

The attack has also been carried into two areas in which the First Reconstruction radicals made no serious effort: segregation in the armed services and in the public schools.

With no more perspective than we have as yet upon this Second Reconstruction it would be rash to attempt any definitive assessment of its effectiveness, of the motives behind it, or of its importance and meaning in Southern history. It may well be that after a few generations the historians will conclude that, compared with the contemporaneous abandonment of the one-crop system and sharecropping, or the rapid pace of urbanization, automation, and industrialization, the crumbling of the segregation system was of relatively minor historical significance.

What the perspective of years will lend to the meaning of change we cannot know. We can, however, recognize and define the area and extent of change. I shall even be so bold as to maintain that recent changes are of sufficient depth and impact as to define the end of an era of Southern history. Admittedly they do not define an end and a beginning so sharply as the events of 1865 or 1877, though we now know that the dramatic suddenness and extent of the changes wrought by those events have been exaggerated. Granting all that, if the earlier eras of revolutionary change can be compared with waterfalls in the stream bed of Southern history, then we are perhaps justified in speaking of the most recent era as one of rapids—and fairly precipitous rapids at that.

Of Old Regimes and Reconstructions

The long experience of slavery in America left its mark on the posterity of both slave and master and influenced relations between them more than a century after the end of the old regime. Slavery was only one of several ways by which the white man has sought to define the Negro's status, his 'place,' and assure his subordination. Exploitation of the Negro by the white man goes back to the beginning of relations between the races in modern times, and so do the injustices and brutalities that accompany exploitation. Along with these practices and in justification and defense of them, were developed the old assumptions of Anglo-Saxon superiority and innate African inferiority, white supremacy and Negro subordination. In so far as segregation is based on these assumptions, therefore, it is based on the old pro-slavery argument and has its remote ideological roots in the slavery period.

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In most aspects of slavery as practiced in the ante-bellum South, however, segregation would have been an inconvenience and an obstruction to the functioning of the system. The very nature of the institution made separation of the races for the most part impracticable. The mere policing of slaves required that they be kept under more or less constant scrutiny, and so did the exaction of involuntary labor. The supervision, maintenance of order, and physical and medical care of slaves necessitated many contacts and encouraged a degree of intimacy between the races unequaled, and often held distasteful, in other parts of the country. The system imposed its own type of interracial contact, unwelcome as it might be on both sides.

With house servants the old type of intimacy was further enhanced. 'Before and directly after the [Civil] war,' W. E. B. Du Bois has written (with some exaggeration, to be sure), 'when all the best of the Negroes were domestic servants in the best of the white families, there were bonds of intimacy, affection, and sometimes blood relationship, between the races. They lived in the same home, shared in the family life, often attended the same church, and talked and conversed with each other.' It is doubtful, however, that much personal association of this type extended beyond the household servants, and this class constituted a very small proportion of the slaves. The great bulk of the bondsmen, the field hands,

shared little but the harsher aspects of contact with white people. There is not much in the record that supports the legend of racial harmony in slavery times, but there is much evidence of contact.

In so far as the Negro's status was fixed by enslavement there was little occasion or need for segregation. But within the slavery regime itself there were Negroes whose status was not established by slavery. These were the few hundred thousand free, or quasi-free, Negroes. It was in the treatment accorded these people that the slave states came nearest to foreshadowing segregation. Denied full rights and privileges of citizens, deprived of equality in the courts, and restricted in their freedom of assembly and freedom of movement, the so-called free Negro shared many of the deprivations of the slave. In addition, measures of ostracism were leveled at members of this class to emphasize their status. Free Negroes tended to concentrate in cities, and the urban slaves were subjected to some of the same measures of ostracism and separation to which their free brothers were prone.

Urban life was a small and untypical aspect of the culture of the Old South, and urban slavery was an even more untypical aspect of the Peculiar Institution. In a history of segregation, however, the urban experience requires special attention. Richard C. Wade in *Slavery in the Cities*, has produced evidence of a rudimentary pattern of segregation in some of the larger cities of the slave states. The pattern was not uniform, and segregation was never complete. It did not always have the force of law, and enforcement was not rigid. But segregation

in some of its modern aspects unmistakably appeared in ante-bellum Southern cities. Hotels and restaurants were generally off limits for all Negroes, free or slave, and Negroes were usually discriminated against in public conveyances, though the races were mixed in some towns and Negroes were entirely excluded in others. Hospitals, jails, and public buildings regularly separated the Negroes when they were accommodated at all. As racially mixed as New Orleans was, the Opera House confined Negro patrons to the upper tiers of boxes. Charleston, Richmond, and Savannah excluded them from certain public grounds and gardens or limited them to certain hours.

The very appearance of segregation in the cities, however, was a reaction to an opposite condition of racial mixing. For in the cities of the slave states the races lived in closer physical proximity and greater intimacy of contact and association than they did in any other part of America. 'In every city in Dixie,' writes Wade, 'blacks and whites lived side by side, sharing the same premises if not equal facilities and living constantly in each other's presence.' The typical dwelling of a slave-owning family was a walled compound shared by both master and slave families. Neither non-slaveholding whites nor free Negroes escaped this intimacy, for they were 'sprinkled through most parts of town and surrounded by people of both races.' In spite of changes in the ratio of races which resulted in some racial concentration by 1860, the pattern of residential intermixture prevailed to the end of slavery—and did not disappear quickly

thereafter. The pattern was the same in all cities. 'In no case did anything like full residential segregation emerge,' concludes Wade. 'Few streets, much less blocks, were solidly black.' Nothing quite comparable existed in Northern cities at that time or since.

The purpose, of course, was the convenience of the masters and the control of the subject race. But the result of this and other conditions of urban living was an overlapping of freedom and bondage that menaced the institution of slavery and promoted a familiarity and association between black and white that challenged caste taboos. The celebrated masked balls and other casual relations between races in New Orleans were popularly attributed to exotic Latin influences. 'Actually,' says Wade, 'what visitors noticed about New Orleans was true of urban life throughout the South.' Every Southern city had its demimonde, and regardless of the law and the pillars of society, the two races on that level foregathered more or less openly in grog shops, mixed balls, and religious meetings. Less visibly there thrived 'a world of greater conviviality and equality.' Under cover of night, 'in this nether world blacks and whites mingled freely, the conventions of slavery were discarded,' and 'not only did the men find fellowship without regard to color in the tipping shops, back rooms, and secluded sheds, but the women of both races joined in.' The police blotters of the period are cluttered with evidence of this, but they bear witness only of the sinners who were caught.

In addition to urban factors of proximity there are

important demographic data that help account for intimate interracial association at various levels. In all the Southern cities during the four decades prior to 1860 there was a striking imbalance of the sexes in both races. The significant fact is that the imbalance in one race was the reverse of that in the other. Among whites, especially in the cities west of the seaboard states, there was a great preponderance of men over women, always a phenomenon of rapid urban growth. Among blacks, on the other hand, there was a great preponderance of women over men, occasioned by the practice of selling off young males to the country. Among both races the shortage was always greatest among young adults. This situation helps to account for a considerable amount of cohabitation between white men and Negro women and a growing population of mulattoes. While the census of 1860 listed 12 per cent of all the colored people in the South as 'mulattoes,' the percentage of them in the cities was much larger, often three or four times as large.

On balance, then, the urban contribution to racial segregation in the South would seem to be less impressive than the encouragement that city conditions gave to interracial contact, familiar association, and intimacy. In any case, it would be a mistake to place too much emphasis on the urban experience, either as evidence of segregation or the opposite tendency. For the civilization of the Old South was overwhelmingly rural, and urban life was quite untypical of it. Five Southern states did not have a town with as much as 10,000 population in 1860, and only 7.8 of the total population, and an even

smaller percentage of the Negroes, lived in towns as large as 4000.

City life proved to be clearly hostile to slavery. It corroded the master's authority, diminished his control, and blurred the line between freedom and bondage. Slavery was declining rapidly in vitality and numbers in all the cities during the last forty years of its existence. While slaves made up 20 per cent or more of the ten major slave-holding cities in 1820, they accounted for less than 10 per cent by 1860. By that time they composed less than 2 per cent of the total slave population. A larger percentage of the free Negroes lived in cities, but their number was never great. The proportion of both white and slave population involved in the urban experience was therefore quite small. The great mass of both races was completely untouched by it, and relations between them were shaped by another environment, to which segregation had little relevance.

2

Segregation in complete and fully developed form did grow up contemporaneously with slavery, but not in its midst. One of the strangest things about the career of Jim Crow was that the system was born in the North and reached an advanced age before moving South in force. Without forgetting evils peculiar to the South, one might consider Northern conditions with profit.

By 1830 slavery was virtually abolished by one means or another throughout the North, with only about 3500

Negroes remaining in bondage in the nominally free states. No sectional comparison of race relations should be made without full regard for this difference. The Northern free Negro enjoyed obvious advantages over the Southern slave. His freedom was circumscribed in many ways, as we shall see, but he could not be bought or sold, or separated from his family, or legally made to work without compensation. He was also to some extent free to agitate, organize, and petition to advance his cause and improve his lot.

For all that, the Northern Negro was made painfully and constantly aware that he lived in a society dedicated to the doctrine of white supremacy and Negro inferiority. The major political parties, whatever their position on slavery, vied with each other in their devotion to this doctrine, and extremely few politicians of importance dared question them. Their constituencies firmly believed that the Negroes were incapable of being assimilated politically, socially, or physically into white society. They made sure in numerous ways that the Negro understood his 'place' and that he was severely confined to it. One of these ways was segregation, and with the backing of legal and extra-legal codes, the system permeated all aspects of Negro life in the free states by 1860.

Leon F. Litwack, in his authoritative account, *North of Slavery*, describes the system in full development. 'In virtually every phase of existence,' he writes, 'Negroes found themselves systematically separated from whites. They were either excluded from railway cars, omnibuses, stagecoaches, and steamboats or assigned to special "Jim

Crow" sections; they sat, when permitted, in secluded and remote corners of theaters and lecture halls; they could not enter most hotels, restaurants, and resorts, except as servants; they prayed in "Negro pews" in the white churches, and if partaking of the sacrament of the Lord's Supper, they waited until the whites had been served the bread and wine. Moreover, they were often educated in segregated schools, punished in segregated prisons, nursed in segregated hospitals, and buried in segregated cemeteries.'

In very few instances were Negroes and other opponents of segregation able to make any progress against the system. Railroads in Massachusetts and schools in Boston eliminated Jim Crow before the Civil War. But there and elsewhere Negroes were often segregated in public accommodations and severely segregated in housing. Whites of South Boston boasted in 1847 that 'not a single colored family' lived among them. Boston had her 'Nigger Hill' and her 'New Guinea,' Cincinnati her 'Little Africa,' and New York and Philadelphia their comparable ghettos—for which Richmond, Charleston, New Orleans, and St. Louis had no counterparts. A Negro leader in Boston observed in 1860 that 'it is five times as hard to get a house in a good location in Boston as in Philadelphia, and it is ten times as difficult for a colored mechanic to get work here as in Charleston.'

Generally speaking, the farther west the Negro went in the free states the harsher he found the proscription and segregation. Indiana, Illinois, and Oregon incorporated in their constitutions provisions restricting the ad-

mission of Negroes to their borders, and most states carved from the old Northwest Territory either barred Negroes in some degree or required that they post bond guaranteeing good behavior. Alexis de Tocqueville was amazed at the depth of racial bias he encountered in the North. 'The prejudice of race,' he wrote, 'appears to be stronger in the states that have abolished slavery than in those where it still exists; and nowhere is it so intolerant as in those states where servitude has never been known.'

Racial discrimination in political and civil rights was the rule in the free states and any relaxation the exception. The advance of universal white manhood suffrage in the Jacksonian period had been accompanied by Negro disfranchisement. Only 6 per cent of the Northern Negroes lived in the five states—Massachusetts, New Hampshire, Vermont, Maine, and Rhode Island—that by 1860 permitted them to vote. The Negro's rights were curtailed in the courts as well as at the polls. By custom or by law Negroes were excluded from jury service throughout the North. Only in Massachusetts, and there not until 1855, were they admitted as jurors. Five Western states prohibited Negro testimony in cases where a white man was a party. The ban against Negro jurors, witnesses, and judges, as well as the economic degradation of the race, help to explain the disproportionate numbers of Negroes in Northern prisons and the heavy limitations on the protection of Negro life, liberty, and property.

By the eve of the Civil War the North had sharply de-

fining its position on white supremacy, Negro subordination, and racial segregation. The political party that took control of the federal government at that time was in accord with this position, and Abraham Lincoln as its foremost spokesman was on record with repeated endorsements. He knew the feelings of 'the great mass of white people' on Negroes. 'A universal feeling, whether well or ill-founded, can not be safely disregarded. We can not, then, make them equals.' In 1858 he had elaborated this view. 'I will say then that I am not, nor ever have been in favor of bringing about in any way the social and political equality of the white and black races [applause]—that I am not nor ever have been in favor of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people, and I will say in addition to this that there is a physical difference between the black and white races which I believe will for ever forbid the two races living together on terms of social and political equality. And inasmuch as they cannot so live, while they do remain together there must be the position of superior and inferior, and I as much as any other man am in favor of having the superior position assigned to the white race.'

It is clear that when its victory was complete and the time came, the North was not in the best possible position to instruct the South, either by precedent and example, or by force of conviction, on the implementation of what eventually became one of the professed war aims of the Union cause—racial equality.

3

In the South the traumatic experiences of Civil War, invasion, defeat, emancipation, occupation, and reconstruction had profound and complex—sometimes contradictory—effects on racial relations. The immediate response to the collapse of slavery was often a simultaneous withdrawal of both races from the enforced intimacy and the more burdensome obligations imposed by the old regime on each. Denied the benefits of slavery, whites shook off its responsibilities—excess hands, dependents too old or too ill or too young to work, tenants too poor to pay rent. Freedmen for their part often fled old masters and put behind them old grievances, hatreds, and the scene of old humiliations. One of the most momentous of racial separations was the voluntary withdrawal of the Negroes from the white-dominated Protestant churches, often over white protest, in order to establish and control their own separate religious institutions. In these and other ways the new order added physical distance to social distance between the races.

The separations were not all voluntary. Whites clung unwaveringly to the old doctrine of white supremacy and innate Negro inferiority that had been sustained by the old regime. It still remained to be seen what institutions or laws or customs would be necessary to maintain white control now that slavery was gone. Under slavery, control was best maintained by a large degree of physical contact and association. Under the strange new order

the old methods were not always available or applicable, though the contacts and associations they produced did not all disappear at once. To the dominant whites it began to appear that the new order required a certain amount of compulsory separation of the races.

The temporary anarchy that followed the collapse of the old discipline produced a state of mind bordering on hysteria among Southern white people. The first year a great fear of black insurrection and revenge seized many minds, and for a longer time the conviction prevailed that Negroes could not be induced to work without compulsion. Large numbers of temporarily uprooted freedmen roamed the highways, congested in towns and cities, or joined the federal militia. In the presence of these conditions the provisional legislatures established by President Johnson in 1865 adopted the notorious Black Codes. Some of them were intended to establish systems of peonage or apprenticeship resembling slavery. Three states at this time adopted laws that made racial discrimination of various kinds on railroads. Mississippi gave the force of law to practices already adopted by railroads by forbidding 'any freedman, negro, or mulatto to ride in any first-class passenger cars, set apart, or used by and for white persons.' Nothing was said about the mixing of races in second-class cars, and no car was required for exclusive use of Negroes. The Florida legislature went a step further the same year by forbidding whites to use cars set apart for use of Negroes, as well as excluding Negroes from cars reserved for whites, but it did not require the railroads to

provide separate cars for either race, nor did it prohibit mixing of the races in smoking cars. Texas carried the development further in 1866 with a law that required all railroad companies to 'attach to passenger trains one car for the special accommodation of freedmen.' These three laws, as well as local ordinances of this character, were on the books only a short while, however, for they were either disallowed by military government or repealed by subsequent legislatures. Regardless of the law, the discriminatory practice of denying Negroes the use of first-class accommodations nevertheless continued on many railroads throughout Reconstruction and beyond. Not until the arrival of the full Jim Crow system much later, however, was the separation of the races required in second-class coaches or universal in first-class cars.

