“From ‘Dead Wrong’ to Civil Rights History: The Durham ‘Royal Seven,’ Martin Luther King’s 1960 ‘Fill Up the Jails’ Speech, and the Rhetoric of Visibility.”

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Summary

This chapter focuses on an early example of direct action (a sit-in at the Royal Ice Cream Company in Durham, NC in June of 1957) led by Reverend Douglas Moore. Despite the fact that Moore picked an ice cream parlor located in the middle of the black community, and despite his connections to Dr. Martin Luther King, Jr., this initial attempt at a sit-in campaign in North Carolina was thwarted and Moore and his companions were given scant support by the local black community after their arrest. Yet, as we will demonstrate, the actions of the “Royal Seven” functioned rhetorically to make visible public knowledge about the conditions of life in the segregated South and to illustrate the moral challenges facing its citizens. The far-reaching rhetorical consequence of this groundbreaking attempt at direct action may be seen, we argue, in King’s Durham speech in February of 1960, in which Dr. King, at Moore’s invitation, first endorses sit-ins and other forms of direct action. The chapter describes and analyzes this initial attempt to visibly provoke new ways of thinking about the nature of democratic citizenship, illuminating the causes and implications of its initial less-than-positive reception and its actual consequence.

On June 23, 1957, nearly three years before the famous sit-in at the Woolworth’s store in Greensboro, North Carolina, Reverend Douglas Moore, the pastor of Asbury Temple United Methodist Church in Durham, organized a protest at the Royal Ice Cream Company. Accompanied by six fellow church members, all of African American descent, Moore and his group, who came to be known as the “Royal Seven,” entered the ice cream parlor located in a
building on the corner of Roxboro and Dowd streets in Durham. They sat down together and ordered ice cream in the section of the establishment posted as “whites only.” The owner called the Durham police, who arrested the seven protesters for trespassing. Ultimately, an all-white jury found them guilty and the presiding judge levied fines totaling $433.25. Though challenged all the way to the United States Supreme Court—which refused to hear the case—the charges were upheld and reaffirmed in subsequent North Carolina State Supreme Courts’ rulings (“Negroes Lose” 1958).

While historians and other commentators credit the Woolworth’s sit-in in Greensboro, NC with helping to launch the Civil Rights movement, a controversy erupted in 1979 over which North Carolina sit-in had occurred first and the extent to which the earlier sit-in in Durham had impacted the Civil Rights movement. The controversy ensued after requests were made to the North Carolina historical Marker Advisory Committee to install a sign commemorating the Greensboro sit-in. Guilford College Professor Alexander Stoesen, who submitted the Greensboro marker request and who had heard of the earlier sit-in at the Royal Ice Cream Company, told the Durham Morning Herald that “Our claim was not the first, but the sit-in in Woolworth’s on Feb. 1, 1960, was the beginning of a movement, the beginning of an era.” Responding to Professor Stoesen’s claim, and apparently worried that he had downplayed the importance of the earlier Durham sit-in, the paper’s editors concluded in an editorial published in the same issue that “civil rights sit-ins clearly began in the Bull City [Durham] on June 23, 1957. End of discussion” (“Marker Mania” 1980). Eventually, in 2007, the North Carolina Highway Historical Marker Program created a marker for the Greensboro sit-in as well as for the Royal Ice Cream sit-in, though it still credited the 1960 Greensboro protest with sparking “a national movement.” Of the Durham sit-it, the marker website states: “Individual and group protest actions prior to 1960,
generally isolated and often without wider impact, took place across the state and region. A protest in 1957 in Durham had wider consequence, as it led to a court case testing the legality of segregated facilities” (“Historical Marker Program”).

The dispute over “wider consequence”—and over which sit-in, by coming first, ignited the larger Civil Rights movement—overlooks how each event, as well as countless other “minor” acts of protest that have gone largely un-noticed or un-recorded, nonetheless made visible, in their own important ways, the challenges and struggles of African Americans. It also fails to take note of the trajectory of Reverend Moore’s activism and the ways in which his protest strategies and tactics contributed to making visible the struggle over civil rights both then and right up to the present day. According to Gallagher and Zagacki (2005), many different rhetorical acts including sit-ins, demonstrations, and paintings and photographs “worked rhetorically to … make visible people, attitudes, and ideas in the context of the struggle over civil rights in America” (177-178). Such rhetoric can work both “to articulate and to shape public knowledge through offering interpretive and evaluative versions of who does what to whom, when and where” (Gallagher & Zagacki 2007, 115). And, as Leland Griffin pointed out long ago, the inception of social movements occurs when “the roots of a pre-existing sentiment, nourished by interested rhetoricians, begin to flower into public notice, or when some striking event occurs which immediately creates a host of aggressor rhetoricians and is itself sufficient to initiate a movement” (1954, 186). While for some commentators the Greensboro sit-in represents just the sort of “striking event” and moment of “flowering” described by Griffin, it seems clear that many other activities and modes of protest, some of them at first perhaps unacknowledged by individuals who later coalesced into a social movement proper, served their own significant role in “nourishing” sentiment and in creating “aggressor rhetoricians.” As Griffin suggested, the
precipitating factor is undoubtedly less important than the rhetorical strategies and tactics—what he called “the crystallization of fundamental issues, the successive emergence of argument, appeal, and the sanctions” invoked by oppositional forces (1954, 186)—which emerge and the forms of rhetorical consciousness they engender.

In this chapter, then, we eschew questions about historical causality, pausing instead to consider the extent to which the Royal Ice Cream Company sit-in, as well as events associated with it, worked to make visible the struggle for civil rights and, in so doing, became part of a larger trajectory. As we will demonstrate, the Royal Seven drew upon and reinterpreted an emerging tradition of protest and dissent, what Griffin once called a “rhetorical trajectory.”

