

“Since it is my right, I would like to have it: Edna Griffin and the Katz Drug Store Desegregation Movement” Essay from *The Annals of Iowa*, 2008

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ON JULY 7, 1948, sometime between 2:30 and 5:00 p.m., Edna Griffin, age 39; her infant daughter, Phyllis; John Bibbs, age 22; and Leonard Hudson, age 32, entered Katz Drug Store at the intersection of 7th and Locust streets in Des Moines. While Hudson went to look for some batteries, Griffin and Bibbs took seats at the lunch counter, and a waitress came shortly to take their order. The two African Americans ordered ice cream sundaes, but as the waitress walked toward the ice cream dispenser, a young white man came and whispered a message into her ear. The waitress returned to Griffin and Bibbs and informed the pair that she was not allowed to serve them, because of their race. By that time Hudson had finished purchasing a set of batteries and rejoined his companions. The three adults asked to see the waitress’s supervisor, and she obliged, summoning the young fountain manager, C. L. Gore, a 22-year-old who had come north from Florida just two years earlier. The tenor of that exchange would later be disputed: Griffin, Bibbs, and Hudson claimed that the conversation was hushed and polite; Gore said that the three black patrons were causing a disturbance. What is not disputed is that Griffin and Hudson were unsuccessful in getting any ice cream that day, despite appealing to store manager Maurice Katz. More significantly, Edna Griffin used the incident as the impetus to topple the segregationist policies of the Katz Drug Store chain. Within 18 months, Griffin had mobilized citizens to take action against the chain, launched successful civil and criminal lawsuits against store owner Maurice Katz, and earned vindication when the Katz Drug Store capitulated to African American demands by agreeing to cease all discriminatory policies in December 1949.

The story of Edna Griffin and the Katz desegregation fight enriches the picture of the national civil rights struggle that African Americans and their allies waged after World War II. It was one of many localized civil rights struggles in the post – World War II decade that coalesced into the great civil rights mobilization of the 1950s and 1960s. African Americans in Des Moines and other locales in Iowa and the Midwest fashioned what historian George Lipsitz termed “oppositional coalitions” to defeat discrimination and segregation in the judicial system, workplaces, labor unions, restaurants, taverns, housing, schools, municipal facilities, and entertainment venues.

Although the success of the “oppositional coalition” Griffin formed to deter discrimination in Des Moines was not the only example of successful civil rights activism during this time in Iowa, her case merits particular attention. She was unusually outspoken for a black woman at the time. In addition, she employed the traditional strategy of engaging the judicial system to gain equality while also providing an early Iowa example of the subsequently common civil rights strategy of staging sit-ins and

holding protests, a method that would gain ascendancy following the successful desegregation movements spurred by the Greensboro sit-ins of 1960.

Griffin's efforts to end segregationist policies at Katz Drug Store preceded the efforts of the four young Greensboro students by 12 years, and occurred during a time historian Deborah Gray White describes as marking a turning point in African Americans' attitudes about how to achieve racial reform. The late 1940s, White argues, saw a transition from upper- and middleclass individuals working toward race progress through high status social events toward more youth-oriented nonviolent and grassroots movements such as sit-ins and freedom marches. Griffin, though constrained in some ways by her middle-class social status (as the wife of a doctor), was well situated to help usher in this more egalitarian form of social activism.

Griffin conducted her civil rights activities in a complex political landscape for African American middle- and upper middleclass women. While she held firm allegiance to African Americans of all social classes, she also operated within the constraining discourse of what historian Kevin Gaines terms the "politics of respectability." The middle-class black activists Gaines describes had to present themselves as striving toward middleclass respectability. They accepted middle-class markers of success and aligned themselves with whites who disdained what they interpreted as black flamboyance and excess. Thus, in her attempts to win support from the larger community for her fight against Katz, Griffin and her lawyers constructed an image of her as a respectable black mother rather than as a firebrand activist ready to take to the streets.

What is thus most fascinating about Edna Griffin is that she was a radical black activist, passionate and outspoken about the need for economic and racial justice, yet she was also a savvy enough strategist to recognize that in certain contexts she had to downplay that element of her character. Nowhere was this more evident than in the testimony she provided in the criminal trial the state of Iowa brought against Maurice Katz, and in the arguments she made to her fellow citizens about why Katz's policy of discriminating against African Americans was contrary to the American ideal.

THE KATZ DRUG STORE CHAIN had been successful in maintaining a policy of de facto segregation for decades, despite a state law that expressly forbade discrimination in public accommodations, including "lunch counters." Several different individuals and organizations had failed in bringing charges against Katz before Griffin ultimately succeeded. The Iowa Bystander detailed an 18-year battle to end segregation at Katz. Criminal prosecutions were brought against the drug store in 1943, 1944, and 1947, but in all three cases owner Maurice Katz was acquitted. In addition, at least 14 civil cases brought against Katz had failed.

In 1944 V. V. Oak, the editor of *The Negro College Quarterly*, wrote a letter to Roy Wilkins at the national offices of the National Association for the Advancement of Colored People (NAACP) providing evidence that the Katz Drug Store chain had a complicated history of refusing to serve black patrons. Oak's letter offered a snapshot of race relations in Des Moines in the mid-1940s, evaluating Des Moines as "not a badly prejudiced city," but one where "there have been many incidents ... which have proven very annoying." Oak then described an episode in which a "colored lady" had been denied service at "one of the main Katz's drug stores." The woman had filed a lawsuit against the store, which so angered Katz's management that it "gave orders to all the drug stores to refuse certain services to all Negroes, civilian and military." Oak lamented that when the woman later dropped her case, the manager "took this as evidence of a lack of solidarity in the Negro race."

But what most upset Oak were two subsequent episodes: Lieutenant Lenora Robinson, a member of the Women's Army Auxiliary Corps (WAC) stationed at nearby Fort Des Moines, was denied service at

Katz with two of her friends, and a few weeks later several army nurses also stationed at Fort Des Moines were refused service. Oak dejectedly wondered how, in a “city located beyond the Mason-Dixon line,” these women could be “treated as if they are outcastes [sic] by civilians who are piling profits and leading comfortable civilian lives while the WACs and Army nurses are working hard, undergoing great discomforts, and sacrificing their freedom to the routine of military life.” Oak believed that the treatment Katz accorded to Robinson and her colleagues conveyed the message that “Negro WACs and Nurses, even when wearing Uncle Sam’s uniforms, do not belong to the human race.” What was curious about the incident, and tremendously disappointing to Oak, was that Lt. Robinson ultimately refused to press the case against Katz.

