hiring from them would aggravate already existing under-representation "and would limit the ability of the federal district court to remedy the discriminatory impact of the 1971

examination.⁹⁴ Their request for injunctive relief was denied as due to a manpower shortage. As Judge Weinfeld explained in the court's opinion, "the harm to the public outweighed the irreparable injury alleged by the plaintiffs. However, he did agree to consider the issue further before future hires from the existing list were to be made:

The branch of the motion of a preliminary injunction as to the eighty-five men is denied. The denial, however, is without prejudice to further consideration of the plaintiffs' application as to those scheduled for future appointment, which is set for a continued hearing...when the factual situation may be more thoroughly explored and presented by the parties. Obviously, the denial of the requested stay as to the eighty-five men reflects no determination of the basis issue as to the validity of the 1971 examination.⁹⁵

The Vulcan Society returned to the District Court six months later prepared to fully document their charges. They began by establishing a *prima facie* case of discrimination by pointing to the examination's discriminatory impact on minorities and the disparity between minority group representation in the fire department as compared to the general population. With regard to the list in question, the Vulcan Society and their legal representatives pointed out that in 1968 the Civil Service Commission - after a full decade in which Black firefighters gained entrance to the FDNY at their highest rate in the FDNY's history - altered the examination process by making the physical testing component pass/fail rather than competitive. After Fire Commissioner Lowery requested that the competitive physical component be restored for the 1971 examination, the Department of Personnel refused on the highly questionable grounds that to do so might delay the composition of the eligibility list. A professor of mathematical statistics, David Seigmund of Columbia University, was brought in to testify regarding the testing

⁹⁴ *The Vulcan Society of the New York City Fire Department, Inc., et al. V. Civil Service Commission of the City of New York, et al.*, 5 FEP Cases 699 (DC SNY 1973).

⁹⁵ *Ibid.*

procedure's disparate impact on minority applicants. Seigmund showed that whites passed the written, physical, and medical examinations at more than double the rate of minority applicants, a disparity he considered "significant." The plaintiffs also argued that the 20 percent of the test covering local politics and current events both violated testing regulations and had greatly skewed the testing results. The plaintiffs showed that eligible lists were usually "so tightly bunched that missing five questions could reduce an applicant's ranking by more than a thousand places." In the examination in question, "two or three correct answers could literally make the difference between being appointed and not being appointed," while 20 of the 100 questions were non-job related.⁹⁶

The defense called an "expert" who lacked "practical experience in the field and who admitted that he had not had sufficient time to perform a thorough job analysis" to refute these arguments. Rather than offering specifics regarding the existing examination, the defense opted instead to question the data collection methods used by the plaintiffs and their experts. Weinfeld was unmoved. Citing a 1971 case, *Chance v. Board of Examiners*, in which a lesser disparity was found to have met the standard of a "significant and substantial" discriminatory impact, Weinfeld explained that the defendants therefore were required to show that the examination was "job related," a burden of proof they had woefully failed to carry.⁹⁷ Weinfeld agreed with the plaintiffs that the examination was discriminatory and in violation of the equal protection clause of the 14th amendment. In his decision, Weinfeld invalidated the 1971 examination and

⁹⁶ *The Vulcan Society of the New York City Fire Department, Inc., et al., v. Civil Service Commission of the City of New York, et al.*, 5 FEP Cases 1229 (DC SNY 1973).

⁹⁷ See *Chance v. Board of Examiners*, 330 F. Supp. 203, (DC SNY 1971).

enjoined the defendants from making any further appointments based on its results.⁹⁸ To remedy the situation, Weinfeld called for a new, validated examination to be constructed. Like Judge Young in *Harper*, Weinfeld was reluctant to issue affirmative relief:

No doubt there are exigent circumstances in which compensatory adjustments are appropriate and even necessary to remedy constitutional violations. However, there are considerations which suggest that the courts should be hesitant about imposing them. Adjustments based on racial composition, however well intentioned, contain within themselves the seed of further divisiveness regardless of their benevolent purpose. Attempts to make fair adjustments may be counter-productive and tend to generate resentments which serve to exacerbate rather than to diminish racial attitudes.⁹⁹

Nonetheless, Weinfeld, citing continued manpower shortages, agreed, with the plaintiffs' consent, to allow the defense's request to stay the striking down of the existing list so that much needed firemen could be hired by the FDNY while new, validated examinations were being crafted. Ironically, part of the deal initiated by the defense was that the positions filled would include a designated number of minority firemen, and would reach down on the list as far as needed to accomplish this. This arrangement, much like the remedy utilized in *Carter*, was a one-time deal, and did little to address or offset the problems Black firemen faced. Moreover, due to the pressing need to resolve the hiring issue, Judge Weinfeld had focused solely on the FDNY's entrance procedures and in the process had bypassed the issue of promotional discrimination, an integral component of the initial charges.¹⁰⁰

While the Black plaintiffs in all three of the earliest fire department discrimination cases won their discrimination lawsuits, these would prove to be pyrrhic victories in later

⁹⁸ *The Vulcan Society of the New York City Fire Department, Inc., et al., v. Civil Service Commission of the City of New York, et al.*, 5 FEP Cases 1229 (DC SNY 1973); 'New Tests Ordered for Firemen Here, *New York Times*, 13 June 1973, p. 51.

⁹⁹ *Ibid.*

¹⁰⁰ *Ibid.*

years. No court had been willing to issue substantial compensatory damages or a sustained court sponsored affirmative relief program that could offset the dramatic racial imbalance found in each department, and once tried and then “validated” future discrimination charges proved to be difficult, particularly as conservatism expanded its hold on the courts during the 1980s and 1990s. As a result of courts’ early hostility to make-whole, affirmative relief, minorities in Baltimore and New York continued to be grossly under-represented throughout the 20th century. In 1999, well over 60 percent of Baltimore’s population was the city’s total population was African American while Blacks constituted only 30 percent of the city’s firefighting force. The same year, 94% of the FDNY was white, while Blacks and Latinos made up over half of the city’s population. In each city, however, the number of Black firefighters has already significantly declined during the first few years of the 21st century. By 2003, the percentage of Blacks in the BFD dropped to 25 percent. As of 2005, Black firefighters account for only three percent of the FDNY, which by far has “the lowest percentage of women and blacks of any major fire department in the nation.” Of the three hundred or so Black firefighters currently in the FDNY, roughly half were eligible to retire in 2002.¹⁰¹

¹⁰¹ Carl Schoettler, “Proud Company, Breaking the Color Barrier 50 Years Ago, Baltimore’s Firefighters Fought Back Flames of Racism Even as They Protected City,” *Baltimore Sun*, 15 October 2003; David Armstrong, “Traditional Ways Trample on Women and Minority Groups, *Boston Globe*, 8 February 1999, pp. A1 & 8; Dave Saltonstall, “Bravest’s Hiring Under Fire, Minorities Seek Larger Numbers on Force that’s 93% White,” *New York Daily News*, 2 May 1999, p. 6; Nicholas Confessore, “Recruitment Must Improve, Fire Official Concedes,” *New York Times*, 21 January 2005; John Price, “Black Firefighters Commemorated,” *New York Amsterdam News*, 20 February 2002, p. 1.

CHAPTER 7

THE RISE AND FALL OF AFFIRMATIVE ACTION IN URBAN FIRE DEPARTMENTS, 1972 TO THE PRESENT

I imagine being black did help me...If one time it helped me – being black –then good...The white guys are always saying, “Well, he got that job because he’s black,” But they never question the idea that they got a job because they are white.¹

While the early civil suits did not garner the sweeping, institutional and demographic changes that Black firefighters had hoped for, they did chart a course for others to follow and learn from. Furthermore, the excruciatingly slow pace of change, the hostile response of the lower courts, fire departments, Civil Service Commissions, and city governments to the usage of affirmative action as a remedy to begin to curb years of systemic racial discrimination were indicative of the glaring need to clarify the scope, purpose and direction of job discrimination litigation as well as the federal government’s role and responsibility in the process. At the same time, the rising number of Title VII claims, the inability of the existing system to process the growing caseload, as well as an upsurge of minority civil service workers, all contributed to the expansion and restructuring of Title VII in 1972, a shift that once in effect, dramatically altered the direction and contours of fire department discrimination litigation.

Civil Rights activists and a minority in Congress began attempts to revise Title VII almost immediately after its initial passage, but during the early 1970s, began introducing amendments that were designed to strengthen and expand the scope and

¹ Charles Gordon, quoted in Rick Bragg, “Fighting Bias With Bias and Leaving a Rift, *New York Times*, 21 August 1995, p. A1.

application of Title VII while also codifying affirmative action as an acceptable and federally supported remedy for proven cases of discrimination:

Civil Rights leadership believed that change had come “too slowly” under the original Title VII. They wished to speed up the process with a four-part approach. They wanted to extend Title VII to government employees, which was then the fastest growing area of employments; to strengthen the EEOC by giving it “cease and desist” powers; to confirm the broad interpretation which Title VII had been given in the Griggs case, and to solve specific interpretive problems.²

Congress’s response to these proposals varied. It did agree to expand coverage to state and municipal employees, including firefighters, and to extend technical and legal support provided by the EEOC and the Justice Department. Plaintiffs were also granted the right to seek legal aid from non-governmental such as the NAACP. Congress, however, was less emphatic regarding the codification of disparate impact analysis and affirmative relief. During debates on these issues, civil rights opponents argued against both by citing §703(j), a clause that had been inserted as part of the compromise that ushered the Act’s initial passage:

Nothing in the law, it is stated shall be interpreted to require an employer or training program to grant preferential treatment to any individual or group because of an imbalance that may exist with respect to the total number or percentage of persons of any race, color, religion, sex, or national origin already employed.³

In 1969, the Justice Department took an unprecedented step when it named three proponents of affirmative action countered by referring to §706(g), which states that after determining that an employer was violating Title VII, a court may “enjoin the respondent from engaging in such unlawful employment practice, and order such affirmative action

² Alfred Blumrosen, *Modern Law: The Law Transmission System and Equal Employment Opportunity*, p. 46.

³ Bureau of National Affairs, *The Equal Employment Opportunity Act of 1972* (Washington D.C.: Bureau of National Affairs, 1973) p. 6.

as may be appropriate, which may include, but is not limited to, reinstatement or hiring of employees, with or without back pay...or any other equitable relief as the court deems appropriate.” No definitive understand, however, had been reached by the conference committee preparing the amended version of Title VII. Rather, it was decided, “in any area where the law does not address itself, or in any areas where a specific contrary intention is not indicated, it is assumed that the present case law as developed by the courts would continue to govern the applicability and construction of Title VII.”⁴ As a result, no definitive precedent was set, thus leaving the legal interpretation of Title VII susceptible to shifts in legal and political currents.

The most controversial issue discussed in the debates dealt with the restructuring of the enforcement arm of Title VII. After a filibuster similar to that which forced the original Act to be compromised, Congress agreed to a deal that called upon the EEOC to handle the majority of anti-discrimination cases, while the agency formerly responsible for most of the case work, the Justice Department, was given jurisdiction for cases regarding discrimination in state and local employment. Both were given the power to file and prosecute cases in federal courts, but only after conciliation and mediation had failed. Also, both were granted the ability to provide injunctive relief “where it appears on the basis of a preliminary investigation that prompt and judicial action is necessary to carry out the purposes of the Act.” “Cease and desist” powers, however, were again sacrificed.⁵

⁴ Blumrosen, *Modern Law: The Law Transmission System and Equal Employment Opportunity*, p. 149-50.

⁵ Ibid, p. 3.

While the amendments to Title VII did not live up to the expectations of Civil Rights advocates, the restructuring proved to be beneficial to Black firefighters. The Justice Department gained experience with similar “pattern and practice” cases during the late 1960s and early 1970, and brought its expertise and influence to public employment claims. Meanwhile, the EEOC, which was twenty-two months behind schedule even prior to its decentralization and restructuring, was overwhelmed, under-funded, and understaffed. Within five years, over 380,000 charges were filed with the EEOC, while only 7.44% were settled and 5.1% had been brought before the courts. As a result, delays grew and charges often lingered for years before being acted upon. Firefighters who filed charges ran into delays also well, as the Department of Justice’s experience simply could not offset the sheer volume of charges being filed. When compared to the EEOC, however, the Justice Department performed admirably.⁶

Fire Department discrimination was among the first areas in which the Justice Department focused its attention. On June 15, 1972, it took the unprecedented step of releasing the names of three cities where it had found rampant discrimination in hiring: Montgomery, Chicago, and Los Angeles. The following day, the Department Justice announced that it was preparing for an “all out attack” on job discrimination in fire departments. Shortly after, the Justice Department agreed to postpone filing a formal complaint against the City of Los Angeles for discriminating against minority firemen until L.A.’s City Council had voted on “a proposed federal 17- point consent decree, which, if signed by the city, would satisfy federal demands.” The decree required that the city “hire 50 percent of its new firemen from minority groups until 240 Black and

⁶ Ibid, p. 162; Bureau of National Affairs, *The Equal Employment Opportunity Act of 1972*, p. 165.

Hispanic firemen had been hired, and would continue to be operative “until selection procedures were implemented to avoid future discrimination in employment.” The Justice Department’s campaign was in its infancy, but was further bolstered months later when the findings of a two-year study conducted by the National Commission on Fire Prevention and Control were released. The Commission charged that “there is outrageous discrimination in the nation’s fire department,” and that “such a pattern of racial discrimination in hiring practices” had been found that “our fire departments are correctly called the ‘last white man’s country club.’” However, it also lamented the lack of hard data available on the subject.⁷

To fill this gap, David Floyd and the IABPFF had begun compiling discrepancy indexes, or charts comparing Black population figures with the percentage of Blacks and Latinos in major city fire departments. Data also was compiled charting Black and Latino representation in ranks above fireman, white representation in officers’ ranks, comparative statistic regarding the percentage of Black firemen versus Black policemen in each city, and a comparison between the percentage of Blacks in major fire departments nationwide. Ironically, the IABPFF found that in 1972, Atlanta - which began hiring Black firemen in 1963 into segregated companies - had the second highest percentage of Black firemen in the nation at 24.2 percent. The fire department with the highest percentage of Black firemen had been chastised by the Justice Department

⁷ National Commission on Fire Prevention and Control, *America Burning: The Report* (Washington D.C.: U.S. Government Printing Office, 1973); David Floyd, “Report on IAFF-Administered Recruitment Programs Within Fire City Fire Departments: Boston, Chicago, Cleveland, Memphis, and Washington D.C.” Also see *St. Louis Post-Dispatch*, 15 June 1972; *St. Louis Post-Dispatch*, 16 June 1972; *Los Angeles Times*, 20 July 1972; Bill Kovach, “Race Discrimination Found in U.S. Fire Departments,” *New York Times*, 5 January 1973, p. 30.

months prior for having discriminatory hiring practices - Washington D.C.- whose fire department was 24.9 percent Black. In each department, however, Blacks remained grossly under-represented. Washington D.C.'s Black population at the time had been 74.9 percent, while Atlanta's was slightly over 50 percent.⁸

On March 22, 1973, David Floyd, in an attempt to help expedite future discrimination cases and draw the attention of the Justice Department to problems found in fire departments outside the three it had previously mentioned, met with James Meyerson, Assistant Council for the NAACP's Legal Department to present him with the data collected in the IABPFF study and to ask for the organization's assistance. A day later, Meyerson forwarded Floyd the "the names, addresses and telephone numbers of the branch officers of several key branches throughout the country. Meyerson closed his letter by telling Floyd: "I look forward to working with you and your organization to break-down the racially discriminatory conditions which have been imposed so as to deny Black persons equal employment opportunities in fire departments across the country." A month later, Thomas Taylor, the Vice-President of the IABPFF's North East Region, contacted Meyerson. The two met shortly after, and began compiling information for future cases against the fire departments' of Boston, Syracuse, and Newark. Meyerson also received the names and contact information to all ten of the IABPFF affiliates in the region.⁹

⁸ IABPFF to NAACP Legal Department, "Discrepancy Indexes," NAACP Papers, Library of Congress, Manuscripts and Archives Division, Part V, Box 1347.