According to Griffin, a rhetorical trajectory is “something akin to the phenomenon that [Kenneth] Burke discusses under the heading of ‘qualitative progression.’ It is the salience and/or frequency of god and devil terms in a body of discourse suggestive of the qualities, motivations, or state of mind of a speaker or writer, ‘a state of mind which another state of mind can appropriately follow’” (1954, 126). In this chapter, we argue that actions, in addition to terms, images, and discourses, may function in a manner similar to what Burke describes, and that the Royal Ice Cream Company sit-in and the controversy surrounding it represent pivotal moments in the development of an emerging rhetorical trajectory that helped to mold the larger Civil Rights movement. More specifically, we suggest that, by protesting as they did, the Royal Seven made visible and concrete the sorts of “qualities, motivations, and state of mind” necessary to challenge the racial status quo. We are not arguing that the sit-in created new images for display in national newspapers or magazines, particularly since there does not seem to have been any photographs taken of the actual sit-in itself. Rather, we are arguing that this sit-in and the events that emerged from it added additional rhetorical significance to images and visual
memories already in existence as well as those yet to come. The barriers creating segregated facilities had literally been breached, so for many people familiar with their (and other such) actions, the next trip to a segregated restaurant or school would be altered by what the Royal Seven did in Durham. In other words, they helped to rhetorically and materially “shape” the context in which civil rights were beginning to be understood and enacted by many different audiences in Durham and across the country. They drew upon existing rhetorical measures, some of which had been tested and others which were still in the making. Like earlier advocates for civil rights and those protesting at roughly the same time, the Royal Seven spread the seeds of dissent locally even as they tried to enact things shared by all races, so that a larger movement could eventually take hold and a particular kind of human consciousness could be enacted. As we seek to show, more recent efforts by surviving members of the Royal Seven and other spokespersons to have the Durham sit-in commemorated are yet further developments in the rhetorical trajectory, the path of which waxes and wanes but nevertheless continues to play a critical role in how societies and individuals move forward into the future and simultaneously preserve the past.

That Moore and members of his group recognized that they themselves were involved in something much greater seems evident in their accounts of how they approached the sit-in. While they initially denied, after their arrests, that their trip to the ice cream parlor was planned—they claimed only to be interested in eating high quality ice cream on what they remembered as a very hot day—Moore and other members of the Royal Seven later discussed their strategic selection of the ice cream parlor. Located in a largely African American neighborhood, the parlor was well regarded by the residents. Mary Elizabeth Clyburn Hooks, one of the Royal Seven, spoke highly about the quality of the ice cream served there: “I don't care
where you went, the Royal Ice Cream was the best ice cream in town” (Milliken 2008a). Moore himself was clearly already aware of what we would describe as an emerging rhetorical trajectory with which he hoped he and his group would align. He had previously challenged racial discrimination in Durham by petitioning the Durham City Council to end segregation at a public library and a city-owned theater. After those petitions failed, he moved toward non-violent direct action, attempting to enter a whites-only swimming pool in Durham (Rossi 2008). These previous failures helped convince him of the need for coordinated non-violent direct action focused on strategic targets – targets which, we suggest, would serve to help make visible, to blacks as well as whites, the problems of segregation. Virginia Williams, another of the Royal Seven, indicated that they chose their target with at least some of these goals in mind: “We could have picked from any establishment. . . . They were all segregated. The reason we chose this one was it was located in the heart of a black community” (Rickard 2007; see also West 2007; Khanna 2007). Moore later spoke of the souring of his initial optimism turned concerning their chosen target: “I thought, surely we can win on this one . . . . Dead wrong” (Khanna 2007).

Hence, a rhetorical study of the Royal Ice Cream Company sit-in and its aftermath enables us to reconstruct the emerging logic of the rhetorical trajectory within which Moore and his group operated, to understand its tensions and how that trajectory evolved over time. Rhetorical analysis also demonstrates how the direction of social movements depends to a great extent on the states of mind, rhetorical cultures, actions, modes of consciousness, layered and conflicted strategies and tactics, and public memory used to sustain them even as time and circumstance change.

The chapter is organized into four sections: 1. an account (rhetorical history) of the events, circumstances, and discourses surrounding the Royal Seven sit-in; 2. a discussion of
“visibility” as a rhetorical construct or strategy within the logic of social movements related to the concept of rhetorical trajectories; 3. an examination of the Royal Seven sit-in and related rhetorical actions, including Martin Luther King, Jr.’s February 1960 “Fill up the Jails” speech, through the framework these concepts provide; and, finally, 4. a discussion of consequences and implications of this case for rhetorical knowledge and social action.

**Emergence of a Rhetorical Trajectory: Direct Action in Durham**

When, on June 23, 1957 (just one year and a few short months after the end of the Montgomery, AL bus boycott and the resulting desegregation of its bus system), Reverend Moore was arrested, he was accompanied by six fellow church members, including Virginia Williams, Mary Elizabeth Clyburn Hooks, Claude Glenn, Jesse Gray, Vivian Jones, and Melvin Willis, all of whom ranged in age from late teens to twenties and early thirties. These young men and women had gathered at Moore’s UMC church earlier that day to discuss racial justice and left together to get ice cream. They ordered their ice cream on the whites-only side of the establishment. The server asked them to leave numerous times, and when they refused to leave, the server called in the owner, Louis Coletta. Coletta “[later] testified that he asked Moore and the others to leave. He said Moore began talking about the persecution of people throughout the world. Coletta said he told Moore ‘that don’t concern this place—this place is not owned by the city or the state, this place is private property.’ He said Moore still refused to leave” (“Negroes Fined” 1957). Moore told Coletta he would not leave because “he was a ‘Christian and an American’ and did not think he should” (“Going to High Court” 1957).