Other aspects of segregation appeared early and widely and were sanctioned by Reconstruction authorities. The most conspicuous of these was the segregation of the public schools. While the law might not provide for it and individuals might deplore it, segregation of the schools nevertheless took place promptly and prevailed continuously. There were very few exceptions. The only notable one was the public schools of New Orleans, which were thoroughly and successfully integrated until 1877. Attempts elsewhere were probably restrained by the knowledge that the whites would withdraw if integration were attempted. This in fact did occur at times when desegregation of colleges and other institutions was attempted. This situation prevailed

generally throughout major government-supported services and facilities. The law sometimes provided for separate facilities for the races during Reconstruction. But even when this was not the case, and when both races were housed in the same jails, hospitals, or asylums, they were usually quartered in separate cells, floors, or wings. All these practices, legal or extra-legal, had the consent or at least the acquiescence of the Reconstruction governments.

In view of the degree of racial separation developed during Reconstruction, some historians have concluded that the full-blown Jim Crow system sprang up immediately after the end of slavery to take the place of the Peculiar Institution. In a full and interesting study of the Negro in South Carolina entitled *After Slavery*, Joel Williamson finds that while 'slavery necessitated a constant, physical intimacy,' emancipation precipitated an immediate and revolutionary separation of races. 'Well before the end of Reconstruction,' he writes, 'separation had crystalized into a comprehensive pattern which, in its essence, remained unaltered until the middle of the twentieth century.'

The experience of South Carolina may have been exceptional in some respects. But in most parts of the South, including South Carolina, race relations during Reconstruction could not be said to have crystalized or stabilized nor to have become what they later became. There were too many cross currents and contradictions, revolutionary innovations and violent reactions. Racial relations of the old-regime pattern often persisted stub-

bornly into the new order and met head-on with interracial encounters of an entirely new and sometimes equalitarian type. Freedman and white man might turn from a back-door encounter of the traditional sort to a strained man-to-man contact of the awkward new type within the same day. Black faces continued to appear at the back door, but they also began to appear in wholly unprecedented and unexpected places—in the jury box and on the judge's bench, in council chamber and legislative hall, at the polls and the market place. Neither of these contrasting types of contact, the old or the new, was stable or destined to endure for very long, but for a time old and new rubbed shoulders—and so did black and white—in a manner that differed significantly from Jim Crow of the future or slavery of the past.

What happened in North Carolina was a revelation to conservative whites. 'It is amazing,' wrote Kemp Battle of Raleigh, 'how quietly our people take negro juries, or rather negroes on juries.' Randolph Shotwell of Rutherfordton was dismayed on seeing 'long processions of countrymen entering the village by the various roads mounted and afoot, whites and blacks marching together, and in frequent instances arm-in-arm, a sight to disgust even a decent negro.' It was disturbing even to native white radicals, as one of them admitted in the *Raleigh Standard*, to find at times 'the two races now eat together at the same table, sit together in the same room, work together, visit and hold debating societies together.' It is not that such occurrences were typical or

very common, but that they could happen at all that was important.

Southern Negroes responded to news of the Reconstruction Act of March 1867 with numerous demonstrations against incipient Jim Crowism. In New Orleans they demonstrated so vigorously and persistently against the Jim Crow 'Star Cars' established in 1864 that General Phil Sheridan ordered an end to racial discrimination on street cars in May 1867. Similar demonstrations and what would now be called 'sit-ins' brought an end about the same time to segregated street cars in Richmond, Charleston, and other cities. One of the strongest demands of the freedmen upon the new radical state legislatures of 1868 in South Carolina and Mississippi was for civil rights laws that would protect their rights on common carriers and public accommodations. The law makers of those states and others responded with comprehensive anti-discrimination statutes. Their impact was noted in South Carolina in 1868 by Elizabeth H. Botume, a Northern teacher, on a previously segregated river steamer from Charleston to Beaufort. She witnessed 'a decided change' among Negro passengers, previously excluded from the upper deck. 'They were everywhere,' she wrote, 'choosing the best staterooms and best seats at the table. Two prominent colored members of the State Legislature were on board with their families. There were also several well-known Southerners, still uncompromising rebels. It was a curious scene and full of significance.' In North Carolina shortly after

the adoption of the Federal Civil Rights Act of 1875 Negroes in various parts of the state successfully tested their rights in railroads, steamboats, hotels, theaters, and other public accommodations. One Negro took the railroad from Raleigh to Savannah and reported no difficulty riding and dining unsegregated. Future Congressman James E. O'Hara, a Negro, successfully integrated a steamer from Greenville to Tarboro.

As a rule, however, Negroes were not aggressive in pressing their rights, even after they were assured them by law and protected in exercising them by the federal presence. It was easier to avoid painful rebuff or insult by refraining from the test of rights. Negroes rarely intruded upon hotels or restaurants where they were unwelcome. Whites often withdrew from desegregated facilities or cut down their patronage. Negro spokesmen constantly reiterated their disavowal of aspirations for what they called 'social equality,' and insisted that they were concerned only for 'public equality,' by which they apparently meant civil and political rights. Actually there is little evidence of racial mixing on social occasions during Reconstruction, though there was much mixing on public occasions, particularly of a political character. Native white Republicans were conscious of their minority status and their desperate need for black support. As one of them wrote the Governor of Alabama, 'we must have men who will mix with the negroes & tell them of their rights. If we don't have such men, we will be defeated.' Such men, native white Ala-

bamians, were found, and they worked with a will across the color line.

It would be wrong to exaggerate the amount of interracial association and intimacy produced during Reconstruction or to misconstrue its character and meaning. If the intimacy of the old regime had its unhappy and painful aspects, so did that of the new order. Unlike the quality of mercy, it was strained. It was also temporary, and it was usually self-conscious. It was a product of contrived circumstances, and neither race had time to become fully accustomed to the change or feel natural in the relationship. Nevertheless, it would be a mistaken effort to equate this period in racial relations with either the old regime of slavery or with the future rule of Jim Crow. It was too exceptional. It is impossible to conceive of innumerable events and interracial experiments and contacts of the 1860's taking place in the 1900's. To attempt that would be to do violence to the nuances of history.

II

Forgotten Alternatives

The Redeemers who overthrew Reconstruction and established 'Home Rule' in the Southern states conducted their campaign in the name of white supremacy. The new rulers did not, however, inaugurate any revolution in the customs and laws governing racial relations. They retained such segregation practices as had grown up during Reconstruction, but showed no disposition to expand or universalize the system. Separation of the races continued to be the rule in churches and schools, in military life and public institutions as it had been before. And as the new governments added what few new public services they built—schools, hospitals, asylums, and the like—they applied existing practices of segregation, sometimes by law and sometimes without. But the new order represented no striking departures in this respect.

After Redemption the old and the new in race rela-

tions continued to overlap as they had during Reconstruction. The old heritage of slavery and the new and insecure heritage of legal equality were wholly incompatible as ideas, but each in its own way assured a degree of human contact and association that would pass with the fading of the old heritage and the eventual destruction of the new. Race relations after Redemption were an unstable interlude before the passing of these old and new traditions and the arrival of the Jim Crow code and disfranchisement.

One heritage of the old order that persisted far into the new was the pattern of residential mixture in the older cities and towns. A Northern reporter remarked with puzzlement in 1880 upon 'the proximity and confusion, so to speak, of white and negro houses' in both the countryside and cities of South Carolina. This pattern of 'proximity and confusion' continued for decades in the older parts of the South. Another heritage of the old order that kept physical contact between the races from becoming an issue and an irritant was both psychological and economic. The Negro bred to slavery was typically ignorant and poor and was not given to pressing his rights to such luxuries as hotels, restaurants, and theaters even when he could afford them or was aware of them. So far as his status was concerned, there was little need for Jim Crow laws to establish what the lingering stigma of slavery—in bearing, speech, and manner—made so apparent.

At the same time the more confident, assertive, and ambitious members of the race had not forgotten the

vision of civil rights and equality that Reconstruction had inspired. Still fresh in their memories was an exhilarating if precarious taste of recognition and power. The hopes and expectations aroused by these experiences had been dimmed but not extinguished by the Compromise of 1877. The laws were still on the books, and the whites had learned some measure of accommodation. Negroes still voted in large numbers, held numerous elective and appointive offices, and appealed to the courts with hope for redress of grievances. Under these circumstances a great deal of variety and inconsistency prevailed in race relations from state to state and within a state. It was a time of experiment, testing, and uncertainty—quite different from the time of repression and rigid uniformity that was to come toward the end of the century. Alternatives were still open and real choices had to be made.

A thorough study by Charles E. Wynes, *Race Relations in Virginia*, finds that in this state 'the most distinguishing factor in the complexity of social relations between the races was that of inconsistency. From 1870 to 1900, there was no generally accepted code of racial mores.' During those three decades, according to this study, 'at no time was it the general demand of the white populace that the Negro be disfranchised and white supremacy be made the law of the land.' Until 1900, when a law requiring the separation of the races on railroad cars was adopted by a majority of one vote, 'the Negro sat where he pleased and among the white passengers on perhaps a majority of the state's railroads.' There were

exceptions, but 'they became fewer and fewer' toward the end of the period. The same was true of the street cars. In other public accommodations and places of entertainment the black patron often met with rebuff and sometimes eviction, but not always, for 'occasionally the Negro met no segregation when he entered restaurants, bars, waiting rooms, theatres, and other public places of amusement.' There were risks, but no firm policy of exclusion, and this 'led many Negroes to keep trying for acceptance, just as it led at least some whites to accept them.' There were crosscurrents and uncertainties on both sides, but in spite of this there remained a considerable range of flexibility and tolerance in relations between the races in Virginia between 1870 and 1900.

More than a decade was to pass after Redemption before the first Jim Crow law was to appear upon the law books of a Southern state, and more than two decades before the older states of the seaboard were to adopt such laws. There was much segregation and discrimination of an extra-legal sort before the laws were adopted in all the states, but the amount of it differed from one place to another and one time to another, just as it did in Virginia.

The individual experiences and the testimony regarding them presented below are not offered as conclusive evidence or as proof of a prevailing pattern. They are the observations of intelligent men with contrasting backgrounds and origins about a fluid, continually changing, and controversial situation. It would be perfectly possible to cite contemporary experiences and

testimony of a contrasting character. To appreciate the significance of the following episodes and experiences one has only to attempt to imagine any of them occurring in any of the states concerned at any time during the first half of the twentieth century. The contrast will be less immediately apparent, and perhaps even lost, to those whose personal experience and memory does not extend back quite so remotely as the 1940's, but they might ask confirmation from their elders.

1

Suspensions of the South's intentions toward the freedmen after the withdrawal of federal troops were naturally rife in the North. In 1878 Colonel Thomas Wentworth Higginson went south to investigate for himself. The report of his findings, published in the *Atlantic Monthly*, is of particular interest in view of the Colonel's background. One of the most militant abolitionists, Higginson had lost some of his zeal, but he had been one of the 'Secret Six' who conspired with John Brown before the Harpers Ferry raid, and during the war he had organized and led a combat regiment of Negro troops. In Virginia, South Carolina, and Florida, the states he visited in 1878, he found 'a condition of outward peace' and wondered immediately if there did not lurk beneath it 'some covert plan for crushing or reënslaving the colored race.' If so, he decided, it would 'show itself in some personal ill usage of the blacks, in the withdrawal of privileges, in legislation endangering their rights.' But,

he reported, 'I can assert that, carrying with me the eyes of a tolerably suspicious abolitionist, I saw none of these indications.' He had expected to be affronted by contemptuous or abusive treatment of Negroes. 'During this trip,' however, he wrote, 'I had absolutely no occasion for any such attitude.' Nor was this due to 'any cringing demeanor on the part of the blacks, for they show much more manhood than they once did.' He compared the tolerance and acceptance of the Negro in the South on trains and street cars, at the polls, in the courts and legislatures, in the police force and militia, with attitudes in his native New England and decided that the South came off rather better in the comparison. 'How can we ask more of the States formerly in rebellion,' he demanded, 'than that they should be abreast of New England in granting rights and privileges to the colored race? Yet this is now the case in the three states I name; or at least if they fall behind in some points, they lead at some points.' Six years later, in a review of the situation in the South, Higginson found no reason to change his estimate of 1878.

The year 1879 provides testimony to the point from a foreign observer. Sir George Campbell, a member of Parliament, traveled over a large part of the South, with race relations as the focus of his interest. He was impressed with the freedom of association between whites and blacks, with the frequency and intimacy of personal contact, and with the extent of Negro participation in political affairs. He commented with particular surprise

on the equality with which Negroes shared public facilities. He reported some discrimination but remarked that 'the humblest black rides with the proudest white on terms of perfect equality, and without the smallest symptom of malice or dislike on either side. I was, I confess, surprised to see how completely this is the case; even an English Radical is a little taken aback at first.'

In the first year of Redemption a writer who signed himself 'A South Carolinian' in the *Atlantic Monthly* corroborated the observations of the Englishman regarding the Negro's equality of treatment on common carriers, trains, and street cars. 'The Negroes are freely admitted to the theatre in Columbia and to other exhibitions, lectures, etc.,' though the whites avoided sitting with them 'if the hall be not crowded,' he added. 'In Columbia they are also served at the bars, soda water fountains, and ice-cream saloons, but not generally elsewhere.' They were not accepted in hotels and numerous other accommodations.

Twenty years later, in 1897, even though many concessions had by that time been made to racism, a Charleston editor referring to a proposed Jim Crow law for trains could still write: 'We care nothing whatever about Northern or outside opinion in this matter. It is a question for our own decision according to our own ideas of what is right and expedient. And our opinion is that we have no more need for a Jim Crow system this year than we had last year, and a great deal less than we had twenty and thirty years ago.' In his view such a law was

'unnecessary and uncalled for,' and furthermore it would be 'a needless affront to our respectable and well behaved colored people.'

Southern white testimony on the subject has naturally been discounted as propaganda. If only by way of contrast with later views, however, the following editorial from the *Richmond Dispatch*, 13 October 1886, is worth quoting: 'Our State Constitution requires all State officers in their oath of office to declare that they "recognize and accept the civil and political equality of all men." We repeat that nobody here objects to sitting in political conventions with negroes. Nobody here objects to serving on juries with negroes. No lawyer objects to practicing law in court where negro lawyers practice . . . Colored men are allowed to introduce bills into the Virginia Legislature, and in both branches of this body negroes are allowed to sit, as they have a right to sit.' George Washington Cable, the aggressive agitator for the rights of Negroes, protested strongly against discrimination elsewhere, but is authority for the statement made in 1885, that 'In Virginia they may ride exactly as white people do and in the same cars.'