⁹ James I. Meyerson, NAACP Assistant Council to IABPFF, 23 March 1973; Thomas Taylor, Vice. Pres. N.E. Region to James Meyerson, both in NAACP Papers, Library of Congress, Part V, Box 1347.

The NAACP, together with IABPFF affiliates began filing charges in district courts across the country, while Black firemen in other cities being filing charges on their own. Unlike the cases involving Baltimore and New York, Black firemen now received the support of the Justice Department. Most of the cases that developed since this time actually have never materialized. The legal tactics and remedies available to address job discrimination had been dramatically altered by the 1972 amendments to Title VII and the delays that ensued. Class action suits, the mainstay of the early period of job discrimination litigation, lessened in frequency as both the Justice Department and EEOC, in an effort to catch up, increasingly attempted to reach settlements rather than pursuing litigation. As a result, from 1973 to 1985, “voluntary” and court ordered consent decrees, like the one proposed by the Justice Department to the city of Los Angeles in 1972, became the normative manner in which fire department discrimination cases were resolved.

Consent decrees were a way for the parties to an employment discrimination case to avoid a full trial as well as an official court judgment. When possible, the two parties negotiated the form of relief to be granted to minority workers. However, if irreconcilable disputes arose during negotiations, district courts were empowered to intervene, and after a preliminary hearing, provide a court sponsored relief plan. By agreeing to a consent decree, both parties waive their right to fully litigate the issues of the case, thus saving themselves time, expense, and the risks of litigation. Prior to official approval, outside parties are given an opportunity to voice objections they might have to the court, but these objections are limited in scope, with the court having the final say on their applicability to the case at hand. For potential defendants, the decrees

allowed employers who likely faced losing judgments in court to settle the case without admitting guilt. For minority workers, the decrees, in theory, provided expedited access to affirmative action remedies, usually in the form of hiring and/or promotional goals, and less often, back pay. Failure to comply with the conditions agreed upon within the decree results in judicial supervision as the District Court where the decree was entered is responsible for ensuring compliance.

While the widespread utilization of consent decrees greatly expanded minority representation in the urban fire service, the remedial relief they provided was limited in scope and had little to no impact on the heart of the problem, institutionalized racism. Furthermore, consent decrees, particularly in fire departments, were met with staunch opposition. The most unrelenting resistance came from the IAFF and its local, which frequently operated in collusion with local governments to either contest or delay their implementation. According to Paul Rockwell, from 1973 to 1989, no other union sponsored more reverse discrimination lawsuits than the IAFF, using the dues paid by Black, female, Asian, and Latino union members to do so. Furthermore, consent decrees gained ascendancy at a time when widespread budgetary and manpower constraints created by white flight, deindustrialization, and debts accrued during prior decades, served to delay relief to minorities and women. Due to these factors, both court ordered and “voluntary” decrees proceeded at a snail’s pace, and incorporated the “all deliberate speed” approach implemented in the wake of *Brown v. Board*.¹⁰

While most of the affirmative action programs put in place following Title VII’s 1972 amendments resulted from pretrial settlements, one of the first cities charged by the

¹⁰ Paul Rockwell, “Fighting the Fires of Racism,” *The Nation*, 11 December 1989.

Justice Department with having violated Title VII, Boston, refused to settle and was eventually summoned to appear before the District Court. In 1972, the Boston NAACP charged the Commonwealth of Massachusetts Civil Service Commission with violating the 14th Amendment and the Civil Rights Act of 1866, citing discrimination in recruiting as well as the utilization of discriminatory selection procedures for public safety positions which included the written examination, a swim test, and the perusal of police records for blemished records. Before the case came to trial, the U.S. Attorney General, on behalf of the Department of Justice, filed a separate Title VII suit against all the major city fire departments within the Commonwealth, and charged them with the “deprivation of the constitutionally protected rights of black and Spanish surnamed persons in recruitment policies, in the utilization of non-job predictive tests and qualifications which have a detrimental impact. The Attorney General also claimed that the departments also had violated Title VII by refusing “to remedy those practices and correct the present effects of past racially discriminatory policies and practices.” Both plaintiff classes asked the court for injunctive and affirmative relief in hiring, and were soon after consolidated as *Boston Chapter NAACP, Inc. v Beecher*. After receiving instruction from the court during an early hearing, The Massachusetts Division of Civil Service (MDCS) agreed to freeze hiring to the fire departments of the state’s larger cities - including Boston, Springfield, Worcester, Cambridge and New Bedford - until the court reached a decision regarding the merits of the case.¹¹

As was the case in *Gallagher*, the District Court did not rely solely on discrepancies in pass rates to confirm prima facie discrimination. Rather, Judge D.J.

¹¹ *Boston Chapter NAACP Inc., v. Beecher*, 504 F.2d 1017 (1st Cir. 1974).

Freedman also pointed to the large gap between the percentage of black and Hispanic residents and their percentage in the state's large fire departments. By 1974, Black and Hispanic residents accounted for over 23 percent of Boston's total population, but only nine tenths of a percent of the predominantly Irish Boston Fire Department. 13 percent of Springfield's population was Black, but only one African American served on the city's fire department (.2 percent). As the burden of proof regarding the validity of the entrance examinations shifted, test experts on both sides were to testify regarding the relation of the tests to job relatedness and performance. The defense claimed that the test had been validated and conformed to EEOC standards while the Attorney General found that the test was not a valid predictor of job performance and was thus invalid. The judge, however, reluctantly agreed with the plaintiff's position:

Arguably, the test has been validated according to the EEOC Guidelines' minimum standard. However, the Court cannot conclude that the (defense's) study provides the "convincing facts establishing a fit between the qualification and the job" ... The court does not wish to imply that it is establishing standards apart from those embodied in the EEOC guideline. However, these guidelines must be read in the context of certain precedent binding upon this Court (*Griggs, supra; Castro v. Beecher, supra*).¹²

The court also ruled that the MDCS, while never legally required to conduct extensive recruitment in Black and Hispanic communities, was nonetheless responsible for the effect of departmental reliance on nepotism and "word of mouth," which whether done intentionally or not, had served to solidify the racial status quo:

For so many years those positions have been filled as the result of white firemen encouraging white friends and relatives to join the force, it is no little wonder that black and Spanish-surnamed persons represent such an insignificant percentage of the force... Such a finding is not essential for the granting of injunctive relief. Where, however, the policy had in effect resulted in the exclusion of minorities

¹² Ibid.

from the fire department, the policy must be changed and present effects of past discrimination must be remedied.¹³

In response, the court issued a decree which ordered that the MDCS engage in an active recruitment campaign which provided minorities with information regarding job openings, qualifications, selection procedures, the rates of pay and hours of work, and the time, place, and method of applying that would start at least 45 day prior to the administration of a new entrance examination. It also established long-term hiring goals that were to remain operative until proportional representation had been achieved. Unwilling to accept the court's judgment, the defendants appealed to the First Circuit Court of Appeals, but the District Court's decision was reaffirmed.¹⁴

The affirmative action program issued by the court in NAACP v. Beecher marked a dramatic improvement from the lack of tangible relief that had been provided in the Harper ruling. However, the decision did contain numerous flaws that served to retard its effectiveness. While nepotism certainly contributed to white domination of the state's fire departments, the applicants who had "friends and family" within the departments were much more familiar with the basic structure of the tests, if not the tests themselves, and could easily gain access to study materials. While the court called for revised tests and a recruitment campaign, no mention had been made of test preparation or the distribution of study materials, thus nurturing the potential for disparate scores in the future. This problem was compounded further by the fact that test "validation" had been left up to the defendants, the MSCS. Furthermore, the court left untouched a requirement that mandated that those who passed the written examination appear before

¹³ Ibid.

¹⁴ *Boston Chapter NAACP Inc., v. Beecher*, 504 F.2d 1017 (1st Cir. 1974), cert. denied. 421 U.S. 910 (1975).

departmental brass to have their “moral character” examined prior to being placed on the eligible list. Likewise, the questions of discrimination in the promotional process and the need for compensatory seniority to offset prior exclusion had been left untouched.¹⁵

The decree, despite these oversights, proved to be very successful in achieving entry-level proportional representation in most Massachusetts municipalities. By July 1976, eighty-one cities in towns in Massachusetts “had integrated their fire forces to a level within 1% of the minority populations of the communities they served. and had been released from further judicial monitoring.”¹⁶ In Boston and other larger cities, however, compliance lagged. In 1978, in an attempt to address these delays, a new, voluntary consent decree was agreed upon which mandated a continuation of the same relief provided earlier. However, implementation of the decree lagged behind corresponding increases in the city’s minority population. By 1981, for example, minority representation in the Boston Fire Department had risen to 11.7 percent, while minorities accounted for 30 percent of the city’s population.¹⁷

In the early 1980s, problems with implementing the decree were further compounded by Boston’s fiscal woes. In an attempt to reduce spending, the city required the Fire Department to make a series of layoffs. 1981 fire department layoffs were structured to comply with Massachusetts state requirements the last hired be the first fired, and with the “bon fide” seniority systems provision in §703(h) of Title VII. In doing so, the city had opted to ignore the contractual and legal obligations set forth

¹⁵ Ibid.

¹⁶ *Castro v. Beecher*, 522 F. Supp. 873 (D. Mass. 1981).

¹⁷ *Boston Firefighters’ Union Local 718 v. Boston Chapter NAACP, Inc., writ of certiorari*, U.S. Court of Appeals (1st Cir. 1983).

in the consent decree. As a result, by mid 1981, 68 of the 155 firefighters that were laid off were minorities, thus reducing minority representation to 8.6 percent.¹⁸

A month after the first wave of layoffs were made, the District Court where the decree had been entered intervened, and ruled that the layoffs were an unforeseen circumstance not contemplated within the decree which warranted court ordered modifications to ensure that the remedy proposed in the decree continued to be actively pursued despite the cutbacks. The court allowed the layoffs to continue, but only if minority representation was not sacrificed in the process. Viewing the court's decision as an attack on white firefighters, seniority, and the "merit" system, IAFF Local 718, with financial and legal support from the IAFF and AFL-CIO, issued an appeal to Circuit Court which questioned the District Court's right to modify the decree as well as the legality of the modifications chosen. The 1st Circuit Court, however, again upheld the District Court's decision, giving precedence to the federally supported decree and the need to rectify the effects of years of racial discrimination rather than strictly adhering to seniority, which had become skewed by years of racial discrimination.¹⁹

The decisions rendered by the District Court and the 1st Circuit Court followed precedent established prior in a case regarding the Toledo Fire Department (TFD), *Brown v. Neeb*. In Toledo, a voluntary consent decree had been agreed upon following discrimination charges filed in 1974. By 1980, minority representation in the TFD had risen to 9.3 percent in a city in which minorities constituted roughly 16 percent of the total population. Toledo, as with many major cities during the 1970s and early 1980s,

¹⁸ Ibid; Commonwealth of Massachusetts, *Massachusetts General Laws Annual Report*, Ch. 30., § 9(a); Ch. 31., §§ 26, 39 (1979);

¹⁹ *Boston Firefighters' Union Local 718 v. Boston Chapter NAACP, Inc.*

fell victim to a fiscal crisis, and proposed fire department layoffs in order of seniority as had been established in the city' collective bargaining agreement with IAFF Local 92. The proposed layoffs, however, would have reduced minority representation in the TFD from 9.3 percent to 5.9 percent. However, the District Court granted minority firefighters a preliminary injunction that restricted the TFD from conducting the proposed layoffs because the plan was in violation of both the consent decree and Constitutional law:²⁰

The Constitution and laws of the United States forbid racial discrimination. Under them, the parties agreed, and this court ordered, that affirmative, that is, positive, action, was to be taken to erase "any vestiges of past employment discrimination" within the Fire Division. No matter how hard the times become, no matter what other activities of the city must be curtailed or eliminated, the defendants are required to press forward until discrimination in the Fire Department has been eliminated...The defendants cannot go backward, or even stand still. The decree required affirmative action, not negative or even no action. In determining what methods the City will use to solve its financial problems, the defendants do not have, as an alternative, the right to increase the racial imbalance in the Fire Division.²¹

The city and IAAF Local 92 appealed to the 6th Circuit Court, which upheld the injunction and the restructuring of the decree to include a "layoff provision." Not satisfied, the city, in collaboration with Local 92, suggested that a "more equitable solution" could be reached "if across the board reductions" or neutral seniority systems" were initiated rather than layoffs. The Circuit Court, however, ruled that the city had already committed itself to layoffs, and could not "correct the budgetary decisions of the city's elected officials merely because whites would now bear the brunt of the proposal."²²

²⁰ *Brown v. Neeb*, 523 F. Supp. 1; 25 FEP Cases (BNA) 262, (F2d., 1980).

²¹ *Brown v. Neeb*, 644 F2d. 551 (6th Cir., 1981).

²² *Ibid.*

Shortly after the Toledo and Boston decrees had been adjusted to compensate for layoffs, western Tennessee's District Court faced a similar situation. In 1974, the Department of Justice in conjunction with local Civil Right attorneys, charged the city of Memphis with engaging in a "pattern or practice" of discrimination in all aspects of the city's civil service hiring procedures. After initially attempting to deny the charges, the city facing the very real possibility of having to financially compensate a large class of minority and female applicants who clearly had been discriminated against for years, opted to take a less risky route and enter into a consent decree. The 1974 decree required that the fire department "undertake the goal of achieving...proportions of...minority employees...approximating their respective proportions in the civilian labor force" while also setting an interim goal of a 5 percent increase by July 1976. If the city failed to reach to reach the goal or act "in good faith," the court retained jurisdiction to modify the decree to include specific annual numerical hiring ratios. The decree did not include goals for promotions, however, and included a clause upholding the existing seniority system for "promotions, transfer, and assignment." This failure to address the biased nature of the promotional system, along with the city's unwillingness to act "in good faith," soon led to further litigation.²³

In February 1977, Carl Stotts, a Captain in the Memphis Fire Department, filed a class-action lawsuit in District Court "alleging that the Fire Department's hiring and promotional policies were racially discriminatory. Two years later, fellow Black Memphis firefighter Fred Jones filed a similar suit. The cases were then consolidated by the District Court, which set a trial date, but encouraged the parties to reach a settlement.

²³ *Stotts v. Memphis Fire Department*, 679 F.2d. 541 (6th Cir. 1982); Interview with Attorney Richard Fields, 25 July 2003.

While the city stalled negotiations, the Fire Department attempted to fill a number of vacant positions in the department's Fire Prevention Bureau with men from the existing all-white eligibility lists. The proposed promotions raised several important institutional issues related to the purpose of the initial decree. Fire Prevention Bureau experience was a prerequisite to qualify for upper level supervisory positions. Thus, if the proposed promotions were allowed to continue, minorities would be excluded from supervisory positions for at least another generation. Realizing the job ceiling that the promotions would impose, the plaintiffs filed a motion for a temporary restraining order that would enjoin the city and department from making the promotions. During the hearing, the city opposed the motion, arguing, "the promotions were necessary for the efficient operation of the Fire Department." The judge, however, sided with the plaintiffs, freezing the promotional slots until a settlement was agreed upon, while also chiding the city for its "obstructionist behavior during the discovery period." After three years of delays, a settlement on the consent decree was finally reached on April 25, 1980.²⁴

The 1980 decree was designed as a means to remedy past and present discrimination in both hiring and promotions. While it reiterated the 1974 decree's long term hiring goal, but also established more specific hiring and promotional goals that could be monitored by the courts more closely. Qualified minorities were to fill at least 50 percent of all open entry-level positions and 20 percent of promotional vacancies. Also, \$60,000 in back pay was "awarded to class members in varying amounts according to their length of service." It also stipulated that the District Court retained jurisdiction and could make "such further orders as may be necessary or appropriate to

²⁴ Ibid.

effectuate the purposes of this decree.” After the decree was approved by the District Court, notice of the agreement was posted for 15 days, during which time disgruntled parties could file objections. No complaints were filed, and the decree became legally binding.²⁵

Two days after the 15 day grace period had expired, a group of eleven white firefighters, all union members, filed a motion to intervene on behalf of themselves and all other non-minority firemen. The “Memphis 11” asserted that the promotional foals of decree operated as “reverse discrimination,” and were in violation of the Equal Protection Clause of the 14th Amendment. Two days later, the court held an evidentiary hearing at which the “Memphis 11” requested a “delay in the approval of the promotion section of the decree,” so that “concrete alternative remedies “for past discrimination” could be sought. In doing so, however, they had failed to show that the decree had “unduly burdened a readily identifiable, small group of incumbent employees,” or that the “decree was a product of collusion,” the two avenues from which challenges regarding the “reasonableness” or legality of the decree could be made. The court, pointing to the “wait and see,” and untimely approach of the prospective interveners refused to reward the Memphis 11 for avoiding the proper legal channels by “sitting on the sidelines” and attempting to contest or further delay the implementation of the settlement.²⁶

Only one year would pass before white firefighters, the union, and the city mounted their next challenge. In May 1981, Memphis’s Mayor announced a layoff and demotion plan that was based on the seniority system established in the city’s 1975

²⁵ Ibid.

