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“THAT OUR GOVERNMENT MAY STAND”:
AFRICAN AMERICAN POLITICS IN THE POSTBELLUM SOUTH, 1865-1901

By

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ABSTRACT OF THE DISSERTATION

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This dissertation provides a fresh examination of black politics in the post-Civil War South by focusing on the careers of six black congressmen after the Civil War: John Mercer Langston of Virginia, James Thomas Rapier of Alabama, Robert Smalls of South Carolina, John Roy Lynch of Mississippi, Josiah Thomas Walls of Florida, and George Henry White of North Carolina. It examines the career trajectories, rhetoric, and policy agendas of these congressmen in order to determine how effectively they represented the wants and needs of the black electorate. The dissertation argues that black congressmen effectively represented and articulated the interests of their constituents. They did so by embracing a policy agenda favoring strong civil rights protections and encompassing a broad vision of economic modernization and expanded access for education. Furthermore, black congressmen embraced their role as national leaders and as spokesmen not only for their congressional districts and states, but for all African Americans throughout the South.

Black political leaders during the postwar Reconstruction years placed particular importance on the significance of black military service during the war and the lasting legacy of emancipation for the newly freed population. Local developments, especially antiblack violence and tumultuous electoral contests, conditioned newly elected black

congressmen and shaped the policies that they embraced, whether it was expanded educational opportunities, stronger federal protections for civil rights, or the tactical decision to support amnesty for ex-Confederates. Despite political pressures and frequent intimidation, black congressmen performed their work admirably, particularly during debates over Charles Sumner's Civil Rights Act of 1875.

As Reconstruction gave way to Redemption, a fracturing took place within the black political establishment as black leaders and their constituents searched for effective ways to respond to white supremacy, disfranchisement, segregation, and lynching. The two most viable avenues available to them, fusion voting and emigration, were both applied in various settings but were ultimately unable to stave off the loss of black citizenship rights by the century's end. Nevertheless, black congressmen challenged the barriers of prejudice, paving the way for future black struggles for equality in the twentieth century.

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Lynch's house, which Bagley said was actually a stable back in the day. Even though he will probably think that I am an ingrate because I never made it to Natchez, I benefited from many of Clinton's valuable suggestions. I also thank Rickie Brunner, Norwood Kerr, Nancy Dupree, Graydon Rust, and Graham Neeley, all at the Alabama Department of Archives and History in Montgomery, and Sara Brewer and Arlene Royer, at the National Archives and Records Administration—Southeast Region at Morrow, Georgia, for helping me navigate through early 1870s district court records.

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Hold onto dreams
For if dreams die
Life is like a broken-winged bird
That cannot fly.

Hold fast to dreams
For when dreams go
Life is a barren field
Frozen with snow.

Langston Hughes, "Dreams"

DEDICATION

To the memory of my *abuelito*
José Aníbal Borrego (March 19, 1927 - November 29, 2012)
Thanks for all the memories

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INTRODUCTION

**The Risen Phoenix:
Reexamining African American Politics in the Postbellum South**

Revising Black Political History

On September 27, 2009, President Barack Obama began his speech at the Congressional Black Caucus Foundation's Annual Phoenix Awards Dinner by remembering North Carolina's George Henry White, the "lone African American" serving in Congress at the opening of the twentieth century.¹ The President noted that White

was the last of that first generation of African Americans elected to Congress in the aftermath of Appomattox. But at the end of the 1800s, with a segregationist Supreme Court handing down "separate but equal," with African Americans being purged from the voter rolls, with strange fruit growing on the poplar trees, White decided against seeking reelection—meaning that once again, neither the House nor the Senate would be occupied by a single African American member.²

Reviewing the rise and fall of black America's political fortunes, Obama emphasized that his own presence on that stage, surrounded by a wide range of black officeholders, indicated just how far the nation had come since the Age of Jim Crow. In perhaps the most stirring moment of Obama's speech, he drew upon the prophetic words of White himself, delivered at the end of his tenure in Congress: "At the end of an inspiring farewell address, the gentleman from North Carolina said, 'This, Mr. Chairman, is perhaps the Negroes' temporary farewell to the American Congress; but let me say, Phoenix-like he will rise up some day and come again.' "

¹ Office of the Press Secretary, "Remarks by the President at the Congressional Black Caucus Foundation's Annual Phoenix Awards Dinner," 27 Sept. 2009, accessed 26 Oct. 2009, http://www.whitehouse.gov/the_press_office/Remarks-By-The-President-At-The-Congressional-Black-Caucus-Foundations-Annual-Phoenix-Award-Dinner.

² "Remarks by the President," 27 Sept. 2009.

When Obama finished speaking, the convention center filled with applause, just as White's speech was received 108 years earlier.³ The President's speech was a timely reminder that the modern history of black politics is grounded in the careers of nineteenth-century black politicians, such as White, who blazed the path so that other blacks might have "an even chance in the race of life."⁴ This dissertation revisits that history through an examination of six black congressmen from six different Southern states.

The dissertation's title comes from a speech delivered on January 16, 1891, by one of the last black congressmen of the nineteenth century, John Mercer Langston of Virginia. Speaking in support of Massachusetts Congressman Henry Cabot's Lodge's Federal Elections ("Force") Bill, Langston laid out his vision for the fulfillment of the promise of the American republic: "Ah, Mr. Chairman, the day has come to us now when we are to recur in our thoughts and reach in our purposes those olden times of this Republic when our fathers built, as Christ did, 'on the rock'; that His Church might stand, and now that our government may stand."⁵ Langston's rhetoric blended nationalism and Christianity to create a staunchly emancipationist embrace of republicanism. His fellow black officeholders and their constituents across the South used similar words.

³ Ibid; For the text of White's speech see "The Agriculture Bill" (29 Jan. 1901) in Stephen Middleton, ed., *Black Congressmen During Reconstruction: A Documentary Sourcebook* (Westport, CT and London: Greenwood Publishers, 2002), 420-29, and George Henry White, "Farewell Speech to the U.S House of Representatives," *Congressional Record*, 56th Cong., 2nd Sess., 34 (29 Jan. 1901): H. 1634-1638 in Benjamin R. Justesen, ed., *In His Own Words: The Writings, Speeches, and Letters of George Henry White* (Lincoln, NE: iUniverse, Inc., 2004), 201-6.

⁴ This concluding sentence is borrowed from the subtitle of Benjamin R. Justesen's biography of White, *George Henry White: An Even Chance in the Race of Life* (Baton Rouge: Louisiana State University Press, 2001).

⁵ John Mercer Langston, "The Election Bill" (16 Jan. 1891) in Middleton, ed., *Black Congressmen During Reconstruction*, 128; see also "John M. Langston. His Reasons for Placing No Confidence in the Lodge Bill. Some Very Plain Talk from a Man of Experience and One Who Has Probed the Question of Elections in the South to the Bottom," *Richmond Leader*, 15 Aug. 1890, John Mercer Langston Collection, Scrapbooks 1-4, Boxes 60-1 and 60-2, Howard University, Washington, DC (hereafter cited as Langston Scrapbooks).

My dissertation studies some of the members of the “first generation” of African Americans elected to Congress by focusing on six African American congressmen who served after the Civil War: James Thomas Rapier (1837-1883) of Alabama, Robert Smalls (1839-1915) of South Carolina, Josiah Thomas Walls (1842-1905) of Florida, John Roy Lynch (1847-1939) of Mississippi, John Mercer Langston (1829-1897) of Virginia, and George Henry White (1852-1918) of North Carolina. These men represented a broad spectrum of the black community. Some, such as Langston and Rapier, had never experienced the horrors of slavery and had the opportunity to obtain higher education outside the South. Others, such as Smalls and Walls, were slave-born black military veterans who figured prominently in emerging debates over black manhood and citizenship rights. Most were committed to the Republican Party and represented a rural and formerly enslaved constituency. These six individuals belonged to various Christian denominations, and most were connected to black fraternal orders, especially the Prince Hall Freemasons.⁶ My study thus examines the distinctive careers and political agendas of a broad sample of black leaders.⁷

⁶ This sort of biographical information is easier to find for some leaders than for others. Moreover, many of the sources detailing the congressmen’s religious affiliation and their participation in black fraternal orders are spotty, contradictory, and, at times inaccurate. I have done my best in locating the most accurate and reliable information in this regard. Nevertheless, for many of these congressmen, we have very limited information. John Mercer Langston may have been a nondenominational Christian, but, although he valued Christianity, he never joined a church. For more on this subject see William Cheek and Aimee Lee Cheek, *John Mercer Langston and the Fight for Black Freedom, 1829-65* (Urbana and Chicago: University of Illinois Press, 1989), 221-22. Langston was involved (along with his brother Charles) in St. Mark’s Lodge No. 7 Prince Hall Free & Accepted Masons in Columbus, Ohio. See Wor. Bro. Antonio O. Caffey, PM, “Lodge History,” accessed 18 July 2012, <http://www.stmarks7.org/lodgehistory.html>. George Henry White was a founder and elder of the Ebenezer United Presbyterian Church in New Bern; see Justesen, *George Henry White*, 52-53. White was also heavily involved in black Masonry, serving as grand master of King Solomon Lodge No. 1 in New Bern and of the Colored Masons of North Carolina. See “George H. White (George Henry), 1852-1918,” in University Library, The University of North Carolina at Chapel Hill, “Documenting the American South,” 2004, accessed 18 July 2012, <http://docsouth.unc.edu/nc/whitegh/bio.html>. Robert Smalls was a Baptist; his home church was the First African Baptist Church, and he was buried in the cemetery of the Tabernacle Baptist Church (both located in his hometown of Beaufort, South Carolina). He was a member of the local Sons of Beaufort Lodge No. 36 and a Prince Hall Freemason. This information is available in State Historic Preservation Office, South

The careers of these six congressmen shed light on the nature of black politics in the post-Civil War era. They consistently defined the black struggle for freedom in terms of blacks' service and sacrifice during the Civil War, viewing this wartime service as the basis for their equal rights as American citizens. These congressmen used their positions to protest against the widespread anti-black violence and intimidation that were hallmarks of the postbellum political era. Black congressional leaders also felt that they represented not only their districts but all blacks across the country. Throughout their speeches they articulated their constituents' desire for desegregation, access to education, and federal protection of their civil and political rights.⁸ They echoed the larger black political culture prevalent across the South by embracing a language and political imagery that engaged in

Carolina Department of Archives and History, "African American Historic Places in South Carolina" (June 2009), 4-5, accessed 18 July 2012, <http://shpo.sc.gov/pubs/Documents/aframerhisplinsc.pdf>; William R. Denslow, *10,000 Famous Freemasons*, Vol. IV: *Q-Z* (1957; New Orleans: Cornerstone Book Publishers, 2007), 146; William A. Muraskin, *Middle Class Blacks in a White Society: Prince Hall Freemasonry in America* (Berkeley, Los Angeles, and London: University of California Press, 1975), 52-53. John Roy Lynch was baptized as an Episcopalian, but for most of his life attended Methodist and Baptist colored churches, though he remained committed to the Episcopal Church; he was also a Prince Hall Freemason. See John Roy Lynch, *Reminiscences of an Active Life: The Autobiography of John Roy Lynch*, ed. John Hope Franklin (Chicago and London: University of Chicago Press, 1970), 23-25; Muraskin, *Middle Class Blacks in a White Society*, 52-53. There is considerably less information for Josiah Thomas Walls and James Thomas Rapier. We are uncertain of his denomination (which may explain why his career in Florida was largely free from tensions between African Methodists and Baptists, since he was apparently not affiliated with either denomination). One source lists him as a Prince Hall Freemason, but this source is very shoddy in its research (especially with respect to the career and affiliations of John Mercer Langston), see Joseph Cox, *Great Black Men of Masonry* (1982; Lincoln, NE: iUniverse, Inc., 2002) 225-26 (which prints erroneous and completely inaccurate information about Langston) and 329 (for Walls). James Thomas Rapier underwent a conversion during a Methodist revival; this subject is discussed in Loren Schweninger, *James T. Rapier and Reconstruction* (Chicago and London: University of Chicago Press, 1978), 30-33. As far as I can tell, there is no definitive information that links either Walls or Rapier with the Prince Hall Freemasons (although there apparently was a Masonic Temple in Alabama named for Rapier).

⁷ A glaring example in this case would be that of Louisiana Congressman Charles Edmund Nash. Very little information (not even a complete speech) is available on his life or career, making it almost impossible to study him. Likewise, better-known or more colorful characters included Robert Brown Elliott, Joseph Hayne Rainey, and Blanche Kelso Bruce, whose lives and careers have received quite a bit of attention or who come from a state that had heavy black representation. For example, out of the twenty-two black members of Congress, 36 percent came from South Carolina alone.

⁸ For an excellent overview of how blacks understood freedom with respect to these issues see Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (1988; New York: Perennial Classics, 2002), 77-123. A more recent discussion of the black struggle to obtain education in the era of emancipation is Heather Andrea Williams, *Self-Taught: African American Education in Slavery and Freedom* (Chapel Hill and London: University of North Carolina Press, 2005).

sarcasm, farce, and manipulation. They also emphasized American nationalism while championing a broad view of American citizenship and black equality. Their rhetoric reflects many of the strategies employed by the black community to survive and thrive in the wake of the dislocations wrought by the Civil War.⁹

Domestic developments were not the only concerns on the minds of black leaders in national politics. These congressmen also looked abroad, either by traveling to foreign locales (as James Thomas Rapier did in his capacity as Alabama's State Commissioner to the 1873 Fifth World's Fair in Vienna) or by speaking out on behalf of embattled peoples seeking freedom from tyranny (like Josiah Thomas Walls, who openly supported Cuban insurgents' struggle for independence during the Cuban Ten Years' War). This consciousness of a world beyond the Union parallels longstanding concerns for countries that offered counterexamples to the slave regime in the South (such as Haiti and the British West Indies).¹⁰

This dissertation combines a rhetorical analysis of congressional speeches, memoirs, and newspaper accounts with demographic analyses of the congressional

⁹ For the significance of Brer Rabbit as a symbol of black farce and manipulation, see Lawrence Levine's discussion in *Black Culture and Black Consciousness: Afro-American Folk Thought from Slavery to Freedom* (1977; New York and Oxford: Oxford University Press, 2007), 108. For more recent examinations, focusing on the Jim Crow period, that discuss the use of lying and manipulation, see Robin D. G. Kelley, "'We Are Not What We Seem': Rethinking Black Working-Class Opposition in the Jim Crow South," *Journal of American History* 80 (June 1993): 76, 80-81.

¹⁰ A brief but insightful discussion of the "lessons" previous examples of emancipation held may be found in Eric Foner, *Nothing But Freedom: Emancipation and Its Legacy* (Baton Rouge: Louisiana State University Press, 1983), 39-45. There is a rich and expanding scholarly literature on comparative history that I have found most useful. In addition to Foner's small book see the following: Steven Hahn, "Class and State in Postemancipation Societies: Southern Planters in Comparative Perspective," *American Historical Review*, 95, no. 1 (1990): 75-98; Thomas C. Holt, *The Problem of Freedom: Race, Labor, and Politics in Jamaica and Britain, 1832-1938* (Baltimore and London: Johns Hopkins University Press, 1992); Rebecca J. Scott, *Degrees of Freedom: Louisiana and Cuba after Slavery* (Cambridge, MA and London: Harvard University Press, 2005); Mark M. Smith, "The Past as a Foreign Country: Reconstruction, Inside and Out," in Thomas J. Brown, ed., *Reconstructions: New Perspectives on the Postbellum United States* (Oxford and New York: Oxford University Press, 2006), 117-40; and Peter Kolchin, "Comparative Perspectives on Emancipation in the U.S. South: Reconstruction, Radicalism, and Russia," *Journal of the Civil War Era* 2, no. 2 (June 2012): 203-32.

districts that each congressman represented, so as to produce a full portrait of black congressional strategies and policy in the second half of the nineteenth century. It also compares and contrasts the rhetoric of black congressmen with opinions in the black press and the perspectives of newly freed slaves. The dissertation aims to demonstrate the connections between black politicians and their constituents. In addition, it draws on the rich scholarly literature, from within the field of speech and communications, that focuses on the rhetoric of African American congressmen in order to understand the specific strategies that black politicians pursued in Congress in defense of their constituents' desires.¹¹ For example, communications scholar William A. Haskins identifies different strategies that black congressmen used on issues ranging from civil rights and education to politics, violence, and economics.¹²

Several critical points are relevant to understanding the rhetoric and imagery of black congressmen. These men were brutally frank in discussing the perpetuation of violence, which they blamed on their white Democratic opponents. Though they cited specific examples of disfranchisement, intimidation, and violence, they were less likely to share their own personal experience of such practices. This reticence seems to have reflected their awareness that such descriptions provided ammunition and even joy to

¹¹ I am well aware of the methodological problems present in such scholarship, most notably an overemphasis on rhetorical strategies as opposed to traditional historical methods. Nevertheless, I find that this is the only literature that pays close attention to the speeches and rhetoric of black congressmen. The main works I draw upon include: Kenneth Eugene Mann, "Black Leaders in National Politics, 1873-1943: A Study of Legislative Persuasion" (Ph.D. Diss., Indiana University, 1971); Cal M. Logue, "Rhetorical Ridicule of Reconstruction Blacks," *Quarterly Journal of Speech* 62, no. 4 (1976): 400-409; William A. Haskins, "The Rhetoric of Black Congressmen, 1870-1877: An Analysis of the Rhetorical Strategies Used to Discuss Congressional Issues," (Ph.D. Diss., University of Oregon, 1977); Haskins, "Rhetorical Vision of Equality: Analysis of the Rhetoric of the Southern Black Press During Reconstruction," *Communication Quarterly* 29, no. 2 (1981): 116-22; and Haskins, "Rhetorical Perspectivism of Black Congressmen upon the 1875 Civil Rights Bill," paper presented at the 70th Annual Meeting of the Speech Communication Association, Chicago, November 1-4, 1984. See also Jeffrey Ferguson, "Race and the Rhetoric of Resistance," *Raritan: A Quarterly Review* 28, no. 1 (Summer 2008): 4-32.

¹² Haskins, "The Rhetoric of Black Congressmen, 1870-1877," 205.

their white opponents, who often reveled in instances of black humiliation and intimidation. Their behavior has much in common with what Darlene Clark Hine labels “the culture of dissemblance” among black women who faced similar obstacles when speaking about sexual exploitation and abuse. Perhaps these black men believed that it was better to forgo discussions of personal experiences of discrimination that might reinforce prevailing stereotypes of their race as a whole.¹³

Certainly African American congressmen knew that they were performing for a larger audience—one that transcended white and black Southerners and often encompassed the nation as a whole. Indeed, as Heather Cox Richardson points out, African Americans were scrutinized not only by their white opponents in the South but also by their white allies in the North, who paid close attention to such developments as allegations of black political corruption in South Carolina. Northern perceptions of the Palmetto State’s government significantly influenced support for Reconstruction governments across the South. Richardson convincingly asserts that South Carolina “became the stage on which Northerners examined an America controlled by workers.”¹⁴ In order to safeguard the gains made during Reconstruction, black politicians had to find ways to articulate the goals of their constituents without unduly alienating their white counterparts. To do so they often emphasized “color-blind” issues that benefited both black and white Southerners. For example, John Mercer Langston urged white Southerners to establish literacy tests that would be implemented equally among all

¹³ Darlene Clark Hine, “Rape and the Inner Lives of Black Women in the Middle West: Preliminary Thoughts on the Culture of Dissemblance,” *Signs: Journal of Women in Culture and Society* 14, no. 4 (Summer 1989): 912-20.

¹⁴ Heather Cox Richardson, *The Death of Reconstruction: Race, Labor, and Politics in the Post-Civil War North, 1865-1901* (Cambridge, MA and London: Harvard University Press, 2001), 89; see Richardson’s larger portrayal on 83-121.

citizens in order to avoid disfranchising white voters, and John Roy Lynch downplayed the belief that African Americans desired to be socially equal to whites.¹⁵

Also, given that many African Americans embraced what might be termed an emancipationist discourse of manhood, one cannot fully understand black congressional rhetoric without understanding the critical importance of recent Civil War experiences in the political positions adopted by black congressmen.¹⁶

The rhetoric and policy agendas of black congressmen form one piece of the intricate puzzle of postbellum black political life. Evidence suggests strong ties between black congressmen and their formerly enslaved constituents. In 1878, when South Carolina's Robert Smalls was threatened by an armed group of white Democratic Red Shirts in the small Republican town of Gillisonville, more than a thousand African American men and women "seized whatever was at hand—guns, axes, hoes, etc., and ran

¹⁵ On social rights see John Roy Lynch, "The Civil Rights Bill" (3 Feb. 1875), in Middleton, ed., *Black Congressmen During Reconstruction*, 154-58. On creative ways to combat the imposition of literacy tests see Luis-Alejandro Dinnella-Borrego, "From the Ashes of the Old Dominion: Accommodation, Immediacy, and Progressive Pragmatism in John Mercer Langston's Virginia," *Virginia Magazine of History and Biography* 117, no. 3 (2009): 236-39, citing Langston, "Remarks on Federal Elections Bill," 51st Cong., 2nd Sess., *Congressional Record* 22 (16 Jan. 1891): H. 1481-1482. My approach to the ways in which blacks positioned themselves with respect to their white audience has also been informed by more modern analyses in Derrick A. Bell, Jr., "*Brown v. Board of Education* and the Interest-Convergence Dilemma," *Harvard Law Review* 93, no. 518 (Jan. 1980): 518-33. Though Bell deals with the reasons why white jurists and certain white political leaders began to support school integration in the 1950s and 1960s, the idea of "interest-convergence" may also be germane for understanding the motivations behind policy agendas embraced by black congressmen in the postbellum era.

¹⁶ In this regard I have been most influenced by Morton Keller, *Affairs of State: Public Life in Late Nineteenth Century America* (1977; Union, NJ: Lawbook Exchange, Ltd., 2000); C. Vann Woodward, *Origins of the New South, 1877-1913* (1951; Baton Rouge: Louisiana State University Press, 2006); Edward L. Ayers, *The Promise of the New South: Life After Reconstruction* (New York and Oxford: Oxford University Press, 1992); William W. Freehling, *The South vs. the South: How Anti-Confederate Southerners Shaped the Course of the Civil War* (New York and Oxford: Oxford University Press, 2001); Michael Vorenberg, *Final Freedom: The Civil War, the Abolition of Slavery, and the Thirteenth Amendment* (Cambridge, England: Cambridge University Press, 2001); Michael Les Benedict, *Preserving the Constitution: Essays on Politics and the Constitution in the Reconstruction Era* (New York: Fordham University Press, 2006); and James Oakes, *The Radical and the Republican: Frederick Douglass, Abraham Lincoln, and the Triumph of Antislavery Politics* (New York and London: W. W. Norton & Company, 2007).

to the rescue.”¹⁷ Even after Smalls quietly took a train back to his political base in Beaufort, he was met at almost every station by large groups of armed black men ready to go to Gillisonville because they had heard that the “King of Beaufort” had been threatened.¹⁸ Similarly, in the 1888 election, when John Mercer Langston faced a divisive independent campaign that pitted him against the white Republican establishment and national leaders such as Frederick Douglass, his followers did not withdraw their support. Black pastors urged their congregants to support Langston and threatened to expel any man who thought of voting against him. Furthermore, some of the strongest supporters of Langston’s campaign were members of local clubs such as the Langston Female Invincibles, who arranged festivities for political rallies and urged black men to vote in favor of Langston. The *New York Times* noted:

A remarkable feature of Langston’s campaign has been the organization of women clubs in every town and county in the district. These clubs not only work, but they pray for Langston’s success. Every political meeting held in Langston’s interest is opened with prayer. The colored ministers are encouraging him, and every possible influence is exerted to elect him.¹⁹

Of course there were occasions when black constituents disagreed with and opposed their elected leaders, but these examples illustrate the strength of the bonds between black congressmen and the communities they represented.

These six black congressmen, alongside their other black colleagues in the House and Senate, articulated the dreams and desires of newly freed slaves. They also strove to

¹⁷ Philip Dray, *Capitol Men: The Epic Story of Reconstruction Through the Lives of the First Black Congressmen* (Boston and New York: Mariner Books, 2008), 308; Laura M. Towne, *Letters and Diary of Laura M. Towne Written from the Sea Islands of South Carolina 1862-1884*, edited by Rupert Sargent Holland (1912; LaVergne, TN: Kessinger Publishing, 2011), 290 (6 Nov. 1878).

¹⁸ Dray, *Capitol Men*, 308.

¹⁹ See William F. Cheek, “A Negro Runs for Congress: John Mercer Langston and the Virginia Campaign of 1888,” *Journal of Negro History* 52 (1967), especially 26, 28; “Virginia for Cleveland. Republicans Losing Colored Votes by Mahone’s Obstinacy,” *New York Times*, 4 Nov. 1888, accessed 8 July 2011, <http://www.nytimes.com>.

serve the needs of their districts by fighting for patronage and other government improvements. They influenced national debates on policy initiatives regarding race relations and black civil and political equality, taking on the mantle of national black political leadership while simultaneously listening to and embracing the aspirations of the local black electorate. They were definitely effective in articulating their constituents' interests; however, they were less effective in implementing those interests.²⁰ They were often unable to preserve the civil and political rights gained during the era of Reconstruction. The forces arrayed against them—Northern indifference, bisectional racism, Southern violence and intimidation—were too great even for the most able of them to overcome. Indeed, some scholars have argued that these black leaders were out of touch with the fundamental concerns of their constituents. Citing class interest, elitism, ideology, and blind loyalty to the Republican Party, scholars such as Thomas Holt and Steven Hahn argue that black politicians failed to address the economic plight of black constituents and that some were willing to sacrifice black civil and political equality in favor of preserving their own positions of power.²¹

²⁰ This distinction between articulation and implementation is fundamental, as it is much more nuanced than the few pieces of scholarship that treat black congressmen in a historiographical context. I am specifically countering John Hosmer and Joseph Fineman, "Black Congressmen in Reconstruction Historiography," *Phylon: The Atlanta University Review of Race and Culture* 39, no. 2 (2nd Quarter 1979): 97-107. I sharply disagree with their conclusion that "black congressmen were politically powerless and accomplished little of significance, especially in the important area of race relations. Reluctant to cause trouble, black lawmakers adhered to the rules whites made and, in reality, did little more than serve. This is not to say that the black Reconstruction congressmen are not worthy of critical study. Indeed, the explanation of the group's docile ineffectiveness might provide a key to the failure of Reconstruction. Whether the result of white Republican racism, or of political pressures within their home constituencies, or even of cultural traits inculcated by centuries of racial oppression, the impotence of black congressmen remains a fact of great importance" (106-107).

²¹ August Meier, *Negro Thought in America, 1880-1915: Racial Ideologies in the Age of Booker T. Washington* (1963; Ann Arbor: University of Michigan Press, 1988); Thomas C. Holt, *Black over White: Negro Political Leaders in South Carolina during Reconstruction* (Urbana and Chicago: University of Illinois Press, 1977); Nell Irvin Painter, *Exodusters: Black Migration to Kansas after Reconstruction* (1977; New York and London: W. W. Norton & Company, 1992); William Toll, *The Resurgence of Race: Black Social Theory from Reconstruction to the Pan-African Conferences* (Philadelphia: Temple University Press, 1979); and Steven Hahn, *A Nation under Our Feet: Black Political Struggles in the Rural South from*

This dissertation challenges these perspectives by arguing that, while black congressmen could not stave off the demise of Reconstruction or the erosion of civil rights by the century's end, they did represent the political and economic concerns of their constituents. In fact, they could work within the new political arena made possible by emancipation and civil war because they connected with and responded to the black community. Black leaders represented their constituents not only on race-specific issues like civil rights but also by working to provide valuable internal improvements to their states, addressing the personal concerns of individuals, and dutifully presenting petitions written by both their white and black constituents.

All of the officeholders sampled here, at one point or another, broke ranks with the Republican Party and supported political alternatives, from "fusion" voting deals with Democrats to strategic alliances with agrarian parties such as the Readjusters, the Greenback Party, and the Populist Party. Several embraced emigrationism (i.e., encouraging blacks to leave the South) and challenged the views of prominent black leaders such as Frederick Douglass, Timothy Thomas Fortune, and Ida B. Wells. Black congressmen knew that, to be effective, they needed to consider the views of both their white allies and their opponents, and they were willing to cooperate with whites in order to achieve their goals of civil and political equality. The evidence suggests that black congressmen navigated the tumultuous political climate in the South and fought for the rights and freedoms of their black constituents by embracing a balancing act between forces demanding immediate equality (the overwhelming majority of freedmen) and those who favored patience and accommodation with whites (mostly white Republicans,

carpetbaggers, and scalawags). These strategies should not be viewed as evidence of the ineffectiveness of black leaders or of inability to connect with and respond to the desires of their constituents. Rather, they reflected black congressmen's understanding of the necessity of compromise and their prudence in abandoning an all-or-nothing approach in favor of negotiating the best result possible for their constituents.

The story of post-Civil War American politics remains incomplete without an understanding of how black politicians reflected and reacted to the needs of the black community. This dissertation aims to illuminate the strategies employed by black congressmen, showing how these approaches meshed with the motives and desires of their newly freed constituents, and to dispel the longstanding view of these black political leaders as out of touch and unrepresentative of the goals of the black electorate.

Defining Black Political Leadership on the National Stage

Much of the scholarly literature has devoted greater attention to the development of the black community in general than to the emergent class of black political leaders. Indeed some scholars, such as Nell Irvin Painter, have even challenged the idea that national black leadership existed. Painter writes: "Whether a leader is taken to mean one exercising delegated power or one swaying public opinion to his point of view, Black people had no *national* leaders. Since leadership depended upon close and constant contact between leaders and people, the idea of a national leader was a contradiction in terms."²² She highlights divisions between rural and urban areas of the South and argues that black concerns differed depending on where in the South one lived:

Rural conditions generated particular problems of everyday life that varied enormously from parallel concerns in Southern cities. Yet, self-styled race leaders spent most of their time in Southern cities, if not in New York or Washington

²² Painter, *Exodusters*, 27.

They were simply too far removed even to discuss solutions to rural problems. In addition, the personal, empirical nature of individual decision making widened the rural/urban gap.²³

This apparent divide between “representative men of the colored race” and their largely rural constituents explains why the black community has been the subject of scholarly explorations while black politicians have often been relegated to the sidelines. But the more important question here is whether elected black politicians were indeed leaders.

The best-known nineteenth-century black leaders were a group of informal political activists: the towering figure of Frederick Douglass, fiery journalists like editor Timothy Thomas Fortune of the *New York Age* or anti-lynching activist Ida B. Wells, and the turn-of-the-century leaders who tried to fill the void left by Douglass’s passion, namely Booker T. Washington and, later on, W.E.B. Du Bois. While the scholarly consensus on black leadership emphasizes the importance of national figures like Douglass, Wells, and Du Bois, it fails to take into consideration the complexity and fluid nature of black political leadership that emerged after 1865. With the exception of Douglass, leaders like Wells, Fortune, Washington, and Du Bois were significantly younger than members of the “Old Guard” of black congressmen such as Langston, Lynch, and Smalls.

This dissertation argues that a generational divide emerged as older black elected officeholders came into conflict with rising black leaders like Wells and Fortune by the close of the century. While many black elected officials were responsive to their own

²³ Painter, *Exodusters*, 27. Furthermore, Painter links the status of “representative colored men” to the ideals held up by white society. She takes the view that only those black leaders who best personified the stereotypes and desires of whites could be held up as the most influential members of the black community (p. 26).

state's concerns, in numerous instances their influence transcended their status as state representatives. For example, John Mercer Langston was considered second only to Frederick Douglass in influence among blacks well before he took his seat as a congressman from Virginia. Langston spoke and traveled widely, often sharing the stage with Douglass. Both Robert Smalls and George Henry White were well-known outside their respective states and published in national periodicals like the *North American Review* and *The Independent*. White, Smalls, Langston, and John Roy Lynch were often the subject of news stories in the national black press. Other black congressmen had a less prominent national profile. James Thomas Rapier was called as an expert to testify on black migration in the late 1870s and early 1880s, but he died shortly thereafter. Florida's Josiah Thomas Walls was a regular fixture in the black press, but his political demise during his final campaign obliterated any influence that he had enjoyed outside of his state. In any case, all black congressmen emphasized in their speeches that they represented not only their own district's constituents but all African Americans throughout the United States, thus explicitly positioning themselves as national spokesmen for their race.

National black political leadership did not seek to exclude informal political actors, journalists, and unelected activists like Douglass or Wells. In fact, all six black congressmen featured in this study relied heavily on networks of informal political activists and journalists. For example, Rapier and Walls attended a national convention on black civil rights on December 9, 1873, where they listened to delegates from twenty-five states discussing the issue of civil rights. The memorial produced from this convention directly influenced black congressmen's attempts to secure passage of

Charles Sumner's 1875 Civil Rights Act. Likewise, at the height of resurgent violence across the South around the mid-1870s, outgoing Alabama congressman James Rapier held a strategy meeting, at his rooming house in Washington, D.C., with a wide assortment of national and local leaders including Douglass, Langston, P. B. S. Pinchback, Arkansas Judge Mifflin Wister Gibbs, labor organizer George Thomas Downing, Alabama editor Philip Joseph, and North Carolina's George W. Price, Jr., a Union naval veteran and local state politician.²⁴ This pattern continued through the remainder of the century. North Carolina's George Henry White met with Ida B. Wells to discuss the subject of compensation for the family of a recently lynched federal officeholder. White also provided asylum to Alexander Manly, editor of the *Wilmington Daily Record*, employing him as his secretary.²⁵ When White came to the conclusion that migration was the only solution for his people, he worked with a company, backed by Booker T. Washington, to create an all-black town in Cape May, New Jersey for displaced black refugees of Southern violence.

In all these instances black congressmen were at the center of black political power and served as important mediators for their community. This observation does not minimize the importance or influence of unelected national leaders like Douglass, Wells, or Washington. But formal political power provided black congressional leaders with access to some of the levers of power, the public square, and a large measure of influence on the national stage that they otherwise might not have had if they had remained informal activists. The defining characteristic of national leadership for these black congressmen lies in their early careers, which paralleled those of better-known informal

²⁴ Schweninger, *James T. Rapier and Reconstruction*, 147.

²⁵ H. Leon Prather, Sr., *We Have Taken a City: The Wilmington Racial Massacre and Coup of 1898* (1984; Wilmington, NC: Dram Tree Books, 2006), 98.

leaders like Douglass and Wells but distinguished them from other congressmen and senators. Robert Smalls escaped from slavery by delivering himself and his crew to a Union naval blockade, thus setting up his meteoric rise as a Union naval war hero and a politician. John Mercer Langston became a major voice for abolitionism in Ohio and later traveled throughout the South as a General Inspector for the Freedmen's Bureau, helping to establish branches of the Union League throughout the South. Black congressmen were national leaders not because they participated in the federal government, but because their influence transcended the states that they served. Their varied experiences enabled them to speak for all African Americans in a language that emphasized emancipation, the Civil War, and economic and political equality—all messages that resonated with the majority of blacks across the nation.

Toward a New Synthesis of Black Politics in the Postwar South

Six chronological and thematic chapters of this dissertation examine the course of black politics from the Civil War through the turn of the century. In Chapter 1 I examine the roots of black politics after the Civil War with an eye on the formative period between 1862 and 1872. My assertions here attempt to bridge the gap between two ways of viewing black politics—the perspective of Eric Foner and the “proto-black nationalist” perspective of Steven Hahn.²⁶ While Foner emphasizes that blacks desired to form part of the American body politic, Hahn focuses on grassroots perspectives and argues that many blacks considered themselves more as a “a new political nation.”²⁷ He provides an

²⁶ Hahn makes a sharp distinction between what he labels as liberal-integrationist scholarship (the work of Eric Foner) and his own work. See his *A Nation under Our Feet*, 6. Two other sources have influenced my approach: W. E. B. Du Bois, *Black Reconstruction in America, 1860-1880* (1935; New York: Free Press, 1998) and Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (1979; New York: Vintage Books, 1980).

²⁷ Hahn, *A Nation under Our Feet*, 9.

excellent analysis of grassroots transformations among newly freed slaves that demonstrates the fundamental awareness and political acumen of the black community as early as the antebellum period and especially at the moment of emancipation.

But Hahn's arguments in favor of a "proto-black nationalist" perspective may understate the extent to which the vast majority of African Americans embraced their role as American citizens.²⁸ There is no doubt that, long before the Civil War, black slaves were aware of the major issues of their day. However, it is perhaps overreaching to label slaves as a "genuine political people" who engaged in "pre-political" acts of "resistance" and "accommodation." Fundamental differences exist between individual or collective acts of resistance and more formal political involvement.²⁹ Prior to emancipation, African American slaves engaged in a struggle for freedom; in modern parlance, the black struggle against the control and indignity of white planters could be labeled as a struggle for human rights. In the wake of emancipation, however, African Americans transformed their previous struggle for human rights (the right to be treated as human beings rather than as chattel property) into struggles for economic autonomy, civil and political equality, and education—all of which entail formal political involvement and participation. With emancipation, blacks across the South exercised their right to vote, to serve in various political offices, and to participate openly in the body politic of the American nation.

²⁸ A compelling case can be made that blacks moved away from their largely integrationist position (by embracing emigrationism) only when Southern racism and violence made it virtually impossible for them to have a voice over their affairs. See Alex Lichtenstein's review of *A Nation under Our Feet*, "The Roots of Black Nationalism?" *American Quarterly* 57, no. 1 (March 2005): 261-69.

²⁹ Steven Hahn, *The Political Worlds of Slavery and Freedom* (Cambridge, MA and London: Harvard University Press, 2009), 112-13.

My account in the first chapter begins with black troops' participation in the Union war effort and the shift toward emancipation. Both of these factors were central to the formation of a dynamic African American political community in the opening years of Reconstruction. Five of the six congressmen featured in this study (Langston, Smalls, Walls, Rapier, and Lynch) rose to prominence in this period, seeking to find their place in the postwar world as politicians, newly freed citizens, or spokesmen for the desires of their race. In this period some of the earliest visual representations of the new black political culture emerged, such as celebrations of the passage of the Fifteenth Amendment and of the election of the nation's first black congressmen and senator. Chapter 1 concludes with the crystallization of these varied strains of thought in the postwar black convention movement. Here I focus on the Southern States' Convention of Colored Men in Columbia, South Carolina, where some of the first generation of black politicians discussed broad goals for their community and whether or not they should remain committed to the party of Lincoln.

Chapter 2 shifts the focus to ground-level struggles between 1867 and 1873, looking primarily at the impact of anti-black violence in the early years of Reconstruction. Early black congressional careers are juxtaposed with violent episodes and a discussion of the turbulent arena of electoral politics in the Deep South and Florida, drawing on local newspapers (Democratic, Republican, and African American) and federal testimony concerning the rise in violence and intimidation. Consideration of a series of riots and outbreaks of violence, from the Meridian Riot in Mississippi to the Tuskegee Outrage in Alabama, sets the stage for exploring the critical link between black congressional policy and the violence threatening the new rights of black constituents.

Here I also discuss the culture of Congress that newly elected black leaders confronted upon their arrival in Washington, and I outline four fluid categories of black congressional policymaking in the Forty-First and Forty-Second Congresses. The chapter reviews how violence at the local level spurred black congressmen to vote for the Ku Klux Klan Act, adopted on April 20, 1871, and to engage in debates over the Amnesty Act of 1872. Finally, chapter 2 looks at how the strands of violence, amnesty, and civil rights came together by the mid-1870s in debates over Charles Sumner's Civil Rights Act of 1875.

Chapter 3 turns to the rhetorical strategies embraced by black congressmen in their struggle to secure stronger guarantees of civil rights for their embattled constituents. Beginning where the debates over general amnesty left off, I examine the speeches delivered by four politicians (Walls, Rapier, Langston, and Lynch) and their attempts to support and define the nature of black civil and political rights. Black congressional speeches helped to pass a watered-down version of Sumner's bill in 1875, but the Act was eventually overturned by the U.S. Supreme Court's ruling in the *Civil Rights Cases* of 1883. The chapter concludes with a discussion of two different opinions (by Justice Joseph Bradley and Justice John Marshall Harlan) and Langston's response to the Court's damaging decision.

Chapter 4 considers black congressional policy and rhetoric more broadly during the long period of Reconstruction throughout the mid- to late 1870s. Beginning with a discussion of patronage and the nature and effectiveness of the postwar Congress, I touch on a wide range of black policy considerations, many of them connected with questions of race and civil rights. This chapter concludes with a discussion of Redemption, the

spike in violence in Southern states like Mississippi and South Carolina, and the nature of black congressional opposition to the Federal Electoral Commission, used to decide the victor of the 1876 presidential election. The violent campaign endured by Robert Smalls in 1879 serves as a transition into changing forms of black resistance, especially fusion voting and advocacy for emigration outside the South.

Chapter 5 continues to follow those two alternative political routes, fusion voting and emigration, and how these approaches began to split apart the cadre of black leaders, informal activists, and politicians who had formed a relatively united front for the previous ten to twelve years. Two later black conventions (in 1876 and 1879) were characterized by heated arguments and policy disagreements, among older political activists and new leaders alike. These conventions guide the narrative in several different directions, as some of the major black political actors reevaluated their priorities at this time. Some, like Rapier, moved fully into the emigrationist camp. Others, like Lynch and Walls, embraced fusion and biracial alliances with mixed results. This chapter also introduces North Carolina congressman George Henry White and discusses several electoral campaigns, especially John Mercer Langston's tumultuous run for the Fourth Congressional District seat in Virginia.

Chapter 6 examines the final attempts by the remaining black congressmen to preserve some degree of autonomy for their constituents. Beginning with Lynch and Smalls' attempts in the early 1880s to fight off threats to black civil rights, the narrative recounts the rise of lynching and the responses of leaders like Langston and White to such atrocities. Both Langston and Smalls attempted to put forward their own responses to disfranchisement in Congress and at the local level, but unsuccessfully. Increasingly

the focus moves to the state of North Carolina and the violent overthrow of the interracial Fusionist government there, with heavy emphasis on the Wilmington Riot of 1898. The ever-changing strategies of White's final term failed to stave off the inevitable destruction of black political autonomy, leading him not to run for reelection. The chapter ends by relating the reflections of the black community and certain leaders on the passing of the Old Guard and on what sort of leadership the community needed in the next century.

From here the dissertation jumps forward to 1917 and a three-way debate between former congressman John Roy Lynch, black barber and Ohio Republican George A. Myers, and white historian James Ford Rhodes. The tense discussion between Lynch and Rhodes over the legacy of Reconstruction sets the stage for a broader discussion of the legacy of nineteenth-century black politicians and how their efforts blazed a trail for subsequent struggles for black civil and political equality. The chapter concludes with a story by Harlem Renaissance poet Langston Hughes about an event in the life of his great grand-uncle, John Mercer Langston—a story that symbolizes the effectiveness and resilience of black political leadership in the late nineteenth century.

The Unknown World of Black Politics in the Late Nineteenth Century

This dissertation argues that many late-nineteenth-century African Americans embraced a careful balancing act between accommodation and demands for immediate civil and political equality. This middle ground was often characterized by duplicity, dissembling, and skilled manipulation. As such, it is critical to read between the lines of what specific congressmen were arguing at particular moments in time.³⁰ What black

³⁰ Dinnella-Borrego, "From the Ashes of the Old Dominion," 219. My views on balancing strategies relate intimately with concepts of "cultural hegemony" as discussed by Jackson Lears, "The Concept of

congressmen were able to do during Reconstruction was different from what they could do in the latter part of the century. Though this emphasis on flexible strategies alone does not account for the nature of black political involvement after the Civil War, it illuminates how black politicians represented their constituents.

Other scholars have generally just scratched the surface of a complex political world. They have not yet taken what Simon Schama called “the broken, mutilated remains” of the past and restored them “to life in our own time and place.”³¹ This study attempts to do that by examining the activities of black congressmen to demonstrate how they related to black constituents in the late nineteenth century. Freedmen and freedwomen played a critical role in maintaining and furthering the struggle for civil and political equality in the wake of emancipation.³² But how black political leaders responded to the needs of the active and vibrant communities that helped to elect them has been largely overlooked.

Cultural Hegemony: Problems and Possibilities,” *American Historical Review* 90, no. 3 (June 1985): 567-93. See Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (1972; New York: Vintage Books, 1974), 658-60; Genovese, *From Rebellion to Revolution: Afro-American Slave Revolts in the Making of the Modern World* (Baton Rouge and London: Louisiana State University Press, 1979); and Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890-1940* (New York: Vintage Books, 1998). My understanding of black politics has also been influenced and inspired by Kelley, “We Are Not What We Seem,” 75-112, and William Jordan, “‘The Damnable Dilemma’: African-American Accommodation and Protest During World War I,” *Journal of American History* 81, no. 4 (March 1995): 1562-83. Thomas J. Sugrue has made similar arguments regarding twentieth-century black politics. See especially Sugrue, *Not Even Past: Barack Obama and the Burden of Race* (Princeton and London: Princeton University Press, 2010).

³¹ My understanding of history, narrative, and memory has been influenced profoundly by Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995), 22, 25; Simon Schama, *Dead Certainties (Unwarranted Speculations)* (New York: Vintage Books, 1991), 319; and David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, MA and London: Belknap Press of Harvard University Press, 2001), 31.

³² Elsa Barkley Brown, “Negotiating and Transforming the Public Sphere,” *Public Culture* 7, no. 1 (Fall 1994): 107-46; Tera W. Hunter, *To ‘Joy My Freedom: Southern Black Women’s Labors after the Civil War* (Cambridge, MA and London: Harvard University Press, 1997); Laura F. Edwards, *Gendered Strife and Confusion: The Political Culture of Reconstruction* (Urbana and Chicago: University of Illinois Press, 1997); Jane Dailey, *Before Jim Crow: The Politics of Race in Postemancipation Virginia* (Chapel Hill and London: University of North Carolina Press, 2000); and Paul Ortiz, *Emancipation Betrayed: The Hidden History of Black Organizing and White Violence in Florida from Reconstruction to the Bloody Election of 1920* (Berkeley, Los Angeles, and London: University of California Press, 2005).

Black congressmen successfully articulated and represented the interests of the black community, even if they were unable (due to forces beyond their control) to implement the policy concerns of their constituents. Only by examining the behavior and strategies of black politicians can one hope to get a picture of the political culture and the distinctive political consciousness that emerged among African Americans in the postwar period. This study, by placing six black congressmen within the context of black communities, illuminates the intimate connections between the black community and their political leadership in the American South. It will illustrate that, far from being out of touch or unrepresentative of their constituents, African American politicians were fundamentally committed to defending and securing the rights and aspirations of all their constituents, especially the newly freed slaves.

CHAPTER ONE

**Democracy of the Dead:
The Roots of Black Politics after the Civil War, 1862-1872**

Emancipatory Democracy: Slavery and War in Emergent Black Political Culture

Toward the end of the nineteenth century, one of the last black congressmen, the famed abolitionist and Civil War recruiter John Mercer Langston, delivered a speech in support of Massachusetts Congressman Henry Cabot Lodge's "Force Bill," which would have prevented intimidation at the polls through oversight of local elections by national party officials and the use of federal circuit courts.³³ In arguing for the bill Langston highlighted a theme that held a special place of pride in the memories of the vast majority of African Americans—the crucible of emancipation and the Civil War. Langston noted that “the voice of the faithful and the truth was still heard; and finally in the thunder of great guns, in the midst of terrible smoke as of the Mountain of Sinai, and in the flashes of light that made every slave in the land glad, emancipation was declared and the country was saved.”³⁴

The memory of the war that precipitated emancipation, and of the role that blacks played in the struggle to preserve the Union, undergirded the unique political culture of African Americans across the South. In the immediate wake of the war and emancipation, African Americans embraced what one could call a democracy of the dead—a political culture rooted in the sufferings of previously enslaved ancestors and in blacks' immense

³³ Luis-Alejandro Dinnella-Borrego, “From the Ashes of the Old Dominion: Accommodation, Immediacy, and Progressive Pragmatism in John Mercer Langston’s Virginia,” *Virginia Magazine of History and Biography* 117, no. 3 (2009): 231-32; 236; Richard E. Welch, Jr., “The Federal Elections Bill of 1890: Postscripts and Prelude,” *Journal of American History* 52, no. 3 (1965): 511-26. For more on the Force Bill see Thomas Adams Upchurch, *Legislating Racism: The Billion Dollar Congress and the Birth of Jim Crow* (Lexington: University Press of Kentucky, 2004), 85-166.

³⁴ John Mercer Langston, “Remarks on Federal Elections Bill,” 51st Cong., 2nd Sess., *Congressional Record* 22 (16 Jan. 1891): H. 1481.

pride that members of their race had fought and died in an emancipationist war for freedom.³⁵

For most white Northerners, the Civil War was fought primarily to save and preserve the Union.³⁶ For them emancipation was largely a military necessity, secondary to the overriding aim of preserving the United States. By contrast, African Americans across the nation understood, from the beginning, that any war waged between the North and the South would inevitably have to confront the thorny issue of institutionalized slavery. Thus the outbreak of hostilities that followed the firing on Fort Sumter in 1861 served as a powerful political catalyst for African Americans. Several distinguishing features marked the emergent black political sensibilities that would soon take center stage in the postbellum Southern political arena.

First, the enlistment of black soldiers led African Americans to believe that blacks had earned the right to be free citizens because of their service in the Civil War. During the conflict, blacks proved their value by volunteering, fighting, and dying. These experiences not only served to unsettle prevailing Northern prejudices against African

³⁵ This phrase is drawn from Christian apologist G. K. Chesterton, *Orthodoxy* (1908; Chicago: Moody Publishers, 2009), 74. Writing about the crucial role played by tradition in the life of human societies, Chesterton noted, "Tradition may be defined as an extension of the franchise. Tradition means giving votes to the most obscure of our classes, our ancestors. It is the democracy of the dead. Tradition refuses to submit to the small and arrogant oligarchy of those who merely happen to be walking about. All democrats object to men being disqualified by the accident of birth; tradition objects to their being disqualified by the accident of death." Chesterton's observation offers a powerful way to capture some of the essential features of black politics that emerged after the Civil War.

³⁶ See Gary W. Gallagher, *The Union War* (Cambridge, MA and London: Harvard University Press, 2011). I find his framework of what motivated Northerners to fight against the Confederacy to be quite convincing, especially in lieu of the Northern retreat from Reconstruction by the late 1870s. Gallagher treats the subject with great care so as not to disparage the importance of emancipation. He writes, "Much Civil War scholarship over the past four decades has diminished the centrality of Union. Slavery, emancipation, and the actions of black people, unfairly marginalized for decades in writings about the conflict, have inspired a huge and rewarding literature since the mid-1960s. No longer can any serious reader fail to appreciate the degree to which African Americans figured in the political, social, and military history of the War. But the focus on emancipation and race sometimes suggests the war had scant meaning apart from these issues—and especially that the Union victory had little or no value without emancipation" (p. 4).

Americans but also provided blacks with a powerful legacy that they could hand down to their descendants. From the mustering of the first black regiments through the close of the nineteenth century, the participation of African Americans in the Union war effort remained a great source of pride for the black community and inspired future political endeavors.

Second, African Americans, especially those who lived under slavery, could not forget those who had lived and died as slaves before them. Their collective experiences under slavery and those of their forebears informed their emerging political sensibilities. Many scholars have explored these shared experiences and their ultimate meanings for the enslaved and then the newly freed black community, examining the experiences of black women, the impact of the antebellum slave market, and the “prepolitical” acts of resistance as precursors to postbellum black political consciousness.³⁷ Unquestionably, African Americans’ long experience of institutionalized slavery had a powerful effect on the political communities formed after emancipation. African Americans had endured violence from white men and women; the crushing of slave insurgencies and rebellions, and the tearing apart of families by sale at the auction block. Resistance against their

³⁷ For an influential older study see Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Vintage Books, 1976). For folk thought and the role played by stories, see Lawrence W. Levine, *Black Culture and Black Consciousness: Afro-American Folk Thought from Slavery to Freedom* (1977; New York and Oxford: Oxford University Press, 2007). For a broad generational approach see Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (Cambridge, MA and London: Harvard University Press, 1998). For an astute examination of the experience and significance of the antebellum slave market see Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge, MA and London: Harvard University Press, 1999). For the experiences of black women see Deborah Gray White, *A’m’t I a Woman? Female Slaves in the Plantation South* (1985; New York: W. W. Norton & Company, 1999) and Elsa Barkley Brown, “Uncle Ned’s Children: Negotiating Community and Freedom in Postemancipation Richmond, Virginia” (Ph.D. Diss., Kent State University, 1994). For the connections between collective experiences (“prepolitical” activities) and the political culture that emerged among African Americans after the Civil War see Steven Hahn, *A Nation under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration* (Cambridge, MA and London: Belknap Press of Harvard University Press, 2003) and *The Political Worlds of Slavery and Freedom* (Cambridge, MA and London: Harvard University Press, 2009).

white masters, often in small ways, was a common part of the slave experience. Individual acts like breaking a plough, deliberately slowing down the pace of work, feigning sickness, or running away were common throughout the South. Likewise, collective actions (such as secret assemblies or hidden church meetings on plantations) were important to the health and unity of African American communities. These experiences of resilience were etched into the memories of newly freed slaves and found expression through a wide range of government institutions (like the Freedmen's Bureau), as well as in more overt and formal political organizations including the Union League, the postbellum Black Convention Movement, and the first Republican campaigns for elected office in which aspiring black leaders participated.³⁸

Antebellum acts of black resistance, both collective and individual, were sources of honor and pride just as was black military service within the nascent political culture that developed after emancipation. But these acts and experiences, in and of themselves, could never become explicitly political in a world where white masters held all the cards. Only with the dislocations wrought by the Civil War—only with the death of slavery through the Emancipation Proclamation and the Thirteenth Amendment to the U.S. Constitution—could such experiences transcend their limited influence and be transformed into viable forms of African American politics.³⁹

The formative decade of black politics (1862-1872) saw the emergence of a group of aspiring black leaders and politicians from many walks of life. Some, such as John

³⁸ For the Freedmen's Bureau see Paul A. Cimballa, *Under the Guardianship of the Nation: The Freedmen's Bureau and the Reconstruction of Georgia, 1865-1870* (Athens: University Press of Georgia, 1997). One of the best accounts of the Union League is Michael W. Fitzgerald's pathbreaking *The Union League Movement in the Deep South: Politics and Agricultural Change During Reconstruction* (1989; Baton Rouge: Louisiana State University Press, 2000).

³⁹ The best study of the tumultuous process by which the Thirteenth Amendment was crafted and adopted is Michael Vorenberg, *Final Freedom: The Civil War, the Abolition of Slavery, and the Thirteenth Amendment* (Cambridge, England: Cambridge University Press, 2001).

Mercer Langston and James Thomas Rapier, had been born free, were well educated, and had very little experience with institutionalized slavery. Others were slave-born veterans like Josiah Thomas Walls and Robert Smalls. Some, including John Roy Lynch, were self-taught individuals who had taken advantage of the revolutionary changes brought by the invading Union Army to make their break for freedom and serve as Union soldiers and sailors. Whatever their life experiences, nothing could compare with the seemingly endless possibilities that emancipation offered them. But in order to succeed in this new world, where much had changed but much remained the same, aspiring black leaders and politicians had to connect with the needs of their constituents. They could not afford to forget the sacrifices of their ancestors or of the black heroes who had donned the blue coat to fight for the Union. Emergent leaders embodied homage to their ancestors' acts of resistance with admiration for the martial valor of the black veteran. They embraced a democracy of the dead.

Two Paths Toward Leadership: Veteran Activists and Political Veterans

Black leaders during and immediately after the Civil War came from two walks of life, both of which spoke to emergent understandings of black political culture: political activism and military service. The former path toward leadership is embodied by John Mercer Langston who, before the war, was an important figure in the Northern free black community. On December 3, 1864, when a group of African Americans met in the Bethel A.M.E. Church in Philadelphia to "raise subscribers and solicit donations" for the African American newspaper the *Christian Recorder*, the most noteworthy speaker was "the well-known lawyer of Oberlin," Langston. This abolitionist and recruiter for the Union Army was long involved in the Black Convention Movement, and so it was not surprising that

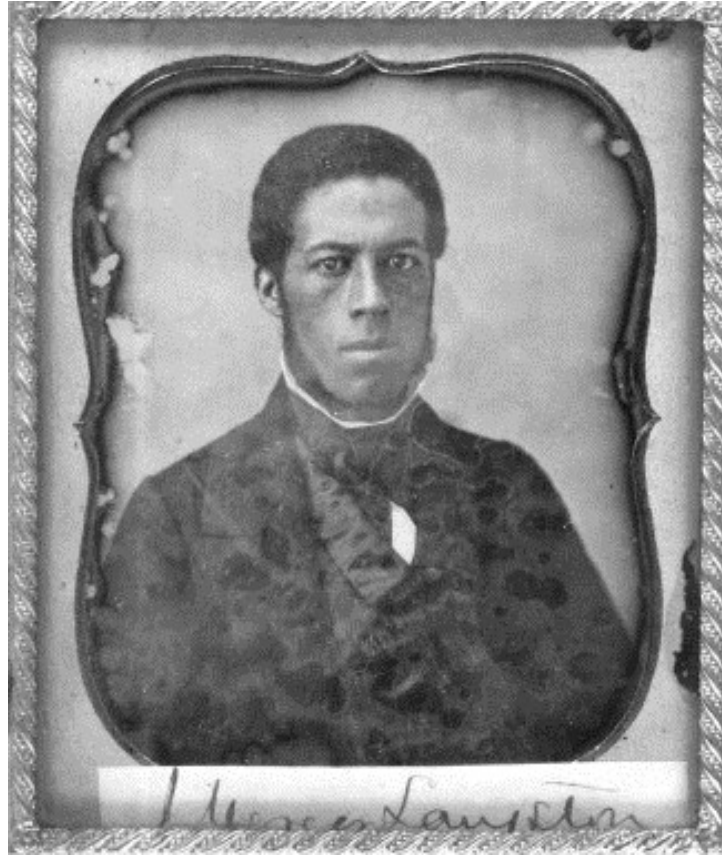
he would be invited to participate in fundraising for a black-owned abolitionist newspaper. Langston made some revealing extemporaneous remarks at the event, stating that “the three things mostly needed by colored men in this land are, first, money—second, cultivation of intellect—third, political power.”⁴⁰

With these words a future black congressman set forth a concrete and straightforward vision of what African Americans would need in the aftermath of emancipation. Soon after this event, on January 13, 1865, the U.S. House approved the Thirteenth Amendment. However, not until December 18, 1865, was the amendment ratified, formally abolishing institutionalized slavery across the United States. Abraham Lincoln’s reelection in November of 1864 had sealed the fate of the Confederacy and the nation’s “peculiar institution.” As a result, Langston, along with countless other blacks, free and enslaved alike, could begin to envision a world where they could join the American body politic.⁴¹ Though they might differ as to the best way to gain equal rights as citizens, the majority of African Americans shared a desire for all the privileges then held exclusively by white males.⁴²

⁴⁰ “Citizens’ Meeting in Bethel A.M.E. Church,” *Christian Recorder*, 3 Dec. 1864, in “African American Newspapers,” *Accessible Archives*, accessed 9 July 2011, <http://www.accessible.com.proxy.libraries.rutgers.edu/accessible>. My biographical sketch of Langston draws heavily from Dinnella-Borrego, “From the Ashes of the Old Dominion,” 214-49.

⁴¹ For an excellent analysis of antislavery politics and federal policy (which touches upon some aspects of what I view as emergent black political culture) see James Oakes, *The Radical and the Republican: Frederick Douglass, Abraham Lincoln, and the Triumph of Antislavery Politics* (New York and London: W. W. Norton & Company, 2007). An excellent source that highlights the shifting currents of the Lincoln administration and captures the sense of excitement and possibilities opened up by his embrace of emancipation is Eric Foner, *The Fiery Trial: Abraham Lincoln and American Slavery* (New York and London: W. W. Norton & Company, 2010).

⁴² Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Vintage Books, 1979), 502-56; Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863-1877* (1988; New York: Perennial Classics, 2002), 77-123.



John Mercer Langston. Daguerreotype taken in 1853, the year of his graduation from Oberlin College's Graduate School of Theology (black and white negative).
 Source: Oberlin College Archives, "Electronic Oberlin Group Oberlin Through History."
<http://www.oberlin.edu/external/EOG/OYTT-images/JMLangston.html>.

Langston was a peculiar representative of his people. Born on December 14, 1829, in Louisa County, Virginia, he was the youngest son of Captain Ralph Quarles, a Virginia planter, and Lucy Jane Langston, Quarles's half-Indian and half-black slave mistress. Langston went to great lengths to emphasize that the views of his white father, "with regard to slavery and the management of slaves upon a plantation by overseers, were peculiar and unusual."⁴³ In fact, Quarles freed Lucy Langston and her children, and the former master and the former bondswoman had a genuine love for each other. When

⁴³ John Mercer Langston, *From the Virginia Plantation to the National Capitol or The First and Only Negro Representative in Congress from the Old Dominion* (1894; New York: Arno Press, 1969), 12.

Lucy died she “was borne thence to her grave by his side.”⁴⁴ Though Langston’s parents died when he was a young boy, their legacy to him was immense. Indeed, his inheritance from Ralph Quarles eventually aided him in his efforts to secure a seat in the U.S. Congress.

Langston was well-educated and accomplished. Leaving Virginia at an early age, he settled in Ohio, graduating from Oberlin College in 1849 and received a master’s degree in theology there in 1853. In 1854, following the completion of his schooling, Langston was admitted to the bar. While in Ohio he became one of the first African Americans to hold elected office, winning an 1855 election to serve as a township clerk. He married Caroline Matilda Wall on October 25, 1854, and the couple had five children.⁴⁵ Langston quickly became a major black figure in the abolitionist movement and in Ohio’s nascent Republican Party. His speeches encapsulated “his own hard earned definition of liberty and the responsibilities his guardians and teachers on both sides of the color line had taught him to associate with it.”⁴⁶ Self-reliance formed a crucial part of his ideological framework.⁴⁷ Oberlin inculcated “several vital traditions” into Langston, among them evangelical Christianity, republicanism, abolitionism, and self-restraint—all of which permeate his later political rhetoric.⁴⁸

⁴⁴ Langston, *Virginia Plantation*, 18.

⁴⁵ William Cheek and Aimee Lee Cheek, *John Mercer Langston and the Fight for Black Freedom, 1829-65* (Urbana and Chicago: University of Illinois Press, 1989), 254. Other works useful for biographical information on Langston include Stephen Middleton, ed., *Black Congressmen During Reconstruction: A Documentary Sourcebook* (Westport, CT and London: Greenwood Publishers, 2002), 125-39 and Office of History and Preservation, Office of the Clerk, “John Mercer Langston,” *Black Americans in Congress, 1870-2007*, (Washington, D.C.: Government Printing Office, 2008), accessed October 1, 2008, <http://baic.house.gov/member-profiles/profile.html?intID=18>. Middleton gives a brief biography of Langston and the text of his two major speeches in the House. The website hosted by the House of Representatives provides brief but detailed sketches of Langston and all other African American leaders in the House and the Senate.

⁴⁶ Cheek and Cheek, *John Mercer Langston*, 9.

⁴⁷ *Ibid*, 9.

⁴⁸ *Ibid*, 116.

Langston's favorable feelings toward his white father did not dull him to the realities of prejudice and racism, as his student experiences and his work as a lawyer illustrate. His legal practice initially consisted primarily of representing white Democrats, but he also had black clients.⁴⁹ While defending a black man whose daughter had been removed from his custody, Langston got wind of a comment made by a white attorney who asked the black man "whether he had really employed the '*nigger* lawyer' to attend to his case, saying at the same time, 'If you have, he will sell you out'; meaning thereby that the colored lawyer would prove treacherous."⁵⁰ Langston, unwilling to have his honor slighted by this white attorney, confronted him and "deeply moved by indignation and anger, administered to him not only a sound slapping of the face, but a round and thorough kicking as he ran crying for help."⁵¹

In another instance, a white attorney insulted Langston during a trial by affirming that he was "talking to a *white* man"; in response, Langston "immediately struck him with his fist, felling him to the floor."⁵² Within the larger abolitionist movement Langston "operated ... without the assistance of white abolitionists" with whom "he had little social or personal contact and only limited communication."⁵³ Having a longstanding commitment to the abolitionist movement, Langston worked diligently to help the Union free the slaves, recruiting men for the 54th and 55th Massachusetts Colored Regiments and the 5th Ohio Colored Regiment.⁵⁴

⁴⁹ William Francis Cheek III, "Forgotten Prophet: The Life of John Mercer Langston" (Ph.D. Diss., University of Virginia, 1961), 41.

⁵⁰ Langston, *Virginia Plantation*, 166; Cheek, "Forgotten Prophet," 43.

⁵¹ Langston, *Virginia Plantation*, 167; Cheek, "Forgotten Prophet," 43.

⁵² Langston, *Virginia Plantation*, 165; Cheek, "Forgotten Prophet," 44.

⁵³ William F. Cheek, "John Mercer Langston: Black Protest Leader and Abolitionist," *Civil War History*, 16 (1970): 115.

⁵⁴ Cheek and Cheek, *John Mercer Langston*, 410-11.

Following his successes as a recruiter, and with the support of Congressman James A. Garfield, Langston sought to be commissioned as a colonel in the U.S. Army. Garfield wrote, on March 28, 1865, that Langston “is an exceedingly fine speaker & has taken an active part in recruiting colored men— He has probably done much more in that way than any Colored Man in the U.S.”⁵⁵ In making his own case for an Army commission, Langston highlighted his service to the Union cause:

Since the outbreak of our terrible Rebellion I have been as actively engaged [sic] in the Recruitment of Colored Troops for the service as a colored man could be. I desire, Sir, to make myself more useful to the Government. I think if I had a respectable rank, in the service, I could make myself of special use in the Recruitment and Organization of colored Troops. I therefore ask to be commissioned as a Colonel, if compatible [sic] with the rules and regulations of the service.⁵⁶

For several reasons, including racism on the part of government officials who were unwilling to commission more African Americans in the ranks than necessary, Langston received from Assistant Adjutant General C. W. Foster a response stating, “I am directed to say that the recruitment has ceased, and there is no vacancy to which you can be appointed.”⁵⁷

Though he did not obtain a commission in the Union Army, Langston was undeterred in his desire to support former slaves. After the conclusion of the Civil War, he traveled throughout the South speaking to large black and white audiences. On June

⁵⁵ J. A. Garfield to Hon. E. M. Stanton, 28 Mar. 1865, enclosing John M. Langston to Hon. E. M. Stanton, 20 Mar. 1865; A. A. Genl. C. W. Foster to John M. Langston, 17 May 1865, all filed with W-276 1865, Letters Received, ser. 360, Colored Troops Division, RG 94 (B-158). Reprinted in Ira Berlin, Joseph P. Reidy, and Leslie S. Rowland, eds., *Freedom: A Documentary History of Emancipation, 1861-1867, Series 2: The Black Military Experience* (Cambridge, England: Cambridge University Press 1982), 346.

⁵⁶ Berlin et al., *Freedom, Series 2*, 347.

⁵⁷ Berlin et al., *Freedom, Series 2*, 347. As the editors of the series made clear in an earlier essay, “Moreover, at precisely the time that it approved their commissions [those of Major Martin R. Delaney and Captain O. S. B. Wall], the War Department delayed considering the application of black Ohio recruiter, John M. Langston, for appointment as a colonel of a black regiment. After the fighting stopped, the department informed Langston that it had no vacancies for black officers. Even as it took the first meaningful steps toward admitting blacks to commissioned offices, the War Department hedged its actions to prevent blacks from attaining significant authority and responsibility” (p. 311).

17, 1867, Major-General Oliver Otis Howard appointed Langston as General-Inspector of Schools in the Bureau of Refugees, Freedmen, and Abandoned Lands.⁵⁸ This post enabled Langston to get a sense of the condition of newly freed African Americans across the South. Drawing on this insight, he helped to form schools, established local Union Leagues, and emphasized that blacks should embrace their status as free citizens by abandoning what he saw as negative behaviors from their time as slaves (such as excessive drinking and smoking).

Langston became the first dean of Howard University's Law School in 1869 and served as vice president and acting president of the university from 1873 to 1875. His political fortunes were further augmented when President Ulysses S. Grant appointed him to the District of Columbia Board of Health in 1871, and President Rutherford B. Hayes appointed him minister-resident and consul-general to Haiti in 1877. When he returned to Virginia, Langston became active in local politics, and the state's governor appointed him as the first president of the Virginia Normal and Collegiate Institute in Petersburg, a post that he held from 1885 to 1888. After a conflict with the Democrat-appointed state board of visitors, Langston resigned as president. In 1888 he entered electoral politics, campaigning for a seat in the U.S. House of Representatives. When he placed second in this contest, which was characterized by fraud, prejudice, and intimidation, Langston protested the results. Following a drawn-out contested election case before the U.S. House, he was finally able to take his seat in the Fifty-first Congress. Facing reelection almost as soon as he was sworn in, Langston lost. By this point, however, the House was no longer in Republican hands, and rather than contest the election he accepted the

⁵⁸ Cheek and Cheek, *John Mercer Langston*, 390-411; Certificate of Appointment as General Inspector of Schools of Freedmen's Bureau, June 17, 1867, John Mercer Langston Papers, 1846-1930, Fisk University, Nashville, Box 3, Folder 12 (hereafter cited as Langston Papers).

consequences and finished out his term. Then he moved back to Washington, D.C., where he continued to practice law and speak on issues of race and political equality until his death on November 15, 1897.

Langston's career bears similarities to those of several other black leaders who rose to prominence during the war. While Langston was not able to serve, many of his counterparts joined the Union Army and Navy. Langston would meet one of the most prominent of these new leaders when he traveled to the Brooklyn Navy Yard in November 1864 to tour a recently commandeered Confederate vessel. The captain of this captured ship, South Carolina's Robert Smalls, had a different set of experiences from Langston's.

An escaped slave and Union sailor, Smalls would emerge as one of the most powerful leaders in Reconstruction South Carolina. He was born in Beaufort, South Carolina on April 5, 1839, the son of Lydia (a slave) and an unknown white man, quite possibly his mother's master, John K. McKee. Smalls grew up in a region where 83 percent of the population consisted of slaves, and he witnessed the atrocities of the system personally. Following the death of John McKee, his son Henry inherited Smalls and his mother; Henry McKee hired out Robert to his sister-in-law in 1851. Smalls worked many different jobs, ranging from hotel waiter to lamplighter. He met and fell in love with another slave, Hannah Jones, a hotel maid, and the two married on December 24, 1858, when Smalls was seventeen years old.

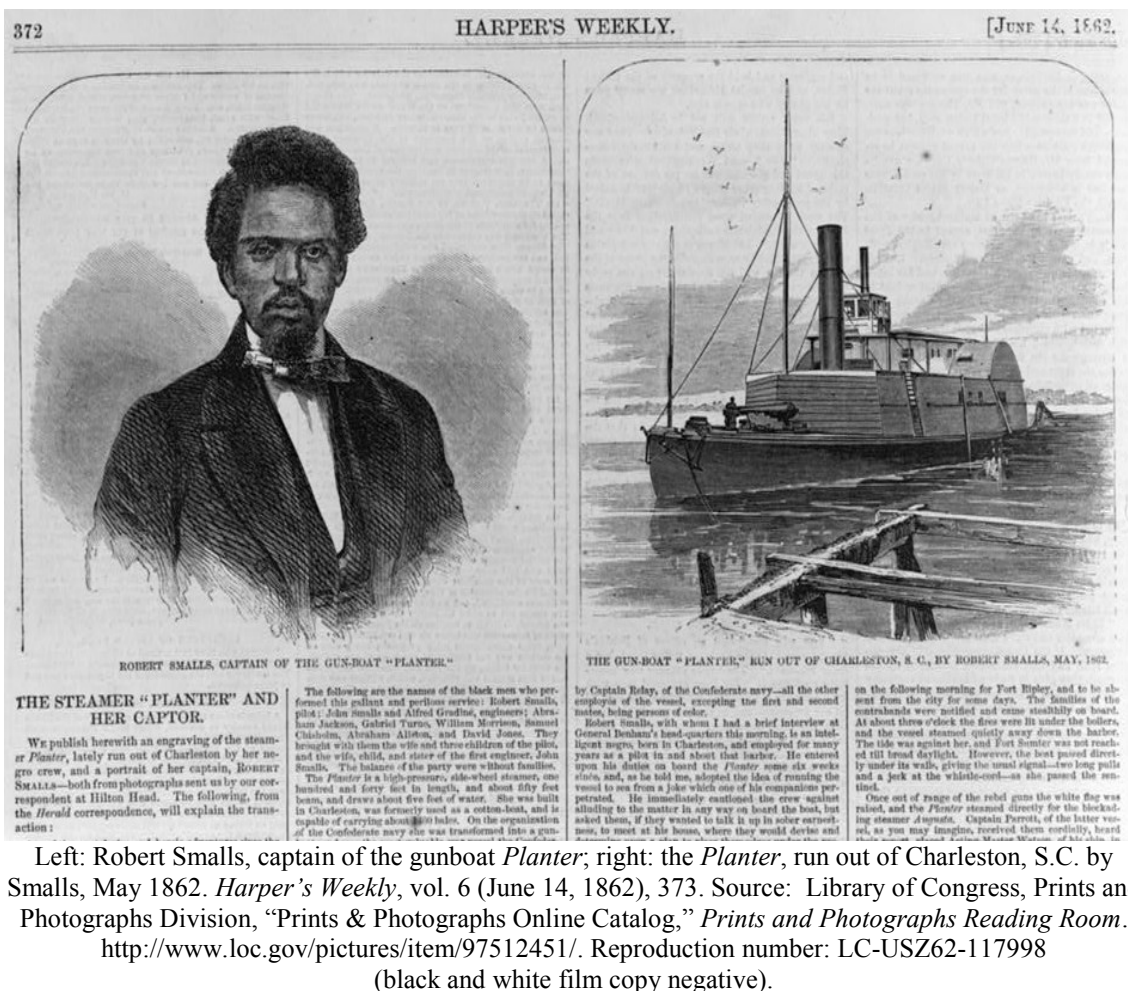
The young Smalls earned money on the side in hope of eventually purchasing the couple's freedom. When the Civil War began, one of his jobs was as a pilot on a Confederate transport, the *Planter*. After hostilities broke out, Smalls saw an opportunity

for freedom. On the morning of May 13, 1862, Smalls, along with other enslaved deckhands, delivered the *Planter* to the Union naval blockade outside the port of Charleston. Smalls's heroic escape made him famous in the Northern press and in the black community.

Following the Civil War, Smalls sought an education by hiring tutors. He entered Reconstruction politics and represented Beaufort County in the 1868 South Carolina constitutional convention. He served in the state House of Representatives from 1868 to 1870 and in the state Senate from 1870 to 1875. Smalls then served all or part of five terms in the U.S. House of Representatives: 1875-1879, 1882-1883, 1884-1885, and 1885-1887. He endured three contested election cases and was tried and convicted in 1877 for having accepted a \$5,000 bribe in 1872 in connection with the awarding of a legislative printing contract. He received a pardon from the governor for this conviction in exchange for dropping charges of electoral fraud against Democrats.⁵⁹

Smalls's career did not end with the downfall of Reconstruction or his conviction for fraud. He went on to oppose emigrationist movements that encouraged blacks to leave the United States during the 1870s and 1880s. He also attended national Republican conventions and participated in the 1895 state constitutional convention, where he opposed the radical changes spearheaded by white supremacists under the leadership of

⁵⁹ Eric Foner, *Freedom's Lawmakers: A Directory of Black Officeholders During Reconstruction* (1993; Baton Rouge and London: Louisiana State University Press, 1996), 198.



Benjamin Ryan Tillman. Smalls also served as collector of customs at Beaufort from 1889 to 1913. He died on February 23, 1915.⁶⁰

Smalls's daring escape with the *Planter* proved to be a defining moment in his career. It excited Northern public opinion, enabled him to serve in the Union Navy, and set the stage for him to win public office and carve out a powerful political base in his native Beaufort. The *Planter* was the seized Confederate boat that John Mercer Langston and others came to see in November 1864. When they arrived, Smalls welcomed Langston and other blacks aboard and personally gave them a tour. Langston was so

⁶⁰ My biographical sketch of Smalls draws heavily on Edward A. Miller, Jr., *Gullah Statesman: Robert Smalls from Slavery to Congress, 1839-1915* (Columbia: University of South Carolina Press, 1995), as well as Foner, *Freedom's Lawmakers*.

taken by Smalls that he formally congratulated him, “in behalf of the Colored of the United States,” for his services to the cause of black freedom and equality. Two days later, Langston accepted an invitation by Smalls to join him and thirteen other black activists for Sunday dinner.⁶¹

The image of an uneducated ex-slave and a cultured free black abolitionist on board a stolen Confederate steamship illustrates the types of black leadership that would emerge during and after the Civil War. Ex-slaves of modest means and polished, college-educated black leaders could join together in the struggle against racism and for political equality. In so doing, leaders like Langston and Smalls could not help but look back to their own particular experiences, and to those of their forebears, for guidance in the struggle for interracial democracy and black equality.

These leaders needed to connect with the soon-to-be-enfranchised mass of black constituents, many of whom agreed with the priorities of Langston (money, education, political power) while sharing the background of Smalls (uneducated, ex-slave). This emergent class of black leaders could not forget the experiences or the sufferings of their ancestors. They drew powerful lessons from those who had preceded them, including those heroic black soldiers who gave their lives in the cause of emancipation. Black politics immediately after the Civil War was greatly influenced by the stirring examples of African American military veterans as voters, leaders, and politicians.

⁶¹ Cheek and Cheek, *John Mercer Langston*, 437-38. I was unable to find the newspaper that the Cheeks cite for this event, as they apparently cited the wrong date for the *Anglo-African Magazine*. Based on the evidence that they provide in the chapter, it is possible that this meeting took place on November 26, 1864.

Manhood and Citizenship Rights

Once the Civil War began, a shared discourse of black citizenship rights that emphasized martial valor and manhood quickly took shape. This understanding of black masculinity had to contend with the dominant (and often antithetical) white discourse on blacks. As Kirk Savage asserts, for American men, “To be a soldier in battle was the ultimate test of manhood, because men battled men and battled to the death.” But the test endured by the male slave “was even more profound since his masculinity has been denied from the outset. To become a Union soldier, then, was not only to acquire the conventional trappings of masculinity, but to resist the very institution that suppressed [the slaves’] masculinity in the first place.”⁶²

This emphasis on black manhood is clearly visible in the careers of major political leaders like Robert Smalls and Florida’s Josiah Thomas Walls. Considering Smalls’s valiant service in the Union Navy and Walls’s participation in subsequent assaults on Fort Wagner and Fort Gregg in South Carolina, it is not surprising that former veterans who entered politics emphasized such a discourse.⁶³ Their focus on black manhood was not unique in this period, but is consistent with a tradition dating back to the American

⁶² Kirk Savage, *Standing Soldiers, Kneeling Slaves: Race, War, and Monument in Nineteenth-Century America* (Princeton, NJ: Princeton University Press, 1997), 97. The link between manhood and black military exploits is also made by Laura F. Edwards, *Gendered Strife and Confusion: The Political Culture of Reconstruction* (Urbana and Chicago: University of Illinois Press, 1997), 195-96. An excellent accounting of white understandings of manhood as opposed to those of blacks may be found in Stephen Kantrowitz, *Ben Tillman and the Reconstruction of White Supremacy* (Chapel Hill and London: University of North Carolina Press, 2000). Black understandings of citizenship, as tied to military service during the Civil War and emancipation, have been the subject of many fine works. In addition to Savage, I rely on Joseph T. Glatthaar, *Forged in Battle: The Civil War Alliance of Black Soldiers and White Officers* (Baton Rouge: Louisiana State University Press, 1990); David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, MA and London: Harvard University Press, 2001); and Christian G. Samito, *Becoming American under Fire: Irish Americans, African Americans, and the Politics of Citizenship During the Civil War Era* (Ithaca, NY and London: Cornell University Press, 2009).

⁶³ The famous assault on Fort Wagner, spearheaded by the 54th Regiment Massachusetts Infantry (Colored), took place on July 18, 1863. Walls and the 3rd Infantry United States Colored Troops participated in the subsequent capture of Fort Wagner and Fort Gregg in September 1863, following the retreat of Confederate forces from Morris Island under the command of General P. G. T. Beauregard.

Revolution. This perspective still held much weight in the late 1890s as African Americans moved to join the military during the Spanish-American War, reflecting blacks' deep sense that they had proven themselves worthy of civil rights through their sacrifices on the battlefields of the Civil War.⁶⁴

Prominent black leaders such as Frederick Douglass and Langston, along with black veterans like Smalls and Walls, regularly emphasized an emancipationist discourse of manhood. Whether connected with freeing oneself from the chains of bondage or with destroying slavery through military service, this discourse served as a powerful rallying cry for the black community. One well-known example appears in Douglass's 1845 autobiography, in which he noted that his battle with the slave driver Edward Covey "rekindled the few expiring embers of freedom, and revived within me a sense of my own manhood."⁶⁵

When black leaders entered public office, they continued to emphasize their manhood as part of their wider political rhetoric. Veteran Josiah Walls would denounce Democratic opposition to expanded education precisely in these terms, stating, "They well know that no educated people can be kept in a helpless and degraded condition, but will arise with a united voice and assert their manhood."⁶⁶ Likewise, Robert Smalls argued forcefully that the Civil War made African Americans "realize that we were

⁶⁴ Glenda Elizabeth Gilmore, *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896-1920* (Chapel Hill and London: University of North Carolina Press, 1996), 78-82. In this respect, Gilmore affirms Robert A. Nye's observation that "Political rights were at least latent in the body of the male conscript or volunteer, whose actual or potential sacrifice would then earn him his nation's gratitude." See Nye, "Review Essay: Western Masculinities in War and Peace," *American Historical Review* 112, no. 3 (April 2007): 418.

⁶⁵ Frederick Douglass, *Narrative of the Life of Frederick Douglass, an American Slave* (1845; New York: Barnes & Noble Classics, 2003), 69.

⁶⁶ *Congressional Globe*, 42nd Cong., 2nd Sess. (2 Feb. 1872): H. 809; in "U.S. Congressional Documents," accessed 3 May 2012, <http://heinonline.org.proxy.libraries.rutgers.edu/HOL/Index?collection=congreg&set>.

human beings made after God's image, and possessed of the same inalienable rights attaching to other citizens of a great and free Republic."⁶⁷ This discourse embodied the grounding of African American equality and dignity in their physical prowess, whether displayed on the battlefield or in their willingness to physically challenge their oppressors. For the bulk of emergent black leaders, then, manhood and citizenship were two intertwined forces that worked in tandem with their policy agendas.

Though the popular idea that blacks had earned their citizenship on the field of battle had major implications for the kinds of policies and political strategies that blacks and their elected leaders embraced, one's status as a veteran did not automatically guarantee success in politics. As the cases of Smalls and Walls attest, that status certainly could help; writes Joseph T. Glatthaar, "Military service had long served as a spring board into politics. ... The army had offered black soldiers an opportunity to display and develop leadership skills that were not readily available in peacetime and one that proved invaluable in the political arena."⁶⁸ Nevertheless, as Christian G. Samito notes, "black veterans were underrepresented as Reconstruction officeholders; they compromised 16 percent of America's adult black male population at the war's conclusion but made up less than a tenth of 1,510 documented black officeholders between 1867 and 1877."⁶⁹ If ideas linking citizenship rights with valor on the field of battle formed a dominant theme among African Americans, why then were there so few elected black veteran officeholders? In this matter, the career of Josiah Thomas Walls may be instructive.