More pertinent, whether typical or not, is the experience of a Negro. In April 1885, T. McCants Stewart set forth from Boston to visit his native state of South Carolina after an absence of ten years. A Negro newspaperman, corresponding editor of the *New York Freeman*, Stewart was conscious of his role as a spokesman and radical champion of his race. 'On leaving Washington, D.C.,' he reported to his paper, 'I put a chip on my

shoulder, and inwardly dared any man to knock it off.' He found a seat in a car which became so crowded that several white passengers had to sit on their baggage. 'I fairly foamed at the mouth,' he wrote, 'imagining that the conductor would order me into a seat occupied by a colored lady so as to make room for a white passenger.' Nothing of the sort happened, however, nor was there any unpleasantness when Stewart complained of a request from a white Virginian that he shift his baggage so that the white man could sit beside him. At a stop twenty-one miles below Petersburg he entered a station dining room, 'bold as a lion,' he wrote, took a seat at a table with white people, and was courteously served. 'The whites at the table appeared not to note my presence,' he reported. 'Thus far I had found travelling more pleasant . . . than in some parts of New England.' Aboard a steamboat in North Carolina he complained of a colored waiter who seated him at a separate table, though in the same dining room with whites. At Wilmington, however, he suffered from no discrimination in dining arrangements. His treatment in Virginia and North Carolina, he declared, 'contrasted strongly with much that I have experienced in dining rooms in the North.' Another contrast that impressed him was the ease and frequency with which white people entered into conversation with him for no other purpose than to pass the time of day. 'I think the whites of the South,' he observed, 'are really less afraid to [have] contact with colored people than the whites of the North.'

Stewart continued his journey southward, rejoicing

that 'Along the Atlantic seaboard from Canada to the Gulf of Mexico—through Delaware, Maryland, Virginia, the Carolinas, Georgia and into Florida, all the old slave States with enormous Negro populations . . . a first-class ticket is good in a first-class coach; and Mr. [Henry W.] Grady would be compelled to ride with a Negro, or, walk.' From Columbia, South Carolina, he wrote: 'I feel about as safe here as in Providence, R.I. I can ride in first-class cars on the railroads and in the streets. I can go into saloons and get refreshments even as in New York. I can stop in and drink a glass of soda and be more politely waited upon than in some parts of New England.' He also found that 'Negroes dine with whites in a railroad saloon' in his native state. He watched a Negro policeman arrest a white man 'under circumstances requiring coolness, prompt decision, and courage'; and in Charleston he witnessed the review of hundreds of Negro troops. 'Indeed,' wrote Stewart, 'the Palmetto State leads the South in some things. May she go on advancing in liberal practices and prospering throughout her borders, and may she be like leaven to the South; like a star unto "The Land of Flowers," leading our blessed section on and on into the way of liberty, justice, equality, truth, and righteousness.'

One significant aspect of Stewart's newspaper reports should be noted. They were written a month after the inauguration of Grover Cleveland and the return of the Democrats to power for the first time in twenty-four years. His paper had opposed Cleveland, and propaganda had been spread among Negro voters that the re-

turn of the Democrats would mean the end of freedmen's rights, if not their liberty. Stewart failed to find what he was looking for, and after a few weeks cut his communications short with the comment that he could find 'nothing spicy or exciting to write.' 'For the life of [me],' he confessed, 'I can't "raise a row" in these letters. Things seem (remember I write seem) to move along as smoothly as in New York or Boston . . . If you should ask me, "watchman, tell us of the night" . . . I would say, "The morning light is breaking."'

So far nearly all the evidence presented has come from the older states of the eastern seaboard. In writing of slavery under the old regime it is common for historians to draw distinctions between the treatment of slaves in the upper and older South and their lot in the lower South and the newer states. In the former their condition is generally said to have been better than it was in the latter. It is worth remarking an analogous distinction in the treatment of the race in the era of segregation. It is clear at least that the newer states were inclined to resort to Jim Crow laws earlier than the older commonwealths of the seaboard, and there is evidence that segregation and discrimination became more generally practiced before they became law. Even so, there are a number of indications that segregation and ostracism were not so harsh and rigid in the early years as they became later.

In his study of conditions in Mississippi, Vernon Wharton reveals that for some years 'most of the saloons served whites and Negroes at the same bar. Many of the restaurants, using separate tables, served both races in

the same room . . . On May 21, 1879, the Negroes of Jackson, after a parade of their fire company, gave a picnic in Hamilton Park. On the night of May 29, "the ladies of the [white] Episcopal Church" used Hamilton Park for a *fete*. After their picnic the Negroes went to Angelo's Hall for a dance. This same hall was used for white dances and parties, and was frequently the gathering place of Democratic conventions . . . Throughout the state common cemeteries, usually in separate portions, held the graves of both whites and Negroes.' Wharton points out, however, that as early as 1890 segregation had closed in and the Negroes were by that date excluded from saloons, restaurants, parks, public halls, and white cemeteries.

At the International Exposition in New Orleans in 1885 Charles Dudley Warner watched with some astonishment as 'white and colored people mingled freely, talking and looking at what was of common interest . . . On "Louisiana Day" in the Exposition the colored citizens,' he reported, 'took their full share of the parade and the honors. Their societies marched with the others, and the races mingled in the grounds in unconscious equality of privileges.' While he was in the city he also saw 'a colored clergyman in his surplice seated in the chancel of the most important white Episcopal church in New Orleans, assisting the service.'

A frequent topic of comment by Northern visitors during the period was the intimacy of contact between the races in the South, an intimacy sometimes admitted to be distasteful to the visitor. Standard topics were the sight

of white babies suckled at black breasts, white and colored children playing together, the casual proximity of white and Negro homes in the cities, the camaraderie of maidservant and mistress, employer and employee, customer and clerk, and the usual stories of cohabitation of white men and Negro women. The same sights and stories had once been favorite topics of comment for the carpetbaggers and before them of the abolitionists, both of whom also expressed puzzlement and sometimes revulsion. What the Northern traveler of the 'eighties sometimes took for signs of a new era of race relations was really a heritage of slavery times, or, more elementally, the result of two peoples having lived together intimately for a long time—whatever their formal relations were, whether those of master and slave, exploiter and exploited, or superior and inferior.

It would certainly be preposterous to leave the impression that any evidence I have submitted indicates a golden age of race relations in the period between Redemption and complete segregation. On the contrary, the evidence of race conflict and violence, brutality and exploitation in this very period is overwhelming. It was, after all, in the 'eighties and early 'nineties that lynching attained the most staggering proportions ever reached in the history of that crime. Moreover, the fanatical advocates of racism, whose doctrines of total segregation, disfranchisement, and ostracism eventually triumphed over all opposition and became universal practice in the South, were already at work and already beginning to establish dominance over some phases of

Southern life. Before their triumph was complete, however, there transpired a period of history whose significance has been neglected. Exploitation there was in that period, as in other periods and in other regions, but it did not follow then that the exploited had to be ostracized. Subordination there was also, unmistakable subordination; but it was not yet an accepted corollary that the subordinates had to be totally segregated and needlessly humiliated by a thousand daily reminders of their subordination. Conflict there was, too, violent conflict in which the advantage lay with the strong and the dominant, as always; but conflict of some kind was unavoidable so long as there remained any contact between the races whatever.

The era of stiff conformity and fanatical rigidity that was to come had not yet closed in and shut off all contact between the races, driven the Negroes from all public forums, silenced all white dissenters, put a stop to all rational discussion and exchange of views, and precluded all variety and experiment in types of interracial association. There were still real choices to be made, and alternatives to the course eventually pursued with such single-minded unanimity and unquestioning conformity were still available.

2

Before the South capitulated completely to the doctrines of the extreme racists, three alternative philosophies of race relations were put forward to compete for the re-

gion's adherence and support. One of these, the conservative philosophy, attracted wide support and was tried out in practice over a considerable period of time. The second approach to the problem, that of the Southern radicals, received able expression and won numerous adherents, but the lack of political success on the part of the radical party of Populism limited the trial by practice of that philosophy to rather inconclusive experiments. The liberal philosophy of race relations, the third approach, received able and forceful expression, but was promptly and almost totally rejected and never put to practice in that period. All three of these alternative philosophies rejected the doctrines of extreme racism and all three were indigenously and thoroughly Southern in origin.

That was true even of the rejected liberal philosophy of George Washington Cable. For Cable had the right, as he said, to speak 'as a citizen of an extreme Southern State, a native of Louisiana, an ex-Confederate soldier, and a lover of my home, my city, and my State, as well as of my country.' He felt that he belonged 'peculiarly to the South,' he said. 'I had shared in every political error of the "Southerner," and had enjoyed whatever benefits the old slaveholding civilization had to offer. A resultant duty bound me to my best conception of the true interest of the South as a whole—the whole South, white and black.' His book, *The Silent South*, published in 1885, was as eloquent, thoroughgoing, and uncompromising a statement of the liberal position on race as appeared anywhere in the nineteenth century. Cable boldly chal-

lenged the Redeemers' philosophy that the South must have 'honest' government before it could aspire to 'free' government, and maintained that there could be neither free nor honest government without equal rights and protection for all citizens—black as well as white. He extended his demand for equality beyond the political sphere and fought discrimination in employment and the administration of justice. He was an outspoken enemy of segregation and the incipient Jim Crowism of his time.

Quite as liberal and more explicitly insistent on racial equality was Lewis Harvie Blair of Richmond. Like Cable a veteran of the Confederate army, Blair was a member of an old and distinguished Virginia family and a prominent and wealthy businessman. In 1889 he published at Richmond his uncompromising attack on racial segregation and injustice and all the dogmas and prejudices that sustained them. The book was entitled, *The Prosperity of the South Dependent upon the Elevation of the Negro*. More advanced than Radical Reconstruction, it called for an end to segregated schools because they branded 'the stigma of degradation' upon Negro children and taught them 'feelings of abasement and of servile fear.' 'The Negro,' wrote Blair, 'must be allowed free access to all hotels and other places of public entertainment; he must be allowed free admittance to all theatres and other places of public amusement; he must be allowed free entrance to all churches, and in all public and official receptions of the president, governor, mayor, etc.; he must not be excluded by a hostile caste

sentiment. In all these things and in all these places he must, unless we wish to clip his hope and crush his self-respect, be treated precisely like the whites, no better, but no worse.' He accompanied these demands by an iconoclastic and derisive attack on the doctrine of white supremacy and Negro inferiority, the plantation myth of slavery, the paternalistic tradition of race relations, the conventional picture of Reconstruction, and the optimistic complacency of the New South school of economics. He concluded with a stern lecture on 'The Duty of the North,' which he urged to clean up its ghettos and 'clear its skirts of the charge of hypocrisy.'

Neither Blair nor Cable attracted a following in the South. Acceptance of their doctrines had to await the development of urban liberalism, which did not arrive in any force until the second quarter of the twentieth century. Our concern here, therefore, is with the other two schools and particularly with the conservatives.

The conservative position never received so articulate and explicit an expression as Cable and Blair gave the liberal philosophy. The tenets of conservatism have to be derived from fragmentary formulations and from policies pursued. The conservative thought of himself as occupying a position between the doctrinaire Negrophile of the left and the fanatical Negrophobe of the right. On the left were the false friends of the freedman, whose zeal for pushing him ahead of himself, for elevating him beyond his proper station in life, and for placing him in high places he was not prepared to fill had brought about his downfall. They were false friends not only because

of an error of judgment but also out of baseness of motive; for they had used their pretended friendship to advance selfish ends of party advantage and private gain. At the opposite pole were the Negrophobe fanatics of the South, who were not satisfied to stop with 'Home Rule' and white government, but would wage aggressive war on the Negro, strip him of basic rights guaranteed him by the Constitution, ostracize him, humiliate him, and rob him of elemental human dignity.

The conservatives reminded the Negro that he had something to lose as well as something to gain and that his Northern champions' exclusive pre-occupation with gains for the Negro had evoked the danger of losing all he had so far gained. The conservative's primary purpose was to conserve. 'The better class of whites,' Wade Hampton told Sir George Campbell, 'certainly want to conserve the negro.' Like other conservatives of the period, the Southern conservatives believed that every properly regulated society had superiors and subordinates, that each class should acknowledge its responsibilities and obligations, and that each should be guaranteed its status and protected in its rights. The conservatives acknowledged that the Negroes belonged in a subordinate role, but denied that subordinates had to be ostracized; they believed that the Negro was inferior, but denied that it followed that inferiors must be segregated or publicly humiliated. Negro degradation was not a necessary corollary of white supremacy in the conservative philosophy.

A blunt and artless statement of the conservative posi-

tion is found in the words of Governor Thomas G. Jones, leader of the conservative wing of the Democratic party of Alabama in the 'nineties. 'The Negro race is under us,' said the Governor. 'He is in our power. We are his custodians . . . we should extend to him, as far as possible, all the civil rights that will fit him to be a decent and self respecting, law-abiding and intelligent citizen . . . If we do not lift them up, they will drag us down.'

It was clearly an aristocratic philosophy of paternalism and *noblesse oblige* that the conservatives preached, and it was inevitable that the attitude should have acquired class associations in the mind of both its advocates and its opponents. When Hampton told Campbell that 'the better class of whites' sought to conserve the Negroes, he added that 'the lower whites are less favorable.' In 1879 a Columbia, South Carolina, editor (quoted by George B. Tindall) put the case too strongly, perhaps, but registered a common view. 'The old slave owner . . . feels no social fear of negro equality,' he wrote. 'He feels no desire to maltreat and brow-beat and spit upon the colored man. He feels no opposition to the education and elevation of the black man in the scale of civilized life.' In the conservative mind distinctions of class sometimes took priority over distinctions of race. Thus in 1885 a Charleston paper remarked that, 'It is a great deal pleasanter to travel with respectable and well-behaved colored people than with unmannerly and ruffianly white men.' And twelve years later the same paper said: 'The common sense and proper arrangement, in our opinion,

is to provide first-class cars for first-class passengers, white and colored . . . To speak plainly, we need, as everybody knows, separate cars or apartments for rowdy or drunken white passengers far more than Jim Crow cars for colored passengers.'

An excessive squeamishness or fussiness about contact with Negroes was commonly identified as a lower-class white attitude, while the opposite attitude was as popularly associated with 'the quality.' When some militiamen of Alabama and Mississippi refused in 1887 to attend a national drill in Washington because Negro troops were to participate, a Jacksonville, Florida, paper chided them as having 'dropped a little behind the spirit of the age.' The editor observed that 'when it comes to adopting a standard of conduct in relation to the treatment of the color question . . . it is more likely that the example of the F. F. V.s will prevail over that of these spirited sons of Alabama and Mississippi. We do not expect *Fitzhugh Lee* to make a blunder in this connection.' And when the same year Negroes protested the discriminatory policy adopted by a Florida railroad, an official of the road replied that the policy 'had to be shaped to suit the crackers, as the road ran through a good deal of territory settled by that class.'

Negroes themselves were perfectly well aware of class differences among whites in this matter of race prejudice. It was this difference that the Negro Congressman John R. Lynch of Mississippi had in mind in his speech on the Civil Rights bill in 1875. 'The opposition to civil rights in the South,' he said, 'is not so general or intense as a

great many would have the country believe. It is a mistaken idea that all of the white people in the South outside of the republican party are bitterly opposed to this bill.' And he pointed to L. Q. C. Lamar, 'my eloquent and distinguished colleague on the other side of the House' as an example of the 'intelligent legislators and well-bred gentlemen' of the opposition in his state. After listening to a debate in the Virginia Assembly in 1877, J. L. M. Curry recorded in his diary with obvious gratification that 'A negro member said that he and his race relied for the protection of their rights & liberties, not on the "poor white trash" but on the "well-raised" gentlemen.' In 1890, when the demand for Jim Crow legislation was rising, the editor of a Negro periodical in North Carolina wrote: 'The best people of the South do not demand this separate car business'; and again, 'this whole thing is but a pandering to the lower instincts of the worst class of whites in the South.'