A significant problem that the NAACP encountered in trying to press lawsuits against Katz was the lack of will among members of the black community to challenge the white power structure. Griffin herself was acutely aware of this. During an interview for the documentary film *Blacks in Des Moines*, Griffin recalled, “I did find out that the NAACP undertook one or two occasions to bring into Court violators of the law but their problem was they had no witnesses. And so they quit. Internal documents from the NAACP regarding an attempt to address Katz’s discrimination against blacks in 1944 show that organizations could find few black citizens willing to prosecute or testify against the Katz Drug Company. In correspondence between two high-level African American leaders, James B. Morris, president of the Des Moines branch of the NAACP, explained to Roy Wilkins at the national office, “Our greatest trouble is to get people to file charges against the concerns following the practice and having them appear in court to prosecute the case. We have reminded the people that they cannot expect us to follow a case through unless they are willing to do their part.”

Katz’s discriminatory practices were so notorious as to warrant communication and activism at the upper echelons of the African American community. However, as Morris articulated in his letter, successful resistance to Katz could not come only from the top down. It would be Edna Griffin — Fisk University graduate, transplanted East Coaster, and new mother — who would be the person “willing to do [her] part” in spearheading the grassroots movement against Katz.

EDNA WILLIAMS was born October 23, 1909, most likely in Carlisle, Kentucky, to Henrietta Williams and her husband Edward Hearst Williams, who was employed mostly as a janitor. Rather little information exists on the early period of her life. Her family moved frequently. Young Edna attended junior high in Walpole, New Hampshire, spent her freshman year of high school at Lenox High School in Lenox, Massachusetts, and ultimately graduated, in 1928, from Pittsfield High School in Pittsfield, Massachusetts. An intelligent young woman, she applied to prestigious Oberlin College and the Eastman School of Music before ultimately deciding to attend Fisk University in Nashville, the gold standard among historically black colleges. Up until that point, she had lived in predominantly white neighborhoods. As she recalled in an interview in 1986, she had not been exposed to the power of the black church until after college.

At Fisk, Edna Williams majored in sociology, met her future husband, Stanley, and earned a B.A. in 1933. She worked cleaning houses to help pay for her education, and she did not have many friends besides Stanley. Edna’s daughter Phyllis recalls that her mother believed that Fisk was too conservative, too interested in skin color. However, Griffin’s future radicalism first manifested itself at Fisk. There she marched, with Stanley, against Mussolini’s invasion of Ethiopia; was arrested for joining striking teachers on a picket line; and, during her senior year, joined the Communist Party, an affiliation she would keep for more than 24 years.

The Griffins may have spent time in Harlem shortly after Edna graduated. If so, Edna would have spent formative years in the ferment of the Harlem Renaissance. Not much is known of this period of Edna

Griffin's life, although she testified during the Katz trial that before coming to Iowa she and Stanley had lived in New York City, Georgia, Tennessee, and Springfield, Massachusetts.

The story of Griffin's starring role in the Katz saga began when the Griffins came to Des Moines, which by Edna's own recollection occurred on January 2, 1947. The couple moved to Iowa so that Stanley could attend Still Osteopathic School of Medicine. After years of moving around, the Griffins would make Des Moines their permanent residence. Edna gave birth to the first of three children, Phyllis, in 1947. Despite being a new mother, Edna became an activist in Des Moines almost immediately. Within the next year she had already been appointed to leadership posts as chair of the organizing committee of the Progressive Party for Iowa's Fifth Congressional District and secretary-treasurer of the Des Moines branch of the Communist Party. She also enrolled as a graduate student at Drake University, taking classes in education and English. Although she was only 5'2" and 125 pounds in 1949, this petite woman would be a thorn in the side of Maurice Katz and many others who wished to maintain the status quo.

The status quo that Griffin and others worked against consisted of "de facto segregation in public accommodations and de jure segregation in housing and employment." Like much of the nation, Iowa was largely segregated in the late 1940s, and African Americans who returned from the war or who came up from the South to find work often faced discrimination. When they did, they could not, for the most part, depend on the state to protect or defend their rights.

A 1948 editorial in the Iowa Bystander, a newspaper published in Des Moines that served as a voice for black Iowans, described two ways Des Moines failed to meet "the standard of a democratic city": the systematic effort to ban blacks from skilled trades, and the fact that "eating accommodations down town are miserable and every effort to change them are met with stern opposition of the small as [well as] the large establishments." Two months later, another editorial detailed the efforts to maintain only inferior hotel accommodations for African Americans, violating the spirit of the Iowa civil rights law.

As the editorial makes clear, an additional frustration black Iowans faced was their inability to ensure that Iowa's civil rights statutes were enforced. Despite concerted attempts by legislators to add teeth to the law, it was not effective as a means for obtaining convictions for proprietors who flouted it. Iowa's first civil rights law, passed in 1884, outlawed discrimination in "inns, public conveyances, barber shops, theaters, and other places of public amusement." However, since the law did not provide a penalty for violation, it required a grand jury hearing and so was seldom enforced. The law was amended in 1892 to include "restaurants, chophouses, lunch counters and all other places where refreshments are served," yet contained no practical enforcement mechanism. Over the next 30 years, Iowa's supreme court determined only three cases based on the civil rights law.

Thanks to a concerted effort on the part of the Des Moines branch of the NAACP, the law was again amended in 1923 so that violations could be heard by a local magistrate rather than a grand jury. Civil rights advocates believed that this new law would be much more useful in protecting the rights of black Iowans, but despite successful prosecutions of the law in 1923 and 1931, there were no other cases until 1939. From 1939 through 1950, Iowans brought 22 civil rights cases to court. Of those, only three resulted in conviction and fine.¹⁹ One of those was the case against Maurice Katz.