⁶⁷ *Appendix to the Congressional Record*, 49th Cong., 2nd Sess. (30 July 1886): H. 319 in *ibid*, accessed, 2 July 2012.

⁶⁸ Glatthaar, *Forged in Battle*, 248.

⁶⁹ Samito, *Becoming American under Fire*, 163.

Walls was born on December 30, 1842, near Winchester, Virginia; his prewar status remains a mystery, but much of the evidence suggests that he was born in slavery.⁷⁰ He may have been impressed into Confederate service for a time, but there is no doubt that he was a private in the 3rd Infantry Regiment, United States Colored Troops (USCT) by July 1863. His unit was poorly trained and did not see much action. Nevertheless, he participated in the assaults on Fort Wagner and Fort Gregg in August and September 1863. In 1864 Walls was transferred to the 35th USCT, positioned in Picolata near St. Augustine, Florida. By all accounts, Walls's participation in Florida's Reconstruction was due to the fact that he was stationed there at the conclusion of the Civil War.

Walls threw himself into the efforts to rebuild Florida after the war. He was elected a delegate to the state's 1868 constitutional convention, representing Alachua County. He represented this county in the Florida House of Representatives (1868) and in the Florida Senate (1869, 1870, 1877, and 1879). He was also the mayor of Gainesville in 1873 and Alachua County commissioner in 1876-1877. His highest political office was in the U.S. House, where he served three tenuous terms between 1871 and 1876. Walls purchased the *Gainesville New Era*, which became the first black-owned newspaper in the state. He worked as a farmer, teacher, editor, and lawyer, opening a law partnership with two other black politicians in 1874. He ran again for Congress in 1884 and for the state Senate in 1890, losing both times. Like many of his black contemporaries who embraced, to greater or lesser degrees, third parties or fusion voting, Walls became an active Populist in 1892. He became the director of Florida Agricultural and Mechanical

⁷⁰ Peter D. Klingman, *Josiah Walls: Florida's Black Congressman of Reconstruction* (Gainesville: University Presses of Florida, 1976), 6.

University's college farm in Tallahassee. On May 15, 1905, Walls died in relative obscurity, with neither a death certificate being filed nor any Florida newspaper publishing an obituary.⁷¹

Walls achieved most of his success early in his career during Reconstruction. Still, initial descriptions, in the black press, of this veteran-turned-politician were far from flattering. Reporting on the earliest African Americans in the U.S. Congress, on May 25, 1872, the *Christian Recorder* gave a rather snide assessment of Walls' stature: "He has rather the airs and manners of a legislator, and he has not been in his seat since the early days of the session. The only thing known to *The [Congressional] Globe* from him is a long speech, which he read with the manner of a rustic schoolteacher."⁷² While his subsequent legislative career would eventually gain him praise from the black press, it was striking that a major black newspaper would give such a lukewarm assessment of a Union veteran serving as a U.S. congressman.

Though previous military service could be a boon for aspiring black politicians, the use of martial rhetoric and black military service as a political strategy appears to have been more useful than one's actual record of service, especially in the years immediately following the defeat of the Confederacy. Black military exploits alone could not guarantee the formation of effective black political organizations or mobilize the

⁷¹ A condensed version of my examination of Walls may be found in Luis-Alejandro Dinnella-Borrego, "Manhood and Freedom in the Sunshine State: Josiah Thomas Walls and Reconstruction Florida," in Matthew Lynch, ed., *Before Obama: A Reappraisal of Black Reconstruction Era Politicians*, Volume 1: *Legacies Lost: The Life and Times of John Roy Lynch and His Political Contemporaries* (Santa Barbara, CA: Praeger, 2012), 47-68. In addition to Klingman's biography, I have relied heavily on Foner, *Freedom's Lawmakers*, 222-23; Canter Brown, Jr., *Florida's Black Public Officials, 1867-1924* (Tuscaloosa and London: University of Alabama Press, 1998), 135-36; and Middleton, ed., *Black Congressmen During Reconstruction*, 357-89.

⁷² "How the Colored Members of Congress Look," *Christian Recorder*, May 25, 1872, "African American Newspapers," *Accessible Archives*, accessed 11 April 2010, <http://www.accessible.com.proxy.libraries.rutgers.edu/accessible/index.jsp>.

masses of freedmen. Aspiring black leaders like Langston, Smalls, and Walls understood that, in order to build a political base, they needed to focus their attention on the bread-and-butter issues that confronted newly freed slaves. One of the most important of these issues was education, the cornerstone of black political participation.

Uplift and Education in the Postwar South

Understanding the emergence of a cadre of black political leaders after the Civil War requires an examination of how these future politicians viewed the subject of black education and freedom. The experiences of John Mercer Langston in the South, particularly his work with the Freedmen's Bureau in establishing schools for newly freed blacks, help to illuminate the emergence of African American politics in the immediate post-Civil War era. In his memoir, *From the Virginia Plantation to the National Capitol* (1894), Langston states, "The colored American had hardly been made free, the War of the Rebellion had not been closed, when Mr. Langston commenced his travels among the freed people. Thus, he gained broad and minute observation at once of their actual condition and probable future."⁷³ Langston took pains to document his initial impressions of his newly freed brethren.

As early as 1864 Langston journeyed to Nashville, Tennessee, and then on to Louisville, Kentucky. His observations from Louisville encapsulate the hopes of freedmen in the aftermath of emancipation: "Their condition was not promising, and yet, they moved at once and promptly, in intelligent, earnest and considerate activity, as if impelled and directed by an Allwise Supreme Power."⁷⁴ This religious tone pervades his

⁷³ Langston, *Virginia Plantation*, 232.

⁷⁴ Ibid, 234.

entire description of these Kentucky freedmen. Langston describes a people who were oppressed, but who put themselves completely in the hands of God.

In Langston's view, these freedmen and women were nothing less than the embodiment of a holy remnant, a chosen people, guided by absolute faith in God and anchored to the deepest spiritual and moral virtues. With respect to the freedwomen, Langston notes: "No history can be written of those early days of American freedom ... without large place and truthful mention of the women of the freed classes. They have in their conduct and labors, so far as their race is concerned, emulated largely, the 'virtuous woman' of the Scriptures."⁷⁵

These observations are crucial in understanding Langston's views on the place of religion in the project of racial uplift. Langston makes no distinction between the political future of blacks and their spiritual development. Historian Glenda Elizabeth Gilmore helps to explain Langston's views, writing that blacks "saw electoral politics as an aspect of spiritual striving, not as a secular profane activity. Ballots were tools for building an ideal community on earth. The church was a political structure, and politics was a practical means to a religious end. To fail in one was to fail the other."⁷⁶ Returning home to Virginia, Langston made use of all the "practical means" at his disposal to unite newly freed slaves with their former white masters. He increasingly viewed education as the key in creating a new biracial polity in the South.

Upon his arrival at Louisa Court House, Virginia, on June 15, 1867, Langston emphasized his potential place as a bridge unifying blacks and whites.⁷⁷ He noted how "the whole county had come out, so far as the whites were concerned, to see and hear

⁷⁵ Ibid, 236-37.

⁷⁶ Gilmore, *Gender and Jim Crow*, 116.

⁷⁷ Cheek and Cheek, *John Mercer Langston*, 9-11.

‘Quarles’ boy’; and so far as the colored people were concerned, they had all come to see and hear ‘Lucy’s son.’ ”⁷⁸ Addressing his fellow Virginians, Langston said he desired “nothing for the negro because he was black, but because he was a man, he would ask everything for him that other men had.”⁷⁹ Langston’s definition of liberty inspired him to emphasize continually that blacks had to “secure character and influence” and employ “these moral levers to elevate [themselves] to the dignity of manhood and womanhood.”⁸⁰

Describing the conditions of the freedmen in Vicksburg, in his capacity as General Inspector of the Freedmen’s Bureau, Langston noted that “the parents of the scholars are not only well disposed towards the teachers now in their schools, and those who formerly conducted them; but I find a settled purpose on their part to educate their children, even if they must make sacrifice and endure hardships to do it. This spirit promises well.”⁸¹ Education was rapidly becoming the cornerstone of black life in Mississippi, and blacks throughout the state were doing what they could “to buy sites and to build or aid in building Schoolhouses thereon,” displaying “a growing appreciation of education.”⁸² The schooling that young students received included arithmetic, geography, grammar, reading, spelling, and writing, and Langston was pleased to report that “many of the children are making commendable progress.”⁸³

⁷⁸ Langston, *Virginia Plantation*, 267; Cheek and Cheek, *John Mercer Langston*, 9.

⁷⁹ *Ibid.*, 9.

⁸⁰ William F. Cheek and Aimee Lee Cheek, “John Mercer Langston: Principle and Politics,” in Leon F. Litwack and August Meier, eds., *Black Leaders of the Nineteenth Century* (Urbana and Chicago: University of Illinois Press, 1988), 116. The Cheeks are citing Langston’s own words, although the Litwack and Meier volume does not provide citations for any of the essays contained in it.

⁸¹ Cheek “Forgotten Prophet,” 93.

⁸² John Mercer Langston to Oliver Otis Howard, August 3, 1867, Records of the Education Division of the Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1867, Letters Received. Microfilm No. 803, Roll 7, Slide 0667 (hereafter cited as Freedmen’s Bureau Ed. Div. Microfilm).

⁸³ *Ibid.*, August 3, 1867, Freedmen’s Bureau Ed. Div. Microfilm, Roll 7, Slide 0671.

In spite of these positive observations among blacks in Mississippi, Langston also expressed his sense of what was and was not acceptable for the development of a virtuous African American character. He wrote that the “expensive, filthy, and blighting habits of using Tobacco and drinking liquor, so common among the Freedmen, as well as all other classes of the people, in the Southern part of the country, prevails [sic] to an alarming extent in Mississippi.”⁸⁴ Langston’s added emphatically that the state’s “poor Freedmen” were spending “thousands of dollars more ... for these poisonous articles, than for books, or School Houses, or Churches. On this subject however ... the people are willing to hear, and are teachable; therefore, they are not in a hopeless condition.”⁸⁵ Langston believed that the solution to these challenges could only stem from divine providence: “Their salvation, in this as in other respects, can be made sure under God.”⁸⁶

Writing to Oliver Otis Howard from Huntsville, Alabama, on July 30, 1867, Langston could take solace in the overall progress of freedmen. He noted, “I find here no opposition on the part of the former Slaveholders to the Education of the Freedmen. And I find a reasonable amount of determination on the part of the Freedmen, to avail themselves of every opportunity for improvement.”⁸⁷ Langston continued:

Yesterday I had the opportunity of addressing a very large and attentive audience, of white and colored persons, in this city, and I did not fail to impress upon both classes, and especially the Freedmen, the importance and the necessity of throwing off at once, all the bad practices of slave life and the [inculcation] of sobriety, modulation, and good order in their new relations of Freedom.⁸⁸

This mix of genuine concern and elitism in Langston’s reports was common among influential black leaders during this period. But Langston’s reports also illuminate

⁸⁴ Ibid, Roll 7, Slide 0681.

⁸⁵ Ibid, Roll 7, Slide 0681.

⁸⁶ Ibid, Roll 7, Slide 0681.

⁸⁷ Ibid, July 30, 1867, Freedmen’s Bureau Ed. Div. Microfilm, Roll 6, Slide 040.

⁸⁸ Ibid, Roll 6, Slide 040.

the freedmen's strong desire to secure education and uplift, an aspiration that would play a significant role in the black political culture that emerged in the aftermath of the Civil War.⁸⁹ Indeed, this culture led to the growth of political imagery that could encapsulate the concerns of the emergent black electorate, encompassing black manhood and military service, education, and autonomy.

The Political Imagery of Black Freedom

African Americans entered into and embraced the trappings of traditional American political culture. Mid-nineteenth-century politics and political culture centered on the spectacle of voting as much as on the important issues of the day. Indeed, as Richard Franklin Bensel astutely noted, "many men appear to have gone to the polls simply because they were exciting, richly endowed with ethno-cultural themes of identity, manhood, and mutual recognition of community standing."⁹⁰ But politics was not only about hoopla or the excitement of communities gathering together for shared rituals.

Recent scholarship on "the material culture of politics" illustrates how the private sphere of home life and the public sphere of politics were not fully distinct, but "more like circles that overlapped somewhere near the edges."⁹¹ Mark Neely comments on the significance of the large numbers of political lithographs made for private consumption. He argues that these lithographs (often printed in sizes meant for display in homes)

⁸⁹ Foner, *Reconstruction*, 77-123; Heather Andrea Williams, *Self-Taught: African American Education in Slavery and Freedom* (Chapel Hill and London: University of North Carolina Press, 2005); Christopher M. Span, *From Cotton Field to Schoolhouse: African American Education in Mississippi, 1862-1875* (Chapel Hill: University of North Carolina Press, 2009).

⁹⁰ Richard Franklin Bensel, *The American Ballot Box in the Mid-Nineteenth Century* (Cambridge, England: Cambridge University Press, 2004), x.

⁹¹ Mark E. Neely, Jr., *The Boundaries of American Political Culture in the Civil War Era* (Chapel Hill: University of North Carolina Press, 2005), 9. My discussion of visual culture also draws on Peter C. Marzio, *The Democratic Art, Pictures for a 19th-Century America: Chromolithography, 1840-1900* (Boston: David R. Godine, 1979).

demonstrate the powerful influence of visual images in the daily political culture of ordinary Americans. Taking the lithographs of Currier & Ives as his prime example Neely averred: “No antebellum political institution broke down the barriers between home and public life more certainly than these visual devices did. The contents of the prints were political but their format and medium entailed domestic *use*.”⁹²

If relatively cheap lithographs were widely available for the consumption of the white public in the antebellum period, it stands to reason that, with the advent of emancipation, African Americans and their national leaders would enter into this political market of domestic consumption. The viability of explicitly political imagery for freedmen became apparent in the early 1870s. Chromolithographer Louis Prang (1824-1902) contributed one of the earliest depictions of a national black political leader, producing a large image of Senator Hiram Rhodes Revels of Mississippi in 1870. Discussing the significance of the portrait, Prang observed that his large portrait filled a national desire for such images “grown partly out of admiration, partly out of curiosity.”⁹³ He also made a point of sending a copy of this chromo to Frederick Douglass, whose comments reflect the increasing importance of black political imagery to this newly freed and enfranchised electorate. Douglass stated: “Pictures come not with slavery and oppression and destitution, but with liberty, fair play, leisure, and refinement. These conditions are now possible to colored American citizens, and I think the walls of their houses will soon begin to bear evidence of their altered relations to the people about them.”⁹⁴

The leading black activist of his generation, Douglass was aware of the connections between liberty and citizenship rights. The travails and dehumanization imposed by

⁹² Neely, *Boundaries of American Political Culture*, 14.

⁹³ Marzio, *Democratic Art*, 104.

⁹⁴ Ibid.

Southern slavery had denied blacks both portraits and political consciousness. With those bonds removed, and with the right to vote protected by the Fifteenth Amendment to the Constitution in 1870, African Americans could now take their place as democratic citizens, and in so doing they readily adopted mainstream American understandings of political culture.

Indeed, some of the earliest images commemorating black celebrations in Baltimore following the passage of the Fifteenth Amendment, provide insights into the nature and the spectacle of black political organizing. Two large images depicted political parades that celebrated the amendment's adoption. Although this legislation was far weaker than the original amendment proposed by Charles Sumner, it remained a triumphant milestone in the history of black political involvement.

"The Result of the Fifteenth Amendment, and the Rise and Progress of the African Race in America and Its Final Accomplishment, and Celebration on May 19th, A.D., 1870," published in Baltimore by Metcalf and Clark, presents a familiar array of political images, including major white figures (Lincoln, Grant, John Brown, Thaddeus Stevens) and black leaders (Douglass, Senator Hiram Revels, and Martin Delaney). Measuring 18.8 by 24.6 inches, this image was on the larger side for lithographs, but was still a convenient size for display in a home. The fundamental relevance of this lithograph, however, is less in the political message that it contains than in its depiction of African American political rallies. The sides of the piece show well-dressed members of black fraternal orders and Masonic groups leading the parade and holding up banners with white politicians on them among other figures. Likewise, the central image pictures well-dressed black civilians and soldiers marching with banners and flags in a massive



“The Result of the Fifteenth Amendment, and the Rise and Progress of the African Race in America and Its Final Accomplishment, and Celebration on May 19th, A.D., 1870” (Baltimore: Metcalf and Clark, c. 1870).

Source: Library of Congress, Prints and Photographs Division. “Prints & Photographs Online Catalog.” *Prints and Photographs Reading Room*. <http://www.loc.gov/pictures/item/2003690775/>. Reproduction number: LC-DIG-pig-02178 (digital file from original print).

parade on the street, with thousands of mostly black spectators gathered on the sides.

Some of these black men are clearly part of Masonic groups and black fraternal orders.

Participation in such orders served as a major proving ground for emergent ideologies of black manhood and created a space in which rising black leaders forged ideas concerning the uplift of their newly freed constituents.⁹⁵

⁹⁵ For a fascinating discussion on interconnections between gender, race, and class in the context of black masculinity see Martin W. Summers, *Manliness and Its Discontents: The Black Middle Class and the Transformation of Masculinity, 1900-1930* (Chapel Hill and London: University of North Carolina Press, 2004), 26-65.

This sort of imagery is displayed in even greater detail in another lithograph of the same parade, “The Fifteenth Amendment and Its Results.” Published by E. Sachse & Co. in 1870, this lithograph is roughly the same size as the previous piece (measuring 19.8 by 23.4 inches). It features black men dressed in sashes and mounted on horseback at the head of a parade with banners and American flags, and also has strong political overtones. Words emphasizing black uplift and desires for self-improvement—“Education” and “Science”—express the fundamental role of these factors in the success of the newly emancipated and enfranchised black electorate.

Both images reveal much about the concerns of the black community, the role played by community leaders, and the nature of black political rallies and celebrations in the postbellum period. African Americans from all walks of life participated in or attended these parades. Indeed, the Washington *New Era* (published by Frederick Douglass) highlighted the presence of various black fraternal orders and mutual aid societies at these events. Newly freed African Americans affirmed their integration as national citizens, not only by participating in such rallies and political hoopla (which were reminiscent of antebellum white political rallies and spectacles), but also by marching under the nationalistic banner of the Stars and Stripes, carrying images of national political leaders. At least one group of marchers displayed a “Banner with



“The Fifteenth Amendment and Its Results.” (Baltimore: E. Sachse & Co., c. 1870). Source: Library of Congress, Prints and Photographs Division. “Prints & Photographs Online Catalog.” *Prints and Photographs Reading Room*. <http://www.loc.gov/pictures/item/2003690774/>. Reproduction number: LC-DIG-pga-02587 (digital file from original print).

picture of Senator Revels shaking hands with the Goddess of Liberty.”⁹⁶ These images also contain early examples of postwar projects for racial uplift. Paralleling the rhetoric and policy agendas embraced by black political leaders, the images extol the future promise of the race and assert that black success rested on autonomy, education, and free

⁹⁶ “The Fifteenth Amendment. The Grand Celebration in Baltimore on the 19th. A Day of Jubilee. Immense and Brilliant Procession. A Most Magnificent Display. Crowded Streets and Sidewalks. The Outburst of Enthusiasm. Displays in the Line of March. The Ratification Mass Meeting. Eloquent Speeches—Welcome Sentiments,” *The New Era. A National Journal* (Washington, D.C.), 26 May 1870 (reprinting a May 20 article from the *Baltimore American*). The Baltimore celebration also featured rousing speeches by Frederick Douglass, John Mercer Langston, and William Lloyd Garrison.

labor—concepts that would have resonated powerfully with newly enfranchised constituents.

The culmination of emergent black political imagery may be found in one of the most powerful political images of the Reconstruction period: “The First Colored Senator and Representatives, in the 41st and 42nd Congress of the United States,” published in 1872 by Currier & Ives. This lithograph, a group portrait of the first African Americans to serve in Congress (with Florida’s Josiah Thomas Walls prominently in the center), presents an image that would have been inconceivable to most Americans only a few years earlier. Its subjects freed from the racist caricatures frequently used to denigrate African Americans even in relatively sympathetic publications, the lithograph was clearly meant for domestic consumption. Measuring 11.3 by 14.8 inches, it was nowhere near the size of the large folios available for larger public political rallies (normally 28 by 40 inches).⁹⁷ Whereas the previous celebratory images of black parades provide a glimpse into nascent black political consciousness, this image highlights the emergent leadership class that stepped forward to represent the black electorate. The optimism and pride engendered by this triumphant portrait of the first black congressmen illustrates the concrete results wrought by emancipation and black enfranchisement. The institution of slavery, which had tormented generations of African Americans, was now replaced by the first fruits of citizenship and emancipation—black political representation on the national stage.

The growth of explicitly black political imagery fits in well with the dominant threads of postbellum black political culture. These early images were made for

⁹⁷ Neely, 13.



“The First Colored Senator and Representatives, in the 41st and 42nd Congress of the United States” (Washington: Currier & Ives, 1872). Source: Library of Congress, Prints and Photographs Division.

“Prints & Photographs Online Catalog.” *Prints and Photographs Reading Room*.

<http://www.loc.gov/pictures/item/98501907/>. Reproduction number: LC-DIG-ppmsca-17564 (digital file from original print).

consumption by a politically cognizant and aware people who could never forget the travails of slavery and who clung tightly to the proud memory of their race’s participation in the American Civil War. Former slaves drew upon their experiences of both slavery and war as sources of political strength in the aftermath of emancipation as they confronted hostile whites in their efforts to claim their full rights as free citizens.

“We’ve *Made* the White People”: Competing Visions of Postwar Politics

As early as the close of hostilities in 1865, freedmen’s vision of the postwar United States stood in stark contrast to that of their former masters. Writing from

Vicksburg, Mississippi, on July 4, 1865, Chaplain James A. Hawley, of the 63rd United States Colored Infantry (USCI), shared his observations of the interactions between freedmen and white Southerners with the Mississippi Freedmen's Bureau Assistant Commissioner:

It might have been supposed that between this place & Jackson nearly every white man would be tolerably well posted as to the relations subsisting between the Freedmen & their former masters, But this seems not to be the fact concerning many of them. & this ignorance not only of the relations of the people but also of current events increases with each remove from these head Quarters—⁹⁸

Commenting on the divergent understandings of politics between whites and blacks, Hawley felt that the “sun of freedom [and] intelligence” could not be found among the whites in Vicksburg, but rather among the blacks who “were in advance of their old time masters, in knowledge of their real political situation, which shows how much the prejudices & wishes of the people have to do with their opinions.”⁹⁹

Hawley indicated that the vast majority of white planters acknowledged the end of slavery but also wanted their former slaves to “remain ‘*as they always had done*’ ”—that is, always laboring on plantations with as little change in their prewar status as possible. He also described the machinations in which whites were willing to engage so as to minimize social change: “Many of the people are taking the amnesty oath, simply to acquire political power to be used, in again reducing the people as nearly to Slavery as possible.”¹⁰⁰ Indeed, these white Southerners believed that, by controlling the state government, “they hope to use it in the interest of the Planters, as against the free labor of

⁹⁸ Excerpts from [Chaplain James A. Hawley] to Col. Samuel Thomas, 4 July 1865, H-42 1865, Registered Letters Received, ser. 2052, MS Asst. Comr., RG 105 [A-9045]. Reprinted in Steven Hahn, Steven F. Miller, Susan E. O'Donovan, John C. Rodrigue, and Leslie S. Rowland, eds., *Freedom: A Documentary History of Emancipation, 1861-1867*, Series 3, Volume 1: *Land and Labor, 1865* (Chapel Hill: University of North Carolina Press, 2008), 110.

⁹⁹ Hahn et al., *Freedom Series 3*, 110.

¹⁰⁰ *Ibid.*, 116.

the State. They swear—many of them—to support the government & *the emancipation proclamation*, & then seek to destroy the efficacy of the proclamation, by cruel endeavors to destroy the people for whose benefit it was made—”¹⁰¹

Especially revealing in Hawley’s extended report were his observations regarding the character of emerging political sensibilities among newly freed slaves, particularly in the midst of virulent racism and prejudice on the part of former slaveholders. “In doing justice to the freed people,” he wrote, “we have to encounter the prejudices also of Southern people who are set in the notion that negroes will not work, that they cannot take care of them selves, & of course are in the way to temporal destruction.”¹⁰² Hawley praised a counterexample to the prejudices of whites, citing the words of an anonymous freedman, a “very bright darkie” from Tennessee, who declared that “we’s *made* the white people.” He thought that it would be a pity “if they [blacks] could not support themselves without the white folks to take care of too. He was himself amused at his former groundless fears of the Yankees, & asked many interesting questions concerning the condition & rights of the Freedmen.”¹⁰³

The perspective expressed by the anonymous freedman whom Hawley quoted demonstrates that former slaves understood very well the political changes wrought by the Civil War, as well as their place in the new Southern order. Black labor had made white Southern society possible, and, given the restrictions and oppression that had characterized that world, many blacks mistrusted the words and motives of their former owners. The experiences of countless ex-slaves, including both this anonymous “darkie” from Tennessee and the future Mississippi congressman John Roy Lynch, were bound up

¹⁰¹ Ibid.

¹⁰² Ibid, 126.

¹⁰³ Ibid.

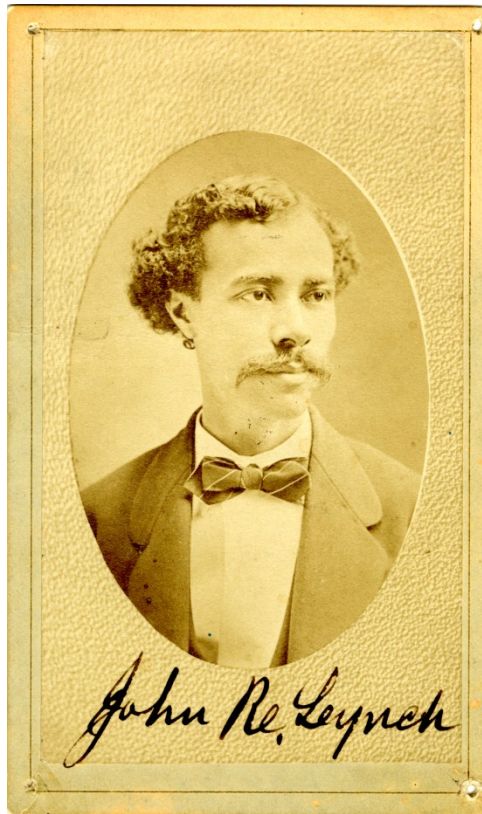
in a shared understanding of the meaning of the war, one that led many freedmen into sharp disagreement with Southern whites.

Lynch's experiences as a slave and his service after gaining freedom, as a cook and waiter for both the Union Army and Navy in the South during the Civil War, contributed to his later political development. Born on September 10, 1847, on Tacony Plantation, Concordia Parish, Louisiana (three miles from the town of Vidalia), Lynch was the son of an Irish-born plantation manager named Patrick Lynch and Catherine White, a slave woman.¹⁰⁴ Lynch's father purchased his "wife" and children, becoming their owner. At his father's death in 1849, ownership of Catherine's family passed to a friend who, rather than honor Lynch's father's desire to free the family, kept them as slaves. This formative experience would have a profound impact on Lynch's future as a politician. Lynch's experiences as a slave influenced his future political maneuvering; he knew the limits that existed but was willing to push hard when he felt that he could achieve his legislative goals.

Lynch saw firsthand the ravages of the Civil War as the Union Army invaded the Lower Mississippi River Valley. "This was, for him, a war of deliverance," wrote John Hope Franklin, "and when the Union forces approached that area, he joined other slaves in the 'general strike' and in the enjoyment of freedom long before the cessation of hostilities."¹⁰⁵ Lynch would acquire a sporadic and largely informal education. With respect to his occupation as a photographer in Natchez, Lynch wrote, "This employment

¹⁰⁴ This biographical sketch is based on John Hope Franklin's introduction to John Roy Lynch, *Reminiscences of an Active Life: The Autobiography of John Roy Lynch* (Chicago and London: University of Chicago Press, 1970), ix-xxxix; Stephen Middleton's brief sketch in *Black Congressmen During Reconstruction*, 145-47 (which is followed by a compilation of most of Lynch's major speeches, on 147-225); and Eric Foner's entry for Lynch in *Freedom's Lawmakers*, 138-39.

¹⁰⁵ Franklin, "Introduction," x.



John R. Lynch in 1870. Source: Mississippi Department of Archives and History, Jackson, Mississippi. Call Number: PI/STA/L96.
 Courtesy of Mississippi Department of Archives and History.

proved to be the opportunity of my life. It marked the beginning of a somewhat eventful career.”¹⁰⁶ Lynch attended a night school established by Northern whites for four months; at the end of that time, he recalled, “I could compose and write a pretty good letter. Composition, grammar, and spelling might have been very imperfect, still it was a letter that could be read and understood.”¹⁰⁷ The lack of formal education was not a hindrance for the young Lynch. Indeed, his “occupation happened to be favorable for private study” and Lynch was able to dedicate two to three hours daily to reading and educating himself at his place of business.

¹⁰⁶ Lynch, *Reminiscences of an Active Life*, 41.

¹⁰⁷ *Ibid.*, 42.



Photograph of future Mississippi Senator Hiram R. Revels, taken by John Roy Lynch in 1868. Source: Lynch, *The Facts of Reconstruction* (1913; Charleston, SC: Bibliobazaar, 2011), 35.

The nature and content of this private education was already nurturing Lynch's nascent interest in politics:

Among the books that I carefully read and studied was one on parliamentary law, which I found to be of great advantage to me in after life. I also kept myself posted on the current events of the day by reading newspapers and magazines. I was especially interested in the proceedings of Congress, for it was just about that time that the bitter fight was going on between Congress and President Johnson.¹⁰⁸

Lynch also benefited "indirectly" from the white public school in Natchez. His office was located close to the public school and he "could easily hear the recitations that were going on in the school across the way."¹⁰⁹ Eager to receive the same sort of education, he "would sometimes sit in the back of the room for hours and listen with close attention to what was going on in the school. ... I could clearly and distinctly hear the questions asked by the teacher and the responses given by the class or the individual

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

pupil.”¹¹⁰ His interest in the material was so profound that Lynch would often lose himself in the lessons: “I would imagine, for the time being, that I was a member of the class and was eager to answer some of the questions. I could also see and read the problems in arithmetic that were on the blackboard that was directly in front of where I was sitting. The knowledge and information thus obtained proved to be of great assistance to me.”¹¹¹ Lynch shared the concerns of many of his newly freed brethren. He knew their desire to learn, and he shared their desire to obtain independence and autonomy in the new world created by the blood of civil war. Involving himself in the local Natchez Republican club, he was selected to present the club’s slate of candidates for county and municipal offices to the military governor, General Adelbert Ames, who was staying in the capital city of Jackson.¹¹²

Lynch received the chance to put his education to good use when he met with Ames, who paid close attention as the young photographer “presented as forcibly as I could the merits and qualifications of the different persons whose names appeared on the slate that I placed in his hands.”¹¹³ Ames thanked Lynch and said he would consider the candidates. When the nominees’ names were released several weeks later, Lynch discovered that his own name was on it, as a prospective justice of the peace. Lynch initially desired to turn down the post but was “reliably informed that I had not been recommended or suggested by any one, but that the governor’s action was the result of the favorable impression I had made upon him when I presented the slate referred to.”¹¹⁴

¹¹⁰ Ibid.

¹¹¹ Ibid, 42-43.

¹¹² Ibid, 54-55.

¹¹³ Ibid, 55.

¹¹⁴ Ibid, 55-56.

Thus, in 1869 and at age twenty-two, Lynch was appointed to his first political office, giving him a powerful stepping stone from which to launch his future political career.

Following this appointment, Lynch represented Adams County in the state legislature from 1870-1873, rising to the position of Speaker of the House from 1872 to 1873. He was then elected in 1872 to the U.S. House of Representatives, where he served two consecutive terms from 1873-1877; following a contested election case, he served again in Congress from 1882 to 1883. On December 18, 1884, he married Ella W. Somerville, with whom he had a daughter, but they divorced in 1900. Following his service in Congress he remained active in Mississippi Republican politics, forging a powerful alliance with two other black political leaders—U.S. Senator Blanche Kelso Bruce and James Hill, who served as Mississippi’s Secretary of State and also as the internal revenue collector at Vicksburg. Lynch regularly attended Republican national conventions from 1872 through 1900 (missing only from the 1896 convention). He served as temporary chairman of the 1884 Republican national convention, where he also had the honor of being the first African American to deliver a keynote address at a major political convention. In his fifties, he served in the army as part of the American occupying force in Cuba. In August 1911, the year in which he retired from the army, he married Cora E. Williamson. In 1912 he and his wife moved to Chicago, where he made it his mission to publish articles and books about Reconstruction, countering the perspective of well-known historians like James Ford Rhodes. On November 2, 1939, at the age of 92, Lynch, the last surviving Reconstruction congressman, died in Chicago.¹¹⁵

¹¹⁵ The information presented here is drawn from Foner, *Freedom’s Lawmakers*, 138-39 (Lynch) and 103-4 (Hill). Details concerning the dates of Lynch’s marriages were drawn from Kenneth Eugene Mann, “Black Leaders in National Politics, 1873-1943: A Study of Legislative Persuasion” (Ph.D. diss., Indiana University, 1971), 37. On Lynch’s death see Franklin, “Introduction,” xxxix.

Lynch's lengthy career illustrates the possibilities available to blacks in the wake of emancipation. Few could have imagined that a former slave would one day hold elective office, serve as a delegate to major party conventions, and earn a high rank in the U.S. Army. Black leaders like Lynch began to take advantage of the increased educational opportunities afforded them during emancipation, drawing upon their newly acquired rights as free men and citizens. National black political leaders increasingly recognized that, if they wanted to fight successfully for the desires of freedmen and freedwomen, they needed to consolidate their gains, organize politically, and put forward a political agenda that would satisfy their constituents without alienating white Americans.

The Black Convention Movement and the Future of Black Politics in the South

By the late 1860s and early 1870s, several major black political leaders began to make their presence felt in the postwar Southern political arena. While Langston served in the Freedmen's Bureau and Lynch began to enter Mississippi politics, other leaders began to take bolder steps into national politics. Military veteran Josiah Thomas Walls won his first election to the U.S. House of Representatives, gaining Florida's sole at-large seat in 1870 with 51.3 percent of the vote. Beginning his term on March 4, 1871, he was among the first African Americans to take a seat in Congress during Reconstruction, joining South Carolina's Joseph Hayne Rainey, Robert Brown Elliott, and Robert Carlos De Large. Barely through the first year of his term, Walls (along with several of his congressional colleagues) decided to attend a national political convention of African American leaders gathering in South Carolina.

Almost six years following the end of the Civil War, and in the midst of unfamiliar and often contentious state political contests and revolutionary constitutional conventions across the South, emergent black political leaders carried over longstanding traditions from the Black Convention Movement in the 1850s and 1860s and began seeking to set forth coherent regional and national policies for the post-Civil War political world. One of the earliest of these conventions was the Southern States Convention of Colored Men, which met in Columbia, South Carolina on October 18-25, 1871.¹¹⁶ A wide range of current and future elected officials attended the convention, including Walls, Elliott, Rainey, former Georgia congressman Jefferson Franklin Long, future congressmen Richard Harvey Cain of South Carolina and James Thomas Rapier of Alabama, and the Palmetto State's lieutenant governor, Alonzo Jacob Ransier.

Rapier was born free in Florence, Alabama, on November 13, 1837, the son of prosperous free black parents. His father ran a successful barbershop and owned several hundred acres of property.¹¹⁷ Rapier attended school in Nashville, Tennessee while staying with his grandmother between 1844 and 1850. Between 1854 and 1860 he drank

¹¹⁶ There were other conventions before this one, including the National Convention of Colored Men (Syracuse, NY, Oct. 4-7, 1864); the first meeting of the National Equal Rights League (Cleveland, OH, Oct. 19-21, 1865), which was a direct outgrowth of the 1864 convention; and the Colored National Labor Convention (Washington, DC, Dec. 6-10, 1870). Three earlier articles have influenced my observations on the black political consciousness and postbellum convention movements: Elsie M. Lewis, "The Political Mind of the Negro, 1865-1900," *Journal of Southern History* 21, no. 2 (May 1955): 189-202; Eric Foner, "Languages of Change: Sources of Black Ideology During the Civil War and Reconstruction," *Quaderno* 2 (1988): 273-88, accessed 16 Feb. 2012, <http://www.library.vanderbilt.edu/Quaderno/Quaderno2/Q2.C16.foner.pdf>; and Timothy Patrick McCarthy, "'To Plead Our Own Cause': Black Print Culture and the Origins of American Abolitionism," in Timothy Patrick McCarthy and John Stauffer, eds., *Prophets of Protest: Reconsidering the History of American Abolitionism* (New York and London: The New Press, 2006), 114-44. Lewis's article must be used with caution as it is dated, and some of his observations—regarding the ignorance of the black electorate and the narrow focus of black leaders (who he says were only concerned with racial issues and completely uninterested in national issues outside of race and civil rights)—need to be taken with a grain of salt. For more on the National Equal Rights League and earlier conventions see Hugh Davis, *"We Will Be Satisfied With Nothing Less": The African American Struggle for Equal Rights in the North during Reconstruction* (Ithaca, NY and London: Cornell University Press, 2011).

¹¹⁷ Schweninger, *James T. Rapier and Reconstruction*, 16-18, 20-21.

heavily and gambled extensively on riverboats. Eventually he continued his schooling, attending the King School in Buxton, Ontario, Canada. He attended a Toronto normal school from 1860 to 1864, eventually gaining a teaching certificate and then teaching at Buxton.¹¹⁸

Buxton was a successful black utopian community. Founded by the Scotch Presbyterian minister William King in 1848, it began with only King and his sixteen emancipated slaves but grew rapidly into a large and interracial community. Blacks and whites learned and played together in the school, offering a rare illustration of the potential for a truly egalitarian society.¹¹⁹ Rapier continued his dissolute lifestyle at Buxton, flaunting the rules by gambling and entertaining “women in the business.” He had also stopped attending church at this point in his life. However, in April 1857 he experienced a profound religious conversion, renouncing his earlier ways and committing himself to his studies, possibly for the ministry.¹²⁰ This change would set him on a course to become a major political leader in his native state of Alabama.

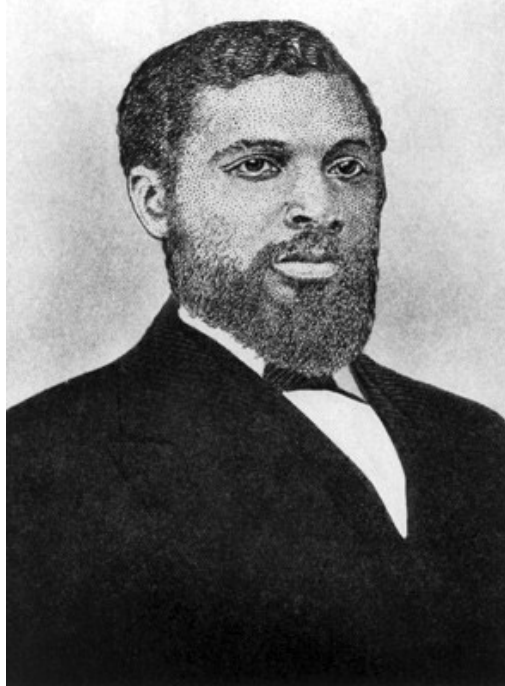
Between 1864 and 1865 Rapier returned to the South, where he worked as a correspondent for a northern newspaper. Around this time he also delivered a keynote address at the Tennessee Negro Suffrage Convention in Nashville. By 1866 he had returned to Florence, Alabama, where he rented several hundred acres of land and became a prosperous cotton planter.¹²¹ In 1867, he organized newly freed blacks under the auspices of the Congressional Reconstruction Acts, attended the first state Republican Convention, and gained election to the Alabama Constitutional Convention. In 1870, as a

¹¹⁸ Ibid, 30-36.

¹¹⁹ Ibid, 30.

¹²⁰ Ibid, 31.

¹²¹ Ibid, 37-39.



Congressman James T. Rapier in "James Thomas Rapier," *Black Americans in Congress, 1870-2007*, (Washington, D.C.: Government Printing Office, 2008), <http://baic.house.gov/member-profiles/profile.html?intID=13>.
Source: Moorland-Spingarn Research Center, Howard University.

candidate for Secretary of State, he became the first African American in Alabama history to run for statewide office, but he lost the election. In 1871 he was appointed as Assessor of Internal Revenue and organized the Alabama Negro Labor Union. During this period he was appointed as state commissioner to the Fifth World Exposition in Vienna, Austria and stayed in Europe for five months. Finally, in November 1872, Rapier won election to the U.S. House of Representatives, where he served one term between 1873 and 1875. While serving his single term in the House, Rapier fought in favor of the Civil Rights Bill, introduced legislation to improve American water lanes, and supported railroad regulation. However, he was defeated in two successive campaigns, in 1874 and in 1876 (where he ran in a three-way contest involving another black ex-congressman, Jeremiah Haralson).¹²² In 1878 he was appointed as Collector of Internal Revenue for the

¹²² Ibid, 157.

Second District of Alabama and increasingly became committed to black emigration from the South. On May 6, 1879, Rapier attended the National Conference of Colored Men at Nashville, speaking openly in favor of emigration and thus taking sides against his former rival Jeremiah Haralson, as well as Frederick Douglass and South Carolina's Robert Smalls.¹²³ By the early 1880s Rapier's health was declining as he experienced chest pains and extensive coughing fits. On May 31, 1883, he died of pulmonary tuberculosis and was buried in an unmarked grave in St. Louis, Missouri.¹²⁴

The presence of such a wide assortment of leaders, from the cultured and freeborn Rapier to the Union veteran and ex-slave Walls, at major conventions indicates that, despite divisions within the black community, strong unifying forces were at work. The Southern States Convention of Colored Men covered a wide range of issues, from education to civil rights, and attempted to solidify and coordinate black political activity across the South. It unanimously adopted an "Address to the People of the United States" that identified and promoted nationwide the major concerns and desires of African Americans from the South. Among the nine members who affixed their names to this document were two congressmen, Robert Brown Elliott of South Carolina and Josiah Thomas Walls of Florida. The committee sought to speak for the mass of newly freed slaves and to express a sense of unity among the convention's delegates. It stated:

FELLOW-CITIZENS: The colored people of the States of Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and the District of Columbia, have delegated to us, their representatives, assembled in Convention, authority to give expression to their purposes, desires and feelings, in view of the relation they

¹²³ Ibid, 160-62.

¹²⁴ Ibid, 175-78.

sustain to the Government and the people of the United States, under the course of events that has arisen since, and as a consequence of, the war of rebellion.¹²⁵

Even at this relatively late date of 1871, the “war of rebellion” retained its central place in the minds of the assembled delegates; indeed, it would remain an important component of the formative years of postemancipatory black politics. While most African Americans certainly agreed with the emphasis on the Civil War, they might not have necessarily agreed with the delegates’ claims to represent all African Americans across the South. The address purported to speak for all blacks, but several major leaders and delegates were unable to attend the convention. Furthermore, despite the long list of Southern states named, not all of them were represented at the convention. These realities were undoubtedly mitigated by the presence of several prominent state political leaders (lieutenant governors) and a handful of newly elected and former black congressmen, enabling the delegates in attendance to claim the mantle of state and national black leadership.

Beyond this strong claim to broad representation, the address made familiar calls for the protection of black civil and political equality, the expansion and strengthening of educational opportunities, and granting African Americans their place in the American body politic. Yet it is remarkable for several reasons. It was the product of one of the first efforts to bring together a majority of Southern black leaders in one convention. The committee felt the need to explain why it chose the medium of an address to communicate effectively with white Americans. Indeed, its explanation acknowledges the

¹²⁵ “Address,” Convention of Colored People of Southern States, October 21, 1871, Pinkney Benton Stewart Pinchback Papers, Folder 20, Box 81-1, Moorland-Spingarn Research Center, Founders Library, Howard University, Washington, D.C; for another copy of this address see the microfilmed *Proceedings of the Southern States Convention of Colored Men, Held in Columbia, S.C., Commencing October 18, Ending October 25, 1871* (Columbia: Carolina Printing Company, 1871), New York Public Library, Schomburg Center for Research in Black Culture, 46 (hereafter cited as *Proceedings of the Southern States Convention*). Future citations will rely on the microfilmed version of the address.

difficulties that confronted the black community in the early years of Reconstruction:

“We have not at command the all-important instrument of a local public press as the medium of communicating with you; the press of the South, with few exceptions, being in the hands of those interested to lower us in your esteem. We have deemed a Convention of our representatives as the most efficient means of laying before you the true state of our condition and feeling.”¹²⁶ As early as October 1871, African American leaders felt that producing such an address was necessary to circumvent the Southern press and present their views in an unbiased and unadulterated fashion to white Northerners.

As Chaplain James A. Hawley noted several months after the war, the bulk of white Southerners were unwilling to countenance anything more than superficial changes to their society. Several paragraphs later in their address, the delegates said as much when they spoke of repeated attempts by Southern whites to confine them to conditions as close to their previous condition of servitude as possible. If Black Codes (laws that slightly modified coercive slave codes of the antebellum era) did not work, then white Southerners would turn toward other means of countering the revolutionary impulses of newly freed slaves.

In pointing out that the Southern press was out of their control and bent on distorting the truth, the nine committee members who drafted this address were more prescient than they could have imagined. As historians such as Heather Cox Richardson have illustrated, one of the main forces that turned Northern opinion against Reconstruction was the efforts of pro-Southern writers (chief among them James S. Pike, whose lurid *The Prostrate State* denounced blacks in South Carolina as corrupt

¹²⁶ *Proceedings of the Southern States Convention*, 47.

imbeciles), reinforced by slanted coverage from major newspapers.¹²⁷ The fact that these delegates perceived the danger of a biased Southern press, so early in the experiment with Reconstruction, provides compelling evidence that only strong support from the government (and the North) could guarantee the preservation of black civil and political equality. Indeed, this realization may have played an instrumental role in prompting some black leaders in attendance to run for political office.

The black convention delegates' address attempted to gain and strengthen Northern sympathy through the use of moderate and nationalistic language—the very same kind of rhetorical strategies that black congressional leaders would use for the rest of the century. For example, when asking for increased educational opportunities they wrote:

We ask that your Representatives in Congress; may be instructed to afford such aid in extending education to the uneducated classes in the States we represent as may be consistent with the financial interests of the nation. Although we urge our unrequited labors in the past as the ground for this appeal, yet we do not seek these benefits for ourselves alone, but for the white portion of the laboring class in our States, whose need is as great as ours.¹²⁸

The concluding sentence represents a remarkable feat of rhetorical acrobatics. On one hand, African Americans demanded expanded educational opportunities on the basis of their long service as unpaid slaves. On the other hand, they claimed these benefits not only for themselves but also on behalf of all laborers, including whites. This interracial approach would appear frequently in subsequent speeches and interviews given by a wide range of black congressmen.

¹²⁷ Heather Cox Richardson, *The Death of Reconstruction: Race, Labor, and Politics in the Post-Civil War North, 1865-1901* (Cambridge, MA and London: Harvard University Press, 2001), 89; for her larger portrayal see 83-121.

¹²⁸ *Proceedings*, 48-49.

Indeed, the text of this address contains the blueprint for the political and rhetorical strategies embraced by congressmen as diverse as Walls, Langston, and Lynch. No matter how strongly committed they were to the political fortunes of the Republican Party, the delegates who met at Columbia, South Carolina were not naive enough to believe that suddenly, with the conclusion of the Civil War, white prejudice had been completely exterminated from the United States. They may have occasionally claimed this to be the case, but only in statements crafted for public consumption. African American political leaders knew, just as their constituents did, that forceful and racially exclusive demands for redress would likely fall on deaf ears and might even engender opposition among many segments of Northern white society. Furthermore, they were also aware that they could not afford to be seen as serving only the interests of their black constituents. Such insights are especially visible in the case of Congressman Walls of Florida, since he was initially elected as Florida's sole at-large congressman. In this capacity he had to campaign across the whole state, and, once elected, he had a duty and an obligation to serve as the congressman for all Floridians, not simply those in the narrow black belt that existed in northern Florida. In almost every congressional district where African Americans gained election, they had to balance the desires of newly freed slaves and those of their white counterparts. This strategy does not negate the sincerity of the convention address's appeal to expand educational opportunities for both blacks and whites across the South. It does, however, put in context the specific ways in which most black politicians crafted their appeals for civil and political equality; if they desired white Northern support, they would need to stake their claims on the basis of equality for all Southerners.

Toward the end of the address, the delegates selected another intriguing use of language to make their case before white Americans:

It is our privilege, in addressing you, to offer the voice of four millions of citizens of this great country. That voice is addressed to those whose humane feelings rendered practicable that consummate act that elevated so vast a body at once to the enjoyment of civil and political manhood. . . . It is not too much to anticipate that partiality for the work that owes its legal completion to you, will influence you to watch carefully the development of its practical results; that no perversion from the purposes of your bounty shall prevent the full fruition of the great principles of justice that actuated you.¹²⁹

The images and political metaphors contained in this small paragraph are numerous, and their implications are critically important for understanding the mindset of African Americans by the end of the 1860s. Once again the emphasis is on how a small group of men can be treated as representative of four million African Americans. But the writers go further and remind the white North of its crucial role in liberating the slaves and elevating them to a position where they could enjoy full civil and political equality as men. The emphasis on the connections between manhood and citizenship as a product of the Civil War (in terms of both emancipation and the service rendered by black soldiers and sailors) is the central focus of this passage. Interestingly enough, the delegates conclude this paragraph with a plea as well as a warning to the white Northerners. They contend that it is in the North's interest, given its fundamental role in securing emancipation and equality, not to lose focus or abandon African Americans, but to see the process all the way through. Emancipation may have been a fact, but the "legal completion" of the process set in motion by the Civil War and the Thirteenth Amendment was far from over. The North had to keep a steady watch over Southern affairs, lest the promise and possibilities brought about by the defeat of the Confederacy come to naught.

¹²⁹ Ibid, 49-50.

The address produced by the convention on October 21, 1871, was a political milestone in the life of the black community. In addition to setting out the major concerns and desires of the black electorate, it correctly predicted the future of the nation's tenuous experiment with Reconstruction. Within this milieu one can make sense of another major event that occurred at this convention: substantial division over whether to support President Ulysses S. Grant's bid for a second term.

For a few days, several prominent black political leaders sparred over how strongly to come out in support of Grant and the Republican Party itself. Congressman Walls consistently supported the Northern Republicans and the party as a whole. On the second day of the Convention, October 19, Alabama's future congressman, James Thomas Rapier, put forward a resolution endorsing President Grant. On the same day, Walls introduced a resolution explicitly supporting the Republicans as the only viable party advocating the rights of African Americans and expressing confidence and trust in Northern Republican politicians. Walls also backed another strongly worded pro-Republican and pro-Grant resolution, by John H. Johnson of Arkansas, which stated that "this Convention hereby affirms an unswerving devotion to the great principles of the Republican Party," and that "we heartily endorse the successful Administration of President Grant, viewing with no less satisfaction his victories in peace than his victories in war."¹³⁰

Tension was in the air throughout the convention. At several points, delegates expressed exasperation with the infighting over how thoroughly they did or did not support the Republican Party or the Grant Administration. Initially Grant had been

¹³⁰ Ibid, 18-19, 23, 25. Rapier's endorsement of Grant is on page 18, Walls's resolution supporting the Republican Party and endorsing Northern Republicans is on page 19, Walls's argument in favor of adopting a pro-Republican amendment appears on pages 23-24, and his statement in support is on page 25.

popular among the majority of African Americans, who believed that the Grant administration was quite willing to defend black civil rights. After all, his attorney general, Amos Tappan Akerman, had moved swiftly against the Ku Klux Klan in the South.¹³¹ However, Grant's leadership in enforcing Reconstruction was inconsistent at best, and by 1870 the political tide seemed to be going against Republicans. In November of that year the state legislatures of Virginia, Tennessee, North Carolina, and Georgia fell to Democratic control. They were joined in rapid succession by the remaining Border States including West Virginia and Missouri.¹³² It is thus understandable that doubt and suspicion hung in the air among the black delegates assembled at Columbia.

On October 21, the fourth day of the Convention, Louisiana's P. B. S. Pinchback introduced a strongly worded resolution supporting Grant's administration. He called Grant "the greatest military chieftain of the age," lauded his extensive "recognition of the colored people in the distribution of Federal patronage," and saw him as the "crowning act in our elevation to American citizenship." Pinchback's resolution affirmed "that we heartily endorse his administration, and believe that, under his leadership, with judicious management, the Republican party can be led to a glorious victory in 1872."¹³³ Not everyone in attendance, however, shared Pinchback's view. Two days later, when the convention took up the question of endorsing President Grant, some delegates argued against endorsing him so far in advance of the election. Indeed, one resolution stated that

¹³¹ For a more human perspective on Grant, emphasizing his psychology and examining his failure during Reconstruction, see William S. McFeely, *Grant: A Biography* (New York and London: W. W. Norton & Company, 1981), 356-79. For a more sympathetic view of Grant in this period see Jean Edward Smith, *Grant* (New York and London: Simon and Schuster, 2001), 542-72.

¹³² William Gillette, *Retreat from Reconstruction, 1869-1879* (Baton Rouge and London: Louisiana State University Press, 1979), 166-67.

¹³³ *Proceedings of the Southern States Convention*, 51.

it was “impolitic at this time to appear even to dictate or anticipate the action of the great Republican party, of which we form but a fraction.”¹³⁴

As the convention dragged on toward its evening session, whether the assembled delegates would support Grant’s bid for reelection remained unresolved. Walls moved to continue his support for Republicans and Grant. In response to a pending resolution (a substitution for Pinchback’s effusive resolution backing Grant) that tepidly supported the Republican president, Walls rose to address his colleagues and offered a bold alternative: “that this Convention recommends to the next nominating Convention of the Republican party, the name of John Mercer Langston, as a candidate for the Vice Presidency of the United States.”¹³⁵ Although not able to make the convention, Langston was at the time the second most prominent black man in America, after Frederick Douglass.

Interestingly, Walls presented this unconventional resolution in the face of increasing white violence in South Carolina. Even in this convention of black delegates, the suggestion to nominate an African American as Grant’s running mate was going too far.¹³⁶ Ultimately, however, Walls’s resolution may have had the necessary effect of breaking the deadlock. Immediately after the tabling of this controversial alternative, a vote was called on the substitute resolution that watered down Pinchback’s endorsement of Grant. Of the forty-eight delegates present, only eighteen supported it and thirty

¹³⁴ *Proceedings*, 58-60; the text of the resolution is on page 60.

¹³⁵ Ibid, 63; Klingman, *Josiah Walls*, 102. For newspaper accounts of the proceedings of this convention, including references to Walls, see “The Colored People. Address of the Southern States Convention in Columbia to the People of the United States,” *New York Times*, 26 October 1871, accessed 5 April 2010, <http://www.nytimes.com>; “Southern States Convention,” *Morning Republican* (Little Rock, AR), 28 October 1871, in “19th Century U.S. Newspapers,” accessed 5 April 2010, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP.

¹³⁶ Klingman, *Josiah Walls*, 102. For examples of African American dissidence (including this account of Walls’s actions) see also Peter D. Klingman and David T. Geithman, “Negro Dissidence and the Republican Party, 1864-1872,” *Phylon* 40, no. 2 (1979): 172-82.

(including Walls) voted against it. Following this vote, “The question recurred on agreeing to the resolution of Mr. Pinchback, and was decided in the affirmative.”¹³⁷

Life and Death at the Ballot Box

By the beginning of the 1870s a new generation of African American leaders had emerged from Southern plantations and from Northern abolitionist struggles in urban cities. These leaders shared a common set of strategies through which they sought to connect with the hopes and desires of their newly enfranchised constituents. African Americans wanted the rights and privileges that white Americans took for granted. Having proved themselves as loyal men in the service of the Union cause, they reasoned that their sacrifices on the battlefield had earned them the right to be political citizens. Nor could they or their leaders forget the individual and collective acts of resistance by which they and their forebears had combatted the unimaginable sufferings of slavery.

The new sense of pride engendered by the sight of hundreds of thousands of black men taking up arms combined with informal strategies of resistance to forge a new and distinctive political consciousness for the black community in the postbellum South. African Americans knew well that the silencing of the guns at Appomattox signaled only the end of one phase of a much larger conflict. The world that would replace the old slave order was as yet undetermined. The formative political decade for black America would soon give way to the realities of interracial political strife and increased factionalism during Reconstruction.

As the assembled delegates at the Southern States Convention of Colored Men thoroughly understood, the specter of white coercion, violence, and intimidation was never far away. The Civil War liberated the slaves and gave them a sense of pride,

¹³⁷ *Proceedings of the Southern States Convention*, 63.

manhood, and citizenship that they had never felt before. The conflict provided the necessary catalyst for the emergence of a political culture undergirding African Americans' claim to civil and political equality across the South. Northerners, and Republicans in particular, needed to understand the gravity of the situation. Preservation of the Union may have been the overriding factor motivating thousands of white Northerners to fight the Confederacy. Nevertheless, the war had also resulted in the emancipation of slaves, and now four million loyal black citizens needed their country's aid and protection.

As the delegates at Columbia concluded their meeting, already there were signs of how much remained unsettled both in Southern society and in the nation as a whole. Former slaves and aspiring leaders continued to embrace a democracy of the dead, recalling the legacies of enslaved ancestors and Union veterans in support of their political organizing within the black community. But as the war faded from memory and the task of Reconstruction came to the fore, African Americans were confronted with the realities of putting their political consciousness into action. Their blood had been drawn by the lash of their masters and spilled on the battlefield; now blacks would be called upon to sacrifice their blood once more, this time at the ballot box.

CHAPTER TWO

**Blood, Ballots, and Bullets:
Contested Elections and the Culture of Violence
in the Reconstruction South, 1867-1873**

The Specter of Racialized Violence

On August 12, 1876, in the white Democratic stronghold of Edgefield, South Carolina, Republican Governor Daniel Chamberlain attempted to address a party rally attended by hundreds of armed Red Shirts (paramilitary supporters of the Democratic party). Black congressman Robert Smalls was there with Chamberlain and other Republican officials. But the armed Red Shirts' persistent demand for "divided time" (i.e., splitting time evenly between representatives of both parties) won the day. The angry Red Shirts, who began to shout down Chamberlain, also threatened Smalls's life.

According to congressional testimony later delivered by Smalls, the leaders of the Red Shirts, specifically former Confederate generals Martin W. Gary and Matthew C. Butler, were vicious in their attacks. Butler asked the crowd if they were "White Liners" and "Ku-Klux," and they shouted "No." "Well," Butler continued, "there is a man, Robert Smalls, who has used my name in the halls of Congress as being the leader of the Ku Klux. I dare him to open his lips on this stand today." Smalls testified that the crowd shouted loudly and that Gary followed up by making the same challenge. The assembled audience shouted, "Kill the damn son of a bitch! Kill the nigger!" Gary then took the stage, excoriating Governor Chamberlain: "You damn bald-headed renegade and bummer of Sherman's Army, and now so-called governor of South Carolina!"¹³⁸ Smalls was

¹³⁸ U.S. Congress, House of Representatives, *Recent Election in South Carolina. Testimony Taken by the Select Committee on the Recent Election in South Carolina* (12 Jan. 1877), House Miscellaneous Document No. 31, Part III, 44th Cong., 2nd Sess., 198-199 in "U.S. Congressional Serial Set, 1817-1980," accessed 23 July 2012, <http://infoweb.newsbank.com.proxy.libraries.rutgers.edu/iw->

supposed to speak after Gary, but was shouted down. When another Republican official attempted to get Smalls a chance to speak, the furious crowd reportedly responded: “No, that God damn nigger shall not speak here today. If he opens his mouth here today, we will take his life.”¹³⁹ Ultimately, Smalls left without speaking; the fact that he stayed as long as he did is a testament to his bravery. Indeed, he would attend similarly disruptive rallies later on during the campaign despite threats to his life.¹⁴⁰

As black leaders began to participate actively in Southern politics, they and their constituents confronted the challenge of white intimidation and violence. Violent campaign events like those that beset Smalls in 1876 were responsible for overthrowing the last remaining vestiges of Republican rule throughout the South. But the tactics embraced by South Carolina’s Red Shirts were not new. Men like Gary and Butler drew on many of the same strategies of violence and voter intimidation that had erupted in the late 1860s and early 1870s with the emergence of the Ku Klux Klan.

It was not surprising that groups like the Klan arose at the same time as African Americans gained the right to vote and made militant claims for political and economic equality. Many whites feared an inversion of traditional social and racial relations, viewing assertive blacks and their leaders as threats to their society’s stability. Though repeated federal intervention, especially during President Ulysses S. Grant’s first term, would briefly stem the violence, most white Southerners never completely abandoned

search/we/Digital?p_product=SERIAL. This source is hereafter cited as *South Carolina Testimony*. The disruptive rally is vividly described in Dray, *Capitol Men*, 256-57.

¹³⁹ *South Carolina Testimony*, Part III, 199.

¹⁴⁰ For accounts of similar meetings after the disruptive August 1876 rally, see Smalls’s testimony in *South Carolina Testimony*, Part III, 199-200; H.C., “The Rifle Clubs ‘Dividing Time.’ Gen. Butler’s Forces at a Republican Meeting—What They Did and What the Meeting Proved—The Power of United States Troops—The Men Who Shout for Tilden and Reform,” *New York Times*, 20 Oct. 1876, in “ProQuest Historical Newspapers, *New York Times* (1851-2008),” accessed 23 July 2012, <http://search.proquest.com.proxy.libraries.rutgers.edu/hnpnewyorktimes>.

their war against the interracial Republican regimes that governed their states. Thus newly elected black politicians faced the twofold challenge of dealing with white violence at home and navigating the unfamiliar congressional culture of Washington, D.C. The specter of white violence tested the fortitude and abilities of black congressmen more than anything else and highlighted black constituents' concerns regarding their own safety and that of their national political leaders.

The opening years of the 1870s saw the election of the first black congressmen as well as hundreds of local black officeholders. While black congressmen echoed the concerns of their constituents by continuing to emphasize familiar pieces of rhetoric (especially the role played by black veterans in the Civil War), they also embraced new strategies and tactics, often directly challenging the outright fraud and violent intimidation that they witnessed or heard about in their home districts. Black congressmen emerged from their contentious and divided home states determined to represent all their constituents while also seeing themselves as spokesmen for African Americans across the nation.

African American leaders needed to balance their interest in national developments with attention to political conflict at home. The ballot box had propelled these leaders toward positions of power in the national arena, but high levels of local political instability forced them to denounce the brutality of white intimidation and call on the government to defend their constituents' rights. Several congressmen also experienced contested elections that would limit their ability to serve in Congress by forcing them to direct their energies into expensive and time-consuming congressional investigations. Despite these difficulties, black congressmen learned valuable lessons

from their local political environments and hard-fought electoral contests. The white violence and intimidation that they endured strongly influenced the policy agendas that they would put forward in the House of Representatives.

Black Politics in the Deep South: Mississippi and Alabama

John Roy Lynch rose quickly up the political ranks following his initial appointment as justice of the peace in 1869. He earned popularity and respect as a member of the Mississippi state legislature and rose to become Speaker of the House. Though he claimed that his “friends” decided it was the right time for him to go to Congress, most likely Lynch himself wisely aspired to higher political office by 1872. Lynch recalled later: “The sitting member, Hon. L. W. Perce, was a strong and able man and had made a creditable and satisfactory representative. He was a candidate for renomination. He and I not only lived in the same county, Adams, but in the same town, Natchez. Adams County not only had the largest population of any county in the [Sixth Congressional] district, but it also had the largest Republican majority. It was conceded by all that an Adams County man should be nominated, and since the two opposing candidates lived in that county, the one that would win the primary therein would receive the nomination. This made Adams County the battleground of the campaign for the nomination.”¹⁴¹ Lynch’s described the race as “warm and exciting” and also “free from bitterness.”

In the end, Lynch won a “sweeping” victory, reaching the constitutional age of eligibility (age twenty-five) in September 1872 and winning the election in November.¹⁴² Republicans, as a whole, captured a statewide majority of over five thousand votes and

¹⁴¹ Lynch, *Reminiscences*, 101.

¹⁴² *Ibid*, 101-2.

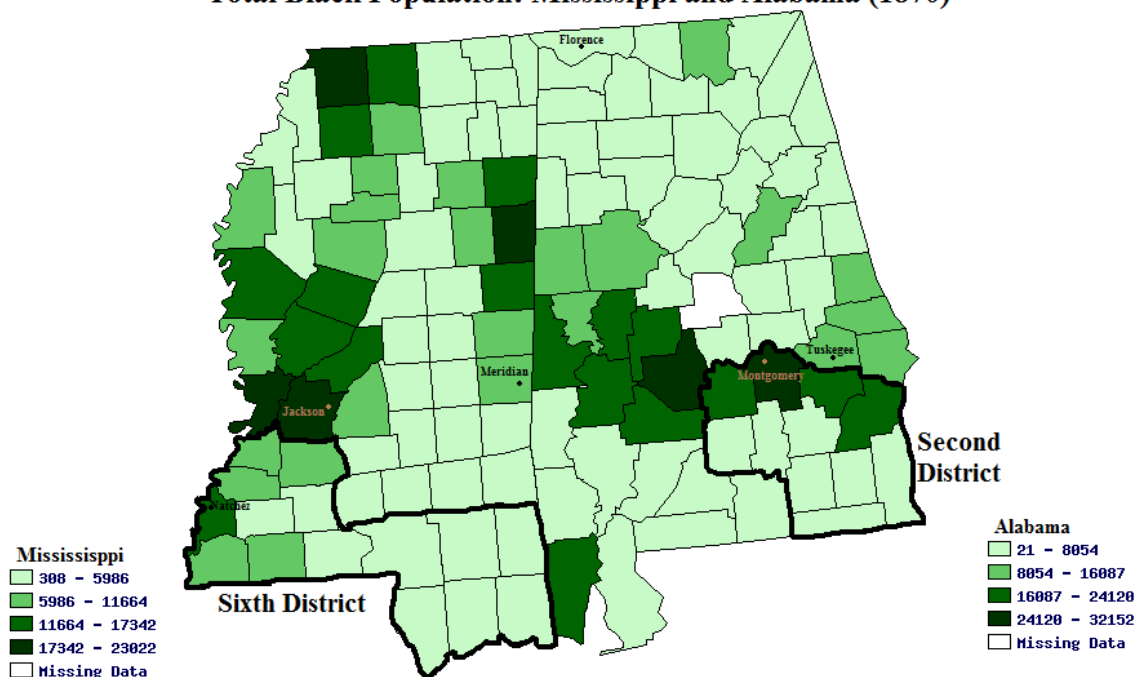
took every congressional seat except the First Congressional District, which sent Democrat Lucius Quintus Cincinnatus Lamar to the House of Representatives.¹⁴³

The sizable Republican victory in the 1872 election is not surprising when one considers certain demographic realities. According to the 1870 census 444,201 blacks lived in Mississippi, outnumbering its 382,896 whites by 53.7 to 46.3 percent. In the Sixth Congressional District, 29,264 citizens were twenty-one years of age and older and thus able to vote. Almost half of these eligible voters (14,365) were African American men who could not write, compared to 1,956 eligible white male voters who could not write.¹⁴⁴ A hallmark of the new black electorate would be its lack of education and illiteracy relative to that of whites. Nevertheless, these census numbers suggest that black political representation should have been far larger in Mississippi (this illiteracy did not

¹⁴³ Ibid, 103. The sixteen counties that made up the district between 1872 and 1877 were: Adams, Amite, Claiborne, Copiah, Franklin, Greene, Hancock, Harrison, Jackson, Jefferson, Lincoln, Marion, Pearl, Perry, Pike, and Wilkinson. Much has been written on the Yazoo-Mississippi Delta during the period of Reconstruction; especially helpful to me were John C. Willis, *Forgotten Time: The Yazoo-Mississippi Delta after the Civil War* (Charlottesville: University Press of Virginia, 2000) and Nancy D. Bercaw, *Gendered Freedoms: Race, Rights, and the Politics of the Household in the Delta, 1861-1875* (Gainesville: University Press of Florida, 2003). My discussion of Mississippi during and after Reconstruction has been guided by Vernon Lane Wharton, *The Negro in Mississippi, 1865-1890* (1947; Westport, CT: Greenwood Publishers, 1965); William C. Harris, *The Day of the Carpetbagger: Republican Reconstruction in Mississippi* (Baton Rouge and London: Louisiana State University Press, 1979); and Michael W. Fitzgerald, *The Union League Movement in the Deep South: Politics and Agricultural Change During Reconstruction* (1989; Baton Rouge: Louisiana State University Press, 2000). Excellent studies of Reconstruction violence that focus on Mississippi include George C. Rable, *But There Was No Peace: The Role of Violence in the Politics of Reconstruction* (1984; Athens: University of Georgia Press, 2007), esp. 142-64, and Nicholas Lemann, *Redemption: The Last Battle of the Civil War* (New York: Farrar, Straus and Giroux, 2006.)

¹⁴⁴ These numbers rely heavily on the University of Virginia's *Historical Census Browser* (<http://www.mapserver.lib.virginia.edu/php/start.php?year=V1870>) and on the U.S. Census Bureau's digitization of the original 1870 Census of Population and Housing (<http://www.census.gov/prod/www/abs/decennial/1870.htm>). Pearl County was created in 1872 and dissolved in 1878, its territory being reincorporated into Hancock and Marion counties. The statistics from the census of 1870 thus reflect the composition of the fifteen counties that existed prior to the creation of Pearl County. A useful study examining the place of education among black Mississippians is Christopher M. Span, *From Cotton Field to Schoolhouse: African American Education in Mississippi, 1862-1875* (Chapel Hill: University of North Carolina Press, 2009). As John C. Willis notes, "Most of Mississippi's adult freed people in the last third of the nineteenth century were unable to read or write. Much of this can be attributed to slavery's legacy of denying education to bondsmen" (*Forgotten Time*, 62).

Total Black Population: Mississippi and Alabama (1870)



bar them from voting at this time, as it would a generation later). Even during the years of Republican dominance only one African American (Lynch) represented Mississippi in the House of Representatives. When the GOP took power in 1869, about ninety percent of the state's more than 100,000 registered black voters supported the Republicans. They would occasionally be joined by fifteen or twenty thousand white voters (out of a total of seventy or eighty thousand across the state).¹⁴⁵ However, Mississippi would also gain infamy for the high levels of racial and political violence afflicting the state.

As soon as Mississippi's first Republican governor, James Lusk Alcorn, took office in March 1870, he and his Republican counterparts faced an unprecedented surge in violence. By 1871 this violence had evolved into a tidal wave of Ku Klux Klan activity, much of it centered in Mississippi's eastern counties.¹⁴⁶ One of the bloodiest

¹⁴⁵ Wharton, *The Negro in Mississippi*, 157.

¹⁴⁶ William C. Harris, *The Day of the Carpetbagger*, 371. He wrote further, "Although military reconstruction had restrained crime and violence, a resurgence occurred during the last months of army

episodes of this violence was the “Meridian Riot” in March 1871. Located near the Alabama border, African Americans in the town of Meridian were subjected to cross-border raids by Alabama night riders seeking to apprehend blacks who had reneged on labor contracts. The local black response in Meridian involved armed militias of African Americans parading through the streets in a show of force against the Klan. This conflict was magnified when a fire broke out in the business district on March 4, leading to rumors that blacks intended to burn down the town. Three major black leaders were rounded up and brought to trial. On March 6, as these men were brought before the court, shots broke out; when the smoke had cleared, the white Republican judge and two blacks lay dead. In the ensuing riot, armed whites went through the town, murdering as many as thirty African Americans.¹⁴⁷ Conflicting accounts and sentiments as to who perpetrated the worst atrocities during the riot illustrate the confusing nature of violence in

control. After civil government was restored in 1870 the drift toward lawlessness in some areas of the state became epidemic. Governmental authority was especially weak in marginally Republican counties and in communities that were overwhelmingly white and anti-Republican but were saddled with a slate of obnoxious appointed officials.”

¹⁴⁷ My subsequent discussion draws heavily from multiple primary accounts. For partisan Democratic newspaper coverage of the riot see “The Meridian Riot Latest Particulars. One White Man and Eight Or Ten Negroes Killed!! J. Aaron Moore, Negro Member of the Legislature, Said To Be Shot, His House Burned! Sturgis, Carpet-Bag Mayor, Gone where the Woodbine Twineth!!” and “Fire and Riot!! Terrible State of Affairs in Meridian. Four Men Killed, Several Wounded—Seventy-Five Thousand Dollars Worth of Property Destroyed,” *Weekly Clarion (Jackson)*, 9 March 1871, along with more detailed coverage in “The Meridian Riot,” *Weekly Clarion (Jackson)*, 16 March 1871. Several letters were written to Governor James Lusk Alcorn on the subject. See especially B. F. Moore, Circuit-Clerk to J. L. Alcorn, Meridian, Mississippi, 11 March 1871; Albert Snowden to Jas. L. Alcorn, Lauderdale County, Mississippi, 19 March 1871; and J. S. Hamm to Alcorn, Meridian, Mississippi, 27 March 1871, State Government Records, Correspondence and Papers, 1869-1871, Mississippi Governor (1870-1871: Alcorn), Series 786, Box 972, Mississippi Department of Archives and History, Jackson (hereafter cited as Alcorn Papers). For later memoirs recalling the riot, see Henry W. Warren, *Reminiscences of a Mississippi Carpet-Bagger* (Holden, Mass.: n.p., 1914), esp. 58-62. My outline of the basic information concerning the Meridian Riot is based on Rable, *But There Was No Peace*, 97. The nature of the Ku Klux Klan and its role in Mississippi (with a focus on events in Meridian) is covered exhaustively in J. S. McNeilly, “The Enforcement Act of 1871 and the Ku Klux Klan in Mississippi,” in Franklin L. Riley, ed., *Publications of the Mississippi Historical Society* 9 (1906), 109-71. McNeilly’s lengthy article is rich in detail (and publishes large excerpts of primary material) but is written firmly in the tradition of the Dunning School, making many of his interpretations untenable. A more balanced analysis of the Klan as a whole, with a focus on the Klan’s ambiguity, may be found in Elaine Frantz Parsons, “Klan Skepticism and Denial in Reconstruction-Era Public Discourse,” *Journal of Southern History* 77, no. 1 (February 2011): 53-90.

Reconstruction-era Mississippi. This era of violence highlights the fundamental challenges confronting the emergent black politicians and their constituents during this period.

Writing from Meridian on March 11, 1871, B. F. Moore, Clerk of the Circuit Court of Lauderdale County, Mississippi, addressed Governor Alcorn:

I see you have sent troops *at last*—Please *Keep* them here. . . . The negroes have acted badly; the whites *far worse*. I have been living here thirteen years, born in North-Carolina. My grandfathers were slave owners. We *need peace*, and *the strong* arm to protect us—The whites have *committed* [and] *applauded outrages committed*; which History must hand down as only equaled by the most uncivilized of the Human Race—Half is not told in the papers—”¹⁴⁸

Moore concluded by illustrating his fears, his frustrations, and his determination to support the use of force in Meridian: “*This is Confidential*; I would not *have its contents Known for the World* Put your *foot down*, and *Keep it there* I’m tired of living in a county, in which I cannot express a *moderate* sentiment in favor of the *Government*, the *Flag*.”¹⁴⁹

The part of the story “not told in the papers” was omitted in Democratic coverage of the Meridian Riot. The Jackson-based *Weekly Clarion* published a telegram wired by the special correspondent for the *Vicksburg Herald*. Dated March 6, 1871, the telegram noted that “A terrible tragedy occurred in Meridian this afternoon.” While the case of a black man “charged with riotous conduct” was being investigated, the writer explained, “a difficulty occurred in which Warren Tyler (negro) shot and killed Judge Bramlette, the presiding magistrate. The excitement was intense and the melee became general. Tyler and two other negroes were killed. Several whites and blacks were wounded. The town is

¹⁴⁸ B. F. Moore, Circuit-Clerk to J. L. Alcorn, Meridian, Mississippi, 11 March 1871, Alcorn Papers.

¹⁴⁹ Ibid.

in arms, and the greatest excitement prevails, though everything is now quiet.”¹⁵⁰

Building on white fears of black violence, the correspondent contended that “the difficulty is caused by the riotous conduct of the negroes on Saturday, and threats to burn the town.”¹⁵¹ By contrast, the Republican Speaker of the Mississippi House of Representatives, Henry W. Warren, in later memoirs portrayed the riot differently from contemporary Democratic newspaper coverage. He noted, “The riot seemed to be the result of preconcerted arrangements of Alabamians and white men in Meridian to overthrow the Republican city government of that town.”¹⁵² Democrats predictably cast blame for the violence on militant blacks, saying that they should never have paraded in the first place. But it was striking that both a former slaveowner and a white carpetbagger could agree that, irrespective of how badly blacks may have behaved, the Meridian Riot’s worst violence was perpetrated by whites. Scenes like those in Meridian were not isolated, and they did much to encourage Ulysses S. Grant and Congress to pass legislation to curb the violence afflicting large swaths of the South. Thanks in part to the passage of the Ku Klux Klan Act (signed into law by President Grant on April 20, 1871), a vigorous and successful prosecution of white vigilantism helped to decrease violence across the region. But many African Americans in the state, though appreciative of the increased prosecution of organizations like the Klan, remained wary that the violence might rise up again.

A “Letter from Mississippi,” published on March 14, 1872, in Frederick Douglass’s *New National Era*, made the ramifications of racialized violence perfectly clear. Writing from DeKalb, Mississippi, the unnamed author (identifying himself only as

¹⁵⁰ “Fire and Riot!!” *Weekly Clarion (Jackson)*, 9 March 1871.

¹⁵¹ Ibid.

¹⁵² Warren, *Reminiscences of a Mississippi Carpet-Bagger*, 58.

“Loyal”) wrote of the trial of “those parties who have been identified as being accessories to that terrible massacre that occurred at Meridian about a year ago ... to satisfy the sanguinary desire of Ku Kluxism.”¹⁵³ Commending U.S. District Judge Robert A. Hill and District Attorney E. P. Jacobson for their rigorous prosecution of the cases, “Loyal” also spoke out against those who thought that the Klan did not exist: “We would like for some of those credulous-minded beings who doubt the existence of that hell-born Klan to visit the court-room and listen to the tales of horror, bloodshed, and crime as recounted by those who still bear the marks of its cruel inflictions.”¹⁵⁴ “Loyal” went on to explain to Northerners the true nature of Klan violence in the South: “The Northern mind cannot form the slightest conception of the horror of Ku-Kluxism, nor the extent to which it has been carried.” Even though Grant and his “boys” had successfully halted “the open

¹⁵³ “Loyal,” “Letter from Mississippi,” *New National Era* (Washington, D.C.), 14 March 1872. The Meridian Riot cases were handled by the U.S. District Court of the Southern District in Jackson, Mississippi, where Judge Robert A. Hill presided and E. P. Jacobson served as district attorney. Unfortunately, though “Loyal” makes references to the stirring testimony of black eyewitnesses, the docket files and minute books contain only rulings, motions, indictments, and verdicts. Testimonies and transcripts of these trials were not normally written down and are not extant. The dockets with case information for the indictments concerning the Meridian Riot may be found in RG 21, U.S. District Court, Southern District of Jackson, Mississippi, Criminal Cases, 1872, Case #1290-1392, Box 19, and the verdicts and additional summaries concerning the specific cases may be found in RG 21, U.S. District Court, Southern District of Mississippi, Jackson Division, General Minutes, Minute Book No. 1 (June 1866-January 1874), Retrieval No. 2, Shelf Order 10 at National Archives and Records Administration—Southeast Region (Atlanta). The summaries and verdicts in this minute book span from Friday, September 1, 1871 (pp. 400-409) and from Friday, February 9, 1872, through July 2, 1872 (pp. 438-509). Multiple indictments were secured against numerous perpetrators of the violence, resulting in a significant number of convictions. Out of the twenty-seven cases that I sampled from the minute book, there were sixteen guilty verdicts, eight not-guilty verdicts, and three cases where the district attorney did not “further present the said indictment in this charge” and the defendant was released. I did not undertake an exhaustive examination of all cases related to the Meridian Riot listed in the minute book, nor did I look at all motions and indictments available in the dockets. So these numbers should not be used to make generalizations about Ku Klux Klan prosecutions in this period, but they nevertheless reveal that not all perpetrators of violence escaped punishment for their crimes. Four cases (from among a large number of rulings delivered on July 1, 1872) in particular provide a nice sampling of the differing results that could occur in these sorts of prosecutions. Not-guilty verdicts were reached in *U.S. v. Robert J. Moseley*, case 1302, and *U.S. v. Lorenzo D. Belk*, case 1332 (Moseley was the sheriff in Meridian, and Belk was his deputy). By contrast, guilty verdicts were reached in *U.S. v. Hugh W. Wilson*, case 1308, and *U.S. v. Thomas Lilly*, case 1320 (Wilson and Lilly were found guilty of injuring black state legislator J. Aaron Moore). See General Minutes, Minute Book No. 1, esp. 491-95, which presents many verdicts concerning a large number of participants in the Meridian Riot.

¹⁵⁴ “Loyal,” “Letter from Mississippi,” 14 March 1872.

perpetration of those crimes,” “Loyal” warned his readers that threats of violence and intimidation had not abated:

like the smothered fires they but wait an opportunity to recommence their work of destruction and death. Do not be deceived, Ku-Kluxism is not dead, it but sleepeth; it is ready to wake at the first call of the “Grand Cyclop.” I write thus because as a colored man and living in the South I am fully acquainted with the rebellious spirit of a majority of the people in the midst of whom we live.¹⁵⁵

“Loyal” feared what would happen if the current efforts to prosecute Klan violence abated: “Unless we have the full protection of the Government ... you will hear of a great many more loyal citizens being forced to make their exit from these regions.”¹⁵⁶

The Meridian Riot, the passage of the Ku Klux Klan Act, and the response of blacks like “Loyal” to racial violence and government intervention reveal some of the themes that black congressmen like John Roy Lynch would take up in speeches and policy considerations. If Klan deniers abounded among certain segments of the white society, African American congressmen would step forward to call out white violence wherever they saw it. In the case of the Deep South (especially Mississippi and Alabama), black congressmen would put forward various petitions and bills favoring the establishment of district and circuit courts for the express purpose of curbing Klan violence and other forms of racialized white violence that engulfed much of the South in the early 1870s. Thus, the expressions of unnamed blacks like “Loyal” resonated with national black politicians and informed their political and rhetorical strategies once they took their seats in Congress.