When Northern liberals and radicals began to lose interest in the freedmen's cause and federal protection was withdrawn, it was natural that the Negro should turn to the conservatives among upper-class Southerners for allies. While there was a certain amount of fawning Uncle-Tomism among the Negroes, there is little doubt that the prouder of them secretly despised the patronizing pose and self-flattering paternalism of the whites with whom they found refuge. It was no sentimentality for 'Ole Marster' that inspired the freedmen, but the hot breath of cracker fanaticism they felt on the back of their necks.

It would be a mistake to picture the Democratic Redeemers as the first Southern whites to appeal successfully to the Negro voter with the conservative race philosophy. That distinction belongs to the conservative ex-Whig planters of Mississippi, turned Republicans, who took over the party from the radicals and dominated it for several years with Negro support. James L. Alcorn, wealthy planter of the delta, large slaveholder, and almost as much the aristocrat as Wade Hampton or Jefferson Davis, appealed to the Negro with a program of civil rights, legal equality, and public education. The Negro vote plus the ex-Whig support elected Alcorn the first Republican governor of Mississippi, sent him to the Senate for a term, and put another Whig-Republican in the governor's office to succeed Alcorn.

During the electoral crisis of 1876-7 the advisers of Rutherford B. Hayes assured him that 'in almost every Southern State you can find men like Alcorn in Mississippi.' Most of these ex-Whigs of the South had drifted into the Democratic party, after some experiments with the Republicans. The outspoken discontent of the old Whigs with their new party and the acute unhappiness of the Southern Democrats with the policies of the Northern Democrats led Hayes and his advisers to hope that withdrawal of support from the carpetbaggers would leave the old Whigs heirs to the freedmen's votes and encourage them to establish strong conservative Republican movements in the South similar to Alcorn's in Mississippi. High hope for such a political development was one among several reasons that enabled con-

servative Republicans and Southern Democrats to agree on the Compromise of 1877 that made Hayes President. As it turned out, the Southern ex-Whigs disappointed Hayes, for instead of leading a Republican revolt in the South they went far toward consolidating their control over the Democratic party in that region. To the conservative party, as the Democratic party came to be called in the South, the new leaders brought their Whiggish notions of economics and politics, and along with them their conservative race philosophy.

One tenet of that philosophy was an endorsement and defense of Negro suffrage. In a symposium published in the *North American Review* in 1879, Hampton, Lamar, and Alexander Stephens agreed not only that the disfranchisement of the freedman was impossible, but that even if it were possible the South would not desire it. Hampton had often boasted that he was 'the first white man in the South, after the Civil War, to advocate giving the Negro the franchise' and once declared his belief that 'a large majority of the intelligent and reflecting whites' agreed with him on the subject. In the symposium he declared that 'As the negro becomes more intelligent, he naturally allies himself with the more conservative of the whites.'

The impression often left by cursory histories of the subject is that Negro disfranchisement followed quickly if not immediately upon the overthrow of Reconstruction. It is perfectly true that Negroes were often coerced, defrauded, or intimidated, but they continued to vote in large numbers in most parts of the South for more than

two decades after Reconstruction. In the judgment of the abolitionist Higginson, 'The Southern whites accept them precisely as Northern men in cities accept the ignorant Irish vote,—not cheerfully, but with acquiescence in the inevitable; and when the strict color-line is once broken they are just as ready to conciliate the negro as the Northern politician to flatter the Irishman. Any powerful body of voters may be cajoled today and intimidated tomorrow and hated always, but it can never be left out of sight.' As a voter the Negro was both hated and cajoled, both intimidated and courted, but he could never be ignored so long as he voted.

Not only did Negroes continue to vote after Reconstruction, but they continued to hold office as well. Every session of the Virginia General Assembly from 1869 to 1891 contained Negro members. Between 1876 and 1894 North Carolinians elected fifty-two Negroes to the lower house of their state legislature, and between 1878 and 1902 forty-seven Negroes served in the South Carolina General Assembly. In 1890 there were sixteen Negro members of the session of the Louisiana General Assembly which passed the Jim Crow railway bill that led to the case of *Plessy v. Ferguson*. Southern states elected ten Negroes to the U. S. House of Representatives after Reconstruction, the same number elected during Reconstruction. Every Congress but one between 1869 and 1901 had at least one Negro member from the South.

The governors of the last two states to emerge from Reconstruction rule were both on record with unqualified pledges to protect the freedmen in the enjoyment of

their rights. The pledges of Governor Hampton of South Carolina and Governor Francis T. Nicholls of Louisiana were made not only to the Republican administration but to the Negro voters of their states. 'After I was recognized as Governor,' wrote Nicholls in his autobiography, 'I set myself earnestly to work to bring about good feeling and confidence between the races . . . I was particularly anxious by kindness and strict justice & impartiality to the colored people . . . that they should feel that they were not proscribed & to this end appointed a number of them to small offices sandwiching them on Boards between white men while they were powerless to do harm they were in a position to see & know everything that was going on.' A white supporter claimed with obvious exaggeration that Nicholls gave the Negroes more recognition and offices in the first year of his administration than the Republicans of Louisiana had given them in their entire regime.

Hampton went further than Nicholls in his efforts to conciliate the freedmen, reconcile the races, and attract Negro voters to the support of his administration. The title of a Hampton campaign book was *Free Men! Free Ballots!! Free Schools!!! The Pledges of Gen. Wade Hampton . . . to the Colored People of South Carolina, 1865-1876*. The computation of a reliable source shows that Hampton appointed at least eighty-six Negroes to office during his administration. None of them was appointed to an important state office, but they were named trial justices, jury commissioners, and members of county and state commissions. Five months after the

new government took control, the Republican ex-Governor Robert K. Scott told Northern newspapermen that 'Hampton is honestly carrying out the promises he made during the campaign. He has already appointed more colored men to office than were appointed during the first two years that I was Governor.' Negroes were placed on Democratic tickets as candidates for the legislature in several counties, they were admitted to membership in agricultural societies in a few instances, and their militia companies, fire brigades, and other organizations were encouraged to participate in public functions and demonstrations. The governor's policies won praise from Negro and Republican leaders of South Carolina of that period and have convinced George B. Tindall, a careful historian, that Hampton was 'a generous and constructive statesman with regard to race relations.' His policy proved to be a failure as a political solution, for not even Hampton's great prestige could long keep at bay the Negrophobe element of his own party. After he left the state to go to the Senate the opposition grew until it eventually repudiated his conciliatory policies, along with the conservative race philosophy, and ended in all-out aggression against the Negro.

If the Negro's affinity for the conservative whites had its practical motivations of self-interest, so did the conservative interest in the Negro. The tradition of *noblesse oblige* and the flattery of paternalistic impulses do not adequately account for the pains the conservative Redeemers took to conciliate the Negroes and attract their support. The fact was that many of the Whiggish

policies of the Redeemers, particularly their subservience to railroads, corporations, and business interests, and their support of financial and monetary doctrines of the Northeast, were highly unpopular in the South—especially among the depressed agricultural white population. Calling themselves Independents, Greenbackers, or Readjusters, these disaffected elements organized in third parties and challenged the control of the conservative Democrats in almost every Southern state shortly after Redemption. They presented a serious threat to conservative control in some states, and in Virginia, where they combined with a wing of the Republican party there, they overthrew the Redeemer government and took over the state. In this situation conservatives were obviously in need of friends, and as the third party grew in other states and threatened to repeat the Virginia tactics, the conservatives naturally sought an understanding with the Negroes.

This understanding or alliance as it worked out in Mississippi under the leadership of Lamar and Senator J. Z. George was known as the 'fusion principle.' This was a working agreement by which the conservatives helped the Negro wing of the Republican party against the white wing in return for Negro assistance to the conservatives in their struggles against dissident whites—Greenbackers or Republicans, who often worked together. In practice, the county Democratic executive committee would agree with Negro leaders upon the number of offices to be held by Negroes. The proportion and type of offices varied, but usually the Negroes were

assigned the less important offices and one of the county's seats in the state legislature. Sometimes they got considerably more, sometimes less. In addition Lamar and the rest of the Democratic congressional delegation used their influence and votes in Washington to secure federal patronage and office for their Negro friends, patronage that would not have gone to Democrats in any case and might have gone to white Republicans. On the motion of Lamar, for example, Blanche K. Bruce, former Negro Senator from Mississippi, was unanimously confirmed as Register of the Treasury. The advantage thus gained by the conservatives consisted in Negro support in local politics against the Independent party, made up of dissident whites of both the old parties. Other advantages lay in keeping the Republicans split, preventing able white leadership from gaining control, and in being able to discredit the Republican party as being under Negro control. Using these tactics, as well as the cruder ones of fraud and terror, the conservatives weathered the Independent and Greenbacker revolts of the early 'eighties. Conservatives of other Southern states who were faced with the same kind of revolt also marshaled the Negro vote against white discontent, using variations of the Mississippi tactics.

Seeing the Independent revolt in the South as an opportunity to split the white vote and restore Republican power in the region, President Chester A. Arthur withdrew his support from the Negro leaders and sought to place native whites in command. Embitterment of Negro voters over this and other Republican policies since 1877

led conservative leaders of the Southern Democrats to attempt a concerted drive to attract them away from their traditional party. The Negro voters were therefore 'courted, flattered, 'mistered,' and honored by Southern white politicians in the 'eighties as never before. With the cordial recommendation of Southern Democrats, President Cleveland appointed several Negroes to office in the South. Senator E. C. Walthall urged the appointment of one in Mississippi, Senator M. C. Butler in South Carolina, and Senator Isham Harris in Tennessee. Congressman Thomas C. Catchings of Mississippi boasted that by the workings of the 'fusion principle' there were 'more colored men holding office in my district alone, through the action of the Democratic party, than there are in the whole North.'

Caught between the 'Lily-White' policy of the Republican party and the blandishments of the Southern Democrats, the Negro became confused and politically apathetic. Republican organizations declined in strength in the South and many state parties ceased to put forth tickets altogether. Despite that, the Negroes did not flock to the opposing party. For one thing they knew from long experience that, for all their kind words and blandishments, the Democrats would resort to force or fraud in a pinch. For another, Negro leaders were beginning to think in economic terms and ask their people what they had in common with their white landlords, creditors, and employers that would justify a political alliance with the conservatives.

3

The conservative philosophy of race relations was not the only alternative to extreme racism and proscription offered to the South and tried out in practice by Southern white people. Another approach was that of the Southern radicals, as worked out and expressed by the Populists. The agrarian forerunners of the Populists—the Readjusters, Independents, and Greenbackers—also attempted to reach an understanding with the Negro, but they approached him through his Republican leaders to seek a pragmatic alliance of mutual political convenience. They rarely approached him directly and did not seek to convert him personally to their cause. The Populists eventually resorted in large measure to the same tactics. But first they went over the heads of the established leaders, largely Republican, and sought to convert the Negroes themselves, make them good Populists by conviction, fire them with the zeal they themselves felt for the common cause, integrate them thoroughly with the party, and give them a sense of belonging and tangible evidence that they did belong.

The Populists steered clear of the patronizing approach that both the radical Republicans and the conservative Democrats took toward the freedmen. They neither pictured themselves as the keepers of the liberal conscience and the Negro as the ward of the nation, as did the Republican radicals, nor did they assume the pose

of *noblesse oblige* and regard the Negro as an object of paternalistic protection as did the Southern conservatives. The Populists fancied themselves as exponents of a new realism on race, free from the delusions of doctrinaire and sentimental liberalism on the one hand, and the illusions of romantic paternalism on the other. There was in the Populist approach to the Negro a limited type of equalitarianism quite different from that preached by the radical Republicans and wholly absent from the conservative approach. This was an equalitarianism of want and poverty, the kinship of a common grievance and a common oppressor. As a Texas Populist expressed the new equalitarianism, 'They are in the ditch just like we are.'

Dismissing irrational motives as of no great account, the Populists grounded their 'realism' on the doctrine that 'self-interest always controls'—the dubious postulate on which much economic and political thought of their day was based. As Tom Watson, foremost leader of Southern Populism, framed the credo: 'Gratitude may fail; so may sympathy, and friendship, and generosity, and patriotism, but, in the long run, self-interest always controls. Let it once appear plainly that it is to the interest of a colored man to vote with the white man and he will do it . . . The People's party will settle the race question. First, by enacting the Australian ballot system. Second, by offering to white and black a rallying point which is free from the odium of former discords and strifes. Third, by presenting a platform immensely ben-

eficial to both races and injurious to neither. Fourth, by making it to the interest of both races to act together for the success of the platform.'

Deprecate emotional and irrational factors of prejudice as they did, the Populist strategists were perfectly aware that these factors were the most serious of all obstacles to their success in the South. It was even more difficult for them than for the conservatives to defy and circumvent race prejudice, since it ran highest and strongest among the very white elements to which the Populist appeal was especially addressed—the depressed lower economic classes. They were the classes from whose phobias and fanaticisms the conservatives offered to protect the Negro. To master these deep-rooted phobias and create a community of feeling and interest in which the two races could combine required greater political genius than the conservatives had to muster for their program. The wonder is not that the Populists eventually failed but that they made as much headway as they did against the overwhelming odds they faced.

The measures they took were sometimes drastic and, for the times, even heroic. At a time when Georgia led all the states in lynchings Watson announced that it was the object of his party to 'make lynch law odious to the people.' And in 1896 the Populist platform of Georgia contained a plank denouncing lynch law. In the campaign of 1892 a Negro Populist who had made sixty-three speeches for Watson was threatened with lynching and fled to him for protection. Two thousand armed white farmers, some of whom rode all night, responded to Wat-

son's call for aid and remained on guard for two nights at his home to avert the threat of violence.

Addressing himself directly to the problem of color prejudice, Watson told the two races: 'You are made to hate each other because upon that hatred is rested the keystone of the arch of financial despotism which enslaves you both. You are deceived and blinded that you may not see how this race antagonism perpetuates a monetary system which beggars you both.' Repeatedly he stressed the identity of interests that transcended differences in race, telling them that 'the colored tenant . . . is in the same boat with the white tenant, the colored laborer with the white laborer,' and that 'the accident of color can make no difference in the interests of farmers, croppers, and laborers.' He promised the Negroes that 'if you stand up for your rights and for your manhood, if you stand shoulder to shoulder with us in this fight' the People's party will 'wipe out the color line and put every man on his citizenship irrespective of color.'

To implement their promises the radicals went farther in the direction of racial integration than did the conservatives. 'We have no disposition to ostracize the colored people,' declared the president of the first Populist convention in Texas. 'I am in favor of giving the colored man full representation . . . He is a citizen just as much as we are, and the party that acts on that fact will gain the colored vote of the south.' The convention cheered these sentiments and elected two Negroes to the state executive committee of the party. Other Southern

states followed the example of Texas. Negroes were not put off with nominal duties and peripheral appointments, but were taken into the inmost councils of the party. They served with Southern whites as members of state, district, and county executive committees, campaign committees, and delegations to national conventions. Black and white campaigners spoke from the same platform to audiences of both races, and both had their places on official party tickets. Populist sheriffs saw to it that Negroes appeared for jury duty; and Populist editors sought out achievements of Negroes to praise in their columns.

In the opinion of Henry Demarest Lloyd, the Southern Populists gave 'negroes of the South a political fellowship which they have never obtained, not even from their saviors, the Republicans.' Certain it is that the Negroes responded with more enthusiasm and hope than to any other political movement since their disillusionment with radical Republicanism. It is altogether probable that during the brief Populist upheaval of the 'nineties Negroes and native whites achieved a greater comity of mind and harmony of political purpose than ever before or since in the South.