Part of the challenge Griffin and others faced was convincing Iowa's citizens, and, more important, state prosecutors, that denying civil rights to black citizens was a significant enough problem to merit action. Robert E. Goostree identified widespread antipathy among the state's 99 county attorneys toward enforcing civil rights statutes, "a nullity" that "for many Iowans ... ranked in importance with

the universally ignored antitipping law.” According to Goostree, 83 percent of the African American lawyers in the state thought that discrimination by establishments within the purview of the statute was common, while 87 percent of the county attorneys thought it was not; and 64 percent of the county attorneys thought that the statute was adequately enforced, while only 16 percent of the African American lawyers agreed.

The differing perceptions of white prosecutors and black lawyers point to a key problem civil rights activists such as Griffin faced: convincing white Iowans that a civil rights problem existed and that a solution depended on their help. Ben Stone suggests that “most people in mid-twentieth century Iowa did not feel that discrimination in employment was a problem in their state. Blacks made up less than one percent of the population and many Iowans had rarely seen a black person, let alone refused one a job.” Concerned black Iowans were ever aware of the problems they faced in being accorded unequal treatment, both under the law and by business owners. The thrust of their challenge was to convince white Iowans that their activism grew not out of individual self-interest, but rather out of a desire to help the state live up to the ideals expressed, but not enforced, in its civil rights statute.

Edna Griffin sought to meet this challenge by winning converts both in the court of law and in the court of public opinion. The legal strategy she developed in consultation with fellow members of the Progressive Party and lawyers for the NAACP was first to press a criminal case against Katz, and then to proceed with civil cases.

PROCEEDINGS AGAINST KATZ moved quickly: by July 10, just three days after being denied service, Griffin, Bibbs, and Hudson had filed charges against Katz in Des Moines Municipal Court. Two days later, Katz pleaded not guilty; he was released on bond, and a trial date was set for the September term. The trial was held on October 6.

The trial began with a failed attempt by the defense to file a demurrer on behalf of its clients, C. L. Gore and M. C. Katz. The court summarily rejected the opening gambit, and the trial continued with brief opening statements from Paul C. McDonnell, the assistant county attorney, and Paul Stinson, Katz’s lawyer. John Bibbs was the first to take the witness stand. He stated that he was 22 years old, single, working in maintenance. On July 7 he had been coming from the headquarters of the Progressive Party, through which he knew Griffin and Hudson. Bibbs was young and ambitious; recently discharged from the navy, he had already been promoted to chair the Progressive Party of Des Moines, even though he had only been a member of the party for three months.

Bibbs recalled that after the waitress took his and Griffin’s order, she was prevented from fulfilling their request; instead she came back and said “we don’t serve colored.” Bibbs testified that they got the same response from C. L. Gore. According to Bibbs, Gore explained that he could not serve Bibbs and Griffin because “it is the policy of our store that we don’t serve colored; we don’t have the equipment.” Bibbs claimed that he and Griffin then asked to speak to Mr. Katz, the store manager, who told them, “I cater to a large volume of white trade and don’t have the proper equipment to serve you.” Bibbs repeatedly insisted, in his initial testimony and upon cross-examination, that “there was no disturbance”; the entire incident was orderly and polite.

“We walked into the store and sat down at the counter and didn’t say anything to anybody until the girl came up and asked for our orders.” “There was no loud talking on either side,” he stated; both Gore and Katz were “very polite and refused very politely.” He also emphasized that “we went to the Katz Drug Store that day for the purpose of getting something cold to drink,” not at the behest of the Progressive Party or “for the purpose of making a test case under the law.”

Leonard Hudson corroborated Bibb's testimony. He was 32 and unemployed at the time of the Katz incident, although he had worked as a laborer and was last employed as a truck driver hauling scrap iron. He had previously worked for seven months for the Iowa Packing Company but ceased working there when the packers went on strike. On July 7 he had been called to the Progressive Party headquarters by E. C. Richards, a state representative for the Progressive Party, who wanted to know if Hudson would be able to help organize for the party, possibly by starting up a football team. Hudson declared at the trial that he was not a member of the Progressive Party, although he did take part in protests that Griffin organized outside of the store in the weeks after the incident.

According to Hudson, he met up with Bibbs while at the Progressive Party office, and the pair happened to run into Griffin while walking from the office towards downtown Des Moines. He described what started out as a rather uneventful meeting: "We stood and talked with Mrs. Griffin for a few minutes about the baby and the weather being hot. We walked up the street and Edna mentioned something about getting an ice cream soda or a cold drink and I said I would be glad to buy you a drink or a soda and she said let's stop in here and we just walked into Katz Drug Store." The scene Hudson describes is of three hot and tired individuals, far from being overzealous activists looking for trouble, who just happened to meet on the street one summer afternoon before making the logical decision to get some cold refreshment. And as Bibbs's testimony had, his description of the interaction between the three friends and Katz management emphasized the cordiality of the discussion. "I did not at any time hear Mr. Bibbs or Mrs. Griffin speak in a loud or boisterous manner," Hudson testified. "I would say the conversation on both sides was conducted in a very quiet, respectable manner." Bibbs and Hudson's testimony reveals the extent to which the three witnesses for the prosecution attempted to downplay their activism and to play up the spontaneity of their decision to enter Katz Drug Store. Such claims were thought to be necessary to dispute the defense's contention that the three were "professional agitators" who came to Katz Drug Store specifically "for the purpose of making a test case."

In the case of Griffin, she most certainly was a dedicated if not, strictly speaking, professional agitator. It is in her testimony during the criminal trial where it is most apparent that the central question being debated was not whether Katz had violated the civil rights statute, but rather whether Griffin, Bibbs, and Hudson were fine upstanding citizens rudely denied their civil rights or outlandish agitators who got what they deserved.

Compared to Hudson and Bibbs, Griffin was older, had seen many different parts of the nation, and was well read in revolutionary and communist literature. Griffin was radical enough to merit concern from the federal government, and the Federal Bureau of Investigation had begun keeping a file on her after Harry Truman had signed executive order 9035, allowing for the establishment of a "security index" of citizens with sympathies or affiliations with communist, anarchist, or revolutionary organizations. From 1947 to 1965 the FBI collected more than 400 pages of information on Griffin, and if what informants reported was accurate, then at the time of the Katz incident Griffin was heavily involved in the Communist Party USA, paying monthly dues for her and her husband, subscribing to the Daily Worker, and working in the capacity of secretary-treasurer for the Des Moines branch of the party.