Scenes like those of the Meridian Riot occurred in Alabama as well, and once again the white Democratic press tried to spin the account so as to distort the nature of

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

racialized violence. The *Mobile Daily Republican*, a local black newspaper, battled against both Klan violence and white Democratic skepticism; in a commentary published on October 20, 1870, it attacked the *Mobile Weekly Tribune* for its portrayal of white vigilantism in Tuskegee, Alabama. The *Tribune* had published a letter from Rev. J. M. Butler to Rev. E. D. Taylor of Mobile discussing the events that unfolded in Tuskegee. In response the *Daily Republican* decried the *Tribune*'s refusal to inform its readers that Rev. Butler, the one man killed, and the four wounded were all black, or that "the 'two churches burned to the ground' were places where *colored people* met to worship the Creator."¹⁵⁷ The *Daily Republican*'s black editors wondered why their white counterparts could "not confess that the Tuskegee outrage is but the type of innumerable similar acts by Democrats formed into bands called Ku Klux?" Moreover, the paper was outraged by the *Tribune*'s insinuations that Democrats were not responsible at all:

The *Tribune* certainly does not expect its readers to believe the last part of its article wherein it intimates that these men were employed by Republicans to murder for political capital. The outrage was perpetrated by Democrats, for the purpose of intimidating Republican voters, as the *Tribune* well knows. ... And yet, when U.S. troops are sent to protect these helpless people from the repetition of such outrages as the one at Tuskegee, the Democratic press cry out against it.¹⁵⁸

The necessity of U.S. troops in Alabama was not lost on Scalawag Governor William Hugh Smith who, like Alcorn, received much correspondence related to Ku Klux Klan violence across the state. One sobering telegram sent on March 1, 1870, revealed the tenuous situation confronting many Republicans across the state. A teacher named R.

¹⁵⁷ "The Outrage at Tuskegee," *Mobile Daily Republican*, 20 Oct. 1870. Parsons covers in excellent fashion the nature of Northern and Democratic ambiguities regarding the Klan, in "Klan Skepticism and Denial in Reconstruction-Era Public Discourse," 68-76. Unfortunately, availability of Alabama newspapers for this period (1868-1872) is spotty at best. For example, the October 18 coverage of the "Outrage at Tuskegee" did not survive in the microfilm available at the Alabama Department of Archives and History. For coverage of the *Tribune* see Rhoda Coleman Ellison, *History and Bibliography of Alabama Newspapers in the Nineteenth Century* (St. Louis, MO: University of Alabama Press, 1954), 124-25.

¹⁵⁸ "The Outrage at Tuskegee."

Starkweather wrote a terse message to the commanding general of U.S. troops in Alabama, General Samuel W. Crawford: “Guard needed—Civil guard overpowered and prisoner taken out by Ku Klux, our lives in danger—Officer in charge refused to stay.”¹⁵⁹ Not surprisingly, Klan violence increased when state elections were in full swing. In the adjacent column of the *Daily Republican* one could find the “Republican State Ticket” including the GOP’s candidate for Secretary of State, James Thomas Rapier.

Following the Confederate defeat in 1865, the familiar boundaries between the two races had broken down as black and white southerners attempted to adapt to a new and unfamiliar environment. The contrasting visions and expectations on the two sides of the color line made Southern politics unstable.¹⁶⁰ Unlike in Mississippi, blacks were not in the majority in postwar Alabama. In 1870, Alabama had 521,384 whites and 475,510 blacks. In the Second Congressional District (which elected Rapier) 41,006 males were eligible to vote. Much as in Mississippi, almost half of the electorate (19,475) consisted of black men twenty-one years of age and older who could not write. By contrast, only 3,290 white males twenty-one years of age and older were unable to write.¹⁶¹

¹⁵⁹ R. Starkweather to General Crawford, Stevenson, Alabama, 1 March 1870. Telegram, Administrative Files, Alabama, Governor (1868-1870: Smith), Ku Klux Klan, SG023109, Folder 020 in Alabama Department of Archives and History, Montgomery.

¹⁶⁰ Though older and a bit dated, Rable’s *But There Was No Peace* remains the single best examination of white violence and political strife in the Reconstruction South. A more recent popular history that effectively discusses violence and politics is Lemann, *Redemption*. Hannah Rosen’s *Terror in the Heart of Freedom: Citizenship, Sexual Violence, and the Meaning of Race in the Postemancipation South* (Chapel Hill: University of North Carolina Press, 2009) provides a refreshing take on the subject of violence by incorporating a sustained discussion of gender and by integrating intensive amounts of testimony from the Joint Committee on Reconstruction.

¹⁶¹ My discussion of Alabama in the postbellum period draws on several crucial state studies and examinations of black officeholders. Most useful for me have been Peter Kolchin, *First Freedom: The Responses of Alabama’s Blacks to Emancipation and Reconstruction* (1972; Tuscaloosa: University of Alabama Press, 2008); Loren Schweninger, *James T. Rapier and Reconstruction* (Chicago and London: University of Chicago Press, 1978); Fitzgerald, *The Union League Movement in the Deep South*; Richard Bailey, *Neither Carpetbaggers Nor Scalawags: Black Officeholders during the Reconstruction of Alabama, 1867-1878* (1991; Montgomery, AL: Richard Bailey Publishers, 1995); and Michael W. Fitzgerald, *Urban Emancipation: Popular Politics in Reconstruction Mobile, 1860-1890* (Baton Rouge: Louisiana State

Though most black officeholders and political leaders from Alabama were born in slavery, reflecting regional patterns, several major leaders were mixed race (mulatto) and were freed prior to the outbreak of hostilities in 1861. James Thomas Rapier represented this mulatto and freeborn class of leaders. Following the conclusion of the Civil War, Rapier returned to his birthplace, in the northwestern part of Alabama (bordering Tennessee). There he participated in politics and campaigned actively for Ulysses S. Grant in 1868. His activism ultimately put his life in danger.

When the Tuscumbia Female Academy (not far from Rapier's hometown of Florence) was destroyed by fire, suspicion fell on several blacks including the future congressman. Writing to President Chester A. Arthur, on May 31, 1882, Rapier explained the "proposition" put forward by the Democrats: "The Democracy made a proposition to me to this effect that if I would publish a card stating that I would have nothing to do with politics no harm should befall me." He rejected this attempt to stop his activism through intimidation: "I spurned the proposition and rallied the colored voters in my county as best I could. The result was, I lost my steamboat woodyard and my entire crop, and barely saved my life. One night four of us had been selected for hanging. By merest chance, I escaped."¹⁶² Having been warned by another freedman, Rapier fled for

University Press, 2002). The numbers that I present are drawn from the University of Virginia's *Historical Census Browser* (<http://www.mapserver.lib.virginia.edu/php/start.php?year=V1870>).

¹⁶² James T. Rapier to Chester A. Arthur. Montgomery, Alabama. May 31, 1882, Rapier Papers: letters regarding Rapier's position as U.S. Tax Collector, 1881-1882. LPR 59 Eugene Feldman Papers, 1856-1978, Box 2, Container 2, Folder 2, Alabama Department of Archives and History, Montgomery. For more on Rapier's career in the Treasury Department as an Assessor of Internal Revenue in the early 1860s, consult the envelope titled "James T. Rapier Assessor of Internal Revenue—ALA—2nd Dist.," Applications for Positions as Internal Revenue Collectors and Assessors, 1863-1910, ALA 1st-2nd District to CAL 1st-5th, RG 65: General Records of the Department of the Treasury, Entry 258, Box 1, HM 2005, National Archives and Records Administration—College Park. For more on his activities as a tax collector (between 1878 and 1882), see Correspondence of the Office of the Secretary of the Treasury, Letters Received from Collectors of Internal Revenue, 1864-1908. Ariz. 1st Ark. 2nd and 3rd. RG 65: General Records of the Department of the Treasury, Entry 166, Box 1, National Archives and Records Administration—College Park.

Montgomery. The other three men targeted that night were not so lucky. They were arrested, and following that Sunday's church services a mob of one hundred disguised men took the three from their cell and hanged them from a nearby bridge. Their bodies remained there for almost a week with cards pinned on them warning other blacks of the cost of political involvement.¹⁶³

In testimony before a congressional committee investigating the exodus of Southern blacks, Rapier made an explicit reference to the "bulldozing" tactics of whites that drove him from his home:

In 1868, if I just go back to that, they had an organization known as the Kuklux in Alabama. Prominent among the men whom they tried to hang was a Mr. Sheets, who had a rope put around his neck, and they afterwards came and paid their respects to me. There were four or five hundred who come to me. I was a very popular colored man at the time, and they wanted to give me a dose of their regulation tactics, but I ran faster than they did. I fought some and ran a good deal; and now, as answer to why the negroes do not fight more down there, I desire to say that when they heard I was armed and ready to fight, the Federal soldiers came there to hunt me down and see if I was armed.¹⁶⁴

Thus, at an early point in Alabama's experiment with Reconstruction, violence and intimidation were a crucial part of the white establishment's tactics in weakening and neutralizing black voters.

The violent circumstances that drove Rapier to flee his hometown led him toward his future political base in the Second Congressional District. His experience mirrored broader changes in the black community in Alabama as many freedmen began to migrate away from plantations, relocating by the thousands, into cities like Mobile and

¹⁶³ Schweninger, *James T. Rapier and Reconstruction*, 68-69.

¹⁶⁴ U.S. Senate, *Report and Testimony of the Select Committee of the United States Senate To Investigate the Causes of the Removal of the Negroes from the Southern States to the Northern States. In Three Parts. Part II.* 46th Cong., 2nd sess., Report No. 693, part 2 (Washington: Government Printing Office, 1880), 471, in "U.S. Congressional Serial Set, 1817-1980," accessed 22 March 2012, http://infoweb.newsbank.com.proxy.libraries.rutgers.edu/iw-search/we/Digital?p_product=SERIAL. Hereafter cited as U.S. Senate, *Removal of Negroes, Part II*.

Montgomery.¹⁶⁵ Some were impelled by a desire to liberate themselves from the hated and watchful eyes of their former masters, while others, like Rapier, fled white violence and intimidation.

It was easy to see why Rapier became a target of violence, especially considering his prominence as a leader. Indeed, he had clearly gained the confidence of the white Republican establishment. Writing to Secretary of the Treasury George S. Boutwell on March 14, 1871, Alabama Republican congressman Charles Hays recommended Rapier for the post of Assessor of Internal Revenue. Hays called Rapier “the leading colored man of our State, a gentleman of the highest priority, character and capacity, who justly receives the unbounded confidence and respect of all our citizens. He has performed great service for the Republican party, not only in Alabama, but throughout the South, and in education and ability, is considered the peer of either Mr. Douglass or Mr. Langston.”¹⁶⁶

Rapier’s campaign for Secretary of State again put his life in jeopardy. At a series of congressional hearings held in Montgomery, Alabama, on October 19, 1871, white postmaster John M. Ward delivered testimony on intimidation of African American voters by the Ku Klux Klan. Ward’s testimony highlighted disturbances that took place during a political meeting in La Fayette, Chambers County, where Rapier was campaigning:

Mr. Rapier, who was the colored candidate for secretary of state on the republican ticket, had commenced to address the audience. He was frequently interrupted at the commencement of his address by a colored man. The marshal of La Fayette attempted to arrest him. He broke and run. ... [The unknown colored man] proceeded some distance out of my sight through the woods, [the marshal] firing at him with a pistol, and finally he shot him down. It broke up the meeting. There

¹⁶⁵ Kolchin, *First Freedom*, 4-8; see also the maps and tables documenting migration in the state, on pp. 10-20.

¹⁶⁶ Charles Hays to Hon. George S. Boutwell, Secretary of the Treasury, March 14, 1871, in Internal Revenue Papers, RG 65: General Records of the Department of the Treasury, Entry 258, Box 1, HM 2005.

were many prominent republicans there to speak on the occasion, and in consequence of the excitement they were unable to address the meeting.¹⁶⁷

It is hard to make sense of Ward's account. According to the postmaster, local blacks were not sure about the political affiliations of the dead black man who had run from the meeting. Ward said the marshal who shot him was a Democrat, but added that "it was the opinion of the colored men generally" that the entire scene was set up "to disrupt the meeting."¹⁶⁸ If this had been the intention, it worked. As a result "of the excitement that grew out of the killing of the negro," the meeting was canceled. Lest blacks forget their place, local whites took pains to remind them of the consequences of holding future meetings. Ward explained, "A great many whites from La Fayette came there to the crowd, and remarked that if any such meeting was ever gotten up again they would kill the leaders of it."¹⁶⁹

African Americans were not simply passive victims; Klan atrocities provoked retaliation. An unidentified Democratic newspaper in Alabama published an intriguing article on August 11, 1870, titled "Difficulty Between Negroes and Mean White Men," which revealed class fissures within the white community as well as fundamental challenges to Klan depredations on the part of the black community. The paper wrote of a "controversy about a sheep ... between a low white man and a negro ... and it was settled

¹⁶⁷ U.S. Senate, *Testimony Taken by the Joint Select Committee To Inquire into the Condition of Affairs in the Late Insurrectionary States. Alabama. Volume II*. 42th Cong., 2nd sess., Report No. 41, part 9 (Washington: Government Printing Office, 1872), 1088, in "U.S. Congressional Serial Set, 1817-1980," accessed 12 March 2012, http://infoweb.newsbank.com.proxy.libraries.rutgers.edu/iw-search/we/Digital?p_product=SERIAL. Hereafter cited as *Joint Select Committee Alabama, Volume II*.

¹⁶⁸ Ibid, 1089.

¹⁶⁹ Ibid.

by a Justice of the Peace in favor of the Negro.”¹⁷⁰ After threats by the disgruntled white man and his friends, the paper reported a harrowing fight on the black man’s plantation:

Forewarned, the negroes on the plantation determined to be forearmed, and assembled, to the number of 30 or 40, prepared for self-defense. Sure enough, that night, a dozen or more white men, disguised as Ku Klux, appeared on horseback, near the cabin of the negro who had gained the sheep suit, and dismounting, two were left in charge of the horses, while the rest approached the stable. The negroes, immediately, fired on them, bringing down one of them, who received several buckshot in his left breast, was mortally wounded, and lived about half an hour.¹⁷¹

After wounding another and driving off the rest of the night riders, the blacks returned to the cabin with the body of the dead Klansman. The paper added that other white Democrats and former Confederates had vowed to pursue the “lawless ‘white trash’ ” and assist blacks “whenever they were assailed by such men, who were known to be among the meanest in the country.”¹⁷² Though this latter scene sounds improbable, it was impressive that a white Democratic newspaper admitted the existence of the Klan and acknowledged blacks as men who were willing to defend their homes, through the use of force if necessary. The multiple instances of violence and counterviolence, the need for federal troops, and the general confusion and instability substantially informed the tactics that black leaders would use during their congressional careers.

Racially motivated political violence coexisted with the emergence and growth of increasingly militant black communities. Historian Michael W. Fitzgerald observed that the birth of Union Leagues in Mississippi and Alabama was linked with increasing white violence. The more blacks displayed militancy or independence, the more their white

¹⁷⁰ “Difficulty Between Negroes and Mean White Men. Negroes Kill a White Man in Disguise.” Unidentified newspaper clipping, 11 August, 1870 in Administrative Files, Alabama. Governor (1868-1870: Smith), 1870-November General Correspondence, SG023108, Folder 029 in Alabama Department of Archives and History, Montgomery (hereafter cited as General Correspondence).

¹⁷¹ Ibid.

¹⁷² Ibid.

counterparts responded with violence. Nor was this ugly aspect of early interracial politics limited to the Deep South. One of the most defining experiences for African American political communities was the emergence of Union Leagues across the South in late 1860s and early 1870s. These leagues were, in some respects, offshoots of the Freedmen's Bureau, in that many of their white and some black leaders initially served in the Bureau. Indeed, John Mercer Langston represented the close ties between the Freedmen's Bureau and the Union League movement in the South. In his capacity as General Inspector for Schools for the Freedmen's Bureau, Langston spread and organized Union Leagues throughout his travels in the Deep South.¹⁷³

These organizations were originally crafted to pave the way for the creation of Southern Republican coalitions by bringing white Unionists and freedmen together. However, in the late 1860s and early 1870s they became training grounds for aspiring black leaders and hotbeds for radical demands from the black electorate. Ultimately the success and increasing militancy of Union Leagues provided forums in which blacks could articulate their desire for economic autonomy and political power. These developments did not go unnoticed by the white establishment or the planter class. Initially, whites across the Deep South tried to blunt the growth and effectiveness of the Union League through stiff economic coercion. When this method failed, thanks to the strong support for the leagues from the freedmen, whites turned to physical coercion, including the formation of white terrorist and paramilitary organizations such as the Ku Klux Klan. The Klan had infinitely more success in decimating the growth and strength

¹⁷³ Fitzgerald, *The Union League Movement*, 50.

of Union Leagues and, for that matter, many other kinds of black political organizations across Mississippi and Alabama.¹⁷⁴

Not all African American leaders supported the Union League. While Langston actively organized leagues and John Roy Lynch supported them, Rapier opposed them. Having already begun to form radical organizations in his hometown of Florence, he was not pleased to see white carpetbaggers undertaking similar efforts in the form of local Union Leagues. Indeed, Rapier attended some of the earliest Union League meetings and denounced the organizers as frauds.¹⁷⁵ Nevertheless, leaders like Lynch and Rapier could not ignore the black community's increasing militancy and its demands for greater political participation and economic autonomy. These priorities would inform their attempts to secure economic rights and to combat increasing white violence and coercion at the state level.

White Violence and Black Economic Rights: Florida

The Deep South's struggle with interracial violence was paralleled in other states where national black politicians gained prominence, including Florida. There Josiah Thomas Walls and many other black leaders confronted violence as they attempted to dictate a new political order for the postwar South. Unlike much of the South, Florida suffered little physical destruction from the war.¹⁷⁶ The scale of white violence in this

¹⁷⁴ Fitzgerald, *The Union League Movement*, 207-13.

¹⁷⁵ Ibid, 60.

¹⁷⁶ My understanding of the antebellum South, and of black and white relations in this period, is indebted to the pioneering work of William W. Freehling, especially *The Road to Disunion*, Volume 1: *Secessionists at Bay, 1776-1854* (New York and Oxford: Oxford University Press, 1990), 59-97. David Blight's stated that "the Confederacy was decisively defeated in the Civil War, and American slavery was unmistakably destroyed. But the great challenge of Reconstruction was to determine just how defeated the South really was, and to establish how free the emancipated slaves really were" (Blight, *Race and Reunion*, 44). Standard works on blacks in Florida during this time period include Joe M. Richardson, *African Americans in the Reconstruction of Florida, 1865-1877* (1965; Tuscaloosa: University of Alabama Press, 2008); Jerrell H. Shofner, *Nor Is It Over Yet: Florida in the Era of Reconstruction, 1863-1877* (Gainesville:

state must be considered in light of the high level of internal division among Florida Republicans: “To a degree not felt elsewhere in the South, Florida’s Republican party tore itself apart through intense factionalism.”¹⁷⁷ This factionalism had as much to do with Florida’s demography as it did with clashes between moderate and radical wings of the Republican party.¹⁷⁸

In 1860 Florida had 77,746 whites and 62,677 blacks.¹⁷⁹ By 1870 the balance was more even, with 96,057 whites and 91,689 blacks.¹⁸⁰ This virtually even distribution of the races positioned Florida’s blacks to pose an effective challenge to their white neighbors. However, historian Peter D. Klingman concluded that “unlike the more numerous free Negroes and mulattoes of Louisiana ... the Florida freedmen were less able to assert themselves against whites, Republicans or Democrats.”¹⁸¹

Despite their similar numbers, whites and blacks were not evenly distributed. Whites were spread out, while the bulk of the African American population remained in the state’s plantation belt, where they lived alongside a hostile white population. Relevant information on the eligible pool of voters is also quite revealing. According to the 1870

University Presses of Florida, 1974); Canter Brown, Jr., *Florida’s Black Public Officials, 1867-1924* (Tuscaloosa and London: University Press of Alabama, 1998); and Paul Ortiz, *Emancipation Betrayed: The Hidden History of Black Organizing and White Violence in Florida from Reconstruction to the Bloody Election of 1920* (Berkeley, Los Angeles, and London: University of California Press, 2005).

¹⁷⁷ Klingman, *Josiah Walls*, 3. For an intensive statistical analysis of legislative policy and a summary of the proceedings of the Florida Constitutional Convention see Richard L. Hume and Jerry B. Gough, *Blacks, Carpetbaggers, and Scalawags: The Constitutional Conventions of Radical Reconstruction* (Baton Rouge: Louisiana State University Press, 2008), 208-11.

¹⁷⁸ A condensed version of my examination of Walls may be found in Luis-Alejandro Dinnella-Borrego, “Manhood and Freedom in the Sunshine State: Josiah Thomas Walls and Reconstruction Florida,” in Matthew Lynch, ed., *Before Obama: A Reappraisal of Black Reconstruction Era Politicians*, Volume 1: *Legacies Lost: The Life and Times of John Roy Lynch and His Political Contemporaries* (Santa Barbara, CA: Praeger, 2012), 47-68.

¹⁷⁹ Ortiz, *Emancipation Betrayed*, 19; University of Virginia, *Historical Census Browser*, <http://www.mapserver.lib.virginia.edu/php/start.php?year=V1870>.

¹⁸⁰ Ibid; see also University of Virginia, *Historical Census Browser*, <http://www.mapserver.lib.virginia.edu/php/start.php?year=V1870>.

¹⁸¹ Klingman, *Josiah Walls*, 3.

census, 38,854 male citizens in Florida were twenty-one years of age or older. Out of this group, 16,809 black males and 3,876 white males could not write. Thus, a total of 20,685 eligible voters (53.2 percent) could not write. This number parallels the overall level of education among all Floridians, especially in the black belt. The total number of those who could not write stood at 71,803, and 66,238 individuals ten years or older could not read.¹⁸²

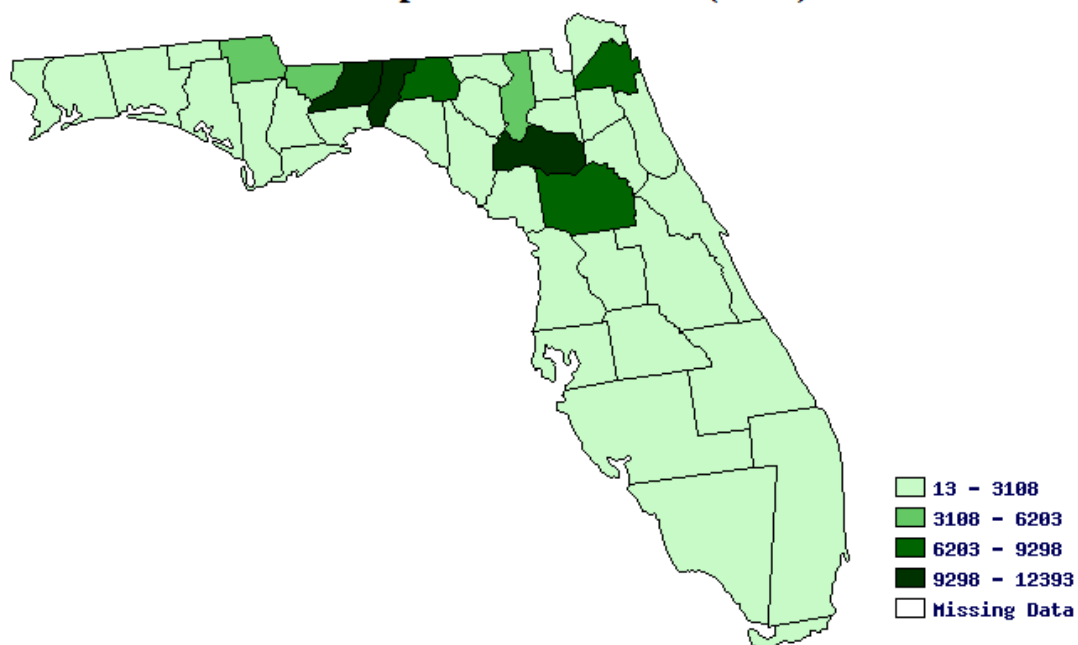
To Klingman, one key problem for blacks in Reconstruction Florida was that, with the exception of the Dartmouth-educated Jonathan Clarkson Gibbs, “who died too early to have a major impact,” the state did not have major leaders comparable to John Mercer Langston of Virginia, Pinckney Benton Stewart Pinchback of Louisiana, or Robert Brown Elliott of South Carolina.¹⁸³ High-ranking and articulate black leaders were crucial to the success of freedmen and freedwomen in this period, and individual leaders could survive and govern only if they had the backing and support of their constituents, black and white. Black Floridians felt that owning land and ensuring the mobility of their labor would best serve their interests against white oppression. In port cities, African American laborers embraced labor unions, demanded the enforcement of work rules, and struggled for shorter working hours. Black farmers made use of the Freedmen’s Bureau to fight for fair contracts with employers.¹⁸⁴

¹⁸² University of Virginia, *Historical Census Browser*, <http://www.mapserver.lib.virginia.edu/php/start.php?year=V1870>.

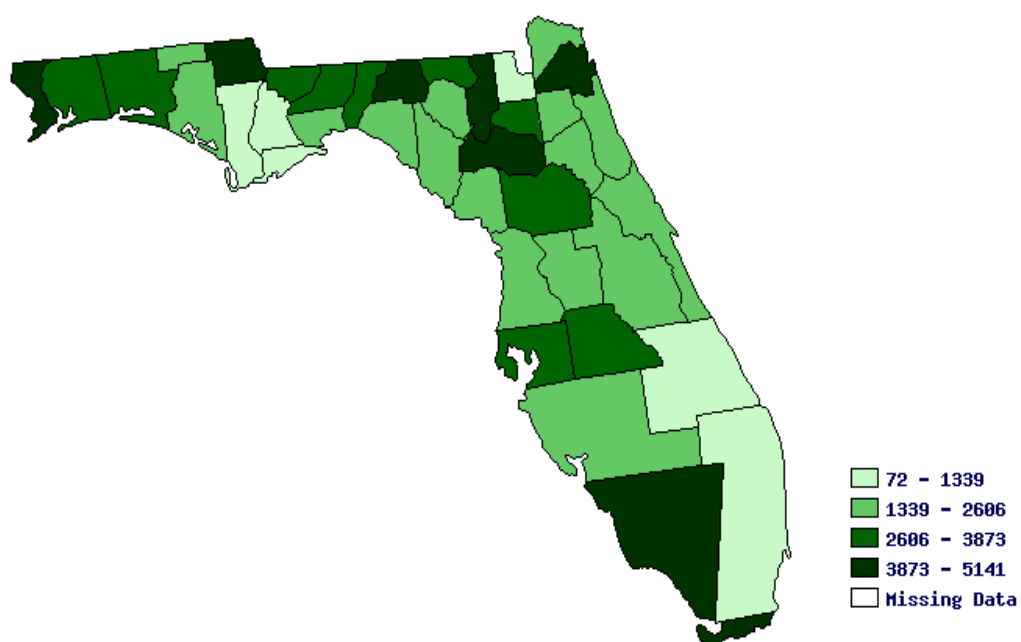
¹⁸³ Klingman, *Josiah Walls*, p. 3.

¹⁸⁴ Furthermore, black workers “believed that they would have to place firm limits on the power of former Confederate leaders, wealthy landowners (often the same individuals), and corporations in order to achieve a meaningful freedom” (Ortiz, *Emancipation Betrayed*, 17).

Total Black Population: Florida (1870)



Total White Population: Florida (1870)



Source: University of Virginia, *Historical Census Browser*.

The issue of land ownership was especially important for African Americans, given that Florida possessed twice as much public land as any other southern state. Its black population enthusiastically urged fellow freedmen in other southern states to find freedom through acquiring land, especially homesteads.¹⁸⁵ Indeed, these kinds of opportunities for land ownership influenced the legislative proposals of Josiah Thomas Walls. During his career in Congress he would propose large numbers of bills and petitions favoring the creation of expanded transportation, using public lands to create new universities, and favoring homesteading. In proposing these kinds of policies, Walls was responding to the needs and desires of an increasingly militant black community in Florida. However, his efforts and those of his constituents were met with unfriendly responses from the white establishment, ranging from intimidation to violence.

The formation of Young Men's Democratic Clubs illustrates the connections between white violence and state politics. The white men in these clubs were linked by their desire to regain control of the state government (for Democrats in 1870) and often by their willingness to use violence to achieve those ends. Roving bands rode across the state to strike fear into the hearts of those who refused to vote their way. Intimidation included whipping, burning homes, and even murder.¹⁸⁶ Florida's white population wielded violence as a powerful tool to eliminate blacks from the political equation. In Walls's home county, Alachua, nineteen people were murdered and there were many more violent confrontations between 1867 and 1871.¹⁸⁷ Frank Myers, a white, Democratic former county commissioner (who had been invited to join the Ku Klux Klan

¹⁸⁵ Ibid, 18.

¹⁸⁶ Klingman, *Josiah Walls*, 31.

¹⁸⁷ Ibid.

but refused), addressed a congressional committee on November 11, 1871, regarding the Ku Klux Klan:

Question. Do you know anything about the hanging of a negro there last winter?

Answer. In Columbia County?

Question. Yes.

Answer. No, sir; there was one hung in Alachua County last winter.

Question. What was his name?

Answer. I never heard it.

Question. Have you reason to suppose that he was put to death by this same organization?

Answer. Yes, sir.

Question. You have said that, according to your understanding, this organization is what is commonly known in the community as the Ku-Klux?

Answer. I so regard it.¹⁸⁸

In Jackson County, according to Secretary of State Jonathan Clarkson Gibbs (a close political ally of Walls), 153 black Floridians were slaughtered between 1868 and 1871.¹⁸⁹ Some of the most disturbing testimony came from average blacks, many of whom drew connections between their desire for independence and economic autonomy and the assaults and intimidation by night riders. The case of Samuel Tutson of Clay County illustrates of the kinds of tactics employed by local white agitators:

Question. How many were there?

Answer. There were nine; five swung on to me, and four to my wife.

Question. At what time in the day or night was it?

Answer. It was between midnight and day.

Question. Were they disguised; and if so, how were they disguised?

¹⁸⁸ U.S. Congress, Senate, *Testimony Taken by the Joint Select Committee To Inquire into the Condition of Affairs in the Late Insurrectionary States. Florida*. 42th Cong., 2nd sess., Report No. 41, part 13 (Washington: Government Printing Office, 1872), 159, in "U.S. Congressional Serial Set, 1817-1980," accessed 12 March 2010, http://infoweb.newsbank.com.proxy.libraries.rutgers.edu/iw-search/we/Digital?p_product=SERIAL. Hereafter cited as *Joint Select Committee Florida*. Myers also provided a pamphlet outlining the constitution of the Young Men's Democratic Club (see *Joint Select Committee Florida*, 157-58).

¹⁸⁹ Ortiz, *Emancipation Betrayed*, 24; U.S. Congress, House of Representatives, *Papers in the Case of S. L. Niblack vs. J. T. Walls, of Florida*. (16 Jan. 1872), House Miscellaneous Document No. 34, 42nd Congress, 2nd Sess., 57-58, in "U.S. Congressional Serial Set, 1817-1980," accessed 13 March 2010. http://infoweb.newsbank.com.proxy.libraries.rutgers.edu/iw-search/we/Digital?p_product=SERIAL.

Answer. No sir; one came in his shirt-sleeves, but all the rest had on their coats.

Question. Tell us what they did when they came, and all that was done.

Answer. They came to my house, and my dog barked a time or two, and I went out and could not see nobody; my wife went out and could see nobody at all; we had not more than got into the house and got into bed, when they came and flung themselves against the door, and it broke loose on both sides, and fell right into the middle of the floor, my wife said, ‘Who’s that?’ Then George McCrea made to her, and I made to her to help her; as I did so, some one standing by the door caught me by my right arm, and I could not get to her; they pulled and pulled, and tried to pull me away, but they could not, and then they dragged my feet from under me and flung me down across a cellar-door and near broke my back; they dragged me over the fence, and broke down five or six panels, and took me away down the hill on the side of a hammock, and tied me to a pine and whipped me.

Question. How many lashes did they give you?

Answer. It is out of my power to tell you.¹⁹⁰

According to Hannah Tutson, Samuel’s wife, it was clear why the “Ku-Klux” had paid a visit to her house. Three weeks prior to the attack that Samuel described, many of the same people who participated in the raid came to “dispossess” her of her property. One member of the committee asked her, “They came to tell you that you had better give up the land?” Hannah’s response was telling: “Yes, sir; they told me it was not my land; that it was another man’s; that is all; so they told me the night they whipped me.”¹⁹¹

The *Tallahassee Sentinel* published excerpts of other testimony given before the committee that corroborated the accounts put forward by Samuel and Hannah Tutson. These excerpts appeared on the front page, on October 19, 1872, under the byline “The Ku-Klux in Florida. They Won’t Allow ‘D—d Niggers to Live on Land of Their Own.’ ”¹⁹² The byline referred to testimony delivered by Doc Rountree, a black man

¹⁹⁰ *Joint Select Committee Florida*, 54.

¹⁹¹ *Joint Select Committee Florida*, 61, 63. Hannah Rosen deals with the experience of Samuel and Hannah Tutson more fully in *Terror in the Heart of Freedom*, 214-16. Both Samuel and Hannah Tutson delivered their testimony on November 10, 1871.

¹⁹² “The Ku-Klux in Florida. They Won’t Allow ‘D—d Niggers to Live on Land of Their Own.’ Colored Men, Women, and Children Whipped!” *Tallahassee Sentinel*, 19 Oct. 1872.

who, in testimony on November 14, 1871, explained how, three years earlier, he had experienced brutal treatment at the hands of the Klan: “They beat us . . . they took me up hand and foot and dragged me out, and they flung my children out of doors,” then whipping Rountree, his wife, and four children.¹⁹³ When asked why he and his family had been subject to such treatment, Rountree replied, “They said to me, didn’t I know they didn’t allow damned niggers to live on land of their own? They gave me orders to go the next morning to my master, John Sellers, and go to work.” Sellers had not owned Rountree before the war, and Rountree was living on government land.¹⁹⁴ Nor was the violence confined only to poor blacks and former slaves. During his first campaign for the House of Representatives in 1870, Walls barely escaped an assassin’s bullet at a rally in Gainesville, Florida.¹⁹⁵

Walls thus arrived in Congress quite aware of the scale of violence aimed at his black constituents. He also understood his constituents’ desire for economic autonomy and access to land and education, which were just as important to black Floridians as the right to vote. Though his ability to govern would be limited by the two successful attempts to unseat him, first by Silas L. Niblack and then later in the 1870s by Democrat Jesse J. Finley, Walls proposed policies favoring homesteading, the construction of railroads, the expansion of postal routes, and the bolstering of his state’s educational institutions. The large-scale violence, motivated by a desire to curb black economic advancement, required Walls to fight back with his own version of Southern

¹⁹³ *Joint Select Committee Florida*, 279.

¹⁹⁴ *Ibid*, 279. Once white rule was firmly established following Reconstruction, the disturbing pattern of violence continued. Florida had the highest rate of lynchings in America between 1882 and 1930; during that time period at least 266 African-Americans were murdered. See Ortiz, *Emancipation Betrayed*, 61.

¹⁹⁵ “Josiah Thomas Walls,” in *Office of History and Preservation, Office of the Clerk, Black Americans in Congress, 1870-2007*, (Washington: Government Printing Office, 2008), accessed 15 April 2010, <http://baic.house.gov/member-profiles/profile.html?intID=17>; Klingman, *Josiah Walls*, 37.

“boosterism.”¹⁹⁶ Like Walls, the other members of the postemancipation generation of black congressmen would make it their mission to put the militancy and independence of their constituency at the forefront of their policy agendas in Congress.

Black Policy, White Culture: African Americans Confront the Culture of Congress

Upon their arrival in Washington, newly elected black congressmen had a remarkable opportunity to participate fully in the arena of national politics. However, as the initial observations on Josiah Thomas Walls by the *Christian Recorder* indicate, they would be carefully scrutinized by blacks as well as whites. In its criticism of Walls's use of “the airs and manners of a legislator,” the *Recorder* provided useful insight on how black congressmen behaved once they reached the hallowed halls of the House of Representatives.¹⁹⁷ They had to learn to navigate a well-established congressional culture that excluded nonwhites.¹⁹⁸ They also had to find their political footing in an increasingly powerful postwar Congress that was both inefficient and blighted with corruption.

¹⁹⁶ U.S. Congress, House of Representatives, *Finley vs. Walls. Papers in the Case of Jesse J. Finley vs. Josiah T. Walls, Second Congressional District of Florida* (24 Jan. 1876), 44th Congress, 1st Sess., House Miscellaneous Document No. 58 in “U.S. Congressional Serial Set, 1817-1980,” accessed 23 March 2010. http://infoweb.newsbank.com.proxy.libraries.rutgers.edu/iw-search/we/Digital?p_product=SERIAL.

¹⁹⁷ “How the Colored Members of Congress Look,” *Christian Recorder*, 25 May 1872, “African American Newspapers,” *Accessible Archives*, accessed 11 April 2010, <http://www.accessible.com.proxy.libraries.rutgers.edu/accessible/index.jsp>.

¹⁹⁸ My views on race and white racism have been informed by George M. Frederickson, *The Black Image in the White Mind: The Debate on Afro-American Character and Destiny, 1817-1914* (1971; Hanover, NH: Wesleyan University Press, 1987); Reginald Horsman, *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism* (Cambridge, MA: Harvard University Press, 1981); Barbara J. Fields, “Ideology and Race in American History,” in J. Morgan Kousser and James M. McPherson, eds., *Region, Race, and Reconstruction: Essays in Honor of C. Vann Woodward* (New York and Oxford: Oxford University Press, 1982), 143-77; Fields, “Slavery, Race and Ideology in America,” *New Left Review* 1, no. 181 (May-June 1990): 95-118; William W. Freehling, *The Road to Disunion, Volume 1: Secessionists at Bay, 1776-1854* (Oxford and New York: Oxford University Press, 1990); David R. Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (1991; London and New York: Verso, 2007); Mia Bay, *The White Image in the Black Mind: African-American Ideas about White People, 1830-1925* (Oxford and New York: Oxford University Press, 2000); Stephen Kantrowitz, *Ben Tillman and the Reconstruction of White Supremacy* (Chapel Hill and London: University of North Carolina Press, 2000); and Ann Fabian, *The Skull Collectors: Race, Science, and America's Unburied Dead* (Chicago and London: University of Chicago Press, 2010).

As the historian Morton Keller notes, “Congress was the most important branch of the postwar national government. Grant explicitly conceded the policymaking supremacy of the legislature when he called the President a ‘purely administrative officer.’ Congressmen dominated the state and national party organizations; if they were Republicans they controlled the federal patronage.”¹⁹⁹ Though President Grant may have exaggerated, he was not too far off the mark. The postwar Congress wielded control over federal finances, and it formalized its institutions and practices by creating a host of new committees and setting specific parameters for how individuals could gain election to office. In the ten years between 1865 and 1875, the number of bills and resolutions introduced in each Congress shot up to an astounding 4,800, with an average of 824 being passed. Between 1855 and 1865, an average of 1,700 bills and resolutions had been introduced in each Congress, with only 430 becoming laws.²⁰⁰

The importance of Congress in the second half of the nineteenth century was further bolstered by a succession of relatively weak presidential administrations. Even Lincoln’s administration did not approach the strength of the “Imperial Presidency” that emerged in the early and mid-twentieth century. Lincoln knew how to work constructively alongside Congress, sharing power with the legislative branch while doing his best to retain control of the Civil War and over the question of the institution of

¹⁹⁹ Morton Keller, *Affairs of State: Public Life in Nineteenth Century America* (1977; Union, NJ: Lawbook Exchange, Ltd., 2000), 108. My subsequent discussion of the culture of Congress and policymaking in the mid- to late nineteenth century also draws from Terry L. Seip, *The South Returns to Congress: Men, Economic Measures, and Intersectional Relationships, 1868-1879* (Baton Rouge: Louisiana State University Press, 1983); Margaret Susan Thompson, *The “Spider Web”: Congress and Lobbying in the Age of Grant* (Ithaca, NY: Cornell University Press, 1986); Richard Franklin Bensel, *The Political Economy of American Industrialization, 1877-1900* (Cambridge, England: Cambridge University Press, 2000); and Mark Wahlgren Summers, *Party Games: Getting, Keeping, and Using Power in Gilded Age Politics* (Chapel Hill: University of North Carolina Press, 2004).

²⁰⁰ Keller, *Affairs of State*, 108-10.

slavery.²⁰¹ Following his assassination, and due to the missteps of Andrew Johnson, Congress took over control of federal policy for the reconstructed states. Between 1865 and 1901 no presidential administration was able to assert the same degree of influence over Congress as Lincoln did during the Civil War.

Post-Civil War congressmen were dominant figures in state and national party organizations, and, since Republicans maintained majorities in both Houses for much of the 1870s, Republican congressmen exerted control over federal patronage.²⁰² Ostensibly, this patronage, in the form of appointment of political officeholders to various local and state positions, was supposed to serve the needs of a particular congressional district; in reality, it was often one of the most thoroughly corrupt areas of the postwar Congress.²⁰³ For example, the *Daily Cleveland Herald* highlighted a congressional investigation into the number of government employees (and their total salaries) working in the District of Columbia; the committee “recommended ... that most of those positions be vacated in order that members of Congress from the various States may fill them with their friends, who have done service to the party or to the particular members who make recommendation.”²⁰⁴

Nor was dispensing patronage the only way in which Congress proved itself to be a den of corruption. Outright buying of votes and abuse of money during campaigns were

²⁰¹ Eric Foner, *The Fiery Trial: Abraham Lincoln and American Slavery* (New York and London: W. W. Norton & Company, 2010), 171-72.

²⁰² Keller, p. 108.

²⁰³ My discussion of corruption comes from the following sources: “The Patronage Business,” *Daily Cleveland Herald*, 10 Nov. 1870; “Congress and Corruption,” *Daily Rocky Mountain News* (Denver), 4 March 1873; *Natchez Courier* (Natchez, MS), 1 Feb., 1871; “Congress Yesterday. Blaine Makes Another Personal Explanation—Charges of Corruption Indignantly Denied,” *Daily Evening Bulletin* (San Francisco), 2 May 1876; and Amos Tuck, “The Uses of Patronage for Political Purposes,” *Boston Daily Advertiser*, 19 Nov. 1877, all in “19th Century U.S. Newspapers” http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP (accessed 5 October 2012).

²⁰⁴ “The Patronage Business.”

also fixtures of this era. On March 4, 1873, Denver's *Daily Rocky Mountain News* noted that one U.S. senator (senators were still elected by their state legislatures at this time) had "purchased his seat by an expenditure of 60,000 dollars or thereabouts."²⁰⁵ Thus corruption was a vibrant part of the culture that black congressmen confronted as they took their seats in the House. Describing the character of the postwar House of Representatives, political historian Margaret Susan Thompson notes, "The House ... was a fundamentally antebellum institution, endeavoring, with limited success, to cope with the enlarged federal purview of postwar America."²⁰⁶ The complex rules governing legislation, the incredibly high turnover rates among representatives (leading to large numbers of relatively inexperienced congressmen), and the unbalanced distribution of political power and expertise served to weaken the ability of the House, its committees, and its overall legislative activities in the aftermath of the Civil War.²⁰⁷

In addition, Congress had no effective seniority system, particularly when it came to committee appointments. Between the Forty-Third and Forty-Sixth Congresses (1873-1881), out of a total number of 190 committees with 1,824 slots available in them, only 923 slots (50.7 percent) were held by members who had previous experience in the House of Representatives, and just 302 slots (16.6 percent) were held by members with previous experience serving on the same committees.²⁰⁸ Committee assignments either broadened or limited the potential legislative power wielded by specific congressmen. Both the relative inexperience and inefficiency of Congress and the ways in which committee assignments were selected had impact on the power wielded by black

²⁰⁵ "Congress and Corruption."

²⁰⁶ Thompson, *The "Spider Web,"* 73.

²⁰⁷ Thompson has written a stimulating chapter on this subject: "The Inner Workings of Congress," in *The "Spider Web,"* 71-115.

²⁰⁸ *Ibid.*, 98-99.

congressmen, many of whom were considered ineffective because of the relatively few pieces of legislation that they were able to pass during their tenures.

Most congressmen in this period, regardless of their party affiliation or their race, found it difficult to get much legislation considered or passed due to confusing rules and large numbers of committees. Thus one must be cautious in criticizing black congressmen for their performance. Indeed, no black congressman served on more than six committees, and most were assigned to committees (like War Claims and Invalid Pensions) that dealt with the bulk of private legislation considered by the House. Though such committees were important, they paled in significance relative to those committees that were the focus of major policy formulation, such as Ways and Means, Appropriations, Naval Affairs, and Commerce.²⁰⁹ Black congressmen (like the overwhelming majority of their white counterparts) could not access the high-ranking and powerful committees that would have enabled them to put forward and perhaps implement more robust policy agendas.

National black political leaders made the best of this trying situation. Unable to pass much legislation, most black congressmen were a “symbolic generation” of officeholders; nevertheless, they were more than just sources of pride for their race.²¹⁰ Their effectiveness should be judged not in terms of what they were able to pass, but by what they proposed during their tenures in Congress. Black congressmen voted, participated in debates, delivered speeches, and proposed substantive bills, petitions, and resolutions aimed at addressing concerns of black civil and political equality, economic and educational opportunities, and economic modernization in the former Confederacy.

²⁰⁹ Ibid, 102-6.

²¹⁰ U.S. House of Representatives, *Office of History and Preservation, Office of the Clerk, Black Americans in Congress, 1870-2007*, (Washington, D.C.: U.S. Government Printing Office, 2008), 3.

They were effective in articulating the concerns and desires of their constituents, in spite of bisectional racism and violent instability across the South.

With this understanding of the Gilded Age Congress in mind, it is possible to place black policymaking within the context of Washington's tangled political culture and to connect it with the desires and concerns of the black electorate. A survey of the *Congressional Globe* and the *Congressional Record* reveals a breakdown of the issues that took up black congressmen's attention. These issues fall into four distinct categories that will be examined in greater detail: (1) personal issues and private legislation; (2) internal improvements and state issues; (3) racial issues and civil rights; and (4) national issues.

Personal Issues and Private Legislation

Most of the legislative activity that black congressmen pursued centered on personal issues and private legislation. These activities often involved seeking payment or relief for individuals (or groups) for damages sustained during the Civil War, pensions for discharged soldiers, addressing the needs of local businesses, fighting for invalid pensions, and asking for relief for former political officeholders. The overwhelming number of petitions and private bills related to invalid pensions and war claims reveals a palpable legacy of the Civil War: long after the fighting ended, many whites and blacks throughout the South and across the country continued suffering from its physical and economic effects.

Private legislation was not limited to issues arising from the Civil War. For example, Walls introduced H.R. 1315, which called for "the relief of enlisted men who

served for thirty days in the war against the Seminole Indians in the State of Florida.”²¹¹ Likewise, Congressman Rapier of Alabama introduced a bill (H.R. 1544) seeking relief of the estate of Alabaman J. M. Micow.²¹²

Considering Congress’s power over the federal purse strings and patronage, it is not surprising that black congressmen devoted a considerable amount of attention to personal issues or private legislation. Their embrace of patronage and use of private legislation shows that they understood and made extensive use of the levers of power and influence available to them. More importantly, the attention and energy with which black congressmen fought to represent individuals and groups of citizens (mostly those from their districts and home states) illustrates that they were very much attuned to and responsive to the needs and desires of their electorate.

Internal Improvements and State Issues

The second-largest segment of policy engagement for black congressmen dealt with internal improvements and state issues. This legislative activity often entailed petitions or bills requesting the construction of new buildings, the establishment of ports, repairs to rivers and roads, setting aside public money for erecting colleges, moving federal courts to different locations, or aiding the construction of railroads. These policy initiatives were fundamentally important ways in which black congressmen responded to

²¹¹ *Congressional Globe*, 42nd Cong., 2nd Sess. (29 Jan. 1872): H. 683 in “A Century of Lawmaking for the New Nation: U.S. Congressional Documents and Debates, 1774-1875,” *Library of Congress—American Memory*, accessed 13 April 2012, <http://memory.loc.gov/cgi-bin/ampage>. All citations from the *Congressional Globe* and the *Congressional Record*, taken from the digitized versions available online at the Library of Congress, will hereafter refer to the short form “A Century of Lawmaking.” Unfortunately, the Library of Congress has not digitized all of the *Congressional Record*. Thankfully, the online database HeinOnline has the completely digitized records for both the *Globe* and the *Record* through the 110th Congress. All citations taken from the digitized version provided by HeinOnline will identify the website on the first citation and thereafter refer to the short form “U.S. Congressional Documents.”

²¹² *Congressional Record*, 43rd Cong., 1st Sess. (26 Jan. 1874): H. 927-928 in *ibid*, accessed 13 April 2012.

the needs and desires of black (and white) constituents, although, again just like their white Southern counterparts, blacks may have engaged in pushing proactive railroad legislation due to self-interest as well as more altruistic concerns.

The South had suffered tremendous wartime loss of life and property, and its economy was in disarray. Black congressmen were very interested in responding to demands for economic opportunities for their formerly enslaved constituents. The legislative initiatives that they embraced included measures that linked internal improvements with expanding economic opportunities for their home states. For example, Mississippi congressman John Roy Lynch proposed a bill (H.R. 4148) “authorizing the Harrison Harbor Company to excavate a channel and harbor in the Mississippi Sound, and to construct docks and breakwaters in connection therewith.”²¹³ Congressman Walls, especially attuned to the prospect of international relations as well as economic growth, introduced H.R. 130 “making a grant of lands to aid in the construction of a railroad in the State of Florida, and to secure railroad connections with the nearest available harbor to Cuba and other West India islands.”²¹⁴

Policymaking with respect to state issues and internal improvements provided black congressmen with a chance to secure tangible benefits and services for their constituents. Support for such legislation was racially neutral and could be framed in such a way as to provide economic benefits for both black and white constituents. In pursuing such policies black congressmen followed the lead of many of their white Republican counterparts.²¹⁵

²¹³ *Congressional Record*, 43rd Cong., 2nd Sess. (23 Dec. 1874): H. 228 in *ibid*, accessed 13 April 2012.

²¹⁴ *Congressional Globe*, 42nd Cong., 1st Sess. (13 Mar. 1871): H. 79 in *ibid*, accessed 13 April 2012.

²¹⁵ Republicans, prior to the Civil War, embraced an ideology centered on individual initiative and rooted in the ideal of free labor. The best source for understanding labor republicanism and its connection

These strategies reflect the desire for economic opportunity and autonomy expressed by African American constituents across the South. National black political leaders reflected the increasing militancy of the communities that had elected them. This strain of thought was present from the moment of emancipation and was manifested in different ways—from the establishment of independent black communities in the Sea Islands in Georgia and South Carolina in 1865, to the increasingly radical desires of formerly enslaved members of the Union League in Alabama and Mississippi, to a series of tumultuous strikes in the late 1870s carried out by disaffected black rice cultivators in the South Carolina Low Country. This last episode directly involved Robert Smalls, who intervened to quell the tensions between white planters and striking laborers.²¹⁶

Considering the increasing stridency of black demands for greater economic opportunity and autonomy, it is fitting that black congressmen moved to champion legislation that would have modernized and expanded the Southern economy.

Racial Issues and Civil Rights

In sharp contrast to the attention that black congressmen lavished on private legislation and internal improvements, they spent comparatively less time speaking out

to Republican ideology may be found in Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War* (1970: Oxford and New York: Oxford University Press, 1995). An understanding of how free labor functioned in the post-bellum period, with an emphasis on the gendered formulations of this ideology, may be found in Amy Dru Stanley, *From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slave Emancipation* (Cambridge, England and New York: Cambridge University Press, 1998). For a class analysis of free labor ideology and Reconstruction consult Heather Cox Richardson, *The Death of Reconstruction: Race, Labor, and Politics in the Post-Civil War North, 1865-1901* (Cambridge, MA and London: Harvard University Press, 2001).

²¹⁶ A comparative examination of emancipation that emphasizes the sensibilities and autonomy of black rice workers in the South (particularly focusing on a series of strikes in the South Carolina Low Country in 1876) appears in Eric Foner, *Nothing But Freedom: Emancipation and Its Legacy* (Baton Rouge: Louisiana State University Press, 1983), especially 74-110. For later permutations of this strain of thought, particularly through the Knights of Labor, agrarian insurgency, and its appeal to black laborers, consult Hahn, *A Nation under Our Feet*, esp. 412-64 and Laura F. Edwards, *Gendered Strife and Confusion: The Political Culture of Reconstruction* (Urbana and Chicago: University of Chicago Press, 1997), esp. 218-254.

on racial issues or on matters of civil rights. The black approach toward civil rights policy was varied. Much initial legislation came in the form of petitions advocating political amnesty for disfranchised white Southerners. Other pieces of legislation were more subtle and reflected the violence that afflicted states like Mississippi and Alabama. The black push for general amnesty (for ex-Confederates) was complemented by a desire for more proactive civil rights legislation and greater use of district courts to defend against white violence. While events like the Meridian Riot or the “Tuskegee Outrage” galvanized congressional Republicans to pass the Ku Klux Klan Act of April 1871, some black leaders saw the need for district courts far earlier than their white counterparts. As early as the Second Session of the Forty-First Congress, Mississippi Senator Hiram Revels put forward at least three petitions from his constituents requesting that the U.S. District Court for the Northern District be moved from Oxford to Corinth and one petition requesting that the court be moved from Oxford to Aberdeen. Similar petitions or proposals relating to district courts or the Southern legal system were repeatedly brought up by all three black congressmen from Alabama (Turner, Rapier, Haralson) and by Mississippi Congressman John Roy Lynch between the Forty-Second and Forty-Fourth Congresses.

National Issues

Black congressmen spent little time on national issues. They presented petitions from their constituents opposing the franking privilege (which allowed congressmen to send mail without paying postage), as it represented another area of congressional corruption in the postwar era. They proposed a wide range of legislative initiatives dealing with the District of Columbia (which is under the purview of Congress); bills

calling for aid to companies like the West India Mail Steamship Company (to establish an American line of ocean steamships to open up trade between Haiti and the United States and transport mail from America); and memorials “in relation to the condition of agricultural laborers of the South and West.” National black political leaders also participated in debates on federal appropriations, currency, taxation and more mundane matters relating to proper congressional procedure.²¹⁷

Several black congressmen showed strong interest in matters of American diplomacy and foreign affairs. For example, one of the major events in American foreign relations during the period of Reconstruction was the Ten Years’ War (1868-1878) in Cuba. South Carolina congressmen Joseph Hayne Rainey and Robert Brown Elliott presented petitions and resolutions in support of Cubans who were revolting against Spanish rule. Florida’s Josiah Thomas Walls introduced H.R. 23, a joint resolution “for the recognition of belligerent rights on the part of the island of Cuba, in their civil war against the Kingdom of Spain,” and also delivered a lengthy speech outlining his support of the Cuban rebels and urging the United States, having emancipated its own slaves, to support antislavery Cuban freedom fighters as well.²¹⁸

Though issues of internal improvements or private legislation seem to have occupied most of their time, African American congressmen engaged with crucial

²¹⁷ *Congressional Globe*, 41st Cong., 2nd Sess. (1 March 1870): H. 1607 (opposing the franking privilege); 41st Cong., 3re Sess. (19 Jan. 1871): H. 593 (reporting on the status of a bill incorporating a savings bank in Washington, D.C.); 42nd Cong., 3rd Sess. (6 Jan. 1873): H. 351 (on funding the steamship company); *Congressional Record*, 43rd Cong., 1st Sess. (22 April 1874): H. 3296; 43rd Cong., 1st Sess. (12 Dec. 1873; 10 April 1874; 11 April 1874; 19 June 1874): H. 178; 3005-3006; 3015; 5202 (covering currency debates, taxes, and congressional procedures) in “A Century of American Lawmaking,” accessed 13-24 April 2012, <http://memory.loc.gov/cgi-bin/ampage>.

²¹⁸ *Congressional Record*, 43rd Cong., 1st Sess. (15 Dec. 1873): H. 206; Josiah Thomas Walls, “Cuban Belligerency. Speech of Hon. Josiah T. Walls, of Florida, in the House of Representatives, January 24, 1874, on the Joint Resolution Declaring the Right of the Cuban Republic to Recognition as a Belligerent,” *Appendix to the Congressional Record*, 43rd Cong., 1st Sess. (24 Jan. 1874): H. 27-29 in “A Century of American Lawmaking,” accessed 13 April 2012, <http://memory.loc.gov/cgi-bin/ampage>.

national issues on both the domestic and foreign policy fronts. Participating in domestic policy debates enabled African American congressmen both to address issues of broader concern to the national Republican Party and to respond to the petitions and desires of constituents in their home districts. National black political leaders were most reflective of their black constituents when they could speak out in such a way as to call attention to the gulf between America's professed ideals and the increasingly oppressive political realities confronted by blacks across the South.

Early Black Policymaking and the Gamble with General Amnesty

The legislative record of the first seven black congressmen, who served in the Forty-First and Forty-Second Congresses (December 20, 1870 through March 3, 1873), reveals much about their policy interests. As Charts 1 and 2 illustrate, most black legislative actions dealt with racial issues, civil rights, and internal improvements.²¹⁹ The heavy emphasis on internal improvements should not be surprising, given the high level of Republican support for free labor and industrialization. African American congressmen reflected the broader Republican consensus that free labor and rapid modernization held the key to the rebuilding and economic transformation of the South.

²¹⁹ These charts tabulate the distribution of legislative activities in each of the four categories listed, calculating the number of legislative actions undertaken by each individual congressman or senator and then the total number by all congressmen collectively. The numbers correlate to the total number of petitions, bills, resolutions, committee reports, incidental remarks, longer remarks, and speeches dealing with each of the four issues of policy. Remarks and speeches that deal with the same policy issue (bill, resolution, or petition) are only counted once unless they crop up in a different session or congress. Petitions, committee reports, joint resolutions, and bills that deal with the same subject are counted as separate pieces of legislation (e.g., a petition for the relief of postmaster John Doe is distinct from a bill for the relief of the same individual). These charts do not incorporate or tabulate the voting records of black congressmen nor do they cover to roll call votes on specific issues (except to note paired or announced votes).

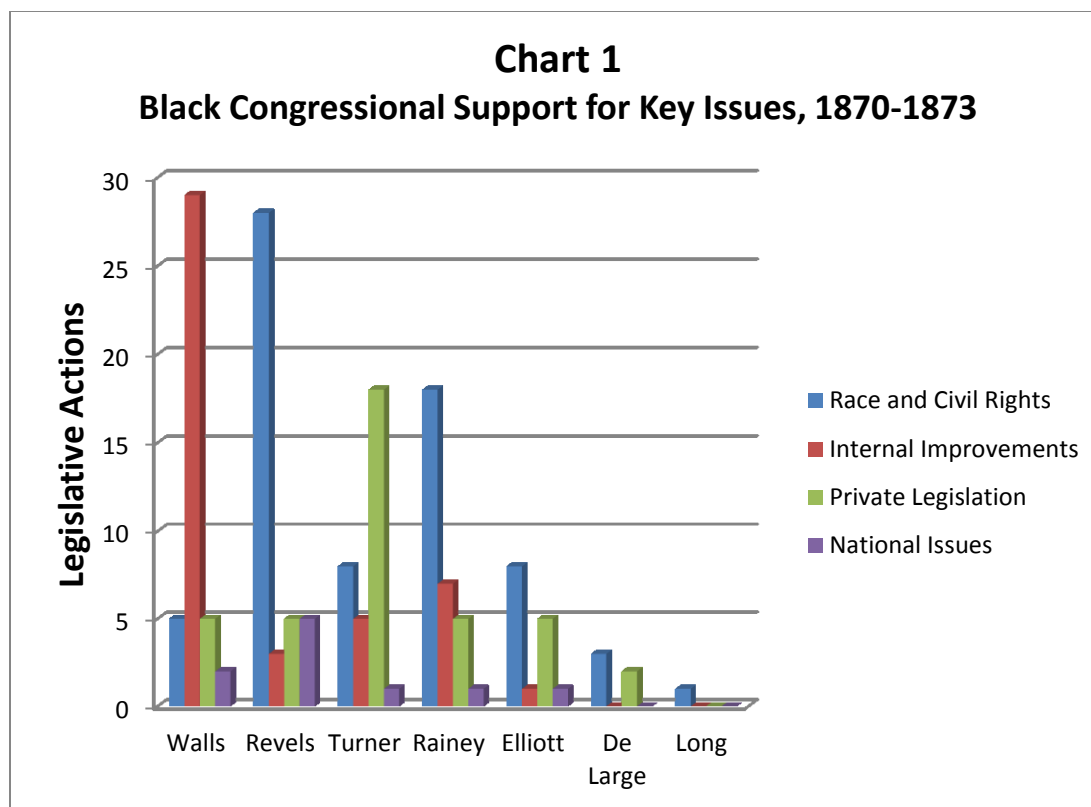
The most ambitious agenda was put forward was by Josiah Thomas Walls who, in his first term, served as the only congressman for the entire state of Florida.²²⁰

Walls established a reputation as one of the foremost black champions for internal improvements and expanded economic opportunities across the South. He presented petitions in favor of establishing new postal routes and a memorial related to the creation of a “southern trans-continental interior line of water communication through the Gulf States between the Great Western and the Atlantic Ocean.” He proposed bills for the construction of public buildings (such as custom-houses), improving harbors in Cedar Woods and Pensacola, and providing lands and the right of way for railroads. And he fought for land grants for public schools and local universities.²²¹ Only with greater educational opportunities and with the expansion and improvement of communication and transportation systems, Walls believed, could the conditions for a prosperous and independent African American citizenry be fostered. His various petitions and bills thus reflected the central concerns of the black electorate—economic autonomy and independence.

Not all black congressmen could engage in such energetic legislative activity as Walls. Georgia’s Jefferson Franklin Long gained the local Republican establishment’s support only to run for the remainder of an expiring term in the House. He served during the Third Session of the Forty-First Congress (January 16, 1871 through March 3, 1871), was not appointed to any committees, and presented no petitions or bills for

²²⁰ Brief surveys of Walls’s legislative activity and political motivations may be found in Richardson, *African Americans in the Reconstruction of Florida*, 177-83 and Klingman, *Josiah Walls*, 71-87.

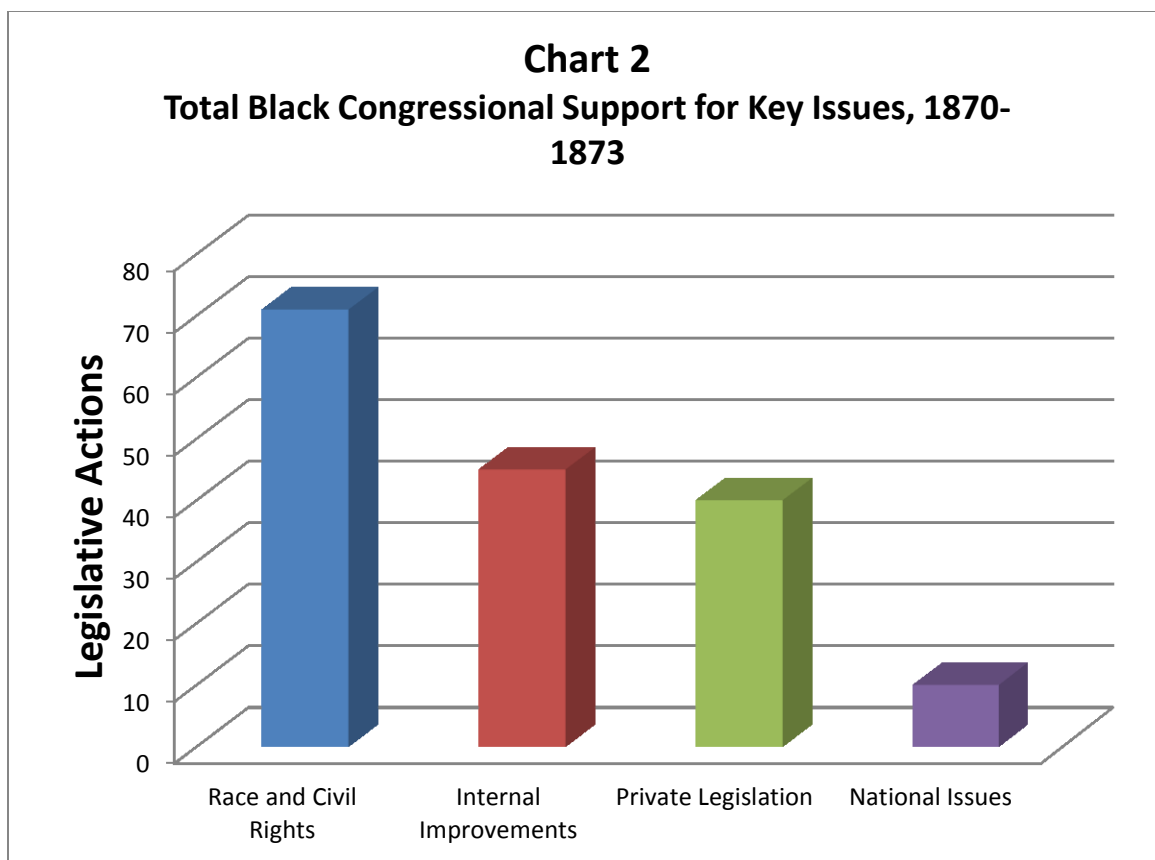
²²¹ *Congressional Globe*, 42nd Cong., 2nd Sess. (28 May 1872): H. 3939 (postal routes and water communication); (18 Dec. 1871): H. 198 (custom houses, postal offices, courthouses, and other federal buildings); (7 June 1872): H. 4331 (on granting lands and the right away for a railroad company and accompanying telegraphs); and 42nd Cong., 3rd Sess. (16 Dec. 1872): H. 198 (appropriations for improvement of local harbors and granting substantial acreage of public lands for a theological institute), in “A Century of Lawmaking,” (accessed 11 April 2012).



(See Chart 2 for source information on both charts.)

consideration. Indeed, his only major act was to deliver a speech in opposition to the removal of political disabilities from former Confederates. Some black congressmen also faced the problem of contested electoral contests, which limited their ability to propose substantive legislation. For example, South Carolina's Robert Carlos De Large faced a tumultuous contested electoral case and was often absent from the floor of the House. Though he served on the Committee on Manufactures, he did not propose any petitions or bills, and his only floor remarks were related to civil rights and private legislation. In the end, after he had served most of his two-year term in the Forty-Second Congress, the House ruled that neither De Large nor his Democratic opponent was entitled to the seat, bringing a sudden end to his contested and largely uneventful tenure.

It is remarkable, given such challenges, not that black congressmen lacked major legislative accomplishments but that some of them were able to continue proposing



Source for Charts 1 and 2: Compiled from the *Congressional Globe* and *Congressional Record* (Indices and Appendices), 41st-43rd Congresses in “A Century of Lawmaking,” <http://memory.loc.gov/cgi-bin/ampage>; 41st-45th Congresses in “U.S. Congressional Documents,” <http://heinonline.org.proxy.libraries.rutgers.edu/HOL/Index?collection=congreg&set>.

legislation and serving their constituents in the face of dire political circumstances. Walls was also unseated at the tail end of his first full term in Congress, but this did not stop him from putting forward multiple bills and petitions. Mississippi Senator Hiram Rhodes was similarly productive after he was appointed to fill an unexpired term in the Senate. In one year of service, from February 23, 1870, through March 3, 1871, Revels put forward an impressive display of initiatives, most of them dealing with petitions for the removal of political disabilities.

The diverse circumstances and political constraints under which these first seven congressmen served must be considered when one assesses their legislative accomplishments and policy initiatives. Taken as a whole, the data on black legislative

actions in the Forty-First and Forty-Second Congresses reveals much about ideological and tactical differences among black politicians. Most of their lawmaking attention was focused on bills and petitions seeking amnesty for ex-Confederates, along with speeches in support of stronger civil rights legislation. Black congressmen defy easy classification in terms of their politics, as they diverged somewhat on matters of race and civil rights. Tensions between more privileged and mixed-race officeholders, on one hand, and those who came from different economic backgrounds and were of darker complexion reflected longstanding class and racial divisions within the larger black community. These divisions have often been cited (particularly in localized state studies of the period) as a cause of factionalism and of black political leaders' failure to address their constituents' needs.²²² For this reason the signal paradox of early national black policymaking—their dual support for amnesty for whites and stronger protection of black civil and political equality—is puzzling. While moderate leaders like Revels or Alabama's Benjamin Sterling Turner, who came from states where blacks were a minority or where white conservatives (both within and outside of the Republican establishment) were more influential, understandably pursued cautious and conciliatory approaches toward amnesty, the actions of more aggressive and militant black members of Congress are less easy to explain.

Leaders such as Elliott, Joseph Hayne Rainey, and Walls were aggressive, dynamic, and articulate. Yet they too, albeit in qualified ways, supported the move

²²² For examples of the class and racial tensions that coexisted with, and characterized, state Republican factionalism at the local level see Thomas C. Holt, *Black over White: Negro Political Leaders in South Carolina During Reconstruction* (Urbana and Chicago: University of Illinois Press, 1977); Eric Anderson, *Race and Politics in North Carolina, 1872-1901: The Black Second* (Baton Rouge and London: Louisiana State University Press, 1981); Bailey, *Neither Carpetbaggers Nor Scalawags*; Brown, *Florida's Black Public Officials*; and Fitzgerald, *Urban Emancipation*.

toward general amnesty. Even if these blacks offered their support for amnesty in exchange for stronger civil rights legislation, the strategy was fraught with uncertainty. The belief that one could win over white conservatives with the olive branch of the removal of political disabilities proved to be a dangerous gamble, and one that did not immediately secure passage of stronger federal protections. The ultimate failure of this approach should not obscure the reality that all seven black congressional leaders firmly demanded equal rights and protections for African Americans, irrespective of how magnanimous they might have been on the subject of disfranchised former Confederates.

Newly elected black congressmen were confronted with still-unsettled issues relating to the Civil War and Reconstruction. Chief among these varied issues was the question of amnesty for disfranchised whites across the South. To many white Southerners the newly formed Reconstruction governments were illegitimate and lacked constitutional authority. They did not hold this view simply because Republican regimes had turned the South's accepted racial and political order upside down, although that was an enduring complaint as cries of "Africanization" were often used as justifications for violence. Rather, they saw these governments as oppressing the mass of white Southerners. This state of affairs bred resentment among many whites. As George C. Rable noted, "Such a situation in which rulers are or seem to be unresponsive to the aspirations of a large group encourages civil violence."²²³ The path toward stronger civil rights legislation rested on the success of Charles Sumner's Civil Rights Bill in 1875; that bill's hopes hinged on the civil violence confronting the Southern states as well as on the strategies embraced by black politicians in the Forty-First through the Forty-Third Congresses.

²²³ Rable, *But There Was No Peace*, 81.

Congressional Republicans' commitment to safeguarding black civil and political rights across the South was strongest between 1865 and 1873. This commitment supported the Civil Rights Act of 1866, which protected the right of black men to vote. With the passage of the Fifteenth Amendment to the Constitution (which guaranteed black men's right to vote) in 1870 and the adoption of the First Enforcement Act (May 31, 1870) and the Second Enforcement Act (February 28, 1871), both of which defended rights guaranteed by the Fourteenth and Fifteenth Amendments, congressional Republicans reached the high-water mark of their commitment to safeguarding black civil rights.

The first two Enforcement Acts had been passed in response to anti-black violence across the South, which had obviously become a pressing concern for black politicians and their allies. In the midst of Klan violence, and after the failure of anti-Klan legislation put forward by Massachusetts's Benjamin Butler, Ohio Republican Samuel Shellabarger proposed another civil rights bill modeled on Butler's earlier legislation. After much debate, the House of Representatives passed this bill on April 7, 1871, by a margin of 118 to 91. All five black congressmen voted in favor of the bill.²²⁴ The Third Enforcement Act (better known as the "Ku Klux Klan" Act) was signed into law by Ulysses S. Grant on April 20, 1871, and U.S. Attorney General Amos Tappan Akerman used the bill's enforcement provisions to undermine Klan activity.

But during the 1870s Northern support for black political rights did not remain as high as it was after the adoption of the Fifteenth Amendment and subsequent

²²⁴ *Congressional Globe*, 42nd Cong., 1st Sess. (7 April 1871): H. 522; (19 April 1871): H. 808, in "A Century of Lawmaking," accessed 25 June 2012, <http://memory.loc.gov/cgi-bin/ampage>. The subsequent vote on whether to agree to the conference committee report regarding this bill occurred on April 19, 1871, with the House concurring by 93 to 74 (four black congressmen voting yea, while De Large did not vote).

enforcement legislation. Indeed, after 1871 the situation facing congressmen, and African American congressmen in particular, was delicate. Early black electoral successes in many areas of the South, were made possible by the disfranchisement of large numbers of former Confederate officeholders and soldiers. Keeping ex-Confederates from the polls helped Republicans to implement their plans for Reconstruction at the local level. Although congressional Republicans and most Northerners opposed the lax pardon policy embraced by President Andrew Johnson, it was clear by the early 1870s that Northern and Republican interest in Reconstruction was waning.²²⁵ White violence in the South spurred Congress to act against the Ku Klux Klan, but it also brought about a national shift away from civil rights legislation toward general amnesty by 1872.

Congressional debates over granting amnesty to former Confederates occupied many in the Forty-First Congress until the passage of the Amnesty Act of 1872, which enfranchised about 150,000 former Confederates. The bill passed without a roll call vote.²²⁶ African American congressmen could not escape these debates over Reconstruction policy. Most white congressional radicals, including many radical members of Southern congressional delegations, hesitated to remove white political disabilities. At least one black congressman voiced his opposition to amnesty: Georgia representative Jefferson Franklin Long devoted his one major speech while in Congress to the topic.²²⁷ However, not all black congressmen agreed with Long's opposition to restoring the political rights of disfranchised ex-Confederates. In a changing political climate, most national black political leaders attempted to link calls for leniency to ex-

²²⁵ Seip, *The South Returns to Congress*, 126-27.

²²⁶ Ibid, 42nd Cong., 2nd Sess. (13 Mar. 1872): H. 3382 in *ibid*, accessed 13 April 2012.

²²⁷ *Congressional Globe*, 41st Cong., 3rd Sess., (1 Feb. 1871): H. 881-82 in "A Century of Lawmaking," accessed 13 April 2012; James A. Rawley, "The General Amnesty Act of 1872: A Note," *The Mississippi Valley Historical Review* 47, no. 3 (Dec. 1960): 480-484.

Confederates with the passage of stronger civil rights protections for black constituents back home.

Of the seven congressmen who served between the second session of the Forty-first Congress and the second session of the Forty-Second Congress (December 20, 1870, to June 10, 1872), six favored amnesty. This group included Mississippi Senator Hiram Rhodes Revels, Josiah Thomas Walls of Florida, Alabama's Benjamin Sterling Turner, and three South Carolinians—Robert Carlos De Large, Joseph Hayne Rainey, and Robert Brown Elliott. De Large, Rainey, and Elliott delivered remarks favoring amnesty. All six congressmen except De Large (who was preoccupied with a contested election case that ultimately cost him his seat) put forward petitions and resolutions favoring amnesty for individuals and, in some cases, for all disfranchised individuals in their home states.

Some, like Elliott, initially opposed amnesty but later changed their minds. Both Elliott and Rainey emphasized a similar logic in their support for amnesty, stating that it was meant to be a *quid pro quo* for the passage of civil rights legislation protecting colored citizens. Elliott's words captured the prevailing sentiment among black congressmen when he stated, "I acted as I did in that regard not because I had any feeling against those who were laboring under political disabilities, but because I desired that the magnanimous action of the Government on behalf of those who were untrue to the Government in the past should go hand in hand with the righteousness of the Government in protecting its own citizens."²²⁸ Black congressmen were not naive. They saw how stubborn white Democratic opponents had stalled and attempted to prevent voting on strong civil rights legislation and how stridently they demanded general amnesty. Thus

²²⁸ *Congressional Globe*, 42nd Cong., 2nd Sess. (13 Mar. 1872): H. 3383 in "A Century of Lawmaking," accessed 13 April 2012.

Black congressmen were willing to vote for amnesty only if doing so facilitated the passage of a civil rights bill.

Josiah Walls went further than his black colleagues. On December 18, 1871, he introduced H.R. 734, a supplementary bill to the Civil Rights Act of 1866. Its purpose was “to remove all legal and political disabilities imposed by the third section of the Fourteenth Amendment to the Constitution of the United States for participation in the late rebellion.”²²⁹ In calling for full amnesty for ex-Confederates, Walls was following the general drift of Republican policy in this period; President Grant had already broached the subject of amnesty in his annual message to Congress in 1871.²³⁰

Whatever his motives may have been, the black press was pleased with Walls’s activities. On December 21, 1871, the Washington *New National Era* praised Walls for

coupling therein amnesty as proposed by President Grant (which may now be considered an Administration measure), with provisions securing to the outraged colored man the advantages and securities contained in Senator Sumner’s bill supplementary to the Civil Rights Bill. We thank Mr. Walls for this happy suggestion. He deserves the thanks and support not only of his colored constituents in Florida, but of every colored man of the nation; nor does it stop here; he deserves consideration at the hands of every lover of justice.²³¹

The *New National Era* thus concurred with the general drift of Grant and the Republicans toward amnesty, but it added the explicit stipulation that legislation guaranteeing black civil rights must be passed at the same time. “*This must be the terms of our assent to amnesty*,” the newspaper emphasized. “The colored people virtually say, through Mr.

²²⁹ *Congressional Globe*, 42nd Cong., 2nd Sess., 198 in *ibid*, accessed 11 April 2010; Peter D. Klingman and David T. Geithman, “Negro Dissidence and the Republican Party, 1864-1872,” *Phylon* 40, no. 2 (1979): 177.

²³⁰ Klingman, *Josiah Walls*, 79.

²³¹ *New National Era* (Washington), December 21, 1871; Klingman, *Josiah Walls*, 78-79; Klingman and Geithman, “Negro Dissidence,” 177.

Walls (who speaks their sentiments), ‘We want to be generous, you must afford to be just.’²³²

Several factors may have led Walls to propose this piece of legislation. It is quite possible that the culture of violence in Florida may have affected his decision.²³³ But Walls may have also been participating in the dangerous gamble spearheaded by black congressman Robert Brown Elliott of South Carolina.²³⁴ Many Southern Republicans embraced general amnesty, agreeing with North Carolina Republican congressman Oliver Dockery that “we have had quite enough of the peddling process” concerning individual cases of pardon. As historian Terry L. Seip has noted, Southern Republicans hoped that the “olive branch” of amnesty would “cool the political warfare in the South.”²³⁵ Unfortunately, for both black congressmen and southern Republicans, this strategy backfired.

Immediately following the vote that passed the Amnesty Bill in the House, Elliott attempted to put his plan into action. He moved for a suspension of the rules so that a vote could be taken to speed up the consideration of strong legislation favoring civil rights. Four black congressmen serving in the Forty-Second Congress (Elliott, Rainey, Turner, and Walls) were among the 112 members of the House who voted to suspend the rules. Seventy-six congressmen voted against the measure (including some notable Republicans like James G. Blaine), and 52 (including Robert De Large) did not vote. As a

²³² *New National Era*, December 21, 1871.

²³³ Unfortunately, we do not have any correspondence from Walls on these issues. But considering that Walls himself had been a target of violence, barely missing an assassin’s bullet at a campaign event, the palpable link between politics and the culture of violence would have been unmistakable.

²³⁴ *Congressional Globe*, (13 Mar. 1872): H. 3383 in “A Century of Lawmaking,” accessed 13 April 2012. Walls subsequently admitted his involvement in a *quid pro quo* exchange between amnesty and civil rights in a short speech that he delivered when Sumner’s Civil Rights Bill returned to the floor during the Forty-Third Congress. I examine this speech in chapter 3.

²³⁵ Seip, *The South Returns to Congress*, 132.

two-thirds majority was required for passage, the rules were not suspended. Though the nation was ready for amnesty, not until 1875 (in a significantly watered-down version) was Charles Sumner's Civil Rights Act passed, and it was later overturned by the U.S. Supreme Court.²³⁶

Black congressmen impressed members of the political establishment by their willingness to compromise on the issue of amnesty. As Republican Speaker of the House James G. Blaine noted in his memoirs, "Coals of fire were heaped on the heads of all their enemies when the colored men in Congress joined in removing the disabilities of those who had before been their oppressors, and who ... have continued to treat them with injustice and ignominy." Blaine felt that, in spite of "lingering prejudice" among Southerners, it was to "the credit of the colored man that he gave his vote for amnesty to his former master when his demand for delay would have obstructed passage of the measure." He singled out Rapier and Lynch as "studious, earnest, and ambitious men, whose public conduct ... would be honorable to any race."²³⁷

As the debate over amnesty for whites illustrated, compromise was a major factor in black policy considerations. One could not guarantee black equality across the South if an increase in white voting strength was not accompanied by stronger protections for the black electorate. By the mid-1870s, debates over black rights shifted toward more pressing concerns for legislation against segregation and prejudice, especially in public spaces and in schools.

²³⁶ *Congressional Globe* (13 Mar. 1872): H. 3383 in "A Century of Lawmaking," accessed 13 April 2012.

²³⁷ James G. Blaine, *Twenty Years of Congress: From Lincoln to Garfield*, Volume 2 (Norwich, CT: Henry Bill Publishing Company, 1886), 515; Matthew Lynch, "Introduction," in Lynch, ed., *Before Obama*, Volume 1, xxii-xxiii.

The pinnacle of black congressmen's sophisticated policy maneuverings and rhetorical strategies would come with their later push for stronger civil rights legislation. As African Americans in Congress put forward a robust policy agenda, they used the same strategies and themes on which they relied for other issues and brought them to bear on questions of civil rights. Proactive struggles over civil rights protections would echo the use of colorblind language and references to black martial valor that were the double-edged sword of the black political establishment throughout the Reconstruction years and into the early 1880s. Once again, the tangible gains that national black political leaders reaped from their efforts to secure strong civil rights protections would be mixed. The protracted struggle for civil rights also constituted a turning point for national black politicians and their constituents at home. That struggle, by the mid-1870s, exposed the limits of white Northern support for newly freed blacks and set the stage for the emergence of new strategies.

CHAPTER THREE

**The Emancipatory Vision of Civil Rights in America:
Black Congressional Policy and the Civil Rights Act of 1875**

The Revival of Civil Rights Legislation

After winning a seat from Alabama's Second Congressional District, James Thomas Rapier entered Congress on March 4, 1873. There he joined six other black congressmen, including Florida's Josiah Thomas Walls and Mississippi's John Roy Lynch, among 189 House Republicans, the largest party majority in the nation's history.²³⁸ The day after Rapier's arrival in Congress, Senator Charles Sumner once again put forward strong civil rights legislation in the form of S. 1, "a bill supplementary to an act entitled 'An act to protect all citizens of the United States in their civil rights and to furnish the means for their vindication,' passed April 9, 1866."²³⁹ Sumner had first proposed his supplementary civil rights bill on May 13, 1870; the original version was most likely drafted with the help of Professor John Mercer Langston of Howard University's Law School. The language of the bill reflected Sumner's longstanding concern with black equality, but it also emphasized the importance of integrated public schools for the black community. Education had long been a fundamental concern for Langston since his days in the immediate postwar period as General Inspector of Schools for the Freedman's Bureau.²⁴⁰

²³⁸ Schweninger, *James T. Rapier*, 116-20; the other black congressmen were Joseph Rainey, Robert Elliott, Richard Cain, and Alonzo Ransier (all from South Carolina), Josiah Thomas Walls of Florida, and John Roy Lynch from Mississippi.

²³⁹ *Congressional Record*, 43rd Cong., 1st Sess. (2 Dec. 1873): H. 2 in "A Century of Lawmaking," accessed 25 June 2012.