At this point, Coletta called the police, who arrested the seven. The officer who made the arrest, Lt. W. H. Upchurch, told a local paper how he justified enforcing the owner’s wishes about the offending customers: “I asked them to leave, not because they were Negroes—not
because they were causing a disturbance—and not because they were disorderly. I asked them to leave because the owner wanted them out and they were trespassing” (Stunte 1957). The court ultimately found that “the owner of private property ‘may accept or reject whomsoever he pleases and for whatsoever whim suits his fancies’ (“State High Court Backs Local Setup” 1958).

An all-white jury found the group guilty of “trespass,” but the “Royal Seven” appealed the ruling. The appellate judge viewed this as a “test case” and somewhat jokingly threatened to throw it out to thwart Moore’s plans:

“I should throw the mess out of court right here and now,” Judge Moore told William Marsh of the Negro defense counsel staff, adding that “if I allowed your motion to nonsuit this case on the ground that it is unconstitutional, then you’d have to start all over again—they’d (the defendants) have to find some other places to go into.” Marsh, smiling at Judge Moore’s comments, replied: “On the contrary, your honor, I’d be very happy if you allowed my motion. You seem to infer that this is a “test case” or something.” “That’s exactly what it is,” Judge Moore replied,” and it’s just as plain as the nose on your face” (Barbour 1957).

The case did indeed move on to the state supreme court, where Associate Justice William B. Rodman upheld the [lower court] ruling:

In handing down the court’s ruling, Associate Justice William B. Rodman said no constitutional rights had been violated. “The right of an operator of a private enterprise to select the clientele he will serve and to make such selection based on color, if he so desires, has been repeatedly recognized by the appellate courts of this nation.” . . . Justice Rodman said the 14th Amendment prohibits discriminatory actions by states but “erects no shield against merely private conduct, however discriminatory or wrongful” (“Negroes Lose” 1958).

The Royal Seven’s legal counsel, led by Floyd McKissick, attempted to take the case to the United States Supreme Court, but the nation’s highest court declined to hear it, allowing the guilty ruling to stand (“Test-Case Action” 1958).

Even though (or perhaps, because) this was not Reverend Moore’s first attempt to challenge racial discrimination, and despite his thoughtful planning, the local community was not
sympathetic. The majority of the local papers buried the story (Gregg 2009), the Black Ministerial Alliance and the Durham Committee on Negro Affairs both frowned on such direct action (Ruyter 2011), and the resulting scandal was about the group’s tactics rather than the dehumanizing and unequal effects of segregation they were attempting to make visible. Indeed, the Royal Ice Cream sit-in not only provoked controversy in the white community; it created consternation among black citizens, many of whose members viewed the protesters not as freedom fighters but as trouble makers led astray by a radical young minister and an outsider (“Galleries” 2013).

Part of the reason for this opposition was Moore’s “end run around the traditional black leadership” (Greene 2005, 67). He had taken unilateral action rather than enlisting the help of local black clergy, of activist women’s organizations such as the East End Betterment Society, or of the Union Baptist Church members, which was across the street from the Royal Ice Cream Parlor and “a base of local black activism” (Greene 2005, 67). Moore’s unilateral action was bad enough, but unilateral direct action was apparently too much for many in the community.

Despite his role in the Montgomery Bus Boycott,¹ this negative sentiment toward non-violent direct action was shared, for much of the 1950s, by Reverend Martin Luther King, Jr. King, a fellow student of Moore’s at Boston University. King had founded a discussion group for Negro students at the university but it was decidedly not a venue for political discussions or civil rights activism. By comparison, Moore and a fellow student named George Thomas, who were at

¹ In his own efforts to explain the larger rhetorical trajectory surrounding King’s 1955 speech about the Montgomery bus boycott, Kirt Wilson (2005) argued that King’s address drew upon an evolving discursive field “comprised of local history, folklore, private conversations, and public rhetoric” (301). His address interpreted “that discursive field to unify the black community and constrain the mode of its protest,” and rearticulated it “into a rhetoric that established the [rhetorical] trajectory of King’s philosophy and oratorical practice” (301) for years to come.
this point far more political than King, made attempts at direct action while at Boston, but were unable to convince many others, including King, to join them. As Taylor Branch points out: “The mainstream Negro students considered activists like Thomas and Moore somewhat ‘up in the clouds,’ as one of them told King, adding that ‘the world is not going to be converted overnight’” (Branch 1988, 92). This tension was maintained and even magnified throughout the civil rights struggle, as significant numbers of African Americans opposed agitation, direct action, or violence. And indeed, for much of the 1950s, King himself focused on oratorical agitation—speeches, rallies, and petitions for redress.

Branch summarizes King’s efforts to fight segregation in the 1950s as resulting in great fanfare but little substantive change: “this conversion approach had brought King the orator’s nectar—applause, admiration, and credit for quite a few tearful if temporary changes of heart--but in everyday life Negroes remained a segregated people, invisible or menial specimens except for celebrity aberrations such as King himself” (Branch 1998, 24). The Royal Seven were left to fight the court battles, as well as the battle of public opinion, by themselves. The group picked up a few supporters, such as their lawyer, Floyd McKissick, but seemed to have accomplished very little else in terms of making visible the injustices of segregation.