Fortunately for Griffin, Katz's lawyers were not aware of her Communist Party affiliation. Nonetheless, central to their defense was an attempt to paint Griffin as an agitator who premeditated her trip to Katz. Griffin and her lawyers, on the other hand, continued to claim, as had Hudson and Bibbs, that the visit was based on a spontaneous and innocent decision to obtain refreshment.

Q. Will you tell us why you went in to Katz Drug Store?

A. Because I wanted to get something to drink, and that was the primary reason for going.

Q. But you had discussed outside the store whether or not you would be served, hadn't you?

A. Some one had mentioned something about it.

Q. And that was one of the reasons you went in there was to find out whether that was true?

A. No, the reason we went in, I had particularly wanted something to drink and the fellows agreed to join me. Now we did not know whether Mr. Katz served colored or not, but we said we will go in and see.

And go in they did. Yet, as Hudson and Bibbs had, Griffin repeatedly explained how ordinary and civil their conversations with management were once in the restaurant. She described "the tone of the conversation" with the waitress, after being informed they would not be served, as "just ordinary," and insisted that after Bibbs asked to see a manager, the waitress "went very politely" to find Gore. As Griffin recalled it, Bibbs asked Gore if he was aware that he was violating Iowa's civil rights code, and Gore replied "that might be true or not, but anyway, they didn't serve colored because they didn't have the equipment. There was no heated discussion and no one was angry."

Reflecting on her activism from the safety of 38 years elapsed time, Griffin stated in an interview, "We decided that we will go into Katz's and if refused service then we will go to Court and I was prepared to be a witness." In 1986 Griffin could take pride in action that history had judged as righteous, and she made no attempt to pretend that the decision to go to Katz Drug Store was coincidental, but on the witness stand in 1948 Griffin was forced into feigning apathy. The historian must always be on guard against the vagueness of memory, but in this case there is a plethora of other evidence to suggest that Griffin was indeed downplaying her activism while testifying in 1948. Recall that the NAACP had filed unsuccessful civil lawsuits against Katz on behalf of 14 other African American citizens in the five years before Griffin determined to do the same.

Thus, when Griffin testified, a short time after expressing to the court how thirsty she was on July 7, that "my directions are very poor," it seems most plausible that she was intentionally dissembling in order to mask her intelligence, downplay her activism, and thus gain sympathy with the all-white jury. In fact, at the end of her testimony, Griffin seemed to remove her mask a bit, contradicting her earlier statement by remarking, "I have lived in Des Moines for three years and am familiar with the Des Moines streets." It strains credulity to believe that the activist Griffin would not have known of Katz's long history of discrimination in Des Moines.

Phyllis Griffin was only one year old when her mother brought her to Katz Drug Store, but she believed that her mother probably was aware of Katz's history of discrimination. Oh, I'm sure there were other restaurants that were discriminatory, but I think that Katz was notorious because it had a history of people suing them. I'm sure that my mother was aware of this history. It probably came to her first as hearsay, and she decided to test it. So on a hot July day [laughs] she took me down there, you know, with her to get some ice cream, and found out that the hearsay turned out to be accurate.

Although Griffin (along with Bibbs and Hudson) tried to portray their decision to enter Katz on July 7 as an isolated incident, in reality, the confrontation fits a pattern of prolonged effort by the African American community to end segregation in Des Moines. Yet to contribute to that long-term effort, Griffin had to maintain a difficult balance: challenging the law while operating within its confines, and taking part in social activism without appearing to be a radical activist.

That balancing act was further demonstrated during cross examination, as Griffin attempted to distance herself from the important role she played in helping to organize a picket and boycott of the Katz store in the weeks following the July 7 incident. When asked by the defense lawyers if she had passed out handbills urging people not to shop at Katz, Griffin replied cryptically, "I couldn't possibly stand asking for a boycott and give out handbills at the same time. I am aware of the handbills, but it is not a question of fact that I passed them out." Pressed on this point, she relented a bit, nonchalantly remarking, "It is not important to me really, but I don't believe I did, because really my job was calling for a boycott." Later still, she admitted,

"I don't remember of giving any handbills, but if it is important to you I would be perfectly willing to say that maybe I did give somebody one in front of the place, but that was not my business." What explains the back and forth between the defense and Griffin on the question of whether or not Griffin participated in the distribution of handbills? Most likely, the defense realized that its best argument was to try to reframe the debate to one on the character of the prosecuting witnesses. The only feasible defense for Katz would be that denial of service was justified, not because Bibbs, Griffin, and Hudson were African American, but because they were causing a disturbance. In that context, Griffin had to use every means possible to make herself appear as a moderate, quiet, and unassuming citizen.

C. L. Gore did not make that easy. When it was his turn to testify, he recalled being alerted to the presence of Bibbs, Griffin, and Hudson when his "attention was first attracted by loud voices." Gore said he went to inquire as to what the problem was, and his recollection of the three was that "they were demanding service and they were very rude." Gore recalled that the altercation even attracted the attention of other patrons. He concluded his initial testimony by stating firmly, "I am not in the habit of permitting service to be given at the soda fountain to persons who create a disturbance and conduct themselves in the kind of manner that these people were that day." Gore claimed that the issue of race was immaterial; he was acting to protect the business interests of the Katz chain.

Maurice Katz's testimony was consistent with Gore's. He attempted to link the three prosecution witnesses directly to the Progressive Party, and painted the three African Americans, and Griffin especially, as not only disruptive but even cruel. According to Katz, "He [Bibbs] said, 'we are members of the Progressive Party and we are going to make a test case out of this.' I said, 'a test case out of what?' And then Mrs. Griffin spoke up and says, 'you know what we are talking about, don't act dumb.'" Katz positioned himself as the victim, the honest proprietor seeking to create a peaceful atmosphere for his patrons. As Gore had, he, too, cited the presence of "several people who had stopped to see what the commotion was all about."

The premise of their argument was that a disturbance had been created. Paul Stinson, attorney for the defense, set up the argument for Katz, asking him, "In a situation of that kind where in your judgment, as manager of the store, someone had created a disturbance, do you, whether that person or those persons are black or white, do you serve them?" "I would not," answered Katz, and the defense rested.