²⁴⁰ Most recently Hugh Davis makes this assertion in *"We Will Be Satisfied With Nothing Less": The African American Struggle for Equal Rights in the North During Reconstruction* (Ithaca, NY and London: Cornell University Press, 2011), 103. Multiple pieces of evidence highlight Langston's likely role in Sumner's civil rights bill. Langston actively petitioned Congress to pass this legislation beginning in the early 1870s. He wrote an editorial expounding on his beliefs regarding the bill, "A Letter from Prof.

In its original form, as S. 916, the bill protected black civil rights in public accommodations, allowed for service on juries, and mandated public expenditures on schooling. It also made it clear that racism was anathema to the American Republic by declaring in its fifth section: “That every law, statute, ordinance, regulation or custom, whether national or State, inconsistent with this act, or making any discriminations against any person on account of color, by the use of the word ‘white,’ is hereby repealed and annulled.”²⁴¹ African Americans would make use of traditional means, such as holding a national convention and contacting members of Congress, in their attempt to secure passage of Sumner’s powerful legislation.

The task was anything but easy. While Walls and Langston drew upon the emancipatory experience of the Civil War to urge Americans to support civil rights at home and abroad, Rapier and Lynch defended black claims to civil rights in other ways.

Langston. The Civil Rights Bill, &c.,” *New National Era* (Washington), 28 Dec. 1871. Sumner himself presented petitions from an address by a convention of colored men (at which Langston had presided); see *Congressional Globe*, 42nd Cong., 2nd Sess. (8 Jan., 1872): H. 294 in “A Century of Lawmaking,” accessed 30 December 2012. In the wake of the U.S. Supreme Court’s ruling in the *Civil Rights Cases* (1883), which struck down the Civil Rights Act of 1875, several news outlets mentioned Langston’s participation in drafting Sumner’s original bill; see especially “The Civil Rights Decision Still an Absorbing Subject of Discussion--A Sensible Colored Man’s Views—Langston’s, Sumner’s and Butler’s Bills,” *Daily Arkansas Gazette*, 20 Oct. 1883, and D.A. Str[a]jker, “Civil Rights. The Causes and Effects of the Decision of the Supreme Court Analyzed—Minister Langston on Charles Sumner,” *New York Globe*, 3 Nov. 1883, both in “19th Century U.S. Newspapers,” accessed 30 Dec. 2012, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP. However, neither in his memoir, his public speeches, nor any editorial does Langston mention his involvement in helping Sumner draft the bill.

²⁴¹ S. 916, 41st Cong., 2nd Sess. (13 May 1870): 4, in “A Century of Lawmaking,” accessed 30 Dec. 2012. For a later version of the bill see *Congressional Record* (29 April 1874): H. 3451, in “U.S. Congressional Documents,” accessed 25 June 2012, <http://heinonline.org.proxy.libraries.rutgers.edu/HOL/Index?collection=congreg&set>. Indeed, the phrasing in this section may have also come from Langston, who often denounced color-based discrimination in various speeches throughout the decade. See “Citizenship and the Ballot,” (25 Oct. 1866); “Eulogy on Charles Sumner,” (24 April 1874); and “Equality before the Law,” (17 May 1874), all in John Mercer Langston, *Freedom and Citizenship. Selected Lectures and Addresses of the Hon. John Mercer Langston, LL.D., U.S. Minister Resident at Haiti. With an Introductory Sketch by Rev. J. E. Rankin, D.D., of Washington* (Washington: Rufus H. Darby, 1883; rpt. Whiteface, MT: Kessinger Publishing, 2007), 99-122, 141-61, 162-79. Language related to the use of the word “white” also features heavily in Langston’s lengthy response to the Supreme Court’s overturning of the 1875 Civil Rights Act, “The Civil Rights Law. Hon. John Mercer Langston Defines Citizenship and the Rights Attached to It,” *New York Globe*, 27 Oct. 1883, in “19th Century U.S. Newspapers,” accessed 30 Dec. 2012.

They focused on American hypocrisy at home and emphasized distinctions between public and social rights in defending Sumner's legislation. The debates over the Civil Rights Act were, in many ways, a direct result of antiblack violence in the early years of Reconstruction.

One of the chief black leaders who initiated the rhetorical war over the Civil Rights Act was South Carolina's Robert Brown Elliott. Having failed in his earlier attempt to link passage of civil rights legislation with black support for general amnesty, Elliott wasted no time in laying out his reasons for supporting Sumner's bill. He and his black colleagues drew from the work of informal black activists and revolutionized the image of black men in American politics.

Rhetoric and the Imagery of Justice and Citizenship

Nine months after entering Congress, Rapier and Josiah Walls (along with several other black congressmen including Alonzo Ransier, Joseph Rainey, and Robert Elliott) attended a national convention on black civil rights held on December 9, 1873, in Washington. There they heard delegates from twenty-five states discuss the issue of civil rights for African Americans.²⁴² The delegates demanded protections for black civil and political equality, and they presented a memorial to the Forty-Third Congress.²⁴³ All the delegates signed the memorial, thanks to efforts by the acting president of the convention, the activist and entrepreneur George Thomas Downing.

Downing had been active in the Underground Railroad and the Abolitionist Movement, and he counted both Frederick Douglass and Senator Sumner among his

²⁴² Schweninger, *James T. Rapier and Reconstruction*, 121.

²⁴³ U.S. Congress, *Civil Rights. Memorial of National Convention of Colored Persons, Praying To Be Protected in Their Civil Rights*. 43rd Cong., 1st Sess., House Miscellaneous Document No. 44 (18 Dec. 1873), 1-4.



George Thomas Downing (1819-1903). Vogt Bros.,
New York (c. 1880s). Source: "New York Public Library Digital Gallery,"
<http://digitalgallery.nypl.org/nypldigital/dgkeysearchdetail.cfm?strucID=1899914&imageID=1804236>.
New York Public Library,
Schomburg Center for Research in Black Culture,
Photographs and Prints Division.

friends. Until 1878 Downing ran the dining room of the U.S. House of Representatives, giving him opportunities to influence congressional policymakers. He was also a founder of the Colored National Labor Union. In the short run, the memorial that he helped to craft had significant influence on the strategies used by the black congressmen in attendance at the convention to argue in favor of Sumner's pending civil rights legislation.

Elliott referred the convention's memorial to the Committee on the Judiciary on December 18, 1873.²⁴⁴ Many of the arguments made in this memorial anticipate later arguments by several black congressmen in favor of Sumner's bill. The memorial also

²⁴⁴ *Congressional Record*, 43rd Cong. 1st Sess. (18 Dec. 1873): H. 310, in "A Century of Lawmaking," accessed 25 June 2012.

echoed previous arguments made by Josiah Walls in his debates on national public education with Georgia congressman Archibald MacIntyre. It challenged the legitimacy of the “State-Rights theory” as a justification for denying expanded civil rights or colorblind schooling opportunities. Tying the discredited theory of states’ rights with slavery, the memorial declared:

The interest of slavery, a State institution, was so great and overshadowing as to subjugate church as well as state, morality as well as the laws of the land; decisions were rendered in its interests; it was ever keen, active, resolute, extremely suspicious. The State-Rights theory, one essential to slavery, was persistently argued. How it was adhered to may be seen in its producing the late rebellion, its grave-yard.²⁴⁵

The memorial argued that, given the Union’s victory in the Civil War, any arguments based on states’ rights had no bearing on congressional considerations regarding civil rights legislation: “[T]he leanings of legal minds through decisions and opinions made popular by this State-Rights theory must not be permitted to have the controlling sway some lawyers are disposed to give them.” The memorial went on to castigate “objecting Senators” for hypocrisy concerning civil rights protections. It questioned how politicians could affirm the constitutional right of Congress to “go as far as it had gone in protecting the civil rights of citizens in the several States ... [but not] far enough to effectually protect the civil rights of a citizen wherever the stars and stripes have sway.”²⁴⁶

The memorial forcefully argued that the federal government could and should defend the rights of African Americans: “If Congress may throw the protecting arm of the law around any citizen of the United States, in every State, so as to forbid any denial or discrimination in hotels and public conveyances, on account of race and color, it certainly may do so in protecting him from invidious rules impairing the right of property.” The

²⁴⁵ U.S. Congress, *Civil Rights. Memorial of National Convention*, 2.

²⁴⁶ *Ibid.*

government should not permit public schools “to serve to the degradation and humiliation of any class”; rather, it should not allow schools to train pupils “in opposition to the Government’s fundamental principles.”²⁴⁷ The black understanding of the role of government was in evidence here, one that emanated from the formative years of the Civil War. As Reverend Garrison Frazier put it during a meeting with Union General William Tecumseh Sherman and Secretary of War Edwin W. Stanton, blacks desired to “maintain themselves” and “enlist in the service of the Government, and serve in such manner as they may be wanted.”²⁴⁸ Delivered on January 12, 1865, Frazier’s remarks articulated the views of countless blacks. For African Americans, the government was meant to be proactive, defending, guaranteeing, and protecting black rights, but also leaving them alone to be citizens. Blacks never asked for special treatment. Rather, their plea to Congress was made in terms of universal citizenship rights, not simply the desires of one segment of the American populace.

Delegates at the convention also drew sharp distinctions between “the private school maintained at the private expense of individuals, and ... public schools maintained by moneys taken from the pockets of all.” If interracial public education was not “agreeable” to some, then those parents who felt uncomfortable should take their own children to private schools rather than “outraging the rights of others.”²⁴⁹ African Americans made clear distinctions between the public and private spheres, or what

²⁴⁷ Ibid.

²⁴⁸ “Newspaper Account of a Meeting between Black Religious Leaders and Union Military Authorities,” Clipping from *New-York Daily Tribune* (13 Feb. 1865), “Negroes of Savannah,” Consolidated Correspondence File, ser. 225, Central Records, Quartermaster General, Record Group 92, National Archives in “Freedmen & Southern Society Project,” accessed 22 Jan. 2013 <http://www.history.umd.edu/Freedmen/savmitg.htm>. See also Ira Berlin, Barbara J. Fields, Steven F. Miller, Joseph P. Reidy, and Leslie S. Rowland, eds., *Free At Last: A Documentary History of Slavery, Freedom and the Civil War* (New York and London: The New Press, 1992), 310-18.

²⁴⁹ Ibid.

Mississippi congressman Lynch would subsequently describe as the distinction between “public” and “social” rights. Overall, the memorial encapsulated major themes and armed black congressmen with a diverse set of rhetorical strategies aimed at one goal—securing passage of strong protections for their constituents at home.

Blacks recognized Sumner’s Civil Rights Bill as vital to the political fortunes of their community. The issue was so critical that the greatest defense of the proposed legislation (presented by Congressman Elliott) was enshrined in a spectacular piece of political imagery in the mid-1870s. “The Shackle Broken—by the Genius of Freedom,” published in 1874 by the Baltimore-based lithographers E. Sachse & Co., depicts Elliott debating Alexander H. Stephens, the former Confederate Vice President who had recently been elected to Congress. Delivered on January 6, 1874, the day after Stephens had voiced his opposition to Sumner’s pending bill, Elliott’s impassioned defense of the legislation made him a national icon among African Americans.²⁵⁰ Elliott denounced Stephens as a dangerous relic of a bygone era who represented a palpable threat to the stability of the American Republic: “[I]t is scarcely twelve years since that gentleman shocked the civilized world by announcing the birth of a government which rested on human slavery as its corner-stone.” The speech also afforded Elliott the opportunity to make broad political claims for his race:

The progress of events has swept away that *pseudo-government* which rested on greed, pride, and tyranny; and the race whom he then ruthlessly spurned and trampled on are here to meet him in debate, and to demand that the rights which

²⁵⁰ Several versions of this image were produced. The smaller black-and-white lithograph (displayed here) measured only 19.6 by 19.5 inches, small enough for interested individuals to display in their homes. A larger color version, measuring 28.2 by 35.6 inches, may have been meant for use in outdoor political rallies as well. For more on Elliott see Peggy Lamson, *The Glorious Failure: Black Congressman Robert Brown Elliott and the Reconstruction in South Carolina* (New York: W. W. Norton & Company, 1973).

are enjoyed by their former oppressors ... shall be accorded to those who even in the darkness of slavery kept their allegiance true to freedom and the Union.²⁵¹

Elliott linked his approach to a unique interpretation of the recent Supreme Court ruling in the *Slaughter-House Cases* (1873). The Court ruled that the Fourteenth Amendment protected the privileges and immunities of American citizens but did not protect the privileges and immunities of citizens of a particular state. Nevertheless, Elliott viewed the decision in a more positive light than did his white Democratic counterparts.²⁵² As the lithograph vividly illustrates, in one portion of his speech Elliott emphasized the meaning of the Reconstruction amendments to the Constitution and articulated the general consensus of all black congressional leaders regarding federal obligations to all citizens (so important is this part of the speech, that an excerpt of it is embossed over the American flag hanging over the House of Representatives). Using the *Slaughter-House Cases* as support for his contentions, Elliott declared that “these amendments, one and all, are thus declared to have as their all-pervading design and end the security to the recently enslaved race, not only their nominal freedom, but their complete protection from those who had formerly exercised unlimited dominion over them.” He believed that in “this broad light” the Reconstruction amendments had to be interpreted as intending complete equality for all American citizens: “What you give to one class you must give to all; what you deny to one class you shall deny to all, unless in the exercise of the common and universal police power of the State you find it needful to confer exclusive privileges on certain citizens, to be held and exercised still for the

²⁵¹ *Congressional Record*, 43rd Cong., 2nd Sess. (6 Jan. 1874): H. 410, in “U.S. Congressional Documents,” accessed 27 Dec. 2012, <http://heinonline.org.proxy.libraries.rutgers.edu/HOL/Index?collection=congreg&set>.

²⁵² For more on Elliott’s position, see Lamson, *The Glorious Failure*, esp. 174-81.

common good of all.”²⁵³ He saw these principles as the “doctrines of the *Slaughter-House Cases*” and denied that these rulings (which limited the protections of the Fourteenth Amendment) left Congress impotent to pass strong legislation against “plain discrimination” by the States.

At the center of the lithograph is the imposing figure of Robert Brown Elliott, speaking in defense of Sumner’s Civil Rights Bill. He inhabits a biracial House of Representatives, in which other white and black congressmen conduct business and look on as Elliott speaks with his arm raised. Surrounding this imposing central image are excerpts from Elliott’s message, along with images of Abraham Lincoln, Senator Sumner, and several scenes depicting African American service in the Union Army and Navy.

Juxtaposed with these images is the passing of the old order of plantation slavery, symbolized by a depiction of a black family surveying their own land. Beneath this image is a caption: “American Slave Labour is of the Past—Free Labour is of the Present,” followed by words that surely would have startled most Southern whites: “We toil for our own children and not for those of others.” The lithograph encapsulated the emancipatory message by highlighting four major themes that captured the desire of former slaves in the mid-1870s: “Equality,” “Liberty,” “Jury,” and “Ballot.”

The lithograph taps into a familiar set of themes in the black community—emancipation, the Civil War, black military service, and racial uplift. It also presents a celebratory and triumphal image of black politics, one that would have been eagerly consumed by the black electorate. The image presents a transformative moment in the

²⁵³ *Congressional Record*, 43rd Cong., 2nd Sess. (6 Jan. 1874): H. 408, in “U.S. Congressional Documents,” accessed 27 Dec. 2012, <http://heinonline.org.proxy.libraries.rutgers.edu/HOL/Index?collection=congreg&set>.



“The Shackle Broken—by the Genius of Freedom” (Baltimore: E. Sachse & Co., c. 1874).

Source: Library of Congress, Prints and Photographs Division.

“Prints & Photographs Online Catalog,” *Prints and Photographs Reading Room*.

<http://www.loc.gov/pictures/item/2003690777/>. Reproduction number: LC-DIG-pga-02592 (digital file from original print).

political life of black America. Leaders like Elliott, Walls, Rapier, Lynch, and Langston were no longer merely regional spokesmen; but national political leaders whose views increasingly transcended congressional districts and embodied the hopes of all African Americans. The image of a biracial congress crystallized the idea that blacks were no longer an oppressed minority, but American citizens. The lithograph thus encapsulated the words of John Mercer Langston, who, while addressing an African American audience on August 1, 1866, linked black pride with American nationalism:

We want to understand that we are no longer colored people, but Americans. We have been called all manner of names. I have always called our people negroes. Perhaps you don't like it—I do. I want it to become synonymous with character. We are no longer negroes simply—no longer colored people simply, but a part of the great whole of the mighty American nation.²⁵⁴

The image of black men in Congress, serving as national politicians, made Langston's vision a reality.

As the image of a biracial congress illustrated, Elliott was not alone in the House, but had many colleagues, black and white, struggling alongside him for effective civil rights legislation. The visibility of black politicians on the national stage served as a source of pride for the black community. Also, by depicting Elliott mid-speech, the lithograph illustrates the role that rhetoric played in the formation of policies to defend black civil and political equality.

Civil Rights and Emancipatory Reconciliation

Other black congressmen built on Downing's memorial and Elliot's powerful rhetoric to put forward far-reaching civil rights proposals. Despite some broad similarities, the approaches of these four congressmen also diverged significantly. Walls made bold assertions regarding the government's right to legislate behavior, while Langston crafted a sophisticated legal brief supporting Sumner's bill and also calling for the liberation of Cuba from Spanish rule. Rapier highlighted the incongruity experienced by immigrants to America once they discovered that not all citizens were free and equal members of society. Lynch emphasized the distinction between public rights (or political equality) and social rights. This distinction, also raised by Downing's memorial, was the

²⁵⁴ Robert A. Johnson, "Interesting from Cleveland, Ohio. Speech of John M. Langston, Esq.," *Christian Recorder*, 25 Aug. 1866, in "African American Newspapers," *Accessible Archives*, accessed 27 Dec. 2012, <http://www.accessible.com.proxy.libraries.rutgers.edu/accessible/>; Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Vintage Books, 1980), 539.

strongest common theme used by national black political leaders during the fight over Sumner's bill. Although they used this argument to make the legislation more palatable to Democrats, the embrace of this strategy marked the limits of black gregariousness. As Josiah Walls's impassioned and far-reaching defense of the bill made clear, political niceties and conciliation with whites were included in black congressmen's rhetorical arsenal, but were not their most preferred weapons as they pushed for strong legislation.

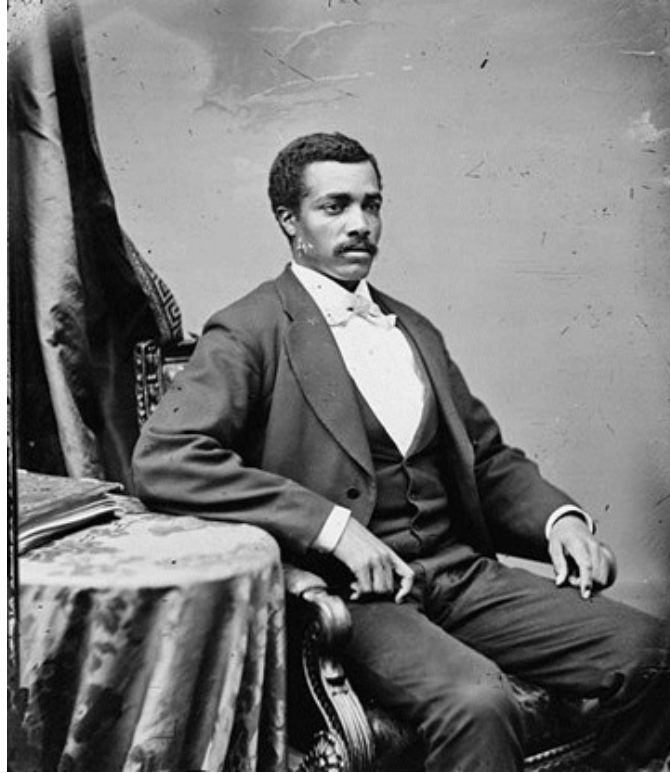
On January 6, 1874, Walls spoke up in defense of the civil rights bill. In brief but revealing comments, he supported Elliott and Rainey's political strategy. Walls recalled black support for general amnesty—well after the major congressional legislation had already passed through Congress—and then analyzed the roots of racism in American society: “Men may concede that public sentiment, and not law, is the cause of the discrimination of which we justly complain and the resultant disabilities under which we labor. If this be so, then such public sentiment needs penal correction and should be regulated by law.”²⁵⁵

Walls concluded, “It is the duty of the men of to-day ... to remove from the path of [the Republic's] upward progress every obstacle which may impede its advance in the future.”²⁵⁶ He asserted that civil rights legislation was the only way to curtail ignorant and racist behavior—a fairly radical sentiment in 1874. This radical nature of Walls' emancipationist form of reconciliation illustrates how sophisticated his political strategies were.

Walls's vision of emancipatory reconciliation directly challenged the emergent “Lost Cause” ideology embraced by many white Southerners. Whereas some whites still

²⁵⁵ *Congressional Record*, 43rd Cong., 1st Sess. (6 Jan. 1874): H. 416.

²⁵⁶ *Ibid.*, H. 416.



Congressman Josiah Thomas Walls of Florida. Source: Library of Congress, Prints and Photographs Division, "Prints & Photographs Online Catalog." *Prints and Photographs Reading Room*. <http://www.loc.gov/pictures/item/brh2003001198/PP/>. Reproduction number: LC-DIG-cwpbh-00552 (digital file from original negative).

contended that national reconciliation required the subordination of blacks as second-class citizens, Walls suggested that true reconciliation consisted in all sides coming together to eliminate racism and ignorant behavior in order to create a new, just society.

Walls scoffed at claims that social equality would follow "the concession of equal public rights," calling this result about "as likely as that danger will come to the Republic because of general amnesty." The familiar white Southern fears of anarchy and racial turmoil were emerging once again, and Walls moved swiftly to counter them. He argued that the only people putting forward such arguments were "those whose political life depends upon the existence of a baseless prejudice wholly unworthy of a civilized country and disgraceful to the American people." On the other hand, he also denounced the idea "that the relations of the races will be changed by meting out simple justice to

the colored citizen,” describing it as a “clap-trap addressed to the ignorant and vicious, and [one that] finds no response in the American heart, which in its best impulses rises superior to all groveling prejudices.”²⁵⁷ Walls insisted that his constituents’ demands were reasonable, since without such legislation African Americans would not have “a fair opportunity to demonstrate their fitness for American citizenship,” and would see “the channels of advancement in the legitimate pursuits of life ... forever closed.”²⁵⁸

Shortly after delivering this speech, Walls would begin to set forth a still more ambitious vision of black civil and political equality—one that transcended national borders—by arguing that the United States needed to apply the results of the Civil War to its international diplomacy. By venturing into a discussion of American foreign relations, Walls tapped into longstanding black desires to oppose slavery outside the United States. In doing so he also helped to craft a new strategy for defending Sumner’s legislation, one that Rapier and Langston would later adopt.

Emancipatory Diplomacy: The Cuban Ten Years’ War

Josiah Thomas Walls championed an ideal that I will refer to as emancipatory diplomacy—a natural counterpart to his sweeping vision of emancipatory reconciliation at home. Black concern with the fate of colonial subjects and enslaved peoples abroad was not new. Black abolitionists paid close attention to emancipation in the British West Indies and the black republic of Haiti. Indeed, prior to the Civil War, a young John Mercer Langston was captivated by Haiti’s experience with emancipation and briefly embraced emigration and black nationalism as possible solutions to his race’s plight. These concerns were intensified with the 1868 outbreak of the Ten Years’ War in Cuba,

²⁵⁷ Ibid.

²⁵⁸ Ibid.

which galvanized black politicians and their constituents. *La Guerra de los Diez Años* highlighted the connections that Walls saw between black emancipation in the South and demands for black freedom in the Caribbean.²⁵⁹ The Ten Years' War was, in many respects, a rehearsal for Cuba's later struggle for freedom from Spanish colonialism. Some of the key figures who would lead the struggle for Cuban independence in 1895 appeared for the first time in 1868. The conflict began as a war both against black slavery and for Cuban independence; on October 10, 1868, the prominent sugar planter and insurgent leader Carlos Manuel de Céspedes staged *el Grito de Yara* (the Cry of Yara), freeing his slaves and urging them to join him in the struggle against Spanish colonialism.²⁶⁰ Though this action did not put an end to interracial tensions, it profoundly impacted the future course of Cuban struggles for independence. Indeed, when the ultimately successful war for independence commenced, the brilliant poet-revolutionary José Martí framed the battle as an interracial affair. The similarities between black emancipation and the struggle for Cuban independence struck a chord with Josiah Thomas Walls.

²⁵⁹ For a penetrating analysis of the series of Cuban independence movements, grounded in racial terms, see Ada Ferrer, *Insurgent Cuba: Race, Nation, and Revolution, 1868-1898* (Chapel Hill and London: University of North Carolina press, 1999). There is a rich literature of comparative and transnational studies of emancipation focusing on the Caribbean; some of the most influential studies are Eric Foner, *Nothing But Freedom: Emancipation and Its Legacy* (Baton Rouge: Louisiana State University Press, 1983), which deals with Haiti and with a comparison with the example of British Emancipation in the West Indies; Thomas C. Holt, *The Problem of Freedom: Race, Labor, and Politics in Jamaica and Britain, 1832-1938* (Baltimore and London: Johns Hopkins University Press, 1992); and Rebecca J. Scott, *Degrees of Freedom: Louisiana and Cuba after Slavery* (Cambridge, MA and London: Harvard University Press, 2005). Mark M. Smith rightly notes the absence of a discussion of foreign and diplomatic developments in the immediate post-Civil War period; I have benefited from his analysis in "The Past as a Foreign Country: Reconstruction, Inside and Out," in Brown, ed., *Reconstructions*, 117-40. For a gendered analysis of late nineteenth century American foreign policy see Kristin L. Hoganson, *Fighting for American Manhood: How Gender Politics Provoked the Spanish-American and Philippine-American Wars* (New Haven and London: Yale University Press, 1998). A discussion of the relationship between Florida Reconstruction and the Cuban independence movements may be found in Gerald E. Poyo, "Cuban Revolutionaries and Monroe County Reconstruction Politics, 1868-1876," *Florida Historical Quarterly* 55, no. 4 (April 1977): 407-22, and Poyo, "Key West and the Cuban Ten Years War," *Florida Historical Quarterly* 57, no. 3 (Jan. 1979): 289-307.

²⁶⁰ Ferrer, *Insurgent Cuba*, 15.

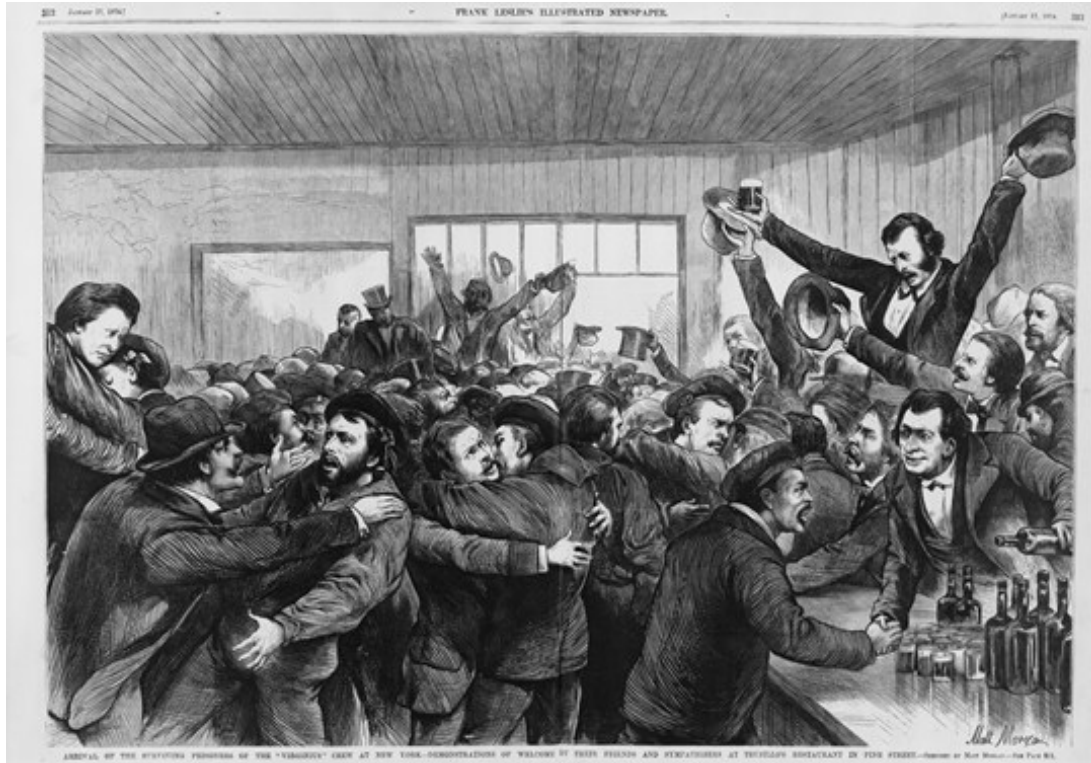
More practical concerns may have influenced Walls's support for Cuban rebels. The small but growing population of Cubans in Florida provided support to Republicans in the state, prolonging Republican competitiveness in Monroe County (which included the city of Key West) as Reconstruction suffered elsewhere in the state. Reconstruction politicians were not immune to matters of diplomacy or international affairs. An antislavery and anticolonial struggle for independence occurring just ninety miles away from Florida could not be easily ignored, even as domestic issues of race relations, economics, and political corruption took center stage. Indeed, as Morton Keller notes, "it is not surprising that in the wake of a war fought to end slavery and sustain Union, American diplomacy displayed an active concern for the rights of citizenship."²⁶¹

In the aftermath of emancipation, the postwar American government actively criticized the continued existence of slavery throughout the New World, and newly freed slaves joined in, expressing deep interest in the plight of blacks in Cuba. President Grant's secretary of state, Hamilton Fish, noted African American concerns regarding slavery in Cuba and found their sentiment as "universal as it is natural and just. It rests upon the instincts of humanity, and is the recognition of those rights of man which are now universally admitted."²⁶² Indeed, in the wake of Spain's emancipation of several thousand Cubans in 1873, Fish commented, "All powers interested in the adornment and happiness of the human race, and the spread of peaceful and Christian influences, are watching the noble efforts of Spain to disembarass herself of the institution of human slavery."²⁶³ Fish would soon be confronted by the thorny subject of Cuban independence,

²⁶¹ Keller, *Affairs of State*, 88.

²⁶² Ibid, 89.

²⁶³ Ibid.



Arrival of the surviving prisoners of the *Virginius* crew at New York; demonstrations of welcome by their friends and sympathizers at Trujillo's restaurant on Pine Street (*Frank Leslie's Illustrated Newspaper*, January 17, 1874, pp. 312-13). Source: Library of Congress, Prints and Photographs Division. "Prints & Photographs Online Catalog." *Prints and Photographs Reading Room*. <http://www.loc.gov/pictures/item/98511170/>. Reproduction number: LC-USZ62-121645 (black and white film copy negative).

as an international incident between Spain and the United States would present the very real possibility of war between the two powers.

On October 31, 1873, Spanish forces intercepted the *Virginius*, a ship smuggling guns to Cuban revolutionaries under the American flag. Fifty-three crew members, including some American citizens, were executed as pirates. Secretary of State Fish smoothed over relations between the two nations as best as he could by convincing the Spanish to pay an indemnity to the families of the executed Americans. Even so, the

Spanish actions incensed many Americans, particularly the Cuban population in Florida.²⁶⁴

On January 24, 1874, Walls rose to address the House of Representatives on the struggle for independence in Cuba, urging adoption of a joint resolution supporting the Cuban revolutionaries. In so doing, he also demanded that his colleagues see the connections between American emancipation and the Cuban patriots' commitment to the antislavery cause. Walls proceeded to recall numerous struggles against oppression throughout history, from the revolt in Haiti to the Greek struggle against Turkey. He chastised the United States for its failure to act at home or abroad:

In these later times, when the space of a century stands between us and the *struggle of the fathers* for liberty, and the heroism and sacrifices of our own patriots are falling unto forgetfulness, and conditions of neutrality still the best impulses of the heart and paralyze the strong arm that was ever ready to protect the weak and assist the oppressed to a *higher plane of manhood*, it seems that history has ceased to repeat itself; and we have forgotten the grand principle which underlies our institutions; ceased to have a "manifest destiny"; have given the "Monroe Doctrine" to the winds of heaven; while upon our own soil continued atrocities are committed to violation of every principle we have enunciated in the past.²⁶⁵

Walls framed his defense of Cuban independence with militant rhetoric, embracing an emancipationist vision of imperialism that incorporated traditional nineteenth-century conceptions of manhood. For Walls, manhood is rooted in physical prowess, in courage, and in the ability to affirm one's rights through distinguished service on the battlefield. Though critical of American inaction, he believed that in the end the Cubans would

²⁶⁴ Jerrell H. Shofner, *Nor Is It Over Yet: Florida in the Era of Reconstruction, 1863-1877* (Gainesville, 1974: University Presses of Florida), 268. It is surprising that Smith omits discussion of the *Virginus* affair in his otherwise perceptive essay "The Past as a Foreign Country."

²⁶⁵ Josiah Thomas Walls, "Cuban Belligerency. Speech of Hon. Josiah T. Walls, of Florida, in the House of Representatives, January 24, 1874, on the Joint Resolution Declaring the Right of the Cuban Republic to Recognition as a Belligerent," *Appendix to the Congressional Record*, 43rd Cong., 1st Sess. (24 Jan. 1874): H. 27-29, in "A Century of Lawmaking," accessed 13 April 2012; see also the edited version, "Cuban Belligerency," January 24, 1874, in Middleton, ed., *Black Congressmen during Reconstruction*, 377-78 (emphasis added).

receive American support.²⁶⁶ By advocating support for the Cuban revolutionaries, he sought to lead the American people to a different kind of manhood, one rooted in a language of equal rights rather than of domination.

The importance of Walls's vision of emancipatory diplomacy should not be overlooked, as this perspective may have influenced how Langston and Rapier framed their support for Sumner's bill. Langston believed that his vision of an interracial America necessitated a commitment to supporting Cuban independence. Rapier, meanwhile, called attention to the hypocrisy of American society by comparing his treatment abroad with what he experienced at home. He challenged Americans to live consistently with their ideals, so that newly arriving immigrants would not see a racial double standard in American society. Both Langston and Rapier drew upon Walls's language of manhood and emancipatory diplomacy. In so doing, they made Sumner's legislation into something more than just a guarantee for black citizenship; they also saw it as the key to revolutionizing America's domestic and diplomatic priorities.

American Hypocrisy and Black Manhood

Returning to Oberlin College on May 17, 1874, the anniversary of the adoption of the Fifteenth Amendment, John Mercer Langston spoke on "Equality Before the Law." Fondly recalling his college days, Langston said Oberlin had treated him as it would have treated any other American: "Though poor, and a colored boy, I found no distinction made against me in your hotel, in your institution of learning, in your family circle."²⁶⁷ Langston knew he was addressing a national audience, even as he spoke in an Oberlin auditorium. While his congressional colleagues sought to advance Sumner's civil rights

²⁶⁶ Walls, "Cuban Belligerency," 378.

²⁶⁷ John Mercer Langston, "Equality Before the Law. The Treatment of the American Man of Color Before and Since the Adoption of the Thirteenth Amendment," in Langston, *Freedom and Citizenship*, 142.

agenda in the face of Democratic and Southern white opposition, Langston was working outside Congress to secure the support of historically abolitionist allies in Ohio.

Warming to his main argument, he described the progress of the cause of racial equality and, like other black congressmen (especially Walls), emphasized his vision of an emergent biracial polity: “Within the last fifteen years, the colored American has been raised from the condition of four-footed beasts and creeping things to the level of enfranchised manhood.”²⁶⁸ Langston affirmed a theme common in black political culture—particularly enshrined in the formative years of post-Civil War emancipatory black thought—that blacks were not only free but politically equal as American citizens.²⁶⁹ “Indeed,” Langston declared, “two nations have been born in a day. For in the death of slavery ... the colored American has been spoken into the new life of liberty and law; while new and better purposes, aspirations, and feelings, have possessed and moved the soul of his fellow-countrymen.”²⁷⁰ Langston stressed that emancipation “fixed by law that the place where we are born is *ipso facto* our country; and this gives us a domicile, a home.”²⁷¹

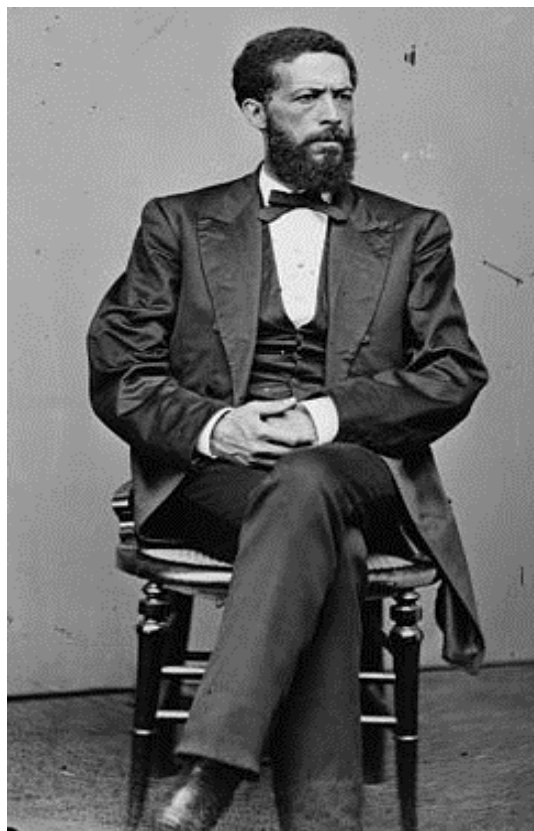
Langston also offered a brief history lesson on the treatment of blacks prior to the Civil War and on the course of emancipation, focusing on examples that justified black claims to American citizenship and equal rights. Langston highlighted the evolution of American thinking regarding citizenship rights, starting with the 1821 opinion of James

²⁶⁸ Ibid.

²⁶⁹ Hannah Rosen’s succinct description of this theme comes to mind here, as she discusses it within the contest of racial and sexual violence on the part of whites: “Thus those who gained their freedom in this period believed that to be free was not only not to be enslaved but also to be a citizen, that is, to be an equal member of a political community represented by a state that bestowed the same rights and obligations upon all its (adult male) members” (Rosen, *Terror in the Heart of Freedom*, 2).

²⁷⁰ Langston, “Equality Before the Law,” 142-43.

²⁷¹ Ibid, 145.



Professor John Mercer Langston of Howard University. Source: Library of Congress, Prints and Photographs Division. "Prints & Photographs Online Catalog." *Prints and Photographs Reading Room*. <http://www.loc.gov/pictures/item/brh2003001319/PP/>. Reproduction number: LC-DIG-cwpbh-00681 (digital file from original negative).

Monroe's attorney general, William Wirt, who accepted the possibility that free blacks and mulattoes could satisfy some of the requirements of citizenship but could not view them as full citizens.²⁷² Langston reviewed the statements of Attorney-General Hugh S. Legare in 1843 (classifying blacks as "denizens") and then turned to the broadly conceived comments in favor of black citizenship made by Lincoln's attorney general, Edward Bates, in 1862. Bates's opinion undermined the 1859 *Dred Scott* decision in which the Supreme Court had ruled that blacks could never be American citizens.²⁷³

²⁷² Ibid, 147-48; William Wirt, *Rights of Virginia Free Negroes.*, 1 *Op. Att'y Gen.* 506-9 (7 Nov. 1821), in "U.S. Attorney General and Department of Justice Collection," accessed 29 Dec. 2012, <http://heinonline.org.proxy.libraries.rutgers.edu/HOL/Index?collection=agopinions&set>.

²⁷³ Langston, "Equality Before the Law," 147-51. For Legare's opinion see Hugh S. Legare, *Pre-emption Rights of Colored Persons.*, 4 *Op. Att'y Gen.* 147 (15 March 1843): 147-48, and for Bates's exhaustive opinion see Edward Bates, *Citizenship.*, 10 *Op. Att'y Gen.* 382 (29 Nov. 1862): 382-413; both

Langston drew on this history to craft a legal argument in favor of Sumner's bill. He stated, "Great as the change has been with regard to the legal status of the colored American ... he is not yet given the full exercise and enjoyment of all the rights which appertain by law to American citizenship. Such as are still denied him are withheld on the plea that their recognition would result in social equality. ... Such reasoning is no more destitute of logic than law."²⁷⁴ Langston then added two other arguments for his vision of civil rights that merit closer attention—one dealing with common schooling and the other with the influence of "emancipatory legislation" at home on American policy abroad.

Like Walls, who supported the government's right to legislate against ignorant or racist behaviors, Langston argued against segregation and unequal educational opportunities. "Equal in freedom, sustained by law; equal in citizenship defined and supported by the law; equal in the exercise of political powers, regulated and sanctioned by law; by what refinement of reasoning, or tenet of law, can the denial of common school and other educational advantages be justified?"²⁷⁵ If the Civil War, emancipation, and the long series of Reconstruction acts and constitutional amendments had enshrined African Americans as equal citizens, Langston argued, then surely there could be no legitimate basis for opposing equal schools. He understood why whites opposed such advances—prejudice and racism were to blame. But the solution was not to acquiesce to the demands of opponents of Sumner's legislation. The consequences of such actions would be detrimental to both races.

are in "U.S. Attorney General & Department of Justice Collection," accessed 29 Dec. 2012. See also Rosen, *Terror in the Heart of Freedom*, 11-16, especially her discussion of Bates's position on pp. 13-14, and Foner, *The Fiery Trial*, 235-36. The *New York Times* commented on the significance of Bates's opinion: "Attorney-General Bates on the Dred Scott Decision.," *New York Times*, 17 Dec. 1862, accessed 29 Dec. 2012, <http://www.nytimes.com/1862/12/17/news/attorney-general-bates-on-the-dred-scott-decision.html>.

²⁷⁴ Langston, "Equality Before the Law," 151.

²⁷⁵ *Ibid.*, 153.

Segregated schools would not resolve the problems facing white and black

Southerners, Langston argued, but would only exacerbate existing tensions:

Schools which tend to separate the children of the country ... which foster and perpetuate sentiments of caste, hatred, and ill-will ... are contrary to the spirit of our laws and institutions. Two separate school systems ... tolerating such a state of feeling and sentiment on the part of the classes ... cannot educate these classes to live harmoniously together.²⁷⁶

Therefore it was not sufficient for the government to guarantee blacks voting and citizenship rights. The government had to expand its conceptions of civil rights beyond enfranchisement into how blacks were treated in public spaces and guarantee equal and desegregated educational opportunities. Without these steps, the lingering prejudices and racism that bred white contempt would never be conquered.

Langston concluded by considering how passage of Sumner's legislation would affect U.S. relations with other nations in the Americas. "With freedom established in our country ... we may well consider our duty with regard to the abolition of slavery ... where [it] is maintained by despotic Spanish rule, and where the people declaring slavery abolished, and appealing to the civilized world for sympathy and justification of their course, have staked all upon 'the dread arbitrament of war.'"²⁷⁷ Like Walls, Langston believed that the legacy of the Civil War had bequeathed Americans a duty to undertake the course of emancipatory diplomacy, and he thus linked support of the pending Civil Rights Bill and his advocacy for American intervention in the Cuban war. Going beyond Walls's earlier arguments, Langston exhorted his audience:

²⁷⁶ Ibid, 154-55.

²⁷⁷ Ibid, 159. The phrase "the dread arbitrament of war" was in common use throughout the Civil War. As early as April 15, 1861, a Cleveland, Ohio newspaper used this phrase, referring directly to the course of action necessary to take against the seceded states of the Confederacy. "The Dread Arbitrament of War.," *Daily Cleveland Herald*, 15 April 1861, in "19th Century U.S. Newspapers," accessed 23 Jan. 2013, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP.

There can be no peace on our continent ... till slavery is everywhere abolished and freedom established and protected by law. ... Every nation, whether its home be an island or upon a continent, if oppressed, ought to have, like our own, a “new birth of freedom,” and its “government of the people, by the people, and for the people,” shall prove at once its strength and support. ... Where battle is made against despotism and oppression, wherever humanity struggles for national existence and recognition, there his sympathies should be felt, his word and succor inspiring, encouraging and supporting.²⁷⁸

In presenting an inspiring vision of an interracial American republic, Langston captured the optimism of national black political leaders and their constituents. His policy agenda was far-reaching: Americans needed to pass Sumner’s Civil Rights Bill and to secure truly equal and desegregated public accommodations, modes of transportation, and educational institutions for the benefit of all races. In addition, he contended, the United States should build on its revolutionary legacy and work actively to topple slavery throughout the Americas. This commitment to liberty was the cornerstone upon which American society now rested.

Where Walls and Langston emphasized broad conceptions of the reach of the federal government and the liberating potential of embracing strong civil rights legislation, Alabama’s James Thomas Rapier took a different approach. Rather than extolling the virtues of American society or arguing in favor of legislating behavior, Rapier sought to shame his colleagues into action by depicting American hypocrisy. Echoing the transnational focus of Walls and Langston, Rapier illustrated the inconsistencies between the idealized version of America held by immigrants and the black experience at home and abroad.

On June 9, 1874, speaking in support of Sumner’s bill, Rapier drew attention to what he saw as incongruities in the arguments put forward by members of the Democratic

²⁷⁸ Langston, “Equality Before the Law,” 159-60.

opposition, particularly Tennessee's John Morgan Bright and James Beck of Kentucky. In measured tones, he acknowledged the awkwardness of his position as an African American serving in the U.S. Congress. "I must confess it is somewhat embarrassing for a colored man to urge the passage of this bill," Rapier stated, because in advocating for it he risks being "charged with a desire for social equality." But he added that "it is just as embarrassing for him not to do so, for if he remains silent while the struggle is being carried on around ... he is liable to be charged with a want of interest in a matter that concerns him more than anyone else."²⁷⁹

Rapier explained that the law recognized his right to serve as a congressman, yet no laws guaranteed him the right to equal accommodations while he sought to serve his constituents in Washington. "Here I am the peer of the proudest, but on a steamboat or car I am not equal to the most degraded. Is not this most anomalous and ridiculous?"²⁸⁰ Rapier contended that the United States was not a shining beacon of hope for immigrants: "And I shall be ashamed for my country if there be any foreigners present, who have been lured to our shores by the popular but untruthful declaration that this land is the asylum for the oppressed, to hear a member of the highest legislative body in the world declare ... that ... he has no civil rights that another class is bound to respect." Foreigners could learn a terrible lesson in the United States, one that they could not find in any other country. Here "it is possible for a man to be half free and half slave ... for a man to enjoy political rights while he is denied civil ones; here he will see a man legislating for a free

²⁷⁹ James Thomas Rapier, "Civil Rights," 43rd Cong., 1st Sess. *Congressional Record* (9 June 1874): H. 4782, in "A Century of American Lawmaking," accessed 28 March 2012; see also Middleton's edited version in *Black Congressmen During Reconstruction*, 312-18.

²⁸⁰ Rapier, "Civil Rights."

people, while his own chains of civil slavery hang about him.”²⁸¹ Much of Rapier’s speech exposed the divergence between the image of the United States as a land for immigrants and the ugly reality of prejudice experienced by African Americans of all classes.

Rapier buttressed his discussion of what he termed American hypocrisy by drawing on his own experiences outside the United States while serving as Alabama’s State Commissioner to the Fifth World’s Fair in Vienna, Austria.²⁸² Rapier repeated, somewhat sarcastically, the familiar theme of black claims to manhood and citizenship: “I left home last year and traveled six months in foreign lands, and the moment I put my foot upon the deck of a ship that unfurled a foreign flag from its mast-head, distinctions on account of my color ceased. I am not aware that my presence aboard the steamer put her off course. I believe that we made the trip in the usual time.” In other countries Rapier could go to a hotel without fear that someone would slam the door in his face. Returning to such treatment in his native country left him with deep scars: “I feel this humiliation very keenly; it dwarfs my manhood, and certainly it impairs my usefulness as a citizen.”²⁸³

Rapier then explained why he refused to participate in previous debates over the “centennial bill” intended to fund commemoration of the centennial of American independence. In words reminiscent of Frederick Douglass’s famous 1852 speech, “What

²⁸¹ Ibid.

²⁸² Rapier’s comparison between conditions in the United States and those in Europe shows that black congressmen drew from a broad range of experiences when defending their claims to civil and political equality and suggests again the need for further exploration of comparative perspectives on the unfolding of domestic politics during Reconstruction. Along these lines see Steven Hahn, “Class and State in Postemancipation Societies: Southern Planters in Comparative Perspective,” *American Historical Review* 95, no. 1 (1990): 75-98, which compares Southern planters and German *Junkers*, and Peter Kolchin, “Comparative Perspectives on Emancipation in the U.S. South: Reconstruction, Radicalism, and Russia,” *Journal of the Civil War Era* 2, no. 2 (June 2012): 203-32.

²⁸³ Rapier, “Civil Rights,” H. 4784.

to the Slave is the Fourth of July,” Rapier made biblical comparisons between his race’s position and that of the Israelite exiles in Babylon: “How would I appear at the centennial celebration of our national freedom, with my own galling chains of slavery hanging about me? I could no more rejoice on that occasion ... than the Jews could sing in their wonted style as they sat as captives beside the Babylonish streams... After all, this question resolves itself to this: either I am a man or I am not a man.”²⁸⁴

Rapier saw the debate over the civil rights bill as one that could not be treated as a normal debate over policy. Policy “has nothing to do with it; ... in this case justice is the only standard to be used, and you can no more divide justice than you can divide Deity.”²⁸⁵ In other words, it was possible to have constructive disagreements over internal improvements or private legislation, but basic civil rights and political equality should not be matters of debate. Of course, many whites did not see the issue in the same way; in fact, the thought of providing blacks with civil rights or greater access to education incensed them as few other policy debates did. He rejected white Democrats’ insistence that further civil rights legislation would lead to disaster. No disasters had occurred once blacks received the vote or were allowed to attend schools. Why should expanded protections or increased educational opportunities produce a different result?

Rapier believed that the drumbeat of Democratic opposition to any expansion of civil rights protections or educational benefits rested on intransigent racism. Returning to his theme of American hypocrisy, he argued that a country unable to guarantee manhood rights to native-born citizens could not simultaneously claim to be an asylum for the oppressed masses of foreigners clamoring to reach its shores. Rapier’s impassioned plea,

²⁸⁴ Ibid, H. 4784.

²⁸⁵ Ibid.

however, did not change the minds of his white opponents, nor did it bolster his chances for reelection as whites turned to violence and intimidation. He would lose his seat in 1874.

Returning to the lame-duck session of the Forty-Third Congress after his defeat, Rapier called a meeting of black national and state political leaders at his rooming house on 1619 K Street N.W. to craft a response to the civil disorder afflicting the Deep South. Those at the meeting included Frederick Douglass, John Mercer Langston, P. B. S. Pinchback, South Carolina's Robert Purvis, Judge Mifflin Wistar Gibbs, George Thomas Downing, Alabama editor Philip Joseph, Dr. Charles Burleigh Purvis of Howard University, and North Carolinian George W. Price, Jr.²⁸⁶ After several hours of discussion, the men drafted a declaration on behalf of all African Americans throughout the United States. Their statement placed the blame for violent depredations on Democrats. Any victory that the Democratic party gained, whether in "a northern state or

²⁸⁶ The full text of their declaration is not extant; many different newspapers noted the meeting and published its outcome. I rely on the following sources: "A Timely Address. Representative Colored Men Give Their Views on the Condition of the South and Appeal to Congress for the passage of Certain Measures," *Boston Daily Advertiser*, 2 Feb. 1875; "Washington. Recruits for the Regular Army—Address of the Newly Enfranchised—Public Debt," *Daily Arkansas Gazette* (Little Rock), 2 Feb. 1875; "Political. An Appeal from Pinchback, Fred Douglass and Others, 'Considering' the Civil Rights Bill," *Daily Rocky Mountain News* (Denver), 2 Feb. 1875; "Washington. Meeting of Southern Colored Men," *Milwaukee Daily Sentinel*, 2 Feb. 1875; "Domestic News. Washington. The Colored Men's Address," *Bangor Daily Whig and Courier* (Maine), 2 Feb. 1875; "The Impending Danger. An Address to the Country at Large and to Congress," *Chicago Daily Inter-Ocean*, 2 Feb. 1875; "Colored Men in Council," *North American and United States Gazette* (Philadelphia), 2 Feb. 1875, all in "19th Century U.S. Newspapers," accessed 29 Dec. 2012, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP; also Schweninger, *James T. Rapier and Reconstruction*, 147. Langston was serving as Dean of Howard University's Law School and on the District of Columbia's Board of Health. Pinchback was the former governor of Louisiana. Mifflin Gibbs was a municipal judge in Arkansas and the younger brother of Florida's late Secretary of Public Instruction Jonathan Clarkson Gibbs (an ally of Josiah Walls in Florida). Downing had been instrumental in the process of drafting the memorial on civil rights presented by Robert Brown Elliott in support of Sumner's bill, and he was also founder of the Colored National Labor Union. Philip Joseph had served as president of the Union League in Mobile, and George Price was a Union naval veteran and local state politician. Dr. Charles Burleigh Purvis, son of the famed black abolitionist Robert Purvis, was instrumental in forming the medical department at Howard University, where he taught for almost thirty years. The newspapers also mention that other individuals were present, including a Professor Sampson, Dr. Augusta, J. A. Emerson from Arkansas, "and others." I have been unable to identify any of these individuals.

upon the floor of Congress, tends directly to increase the audacity and lawlessness of the enemies of constitutional freedom and the Union as now established,” they stated.²⁸⁷

They also decried the “timid assertion of rights by our friends” and urged Congress not to adjourn “without enacting and providing for the enforcement of appropriate laws for the better protection of persons, property, and political rights” in the South. The black leaders floated the possibility that, if Congress failed to act despite the strong Republican majority in both houses, blacks could either choose neutrality or align themselves with “their old oppressors” in the Democratic Party.²⁸⁸

Rapier, Douglass, and Langston feared another possible scenario—namely that, should Southern blacks be “stung to madness and desperation by continued and unceasing outrages, and seeing no means of escape, a spirit of retaliation and revenge may be aroused which will fill the south with scenes of rapine, blood and fire.” To avoid this calamity, they urged Congress to pass strong protections for civil rights.²⁸⁹

Throughout the Forty-Third Congress, and especially in the days and hours before a vote on Sumner’s bill, all seven black members of the House of Representatives took opportunities to speak out in favor of civil rights and detailed the violence aimed at black Southerners.²⁹⁰ Not until this moment had any black politician seriously raised the possibility that blacks might turn on their white oppressors and initiate a violent race war in the South.

²⁸⁷ “Colored Men in Council,” *North American and United States Gazette*, 2 Feb. 1875, in “19th Century U.S. Newspapers,” accessed 29 Dec. 2012.

²⁸⁸ Ibid.

²⁸⁹ Ibid..

²⁹⁰ Schweninger, *James T. Rapier and Reconstruction*, 147-48.

The Clash of Public and Social Rights

Mississippi's John Roy Lynch took a different approach in defense of the Civil Rights Bill. Speaking on February 3, 1875, two days after the meeting in Rapier's boarding house, Lynch outlined his reasons for supporting the bill, expressing the hope that his remarks would not further intensify the partisan feelings in Congress.²⁹¹ Building upon arguments made by his congressional colleagues, he explained why public (civil) and social rights (i.e., social equality) were separate issues that should not be linked in the debate on this bill.

Lynch challenged the idea that social equality was the object of the pending civil rights bill: "I have never believed for a moment that social equality could be brought about even between persons of the same race. But those who contend that the passage of this bill will have a tendency to bring about social equality between the races ... admit that [i.e., act as if] there are no social distinctions among white people whatever."²⁹² His Democratic colleagues, Lynch asserted, did not really believe that "the immoral, the ignorant and the degraded of their own race are the social equals of themselves, and their

²⁹¹ *Congressional Record*, 43rd Cong., 2nd Sess. (3 Feb. 1875): H. 943 in "A Century of Lawmaking," accessed 8 June 2012. See John Roy Lynch, "The Civil Rights Bill" (3 Feb. 1875), in Middleton, ed., *Black Congressmen During Reconstruction*, 151-64; James Harold McLaughlin, "John R. Lynch the Reconstruction Politician: A Historical Perspective" (Ph.D. Diss., Ball State University, 1981), 42-47.

²⁹² *Congressional Record* (3 Feb. 1875), H. 944. Kenneth Eugene Mann's "Black Leaders in National Politics, 1873-1943: A Study of Legislative Persuasion" (Ph.D. Diss., Indiana University, 1971) presents a brief and overly simplistic analysis of Lynch's legislative efforts. He discusses Lynch's success (including how he articulated his arguments regarding Sumner's Civil Rights Bill) through the prism of the construction of "logic." For example, Mann writes, "Throughout his speech Lynch presented logical reasons why the civil rights bill needed to be passed. His examples were designed to arouse the emotions of his audience so that they might understand the hardships imposed upon black travelers in the South" (p. 51). Interestingly enough, for all of its generalizations and oversimplifications, Mann concludes his chapter on Lynch by noting that "He could not be considered an Uncle Tom, but neither was he a militant. He called himself an American patriot, who saw weaknesses in the American system of government and sought to make changes" (p. 72). Examinations of black elitism may be found in Willard B. Gatewood, *Aristocrats of Color: The Black Elite, 1880-1920* (1991; Fayetteville: University of Arkansas Press, 2000); Kevin K. Gaines, *Uplifting the Race: Black Leadership, Politics, and Culture in the Twentieth Century* (Chapel Hill and London: University of North Carolina Press, 1996); and Gilmore, *Gender and Jim Crow*.

families.” If they seriously believed that, then they obviously did not put “as high an estimate upon their own social standing as respectable and intelligent colored people place upon theirs.” Furthermore, he knew that thousands of white people were “the social inferiors of respectable and intelligent colored people.”²⁹³

Lynch was not trying to insult his white colleagues. Rather, he crafted his arguments in order to expose the inconsistencies of opposing arguments and to make clear exactly what rights African Americans sought through Sumner’s legislation. Using a bit of sarcasm to make his point, Lynch continued: “I can then assure ... my Democratic friends ... whom I regard as my social inferiors a seat at the same table with you ... but do not think that I have thereby accepted you as my social equal.” While (satirically) denying them social equality, Lynch promised that, if anyone attempted to discriminate against these Democrats, Lynch would favor protecting their rights “by suitable and appropriate legislation.”²⁹⁴

Lynch went on to clarify the relationship between public rights and social rights: “It is not social rights that we desire. We have enough of that already. What we ask for is the protection in the enjoyment of public rights—rights that are or should be accorded to every citizen alike.”²⁹⁵ As Rapier had done previously, Lynch described the inconsistencies in America’s “present system of race distinctions.” An immoral white woman could go to any public space or use public transportation and receive the same treatment given to the best members of society. But if “an intelligent, modest, refined colored lady presents herself” and asks for the same privileges that have been given to “her social inferior of the white race ... in nine cases out of ten ... she will not only be

²⁹³ *Congressional Record* (3 Feb. 1875), H. 944.

²⁹⁴ *Ibid.*

²⁹⁵ *Ibid.*

refused, but insulted for making the request.”²⁹⁶ Though Lynch placated white Southerners and Democrats by denying that blacks had any desire for social equality, he also made it obvious that social standing had nothing to do with civil rights. He implored his white colleagues about the injustice of this state of affairs: “I appeal to your sensitive feelings as husbands, fathers, and brothers, is this just? You who have affectionate companions, attractive daughters, and loving sisters, is this just? If you have any of the ingredients of manhood in your composition, you will answer the question most emphatically, No!”²⁹⁷

Again like Rapier, Lynch then turned to his personal experience: “Here I am, a member of your honorable body ... and yet, when I leave my home to come to the capital of the nation ... in coming through the God-forsaken States of Kentucky and Tennessee ... I am treated, not as an American citizen, but as a brute. Forced to occupy a filthy smoking car both night and day, with drunkards, gamblers, and criminals; and for what?”²⁹⁸ Lynch could pay his own way and was not disrespectful, yet he suffered this treatment solely because of his complexion.

This sort of treatment might have been tolerable had it been limited only to black men, but “Our wives and our daughters, our sisters and our mothers, are subjected to the same insults and to the same uncivilized treatment.”²⁹⁹ Lynch mocked the suggestion that these issues should be resolved by court cases rather than legislation. “What a farce!” he exclaimed. “Talk about instituting a civil-rights suit in the State courts of Kentucky ...

²⁹⁶ Ibid; for a superb analysis of the origins of this discourse and its implications for later developments, see Rebecca J. Scott, “Public Rights, Social Equality, and the Conceptual Roots of the *Plessy* Challenge,” *Michigan Law Review* 106, no. 5 (March 2008): 777-804.

²⁹⁷ *Congressional Record* (3 Feb. 1875), H. 944-945.

²⁹⁸ Ibid, H. 945.

²⁹⁹ Ibid.

where the decision of the judge is virtually rendered before he enters the courthouse, and the verdict of the jury substantially rendered before it is impaneled.”³⁰⁰

Lynch concluded, “The only moments of my life when I am necessarily compelled to question my loyalty to my Government or my devotion to the flag of my country are when I read of outrages having been committed upon innocent colored people and the perpetrators go unpunished.” As long as this situation of “unjust discrimination” is tolerated, he said, “our boasted civilization is a fraud, our republican institutions a failure; our social system a disgrace; and our religion a complete hypocrisy.”³⁰¹ Though he expressed confidence that Americans would not continue to tolerate this state of affairs, Lynch’s open revulsion to the continued violation of his constituents’ rights is striking, especially since he understood that a forceful defense of the federal government’s role in legislating behavior would likely enhance white opposition to Sumner’s bill.

To rally support for his position, Lynch quoted from an editorial by the leading conservative Democratic newspaper in Mississippi, the *Jackson Clarion*, that minimized the bill’s likely impact on segregated public education. The editorial stated, “The provisions of the bill do not necessarily break up the separate school system, unless the people interested choose that they shall do so; and there is no reason to believe that the colored people of this State are dissatisfied with the system as it is or that they are not content to let well enough alone.”³⁰² Implicitly accepting this viewpoint, Lynch stated that blacks wanted the school clause included in civil rights legislation not because they

³⁰⁰ Ibid.

³⁰¹ Ibid.

³⁰² “The Civil-Rights Bill and Our Public-School System,” *Jackson Clarion*, quoted in *ibid.*, H. 945; Christopher M. Span, *From Cotton Field to Schoolhouse*, 125-26.

felt “that their children can be better educated in white than in colored schools ... but they recognize the fact that the distinction when made and tolerated by law is an unjust and odious proscription; that you make their color a ground of objection, and consequently a crime. This is what we most earnestly protest against.”³⁰³ Lynch acknowledged that mixed-race schools would emerge only in small localities and that for “years to come” segregated educational institutions would persist throughout the South. Thus he did not call for immediate desegregation, but agreed with Langston’s earlier proposals opposing the establishment of any system of education that would transmit and reinforce damaging distinctions between the two races. He concluded that, once equal citizenship rights were conferred, blacks and whites could choose to separate their children lawfully since the “separation is their own voluntary act, and not legislative compulsion.”³⁰⁴ Though Lynch tried to use this more moderate strategy to gain support for the school clause of Sumner’s civil rights bill, ultimately that provision was dropped before final passage.

Walls, Langston, Rapier, and Lynch played their part at the national level to put into practice the black electorate’s desire for strong civil rights legislation. Though the lame-duck Republican majority succeeded in passing a watered-down version of Sumner’s original bill, this act would prove to be one of the last major pieces of civil rights legislation enacted during Reconstruction. Nor would the final bill be satisfactory to all black congressmen. When the final vote took place on February 4, 1875, the lack of

³⁰³ *Congressional Record* (3 Feb. 1875), H. 945.

³⁰⁴ *Ibid.*, H. 945; Lynch asserted that citizens in his own state were making this choice. Whether or not Lynch saw any problems with this assertion, it is hard to gauge to what extent his black constituents were truly making a voluntary choice. As of 1870, the opportunities available for public schooling in Lynch’s own congressional district were intimately tied to race. Of the 7,296 individuals attending school in Mississippi’s Sixth Congressional District, 6,038 (82.8 percent) were white and only 1,258 were black. See *Historical Census Browser*; Kenneth C. Martis, *The Historical Atlas of U.S. Congressional Districts, 1789-1982* (New York: Free Press, 1982), 242.

a school clause proved too much for Walls to stomach. Four black congressmen, including Lynch and Rapier, joined with the majority of 162 members to pass the Civil Rights Act, but Walls and South Carolina's Alonzo Ransier abstained.³⁰⁵

The bold attempts by national black political leaders to link black civil rights with expanded educational opportunities may have helped to damage the Republicans' chances of electoral success by the mid-1870s. At the same time, the limits of Northern willingness to fight for black civil and political equality were clearly evident. As historian Ward M. McAfee notes, "In the elections of 1874, the Republican loss of the House of Representatives was influenced by a widespread reaction against a Republican proposal to mandate racially integrated schools nationwide. As long as the Republican civil rights movement had not inconvenienced Northern whites, it moved forward. But the mixed-schools issue brought it to an insurmountable stone wall."³⁰⁶

The efforts by black congressmen to deny that they were pursuing social equality or mandatory integrated schooling did not convince the majority of Southerners or whites across the nation. The lack of white Northern support for continued civil rights legislation (particularly on the subject of mixed schools) did not help either black Republicans or their white congressional allies; rather, it almost certainly contributed to the Democratic resurgence in the House of Representatives in 1874, which in turn set the stage for a potential Democratic comeback in the presidential race of 1876. Despite the political

³⁰⁵ *Congressional Record*, 43rd Cong., 2nd Sess. (4 Dec. 1875): H. 1011 in "U.S. Congressional Documents," accessed 30 Dec. 2012; William P. Kladky, "Joseph Hayne Rainey and the Beginnings of Black Political Authority," in Matthew Lynch, ed., *Before Obama: A Reappraisal of Black Reconstruction Era Politicians*, Volume 2: *Black Reconstruction Era Politicians: The Fifteenth Amendment in Flesh and Blood* (Santa Barbara, CA: Praeger, 2012), 143.

³⁰⁶ Ward M. McAfee, *Religion, Race, and Reconstruction: The Public School in the Politics of the 1870s* (Albany: State University of New York Press, 1998), 6, 159. McAfee's observations are prescient but must be applied with caution. He questions the wisdom of African Americans' increased militancy and specifically cites what he considers the damaging replacement of white Republican Legrand Perce in favor of the less experienced Lynch.

backlash against stronger federal civil rights protections for freedmen, black congressional support for the Civil Rights Act of 1875 displayed creativity and unwavering tenacity.

This determined support must be understood within the context of the rampant violence across the South and the broader policy agendas put forward by the generation of black congressmen who served in the decade after the adoption of the Fifteenth Amendment. National black politicians' considerable experience of racial violence, contested elections, and political instability in their respective states and congressional districts necessitated a vision of civil rights and political equality that moved beyond the electoral franchise. When black congressmen arrived in Washington, they brought with them the optimism and terror they had experienced at home and confronted the limitations of practical politics in the House of Representatives.

Black congressmen applied the lessons that they had learned when facing white violence at home to the development of policy initiatives in Washington that were linked to the primary goal of securing strong civil rights protections for their constituents. Their belief in the need for strong federal intervention and support did not waver as the nation moved away from its commitment to racial equality, or as a series of damaging Supreme Court decisions began to chisel away at the legal edifice that supported Reconstruction and the broad scope of black congressional policy in the 1870s.

Two Visions of Rights: The *Civil Rights Cases* and the Roots of Northern Indifference

One of the most striking signs of changing political currents was the series of 1870s Supreme Court decisions that culminated in the *Civil Rights Cases* (1883), which declared the Civil Rights Act of 1875 to be unconstitutional. Three rulings from the

1870s merit close attention in terms of the legal precedents established regarding Reconstruction policy and civil rights enforcement. First the *Slaughter-House Cases* (1873) limited the protections of the Fourteenth Amendment. Then, in *U.S. v. Cruikshank* (1876), the Court undermined the power of the First Enforcement Act (to defend blacks from voter intimidation and violence) by asserting that the right to assembly was not intended to limit the powers of state governments with respect to their own citizens, and that the Second Amendment had no other effect than to restrict the powers of the national government. The effect of the *Cruikshank* decision was to overturn the convictions of several members of a white mob who had participated in acts of antiblack violence in Colfax, Louisiana in 1873 and to set a precedent that the government was powerless to prosecute antiblack agitators. Finally, in *U.S. v. Reese* (1876), the Court upheld literacy tests, poll taxes, and grandfather clauses, thereby undermining both the Fifteenth Amendment and the First Enforcement Act.³⁰⁷

These three rulings mirrored increasing Northern indifference to the plight of African Americans. They also set the stage for an even more damaging blow to the cause of black equality as the Court struck down the Civil Rights Act of 1875. Delivering the opinion of the Court was Associate Justice Joseph P. Bradley.³⁰⁸ At times he dissented (as he did in the *Slaughter-House Cases* and in the *Cruikshank* decision) from the Court's predominantly narrow reading of the Fourteenth Amendment, but at other times, as in

³⁰⁷ Both Lemann, *Redemption*, and Dray, *Capitol Men*, discuss broadly the consequences of the *Slaughter-House Cases* and *U.S. v. Cruikshank*. For the text of all three rulings see *Slaughter-House Cases*, 83 U.S. 36 (1872), 57-83 (which contains Associate Justice Samuel Miller's majority opinion dated April 14, 1873); *United States v. Cruikshank et al.*, 92 U.S. 542 (1875), 548-59 (which contains Chief Justice Morrison Waite's majority opinion); and *United States v. Reese et. al.*, 92 U.S. 214 (1875), 215-22 (which contains Chief Justice Morrison Waite's majority opinion), in "U.S. Supreme Court Library," accessed 9 July 2012, <http://heinonline.org.proxy.libraries.rutgers.edu/HOL/Index?collection=usreports&set>, hereafter cited as "U.S. Supreme Court Library."

³⁰⁸ Bradley gained fame as the swing vote on the Federal Electoral Commission, voting in favor of Rutherford B. Hayes's claim to the presidency during the disputed election of 1876.

Reese, he sided with the majority in eviscerating federal protections for African Americans.

Bradley's opinion stands out for several reasons. His justification for striking down the Civil Rights Act of 1875 continued to narrow the scope of the Fourteenth Amendment by limiting its application to violations of civil rights by state governments but not by individuals. Ironically, Bradley would frame the Court's ruling using the same language that black congressional leaders and activists had used to gather support for the bill—the distinction between public rights and social rights. In both instances Bradley's justifications flew in the face of the concerns and agendas that national black politicians had embraced in support of Sumner's legislation.³⁰⁹

According to Bradley, the first section of the Fourteenth Amendment did not grant Congress the power to intervene in areas where state legislation would have sufficed.³¹⁰ He averred:

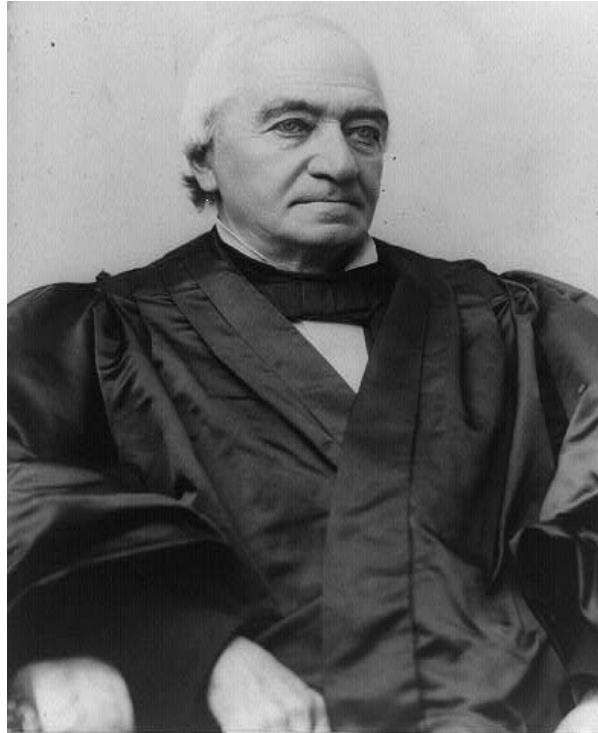
It is State action of a particular character that is prohibited. Individual invasion of individual rights is not the subject-matter of the amendment. It nullifies and makes void all State legislation, and state action of every kind, which impairs the privileges and immunities of citizens of the United States, or which injures them in life, liberty, or property without due process of law, or which denies to any of them the equal protection of the laws.³¹¹

This interpretation of the scope of the Fourteenth Amendment served as the groundwork for Bradley's contention that the Civil Rights Act of 1875 was overstepping the

³⁰⁹ For a fascinating discussion of the divergent ways of interpreting constitutional law in this period, see Michael Vorenberg, "Reconstruction as a Constitutional Crisis," in Brown, ed., *Reconstructions*, 141-71.

³¹⁰ The first section reads as follows: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws" (U.S. Constitution, Art. XIV, Sec. 1).

³¹¹ *Civil Rights Cases*, 109 U.S. 3, (1883), 11 in "U.S. Supreme Court Library," accessed 9 July 2012.



Joseph P. Bradley (1813-1892), circa 1890. Source: Library of Congress, Prints and Photographs Division. "Prints & Photographs Online Catalog." *Prints and Photographs Reading Room*. <http://www.loc.gov/pictures/item/96514909/>. Reproduction number: LC-USZ62-90771 (black and white film copy negative).

constitutional powers granted to Congress. In so doing, Bradley moved away from broader conceptions of federal power advocated by some congressional Republicans and by black congressmen like Josiah Thomas Walls.

Bradley made a distinction between the actions of a state legislature and the actions of individuals. He felt that civil rights guaranteed by the Constitution could not "be impaired by the wrongful acts of individuals, unsupported by State authority in the shape of laws, customs, or judicial or executive proceedings."³¹² Rather, the

wrongful act of an individual, unsupported by any such authority, is simply a private wrong, or a crime of that individual; an invasion of the rights of the injured party, it is true, whether they affect his person, his property, or his reputation; but if not sanctioned in some way by the State, or not done under State authority, his rights remain in full force, and may presumably be vindicated by resort to the laws of the State for redress.³¹³

³¹² Ibid, 17.

³¹³ Ibid.

This line of thinking stood in direct conflict to the perspective advocated by black congressmen like Walls who argued that discriminatory “public sentiment needs penal correction and should be regulated by law.”³¹⁴ Such arguments were consistently rejected by the Supreme Court beginning in the early 1870s, and the Court continued to reject broad demands to restrain both individual discrimination and state violations of civil rights in the early 1880s as well.

Bradley considered whether discrimination in inns or public conveyances constituted “badges of inferiority” that violated the Thirteenth and Fifteenth Amendments. He wondered if there was “any similarity between such servitudes and a denial by the owner of an inn, a public conveyance, or a theater, of its accommodations and privileges to an individual, even though the denial be founded on the race or color of that individual? Where does any slavery or servitude, or badge of either, arise from such an act of denial?”³¹⁵ Bradley maintained that such acts of denial did not create badges of inferiority or relate to African Americans’ previous condition of servitude. Furthermore, these lingering burdens were abolished by the Thirteenth Amendment and the Civil Rights Act of 1866, securing “all citizens of every race and color, and without regard to previous servitude, those fundamental rights which are the essence of civil freedom, namely, the same right to make and enforce contracts, to sue, be parties, give evidence, and to inherit, purchase, lease, sell, and convey property, as is enjoyed by white citizens.”³¹⁶ He concluded that, when it acted in 1866, “Congress did not assume, under the authority given by the Thirteenth Amendment, to adjust what may be called the social

³¹⁴ *Congressional Record*, 43rd Cong., 1st Sess. (6 Jan. 1874): H. 416.

³¹⁵ *Civil Rights Cases*, 21.

³¹⁶ *Ibid*, 22.

rights of men and races in the community; but only to declare and vindicate those fundamental rights which appertain to the essence of citizenship, and the enjoyment or deprivation of which constitutes the essential distinction between freedom and slavery.”³¹⁷

On one hand, Bradley understood the intention of Republican congressmen in securing basic citizenship rights for African Americans in the Thirteenth Amendment and the Civil Rights Act of 1866. Like their black counterparts in the mid-1870s, white Republican congressmen in the late 1860s and early 1870s wanted to secure black public rights, not social equality. On the other hand, however, Bradley could not see a link between an individual’s previous condition of servitude and his or her treatment by individuals at the local level. This perspective, combined with Bradley’s narrow interpretation of the Fourteenth Amendment, enabled him to conclude that the Civil Rights Act of 1875 was unconstitutional on the grounds that it attempted to regulate the behavior of individuals rather than the conduct of state governments toward its citizens. One member of the Supreme Court dissented from the majority opinion in this case: John Marshall Harlan, who, unlike Bradley, drew upon the distinctions between public and social rights to make a compelling argument that the Civil Rights Act of 1875 should not be struck down. Harlan did not differ from his colleagues as to Congress’s purpose in passing civil rights legislation; he agreed that the law did not promise all persons “full and equal enjoyment of the accommodations ... but that such enjoyment shall not be subject to any conditions applicable only to citizens of a particular race or color, or who had been in a previous condition of servitude.”³¹⁸ But Harlan interpreted the Court’s

³¹⁷ Ibid.

³¹⁸ Ibid, 27.

distinction between public and social rights as reinforcing the constitutionality of the Civil Rights Act. On the first count of the Court's opinion, Harlan wrote that "if it were conceded that the power of Congress could not be brought into activity until the rights specified in the act of 1875 had been abridged or denied by some State law or State action, I maintain that the decision of the court is erroneous."³¹⁹ As he turned his attention to the question of public versus social rights, Harlan identified several inconsistencies in the majority opinion. He granted that "Whether one person will permit or maintain social relations with another is a matter with which government has no concern."³²⁰ But he believed that the Court's distinction between individual and state violations was misguided. Harlan wrote that "no State, nor the officers of any state, nor any corporation or individual wielding power under state authority for the public benefit or the public convenience, can ... discriminate against freemen or citizens, in their civil rights, because of their race. ... The rights which Congress, by the act of 1875, endeavored to secure and protect are legal, not social, rights."³²¹ Though Bradley mentioned that the original intent of Reconstruction was not to protect social rights, he contended that the intent of the civil rights legislation passed by Congress was to control the private behavior of citizens when its scope should have been confined to actions taken by the state.

While Bradley's opinion thus used the distinction between public and social rights to suggest that the Civil Rights Act was overreaching, Harlan saw it more along the lines of black congressional leaders who had championed the law in the mid-1870s. The sharp differences between Harlan and the Court's majority reappeared in another crucial part of

³¹⁹ Ibid, 57.

³²⁰ Ibid, 59.

³²¹ Ibid.



John Marshall Harlan (1833-1911) circa 1890. Source: Library of Congress, Prints and Photographs Division. "Prints & Photographs Online Catalog." *Prints and Photographs Reading Room*. <http://www.loc.gov/pictures/item/2004672091/>. Reproduction number: LC-USZ62-40292 (black and white film copy negative).

their respective opinions—namely, their discussion of declining Northern interest in the “Negro problem,” a factor that may have pushed the Court toward following public sentiment regarding black civil and political equality.

Bradley’s opinion concluded by suggesting that blacks had progressed since the end of slavery to the point that the African American should now take “the rank of a mere citizen, and [cease] to be the special favorite of the laws, and when his rights as a citizen, or a man, are to be protected in the ordinary modes by which other men’s rights are protected.”³²² Though Bradley justified the Court’s ruling under the guise of congressional overreach and distinctions between public rights and social equality, the concluding words of his decision may reflect sympathy for Northerners tired of what they saw as “special laws” for blacks, especially when (in the Northern mind) whites had

³²² Ibid, 25.

never needed any special laws to ensure their civil and political equality. Harlan retorted that the Court had missed the entire point behind congressional legislative efforts to secure black equality: “It is, I submit, scarcely just to say that the colored race has been the special favorite of the laws. The one underlying purpose of congressional legislation has been to enable the black race to take the rank of mere citizens. The difficulty has been to compel a recognition of their legal right to take that rank.”³²³

Harlan was not an unbiased observer; he was a Kentucky lawyer and his family had been slaveholders. Nor was he free from the prevalent belief in white supremacy which so many of his contemporaries embraced. Nevertheless, he understood that Bradley’s understanding of the law and of recent history was flawed. Time and again (as Walls, Langston, and Lynch had emphasized in congressional debates on the subject), African Americans repeatedly argued that they did not want special laws, they simply wanted to be guaranteed their basic rights as citizens. Harlan understood this logic and followed it in his dissent. Despite his brave dissent, which reflected the concerns of many Republican lawmakers and black congressmen, the Supreme Court loudly repudiated one of the signature laws protecting black civil and political equality. The ramifications of the Court’s decision would not be lost on the black electorate or on national black political leaders.

An Uncertain Time: Shifting Currents and the Coming Age of Fusion Politics

In the wake of this disastrous Supreme Court decision, and ten years after his Oberlin speech on “Equality Before the Law,” John Mercer Langston was serving as Minister-in-Residence to Haiti. He returned to Washington, D.C., in 1884, to speak to an audience on the “Civil Rights Law.” Among the black political leaders in attendance

³²³ Ibid, 61.

were Frederick Douglass and Blanche Kelso Bruce, a former slave from Mississippi and the second black senator in the nation's history.

"Out of slavery," Langston asserted, "we have passed ... into American citizenship, a good deal like coming out of the land of Egypt into a promised land, one flowing with milk and honey."³²⁴ Langston thus presumed that American citizenship implied civil equality for black citizens. He continued, "The Civil Rights Law of April, 1866, was enacted to declare exactly to what we are entitled. Our citizenship is affirmed and made complete. So that whatever man, a citizen of the United States, can do, that the colored man, also a citizen can do." As his counterparts did in the 1870s, and along the lines laid out by John Marshall Harlan in his 1883 dissenting opinion, Langston stated clearly what specific rights blacks had gained: "In short; with freedom come those civil rights which are implied in and are essential to citizenship. No reference is made here to social equality. Social rights are not being considered; they will take care of themselves, with equal protection before the law assumed."³²⁵

However, Langston could not contain his anger at the foolishness of the Supreme Court. Whereas, in 1875, Langston could embrace a more optimistic position—laying out a strong legal case for Sumner's legislation and then putting forward an expansive vision of emancipatory diplomacy buttressed by strong civil rights protections at home—the situation had now turned bleak. By 1884 the possibilities available to blacks during

³²⁴ John Mercer Langston, *The Civil Rights Law. Definition of Citizenship and the Rights Attaching to It. An Exhaustive Analysis of the Relations of the Citizen and the Government—What Constitutes Citizenship—What Parties Are Created For—The Duty of the People at This Time. By Hon. John Mercer Langston, United States Minister and Consul-General in Hayti* (New York: New York Globe Print, 1884), 20, John Mercer Langston [Microform]: Personal Papers, Manuscript Division, Library of Congress (hereafter cited as Langston Microfilm); "The Civil Rights Law., Hon. John Mercer Langston Defines Citizenship and the Rights Attached to It," *New York Globe*, 27 Oct. 1883, in "19th Century U.S. Newspapers," accessed 30 Dec. 2012.

³²⁵ John Mercer Langston, *The Civil Rights Law*, 20; Langston Microfilm.