²⁶ Ibid.

Memorandum of Understanding with the union. As elsewhere, if instituted, “nearly 60 percent of all firemen affected by the demotions would have been minorities,” while 55 percent of all minority Lieutenants and 46 percent of all minorities Drivers would either be laid off or demoted. The cutbacks also threatened the nominal progress that had been made in hiring. By 1981, seven years after the initial hiring decree had been signed, Black representation in the MFD inched to only 11 percent, while the city’s Black population had expanded to 35 percent. Many of these men, however, were the low men on the totem pole, and would disproportionately be subjected to layoffs.²⁷

Minority firefighters obtained a temporary restraining order the same day the layoffs were announced. A day later, Fire Fighters’ Local 1784 intervened, and joined the city in its defense of the seniority system and to protest promotional goals that in their estimation, “unduly interfered with non-minority expectation of promotion.” In the case that followed, the court reiterated that the decree was neither the product of collusion nor unreasonable, and as a result, the union, by intervening, was engaging in an “impermissible collateral attack.” The court also dismissed the “reverse discrimination” claim by remarking that the expectations of white firefighters with regard to promotions were in and of themselves a product of racial discrimination:

The expectations of non-minorities is based upon a pre-decree minority promotion ratio which presumptively would have been significantly higher had the city’s employment practices been non-discriminatory. The 1980 decree eliminated only a portion of the promotional expectations of non-minorities that presumptively were based on the city’s discriminatory promotional practices.²⁸

²⁷ Ibid.

²⁸ Ibid.

As elsewhere, the court modified the decrees to prevent the city from engaging in any layoffs that reduced the percentage of minority firemen. It also ruled that the existing seniority system, due to its discriminatory impact, was not bona fide, and therefore was not legally binding.²⁹

Shortly after, the city laid off three white firemen rather than Black firemen who had entered the department on the same day who previously been slated to be laid off. Unsatisfied with the previous ruling as well as the resulting layoffs, Local 1784 appealed to the 6th Circuit Court, which affirmed the lower court's ruling, but with one crucial exception. In a footnote, the Circuit Court called into question the District Court's ruling regarding the legality of the existing seniority system. Yet while the Appellate Court ruled that the seniority system was "bona fide," it offered three alternative rationales as to why the modification of the consent decree did not violate § 703 (h) of Title VII:

First, the high priority of encouraging settlements in Title VII cases allows a consent decree to alter existing seniority practices. Second, it would be incongruous and counterproductive to limit the court's remedial authority by existing seniority systems. Finally, the court, acting under its authority to enter supplemental orders under the decree, was simply doing what the city was empowered to do, "maintain minority representation."³⁰

²⁹ Ibid; Also see Robert Dittmer, "Assuring the Public Interest in Equal Employment Opportunity After Firefighters Local No. 1784 v. Stotts," *Case Western Law Review*, v. 36 (1986).

³⁰ Robert Dittmer, "Assuring the Public Interest in Equal Employment Opportunity After Firefighters Local No. 1784 v. Stotts."

Shortly after the Circuit Court's ruling, layoffs were terminated after only a month, and the seventy-two white firemen that had been affected were all reinstated.³¹

By carrying out the three layoffs, the city of Memphis had ignored pleas from several interested parties, including Local 1784 and the Pioneers, a group of Black firemen, to avoid layoffs entirely by temporarily reducing the working hours of all department employees. As had been the case in Boston and Toledo, Memphis's IAFF Local only presented this option once whites became the target of layoffs. As in the previous cases, both lower courts agreed that the modification of the consent decree was necessary, and that implementation of the decree took precedent over other local or state statutes or agreements. In all three instances, the municipal governments were held responsible for entering into two conflicting agreements, and in turn, opting to protect the rights of whites by attempting to ignore the decree rather than altering "collective bargaining or other seniority agreements to conform to the decree." Furthermore, in all three cases, layoffs had been the choice of several available, and had been conducted independently of the courts or their modifications of existing decrees. This is particularly important to note because in order for a decree to be valid, its "terms cannot require the discharge of non-minority workers and their replacement with minorities."³²

During the 1970s, presidents on both sides of the political fence had offered limited support to affirmative action programs and equal employment opportunity litigation, both ideologically and through their appointments. President Nixon supported the Philadelphia Plan, the foundation upon which affirmative action was built. President

³¹ Ibid; *Firefighters Local 1784 v. Stotts*, 467 U.S. 561 (1984); *Stotts v. Memphis*, 679 F2d. 541 (U.S. App. 1982); *Fullenwider v. Firefighters Association Local 1984*, 649 S.W. 2d. 268, 270 (U.S. Dist. Tn., 1982).

³² Dittmer, op cit; *Stotts v. Memphis*, 679 F2d. 541 (U.S. App. 1982).

Carter appointed Eleanor Holmes Norton as the head of the EEOC, and supported the strengthening of its settlement program. Throughout the 1970s and early 1980s, the Department of Justice supported plaintiffs in job discrimination cases, while the lower courts staved off the joint efforts of city governments and IAFF Locals to reinstitute the time honored tradition of minorities being the “last hired and first fired. As these cases were litigated, however, resistance to “race-based” affirmative action had grown, and for the first time, had gained an ally in the White House.³³

During the 1970s, the Justice Department had been at the forefront of the consent decree cases in Massachusetts, Memphis, Birmingham, etc. But by the early 1980s, its course and actions were changed dramatically by Ronald Reagan’s election and subsequent policy changes. Reagan filled the federal court system and agencies with conservatives in order to help him in his crusade to “alter regulatory policies on a government-wide basis,” including affirmative action.³⁴ His new Attorney General, William French Smith, expressed the administration’s desire to narrow equal employment opportunity laws so they applied only to individuals who could prove that they had suffered from intentional discrimination. The Attorney General, echoing the position of the President, believed that affirmative action in any form constituted “reverse discrimination,” and set his sights on dismantling remedial, class-based relief. Led by Assistant Attorney General William Reynolds, the Reagan Justice Department broke with its past policies and those of all other EEO agencies by not only abandoning

³³ Alfred Blumrosen, *Modern Law: The Law Transmission System and Equal Employment Opportunity*, pp.127-169, p. 390, n. 10, p. 418, n. 6.

³⁴ Ibid, p. 276.

its support of minority and women victims of discrimination, but by switching sides to protect the rights of “disadvantaged” white workers.³⁵

While minority firefighters had benefited from the relative experience, clout, resources, and efficiency of the Justice Department during the 1970s, they, and other civil service workers were also the first targets of the Department’s “about face.” Still, the Justice Department’s shift to the right took several years to gather strength, thus explaining the lower court decisions in *Neeb*, *NAACP*, and *Stotts* during the early 1980s. Following these cases, Reagan’s influence on job discrimination litigation increased, and under his leadership, the Justice Department began an all out assault on the consent decrees.

During the early 1980s, the Justice Department began intervening on the side of white firefighters, city governments, the AFL-CIO and Local IAAF affiliates. As a result, the legal precedents established in the lower courts became increasingly vulnerable to challenges from a conservative Supreme Court that was looking for opportunities to attack affirmative action. In 1983, a year after the Justice Department intervened on the side of Boston’s white firefighters in Circuit Court, observers expected that the Supreme Court would use the case to “test” and set precedent in support of “reverse discrimination” claims. When briefs were filed with the High Court, it surprised many when it dismissed the charges as moot. This, however, did not indicate the court’s sympathy with Black firefighters. Rather, the whites challenging the legality

³⁵ Ibid, p. 268.

of the layoffs had all been hired back onto the job. As a result, the Supreme Court laid in wait for “another vehicle for deciding the same question.”³⁶

The case they chose was an appeal of the Sixth Circuit Court’s decision in *Stotts v. Memphis*. The Justice Department argued the case, and like the AFL-CIO and the IAFF, filed a brief of amicus curiae in support of the petitioners. The brief outlined the Justice Department’s resegregationist stance and logic, and was ironically argued by Solicitor General Lee.³⁷ Attorney General Lee, however, would receive much greater support from the federal government than his 19th century namesake. By a six to three vote, the Supreme Court reversed the 6th Circuit’s decision, finding that the injunction protecting Black firefighters from a “last hired, first fired” layoff could neither be justified as an effort to enforce the consent decree nor as a valid modification of an existing decree. Before reaching this decision, they first had to justify how they claimed to have jurisdiction over a decree that had been entered into voluntary and had never been officially litigated. They also had to explain while they had refused to hear the Boston case, but now fielded this case despite the fact that the whites who had been affected all been rehired, the very rationale the court had used to rule the charges filed by white firefighters in Boston to be moot. The Supreme Court reasoned that it had taken the case because the preliminary injunction would be applicable to future layoffs, and thus threatened the “bona fide” seniority system protected by both § 703 (h) of title VII and the city’s memorandum of understanding with the union. While the court could have simply vacated the injunction, the majority opted instead to attack the decree itself,

³⁶ “Justices Avoid a Decision in Boston Civil Rights Case,” *New York Times*, 17 May 1983, p. D27.

³⁷ *Firefighters Local No. 1784 v. Stotts*, 467 U.S. 561 (1984).

which in their estimation had exceed the boundaries set forth in § 706 (g) of Title VII because it provided “make-whole relief” without proof of *intentional* discrimination (emphasis added), a revisionist reading of the law that was a clear attempt to completely alter the burden of proof in job discrimination cases.³⁸

One of the central arguments presented by the majority was that the city had been forced by the lower courts to violate the seniority system, and in turn intentionally discriminate against white firefighters. This creative interpretation was reached only by completely ignoring several important facts. First, the Court assumed that the seniority system was “*bona fide*” despite the union’s participation in an illegal strike and state law preventing civil service unions from being bargaining agents in Tennessee. While the Court previously chided and reversed the decisions set forth by the lower courts, it now validated the seniority system by citing one of the lower courts: “The Court of Appeals assumed that the memorandum was valid...Since we are reviewing that decision, we are free to assume the same.” Second, while the city had protested the injunction during District Court proceedings, it also had voluntarily entered into the decree, which stipulated that the District Court would retain jurisdiction to rule on disputes or make adaptations as it saw fit. The Supreme Court, however, ignored the voluntary and procedural nature of the decree, ruling that the District Court had deprived the city, against its will, of the power to institute its seniority system.³⁹ The majority also opined that “it is unreasonable to believe that the ‘remedy,’ which it was the purpose of the decree to provide, would not exceed the bounds of the remedies that are appropriate under Title VII, at least absent some express provision to that effect.” By judging the

³⁸ Ibid.

³⁹ Ibid; Dittmer, op cit.

decree's "fairness" by comparing the relief it provided to a hypothetical Title VII case, the majority posited that the court had ordered affirmative relief rather than just a preliminary injunction. However, as the lower courts and Justice Blackmun pointed out, while the preliminary injunction "reduced the city's options in meeting its financial crisis, it did "not require the city to lay off any white employees at all.⁴⁰

The majority also disregarded several aspects of the 1972 amendments to Title VII that directly contradicted their hypothetical Title VII arguments. The Court, for example, completely ignored the provision calling for existing case law to guide court decisions. Justice O'Connor, for example, wrote in her concurring opinion: "Title VII affirmatively protects bona fide seniority systems, including those with an unlawful disproportionate impact." Furthermore, the Court echoed the Justice Department's position when it opined that "Title VII does not permit the ordering of racial quotas in businesses or unions," thus calling into question the legality of the very nature of the relief provided by the injunction and the decree. This of course ignored the 1972 provision granting federal courts the power to "order such affirmative action as may be appropriate...or any other equitable relief as the court deems appropriate."⁴¹ As the dissenters on the Supreme Court pointed out, the Court's one-sided hypothetical was not only irrelevant, but also contradicted the very nature and purpose of consent decrees and usurped the effective and jurisdiction of the District Courts:

For reasons never explained, the Court's opinion had focused entirely on what respondents (blacks) have actually shown, instead of what they might have shown had a trial ensued. It is improper and unfair to fault respondents for failing to show "that any of the blacks protected from layoff had been a victim of discrimination," for the simple reason that the claims on which such a showing

⁴⁰ Ibid.

⁴¹ 42 U.S.C. § 706 (g).

would have been made never went to trial... Any suggestion that a consent decree can provide relief only if the defendant conceded liability would dramatically reduce, of course, the incentives for entering into consent decrees. Such a result would be incongruous, given the Court's past statements that "Congress expressed a strong preference for encouraging voluntary settlement of employment discrimination claims."⁴²

As Justice Blackmun succinctly summarized: "After taking jurisdiction over a controversy that no longer exists, the Court reviews a decision that was never made."⁴³

The Court's usage of Title VII as guideline also contradicted its reading of the decree as a contract when it challenged the legality of the injunction. In contracts, "relief" is not ordered but negotiated voluntarily. The Court, however, sought the best of both worlds by finding the relief "ordered" by the District Court to be illegal, but also ruling that its modification had been impermissible because it had not been alluded to within "the four corners" of the document, a requirement for a valid contract. Again, the majority had overlooked several important provisions found within the decree that specifically allowed for modifications and which required that city to engage in "reasonable, good faith efforts" or face judicial revisions of the decree.⁴⁴

Moreover, by reading the decree as a contract when convenient, the majority bypassed the jurisdiction and power given to District Courts to instead rule on whether or not a contract could legally impact outside parties. The question, as posed by the Court, was whether contractual negotiations or settlements approved without the consent of third parties should be allowed to bind "defenseless" parties to the contracts dictates. This question should have had little bearing on the union or its members, both of whom

⁴² *Firefighters Local No. 1784 v. Stotts*, 467 U.S. 561 (1984).

⁴³ Ibid.