During cross-examination, Paul McDonnell, assistant county attorney, attempted to demonstrate that the management of Katz Drug Store systematically denied service to African American customers. Curiously, neither Katz nor Gore denied that they had customarily refused to serve black patrons. When McDonnell asked Gore, "Have you ever served colored people in Katz Drug Store?" the young fountain manager admitted that he had not. Later, when Katz was asked the same question, he stated, "I haven't served any." Evidently, Katz and Gore were depending on the sympathy of the all-white jury to enter a verdict in their favor. The jury would have to determine whose story was more believable: Did

Griffin, Bibbs, and Hudson come into Katz Drug Store on July 7 to cause trouble, or were they callously denied service by racist managers?

On October 7, 1948, the jury rendered its verdict. After four hours of deliberation, the jurors determined that Maurice Katz and C. L. Gore were guilty of denying service to the three persistent African American patrons. It was the first legal setback ever faced by the Katz Drug Store chain, and a major victory, not only for Griffin, Bibbs, and Hudson, but for the entire African American community in Des Moines.

Yet the fight was far from over. On November 1 Katz filed for an arrest of judgment and a new trial. Three weeks later, Judge Harry Grund denied Katz's appeal for a new trial and sentenced him to pay a fine of \$50 (plus court costs). In response, Katz appealed his case to the Iowa supreme court.

It would be a year before the supreme court heard the case. In the meantime, the battles between the drug store and the civil rights advocates raged on. Griffin kept the pressure on Katz by filing a civil case against the company. The trial in her \$10,000 damage suit began on October 10, 1949.

THE ARGUMENTS in the civil trial followed the same tack as they did during the criminal case. Once again, Katz argued that Griffin came to the store on July 7 with specific intent to make a test case. Katz's lawyers made an even greater effort to tie Griffin to the Progressive Party and Henry Wallace. At one point, defense attorney Richard Wood went so far as to suggest that "Mrs. Griffin is being used as a tool by others who want to further their own political ambitions."

And once again, Griffin and her lawyers had to deflect the agitator label, and again sought to focus on other aspects of Griffin's identity. Griffin emphasized her service in the recent war and her role as a mother in order to establish her respectability with the jury. In her testimony, she used an argument that would have had great currency at the time: that World War II was a fight for the ideal of democracy against the forces of tyranny. During World War II, many African American women assumed jobs in sectors of the American economy from which they had been previously excluded. Others entered the armed services and, together with black men, left the war determined to defeat segregation at home after helping defeat fascism overseas. Griffin, who observed racism and gained leadership experience as a member of the Women's Auxiliary Corps during the war, was able to articulate African American grievances and had the confidence to lead whites and blacks from different class and regional backgrounds. At the trial, she appealed to the patriotism of the jury, stating, "I volunteered in the armed forces, knowing full it was a jim crow army, to help establish the equal dignity and equal rights of my people." It would be one thing to deny service to someone who was vocally anti-American, but quite another to do so to a war veteran.

Part of being patriotic, at the time, was being a good mother. Historian Maureen Honey suggests that postwar dominant culture rhetoric created a narrow maternal mission for women ... foreshadowed in wartime propaganda that identified the homemaker-centered family as synonymous with American democracy, the reason the war was being fought. Coupled with the baby boom and glorification of a suburban postwar ideal, this reductive image of American life fed easily into mass layoffs of women workers during reconversion, who were characterized as "returning to the home" to begin a home-centered, quintessentially American way of life.

Honey further argued that, by and large, black women did not fit this model. However, Griffin and her lawyers understood that emphasizing Griffin's role as a mother while downplaying her role as an activist might appeal to the sense of duty felt by the white female jurors hearing the case. Denying

service to a mother, at a time when the ideal of the suburban homemaker was rapidly gaining currency, would be another strike against Katz.

Griffin was aided in making this argument by her lawyer, Charles P. Howard. Howard was one of Iowa's most prominent black lawyers. In fact, two weeks prior to representing Griffin in the civil case, he had delivered the keynote address at the Progressive Party's national convention. Griffin's ability to secure Howard as legal counsel speaks to how well connected she was within the Progressive Party and within Iowa's activist community. For his part, Howard called Griffin's case "the most important lawsuit I've ever tried." Griffin and Howard, both long active in the fight to attain civil rights for African Americans, clearly understood the centrality of the fight against Katz to this wider effort.

Howard assisted Griffin in appealing to the jury's preconceived notions of the role women should play in society. Speaking to the jury, he attempted to divert attention away from race and to other aspects of Griffin's identity.

Mrs. Griffin has paid the price to have the honor to walk the streets of this community respected. She is a graduate of one of the leading Negro universities in America and was doing graduate work at Drake University at the time. She is the wife of one of the leading doctors in this city — who is a professor at Still College. She is a mother.

Howard had cleverly reframed the episode at Katz from discrimination against a black person by a white person to discrimination against a well-educated and well-respected member of the community by an unpatriotic storeowner. His further emphasis on Griffin's role as a mother specifically appealed to the obligation women would have felt to provide for and protect their children.

Understanding Griffin and Howard's arguments as an appeal to the jury's sense of gender standards makes it possible to make sense of what must have been the trial's most dramatic moment. During rebuttal arguments, Howard pointed at Katz and shouted, "I say to Mr. Katz he had better ask every Negro woman who goes in there [Katz Drug Store] if she is Mrs. Howard, because if you ever insult my wife in there, I will blow your brains out and I will die and go to hell and I mean every word of it." Howard's audacious use of language undermines any presumption that whites at the time had silenced black dissent, and perhaps foreshadows the black nationalist movement, which would not gain ascendancy for another two decades. It is possible that the jury, composed of eight women and four men, viewed Howard's strong defense of his wife's honor as a legitimate enough reason to threaten a white man.