The obvious danger in this account of the race policies of Southern conservatives and radicals is one of giving an exaggerated impression of interracial harmony. There were Negrophobes among the radicals as well as among the conservatives, and there were hypocrites and dissemblers in both camps. The politician who flatters to

attract votes is a familiar figure in all parties, and the discrepancy between platforms and performance is often as wide as the gap between theory and practice, or the contrast between ethical ideals and everyday conduct.

My only purpose has been to indicate that things have not always been the same in the South. In a time when the Negroes formed a much larger proportion of the population than they did later, when slavery was a live memory in the minds of both races, and when the memory of the hardships and bitterness of Reconstruction was still fresh, the race policies accepted and pursued in the South were sometimes milder than they became later. The policies of proscription, segregation, and disfranchisement that are often described as the immutable 'folkways' of the South, impervious alike to legislative reform and armed intervention, are of a more recent origin. The effort to justify them as a consequence of Reconstruction and a necessity of the times is embarrassed by the fact that they did not originate in those times. And the belief that they are immutable and unchangeable is not supported by history.

III

Capitulation to Racism

Up to the year 1898 South Carolina had resisted the Jim Crow car movement which had swept the western states of the South completely by that time. In that year, however, after several attempts, the proponents of the Jim Crow law were on the eve of victory. The *Charleston News and Courier*, the oldest newspaper in the South and a consistent spokesman of conservatism, fired a final broadside against extremists in behalf of the conservative creed of race policy.

'As we have got on fairly well for a third of a century, including a long period of reconstruction, without such a measure,' wrote the editor, 'we can probably get on as well hereafter without it, and certainly so extreme a measure should not be adopted and enforced without added and urgent cause.' He then called attention to what he considered the absurd consequences to which such a law might lead once the principle of the thing

were conceded. 'If there must be Jim Crow cars on the railroads, there should be Jim Crow cars on the street railways. Also on all passenger boats. . . . If there are to be Jim Crow cars, moreover, there should be Jim Crow waiting saloons at all stations, and Jim Crow eating houses. . . . There should be Jim Crow sections of the jury box, and a separate Jim Crow dock and witness stand in every court—and a Jim Crow Bible for colored witnesses to kiss. It would be advisable also to have a Jim Crow section in county auditors' and treasurers' offices for the accommodation of colored taxpayers. The two races are dreadfully mixed in these offices for weeks every year, especially about Christmas. . . . There should be a Jim Crow department for making returns and paying for the privileges and blessings of citizenship. Perhaps, the best plan would be, after all, to take the short cut to the general end . . . by establishing two or three Jim Crow counties at once, and turning them over to our colored citizens for their special and exclusive accommodation.'

In resorting to the tactics of *reductio ad absurdum* the editor doubtless believed that he had dealt the Jim Crow principle a telling blow with his heavy irony. But there is now apparent to us an irony in his argument of which the author was unconscious. For what he intended as a *reductio ad absurdum* and obviously regarded as an absurdity became in a very short time a reality, and not only that but a reality that was regarded as the only sensible solution to a vexing problem, a solution having the sanction of tradition and long usage. Apart from the Jim

Crow counties and Jim Crow witness stand, all the improbable applications of the principle suggested by the editor in derision had been put into practice—down to and including the Jim Crow Bible.

The South's adoption of extreme racism was due not so much to a conversion as it was to a relaxation of the opposition. All the elements of fear, jealousy, proscription, hatred, and fanaticism had long been present, as they are present in various degrees of intensity in any society. What enabled them to rise to dominance was not so much cleverness or ingenuity as it was a general weakening and discrediting of the numerous forces that had hitherto kept them in check. The restraining forces included not only Northern liberal opinion in the press, the courts, and the government, but also internal checks imposed by the prestige and influence of the Southern conservatives, as well as by the idealism and zeal of the Southern radicals. What happened toward the end of the century was an almost simultaneous—and sometimes not unrelated—decline in the effectiveness of restraint that had been exercised by all three forces: Northern liberalism, Southern conservatism, and Southern radicalism.

1

The acquiescence of Northern liberalism in the Compromise of 1877 defined the beginning, but not the ultimate extent, of the liberal retreat on the race issue. The Compromise merely left the freedman to the custody of the

conservative Redeemers upon their pledge that they would protect him in his constitutional rights. But as these pledges were forgotten or violated and the South veered toward proscription and extremism, Northern opinion shifted to the right, keeping pace with the South, conceding point after point, so that at no time were the sections very far apart on race policy. The failure of the liberals to resist this trend was due in part to political factors. Since reactionary politicians and their cause were identified with the bloody-shirt issue and the demagogic exploitation of sectional animosities, the liberals naturally felt themselves strongly drawn toward the cause of sectional reconciliation. And since the Negro was the symbol of sectional strife, the liberals joined in deprecating further agitation of his cause and in defending the Southern view of race in its less extreme forms. It was quite common in the 'eighties and 'nineties to find in the *Nation*, *Harper's Weekly*, the *North American Review*, or the *Atlantic Monthly* Northern liberals and former abolitionists mouthing the shibboleths of white supremacy regarding the Negro's innate inferiority, shiftlessness, and hopeless unfitness for full participation in the white man's civilization. Such expressions doubtless did much to add to the reconciliation of North and South, but they did so at the expense of the Negro. Just as the Negro gained his emancipation and new rights through a falling out between white men, he now stood to lose his rights through the reconciliation of white men.

The cumulative weakening of resistance to racism was expressed also in a succession of decisions by the United

States Supreme Court between 1873 and 1898 that require no review here. In the *Slaughter House Cases* of 1873 and in *United States v. Reese* and *United States v. Cruikshank* in 1876, the court drastically curtailed the privileges and immunities recognized as being under federal protection. It continued the trend in its decision on the *Civil Rights Cases* of 1883 by virtually nullifying the restrictive parts of the Civil Rights Act. By a species of what Justice Harlan in his dissent described as 'subtle and ingenious verbal criticism,' the court held that the Fourteenth Amendment gave Congress power to restrain states but not individuals from acts of racial discrimination and segregation. The court, like the liberals, was engaged in a bit of reconciliation—reconciliation between federal and state jurisdiction, as well as between North and South, reconciliation also achieved at the Negro's expense. Having ruled in a previous case (*Hall v. de Cuir*, 1877) that a state could not prohibit segregation on a common carrier, the Court in 1890 (*Louisville, New Orleans, and Texas Railroad v. Mississippi*) ruled that a state could constitutionally require segregation on carriers. In *Plessy v. Ferguson*, decided in 1896, the Court subscribed to the doctrine that 'legislation is powerless to eradicate racial instincts' and laid down the 'separate but equal' rule for the justification of segregation. Two years later, in 1898, in *Williams v. Mississippi* the Court completed the opening of the legal road to proscription, segregation, and disfranchisement by approving the Mississippi plan for depriving Negroes of the franchise.

For a short time after the Supreme Court decision of

1883 that held the restrictive parts of the Civil Rights Act unconstitutional, Northern legislatures showed a disposition to protect the rights of Negroes by state action. In the mid-'eighties thirteen states adopted civil rights laws of this sort. In Indiana, however, a study by Emma Lou Thornbrough finds that 'In practice the law proved to be ineffectual in accomplishing its state purpose, and racial patterns [of segregation] remained unchanged by its passage.' The same historian goes further to say that 'Throughout the North there was not only acquiescence among the white population in the 'Southern Way' of solving the race problem but a tendency to imitate it in practice.'

Then, in the year 1898, the United States plunged into imperialistic adventures overseas under the leadership of the Republican party. These adventures in the Pacific and the Caribbean suddenly brought under the jurisdiction of the United States some eight million people of the colored races, 'a varied assortment of inferior races,' as the *Nation* described them, 'which, of course, could not be allowed to vote.' As America shouldered the White Man's Burden, she took up at the same time many Southern attitudes on the subject of race. 'If the stronger and cleverer race,' said the editor of the *Atlantic Monthly*, 'is free to impose its will upon "new-caught, sullen peoples" on the other side of the globe, why not in South Carolina and Mississippi?' The doctrines of Anglo-Saxon superiority by which Professor John W. Burgess of Columbia University, Captain Alfred T. Mahan of the United States Navy, and Senator

Albert Beveridge of Indiana justified and rationalized American imperialism in the Philippines, Hawaii, and Cuba differed in no essentials from the race theories by which Senator Benjamin R. Tillman of South Carolina and Senator James K. Vardaman of Mississippi justified white supremacy in the South. The *Boston Evening Transcript* of 14 January 1899, admitted that Southern race policy was 'now the policy of the Administration of the very party which carried the country into and through a civil war to free the slave.' And *The New York Times* of 10 May 1900 reported editorially that 'Northern men . . . no longer denounce the suppression of the Negro vote [in the South] as it used to be denounced in the reconstruction days. The necessity of it under the supreme law of self-preservation is candidly recognized.'

In the South leaders of the white-supremacy movement thoroughly grasped and expounded the implication of the new imperialism for their domestic policies. 'No Republican leader,' declared Senator Tillman, 'not even Governor Roosevelt, will now dare to wave the bloody shirt and preach a crusade against the South's treatment of the negro. The North has a bloody shirt of its own. Many thousands of them have been made into shrouds for murdered Filipinos, done to death because they were fighting for liberty.' And the junior Senator from South Carolina, John J. McLaurin, thanked Senator George F. Hoar of Massachusetts 'for his complete announcement of the divine right of the Caucasian to govern the inferior races,' a position which 'most amply vindicated the South.' Hilary A. Herbert, an advocate of

complete disfranchisement of the Negro in Alabama, rejoiced in May 1900 that 'we have now the sympathy of thoughtful men in the North to an extent that never before existed.'

At the very time that imperialism was sweeping the country, the doctrine of racism reached a crest of acceptability and popularity among respectable scholarly and intellectual circles. At home and abroad biologists, sociologists, anthropologists, and historians, as well as journalists and novelists, gave support to the doctrine that races were discrete entities and that the "Anglo-Saxon" or "Caucasian" was the superior of them all. It was not that Southern politicians needed any support from learned circles to sustain their own doctrines, but they found that such intellectual endorsement of their racist theories facilitated acceptance of their views and policies.

At the dawn of the new century the wave of Southern racism came in as a swell upon a mounting tide of national sentiment and was very much a part of that sentiment. Had the tide been running the other way, the Southern wave would have broken feebly instead of becoming a wave of the future.

2

While northern and national restraints upon race extremists were relaxing, internal Southern resistance was also crumbling. Such restraining influence as the conservative tradition exercised upon race policy depended

in large measure upon the power of Southern conservatives to retain the role of leadership that they had consolidated upon Redemption. They enjoyed enormous prestige for the overthrow of the carpetbaggers, a prestige that tided them over many of their difficulties. They contrived also to surround their regime with the protective mystique of the Lost Cause and to marshal for their support the powerful emotions of sectional patriotism that welled up out of the historic experiences of defeat, military occupation, and common suffering. Exploiting these advantages skillfully, the conservatives prolonged a remarkable tenure of office.

An accumulation of grievances and discontents gradually weakened their claim upon popular loyalty and undermined the authority of the conservative tradition. In the 'eighties a series of financial scandals in the Redeemer governments were exposed and the treasurers of seven states absconded or were charged with misappropriating funds. In some states, particularly Mississippi, the defalcations and pilfering outstripped the record of the carpetbaggers in this respect. Since the propaganda by which the Redeemers justified their overthrow of the carpetbaggers laid great stress upon corruption and dishonesty in office, and since one of the strongest claims of the Redeemers was impeccable honesty, the treasury scandals were especially embarrassing.

Another embarrassment that diminished the contrast between Redemption and Reconstruction was the conservative alliance with the Negro. In order to gain power to overthrow the carpetbaggers, the conservatives had

enlisted the support of the aggressively anti-Negro whites in the struggle for redemption. That accomplished, the conservatives then attempted to moderate the passions of their Negrophobe allies and conciliate the freedmen with paternalistic offers of patronage and protection. The 'Straightout' or white-supremacy element often found the conservative tactics of pampering the Negro extremely difficult to stomach. When the General Assembly of North Carolina, under conservative control, elected several Negro magistrates for certain counties, nine white Democratic members signed a vigorous protest against the action as 'inconsistent with the principles and purposes of the party.' One of those principles, repeatedly expressed in the campaign for redemption, had been that Negroes were 'absolutely unfit for these public positions.' And, added the protest, 'If Democrats do what they have persistently abused and condemned Republicans for doing, how can they hope to escape just censure?' The 'Straightout' element of South Carolina, Mississippi, Louisiana, and other states similarly expressed their chagrin and even outrage over the soft race policy pursued by Hampton, Lamar, Nicholls, and their conservative colleagues.

Greater by far than either the financial scandals or the racial politics of the conservatives as a cause of their declining popularity were their economic policies and alliances. The Whiggish doctrines and ante-bellum associations of the Redeemers had never been among their more popular assets, and in the eyes of most Southerners they were liabilities. The Whigs had normally been the

minority party aligned against the ante-bellum Democrats. Hamiltonian in outlook, they continued the Federalist tradition, constituted themselves champions of property rights and spokesmen of financial, commercial, and industrial interests. They broadened their appeal somewhat among the humble folk by demagogic devices and their opposition to the secession movement, but they continued to be known as the party of privilege. Before the war they had lent an agrarian ballast to the national party of the businessman. Their influence in the conservative Democratic party after the war, however, had been swung markedly on the side of corporate, industrial, and railroad interests. They struggled successfully to prevent the Southern Democrats from returning to their old alliance with the West and adopting Western notions about money, banks, railroads, and agrarian reforms. They were determined instead to keep the South in step with the conservative Northeastern wing of the party and with its views upon economic policy. Their reasoning was that the South's desperate need for capital and for industrialization justified any means to attract the confidence and interest of investors.

The storm of discontent aroused by the agrarian depression of the 'eighties and 'nineties caught the conservatives off guard and threw them on the defensive. A great restiveness seized upon the populace, a more profound upheaval of economic discontent than had ever moved the Southern people before, more profound in its political manifestations than that which shook them in the Great Depression of the 1930's. 'I call that particular

change a revolution,' wrote the Alabama historian William Garrott Brown, who lived through it, 'and I would use a stronger term if there were one; for no other political movement—not that of 1776, nor that of 1860-1861—ever altered Southern life so profoundly.'

After trying rigid resistance, and appealing to party loyalty, Southern patriotism, and white solidarity without the desired effect, the conservatives bent to the storm to the extent of giving verbal assent to the program of reforms demanded by the aggressive Farmer's Alliance. But when they failed to carry through with their promises and live up to their pledges, the farmers accused them of betraying the cause, hastily organized a third party, and went into all-out revolt against the conservatives as well as the party they dominated. The Populists defied not only the conservative leaders but pretty much all they stood for, including the one-party system, the Eastern alliance, and white solidarity.

In their frantic efforts to stop the revolt and save themselves the conservatives lost their heads and sought to reenact the triumph of earlier years by which they overthrew the carpetbaggers, redeemed the South, and won their laurels. They persuaded themselves that the crisis of the 'nineties was as desperate as that of the 'seventies had been. The South must be redeemed again, and the political ethics of redemption—which justified any means used to achieve the end—were pressed into service against the Populists as they had been against the carpetbaggers. The same means of fraud, intimidation, bribery, violence, and terror were used against the one that had been

used against the other. 'I told them to go to it, boys, count them out,' admitted the conservative Governor William C. Oates of Alabama. 'We had to do it. Unfortunately, I say it was a necessity. We could not help ourselves.'