⁴⁴ Dittmer, op cit.

had an opportunity to appeal the decree in a timely manner, but had failed to do so. Even if one accepts the majority's position that the decree constituted an illegal contract because it impacted whites without giving them a say in its construction, it would then be legally impossible to defend the Court's support of the "bona fide" seniority system. Section 1981 of the 1866 Civil Rights Act stipulated, "all persons...shall have the same right...to make and enforce contracts...as is enjoyed by white citizens." If the decree and injunction can be invalidated on the premise of "nonrepresentation," then by law the same standard should have applied to all agreements through the collective bargaining process, including seniority systems. Conversely, if the seniority system was viewed as a legally binding contract, than the decree should have also been recognized as a legal contract.⁴⁵

Legal reasoning, however, had never been the aim of the Court's majority. While the logical defendant in the case was the city of Memphis, the Court found that "unless overturned, these rulings would require the city to obey the modified consent decree and to disregard its seniority agreement in making future layoffs." While the Court rightly stated that "the city considered its (seniority) system to be valid and that it had no intention of departing from it when it agreed to the 1980 decree," it failed to explore whether or not the city had considered this potential conflict when it entered into the decree. The leaders of Memphis must have been aware of the city's impending fiscal problems while the decree was being negotiated. It is also highly likely that the city's financial troubles had been made clear during the collective bargaining process. Therefore, it is very possible that the union and the city, after discussing the city's duel

⁴⁵ Derrick Bell, *Race, Racism, and American Law*, p. 833.

obligations, had agreed upon a layoff strategy in which the city would adhere to seniority, and if challenged, join the union in an attempt to justify the legal and business necessity of conducting layoffs in this fashion.⁴⁶

The Justice Department hoped that the Supreme Court's decision would mark the beginning of the end for consent decrees and affirmative action, and was more than willing to assist in the process. In an unprecedeted move, the Justice Department asked the federal courts to "overturn the affirmative action plans in 50 cities, states and counties" that it had helped negotiate during the 1970s in order to comply with the Court's ruling in *Stotts*. The proposal, however, was met with widespread opposition. Officials in Boston, Chicago, Philadelphia, New Jersey, Miami, New York and San Francisco all opposed the plan, while several "said they would fight in court against any attempt by the Justice Department to force changes in their hiring practices." While the NAACP unsuccessfully attempted to prevent the Justice Department from reopening the decrees, the Department eventually backed off when several Appellate Courts rejected its broad reading of *Stotts* by limiting it's applicability to decrees involving disputed injunctions. The Justice Department nonetheless continued to "give its tacit approval to unions and individuals who challenge voluntary plans that 'involve racial preferences that trammel or infringe unnecessarily on the rights of third parties.'"⁴⁷ In *Vanguards v. City of Cleveland*, which the Justice Department deemed such an instance, white firefighters attempted to have an earlier consent decree repealed by pointing to the precedent established in *Stotts*. The Sixth Circuit Court, however, differentiated the case

⁴⁶ *Firefighters Local No. 1784 v. Stotts*, 467 U.S. 561 (1984).

⁴⁷ Stephen Engelberg, "Attack on Quotas Opposed by Cities, *New York Times*, 4 May 1985, p. 1-8; E.R. Shipp, "U.S. Said To Back Affirmative Action Challenge," *New York Times*, 13 August 1986, p. B8.

from Stotts because the city of Cleveland had agreed upon the terms of relief offered in the decree issued and had not been “compelled” by court order to infringe upon others. The Supreme Court, in somewhat of a surprise, affirmed this decision on appeal, stating: “voluntary adoption in a consent decree of race conscious relief that may benefit “non-victims” does not violate the congressional objectives of § 706 (g).”⁴⁸

While *Stotts* did not destroy affirmative class-wide relief as the Justice Department had hoped, it did alter the terms and types of relief that followed. After *Stotts*, the decisions rendered by District Courts when constructing and adjudicating the enforcement of decrees received increased scrutiny from both the Justice Department and the higher courts. This attention caused some judges to encourage third parties to enter into negotiations. As a result, minority firefighters often had to make two separate compromises, one with the city and one with white co-workers, thus significantly limiting the types of relief available at their disposal. Furthermore, District Courts were forced to tread on very thin ice in cases calling for injunctive relief, particularly those encompassing seniority issues. While the lower courts were relegated to a defensive position, the Justice Department continued to support reverse discrimination charges in an attempt to push the issue and later further weaken affirmative action in the High Court. Ironically, the next major battle ground selected to attack affirmative action was Birmingham Alabama, where the Justice Department intervened to “seek equality” for white firefighters only 20 years after the all-white Birmingham Fire Department’s had played its notorious part in the “Children’s Crusade.”⁴⁹

⁴⁸ *Vanguards v. Cleveland*, 753 F2d. (6th Cir 1985); *Local Number 93, International Association of Firefighters, AFL-CIO v. Cleveland*, 488 U.S. 501 (1986).

⁴⁹ *Ibid.*

In 1974, seven Black men, in conjunction with the Ensley Branch of the NAACP, filed a class action suit charging the City of Birmingham and its Civil Service Board (CSB) with violating Title VII, § 1981 and § 1983 of the Civil Rights of 1866 by employing discriminatory hiring and promotional practices. As the case was pending, in 1975, the Justice Department filed similar charges, but expanded its suit to include all aspects of public employment in the city, including the Police Department. The District Court then consolidated the cases, and proceeded by examining only the validity of entry-level testing for the police and fire department. In 1977, the District Court ruled that the tests were discriminatory and ordered the CSB to certify a certain number of Black applicants for employment. Following an unsuccessful appeal, a second trial began in 1979 that explored the validity of other testing screening devices used by the city and CSB in its promotional process.⁵⁰

Before a judgment was reached two consent decrees - one with the city and one with the CSB - were agreed to by the parties involved in the case. These settlements were hardly surprising considering that not one Black held an officer's position in either the police or fire department. The decree entered into by the city set the long-term goal of equalizing the percentage of women and Blacks in each city job classification approximate of their respective percentages in the labor force of Jefferson County. The decree, however, also required that 50 percent of all firefighter and Fire Lieutenant positions be filled by qualified Black applicants. The CSB decree required the agency to certify Blacks in sufficient numbers to comply with the goals of the city's decree. Like elsewhere, the decrees also provided a provision granting the District Court continued

⁵⁰ *Re: Reverse Discrimination Employment Discrimination*, 833 F2d. 1492; 45 FEP Cases (BNA) 890 (11th Cir. 1987).

jurisdiction to ensure that the decrees were being adequately enforced, or that parties involved were acting good faith.⁵¹

The District Court gave provision approval of the decrees, and after two months notice, conducted a fairness hearing to consider the objections of outside parties. During the hearing, Birmingham's IAAF Local, the Birmingham Fire Association (BFA) 117, voiced their objections with the implementation of any form of race-conscious relief. On the other side of the spectrum, a group of Black firefighters also voiced their objection with the decrees, which they felt were inadequate, stopgap measures that hardly atoned for the city and the fire department's long history of racial exclusion and discrimination. The District Court, however, overruled both objections, and set a date for official approval of the decrees. The BFA, with IAFF money and legal assistance, stepped up its efforts to block or delay the implementation of the decrees. Prior to the scheduled approval date, the BFA and two of its members moved to intervene by claiming that the decrees "would adversely affect their rights."⁵² The District Court, noting that the BFA had already had an opportunity to voice its objections, denied the motion as untimely, and pointed out that the decrees were well within the parameters of the law as set forth in both *Stotts* and the Cleveland case:

The decrees contained "no contention or suggestion that the settlements are fraudulent or collusive."...The goals set forth in the decree were "well within the limit upheld as permissible" because they "do not preclude the hiring or promotion of whites and males even for a temporary period of time," and should not be "interpreted as requiring the hiring of a person who is demonstrably less qualified according to a job-selection procedure...The settlement represents a fair, adequate and reasonable compromise of the issues between the parties to which it

⁵¹ Ibid.

⁵² Ibid.

is addressed and is not inequitable, unconstitutional or otherwise against public policy.”⁵³

Several months later, the CSB notified the city that five Blacks and eight whites had *qualified* to fill open Lieutenant positions (emphasis added). Unwilling to believe that the Blacks were qualified, a new group of white firefighters, all BFA members, filed to intervene and asked that a temporary injunction and restraining order be ordered to prevent the city and CSB from “certifying candidates and making promotions on the basis of race under the assumed protection of consent settlements.” After an evidentiary hearing, the “court found that the plaintiffs’ collateral attack on the consent decrees was ‘with out merit’ and that four of the five Black firefighters were qualified for promotions in accordance with the decree.” After nine years of protracted litigation and negations, of the department’s 146 fire officer positions, Blacks only occupied one Lieutenant position.⁵⁴ To the BFA, however, even one Black officer was too many. The same group of BFA members again asked the court to order injunctive relief to delay the promotion. The District Court again refused, and an appeal was then filed in Circuit Court. The 11th Circuit Court reaffirmed the District Court’s ruling, but informed white firefighters that “they were not precluded from instituting an independent Title VII suit.”⁵⁵

The lower court’s resistance to the hostility, stall tactics, and “reverse discrimination” claims of Birmingham’s white firefighters had remained strong for a

⁵³ *U.S. v. Jefferson County*, 720 F2d. 1511 (11 Cir. 1983); *Martin v. Wilks*, 490 U.S. 755; 109 S. Ct. 2180; 104 L. Ed. 2d. 835; 57 U.S.L.W. 4616; 46 FEP cases (BNA) 1641 (1989).

⁵⁴ *Martin v. Wilks*, 490 U.S. 755; 109 S. Ct. 2180 (1989).

⁵⁵ *U.S. v. Jefferson County*, 720 F2d. 1511 (1983).

decade. However, the tide shifted when the Justice Department came to the aid of white firefighters when they filed an “independent” suit. In 1983, six different “reverse discrimination” cases had been filed by white civil servants that were consolidated by the District Court in what became known as *Re: Birmingham Reverse Discrimination Litigation*. At the onset on the case, the various white plaintiffs charged the city, the CSB, and the US Department of Justice had violated the Equal Protection Clause, Title VII, the 5th Amendment, and various and sundry state and local statutes. Despite being named as a plaintiff, the Reagan Justice Department filed charges similar to those initiated by the white plaintiffs and then intervened on their behalf.⁵⁶

The Justice Department’s contestation of the Birmingham decree marked an important and symbolic turning point for both affirmative action and the Civil Rights Movement. After twenty years fraught with delays and white resistance, the Justice Department now deemed it necessary to actively protect white interests and advantage in the very fire department that was used as an enforcement arm of white supremacy and whose brutality helped create the public outcry that contributed to the passage of the 1964 Civil Rights Act, and correspondingly, Title VII. In response, the city and Black defendant-interveners filed a counter-claim charging the United States with failing to fulfill its obligation to “defend the lawfulness of...remedial measures (under the decree) in the event of challenge by any other party.” They also requested that the court order the Department of Justice to defend the decree it had helped to implement.⁵⁷

⁵⁶ *Re: Reverse Discrimination Employment Discrimination*, 833 F2d. 1492; 45 FEP Cases (BNA) 890 (11th Cir. 1987).

⁵⁷ Ibid.

During the trial, the plaintiffs claimed that the decree was illegal because it intentionally discriminated against white in favor of “less qualified” Blacks. They also claimed that the CSB’s partial implementation of the promotional goal had violated the terms set forth in the city’s decree, which stated:

Nothing herein shall be interpreted as requiring the City to hire unnecessary personnel, or to hire, transfer or promote a person who is not qualified, or to hire, transfer or promote a less qualified person, in preference to a person who is demonstrably better qualified based upon the results of a job related selection procedure.⁵⁸

The city admitted to having made race based decisions, but explained that these actions had been carried out in compliance with the dictates of the decree. The city went on to state that the shift in promotional procedures was a product of the decree, and could not be construed as being implemented with discriminatory intent. The court ruled that the plaintiffs failed to establish a *prima facie* case of discrimination against the CBS, and dismissed the charges made against it. The court also found that the city had not promoted any Blacks officers who were unqualified or demonstrably less qualified than the whites who were not promoted. According to the court, “The City Decree is lawful under all the relevant case law of the 11th Circuit and Supreme Court, it is a proper remedial device, designed to overcome the effects of prior, illegal discrimination by the City of Birmingham.” The court, however, left defendant’s counter-claim to be addressed in the future.⁵⁹

This issue was addressed when the plaintiffs appealed to the 11 Circuit Court, which dismissed the United States’ claims and refused to allow the Justice Department

⁵⁸ Ibid.

⁵⁹ *Martin v. Wilks*, 490 U.S. 755; 109 S. Ct. 2180 (1989); *Re: Reverse Discrimination Employment Discrimination*, 833 F2d. 1492; 45 FEP Cases (BNA) 890 (11th Cir. 1987).

to intervene on behalf of the plaintiffs in their appeal. The appeal, however, was granted as the Circuit Court believed that the “District Court erred in holding that the individual plaintiffs were bound by the consent decrees.” The Circuit Court’s decision to rehear the case was highly suspect. No section of the District Court’s opinion stated that the plaintiffs had been legally bound by the decree. Instead, the Circuit Court manipulated the District Court’s findings to fit its desire to hear the case, stating: “without expressly so stating, the District judge treated the plaintiffs as if they were bound by the consent decree and as if they were alleging solely that the City had violated the City decree.” It also claimed that the District Court had “held that the plaintiffs – both the United States and the individual plaintiffs –were bound by the consent decrees.”⁶⁰

In explaining its motivation for dropping the United States from the case and not compelling the Justice Department to defend the decrees it had helped implement, the court concluded that “these plaintiffs were neither parties nor pries to the consent decrees,” and thus could not be precluded from conducting independent claims of discrimination.” Thus despite stating in U.S. v. Jefferson County “that there are...limitations on the extent to which a nonparty can undermine a prior judgment. A nonparty may not reopen the case and relitigate the merits anew; neither may he destroy the validity of the judgment between parties,” the 11th Circuit Court, referring to Stotts and City of Cleveland, now held that the city was required to consider and defend the position of non-minorities when fashioning any settlements. As a result, the Circuit Court remanded the case, providing the District Court with instruction to try the “plaintiffs’ claims of unlawful discrimination,” and if necessary reopen the decree.

⁶⁰ Ibid.

Echoing the Justice Department, the Circuit Court judge's instructions then stated that to withstand Title VII scrutiny, the decree "must not unnecessarily trammel the rights of non-minority employees or create an absolute bar to their advancement." Also, permissible consideration of the race or gender of promotional candidates had to be "justified by the existence of a manifest imbalance that reflected under representation ...in traditionally segregated job categories."⁶¹

Before the District Court reheard the case, the defendants petitioned the Supreme Court to review the 11th Circuit's decision. As a result, in 1989 the Supreme Court reviewed the case, which was re-titled *Martin v. Wilks*. Thirty-three State Attorney Generals filed amicus curiae briefs on behalf the defendants that urged a reversal, while the Justice Department and IAFF argued for affirmation. In a five-four decision, the Supreme Court upheld the 11th Circuit Court's decision. While recognizing that the rules against sideline sitting have commanded the approval of a great majority of the Federal Court of Appeals, "the court agreed with the contrary view expressed by the 11th Circuit, stating: "it is a principle of general application in Anglo-American jurisprudence that one is not bound by a judgment...in a litigation in which he is not designated as a party or to which he has not been made a party by service of process." In doing so, the High Court overturned a one hundred and fifty year old precedent that permitted collateral attacks only in instances where the original judgment was obtained thorough fraud or collusion. In the Supreme Court's opinion, the problem had been procedural. In *Wilks*, the Supreme Court ruled that the principles involved in decree negotiations were responsible for

⁶¹ Ibid; *United Steelworkers v. Weber*, 443 U.S. 193, 99 S. Ct. 2721 (1979).

joining any and all potentially affected parties to the decree.⁶² Justice Stevens, remarking on the Court's unfounded hostility towards minority victims of discrimination, reminded the court:

The predecessor to this litigation was brought to change a pattern of hiring and promotion practices that had discriminated against black citizens in Birmingham for decades. The white respondents in this case are not responsible for that history of discrimination, but they are never the less beneficiaries of the discriminatory practices that the litigation was designed to correct. Any remedy that seeks to create employment conditions that would have obtained if there had been violations of law will necessarily have an adverse impact on whites who must now share their job and promotion opportunities with blacks. Just as white employees in the past were innocent beneficiaries of illegal discriminatory practices, so it is inevitable that some of the same white employees will be innocent victims who must share some of the burdens resulting from the redress of past wrongs.⁶³

The majority's decision in *Wilks* had a tremendous impact on voluntary consent decrees. As Derrick Bell explained, after failing to secure the broad reinterpretation it had desired from *Stotts*, the Justice Department and Supreme Court made serious inroads in their attempt to subvert Black labor, equal opportunity, and affirmative action:

Martin v. Wilks casts doubt on whether an employer may institute a voluntary affirmative action policy in response to collective bargaining demands of minority workers... What used to be a small but not insignificant part of litigation strategy for minority workers, however, has been seriously eroded... This precedent seems to be a discouraging example of the Court's apparent worry that reverse discrimination, rather than the "traditional" kind (i.e. against nonwhites) is what the law should protect against today.⁶⁴

By the year the *Wilks* decision had been rendered, the Supreme Court, after chipping away for most of the decade, had finally succeeded in undermining *Griggs'* disparate impact precedent and voluntary consent decrees. In 1986, the *Stotts* case had

⁶² *Martin v. Wilks*, 490 U.S. 755 (1989).