Although Griffin herself would never have advocated violence, she surely would have, in other contexts, spoken her mind more freely. Clearly, Griffin did not accede to any traditional model of how she should act. What is most fascinating about Howard's deference to traditional ideas about gender roles in arguing for Griffin's righteousness is how much Griffin defied such gender norms. Here the intersection of class, race, and gender is evident: Howard used Griffin's gender to portray her as a good mother, yet Griffin was a vocal community leader, a rarity for a woman at the time. Howard used Griffin's status as the wife of a doctor to portray her as a member of the upper class, entitled to all the advantages that carried, yet Griffin, while having financial security, interacted regularly with poor members of the community. Phyllis Griffin recalled coal miners, sharecroppers, and poor farmers who had been invited to the Griffin household as dinner guests. So while Griffin defied traditional modes of behavior expected of women, she defined herself at the trial as one who subscribed to conventional class and gender roles in order to challenge the Katz Drug Store's racially discriminatory practices.

It was evidently a winning strategy. On October 15, the district court jury decided the case in Griffin's favor, although they chose to award her only one dollar in damages. Despite the small reward, Griffin and her lawyers considered the verdict a moral victory. Bibbs and Hudson still had their cases to bring forth, and in the meantime the three would continue their efforts to pressure Katz through social activism.

EVEN AS THEY PURSUED the criminal and civil cases, Griffin and a network of activists were simultaneously waging their battle against Katz in other arenas. Throughout 1948 and 1949 Griffin helped coordinate a series of protests, sit-ins, and boycotts designed to impede Katz's ability to run his business successfully. The legal fight and the public fight should be understood as equally important elements of a long-term strategy to force proprietors in Des Moines to abide by the civil rights code.

Arguments made at the trials notwithstanding, it was not accidental that Griffin chose Katz Drug Store as the battleground in the fight for civil rights in Iowa. After both trials had ended and Griffin was freed to speak openly, she wrote a letter to the editor of the Iowa Bystander to explain why court action alone was not sufficient and why the Katz chain continued to be the primary target of activists. "It is our opinion," she wrote, "that when Katz is forced to abide by the Civil Rights Code, other places now discriminating against Negroes in public eating places will quickly fall in line. Experience indicates that court action alone has not and cannot stop jim crow because the penalty exacted under the law is not sufficiently heavy."

Indeed, despite losing both the criminal and civil cases, the Katz Drug Store still refused to serve African Americans. As a result, shortly after her civil trial ended, Griffin formed the Committee-To-End-Jim-Crow-At-Katz-Drugstore. The committee was open to "every Negro and white person who believes in civil rights as a safeguard to democracy" and who sought to force change through economic boycott and through raising awareness, among uninformed white citizens, of Katz's discriminatory policies.

Although the committee did not form officially until after Griffin's civil case ended, she initiated the initial pickets against Katz within ten days of the July 7 incident. She planned the first protest for July 17, 1948, a Saturday. Volunteers met on Saturdays from 11 a.m. to 2 p.m., the store's busiest time of day, to hold placards, hand out pamphlets, and take turns sitting in at the lunch counter.

As in the criminal and civil trials, Griffin sought to frame her arguments broadly, as a fight against the forces of tyranny rather than as a narrow fight of blacks against whites at one neighborhood drug store. In fact, a flier Griffin distributed to passersby when she was protesting outside Katz (and which was submitted as evidence at the criminal trial) shows how Griffin harkened back to the war in an attempt to frame her fight against Katz in a broad enough swath to arouse even apathetic citizens. The brochure, titled "BILL OF RIGHTS—HITLER FAILED BUT KATZ IS TRYING," was designed to coax non-blacks into considering the choice of shopping at Katz as a moral choice. The flyer read, in part, a lawsuit is pending against Katz Drugstore but we want you to know why Jim Crow undermines the rights of every citizen, not just the victims.

The "master race" idea poisons the mind with hate, distrust, and suspicion. This turns the minds of the people from high prices, low wages, and no housing to violence against one another. It happened in Germany, and it can happen here. Through carefully chosen arguments, Griffin and her fellow members of the Progressive Party Club of Des Moines were able to recast their struggle against Katz from a strictly racial problem to a broader appeal to the democratic ideals of their fellow citizens.

Such arguments were also concisely articulated by the placards held by protestors. A photograph of the protestors submitted as evidence in the Katz trial features picketers holding placards that allude directly to the recently fought war.

One sign read,

Counter Service for Whites Only

This is Hitler's Old Baloney

Don't Buy at Katz

Another read,

The Bullets Weren't for White's Only

Don't Buy at Katz

By invoking Hitler, the protestors were appealing to the collective consciousness of the community, and by referencing the sacrifice African American soldiers had made in the war, the picketers also hoped to remind community members of the implicit agreement that service to country in the name of freedom would be rewarded with greater equality extended to African Americans at home. The protests sought to hurt Katz by affecting his profits, but the appeal was aimed at potential shoppers rather than at Katz himself. And the message used to persuade people of the righteousness of the cause was that Katz should be boycotted not because he was violating Iowa's civil rights statute, but because he, like Hitler, discriminated against people based solely on their ancestral background.

Griffin's ability to fight a local battle while placing it in a national context is significant. Such a strategy was central to the philosophy of Ella Baker, who would become perhaps the most significant female civil rights advocate as the battle for equality moved to the South. As historian Charles Payne aptly demonstrates in his history of the Mississippi Freedom struggle, "Helping people see the connection between personal troubles and large social issues was a central concern of Miss Baker's." Payne also suggests that the success of the civil rights movement owes a great deal to "the efforts of older activists," such as Baker and Griffin, "who worked in obscurity throughout the 1940s and 1950s." One legacy this older generation of activists left for the new generation was that "through their efforts they had created networks among activists across the state, networks that could facilitate the work of another generation." Special attention should thus be paid to the methods by which Griffin was able to marshal support for her protest.

Griffin's ability to organize benefited from the unconventional marital relationship she enjoyed with her husband Stanley. As their daughter Phyllis recalled, "normally, you know, it's the woman who stands behind the man, that creates the man ... being great in society. And it was flipped in terms of my mom and dad. So there was something that was nontraditional. And my father stood behind my mother spiritually, emotionally, and, most importantly, financially." Both Phyllis and Stanley Griffin Jr. were adamant about the important and largely forgotten role Stanley Griffin Sr. played in advancing civil rights in Iowa. Stanley Griffin's work as a doctor who made house calls to many African Americans and Hispanics in the community helped Edna by widening her network of potential activists, raising her status within the community, and providing her the time and financial resources that enabled her to be an organizer.