Reconstruction were rapidly disappearing. Langston was disgusted by the turn of events since 1875, and he refused to accept the recent Supreme Court ruling that the Civil Rights Act of 1875 was unconstitutional. Langston employed his rhetorical abilities to attack what he considered a flagrant violation of the Reconstruction-era constitutional amendments, one that placed the enforcement of black civil rights in the hands of untrustworthy local authorities: “The Supreme Court would seem desirous of remanding us back to that old passed condition. It advises that we appeal to the legislatures of the States for protection and defense of our rights. But let us be patient. Wait a little while, some one counsels.” Langston’s frustration came through as he exclaimed, “My God! how long a time are we to wait! Think of it; an American citizen advised to wait for fair treatment on a railroad with a first-class ticket! We want to ride like other men—not like brutes. ... How long must we wait for change of public opinion, and how long must we wait for State action to give us our rights in this regard?”³²⁶

The Court’s ruling disappointed Langston, yet, he remained hopeful for the future progress of his race:

My Colored Friends; let us not despair; let us advance with solid, earnest, manly tread, feeling that we are nothing other than American citizens. Colored we may be; our hair and our face may be dark; and our circumstances may not be quite so good as those of others in worldly goods as a rule; but above all let us not forget that we are American citizens, and can claim all the rights that any other American citizens can claim, while we are rich in ability to make their legal defence.³²⁷

Langston’s measured refusal to accept the denial of the fundamental rights of American citizenship by the Supreme Court, and his unwillingness to consider issues of “social rights” until blacks had firmly secured their civil and political rights, did not

³²⁶ Langston, *The Civil Rights Law*, 26, Langston Microfilm.

³²⁷ Ibid, 30.

prevent him from continuing to represent the interests of the black community.³²⁸ Indeed, Langston's response to the demise of the Civil Rights Act of 1875 signaled a profound shift in his political career. Having served largely as an outside political activist and in minor appointed positions, he moved decisively into the Southern political arena by the mid-1880s.

The first stirrings of legal disfranchisement formed part of a larger shift that culminated in the downfall of Reconstruction by the close of the 1870s. This shift did not blunt the efforts of black congressmen and their fight for black freedom. The emancipatory generation of black congressmen continued to pursue a broad policy agenda, one that mixed outright appeals for civil and political equality with calls for Southern economic development and internal improvements for their states. Both Langston and Walls championed the cause of educational opportunities for African Americans. While the battle over civil rights consumed much of black congressmen's focus, questions of education, voting, and renewed violence were also prominent in the mid-1870s.

African American advocacy for economic modernization and internal improvements would have to contend with an increasingly unstable political climate in the South. The passage of the Civil Rights Act of 1875 did not change the intransigence of white Democrats at the grassroots level. The loss of the Republicans' congressional majority in the 1874 midterm elections coincided with the election of the largest class of black congressmen thus far—seven members—to the House of Representatives. These black leaders would not be cajoled by congressional Democrats, nor would they

³²⁸ Langston, much like Lynch in an earlier speech, made a careful distinction between civil and social rights. According to his formulation the right of all citizens to travel on a first-class train (which was protected by the 1875 Civil Rights Act) was considered a civil rather than a social right.

acquiesce in the Republican Party's embrace of President Rutherford B. Hayes's Southern policy, which removed the remaining federal troops from the South and effectively left control of race relations to white Democrats antithetical to black rights.

Some black congressmen would attempt directly to stop racial and political violence in their states. Walls delivered a speech denouncing renewed white violence and intimidation. Congressman Robert Smalls intervened to avert bloodshed between white planters and striking black rice workers. Other leaders, like Lynch, would oppose the Federal Electoral Commission's role in resolving the disputed presidential election of 1876. Despite their best efforts, the mix of Northern indifference, a resurgent Democratic Party, and white violence across the South spelled the end of Reconstruction and inaugurated the "redemption" of the South from black Republican rule. Nevertheless, black congressmen faithfully embraced their responsibility as legislators as they sought to improve the way for their constituents at home.

CHAPTER FOUR

**“The Airs and Manners of a Legislator”³²⁹:
Education, Labor, and Disputed Elections--Black Congressmen and Redemption,
1873-1878**

Black Policy, White Culture

Given the tenacity with which black congressmen clung to a broad vision of strong federal protections for civil rights, it is not surprising that Congressman Josiah Walls added his voice to the chorus of black voices decrying the increasing violence that accompanied the decline of Reconstruction. On March 2, 1875, Walls delivered a searing address on the condition of affairs in the South, in response to remarks by Senator John Brown Gordon of Georgia. Walls reluctantly admitted

that unless partisan and sectional feeling shall lose more of its rancor ... unless we shall ere long reach that point in our history when a full comprehension of the true mission of the result of the [Civil War] will be plain to all public men regardless of party affiliation, Arkansas, Louisiana, Alabama, and Mississippi will not be the only States in this Union in which fundamental law will be disregarded, overthrown, and trampled underfoot, and in which a complete reign of terror and anarchy will rule supreme.³³⁰

Terror and violence became more rampant as Reconstruction was challenged and as state after state was bloodily “redeemed.” Walls declared that what Southerners had “lost by the bayonet ... they now expect to gain by what they call the ballot.”³³¹ He sarcastically questioned if it was the South’s intention “after their accession into power to vote to pay

³²⁹ The phrase comes from the *Christian Recorder*’s description of Josiah Walls on May 25, 1872, quoted above in Chapter 1.

³³⁰ *Congressional Record*, 43rd Cong., 2nd Sess. (2 Mar. 1875): H. 2110; Josiah T. Walls, “Condition of Affairs in the South. Speech of Hon. Josiah T. Walls, of Florida, March 2, 1875, on the Report of the Committee of Affairs in Arkansas and the Condition of the South Generally,” *Appendix to the Congressional Record*, 43rd Cong., 2nd Sess. (2 Mar., 1875): H. 166, in “U.S. Congressional Documents,” accessed 31 Dec. 2012, <http://heinonline.org.proxy.libraries.rutgers.edu/HOL/Index?collection=congreg&set>, hereafter cited as “U.S. Congressional Documents”; Walls, “Condition of Affairs in the South” (2 Mar. 1875) in Stephen Middleton, ed., *Black Congressmen During Reconstruction: A Documentary Sourcebook* (Westport, CT and London: Greenwood Publishers, 2002), 383.

³³¹ Walls, “Condition of Affairs in the South,” H. 166-167 in “U.S. Congressional Documents,” accessed 31 Dec. 2012; also in Middleton, ed., *Black Congressmen During Reconstruction*, 384.

for the slaves emancipated by the proclamation of President Abraham Lincoln, to fix upon the national government of the Confederate States, pay its debt, repeal the Thirteenth, Fourteenth, and Fifteenth Amendments to the federal Constitution.”³³²

His indignation not yet spent, Walls went on to discuss the political realities of the South. Intraparty factionalism had been tearing at Florida’s Republican political establishment since its inception, but that was a minor issue compared to the disfranchisement, intimidation, and outright violence that unfriendly white Democrats were carrying out against blacks and their white allies:

All the appeals to race, color, and the daily teachings on one class of people to hate the other have invariably come from Democratic orators and their friends. Here in my place I ask, is there any place in the history of our country where it can be found that the colored people of this land have banded themselves together by such pledges into black leagues to overthrow legislative, judicial, and ministerial offices? The answer is emphatically No!³³³

Walls’s summary of history ignored vast slave conspiracies whose goals did indeed include overthrowing the government, such as Gabriel Prosser’s slave rebellion in 1800, Nat Turner’s unsuccessful rebellion in 1831, or David Walker’s *Appeal to the Coloured Citizens of the World* (1829), which advocated the use of violence to destroy slavery. However, Walls knew that he had to control his rhetoric and appeal to the sensibilities of his white colleagues who feared the possibility of a race war as white violence engulfed countless Southern states. Walls emphasized that “when I say that we cherish no animosity toward those who were once our masters, I speak for all the colored

³³² Walls, “Condition of Affairs,” H. 167; also in Middleton, *Black Congressmen During Reconstruction*, 384. For a useful discussion of the process by which the Thirteenth Amendment was ratified and the conflicted legacy of this amendment, see Michael Vorenberg, *Final Freedom: The Civil War, the Abolition of Slavery, and the Thirteenth Amendment* (Cambridge, England: Cambridge University Press, 2001).

³³³ Walls, “Condition of Affairs,” H. 167; also in Middleton, *Black Congressman During Reconstruction*, 385.

people of this broad land.”³³⁴ In fact, he shifted swiftly from strident condemnations and demands for immediate equality to claiming that blacks wished only to live side by side with whites. As evidence for his claim Walls asserted that the slaves could have rebelled en masse during the Civil War, when most able-bodied whites were off fighting for the Confederacy, but they did not.³³⁵ Walls’s rhetoric appears calculated to convince his white colleagues that blacks not only merited equal treatment but were largely innocent victims of the machinations of resentful whites and the Democratic Party.

For Walls the Civil War had been fought to preserve the Union and to emancipate the slaves. However, the white South had not acquiesced in defeat, nor had it accepted African Americans as equal citizens and participants in the body politic. Walls questioned the continual representations of Reconstruction in the South as a failure, countering that “the white-leaguers banded together for the very purpose of overthrowing regularly established State governments by force and fraud.”³³⁶ He demanded of his counterparts that Congress intervene in Arkansas, that it guarantee education for blacks and the preservation of legitimate government and peace. Walls compared the crisis that was undoing Reconstruction with the Confederate secession, saying that people across the country wanted to see this “new rebellion...nipped in the bud and the country saved.”³³⁷ Ultimately, however, such rhetoric could neither sway his counterparts nor save the bold experiment of Reconstruction.

³³⁴ Ibid.

³³⁵ Walls, “Condition of Affairs,” H. 167; also in Middleton, *Black Congressman During Reconstruction*, 385-86.

³³⁶ Walls, “Condition of Affairs,” H. 169; also in Middleton, *Black Congressman During Reconstruction*, 387-88.

³³⁷ Walls, “Condition of Affairs,” H. 170, also in Middleton, *Black Congressman During Reconstruction*, 388-89.

Black Congressional Policy in the Age of Emancipatory Politics

The Forty-Third Congress had seven blacks in the House of Representatives; the Forty-Fourth Congress again had seven blacks in the House plus one black Senator. During this period black congressmen's legislative activity was shifting away from amnesty and civil rights protections toward spending greater amounts of time on internal improvements and private legislation. Charts 3 and 4 illustrate the collective policymaking of the Forty-Third through the Forty-Fifth Congresses, highlighting the continued importance of racial issues and civil rights while demonstrating the exponential growth of private legislation and internal improvement bills that emerged during the Forty-Third Congress (1873-1875). This shift in black policymaking is drastic.

Whereas, in the Forty-First and Forty-Second Congresses, 71 legislative actions focused on racial issues and civil rights, only 47 legislative actions dealt with these issues during the Forty-Third Congress. Although the amount of legislation pertaining to internal improvements remained roughly unchanged between these two periods—there were 45 legislative actions between 1870 and 1873 as compared to 49 between 1873 and 1875—the amount of attention that black congressmen gave to private legislation was impressive. Whereas, in the preceding two congresses, private legislation represented only 40 legislative actions, during the Forty-Third Congress national black political leaders engaged in 71 legislative actions relating to these issues (most of which included individual petitions, committee reports recommending action, and bills for relief). This trend in the amount of private legislation had risen exponentially by the time the largest contingent of black congressmen came together during the Forty-Fourth Congress (1875-1877), when 96 legislative actions dealt with private legislation, compared with 30

Chart 3
Black Congressional Support for Key Issues, 1873-1879

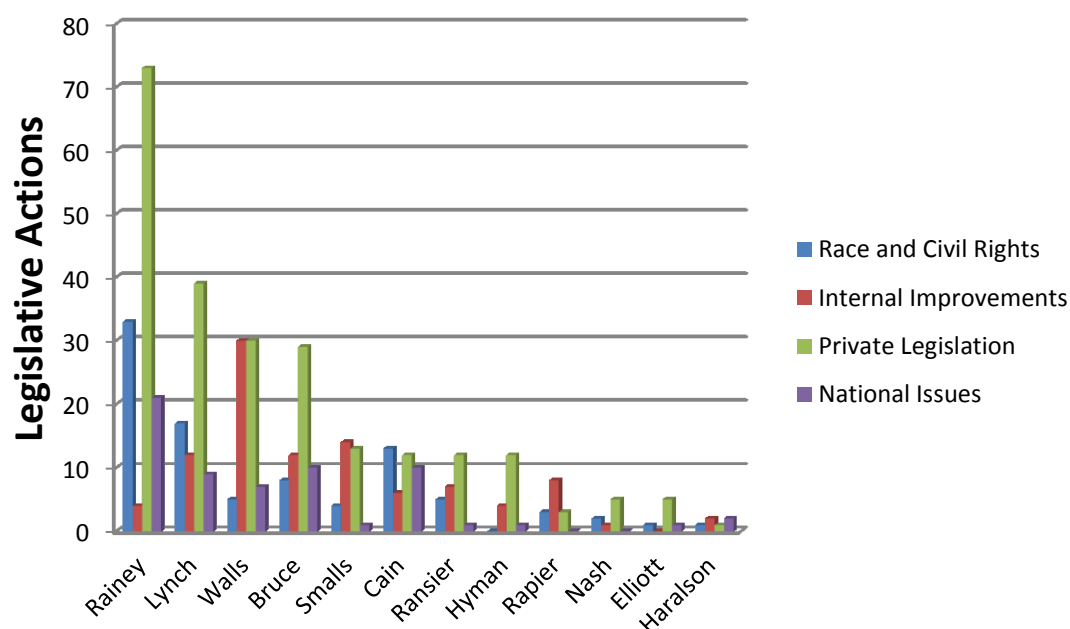
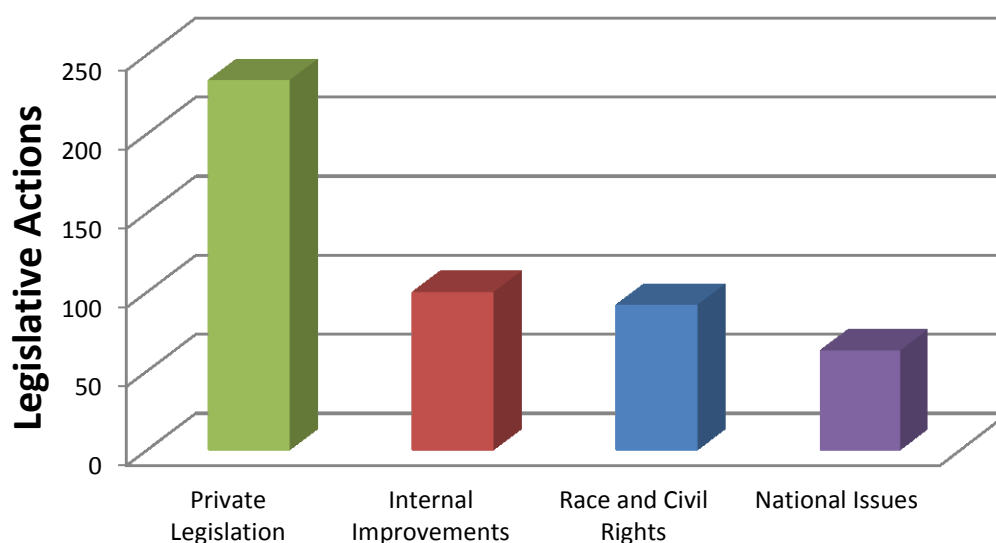


Chart 4
Total Black Congressional Support for Key Issues, 1873-1879



Source for Charts 3-6: Compiled from the *Congressional Globe* and *Congressional Record* (Indices and Appendices), 41st-43rd Congresses in "A Century of Lawmaking," <http://memory.loc.gov/cgi-bin/ampage>; 41st-45th Congresses in "U.S. Congressional Documents," <http://heinonline.org.proxy.libraries.rutgers.edu/HOL/Index?collection=congreg&set>.

actions pertaining to internal improvements and only 29 dealing with race and civil rights. By the end of the Forty-Fourth Congress, even crucial issues of internal improvements had fallen far behind private legislation in attention received. These shifts are evident in the data presented in Chart 5, which follows all four categories of legislative activity across the first five congresses that occupied the majority of the period of congressional (“Radical”) Reconstruction.

The Forty-Third Congress witnessed a large spike in black legislative activity across all four key issue categories (the most pronounced spike in activity being in the area of private legislation). When the next Congress convened, however, only legislative activity concerned with private legislation continued to rise, while the frequency of attention given to all other issues dropped significantly. Two fundamental conclusions emerge from these data. First, support for high levels of black legislative activity in the Forty-Third Congress may be related to the fact that Republicans still dominated both houses of Congress. In the 1874 elections, Republicans would lose control of the House for the first time in the postbellum period. Furthermore, the lame-duck session of this Congress moved swiftly to consider and pass the last major piece of civil rights legislation—the Civil Rights Act of 1875—and black congressmen energetically participated in the House debate prior to its passage.

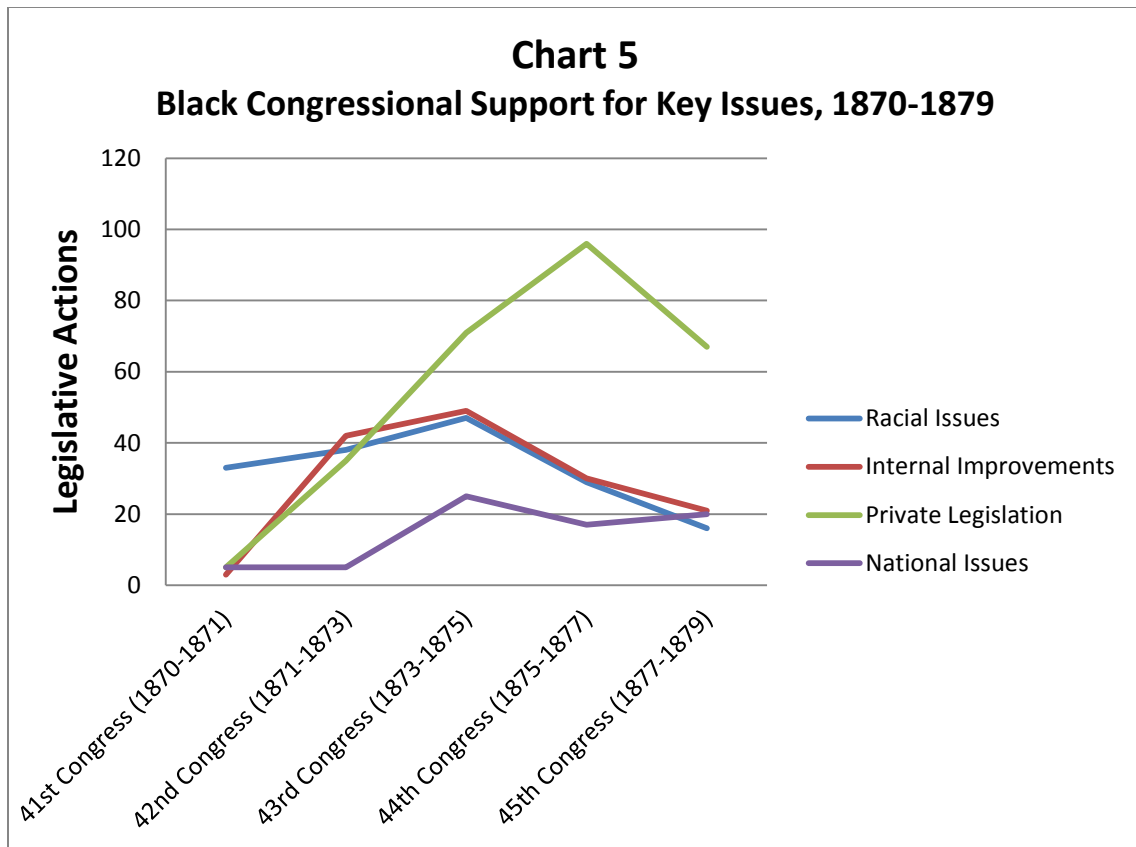
With majority control of the House of Representatives in the hands of unfriendly Democrats, black Republicans had less opportunity to put forward an ambitious policy agenda. However, shifting partisan control of Congress does not fully explain why blacks overwhelmingly engaged in private legislation far more than all other issues (as shown in Chart 6). Considering the concerns of white and black constituents at the state level leads

to the second, more revealing conclusion that can be drawn from the collective data on black policy and legislative activities.

Historian William C. Harris suggests that, during Reconstruction, most black and white Mississippians were not concerned with politics, no matter how exciting the period's political campaigns may have been, because of their immediate focus on recovering from the damaging effects of the Civil War. In essence, the response of local southerners to Reconstruction-era political developments was shaped by their overriding desire for economic recovery and community stability.³³⁸ Even though black constituents desired full civil and political equality, they were more fundamentally concerned with obtaining greater autonomy and economic independence. Southern whites, regardless of their political affiliation, similarly favored any legislation that would modernize the Southern economy and provide relief and appropriations for damages or losses sustained during the war.³³⁹ The two races' shared (albeit somewhat divergent) economic interests largely explains why black congressmen supported high levels of what I term private legislation and internal improvements. In these areas of activity they could work to increase the autonomy of their black constituents while also responding pragmatically to

³³⁸ William C. Harris, *The Day of the Carpetbagger: Republican Reconstruction in Mississippi* (Baton Rouge and London: Louisiana State University Press, 1979), xii.

³³⁹ Specialized studies of black aspirations for economic autonomy and land include Michael W. Fitzgerald, *The Union League Movement in the Deep South Politics and Agricultural Change During Reconstruction* (1989; Baton Rouge: Louisiana State University Press, 2000); Julie Saville, *The Work of Reconstruction: From Slave to Wage Laborer in South Carolina, 1860-1870* (Cambridge, England: Cambridge University Press, 1994); Nancy D. Bercaw, *Gendered Freedoms: Race, Rights, and the Politics of the Household in the Delta, 1861-1875* (Gainesville: University Press of Florida, 2003); Paul Ortiz, *Emancipation Betrayed: The Hidden History of Black Organizing and White Violence in Florida from Reconstruction to the Bloody Election of 1920* (Berkeley, Los Angeles, and London: University of California Press, 2005); and Susan Eva O'Donovan, *Becoming Free in the Cotton South* (Cambridge, MA: Harvard University Press, 2007). For the perspective of white Southerners see Terry L. Seip, *The South Returns to Congress: Men, Economic Measures, and Intersectional Relationships, 1868-1879* (Baton Rouge: Louisiana State University Press, 1983).

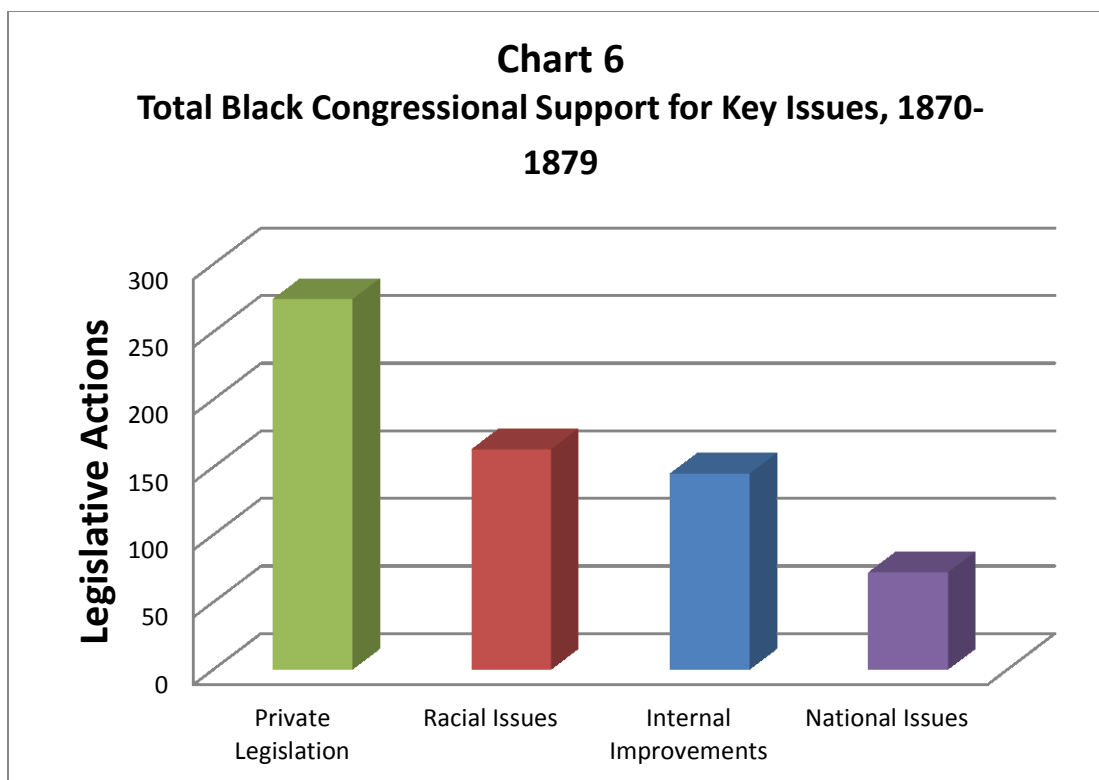


the pressing economic needs of white constituents not necessarily enamored with the presence of black representatives in the political arena.

This focus on private legislation and internal improvements appears to confirm Harris's conclusions regarding the primary concerns motivating blacks and whites at the local level. However, one cannot so easily divorce black policy considerations from the politics of Reconstruction. National black political leaders embraced a varied agenda not only to reach out to white constituents, but also as a means of advancing the well-being of their black constituents. Embracing colorblind or race-neutral pieces of legislation could provide subtle and more acceptable avenues to establish concrete gains for black constituents without antagonizing white Democrats.

This emphasis on private legislation persisted into the Forty-Fifth Congress (1877-1879), which saw black congressional representation shrink to three members in the House and Blanche Kelso Bruce in the Senate. This smaller contingent of black officeholders continued to press for private legislation but was less able to put forward more substantive policy measures relating to internal improvements and civil rights. The combined effect of the greatly reduced black membership in the Congress and the loss of Republican control in the House proved detrimental to black congressmen's ability to advance legislation.

Even in the realm of private legislation, the effects of the sharp decline in black congressional strength were immediate. Actions relating to private legislation dropped from a high of 96 during the Forty-Fourth Congress to 67 in the Forty-Fifth Congress. Interestingly, involvement in national policy considerations (which had remained a relatively low priority for black congressmen) remained relatively constant in the period between 1875 and 1879. Black legislative actions pertaining to national issues rose from 17 in the Forty-Fourth Congress to 20 in the Forty-Fifth Congress. Two national issues that received significant attention from black congressmen in this period were temperance and women's suffrage. The fact that the remaining black congressmen delivered petitions on such subjects illustrates how well-attuned they were to emerging reform movements that would eventually reshape the American landscape. As the 1870s witnessed the birth and greatest concentration of national black political strength, the question of how successfully black congressmen represented their constituents' interests during this period is of fundamental importance. In the immediate postwar period, Southern Republicans (including black congressmen) did not differ



significantly from their white colleagues from other regions or from their Southern Democratic counterparts.³⁴⁰ In terms of implementing their policy agendas, black congressmen were no more or less successful than their white counterparts, since the vast majority of legislation proposed by individual congressmen (irrespective of partisan affiliation or racial composition) did not pass. Power in the postwar Congress was concentrated in a very small number of committees and an even smaller number of individuals. Indeed, Southern congressmen (particularly Southern Republicans) as a whole rarely received assignments to the most important committees. However, when the Democrats regained power during the Forty-Fourth Congress, Southern Democrats were considered for influential committees.³⁴¹

³⁴⁰ Seip, *The South Returns to Congress*, 273.

³⁴¹ The experiences of Southern Republicans and Democrats, respectively, are detailed by Thompson, *The "Spider Web,"* 71-115 and Seip, *The South Returns to Congress*, esp. 114-18.

Given these legislative realities, black congressmen's success and representativeness must be judged in accordance with the strategies and proposed legislation that they put forward and how well these policy proposals squared with the concerns of their constituents. In a little more than eight years, sixteen black congressmen collectively put forward 656 legislative actions, including major speeches, proposed bills and resolutions, and petitions on a wide variety of issues. They were imaginative, dynamic, and pragmatic representatives of their constituents (white as well as black). They demanded strong federal protections for black civil rights and applied intricate political strategies that revealed the high level of sophistication with which black politicians' engaged their opponents. They focused their attention on issues that could bridge the gap between white and black southerners. Due to the damage suffered during the Civil War, for much of the 1870s Southerners of all political stripes and races demanded the expansion of commerce through postal routes, homesteading, and appropriations for railroads, so that they could enjoy the accompanying modernization and economic benefits that would emerge from such legislation. Black and white Southerners also demanded relief and redress from the federal government through private legislation. For African Americans this often meant submitting petitions for pensions and pay for black veterans, as well as appropriations for communal and fraternal institutions fundamental to the black community. White Southerners who had sustained personal damages as a result of the Civil War could seek compensation for their losses, as well as support for Southern publishing houses and crucial segments of Southern public institutional life that were desperately strapped for cash.

Given the high amount of interest convergence between white and black Southerners on internal improvements and private legislation, it should not be surprising that the overwhelming number of black politicians dealt heavily with these types of issues.³⁴² Pragmatic and sophisticated African American congressmen recognized the potential to create a biracial coalition by embracing these shared issues. Their rhetoric reveals black political attempts to tie the fate of whites (especially poor whites) to the strivings of blacks, particularly with respect to increased public educational opportunities.

The Cornerstone of Black Citizenship Rights: Public Education and Racial Uplift

Given that Josiah Thomas Walls's impressive legislative agenda was characterized by wide-ranging modernization and Southern boosterism, it makes sense that one of his first major speeches would deal with the subject of funding the expansion of public schools. On February 3, 1872, Walls spoke on federal support for public education, reflecting a particular concern shared by the vast majority of newly freed blacks.³⁴³ Some freedmen desired to be able to read the Bible, while others saw that obtaining an education held the key for bettering their economic status. In all cases this yearning for education was rooted in former slaves' overriding desire for autonomy, independence, and self-improvement.³⁴⁴

In this regard Walls could empathize with his constituents. He was born a slave and had little formal education. Serving in the Union Army and acquiring education helped Walls to achieve self-reliance; entering the charged and divisive arena of

³⁴² Derrick A. Bell, Jr., "*Brown v. Board of Education* and the Interest-Convergence Dilemma," *Harvard Law Review* 93, no 518 (Jan. 1980): 518-33.

³⁴³ Eric Foner has remarked, "Perhaps the most striking illustration of the freedmen's quest for self-improvement was their seemingly unquenchable thirst for education. Access to education for themselves and their children was, for blacks, central to the meaning of freedom, and white contemporaries were astonished by their 'avidity for learning.'" Foner, *Reconstruction*, 96.

³⁴⁴ Foner, *Reconstruction*, 96-97.

Reconstruction politics was the culmination of his journey toward becoming a fully independent citizen. Even with his limited education, Florida's only black congressman understood that education was crucial to securing black progress. No Democratic excuse or tactic would blunt his insistence on providing educational opportunities for his constituents.

Walls's speech in support of H.R. 1043—"to establish an education fund, and to apply the proceeds of the public lands to the education of the people"—provided a powerful answer to objections raised by congressman Archibald Thompson MacIntyre (D-GA).³⁴⁵ Originally proposed by the Chairman of the House Committee on Education and Labor, Legrande Winfield Perce (R-MS), the bill provoked an outcry from MacIntyre, who opposed it on the grounds of states' rights and offered a substitute that would have given the states discretion and control over the use of proceeds from public lands. Labeling Perce's bill as federal overreach, MacIntyre justified his opposition by calling attention to the fact that Georgia had just appropriated \$800,000 for education, adding, "That educational system is not confined to the whites alone. The colored people of that State are entitled, under that law, to the same rights that the whites will enjoy."³⁴⁶

In remarks on February 2, 1872, MacIntyre revealed his true motivation by mentioning how Georgia had "grievously suffered from that sort of State administration—I mean the administration of a 'carpet-bag' government." He was proud that his state was now "under the control of the good, true, and patriotic men of that State,

³⁴⁵ *Congressional Globe*, 42nd Cong., 2nd Sess. (15 Jan. 1872): H. 396; in "A Century of Lawmaking," accessed 3 May 2012.

³⁴⁶ *Congressional Globe*, 42nd Cong., 2nd Sess. (2 Feb. 1872): H. 801, in "U.S. Congressional Documents," accessed 3 May 2012.

under the control of men born within her limits. All Georgia wants is to let her alone, and in a few years she will get back to the proud position she occupied in former times.”³⁴⁷

Walls directly countered MacIntyre by stating, “We know what the cry about State rights means and more especially when we hear it produced as an argument against the establishment of a fund for the education of the people.”³⁴⁸ Walls identified the white establishment as the enemy of both the newly freed black and the poor white: “I am somewhat suspicious of such rights, knowing as I do, that the Democratic party in Georgia, as well as in all of the other southern States, have been opposed to the education of the Negro and poor white children.”³⁴⁹ His fury was aimed not at all whites, but at the power of the Southern Democrats. He continued, “We know that the Democratic party used to argue that to educate the Negro was to set him free. ... Their argument against educating the poor whites was that the Negro more directly associated with poor whites than with that class who controlled the destinies of slavery.”³⁵⁰

Walls referred to Georgia as his primary example because he was responding to MacIntyre, but his proposed solutions and denunciations of white depredations could have easily been describing his own Alachua County, Florida. Rebuffing MacIntyre’s attempt to interrupt and say that he was not an opponent of education, Walls demolished the Georgia congressman’s statistics and assertions of colorblindness and challenged him, “Will the colored people have an opportunity or be permitted to enjoy the same rights that the whites enjoy?” Considering past experiences, Walls was not optimistic about this prospect. Not while the “Ku Klux Democracy” was allowed “to burn the schoolhouses

³⁴⁷ Ibid (2 Feb. 1872): H. 801.

³⁴⁸ Ibid (3 Feb. 1872): H. 808-9; Josiah Thomas Walls, “The National Education Fund,” (3 Feb. 1872), in Middleton, ed., *Black Congressmen During Reconstruction*, 359.

³⁴⁹ *Congressional Globe* (3 Feb. 1872): H. 809; Walls, “The National Education Fund,” 359.

³⁵⁰ *Congressional Globe* (3 Feb. 1872): H. 809; Walls, “The National Education Fund,” 359-60.

and churches belonging to the colored people of Georgia; not while they shut the doors of the schoolhouses against the colored children.”³⁵¹

Walls then laid out a vision of equality that went far beyond public funding for education. He stated, “I am in favor ... of a national system of education, because I believe that the national Government is the guardian of the liberties of all its subjects.” Blacks could not defend their rights without education. And they could not “be educated under the present condition of society ... without the aid, assistance, and supervision of the General Government.”³⁵² Southern prejudice had denied slaves the right to be educated, and it now denied freedmen their rights as citizens to receive an education.

Walls charged that the Democratic Party opposed expanding access to education because “They know that no educated people can be enslaved. They well know that no educated people can be kept in a helpless and degraded condition, but will arise with a united voice and assert their manhood.”³⁵³ He emphasized the general societal benefits of expanded education: “An educated people possess more skill, and manifest more interest and fidelity in the affairs of the Government, because of their chance to obtain more general information, which tends to eradicate the prejudices and superstitions so prevalent among an ignorant people.”³⁵⁴

Walls felt that prejudice and ignorance led Southerners to perpetrate the violence and intimidation that he and his colleagues had witnessed. To both obtain civil equality for newly freed blacks and protect the mass of poor whites, his solution was to give ex-Confederates the right to vote back and educate all people out of their ignorance. Let

³⁵¹ *Congressional Globe* (3 Feb. 1872): H. 809; Walls, “The National Education Fund,” 360.

³⁵² *Congressional Globe* (3 Feb. 1872): H. 809; Walls, “The National Education Fund,” 361.

³⁵³ *Ibid.*

³⁵⁴ *Ibid.*

blacks and whites embrace their manhood and their dignity, and one would inaugurate a new chapter in Southern politics and race relations. This was Walls's fundamental understanding of the legacy of the Civil War, rooted in his status as a veteran and in what he and others hoped would replace the violence and factionalism in Florida.

When an amended version of Perce's bill (with provisions that would remove federal funds if they were misused or misapplied by state or territorial governments) came up for a vote on February 8, 1872, it passed with 117 votes in favor. Black congressmen Walls, Joseph Hayne Rainey, and Benjamin Sterling Turner supported the bill; while Robert Carlos De Large and Elliott did not vote.³⁵⁵

Walls was not alone in his understanding of the vital importance of education, particularly with respect to the protection and expansion of black citizenship rights. John Mercer Langston, the nation's second most prominent black political leader though not a congressman at this time, had a longstanding interest in expanded educational opportunities since his years as General Inspector of Schools for the Freedmen's Bureau.

Langston was invited to deliver a speech to Baltimore's Colored Men's Progressive and Co-operative Union on November 25, 1875. The letter of invitation described this organization's mission to "secure equal advantages in schools of all grades" as well as "a full and complete recognition of our civil rights and privileges" and its willingness "to defend them by all proper means against any abridgment." The Union also sought to "use all justifiable means to obtain for our children admission to the workshops of our country, that they may gain a practical knowledge of all mechanical

³⁵⁵ *Congressional Globe* 8 Feb. 1872: H. 902-3 in "U.S. Congressional Documents," accessed 3 May 2012.

branches of business.” Finally, it worked “for the moral and social elevation of our people.”³⁵⁶

Langston’s speech in Baltimore reflects what he had learned from his early labors with the Freedmen’s Bureau. His lecture was titled “Future of the Colored American, His Civil Rights and Equal Privileges—Mental and Physical Qualities—Adaptation to Skilled Labor.” In it he touched on the virtues of industrial labor and the relationship between industrial schooling and academic education, noting, “We often feel, very erroneously, however, that through what are termed the learned professions, the legal, the medical, and the theological, alone do we, or can we, rise to distinction.” Those who aspired to “future greatness” could also rise through “obscure and humble industrial pursuits,” which Langston believed would advance them “in those more conspicuous and influential paths of reform, legislation and politics.”³⁵⁷

Langston was not counseling his audience to abandon the “more conspicuous and influential paths” of law, theology, and medicine in favor of industrial and mechanical labor. Rather, he insisted that industrial education could not be divorced from academic pursuits, and that both paths were crucial for black progress in American society. Langston stressed this point by comparing the freedmen’s situation with that of English peasants. He emphasized that “Industrial effort inspired and sustained intellectual and moral endeavor, and those reacting upon each other not only led the people to value,

³⁵⁶ John Mercer Langston, “Future of the Colored American. His Civil Rights and Equal Privileges—Mental and Physical Qualities—Adaptation to Skilled Labor,” in John Mercer Langston, *Freedom and Citizenship. Selected Lectures and Addresses of the Hon. John Mercer Langston, LL.D., U.S. Minister Resident at Haiti. With an Introductory Sketch by Rev. J. E. Rankin, D.D., of Washington.* (Washington, DC: Rufus H. Darby, 1883; rpt. Whiteface, MT: Kessinger Publishing, 2007), 259.

³⁵⁷ *Ibid.*, 278.

assert and maintain their freedom and independence, but to make the progress and accomplish the results which their history records.”³⁵⁸

Langston urged that blacks should embrace the highest achievements possible: “No child, the children of no class of our people, should be taught, or in any wise impressed, that anything less than the most perfect educational accomplishment will suffice.”³⁵⁹ Langston insisted that blacks must focus on attaining “the moral plane of the truth” and put all their energies into educating themselves. In his view, black education and the development of a virtuous character would ensure the prosperity and progress of the race while simultaneously undermining white racism.

Although separated by more than three years, Walls and Langston’s speeches on education and black citizenship had notable similarities. Both were rooted in the familiar themes of black manhood and citizenship rights. Walls and Langston believed that only through greater education could the prejudices and ignorance of the South be overcome. Whether captured in Walls’s political sparring with white Democrats or in Langston’s more toned-down rhetoric of racial uplift, the thrust was unmistakable: in order to progress and prosper as free and equal citizens African Americans needed greater access to education. By achieving this feat, the race would elevate itself to a position where it could not be swindled by the machinations of whites, and perhaps whites themselves (aided by the same expansion of educational opportunities) would overcome their deep-seated animosity toward newly freed blacks.

³⁵⁸ Ibid, 280.

³⁵⁹ Ibid, 286.

The Perils of Black-Majority Politics: South Carolina

Black political leaders had no guarantees of advancement or personal safety, not even in states with majority black populations. While Walls had to walk a tightrope in a state where blacks and whites were almost evenly divided, former Union naval hero Robert Smalls would find it equally difficult to navigate the thicket of postwar politics in black-majority South Carolina. The existence of a large and assertive black population actually increased the threat of violence from whites all too aware that they were outnumbered. Most whites were unwilling to accept the radical changes to society imposed by the Civil War and emancipation, and blacks would no longer tolerate the conditions under which they had lived prior to the Civil War.³⁶⁰ Much like their counterparts across the region, African Americans in South Carolina grew increasingly militant in their demands for economic autonomy, political rights, and access to land.³⁶¹

Entering the Forty-Fourth Congress in March 1875, Smalls served alongside incumbent black congressmen John R. Lynch (Mississippi), Joseph H. Rainey (South Carolina), and Josiah T. Walls (Florida), as well as fellow freshmen Charles E. Nash (Louisiana), Jeremiah Haralson (Alabama), and John Adams Hyman (North Carolina). In addition, Blanche K. Bruce of Mississippi was serving as the only black member of the U.S. Senate. Despite the larger contingent of blacks in Congress, Smalls arrived at a time

³⁶⁰ The wide divide between whites and blacks in South Carolina is striking. In 1870 there were 415,814 blacks (59 percent) and 289,667 whites in the state. In the Fifth Congressional District (which elected Smalls), there were 35,808 male citizens twenty-one years of age and older. In that same district, 20,870 black males twenty-one years of age and older and 1,837 whites could not write. My analysis of South Carolina in the postbellum period draws upon a wide range of secondary sources, including George Brown Tindall, *South Carolina Negroes, 1877-1900* (1952; Columbia: University of South Carolina Press, 2003); Thomas C. Holt, *Black over White: Negro Political Leaders in South Carolina during Reconstruction* (Urbana and Chicago: University of Illinois Press, 1977); Richard Zuczek, *State of Rebellion: Reconstruction in South Carolina* (Columbia: University of South Carolina Press, 1996); Julie Saville, *The Work of Reconstruction*; and Stephen Kantrowitz, *Ben Tillman and the Reconstruction of White Supremacy* (Chapel Hill and London: University of North Carolina Press, 2000).

³⁶¹ Saville, *The Work of Reconstruction*, esp. 72-101.

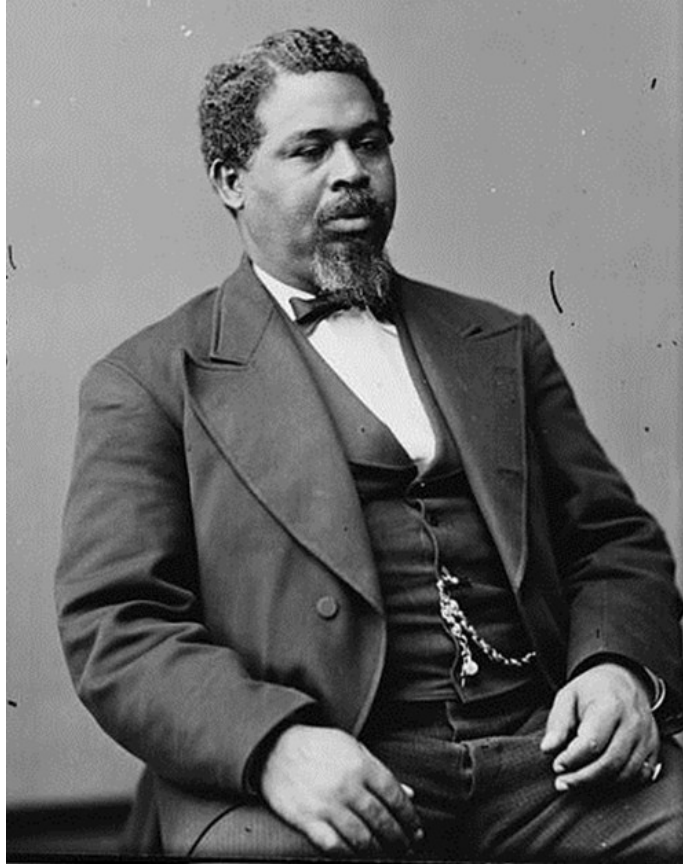
when Republican supremacy was waning: the 1874 congressional elections had produced a Democratic majority in the House of Representatives for the first time in eighteen years. Incoming Democrats would hold 169 seats to the Republicans' 109.³⁶² Thus the election of 1874 signaled the beginning of the end for Radical Reconstruction.

Nevertheless, African American militancy regarding economic rights had not decreased, and Smalls would be called upon to help in restoring order and preventing bloodshed as black laborers moved to secure better pay conditions.

On August 18, 1876, two days after Wade Hampton received the Democratic nomination for governor and almost a week after the disruptive Republican rally at Edgefield (where Smalls's life was threatened), black laborers in the South Carolina Low Country (including Smalls's hometown of Beaufort) went on strike. The work stoppage grew and began spreading to other plantations. Eventually, members of the white judiciary called upon a local rifle club to restore order. Members of this group arrested five of the strike's ringleaders at the Clay Hall Plantation owned by trial justice Henry H. Fuller at Sheldon, South Carolina. A crowd of blacks arrived, released their compatriots, and drove the whites (members of the rifle club, the sheriff, and the constables) to hide in the plantation threshing mill. State Attorney General William Stone contacted Smalls, who was attending a rally with black Lieutenant Governor Robert Gleaves at Walterboro. Smalls was a major general in the state militia, and Stone ordered him to muster the troops and put down the striking workers.³⁶³

³⁶² Miller, *Gullah Statesman*, 93.

³⁶³ My summary of the main developments related to the strike is based on Eric Foner, *Nothing But Freedom: Emancipation and Its Legacy* (Baton Rouge: Louisiana State University Press, 1983), 95-102. George C. Rable places this episode in the context of the widespread violence across South Carolina. See Rable, *But There Was No Peace*, 163-76; his brief treatment of the rice strikes and Smalls's role in calming them down is on pp. 170-71.



Congressman Robert Smalls of South Carolina. Source: Library of Congress, Prints and Photographs Division. "Prints & Photographs Online Catalog." *Prints and Photographs Reading Room*. <http://www.loc.gov/pictures/item/brh2003000291/PP/>. Reproduction number: LC-DIG-cwpbh-03683 (digital file from original negative).

According to H. D. Elliott, a twenty-eight-year-old white superintendent of a local plantation, the striking laborers wanted their wages for cutting rice increased from \$1 to \$1.50 per acre. Strikers were attacking laborers still willing to work for the old price and forcing them to leave their fields.³⁶⁴ Elliott reported seeing a crowd of 150 black strikers drive out thirty who refused to fight for higher wages and beat many of them. Three of the most badly beaten came to where Elliott and others were standing and "desired to

³⁶⁴ U.S. Congress, House of Representatives, *Recent Election in South Carolina. Testimony Taken by the Select Committee on the Recent Election in South Carolina*. (12 Jan. 1877), House Miscellaneous Document No. 31, Part II, 44th Cong., 2nd Sess., 78-79, in "U.S. Congressional Serial Set, 1817-1980," accessed 23 July 2012, <http://www.infoweb.newsbank.com/?db=SERIAL>, hereafter cited as *South Carolina Testimony*.

take out warrants against those parties for beating them.”³⁶⁵ When the trial justice (presumably Henry Fuller) signed warrants, the deputy sheriff, accompanied by another man, attempted to arrest some of the perpetrators but met some resistance, forcing him to return to a local store. As he made his return, Elliott claimed, a large crowd of blacks followed and surrounded the deputy sheriff in the store. Elliott could speak as an eyewitness to these events because he joined a thirty-five-man posse that met in the store the following day “in case the sheriff needed our services.” He explained: “We sta[ye]d in that store the whole night, the lives of these men being threatened if they would come out, and the negroes threatening not only to burn the store, but all the houses on the river, if those men could not be had to satisfy their revenge.”³⁶⁶

When asked how he had been rescued, Elliott stated that after twenty-four hours trapped in the store, “We were finally released by the influence of Congressman Robert Smalls, who had gone up to Walterborough to a political meeting.” Smalls averted the bloodshed by “persuad[ing] the crowd that they were acting entirely illegally, and that they had better disperse and go to their homes.” When asked if the strikers were “quite violent during the night,” Elliott replied that “They were violent at all times, even after Smalls arrived. Some of them did not want to respect him.”³⁶⁷

Much of Elliott’s description conflicts with Smalls’s own account of the “Combahee Riot” that he wrote to Republican Governor Daniel H. Chamberlain on August 24, 1876: “I proceeded yesterday to the disturbed rice districts and found no rioters, nor had there been a riot, but I did find a large body of men numbering about

³⁶⁵ *South Carolina Testimony*, 79.

³⁶⁶ Ibid.

³⁶⁷ Ibid.

three hundred who had refused to work for checks.”³⁶⁸ Smalls identified changes in payment policy, not demands for increased wages, as the root cause of the strike. He noted that “the rice planters issued these checks instead of money ... they are only redeemed in goods that must be purchased at exorbitant prices at the store of the planters.”³⁶⁹ Furthermore, Smalls claimed that he “found no lawless disposition among the strikers ... not one of them appeared upon the ground with any kind of weapon, except a club or a stick, saying that they knew it was against the law to bring their guns.” By contrast, he found “forty to sixty white men, mounted and armed with Spencer rifles and sixteen shorts and double barreled shot guns; the presence of these armed white men did much to alarm and excite the strikers.”³⁷⁰

Overall, Smalls described a more orderly and quiet scene than the one Elliott painted for the congressional committee. Nevertheless, Smalls’s sympathy was clearly with the strikers, and he believed that Trial Justice Fuller should “be removed” from the pending cases of strikers who had been arrested “as he is a large planter and one who issues checks to his laborers,” a fact that provoked “dissatisfaction on the part of laborers when brought before him.”³⁷¹ Labor strikes and the threat of interracial violence were only the tip of the iceberg; the violence that pervaded South Carolina weighed heavily on Smalls’s mind as he returned to Congress. He would do his part to make sure that the travails of his people would gain national visibility.

³⁶⁸ Robert Smalls to Governor Daniel H. Chamberlain, 24 August 1876, 1, in Governor Daniel H. Chamberlain Letters Received, S518004 Box 14, Folder 9, at the South Carolina Department of Archives and History, Columbia (hereafter cited as Governor Chamberlain Letters Received).

³⁶⁹ Ibid.

³⁷⁰ Ibid, 3; for a fuller treatment on the nature of Smalls’ sympathy with the strikers, which draws heavily on this letter, see Foner, *Nothing But Freedom*, 97-98.

³⁷¹ Smalls to Chamberlain, 24 August 1876, 5; Foner, *Nothing But Freedom*, 97-98.

Instances like the Combahee Riot would confront African Americans and their leaders with complex decisions that would severely test their commitment to gaining civil and political equality as well as their ability to govern effectively in an unfamiliar interracial political order. As black congressmen won elections following the establishment of Republican Reconstruction regimes across the South, the violence and instability that plagued early state politics increasingly threatened to undermine their authority and destroy all that they had worked so hard to build in the immediate aftermath of the Civil War.

The Coming of Redemption

As Smalls confronted an increasingly unstable political situation in South Carolina, John Roy Lynch returned to his home state of Mississippi, where he found a new and challenging environment—one in which victory in the primaries did not guarantee ultimate triumph. After a bruising series of state elections, Lynch tried to get the federal government to intervene. In late November 1875 he met privately with President Ulysses S. Grant at the White House. Lynch came on the pretext of arguing in favor of dismissing a local postmaster, but he had more pressing concerns. The recent elections in Mississippi had concluded amidst troubling antiblack and anti-Republican violence. Lynch wanted to know why Grant had not intervened with federal troops. Grant explained that he wanted to send troops into Mississippi but thought that by doing so he would alienate the Ohio Republican Party; obviously, in his political calculations, success in Ohio trumped Republican victory in Mississippi. Keeping troops stationed in the South to protect black civil rights was no longer popular among the Northern electorate, and it

caused electoral difficulties for Northern Republicans. According to his autobiography, Lynch answered Grant:

Can it be possible ... that there is such a prevailing sentiment in any state at the North, East, or West, as renders it necessary for a Republican president to virtually give his sanction to what is equivalent to a suspension of the Constitution and the laws of the land to insure Republican success in such a state [Ohio]? What surprises me more, Mr. President, is that you yielded and granted this remarkable request. That is not like you. It is the first time I have ever known you to show the white feather.³⁷²

Lynch recalled Grant's response: "I admit that you are right. I should not have yielded. I believed at the time that I was making a grave mistake. But the way it was presented, it was duty on one side and party obligation on the other. Between the two, I hesitated, but finally yielded to what was believed to be party obligation. If a mistake was made, it was one of the head and not of the heart."³⁷³ Clearly, Northern commitment to black civil rights had reached its lowest point, and even Grant (who by and large supported black equality) was more willing to follow political expediency than risk angering prospective Republican voters.³⁷⁴

The violence worried Lynch. His concerns are quite evident in his later reflections on the composition of Southern voters:

The Republican vote consisted of about ninety-five percent of the colored men and about twenty-five percent of the white men. The other seventy-five percent of the whites, or most of them, formerly constituted a part of the flower of the Confederate Army. They were not only tried and experienced soldiers, but they were fully armed and equipped for the work before them.

³⁷² Lynch, *Reminiscences*, 174-75. An additional account of this meeting and of the violence that occurred in Mississippi during the elections of 1875 may be found in Nicholas Lemann, *Redemption: The Last Battle of the Civil War* (New York: Farrar, Straus, and Giroux, 2006), 135-69.

³⁷³ Lynch, *Reminiscences*, 174-75.

³⁷⁴ Lemann, *Redemption*, 136. It is uncertain whether Lynch accurately remembered the exact wording of the conversation, but the twenty-eight-year-old congressman's approach was consistent with his long political career; he was a fighter, but he knew when to pick his fights.

Though some black Republicans had been Union soldiers, they were not as well organized as whites, nor did they have sufficient arms. “In such a contest, therefore,” Lynch concluded, “they and their white allies were entirely at the mercy of their political adversaries.” For white Democrats, meanwhile, “It was a case in which the ends justified the means and the means had to be supplied.”³⁷⁵

The scale of the electoral violence is described by an editorial in the *Chicago Daily Inter Ocean* on November 2, 1876. Titled “Mississippi. How the ‘Reformers’ are Working the Campaign,” the article described events at a political rally on October 21: “When Lynch arrived on the ground he was informed that he could not speak unless he made a Democratic speech, upon which, desiring to avoid a conflict, he dispersed the meeting. Lynch was obliged to leave town and seek refuge in the country.”³⁷⁶ The local White League was targeting Lynch and the local deputy U.S. Marshal. “On Saturday evening the [White] League offered \$10 to disclose the whereabouts of Congressman John R. Lynch, that they might ‘give him a hemp necklace.’ Deputy United States Marshal Sprott and Congressman Lynch were both fortunate enough to get away in time.”³⁷⁷ Such threats to Lynch’s life and other challenges to black political participation informed his extensive testimony on the subject of Southern violence before the U.S. Senate.

Commenting on the acts of violence in Jefferson and Claiborne Counties, Lynch testified later, “In the first place, the democratic party in these two counties was an armed military organization, brought into existence for aggressive political purposes. They

³⁷⁵ Ibid, 167.

³⁷⁶ “Mississippi. How the ‘Reformers’ Are Working the Campaign,” *Daily Inter Ocean* (Chicago), 2 Nov. 1876, in “19th Century U.S. Newspapers,” accessed 17 Oct. 2009, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP.

³⁷⁷ Ibid.

would allow no republican meeting to be held and no republican speeches to be made by anybody; I speak now of a few weeks preceding the election.”³⁷⁸ Lynch explained that he had an appointment to speak at Port Gibson in Claiborne County, but when he arrived he found the town “filled with armed democrats, and I felt that there was a great deal of danger that that excitement would culminate in a riot if I should attempt to make a speech.” He gathered blacks together and told them that he would speak only if the local sheriff “would guarantee a peaceable meeting.”³⁷⁹ It soon became apparent to Lynch that neither the sheriff nor his aides would protect Lynch and his constituents. Furthermore, one of the aides remarked that “they did not intend to allow the democratic party or its candidates to be slandered, and if I made a speech which they felt called upon to object to I would be given the lie, and be liable for the consequences. I understood from that that I would not be allowed to talk without interruption.”³⁸⁰

Lynch’s testimony was backed by national newspapers such as the *New York Times*, which printed an article denouncing the intimidation tactics of Mississippi’s Democratic Party. Describing an attempted Republican political meeting in Fayette (Jefferson County), Mississippi, the correspondent noted that African Americans left the meeting site after “a large number of armed members of the Democratic clubs had made their appearance on the ground and warned them to leave, as there would be bloodshed if the Independents and Republicans attempted to hold a meeting.”³⁸¹

³⁷⁸ U.S. Congress, Senate, *Testimony as to the Denial of Elective Franchise in Mississippi at the Elections of 1875 and 1876, taken under the Resolution of the Senate of December 5, 1876*, 44th Cong., 2nd Sess., Senate Misc. Doc. 45 (Washington: Government Printing Office, 1877), 109 in “U.S. Congressional Serial Set, 1817-1980,” accessed 13 Feb. 2012, <http://www.infoweb.newsbank.com/?db=SERIAL>. Hereafter cited as Senate Misc. Doc. 45.

³⁷⁹ Ibid, 109-10.

³⁸⁰ Ibid, 110.

³⁸¹ “Free Speech in the South. Mob Violence in Mississippi. Republicans Persecuted for their Opinions—The Democratic Plan of Conducting Political Campaigns—Radical Speeches Not Permitted—

Given such developments, Lynch's blunt description of the Democratic strategy in Mississippi was appropriate. He noted, "This terrorism was so intense, and especially in Claiborne, as in my judgment to make life, liberty, and happiness perfectly insecure except to democrats. I do not think there is any such thing as law in that society."³⁸²

The Trial of Smalls: Dueling Governments, Black Democrats, and Contested Elections

The increasing violence and political instability in the South provide the backdrop for Robert Smalls's speech before the House of Representatives on February 24, 1877. By then South Carolina had two opposing state governments vying for legitimacy. Responding to the congressional investigation of these elections, Smalls attempted to undermine the Democratic majority's ruling against Republican claims to be the legitimate state government for South Carolina. But his message was directed not only at the House, but to all Americans. Black congressmen in this period generally drew upon three strategies to defend the principle of political equality: they cited their own political integrity, demanded freedom in the realm of politics, and decried white intimidation and violence.³⁸³ The rhetorical strategy employed by Smalls relied on describing depredations against white supporters of the Republicans, rather than solely focusing on atrocities perpetrated against black voters.³⁸⁴ Along these lines, Smalls asserted, "The Democratic party pursued a policy calculated to drive from the State every white man who affiliated with the Republican party or who would refuse to join them in their attempts to deprive

How Bloodshed Was Avoided," *New York Times*, 18 Sept. 1877, accessed 17 Oct. 2009, <http://www.nytimes.com>. Lynch describes this affair in his testimony, see Senate Misc. Doc. 45, 112-14.

³⁸² Senate Misc. Doc. 45, 114.

³⁸³ William A. Haskins, "The Rhetoric of Black Congressmen, 1870-1877: An Analysis of the Rhetorical Strategies Used to Discuss Congressional Issues" (Ph.D. Diss., University of Oregon, 1977), 205.

³⁸⁴ Here I am relying on Haskins's discussion of a "Rhetorical Strategy of Anti-Violence." With respect to the connection between these strategies and Smalls's 1877 speech, see Haskins, "The Rhetoric of Black Congressmen, 1870-1877," 229-32.

the Negro of the rights guaranteed to him by the Constitution of South Carolina and of the United States.” This policy, he continued, intended to reduce blacks to political dependence on their former masters, placing blacks at the mercy of those who had degraded their manhood.³⁸⁵

Smalls acknowledged that “the white race of the South possesses intelligence and courage” but asserted that the “existence of the institution of slavery cemented their personal interests and compelled them to act in concert in political matters.” He carefully avoided alleging any innate tendency toward racism or violence among white Southerners, emphasizing instead the deleterious effects of slavery as an institution on their character. That institution inculcated in whites (particularly the ruling class) “a domineering spirit, a disposition to ignore and trample down upon the rights of those they could not control.”³⁸⁶ It was for this reason, according to Smalls, that the United States experienced both the Civil War and the unsettling strife and instability of Reconstruction.

Smalls declared, “The late slaveholding class will not submit peacefully to a government they cannot control, believing they are a superior race ... they feel justified in resorting to any means of power to accomplish their end. To achieve their purpose they take human life with impunity, drive citizens from their homes, and perpetrate fraud against them.”³⁸⁷ Smalls was merciless in his blunt depiction of the Southern mentality and the methods used by white Southerners to overthrow legitimate Republican governments in the Palmetto State. He outlined how the use of such unconscionable

³⁸⁵ Robert Smalls, “‘An Honest Ballot Is the Safeguard of the Republic.’ Speech of Hon. Robert Smalls, of South Carolina, in the House of Representatives, February 24, 1877, On the Electoral Vote of South Carolina.” *Appendix to the Congressional Record*, 44th Cong., 2nd Sess. (24 Feb. 1877): H. 123, in “U.S. Congressional Documents,” accessed 20 Sept. 2012; Smalls, “An Honest Ballot Is the Safeguard of the Republic” (24 Feb. 1877), in Middleton, ed., *Black Congressmen During Reconstruction*, 335-42.

³⁸⁶ Ibid.

³⁸⁷ Ibid.

violence would stand as a bloody legacy tarring the reputation of the United States. The determination of ex-slaveholders to wield control over their former property “has prompted many scenes of cruelty that make the history of the new South one of blood and form the subject for one of the darkest pages in American history.”³⁸⁸ Smalls then offered detailed evidence and clear examples of the abuses rocking his native state.

In direct contrast to the skewed perceptions of corruption by both Southern opponents and suspicious Northerners, Smalls argued that Governor Daniel Chamberlain’s administration was “one of marked reform, of a character to command the admiration of every citizen.”³⁸⁹ Chamberlain had significantly curtailed abuses of “the pardoning power” and had reduced wasteful spending and corruption with respect to taxation. The “grand total” of savings under Chamberlain’s guiding hand had been \$1,719,488, and Smalls made a point of noting that all of his evidence had been published by a major Democratic newspaper in the state, the *Charleston News and Courier*.³⁹⁰ Since there was no basis for white opposition to South Carolina’s Republican government, the cries against rampant corruption were simply a ruse to justify violent opposition to Republican government in South Carolina.

Smalls boldly claimed that Chamberlain was still alive only because “it would not be good policy at this time, when [Wade] Hampton is seeking to win the confidence of northern people, to murder him.”³⁹¹ He knew the realities of South Carolina politics, who was behind the violence and depredation, and who truly controlled the state of affairs—namely, ex-Confederates such as Wade Hampton. Within this context, noting the

³⁸⁸ Ibid.

³⁸⁹ Ibid, H. 124.

³⁹⁰ Ibid.

³⁹¹ Ibid.

contradictions in the opposition to Republican rule as well as the realities of racially motivated violence, Smalls gave concrete examples of the nature of violence in his state and how it influenced black voting, thereby contributing to electoral instability and uncertainty during the 1876 election.

Smalls's list of Democratic intimidation tactics included:

The killing of colored men; making threats of personal violence; sending threatening letters, coffins, bullets, etc.; by riding armed through the country, by day and by night; by firing into the houses of republicans; by breaking up republican mass meetings; by forming armed bodies, dressed in red shirts, called rifle clubs; by discharging employees who refused to promise to vote the democratic ticket, etc.³⁹²

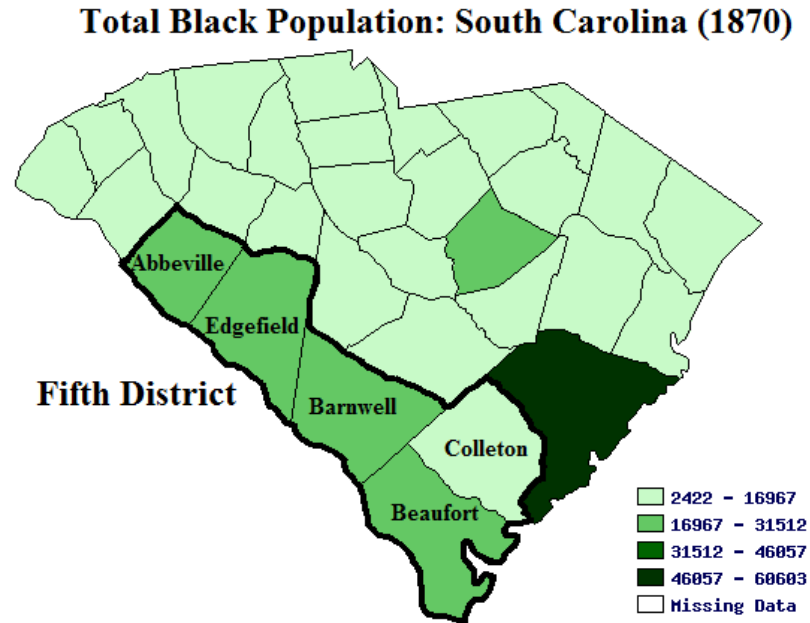
Smalls concluded that these measures formed part of an “organized system, a reign of terror among the Republicans of the State.”³⁹³ Undoubtedly he was speaking from personal experience; at the rally in Edgefield (the home county of the Tillman brothers) in August 1876 Smalls had seen the full force of the Democratic “reign of terror” against Republicans. Yet he kept silent about his own experience at Edgefield (save for testimony regarding the treatment of Governor Chamberlain) and among striking black laborers while making his case against Democratic abuses.³⁹⁴ It is quite possible that Smalls chose not to emphasize his personal experience because he believed that the white Democrats in his audience would merely take pleasure in Smalls's humiliation and intimidation, and that calling attention to such moments would hurt rather than help his efforts to defend the rights of his embattled constituents.

Despite (or perhaps because of) his spirited attempts to expose ruthless Democratic tactics, Smalls would soon face direct challenges to his office in the form of

³⁹² Ibid, H. 125.

³⁹³ Ibid.

³⁹⁴ Ibid, H. 133-36.



Source: University of Virginia. *Historical Census Browser*.

three contested election cases. The first two cases pitted him against George Dionysus Tillman, the older brother of future governor “Pitchfork Ben” Tillman. George Tillman challenged Smalls’s victory in the 1876 election for the Fifth Congressional District (which consisted at that time of Edgefield, Aiken, Barnwell, Colleton, and Beaufort counties). The majority ruling, published on June 8, 1878, declared that neither candidate was entitled to take the seat and declared it vacant, whereas the minority report urged that Robert Smalls be allowed to keep his seat.³⁹⁵

The language embraced by the majority report in the first case indicates the shifts already well underway that would undermine Reconstruction and illustrates the growing obstacles confronting qualified black leaders. George Tillman marshaled evidence of

³⁹⁵ I focus only on the first challenge by George D. Tillman. See U.S. Congress, House of Representatives, *Tillman vs. Smalls. Papers in the Case of Tillman vs. Smalls, Fifth District South Carolina*, 45th Cong., 1st Sess. (9 Nov. 1877), House Miscellaneous Document No. 11, (hereafter cited as *Tillman vs. Smalls* [1877]), and U.S. Congress, House of Representatives, *Tillman vs. Smalls, Fifth Congressional District of South Carolina*. 45th Cong., 2nd Sess. (8 June 1878), House Report No. 916 (hereafter cited as *Tillman vs. Smalls* [1878]). Both in “U.S. Congressional Serial Set, 1817-1980,” accessed 26 March 2012, <http://www.infoweb.newsbank.com/?db=SERIAL>.

local forms of intimidation that impressively reflect the local black community's commitment to Smalls and the success of the Republican Party in the Fifth Congressional District. Two black witnesses spoke on behalf of Tillman and painted a picture of internal black coercion and intimidation. At times the testimony seemed to border on the ridiculous, but it also appeared to substantiate prevalent white myths surrounding black incompetence at the polls.

Responding to a question regarding violence at the polls, forty-three-year-old John Bird, a colored native of Parris Island, testified that black Republicans: "sent in a lot of women after me, and they took hold of me and brought me out before the door, and said, 'Kill him; he is a Democrat man.'" ³⁹⁶ At that point, Bird claimed, "A Republican got up and made a speech to them, and told them to keep quiet, or if not the poll would be thrown out; said ... that he came there to give them advice not to vote for Hampton; that if they voted for Hampton they would not go into slavery, but they would have been better in slavery, for they would be treated like a dog." ³⁹⁷

This colorful testimony, despite its questionable veracity, may contain some interesting kernels of truth about the political consciousness of the black community, especially toward the violent end of Reconstruction. According to Bird, Smalls traveled to Parris Island before the election and instructed black women to throw their husbands out of the house if they voted for the Democratic ticket. He then gave an example, explaining that Smalls had told the story of a black man named John who went to "Massa Hampton" pledging to vote for him. No sooner had he returned back home that his wife

³⁹⁶ *Tillman vs. Smalls* (1877), 26. Dorothy Sterling quotes excerpts of these testimonies, which directed me back to the contested election reports, in Sterling, ed., *We Are Your Sisters: Black Women in the Nineteenth Century* (New York and London: W. W. Norton & Company, 1984), esp. 370.

³⁹⁷ *Tillman vs. Smalls* (1877), 27.

declared that, “she would not give him any of that thing [sex] if you vote for Massa Hampton.” John returned and said that he couldn’t vote for Hampton “for woman is too sweet, and my wife says if I vote for you she won’t give me any.” Smalls concluded, “And, ladies, I think, if you all do that, we won’t have a Democratic ticket polled on Parris Island.”³⁹⁸

The significance of this testimony, and indeed the existence of black Democrats, has always been a source of tension and confusion for scholars of Reconstruction and the postwar period in general.³⁹⁹ Irrespective of partisan bias inherent in local newspapers and in congressional testimony, there is general scholarly consensus that most of the violence and intimidation was a product of white opposition to black political participation.⁴⁰⁰ Even so, most likely there were lesser instances of black electoral violence. No political community, no matter how oppressed, is ever a fully united or monolithic bloc. Indeed, as intraparty and intraracial factionalism throughout the South illustrated, African Americans were not immune to divisions even if they embraced broad agreement on fundamental goals such as civil rights and expanded educational opportunities. The presence of increased black militancy, armed black rallies, and politically active black women (some of whom carried rifles) should only increase the

³⁹⁸ Ibid, 26.

³⁹⁹ Most scholars tend to dismiss black Democrats as mere pawns of white planters. The case of Florida’s John Wallace is instructive. He was a black politician who became a Democrat and “wrote” an unflattering history of the state’s ordeal with Reconstruction that most scholars claim was ghostwritten for him by a white planter to whom he owed allegiance (see Foner, *Freedom’s Lawmakers*, 222 and Brown, *Florida’s Black Public Officials*, x). Rable correctly points out the pitfalls of relying too heavily on either newspapers or congressional testimony due to the biases, partisan squabbles, and the presence of exaggeration on both sides (see his bibliographical note in *But There Was No Peace*, 248-49). Future research should be undertaken to examine more thoroughly the presence and motivations of black Democrats in the postbellum South.

⁴⁰⁰ However, the work of Elsa Barkley Brown and Steven Hahn illuminates the presence of politically active women and a more violent and militant black community. See Brown, “Negotiating and Transforming the Public Sphere: African American Political Life in the Transition from Slavery to Freedom,” *Public Culture* 7, no. 1 (Fall 1994): 107-46; Hahn, *A Nation under Our Feet*, 302-13 (which focuses specifically on South Carolina).

presumption that there were a few black Democrats in the mix of post-Civil War political life. As the Republican establishment became moribund in most parts of the South by the close of the 1870s, many African Americans opted to engage in third-party agrarian movements or even fuse with Democrats in order to carve out niches in which some modicum of black political activism could persist. Undoubtedly, many African Americans voted for Democrats because of intimidation or bribery. But the strong possibility also exists that some blacks chose to side with the Democratic Party either for strategic reasons (to pressure recalcitrant white Republicans) or because they shared views held by the planter class. Just as blacks responded very differently to the destruction of slavery, some segments of the black community may have favored a less radical course of action and thus chose to support the Democratic Party.⁴⁰¹ While the overwhelming majority of newly freed men and women embraced the party of Lincoln, not all blacks unquestioningly supported the national Republican Party or the Republican candidates put up for local office.

Even though Bird's testimony may have been jaundiced, it contains certain points that cannot be ignored. First, the presence of politically active black women illuminates concretely the tangible connections between black politicians and the black community. Consider the testimony of another colored man, John Mustifer, who had been involved in the tumultuous rice field strikes that Smalls was asked to quell. When asked about further instances of intimidation at the polls, he stated: "The only thing I know about the practice of intimidation before I went to the polls, the last meeting we held in the camp-ground, Mr. Robert Smalls give us to understand any gentlemen courting the ladies to not marry

⁴⁰¹ See Leon F. Litwack's penetrating discussion of the ambiguous responses of blacks to emancipation, see Litwack, in *Been in the Storm So Long: The Aftermath of Slavery* (1979; New York: Vintage Books, 1980), 212-20.

them until we get through voting. If a gentleman vote the Democratic ticket, to don't marry them. [Those] what is married 'don't service to them in bed.' ”⁴⁰² Mustifer claimed that his own wife would “throw hot lead in his throat” while he was sleeping if he even spoke about voting for the Democrats. Smalls, he said, “wants every womens to follow her husband with her club in her hand, and dare him to vote any Democratic ticket, and all our mens that fail to vote the Republican ticket, and the women to make a row, and all colored mens [that] vote the Democratic ticket [are] selling their wives and children.”⁴⁰³

When pressed further (with a series of partisan and leading questions) to discuss the political participation of black women and whether or not violent means were used, Mustifer noted the presence of many women at the polls: “Women had sticks; no mens were to go to the polls unless their wives were right alongside of them; some had hickory sticks; some had nails—four nails drive in the shape of a cross—and dare their husbands to vote any other than the Republican ticket.”⁴⁰⁴ Some of the women also had a “few pistols and razors.” When asked if there were many women present, he claimed that there were more than one hundred.⁴⁰⁵

Mustifer affirmed that black women did not just threaten to withhold sex, but used even more coercive means to secure their men's allegiance to the Republicans on election day: “My sister went with my brother-in-law to the polls, and swear to God if he voted the Democratic ticket she 'would kill him dead in his sleep.' I got a son to-day was to have been married in December; on the cause of his voting the Democratic ticket the

⁴⁰² *Tillman vs. Smalls* (1877), 193.

⁴⁰³ *Ibid.*

⁴⁰⁴ *Ibid.*, 193-94.

⁴⁰⁵ *Ibid.*, 194.

woman refused to marry him.”⁴⁰⁶ Such testimony both reveals the grassroots nature of black political mobilization, and highlights the power, influence, and respect that a leader like Smalls commanded among his constituents. Both Bird and Mustifer alleged that Smalls had successfully encouraged aggressive campaign activities by black female constituents. Even though they were testifying on behalf of Tillman, their observations suggested that politics had become a black community affair, and that the community (women as well as men) was deeply dedicated to ensuring their fellow black political leaders’ success at the polls.

These subtleties, however, were lacking in the majority report, which gave several intriguing reasons (as submitted by George D. Tillman) for contesting Smalls’s victory. Two of the accusations, one dealing with the use of federal troops and the other with black intimidation of whites, demonstrate how Democratic tactics of intimidation could be reversed in order to cast blame on the victims. With respect to undue influence on the part of the federal government, the majority report asserted:

The Government of the United States, without cause other than to influence the result of said election in favor of the contestee [Smalls] and the Republican party, sent troops into every county in said district, and that the presence of said armed forces of the United States and their influence at the polls had the effect to greatly change, by intimidation, the result of said election in said several counties.⁴⁰⁷

The majority report also asserted that blacks engaged in violent intimidation and ostracism against their own people to prevent them from casting their ballots for the Democrats. Drawing upon the testimony of men like Bird and Mustifer, the report noted the presence of “armed and organized” blacks at the polls. The alleged threats directed against colored Democrats by these black rabble-rousers took the form of “social and

⁴⁰⁶ Ibid, 195.

⁴⁰⁷ *Tillman vs. Smalls* (1878), 2. The 1878 document was a second report on the same contested election case.

religious ostracism, and persecution by colored Republican social and religious organizations” which “materially changed” the results of the election in favor of Smalls over Tillman.⁴⁰⁸

Ultimately, the majority committee agreed with Tillman’s accusations and ruled that, “the evidence in this case shows that troops were sent into this district for the sole purpose of influencing the election; that such influence is destructive to free government, and should be met by declaring the election void.”⁴⁰⁹ With no sense of irony it further declared that “the intimidation and terrorism which existed in this district at and before the election, owing to the presence of troops and other causes ... were such as to destroy the election.”⁴¹⁰ The report failed to reflect any understanding as to the true reason for the presence of U.S. troops in South Carolina. When Smalls countered Tillman by asserting that whites had been engaging in violent intimidation and not the other way around, the Democrat-led committee paid little heed and simply put forward a balanced-sounding conclusion that all parties were to blame and that therefore no one was entitled to the seat.

Black Opposition to the Compromise of 1877 and the Downfall of Reconstruction

In addition to drawn-out contested elections (such as those faced by Smalls), black congressmen also confronted the prospect of a Democratic victory in the presidential election of 1876. They opposed the creation of a Federal Electoral Commission to resolve the disputed Hayes-Tilden election. The fifteen-member commission, consisting of members of the House, U.S. Senators, and U.S. Supreme Court justices, was ostensibly a bipartisan attempt to resolve the electoral crisis posed by

⁴⁰⁸ Ibid.

⁴⁰⁹ Ibid, 42.

⁴¹⁰ Ibid.

fraud and intimidation in the recent presidential elections (which had occurred in both Southern and Northern states). Among the staunchest opponents of the Commission was John Roy Lynch, who suspected that any compromise in this election would result in the abandonment of black Southerners to the whims of their former masters. Unable to secure federal intervention to stop widespread violence in his home state, Lynch moved to prevent the presidential election from being hijacked by his white Democratic opponents.

The terrorism afflicting Mississippi and South Carolina almost certainly informed black congressional opposition to the appointment of the Federal Electoral Commission. Lynch, Smalls, and the other four remaining black congressmen were among the 68 Republicans who voted against the bill establishing the electoral commission.⁴¹¹ Lynch gave two reasons for his opposition. First, he “believed it was a bad and dangerous precedent to subject the presidency of the United States to a game or scheme of luck or chance as was contemplated by the bill then under consideration.” Second, he suspected that the Commission “was the outgrowth of an understanding or agreement which would result in the abandonment of Southern Republicans by the national administration.”⁴¹²

Lynch sensed something suspicious after observing the behavior and rhetoric of his Democratic counterparts. For example, Mississippi’s L. Q. C. Lamar “did not hesitate to declare that it was more important that the South should have local self-government than that the president should be a Democrat.”⁴¹³ Southern Democrats wanted to be left

⁴¹¹ Lynch, *Reminiscences*, 195. The four other black congressmen voting against the Federal Electoral Commission’s establishment were Jeremiah Haralson (Alabama), John Adams Hyman (North Carolina), Charles Edmund Nash (Louisiana), Joseph Hayne Rainey (South Carolina). An accounting of the vote totals may be found in the *Congressional Record*, 44th Cong., 2nd Sess. (26 Jan. 1877): H. 1050.

⁴¹² Lynch, *Reminiscences*, 195. For his private comments to black Senator Blanche Kelso Bruce, see Lynch’s relevant letters, Blanche Kelso Bruce Papers, Box 9-2, Folder 58, General Correspondence, Lynch, J. R., Howard University, Washington, DC (hereafter cited as B.K. Bruce Papers). For the text of his speech, see the *Congressional Record*, 44th Cong., 2nd Sess. (26 Jan. 1877): H. 1025-26.

⁴¹³ Lynch, *Reminiscences*, 195.

alone without any interference or oversight by the president or the national government, even if that “should result in a virtual nullification, in part at least, of the war amendments to the federal Constitution.”⁴¹⁴

Lynch believed that the makings of a potential compromise unfriendly to black interests were centered on the acceptance of a Federal Electoral Commission.⁴¹⁵ He wrote that Southerners were willing to accept a Republican president, knowing that they would have a freer hand in the government of their own states, and that they knew this early enough in order to support the creation of the Federal Electoral Commission. Lynch’s suspicions were “strengthened by the fact that the principal opposition among Democrats to the creation of the commission and the ratification of its decision came from Northern Democrats. Southern Democrats, with a few notable exceptions ... favored the creation of the commission and the ratification of this decision.”⁴¹⁶ The Mississippi congressman’s fears were borne out once Hayes implemented his Southern policy: “The new administration had been in power only a short while before it became apparent to Southern Republicans that they had very little to expect or hope from this administration.”⁴¹⁷ It was clear that Hayes would appoint a Southern Democrat to his cabinet as a postmaster, and the appointment of such a person, “especially at that particular time, was a crushing blow to Southern Republicans.”⁴¹⁸

⁴¹⁴ Ibid, 195.

⁴¹⁵ The literature on the Compromise of 1877 is vast. Michael F. Holt’s most recent contribution to the subject (which I rely on heavily for background reading) argues that there was no compromise. In spite of meetings between Republicans and Southern Democrats, most of these Southern representatives “tried to delay the completion of the count until the bitter end,” and Northern Democrats rather than Southerners voted with the Republicans to “force the House to resume joint meetings with the Senate.” See Holt, *By One Vote: The Disputed Presidential Election of 1876* (Topeka: University Press of Kansas, 2008), 241.

⁴¹⁶ Lynch, *Reminiscences*, 195.

⁴¹⁷ Ibid, 198.

⁴¹⁸ Ibid, 200.

Discussing the appointment of the Democratic postmaster general (ex-Senator Key of Tennessee) with Mississippi Senator James L. Alcorn (an ex-Confederate and former governor), Lynch noted that even this hardened and ambivalent leader understood just how damaging the series of events was to the fate of Southern Republicanism and of Reconstruction in the South. According to Lynch, Alcorn stated, “It would have been far better ... not only for the Republican party and the South, but for the country at large, to have allowed the Democrats to inaugurate Tilden to have taken charge of the government than to have purchased Republican victory at such a fearful cost.”⁴¹⁹ Alcorn explained the dilemma now faced by Southern whites who had rallied to the Republican banner: “What inducement can a Southern white man now have for becoming a Republican? Under the present state of things he will be hated at home and despised abroad. He will incur the odium and merit the displeasure and censure of his former friends, associates, and companions, with no compensating advantages for the sacrifices thus made.”⁴²⁰

Alcorn’s statements signaled another great shift occurring among the electorate in the South. Scalawags (native-born Southerners who cooperated with the Republicans and with freedmen) would now be hard-pressed to continue to stand by their Republican and black allies. Alcorn saw it as futile to continue to work for Republican successes when Reconstruction itself was untenable; according to Lynch, “he realized that it was time for Southern white men who have been acting with the Republican party ... to stop and seriously consider the situation.” Lynch concluded that the “announced Southern policy

⁴¹⁹ Ibid, 199.