⁶³ Ibid.

⁶⁴ Derrick Bell, *Race, Racism, and American Law*, p. 880.

limited the District Court's ability to modify decrees, while later that year, *Wygant v. Jackson Board of Education* mandated that racial or ethnic classifications could only be applied if they passed a "strict scrutiny" test. This two-pronged test required that racial classifications could only be used if there was "a compelling governmental interest" in doing so, and if this interest was "narrowly tailored to the achievement of its goal."⁶⁵ Two 1989 cases further negated the legal recourse available to minority firefighters. In *Richmond v. Croson*, the Supreme Court further "tailored" the argument put forth in *Wygant* by ruling that having minority and females in historically white male jobs to provide future generations with role models to emulate failed to represent a "compelling state interest." In *Wards Cove Packing Co. v. Atonio*, the Court raised the standard of proof required in disparate impact cases, thereby forcing Black plaintiffs to establish discriminatory intent instead. These decisions, as Derrick Bell put it, combined to provide "a judicial reassurance that the effort to eliminate racial discrimination will not be allowed to infringe on vested rights and expectations of innocent whites, defined as those white not caught red-handed with smoking guns evidencing their participation in blatant, invidious discrimination."⁶⁶

The Supreme Court's revision of anti-discrimination legislation was felt immediately by minority and women firefighters. Following the *Wilks* decision, whites re-filed lawsuits in Boston, Chicago, Cincinnati, Memphis, Oakland, Omaha, and San Francisco. As one Assistant City Attorney explained: "without a doubt, we think the Supreme Court decision had encouraged reverse discrimination lawsuits. In Oakland in

⁶⁵ Ibid, p. 858.

⁶⁶ Alfred Blumrosen, *Modern Law*, p. 277; Derrick Bell, *Race, Racism, and American Law*, p. 896.

1990, white and Hispanic male applicants for fire department jobs challenged a four-year old hiring decree by “contending that its numerical goals for hiring women, blacks and Asian Americans were too high. Ronald Yank, a lawyer for the plaintiffs, including a local firefighters union, said, “There would not have been a lawsuit without the 1989 Supreme Court decision” in *Martin v. Wilks*.⁶⁷

Throughout the history of litigation regarding fire department discrimination, white employees or local unions that intervened had done so with the financial backing of the IAFF and legal assistance from the AFL-CIO. Prior to the *Stotts* and *Wilks* decisions, the IAFF, despite its persistence had largely been held in check by the lower courts, but at great expense to the cash-strapped cities involved in the protracted litigation. In Boston, Memphis, Chicago, San Francisco and numerous other cities, legal challenges had been mounted relentlessly from each decrees inception. In the city of Birmingham, more than a million dollars had been spent “in lawyers’ fees to defend the consent decree against white attacks.” The *Wilks* case had opened the floodgates, sweeping away procedural obstacles and allowing whites to sue cities for actions taken under federally sponsored decrees. This process was actively encouraged by the IAFF, which issued a directive to its Locals encouraging them file lawsuits aimed at overturning consent decrees in their respective cities.⁶⁸

While charges were being filed across the nation at the behest of the IAFF, Congress enacted the 1991 Civil Rights Act in an attempt to limit the Supreme Court’s attack on affirmative action. The act negated the Reagan Court’s finding in *Wards Cove*

⁶⁷ Robert Pear, “1989 Ruling Spurs New Tack in Civil Rights Suits,” *New York Times*, p. A1.

⁶⁸ Ibid; Paul Rockwell, “Fighting the Fires of Racism.”

by accepting the premise “that where women and minorities are underrepresented in particular job categories, affirmative action is appropriate. The Act, however, failed to address the *Wygant* precedent, and as a result, race-based affirmative action could only be used if it could “pass” the strict scrutiny test. These contradictory currents have produced a wide array of interpretations in the lower courts, and have led to inconsistent judicial decisions concerning the legality and acceptable parameters of consent decrees, creating further delays, the dismantling of existing decrees, or continued legal struggles.⁶⁹

In Birmingham, for example, the District Court retied the *Martin v. Wilks* case, using the 1991 Civil Rights Act to rule against the white plaintiffs. In 1994, however, the case returned to the 11th Circuit and was reversed by a judge who denounced the promotional decree as “outright racial balancing” and referred to the District Court’s decision as “the perpetuation of discrimination by the government.” While the Circuit Court agreed that Birmingham had a “compelling state interest” in remedying the effects of past discrimination, it found that the plan had not been “narrowly tailored” because the city failed to consider a “less drastic” alternative. The city filed two unsuccessful appeals in the lower courts, while in April 1995; the Supreme Court allowed the decision to stand. Whites who had been passed over in years passed were granted back pay, relief never afforded to Birmingham’s Black firemen, who, like nearly 90 percent of all job bias claims brought by the Justice department between 1972 and 1983, had agreed to forgo an opportunity to receive massive money judgments by agreeing to compromise and enter into consent decrees.⁷⁰

⁶⁹ Alfred Blumrosen, *Modern Law*, p. 286.

⁷⁰ Robert Pear, “1989 Ruling Spurs New Tack in Civil Rights Suits.” Bragg, “Fighting Bias with Bias and Leaving a Rift,” *New York Times*, 21 August 1995, P. A1 & 10.

The impact of the *Wygant* precedent and the limitation of the 1991 Civil Rights Act also materialized in a 1999 case involving the New Orleans Fire Department (NOFD). When a voluntary consent decree went into effect in 1991, the NOFD was 82 percent white, despite the fact that Blacks constituted over 60 percent of the city's labor force. When taken to court, the court ruled that the city had "not offered 'a strong basis in evidence' sufficient to justify that the usage of race as a hiring factor and/or the usage of a racial quota was needed to remedy the 'present effects of past discrimination.'" The white plaintiffs who brought the case receive back pay as relief as well as promotions, and the decree was rendered null and void.⁷¹

Contrary to this decision, if history shows anything, it is that racial and gender representation in urban fire departments have only been approached in cities where fire departments had been taken to trial and were compelled to use "race as factor" in hiring and promotions. In Boston, for example, the local union's attempt to nullify the city's existing consent decree was thwarted by a liberal court and the fact that the decree was only related to hiring. Still, progress was slow. By the end of the century, Boston's minority population accounted for 44 percent of the city's population, but only 29 percent of the fire department. At this same time, minority firefighters held only 3 percent of the 464 highest ranking and best paying jobs in the department. However, even these may have been inflated. In the early 1990s, at least six whites, two of whom had been in the department for 10 years, gained their positions by claiming to be minorities. Such acts of fraud only could have succeeded with collusion between the BFD and the firefighters' union. After two white individuals were exposed, City Councilor Bruce Bolling

⁷¹ *Paul Lalla v. City of New Orleans*, Civil Action # 96-2640 (Dist. Ct. Eastern La., 1999).

wondered the same, remarking: “How could twins with Irish names, Caucasian features and no black identification from any perspective get into the force and stay on without collusion?”⁷² Nonetheless, by 2003 minority representation within the BFD grew to roughly that of the city’s population. As a result, after twenty-nine years, the District Court rescinded the court ordered decree. Since that time, the department has not hired a single non-white firefighter.⁷³

While Boston’s decree provided for minority and gender representation that otherwise never would have materialized, day-to-day working conditions remained deplorable. In 1999, for example, minority firefighters were the recipients of 50 percent of all disciplinary charges, a vast improvement from 1989 when the figure had been 81 percent. Minorities, and especially women firefighters, continued to be subjected to unrelenting harassment. In 1994, for example, female firefighter Judy Hansford reported having had her pillow urinated on, marijuana planted in her fire coat, her fire gloves stolen, and having received numerous verbal and physical threats. Appalled by this conduct, white Fire Captain Edward Callahan took action against the perpetrators, but was later disciplined by the department for “conduct prejudicial to good order.” While Callahan was not suspended, the department considered him to be crazy because he went against the “old-boy network.” As a result, he received a reprimand and was ordered to

⁷² David Armstrong, “Traditional Ways Trample on Women and Minority Groups,” *Boston Globe*, 8 February 1999, p. A-1; Paul Rockwell, “Fighting the Fires of Racism.”

⁷³ Andrea Estes, “Court Halts Racial Decree for Fire Department, *Boston Globe*, 28 March 2003; Andrea Estes and Douglas Belkin, “Hiring Policy-Shift has Whites Eyeing Fire Jobs,” 16 June 2003; Suzanne Smalley, “For Second Year, Boston Swears in an All-White Firefighting Class, *Boston Globe*, 19 March 2005.

see a psychiatrist. Callahan sought the assistance of the IAFF Local so he could appeal, but was erroneously informed by his union that he was not needed at the hearing.⁷⁴

Unlike Boston, San Francisco's Fire Department made significant inroads after years of white resistance. San Francisco's first firefighter, hired in 1955, was greeted by having his bed defecated on. For the next seventeen years, minorities entered at a snail's pace. By 1972, only five of 1500 fire department members were Black. For the next two decades, representation remained low, while racism and sexism continued unabated. Finally, in 1988, the city entered into a court ordered decree that required specific goals in the hiring and promotion of women and minorities for a seven-year period. The Court, however, required that the city be subjected to judicial monitoring to ensure compliance. IAFF Local 798 delayed the decree from taking affect by refusing to sign off on it for two years, and then filed two unsuccessful reverse discrimination charges after the *Wilks* decision had been rendered.⁷⁵

The situation, however, changed dramatically with the appointment of African American Robert Demmons as Fire Chief in 1997. Demmons took an aggressive approach against discrimination. To increase the number of women on the force, which in 1987 had been zero, Demmons had the SFFD's chief recruiter sign up 600 hundred women to take the entrance examination. As a result of these and other efforts, by the end of the century San Francisco employed 160 women firefighters, by far the highest number in the nation. Demmons, however, also overhauled the SFFD's promotional

⁷⁴ David Armstrong, "Traditional Ways Trample on Women and Minority Groups."

⁷⁵ Carol Chetkovich, *Real Heat: Gender and Race in the Urban Fire Service* (New Brunswick: Rutgers University Press, 1997) p. 15; La Chung, "Firefighters Bend on Integration Order," *San Francisco Chronicle* (Final Edition), 13 April 1990, P. B8; David Armstrong, "Traditional Ways Trample on Women and Minority Groups."

process that historically served to exclude minorities. Rather than depending solely upon multiple-choice testing, the SFFD now includes an oral examination where candidates are asked how they would respond to certain types of situations while on fire grounds and in the firehouse. Written examination scores for both promotions and hiring are still used, however, the department selects officers or applicants from a band of scores rather than by using a strict numerical ranking system. This policy change was quite effective. By 1999, for example, 37 percent of the department's superior officers were minorities and relative parity had been achieved. As a result, in 1998, the court lifted judicial supervision and rendered the decree null and void. In 2004, San Francisco became the first city in the nation to appoint a woman, Joanne Hayes-White, as Fire Chief.⁷⁶

Yet even San Francisco's success story may meet an unfortunate fate. Recent cases regarding the validity and legality of test banding suggest that this approach might also come under increased IAFF and legal scrutiny in the years to come. In 1999, the 5th Circuit Court of Appeals had held that the Dallas Fire Department's policy of promoting women and minorities over white males who achieved scores within the same band had been unjustifiable because there was insufficient evidence of past discrimination. The Supreme Court declined to review the case, and as of today, the legality and future of banding remains in question.⁷⁷ With the few remaining consent decrees winding down and voluntarily entered agreements viewed with suspicion and contempt by white firefighters and the courts, the future looks dim. Consent decrees have done little to address the roots of institutionalized racism in the urban fire service, which remain today

⁷⁶ Ibid; Pat West, San Francisco Installs New Fire Chief, *Fire Chief*, 16 January 2004.

⁷⁷ *City of Dallas v. Dallas Firefighters Association*, No. 98-966, S. Ct., on petition for writ of certiorari to the U.S. Court of Appeals for the Fifth Circuit (199).

but with little hope for a legal remedy. With “race based relief” and structural changes to civil service procedures attacked by courts and the IAFF, the situation promises to get much worse before any progress is made.

BIBLIOGRAPHY

Manuscript Collections:

American Civil Liberties Union of Maryland, 1950-1963. Langsdale Library, University of Baltimore, Baltimore, Md.

AFL-CIO Department of Civil Rights Discrimination Files, 1947-1984, George Meany Memorial Archive, Silver Spring, Md.

AFL-CIO Papers, 1930-1980. New York Public Library, New York, N.Y.

A. Philip Randolph Papers, 1909-1979. Library of Congress, Washington D.C.

Baltimore City Board of Fire Commissioners Records. Baltimore City Fire Department Headquarters, Baltimore, Md.

Coalition of Black Trade Unionists Papers. Schomburg Center for Black Research in Culture, New York, NY.

James Crockett Papers, Private Collection, Baltimore, Md.

Thomas D'Alesandro Jr. Papers. Baltimore City Archives, Baltimore, Md.

Thomas D'Alesandro III Papers. Baltimore City Archives, Baltimore, Md.

Fred Fowler Paper., Private Collection, Palm Coast, Fl.

Harold Grady Papers. Baltimore City Archives, Baltimore, Md.

Arthur "Smokestack" Hardy Papers. African American Firefighters Museum, Baltimore, Md.

Vincent Julius Papers. Private Collection, Palm Coast, Fl.

Fiorello LaGuardia Papers. New York Municipal Archive, New York, NY.

James T. Lee Papers. Private Collection, Palm Coast Fl.

Benjamin McClaurin Papers. Schomburg Center for Black Research in Culture, New York, NY.

Theodore McKeldin-Juanita Jackson Mitchell Oral History Collection. Maryland Historical Society, Baltimore, Md.

Theodore McKeldin Papers. Langsdale Library, University of Baltimore, Baltimore, Md

George Meany Papers. George Meany Memorial Archive, Silver Spring, Md.

National Association for the Advancement of Colored People Papers. Library of Congress, Washington D.C.

National Association for the Advancement of Colored People Papers (Microfilm). John Bracey and August Meier, Eds. University Publications of America, Bethesda, Md.

Negro American Labor Council Papers. Library of Congress, Washington D.C.

National Labor Relations Board. Cases and Complaints, 1950-2002. United States National Archive, College Park, Md.

National Urban League Papers. Library of Congress, Washington D.C.

New York City Fire Department Records. Mand Library, New York, NY.

Charlie Thomas Papers. Private Collection, Baltimore, Md.

United Women Firefighters Papers. Wagner Labor Archives, New York University, New York, NY.

Robert Wagner Papers. New York Municipal Archive, New York, NY.

Wesley Williams Jr. Papers. Schomburg Center for Black Research in Culture, New York, NY.

Newspapers and Periodicals:

Associated Press State and Local Wire

Baltimore Afro-American

Baltimore City Paper

Baltimore Federationist

Baltimore News American

Baltimore Sun

Baltimore Times

Boston Globe

Brooklyn Eagle

California Eagle

Chicago Defender

Chief

Cleveland Gazette

Ebony

*Firehouse
Guardian's New Bulletin
Hartford Courant
Hartford Times
International Fire Fighter
Jet
Los Angeles Examiner
Los Angeles Times
Memphis Commercial Appeal
Memphis Press-Scimitar
Memphis Tri-State Defender
New York Age
New York Amsterdam News
New York Daily News
New York Newsday
New York Post
New York Sun
New York Times
New York World Telegram
Norfolk Journal and Guide
Opportunity
Our World
Pittsburgh Courier
Queen's Voice
San Francisco Chronicle
St. Louis Post-Dispatch
St. Paul Appeal
Washington Bee
Washington Post
World Magazine
Vulcan News*

Interviews:

Bascom, Marion
Brooks, Bob
Callender, James
Cephas, Guy
Crawford, Robert
Crockett, James
Echols, David
Edwards, James
Fields, Richard
Fowler, Fred
Glen, David

Heckenrote, Edward
Horton, Harry
Johnson, Calvin
Johnson, Kenneth Lavon
Julius, Vincent
Lanier, Bob
Lee, James T.
McMahon. Martin
Merritt, William
Miller, Charles
Murray, John
Newsom, Floyd
O'Malley, John T.
Parker, Roy
Reape, Eric
Sims, Jordan
Stewart, John B.
Thomas, Charles
Waddell, Edgar
Walk, Joe
Washington Jr., Lindsay
Williams, Herman

Court Cases and Legal Documents:

Aiken, et al. v. The City of Memphis. 65 FEPC 1757 (CA 6 1994).