The Progressive Party of Iowa offered another key network of potential activists to aid in the protest. During the 1940s progressive forces, including organized labor unions, farmers, and African American organizations, were coalescing and pressing for vigorous enforcement of laws and a more equitable distribution of wealth. By 1948, members of the Progressive Party of Iowa were thinking nationally, coalescing behind Henry Wallace, a native Iowan himself, in an effort to bring the struggle to attain civil rights to the attention of the nation.

The Progressive Party platform was aimed to appeal to farmers, workers, and minorities. In fact, Wallace thought that the roots of racism were in labor and class conflicts. Thus, civil rights appeared prominently in the Iowa Progressive Party's platform. The party pledged "an all-out fight against every manifestation of economic, social, and political discrimination on the basis of race, color, creed, sex, national origin, political beliefs or union membership" and promised particularly "to enforce and to strengthen Iowa civil rights laws." Griffin undoubtedly knew of this pledge and sought to be part of the fight. Wallace's run for president may have given her the opportunity to reach out to new groups of people in her efforts to force Katz to change.

Griffin attempted to fuse the new network of people working with the Progressive Party with the more traditional, established activist network: the Des Moines branch of the NAACP, which had played a crucial role in challenging segregationist practices in Des Moines from 1915 to 1930 and achieved "some important successes that paved the way for modern civil rights agitation."

By 1948, it had become apparent that challenging segregationist policies in the court of law would not be enough to force businesses to cease the policy outright. Griffin relied on the NAACP for her legal fight, but she looked for support from her fellow progressives for the more direct action approaches.

Getting both networks of activists to cooperate was not necessarily easy, and there was considerable tension over who should be credited with the eventual victory over Katz. A Bystander article titled "Local NAACP Tells Support Given in Katz Case" cited a Progressive Party handbill that stated, "The NAACP has never officially gone on record in support of our battle, opened by the Progressive Party of Des Moines, July 7, 1949, against the Katz jim crow policy." Charles Howard, a member of both the NAACP and the Progressive Party, disputed the claim. "The above statement is not true. The NAACP not only officially endorsed the legal fight against Katz, but voted two hundred dollars out of its treasury to aid that fight." As would be true later in the movement, when organizations such as the Southern Christian Leadership Conference and the Student Nonviolent Coordinating Committee would engage in turf battles over how to end discrimination, the different organizations involved in the civil rights struggle in Iowa in the late 1940s also had an uneasy relationship with each other.

However, what is remarkable about the late 1940s battle against Katz is that, despite the public tensions aired in the Bystander, this particular movement was successful because a constituency of varied interests worked together, as the Bystander's editorial board itself acknowledged.

The NAACP, some Progressive party members and other interested groups stayed on the job and saw the efforts through to a successful conclusion ... With this victory secured, those who did this splendid job should move on to other similar situations, keeping their forces in tact [sic] and refusing to quibble over who did the most and/or best work using their energy in furtherance of a united effort for future activities.

The NAACP appears to have committed the most resources toward the legal fight, but it was the Committee-To-End-JimCrow-At-Katz-Drugstore, an interracial group of liberals, that seems to have applied the economic pressure through boycotts, sit-ins, and picketing that made an eventual agreement with Katz possible.

Griffin formed the committee after her victory in the civil case against Katz on October 15, 1949. The formation of the committee merely formalized the direct action protests that Griffin had initiated and participated in soon after the July 7 incident. Yet the committee was significant in that it represented an early model of the sort of mass mobilizations and direct action that would make future civil rights movements so successful two decades later in the South. Documents pertaining to the committee

provide further evidence of Griffin's desire to cast her efforts against Katz as a small part of a larger battle. In a Bystander article detailing Katz Drug Store's decision to lift its ban on serving black patrons, Griffin is quoted as saying that she sought specifically to attract members of other political parties to join the Committee-to-End-Jim-Crow-At Katz-Drugstore. Organizers of the group even attended a conference sponsored by the National Conference of Christians and Jews to present handbills to members detailing Katz's discriminatory practices. This interracial, multireligious, multiparty committee met on Saturdays to send waves of members to sit in at Katz while other members remained outside to protest and hand out bills stating "Katz is More Powerful than Iowa" to passersby.

The committee also helped those members who were denied service by Katz employees file additional lawsuits against the company to keep the pressure on. Griffin herself filed a second lawsuit against Katz on November 12, 1949, demanding that the district court revoke Katz's restaurant and cigarette licenses and declare the company a "chronic law violator." Four other members of the organization brought suits against Katz the same day.

The pressure on Katz was mounting. Court battles were piling up, and protestors were growing emboldened. Perhaps it was the letter that Griffin wrote (with John Bibbs and Kenny Walker) to the Iowa Bystander, published on December 1, 1949, and inviting "every citizen in Des Moines, both Negro and white, to join us at lunch between the hours of 11:00 a.m. and 2 p.m. each Saturday until the jim crow policy is abandoned" that finally forced Katz to see the writing on the wall. On December 2, Katz settled out of court, agreeing to pay \$1,000 and to end the store's discriminatory practices. As the Bystander reported, Negro patrons entered the store on December 3 and "began receiving courteous service at the Katz Drug store luncheonette."

The battle had been won.

AFTER YEARS OF DRIFTING around to various locales, Edna Griffin had planted her roots firmly in Des Moines. She remained there for the rest of her life, a committed activist until her death in 2000. After her successful role in the Katz struggle, she continued to be an advocate for the dispossessed and an irritant to those in power.

While the struggle against Katz continued, Griffin was also pushing for the passage of a bill before the state legislature that would provide for a Fair Employment Practices Committee. That committee would ensure that businesses did not discriminate in their hiring practices. According to FBI internal documents, Griffin gave a speech in July 1949 to an audience of about 120 people at a Methodist church in Des Moines, urging parishioners to support the bill. She was also very interested in criminal justice, and sought to provide financial, emotional, and organizational support to African Americans in Iowa who may have been falsely convicted of crimes. According to FBI files, Griffin was elected vicechair of the Iowa Progressive Party in June 1950, and in that capacity she "would stump the state" to raise funds and support for Terry Lee Sims, a Sioux City man who had been convicted of the rape of a white girl. The next year, Griffin appeared as a speaker before the 1951 state convention of the Iowa Farmer's Union, demonstrating how wide and varied the constituencies she worked with were.