McKissick and Moore were surprised when, on February 1st, 1960, students in Greensboro started a firestorm by sitting at the “wrong” (whites only) lunch counter. McKissick, Moore, and a few others drove to Greensboro the evening after these sit-ins started, held trainings, and began developing a strategy to help the sit-ins spread (Davidson 2010). Moore reached out to Martin Luther King, Jr. and on February 16, with the sit-ins dramatically raising visibility and showing potential to have a national impact, King accepted Moore’s invitation to put his blessing on the movement (Davidson 2010). According to Branch, by that point King
begrudgingly acknowledged that direct action was the best way to move toward desegregation:
“race was too intractable to be repaired by the inspiration of any orator. Only by slow, wrenching
concession could someone like King admit that eloquence was weak even when buttressed by
rank and education” (1998, 24-25). King’s speech in Durham, held at the White Rock Baptist
Church, was titled “A Creative Protest,” and came to be known for King’s groundbreaking
endorsement of non-violent confrontation: “Let us not fear going to jail. If the officials threaten
to arrest us for standing up for our rights, we must answer by saying that we are willing and
prepared to fill up the jails of the South. Maybe it will take this willingness to stay in jail to
arouse the dozing conscience of our nation” (Speech reprinted in Carson et al. 2005). The jails
were soon filled with protesters devoted to non-violent direct action, and the rhetorical strategy
of evoking common humanity through showing in addition to telling, helped move the country
toward significant change.

The tale of the Royal Seven does not end there, however. In the excitement and activist
spirit of the early 1960s, a large boycott in Durham focused on a number of segregated
establishments, including the Royal Ice Cream Parlor. The parlor was eventually desegregated,
but more by default than on principle: “not until spring of 1963 was discrimination abolished at
Royal Ice Cream: Louis Coletta simply sold the establishment to a local dairy company, which
reopened it without any seating at all” (Greene 2005, 69). More recently, the parlor was torn
down to make room for a church parking lot. Efforts began in the early 2000s to commemorate
the protest, but early proposals were rejected due to an inability to demonstrate the significance
of the protests. Eventually, on the third try, the historical marker was approved and was
dedicated in 2008 (Hartness 2008).
It is easy to suggest that the Royal Ice Cream sit-in was a failure, rhetorically and politically, given the lack of community support, the relative lack of historical significance and/or recognition given to the event(s), and the failure to advance the legal case for desegregation. In fact, there is some evidence to suggest that the Durham sit-in and resulting court case actually served to solidify the “private property” approach that would allow the white establishment to legally justify the arrest and jailing of anyone who participated in “sit-downs” in privately owned establishments.\(^2\) However, Eddie Davis, a key advocate for getting the 1957 sit-ins recognized with a national historic marker in Durham, believed differently:

Some people think that even though they were unsuccessful and … were found guilty along the way and did not have the guilty verdict overturned at any stage, it still raised the national consciousness within civil rights organizations. […] So I think people recognize that even though they were unsuccessful, it still indeed helped to dismantle segregation. (Milliken 2008b; see also Greene 2005, 67)

North Carolina State Senator Floyd McKissick Jr., the son of Moore’s Durham compatriot, agreed, calling the Royal Ice Cream sit-ins the “seed that helped fertilize all the activity in the Piedmont of North Carolina” (Ferreri 2007).

Visibility and Rhetorical Trajectories

Rhetorical scholarship on the civil rights movement of the 1950s and 60s initially focused, as did many of the movement’s leaders, on public, political discourse(s), namely, the

\(^2\) For example, a Durham District Solicitor was running for U.S. Congress in 1960 when the Greensboro sit-ins began. He told a Durham newspaper that “students who took part in the sit-down strikes could be arrested and charged with trespass if they refused to leave when asked. … The well known solicitor was quoted as saying that the question of service at eating establishments had been settled by the State Supreme Court in January, 1958, in a case involving the Rev. Douglas Moore and others of Durham and the Royal Ice Cream Co. ‘incidents of this nature (such as the student strikes) can be avoided legally by the operators of the business themselves by merely ordering the ‘undesirables’ to leave the premises,” he was quoted as saying” (“Politics Enter Strike Picture” 1960; see also Repass 2006 for more on the exigence created by the Royal 7 sit-in and met in part by Dr. King in his 1960 speech).
public speeches and sermons, the key legal cases and legislation (e.g., the Voting Rights Act), and the writings and letters of the movement’s prominent spokespersons. However, in recent decades, the focus of such scholarship has shifted to a consideration of the visual and material cultural artifacts, images, and events of the movement and its commemoration/commemorative practices. These artifacts, images and events played an equally important role in “crystallizing” the movement’s fundamental issues, arguments, appeals, and sanctions, and in constituting the movement’s rhetorical trajectory. This shift is consistent with two related trends: first, an expanded understanding of the scope of rhetoric which has entailed a move from understanding and theorizing rhetoric as largely public, political, symbolic, and concerned with effect to an understanding and theorizing of rhetoric as materially enacted and/or instantiated, and concerned with consequences (Blair 1999). Second, as political scientist Richard Merleman (1995) notes, there has been a shift in how power struggles within the United States are enacted, particularly struggles involving dominant white and subordinate non-white racial groups. Merelman argues that these struggles are increasingly taking on a “cultural dimension, as opposed to traditional forms of economic struggle (over, say, the distribution of income) or political struggle (over, say, the distribution of elected representatives)” (Merelman 1995, 5-6, 25-26). Scholarship which takes these trends into account when examining aspects of the 1950s-60s civil rights movement are providing an expanded sense of how and why the movement developed as it did, why some things were particularly successful at the time but less so in hindsight, and also the reverse, as we argue is the case with the Royal Seven sit-in. This scholarship also opens up a way of seeing and understanding continued racial tensions and conflicts in our own time. One of the important concepts emerging from this scholarly work is rhetorical visibility, or the way in which rhetoric, as it is delimited and enabled by material circumstances and history, functions to make things
visible. Artifacts, images, and events do this by bringing before the eyes, as it were, the material conditions under which different people, people who are nonetheless fellow citizens, live within and experience democracy in the United States differently from one another.