Boston Firefighters Union Local 718 v. Boston Chapter of the NAACP. Writ of Certiorari to U.S. Court of Appeals (1st Cir. 1983).

Boston NAACP, et al. v. Beecher. 371 F.Supp. 507; 7 FEPC (BNA) 307 (U.S. Dist. Ma. 1974).

Brown v. Neeb, 523 F. Supp. 1; 25 FEPC (BNA) 262, (F2d. 1980).

Brown v. Neeb. 644 F2d. 551 (6h Cir., 1981).

Buchanan v. Worley, 245 U.S. 60, 74 (1917).

Carter v. Gallagher. No. 4-70 Civ. 399., F.2d., 3 FEPC (BNA) 692 (1971).

_____. 3 Empl. Prac. Dec. (CCH) P8205 (1971).

_____. 457 F2d. 4th Circuit (1973).

_____. *Cert denied*, 409 U.S. 982 (1972).

Castro v. Beecher, 522 F. Supp 873 (1981).

Chance v. Board of Examiners, 330 F. Supp. 203, (DC SNY 1971).

City of Dallas v. Dallas Firefighters Association, No. 98-966, S.Ct., *writ of certiori*, U.S. Court of Appeals, Fifth Circuit (1999).

Eason v. City of Memphis. 63 FEPC 733 (CA 1993).

Firefighters Local 1784 v. Stotts, 467 U.S. 561; 104 S. Ct., 2576, 34 FEPC 1702 (1984).

Fullenwider v. Firefighters Local Association 1784. 649 S.W. 2d., 268, 270 (U.S. Dist. Tn., 1982).

Griggs v. Duke Power Co., 401 U.S. 424 (1971).

Harper v. Mayor and City Council of Baltimore City. 359 F. Supp., 1187, 4th Cir., 5 FEPC (BNA) 1050. (U.S. Dist., Md., 1973).

Local 93 v. Cleveland. 488 U.S. 501; 106 S.Ct., 3063; 41 FEPC (BNA) 139 (1986).

Martin v. Wilks. 490 U.S. 755; 109 S. Ct., 2180; 104 L. Ed. 2d. 835; 57 U.S.L.W. 4616; 46 FEPC (BNA) 1641 (1989).

Paul Lalla v. City of New Orleans. Civil Action # 96-2640 (Dist., Ct. Eastern La., 1999).

Re Reverse Discrimination Empliment Discrimination, 833 F2d., 1492; 45 FEPC (BNA) 890 (11th Cir., 1987).

Stotts v. Memphis Fire Dept. 679 F2d. 541; 28 FEPC (BNA) 1491 (U.S. App. 1982).

_____. 28 FEPC 1522 (CA 6 1982).

_____. 47 FEPC 1701 (CA 6 1988).

United Steelworkers v. Weber. 443 U.S. 193, 99S. Ct., 2721, 61 L. Ed. 2d. 480 (1979).

U.S. v. Jefferson County. 720 F2d., 1511 (11th Cir. 1983).

Vanguards v. Cleveland. 753 F2d., 485-89 (6th Cir. 1985).

Vulcan Society of the New York City Fire Department v. Civil Service Commission of the City of New York, et al. 360 F. Supp. 1265; 5 FEPC (BNA) 1229 (D. N.Y., 1973).

_____. 5 FEPC 699 (DC SNY 1973).

_____. 6 FEPC 1045 (CA 2 1973).

Books, Articles, Chapters, Theses, and Dissertations:

Allen, Ted. "Can White Radicals Be Radicalized." in *White Blindspot & Can White Radicals Be Radicalized?* Detroit: Radical Education Project, 1969.

American Academy of Political and Social Science. *Racial Desegregation and Integration*. Philadelphia: American Academy of Political and Social Science, 1956.

Argersinger, Jo Ann E. *Toward a New Deal in Baltimore: People and Government in the Great Depression*. Chapel Hill: University of North Carolina Press, 1988.

_____. "Toward a Roosevelt Coalition: The Democratic Party and the New Deal in Baltimore." *Maryland Historical Magazine* (Winter 1983): 299-318.

Arnesen, Eric. *Waterfront Workers of New Orleans: Race, Class, and Politics, 1863-1923*. New York: Oxford University Press, 1991.

_____. "Up From Exclusion: Black Workers, Race, and the State of Labor History." *Reviews in American History* 26 (1998): 146-74.

_____. *Brotherhoods of Color: Black Railroad Workers and the Struggle for Equality*. Cambridge: University of Harvard Press, 2002.

Asher, Robert and Stevenson, Charles. *Labor Divided: Race and Ethnicity in the United States Labor Struggles, 1835-1960*. Albany: State University of New York Press, 1990.

Avery, Richard. *Fairness in Selecting Employees*. Reading: Addison-Wesley Publishing Co., 1979.

Bagby, Thomas. The Memphis Fire Fighters Case: The Impact of the Supreme Court's Stotts Decision on Affirmative Action, Equal Employment Litigation, Settlement, and Judicial Remedies. Washington D.C.: National Foundation for the Study off Equal Employment Policy, 1985.

Baker, Jean. *The Politics of Continuity; Maryland Political Parties from 1858 to 1870*. Baltimore: Johns Hopkins University Press, 1973.

Baker, Lee. *From Savage to Negro: Anthropology and the Construction of Race, 1896-1954*. Berkeley: University of California Press, 1998.

- Baltimore Association of Commerce. *Baltimore's Business Expansion Program: A Three Year Accounting*. Baltimore: Baltimore Association of Commerce, 1951.
- Baltimore Commission of Human Relations. *An American City in Transition*. Baltimore: Baltimore Commission on Human Relations, 1955.
- Baltimore Urban League. *Toward Equality: Baltimore's Progress Report*. Baltimore: The Sidney Hollander Foundation Inc., 1960.
- _____. *Annual Report; 1947*. Baltimore: Baltimore Urban League, 1947.
- _____. *The Baltimore Urban League; Fifty Years of Service to Baltimore*. Baltimore: Baltimore Urban League, 1974.
- _____. *Souvenir Program and Annual Report; 1950*. Baltimore: Baltimore Urban League, 1950.
- Barrett, James and Roediger, David. "In Between Peoples: Race, Nationality, and the 'New Immigrant' Working Class." *Journal of American Ethnic History* 16 (Spring 1997): 3-44.
- Bayer, Ronald and Meagher, Timothy. *The New York Irish*. Baltimore: Johns Hopkins University Press, 1996.
- Bureau of National Affairs. *The Equal Employment Opportunity Act of 1972*. Washington D.C.: Bureau of National Affairs, 1973.
- Becker, Gary. *The Economics of Discrimination*. Chicago: University of Chicago Press, 1957.
- Beifuss, Joan Turner. *At the River I Stand: Memphis, the 1968 Strike, and Martin Luther King*. Brooklyn: Carlson Publishing Co., 1989.
- Bellush, Jewel. *Race and Politics in New York City: Five Studies in Policy Making*. New York: Praeger, 1971.
- Belknap, Michael. *The Drive to Desegregate Places of Public Accommodation*. New York: Garland Publishing Co., 1991.
- Bell, Derrick. *Race, Racism, and American Law*. 3rd ed. Boston: Little & Brown Co., 1992.
- Bernstein, Iver. *The New York City Draft Riots: Their Significance for American Society and Politics in the Age of the Civil War*. Oxford: Oxford University Press, 1990.

- Binder, Frederick M. and Reimers, David. *All the Nations Under Heaven: An Ethnic and Racial History of New York City*. New York: Columbia University Press, 1995.
- Biondi, Martha. *To Stand and Fight: The Struggle for Civil Rights in Postwar New York City*. Cambridge: Harvard University Press, 2003.
- Bloch, Herbert. *The Circle of Discrimination: An Economic and Social Study of the Black Man in New York*. New York: New York University Press, 1969.
- _____. "The Employment Status of the New York Negro in Retrospect." *Phylon* 20, no. 4 (1959): 327-344.
- Bloom, Jack. *Class, Race, and the Civil Rights Movement*. Bloomington: University of Indiana Press, 1987.
- Blumrosen, Alfred. *Modern Law: The Law Transmission System and Equal Employment Opportunity*. Madison: University of Wisconsin Press, 1993.
- Bowers, Mollie. *Labor Relations in the Public Safety Services*. Chicago: International Personnel Management Association, 1974.
- Bontempts, Arna and Conroy, Jack. *The Seek a City*. Garden City, New York: Doubleday, Doran and Company, Inc., 1945.
- Boyle, Kevin. *Organized Labor and American Politics, 1894-1994: The Labor-Liberal Alliance*. Albany: State University of New York Press, 1998.
- Boskin, Joseph and Rosenstone, Robert. *Seasons of Rebellion: Protest and Radicalism in Recent America*. New York: Harper & Row, 1972.
- Bracey, John H., Meier, August and Rudwick, Elliot. *Black Workers and Organized Labor*. Belmont: Wadsworth Publishing Co., 1971.
- Bracey, John H. and Meier, August. "The NAACP as a Reform Movement, 1909-1965: 'To Reach the Conscience of America.'" *Journal of Southern History* 54, no. 1 (February 1993): 3-30.
- _____. "Allies or Adversaries? The NAACP, A. Philip Randolph and the 1941 March on Washington." *Georgia Historical Quarterly* 75 (September 1991): 1-17.
- Broadnax, Walter. *Diversity and Affirmative Action in Public Service*. Boulder: Westview Press, 2000.
- Brown, Thomas N. *Irish-American Nationalism*. New York: J.P. Lippencott Co., 1966.

- Brugger, Robert. *Maryland: A Middle Temperament, 1634-1980*. Baltimore: Johns Hopkins University Press, 1988.
- Bureau of National Affairs. *The Equal Employment Opportunity Act of 1972*. Washington D.C.: Bureau of National Affairs, 1973.
- Burnstein, Paul. *Equal Employment Opportunity: Labor Market Discrimination and Public Policy*. New York: Aldine De Gruter, 1994.
- Callcott, Margaret Law. *The Negro in Maryland Politics, 1870-1912*. Baltimore: Johns Hopkins University Press, 1969.
- Calhoun, Richard. "New York City Fire Department Reorganization, 1865-1870." *New York Historical Society Quarterly* 60, no. 1 (1976): 6-34.
- _____. "From Community to Metropolis: Fire Protection in New York City, 1790-1875." Ph.D. diss., Columbia University, 1973.
- Callow Jr., Alexander B. *The Tweed Ring*. New York: Oxford University Press, 1966.
- Capeci, Dominic. *The Harlem Riot of 1943*. Philadelphia: Temple University Press, 1977.
- _____. "From Different Liberal Perspectives: Fiorello H. La Guardia, Adam Clayton Powell, Jr., and Civil Rights in New York, 1941-1943." *Journal of Negro History* 62, no. 2 (April, 1977): 160-173.
- Cayton, Horace and Mitchell, George. *Black Workers and the New Unions*. Chapel Hill: University of North Carolina Press, 1939.
- Chapelle, Suzanne Ellery Greene. *Maryland, a History of its People*. Baltimore: Johns Hopkins University Press, 1986.
- Chetkovich, Carol. *Real Heat: Gender and Race in the Urban Fire Service*. New Brunswick: Rutgers University Press, 1997.
- _____. "Integrating the Greatest Job in the World: Race and Gender in the Urban Fire Service." Ph.D. diss. University of California Berkeley, 1994.
- Chickering, A. Lawrence. *Public Employee Unions: A Study of the Crisis in Public Sector Labor Relations*. San Francisco: Institute for Contemporary Studies, 1976.
- Connery, Robert and William Farr, eds. *Unionization of Municipal Employees*. New York: The Academy of Political Science, 1971.

Connoly, Harold Xavier. "Blacks in Brooklyn From 1900 to 1960." Ph.D. diss., New York University, 1972.

Costello, A.E. *Our Firemen: The History of the New York Fire Departments*. New York: Knickerbocker Press, 1887.

Craft, James A. *Negroes in Large Municipal Fire Departments: a Labor Market Analysis*. Lafayette: Herman C. Krannert Graduate School of Industrial Administration, Purdue University, 1971.

Crooks, James. "Politics of Reform: The Dimensions of Baltimore Progressivism." *Maryland Historical Magazine* 71, no. 3 (1976): 421-427.

Cummings, Scott and Price, Michael. "Race Relations and Public Policy in Louisville." *Journal of Black Studies* 27, No. 5 (May, 1997): 615-49.

D'Alesandro Jr., Thomas. *Report to the Citizens of Baltimore, May 20th, 1947 to May 20th, 1948*. Baltimore: 1948.

Daniels, Roger. "Bad News from the Good War: Democracy at Home during World War II." In *The Home Front War: World War II and American Society*. Kenneth Paul O'Brien and Lynn Parsons, eds. Westport: Greenwood Press, 1995.

Davis, Benjamin J. *Communist Councilman From Harlem: Autobiographical Notes Written in a Federal Penitentiary*. New York: International Publishers, 1969.

Davis, Thomas. *A Rumor of Revolt: "The Great Negro Plot" in Colonial New York*. New York: Free Press, 1985.

Dalfiume, Richard "The Forgotten Years' of the Civil Rights Revolution." *Journal of American History* 55 (1968): 90-106.

Delsohn, Steve. *The Fire Inside: Firefighters Talk About Their Lives*. New York: HarperCollins Publishers Inc., 1996.

Dittmer, Robert. "Assuring the Public Interest in Equal Employment Opportunity After Firefighter's Local 1784 v. Stotts." *Case Western Law Review* 36 (1987).

Doyle, David. "The Irish and American Labour, 1880-1920." *Saothar* 1 (1975): 43-4.

Draper, Alan. "New Southern Labor History Revisited: the Success of the Mine, Mill and Smelter Workers Union in Birmingham, 1934-38." *Journal of Southern History* 62 (1996): 87-108.

Du Bois, W.E.B. *Economic Co-Operation among Negro Americans*. Atlanta: Atlanta University Press, 1907.

- Dulaney, Marvin. *Black Police*. Bloomington: University of Indiana Press, 1996.
- Dunaway, David K. and Baum, Willa K. *Oral History: An Interdisciplinary Anthology*. Walnut Creek: AltaMira Press, 1996.
- Durr, Kenneth D. *Behind the Backlash: White Working-Class Politics in Baltimore, 1940-1980*. Chapel Hill: University of North Carolina Press, 2003.
- Dykstra, Arlen. "Rowdeyism and Rivalism in the St. Louis Fire Department, 1850-1857." *Missouri Historical Review* 69, no. 1 (1974): 48-64.
- Erie, Steven P. *Rainbow's End: Irish-Americans and the Dilemmas of Urban Machine Politics, 1840-1885*. Berkeley: University of California Press, 1988.
- Eisenger, Peter. "Black Employment in Municipal Jobs: The Impact of Black Political Power." *American Political Science Review* 76, no. 2 (1982): 380-392.
- _____. "The Economic Conditions of Black Employment in Municipal Bureaucracies." *American Journal of Political Science* 26, no. 4 (1982): 754-771.
- Eskew, Glenn T. *But For Birmingham: The Local and National Movements in the Civil Rights Struggle*. Chapel Hill: University of North Carolina Press, 1997.
- Farrar, Haywood. "See What the *Afro* Says: The Baltimore Afro-American, 1892-1950." Ph.D. diss., University of Chicago, 1983.
- Fee, Elizabeth, et al. *The Baltimore Book: New Views of Local History*. Philadelphia: Temple University Press, 1991.
- Ferretti, Fred. *The Year the Big Apple Went Bust*. New York: Putnam, 1976.
- Fields, Barbara. *Slavery and Freedom on the Middle Ground: Maryland During the Nineteenth Century*. New Haven: Yale University Press, 1985.
- _____. "Ideology and Race in American History." in *Region, Race, and Reconstruction: Essays in Honor of C. Vann Woodward*. J. Morgan Kousser and James McPherson, eds. New York: Oxford University, 1982.
- Foner, Philip. *Organized Labor and the Black Worker, 1619-1981*. New York: International Publishers, 1981.
- Foner, Philip S. and Ronald Lewis, eds. *Black Workers: A Documentary History from Colonial Times to the Present*. Philadelphia: Temple University Press, 1989.