⁴²⁰ Ibid, 199-200.

of the Hayes administration not only completed the destruction of what had been thus accomplished, but made any further progress ... absolutely impossible.”⁴²¹

When the troops were at last removed and Hayes’s Southern policy was put into effect, Lynch expressed criticism of the administration to his close friend and Mississippi’s black senator, Blanche Kelso Bruce. Writing on September 21, 1877, about an address that he had just prepared, Lynch stated, “I thought it best to give the country the real and truthful reasons why the Republican party in this state [Mississippi] can not maintain an organized existence. You will see that the document is not very sweet on the Southern Policy, still I am satisfied that there is nothing in it to which his Excellency [President Hayes] can take exception.”⁴²²

The note of sarcasm in Lynch’s letter reveals his true feelings. He was bitter at how Hayes had won the presidency and even more contemptuous of the new Southern policy (removing all remaining troops from Southern states and allowing white Southerners to run their affairs without federal interference) that Republicans had embraced. Here, in the privacy of a letter to a close friend, Lynch could vent his anger and frustration. His anger and his sense of Republican and black doom would only worsen. Writing to “Friend Bruce” on October 27, 1877, Lynch examined the changing partisan climate of the United States and offered his perspective on how espousing the Southern policy was hurting Republicans:

In Maine and Iowa where the Republican Conventions refused to endorse the policy the usual Republican Majorities were given. But in Ohio the Republican Convention under the leadership of Stanley Matthews strongly endorsed the Southern Policy and the result is a humiliating Republican defeat. The Southern Policy is a lamentable failure and the Senate in all probability will be Democratic

⁴²¹ Ibid, 200-201.

⁴²² John R. Lynch to Blanche Kelso Bruce, Natchez, Mississippi, 21 Sept. 1877, in B. K. Bruce Papers. This is one of the clearest indications of Lynch’s opposition to Hayes’s Southern policy.

during the last two years of the present administration. It now begins to look as though the South will be united and the North divided in 1880 which of course will result in a Democratic victory. We may as well therefore prepare for the worst.⁴²³

Lynch remained a loyal Republican, but he could not countenance the betrayal and foolishness of his party. Hayes's Southern policy effectively barred white Southerners from working with blacks and Republicans, and it removed the one force that could guarantee some measure of equality to former slaves—the army. Despite clear signs of waning Northern interest in Republican Reconstruction, Lynch thought he saw some support for Reconstruction among the masses. He believed that there was a strong connection between voters and Republican opposition to Hayes's Southern policy, and he attributed Republican success and failure to how state Republican organizations positioned themselves on this particular issue. Whatever lingering optimism Lynch might have felt regarding a potential resurgence in active defense of Reconstruction, it was undeniable that sustained political violence and persistent instability had taken their toll on the black community. In spite of these difficulties, African Americans remained resilient and determined, even engaging in militant acts of resistance in defense of their elected representatives.

Violence, the Black Community, and the Necessity of Practical Politics

This resilience was evident during the November 1878 elections in South Carolina. Robert Smalls experienced the threat of violence directly, but received strong and unequivocal support from his black constituents. Transplanted white school teacher Laura M. Towne (a close friend of Smalls) noted in a previous journal entry: "Political times are simply frightful. Men are shot at, hounded down, trapped, and held till certain

⁴²³ Lynch to Bruce, 27, Oct. 1877 in B. K. Bruce Papers. Stanley Matthews had been involved in negotiations with Southern representatives concerning the Hayes-Tilden election.

meetings are over, and intimidated in every possible way. It gets worse and worse as election approaches.”⁴²⁴ She quoted the words of the local *Beaufort Tribune* newspaper: “In order to prevent our county falling into [Republican] hands, *any* measures that will accomplish this end will be justifiable, *however wicked* they might be in other communities.”⁴²⁵

Towne’s next entry related Smalls’s experience with another disruptive and armed group of white Democratic Red Shirts who attended a rally in the small Republican town of Gillisonville. No sooner had Smalls arrived at the meeting with forty men “when eight hundred red-shirt men, led by colonels, generals, and many leading men of the state, came dashing into the town, giving the ‘real rebel yell.’”⁴²⁶ Her description of the confrontation and Smalls’s reaction illustrated the strong influence of black politicians on their community: “Every few minutes a squad of three or four would scour down street on their horses, and reaching out would ‘lick off the hats’ of the colored men or slap the faces of the colored women coming to the meeting. ... This made the colored men so mad that they wanted to pitch right into a fight with the eight hundred, but Robert Smalls restrained them, telling them what folly it was.”⁴²⁷

Upon hearing the Red Shirt leaders’ demand for equal time with Smalls at the event, the congressman refused and was given ten minutes to think over his decision. He went into a local store with his forty men “and drew them all behind its counters. They had guns. [Smalls] told them to aim at the door, and stand with finger on trigger, but on

⁴²⁴ Laura M. Towne, *Letters and Diary of Laura M. Towne Written from the Sea Islands of South Carolina 1862-1884*, edited by Rupert Sargent Holland (1912; LaVergne, TN: Kessinger Publishing, 2011), 288 (29 Oct. 1878); see also Dray, *Capitol Men*, 307-8.

⁴²⁵ Towne, *Letters and Diary of Laura M. Towne*, 288-89 (29 Oct. 1878).

⁴²⁶ *Ibid.*, 289 (6 Nov. 1878).

⁴²⁷ *Ibid.*, 289-90 (6 Nov. 1878).

no account to shoot unless the red-shirts broke in. Meantime, when the ten minutes were over, the outsiders began to try to break down the door.” The armed whites called to Smalls and threatened to set fire to the building with him inside it. They began to shoot repeatedly through the windows and walls.⁴²⁸

This dangerous predicament led those who had come to the meeting “to raise the alarm in every direction, and in an incredibly short time the most distant parts of the county heard that their truly beloved leader was trapped in a house surrounded by red-shirts, and that his life was in danger. Every colored man and woman seized whatever was at hand—guns, axes, hoes, etc., and ran to the rescue.”⁴²⁹ Within a short time “a thousand negroes were approaching the town, and the red-shirts thought it best to gallop away.” As Smalls stealthily took a train back to his political base in Beaufort, at every station “they met troops of negroes, one and two hundred together, all on their way to Gillisonville to the rescue.”⁴³⁰ Towne concluded that it was unlikely that Smalls would be harmed “unless he is elected ... when I do not think his life would be worth a button.”⁴³¹ The sheer outpouring of support and bravery that Smalls received from his constituents testifies to the electrifying effect that high-ranking black politicians could have on their communities. In an era characterized by a largely one-sided campaign of white violence and intimidation against African Americans, this episode, showing an unusual reversal of roles as blacks sent whites fleeing, suggests that the black community had not been shattered. However, acts of black resistance like this one were rare occurrences in the

⁴²⁸ Ibid, 290 (6 Nov. 1878).

⁴²⁹ Ibid.

⁴³⁰ Ibid, 290-91 (6 Nov. 1878).

⁴³¹ Ibid, 291 (6 Nov. 1878).

postwar South. More often than not, black politicians and their communities suffered physical and political consequences if they dared to strike back at their white opponents.

The longstanding challenges of intraparty factionalism, political instability, and rampant interracial violence that plagued black communities were not lost on the elected leaders who made their way to Washington. Their experiences in their home states and congressional districts played a substantial role in determining how they would approach policymaking at the national level. Black congressmen brought with them firsthand experiences of contested elections, white intransigence, and open violence against their constituents. Upon their arrival in the House, they were constrained by the inefficiency of the postwar Congress. Nevertheless, they adapted quickly to the culture of Congress and effectively represented the interests of their constituents while skillfully avoiding conflict with whites of both political parties.

The combination of resurgent violence and damaging rulings like the Supreme Court's 1883 *Civil Rights Cases* marked a watershed in the politics and political culture of black America. The sense of endless possibility and optimism that characterized the age of emancipatory politics was over, to be replaced by tense biracial alliances and agrarian revolts that would take center stage in the age of fusion politics. Members of the first generation of black congressmen now faced an extremely difficult political environment, and they were further hampered by unfriendly judicial rulings and the policies of newly "Redeemed" Southern governments. Nevertheless, older black leaders persisted in their efforts and would soon be joined by a new generation, some of whom had not experienced the travails of the Civil War. Together, old and new national black politicians would draw on the sophisticated political philosophy developed during the

1870s in order to launch effective challenges to white racism and defend what remained of black civil and political equality.

Armed with their previous experiences and with a firm conviction of their race's capacity for moral and social progress, black leaders in the South broke loose from some of their traditional Republican roots. The new political environment did not guarantee success at the polls. Some, like Josiah Walls, would lose all influence after suffering crushing electoral defeats. Others, like James Rapier and John Mercer Langston, would carve out new spaces for their political activism by advocating the cause of black emigration.

Many black leaders would begin to experiment with fusion politics, joining with disgruntled Democrats, white farmers, and dissident third parties in order to influence the course of state and national affairs to their advantage. Though fusion politics became the preferred strategy, several nagging questions remained at the forefront of the black community, causing major divisions among black leaders and within the black electorate generally. Given the failure of Reconstruction, should blacks remain in the South? If they stayed, with whom should they join politically? Could they trust former white opponents who offered them a measure of political power and civil rights protections in exchange for their votes? As the 1870s gave way to the 1880s, these were the fundamental questions facing leaders like Langston, Rapier, Lynch, and Smalls. How they answered these questions would determine the course of black politics in the aftermath of Reconstruction and guide the strategies that they pursued in defense of the increasingly embattled rights of their constituents.

CHAPTER FIVE

Emigration or Fusion? Black Politicians Confront the New South, 1876-1890**Two New Avenues for Black Politics in the Post-Reconstruction South**

In 1878 Alfred Brokenbrough Williams, the special correspondent for the *Charleston (South Carolina) News and Courier*, published a small pamphlet, “The Liberian Exodus,” containing letters he had written documenting the voyage of the vessel *Azor*. This ship had left Charleston carrying African Americans who had decided to leave the violent oppression of South Carolina in search of better opportunities in Liberia. The pamphlet told how the *Azor*, with its “experimental load,” left Charleston amid the sounds of “The Gospel ship is sailing” and “We’r boun’ for the promise land.”⁴³² It then detailed the travails, sickness, and death that the passengers experienced on their way to Monrovia, Liberia.

Having interviewed several of the emigrants, Williams expressed skepticism regarding the blacks’ allegations of white violence and terrorism. Nevertheless, his account showed why some African Americans were willing to risk their lives to escape unfavorable conditions in the American South. He explained:

Some were going because they thought they would have a better chance to “rise in the world” with a generous and cheaply procured soil and perfect social equality with their neighbors ... others complained that the farmers were banding more and more firmly together to keep down the wages of the laborer; others could give

⁴³² Alfred Brokenbrough Williams, “The Liberian Exodus. An Account of the Voyage of the First Emigrants in the Bark *Azor*, and Their Reception at Monrovia, with a Description of Liberia—Its Customs and Civilization, Romances and Prospects” (Charleston: News and Courier Book Presses, 1878), 1, in Frederick Douglass Papers, 1841-1867. Manuscript Division, Library of Congress, Washington, D.C., Box 12, Reel 18 (hereafter cited as Douglass Papers). The Frederick Douglass papers have also been digitized. See “American Memory—The Frederick Douglass Papers at the Library of Congress,” accessed 17 July 2012, <http://memory.loc.gov/ammem/doughhtml/doughome.html>. A more complete electronic version of Williams’s pamphlet is available in “Documenting the American South,” University Library, University of North Carolina at Chapel Hill, accessed 17 July 2012, <http://docsouth.unc.edu/church/williams/williams.html>.

[no] good reason for going, falling back on the old talk of the “Ku-Klux,” “Night Hawks” and “political persecutions.”⁴³³

Williams openly questioned his black informants’ credibility:

I have heard them tell what I knew to be the most infamous falsehoods. . . . I never wondered that Northern correspondents and visitors were deceived. The fact is, I think, the “Outrage” has taken the place of the gruesome “Spook” or “Big snake” story of the olden time, each darkey trying to raise his listener’s hair the highest with the most horrible story, and allowing his imagination to run away with him.⁴³⁴

Williams used this skeptical introduction to buttress his claim that “groundless fears” among blacks had played a major role in encouraging their openness to emigration.⁴³⁵

The idea of helping blacks to exit the South—or to leave the United States completely—divided black leaders. As early as January 1877, former South Carolina Congressman Richard H. Cain noted the “deep and growing interest taken by the Colored people . . . in the subject of Emigration.” He wrote to the secretary of the American Colonization Society for more information regarding passage to Liberia.⁴³⁶ Movements seeking to organize migrations to Liberia sprang up in many South Carolina counties, including Edgefield, Charleston, and Robert Smalls’s native Beaufort.⁴³⁷

These movements posed a major challenge to Smalls, who was among the majority of black politicians in South Carolina who opposed emigration. In 1879, in fact, steady migration *into* Beaufort County was occurring, because it represented a majority

⁴³³ Williams, “The Liberian Exodus,” 11, Douglass Papers. For more on Liberia see Nell Irvin Painter, *Exodusters: Black Migration to Kansas after Reconstruction* (1977; New York and London: W. W. Norton & Company, 1992), 137-45. Steven Hahn also presents an extended argument on the political meanings of emigration in *A Nation under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration* (Cambridge, MA and London: Belknap Press of Harvard University Press, 2003), esp. 317-63, which discusses the “Kansas Fever” and emigrationist project to Liberia.

⁴³⁴ Williams, “The Liberian Exodus,” 11.

⁴³⁵ Ibid.

⁴³⁶ George Brown Tindall, *South Carolina Negroes, 1877-1900* (1952; Columbia: University of South Carolina Press, 2003), 154.

⁴³⁷ Ibid., 155.

black area where freedmen could live in relative safety.⁴³⁸ Smalls's view (which he would develop further during South Carolina's 1895 constitutional convention) was that blacks should leave counties where their lives or property were unprotected and migrate to safe havens like Beaufort. According to historian George Brown Tindall, Smalls "favored emigration only from communities where it was absolutely impossible for whites and Negroes to live together in peace, and then not out of the United States."⁴³⁹ Mississippi's John Roy Lynch (who was initially supportive of some emigration) and Frederick Douglass opposed any kind of emigration outside of the South. But John Mercer Langston and James Thomas Rapier disagreed, encouraging the Black Exodus to Kansas.⁴⁴⁰

In the aftermath of Reconstruction, black emigration was only one of the political strategies considered by African Americans. The second major component of blacks' adjustment to the post-Reconstruction environment involved participation in fusion voting. These two interrelated forces of emigration and fusion wrought decisive changes in black political culture following the "Redemption" of the South. Between the late 1870s and the mid-1890s, agrarian reformers and dissident Democrats formed new political alliances that, for a time, provided an alternative avenue for both black and white Southerners to participate in Southern politics. Some of the better-known movements and organizations providing new pathways of political engagement were the Farmer's

⁴³⁸ Ibid, 179.

⁴³⁹ Ibid, 182.

⁴⁴⁰ As I will discuss later in this chapter, Rapier became heavily involved in the emigration movement to Kansas. Langston's important support for emigration began at a relatively early point; he accepted an invitation to address the Emigrant Aid Society of Washington, D.C., on October 7, 1879. See John Mercer Langston, "The Exodus. The Causes Which Led the Colored People of the South to Leave their Homes—The Lesson of the Exodus," in Langston, *Freedom and Citizenship. Selected Lectures and Addresses of the Hon. John Mercer Langston, LL.D., U.S. Minister Resident at Haiti. With an Introductory Sketch by Rev. J. E. Rankin, D.D., of Washington* (1883; Whiteface, MT: Kessinger Publishing, 2007), 232-58.

Alliance, the Grange movement, the Greenback Party, the Readjuster Party in Virginia, and the People's (Populist) Party, which became very powerful by the late 1880s and into the 1890s.

The black community and their political leaders took advantage of this new environment. Their involvement in fusion voting and with dissident agrarian third parties enabled African Americans to regain power in some states and to play the role of a wild card in local politics (occasionally holding the balance of power between competing white factions). Divisions emerged between national black leaders as to which strategy best served the needs of their black constituents. It was no accident that black emigration and fusion political arrangements emerged almost simultaneously in the wake of the Redemption of the American South, and the interrelated nature of these two paths has been overlooked by previous historians, who tend to favor emigration and dismiss the significance of fusion political arrangements.⁴⁴¹ Those leaders who believed that blacks should stay in the South held these beliefs *because* they saw the potential viability of dissident Democrats and emerging agrarian third-party politics. In contrast, those who

⁴⁴¹ Other historians almost never speak of black emigration and fusion politics as interrelated forces, and they usually present black emigration as the superior alternative. For example, both Nell Irvin Painter and Steven Hahn largely dismiss elected black officials as unrepresentative of their community. Hahn goes so far as to use emigration as evidence of proto-black nationalism and attacks fusion politics, arguing that congressmen such as Robert Smalls and John Roy Lynch were weakening black political strength, functioning as "bosses" and "brokers" exploited by Democrats and as sellouts and opportunists struggling to keep their own seats of power (Painter, *Exodusters*, 26-29; Hahn, *A Nation under Our Feet*, 387). In contrast, Kevin K. Gaines argues that fusion political arrangements were very beneficial to blacks in spite of their brief existence. See Gaines, *Uplifting the Race: Black Leadership, Politics, and Culture in the Twentieth Century* (Chapel Hill and London: University of North Carolina Press, 1996), 23-24. Other excellent studies explore the possibilities of fusion politics and agrarian third parties, taking black participation in fusion seriously but not discussing the connections between emigration and fusion. My approach is guided by Eric Anderson, *Race and Politics in North Carolina, 1872-1901: The Black Second* (Baton Rouge and London: Louisiana State University Press, 1981); Stephen Cresswell, *Multiparty Politics in Mississippi, 1877-1902* (Jackson: University Press of Mississippi, 1995); Jane Dailey, *Before Jim Crow: The Politics of Race in Postemancipation Virginia* (Chapel Hill: University of North Carolina Press, 2000); and Omar H. Ali, *In The Lion's Mouth: Black Populism in the New South, 1886-1900* (Jackson: University Press of Mississippi, 2010).

advocated that blacks should leave the South had lost hope in promised opportunities for redress within the American political system.

These two approaches illuminate powerful divisions within the black electorate and among black politicians. Indeed, ideological divisions among black leaders occasionally led to angry disagreements and the rupture of longstanding friendships. For example, Frederick Douglass and John Mercer Langston disagreed over whether or not to support black emigration. Langston believed that emigration might be necessary, whereas Douglass dismissed the idea entirely. Whereas Douglass remained an unswervingly loyal Republican (opposing independent campaigns or fusion voting), Langston worked with the emergent Readjuster-Republican coalition in Virginia and then rebelled against the Republican establishment, running an independent (and ultimately successful) U.S. House campaign in Virginia's Fourth Congressional District. These ideological disagreements (in addition to Douglass's growing personal animus toward Langston) led to Douglass's decision to denounce Langston and support the white Republican candidate. Whatever friendship existed between the two during the Civil War and Reconstruction was thoroughly destroyed by the time Langston ran for office in 1888.

Thus, despite the possibilities and new political avenues offered by black emigration and fusion voting, the 1880s and 1890s witnessed an increasing fracturing of black political communities and growing signs of tension and disunity among black political leaders. Divisions and disagreements were present in black communities even during the more optimistic period of Reconstruction.⁴⁴² But the relative ideological unity

⁴⁴² Michael W. Fitzgerald makes this important point in *Urban Emancipation: Popular Politics in Reconstruction Mobile, 1860-1890* (Baton Rouge: Louisiana State University Press, 2002) and argues that tensions within the black community actually began to abate after the downfall of Reconstruction, as blacks rallied together in the face of limiting opportunities. I agree that some sources of internal tension (e.g.,

over matters of civil rights and policymaking that characterized black congressional leadership in the 1870s dissolved at the end of that decade, as black politicians and their constituents confronted a more coercive and more fluid political environment. In this new political world, African Americans could no longer count on the federal government to defend their rights, but dissident whites were willing to forge alliances with blacks in areas where segregation and disfranchisement had not yet taken root.

Both emigration and fusion emerged as potentially viable strategies for blacks seeking to cope with the failure of Reconstruction. Both options contributed directly to the fractures in ideological unity among black political leaders that appeared by the early 1880s. Of the two, emigration had a longer history, but fusion did not suddenly appear with the rise of the Readjusters, the Greenbackers, or the Populist Party. Rather, the fusion idea was born in 1876, when black politicians gathered in Nashville to discuss new political solutions as Redemption took hold across the South. In 1879, another convention—on emigration—took place in the same city. These two conventions built up two conflicting political strategies and, in so doing, broke the ideological ties that had held black politicians in unity. They also created new spaces for old political leaders like Langston and for the next generation of black officeholders, like North Carolina's George Henry White.

“Color-Line” Politics and the Origins of Fusion: The Nashville Convention of 1876

In April 1876 the National Convention of Colored Men met in Nashville, Tennessee. The downfall of Reconstruction weighed heavily on delegates' minds. They were not optimistic about their political future, nor were they firmly committed to the

between mulattos and blacks or between more privileged and less privileged African Americans) may have dissipated following the end of Reconstruction, but the new political environment also brought other ideological divisions and tensions to the fore in ways not seen policymaking during Reconstruction.

Republican Party.⁴⁴³ Several delegates had participated (either directly or indirectly) in earlier conventions, including Arkansas Judge Mifflin Wistar Gibbs (the convention president), former Louisiana Governor P. B. S. Pinchback of Louisiana, and Professor John Mercer Langston of Howard University. Though the convention affirmed its loyalty to Republicans, black delegates increasingly sounded independent notes. Indeed, the 1876 convention set the stage for the building of fusion political alliances as well as illustrating the ways in which black political leaders responded to emigration. Only when black voters looked beyond the Republican Party to other alternatives could the black political establishment begin to contemplate fusion voting schemes or imagine the possibility of leaving the South permanently. Writing in 1902, retired judge Gibbs described the motivations of the assembled delegates, saying that the delegates had learned through bitter experiences “that politics was not the panacea,” but that black support for Republicans was “the main offense.” Many delegates were willing to work with white Southerners “for race protection and opportunity.” Prominent leaders like Pinchback, “while preferring to maintain their fealty to the Republican party, were

⁴⁴³ Unfortunately, the published proceedings of this convention are not extant. Nevertheless, thanks in large part to newspaper coverage of the proceedings and the insights of one participant, I have been able to piece together some relevant information. My discussion draws heavily on the following sources: Mifflin Wistar Gibbs, *Shadow and Light: An Autobiography with Reminiscences of the Last and Present Century* (1902; Lincoln and London: University of Nebraska Press, 1995), 122-24; “Colored National Convention,” *Boston Daily Advertiser*, 6 April 1876; “National Colored Convention,” *Daily Arkansas Gazette*, 7 April 1876; “Preliminaries of the Colored National Convention—Pinchback To Take Advanced Political Ground,” *Newark (Ohio) Advocate*, 7 April 1876; “True to Their Friends. The Colored Men, in National Convention, Reaffirm Their Devotion and Adherence to the National Republican Party and Its Principles,” *Chicago Daily Inter Ocean*, 8 April 1876; “National Colored Convention. Large Attendance—The Democratic Party Charged with Outrages and Oppression—Resolutions Indorsing the Republican Party and Principles,” *New York Times*, 8 April 1876; untitled news clipping taken from the *New York Sun* in *Daily Arkansas Gazette*, 14 April 1876; and “A New Departure. The Colored National Convention at Nashville, Tenn., April 6th,” *Frank Leslie’s Illustrated Newspaper*, 6 May 1876, 147. All newspapers (except for the article from the *New York Times*) are in “19th Century U.S. Newspapers,” http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP, and the article from the *Times* may be found in “ProQuest Historical Newspapers, The *New York Times* (1851-2008),” accessed 19 July 2012, http://search.proquest.com.proxy.libraries.rutgers.edu/hnpnewyorktimes_

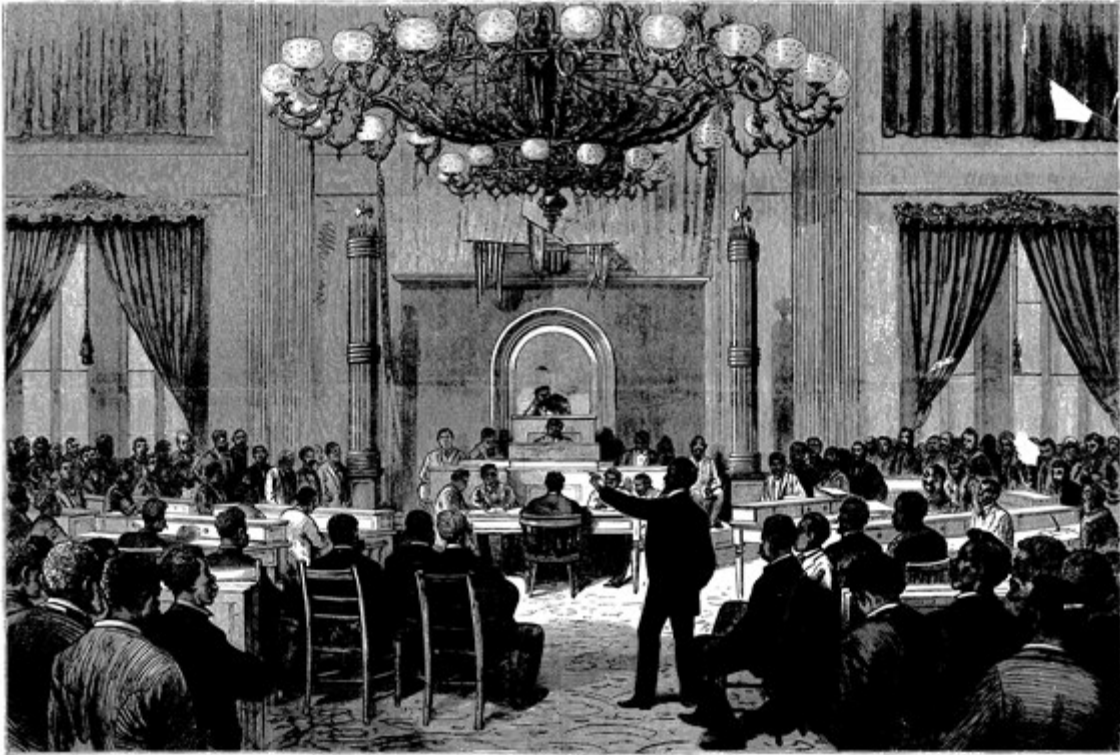
willing to sacrifice that allegiance if they could secure protection and improve conditions for the race.”⁴⁴⁴

Gibbs’s comments make sense in the context of a changing political environment in the South and across the nation. This convention met while the North’s retreat from Reconstruction was in full swing, and discussions at the convention reflected decisions on the part of black politicians to downplay the most divisive racial issues. Black politicians may have been influenced by the New Departure, adopted by Southern Democrats in the early 1870s. The New Departure was a conscious decision to abandon racial appeals when waging political campaigns. The strategy failed to achieve Democratic hegemony over Southern political life, and the party abandoned this approach in favor of renewed campaigns of violence and intimidation that secured Redemption across the South.⁴⁴⁵ Though Democrats had abandoned the New Departure, by the late 1870s many whites in both the North and the South desired to move past sectional and racial issues.

Newspapers covered the Nashville convention’s proceedings within this context. Some correspondents believed that black political leaders would embrace the nation’s move away from the divisive issues of Reconstruction. Other reporters doubted that black leaders would make this shift, and their coverage reflected the sentiments of certain delegates who denounced the violence and intimidation in which white Democrats engaged.

⁴⁴⁴ Gibbs, *Shadow and Light*, 123-24.

⁴⁴⁵ Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863-1877* (1988; New York: Perennial Classics, 2002), 412-25.



TENNESSEE.—THE COLORED NATIONAL CONVENTION HELD AT NASHVILLE, APRIL 5th, 6th AND 7th.—FROM A PHOTOGRAPH BY C. C. GIER, NASHVILLE.—SEE PAGE 145.

“Tennessee. The Colored National Convention Held at Nashville, April 5th, 6th and 7th.—
From a Photograph by C.C. Giers, Nashville.” Source: *Frank Leslie’s Illustrated Newspaper* (6 May 1876), 145, in “19th Century U.S. Newspapers,”
http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP.

Along these lines, the *New York Times* reported that the delegates condemned the “deplorable state of affairs in many parts of the South” that was due “to the partisan frenzy of Democratic leaders.” Though the tone of the assembled delegates was in line with Republicanism, they “had just reasons of complaint ... against those who had proved recreant to the trust reposed in them.”⁴⁴⁶ Langston sought to keep his colleagues focused on the larger threat to black civil and political equality. The *Times* summarized his comments:

No step had been taken by Democratic leaders in behalf of the negroes. As a Christian people they could no more be asked to support the Democratic Party, in view of the manner in which it had treated them, than to support the devil against

⁴⁴⁶ “National Colored Convention. Large Attendance—The Democratic Party Charged with Outrages and Oppression—Resolutions Indorsing the Republican Party and Principles,” *New York Times*, 8 April 1876, in “ProQuest Historical Newspapers, The *New York Times* (1851-2008),” accessed 19 July 2012, http://search.proquest.com.proxy.libraries.rutgers.edu/hnpnewyorktimes_

God. Outrages were severely denounced and ascribed to the Democratic party. The negro could not be driven out of the States, but would stay with the whites, whether in the cornfield or Senate.⁴⁴⁷

Other coverage, however, noted that black confidence in the Republican Party was wearing thin. The principal spokesman for this view was former Governor Pinchback. According to the *Daily Arkansas Gazette*, while Pinchback “did not take the new departure anticipated ... his speech had a strong flavor of independence.” He emphasized that blacks were “beginning to think for themselves” and should not be counted on as solid Republican voters. “He wanted no more color-line party politics, but the division of parties on other than race lines.”⁴⁴⁸ *Frank Leslie’s Illustrated Newspaper* provided further coverage on Pinchback’s position. Republicans had not turned away from African Americans, Pinchback said, but they had given black voters a clear message—“Halt!” Black political leaders had made mistakes, Pinchback noted: “We organized our Republican Party upon the basis of race rather than of principle, and out of that mistake has followed a long train of evils and outrages. We are not only impoverished, not only bankrupt, but worse—immeasurably worse—the black people have lost all their manhood.”⁴⁴⁹

Convention speeches revealed the fissures that began to emerge among black leaders. Pinchback’s derisive comments show how the confident affirmation of black manhood, so prominent in the Civil War era, had faded in the wake of losses in recent political contests. The Southern press saw such comments as signs that black leaders were beginning to fall in line with a new political order. But many black politicians

⁴⁴⁷ “National Colored Convention. Large Attendance,” *New York Times*, 8 April 1876.

⁴⁴⁸ “National Colored Convention,” *Daily Arkansas Gazette*, 7 April 1876.

⁴⁴⁹ “A New Departure. The Colored National Convention at Nashville, Tenn., April 6th,” *Frank Leslie’s Illustrated Newspaper*, 6 May 1876, 147.

(including Langston) disagreed with some of Pinchback's ideas. Pinchback may have felt the sting of Republican betrayal because he had suffered the simultaneous loss of contested election cases in both the U.S. House and the Senate.⁴⁵⁰ Nevertheless, his comments expressed tensions and political misgivings shared by other black leaders. Why had they failed? Had they focused too much on securing passage of civil rights legislation? Now that Redemption had taken its bloody toll, would they need to break free of the Republican establishment in order to secure a viable political future for themselves and their constituents? These questions would be even more pressing three years later as black leaders assembled again to discuss their people's political fate and whether or not they should remain in the South.

Division and the Black Exodus: The Nashville Conference of 1879

Former congressman John Roy Lynch of Mississippi presided over the National Conference of Colored Men at Nashville in May 1879. Those in attendance included former Alabama congressman James Thomas Rapier, former South Carolina congressman Joseph Hayne Rainey, Pinchback, Gibbs, and Pennsylvania abolitionist William Still. Local leaders and younger activists were also present, including James C. Napier of Tennessee, William A. Pledger of Georgia, and Ferdinand L. Barnett of Illinois.⁴⁵¹

⁴⁵⁰ For more on Pinchback's electoral contests see James Haskins, *Pinckney Benton Stewart Pinchback* (New York: Macmillan, 1973), 196-222; Nicholas Patler, "The Startling Career of P. B. S. Pinchback: A Whirlwind Crusade to Bring Equality to Reconstructed Louisiana," in Matthew Lynch, ed., *Before Obama: A Reappraisal of Black Reconstruction Era Politicians, Volume 1: Legacies Lost: The Life and Times of John R. Lynch and His Political Contemporaries* (Santa Barbara: CA: Praeger, 2012), 211-33.

⁴⁵¹ *Proceedings of the National Conference of Colored Men of the United States, held in the State Capitol of Nashville, Tenn., May 6, 7, 8, and 9, 1879* (Washington: Rufus H. Darby, Steam Power Printer, 1879), 5-6. An original copy of these proceedings may be found in the New York Public Library, Schomburg Center for Research in Black Culture. William Still (1821-1902) was a well-known northern figure in the Underground Railroad and the author of *A Brief Narrative of the Struggle for the Rights of the Colored People of Philadelphia in the City Railway Cars* (1867), *The Underground Railroad* (1872), and

The convention was planned before African Americans began their mass exodus from the South, but newspapers captured connections between black political struggles and the wave of departures. “Flying from Bull-Dozers,” an article in the *New York Times* on April 3, 1879, discussed the “remarkable movement of colored people from the South to the West,” which was “exciting much attention here, as well as considerable alarm in the South.” The migration was attributed to two causes: African Americans were cheated out of their earnings and denied “their right to a free ballot.” The *Times* noted, “The most marked phases of this movement are seen in Mississippi, Louisiana, and South Carolina.”⁴⁵² Many prominent black leaders, including several who were to meet in Nashville, were described as “in sympathy with the immigration scheme.”⁴⁵³ The emergence of the emigration option would have a palpable influence on the proceedings in Nashville.

Not all African Americans accepted the legitimacy of the convention, nor did all blacks consider the activists who met there to be national leaders. For example, the *Nashville Weekly American* published an editorial titled “A Colored Man on the Race Problem” on April 3, 1879, stating that the Nashville Convention had been planned by individuals who “style themselves the leading colored men.” It specifically cited three men—Pinchback, former South Carolina State Treasurer Francis L. Cardozo of South Carolina, and Cardozo’s brother, former Mississippi Superintendent of Public Instruction

An Address on Voting and Laboring (1874). Napier was the son-in-law of John Mercer Langston, Pledger was a militant Republican activist who served as chairman of the Republican State Central Committee in Georgia, and Ferdinand Barnett was a journalist and the future husband of Ida B. Wells.

⁴⁵² “Flying From Bull-Dozers. The Blacks Seeking New Homes. Remarkable Spread of the Movement—The Colored People Flocking in Large Numbers to the West—Louisiana and Other Southern States Reaping the Fruits of Cruelty and Political Ostracism,” *New York Times*, 3 April 1879, in “ProQuest Historical Newspapers, The *New York Times* (1851-2008),” accessed 20 July 2012, <http://search.proquest.com.proxy.libraries.rutgers.edu/hnpnewyorktimes>.

⁴⁵³ Ibid.

Thomas W. Cardozo. Pinchback had gained an unsavory reputation in Louisiana and was embroiled in two contested election cases; Francis L. Cardozo had been tried and convicted along with Robert Smalls on charges of bribery; Thomas W. Cardozo had also been charged with embezzlement and bribery related to his work as a circuit court judge. After listing these individuals, the author asserted that “the colored people have no national leaders,” claiming that neither Frederick Douglass nor John Mercer Langston could be considered a national leader either. The Nashville convention, the writer concluded, “is only for all the defeated colored Congressmen and all other office seekers who are disappointed, to give vent and expression, as if they were the leaders of the colored people, and could control their votes.”⁴⁵⁴

Although the editorial claimed to be by a colored man, the *Weekly American* was a white newspaper. While some members of the black community also viewed black leaders with skepticism, it was hardly a coincidence that a negative assessment of black leaders appeared in a local white newspaper shortly before a convention of colored men met in the city. The choice to focus on three “corrupt” black leaders indicates that whoever wrote the editorial may have been attempting to divide the black community and undermine the legitimacy of the upcoming convention. Nevertheless, the views expressed in the editorial illustrated emerging divisions within the black community, ones that

⁴⁵⁴ “A Colored Man on the Race Problem,” *Nashville Weekly American* (3 April 1879). Nell Irvin Painter (in *Exodusters*, 28-29) uncritically quotes and accepts the negative opinions in this editorial. The issue of black corruption has been examined extensively. For the case of Thomas Cardozo, see Euline Brock, “Thomas W. Cardozo: Fallible Black Reconstruction Leader,” *Journal of Southern History* 47, no. 2 (May 1981): 183-206. For a general discussion of modern scholarship and skepticism regarding black leaders see Michael W. Fitzgerald, “Reconstruction Politics and the Politics of Reconstruction,” in Thomas J. Brown, ed., *Reconstructions: New Perspectives on the Postbellum United States* (Oxford and New York: Oxford University Press, 2006), 111-14.

would play out as the delegates assembled in Nashville to discuss the subject of emigration.⁴⁵⁵

In his opening remarks, Lynch stated that, several months earlier, a group of gentlemen had suggested that a conference of prominent black leaders should come together “not in the interest of any particular party ... but as free, independent American citizens, for the purposes of presenting to the country the grievances of the colored people. There were some differences of opinion as to how best this could be done.”⁴⁵⁶ Some felt that perhaps delegates should organize along the lines of a political convention. Organizers decided to call a large conference “for the purpose of conferring together on the solution, not to speak authoritatively except as our standing in the community will authorize and justify us in doing, but that we would meet and present to the country some of the reasons that agitated the public mind in regard to the colored people.”⁴⁵⁷ Lynch’s opening remarks reflect a conscious decision to step back from broad-based programs for the defense of African Americans. Furthermore, in his capacity as president, Lynch was responsible for appointing delegates to specific committees, and he may have played a role in drafting the specific statement of policies put forward by the convention.

As in previous conventions, the delegates created a new national society, called “The American Protective Society to Prevent Injustice to the Colored People,” with the purpose of fighting for black rights to education, property holding, and civil and political

⁴⁵⁵ The editorial raises as many questions as it answers. The unidentified “colored man” chose to focus on three black leaders whose reputations had been marred by corruption charges, political chicanery, and convictions for bribery; it was published in a local white newspaper a little more than a month before the convention; its language and dismissiveness are indicative of a specific agenda that may not have been favorable to the African American community. These considerations are important because this editorial was and still is used to undermine the credibility of national black leaders.

⁴⁵⁶ *Proceedings of the National Conference of Colored Men*, 4.

⁴⁵⁷ *Ibid.*

participation.⁴⁵⁸ But the decision to deemphasize political considerations in favor of creating an activist and independent black civil rights organization departed from the formal political involvement once favored by the black community. Lynch's remarks suggest that many participants were abandoning the formal politics of the 1870s and venturing into uncharted waters. Lynch placed the emigration discussion within the context of blacks' civil and political uncertainty: "In considering this matter you should bear in mind the fact that the South being the home of the colored people ... we should not advise them to leave there unless they have very good reason to do so. On the other hand, we should not advise them to remain where they are not well treated."⁴⁵⁹

With an appreciative audience applauding, Lynch continued:

But we should endeavor to inculcate in their minds a sufficient amount of independence to say to the country and to the people with whom they are surrounded, that "if our labor is valuable, then it should command respect." That if we receive this respect, if our rights and privileges are accorded to us here, doing all we can to improve our condition, to that question I feel that we should live together. Further than that, at least, we should not go. ... If the colored man can receive that treatment, attention, consideration and respect he is entitled to under the law in the South, the South is the place for him. If not, they are justified in receiving it where they can.⁴⁶⁰

Unlike some of his counterparts, Lynch was cautious with respect to emigration. In measured language, he argued that African Americans should leave only if the South became too oppressive.

Lynch's speech was tame compared to resolutions proffered by others. Consider these two titles: "*Resolved*. That the colored man of the South save his dollars and cents in order to emigrate." "*Resolved*, That we pay no heed to such men as Fred. Douglass and his accomplices, for the simple reason that they are well-to-do Northern men who will

⁴⁵⁸ Ibid, 67-70 (Appendix F, "Report of the Committee on a Permanent Form of Organization").

⁴⁵⁹ Ibid, 4.

⁴⁶⁰ Ibid, 4-5.

not travel out of their way to benefit the suffering Southern Negro, and who care not for the interests of their race.”⁴⁶¹ A more moderate resolution called for Congress to appropriate \$350,000 “to aid the suffering freedmen in the West.” Another delegate put forward a plan to encourage emigration and petition Congress for a \$500,000 appropriation.⁴⁶² When the conference moved to propose that this medley of motions be considered for congressional appropriations, dissent broke out. Arkansas’s Henderson B. Robinson, a wealthy mulatto and former assessor, questioned the direction of the assembly and the wisdom of rushing to encourage black migration:

One says that the colored people are self-supporting, and can go when and where they please. Another says, they are able to take care of and protect themselves. The next thing is a resolution asking Congress to donate \$500,000 for the purpose of sending people to Kansas from this country. When the time comes that we cannot live in this country I am as much in favor of going to Kansas as anybody else. But let us be men; let us be like white men and see the impossibility of taking 4,000,000 people away and setting them suddenly down in a strange country.⁴⁶³

No sooner had Robinson finished than an unnamed “young delegate” questioned his motives, asking him, “Who paid you to come here?” Robinson replied, “I suppose the young man is just out of school, and don’t suppose he ever hoed cotton in his life.”⁴⁶⁴ The tension was broken when former congressman Joseph Hayne Rainey called for order and asserted that the conference “ought to permit a difference of opinion to be expressed on so important and vital a question.” Rainey himself supported migration, but he wanted

⁴⁶¹ Ibid, 25-26.

⁴⁶² Ibid, 25, 30.

⁴⁶³ Ibid, 32-33. Robinson had served as assessor of Phillips County, Arkansas between 1868 and 1872. According to the 1870 census he owned \$2,000 in real estate and \$500 in personal property. According to his own testimony at the 1879 conference, he owned “five hundred acres in Mississippi” (p. 33). A small biographical entry for him may be found in Eric Foner, *Freedom’s Lawmakers: A Directory of Black Officeholders During Reconstruction* (1993; Baton Rouge and London: Louisiana State University Press, 1996), 185.

⁴⁶⁴ Ibid, p. 33.

“to proceed intelligently.”⁴⁶⁵ He allowed Robinson to continue. The situation was not as bad as some said, Robinson claimed. He interacted with poor blacks all the time and he did not see them starving. When pressed by a delegate who asked why blacks would want to migrate if things were not so bad, Robinson acknowledged that white oppression was making them consider leaving. Nevertheless, Robinson opposed “encouraging wholesale migration, and having the poor colored man strewn along the banks of the Mississippi, there to die.”⁴⁶⁶ It was difficult to expect poor blacks, who had little money to spare, to leave the South for an unfamiliar life in Kansas or the West.⁴⁶⁷

In spite of the cautious approach by Lynch and the opposition from local politicians like Robinson, many delegates voiced overwhelming support for emigration. On May 9, 1879, during the evening session on the last day of the conference, the Committee on Migration delivered its report to the assembled delegates. This committee included two former congressmen (Rapier and Rainey) and several local leaders and younger activists (such as James C. Napier and Ferdinand L. Barnett). The report enumerated the causes for black migration, denied the presence of any political or sectional motive behind the movement, and then listed a series of resolutions supporting the work of an official Senate committee (chaired by Minnesota Republican Senator William Windom) on the subject, emphasizing that black emigration “should be encouraged and kept in motion”

⁴⁶⁵ Ibid.

⁴⁶⁶ Ibid.

⁴⁶⁷ *Daily Arkansas Gazette*, 11 May 1879, in “19th Century U.S. Newspapers,” accessed 20 July 2012, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP. The conference adopted resolutions regarding congressional appropriations, prompting the *Daily Arkansas Gazette* to excoriate the delegates and praise Robinson’s opposition as “sensible.” The newspaper reported that Robinson “was cried down by the majority, who had certain political ends to attain without the least regard for the minor consideration of whether the interests of the colored people would be benefited or not.” Though the newspaper had its own ax to grind, the scale of the disunity among delegates highlighted by Robinson’s opposition to asking for congressional appropriations was worrisome. The momentous issue of black emigration (like earlier divisions over whether to maintain loyalty to the Republicans) was fracturing some of the unity among national black leaders.

until black civil and political equality was guaranteed across the South. One final resolution recommended that the Windom Committee appoint three individuals to investigate conditions in the West.⁴⁶⁸ At 12:15 a.m., after three hours of debate and twenty-three speeches, the conference unanimously adopted the report on black migration.⁴⁶⁹

This support was further solidified by the adoption of the other major report of the conference, the “Report of the Committee on Address.” This committee’s report supported emigration and concluded (in language similar to Lynch’s opening remarks) that if black laborers were not respected in the South they had no other choice but to leave, even though the vast majority would prefer to stay. Furthermore, the committee affirmed that “the disposition to leave the communities in which they feel insecure, is an evidence of a healthy growth in manly independence.”⁴⁷⁰ Despite divisions, personal rivalries, and strategic arguments, the delegates reached a moderate compromise in support of emigration.

These two conventions offer a glimpse of the struggles among black political leaders. Between 1876 and 1879, blacks debated the merits of continuing to support Republicans and discussed whether to encourage their constituents to leave the South for better opportunities in the West or Liberia. The 1879 conference appeared to end in consensus, but soon the divisions and disagreements cropped up again, as Lynch moved away from his initial support for emigration while Alabama’s James T. Rapier continued to work for emigration and appeared before a Senate committee investigating the causes

⁴⁶⁸ *Proceedings of the National Conference of Colored Men*, 105.

⁴⁶⁹ *Ibid.*, 40-41.

⁴⁷⁰ John Hope Franklin, “Introduction,” in John Roy Lynch, *Reminiscences of an Active Life: The Autobiography of John Roy Lynch*, ed. John Hope Franklin (Chicago and London: University of Chicago Press, 1970): xxx-xxxi; *Proceedings of the National Conference of Colored Men*, 95.

of the exodus. The ways in which these politicians approached the subject of emigration reveal both their similar thought processes and their widely different understandings of the political future of African Americans. While they knew that they had to fight for the rights of their constituents, they differed substantially as to the proper course to follow.

Black Leaders Respond to the Challenge of Emigration

Following the close of the Nashville conference in 1879, Senator William Windom appointed Mifflin Gibbs and James Rapier to the committee that would investigate conditions among African Americans settling in the West and in the territories.⁴⁷¹ The two traveled to Kansas in August 1879, stopping in Topeka and various “colonies.” According to Gibbs:

Kansas had received seven or eight thousand. At Topeka we found nearly 100 at an immigrant camp receiving rations, some sick, others looking for work; the balance had settled on lands or had found work as laborers. At Dunlop we found a colony of 300 families settled upon 20,000 acres of land. In Wabunsee County 230 families had settled on their land, while in Lawrence and other counties hundreds had found work. Mechanics receiving \$2 to \$2.25 per day and farm hands \$13 to \$15 per month and board. We found women in great demand for house servants from \$6 to \$8 per month.⁴⁷²

Gibbs and Rapier spent twenty days in Kansas, but did not investigate conditions in Indiana or other states that received emigrants. The two men interviewed black settlers and described conditions that were difficult but less dire than the rumors of destitution and failure, reporting that “we found the list and nature of their grievances were the same to have impelled men in all ages to endeavor to better their condition. . . . There had been suffering and destitution in some localities during the past winter; that was to be

⁴⁷¹ A copy of Windom’s letter appointing Gibbs and Rapier to this post is reprinted in Gibbs, *Shadow and Light*, 180-82. Note that the date of Windom’s letter (January 10, 1879) is incorrect as the National Conference took place in May 1879.

⁴⁷² Gibbs, *Shadow and Light*, 183.

expected, as many had come wholly unprepared and without that push and ready adaptation to the status of a new country.”⁴⁷³

Experiences in Kansas made Rapier an expert on black migrants, and in early April 1880 he was called to testify before the Select Committee of the United States Senate to Investigate the Causes of the Removal of the Negroes from the Southern States to the Northern States. The hearings gave Rapier the opportunity to address members of Senate’s Democratic majority and to explain both why blacks were leaving the South and why he supported black emigration.

Although sympathetic Republican senators like Minnesota’s William Windom and New Hampshire’s Henry W. Blair were present, the committee was chaired by Indiana Democrat Daniel W. Voorhees and included two other Democrats: Ohio’s George H. Pendleton and North Carolina’s former governor, Senator Zebulon B. Vance. In response to Windom’s questioning, Rapier described why blacks were leaving: “I advised these colored people to leave Alabama, because 32 per cent of the lands are so poor that they cannot make a living on them; and I think I have demonstrated that fact to them in figures. I think the colored people are leaving there in order to better their condition, and I think they can do it anywhere except in the Southern States.”⁴⁷⁴ Rapier emphasized how disillusioned he had become with the state of affairs in his own state and throughout the South. He also feared for the mental development of black children in his state as a result of widespread discrimination and white racism, saying, “You cannot

⁴⁷³ Ibid, 183-84.

⁴⁷⁴ U.S. Congress, Senate, *Report and Testimony of the Select Committee of the United States Senate To Investigate the Causes of the Removal of the Negroes from the Southern States to the Northern States. In Three Parts. Part II.* 46th Cong., 2nd sess., Report No. 693, part 2 (Washington, DC, Government Printing Office, 1880), 476 in “U.S. Congressional Serial Set, 1817-1980,” accessed 22 March 2012, <http://www.infoweb.newsbank.com/?db=SERIAL>. Hereafter cited as U.S. Senate, *Removal of Negroes, Part II.*

develop mentally and morally the colored children of the State, for at every spring branch and cross roads he will find something to remind him that he is a negro.”⁴⁷⁵ In addition to the impact of racism, Rapier addressed the specific economic motivations of black migrants. Having presented statistics on black wages and expenses that showed how cash-strapped black sharecroppers were in his home state, Rapier noted that “a man in the West can make as much as three men in Alabama.”⁴⁷⁶

Though the former congressman laid out a convincing case for black emigration, the bulk of Rapier’s testimony involved disputes with Senator Zebulon Vance of North Carolina, which began toward the end of the first day and occupied almost all of Rapier’s second day on the witness stand. Many of Vance’s questions were directed either to arguing that Southern laws regarding sharecropping and penalties for larceny applied to both races or to undermining black support for the Republican Party. In addition, Vance tried to trip up Rapier on questions related to social equality. Vance asked him, “Do you suppose it would be any better in the country your people are going to?”⁴⁷⁷

“That depends upon where they go,” Rapier replied.

“Is there any State in the North where you would be received on a social equality with the whites?”

Rapier refused to fall into the Vance’s trap: “That is not the question. But I will tell you what I do know; if I go to Atlanta ... a thirsty man, I cannot get a glass of beer at the depot there, simply because I am a colored man. If my child sees that, and sees that I am not considered as good as a white man, that is bound to chill one’s ambition and everything else. That is what I said.”

⁴⁷⁵ U.S. Senate, *Removal of Negroes, Part II*, 472.

⁴⁷⁶ Ibid.

⁴⁷⁷ The exchange that follows is drawn from Ibid, 476.

Seeing that he was not going to lure Rapier into a public-relations gaffe on social equality, Vance turned his attention to politics, asking Rapier whether or not he could vote in the District of Columbia. Rapier replied—accurately at the time—that nobody could vote in Washington, D.C.

“But that would remind you of the promise of the Republican party to give you the right of suffrage, would it not?”

“No,” Rapier replied. “It would remind me of this: that the black man is as good as the white man, so far as voting here is concerned.”

Whatever expectations Vance had of undermining Rapier were disappointed by the former congressman’s deft responses. Just as he and his colleagues had done in their defense of the Civil Rights Act of 1875, Rapier carefully avoided linking social equality with political equality. In his opinion they had nothing to do with each other, nor did they pertain to the subject of black emigration from the South.

Finally Republican Senator Windom was able to interject a question. He bluntly asked Rapier, “So you think that in Alabama there is no remedy for the exodus, even if your people received better treatment there?”⁴⁷⁸

“No; for even if they made the best kind of laws, we advise them to go.” Rapier went on to explain the relationship between black progress and conditions in the South:

The colored people ... have been slaves ... [and] the majority of them have contracted superstitious habits and ideas that you cannot rid them of very readily. There are only two ways for me to learn; one is by books, and the other is by observation. As there will be no chance for the colored people to get rid of these old habits and ideas by books, because their children have only three months of the year to go to school in, I would advise that they had better scatter.⁴⁷⁹

⁴⁷⁸ Ibid, 481.

⁴⁷⁹ Ibid, 481-82.

Rapier concluded by directly linking the impulse for emigration with blacks' longstanding desire for economic autonomy, saying that "anywhere in the Western country where a colored man can get ten dollars a month for his labor" would be preferable than carrying on as landless workers on Southern plantations.⁴⁸⁰

Rapier believed that blacks should be "scattered from the Atlantic to the Pacific, and not huddled together. This has been our weakness." He saw blacks' concentration in the South as an economic and political liability, suggesting that perhaps, in smaller numbers, African Americans would not "excite the prejudices of the people" and might thus receive better treatment.⁴⁸¹

Rapier's faith in emigration as the most viable path to success for his embattled constituents stood in stark contrast to the position of John Roy Lynch, who believed that the challenges that blacks faced in America added to the race's strength of character. If blacks ran away from adversity, Lynch contended, they would undermine all their accomplishments. He outlined his views at the Annual Douglass Banquet in Washington, D.C. on January 1, 1883: "The colored people of the South are in the line of progression and ascension. They have made and are making rapid and material progress in spite of many unfavorable surroundings. My prediction is that in the space of a very short period of time, the colored people of the Southern States will be the representatives of wealth and the intelligence of their respective commonwealths."⁴⁸²

After honoring Lincoln, Grant, Sumner, and Douglass, Lynch explained his opposition to emigration, arguing that the challenges that blacks confronted in the South

⁴⁸⁰ Ibid, 482.

⁴⁸¹ Ibid.

⁴⁸² "The Colored Men of the South. Remarks of Hon John R. Lynch at the Douglass Banquet, January 1." *New York Globe*, 10 March 1883, in "19th Century U.S. Newspapers," accessed 3 Aug. 2009, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP.

served as an “incentive for nobler and higher aspirations.” If blacks went to another country where they encountered “no such opposition and resistance,” then the probabilities were high “that we will find ourselves in the line of retrogression instead of progression. My judgment, therefore, is that we should work out our destiny here.”⁴⁸³

Lynch framed the debate over African American character in terms of manhood and strength of character. To leave would mean forfeiting the gains made in the decades since emancipation; to stay would mean building on the progress of the race. Having worked out his own destiny first in Louisiana and then in the tumultuous arena of Mississippi, Lynch found it impossible to consider advising his constituents to leave. Even in the midst of violence in the late 1870s (including threats to his own life), he had not forsaken Mississippi or the South; rather, such experiences had only strengthened his resolve. This position would guide Lynch’s subsequent embrace of alternative political alliances in his native state.⁴⁸⁴ Though emigration (first the Liberian exodus and the larger exodus to Kansas and the West) did have a large number of adherents, the majority of African Americans could not or chose not to leave.⁴⁸⁵ If Rapier’s answer was wrong,

⁴⁸³ Ibid. Lynch’s manner of framing the debate with black emigrationists is instructive. As Michele Mitchell noted, “Emigrationists were no hopeless lot of people, but they were less optimistic about their chances for mobility and equality in the United States than were the majority of aspiring race women and men.” See Mitchell, *Righteous Propagation: African Americans and the Politics of Racial Destiny after Reconstruction* (Chapel Hill and London: University of North Carolina Press, 2004), 41.

⁴⁸⁴ R. Volney Riser, *Defying Disfranchisement: Black Voting Rights Activism in the Jim Crow South, 1890-1908* (Baton Rouge: Louisiana State University Press, 2010), 46-61. By the 1890s, Lynch became a “quadrennial” visitor to the state (he spent most of his time outside of Mississippi) and engaged in a bitter feud with another black officeholder (his former ally), James Hill. The result of this feud, according to Riser, was detrimental to local efforts to rally against the forces of white disfranchisement.

⁴⁸⁵ Although most African Americans did not leave the South, the collective weight of migrations must not be understated, especially when one considers the existence of earlier waves of migration as well, including some 26,000 African Americans who settled in Kansas between 1870 and 1880. During the decade prior to the exodus of 1879, the “sustained migration of some 9,500 Blacks from Tennessee and Kentucky to Kansas ... far exceeded the much publicized migration of 1879, which netted no more than about 4,000 people from Mississippi and Louisiana. It is important to keep these relative figures in mind, since the Kansas Fever Exodus attracted attention completely out of proportion to its actual numbers” (Painter, *Exodusters*, 146-47). Nevertheless, Painter notes that, between March and May of 1879, “some six thousand Blacks from Louisiana, Mississippi, and Texas” moved to Kansas (pp. 184-85). Painter concludes

what was the right answer? Statements about black character and manhood in the face of adversity made for nice platitudes, but without a specific program to support them, this message could do little good for the black men and women who struggled in the post-Reconstruction South. The violent overthrow of Reconstruction and damaging Supreme Court decisions had forced the black community and its leaders to reexamine their political goals and their overall strategy. Initially emigration took center stage, influencing the debates and strategies at the Nashville Conference in 1879. But the combination of black poverty and Southern coercion limited the appeal of black migration. Ultimately the political sentiments expressed by black delegates in 1876 won the ideological battle for dominance in black political culture.

The white South's Redemption was neither monolithic nor complete. The emergence of fractures within the Democratic fold provided the opportunity for a new political program to complement the perspective of John Roy Lynch. Blacks, he proposed, should stay and fight because they could use their numbers to force political concessions from their erstwhile foes. Thus the downfall of Reconstruction and the failure of emigration paved the way for blacks to work with dissident Democrats and forge alliances with agrarian reformers so that, by the 1880s, the Southern political landscape would be rocked once more by the powerful force of fusion voting.

The Pitfalls and Potentials of Fusion and Third Parties: Mississippi

Black leaders and the bulk of their constituents who chose to stay behind and work out their political future in the South faced a wide range of opportunities and electoral

that the Kansas Exodus did not end because of disillusionment or suffering among the settlers, nor did white intimidation, threats of murder, or the opposition of black leaders stave off emigration. Rather, "Only the physical impossibility of keeping body and soul together during the long wait broke the back of the Kansas Fever Exodus" (p. 200).

possibilities. The main cause of political fluidity across the South in the 1880s was the rise of dissenting white Democrats and agrarian reformers who occasionally allied with Southern Republicans and African Americans in order to achieve their political goals. But the emergence of fusion voting also coincided with the redrawing of Southern political districts that served to limit the power, scope, and influence of the black electorate. Fusion political alliances (especially those forged with the Democratic establishment) were often intimately related to the creation of heavily black congressional districts, enabling what was left of the Southern wing of the Republican Party to remain competitive in certain areas of the South. Thus, at the same time as dissident Democrats and agrarian reformers were fusing with Republicans and black voters, the Democratic establishment unwittingly provided room for the continued survival of Republicans, enabling several black congressmen to serve in Congress during the 1880s.⁴⁸⁶ The possibilities of fusion were not lost on old-guard politicians like Lynch, who moved to capitalize on the emergence of dissident Democrats and the Greenback Party in order to fight for his constituents in Mississippi.

In the 1881 election, having noticed the rise of the Greenbackers (a nationwide alternative political party that supported increasing the paper money supply in order to relieve the nation, particularly farmers, from America's economic depression) in his state

⁴⁸⁶ Edward L. Ayers, *The Promise of the New South: Life after Reconstruction* (New York and Oxford: Oxford University Press, 1992), 38. Michael F. Holt strongly asserts that there was much "political flux and uncertainty" during the era of the Civil War and Reconstruction. In the South, he observes, postbellum political parties were characterized by "political plasticity" through the 1880s and 1890s, a feature further emphasized by Jane Dailey, who states, "Far from being solid . . . southern politics in the post-Civil War era was exceptionally fluid. To scratch the surface of the 'solid South' in the late nineteenth century was to discover multiple competing interest groups divided by region, race, ideology, and class." Michael F. Holt, "An Elusive Synthesis: Northern Politics During the Civil War," in James M. McPherson and William J. Cooper, eds., *Writing the Civil War: The Quest to Understand* (Columbia: University of South Carolina Press, 1998), 126, 128; Dailey, *Before Jim Crow*, 4; C. Vann Woodward, *The Strange Career of Jim Crow* (1955; New York: Oxford University Press, 2002), 32, 65.

during the late 1870s, Lynch moved to forge a fusion between Republicans and Greenbackers in order to attempt to gain control of politics in Mississippi. While the suggestion of fusion between both groups “was favorably received,” Lynch thought “that the ticket would be very much stronger if we could find a liberal and conservative Democrat who would be willing to accept the nomination for governor.”⁴⁸⁷ The man whom Lynch had in mind was Democratic State Senator Benjamin King of Copiah County. After consulting with Republican and Greenback leaders, Lynch was “authorized to approach the senator upon the subject.” King met with Lynch and was surprised by the black politician’s proposal.

The fact that King did not immediately dismiss his suggestion gave Lynch hope. He pressed his case before King forcefully: “As a member of the state senate,” Lynch said, “I recognize the fact that you are a representative of the Democratic party. . . . You are not asked to renounce your party allegiance or change your political affiliations. All that is asked and desired of you is to allow the people of your state, without regard to race or party differences, to avail themselves of the benefit of your right experience.”⁴⁸⁸ King listened to Lynch’s proposal and asked for a few days to consider the matter.

When Lynch called upon him again, King said he would run if “he should be nominated as an Independent Democrat, his candidacy endorsed by a regular delegate convention of both the Republican and Greenback parties, each to ratify the action of the other.”⁴⁸⁹ The two parties joined forces and nominated King for governor. Despite Democratic fraud and some acts of intimidation, King performed remarkably well,

⁴⁸⁷ John Roy Lynch, *Reminiscences of an Active Life*, 255-56. Stephen Cresswell examines the origins of the Greenbackers in *Multiparty Politics in Mississippi*, 22-57; the paraphrase on defining the party is taken from p. 24.

⁴⁸⁸ Lynch, *Reminiscences*, 256-57.

⁴⁸⁹ *Ibid*, 258.

officially winning forty percent of the statewide vote (Lynch and his Republican and Greenback allies believed that King actually won more than forty percent). Though the fusion party had succeeded in raising a credible statewide threat, the Greenbackers “had practically no organization in any of the black counties, and King could not command a sufficient following among the whites in those counties to secure for the ticket a fair election and an honest count.”⁴⁹⁰ The loss did not dissuade Lynch from continuing to see the possibilities available through such alliances.

Addressing a crowd of Republicans and Democrats in Raymond, Mississippi, on September 29, 1883, Lynch outlined his reasons for supporting fusion voting. He first stated his continuing commitment to the Grand Old Party, asserting that, if fair elections prevailed, a straight Republican ticket would be as certain of winning in Yazoo and Claiborne counties as a straight Democratic ticket in New York City. The only reason why this result did not occur was that “Republicans in these, as in many other counties in the State are still groaning under the iron yolk of bourbon [Democratic] oppression—counties in which the Republican vote is lawlessly suppressed.”⁴⁹¹

Going well beyond the traditional confines of fusion voting,⁴⁹² Lynch responded to opponents who “claim that [fusion] is nothing more than a bargain between the two parties, and therefore should not be ratified by the people. So far as I know and believe, I

⁴⁹⁰ Cresswell, *Multiparty Politics in Mississippi*, 65; Lynch, *Reminiscences*, 260.

⁴⁹¹ “Speech of Hon. John R. Lynch. At the Grand Ratification Barbecue in Raymond on Saturday, September 29th,” *Raymond Gazette*, 13 Oct. 1883; “Fusion in the South. Congressman John R. Lynch’s View of It. The Duty of the Republicans in the Interest of Good Government—Attitude of the Administration,” *New York Globe*, 20 Oct. 1883, both in “19th Century U.S. Newspapers,” accessed 26 Sept. 2009 and 2 Aug. 2009, respectively, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP.

⁴⁹² For a discussion of fusion voting in Mississippi see Cresswell, *Multiparty Politics in Mississippi*, 58-99.

do not hesitate to say that it is a bargain.”⁴⁹³ It was a bargain when Republicans joined forces with Greenbackers in 1881, and the same would hold true if Republicans and Democrats banded together. The bargain that Lynch wanted to see Democrats and Republicans make was simple—Republicans, though “numerically in the majority,” would work for the Democratic ascendancy in the state, while Democrats would “openly and publicly declare and in good faith do all in their power to put an end to bulldozing and fraud in all elections.”⁴⁹⁴ Democrats did already permit a “fusion principle” that Lynch and others tepidly supported. This plan involved the local county Democratic executive committee working together with the black Republican leadership to decide what county and legislative positions would go to black Republican candidates.⁴⁹⁵ Though the choice of black candidates was to be made by local blacks, the acceptance of particular candidates was decided by the Democratic committee.⁴⁹⁶ As historian Vernon Lane Wharton noted, Lynch approved of fusion because it was the best deal African Americans could make given their tenuous situation. Such a position was not a sign of weakness, however. Lynch forcefully argued that blacks were not accepting the Democrats who had undermined them during Reconstruction; rather, blacks would vote alongside Democrats or any others who offered political concessions until Republicans could once again become a viable force in the state’s political arena.⁴⁹⁷ Though Wharton’s assessment is accurate, it overlooks some of the more concrete implications of Lynch’s approach. Lynch did not just simply acquiesce to Democrats; rather he offered to

⁴⁹³ “Speech of Hon. John R. Lynch,” *Raymond Gazette*, 13 Oct. 1883; “Fusion in the South,” *New York Globe*, 20 Oct. 1883.

⁴⁹⁴ “Speech of Hon. John R. Lynch,” 13 Oct. 1883; “Fusion in the South,” 20 Oct. 1883.

⁴⁹⁵ Vernon Lane Wharton, *The Negro in Mississippi, 1865-1890* (1947; Baton Rouge and London: Louisiana State University Press, 1965), 202.

⁴⁹⁶ *Ibid.*

⁴⁹⁷ *Ibid.*, 203.

work with cooperative Democrats—and promised to fight those who refused to cooperate. He stated that Republicans “should not only do all in their power ... to defeat these candidates, but they should ... utilize such material and co-operate and combine with such elements outside the Democratic party and antagonistic thereto, as will contribute to this result.”⁴⁹⁸

Lynch drew the line as to where fusion stopped and partisanship began, declaring that “Republicans should not, under any circumstances, support the nominees of the Democratic or any other party outside of the Republican party, when they draw party lines and make straight nominations.”⁴⁹⁹ When Democrats and others were willing to cross party lines, Lynch was willing to work with them. But when they nominated a straight slate of candidates, the choice was clear: Republicans must oppose Democrats at the polls. No other choice was possible. In short, Lynch was willing to compromise as long as he was able to obtain something for his constituents. When he could not compromise, he would take the battle directly to the gates of the enemy with a clear conscience.

The Pitfalls and Potentials of Fusion and Third Parties: North Carolina

The birth of the Populist Party had a tangible effect in North Carolina, where it shifted the political ground of the state and affected the career of black congressman George Henry White. Born on December 18, 1852, near Richland Branch, Bladen County, North Carolina, White was one of the youngest members of the emergent black political establishment. Like his counterpart from Virginia, John Mercer Langston, White

⁴⁹⁸ “Speech of Hon. John R. Lynch,” *Raymond Gazette*, 13 Oct. 1883.

⁴⁹⁹ Ibid.



“Lawyer and Legislator. Hon. George H. White, State Solicitor of the Second Judicial District of North Carolina.” Source: *The New York Freeman*, 5 February 1887, in “19th Century U.S. Newspapers,” http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP.

was of mixed ancestry—part black, part white, and part Indian.⁵⁰⁰ His father, Wiley Franklin White, was a free mulatto and his mother may have been a slave. The young White eventually lived with his black stepmother, Mary Anna Spaulding, who married his father on April 16, 1857. By all accounts, White considered Spaulding his natural mother.⁵⁰¹ The course of his early education is a matter of speculation, since it is unclear whether or not he was born slave or free. White may have completed the equivalent of a middle school education between 1869 and 1872, possibly attending local schools or classes offered at the newly established Freedmen’s Bureau school nearby. He also graduated in 1872 from the Whittin School (a normal school), which trained White to be a teacher and exposed him to Latin.⁵⁰²

⁵⁰⁰ Benjamin R. Justesen, *George Henry White: An Even Chance in the Race of Life* (Baton Rouge: Louisiana State University Press, 2001), 1-2.

⁵⁰¹ *Ibid.*, 9.

⁵⁰² *Ibid.*, 18-19.

On January 5, 1874, White entered Howard University, from which he graduated with a normal certificate in teaching in May 1877.⁵⁰³ Settling in New Bern, North Carolina, he served as principal for black public schools while studying law on the side. He eventually passed the bar and entered politics, winning election to the state House of Representatives in 1880. He unsuccessfully sought election for state solicitor, lost an election for state Senate in 1882, but won election to the senate in 1884.⁵⁰⁴ In 1886 White became the first black state solicitor in the nation, defeating his previous opponent, John Collins.⁵⁰⁵

As the political environment of the late nineteenth century was increasingly oppressive for black aspirations, it was understandable that George Henry White had to persist and be patient both in his attempt to become solicitor and in his dreams of running for Congress. Finally, in 1896, he won a seat in the U.S. House of Representatives, serving two terms through May 1901. White left Washington and moved to Philadelphia, where he established a successful law practice, attempted to build an all-black community in Whitesboro, New Jersey, and ran unsuccessfully for Congress. White died in Philadelphia on December 28, 1918.⁵⁰⁶

Coming of age, politically, long after the downfall of Reconstruction, White rose to power in the New South and capitalized on the advantages of the heavily black Second Congressional District in the northeast portion of his state. Beginning in 1872, the Democrats gerrymandered a black-majority district that would change slightly over the next quarter century but would remain a bastion for black politics and Southern

⁵⁰³ Ibid, 25-34.

⁵⁰⁴ Ibid, 90-106.

⁵⁰⁵ Ibid, 119-24.

⁵⁰⁶ Ibid, 418.

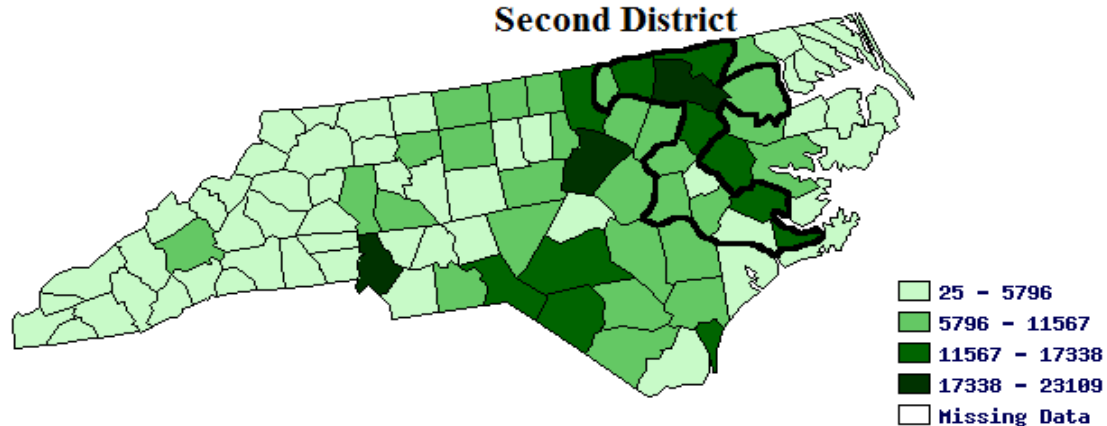
Republicanism.⁵⁰⁷ Democrats often gerrymandered most of the black population into a single district in order to dilute the strength of the black electorate across the remainder of the state. As of the 1900 census, the district's racial composition showed clearly why Republicans could still be successful there: the district had 53,923 Negro males and 47,352 white males.⁵⁰⁸ But these encouraging signs hid uncomfortable intraracial and interracial tensions within North Carolina's Republican Party and among its black leaders. White and his predecessors were often involved in bitter power struggles among themselves and with the Republican establishment. This situation could (and occasionally did) lead to electoral defeats for blacks and Republicans even in a black-majority district. By the time White began to seriously consider running for Congress, other forces would conspire to make the already tense nature of black politics in the District even more difficult for an aspiring black politician.

Two major developments had a significant impact on George Henry White's political fortunes during the 1890s: the change in the composition of the district and the emergence of the Populist Party in North Carolina. Though blacks retained a majority in the Second District, that majority decreased somewhat by 1890, thanks to the efforts of the North Carolina General Assembly, which moved three black-majority counties (Jones, Vance, and Craven) out of the district. Vance County was home to the current black congressman from the Second District, Henry Plummer Cheatham (White's brother-in-law). Craven County contained the largest city in the former district, New

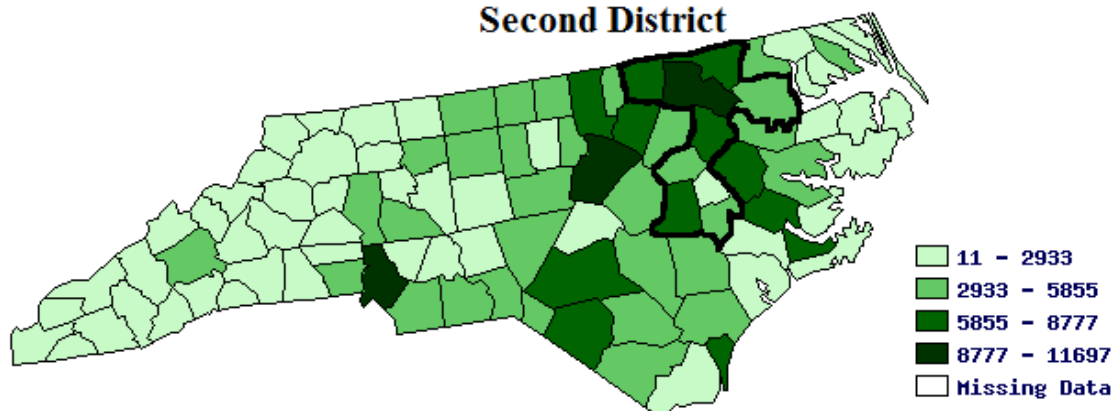
⁵⁰⁷ Eric Anderson's *Race and Politics in North Carolina, 1872-1901: The Black Second* (Baton Rouge: Louisiana State University Press, 1981) remains the definitive study of this entire district. For the origins of this district see chapter 1 of Anderson's book, "The Shape of the Second District" (pp. 3-33), which has provided a valuable model for my discussions of congressional districts throughout this work.

⁵⁰⁸ The Census of 1900 discusses three different categories of white males. My figure combines native-born white males of native parentage, native-born white males of foreign parentage, and foreign-born white males. There was a separate category for colored males, which I did not incorporate as it seems to be repetitious. See University of Virginia, *Historical Census Browser*.

Black Population in North Carolina (1890) Second District



Black Males in North Carolina (1900) Second District



Source: University of Virginia, *Historical Census Browser*.

Bern, where White lived. The shift of the district's boundaries led to a more equally divided electorate in the 1890s than in the 1880s, with blacks holding only a 400-vote majority over whites in the district.⁵⁰⁹ In addition, the emergence of the Populist Party in the state reshaped political calculations. In each congressional election from 1892 through 1898, the Populists fielded separate candidates from the Republicans, generally siphoning votes away from the Republican candidate.

Thus the situation confronting North Carolina's most concentrated black electorate by 1892 included a reduced congressional district, a divisive third party, and the continuation of longstanding internal and interracial squabbles within the Republican Party. The unwillingness of some within the Republican establishment to countenance a single, interracial slate of candidates proved disastrous in the 1892 elections. White opposed fusion with the new Populist Party and attempted to ameliorate internal disputes within his own party, urging caution and strongly opposing the practice of running separate Republican slates for statewide office. His advice fell on deaf ears. The combined force of the redistricting of the Second Congressional District, the rise of the Populists, and factional disputes within the Republican Party concerning whether to support black candidates for statewide offices resulted in a terrible defeat at the polls. Black congressman Cheatham was defeated in a three-way race in which the Democratic candidate polled 13,925 votes, while Cheatham had 11,814 and the Populist candidate pulled in 5,457 votes.⁵¹⁰

Though factionalism, demographic changes, and shifting political currents damaged the Republican Party's chances in the election of 1892, the disappointing results

⁵⁰⁹ Justesen, *George Henry White*, 166-67.

⁵¹⁰ Justesen describes this infighting and complex political scenario effectively in *George Henry White*, 151-78; for the vote totals see Anderson, *Race and Politics in North Carolina*, 348.

opened the door to a brighter long-term future for both White and the state Republican Party. With Cheatham's political career effectively over (he would run again unsuccessfully in a three-way race in 1894, preventing White from earning the nomination), White saw a possible opening for his own political ambitions. Furthermore, the new Populist Party eventually forged a powerful coalition with North Carolina Republicans. Between 1896 and 1898, the "Fusionists" (as the Republican-Populist coalition was called) would win the governorship and a majority in the legislature, initiating a "Second Reconstruction" that threatened to undermine the power of white Democrats.

Redemption and Readjustment in Virginia

While fusion alliances produced mixed results in Mississippi and gains would not be fully apparent for several more years in North Carolina, they rattled conventional politics in Virginia in the form of the Readjuster movement that took root by the early 1880s. The alliance forged by Virginia Republicans and dissident Democratic Readjusters made it feasible for John Mercer Langston to seek elected office. By no means would fusion alliances and support for independent political movements be easy choices or sure guarantees of success, but through them the black community gained a much-needed respite from the coercive political machinations of white Democrats, and eventually one of their own would win a seat in the U.S. House of Representatives.

While the 1880s witnessed the potential power of fusion political alliances and dissident third parties, most of these movements were unable to overcome the significant

obstacles of racism and intimidation in order to defeat white Democrats at the polls.⁵¹¹

The exception was in Virginia, where the Readjuster movement was the single most effective challenge to Southern Democratic hegemony to emerge in the late 1870s and early 1880s. The restoration of Democratic control of the state upon its readmission into the Union in 1870 did not end the influence of African Americans in Virginia's political life. The state was unique in the South in that it never experienced the full force of Radical Reconstruction or saw the Republican dominance of its government during its occupation by federal troops. This distinction is reflected in the moderate nature of the 1868 "Underwood" Constitution, which provided for universal male suffrage, granted amnesty to former Confederates, and included a vaguely defined provision for "a uniform system of free public schools" without mentioning issues of integration or the treatment of white and black pupils.⁵¹² These developments transpired as Virginia's large debt presented a highly divisive challenge for the Conservatives (Democrats).

The question of whether to make paying off the debt a first priority split the Democrats into two factions: Funders and Readjusters. Funders wanted to focus the state's efforts on fully paying off its enormous prewar debt. Readjusters desired to lower or "readjust" the debt and use the remaining funds for much-needed domestic reforms, such as support for the state's school system. This division within Virginia's Democratic rank and file benefited African Americans, because it resulted in the emergence of a reforming third party, the Readjusters, thereby offering blacks an effective means to

⁵¹¹ An earlier version of this section was published in Luis-Alejandro Dinnella-Borrego, "From the Ashes of the Old Dominion: Accommodation, Immediacy, and Progressive Pragmatism in John Mercer Langston's Virginia," *Virginia Magazine of History and Biography* 117, no. 3 (2009): 219-31.

⁵¹² Dailey, *Before Jim Crow*, 15-25 (quotation on p. 24).

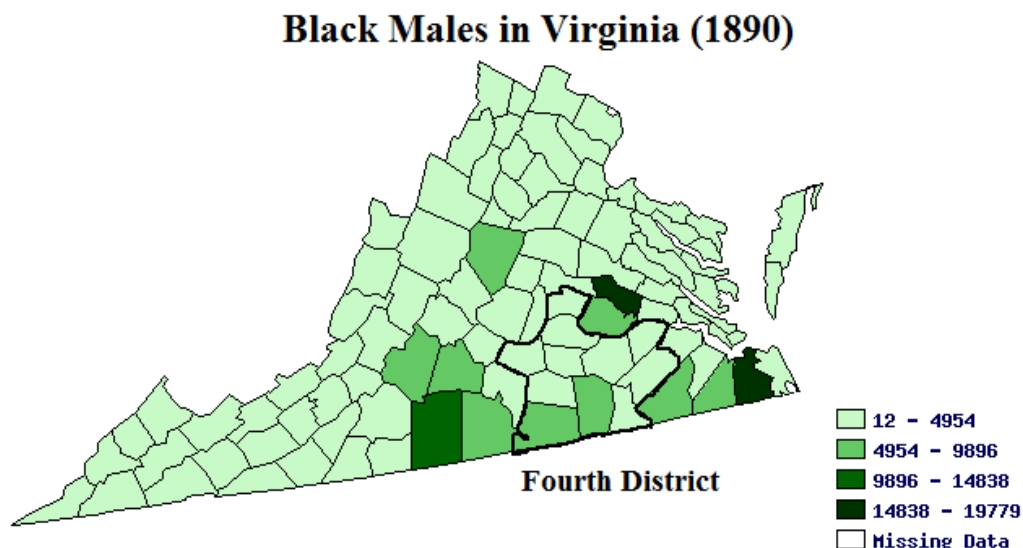
engage actively in the state's political life and to pursue their own community's civil and political goals.⁵¹³

Virginia's Democrat-controlled state legislature had previously gerrymandered a large area of southern Virginia that became the Fourth Congressional District, containing eleven counties including the major urban center of Petersburg. This district boasted a black majority population of 102,064 in 1880. Over the next ten years the African American population would remain almost steady; it numbered 100,009 as of 1890. According to the 1890 census, 19,263 blacks were eligible to vote as opposed to 14,247 native-born and 453 foreign-born whites.⁵¹⁴

The potential political strength of African Americans in the district was not lost on John Mercer Langston. He wrote that the "people consist of two classes, white and colored. . . . The latter class with its descendants, largely predominates in numbers, so much so that the whole section of the district and adjoining counties are designated the

⁵¹³ My understanding of the Readjusters has been influenced by the scholarship of Jane Dailey as well as that of James T. Moore, "Black Militancy in Readjuster Virginia, 1879-1883," *Journal of Southern History* 41 (1975): 167-86; William D. Henderson, *Gilded Age City: Politics, Life and Labor in Petersburg, Virginia, 1874-1889* (Lanham, MD: University Press of America, 1980), and Lawrence L. Hartzell, "The Exploration of Freedom in Black Petersburg, Virginia, 1865-1902," in Edward L. Ayers and John C. Willis, eds., *The Edge of the South: Life in Nineteenth Century Virginia* (Charlottesville: University of Virginia Press, 1991), 134-56.

⁵¹⁴ The numbers that I provide are drawn from the University of Virginia's *Historical Census Browser*, accessed 4 May 2009, <http://www.mapserver.lib.virginia.edu/>, and the U.S. Bureau of Census, *Statistics of the Population of the United States at the Tenth Census* (Washington: Government Printing Office, 1880) and *Report on the Population of the United States at the Eleventh Census: 1890. Part I* (Washington: Government Printing Office, 1895). Particularly useful were the U.S. Bureau of Census, *Report on the Social Statistics of Cities, Part II. The Southern and Western States* (Washington: Government Printing Office, 1887); U.S. Bureau of Census, *Population of the United States Eleventh Census of the United States by Minor Civil Divisions* (Washington: Government Printing Office, 1891); and Kenneth C. Martis, *The Historical Atlas of American Political Parties in the United States Congress, 1789-1989* (New York: Macmillan, 1989). For a discussion of the number of blacks in Petersburg in the 1880s and a brief study of gerrymandering, see William F. Cheek, "A Negro Runs for Congress: John Mercer Langston and the Virginia Campaign of 1888," *Journal of Negro History* 52 (1967): 16. For more on Petersburg, see Lawrence Leroy Hartzell, "Black Life in Petersburg, Virginia, 1870-1902" (M.A. Thesis, University of Virginia, 1985), and Henderson, *Gilded Age City*.