Alarmed by the success that the Populists were enjoying with their appeal to the Negro voter, the conservatives themselves raised the cry of 'Negro domination' and white supremacy, and enlisted the Negrophobe elements. The conservatives had allied themselves with these elements before in the Redemption crisis, and then later, after the crisis was over, they had been able to tame the extremists into moderation. But they could no longer claim in justification that they were using these tactics against an alien element or even against a despised race. They were using them against their own people, Southern white people. 'It is no excuse,' declared a Virginia Populist paper in 1893, 'to say that these iniquities are practiced to "preserve white civilization." In the first place it was white men who were robbed of their votes, and white men who were defrauded out of office.'

The conservatives compounded their offense and further weakened their moral authority with lower-class white men by using the Negro vote against them. For while they were raising a storm of race feeling against the Populists with the charge that the insurgents were using the Negro against the white man's party, the conservatives were taking advantage of their dominance in the Black Belt to pile up huge majorities of Negro votes

for the cause of white supremacy. Some of these voters were bought and some intimidated, but in the main they were merely counted for the ticket, however they voted or whether they voted or not. Time after time the Populists would discover that after they had carried the white counties, fraudulent returns from the Black Belt counties padded with ballots the Negro did or did not cast were used to overwhelm them. When the conservatives in 1896 proved able to carry only one-fifth of the parishes of Louisiana that had a white majority, the New Orleans *Times-Democrat* cynically remarked that white supremacy had again been 'saved by negro votes.' The tactics by which the conservatives crushed the Populist revolt completely undermined their moral position on race policy, for their methods had made a mockery of the plea for moderation and fair play.

The Populist experiment in interracial harmony, precarious at best and handicapped from the start by suspicion and prejudice, was another casualty of the political crisis of the 'nineties. While the movement was at the peak of zeal the two races had surprised each other and astonished their opponents by the harmony they achieved and the good will with which they co-operated. When it became apparent that their opponents would stop at nothing to divide them, however, and would steal the Negro's votes anyway, the bi-racial partnership of Populism began to dissolve in frustration and bitterness. Many of the Negroes became apathetic and ceased political activity altogether. Some of the white Populists understood that the Negro was merely one of the hapless

victims rather than the author of the party's downfall. But for the majority it came much easier to blame the Negro for their defeat, to make him the scapegoat, and to vent upon him the pent up accumulation of bitterness against the legitimate offenders who had escaped their wrath.

If the psychologists are correct in their hypothesis that aggression is always the result of frustration, then the South toward the end of the 'nineties was the perfect cultural seedbed for aggression against the minority race. Economic, political, and social frustrations had pyramided to a climax of social tensions. No real relief was in sight from the long cyclical depression of the 'nineties, an acute period of suffering that had only intensified the distress of the much longer agricultural depression. Hopes for reform and the political means employed in defiance of tradition and at great cost to emotional attachments to effect reform had likewise met with cruel disappointments and frustration. There had to be a scapegoat. And all along the line signals were going up to indicate that the Negro was an approved object of aggression. These 'permissions-to-hate' came from sources that had formerly denied such permission. They came from the federal courts in numerous opinions, from Northern liberals eager to conciliate the South, from Southern conservatives who had abandoned their race policy of moderation in their struggle against the Populists, from the Populists in their mood of disillusionment with their former Negro allies, and from a national temper suddenly expressed by imperialistic ad-

ventures and aggressions against colored peoples in distant lands.

The resistance of the Negro himself had long ceased to be an important deterrent to white aggression. But a new and popular spokesman of the race, its acknowledged leader by the late 'nineties, came forward with a submissive philosophy for the Negro that to some whites must have appeared an invitation to further aggression. It is quite certain that Booker T. Washington did not intend his so-called 'Atlanta Compromise' address of 1895 to constitute such an invitation. But in proposing the virtual retirement of the mass of Negroes from the political life of the South and in stressing the humble and menial role that the race was to play, he would seem unwittingly to have smoothed the path to proscription.

3

Having served as the national scapegoat in the reconciliation and reunion of North and South, the Negro was now pressed into service as a sectional scapegoat in the reconciliation of estranged white classes and the reunion of the Solid South. The bitter violence and blood-letting recrimination of the campaigns between white conservatives and white radicals in the 'nineties had opened wounds that could not be healed by ordinary political nostrums and free-silver slogans. The only formula powerful enough to accomplish that was the magical formula of white supremacy, applied without stint and without any of the old conservative reservations of pa-

ternalism, without deference to any lingering resistance of Northern liberalism, or any fear of further check from a defunct Southern Populism.

The first step in applying the formula was the total disfranchisement of the Negro. In part this was presented as a guarantee that in the future neither of the white factions would violate the white man's peace by rallying the Negro's support against the other. In part disfranchisement was also presented as a progressive reform, the sure means of purging Southern elections of the corruption that disgraced them. The disgrace and public shame of this corruption were more widely and keenly appreciated than the circuitous and paradoxical nature of the proposed reform. To one Virginian, however, it did seem that disfranchising the Negroes 'to prevent the Democratic election officials from stealing their votes' would be 'to punish the man who has been injured'—a topsy-turvy justice at best. In no mood for paradoxes, Southerners generally accepted Negro disfranchisement as a reform, without taking second thought.

The standard devices for accomplishing disfranchisement on a racial basis and evading the restrictions of the Constitution were invented by Mississippi, a pioneer of the movement and the only state that resorted to it before the Populist revolt took the form of political rebellion. Other states elaborated the original scheme and added devices of their own contriving, though there was a great deal of borrowing and interchange of ideas throughout the South. First of all, the plan set up certain barriers such as property or literacy qualifications

for voting, and then cut certain loopholes in the barrier through which only white men could squeeze. The loopholes to appease (though not invariably accommodate) the underprivileged whites were the 'understanding clause,' the 'grandfather clause,' or the 'good character clause.' Some variation of the scheme was incorporated into the constitutions of South Carolina in 1895, Louisiana in 1898, North Carolina in 1900, Alabama in 1901, Virginia in 1902, Georgia in 1908, and Oklahoma in 1910. The restrictions imposed by these devices were enormously effective in decimating the Negro vote, but in addition all these states as well as the remaining members of the old Confederacy—Florida, Tennessee, Arkansas, and Texas—adopted the poll tax. With its cumulative features and procedures artfully devised to discourage payment, the poll tax was esteemed at first by some of its proponents as the most reliable means of curtailing the franchise—not only among the Negroes but among objectionable whites as well.

But if the Negroes did learn to read, or acquire sufficient property, and remember to pay the poll tax and to keep the receipt on file, they could even then be tripped by the final hurdle devised for them—the white primary. Another of the fateful paradoxes that seemed to dog the history of the progressive movement in the South, the primary system was undoubtedly an improvement over the old convention system and did much to democratize nominations and party control. But along with the progressively inspired primary system were adopted the oppositely inspired party rules, local regu-

lations, and in some cases state laws excluding the minority race from participation and converting the primary into a white man's club. This perverse 'reform' usually followed hard upon, though sometimes preceded, the disfranchisement 'reform.' The state-wide Democratic primary was adopted in South Carolina in 1896, Arkansas in 1897, Georgia in 1898, Florida and Tennessee in 1901, Alabama and Mississippi in 1902, Kentucky and Texas in 1903, Louisiana in 1906, Oklahoma in 1907, Virginia in 1913, and North Carolina in 1915.

The effectiveness of disfranchisement is suggested by a comparison of the number of registered Negro voters in Louisiana in 1896, when there were 130,334 and in 1904, when there were 1,342. Between the two dates the literacy, property, and poll-tax qualifications were adopted. In 1896 Negro registrants were in a majority in twenty-six parishes—by 1900 in none.

In spite of the ultimate success of disfranchisement, the movement met with stout resistance and succeeded in some states by narrow margins or the use of fraud. In order to overcome the opposition and divert the suspicions of the poor and illiterate whites that they as well as the Negro were in danger of losing the franchise—a suspicion that often proved justified—the leaders of the movement resorted to an intensive propaganda of white supremacy, Negrophobia, and race chauvinism. Such a campaign preceded and accompanied disfranchisement in each state. In some of them it had been thirty years or more since the reign of the carpetbagger, but the legend of Reconstruction was revived, refurbished, and relived

by the propagandists as if it were an immediate background of the current crisis. A new generation of Southerners was as forcibly impressed with the sectional trauma as if they had lived through it themselves. Symbols and paraphernalia of the Redemption drama were patched up and donned by twentieth-century wearers. Boys who had been born since General U. S. Grant was laid in his tomb paraded in the red shirts of their fathers, and popular Southern novelists glamorized the history of the Ku Klux Klan, the Knights of the White Camelia, and the heroes of the struggle for Home Rule.

In Georgia and elsewhere the propaganda was furthered by a sensational press that played up and headlined current stories of Negro crime, charges of rape and attempted rape, and alleged instances of arrogance, impertinence, surly manners, or lack of prompt and proper servility in conduct. Already cowed and intimidated, the race was falsely pictured as stirred up to a mutinous and insurrectionary pitch. The *Atlanta Journal*, edited by Hoke Smith while he was a candidate for governor on a disfranchisement platform, was one of the worst offenders in this regard. Throughout his campaign Smith's paper kept up a daily barrage of Negro atrocity stories.

It was inevitable that race relations should deteriorate rapidly under such pressure. The immediate consequences in two states were bloody mob wars upon the Negro. Shortly after the red-shirt, white-supremacy election of 1898 in North Carolina a mob of four hundred white men led by a former congressman invaded the colored district of Wilmington, set fire to buildings,

killed and wounded many Negroes, and chased hundreds out of town. The sequel to Hoke Smith's white-supremacy victory in Georgia in 1906 was a four-day rule of anarchy in Atlanta, during which mobs roved the city freely looting, murdering, and lynching.

This ugly temper did not pass with the white-supremacy campaigns. Indeed the more defenseless, disfranchised, and intimidated the Negro became the more prone he was to the ruthless aggression of mobs. Three years after Tillman had completed his work of crushing Negro rights in South Carolina, colored people were victims of atrocities. While the state had accustomed itself peacefully to dozens of Negro postmasters before, the appointment of one in 1898 at Lake City touched off a mob that burned the postmaster up in his own house and shot down his family as they escaped. The same year mobs of 'white cap' riders ranged over the countryside of Greenwood County shooting and hanging an undetermined number of Negroes. Two years after the white-supremacy campaign had disfranchised the race in Louisiana, uncontrolled mobs took over the city of New Orleans and robbed and assaulted Negroes for three days. The number of lynchings per year was fortunately on the decline during the first decade of the century in the country as a whole and in the South. But the proportion of lynchings committed in the South was at the same time increasing, and so was the proportion of Negro victims of the lynchings committed.

A few of the old conservatives still spoke out against the savage turn that events had taken in race relations.

Wade Hampton announced during the disfranchisement campaign in South Carolina that he had 'no fear of Negro domination,' that the Negroes had 'acted of late with rare moderation,' and that race prejudice was being exploited for the purposes of demagogues. But Hampton's influence had waned and he could do nothing to stop the Tillmanites. Ex-Governor Oates of Alabama, known as 'a conservative among conservatives' and once the nemesis of Populism in his state, declared that he was shocked at 'the change in public opinion in regard to the status of the Negro' that had occurred by 1901. 'Why, sir,' he declared to the disfranchising constitutional convention of Alabama, 'the sentiment is altogether different now, when the Negro is doing no harm, why the people want to kill him and wipe him from the face of the earth.' But it was Governor Oates who had admitted to the same body that in the heat of the Populist revolt he had said, 'Go to it, boys. Count them out.' The admission weakened his moral position, as the conservative tactic generally had undermined the authority of conservative influence on race relations.

Other representatives of the old conservative school, such as Senator John T. Morgan of Alabama, gave aid and comfort to the racists; or like Hoke Smith went over to them lock, stock, and barrel, and became one of their leaders. Younger men whose background, associations, and ideas would have normally drawn them to the conservative, Hamptonian position on race in earlier days—men such as John Sharp Williams of Mississippi, or Furnifold M. Simmons of North Carolina, or later James

F. Byrnes of South Carolina—were swept up in the tide of racist sentiment and gave voice to it.

White-supremacy leaders, however, measured their success not by the number of conservative converts to their cause, but by the response of the old Populists. For if the racist strategy for the reconciliation of alienated white men and the restoration of the Solid South were to work, it would have to win the insurgents. Populists were shrewdly watched for their reaction. In 1898, while the Populists were still in control of the North Carolina government, Josephus Daniels reported with elation seeing 'quite a number of white Populists and white Republicans' taking part in a red-shirt parade for white supremacy. The following year when several Populist members of the Legislature cast their votes for the disfranchisement amendment, 'the applause was long and deafening, shouts and yells being added to the hand clapping.' The reported yells were probably of the well-known 'rebel' variety, for they hailed a closing of the white man's ranks—white solidarity again.

Tom Watson, Populist candidate for President in 1904, was slower than some of his party to close ranks on the race issue and capitulate to the extremists. He had indignantly denounced the South Carolina disfranchisement campaign in 1895 with the statement that 'All this reactionary legislation is wrong' and that 'Old fashioned democracy taught that a man who fought the battles of his country, and paid the taxes of his government, should have a vote.' Bruised and embittered by another decade of futile battles, he still believed that 'the bugaboo of

negro domination' was 'the most hypocritical that unscrupulous leadership could invent.' But by 1906 he had persuaded himself that only after the Negro was eliminated from politics could Populist principles gain a hearing. In other words, the white men would have to unite before they could divide. Watson optimistically believed that disfranchisement was the way to break up, rather than to unite, the Solid South. With that in view he offered to swing the Populist vote to any progressive Democratic candidate for governor who would run pledged to a platform of Populist reforms and Negro disfranchisement. Hoke Smith, a recent convert to progressivism from conservative ranks, took up the challenge and Watson delivered the Populist vote, with the results we have already reviewed. The picture of the Georgia Populist and the reformed Georgia conservative united on a platform of Negrophobia and progressivism was strikingly symbolical of the new era in the South. The campaign made Watson the boss of Georgia politics, but it wrote off Populism as a noble experiment, and launched its leader as one of the outstanding exploiters of endemic Negrophobia.

The omission of the South from the annals of the progressive movement has been one of the glaring oversights of American historians. Not only were all phases and aspects of the movement acted out below the Mason and Dixon line, but in some particulars the Southern progressives anticipated and exceeded the performance of their counterparts in the West and East. They chalked up some spectacular gains against the bosses and ma-

chines, the corporations and railroads, the insurance companies and trusts. They democratized politics with direct and preferential primaries, with corrupt-practices and anti-lobby acts, with initiative and referendum. They scored gains in humanitarian legislation for miners, factory workers, child labor, and the consumer.

The blind spot in the Southern progressive record—as, for that matter, in the national movement—was the Negro, for the whole movement in the South coincided paradoxically with the crest of the wave of racism. Still more important to the association of the two movements was the fact that their leaders were often identical. In fact, the typical progressive reformer rode to power in the South on a disfranchising or white-supremacy movement. Hoke Smith of Georgia is a case in point, but there were others. Charles B. Aycock and Josephus Daniels of North Carolina are two instances, and Carter Glass and Andrew J. Montague of Virginia are two more. And even those Southern progressives who gained power after the white-supremacy movement had triumphed—as was the case with Napoleon B. Broward of Florida and Braxton B. Comer of Alabama—were indebted to the movement, built upon it, and never repudiated it.