- Forrest, Clarence H. *Official History of the Fire Department of the City of Baltimore: Together With Biographies and Portraits of Eminent Citizens of Baltimore.* Baltimore: Williams & Wilkins, 1898.
- Freeman, Joshua. *Working-Class New York.* New York: The New Press, 2000.
- _____. *In Transit: The Transport Workers Union in New York City, 1933-1966.* New York: Oxford University Press, 1989.
- Furniss, George. "The Political Assimilation of Negroes in New York City, 1870-1965." Ph.D. diss., Columbia University, 1969.
- Gardener, Bettye Jane. "Free Blacks in Baltimore, 1800-1860." Ph.D. diss., George Washington University, 1974.
- Garfinkel, Harold. *When Negroes March, The March on Washington and the Organizational Politics for the FEPC.* Glencoe: Free Press, 1959.
- Georgakas, Dan and Marvin Surkin. *Detroit, I Do Mind Dying: A Study in Urban Revolution.* Cambridge: South End Press, 1998.
- Geschwender, James. *Class, Race, and Worker Insurgency: The League of Revolutionary Black Workers.* Cambridge: Cambridge University Press, 1977.
- Getz, Malcolm. *The Economics of the Urban Fire Department.* Baltimore: Johns Hopkins University Press, 1979.
- Gilje, Paul. *The Road to Mobocracy: Popular Disorder in New York City, 1763-1834.* Chapel Hill: University of North Carolina Press, 1987.
- Goetz, Barry. "The American Fire Department and the State: Government Organization and Social Inequality." Ph.D. diss., University of California Berkeley, 1991.
- Goldberg, David. "The Integration and Desegregation of Baltimore's Fire Department, 1930-1973." M.A. thesis, Morgan State University, 1998.
- Goldberg, Robert Marc. "Party Competition and Black Politics in Baltimore and Philadelphia." Ph.D. diss., Brandeis University, 1984.
- Goldfield, Michael. *The Color of Politics: Race and the Mainsprings of American Politics.* New York: New Press, 1997.
- Goldstein, Michael. "Black Power and the Rise of Bureaucratic Autonomy in New York City Politics: The Case of Harlem Hospital, 1871-1931." *Phylon* 41, no. 2 (1980): 187-201.

_____. "Race Politics in New York City, 1890-1930." Ph.D. diss., Columbia University, 1972.

_____. "Preface to the Rise of Booker T. Washington: A View from New York City of the Demise of Independent Black Politics." *Journal of Negro History* 62, no. 1 (January 1977): 90-97.

Golway, Terry. *So Others Might Live: A History of New York's Bravest, The FDNY From 1700 to the Present*. New York: Basic Books, 2002.

Goodall, Hurley C. *Black Fire Fighters in Muncie*. Muncie: Middletown Center, Ball State University, 1997.

Gottlieb, Robert., et al. *The Next Los Angeles: The Struggle for a Livable City*. Berkeley: University of California Press, 2005.

Gould, William B. *Black Workers in White Unions: Job Discrimination in the United States*. Ithaca: Cornell University Press, 1977.

Graham, Leroy. *Baltimore, the Nineteenth Century Black Capital*. Washington D.C.: University Press of America, 1982.

Green, Charles and Basil Wilson. *The Struggle for Black Empowerment in New York City: Beyond the Politics of Pigmentation*. New York: Praeger, 1989.

Greene, Larry. "Harlem in the Great Depression, 1928-1934." Ph.D. diss., Columbia University, 1979.

Greenberg, Amy. "Mayhem in Mobtown: Firefighting in Antebellum Baltimore." *Maryland Historical Magazine* 90, no. 2 (1995): 164-179.

Greenberg, Cheryl. "Or Does it Explode?" *Black Harlem in the Great Depression*. New York: Oxford University Press, 1991.

Greenberg, Stanley. *Race and State in Capitalist Development*. New Haven: Yale University Press, 1990.

Griffin, James Stafford. *Blacks in the St. Paul Police and Fire Departments, 1885-1976*. St. Paul: E&J, 1978.

Gronwitz, Anthony. *Race & Class Politics in New York City Before the Civil War*. Boston: Northeastern University Press, 1998.

Grube Farrell, Beth. "Gender Integration of the FDNY Firefighting Force: An Organizational Case Study." Ph.D. diss., Columbia University, 1994.

- Guion, Robet. "Employment Tests and Discriminatory Hiring." In *Negroes and Jobs: A Book of Readings*, Louis Ferman, Joyce Kornbluh, and J.A. Miller, eds. Ann Arbor: University of Michigan Press, 1968. pp. 323-37.
- Gunther, Lenworth. "Flamin' Tongue: The Rise of Adam Clayton Powell, Jr." Ph.D. diss., Columbia University, 1985.
- Guterl, Matthew. *The Color of Race in America, 1900-1940*. Cambridge: Harvard University Press, 2001.
- Haddock, Wilbur. "Conversation: Wilbur Haddock on the United Black Brothers." *Souls* (Spring 2000): 27-33.
- Halberstam, David. *Firehouse*. New York: Hyperion, 2002.
- Hall, Burton. *Autocracy and Insurgency in Organized Labor*. New Brunswick: Transaction Books, 1972.
- Halpern, Rick. *Down on the Killing Floor: Black and White Workers in Chicago's Packinghouses, 1904-54*. Urbana: University of Illinois Press, 1998.
- _____. "Organized Labor, Black Workers and the 20th Century South: the Emerging Revision." in *Race and Class in the American South Since 1890*. eds. Melvyn Stokes and Rick Halpern. Providence: Berg, 1994.
- Hamilton, Charles V. *Adam Clayton Powell, Jr.: The Political Biography of an American Dilemma*. New York: Atheneum, 1991.
- Hamilton, Donna. "The National Urban League During the Depression, 1930-1939: The Quest for Jobs for Black Workers." Ph.D diss., Columbia University, 1982.
- Hamilton, Lieutenant Richard R., and Barnard, Charles N. *20,000 Alarms: The Memoirs of New York's Most Decorated Fireman*. Chicago: Playboy Press, 1975.
- Hansen, Joyce and McGowan, Gary. *Breaking Ground, Breaking Silence: The Story of New York's African Burial Ground*. New York: Henry Holt, 1998.
- Hardy, Gayle. *American Women Civil Rights Activists: Biobibliographies of 68 Leaders, 1825-1992*. Jefferson, N.C.: McFarland, 1993.
- Harris, William. *The Harder We Run: Black Workers Since the Civil War*. New York: Oxford University Press, 1982.
- _____. *Keeping the Faith: A. Philip Randolph, Milton P. Webster, and the Brotherhood of Sleeping Car Porters, 1925-37*. Urbana: University of Illinois Press, 1991.

- Hart, Darrick Lamont. "Hearts of Fire: The History of Black Firemen in the City of Columbia, South Carolina." 10 December 1996. Constance B. Schulz Collection, South Carolina Library, University of South Carolina.
- Hartsfield-Mills, A.B. *The Old Stentorians*. Santa Fe Springs: Stockton Trade Press, 1974.
- Haynes, George Edmund. *The Negro at Work in New York City: A Study in Economic Progress*. New York: Arno Press and the New York Times, 1968 [1912].
- Hazen, Margaret Hindle and Hazen Robert M.. *Keepers of the Flame: The Role of Fire in American Culture, 1775-1925*. Princeton: Princeton University Press, 1992.
- Henderson, Thomas. "Harlem Confronts the Machine." *Afro-Americans in New York Life and History* 3 (July 1979): 51-68.
- Hershey, Carl. *Protest in the Public Service*. Lexington: Lexington Books, 1973.
- Hickey, Neil. *Adam Clayton Powell and the Politics of Race*. New York: Fleet Publishing Corp., 1965.
- Hiestand, Dale. *Discrimination in Employment: an Appraisal of the Research*. Ann Arbor: Institute of Labor and Industrial Relations, University of Michigan and Wayne State University, 1976.
- Hill, Herbert. *Black Labor and the American Legal System: Race, Work, and the Law*. Madison: University of Wisconsin Press, 1985.
- _____. *Labor Union Control of Job Training: A Critical Analysis of Apprenticeship Outreach Programs and the Hometown Plans* (Washington D.C.: Institute for Urban Affairs and Research, Howard University, 1974).
- _____. "The Equal Employment Opportunity Acts of 1964 and 1962: A Critical Analysis of the Legislative History and Administration of the Law," *Industrial Relations Law Journal* 2, no. 1 (Spring 1977): 33-65.
- _____. "Racism Within Organized Labor: A Report of Five Years of the AFL-CIO, 1955-1960," rpt. in *Journal of Negro Education* (Spring 1961): 109-118.
- _____. "Black Workers, Organized Labor, and Title VII of the 1964 Civil Rights Act: Legislative History and Litigation Record." In *Race in America, the Struggle for Equality*. Herbert Hill and James Jones, Jr., eds. Madison: University of Wisconsin Press, 1993. pp. 263-341.

- _____. "The AFL-CIO and the Black Worker: Twenty-Five Years after the Merger." *Journal of Intergroup Relations* 10, no. 1 (Spring 1982): 5-78.
- _____. 'Race, Ethnicity, and Organized Labor: The Opposition to Affirmative Action.' *New Politics* 1 (Winter 1987): 31-82.
- _____. "Myth-Making as Labor History: Herbert Gutman and the United Mine Workers of America." *Journal of Politics, Culture, and Society* 1 (Winter 1988).
- _____. "The Problem of Race in American Labor History." *Reviews in American History* 24 (June 1996): 189-208
- _____. "Meany, Reuther and the 1964 Civil Rights Act." *New Politics* 2 (Spring 1988): 82-107.
- _____. "Lichtenstein's Fictions Revisited: Race and the New Labor History." *New Politics* (Winter 1999): 148-163.
- _____. "Twenty Years of State Fair Employment Practices Commissions: A Critical Analysis with Recommendations." *Buffalo Law Review*, 14 (1964): 22-69.
- Hodges, Graham Russell. *Root and Branch: African Americans in New York & East Jersey, 1613-1863*. Chapel Hill: University of North Carolina Press, 1999.
- Hollowack, Thomas. *Baltimore's Past: A Directory of Historical Sources*. Baltimore: Baltimore History Network, 1989.
- Honey, Michael. *Southern Labor and Black Civil Rights: Organizing Memphis Workers*. Urbana: University of Illinois Press, 1993.
- _____. *Black Workers Remember: an Oral History of Segregation, Unionism and the Freedom Struggle*. Berkeley: University of California Press, 1999.
- Horn, Vernon Edward. "Integrating Baltimore: Protest and Accommodation, 1945-1963." M.A. thesis, University of Maryland, 1991.
- Horsmanden, Daniel. *Journal of the Proceedings in the Detection of the Conspiracy Formed by Some White People in Conjunction with Negro and Other Slaves for Burning the City of New-York and Murdering the Inhabitants*, Thomas Davis, ed. Boston: Beacon Press, 1971.
- Hughes, Langston. *Fight for Freedom: the Story of the NAACP*. New York: Berkley Pub. Corp., 1962.

Hunter, Gary. “‘Don’t Buy Where You Can’t Work’: Black Urban Boycott Movements During the Great Depression, 1929-1941.” Ph.D. diss., University of Michigan, 1977.

Ignatiev, Noel. *How the Irish Became White*. New York: Routledge, 1995.

_____. “White Blindspot.” in *White Blindspot & Can White Radicals Be Radicalized?* Detroit: Radical Education Project, 1969.

_____. “Black Workers, White Workers.” *Radical America* 8, no. 4 (1974): 40-60.

Jacobson, Julius. *The Negro and the American Labor Movement*. New Jersey: Anchor Books, 1968.

Jacobson, Matthew Frye. *Whiteness of a Different Color: European Immigrants and the Alchemy of Race*. Cambridge: Harvard University Press, 1998.

Johnson, Charles. “Negroes at Work in Baltimore, Maryland.” *Opportunity* 1, no. 6 (1923): 12-19.

Jones, Jacqueline. *Labor of Love, Labor of Sorrow: Black Women, Work and the Family, From Slavery to the Present*. New York: Vintage Books, 1985.

_____. *American Work: Four Centuries of Black and White Labor*. New York: W.W. Norton & Co., 1998.

Katzenbach, Ira. *Black Men, White Cities: Race, Politics and Migration in the United States, 1900-1930, and Britain, 1948-1968*. London, New York: Institute of Race Relations, Oxford University Press, 1973.

Kelley, Robin. *Race Rebels: Culture, Politics, and the Black Working Class*. New York: Free Press, 1994.

_____. “We Are Not What We Seem: Rethinking Black Working Class Opposition to the Jim Crow South.” *Journal of American History* 8 (1993): 2-89.

_____. *Yo’ Mama’s Disfunktional!: Fighting the Culture Wars in Urban America*. Boston: Beacon Press, 1997.

Kellogg, Charles Flint. *A History of the National Association for the Advancement of Colored People*. Baltimore: Johns Hopkins Press, 1967.

Kellogg, Jefferson B. “A Study of Negro Direct Action Activity During the Depression: The Selective Buying Campaigns in Chicago, Baltimore, Cleveland, Washington, New York and Richmond.” Ph.D. diss., Kent State University, 1974.

Kerner Commission. *Report of the National Advisory Commission on Civil Disorders*. New York: Bantam Books, 1968.

King, Martin Luther. *Why We Can't Wait*. New York: Harper & Row, 1964.

Kline, Woody. *Lindsay's Promise: The Dream That Failed*. New York: MacMillian, 1970.

Knobel, Dale. *Paddy and the Republic: Ethnicity and Nationality in Antebellum America*. Middletown: Wesleyan University Press, 1986.

Launitz-Shurer Jr., Leopold. "Slave Resistance in Colonial New York: An Interpretation of Daniel Horsmanden's New York Conspiracy." *Phylon* 16 (1979): 137-53.

Lawson, Steven. *Running for Freedom: Civil Rights and Black Politics in America Since 1941*, 2nd ed., New York: McGraw-Hill Inc., 1997.

Letwin, Daniel. *The Challenge of Interracial Unionism: Alabama Coal Miners, 1878-1921*. Chapel Hill: University of California Press, 1998.

Leviton, Sar. *Blue-Collar Workers: A Symposium On Middle America*. New York: McGraw-Hill, 1971.

Leviton, Sar., Johnston, William and Taggart, Robert. *Minorities in the United States: Problems, Progress, and Prospects*. Washington D.C.: Public Affairs Press, 1975.

Lewinson, Edwin. *Black Politics in New York City*. New York: Twayne, 1974.

Lewis, Earl. *In Their Own Interests: Race, Class and Power in Twentieth Century Norfolk, Virginia*. Berkeley: University of California Press, 1991.

Lewis, Edward. "The Urban League, a Dynamic Instrument in Social Change: A Study of the Changing Role of the New York Urban League, 1919-1960." Ph.D. diss., New York University, 1961.

Lewis-Colman, David M. "African Americans and the Politics of Race Among Detroit's Auto Workers, 1941-1971." Ph.D. diss., University of Iowa, 2002.

Lichtenstein, Nelson. "Walter Reuther in Black and White: A Rejoinder, to Herbert Hill." *New Politics* (Winter 1999): 133-147.

Limpus, Lowell. *History of the New York Fire Department*. New York: Dutton, 1940.