Griffin was also active on a national scale. She sought contributions to send to the national center of the Communist Party USA on behalf of 11 Americans whose Communist affiliation got them in trouble with the law. She also was active in collecting signatures for a petition to outlaw the atomic bomb and to keep American troops out of the Korean War. In the spring of 1951, Griffin helped members of the Midwest Bag and Burlap Company unionize and gave them advice on how to conduct a strike. The next year she joined the campaign to elect Paul Robeson as the Progressive Party's nominee for president of

the United States, despite her fears that white liberals would not support a black president. Three years later, in a letter in the Des Moines Register, Griffin analyzed the case against Ethel and Julius Rosenberg and cast doubt on the accusations.

A 1957 FBI report on Griffin cited her as an “active member of the PTA, NAACP, ACLU, League of Women Voters, and other local organizations through which she campaigns for FEPC [Fair Employment Practices Committee] in Iowa.” These alliances hardly amounted to a threat against national security (although her position as a “leading Communist party member in Iowa, outside of the Quad Cities,” certainly concerned federal officials), but they do offer evidence of the variety of methods Griffin used to push for civil rights and social justice. One FBI agent assigned to trace Griffin’s activities reported (in a manner that seems quite complimentary in retrospect) that “she should not be underestimated as an individual. She is a very capable and intelligent person. She manages to get along with people and is always fighting for some noble cause.”

One of her noble causes was to push for an end to racial discrimination in housing. In 1958 and 1959, she joined the NAACP, the venerable organization that she once feared took too much credit for civil rights work being done in Iowa, as the chair of the Housing Committee. On January 4, 1959, she was the first person to speak at a city council meeting scheduled to talk specifically about racial discrimination in Des Moines housing.

By the 1960s, civil rights were being discussed in communities throughout the nation, and civil rights activities, in the South particularly, were gaining national attention. Just as in Des Moines, the southern civil rights movements were largely home-grown and led by local leaders. Yet Griffin’s story demonstrated that northern liberals needed to remain vigilant against the discrimination that continued to plague their own communities (while also offering moral support to their brothers and sisters in arms fighting more dangerous battles in the South). Griffin founded Des Moines’s chapter of the Congress of Racial Equality (CORE) in 1963, and from her post sought to address many issues facing black Iowans. In her communications as the leader of CORE she recorded her first recollections of her involvement in the Katz struggle. In a letter to James McCain at CORE’s national office, she remarked, in response to a proposal to send national leaders to Des Moines to hold a workshop on nonviolence, “We would appreciate very much as we plan to deal with discrimination in eating places which we thought we had straight. Our first sit-in took place here in 1949 under my direction.”

Like the Americans who participated in the well-known later movements — the Birmingham bus boycott, the Selma march, the Greensboro sit-ins — Griffin demonstrated considerable courage in waging her battle against Katz, even though she was not likely to admit it. In her later recollections about her fight against Katz, Griffin always took pains to point out that her activism was far less dangerous than the work done by civil rights workers in the South in the 1950s and 1960s. In 1989 she told Ben Stone of the Iowa Civil Liberties Union that her efforts against Katz should not be compared with the efforts of civil rights advocates working in the Deep South, since those activists “put their lives on the line to get served” while she and her friends had the support of Iowa civil rights legislation. Privately, though, Griffin had been targeted by white supremacist groups. FBI internal memos reveal that, during her time fighting against Katz, “she received a letter signed ‘KKK’ which threatened her life.” Griffin had given the letter to the police, who then gave it to the FBI, but Griffin never publicly revealed the existence of the letter when she began receiving accolades for her activism in the late 1990s, suggesting that she wanted to downplay the risks she faced due to her activism.

Although Martin Luther King Jr. would not have heard of Edna Griffin in 1954 when he rose to prominence as a leader of the Montgomery bus boycott, the particular strategies his movement used

and subsequently popularized were the same tactics Griffin used in her struggle against Katz: appeals to the conscience of apathetic whites, use of the courts and economic boycotts, and the cultivation of social networks to spread word of the movement. It was thus only appropriate that Griffin organized a group of lowans to travel to the March on Washington to hear King's most famous speech in August 1963, and even more appropriate that she had a refined sense of the historical context of the event: "You would think Dr. King had done most of it by himself," she protested in an interview in 1986. "That was not true ... It was the help of the young people. He wouldn't have made it without them." Having been a grassroots activist herself, Griffin knew how social movements succeeded, and even later in her life sought to correct the top-down emphasis placed on histories of the movements she and thousands of others helped make possible.

Griffin likely felt that her work was never done. She was "able to see the larger movement, and I think that's what kept her moving forward," reflected Phyllis Griffin. "She was never interested in stopping, because she saw how much work needed to be done." The task of extending civil rights to all Americans, Griffin knew, was a work still very much in progress.

That work continues today. The scholar-activist Cornel West has suggested that one way to continue to advocate for social justice is to hold up as models those courageous individuals who lived their lives in a spiritually mature manner. Edna it took the state of Iowa 50 years to realize it. On July 7, 1998, however, leaders from across the state came back to the intersection of 7th and Locust in Des Moines to hold a ceremony commemorating Edna Griffin, John Bibbs, and Leonard Hudson for the courage they had shown a half-century earlier in forcing the city to live up to its ideals. A plaque was unfurled labeling the spot of the

"Civil Rights Victory," and the building that then stood where Katz Drug Store once stood was renamed the Edna Griffin Building. The woman who was perceived as such a threat to the government that FBI officials followed her for 17 years had proven to be ahead of her time; the rest of the state had finally caught up. The woman who had fought the establishment ultimately earned its begrudging respect.

Thus, in May 2004, several of Iowa's top lawmakers, including Lieutenant Governor Sally Pederson and U.S. Representative Leonard Boswell, met with Edna Griffin's three children, a group of elementary school children, representatives of the Iowa Department of Transportation, and several others to inaugurate the Edna Griffin Bridge, a beautiful blue footbridge near the state capitol that allows citizens to safely cross I-235. A bridge is an apt metaphor for Edna Griffin, a woman whose action helped put to rest the segregationist policies of Katz Drug Company, and who, in doing so, helped usher in a new era of civil rights activism marked by mass mobilization and a firm commitment to nonviolent direct action.