Racism was conceived of by some as the very foundation of Southern progressivism. Edgar Gardner Murphy, one of the most articulate and cultured of Southern progressives, thought of 'the conscious unity of race' as 'the broader ground of the new democracy,' and believed that despite all its limitations it was 'better as a basis of

democratic reorganization than the distinctions of wealth, of trade, of property, of family, or class.' He praised 'the deep sociological value of what has been called "race prejudice"' even though he earnestly deplored some of its results. Thomas P. Bailey, a Southern educator, conceived of progressivism as a direct corollary of racial proscription in the South. *'In fine,'* he wrote, *'disfranchisement of the negroes has been concomitant with the growth of political and social solidarity among the whites.* The more white men recognize sharply their kinship with their fellow whites, and the more democracy in every sense of the term spreads among them, the more the negro is compelled to "keep his place"—a place that is gradually narrowing in the North as well as in the South.'

The success of Woodrow Wilson's campaign for the presidential nomination and the management and direction of his race for President were in very considerable degree the work of an able school of Southern progressive politicians. Likewise the striking success of the progressive reforms of Wilson's first administration owed much of their vigor to the work of Southern cabinet members and congressional leaders. These Southern progressives also brought along to Washington with them the racial doctrines that left their stamp on the Wilsonian progressivism. One month before the election of Wilson, Josephus Daniels, then in charge of the publicity bureau of the Presidential campaign and soon to become a member of Wilson's cabinet, published an editorial in his North Carolina paper in which he said that

the South would never feel secure until the North and West had adopted the whole Southern policy of political proscription and social segregation of the Negro.

4

Partisan politics was not the only index of the new trend in Southern race policy. A look at the contrast between Southern letters in the 1880's and in the 1900's also reveals something of the same development. The literary treatment that the Negro received in the fiction of Joel Chandler Harris and George Washington Cable was no doubt often patronizing, sentimentalized, and paternalistic, but there was never anything venomous or bitter about the Negro in their pages.* Rather the total picture that emerges is one that inspires a kind of respect, certainly sympathy, and more often an indulgent tenderness and affection. A stock figure to draw Southern tears was Uncle Remus with the little white boy in his lap, or the faithful black retainer of Marse Chan. It is instructive to compare the picture of the Negro painted by these authors who lived through Reconstruction themselves with the picture of the Negro during Reconstruction that emerges in the pages of Thomas Dixon, who was born the last year of the Civil War. Dixon was not of the same caliber as the earlier writers, but he accurately reflects the changed temper of the twentieth-century

* This claim cannot be advanced with the same assurance if extended to Harris's editorial writings, unsigned for the most part, in the *Atlanta Constitution*.

South. His trilogy: *The Leopard's Spots: A Romance of the White Man's Burden—1865-1900* (1902); *The Clansman: An Historical Romance of the Ku Klux Klan* (1905); and *The Traitor: A Story of the Fall of the Invisible Empire* (1907) was the perfect literary accompaniment of the white-supremacy and disfranchisement campaign, at the height of which they were published.

Scholarship of the period, particularly its sociology, anthropology, and history, likewise reflected the current deterioration in race relations and the new Southern attitudes. Charles Carroll, *'The Negro a Beast'; or, 'In the Image of God'* (1900); William P. Calhoun, *The Caucasian and the Negro in the United States* (1902); William B. Smith, *The Color Line: A Brief in Behalf of the Unborn* (1905); and Robert W. Shufeldt, *The Negro, A Menace to American Civilization* (1907) were a part of the then current national racist literature of the 'Yellow Peril' school and the flourishing cult of Nordicism. Southern historians during the first decade and a half of the century completed the rewriting of Reconstruction history. Their work did not yield completely to the contemporary atmosphere of the white-supremacy movement, but some of it did not entirely escape that influence.

Public-spirited professional people of a humanitarian bent who gathered at periodic conferences to discuss the race problem took a deeply pessimistic or despairing view of the Negro. They laid great stress on the alarming increase in Negro crime as the race flocked to the cities and packed into crowded, filthy slums. They were con-

vinced that the race was rapidly deteriorating in morals and manners, in health and efficiency, and losing out in the struggle for survival. They resolved that the Negro was incapable of self-government, unworthy of the franchise, and impossible to educate beyond the rudiments. They devoted much time and effort to the promotion of Negro education, but the limitations of their aims are indicated by Booker T. Washington when he said in welcoming a conference of white Southern University presidents to Tuskegee in 1912: 'We are trying to instil into the Negro mind that if education does not make the Negro humble, simple, and of service to the community, then it will not be encouraged.'

Professor Paul B. Barringer of the University of Virginia told the Southern Education Association in 1900 that 'The negro race is essentially a race of peasant farmers and laborers . . . As a source of cheap labor for a warm climate he is beyond competition; everywhere else he is a foreordained failure, and as he knows this he despises his own color.' 'Let us go back to the old rule of the South', urged Barringer, 'and be done forever with the frauds of an educational suffrage.' Southern sentiment in 1904 suggested to Carl Schurz 'a striking resemblance to the pro-slavery arguments . . . heard before the Civil War, and they are brought forth . . . with the same assertion of the negro's predestination for serfdom; the same certainty that he will not work without "physical compulsion"; the same contemptuous rejection of negro education as a thing that will only unfit him for work.'

Wide agreement prevailed in the early years of the century that there was less sympathy, tolerance, and understanding between the races than there had been during the Reconstruction period, and some put the case even more strongly. Professor John Spencer Bassett of Trinity College wrote in 1903 that 'there is today more hatred of whites for blacks and blacks for whites than ever before.' John Temple Graves of Georgia said that 'The races are wider apart, more antagonistic than in 1865.' And the Negro novelist Charles W. Chestnutt said in 1903 that 'the rights of the Negroes are at a lower ebb than at any time during the thirty-five years of their freedom, and the race prejudice more intense and uncompromising.'

Such resistance to proscription and segregation as had lingered in the older states of the seaboard South crumbled rapidly. The *Richmond Times* in 1900 demanded that a rigid principle of segregation be 'applied in every relation of Southern life' on the ground that 'God Almighty drew the color line and it cannot be obliterated.' The conservative old *Charleston News and Courier*, quoted at the beginning of this chapter as heaping ridicule upon the Jim Crow movement and the absurdity of its consequences, was of another opinion by 1906. 'The "problem" is worse now than it was ten years ago,' wrote the editor. Far from being ridiculous, segregation did not now seem sufficient. Mass deportation was the remedy. 'Separation of the races is the only radical solution of the negro problem in this country . . . There is no room for them [the Negroes] here,' declared the paper.

5

Within this context of growing pessimism, mounting tension, and unleashed phobias the structure of segregation and discrimination was extended by the adoption of a great number of the Jim Crow type of laws. Up to 1900 the only law of this type adopted by the majority of Southern states was that applying to passengers aboard trains. And South Carolina did not adopt that until 1898,* North Carolina in 1899, and Virginia, the last, in 1900. Only three states had required or authorized the Jim Crow waiting room in railway stations before 1899, but in the next decade nearly all of the other Southern states fell in line. The adoption of laws applying to new subjects tended to take place in waves of popularity. Street cars had been common in Southern cities since the 'eighties, but only Georgia had a segregation law applying to them before the end of the century. Then in quick succession North Carolina and Virginia adopted such a law in 1901, Louisiana in 1902, Arkansas, South Carolina, and Tennessee in 1903, Mississippi and Maryland in 1904, Florida in 1905, and Oklahoma in 1907. These laws referred to separation within cars, but a Montgomery city ordinance of 1906 was the first to require a completely separate Jim Crow street car. During these years the older seaboard states of the South also extended the segregation laws to steamboats.

* For first-class coaches only, and not until 1900 was the law amended to apply to second class as well.

The mushroom growth of discriminatory and segregation laws during the first two decades of this century piled up a huge bulk of legislation. Much of the code was contributed by city ordinances or by local regulations and rules enforced without the formality of laws. Only a sampling is possible here. For up and down the avenues and byways of Southern life appeared with increasing profusion the little signs: 'Whites Only' or 'Colored.' Sometimes the law prescribed their dimensions in inches, and in one case the kind and color of paint. Many appeared without requirement by law — over entrances and exits, at theaters and boarding houses, toilets and water fountains, waiting rooms and ticket windows.

A large body of law grew up concerned with the segregation of employees and their working conditions. The South Carolina code of 1915, with subsequent elaborations, prohibited textile factories from permitting laborers of different races from working together in the same room, or using the same entrances, pay windows, exits, doorways, stairways, 'or windows [*sic*]' at the same time, or the same 'lavatories, toilets, drinking water buckets, pails, cups, dippers or glasses' at any time. Exceptions were made of firemen, floor scrubbers, and repair men, who were permitted association with the white proletarian elite on an emergency basis. In most instances segregation in employment was established without the aid of statute. And in many crafts and trades the written or unwritten policies of Jim Crow unionism made segregation superfluous by excluding Negroes from employment.

State institutions for the care of the dependent or incapacitated were naturally the subject of more legislation than private institutions of the same sort, but ordinarily the latter followed pretty closely the segregation practices of the public institutions. Both types had usually made it a practice all along. The fact that only Mississippi and South Carolina specifically provided by law for general segregation in hospitals does not indicate that non-segregation was the rule in the hospitals of other states. The two states named also required Negro nurses for Negro patients, and Alabama prohibited white female nurses from attending Negro male patients. Thirteen Southern and border states required the separation of patients by races in mental hospitals, and ten states specified segregation of inmates in penal institutions. Some of the latter went into detail regarding the chaining, transportation, feeding, and working of the prisoners on a segregated basis. Segregation of the races in homes for the aged, the indigent, the orphans, the blind, the deaf, and the dumb was the subject of numerous state laws.

Much ingenuity and effort went into the separation of the races in their amusements, diversions, recreations, and sports. The Separate Park Law of Georgia, adopted in 1905, appears to have been the first venture of a state legislature into this field, though city ordinances and local custom were quite active in pushing the Negro out of the public parks. Circuses and tent shows, including side shows, fell under a law adopted by Louisiana in 1914, which required separate entrances, exits, ticket windows, and ticket sellers that would be kept at least

twenty-five feet apart. The city of Birmingham applied the principle to 'any room, hall, theatre, picture house, auditorium, yard, court, ball park, or other indoor or outdoor place' and specified that the races be 'distinctly separated . . . by well defined physical barriers.' North Carolina and Virginia interdicted all fraternal orders or societies that permitted members of both races to address each other as brother.

Residential segregation in cities, still rare in the older seaboard towns, developed along five different patterns in the second decade of the century. The type originating in Baltimore in 1910 designated all-white and all-Negro blocks in areas occupied by both races. This experiment was imitated in Atlanta and Greenville. Virginia sought to legalize segregation by a state law that authorized city councils to divide territories into segregated districts and to prohibit either race from living in the other's district, a method adopted by Roanoke and Portsmouth, Virginia. The third method, invented by Richmond, designated blocks throughout the city black or white according to the majority of the residents and forbade any person to live in any block 'where the majority of residents on such streets are occupied by those with whom said person is forbidden to intermarry.' This one was later copied by Ashland, Virginia, and Winston-Salem, North Carolina. A still more complicated law originated in Norfolk, which applied to both mixed and unmixed blocks and fixed the color status by ownership as well as occupancy. And finally New Orleans developed a law requiring a person of either race to secure consent

of the majority of persons living in an area before establishing a residence therein. After these devices were frustrated by a Supreme Court decision in 1917, attempts continued to be made to circumvent the decision. Probably the most effective of these was the restrictive covenant, a private contract limiting the sale of property in an area to purchasers of the favored race.

The most prevalent and widespread segregation of living areas was accomplished without need for legal sanction. The black ghettos of the 'Darktown' slums in every Southern city were the consequence mainly of the Negro's economic status, his relegation to the lowest rung of the ladder. Smaller towns sometimes excluded Negro residents completely simply by letting it be known in forceful ways that their presence would not be tolerated. In 1914 there were six such towns in Texas, five in Oklahoma, and two in Alabama. On the other hand there were by that time some thirty towns in the South, besides a number of unincorporated settlements, inhabited exclusively by Negroes. In August 1913, Clarence Poe, editor of the *Progressive Farmer*, secured the unanimous endorsement of a convention of the North Carolina Farmer's Union for a movement to segregate the races in rural districts.

The extremes to which caste penalties and separation were carried in parts of the South could hardly find a counterpart short of the latitudes of India and South Africa. In 1909 Mobile passed a curfew law applying exclusively to Negroes and requiring them to be off the streets by 10 p.m. The Oklahoma legislature in 1915

authorized its Corporation Commission to require telephone companies 'to maintain separate booths for white and colored patrons.' North Carolina and Florida required that textbooks used by the public-school children of one race be kept separate from those used by the other, and the Florida law specified separation even while the books were in storage. South Carolina for a time segregated a third caste by establishing separate schools for mulatto as well as for white and Negro children. A New Orleans ordinance segregated white and Negro prostitutes in separate districts. Ray Stannard Baker found Jim Crow Bibles for Negro witnesses in Atlanta courts and Jim Crow elevators for Negro passengers in Atlanta buildings.

6

A search of the statute books fails to disclose any state law or city ordinance specifying separate Bibles and separate elevators. Right here it is well to admit, and even to emphasize, that *laws are not an adequate index of the extent and prevalence of segregation and discriminatory practices in the South*. The practices often anticipated and sometimes exceeded the laws. It may be confidently assumed — and it could be verified by present observation — that there is more Jim Crowism practiced in the South than there are Jim Crow laws on the books.

To say that, however, is not to concede the position so often taken by Southern as well as Northern writers that the laws were of little consequence anyway. This view

consciously or unconsciously voices a laissez-faire bias and often leans for support upon the authority of William Graham Sumner. It was the contention of Sumner's classic *Folkways*, published in 1907, that 'legislation cannot make mores' and that 'stateways cannot change folkways.' Sumner described these 'folkways' as 'uniform, universal in the group, imperative, and invariable.' Perhaps it was not his intention, but Sumner's teachings lent credence to the existence of a primeval rock of human nature upon which the waves of legislation beat in vain. This concept as it was applied to Southern race practices and caste penalties was further buttressed by an American apostle of Herbert Spencer, the sociologist Franklin Henry Giddings. His emphasis upon 'consciousness of kind' in works appearing in 1896 and the decade following gave aid and comfort to the followers of Sumner. So did the racist interpretations of the psychologist William McDougall, whose *Introduction to Social Psychology* appeared in 1908.

Since the works mentioned represented the dominant American social theory of the early twentieth century, and since they appeared in the years when the wave of Southern and American racism was reaching its crest, it was natural that they should have influenced thinking upon the South's major social preoccupation. Their influence was to encourage the notion that there was something inevitable and rigidly inflexible about the existing patterns of segregation and race relations in the South; that these patterns had not been and could not be altered by conscious effort; and that it was, indeed, folly to at-

tempt to meddle with them by means of legislation. These early twentieth-century theories have been characterized by a present-day psychologist, Kenneth B. Clark, as 'the modern attempt at acceptable restatement of the medieval doctrine of *innate ideas*.' Conceived of as biological or social imperatives, these modern 'innate ideas' were presented as 'folkways' or 'mores' which explained and, by inference, justified the existing structure of society, the privileges and policies of the dominant race, and the subordination of the minority race.

This body of social theory, though outmoded by later discovery and disproved by recent experience, continued to be pressed into use for various purposes down to quite recent times. Thus David L. Cohn of Mississippi wrote in the *Atlantic Monthly* of January 1944, 'It is William Graham Sumner's dictum that you cannot change the mores of a people by law, and since the social segregation of the races is the most deep-seated and pervasive of the Southern mores, it is evident that he who attempts to change it by law runs risks of incalculable gravity.' Among such risks he cited 'civil war' as one.