Source: University of Virginia, *Historical Census Browser*.

‘Black Belt of Virginia.’⁵¹⁵ Nevertheless, Langston, especially with respect to Petersburg, had no political illusions. The city contained a population of 25,000, with blacks being “numerically superior” to whites, but “what the whites lack in numbers ... they supplement in superior intelligence and power, using when it becomes necessary to that end, trick or fraud, intimidation, hindrance, and obstruction at the polls on election-day.”⁵¹⁶ The dichotomy between the numerical superiority of blacks and the fraud and intimidation employed by whites was never far from Langston’s mind. Both factors played roles in his turbulent congressional campaign of 1888. His own campaign, however, was not the first occasion when blacks in the Fourth Congressional District had involved themselves in the tumultuous political arena of post-Reconstruction Virginia. Well before the election of 1888, the district was a hotbed for Readjuster agitation.⁵¹⁷ Made up of a diverse coalition of African Americans, Republicans, and Democrats, the

⁵¹⁵ Langston, *Virginia Plantation*, 451.

⁵¹⁶ Ibid.

⁵¹⁷ William Toll, “Free Men, Freedmen, and Race: Black Social Theory in the Gilded Age,” *Journal of Southern History* 44 (1978): 574.

Readjusters capitalized on the Virginia electorate's dissatisfaction with the Conservative-dominated (i.e., Bourbon Democrat) legislature's desire to pay off the state's antebellum debt and scored remarkable electoral victories as early as 1879. By 1881 the Readjuster movement had grown to such proportions that the party successfully elected William Cameron, a native of Petersburg, as governor.⁵¹⁸ The emergence of the Readjusters presented a viable political alternative for African Americans, and, unlike Virginia's moribund Republicans, white Readjusters proved that they could deliver on promises to their black supporters. Upon arriving in Richmond, the Readjusters abolished the poll tax and the whipping post, and they enabled African Americans to serve on juries and receive equal pay as teachers. In 1883 the Readjuster legislature established the Virginia Normal and Collegiate Institute to educate African Americans; Langston would become the school's president in 1885.⁵¹⁹ As a result of these reforms Readjusters gained valuable support from blacks, even those who remained Republicans. William Mahone, the white leader of the Readjuster-Republican machine, and William Cameron, the white Readjuster governor, both had their bases of power in the Fourth District; the political fortunes of both men were thus tied to the black-majority population in the district. Even if African Americans did not completely abandon their loyalty to the Republican Party, they willingly cooperated with the Readjusters in Virginia, and, as James Tice Moore notes, the "Republican legislative bloc—which included fourteen Negroes—held the

⁵¹⁸ *The Lancet* (Petersburg), 9 September 1882 and 28 October 1882; Hartzell, "The Exploration of Freedom," 140.

⁵¹⁹ Hartzell, "The Exploration of Freedom," 140.

balance of power in the General Assembly. Indeed, blacks alone could tip the scales in the House of Delegates. Their influence was definitely on the rise.”⁵²⁰

In addition, the church—one of the strongest pillars of the African American community—played an integral role in Langston’s campaign. Black ministers threatened their congregants with expulsion if they cast votes against Langston.⁵²¹ The campaign also enjoyed support from members of local clubs such as the Langston Female Invincibles, who arranged festivities for political rallies and urged black men to vote for Langston. As the November 4, 1888, *New York Times* reported, “A remarkable feature of Langston’s campaign has been the organization of women clubs in every town and county in the district. These clubs not only work, but they pray for Langston’s success. Every political meeting held in Langston’s interest is opened with prayer. The colored ministers are encouraging him, and every possible influence is exerted to elect him.”⁵²²

This situation was not surprising. Black membership in churches, according to William D. Henderson, exceeded that of whites by 31 percent. This figure demonstrates the relative power wielded by ministers in the daily lives of African Americans living in the district.⁵²³ Churches offered many useful services to the community. They schooled illiterate parishioners in reading and writing and offered social spaces for community

⁵²⁰ James T. Moore, “Black Militancy in Readjuster Virginia, 1879-1883,” *Journal of Southern History* 41 (1975): 171.

⁵²¹ Cheek, “A Negro Runs for Congress,” 28. The black editor of the *Petersburg Lancet*, George F. Bragg, Jr., presented a mixed view of the Readjusters: “We desire to state that we do not endorse the rascality and meanness in the Readjuster party no more than we endorse the hide-bound meanness and proscriptive policy of the Bourbons. . . . The Readjuster party, just like the Republican party, has shown a disposition to ignore the negro in the distribution of its patronage; yet we can say in all truthfulness that the party has approximated nearer the principles of right than even the Republican party. . . . [Blacks] are not such fools as to vote against their own interests, and put men in office who give no evidence of their honest intentions” (*The Lancet*, 9 Sept. 1882 and 28 Oct. 1882; Hartzell, “The Exploration of Freedom,” 147).

⁵²² See Cheek, “A Negro Runs for Congress,” 26; 28; “Virginia for Cleveland. Republicans Losing Colored Votes by Mahone’s Obstinacy,” *New York Times*, 4 Nov. 1888, accessed 8 July 2011, <http://www.nytimes.com>.

⁵²³ Henderson, *Gilded Age City*, 313.

gatherings. They were also the locus of debating organizations, where African Americans honed their oratorical abilities.⁵²⁴ The black church's political mobilization was crucial to the effectiveness of Langston's 1888 campaign.

As Readjusterism faded in the wake of race baiting by Bourbon Democrats, the movement itself began to fuse with the Republican organization. Former Confederate general William "Billy" Mahone personified the bond between Readjusters and Republicans.⁵²⁵ Mahone led the Republican machine that dominated the Fourth Congressional District. Though he supported some Funder legislation, he became one of the major political figures in the Readjuster cause. Mahone's skillful negotiations with newly elected black Republicans enabled the Readjusters to secure a majority in the state legislature.⁵²⁶ The fusion of predominantly white Readjusters with fourteen black Republicans was a crucial factor in Mahone's election to the U.S. Senate in 1881. Mahone's power and influence secured Langston his position as president of the Virginia Normal and Collegiate Institute, and Langston actively campaigned for the Readjusters in Virginia at Mahone's request in 1881 and 1882.⁵²⁷ In 1888, however, the cooperation between Mahone and Langston ended when Mahone's Readjuster-Republican machine supported the candidacy of Judge A. W. Arnold over Langston for the Republican nomination to Congress. The resulting division within Republican ranks, however, proved to be a mixed blessing for the party, for the Fourth District, and for Langston's ambitions to secure the congressional seat for himself.

⁵²⁴ Ibid, 314.

⁵²⁵ Mahone had fought at the Battle of the Crater in 1864, where his forces murdered black troops; now, ironically, he found himself working alongside African American leaders and politicians.

⁵²⁶ Dailey, *Before Jim Crow*, 40; Moore, "Black Militancy in Readjuster Virginia," 171-72.

⁵²⁷ Moore, "Black Militancy in Readjuster Virginia," 172; Cheek, "A Negro Runs for Congress," 16.

Open rebellion against Mahone's control of the party was becoming increasingly evident by the mid- to late 1880s. Mahone was the "only ... dissatisfied man in the party in Virginia today. ... He is a faction by himself. He is going down and out," said Republican gubernatorial hopeful John S. Wise, who placed the blame for the internal divisions within the Virginia Republican Party squarely on Mahone's shoulders.⁵²⁸ Lurid descriptions of intraparty divisions appeared on the front page of the *Petersburg Daily Index-Appeal*. Wise stated confidently, "The republican party of Virginia is a party and not an army of political serfs subservient to Czar Mahone. A man who joins it will not feel as if he were an enlisted soldier, without voice and subject to military orders from a leader whose word was absolute law."⁵²⁹ The reality, however, was far more complex. Mahone led the Readjusters to victory in their earlier campaigns, and he continued to provide many benefits to the black community in the wake of that success.

With the election of Democrat Grover Cleveland to the White House in 1884, the Republican party of Virginia faced one of its darkest hours. General Mahone, who finished his term in the U.S. Senate in March 1887, attempted to hold the party together in the face of a sequence of damaging developments from 1883 to 1885. These included the party's loss of its majority in the state legislature, the reduction of the state's number of Republican congressional representatives, and the accompanying loss of federal patronage. Combined with the "rebellion of discontented elements within the party," all these developments served to weaken Mahone's position as state Republican chairman in 1888 as he faced challenges from Readjuster governor William E. Cameron, gubernatorial hopeful John S. Wise, and congressional candidate John Mercer

⁵²⁸ "They Mean To Win. Virginia Republicans Do Not Intend To Allow Either Mahone, Brady, Wise or Any One Else To Stand in the Way of Success," *Petersburg Daily Index-Appeal*, 16 July 1888.

⁵²⁹ Ibid.

Langston.⁵³⁰ “Czar Mahone” was intent on granting power to no one but his supporters and therefore he would not give the nomination for the district’s congressional seat to an upstart educated black man like Langston. As Lawrence Hartzell noted, African Americans in the district long desired a politician of their own race to serve them in Congress, “feeling that their large share of the voters of their district earned them such representation.”⁵³¹ Furthermore, Mahone’s actions played a significant role in eroding what support the Readjuster-Republicans retained among the black electorate. At the 1884 Republican state convention he ensured that Joseph Evans, a black candidate, did not receive the party’s nomination to represent the Fourth District in Congress. The white contender, James Brady, secured the Republican nomination and won the election, with the Democratic candidate taking second place and Evans, running as an independent, finishing third.⁵³² Evans’s defeat in the Fourth District prompted the black editor of the *Petersburg Lancet*, George F. Bragg, Jr., to write that, “It is no use for any colored man to make an attempt to go [to] Congress unless he has plenty of money to buy up the leaders, because as long as there are two white men in the party in this district one of them will want to go to Congress and his money will elect them.”⁵³³

This background helps to explain why Langston’s 1888 campaign was characterized by intense warfare that pitted Republicans against Republicans and blacks against blacks. It also became a national affair. The *Chicago Daily Inter Ocean* published a letter to the editor describing Langston as a “horse thief” who had been “handsomely provided for by the Republican party at the beginning of reconstruction, having held a

⁵³⁰ Henderson, *Gilded Age City*, 188.

⁵³¹ Hartzell, “The Exploration of Freedom,” 144.

⁵³² Ibid, 143.

⁵³³ Ibid; Henderson, *Gilded Age City*, 177-86.

high position under General Howard's management of the Freedmen's Bureau. ... It is certainly in bad taste, to say nothing of his ingratitude, to fling mud in the eyes of those who so carefully guarded his fame and his purse."⁵³⁴ Langston defended his right to the nomination in a letter sent to Republican national chairman Matthew Quay and distributed publicly. He said that he faced opposition "in a most positive and ... violent manner by Gen. William Mahon[e]" and that he desired nothing more but the chance to win or lose an election "in orderly, regular, republican honorable methods."⁵³⁵

The national election also highlighted the personal and political differences between Langston and Frederick Douglass, who had become one of Langston's most outspoken critics. The two men represented distinct forms of activism within the national black community. Langston presented himself as a polished and well-educated man of means, while Douglass was a self-educated runaway slave. They also presented starkly different family backgrounds. Langston's favorable recollection of his family, particularly his white father, contrasted sharply with Douglass's memories. Douglass wrote that he rarely saw his mother and "was not allowed to be present during her illness, at her death, or burial."⁵³⁶ He never knew who his white father was, and he remained disgusted by white planters who maintained dual relationships as both master and father to their slaves.⁵³⁷

The radically different upbringings of these two prominent former slaves did not, at first, bring them into conflict. William F. and Aimee Lee Cheek assert that the initial

⁵³⁴ H. C. Carter, "John M. Langston," *Chicago Daily Inter Ocean*, 11 Sept. 1887, in "19th Century U.S. Newspapers," accessed 11 Feb.

2008, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP.

⁵³⁵ Cheek, "A Negro Runs for Congress," 20.

⁵³⁶ Frederick Douglass, *Narrative of the Life of Frederick Douglass, An American Slave* (1845; rpt. New York: Barnes & Noble Classics, 2003), 18.

⁵³⁷ *Ibid.*, 3-40.

source of division was Douglass's unkind remarks in 1884 concerning Langston's youngest son, who had been accused of murder. The *New York Freeman* stated, "Mr. Douglass and Mr. Langston are at dagger's points, Mr. Langston believing that Mr. Douglass sought to prejudice the case of Mr. Langston's son Frank, who was charged (but acquitted) with murder a few years since. The two gentlemen met in the office of Mr. Wm. E. Matthews last week ... when some very hot words passed between them. Mr. Douglass was disposed to explain but Mr. Langston refused to listen."⁵³⁸

In addition, the two diverged politically on the subject of black emigration from the South.⁵³⁹ Whatever the reasons, by 1888 they viewed each other as rivals, and when William Mahone requested that Douglass write a letter opposing Langston's candidacy, Douglass agreed to vilify his former colleague: "He was on the finance committee of the Freedmen's Bank when most of its bad loans were made. ... He remained with Howard University so long as there was a chance to make himself its president. ... No encouragement should be given to any man whose mad political ambition would imperil the success of the Republican Party."⁵⁴⁰ Impressively, Douglass's letter provoked outrage from the local black community and increased Langston's popular appeal in the Fourth District.⁵⁴¹ Furthermore, his public opposition to Langston's candidacy drew criticism from black newspapers like the *Richmond Planet* and the *New York Age*.⁵⁴²

⁵³⁸ *New York Freeman*, 30 Jan. 1886, in "19th Century U.S. Newspapers," accessed 5 Jan. 2012, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP; William F. Cheek and Aimee Lee Cheek, "John Mercer Langston: Principle and Politics," in Leon F. Litwack and August Meier, eds., *Black Leaders of the Nineteenth Century* (Chicago, 1988), 119.

⁵³⁹ The Cheeks may have overlooked the real ideological differences that divided Douglass and Langston. For more on these ideological divisions, specifically with respect to black emigration from the South, see Toll, "Free Men, Freedmen, and Race," 576-77.

⁵⁴⁰ Cheek, "A Negro Runs for Congress," 21.

⁵⁴¹ *Ibid.*, 21-22.

⁵⁴² "Mr. Douglass' Letter," *Richmond Planet*, 25 Aug. 1888; "Douglass and Langston," *New York Age*, 1 Sept. 1888.

Langston recognized that, to ensure his election, he needed to create a well-organized and equally well-funded political campaign and to monitor the polls on election day. Running as an independent, he threw himself fully into the task of campaigning and drew upon his own financial resources. According to William Cheek, his personal fortune was somewhere between \$50,000 and \$100,000; Langston sold \$10,000 worth of bonds and spent \$15,000 of his own money to pay for his campaign.⁵⁴³ The results of the election, however, indicated that Langston had lost: 13,300 votes had been cast for Democratic candidate E. C. Venable, 12,657 for Langston, and 3,207 votes for the Republican nominee, Judge A. W. Arnold.⁵⁴⁴

Langston refused to accept the legitimacy of the election. He knew that the district's majority black vote should have favored an African American candidate. The election was characterized, on all sides, by bribery and corruption. As one Mahone supporter stated, "While we were buying Langston votes, Langston and Venable were buying ours."⁵⁴⁵ Langston himself noted how Democrats, "fearing that [he] might become demoralized and abandon the contest, sought to reach him, and by promises and gifts of funds strengthen and sustain his purpose to wage to the last moment the fight in which he found himself engaged."⁵⁴⁶ The Democrats were encouraging Langston's independent candidacy in the hope that it would divide the Republican vote and ensure a Democratic victory. Langston astonished the Democrats "when he not only looked with

⁵⁴³ Cheek, "A Negro Runs for Congress," 26-27. Cheek notes that "Langston's wealth, based on a rich legacy from his father, had been increased through investments in Ohio real estate" (p. 27, note 43).

⁵⁴⁴ Ibid, 30.

⁵⁴⁵ Ibid.

⁵⁴⁶ Langston, *Virginia Plantation*, 465; Cheek, "A Negro Runs for Congress," p. 28.

cold indifference upon their [proposition], refusing utterly to give it a moment's consideration," but declined "to put a dollar of Democratic funds in his canvass."⁵⁴⁷

Langston hired a number of well-educated and youthful activists to monitor the polls on election day, and their testimony supported Langston's claim against Venable.⁵⁴⁸ M. N. Lewis, a thirty-year editor and lawyer from Petersburg, served as the secretary of Langston's campaign committee. He testified that Langston had sent out a letter instructing his surrogates to "remain at the polls all day" writing down the names of all men who cast their votes for Langston. After the polls closed, according to Langston's instructions, these men were to "witness the counting of the ballots" to make sure that all returns were "properly made out and signed by the judges and clerks of election according to the form on the poll books."⁵⁴⁹

One glaring example from Petersburg illustrates the outright fraud that took place during the election. In the sixth ward of the city, where blacks outnumbered whites by three to one, local officials tampered with the election process by using a wooden barrier to segregate black voters from whites "in two lines ... to receive the ballots from each side alternately, a white man's ballot, and then a negro's ballot; and so on throughout the day, unless some colored man who wished to vote the white men's tickets could get permission to fall in ... the line of the whites."⁵⁵⁰ When the polls closed at sunset, 251 of 265 whites had been able to cast their ballots, but only 401 of 709 African Americans had

⁵⁴⁷ Langston, *Virginia Plantation*, 466. Though certainly one must consider Langston's reflections with caution, his earlier actions suggest that he was not the kind of man who would have accepted campaign funds from the Democrats.

⁵⁴⁸ Cheek, "A Negro Runs for Congress," 25; Cheek and Cheek, "John Mercer Langston: Principle and Politics," 123.

⁵⁴⁹ U.S. Congress, House of Representatives, *Digest of Contested-Election Cases in the Fifty-First Congress*. 51st Cong., 2nd Sess., House Miscellaneous Document No. 137 (Washington, 1891), 444-45, in "U.S. Congressional Serial Set, 1817-1980," accessed 5 Jan. 2013, <http://www.infoweb.newsbank.com/?db=SERIAL>.

⁵⁵⁰ *Digest of Contested-Election Cases in the Fifty-First Congress*, 51st Cong., 2nd Sess., 452.

voted, the rest were still in line when the polls closed.⁵⁵¹ Such acts were not confined to Petersburg, and Langston was able to present a detailed analysis of each ward and election district, documenting the irregularities and outright fraud at the polls. He concluded: “I claim that the votes of said several electoral districts, as officially announced, are untrustworthy, unreliable, incorrect, and are not entitled to credit. ... I claim that I was duly elected Representative in Congress of the United States of the Fourth Congressional district of Virginia.”⁵⁵²

Once again, Frederick Douglass lent his support to Langston’s opponents in the form of a letter published in the *Virginia Lancet* in January 1889. Douglass wrote that Langston’s “reason for taking himself outside of the Republican party and forming a colored Langston party was weak and worthless. It was that General Mahone had control of the Republican convention and prevent[ed] his nomination.”⁵⁵³ Douglass asked pointedly, “Shall we have one law for the white and another for the mulatto, who, when it suits him, may avail himself of either?”⁵⁵⁴

For most of the period from 1874 through 1894, Democrats held a majority in the House. The new Republican majority that took power in 1888, however, though not entirely willing to stake its political fortunes on the issue of seating a black congressman, eventually seated Langston along with South Carolina’s Thomas Ezekiel Miller. House Republicans, according to the *Boston Journal*, were tired of the Democrats’ efforts to

⁵⁵¹ Cheek, “A Negro Runs for Congress,” 30; *Digest of Contested-Election Cases*, 452.

⁵⁵² U.S. Congress, House of Representatives, *Contested-Election Case of John M. Langston vs. E. C. Venable, From the Fourth Congressional District of Virginia* (Washington: Government Printing Office, 1889), 19.

⁵⁵³ *Ibid.*, 49-50.

⁵⁵⁴ *Ibid.*, 50.

delay congressional business and determined “not to permit any more time to be wasted in discussion of these contested election cases.”⁵⁵⁵

When he finally secured his victory, Langston entered Petersburg in triumph and spoke to a crowd gathered at Langston Hall, his campaign’s headquarters.⁵⁵⁶ “The state that first gave you slavery is now sending one of the old slave class to Congress,” he declared, recalling the venom of his opponents who had said, “Don’t seat that man because you’ll put him where Daniel Webster used to stand, you’ll put him where Henry Clay used to stand. It won’t do.”⁵⁵⁷ Concluding his speech, Langston embodied both his father and his mother as he described his true mission:

When I was elected I thought it was to represent this District, but since ... I have been seated, I’ve found to an extent I represent the entire country. I have letters from all sections of it congratulating me. I have the most loyal men and the most loyal women in my District. My first endeavor is to make old Virginia the first state in the Union and the Fourth Congressional District the first in the Union.⁵⁵⁸

Langston’s battle for his seat illustrated new possibilities for African American politics in the New South, but it also demonstrates the increasing limitations on black political participation in the aftermath of Redemption. While some national black leaders would be able to continue their struggle in this unfamiliar landscape, others were unable to maintain their power in the face of white racism and intimidation.

The Lesser of Two Evils

In the end, neither the massive black exodus of the late 1870s and early 1880s nor the rising tide of fusion and agrarian reform provided clear avenues for black

⁵⁵⁵ “The Struggle Ended. A Republican Quorum in the House Finally Secured on Tuesday. Two Republicans, Langston and Miller, Given Seats. Incidents of the Closing Minutes of the Struggle. Serious Disagreements by the Tariff Conference,” *Boston Journal*, 24 Sept. 1890, in John Mercer Langston Collection, Scrapbooks 1-4, boxes 60-1 and 60-2, Howard University, Washington, DC (hereafter cited as Langston Scrapbooks).

⁵⁵⁶ *Richmond Planet*, 11 Oct. 1890, Langston Scrapbooks; Cheek, “A Negro Runs for Congress,” 18.

⁵⁵⁷ *Richmond Planet*, 11 Oct. 1890, Langston Scrapbooks.

⁵⁵⁸ *Ibid.*; Langston, *Virginia Plantation*, pp. 501-2.

advancement, although each provided opportunities for individual black politicians. Nevertheless, as the national conventions held in Nashville in 1876 and 1879 illustrated, blacks grew increasingly weary of their commitments to Republicans and even to the idea of remaining in the South. These shifting political currents influenced even the most forward-thinking advocates of Southern boosterism and economic modernization among national black political leaders.

The career of Josiah Thomas Walls makes some of those changes clear. Having been ousted from his final term during the Forty-Fourth Congress in April 19, 1876, Walls found himself disillusioned with the Republicans and moved toward embracing alternative parties. By the early 1880s he was despondent and bitter. On August 28, 1882, writing from Alachua County, Florida, to Rev. Joseph E. Lee (a lawyer who would eventually become the state's first black municipal judge), he expressed his belief that whites had betrayed their black neighbors and his fear of the increasing violence spreading through Florida: "See how many of our best men have been shot down, for their lasting fidelity to some man, who is safely looking on, from some northern city or some safe place in the State."⁵⁵⁹ Where once there was optimism and a willingness to work across racial lines, now Walls was confronted by the awful reality of increased violence and political impotence. Though he tried to continue as a political figure after Reconstruction (and indeed would serve again in the Florida State Senate in 1879), his career was virtually over by the early 1880s.

Increasingly dissatisfied with the state of affairs in the Republican Party and in his home state, Walls declared himself politically independent. Writing in the *New York Globe* on February 9, 1884, Walls explained how he had decided to resign from the

⁵⁵⁹ Ortiz, *Emancipation Betrayed*, 40-41.

Florida Republican District Committee and turn toward the “Independent movement” in Florida. (The Independent Party was the equivalent of the Greenbackers, Readjusters, and Populists in other Southern states; it included a biracial coalition of dissident whites and African Americans who sought to challenge the hegemony and economic policies of Bourbon Democratic regimes.) After citing personal reasons, ranging from distrust of the Republican leadership in the state to unfair patronage appointments, Walls asserted:

I believe such course of political action on the part of the colored voters, will raise them above their present position in the Republican organization, and secure to them true and more faithful leaders, and redress for the evils to which they are now subjected. I do not believe that it is to the best interest of the colored voters of the South, from past experience, to even dream of holding the Republican organization intact, and to urge it upon them as a duty, would be a crime against their manhood.

Furthermore, Walls saw the continued violation of black civil rights, unfriendly Supreme Court decisions, and blacks being “shamefully ignored” by Republican leaders as signs that it was time for blacks to part ways with the party of Lincoln.⁵⁶⁰

Within this context and following the bolting of loyal Republican delegates from the regular Republican State Convention in 1884, Walls decided to run for the seat held by white Republican Congressman Horatio Bisbee, Jr. In August Bisbee challenged Walls to debate him during the campaign, promising him “courteous treatment and fair division of time.” Walls accepted Bisbee’s challenge.⁵⁶¹ The candidates met during a rally on September 6, 1884, in Gainesville, Florida, with about 1,000 people in attendance. After listening to Bisbee speak for twenty minutes, Walls stood up and

⁵⁶⁰ “Gen. Walls on Fusion His Reason for Resigning from the Committee—Letter from Senator Greely,” *New York Globe*, 9 Feb. 1884, in “19th Century U.S. Newspapers,” accessed 25 July 2012, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP.

⁵⁶¹ “Bisbee Challenges Walls,” *New York Times*, 18 Aug. 1884; “Gen. Walls Accepts,” *New York Times*, 19 Aug. 1884, both in “ProQuest Historical Newspapers, The *New York Times* (1851-2008),” accessed 25 July 2012, <http://search.proquest.com.proxy.libraries.rutgers.edu/hnpnewyorktimes>.

demanded to know whether he would have the chance to participate in the debate. When Bisbee responded with a curt “By and by,” Walls jumped to his feet and shouted, “Will you do it, will you do it, will you do it? For, by God, I demand it.”⁵⁶²

Bisbee declared that his opponent would have a chance to speak, but that several others from Bisbee’s campaign would speak first. As the chairman, Dr. Ambrose, stood up to introduce the next speaker, Walls quickly rose and reached the rostrum before the chairman could open his mouth. The crowd broke out into a “stupendous uproar” and shouted out Walls’s name. The correspondent for the *Florida Times-Union* described Walls’s demeanor in vivid detail:

“Colonel Bisbee! Colonel Bisbee!! Colonel Bisbee!!! I demand my rights Colonel Bisbee, and, of you, my countrymen,” turning to the audience. Then wheeling quickly around he extended his hand to Bisbee, still shouting. “Colonel Bisbee! *Colonel* Bisbee!! COLONEL Bisbee!!!” Bisbee took his hand, and Walls says, “Will you give me my rights?” Then, turning to the audience, he cried, “By God, I’ll have my rights or I’ll die for it right here.”⁵⁶³

Eventually Bisbee sat down and Walls addressed the crowd, which had begun to chant his name, but few could appreciate what he had to say. According to the correspondent, there was such a commotion and Walls was so excited in his delivery that it was hard for the crowd to understand his speech. Eventually the “crowd suppressed its effervescence,” and, according to the reporter, Walls proceeded to attack his white Republican opponent viciously:

Colonel Bisbee says the *Farmer’s Journal* published by me and paid for by me, is paid for by Democratic money. When he says this he lies. I say he lies. I say he *lies!* ... Intelligent people—you people before me—we know what he wants; he wants only to elect himself. ... He can go to hell. He cannot know whether a

⁵⁶² My account of this rally is drawn from “Greek Meets Greek. A Pen Picture of Politics in Old Alachua,” *Florida Times-Union*, 10 Sept. 1884; Peter D. Klingman, *Josiah Walls: Florida’s Black Congressman of Reconstruction* (Gainesville: University Presses of Florida, 1976), 136-38 (which relies on the same article).

⁵⁶³ “Greek Meets Greek.”

Democrat ever paid me a cent. We will fight him till the election night. ... He has lied to me, and he has lied about me, and he talks to me, and he talks to you, as if we are fools. I know about these things. What are your interests? Are they not identical with the interests of the people among whom you live? Let Bisbee go to hell.⁵⁶⁴

Indeed, so alienated had Walls become from the Republican establishment that, at one point, he denounced carpetbaggers “who have wound their coils around us until we must crush them or die.”⁵⁶⁵ While the rally suggested that Walls retained significant personal popularity, he could no longer turn it into electoral success; in fact, he could not even win one percent of the vote. The Democratic candidate, Charles Dougherty, carried the race with 16,895 votes to Bisbee’s 15,595, while Walls could claim only 215 votes (of which 149 came from his home county, Alachua).⁵⁶⁶

The results should not have been surprising. Indeed, across the South by the mid-to late 1880s, the upsurge in agrarian reform movements, political fusion, and independent third parties had been checked by renewed fraud, violence, and intimidation on the part of the white Democratic establishment. Even the formidable Readjuster-Republican coalition of Virginia proved no match for the tactics of Democrats, who, on their way to regaining power, often connected fusion alliances with white fears of a resurgent era of “Negro rule” and the threatening specter of “social equality.”

Nevertheless, the period between 1876 and 1890 witnessed a profound shift in black political culture, one that influenced the strategies embraced by national black leaders. Though most blacks continued to support the Republican Party (even at the

⁵⁶⁴ Ibid.

⁵⁶⁵ Ibid.

⁵⁶⁶ Klingman, *Josiah Walls*, 139-40; “Democracy Victorious All Along the Line!” *Weekly Floridian* (Tallahassee), 11 Nov. 1884; “Official Certificate of the Board of State Canvassers of the General Election Held on the Fourth Day of November, A.D. 1884,” *Weekly Floridian*, 9 Dec. 1884. One might be tempted to draw the conclusion from Walls’s pitiful vote total that considerable intimidation was present, but by this time Walls had lost his once-potent political base.

height of fusion initiatives), they would not do so with the same ideological fervor that they embraced in the immediate aftermath of the Civil War and during the heyday of Radical Reconstruction. National black political leaders increasingly embraced a diverse range of interests that occasionally brought them into conflict with one another. Where once there had been substantial unity, now there was no uniform ideological position to bring all black politicians together.

In some respects, black participation in third parties and the embrace of emigration were not entirely new. Prior to the Civil War small numbers of blacks had participated in abolitionist third parties and entertained calls to leave the United States in favor of better treatment elsewhere.⁵⁶⁷ But the differences in the postwar period were striking. This time the emergence of emigration and fusion as viable political alternatives were rooted firmly in the context of African American citizenship rights. Blacks considered leaving the South in order to protect their rights as American citizens. Most African Americans did not consider themselves a separate nation; rather, they saw themselves as citizens entitled to the same rights as other Americans. When those rights were threatened in the wake of the failure of Reconstruction, the black community and their leadership reacted immediately to the changing political tides, seeking alternative ways to affirm their equality as men and as Americans.

The fact that African Americans could still affirm their rights as citizens (albeit in more limited ways) and participate in the political life of the New South well after the

⁵⁶⁷ For more on abolitionism and discussions of the place of emigration in the antebellum black community, see Sandra Sandiford Young, "John Brown Russwurm's Dilemma: Citizenship or Emigration?" in Timothy Patrick McCarthy and John Stauffer, eds., *Prophets of Protest: Reconsidering the History of American Abolitionism* (New York and London: New Press, 2006), 90-113. For discussions of the political context of abolitionism and black support of alternative parties see James Oakes, *The Radical and the Republican: Frederick Douglass, Abraham Lincoln, and the Triumph of Antislavery Politics* (New York and London: W. W. Norton & Company, 2007).

violent overthrow of Reconstruction did not sit well with many white Democrats. Even though most fusion alliances were utter failures and those that did succeed (like the Readjuster alliance in Virginia) were unraveling by the mid- to late 1880s, the very existence of such alternative and viable political opportunities threatened the fabric of race relations in the South. Indeed, African Americans were still able to secure the election of several black leaders to Congress. In some instances, blacks were able to hold the balance of power in counties or even play a substantial role at the state level by supporting dissident Democrats and agrarian reform movements. So long as this fluid and uncertain state of affairs persisted, African Americans could still have an impact in Southern politics. And that fact meant that it was possible, albeit unlikely, for African Americans to help topple Southern Redeemers.

At the same moment as national black politicians embraced alternate political avenues, whether through fusion or emigration, the white Democratic establishment moved to solidify its gains by codifying racial segregation and disfranchising the majority of blacks (along with large numbers of whites) in order to preclude a black or Republican resurgence in the South. By the beginning of the 1890s, national black political leaders who remained in Congress or who maintained powerful positions in local areas across the South were forced to respond to these efforts to disfranchise African American voters. Those members of the old guard who remained continued to champion economic modernization and private legislation, but they became increasingly more vocal about civil rights issues—especially voting rights and anti-lynching legislation.

The age of fusion politics may have witnessed the birth of more fluid political alliances and a willingness to part ways with the Republican Party, but such strategies

would not be useful if the black electorate could not even vote. While pulmonary tuberculosis took the life of James Thomas Rapier in 1883 and Josiah Thomas Walls had met his political demise by the mid-1880s, John Roy Lynch, Robert Smalls, John Mercer Langston, and George Henry White capitalized on the changes wrought by emigration and political fusion. Their ideas helped to modernize the South and slow the campaigns of violence and voter disfranchisement that had begun to engulf the region. Whether crafting civil rights legislation in Congress or participating in state constitutional conventions, national black political leaders confronted an uncertain political future. Nevertheless, they continued to fight for policies that would serve their black constituents and preserve their rights as free men and citizens.

CHAPTER SIX

**The Last Hurrah:
The Demise of Black Politics and the Rise of the New Order, 1882-1901**

The Changing of the Guard

“The air is full of politics, the woods are full of politicians. Some clever traps are being set, and some skillful moves are being made upon the political board. In North Carolina the Negro holds the balance of power, which he can use to the advantage of the race, state and nation, if he has the manhood to stand on principles, and contend for the rights of a man.”⁵⁶⁸ So began a brief editorial published on September 28, 1895 on the front page of black journalist Alexander Manly’s *Wilmington Daily Record*. This editorial came a year before the triumph of the Fusionists (an interracial alliance between Republicans and Populists) that inaugurated the “Second Reconstruction” of North Carolina between 1896 and 1898. The editorial is filled with cautious optimism: “Snap judgment and hasty action mean nothing. We believe that the present condition of things requires us to make haste slowly. Every step should be made after calm and mature deliberation. While all the views of the old leaders cannot be endorsed we would remind the young leaders to be sure you are right, otherwise it will be suicide to go ahead. While concocting a safe remedy for the people, death may be dropped in the pot.”⁵⁶⁹

Though writing for a local audience, the editorial captured major shifts that were occurring within black policy circles. It concluded, “Some have already shown their hand, others are lying low, others are sleeping with one eye open. We will wait till the

⁵⁶⁸ *Wilmington Daily Record*, 28 Sept. 1895.

⁵⁶⁹ Ibid.

iron is hot, then grasp our sledge and strike at selfishness, corruption and every man who looks as if he wants to use the Negro vote to further personal ends.”⁵⁷⁰

The “old leaders” to whom Manly referred included an assortment of men who had been involved in black politics and activity for up to a generation by the opening of the 1890s. Many had already served in elected office, like former congressmen John Roy Lynch and Robert Smalls. Others, like John Mercer Langston, entered elective politics relatively late in their careers. And a few younger members, like George Henry White, served in the House at the close of the nineteenth century.

As Manly’s editorial made clear, by 1895 the political situation confronting black political leaders was changing rapidly. No longer would the solutions or the stature of the old guard be enough to unite all segments of the black community behind their authority. New leaders had emerged to challenge the approach of Langston, Lynch, and White. Prominent black leaders of the new generation tended to be writers, journalists, and teachers rather than politicians; Ida B. Wells-Barnett, Timothy Thomas Fortune, W. E. B. Du Bois, and Booker T. Washington all fell into this category. This new generation would not forge a monolithic response to the needs of the black community. As a result they often clashed with older black politicians and, increasingly, with each other in ways that would change the course of black civil rights activism by the early twentieth century.

This chapter focuses on the major shifts in black policy that occurred toward the close of the nineteenth century and the clashes in which established black leaders and their younger counterparts engaged. National black politicians were familiar with clashes over strategy and personalities, having experienced various intraracial battles dating back

⁵⁷⁰ Ibid.

to the various conventions of the 1870s. But the attacks that men like John Roy Lynch experienced by the 1890s were particularly jarring.

One of the most virulent attacks was levied by *The Broad Ax*, published in Salt Lake City (and later in Chicago) by black Democratic editor Julius F. Taylor. On March 20, 1897, the paper castigated another local newspaper for devoting “one column of its worthless space last week to lauding the Hon. John R. Lynch to the skies.”⁵⁷¹ Taking issue with the other newspaper’s belief that “Mr. Lynch towers head and shoulders above the late Frederick Douglass,” Taylor stated:

Of course we are willing to admit that a live man is always worth more than a dead man. But we can never believe that this gentleman will ever live to see the day ... that he will be able to command the respect or to exert the influence that Mr. Douglass did. It is our firm belief that Frederick Douglass was the greatest and the best leader that the race has ever had, and now that he has passed away, the next and the only true leader of the race is Prof. Booker T. Washington.⁵⁷²

The Broad Ax justified its reasoning on several grounds attacking what it saw as signs of Lynch’s elitism, a mediocre legislative record, and a tendency to favor the company of whites over blacks. Taylor declared, “Mr. Washington and his estimable wife are doing more real and practical work for the upbuilding of the negro race than what Messrs. Lynch, Langston, Bruce or Pinchback ever did or ever can do.” He proceeded to eviscerate Lynch’s congressional record, claiming that Lynch “never introduced one bill or one measure which possessed the least bit of merit; neither did he ever raise his voice in behalf of the downtrodden race.”⁵⁷³ He even attacked Lynch for holding two separate wedding receptions, one for his white friends and another for his black friends. Taylor concluded, “We always dislike to pass judgment upon any person but we have come to

⁵⁷¹ “John R. Lynch,” *The Broad Ax* (Salt Lake City, UT), 20 March 1897.

⁵⁷² Ibid.

⁵⁷³ Ibid.

the conclusion that Mr. Lynch is very selfish and that he is as cold blooded as a rattlesnake.”⁵⁷⁴ Despite the article’s partisan nature and its inaccurate portrayal of Lynch’s congressional service, it represented some of the shifting currents in black policy and strategy that were taking root by the late nineteenth and early twentieth centuries.

These shifting currents emerged amidst growing black voter disfranchisement and a rising tide of lynchings. For all the promise that emigration, fusion, and biracial political alliances may have held for the black electorate, they paled in comparison to the forces amassed against them. For some members of the black community, old solutions to longstanding political problems no longer sufficed. Nevertheless, as national black political leaders confronted challenges to their own legitimacy and came into conflict with a younger cadre of aspiring leaders, they continued their struggle for black civil rights by focusing on the most urgent issues confronting the black community—voter disfranchisement and lynching. Their strategies and solutions were not always perfect, nor did all blacks agree with them. But black leaders like Lynch, Smalls, Langston, and White attempted to hold the line against the forces of white supremacy and segregation that threatened black citizenship rights and the emancipationist legacy of the Civil War.

Renewing the Fight for Civil Rights in the “Solid South”

By 1880 the struggle for black civil rights in the post-Reconstruction South increasingly centered on questions of voting rights and matters of segregation. The Bourbon (conservative) Democratic response to fusion, interracial political alliances, and agrarian revolt followed familiar patterns established in the early 1870s—massive

⁵⁷⁴ Ibid. Nor was *The Broad Ax* alone in its commentary on Lynch’s wedding. For a discussion of what other black news outlets (like the *Washington Bee*) and the black community thought about Lynch’s marriage see Willard B. Gatewood, *Aristocrats of Color: The Black Elite, 1880-1920* (1990; Fayetteville: University of Arkansas Press, 2000), 166-70.

electoral fraud, intimidation, and violence. Mississippi Congressman John Roy Lynch, during his final abbreviated term in the House of Representatives, was forced to defend against a challenge to his victory over former Confederate James R. Chalmers in the election of 1880.⁵⁷⁵

On April 27, 1882, Lynch delivered a speech in defense of his right to be seated in the Forty-Seventh Congress. He touched on his contested election and the state of affairs across the “Solid South.” After summarizing the vote counts and fraud committed by the Democrats and Chalmers, Lynch explained why he thought fraud and violence characterized the South: “I deny that race prejudice had anything to do with fraud and violence at elections in the Southern States. Colored men are not now persecuted in this section from which I come on account of their color, but Republicans, white and colored, are persecuted in many localities on account of their politics.”⁵⁷⁶

Lynch articulated his view of Southern race relations in ways that appeared contrary to social and political realities across the South, but he may have been trying to cut through the racial veneer of the Southern Democratic establishment’s electoral tactics. As the historian Michael Honey has argued, “The post-Civil War era ... offered the possibility that transracial, class-based voting alliances could reconfigure Southern society to the benefit of people at the bottom.” Democrats were using the banner of “white supremacy” to secure the economic and political dominance of the planter class,

⁵⁷⁵ Besides the relevant discussion of the Lynch-Chalmers rivalry in Cresswell’s *Multiparty Politics in Mississippi*, see two articles by Willie D. Halsell: “Republican Factionalism in Mississippi, 1882-1884,” *Journal of Southern History* 7, no. 1 (Feb. 1941): 84-101, and “James R. Chalmers and ‘Mahoneism’ in Mississippi,” *Journal of Southern History* 10, no. 1 (Feb. 1944): 37-58.

⁵⁷⁶ *Congressional Record*, 47th Cong., 1st Sess. (27 April 1882): H. 3385 in “U.S. Congressional Documents,” accessed 7 Sept. 2012, <http://heinonline.org.proxy.libraries.rutgers.edu/HOL/Index?collection=congreg&set>. See also John Roy Lynch, “Election Contest” (27 April 1882), in Stephen Middleton, ed., *Black Congressmen During Reconstruction: A Documentary Sourcebook* (Westport, CT and London: Greenwood Publishers, 2002), 211-19.

former slaveholders, and ex-Confederates.⁵⁷⁷ Lynch's politics, on the other hand, threatened Bourbon Democratic control throughout the South.

Lynch claimed, "The southern bourbons are simply determined not to tolerate honest differences of opinion upon political questions. They make no distinction between those who have the courage, the manhood, and the independence to array themselves in opposition to bourbon methods and measures."⁵⁷⁸ In fact, Lynch argued that it did not matter in what form opposition parties came. "They may call themselves Republicans, Greenbackers, Independents, or Readjusters. The fact that they oppose the ascendancy of bourbon Democracy makes them, from a bourbon standpoint, enemies to the South, to its interests and to its people." As a solution to this unjust Democratic governance, Lynch called for "inculcation of a just and liberal public sentiment." that could undermine "political proscription and intolerance," producing a "free ballot" and a "fair count."⁵⁷⁹

Turning his attention to the origins and workings of the "solidly Democratic" South, Lynch made certain prescient observations. He wondered, "If it be true that the Democratic organization at the South is the exclusive representative of the wealth and intelligence of that section, why is it they do not establish by law an educational or a property qualification for electors?"⁵⁸⁰ Mississippi's black congressman thought he knew why Democrats had not taken that step: "It is because they know they cannot disfranchise

⁵⁷⁷ Michael Honey, "Class, Race, and Power in the New South: Racial Violence and the Delusions of White Supremacy," in David S. Cecelski and Timothy B. Tyson, eds., *Democracy Betrayed: The Wilmington Race Riot of 1898 and Its Legacy* (Chapel Hill and London: University of North Carolina Press, 1998), 166-67.

⁵⁷⁸ *Congressional Record*, 47th Cong., 1st Sess. (27 April 1882): H. 3385 in "U.S. Congressional Documents," accessed 7 Sept. 2012, <http://heinonline.org.proxy.libraries.rutgers.edu/HOL/Index?collection=congreg&set>.

⁵⁷⁹ Ibid.

⁵⁸⁰ Ibid.

the illiterate Republican voter without disfranchising at the same time and in the same way the illiterate Democratic voter.”⁵⁸¹

Lynch’s remarks merit close attention as they reveal his thinking on race relations and Southern Republicans. In response to criticism of Southern Republicans for not forcibly resisting fraud at the polls, he underscored that such frauds “are always committed under some sort of color of law.” Given these circumstances, “What lawful redress have Republicans ... You certainly cannot expect them to resort to mob law and brute force, or to use what may be milder language, inaugurate a revolution.”⁵⁸² He felt that Southern Republicans and African American voters could not embrace the tactics of their opponents. Those areas that engaged in electoral fraud “must be made to understand that there is patriotism enough in this country ... to prevent any party from gaining the ascendancy in the government that relies upon a fraudulent ballot and a false return as the chief source of its support.”⁵⁸³

Lynch then discussed the “bravery and fidelity of the colored people” in their struggle for equal rights. In spite of the challenges they faced, blacks affirmed their dignity as men: “You may deprive me ... of the opportunity of making an honest living ... you may close the schoolhouse door in the face of my children; yea, more, you may take that which no man can give, my life, but my manhood, my principles you cannot have!” African Americans remained faithful to the United States, making the same demands that they had claimed in the immediate post-Civil War period. Lynch said they were asking for “no special favors as a class, they ask no special protection as a race.” Repeating a traditional theme, he argued that blacks had secured their citizenship rights

⁵⁸¹ Ibid.

⁵⁸² Ibid, H. 3386.

⁵⁸³ Ibid.

through their sacrifices on the field of battle—they had “watered the tree of liberty with the precious blood that flowed from their loyal veins.”⁵⁸⁴

Lynch regretted that Southern Democrats were determined to “have a centralized government or no government at all.” To achieve their goals they sought to destroy the “sanctity and the purity of the ballot,” which Lynch saw as “the chief pillar in our governmental structure. Destroy that pillar, and the structure must necessarily fall.” He asserted that he was not speaking as a member of any party, but as a patriot; he acknowledged that parties could differ on policies, but on matters concerning the “stability of the Government and the perpetuity of our institutions” they must be in agreement. Lynch was convinced that the “disgraceful system of election frauds ... ought, must, and will be destroyed.” Such practices were unworthy of the American experiment and “contrary to the spirit of the age in which we live and to the civilization of the nineteenth century.”⁵⁸⁵ Lynch’s arguments drew heavily from long-established threads in African American political discourse. Nevertheless, the nation and the Republican Party would not fulfill his lofty expectations.

Lynch was not alone in castigating Southerners—and Americans in general—for their unwillingness to deal fairly with African Americans. South Carolina Congressman Robert Smalls also fought to protect his constituents’ rights by preventing segregation in railroad transportation. On December 17, 1884, Smalls delivered a brief speech denouncing an amendment by Congressman Charles F. Crisp (D-GA), aimed at segregating transportation services, to an interstate commerce bill. Crisp had stated his belief “that before the law all men are equal” and contended that his amendment did “not

⁵⁸⁴ Ibid.

⁵⁸⁵ Ibid.

seek to invade that right of the citizen,” whereas opponents of segregated transportation were supporters of the unconstitutional “social-equality law” (i.e., the Civil Rights Act of 1875).⁵⁸⁶ Indeed, the 1883 Supreme Court ruling in the *Civil Rights Cases* significantly bolstered Democrats’ efforts to create “Jim Crow” cars on railroads, as the Civil Rights Act of 1875 contained protections against racial discrimination in accommodations and transportation.

Smalls’s response was not remarkable in terms of rhetorical flourishes, but it offers insight into his thinking seven years after the end of Radical Reconstruction.⁵⁸⁷ Smalls, in somewhat sarcastic tones, meant to hold Democrats accountable for their discriminatory practices. “Right-thinking Democrats of the House” should vote down the amendment, he said. These representatives “who are hallooing and crying out that there is no trouble about this matter ... will do all that is best for the welfare of the colored people. I do not believe those men are going to say here now today the colored people shall have nothing but a ‘Jim Crow’ car in Georgia under the action of the railroad commissioners.”⁵⁸⁸ Smalls was sarcastic, but his challenge was serious; if indeed some Democrats wanted to claim concern for the interests of African Americans, then they would have to prove their sentiments through action. Otherwise, they would be engaged in the same duplicity that Smalls had been regularly observed among Democrats in his

⁵⁸⁶ *Congressional Record*, 48th Cong., 2nd Sess. (17 Dec. 1884): H. 316, in “U.S. Congressional Documents,” accessed 7 Sept. 2012.

⁵⁸⁷ Ibid. Smalls’s speech is on the same page as Crisp’s remarks. See also Robert Smalls, “Civil Rights” (17 Dec. 1885), in Middleton, ed., *Black Congressmen During Reconstruction*, 344-45. There is a mistake in Middleton’s dating of the speech, as it should read 1884. Both the *Congressional Record* and Smalls’s biographer affirm that the remarks were delivered in that year. See Edward A. Miller, Jr., *Gullah Statesman: Robert Smalls from Slavery to Congress, 1839-1915* (1995; Columbia: University of South Carolina Press, 2008), 153. For the entire debates and the resulting vote totals see *Congressional Record*, 48th Cong., 2nd Sess. (17 Dec. 1884): H. 315-22, in “U.S. Congressional Documents,” accessed 7 Sept. 2012.

⁵⁸⁸ Ibid.

home state, where some (such as Wade Hampton) spoke of moderation with respect to racial issues but did very little to protect the rights of blacks. However, Smalls's remarks did not move the Congress, which voted in favor of a substitute amendment permitting the railroads to do "as they deem best for the public comfort and safety, or to relate to transportation regarding to points wholly within the limits of one State."⁵⁸⁹ The amendment passed by 137 to 131, with 55 members not voting.⁵⁹⁰

The policy stances and rhetoric embraced by Lynch and Smalls in defense of black voting rights and in opposition to segregation served as a prelude to the last serious attempts by Republicans to address the "Negro Problem" in the early 1890s. These black congressmen's strategies and perspectives would set the stage for African American policy concerning black voting rights, in the form of Henry Cabot Lodge's Federal Elections ("Force") Bill. Lynch and Smalls saw the threats posed by the machinations of Bourbon Democrats and by segregated transportation, and Virginia Congressman John Mercer Langston would adopt a similar strategy in his attempt to secure passage of the Force Bill. The ultimate failure of the Republican-controlled Fifty-First Congress to pass such legislation would initiate a new and dangerous phase in African American politics, one that involved not only black disfranchisement at the polls but threats to the lives of blacks across the South.

The Force Bill and the Limits of Practical Politics

Following his drawn-out contested election, Congressman Langston was finally able to take his seat in the House of Representatives. He arrived too late to vote on Henry Cabot Lodge's Federal Elections Bill, which the House passed in July of 1890. The bill

⁵⁸⁹ *Congressional Record*, 48th Cong., 2nd Sess. (17 Dec. 1884): H. 320; Miller, *Gullah Statesman*, 153.

⁵⁹⁰ *Congressional Record*, 48th Cong., 2nd Sess. (17 Dec. 1884): H. 321.

sought to prevent intimidation and corruption at the polls in congressional races by ensuring oversight of local elections by national party officials and involving federal circuit courts in contested election cases.⁵⁹¹ The bill also stated that federal intervention could occur only if at least one hundred citizens of a congressional district signed their names to a petition charging irregularities in the election; such a petition would trigger circuit court review of the local electoral process.⁵⁹² Southerners reviled the bill as “that thing of evil names and memories, a force bill,” believing it would “destroy the sovereign rights of the states ... and bring strife, bloodshed, and dictatorship in its train.”⁵⁹³

However, as historian Richard Welch asserts, the bill “embodied little coercion and was inspired as much by a wish to validate the principles of national citizenship and the Fifteenth Amendment as by a desire to undermine Bourbon control of southern politics and enhance the national position of the Republican Party.”⁵⁹⁴ The bill never made it out of the Senate, thus ending, for a period of more than sixty years, the federal government’s attempts to protect the voting rights of black Americans. Welch also asserts that “there is no record” that Republican sincerity with respect to the bill’s purpose was “doubted by any Negro leader,” and he adds that there “was a minority opinion among southern Republicans—Negro and white—which doubted the efficacy or tactical expedience of the Federal Elections Bill.”⁵⁹⁵

Among those holding this minority opinion was the newly elected black congressman from Virginia’s Fourth Congressional District, whose opinions regarding

⁵⁹¹ Richard E. Welch, Jr., “The Federal Elections Bill of 1890: Postscripts and Prelude,” *Journal of American History* 52, no. 3 (1965): 514. For more on the Force Bill see Thomas Adams Upchurch, *Legislating Racism: The Billion Dollar Congress and the Birth of Jim Crow* (Lexington: University Press of Kentucky, 2004).

⁵⁹² Welch, “The Federal Elections Bill of 1890,” 514.

⁵⁹³ Ibid.

⁵⁹⁴ Ibid, 511.

⁵⁹⁵ Ibid, 522.

the bill's merits were well known. Langston was squarely opposed to the so-called "Force Bill" because he believed it had very little chance of success. He stated candidly, in an interview with the *Richmond Leader*:

I am opposed to the Lodge bill ... as I would be to any other bill that sought an honest ballot and a fair count in the south, and yet depended, in any degree, upon the people of that locality to secure a compliance with the law. ... Any man who knows anything about the temper of the people of the south when considering this race question, will have no difficulty whatever in comprehending how utterly impotent and worthless must be a law like this. ... How many precincts do you imagine there would be throughout the south, where it would be impossible to obtain one, much less fifty, signers to a petition of that kind? Do not you understand that an overt act like that would instantly bring upon the signer's head all the odium and opprobrium, all the ostracism and concentrated hatred which that people can feel as deeply perhaps as can any people on earth?⁵⁹⁶

Langston understood that fair elections were impossible to obtain under the auspices of white Southerners. He thus believed that any federal elections bill was worthless unless it had a mechanism to provide for election oversight not subject to the authority of local whites. Intimidation and fraud could easily prevent citizens from signing their names to a petition meant to enforce the fairness of local elections. Langston did not believe that either white Republicans or his fellow African Americans could enforce the bill. In his eyes, Republican "timidity and hesitation and doubt" reinforced black complacency, which further rendered Lodge's bill useless.⁵⁹⁷ Langston stated, "The negro is dependent upon the white Democrat of the south to-day for his daily bread and butter. Do you expect him to sacrifice all his hopes ... to secure a liberty that the white Republican himself would not take any risk to secure?"⁵⁹⁸ Langston believed that the only way to

⁵⁹⁶ "John M. Langston. His Reasons for Placing No Confidence in the Lodge Bill. Some Very Plain Talk From a Man of Experience and One Who Has Probed the Question of Elections in the South to the Bottom," *Richmond Leader*, 15 Aug. 1890, John Mercer Langston Collection, Scrapbooks 1-4, boxes 60-1 and 60-2, Howard University, Washington, DC (hereafter cited as Langston Scrapbooks).

⁵⁹⁷ Ibid.

⁵⁹⁸ Ibid.

ensure Southern electoral fairness lay in the adoption of the secret ballot. His support for this mechanism presumed intervention by federal authorities rather than any reliance on local politicians to ensure enforcement.⁵⁹⁹

On January 16, 1891, Langston shifted his position, offering a speech on the House floor in support of Lodge's bill. Perhaps he was aware that the Senate would be meeting that very night to take up the bill. He may have come to the conclusion that it was better to have a faulty piece of legislation that offered some protection of voting rights than none at all.⁶⁰⁰ Langston's misgivings about Lodge's bill led him to propose a constitutional amendment governing the use of literacy tests to prevent otherwise eligible citizens from voting. His amendment embodied the egalitarian spirit of Lodge's bill, but did not rely solely on local officials or a petition by local residents to enforce it.

In his speech in support of Lodge's bill, Langston reminded his fellow congressmen, on both sides of the aisle, of the sacrifices made to save the nation and emancipate the slaves: "How dark it was in 1861! How dark it was in 1850! Ah! compromises were made; the greater orators spoke; the great parties resolved; and the friends of freedom came well-nigh to despair." He linked the fortunes of the nation with those of the Hebrews of old: "The voice of the faithful and the truth was still heard; and finally in the thunder of great guns, in the midst of terrible smoke as of the Mountain of

⁵⁹⁹ J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910* (1974; New Haven, CT and London: Yale University Press, 1975), 47-56. Kousser makes a very compelling argument that Southerners (and even Northerners) used the secret ballot for the purpose of disfranchising illiterate voters. Indeed, many white Southerners, by the early to mid-1890s, had appropriated the secret ballot in this way. I am distinguishing the intentions of white elites (whom Kousser examines) from Langston's sincere intentions with respect to the secret ballot (particularly his emphasis on federal supervision of Southern electoral politics). For a broad synthesis that examines politics and race in the New South, see Ayers, *The Promise of the New South*, especially 34-54, 132-59. More support for Kousser's arguments (specifically concerning Southern interest in using the secret ballot to disfranchise blacks as well as a fair number of white voters) may be found in Michael Perman, *Struggle for Mastery: Disfranchisement in the South, 1888-1908* (Chapel Hill and London: University of North Carolina Press, 2001), esp. 321-28.

⁶⁰⁰ Upchurch, *Legislating Racism*, 157.

Sinai, and in the flashes of light that made every slave in the land glad, emancipation was declared and the country was saved.”⁶⁰¹

Having taken the moral high ground, Langston then went to the heart of the matter, drawing on his own experiences in the South and emphasizing that the issue was not a racial question: “When I stand here to-day speaking for the cause of the people of my State, of my native State, the State of Virginia, I am pleading for her people *both white and black*. I am speaking for white men as well as for negroes; for white men in my State are proscribed, and they are denied a free ballot, though their ‘locks be flaxen and their eyes blue.’”⁶⁰² Langston’s challenge to his fellow congressmen was unmistakable. “Now, oppress negroes if you must, but for God’s sake stop oppressing white voters. Deny to the negro the ballot if you will, but for God’s sake do not take the ballot from your own brothers with flaxen hair and blue eyes!”⁶⁰³ Here he was clearly referring to the fraud that he had seen committed against both blacks and white Republicans.⁶⁰⁴ Langston may also have been referencing earlier instances of white disfranchisement in his state.

⁶⁰¹ *Congressional Record*, 51st Cong., 2nd Sess. (16 Jan. 1891): H. 1481, in “U.S. Congressional Documents, accessed 7 Sept. 2012. Langston used the phrase selected as title of this dissertation earlier in this speech, on H. 1479. See John Mercer Langston, “The Election Bill” (16 Jan. 1891), in Middleton, *Black Congressmen During Reconstruction*, 127-35.

⁶⁰² *Ibid.*, H. 1481 (emphasis added).

⁶⁰³ Langston drew upon almost the exact arguments he had used in “Citizenship and the Ballot” in October 1865 in Indianapolis: “Shall those who are natives to the soil, who fight the battles of this country, who pledge to its cause their property, and their sacred honor be denied the exercise of the ballot?” *Ibid.*, H. 1482; Langston, “Citizenship and the Ballot. The Relations of the Colored American to the Government and its Duty to Him—A Colored American The First Hero of the Revolutionary War,” in John Mercer Langston, *Freedom and Citizenship. Selected Lectures and Addresses of the Hon. John Mercer Langston, LL.D., U.S. Minister Resident at Haiti. With an Introductory Sketch by Rev. J. E. Rankin, D.D., of Washington* (1883; Whiteface, MT: Kessinger Publishing, 2007), 107-8, 115.

⁶⁰⁴ Langston, *Virginia Plantation*, 515. In his memoir Langston cites the following article: “Langston Eloquent. The Colored Virginia Congressman Makes a Memorable Speech in the House. He Brings Moisture to the Eyes of Hardened Old Bourbon Members,” *Cleveland Leader*, 17 Jan. 1891.

Between 1876 and 1882, a quarter of all eligible white voters in Virginia were denied the right to vote because they could not pay the poll tax.⁶⁰⁵

In Langston's rhetoric one can see the ideological underpinnings of his national literacy test amendment. If literacy tests were to be the order of the day, Langston maintained that such tests should be implemented equally across all voters. Here was a classic example of how accommodation could be used cleverly for tactical purposes. Langston begs his colleagues not to take away the white man's vote. Why would a black man take such a stance? Because the programs needed to promote literacy (in order to equip citizens to vote) would benefit not only the poor illiterate white but also benefit the downtrodden black. In fact, blacks would gain the greatest political advantage, especially in those areas where they were numerically superior. Langston's argument accommodated whites while also fighting for the voting rights of his constituents.

In addition, Langston insulated himself against charges of racial favoritism by defending the voting rights of poor whites as well as blacks, seeing this tactic as a way to safeguard the embattled rights of his black constituents. Indeed, in an interview with E. L. Thornton of the *New York Age* Langston highlighted his true intentions. As Thornton reported, Langston

argues that the Southern States ... are rapidly passing laws the effect of which will be to disfranchise the Afro-American elements of our voters *en masse* and insists that his resolution embodies the fundamental principles of a National election law with an educational qualification. He thinks that the leading idea of his resolution ingrafted into a law will disarm the enemy and at the same time stimulate the great body of our people to prepare themselves for suffrage rights.⁶⁰⁶

⁶⁰⁵ Kousser, *The Shaping of Southern Politics*, 71. Both Kousser and Jane Dailey examine the most severe effects of disfranchisement (many of which took place between the late 1890s and early 1900s). See Kousser, 45-62, and Dailey, *Before Jim Crow*, 160-65.

⁶⁰⁶ E. L. Thornton, "In the Halls of Congress. Mr. Langston Explains His Suffrage Resolution," *New York Age*, 14 Feb. 1891, in "19th Century U.S. Newspapers," accessed 3 Sept. 2012, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP. There is some evidence that his tactic may have been successful in reaching out to conservative whites. See the

Specific elements of Langston's proposed constitutional amendment require closer scrutiny. His use of the sentence "under such laws as Congress shall enact" was a slap in the face to the Southern theories of states' rights. He also inserted a crucial safety measure within his amendment, stipulating that a state's number of representatives in Congress would be reduced "in the proportion which the number of those allowed to vote shall bear to the whole number of male citizens twenty-one years of age in such a State."⁶⁰⁷ Though the language is tortuous, Langston clearly intends to reduce representation according to the percentage of illiterates among the adult male population.

Given his antipathy to the shortcomings of Lodge's bill, Langston likely imagined that the literacy tests would be administered by federal officials rather than local whites. Thus, in those states with the highest illiteracy rates (many of which were in the South) congressional representation would be significantly decreased. Presumably, the South would be forced to invest a substantial amount of money into educating its citizens so that it would not lose congressional representation. Had Langston's proposed amendment passed and been ratified as the Sixteenth Amendment to the Constitution, it would have modified (and enforced) the provisions of the second section of the Fourteenth Amendment. Whereas, previously, only "participation in rebellion, or other crime" constituted a legal basis for disfranchisement, Langston's amendment would have legitimized disfranchisement of voters on the basis of literacy.⁶⁰⁸

favorable white newspaper coverage in "Langston's Amendment," *St. Paul Daily News* (Minnesota), 22 Jan. 1891, in *Ibid.*, accessed 3 Sept. 2012.

⁶⁰⁷ Langston, *Virginia Plantation*, p. 511.

⁶⁰⁸ *U.S. Constitution*. Art. XIV, Sec. 2. Langston's proposed amendment would have rephrased the Fourteenth Amendment, the second section of which asserted that "when the right to vote at any election for President and Vice President ... Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State ... or in any way abridged ... the basis of representation therein shall be reduced in the proportion which the

Though the *Congressional Record* reveals only that Republicans applauded Langston's defense of Lodge's bill, the response among Democrats to his impassioned speech indicates the potential success of his pragmatic approach. According to the *Cleveland Leader*:

When he began the Democrats showed a disposition to ignore him, but he compelled them to hear him, and before he had finished a dozen such Bourbons as Stockdale and Hooker of Mississippi, Breckenridge of Kentucky, Stewart and Lanham of Texas, were over on the Republican side listening intently to his every word. It is scarcely credible, but it is true that he caused the eyes of some of these case-hardened Democrats to moisten by his impassioned appeals for justice to the black man and to the white man of the South.⁶⁰⁹

Despite the effect of Langston's powerful rhetoric had on his Southern Democratic colleagues, however, the House never considered his proposed amendment.

After Lodge, Langston, and other Republicans failed to secure fair elections in the South, Southerners moved swiftly to counteract the threats posed by agrarian unrest, fusion politics, and African American voters by moving to enact broad plans for voter disfranchisement. At this point some black leaders, like former congressman Robert Smalls, attempted to stave off disfranchisement at the ground level. When these efforts failed too, disfranchisement had the effect of making emigration more appealing to African Americans.

The Specter of Disfranchisement in South Carolina: Robert Smalls and the Disfranchising Convention of 1895

As the possibilities of Reconstruction gave way to the hardening of segregation by the 1890s, Robert Smalls found himself fighting a losing battle against white supremacy

number of such male citizens shall bear to the whole number of male citizens twenty-one years age in such State."

⁶⁰⁹ Langston, 515; "Mr. Langston on the Suffrage. A Splendid Effort Which Republican and Democratic Congressmen Applauded," *New York Age*, 31 Jan. 1891, in "19th Century U.S. Newspapers," accessed 3 Sept. 2012.

led by the “personification of red-shirt Democracy,” Ben Tillman.⁶¹⁰ Facing Tillman’s candidacy for governor and the possibilities opened by Lodge’s bill (prior to its failure), Smalls attempted to outline the realities of Southern electoral politics and reach a wider audience.

In November 1890, Smalls published an essay in *The North American Review*, titled “Election Methods in the South.” Moved to action by Tillman’s candidacy, Smalls described instances of Democratic electoral fraud in his home state and emphasized three major points. First, he argued in favor of passing the Federal Elections Bill; second, he urged blacks to vote for the moderate Democratic candidate, rather than the Republican, in order to prevent Tillman’s election as governor. Finally, he tapped into familiar themes of black manhood and valor to castigate the illegitimacy of Democratic victories at the polls and emphasized that blacks would not leave the South but would stay and fight.

In line with other black leaders, including both Frederick Douglass and John Mercer Langston, Smalls urged the passage of Lodge’s Federal Elections Bill in order to guarantee free and fair elections in South Carolina. This action was critical since local managers at the polls were clearly unwilling to guarantee the fairness of the electoral process. Two brief examples illustrate the obstacles facing prospective Republican voters in South Carolina. If a Republican was “fortunate enough to obtain a certificate” to vote, Smalls said, “the Republican goes to the polls. ... The hour for the opening of the polls comes and goes, and neither managers nor boxes make their appearance.”⁶¹¹ Gradually, the number of Republican voters swells and “soon there are four or five hundred”

⁶¹⁰ Robert Smalls, “Election Methods in the South,” *North American Review* 151, no. 408 (Nov. 1890): 599, available in the Published Materials Division at the South Caroliniana Library, University of South Carolina, Columbia.

⁶¹¹ Smalls, “Election Methods in the South,” 596.

present. “Anxious inquiries are made for the managers. It is learned later that, of the managers, Colonel Jones had gone to town, Mr. Brown has gone hunting, and Mr. Smith says he does not intend to serve, as there is no pay in it. Four or five hundred Republicans are disfranchised by the neglect of the managers, and not even the letter or spirit of the law is violated by the poll not being opened.”⁶¹²

In case this description did not convince his readers, Smalls went on to more overt methods of disfranchisement, stressing that they affected poor whites as well as blacks.⁶¹³ Smalls likely mentioned poor whites because of fears engendered in the white community by the new registration laws, which, between 1880 and 1882, had contributed to depressing *white* turnout for Democratic gubernatorial nominees.⁶¹⁴ Such laws were repugnant, according to Smalls, because they imposed an “educational qualification upon voters contrary to the constitution of the State.”⁶¹⁵

Smalls explained the use of the “eight-box” law, a strategy as simple as it was dishonest. Separate ballots and boxes were provided for eight specific political offices. Each box listed only the candidates for that particular office, ensuring that voters who were confused or illiterate would place their ballots in the wrong boxes, causing their votes to be discarded.⁶¹⁶ The election managers were required by law to read the names on the ballot boxes when requested, but Smalls noted that this assistance would be of little use to illiterate voters, given that “managers have been caught lying so often when they pretended to read the names, the apparent protection is only a further abuse of a free

⁶¹² Ibid.

⁶¹³ Ibid, 598.

⁶¹⁴ Stephen Kantrowitz, *Ben Tillman and the Reconstruction of White Supremacy* (Chapel Hill and London: University of North Carolina Press, 2000), 97-98.

⁶¹⁵ Smalls, “Election Methods in the South,” 598.

⁶¹⁶ Ibid. The eight-box law is described in Kantrowitz, *Ben Tillman*, 97.

ballot.”⁶¹⁷ The only possible resolution to this dilemma would be passage of Lodge’s bill so as to provide more impartial federal authorities to intervene and supervise elections.

In the wake of a split between more moderate “straight-out” Democrats and those who supported Tillman, Smalls urged African Americans to do the unthinkable—to leave the Republican party and cast their votes for Tillman’s Democratic opponent, Alexander Haskell. He wrote, “While it is repugnant to my feelings as a Republican to advise my people to vote for any Democrat, yet in this emergency I must advise them to do anything that is legitimate to bring about the defeat of this arch-enemy of my race [Tillman].”⁶¹⁸ Smalls believed that Haskell represented the “better element of the Democracy of South Carolina, who, in my opinion, are opposed to the frauds perpetrated against a free ballot” and to the unfathomable evil that would be inaugurated under the regime of Tillman and his supporters.⁶¹⁹

It is curious that a seasoned politician like Smalls would feel capable of trusting any Democrat to provide electoral fairness to South Carolina’s black population. Indeed, as Stephen Kantrowitz argues, the differences between so-called moderates such as Wade Hampton and Alexander Haskell and their Red Shirt or Tillmanite opponents were more rhetorical than real. Though Democrats like Hampton and Haskell might make statements that indicated a desire to deal fairly with the black electorate, their actions suggested otherwise.⁶²⁰ Perhaps this was Smalls’s way of trying to forestall the inevitable. Perhaps a more moderate Democratic governor would not have moved as swiftly as Tillman to call for a constitutional convention to fully disfranchise what remained of the black

⁶¹⁷ Smalls, “Election Methods in the South,” 598.

⁶¹⁸ *Ibid.*, 599.

⁶¹⁹ *Ibid.*

⁶²⁰ Kantrowitz, *Ben Tillman*, 78-79. He discusses this theme further in Chapter 5, “The Mob and the State” (pp. 156-97).

electorate. If so, this strategy may explain Smalls's final point—his understanding of black citizenship and its connection to black military prowess and courage.

After urging blacks to vote for Haskell, Smalls emphasized that the Democrats had never legitimately won a majority of the state's votes. A vote for a Democrat by desperate blacks could still be an affirmation of Republican sentiments: "At any election in South Carolina, when the votes shall be counted as cast, it will be found that the negroes of the South are as true and as loyal to the principles of Republicanism as they were to the flag of this great country when treason sought to blot it out."⁶²¹ Smalls emphasized the character and martial valor of blacks, even as he urged them to cast their votes for a candidate not of the party of Lincoln. He also emphasized, once again, his opposition to emigrationism, alluding to the desire among some in Congress who are "willing to vote ... to have us sent out of the country."⁶²² Smalls referred to South Carolina Democratic Senator and former Red Shirt Matthew C. Butler's 1890 Emigration Bill, which would appropriate \$5 million per year to fund voluntary emigration from the South.⁶²³

Blacks, as men and citizens, fought long and hard for their rights. So long as Democrats governed in Washington and "the South could get false representation in Congress," white Southerners "were opposed to our leaving."⁶²⁴ But beginning in 1888, with the Republican majority bolstered by the presence of President Benjamin Harrison, whites cringed at the possibility that fair elections could be guaranteed and, according to

⁶²¹ Smalls, "Election Methods in the South," 600.

⁶²² Ibid; see also George Brown Tindall's discussion of some earlier comments that Smalls made in February 1890 (Tindall, *South Carolina Negroes*, 182).

⁶²³ Upchurch, *Legislating Racism*, 23-45, especially 23-27. Smalls may have also denounced Butler's proposed legislation because of the latter's role as a Red Shirt who had placed Smalls's life in jeopardy at a Republican rally in Edgefield, South Carolina in 1876 (as described in chapter 2 above).

⁶²⁴ Smalls, "Election Methods in the South," 600.

Smalls, seemed receptive to the idea of blacks leaving the state lest whites lose their grip on power. Returning to his emphasis on valor, manhood, and citizenship, Smalls asserted, “These men forget that the negroes of the country gave 186,000 men who fought in 252 battles for the perpetuity of this great nation. We do not intend to go anywhere, but will remain right here and help make this the most powerful of all governments.”⁶²⁵ Smalls could still draw upon the experience and example of black soldiers and sailors who served and fought for their rights as citizens.

Despite Smalls’s efforts, Tillman won the governorship and moved to call a state constitutional convention. Smalls was among the delegation of African Americans who represented the interests of their constituents at this 1895 convention. Perhaps because he came from one of the most independent and heavily black areas of the State, he did not hesitate to speak openly at the convention. The coastal South Carolina counties that he represented were regions where (as late as the 1890 census) sharecropping was not as prevalent as in other parts of the South, and where it appeared that many local citizens cultivated their own lands as independent farmers. The knowledge that, at least in his section of the state, blacks were actually independent property holders influenced Smalls’s tactics in the convention, particularly how he presented and defended two amendments regarding suffrage and interracial marriage.⁶²⁶

The speeches that Smalls delivered placed him in direct conflict with “Pitchfork” Ben Tillman, and he relished the chance to assail the white supremacist rhetoric of his longtime opponent. He combined sound facts, humor, sarcasm, and disgust to frame his

⁶²⁵ Ibid.

⁶²⁶ No stenographers were used at the convention. As such, the only record of the speeches is what appeared in the newspapers. Smalls’s daughter, Sarah, took it upon herself to compile relevant materials and major speeches that her father delivered and had them published in 1896, the year after the disfranchising convention had accomplished its work.

arguments against disfranchisement. Smalls presented his case by using records of property taxes and literacy based on the 1890 census. He stated that, according to the census, South Carolina's blacks paid taxes on \$12,500,000 worth of property. In spite of this, Tillman and his allies

voted down without discussion merely to lay on the table, a proposition for a simple property and educational qualification. What do you want? You tried the infamous eight-box and registration laws until they were worn to such a thinness that they could stand neither the test of the law nor of public opinion. In behalf of the 600,000 Negroes in the State and the 132,000 Negro voters all that I demand is that a fair and honest election law be passed.⁶²⁷

Smalls's willingness to accept some voting qualifications is not difficult to explain, as he was searching for a way to preserve some measure of civil and political rights for his embattled constituents. "We care not what the qualifications imposed are: all that we ask is that they be fair, honest and honorable, and with these provisos we will stand or fall by it."⁶²⁸ He was struck by the undisguised attempt at the convention (particularly by Tillman) to wipe out black voting entirely. Smalls was willing to "accept a scheme that provides that no man who cannot read nor write can vote, if you dare pass it."⁶²⁹ He challenged the merits of an "understanding" clause (one that would give voting officials latitude to assess whether a voter demonstrated sufficient understanding to be permitted to vote) by asserting that whites would receive more favorable assistance at the polls than blacks.⁶³⁰

Smalls threatened economic repercussions against South Carolina if the convention voted to disfranchise black voters: "Some morning you may wake up to find

⁶²⁷ Robert Smalls, *Speeches at the Constitutional Convention, by Gen. Robt. Smalls. With the Right of Suffrage Passed by the Constitutional Convention*. Compiled by Sarah V. Smalls (Charleston, S.C.: Enquirer Print, 1896), 8, located in the Published Materials Division at the South Caroliniana Library, University of South Carolina, Columbia (hereafter cited as *Speeches at the Constitutional Convention*).

⁶²⁸ Ibid, 8.

⁶²⁹ Ibid.

⁶³⁰ Ibid, 9.

that the bone and sinew of your country is gone. The Negro is needed in the cotton fields and in the low country rice fields, and if you impose too hard conditions upon the Negro in this State there will be nothing else for him to do but to leave.”⁶³¹ He asked his fellow delegates what they would do if thousands of blacks departed. Black labor was needed not only in the fields, but also in other areas of South Carolina’s economy such as the phosphate mining industry. According to Smalls, only blacks could work at these mines, which paid the interest on the state’s debt. Using this evidence, he reiterated, “I tell you that the Negro is the bone and sinew of your country and you cannot do without him. I do not believe you want to get rid of the Negro, else why did you impose a high tax on immigration agents who might come here to get him to leave?”⁶³² Though opposed to black emigration, Smalls used the prospect of blacks leaving in large numbers as a possible threat against the stability and prosperity of the Southern economy.⁶³³

The language that Smalls used to define his opposition to Tillman and disfranchisement was clothed in the Republican ideology of free labor and emancipation. Smalls did not deny the existence of illiterate and ignorant blacks and granted that such should not be allowed to vote, but he emphasized the economic strength of the black laborer and firmly opposed imposition of a double standard against blacks. By 1895 many Northerners were no longer willing to defend the rights of blacks because they had come to see the mass of the freedmen and their descendants as unworthy impediments to the progress of industrial capitalism and free labor.⁶³⁴ But class anxieties alone were not solely responsible for the dramatic changes that had taken place. African Americans also

⁶³¹ Ibid.

⁶³² Ibid.

⁶³³ For more on this subject see Tindall, *South Carolina Negroes*, 182.

⁶³⁴ Heather Lee Richardson, *The Death of Reconstruction: Race, Labor, and Politics in the Post-Civil War North, 1865-1901* (Cambridge, MA and London: Harvard University Press, 2001), 183-224.

confronted an increasingly racist North that was complicit in the segregation emerging in the late-nineteenth-century South.⁶³⁵ In this climate, not only was Smalls unlikely to succeed in altering the opinion of white supremacists led by Tillman, but he could not fall back upon a pro-black Republican Northern majority. Even with his willingness to allow only the knowledgeable (and presumably the respectable and property-holding) elements of his race to vote, Smalls could not sway opinion that sought to eliminate challenges to one-party white rule in South Carolina.

Smalls would then make some of his most controversial statements during the convention's discussion of an amendment banning interracial marriage. Smalls proposed modifying this amendment so that it would also bar any white who had sexual relations with a black from holding public office in the state—a direct attack on white Southerners' widespread practice, even while treating blacks as an inferior race, of taking black mistresses. Smalls's legislative language would also give the offspring of any such liaison the right “to inherit and acquire property the same as if they were legitimate.”⁶³⁶ This challenge to the standard myths of Southern life, and to Southern assumptions about race, gender, and sexuality, caused quite a stir among the delegates.⁶³⁷ Smalls wanted to highlight the hypocrisy of the proposed amendment by making sure that it would force white men to take legal responsibility for interracial offspring. The obvious double standard disturbed Smalls who wondered aloud, “If your women are as pure as you

⁶³⁵ Upchurch, *Legislating Racism*, emphasizes the existence of high levels of racism even among champions of black rights in this period (as well as the simultaneous existence of anti-Native American and anti-Asian prejudice).

⁶³⁶ Smalls, *Speeches at the Constitutional Convention*, 16.

⁶³⁷ My understanding of gender during the postbellum period, and of the long and complex history of interracial relations in the South, has been influenced by Martha Hodes, *White Women, Black Men: Illicit Sex in the 19th-Century South* (New Haven, CT and London: Yale University Press, 1997); Laura F. Edwards, *Gendered Strife and Confusion: The Political Culture of Reconstruction*. Urbana and Chicago: University of Illinois Press, 1997); and Tera W. Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labors after the Civil War* (Cambridge, MA and London: Harvard University Press, 1997).

stated, and I have reason to believe that they can be trusted; then why the necessity of this being placed in the Constitution? Can you not trust yourselves? When I say you, I mean the white men of the entire State.”⁶³⁸

It is unclear if Smalls was aware of the antilynching activities of Ida B. Wells, who had been driven from Memphis, Tennessee, three years earlier for criticizing white women and men after a particularly brutal lynching. Certainly he framed his brief defense of his modifications to the interracial marriage ban in terms reminiscent of her approach. He outlined the fundamental hypocrisy in white opposition to interracial marriage. “If a Negro should improperly approach a white woman his body would be hanging on the nearest tree filled with air holes before daylight the next morning—and perhaps properly so. If the same rule were applied on the other side, and white men who insulted or debauched Negro women were treated likewise, this Convention would have to adjourn *sine die* for lack of a quorum.”⁶³⁹ This statement surely made many white delegates uncomfortable. But Smalls then backed off from these more radical statements and, uncharacteristically, expressed agreement with Tillman and his supporters.

Smalls labeled both interracial marriages and cohabitation as “the root and branch of this evil” that needed to be stopped.⁶⁴⁰ Furthermore, he felt that, once it was rooted out, there would be no need for an amendment banning such practices. He then attempted to reach out across the aisle to Tillman, stating “I oppose the intermarriage of races as strongly as you do, and I feel that I echo the sentiment of the respectable classes of both sides; because with few exceptions, we find these marriages are among the lower

⁶³⁸ Smalls, *Speeches at the Constitutional Convention*, 18.

⁶³⁹ Ibid.

⁶⁴⁰ Ibid.

elements of both races, and therefore, they degrade and [do] not elevate either race.”⁶⁴¹

Smalls insisted that Tillman and his cronies could not “make a law to prevent lawful marriages and give full license to illicit marriages”—that is, one could not prohibit black men from marrying white women while turning a blind eye to the illicit relationships between white men and black women. In conclusion, Smalls returned to his discourse of respectability, declaring that, by opposing both interracial marriage and cohabitation, “Then you will make your men as true as your women. And our race will be freed from a vice, that is as degrading as the system of slavery.”⁶⁴² Smalls effectively exposed white hypocrisy while also attempting to avoid alienating Tillman and his supporters. Whether or not Smalls actually believed what he was preaching remains an open question.

According to Edward A. Miller’s recent biography, Smalls sincerely “wanted an end to interracial cohabitation, but did not think a simple prohibition of marriage would be enough, primarily because a white man could not be trusted.”⁶⁴³ Smalls believed that the desire for interracial cohabitation (and sexual abuse of women) was diminishing among blacks, but not among whites. Clearly he did not entirely trust white men’s ability to control their sexual appetites. It is not so clear that Smalls sincerely opposed social equality, as reflected by the right of white and black citizens to marry across racial lines. After all, African Americans fought the Civil War to secure full citizenship, which should logically mean equality with any other American citizen, including the right to marry whomever one chose regardless of race.

Regardless of his motives, Smalls was aware of the extent to which miscegenation was occurring, not only in South Carolina but across the South. Many African Americans

⁶⁴¹ Ibid, 19.

⁶⁴² Ibid.

⁶⁴³ Miller, *Gullah Statesman*, 207.

(including himself) were products of interracial relationships. Like many of his black political contemporaries, both during and after Reconstruction, Smalls attempted to gain a hearing with white opponents by appealing to their sensibilities through the rhetoric of elevating all races. By defining the problem of interracial cohabitation as one that was prevalent “among the lower elements of both races” Smalls appealed to a shared understanding of class unity and elevation.⁶⁴⁴

It is unclear what possessed Smalls to excoriate the hypocrisy of white Tillmanites so unabashedly. His accusation that many of the white men around him were among those “who insulted or debauched Negro women” was quite forceful; according to one New York newspaper, the assembled delegates burst into laughter at this statement.⁶⁴⁵ White Southerners were aware of the long history of interracial relations, but they had always been loath to admit the existence of such relationships. Furthermore, in the postwar period, whites often attributed interracial sexual depredations to black men, rather than to upright white male patriarchs.⁶⁴⁶ By making such a forthright statement against white hypocrisy, Smalls was taking a calculated risk. Ultimately, the delegates rejected Smalls’s proposed modifications to the ban on interracial marriage.