Lott, Eric. *Love and Theft: Blackface Minstrelsy and the American Working Class*. New York: Oxford University Press, 1995.

- Lyman, Stanford. *Color, Culture, Civilization: Race and Minority Issues in American Society*. Urbana: University of Illinois Press, 1994.
- Lynch, Frederick. *Invisible Victims: White Males and the Crisis of Affirmative Action*. New York: Greenwood Press, 1989.
- Maier, Mark. *City Unions: Managing Discontent in New York City*. New Brunswick: Rutgers University Press, 1987.
- Maloney, Thomas. "Personnel Policy and Racial Inequality in the Pre-World War II North." *Journal of Interdisciplinary History* 30, no. 2 (1999): 235-58.
- Marshall, Ray. *The Negro and Organized Labor*. New York: Wiley, 1965.
- Markey, Beatrice and Frank Sherwood. *The Mayor and the Fire Chief: The Fight Over Integrating the Los Angeles Fire Department*. New York: Bobbs-Merrill Co., 1959.
- Maryland Commission on Interracial Problems and Relations. *An American City in Transition*. Annapolis: State of Maryland, 1955.
- McCaffrey, Lawrence. *The Irish Catholic Diaspora in America*. Washington D.C.: The Catholic University of America Press, 1997.
- McDougall, Harold A. *Black Baltimore: A New Theory of Community*. Philadelphia: Temple University Press, 1993.
- McNeal, Genna Rae. "Youth Initiative in the African American Struggle for Racial Justice and Constitutional Rights: The City-Wide Young People's Forum of Baltimore, 1931-1941." In *African Americans and the Living Constitution*. John Hope Franklin and Genna McNeil, eds. Washington, D.C.: Smithsonian Institution Press, 1995.
- McNickle, Chris. *To Be Mayor of New York: Ethnic Politics in the City*. New York: Columbia University Press, 1993.
- Meier, August and Rudwick, Elliot. *Black Detroit and the Rise of the UAW*. Oxford: Oxford University Press, 1979.
- Miller, Kirby. *Emigrants and Exiles: Ireland and the Irish Exodus to North America*. New York: Oxford University Press, 1985.
- Melton, Gloria Brown. "Blacks in Memphis, Tennessee, 1920-1955: A Historical Study." Ph.D. diss., Washington State University, 1982.

- Milobsky, David. "Power from the Pulpit: Baltimore's African-American Clergy, 1950-1970." *Maryland Historical Magazine* 89 (Fall 1994): 275-90.
- Minchin, Timothy. *Hiring the Black Worker: the Racial Integration of the Southern Textile Industry, 1960-1980*. Chapel Hill: University of North Carolina Press, 1999.
- _____. *The Color of Work: The Struggle for Civil Rights in the Southern Paper Industry, 1945-1980*. Chapel Hill: University of North Carolina Press, 2001.
- Montgomery, David. "The Irish and the American Labor Movement." In *America and Ireland, 1776-1976: The American Identity and the Irish Connection*. David Noel Doyle and Owen Edwards, eds. Westport: Greenwood Press, 1980.
- Moore, Jesse Thomas. *Search for Equality: the National Urban League, 1910-1961*. University Park: Pennsylvania State University Press, 1981.
- Moreno, Paul. "Racial Proportionalism and the Origins of Employment Discrimination Policy, 1933-1950." *Journal of Policy History* 8, no. 4 (1996): 410-439.
- Morris, Charles. *The Cost of Good Intentions: New York City and the Liberal Experiment, 1960-1975*. New York: Norton, 1981.
- Morse, H. Newcomb. *Legal Insight: Court Decisions Affecting Paid and Fire Officers and Firefighters*. Boston: National Fire Protection Association, 1975.
- Moynihan, Daniel and Glazer, Nathan. *Beyond the Melting Pot: The Negroes, Puerto Ricans, Jews, Italians, and Irish of New York City*. Cambridge: Harvard University Press, 1963.
- Murray, William A. *The Unheralded Heroes of Baltimore's Big Blazes; a Story About Baltimore Firefighters*. Baltimore: E. J. Schmitz, 1969.
- Naison, Mark. *Communists in Harlem During the Depression*. New York: Grove Press, 1985.
- Needleman, Ruth. "Union Coalition Building and the Role of Black Organizations: A Study in Steel." *Labor Studies Journal* 25, No. 1 (Spring 2000).
- Nelson, Bruce. *Divided We Stand: American Workers and the Struggle for Black Equality*. Princeton: Princeton University Press, 2001.
- _____. *Workers on the Waterfront: Seamen, Longshoremen, and Unionism in the 1930s*. Urbana: University of Illinois Press, 1988.

_____. "Class, Race and Democracy in the CIO: The "New" Labor History Meets the "Wages of Whiteness." *International Review of Social History* 41 (1996): 351-374.

Northrup Herbert. *Organized Labor and the Negro*. New York: Harper, 1944.

O'Kelly, Charlotte. "Black Newspapers and the Black Protest Movement, 1946-1972." *Phylon* 41, no. 4 (1980): 313-324.

Orser, Edward. *Blockbusting in Baltimore: The Edmondson Village Story*. Lexington: University Press of Kentucky, 1994.

Osofsky, Gilbert. *Harlem: The Making of a Ghetto, Negro New York, 1890-1930*. New York: Harper and Row, 1966.

_____. "Race Riot, 1900: A Study of Ethnic Violence." *Journal of Negro Education* 32, no. 1 (Winter 1963): 16-24.

Ovington, Mary White. *Half A Man; The Status of the Negro in New York*. New York: Longmans, Green, and Co., 1911.

Packard, Kathleen. *LaGuardia's Fire Chief*. New Albany, Ind.: Fire Buff House, 1993.

Painter, Nell. "New Labor History and the Historical Moment." *International Journal of Politics, Culture and Society* 2, no. 3 (1989): 369-370.

Parris, Guichard. *Blacks in the City; a History of the National Urban League*. Boston: Little, Brown, 1971.

Paul, Caroline. *Fighting Fire: A Personal Story*. New York: St. Martin's Press, 1998.

Payne, Charles M. *I've Got the Light of Freedom: The Organizing Tradition and the Mississippi Freedom Struggle*. Berkeley: University of California Press, 1996.

Pearson, Ralph. "The National Urban League Comes to Baltimore." *Maryland Historical Magazine* Vol. 72, no. 4 (1977): 523-533.

Pecorella, Robert. *Community Power in A Postreform City: Politics in New York City*. New York: M.E. Sharp, 1994.

Perritt, Henry. *Civil Rights in the Work Place*. New York: Wiley Law Publishing, 1995.

Phillips, Christopher. *Freedom's Port: The African American Community of Baltimore, 1790-1860*. Urbana: University of Illinois Press, 1997

- Phillips, Lisa Ann. "The Labor Movement and Black Economic Equality in New York City: District 65, 1934-1954. Ph.D. diss., Rutgers University, 2002.
- Platt, Anthony. *The Politics of Riot Commissions, 1917-1970; A Collection of Official Reports and Critical Essays*. (New York: Macmillan, 1971).
- Polenberg, Richard. *War and Society: The United States, 1941-1945*. New York: J.P. Lippencott, 1972.
- Powell, Jr., Adam Clayton. *Marching Blacks*. New York: Dial Press, 1973.
- _____. *Adam by Adam; The Autobiography of Adam Clayton Powell Jr.* New York: Dial Press, 1971.
- Rabinowitz, Howard. *Race Relations in the Urban South, 1865-1890*. Athens: University of Georgia Press, 1996.
- Reed, Merl. *Seedtime for the Modern Civil Rights Movement: The President's Committee on Fair Employment Practice, 1941-1946*. Baton Rouge: Louisiana University Press, 1991.
- Reid, Ira De A. *The Negro Community of Baltimore: A Social Survey*. Washington D.C.: National Urban League, 1934.
- Reutter, Mark. *Sparrows Point: Making Steel - The Rise and Ruin of American Industrial Might*. New York: Summit, 1988.
- Riccucci, Norma. *Women, Minorities, and Unions in the Public Sector*. New York: Greenwood Press, 1990.
- Rice, Roger. "Residential Segregation by Law, 1910-17." *Journal of Southern History* 34, No. 2 (May, 1968): 8-23.
- Rockwell, James. "Fighting the Fires of Racism," *The Nation*. December 11, 1989.
- Roediger, David. *The Wages of Whiteness: Race and the American Working Class*. New York: Verso, 1991.
- _____. "Race and the Working-Class Past in the United States: Multiple Identities and the Future of Labor History." *International Review of Social History* 38 (1993): 127-43.
- _____. "'Labor in White Skin': Race and Working-Class History." In *Reshaping the Left: Popular Struggles in the 1980s*. Mike Davis and Michael Sprinkler, eds. London: Verso, 1988: 287-308.

Rossi, Peter., et al. "Between Black and White – The Face of American Institutions in the Ghetto." In *Supplemental Studies for the National Advisory Commission on Civil Disorders*. Washington D.C.: U.S. Government Printing Office, July 1968.

Ruttenberg, Stanley H. *The Real Facts, Long Awaited; a Critical Analysis of Recent Proposals Concerning Job Evaluation and Manpower Needs in the Fire Service*. Washington: International Association of Fire Fighters, 1971.

Santino, Jack. *Miles of Smiles, Years of Struggle: Stories of Black Pullman Porters*. Urbana: University of Illinois Press, 1968.

Saxton, Alexander. *The Indispensable Enemy: Labor and the Anti-Chinese Movement in California*. Berkeley: University of California Press, 1971.

_____. *The Rise and Fall of the White Republic: Class politics and Mass Culture in Nineteenth Century America*. London: Verso, 1990.

Scheiner, Seth. *Negro Mecca: A History of the Negro in New York City, 1865-1920*. New York: New York University Press, 1965.

Schwepppe, Emma. *The Fireman's and Patrolman's Unions in the City of New York: A Case Study in Public Employee Unions*. New York: King's Crown Press, 1948.

Scott, Kenneth. "The Slave Insurrection in New York in 1712." *New York Historical Society Quarterly* 45 (January 1961): 43-74.

Silver, Christopher and Moeser, John. *The Separate City: Black Communities in the Urban South*. Lexington: University Press of Kentucky, 1995.

Sleeper, Jim. *The Closest of Strangers; Liberalism and the Politics of Race in New York*. New York: W.W. Norton, 1990.

Skotnes, Andor D. "The Black Freedom Movement and the Workers' Movement in Baltimore, 1930-39." Ph.D. diss., Rutgers University, 1991.

_____. "'Buy Where You Can Work': Boycotting for Jobs in African-American Baltimore, 1933-1934." *Journal of Social History* 27 (Summer 1994): 735-761.

Sovern, Michael. *Legal Restraints on Racial Discrimination in Employment*. New York: Twentieth Century Fund, 1966.

Spero, Sterling and Capozzola, John. *The Urban Community and Its Unionized Bureaucracies: Pressure Politics in Local Government Labor Relations*. Cambridge: Dunellen Publishing Co., 1973.

- Spero, Sterling and Harris, Abram. *The Black Worker; The Negro and the Labor Movement*. New York: Atheneum, 1968.
- Stanjek, Roger. *The Future of Us All: Race and Neighborhood Politics in New York City*. Ithaca: Cornell University Press, 1998.
- Stein, Judith. *Running Steel, Running America*. Chapel Hill: University of North Carolina Press, 1998.
- Sugrue, Thomas J. *The Origins of the Urban Crisis: Race and Inequality in Post War Detroit*. Princeton: Princeton University Press, 1996.
- _____. "Crabgrass-Roots Politics: Race, Rights, and the Reaction Against Liberalism in the Urban North, 1940-1964." *Journal of American History* 82 (1995): 551-578.
- Thompson, Bruce. "The Civil Rights Vanguard: The NAACP and the Black Community in Baltimore, 1931-1942." Ph.D. diss., University of Maryland, College Park, 1996.
- Tippens, Marti Elizabeth. "Talking Back: How Publisher and Activist Charlotta Bass Challenged Inequality Through the California Eagle." M.A. Thesis, California State Northridge, 2001.
- Tomanskovic-Devey, Donald. *Gender and Racial Inequality at Work: the Sources and Consequences of Job Desegregation*. Ithaca: Cornell University ILR Press, 1993.
- Tompkins-Bates, Beth. *Pullman Porters and the Rise of Protest Politics in Black America, 1925- 1945*. Chapel Hill: University of North Carolina Press, 2001.
- Trotter, Jr., Joe William. *Coal, Class, and Color: Blacks in Southern West Virginia, 1915-32*. Urbana: University of Illinois Press, 1990.
- _____. *Black Milwaukee: The Making of an Industrial Proletariat, 1915-45*. Urbana: University of Illinois Press, 1988.
- _____. "African American Workers: New Directions in U.S. Labor Historiography." *Labor History* 35 (1994): 495-523.
- Trotter, Joe W. and Dawley, Alan. "Race and Class." *Labor History* 35 (1994): 485-494.
- Tucker, David M. *Memphis Since Crump: Bossism, Blacks, and Civic Reformers, 1948-1968*. Knoxville: University of Tennessee Press, 1980.

United States Census Bureau. *County and City Data Book, 1972: A Statistical Abstract Supplement*. Washington D.C.: U.S. Government Printing Office. 1973.

United States Commission on Civil Rights. *Last Hired, First Fired: Layoffs and Civil Rights, a Report of the United States Commission on Civil Rights*. Washington D.C.: Commission on Civil Rights, 1977.

United States Equal Employment Opportunity Commission. *Eliminating Discrimination in Employment: A Compelling National Priority: A Handbook for State, County, and Municipal Governments*. Washington D.C.: United States Equal Employment Opportunity Commission, 1979.

Waldinger, Roger. *Still The Promised City?: African Americans and the New Immigrants in Postindustrial New York*. Cambridge: Harvard University Press, 1996.

Ware, Gilbert. "Lobbying as a Means of Protest: The NAACP As An Agent of Equality." *Journal of Negro Education* 33, no. 2 (1964): 103-110.

Weaver, Robert. *Negro Labor, a National Problem*. New York: Hardcourt, Brace & Co., 1946.

Weiss, Nancy J. *The National Urban League, 1910-1940*. New York: Oxford University Press, 1974.

Welty, William. "Black Shepherds: A Study of Leading Clergymen in New York, 1900-1940." Ph.D. diss., New York University, 1969.

West, Herbert. "Urban Life and Spatial Distribution of Blacks in Baltimore. Maryland." Ph.D. diss., University of Minnesota, 1974.

Wheelock, Sarah. "The Desegregation of the Oakland Fire Department." Unpublished Paper. In Author's possession.

White, Shane. *Somewhat More Independent: The End of Slavery in New York City, 1770-1810*. Athens: University of Georgia, 1991.

Wilentz, Sean. *Chants Democratic: New York City and the Rise of the Working Class, 1788-1850*. New York: Oxford University Press, 1984.

Williams, Jr. Herman. *Firefighter*. Carlsbad: Mountain Movers Press, 2002.

Williams, Charles Ford. *The Chief*. Samford: Pictures Truth Press, 1999.

Wilson, Joseph. *Tearing Down the Color Bar: A Documentary History and Analysis of the Brotherhood of Sleeping Car Porters*. New York: Columbia University Press, 1989.

Wright, Donald. *African Americans in the Colonial Era, From African Origins Through the American Revolution*. Arlington Heights: Harlan Davidson, 1990.

Wright, George C. *Life Behind a Veil: Blacks in Louisville, Kentucky, 1865-1930*. Baton Rouge: Louisiana State University Press, 1985.

_____. "Black Political Insurgency in Louisville, Kentucky: The Lincoln Independent Party of 1921." *Journal of Negro History* 68, No. 1 (Winter, 1983): 8-23.

Yellowitz, Irwin. "Black Militancy and Organized Labor: An Historical Parallel." *Midwest Quarterly* 13, no. 2 (1972): 169-183.

Zagoria, Sam. *Public Workers and Public Unions*. Englewood Cliffs: Prentice Hall, Inc., 1972.