Indeed, in the essay “Visibility and Rhetoric: Epiphanies and Transformations in the Life Photographs of the Selma Marches of 1965,” Gallagher and Zagacki note that, in the late 1950s and early 1960s, the time period of the Royal Seven and Greensboro Sit-Ins, “if the idea of democracy was taken for granted by whites for whom democratic participation remained largely unproblematic, the situation was vastly different for blacks. Many whites had come to understand democracy as a non-controversial concept at work” (117). However, visual images of violence enacted by whites against unarmed blacks simply walking into school, marching together (often accompanied by other whites), or sitting at lunch counters, “reminded viewers that a large gap existed between abstract political concepts like democracy and what was occurring in American streets and places of business” (117). Images such as these became part of the prevailing rhetorical trajectory and therefore challenged the aforementioned taken-for-granted assumptions by showing that concepts such as democracy were “always relative to the individual or groups whose lives were most directly influenced by their presence or absence.”

Gallagher and Zagacki posit three significant aspects of the rhetoric of visibility illustrated in these types of visual images: disregarding or replacing established caricatures (cultural projection), creating recognition through particularity, and making abstract concepts knowable.

While not documented through photographic images or artistic artifacts, it is useful to consider the extent to which the events and discourses related to the Royal Seven and their nonviolent activism may have had a similar rhetorical function regarding visibility. Upon first glance, it might seem that this particular sit-in did not do much to accomplish or raise visibility.
As indicated earlier, The Royal Seven won little support and ultimately lost every court case and appeal. Here we re-frame the issue as follows: did the actions of Reverend Moore and his fellow congregants demonstrate how not to achieve civil rights victories, or did their actions raise visibility for rhetorical strategies of enactment and embodiment that were eventually essential to achieving civil rights and which thereby constituted a type of victory in its own right?

Disregarding or Replacing Established Caricatures

The Life photographs discussed by Gallagher and Zagacki were published at a time during which white or dominant culture actively caricatured black Americans. The photographs reframed those caricatures in such a way, that they made visible the common humanity of Americans “by interrogating established caricatures and overturning inferior, threatening, or otherwise demeaning character tropes” (121). A white person who viewed the Life photojournalism would be exposed to a vision of African-Americans that was far different—and far less demeaning—than the images commonly distributed in the culture.

While it is difficult to argue that the Royal Seven sit-in successfully replaced established caricatures initially—not even in North Carolina—it did provide an illustration of how to address a stereotype and overturn a character trope among African Americans. In 1950s America, a good citizen did not cause trouble. The good citizen, as might have been embodied by Andy Griffith in the popular television series, “The Andy Griffith Show,” quietly went to work in Mayberry, kept things orderly, phoned his mother at lunchtime, and made it home in time for a dinner cooked by his doting wife. In the face of this white middle class male caricature, and even despite the recent successes of the Montgomery Bus Boycott, the “good” African American citizen had even more expectation to not make waves, and the immediate response in the black community to Reverend
Moore demonstrated this understanding: this “radical” young pastor and his followers took actions that flew in the face of images of ideal black citizenship of the time (“Gallaries” 2013). As Wilson (2005) explains, whites assumed “a ’good Negro’ was someone who knew her place, who accepted the system and worked within it to achieve the status allowed to her by segregation and those who controlled it” (301). Even Martin Luther King, Jr. himself, while at Boston University, tried to keep Reverend Moore and others like him from “stirring things up,” preferring instead to bring about change by finding ways to thrive within or despite the system rather than challenging it directly in any way (Branch 1988, 92). Inasmuch as existing rhetorical modes of action accounted for such misgivings about more aggressive rhetorical strategies and tactics, one might suggest that, by challenging this long-standing caricature through the placement of their bodies in the whites-only section, the Royal Seven at the very least expanded the possibilities for rhetorical action and, ultimately, shaped future interactions.

The Royal Seven did this by inviting others, through their own enactments in material space, to reimagine the social uses of (even “private”) spaces and to contest stereotypic views of blacks who might make use of those spaces—views held by both blacks and whites. By centering their protest on a site of pleasure once open only to whites, the Royal Seven undermined the stereotype of the “good” black, who never caused trouble or who submitted to second-rate status or to being dominated by whites. As we suggested above, this is probably a main reason blacks in Durham criticized the Royal Seven—they found it more tolerable to endure the indignities associated with this stereotype than to face the additional persecution brought about by a small group of agitators and the visible methods of challenging the status quo they employed. Indeed, the actions of the Royal Seven risked reaffirming existing stereotypes held by many whites that blacks who openly challenged segregation were overly aggressive or a menace to the prevailing
social order. Clearly, though, this was not Reverend Moore’s intent. While the Royal Seven sit-in revealed that blacks were willing to act in highly visible and concerted ways to agitate for civil rights, it also made visible that blacks were in a very important sense no different than whites—i.e., blacks desired and enjoyed the same simple pleasures as whites, no matter the space in which these pleasures were experienced. As Griffin might argue, the sit-in “crystallized” the fundamental issue of who was allowed to experience basic pleasures, and of when and where this could occur. In this manner, we suggest, the Royal Seven problematized existing stereotypes by making visible the tension between acceptable civil disobedience, social cohesion, and the right to enjoy certain pleasures in concrete but contested urban spaces. They also problematized the relationship between public and private spaces and the appropriate balance of public and private space within a democratic society. For the Royal Seven, the right to one’s basic humanity, as demonstrated in the sit-in, should have been open to people of all races, regardless of whether or not the space in which one acted was designated private property or something else.