There was a curious contradiction or inconsistency implicit in the theory of this school in so far as it was applied to the history of race relations in the South. When William Graham Sumner wrote that 'The whites [in the South] have never been converted from the old mores' and that 'Vain attempts have been made to control the new order by legislation,' he was thinking of the legislative efforts of radical Reconstruction. Those were the laws he had in mind when he said that 'The only

result is the proof that legislation cannot make mores.' It was the same experiment that the historian William H. Dunning, Giddings's colleague at Columbia, referred to in saying, 'The enfranchisement of the freedman was as reckless a species of statecraft, as that which marked "the blind hysterics of the Celt" in 1789-95.' And yet Southerners cited these authorities upon the utter futility of legislation in the alteration of relations between races to justify and support an elaborate program of legislation to change the relations between races in a different direction. The inference would seem to be that while sound scientific theory proved that folkways and mores could not be changed for some purposes, it proved at the same time that they could be changed for other purposes.

At any rate, the findings of the present investigation tend to bear out the testimony of Negroes from various parts of the South, as reported by the Swedish writer Gunnar Myrdal, to the effect that 'the Jim Crow statutes were effective means of tightening and freezing—in many cases instigating—segregation and discrimination.' The evidence has indicated that under conditions prevailing in the earlier part of the period reviewed the Negro could and did do many things in the South that in the latter part of the period, under different conditions, he was prevented from doing.

We have seen that in the 'seventies, 'eighties, and 'nineties the Negroes voted in large numbers. White leaders of opposing parties encouraged them to vote and earnestly solicited their votes. Qualified and acknowledged leaders of Southern white opinion were on record

as saying that it was proper, inevitable, and desirable that they should vote. Yet after the disfranchisement measures were passed around 1900 the Negroes ceased to vote. And at that time qualified and acknowledged leaders of white opinion said that it was unthinkable that they should ever be permitted to vote. In the earlier decades Negroes still took an active, if modest, part in public life. They held offices, served on the jury, sat on the bench, and were represented in local councils, state legislatures, and the national Congress. Later on these things were simply not so, and the last of the Negroes disappeared from these forums.

It has also been seen that their presence on trains upon equal terms with white men was once regarded in some states as normal, acceptable, and unobjectionable. Whether railways qualify as folkways or stateways, black man and white man once rode them together and without a partition between them. Later on the stateways apparently changed the folkways—or at any rate the railways—for the partitions and Jim Crow cars became universal. And the new seating arrangement came to seem as normal, unchangeable, and inevitable as the old ways. And so it was with the soda fountains, bars, waiting rooms, street cars, and circuses. And so it probably was with the parks in Atlanta, and with cemeteries in Mississippi. There must even have been a time in Oklahoma when a colored man could walk into any old telephone booth he took a notion to and pick up the receiver.

What was once said in extenuation of the harshness of

the black codes of slavery times—that they were more honored in the breach than in the observance—cannot be said of the Jim Crow codes. Any Southerner of middle age, of course, could think of exceptions: the old 'auntie' who came to talk with one's grandmother on Saturday afternoons when the weather was nice; the privileged 'uncle' who preferred and was permitted to attend the white church; the defiant 'mammy' on the white day coach; and the old retainer who lorded it over the family larder and put the grocer's white delivery boy in his place. But we recognize them all as belated survivors of the old times — relics now gone with the second wind of history.

Barring those disappearing exceptions, the Jim Crow laws applied to *all* Negroes—not merely to the rowdy, or drunken, or surly; or ignorant ones. The new laws did not countenance the old conservative tendency to distinguish between classes of the race, to encourage the 'better' element, and to draw it into a white alliance. Those laws backed up the Alabamian who told the disfranchising convention of his state that no Negro in the world was the equal of 'the least, poorest, lowest-down white man I ever knew'; but not ex-Governor Oates, who replied: 'I would not trust him as quickly as I would a negro of intelligence and good character.' The Jim Crow laws put the authority of the state or city in the voice of the street-car conductor, the railway brakeman, the bus driver, the theater usher, and also into the voice of the hoodlum of the public parks and playgrounds. They

gave free rein and the majesty of the law to mass aggressions that might otherwise have been curbed, blunted, or deflected.

The Jim Crow laws, unlike feudal laws, did not assign the subordinate group a fixed status in society. They were constantly pushing the Negro farther down. In seeking to distinguish between the Southern white attitudes toward the Negro during Reconstruction and the era following and the attitudes later developed, Edgar Gardner Murphy in 1911 called the one 'defensive' and 'conservative' and the other 'increasingly aggressive' and 'destructive.' 'The new mood,' he wrote, 'makes few professions of conservatism. It does not claim to be necessary to the state's existence These new antipathies are not defensive, but assertive and combative . . . frankly and ruthlessly destructive.' The movement had proceeded in mounting stages of aggression. 'Its spirit is that of an all-absorbing autocracy of race, an animus of aggrandizement which makes, in the imagination of the white man, an absolute identification of the stronger race with the very being of the state.'

We have come a long way since that time and since that mood prevailed in the South. But most of the distance we have traveled has been covered in very recent years. The most common observation upon recent developments in race relations by intelligent white people of the South is almost invariably prefaced by the phrase: 'Ten (or twenty) years ago I would never have believed that . . .' And, indeed, there was then little reason to believe, or to expect, that things would change in the

South at any more than a glacial pace. For as recently as that the doctrine according to Sumner prevailed almost unchallenged in the mind of the laity — as well as in the minds of a good part of the 'experts' on social problems. And that doctrine had it that however crying the need for change, those immovable 'folkways' and irresistible 'mores' made the whole idea impracticable, or slowed down change to the pace of evolution.

When a scientific theory ceases to account for the observed facts of common experience, however, it would seem to be time to discard the theory. In lieu of another to offer in its place, we can at least try to understand what has happened.

IV

The Man on the Cliff

In the second year of the First World War, Maurice S. Evans, an Englishman who made his home in South Africa, wrote a book on race relations in the South that, according to the subtitle, was written 'From a South African Point of View.' He found conditions in the South 'strikingly similar' to those he had left behind at home. 'The separation of the races in all social matters,' he wrote, 'is as distinct in South Africa as in the Southern States. There are separate railway cars . . . and no black man enters hotel, theatre, public library or art gallery.' There were also in his homeland the same separate schools, the same disfranchisement, and the same political and economic subordination of the black man. 'How often,' he exclaimed, 'the very conditions I had left were reproduced before my eyes, the thousands of miles melted away, and Africa was before me.' Evans thought that 'in essence the problem is the same for both

of us'—South Africa and the Southern states of America—and that the two great regions should and probably would pursue much the same course toward the solution of their common problems in the future. He particularly urged upon the South 'a separation of the races such as is still possible to us in South Africa,' where 'we still have the black States.' He believed that this solution would be worth 'heavy sacrifices to ensure it.'

At the time of the First World War there was much to lend plausibility to Evans's prediction that the South and South Africa would follow parallel courses in the future. And there was at that time little evidence to indicate that their paths would eventually come to a point of sharp divergence. Thoughtful Southerners such as Alfred H. Stone, a planter from the Yazoo delta of Mississippi, were conscious of the parallel between the policies pursued by the dominant whites of the two regions. 'There are more Negroes in Mississippi,' wrote Stone, than in Cape Colony, or Natal, even with the great territory of Zululand annexed to the latter; more than in the Transvaal, and not far from as many as in both the Boer colonies combined.' He remarked that the movement for disfranchisement had been 'simultaneously agitated in both Cape Colony and Mississippi,' and that action on the subject in the colony had followed hard upon that in his state, with an interval of only two years between them.

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There was as yet no sign of a revival of Northern resistance to Southern race policy. If anything, thought Thomas P. Bailey, Northern opposition was still on the decline. In his *Race Orthodoxy in the South*, published in 1914, Bailey asked: 'Is not the South being *encouraged* to treat the negroes *as aliens* by the growing discrimination against the negro in the North, a discrimination that is social as well as economic? Does not the South perceive that all the fire has gone out of the Northern philanthropic fight for the rights of man? *The North has surrendered!*' According to Bailey it was 'the underlying feeling of many a Southern leader' that "'They are going to let us alone; we'll fix things to suit ourselves.'" The trend in the North, he believed, was toward the adoption of the Southern Way as the American Way. 'Even now,' he observed, 'the solid Far West is joining hands with the South in racial matters; and the end is not yet in the growing solidarity of the white people in this country.'

The concentration upon the South in these pages should not lead to the inference that the attitudes and policies described here were peculiar to the South. Indeed, if the evidence had been collected in authoritative studies, it would be a simple matter to point out the many parallel lines of prejudice and discrimination against the Negro in the North, prejudice that often worked as great a hardship upon the race as it did in the

South. The trend toward racism in the North was amply illustrated in the years immediately following the First World War.

The war aroused in the Negroes a new hope for restoration of their rights and a new militancy in demanding first-class citizenship. More than 360,000 of them entered military service and a large part of those saw overseas duty in uniform. More joined the exodus of migration to the North in quest of high wages in the war industries. Temporary prosperity gave them new hopes and desires that needed fulfillment, and official propaganda picturing American participation in the war as a crusade for democracy raised the natural demand for a little more democracy at home.

The war-bred hopes of the Negro for first-class citizenship were quickly smashed in a reaction of violence that was probably unprecedented. Some twenty-five race riots were touched off in American cities during the last six months of 1919, months that John Hope Franklin called 'the greatest period of interracial strife the nation had ever witnessed.' Mobs took over cities for days at a time, flogging, burning, shooting, and torturing at will. When the Negroes showed a new disposition to fight and defend themselves, violence increased. Some of these atrocities occurred in the South—at Longview, Texas, for example, or at Tulsa, Oklahoma, at Elaine, Arkansas, or Knoxville, Tennessee. But they were limited to no one section of the country. Many of them occurred in the North and the worst of all in Chicago. During the first year following the war more than sev-

enty Negroes were lynched, several of them veterans still in uniform.

In the postwar era there were new indications that the Southern Way was spreading as the American Way in race relations. The great migration of Negroes into the residential slum areas and the industrial plants of the big Northern cities increased tension between races. Northern labor was jealous of its status and resentful of the competition of Negroes, who were excluded from unions. Negroes were pushed out of the more desirable jobs in industries that they had succeeded in invading during the manpower shortage of the war years. They were squeezed out of federal employment more and more. Negro postmen began to disappear from their old routes, as Negro policemen did from their old beats. They began to lose their grip upon crafts such as that of the barbers, which had once been a virtual monopoly in the South.

Racism in regimented form was spread over the whole country in the 'twenties by the new Ku Klux Klan. Organized in Georgia in 1915, the new Klan did not reach its peak of membership, reported to have been five million, until the mid-twenties. Directed against other racial and religious minorities, as well as against the Negro, the Klan attained a larger following outside the South than within. Its influence within the South, however, toward the inflaming of prejudice, the encouragement of race violence, and the strengthening of the segregation code was powerful. At least two state governments, those of Texas and Oklahoma, were for a time

almost completely under the domination of the Klan. Though the formal organization declined rapidly before the end of the 'twenties, sporadic outbreaks of its activities continued in the lower South into recent times.

There was no apparent tendency toward abatement or relaxation of the Jim Crow code of discrimination and segregation in the 1920's, and none in the 'thirties until well along in the depression years. In fact the Jim Crow laws were elaborated and further expanded in those years. Much social and economic history is reflected in the new laws. When women began to bob their hair and become patrons of the barber shops, Atlanta passed an ordinance in 1926 forbidding Negro barbers to serve women or children under fourteen years of age. Jim Crow kept step with the march of progress in transportation and industry, as well as with the changes in fashion. Mississippi brought her transportation laws abreast of the times in 1922 by passing a state-wide Jim Crow law applying to taxicabs. City ordinances requiring Jim Crow taxis were adopted by Jacksonville in 1929, by Birmingham in 1930, and by Atlanta in 1940. The Atlanta law required signs 'in an oil paint of contrasting color' painted on the vehicle to indicate which race it served, and further specified that 'There shall be white drivers for carrying white passengers and colored drivers for carrying colored passengers.' The advent of the cross-country buses as serious competitors of the railways was marked by the extension of the Jim Crow train law to the buses in all particulars, including seating arrangement, waiting rooms, toilets, and

other accommodations. The arrival of the age of air transportation appears to have put a strain upon the ingenuity of the Jim Crow lawmakers. Even to the orthodox there was doubtless something slightly incongruous about requiring a Jim Crow compartment on a transcontinental plane, or one that did not touch the ground between New York and Miami. No Jim Crow law has been found that applies to passengers while they are in the air. So long as they were upon the ground, however, they were still subject to Jim Crow jurisdiction. The Virginia legislature empowered the State Corporation Commission in 1944 to require separate waiting rooms and other facilities in airports. Air companies generally complied with custom without the compulsion of law—at least so far as activities on the ground were concerned.

In the field of recreation, sports, and amusements the laws continued to be tightened. An Atlanta ordinance of June 1940 made the single exception of its park segregation 'so much of Grant park as is occupied by the zoo.' Only in the presence of the lower anthropoids could law-abiding Atlantans of different races consort together. The same city in 1932 prohibited amateur baseball clubs of different races from playing within two blocks of each other. In 1933 Texas prohibited 'Caucasians' and 'Africans' from boxing and wrestling together. Federal law stepped in to hinder the circulation of films showing interracial boxing. An Arkansas law of 1937 required segregation at all race tracks and gaming establishments 'in seating, betting, and all other accommodations.' In

1935 Oklahoma extended the white man's law to separate the races while fishing or boating. A Birmingham ordinance got down to particulars in 1930 by making it 'unlawful for a Negro and a white person to play together or in company with each other' at dominoes or checkers.

By 1944 the Swedish writer Gunnar Myrdal observed that 'Segregation is now becoming so complete that the white Southerner practically never sees a Negro except as his servant and in other standardized and formalized caste situations.'

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Tension between the races eased somewhat during the 'thirties while both white and colored people grappled with the problems of the Great Depression. For the first time in history the great majority of both races in the South joined the same political party. Under a liberal administration that party appeared to be sincerely striving to improve the lot of the black man as well as that of the white man. In spite of unyielding segregation, a few new opportunities opened to the Negro in cultural life, housing, health improvement, and education through federal agencies of the New Deal. Interracial violence, particularly lynching, declined markedly. Southern white people and even the liberals among them were beginning to congratulate themselves upon the dawn of what seemed to be a new and hopeful era of interracial relations.

Then, quite abruptly and unaccountably—or so it

seemed to many Southern white people—an avalanche of denunciation, criticism, and opprobrium descended upon the South from above the Mason and Dixon line. Militant and organized demands from both Negro and white sources of pressure were raised for immediate abolition of segregation. There was an aggressiveness about the new agitation that frightened the South. Coming on the heels of what some Southerners had considered a period of relative progress in racial relations, the demands seemed the more unreasonable and unfair. They coincided with the war crisis that had already frayed people's nerves. It was sometimes hard to tell whether the international or the interracial conflict excited the bitterest feeling. Howard W. Odum in his *Race and Rumors of Race* has vividly described the atmosphere of suspicion and fear that brooded over the South in the early 'forties. The flying rumors of plot and counterplot, of bands armed with icepick and switchblade knife, of Eleanor Clubs, conspiratorial societies, and subversive Northern agitators often recall the fevered frame of mind that possessed the South in the winter following the Harpers Ferry raid. To the experienced sociologist Odum, it seemed that 'the South and the Negro in the early 1940's, faced their greatest crisis since the days of the reconstruction and that many of the same symbols of conflict and tragedy that were manifest in the 1840's were evident again a hundred years later.'

Responsible spokesmen of the South, gravely alarmed, felt it necessary to issue stern warnings. 'A small group