Stated somewhat differently, when Reverend Moore and his six allies calmly sat down and requested to be served ice cream, they were doing more than getting themselves arrested. They filled up most of the booths, one protestors per booth, and waited, boldly proclaiming through the placement of their bodies within the space that in a time of blatant racial inequality the caricature of the passive Negro was threatening and demeaning to human dignity. Regardless of the outcome of the court cases, and even if the Royal Ice Cream sit-in saga had ended right then, after the seven were arrested, the caricature of passivity and indirectness, but perhaps also of otherness, was challenged in the most visible of ways and the process of overturning it had begun. These men and women were making waves by daring to act differently in order to gain access to what whites took for granted, standing up for themselves (by sitting down) in the face
of segregated practices, injustices, and abuses that the vast majority of their brothers and sisters suffered on a daily basis. But the fact is the Royal Seven saga did not end then. It eventually culminated in a public admission by King that nonviolent direct action was appropriate and even necessary to advance the cause of equality and freedom for all. King’s embrace of nonviolent direct action, in Moore’s city and at Moore’s request (and NOT in Greensboro, the location of the then-current sit-ins), was a significant event in the efforts to overturn this caricature (and to replace it with a new, more progressive image or cultural projection, as Merelman would refer to it), and certainly marked an important development in the rhetorical trajectory of the movement.

Indeed, King’s speech, both “received” and acknowledged the transformation of the rhetorical trajectory made up of local history (the previous Royal Ice Cream Company sit-in as well as the then-current Greensboro sit-ins) and private conversation (his own interactions with Reverend Moore), by specifically celebrating those participating in the sit-ins for their role in challenging the caricature and its related assumptions:

You have given an additional death blow to the once prevalent idea that the Negro prefers segregation. You have also made it clear that we will not be satisfied with token integration, for token integration is nothing but a new form of discrimination covered up with the niceties of complexity. Separate facilities, whether in eating places or public schools are inherently unequal (“A Creative Protest” in Carson, et al. 2005).

Creating Recognition through Particularity

It is much easier to remain a good citizen in the face of inequality when that inequality is abstract or distant. The Life photographs, as described by Gallagher and Zagacki, made their subjects into real people rather than distant masses of oppressed unknowns. The viewer could see and recognize the expression on a face or the bloodstain on a t-shirt she herself might have considered purchasing at the local department store. As Gallagher and Zagacki argued, through these pictures “Negro people became visible in their particularity—they were no longer simply a
removed abstraction, but were clearly individuals engaged in the social world” (125). This particularity was powerful in that it made the sufferers into real people, the oppressed into neighbors. This in turn represented an important advancement in expanding/transforming the rhetorical trajectory. Images such as these illustrated how the actions of ordinary people, dealing with what were for many individuals relatively ordinary circumstances (e.g., gaining a non-restricted seat at an ice cream parlor), could be marshaled together into significant rhetorical and material transformation(s).

In this sense, the Royal Ice Cream sit-in did not do much to humanize the oppressed, especially among Durhamites. Citizens of this community knew that African Americans were treated differently, and faced this reality every day as they shopped, went to school, watched sports, or bought dessert. These were literally neighbors and friends. As challenging as it is to increase the visibility of distant and abstracted oppression, it is even more difficult to make visible the mundane indignities of everyday life. Considering the Royal Seven from the perspective of the larger rhetorical trajectory of the civil rights movement, then, they begin looking less like rhetorical failures and, as we illustrate below, more like rhetorical catalysts for change.

When Reverend Moore and his friends picked the Royal Ice Cream Company they succeeded in giving oppression a material face and an address in local, particularized downtown Durham. The face—Mr. Coletta—was not that of an especially vindictive or hateful kind of oppression, nor was the Royal Ice Cream Company necessarily more segregated than any of the other shops in that neighborhood. But in the choice of that location, oppression became “visible in its particularity” (and in its banality) rather than an abstract evil divorced from everyday life. Moreover, as we indicated earlier, focusing protest on a site of pleasure available to whites only
made visible the possibilities of experiencing the world differently in a particular kind of place, of engaging structures of feeling and communicating denied or deemed appropriate only within certain spatial boundaries. As Michel Foucault (1988) might have described it in *The Archaeology of Knowledge*, the interaction that occurred in the “whites only” section of the parlor represented a “discursive formation,” which specified the form that discourse, and the emotions associated with it, could assume. Only a particular kind of knowledge and set of feelings were allowed by this discursive formation—i.e., by virtue of stereotypic assumptions about them, blacks were forbidden to *be* there, whether *being* included sitting, ordering ice cream, or enjoying a conversation with each other. The white establishment’s reaction to black resistance within this privately owned space was to expel (forcefully, if necessary) them from it – and all of this reaction to resistance was legitimized by the state and its legal institutions. We can recall the North Carolina Supreme Court ruling on this point, upholding “The right of an operator of a private enterprise to select the clientele he will serve and to make such selection based on color, if he so desires…” By being in this space in a highly visible manner, however, the Royal Seven problematized the rules that characterized the space as an exclusionary site of social discourse. In the process, they attempted to reframe the meaning of the context in which ordinary acts took place, changing the ice cream parlor itself from a “private” and exclusionary space, to an open and inclusive one.

The immediate response to the sit-in did not need to be supportive, nor did this sit-in need to spark hundreds of others to be effective or to have material consequences. It was a success to the extent it created an image of a concrete and particular instance of oppression. More specifically, it demonstrated how difficult it was for African Americans to participate in ordinary activities—to take pleasure in ordinary events—which whites took for granted. Even those in
opposition at the time had an image in their minds, one that might have eventually gained salience as caricatures were overturned and moral ideals were made visible and concrete.

As Griffin would suggest, the rhetorical trajectory emerging from the Royal Ice Cream Parlor and the Greensboro sit-ins provided King with many resources for rhetorically creating networks of particularized grievances and linking them to other protests, events, and aims. In using his speech at White Rock Church to do so, he also, in turn, nurtured and catalyzed the emerging movement. For instance, King addressed the issue of particularity and its significance to successful direct action as follows: “You have rightly chosen to follow the path of non-violence. As we protest, our ultimate aim is not to defeat or humiliate the white man but to win his friendship and understanding…. We have a moral obligation to remind him that segregation is wrong.” Further, in a passage understood to be a direct reference to the Greensboro sit-in, in which (based on this rhetorical history of the events and discourses that led to Moore’s invitation to King to give the speech in Durham at the White Rock Baptist Church) King might also have been referring to the Royal Seven, he exhorted his audience: “Let us protest with the ultimate aim of being reconciled with our white brother. As we sit down quietly to request a cup of coffee, let us not forget to drink from that invisible cup of love.” King urges his listeners to see the people with whom they struggle as persons to be respected and loved even as they diligently request, by their non-violent direct actions, to be respected and treated with love in return: “and so I would urge you to continue your just struggle until the people with whom you trade will respect your person as much as they respect your dollar.” Thus, King, whose speech employs what were heretofore nascent possibilities within the rhetorical trajectory, provides a rhetorical blueprint for acknowledging and making visible particularized grievances of individual citizens along with possible ways of sharing and acting together in social space, and merging
them into a kind of unified trajectory; what Griffin might have referred to as a “crystallizing moment,” and “a flowering of the movement.”

*Making Abstract Concepts Knowable*

Gallagher and Zagacki argued that the *Life* photographs helped people see, for the first time, the gaping chasm separating their view of the world from the realities of social experience. The photographs could do this, they argued, because they were so recognizably American in their depiction of un-American persecution: “the familiarity of the setting, the fact that it was daylight, all suggested that the very basic conditions of democracy in a capitalist society, in which people were free to buy burgers and gas in peace without fear of unprovoked persecution, had been violated” (128). The vision of free and open capitalism, of egalitarian and inclusive democracy, was jarringly replaced by views of a reality that looked more like police batons and fire hoses turned on peaceful civilians. Indeed, as Griffin might argue, god and devil terms in one rhetorical trajectory may be the reversed in another. These photographs showed white audiences how what they largely understood to be god terms (such as “democracy” and “capitalism”) were being corrupted for black citizens.

Much in the same way, the Royal Seven sit-in helped make the abstract ideal of standing up for oneself, of advancing the cause of freedom, more concrete and recognizable while at the same time exposing the bankrupt nature of America’s god terms and material conditions related to capitalism and democracy. Certainly as other authors in this book make clear, direct action on behalf of civil rights, especially sit-ins, had been occurring for some time and across vastly different communities and geographic distance. In addition, the NAACP Legal Defense Fund’s work was largely “rhetorical” but not essentially “oratorical.” So, all of these instances demonstrate moments where abstract concepts were made concrete. But these moments did not
occur simultaneously nor did they constitute a global, organized rhetorical trajectory that had been applied to every local context. Moreover, up to that point in 1957, while many different protests were popping up all around the nation, oratory was still the preferred means of civil rights protest. Perhaps this is because the evolving rhetorical trajectory circumscribed rhetorical practice in this way. Indeed King and other leaders were traveling the country giving speeches and advocating for legislative change, so the majority of African Americans could participate only by attending a speech or a rally. Disgruntled students might not have known what to do to move the cause forward. In fact, the debates among students at Boston when King was there were mostly limited to such questions as whether it was appropriate to mention race in term papers (Branch 1988, 91).

In any event, whatever else had been or was occurring around the rest of the American south, in Durham abstract understandings needed to be concretized around specific, familiar actions and events. The Royal Seven sit-in (and the Montgomery Bus Boycott and the Greensboro Sit-in and the others that preceded and followed these) drew from extant strategies and tactics largely left un-tested or un-settled. The sit-in did so by rhetorically enacting what democracy meant or, alternatively, what democracy did not mean for African Americans in North Carolina, where the ideal of democracy fell well short of the practice. The sit-in showed these realities, made them visible, in addition to talking about them. As King noted, “In this period when civil rights legislation hangs in an uncertain balance in the congress – when the recalcitrance of some public officials in the South instills us with frustration and despondency, the spectacular example of determined and dedicated young people demanding their rights,” made all the difference. Indeed, he exhorted them as follows: “You have taken hold of the
tradition of resolute non-violent resistance and you are carrying it forward toward the end of bringing all of us closer to the day of full freedom” (“A Creative Protest” in Carson et.al. 2005).

On the other hand, an important element of the visibility explored by Gallagher and Zagacki in the Life pictures is the transition/translation of indefinable concepts to everyday life, or, as they put it: “the evocation of humanity by moving beyond abstract or idealistic categories to depictions of social experience that are recognizable to common audiences and that add moral import to the decisions or developments before them” (127). When the Royal Seven were arrested, they moved beyond abstract ideals of freedom or equality and added concrete moral import to a banal everyday decision: where to sit while eating ice cream. We do not have a record of what happened at the ice cream parlor when the next African American customers entered the restaurant. But if personal conversations along with other discursive forms and enactments are important in the development and impact of a rhetorical trajectory, it seems entirely possible that some customers might have known what had transpired there just a few hours or days earlier. Possibly some of them began to question whether all Americans really had open and equal access to goods and services. Perhaps the owner let out a sigh of relief when they obeyed the “Whites Only” sign or more importantly, perhaps he experienced regret at having to rely upon the thin, paltry excuse for denying the Royal Seven’s request. At that point, such obedience had an additional layer of moral import, an overt embrace of the status quo.

It is worth mentioning again that the Royal Ice Cream Company was targeted by boycotts and protests throughout the 1960s. At some point after the Royal Seven’s actions, the community recognized the moral gauntlet that had been thrown by that initial protest. At some point, the action of ordering ice cream on the other side of a segregation wall became a moral statement, an indictment of “freedom” and “equality” as presently constituted and at the same time a (re)-
enactment of these concepts—the Royal Seven undermined accepted beliefs about these terms even as they re-infused and restored them with new meanings. Reverend Moore and his fellow protesters might not have made that change all by themselves, but their actions were the first in that community to encourage others to see the abstract in the everyday acts of segregation that had been overlooked for too long.

The Royal Seven sit-in, considered together with King’s speech, shows how different aspects are shaped by, and also shape, a rhetorical trajectory. Such rhetorical analysis illuminates the materiality and tensions of democracy and shows how they applied to African Americans while also revealing the types of arguments that are likely to (and did, indeed) emerge about the means by which to change things. Their (the Royal Seven, the students in Greensboro, the Montgomery boycotters, and, eventually, King himself) very participation in these events represents the enactment of protest and the constitution of a rhetorical trajectory.

**Conclusion**

While a historical examination or account of the Royal Seven sit-in would likely focus on its chronological relation to other major events in the Civil Rights movement, our rhetorical examination, as demonstrated above, uncovers and illuminates a somewhat different set of functions and significance. First, employing the concepts of rhetorical visibility and rhetorical trajectory to an examination of this/these event(s) focuses our attention on the material, performative aspects of the movement and of the day-to-day lives of those who lived in and through the movement. Instead of looking for significant causal historical relationships or immediate legal/legislative successes—standards the sit-in failed to achieve in the short term—this approach enables us to explore the visibility the sit-in created and the trajectories it opened
and/or reconfigured and shaped. With this sit-in, the seemingly inconsequential everyday oppression endured by Reverend Moore and his fellow ice cream shop customers became a particularized example of systematic racial oppression. To the extent their actions functioned rhetorically to make visible the everyday consequences of segregation, including the feelings of pleasure and the sites of pleasure denied, the rhetorical trajectory of a larger movement was opened as a network of particularized grievances began to be recognized as a growing and connected trajectory toward (and movement for) freedom. Additionally, the rhetorical consequence of the sit-in when taken together with MLK’s subsequent speech and the efforts to site a historical marker, indicate the impact of these events and efforts on the development of the larger rhetorical trajectory. We come to understand that the rhetorical trajectory of the movement plays a role not just in informing the present but in commemorating the past, not simply helping us to strategize from within it, but providing a kind of lived experience of the past and its various discourses and images that can inform our present actions.

A rhetorical analysis of the sit-in and the rhetorical trajectory we have described reveals additional functions and significance. As we suggested above, it may well be the case that the cumulative impact of rhetorical tactics such as sit-ins was to disrupt entrenched discursive formations and the uses of social space and range of allowable emotions, pleasures, and feelings dictated by them. As we noted above, clearly the employment of these tactics risked exasperating the divisions already experienced by blacks and whites which had become materially embodied in everyday social (not to mention legal and political) practice. Yet, as Kenneth Burke might put it, the Royal Ice Cream Company sit-in was not so much an act of division as it was an effort at identification—or, more specifically, of enacting a way of life in which people could act (e.g., dine) together in a single, un-demarcated material space. As Burke
(1969) explained in *A Rhetoric of Motives*, “in acting together, men [sic] have common sensations, concepts, images, ideas, attitudes that make them *consubstantial*” (21). For Burke, consubstantiality is the root of or grounding condition for identification. For King, love was the means by which individuals could come to share and respect each other’s humanity. Reverend Moore and the rest of the Royal Seven, in this view, were attempting to visualize these commonalities as a first move toward yielding an entirely different cultural fabric in which blacks and whites, linked by their shared desires, pleasures, and so on, tread the same material spaces. As a rhetorical trajectory – and in the words of Griffin - the sit-in embodied “the qualities, motivations, or state of mind” of Reverend Moore and his group. Hence it made visible a way of being in the world that others could “appropriately follow.” We said earlier that in many ways the early history of the Civil Rights movement is a history of the tension between King’s goal of peaceful co-existence and non-violent protest and the inevitability and perhaps necessity of political strife and aggressive resistance. Our analysis reveals this dialectic at work.

This chapter, therefore, serves to reinforce and demonstrate the usefulness of concepts such as rhetorical visibility and rhetorical trajectory for students and scholars who wish to understand and explore the relationship between rhetoric’s symbolicity and materiality in the context of social movements. The concept of the rhetorical trajectory creates a way of bridging the traditional binaries of saying and doing, of discursive and nondiscursive, by creating the potential for local and situated rhetorical actions to be seen as related and significant. Rhetorical visibility provides a way of thinking about and organizing a set of rhetorical functions so that they can guide and be used to evaluate social actions and images, in addition to discourses. Analysis guided by these functions reveals “the power of rhetoric to create a truth and falsity that contradicts our basic ‘knowledge’” of things like freedom and oppression (Gallagher and
Zagacki 2007, p129). It also demonstrates how visibility can provide access to a public voice and a public presentation of lived (rather than caricatured) experience for those previously denied such access by law and by practice; a voice and a presence that evokes the moral conscience of those who witness it or learn of it through conversations, accounts, and images.

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