Interestingly, Smalls’s rhetorical flourish received praise from both the Northern press and the major Democratic newspaper of Charleston, South Carolina. The *New York Press* viewed his comment as a brilliant slap in the face to white supremacists. Indeed, according to an editorial published in the paper, the politically attuned Tillman

⁶⁴⁴ Indeed, Gatewood in *Aristocrats of Color* emphasizes the attempts by upper-class blacks to disassociate themselves from lower-class blacks and find common ground with their white counterparts.

⁶⁴⁵ Smalls, 18; “Editorial from the (N.Y.) Press, Oct. 5, 1895,” in Smalls, *Speeches at the Constitutional Convention*, 22.

⁶⁴⁶ Martha Hodes in *White Women, Black Men* argues that this change in white views on the subject took place following the Civil War (see specifically the second half of her study, pp. 125-208).

“proceeded at once to save his record by espousing the Negro cause. He cut himself loose promptly from the majority in the course into which he knew its provincial ignorance would direct it. He went so far as roundly to berate his own chairman for the attempt to choke off the plea of the black men for the integrity of black women.”⁶⁴⁷ The editorial stated that Smalls’s “victory of black mind over white matter” proved that blacks were quite competent and should be entitled to voting rights. It concluded, “It is now made plain ... that the fear of Negro domination is not born so much of a regard for the numbers as for the developed intellectual ability of the blacks. It is not Negro ignorance, but Negro intelligence, that is feared.”⁶⁴⁸

The *Charleston News and Courier* also praised Smalls, but drew different conclusions. This newspaper believed that the “troublesome matter of miscegenation was settled” by the adoption of the original marriage ban. However,

the provision would have been strengthened and improved by the adoption of Gen. Smalls’s proposed addition to it ... but the Convention rejected the addition by the largest vote recorded recently. Its action was a mistake. The addition was a proper corollary to the section adopted, and should have been extended to disqualify from voting, as well as holding office, the class of offenders at which it was aimed.⁶⁴⁹

Arguing that miscegenation was wrong, the *News and Courier* noted that of “the two offences—miscegenation within the marriage bond and miscegenation without it—the latter is the greater social evil. It should have been treated accordingly.”⁶⁵⁰ Here the leading Democratic newspaper of Charleston was agreeing to disfranchise white men who engaged in miscegenation, implicitly lauding Smalls’s efforts to affirm equality

⁶⁴⁷ “Editorial from the (N.Y.) Press, Oct. 5, 1895,” in Smalls, *Speeches at the Constitutional Convention*, 21.

⁶⁴⁸ Ibid, 22.

⁶⁴⁹ “Editorial from the *News and Courier*, the Leading Democratic Paper of Charleston, S.C., Nov. 23, 1895,” in Smalls, *Speeches at the Constitutional Convention*, 22-23.

⁶⁵⁰ Ibid, 23.

before the law. While his efforts to preserve some measure of civil and political equality for his black constituents had failed, he had unexpectedly gained a measure of support from among the more racist forces within South Carolina's Democratic culture.

South Carolina was not the first state to embrace disfranchisement, nor would it be the last. Throughout the 1890s and into the 1900s, Southern states called constitutional conventions that disfranchised black voters and eliminated significant numbers of white voters. The South also moved to codify a rigid system of legal segregation. Collectively, disfranchisement and segregation undermined the black community and national black political leaders, giving birth to the Jim Crow South.

Conservative Democrats strove so diligently to disfranchise large segments of the electorate because they feared the potential impact of alliances between dissident whites and African Americans. They also encouraged the spread of lynching and mob violence as a means of destroying black political power and subjugating the black community.

Black Politicians Confront "Lynch-Law" in the New South

Lynching was not a new phenomenon. Sporadic violence against African Americans had occurred throughout the 1880s, including intimidation at the polls. In some cases, armed mobs of white men drove blacks from the polls or massacred them wholesale.⁶⁵¹ But by the late 1880s and early 1890s, white mobs were finding other outlets for their hatred of African Americans, turning to "lynch-law" to intimidate the black community. At the same moment that political disfranchisement became the central

⁶⁵¹ For the tactics used by whites to destroy the Readjuster-Republican government in Virginia in 1883, see Dailey, *Before Jim Crow*.

focus of the Democratic establishment, white Southerners moved to consolidate their pervasive power through spectacles of mob violence.⁶⁵²

No part of the South was immune from these acts of brutality, as the black-owned *Richmond Planet* emphasized in an article titled “Twenty-Eight Colored Persons Lynched.” Published on August 25, 1888, the article described unprovoked violence against blacks in Mississippi and Louisiana., identifying various sources of white violence and lauding blacks who defended themselves. In Utica, Mississippi, Bob Broom, a black man, refused to give way to a white man on the sidewalk. When the white man returned with friends to attack, Broom and his friends “were prepared for them and opened fire,” killing one white and wounding two others. For this act of bravado Broom was promptly lynched. The *Planet* nevertheless viewed the clash positively: “It is this kind of dealing with southern Bourbons that will bring about a change. We must have martyrs and we place the name of the fearless BROOM on that list.”⁶⁵³

The *Planet* urged all African Americans to “awaken to the necessity of protecting themselves when the law fails to protect them.” The hypocrisy of the federal government’s guarantees of protection was fully evident: “It is declared that the strong arm of the law shall protect the weak, but when it is called upon it mocks the distressed and sides with the strong. After this let every man resolve with us that *lynch-law must*

⁶⁵² The literature on lynching, racialized violence, and the Jim Crow South is vast. My approach to this subject has been guided by Gail Bederman, *Manliness & Civilization: A Cultural History of Gender and Race in the United States, 1880-1917* (Chicago and London: University of Chicago Press, 1995); David M. Oshinsky, “Worse Than Slavery”: *Parchman Farm and the Ordeal of Jim Crow Justice* (1996; New York: Free Press Paperbacks, 1997); Douglas A. Blackmon, *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (2008; New York: Anchor Books, 2009); and Crystal N. Feimster, *Southern Horrors: Women and the Politics of Rape and Lynching* (Cambridge, MA and London: Harvard University Press, 2009).

⁶⁵³ “Twenty-Eight Colored Persons Lynched,” *Richmond Planet*, 25 August 1888.

go!”⁶⁵⁴ The scale and brutality of lynching inspired a new generation of militant leaders to demand government protection and urge the black community to fight back against white depredations. Chief among this new generation of black leaders was the antilynching crusader Ida B. Wells. But not all black leaders were so convinced of the need to combat the threat of lynching in so militant a fashion. The divisions between older and younger black leaders came to the fore when John Mercer Langston firmly disagreed with Wells’s approach.

On a visit to Memphis, Tennessee in June 1894, Langston voiced his antipathy to Wells’s message. His remarks were published in the *Memphis Appeal-Avalanche*: “I do not know Ida Wells personally, but I certainly don’t uphold her views concerning the condition of our people in the South. It is no doubt true that in times past wrongs have been perpetrated upon the negro, but they have almost become a thing of the past, and such as still appear occasionally are being righted every day.”⁶⁵⁵ It was not an accident that Langston provided this interview to a Memphis newspaper while Wells was in England attempting to shore up the support of British reformers in her efforts to oppose lynching.

⁶⁵⁴ Ibid.

⁶⁵⁵ “He Has No Sympathy With Her. Ex-Congressman Langston Speaks Concerning Ida Wells,” *Memphis Appeal-Avalanche*, 4 June 1894, Langston Scrapbooks. Other white newspapers picked up on this story. See “No Sympathy With Her. Ex-Congressman Langston Talks of Ida Wells,” *New Orleans Daily Picayune*, 4 June 1894, and “Langston on the Negro,” *Galveston Daily News*, 4 June 1894, both in “19th Century U.S. Newspapers,” accessed 3 Sept. 2012, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP. Both papers noted that “Mr. Langston expressed himself freely as having no sympathy with Ida Wells’ English agitation, intimating that her efforts to arouse the sympathy of the English population of the south had less of the patriotism in it than a desire for notoriety and revenue.” There may have been some creative license in this summary, which (coming from the white Democratic press) would not have been surprising. William Francis Cheek’s dissertation on Langston does not examine this episode. Though I am not entirely satisfied with some of his conclusions, Cheek’s comments on Langston’s status as a black leader may shed light on some of his motivations. See William Francis Cheek III, “Forgotten Prophet: The Life of John Mercer Langston” (Ph.D. Diss., University of Virginia, 1961), 356-85.

Strangely, Langston's assertions concerning Southern race relations contrasted sharply with the body of evidence that he had in his possession. Among his papers is a "lynch-list" documenting the cases of 640 blacks murdered between July 26, 1887 and December 26, 1889.⁶⁵⁶ For Langston to say that injustices against black Americans "have almost become a thing of the past" contradicts the recorded number of 207 lynchings that occurred in 1888, the year in which he waged his campaign for the House of Representatives.⁶⁵⁷ It was a curious position for Langston to take, especially considering his long career of fighting for black constituents. How could a former congressman—a man who had recruited soldiers for the 54th Massachusetts Colored Regiment during the Civil War, who had served as General-Inspector of Schools in the Freedmen's Bureau, and who had established Howard University's Law School—downplay the daily atrocities that afflicted blacks throughout the South? Given how quickly the white Southern press newspapers jumped on the story, it is possible that Langston's words were misquoted or taken out of context to undermine Wells and sow division in the black community.

Perhaps Langston took issue with Wells because of his belief that black progress could be achieved only through compromise and a judicious use of rhetoric. Given the kinds of speeches and strategies he embraced while in Congress, Langston may have believed that Wells's tactics of demanding equality and an end to lynching, which included impugning the moral character of white women, unnecessarily incensed white Southerners. Indeed, Wells's statements to that effect in 1892 led to the destruction of her

⁶⁵⁶ "Lynch-List as Published in the *Richmond Planet*," *Richmond Planet*, 21 July 1888, folder 24, box 5, John Mercer Langston Papers, 1846-1930, Fisk University, Nashville, (hereafter cited as Langston Papers).

⁶⁵⁷ "Lynch-List as Published in the *Richmond Planet*."

newspaper's offices and her banishment from Memphis.⁶⁵⁸ Such tactics were unacceptable to Langston because they exacerbated racial hatred and obviated the advances of blacks toward political and social equality. Therefore, it would not be surprising that Langston, in granting an interview to a white newspaper, downplayed violence against blacks. Irrespective of strategic differences over black civil rights activism, Langston's decision to deliver these remarks in Memphis, the city Wells once called home, was a premeditated slap in her face. Given that she was away at the time, the *Memphis Appeal-Avalanche's* use of a prominent black leader was a brazen attempt to undermine Wells's credibility.

Whatever Langston actually said, after the publication of his remarks he clearly decided that it was not in his interest to criticize Wells publicly. Indeed, on June 23, the *Washington Bee* wrote a scathing response to Langston's comments: "Prof. Langston must have said what the dispatches have quoted him as having said. He has not denied it." The black newspaper defended Wells's efforts in "doing what others have failed to do, no matter what her motives are. Langston had a motive in coming to Congress and he played the race racket for all it was worth."⁶⁵⁹

Chastened by the criticism, Langston wrote a letter to the editor of the black-owned *Indianapolis Freeman* (published on June 30, 1894), flatly denying that he had said anything to undermine Wells or her mission. Langston provided testimony to refute

⁶⁵⁸ Ida B. Wells, "Lynch Law in All Its Phases," *Our Day*, May 1893, 333-37, in Philip S. Foner and Robert James Branham, eds., *Lift Every Voice: African-American Oratory, 1787-1900* (Tuscaloosa, 1998), 746, 752-53. On Wells's experience with lynching and her place in black leadership circles, see Mia Bay, *To Tell the Truth Freely: The Life of Ida B. Wells* (New York: Hill and Wang, 2009), esp. 82-108, 271-73.

⁶⁵⁹ "Hypocrisy." *Washington Bee*, 23 June 1894, in "Chronicling America Historic American Newspapers," accessed 30 January 2013, <http://chroniclingamerica.loc.gov/lccn/sn84025891/1894-06-23/ed-1/seq-2.pdf>

the remarks that white newspapers claimed he had made.⁶⁶⁰ The editors at the *Indianapolis Freeman* accepted Langston's account and stated that his letter and the accompanying documents "must at once put an end to vituperative arraignment of Mr. Langston, and at once reestablish him, where for so many years he had reigned unquestioned, in the hearts and confidence of his people." The *Freeman* hoped that those segments of the black press that had "been hasty in condemning will be just as hasty in making the only honorable amends."⁶⁶¹

Langston's quick denial of the stories, spread by white Southern newspapers, suggests that the conservative white Southern press might have been trying to divide the black community, but the fact that he waited to deny the charges indicates that he was testing whether or not he could challenge Wells's tactics in order to soften whites without alienating blacks. The fact that not all African Americans (including Wells herself) were convinced by his denials indicated how much times had changed since leaders like Langston commanded nearly universal respect within the black community.⁶⁶² While Langston engaged in a more cautious and diplomatic approach, North Carolina Congressman George Henry White did not. A major black lynching that rocked the black community in the late 1890s compelled White to reassess his place as the leader of his race in the U.S. House of Representatives.

On February 21, 1898, a white mob of about three or four hundred met at the home of black Republican postmaster Frazier B. Baker, whom President William McKinley had recently appointed as postmaster of Lake City, South Carolina. The mob

⁶⁶⁰ "Mr. Langston Speaks Out," *Indianapolis Freeman*, 30 June 1894.

⁶⁶¹ "Langston's Manly Denial," *Indianapolis Freeman*, 30 June 1894.

⁶⁶² For a discussion of these events (expressing the belief that Langston actually said what was reported by the white press), see Paula J. Giddings, *Ida: A Sword among Lions* (New York: Amistad, 2008), 308, 311-12.

set fire to Baker's house and shot his family as they tried to escape. Baker himself was killed and his body remained in his home as it burned to the ground.

The savage lynching disgusted Congressman White, who moved to secure compensation for Baker's widow and her family. However, his actions did not impress Ida B. Wells, who wrote:

I spent five weeks in Washington going daily to the Capitol in the effort to have Congressman George White, the lone Negro congressman in the House of Representatives at that time, withdraw a bill he had already presented in which he asked one thousand dollars indemnity for the widow and children of the burned Negro postmaster. Congressman White said that he had reduced the original bill from fifty to one thousand dollars because he thought southern congressmen would not object to that sum. Whereupon my reply to him was that he did not know the South as well as I had hoped for; if he did, he would know that they would object to the compensation of five dollars not because of the amount, but because of the principle of the thing.⁶⁶³

Wells felt that more compensation should have been demanded, but the two leaders were confronted with vastly different realities. Like Frederick Douglass before her, Ida B. Wells was an activist whose approach, by her own admission, often burned bridges and prevented her from forging lasting relationships with other leaders.⁶⁶⁴ White remained a politician and understood the necessity of compromise. The disagreement between the two mattered little. With the Spanish-American War dominating national life, White was unable to secure any compensation for Baker's family.

⁶⁶³ Ida B. Wells-Barnett, *Crusade for Justice: The Autobiography of Ida B. Wells*, edited by Alfreda M. Duster (1970; Chicago and London: University of Chicago Press, 1991), 253. For the black community's efforts to provide funds for Baker's widow and her children see "To Aid the Lake City Sufferers," *The Colored American: A National Negro Newspaper* (Washington, DC), 19 March 1898.

⁶⁶⁴ Mia Bay points out this difficulty at the outset of her biography of Wells: "Hardheaded to a fault, and possessed of a temper that she acknowledged to be a 'besetting sin,' Wells helped build a stunning variety of black organizations, including the National Association for the Advancement of Colored People (NAACP), only to find herself comfortable in none of them. More radical than most of her contemporaries, she also had no gift for compromise and often departed in a huff from the organizations that she helped create, her famous temper flaring when negotiations did not go her way." Bay, *To Tell the Truth Freely*, 9.

Baker's murder and the McKinley administration's lack of response sent a powerful signal to whites across the region that the federal government would not interfere in the internal affairs of the South. The acceptability of lynching and mob violence would come to the fore in a massive struggle for racial supremacy launched in White's home state. In the aftermath of a decisive interracial victory by the fusion of Republicans and Populists, white Democrats planned a massive campaign for white supremacy, one that would culminate with the Wilmington Riot of 1898.

The High Tide of Fusion and the Wilmington Race Riot of 1898

"The result of yesterday's elections is anything but cheering, viewed from a Democratic standpoint. The party has been beaten, and very badly beaten. Two years ago it swept the country like a whirlwind. Yesterday, there was another whirlwind, but it was a Republican whirlwind," wrote the *Wilmington (N.C.) Messenger* on November 8, 1894.⁶⁶⁵ A separate article reported that the Republican-Populist Fusion ticket won control of both houses of North Carolina's state legislature.⁶⁶⁶ As in so many other areas of the South, farmers were struggling due to a combination of high prices, exorbitant railroad freight rates, and the general economic approach favored by the Democrats. The growing dissent among North Carolina farmers led thousands of them into the ranks of the People's Party (the Populists) by 1892.

A divided opposition would never have a chance of toppling Democratic hegemony at the state house. Thus in 1894 white Populists merged with white and black

⁶⁶⁵ "The Republican Year in Politics," *Wilmington Messenger*, 8 November 1894 (from the *Baltimore Sun*) in 13977 Historical Research Reports File, 1898 Wilmington Race Riot/African-Amer. Bios, Box no. 1 of 6, Folder: 1870s-1890s, State Records Center, Government Records Branch of North Carolina, Raleigh (hereafter cited as 1898 Wilmington Reports File).

⁶⁶⁶ "The Election. The Republican Majority in New Hanover—The Democrats Beaten Not Only in the City But at Every Country Precinct—The Vote in Neighboring Counties," *Wilmington Messenger*, 8 November 1894, in 1898 Wilmington Reports File, Box no. 1, Folder: 1870s-1890s.

Republicans to form the Fusionist movement that swept the November 1894 elections. The new majority in the state house proceeded to dismantle Democrats' pattern of appointing local government officials in favor of making all offices elective. The Fusionists also moved to liberalize the state's election and voter registration laws, making it easier for black North Carolinians to vote across the state. Aided by these changes, Fusionists increased their majority in the legislature in 1896 and elected Wilmington native Daniel L. Russell as the Republican governor of North Carolina; in addition, the "Black Second" District sent George Henry White to Congress for his first term.⁶⁶⁷ Once tepid about supporting fusion voting arrangements between Populists and Republicans, White softened his position and rode the biracial political wave to victory. As in the success of the Readjuster movement in Virginia from 1879 to 1883, dissident whites cast their political fates with black Republicans and created a winning coalition capable of challenging conservative Bourbon Democrats.

The Fusionist victories in North Carolina would lead to the most destructive and violent campaign for white supremacy that the South had witnessed since Redemption swept away Reconstruction at the close of the 1870s. An ominous editorial in the *Wilmington Messenger* foresaw the storm:

The election is over. It is a good time to do some plain talking. Henceforth it is the duty of the Democratic party to take care of itself and to make its next fight on the line of a White Man's Government. It is useless to try to conciliate or draw the negroes in by acts of kindness. ... When elections come ... the ungrateful negroes, through twenty years the recipients of the largest favors, turn against their friends.

⁶⁶⁷ H. Leon Prather, Sr., *We Have Taken a City: The Wilmington Racial Massacre and Coup of 1898* (1984; Wilmington, NC: Dram Tree Books, 2006); Prather, "We Have Taken a City: A Centennial Essay," in David S. Cecelski and Timothy B. Tyson, eds., *Democracy Betrayed: The Wilmington Race Riot of 1898 and Its Legacy* (Chapel Hill and London, 1998), 18-19.

... It is time for the Democracy to take a decided, open, square stand for a white man's government in North Carolina.⁶⁶⁸

The stand taken by Democrats would center on the majority-black city of Wilmington, North Carolina.⁶⁶⁹ In many respects, what occurred at Wilmington mirrored the Meridian Riot of March 1871 in Meridian, Mississippi. In both cases conspiring whites sought to overthrow blacks and Republicans from power. Both massacres involved whites burning down black houses and killing multiple victims. Local Republican leaders were forced to resign in both cities as Democrats placed the blame for these disturbances squarely on the victims of the violence. But one major difference separated Wilmington from Meridian. The Meridian Riot inspired the passage of the Ku Klux Klan Act in April 1871, prompted the dispatching of federal troops, and resulted in massive indictments and convictions of the perpetrators. By contrast, Wilmington twenty-seven years later confirmed the federal government's unwillingness to defend the rights of blacks and established a precedent by which white supremacy and Jim Crow would be established not only in North Carolina but across the New South.

Across North Carolina, during the 1898 electoral campaign, Democrats engaged in intimidation, fraud, and naked appeals to whites of all political stripes to abandon their association with black voters. In conjunction with these tactics, the local white press took every opportunity to portray blacks, in North Carolina and across the country, in a

⁶⁶⁸ "Plain Talk," *Wilmington Messenger*, 7 Nov. 1894, in 1898 Wilmington Reports File, Box no. 1, Folder: 1870s-1890s.

⁶⁶⁹ My discussion of the "Wilmington Riot" is grounded in Prather, *We Have Taken a City*, and David S. Cecelski and Timothy B. Tyson eds., *Democracy Betrayed: The Wilmington Race Riot of 1898 and Its Legacy* (Chapel Hill and London: University of North Carolina Press, 1998). I thank LeRae Unfleet for making available to me the draft of her exhaustive three-year study, *1898 Wilmington Race Riot Report*, which was the fruit of the North Carolina General Assembly's 2000 legislation calling for a commission to formally investigate the riot. Ms. Unfleet also granted me access to her extensive notes and research. For the final report (available online) see North Carolina Office of Archives & History, "1898 Wilmington Race Riot Commission," accessed 5 February 2013, <http://www.history.ncdcr.gov/1898-wrrc/>.

negative light and to raise fears of race riots and “Negro rule.”⁶⁷⁰ Indeed, one 1896 editorial in the *Wilmington Messenger* quoted the *Charlotte News*’s observations on the dire situation facing whites in the city: “It begins to look like old reconstruction days again in Wilmington, and they are already having trouble with the negro policemen foisted upon the people of that town by the fusion Legislature.” The editorial claimed that black policemen had committed “unprovoked” and brutal assault on a “highly respected merchant” and hinted that “the patience of the people of Wilmington is destined to be further tried before the reign of fusion passes away.”⁶⁷¹ Through their systematic campaign, Democrats wiped out Fusion gains, but they were unable to defeat George Henry White who won his second (and last) term in Congress. But the Fusionists were still in control of Wilmington’s municipal government, where the terms of the mayor and other officeholders were not set to expire until 1899. This situation remained unacceptable to local whites. Victory at the polls throughout the state was not enough; white Democrats needed to send a clear message to blacks across the South.

According to later recollections by the Democratic editor of the *Wilmington Messenger*, Thomas W. Clawson, “For a period of six to twelve months prior to November 10, 1898, the white citizens of Wilmington prepared quietly but effectively for

⁶⁷⁰ Indeed, this had been the pattern in North Carolina, and especially in Wilmington’s white press throughout the 1890s. See especially “The Bishopville (S.C.) Riot,” *Weekly Star* (Wilmington, NC), 28 November 1890; “Race Troubles. Between Striking White Miners and Negroes,” *Weekly Star* (Wilmington), 3 July 1891 (focusing on racial conflicts in Washington State); “Negro Rioters,” *Weekly Star* (Wilmington), 8 July 1892 (highlighting disturbances in Jacksonville, Florida); “Militia Ordered Out To Suppress a Riot in Beaufort County, N.C.,” *Morning Star* (Wilmington), 23 April 1895; and “Riot in Winston. It Came Near Being a Very Serious Affair,” *The Morning Star* (Wilmington), 13 August 1895, in 1898 Wilmington Reports File, Box no. 1, Folder: 1870s-1890s.

⁶⁷¹ “Looks Like Old Reconstruction Days in Wilmington,” *Wilmington Messenger* (quoting from the *Charlotte News*), 12 February 1896 in 1898 Wilmington Reports File, Box no. 1, Folder: 1870s-1890s.

the day when action would be necessary.”⁶⁷² In reality, those citizens consisted of a handful of leading white men in the city. Clawson was very clear about the real motives behind the riot: “The Revolution or ‘race riot,’ in Wilmington ... was purely and solely a movement on the part of the Democratic citizenry to overthrow the political domination and control of the negro.” But white Democrats would need an instigating event to put their plans in motion. They found it in a “defamatory and disgusting editorial in a paper published by negroes in Wilmington” that brought “the situation to a climax.”⁶⁷³ That editorial was published by the black editor of the *Wilmington Daily Record*, Alexander Manly.

Unlike the caution that Manly had previously expressed (in the editorial quoted at the outset of this chapter) when discussing emergent black political strength in North Carolina, his August 1898 editorial hued closely to the arguments made by Ida B. Wells in her 1892 editorial that got her exiled from the South. Manly was responding to statements made by Rebecca Latimer Felton of Georgia (who would go on to become the first female U.S. Senator), who maintained that “if it needs lynching to protect a woman’s dearest possession from the ravening human beasts—then I say lynch; a thousand times a week if necessary.”⁶⁷⁴ Manly tore into these arguments: “We suggest that whites guard

⁶⁷² Thomas W. Clawson, “The Wilmington Race Riot in 1898. Recollections and Memories, by the Late Thomas W. Clawson (At the time City Editor of the Wilmington Messenger, and Later, Editor of the Wilmington Morning Star),” Miscellaneous, Louis T. Moore Collection, P.C. 777.1, North Carolina Department of Archives and History, Raleigh (hereafter cited as Clawson, “Recollections”).

⁶⁷³ Clawson, “Recollections.”

⁶⁷⁴ “Mrs. Felton Speaks She Makes a Sensational Speech Before Agricultural Society. Believes Lynching Should Prevail as Long as Defenseless Women is [sic] Not Better Protected,” *Wilmington Morning Star*, 18 August 1898. See also “Plain Speech by a Georgia Lady,” *Wilmington Messenger*, 18 August 1897 (which was the date when the speech was originally delivered) in 1898 Wilmington Reports File, Box no. 1, Folder: 1870s-1890s. For a comparative analysis of Felton and Ida B. Wells see Feimster, *Southern Horrors*. For an excellent introduction to the gendered component of racialized violence during the Wilmington Riot see LeeAnn Whites, “Love, Hate, Rape, Lynching: Rebecca Latimer Felton and the Gender Politics of Racial Violence,” in David S. Cecelski and Timothy B. Tyson, eds., *Democracy Betrayed: The Wilmington Race Riot of 1898 and Its Legacy* (Chapel Hill and London: University of North

their women more closely, as Mrs. Felton says, thus giving no opportunity for the human fiend, be he white or black. You leave your goods out of doors and then complain because they are taken away.” Discussing the consensual nature of interracial relationships, Manly pushed his provocative line of argument still further:

Women of that race are not any more particular in the matter of clandestine meetings with colored men than are the white men with colored women. Meetings of this kind go on for some time until the woman’s infatuation or the man’s boldness bring[s] attention to them and the man is lynched for rape. Every negro lynched is called “a big, burly, black brute,” when in fact many of those who have thus been dealt with had white men for their fathers, and were not only not “black” and “burly” but were sufficiently attractive for white girls of culture and refinement to fall in love with them as is very well known to all.⁶⁷⁵

This explosive editorial was repeatedly printed and reprinted for weeks on end until the riot took place. Unsurprisingly, among the first casualties of the riot were the offices and printing press of the *Wilmington Daily Record*.

More than a week after the riot, on November 19, 1898, the *Richmond Planet* published a shocking editorial on its front page: “Horrible Butcheries at Wilmington.”⁶⁷⁶

Unlike almost every other local or national publication, the *Planet* told what had actually happened:

Carolina press, 1998), 143-62. LeRae Umfleet’s transcriptions of Felton’s speech and Manly’s controversial editorial are contained in her *1898 Wilmington Race Riot Report* (Draft, December 15, 2005), 99-100. An insightful, albeit brief, study that gave me insight and access to copies of the *Daily Record* may be found in Margaret M. Hodgson, “For the *Record*: Revisiting and Revising Past and Present 1898 Race Riot Narratives” (M.A. Thesis, University of North Carolina, Wilmington, 2010).

⁶⁷⁵ Clawson, “Recollections.”

⁶⁷⁶ “Horrible Butcheries at Wilmington. The Turks Out Done. Innocent and Unarmed Colored Men Shot Down. Hundred Run to the Woods. The Mob Captures the Town.—White Ministers Aiders and Abettors of Murder. The Governor Powerless and the President of the United States Silent. God’s Aid Implored. The Cries of Defenseless.—Anarchy Rules,” *Richmond Planet*, 19 Nov, 1898. The number of black casualties will never be known with certainty; estimates range from 17 to 300 killed. The coverage and numbers of dead and wounded published by the *Richmond Planet* are very accurate in light of the recent exhaustive research by LeRae Sikes Umfleet. According to her count based on newspapers, tax returns, and other sources, twenty-two blacks died with nine others listed as “Wounded, fate unknown.” See Umfleet, *A Day of Blood: The 1898 Wilmington Race Riot* (Raleigh: North Carolina Office of Archives and History, 2009), especially her list of “African Americans Killed Or Wounded” on pp. 117-19 (which also includes white versions of the list of the dead).

Twenty-five colored persons were killed and as many more wounded at Wilmington, N.C., Thursday, Nov. 10, 1898. The cause of this butchery was the result of a concerted conspiracy which has been under way for several weeks. It was decided to secure the reins of the city government by treasonable practices. The leaders of the murderous band had openly threatened that unless the Republicans declined to put up a legislative ticket the streets of Wilmington would be run with blood.⁶⁷⁷

This was the terrible price of black disfranchisement and segregation. It was a price that national black politicians like Robert Smalls had tried bravely to avert during disfranchisement conventions early in the decade. Now George Henry White, a native of North Carolina, witnessed the full-scale violence against blacks in his own state. His terse but poignant response in 1900 captured the tenuous position confronting African Americans: “I cannot live in North Carolina and be treated as a man.”⁶⁷⁸ In the aftermath of the violent electoral campaign of 1898, White understood that he would not be able to seek reelection in the Jim Crow South. White would use the remainder of his term in office to speak out against such atrocities and voice the concerns, fears, and aspirations for African Americans across the country.

“The Negroes’ Temporary Farewell to the American Congress”

In the wake of increased lynchings and racial violence like the Wilmington Riot, both old and new African American leaders came together at the second meeting of the National Afro-American Council on December 29 and 30, 1898, at the 19th Street Baptist Church in Washington, D.C. Formed in Rochester, New York in September of 1898 under the auspices of Timothy Thomas Fortune (editor of the *New York Age*) and Booker

⁶⁷⁷ “Horrible Butcheries at Wilmington,” *Richmond Planet*, 19 Nov. 1898.

⁶⁷⁸ “Southern Negro’s Complaint Congressman G. H. White Forced to Leave North Carolina. Will Not Re-Enter Congress Wife a Physical Wreck Owing to Attacks—Advises Negroes to Migrate West,” *New York Times*, 26 August 1900, in “ProQuest Historical Newspapers, The *New York Times* (1851-2008),” accessed 7 Sept. 2012, <http://search.proquest.com.proxy.libraries.rutgers.edu/hnpnewyorktimes>. The article also appears in Benjamin R. Justesen, ed., *In His Own Words: The Writings, Speeches, and Letters of George Henry White* (Lincoln, NE: iUniverse, 2004), 1, 83.

T. Washington, the Council was one of the first interracial organizations that advocated for black civil and political rights.⁶⁷⁹ Among the conference presenters, Booker T. Washington spoke on “Industrial Education,” Timothy Thomas Fortune on “Our Economic Status,” and Paul Lawrence Dunbar on “The Negro in the Department of Letters,” while Ida B. Wells-Barnett and John Mitchell, Jr. (editor of the *Richmond Planet*) delivered a talk on “Mob Violence and Anarchy, North and South: The Remedy.” Former Louisiana Governor P. B. S. Pinchback spoke on the subject of “Colored Soldiers in the Wars of the Nation,” and Congressman White took the opportunity to deliver a talk on “Protection to the Negro.” When the Afro-American Council’s leadership divided participants into committees, White was chosen to serve as chairman of the subcommittee “To Examine Legislation Affecting the Race,” where he served with three former congressmen—Mississippi’s John Roy Lynch, White’s brother-in-law Henry Plummer Cheatham of North Carolina, and George Washington Murray of South Carolina.⁶⁸⁰

A week after the Conference met, on January 3, 1899, White was honored at a dinner in Washington, D.C., and his extemporaneous remarks on the future of the race were reported by *The Colored American*. After speaking on the legacy of the Civil War and the abolitionist movement, White contrasted public sentiment during the Civil War era with blacks’ present-day struggles. On one hand, the public had caused the destruction of slavery almost forty years earlier. On the other hand, “We are now without one of the great levers we formally had—the press. . . . The crimes of the Negro are

⁶⁷⁹ For more on the National Afro-American Council and its place in early legal challenges to Southern disfranchisement, see R. Volney Riser, *Defying Disfranchisement: Black Voting Rights Activism in the Jim Crow South, 1890-1908* (Baton Rouge: Louisiana State University Press, 2010), 95-97.

⁶⁸⁰ “Homage to a Race Leader the Banquet to Hon. George H. White a Striking Evidence of Race Unity. A Congressman Representing a Constituency of Ten Million People—A Gathering Possible Only in the Nation’s Capital—Mr. White’s Ringing Speech—The Affair in Detail,” *The Colored American: A National Negro Newspaper*, 14 January 1899. See also “Account of Remarks to Appreciation Dinner at Delmo-Koonce Restaurant,” Washington, D.C., January 3, 1899, in Justesen, *In His Own Words*, 95-96.

exaggerated, his virtues minimized, and there is no one to contradict the lies that are told.”⁶⁸¹ Citing the Wilmington Riot as evidence of the severity of the situation, White said that “the problem ... will not be solved by emigration, for we will not emigrate, except where as individuals we find we can do the most good. Amalgamation will not solve the difficulty, for it weakens both races, and the black man should feel proud of the dark feature and the kinky hair.” Perhaps mirroring Smalls’s arguments at the 1895 Constitutional Convention, White added, “Amalgamation in the South must stop, or we will find a way to stop it.”⁶⁸² After praising blacks’ progress since their emancipation, he concluded, “All the sensible Negro clamors for is a man’s chance in the battle of life, and then if he fails, the fault lies with no one but himself.”⁶⁸³ Though he offered a largely reassuring assessment of the progress of African Americans, White may have been concealing his own support for emigration. With the destruction of the Fusionists in North Carolina and disfranchisement a fact of life, no option seemed viable other than to flee the South for places where blacks might be able to live without the fear of lynching or economic depredations.

In contrast to White’s own public remarks, the white North Carolina press emphasized his support for emigration. White called together a Council of Colored Men of the State to meet to discuss the future direction of black politics. On January 18, 1899, the *Raleigh News and Observer* claimed that “Congressman White is the author of the meeting and its moving spirit. One of the advertised purposes of the meeting is to

⁶⁸¹ “Homage to a Race Leader,” *The Colored American*, 14 January 1899.

⁶⁸² Ibid.

⁶⁸³ Ibid.

encourage the negro to emigrate.”⁶⁸⁴ A day later, the *Charlotte Daily Observer* described “an effort . . . made by White and some others to have a resolution adopted advising the negroes to emigrate in case the Democrats made their stay in North Carolina intolerable, and agreeing that each would aid the others in so emigrating.”⁶⁸⁵ The paper reported that these resolutions, though supported by White, were not adopted by the assembled delegates. Regardless of the motives of the white newspaper editors who published these reports, White’s own views were apparently shifting toward endorsement of emigration.

In the opening months of 1900, White embraced a multifaceted approach to the cause of racial equality. First he supported the bill, introduced by Indiana Republican Edgar D. Crumpacker, that sought to reduce congressional representation in the Southern states that had already instituted disfranchisement (South Carolina, Louisiana, Mississippi, and North Carolina) through some combination of poll taxes, literacy tests, and so-called grandfather clauses. Then he called for antilynching legislation. Finally, he challenged racism and the myth of the black rapist openly before the House of Representatives. While he pursued these strategies, White was also coming to accept the reality that blacks would be unable to obtain justice through the federal government, and he openly embraced emigration from the South. Meanwhile, during the last year and a half of his second term in Congress, White drew on twenty years of black political culture in his attempt to stave off disfranchisement and solidification of the violent Jim Crow segregationist order throughout the South.

⁶⁸⁴ “Negroes Meet To-Day Convention Called to Memorialize the Legislature. There Was a Caucus He[l]d Last Night. Dr. Scruggs Refused To Be Bound by Resolutions He Had Not Seen,” *Raleigh News and Observer*, 18 Jan. 1899 in “19th Century U.S. Newspapers,” accessed 7 Sept. 2012, http://infotrac.galegroup.com.proxy.libraries.rutgers.edu/itw/infomark/0/1/1/purl=rc6_NCNP.

⁶⁸⁵ “Booker Pays the Penalty,” *Charlotte Daily Observer*, 19 Jan. 1899, in Justesen, *In His Own Words*, 97-98.

On January 18, 1900, White wrote a rebuttal to Mississippi's Democratic Senator Hernando De Soto Money, who had argued that disfranchisement was predicated not on race but rather on illiteracy. Money cited the recent U.S. Supreme Court ruling in *Williams v. Mississippi* (1898), which stated that no discrimination existed when a state implemented poll taxes or literacy tests if they were applied equally to all voters, to bolster his case against Crumpacker's pending bill. White countered Money's arguments by highlighting naked instances of voter fraud and ballot-box stuffing. He urged support for Crumpacker's bill, arguing, "I do not believe that anybody should be permitted to thrive by his own dishonesty and rascality. These frauds in the South while terribly unjust to the colored man will certainly react upon the white people."⁶⁸⁶ Crumpacker's bill was eventually set aside in 1901 by a vote of 136 to 94.⁶⁸⁷

After failing to secure some measure of protection for black voters, White turned to the primary effort that would dominate the remainder of his term: seeking to secure meaningful antilynching legislation. On January 20, 1900, White presented "a petition of 2,413 names of citizens of the United States, asking for national legislation against the crime of lynching and mob violence." He moved to have the heading of the petition read, and that it should accompany a bill he had drafted to "be referred to the Committee on the Judiciary." Democrat James D. Richardson of Tennessee promptly objected. Engaging in

⁶⁸⁶ Hon. H. D. Money, "Shall Illiteracy Rule?" *The Independent* 52, no. 2668 (Jan. 18, 1900): 174-75, Hon. George H. White, "The Injustice to the Colored Voter," *The Independent* 52, no. 2668 (Jan. 18, 1900): 176-77, both in "Proquest American Periodicals," accessed 7 Sept. 2012, <http://search.proquest.com.proxy.libraries.rutgers.edu/americanperiodicals/docview/90517748/13C129B2D2F449599E0/1?accountid=13626> (Money's article) and <http://search.proquest.com.proxy.libraries.rutgers.edu/americanperiodicals/docview/89998677/13C129D590E6565BCC8/2?accountid=13626> (White's article). Quotation from White's article is from p. 177. For a thorough discussion of the meaning of the *Williams v. Mississippi* ruling see Riser, *Defying Disfranchisement*, 45-73.

⁶⁸⁷ An excellent discussion of the Crumpacker bill, with a discussion of its historical context, and the vote totals may be found in Perman, *Struggle for Mastery*, 224-31.

a delaying tactic, Richardson argued that White's motion "ought to take the regular course of all other petitions and memorials."⁶⁸⁸ But White raised the subject again ten days later. Interjecting himself into a debate between Romulus Z. Linney (R-NC) and Robert E. Burke (D-TX) after Burke asserted that "in almost every instance the lynching occurs in consequence of the assaults of colored men upon the virtue of white women," White defended his race against such aspersions: "I have examined that question and I am prepared to state that not more than 15 per cent of the lynchings are traceable to that crime, and there are many more outrages against colored women by white men than there are by colored men against white women."⁶⁸⁹

By 1900, White grew increasingly frustrated at the repeated and unsubstantiated charges leveled against his race as justification for disfranchisement, segregation, and murder. His anger boiled over following the publication of a scathing editorial in the conservative *Raleigh News and Observer*. The editor of the paper, Josephus Daniels (who would later serve as Secretary of the Navy under President Woodrow Wilson), was a white supremacist who had used his paper to fan the flames that led to the Wilmington Riot. On February 5, 1900, White had the Clerk of the House read Daniels's incendiary editorial, which included these words: "It is bad enough that North Carolina should have the only nigger Congressman. It is sufficiently humiliating to the white people of the Second district. ... What shall be said when that nigger Congressman gives utterance to the following on the floor of the House?" Daniels then proceeded to misquote White's

⁶⁸⁸ *Congressional Record*, 56th Cong., 1st Sess. (20 Jan. 1900): H. 1017, in "U.S. Congressional Documents," accessed 7 Sept. 2012, <http://heinonline.org.proxy.libraries.rutgers.edu/HOL/Index?collection=congreg&set>.

⁶⁸⁹ *Congressional Record*, 56th Cong., 1st Sess. (31 Jan., 1900): H. 1365 in "U.S. Congressional Documents," accessed 7 Sept. 2012.

earlier statements regarding lynching, with a not-so-subtle reference to the Wilmington Riot:

Thus does the Manleyism [sic] of 1898 show its head in 1900. Manley slandered white women in a scurrilous negro newspaper having a local circulation; WHITE justifies assaults by negroes on white women by slandering white men in a speech in the Congress of the United States. We are told that “the public galleries contained many colored people who applauded this utterance vigorously.”⁶⁹⁰

Daniels claimed that White’s statements could be easily discounted. In the same breath he warned that White’s alleged statements should be viewed “as a fresh manifestation of negroism, of what the negro’s attitude is toward the white man and always,” and that the significance of this attitude “should not be allowed to escape us.” Daniels scoffed at the notion that there could ever be an “inoffensive negro official.”

White

was typical of his kind. Venomous, forward, slanderous of the whites, appealing to the worst passions of his own race, he emphasizes anew the need of making an end of him and his kind. That is what the white people of this State propose to do. They have had enough of Manleyism. They have more than enough of Negro Congressman WHITE. He must be made an impossibility in the future, and will be. The people of this State will not tolerate that sort of thing. This had been made sufficiently plain already.⁶⁹¹

White had the entire article read on the House floor “that the world may see what the poor colored man in the Southland has to undergo from a certain class.” Daniels misquoted his statements, he said. Whoever participated in the crime of rape, be he white or black, “ought to be hung—hung by the neck till dead. But it ought to be done by the courts, not by an infuriated mob such as the writer of this article would incite.”⁶⁹² White described Daniels’s article as

⁶⁹⁰ “The Colored Member,” *Raleigh News and Observer*, in *Congressional Record*, 56th Cong., 1st Sess. (5 Feb. 1900): H. 1507 in “U.S. Congressional Documents,” accessed 7 Sept. 2012.

⁶⁹¹ Ibid.

⁶⁹² Ibid.

evidence of what we have got to contend with—an absolute perversion and slanderous misrepresentation of the truth—preparing for the election to be held in August. And the world is notified that those whom the Constitution of these United States ... has enfranchised are to be reduced once more to the condition of good and chattels, if such men as the one who edits the *News and Observer* can have the control of affairs in North Carolina.⁶⁹³

Understanding fully the desperate times that confronted all African Americans, White prepared a speech on behalf of his antilynching legislation. While ostensibly participating in a discussion on the subject of Puerto Rico, on February 23, 1900, White explained why Congress must pass his proposed bill. Declaring that charity should “first begin at home,” he decried the hypocrisy that he saw in his country. The United States proposed to civilize and Christianize the darker-skinned peoples of the Philippines, Puerto Rico, and Cuba when, at the same time, “fully 50,000 of my race have been ignominiously murdered by mobs, not 1 per cent of whom have been made to pay for their crimes in the courts.” He denounced Southern congressman like John Sharp Williams of Mississippi, James M. Griggs of Georgia, Robert E. Burke of Texas, and Senator John Tyler Morgan of Alabama. White took Griggs to task for his willingness to highlight the case of Sam Hose, a black Georgian lynched for killing his employer and allegedly raping his wife. White felt that Griggs “might have depicted also, if he had been so inclined, the miserable butchery of men, women, and children in Wilmington, N.C., in November, 1898, who had committed no crime, nor were they even charged with crime.”⁶⁹⁴ White showed that lynching had little to do with the crime of rape by listing sixty-three individuals who had been lynched between April 24 and October 20, 1899. Out of this group, only two were lynched on grounds related to dishonoring a woman

⁶⁹³ Ibid.

⁶⁹⁴ *Congressional Record*, 56th Cong., 1st Sess. (23 Feb. 1900): H. 2151, in “U.S. Congressional Documents,” accessed 7 Sept. 2012.

(one for putting a hand on a white woman while another had “entered a lady’s room drunk”). The sixty-three victims included one Italian, one Cuban, four white men, and fifty-seven negroes.⁶⁹⁵

White then explained the provisions of his bill, under which participants in mob violence “aiding and abetting in such murder and lynching shall be guilty of treason against the Government of the United States, and shall be tried for that offense in the United States courts.” The second section of White’s bill stipulated that those found guilty of lynching “shall be punished as is now prescribed by law for the punishment of persons convicted of treason against the United States Government.”⁶⁹⁶ White adduced constitutional arguments and the letter of a prominent Massachusetts lawyer to bolster his claims regarding the bill’s constitutionality, but for him the key constitutional support was contained in the clause relating to national citizenship in the second section of the Fourteenth Amendment.⁶⁹⁷

White denied that he was trying to stir up tension between the races. Rather, he said, “I have simply raised my voice against a growing, and as I regard it, one of the most dangerous evils in our country. I have simply raised my voice in behalf of a people who have no one else to speak for them here from a racial point of view.”⁶⁹⁸ There is no evidence that Congress took any action on White’s bill.

By 1900 White understood that he had no political future in the Jim Crow South. Men like Josephus Daniels and Ben Tillman had, through a mix of coercion and mob violence, robbed African Americans of their voting rights and enforced a rigid system of

⁶⁹⁵ Ibid, H. 2152.

⁶⁹⁶ Ibid, H. 2153.

⁶⁹⁷ Ibid.

⁶⁹⁸ Ibid, H. 2154.

segregation that permeated every aspect of black life. In this environment White saw no path to victory. He announced that he would not seek reelection and would leave the South. Before he left, White delivered one of the most powerfully prophetic speeches of his time.

On January 29, 1901, White inserted himself into a debate on an agriculture bill. As he had done before, he used the issue being debated at the moment as a platform to call attention to the condition of his race. We have no information on how White expressed his emotion as he delivered his final remarks, but he was certainly cognizant of his status as the official political voice for African Americans, and as the last, outgoing black member of Congress. He reflected:

This, Mr. Chairman, is perhaps the negroes' temporary farewell to the American Congress; but let me say, Phoenix-like he will rise up some day and come again. These parting words are in behalf of an outraged, heart-broken, bruised, and bleeding, but God-fearing people—rising people—full of potential force. The only apology I have to make for the earnestness with which I have spoken is that I am pleading for the life, the liberty, the future happiness, and manhood suffrage for one-eighth of the entire population of the United States.

According to the *Congressional Record*, the House resounded with loud applause.⁶⁹⁹

Although his term would not end until March 1901, this was White's last major speech before the House. But the last black congressmen of the nineteenth century had not finished serving his constituents. In August 1901 White, through the Afro-American Equitable Association, purchased land in Cape May County, New Jersey, to create an all-black town, which would be named Whitesboro in his honor. The North Carolina blacks who migrated there, including some refugees from the Wilmington Riot, represented a prelude to the Great Migration that would reshape the Northern political landscape in the twentieth century. If White could not protect the rights of black people or secure

⁶⁹⁹ Ibid, H. 1638.

antilynching legislation, he would do something more concrete for them—he would buy land for a town where they could live free from the fear of the violent segregationist order overtaking Dixie.⁷⁰⁰

Exeunt Omnes: The Meaning of Black Leadership in the Postbellum South

With White's departure from elected office, one phase of black leadership ended, and with it went a generation's worth of vibrant and contentious black political culture. These changes, along with the deaths of several major leaders, were cause for reflection in the black community on the meaning and legacy of their fallen leaders. As an editorial in the April 1898 issue of the *A.M.E. Church Review* stated: "The death of Hon. N[orris]. W[right]. Cuney, of Texas [an alderman in Galveston, a union activist, and the former chairman of the Texas Republican Party], followed so soon by that of Hon. B. K. [former U.S. Senator Blanche Kelso] Bruce, emphasizes what the deaths of Messrs. Douglass and Langston suggested, that in a few years those who made Negro ability respected and Negro leadership confessed will all be gone."⁷⁰¹ As of 1898 not all of the old guard was gone; Smalls, Lynch, and Pinchback remained alive, and White was still serving in the U.S. House of Representatives. But the passing of so many powerful activists and national black political leaders reverberated within the black community. The *A.M.E. Church Review* wondered what sort of leadership would emerge: "What then? Why, simply that the new times will produce new leaders. They will not ... be men who will tower so colossally above all their race fellows as to suggest that there are no others as

⁷⁰⁰ Umfleet, *A Day of Blood*, 152-53. In 1880, there were only 306 nonwhite residents who had born in North Carolina living in the state of New Jersey (accounting for 52 percent of the black population of that state). By 1900 that number had soared to 3,586 (77 percent). For more on Whitesboro, see Benjamin R. Justesen, *George Henry White: An Even Chance in the Race of Life* (Baton Rouge: Louisiana State University Press, 2001), 356-84.

⁷⁰¹ "Mr. Cuney and Mr. Bruce—A Comparison," *A.M.E. Church Review* (April 1898): 464.

able. They may be less aggressive, but will be more persuasive; less picturesque, but fully as potent; less considered as individuals, but more consulted as forces.” For the *Church Review*, leadership was a matter of contingency, not an artificial creation foisted upon the black community. Rather, black leaders emerged as the circumstances dictated. Nor was the *Church Review* alone in its assessment of black leadership.⁷⁰²

On April 30, 1898, *The Colored American* reported on remarks delivered by ex-Governor P. B. S. Pinchback to a special meeting of the Bethel Literary and Historical Association honoring the late John Mercer Langston. After discussing the outlines of Langston’s career, Pinchback addressed the future of the race and commented on the model of leadership that Langston had provided. He bemoaned the injustices that would eventually drive people like George Henry White out of public life and blacks’ limited opportunities to speak up in response:

It seems to be the purpose of our so-called white friends to repress anything that approaches manly independence and courageous action in defense of their own by colored men. It matters not how just the complaint, how grievous the wrong, how shocking and horrible the outrages perpetrated upon the race ... colored men must not complain and cry out against the wrong, or even protest against the diabolical deeds.⁷⁰³

Pinchback saw the “superserviceable friends and their newspaper allies who are endeavoring to manufacture leaders for the colored people” as “doing more harm than we are prepared to admit. Neither doubting friends nor insidious foes should deter us from performing our duty as nobly and as heroically as [Langston] performed his.” The former governor also believed that African Americans had “reached a critical stage” in the “transition from slavery to the freedom and citizenship.” No longer could they rely upon

⁷⁰² Ibid.

⁷⁰³ “What Leadership Means. Ex-Governor P. B. S. Pinchback Pays an Eloquent Tribute to the Late J. M. Langston,” *The Colored American: A National Negro Newspaper*, 30 April 1898.

the aid or kindness of other races. Rather, they “are now entering upon a man to man struggle for an honorable place in the citizenship of the country, with no safe reliance but their own resources and captains. No outside influences, however seductive or influential, should be permitted to select such captains.” Pinchback felt that the “extraordinary condition” confronting African Americans made their need for “manly and fearless leadership as apparent and pressing today as at any period in their history.”⁷⁰⁴

The Colored American also summarized the remarks of John Roy Lynch at the same event. It stated that Lynch had referred to “the speech by Mr. Langston at Natchez, Miss., which sowed in his youthful breast the seeds of ambition that made him what he is.” Lynch urged the “rising generation” of leaders to “acquire and develop the character and noble qualities necessary to true leadership, as the members of the ‘Old Guard’ are rapidly passing from the scene of action, and newer hands must take up the burden where they are being compelled to lay it down.” He concluded that “the older leaders had done their best, and their only ambition now is that their successors shall bring to the cause their life’s best energies and unselfish devotion.”⁷⁰⁵

Pinchback and Lynch celebrated Langston’s achievements and their own, glossing over imperfections, mistakes, and outright failures, as well as clashing egos and broken friendships. Such was the nature of politics. Nevertheless, the collective reflections on the passing of the “Old Guard” and the future of American race relations transcended uncritical celebrations of past accomplishments. Langston and Lynch, Smalls and White, Rapier and Walls—they had indeed “done their best.” Their best was not enough to preserve the rights of their constituents through the last decade of the nineteenth century.

⁷⁰⁴ Ibid.

⁷⁰⁵ “In Memory of Langston,” *The Colored American: A National Negro Newspaper*, 30 April 1898.

Nor did it prevent repeated acts of political and racial violence against the black community in the South. But national black political leaders articulated the aspirations of their constituents and gave voice to the hopes of those who had been enslaved for well over two centuries. Most black leaders came of age politically in the Civil War era and gained preeminence in the 1870s. The twin legacies of the Civil War and emancipation dominated African American political thought for well over a generation. It guided the emancipatory generation of leaders in their fight to secure passage of the Civil Rights Act of 1875. Likewise, the manly ideal of citizenship rights as earned on the battlefields of the Civil War shaped national black responses to emigration and the possibilities of fusion voting that emerged by the opening of the 1880s.

These dominant themes—the legacy of slavery and black martial prowess—continued to inform both old-guard and younger black leaders who attained elective office in the 1890s. But white Americans had long since lost interest in the “Negro Problem.” The shift began in earnest by the mid-1870s and continued as new issues replaced the “bloody shirt.” Americans were concerned with the economy, civil service reform, and imperial and colonial projects of their own. Though blacks had a few allies in the North during the 1890s, most white Northerners were content to let the South manage its African Americans without federal interference. The move toward Yankee imperialism and the emergence of a shared discourse of racism transcended sectional lines, quickening the pace by which the North and the Republican Party turned its back on African Americans.⁷⁰⁶

⁷⁰⁶ This point is emphasized by Upchurch, *Legislating Racism*, 186-209. See also Paul A. Kramer, “Empires, Exceptions, and Anglo-Saxons: Race and Rule between the British and United States Empires, 1880-1910,” *Journal of American History* 88, no. 4 (March 2002): 1315-53.

Against these odds, national black political leaders did not abandon their constituents. They challenged American society to live up to its ideals and deal fairly with newly enfranchised black citizens. These leaders were not perfect. They made mistakes, misjudged political currents, allowed their egos to get in the way of unified action at times, and occasionally leveled unfair charges at each other and other black leaders. Nevertheless, they were sources of pride for the black community. Whenever whites spoke of black inferiority, African Americans could point to towering, articulate, and well-educated leaders to prove otherwise. These leaders' brave resourceful efforts to secure and defend black civil and political equality helped to pave the way for later generations who would eventually topple the edifice of disfranchisement and segregation that their predecessors had opposed with such determination.

CONCLUSION

**Once and Future Prophets:
Jim Crow and the Fate of Black America in the Twentieth Century**

The Barber, the Historian, and the Congressman

The full flowering of the Jim Crow South recast the terms of African Americans' struggle against white supremacy. Five years before W. E. B. Du Bois wrote, in *The Souls of Black Folk*, that the "problem of the twentieth century is the problem of the color-line," former Louisiana governor P. B. S. Pinchback proclaimed that "in my judgment the next quarter of a century is destined to be the crucial period in the history of the American Negro."⁷⁰⁷ Though Pinchback's words were prescient, the class of leaders he represented took very different approaches to the "Negro Problem" than their successors would. Indeed, there was an irreparable separation between late nineteenth-century black political activism and the civil rights struggles that occupied much of the twentieth century. Writing of grassroots antidisfranchisement protests at the close of the nineteenth century, historian R. Volney Riser concluded that with "the NAACP's inception, and the birth of its famed Legal Defense Fund, the nature and fundamental character of civil rights activism and advocacy changed."⁷⁰⁸ Disfranchisement had firmly

⁷⁰⁷ W. E. B. Du Bois, *The Souls of Black Folk* (1903; New York: Bantam Classics, 1989), 11; "What Leadership Means. Ex-Governor P. B. S. Pinchback Pays an Eloquent Tribute to the Late J. M. Langston," *The Colored American: A National Negro Newspaper*, 30 April 1898.

⁷⁰⁸ R. Volney Riser, *Defying Disfranchisement: Black Voting Rights Activism in the Jim Crow South, 1890-1908* (Baton Rouge: Louisiana State University Press, 2010), 252. Over the last twenty years, a large number of works have sought to bridge the gap between late nineteenth-century black activism and the Civil Rights Movement of the mid-twentieth century. Key works that have shaped my understanding of black activism across the two centuries include John Dittmer, *Local People: The Struggle for Civil Rights in Mississippi* (Urbana and Chicago: University of Illinois Press, 1994); Adam Fairclough, *Race and Democracy: The Civil Rights Struggle in Louisiana, 1915-1972* (Athens: University of Georgia Press, 1995); Charles M. Payne, *I've Got the Light of Freedom: The Organizing Tradition and the Mississippi Freedom Struggle* (Berkeley: University of California Press, 1995); Glenda Elizabeth Gilmore, *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896-1920* (Chapel Hill and London: University of North Carolina Press, 1996); Kevin K. Gaines, *Uplifting the Race: Black Leadership, Politics, and Culture in the Twentieth Century* (Chapel Hill and London: University of North

closed the doors of formal political activism for most black Americans by the turn of the century. It was no surprise, then, that blacks turned their attention to a mix of legal activism and direct protests, as these were among the few avenues still available for redressing their grievances. Nevertheless, the legacy of earlier black political leaders would not be easily forgotten. Though the methods of activism embraced by African Americans had to change, the recollection of what had transpired in the immediate aftermath of emancipation did not. As Southern white historians sought to rewrite the story of Reconstruction and black disfranchisement to align with white supremacy, one of the last remaining black politicians from that era would once again raise his voice in defense of his conduct and that of all African Americans.

Between 1914 and 1917, John Roy Lynch challenged the emergent historical consensus on Reconstruction. Just as he had the gall, at age twenty-seven, to challenge President Ulysses Grant's courage, Lynch pressed white historians to get their facts straight. Reading their publications on Reconstruction incensed Lynch and pushed him into debate with one of the foremost historians of this period, James Ford Rhodes.

The struggle over the historical memory of Reconstruction was not simply a rhetorical exercise. As anthropologist Michel-Rolph Trouillot has noted:

History is always produced in a specific historical context. Historical actors are also narrators, and vice versa. For what history is changes with time and place or, better said, history reveals itself only through the production of specific narratives. Only a focus on that process can uncover the ways in which the two sides of historicity intertwine in a particular context. Only through that overlap

Carolina Press, 1996); Jacquelyn Dowd Hall, "The Long Civil Rights Movement and the Political Uses of the Past," *Journal of American History* 91, no. 4 (2005): 1233-63; Paul Ortiz, *Emancipation Betrayed: The Hidden History of Black Organizing and White Violence in Florida from Reconstruction to the Bloody Election of 1920* (Berkeley, Los Angeles, and London: University of California Press, 2005); Gilmore, *Defying Dixie: The Radical Roots of Civil Rights, 1919-1950* (New York: W. W. Norton & Company, 2008); and Patricia Sullivan, *Lift Every Voice: The NAACP and the Making of the Civil Rights Movement* (New York and London: New Press, 2009).

can we discover the differential exercise of power that makes some narratives possible and silences others.⁷⁰⁹

Rhodes and others like him (most notably William Archibald Dunning and John W. Burgess) sought to justify the Solid South and its system of Jim Crow segregation. In the process, they silenced the counternarrative of black progress and formal politics embodied by the careers of men such as John Roy Lynch.

The exchanges between Rhodes and Lynch took place through an unusual intermediary—the influential African American barber George A. Myers.⁷¹⁰ The debate was probably the only major (albeit private) exchange between a prominent white

⁷⁰⁹ Michel-Rolph Trouillot, *Silencing The Past: Power and the Production of History* (Boston: Beacon Press, 1995), 22, 25. David Blight's analysis reaffirms Trouillot's perspective on the nature of the construction of history and what stories are told or erased. Blight discusses the conflict among three competing "visions" of the Civil War (reconciliation, the Lost Cause, and emancipationist) as "the central problem in how Americans made choices to remember and forget their Civil War"; the same perspective is applicable to the construction of the memory and legacy of Reconstruction. See Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, MA and London: Belknap Press of Harvard University Press, 2001), 2.

⁷¹⁰ The Lynch-Myers-Rhodes episode is drawn from two tantalizing sources: John A. Garraty, ed., *The Barber and the Historian: The Correspondence of George A. Myers and James Ford Rhodes, 1910-1923* (Columbus: Ohio Historical Society, 1956) and the extensive digitized collection, "The George A. Myers Papers, 1890-1929, An Inventory to the Microfilm Edition," accessed 11 Nov. 2009, <http://memory.loc.gov/ammem/award97/ohshtml/myers/overviewa.html> (hereafter cited as Myers Papers). Myers (1859-1929) was a relatively conservative Republican who eventually became the owner of the lucrative Hollenden's Barbershop in Cleveland, Ohio, with help from his longtime friend Rhodes. Their relationship dated back to the time when Rhodes was still involved in industrial pursuits and Myers served as his barber. According to Garraty, Myers's barbershop became a nexus of Ohio political activity: "He was eventually able to boast that he had shaved or otherwise administered to eight presidents of the United States (Hayes, Harrison, Cleveland, McKinley, Theodore Roosevelt, Taft, Wilson, and Harding), dozens of congressmen, and such varied luminaries as Mark Twain, Lloyd George, John Hay, Joseph Jefferson, Robert Ingersoll, and Marshall Foch." Myers's unique status and his connections with black leaders made him a powerful player in Republican politics. As a delegate in the 1892 Republican National Convention, when factionalism emerged in the Ohio Convention, his vote gave control to the Hanna-McKinley group. Myers also helped Rhodes in conducting the research for his famed *History of the United States Since the Compromise of 1850* (Garraty, *The Barber and the Historian*, xvii). For more on this fascinating life see Ruth Martin, "Defending the Reconstruction: George A. Myers, Racism, Patronage, and Corruption in Ohio, 1879-1930," in Matthew Lynch, ed., *Before Obama: A Reappraisal of Black Reconstruction Era Politicians*, Volume 1: *Legacies Lost: The Life and Times of John Roy Lynch and His Political Contemporaries* (Santa Barbara, CA: Praeger, 2012), 187-209. For recent popular and scholarly examinations of the debate between Rhodes and Lynch see Philip Dray, *Capitol Men: The Epic Story of Reconstruction Through the Lives of the First Black Congressmen* (Boston and New York: Mariner Books, 2008), 367-68, and Matthew Lynch, "The Lynch-Rhodes Debate: Reconstruction on Trial," in Lynch, ed., *Before Obama*, Volume 1, 235-65.



Left to right: James Ford Rhodes, Thomas R. Lounsbury, William M. Sloane standing with unidentified men nearby, November 17, 1913. Source: Library of Congress, "American Memory—Photographs from the Chicago Daily News, 1902-1933," <http://memory.loc.gov/cgi-bin/query/r?ammem/AMALL:@field%28NUMBER+@band%28ichicdn+n061556%29%29>. Courtesy Chicago History Museum (black and white reproduction of: Glass negative; DN-0061556).

historian and a survivor of the Reconstruction period. Although the debate did not turn the tide against the school of Reconstruction led by Rhodes and Dunning, it reveals Lynch's character and the kind of political leadership that he embodied.

Rhodes published the Reconstruction volume of his *History of the United States from the Compromise of 1850 to the Final Restoration of Home Rule at the South 1877* in 1906. Lynch did not read it until after he had published his own history on the period of Reconstruction, *The Facts of Reconstruction* (1913). Myers brought Rhodes's book to Lynch's attention and then sent Rhodes a copy of Lynch's bold defense of Reconstruction.⁷¹¹ Rhodes replied on March 29, 1914, expressing appreciation for the

⁷¹¹ Franklin, "Introduction," in Lynch, *Reminiscences of an Active Life*, xxxiii.

book and saying that he had been “reading it here and there and I have been much interested in it,” but that he did not plan to write further on Reconstruction anyhow.⁷¹²

Rhodes was clearly not interested in engaging with the challenges posed by Lynch’s account. Perhaps the matter would have ended there, had Myers not shown Lynch Rhodes’s book.

Lynch recalled his initial reaction to the book in an article in the *Journal of Negro History* in October 1917:

In glancing over one of the volumes, I came across the chapters giving information about what took place in the State of Mississippi during the period of Reconstruction. I detected so many statements and representations which to my own knowledge were absolutely groundless that I decided to read carefully the entire work. I regret to say that, so far as the Reconstruction period is concerned, it is not only inaccurate and unreliable but it is the most biased, partisan and prejudiced historical work I have ever read.⁷¹³

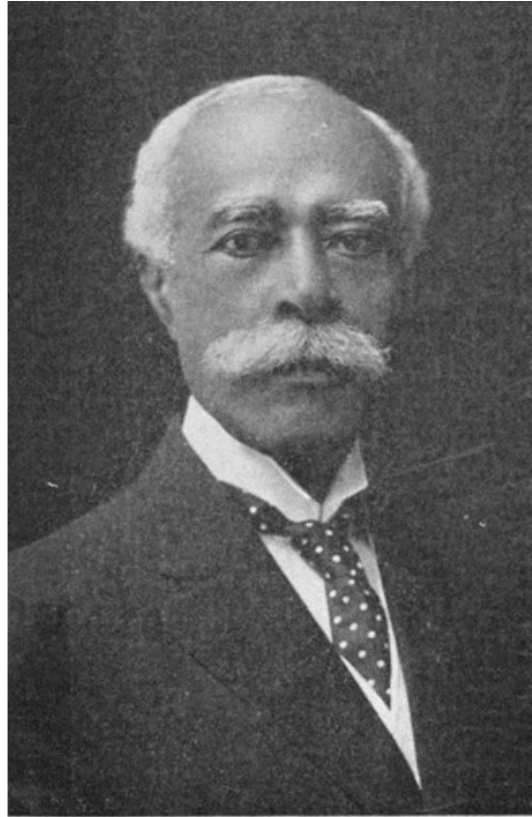
Perhaps most disturbing to Lynch were Rhodes’ general conclusions about all black congressmen during Reconstruction. Rhodes wrote:

From the Republican policy came no real good to the negroes. Most of them developed no political capacity, and the few who raised themselves above the mass did not reach a high order of intelligence. At different periods two served in the United States Senate; thirteen in the House; they left no mark on the legislation of their time; none of them, in comparison to their white associates, attained the least distinction.⁷¹⁴

⁷¹² James Ford Rhodes to George A. Myers, 29 March 1914, in Garraty, *The Barber and the Historian*, 29-30.

⁷¹³ John R. Lynch, “Some Historical Errors of James Ford Rhodes,” *Journal of Negro History* 2, no. 4 (Oct., 1917): 345; Franklin, “Introduction,” xxxiii.

⁷¹⁴ James Ford Rhodes, *History of the United States from the Compromise of 1850 to the Final Restoration of Home Rule at the South 1877*, Volume 7: 1872-1877 (New York: Macmillan, 1909), 169. W. E. B. Du Bois would later explicitly challenge these ideas about black congressmen in his *Black Reconstruction in America, 1860-1880* (1935; New York: The Free Press, 1992), esp. 627-30. Du Bois noted, “In the matter of education, Rainey of South Carolina was one of the first Americans to demand national aid for education. Walls of Florida protested that national aid was not an invasion of state rights, and showed the discrimination in the distribution of state funds. The colored congressmen advocated local improvements, including distribution of public lands, public buildings, and appropriations for rivers and harbors, in Alabama, Florida, Mississippi, and South Carolina. Aside from these personal questions, Negro Congressmen discussed national economic matters. Walls of Florida and Lynch of Mississippi asked protective tariffs for local products, including cotton, lumber, and sugar. Walls voted for an appropriation for the centennial exposition of 1876, and urged the recognition of Cuba. Hyman championed relief of the



John Roy Lynch (1911). Source: "New York Public Library Digital Gallery," <http://digitalgallery.nypl.org/nypldigital/dgkeysearchdetail.cfm?strucID=591741&imageID=1239435>. Schomburg Center for Research in Black Culture, General Research and Reference Division.

Through Myers, Lynch wrote a response to Rhodes's work. Rhodes replied to Myers on April 19, 1916:

I note carefully what you say about Mr. Lynch for whose character and ability I have profound respect and admiration. It does not surprise me that he thinks I am inaccurate unjust and unfair for he was a severely partisan actor at the time while I, an earnest seeker after truth, am trying to hold a judicial balance and to tell the story without fear, favor or prejudice. Please do not make any arrangements for me to see Mr. Lynch before next autumn or winter as I shall not be well enough to enter upon a discussion of the matter. Why does not Mr. Lynch write a magazine article and show up my mistakes and inaccuracies and injustice?⁷¹⁵

Though Rhodes claimed to be an objective "seeker of the truth," the tone of his response was clearly dismissive. Lynch, nevertheless, took up the challenge. He wrote to Myers on

Cherokee Indians. Bruce opposed the restriction of Chinese immigration, arraigned our selfish policy toward Indians, and especially advocated improving the navigation of the Mississippi and protecting life and property from its overflow" (p. 629).

⁷¹⁵ Rhodes to Myers, 19 March 1916, in Garraty, *The Barber and the Historian*, 42-43.

April 2, 1917, indicating that he was “putting the finishing touches upon the article” and asking Myers to forward it to Rhodes for review, “before any step is taken looking to its publication, with a view to allowing him to prepare an answer to it, should he desire to do so.”⁷¹⁶

Rhodes responded almost immediately upon receipt of Myers’s communication, on April 5, 1917. He thanked Lynch for “showing a politeness and candor that some of my assailants have not shown. But I do not care to see the [manuscript] of his article as I shall not answer it. It is my rule never to indulge in controversies; such indulgence is the rock on which some historians have split. But I always correct errors of fact.”⁷¹⁷

Nevertheless, Rhodes eventually did read the article, writing to Myers on November 22 that he had finally been able to “give Mr. Lynch’s article a thorough investigation and sifting.”⁷¹⁸ Rhodes used the services of an “expert” to write a rejoinder, and much of this debate would eventually see publication in 1922 as a compiled book published by Lynch titled *Some Historical Errors of James Ford Rhodes*.

In spite of these developments, there is no indication that James Ford Rhodes ever revised his volumes concerning Reconstruction. Writing as an objective historian Rhodes would merely say, “The difference between Mr. Lynch and me is the point of view. It is the old story of two warriors fighting about the shield—one saying it was golden, the other silvern because they looked at it from two different sides. The discussion will probably go on to the crack of doom.”⁷¹⁹ Myers, however, defended Lynch’s position and suggested that Rhodes’s claim to objectivity was unrealistic. Writing to Rhodes on

⁷¹⁶ John R. Lynch to George A. Myers, 2 April 1917, Myers Papers.

⁷¹⁷ Rhodes to Myers, 5 April 1917, in Garraty, *The Barber and the Historian*, 64.

⁷¹⁸ Rhodes to Myers, 4 Aug. 1917, Myers Papers; Rhodes to Myers, 22 Nov. 1917, in Garraty, *The Barber and the Historian*, 76.

⁷¹⁹ Ibid, 22 Nov. 1917, in Garraty, *The Barber and the Historian*, 77.

January 8, 1918, Myers stated: “There is no question of Mr. Lynch’s honesty; neither the purity of his motive in giving to you his personal experience and knowledge of events that transpired during this very important period in the history of our Country and in which he figured most prominently.”⁷²⁰ Myers then questioned the very nature of the white historical project concerning Reconstruction:

A friend of mine recently said, “That history is always written from the viewpoint of the stronger side, that is to say, the side which ultimately prevails.” This being self evident, and as you style it in your history, “The restoration of home rule,” consequently was written from that side and not the side with which Mr. Lynch is familiar and was identified with, and which went under.⁷²¹

Continuing his gracious remonstrance, Myers effectively captured Lynch’s mindset and why this aging leader, now in his seventies, would not let white historians rewrite the facts of Reconstruction:

[The] authorities while flushed with victory and as a natural sequence painted the other fellow and his methods a little blacker than either was. Of course in this day of intense color prejudice, race discrimination and persecution, particularly in the South, it is hard for any colored man to discuss a public question without interjecting this question. You cannot fully appreciate this because you have never been discriminated against.⁷²²

More than discrimination was undoubtedly on Lynch’s mind as he engaged in this debate. The white South had achieved “home rule” through violence and intimidation. There was neither heroism nor honor in the “Redemption” of Mississippi or the South. The fact that Rhodes would not consult living participants and would uncritically accept white perspectives on a man like John Roy Lynch merely confirms the general amnesia and increasing racism prevalent among white Americans. Whatever hope Lynch had seen in the masses of Northern Republicans in the immediate aftermath of Hayes’ Southern

⁷²⁰ Myers to Rhodes, 8 Jan. 1918, in Garraty, *The Barber and the Historian*, 77.

⁷²¹ Ibid, 77-78.

⁷²² Ibid, 78.

policy was extinguished by the 1900s. The ultimate significance of Lynch's feisty debate over how to remember and record the history of Reconstruction lay in the failure of the nation to fulfill its promises to black Americans.

In his youth, Lynch had challenged Ulysses S. Grant's inaction. Now, in his old age, he found himself fighting against those who sought to distort the legacy of black political participation in American life. For Lynch, Rhodes's errors opened up old wounds. They also awakened the youthful spirit of a bold fighter who never let violence, intimidation, or a U.S. president stand in the way of his struggle to serve his black constituents. Lynch could not allow anyone to undermine the martial sacrifice made by African Americans during the Civil War, a sacrifice that inspired the political generation of African Americans who came of age immediately following the war. Unfortunately, the perspective embodied by Rhodes and Dunning would not be successfully challenged until the 1960s and early 1970s when, once again, the nation was forced to deal with black demands for civil and political equality.

The Need for a New Narrative of Black Politics in the Postbellum South

In a recent essay, Michael W. Fitzgerald examined the nature of scholarly treatments of black leaders and black politics in the post-Civil War period. He noted that "a candid modern reexamination is necessary, and on a wider range of public issues than civil rights. One suspects that African-American leaders will come off at least as well as their white Republican counterparts, and far better than their blood-spattered opponents, but the research remains to be done."⁷²³ This dissertation has attempted to fill in gaps in the history of nineteenth-century black politics by examining the careers and policy

⁷²³ Michael W. Fitzgerald, "Reconstruction Politics and the Politics of Reconstruction," in Thomas J. Brown, ed., *Reconstructions: New Perspectives on the Postbellum United States* (Oxford: Oxford University Press, 2006), 111-12.

agendas of six black congressmen. By documenting their actions, I have tried to show how they effectively represented the interests of their constituents. From the very beginning of formal black politics in the mid-1860s, this diverse set of leaders, which included black abolitionists like John Mercer Langston and Union veterans like Josiah Thomas Walls and Robert Smalls, spoke to the desires of their newly freed constituents. Modern scholarship on this period emphasizes that, at the grassroots level, freedmen and women desired economic autonomy, full citizenship rights, and access to education. Newly elected black congressmen fought determinedly to gain these rights for blacks, whether by speaking out in favor of the Civil Rights Act of 1875, attempting to secure expanded educational opportunities for their home states, or directly intervening in local labor difficulties in their home districts. This dissertation, by examining black policymaking and the rhetoric of black congressmen, contributes to our understanding of black politics in the late nineteenth century.

Many modern scholars dismiss black congressional leaders as opportunistic bosses who weakened the black community. Some of the assertions leveled at black politicians by historians like Nell Irvin Painter and, more recently, Steven Hahn give the impression that black leaders such as Langston, Smalls, and Lynch were elite figures who claimed to speak for the black electorate or exploited certain situations for their own advantage. This perspective essentially resurrects the flawed views articulated by James Ford Rhodes and William Archibald Dunning early in the twentieth century. The Dunning School argued that blacks should have never been granted citizenship rights and that their participation in politics was inferior and ineffective; Painter and Hahn argue that black leaders were ineffective and unrepresentative of their constituents.

Undoubtedly, black politicians behaved in elitist ways at times and bickered with each other, or with others in the black community who disagreed with their strategies.

Nevertheless, many of their white contemporaries viewed them as capable leaders, and many segments of the black electorate, both in the black press and at the grassroots level, admired them and took pride in their example.

If these leaders were as unrepresentative or ineffective as scholars like Painter and Hahn claim, why then would so many freedmen and women come to the aid of Robert Smalls as he faced threats to his life? Why would the local black community in Virginia's Fourth Congressional District rally around Langston in opposition to black activists like Frederick Douglass? Why would the black congressmen have bothered to fight so vociferously for black civil and political equality? Why would they demand federal support for expanded educational opportunities? As my analysis of black policy and rhetoric illustrates, in all these ways African American politicians represented the interests of their constituents. But they accomplished more than that. Many black congressmen positioned themselves as national spokesmen for all African Americans. Not only did they battle tenaciously for constituents in their districts, but they consistently emphasized events outside their own states, repeatedly speaking on behalf of the rights and interests of all African Americans.

Neither the black community nor its politicians should be considered a monolithic unit. In a healthy political culture disagreements, even angry and personal ones, can exist and coincide with generally held values accepted by the community at large. African American leaders were not demigods. They were not superhuman. They could make mistakes. Some were corrupt, and others may have engaged in the same fraudulent

campaign strategies that white Northerners used in ethnic urban enclaves. Several were elitist and patronizing. But none of these realities should obscure the fact that they did their jobs well. They articulated the aspirations of the black community in a national arena and participated powerfully in some of the most important debates over national and racial policy of the day.⁷²⁴

Indeed, a wide range of white Northerners, local Southern Republicans, and even white scalawags and some Democratic opponents respected the abilities of black congressmen. White Republicans as varied as James A. Garfield, Alabama Congressman Charles Hays, and Speaker of the House James G. Blaine supported black politicians like Langston and James Thomas Rapier. For their part, black politicians quickly learned to forge relationships with different white politicians while not fully entrusting themselves to any single group or faction. During Reconstruction, blacks embraced a strategy of magnanimity in an attempt to coax white colleagues to support stronger civil rights guarantees. But black congressmen also recognized the limits of these approaches. Collectively, the skills they acquired by working with and against whites of various political stripes served them well as they entered the era of fusion politics. Thus John Roy Lynch could convince a white Democrat to join forces with him and run as the fusion candidate for governor in Mississippi.

Beyond navigating relationships with white politicians, black congressmen also relied heavily on alliances and relationships with informal political activists and members of the black press. The existence of the black press enabled black congressmen to communicate their message and policy agendas to a broader audience, as John Mercer

⁷²⁴ Here I am following the lead of Stephen Middleton. See Middleton, ed., *Black Congressmen During Reconstruction: A Documentary Sourcebook* (Westport, CT and London: Greenwood Publishers, 2002), xix-xx.

Langston did when he granted a lengthy interview on his proposed national literacy test amendment to a correspondent for Timothy Thomas Fortune's *New York Age*. Key strategy meetings often brought black congressmen into contact with activists like Frederick Douglass and George T. Downing, as well as with members of the black press. These examples provide a more complete understanding of black high politics, one that places black congressional policy and rhetoric in the context of developments at the ground level and the desires of both white and black constituents.

This narrative account of black politicians complements many of the findings of Steven Hahn, whose focus on a militant and politically astute black community sheds light on how black leaders like Langston, Lynch, and Smalls were able to rise to elected office. I hope that my work will contribute to the creation of a new political narrative of late-nineteenth-century black politics, one that emphasizes both black leadership and rhetoric on the national stage and grassroots developments among militant freedmen and women throughout the South.

Breaking Down the Barriers

Perhaps the best illustration of the reality of black politics in the postbellum South is a story related by John Mercer Langston's great-grandnephew, the famed Harlem Renaissance poet James Mercer Langston Hughes. Langston Hughes was a grandson of Charles Langston, the older brother of Virginia's first black congressman. He grew up with his mother and grandmother, who undoubtedly shared with him their recollections of his famous relative. Late in his career, Hughes recalled hearing the story of how "just after the Civil War several of the Reconstruction congressmen of color drove from their Washington mansions to the Capitol in the handsomest rigs money could buy behind the

finest horses available.”⁷²⁵ With pride he related an account that conveyed the multiple worlds in which John Mercer Langston lived, and how he coped with the realities of race relations surrounding him:

Congressman John M. Langston possessed a sleek black rubber-tired carriage, drawn by two snow-white horses with a coachman at the reins. He lived in LeDroit Park near Howard University, whose Law School he founded. To get home he had to pass through a well-to-do white neighborhood whose inhabitants did not relish seeing a Negro ride in such style. Some of them put up a wooden barrier across the street to keep him from passing.

Mr. Langston did not believe in barriers so one day on the way home from the Halls of Congress he stopped at a hardware shop on Pennsylvania Avenue and bought himself an axe. When his carriage reached the wooden barrier he got out, took his axe and chopped it down while the coachman held his gloves. From then on, without hindrance, he rode behind his snow-white horses through the streets of Washington, the ebony spokes of his highly lacquered carriage wheels gleaming—such wheels being the nearest thing in those days to the contemporary elegance of white-walled tires.⁷²⁶

Whether or not the story is true, it reflects how national black politicians advanced the cause of racial equality. Langston could have easily demanded the immediate removal of the barrier. He could have openly denounced the existence of such barriers in the local newspapers or even in a speech before Congress. Or he could have accommodated white prejudices by avoiding the barrier altogether. Instead Langston chose to affirm his dignity as a man and as an American citizen by personally destroying the barrier erected before his carriage. In so doing, he epitomized the meaning of black politics in the post-Civil War South.

⁷²⁵ Langston Hughes, “Bright Chariots,” *Negro Digest* 9 (1951): 59-62, in Christopher C. De Santis, ed., *The Collected Works of Langston Hughes*, Volume 9: *Essays on Art, Race, Politics, and World Affairs* (Columbia and London: University of Missouri Press, 2002), 324. William and Aimee Lee Cheek paraphrase this story, in their conclusion, in emphasizing the need to recapture Langston’s “legacy.” See Cheek and Cheek, “John Mercer Langston: Principle and Politics,” in Leon F. Litwack and August Meier, eds., *Black Leaders of the Nineteenth Century* (Urbana and Chicago: University of Illinois Press, 1988), 126.

⁷²⁶ Hughes, “Bright Chariots,” in De Santis, *The Collected Works of Langston Hughes*, Volume 9, 324.

The barriers faced by black congressmen in the late nineteenth century must have seemed insurmountable. Nevertheless, men like James Thomas Rapier, John Mercer Langston, Josiah Thomas Walls, John Roy Lynch, Robert Smalls, and George Henry White did their best to represent their constituents. By their efforts, they laid the foundation for future generations of African Americans to claim their rights as American citizens, a struggle that culminated in the election of America's first black president in 2008.

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Milwaukee Daily Sentinel (Wisconsin)
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New York Age
New York Freeman
New York Globe
New York Press
New York Times
North American and United States Gazette (Philadelphia)
North American Review (Boston)
Oberlin Weekly News (Ohio)
Petersburg Daily Index-Appeal (Virginia)
Petersburg Lancet (Virginia)
Raleigh News and Observer (North Carolina)
Raymond Gazette (Mississippi)
Richmond Leader (Virginia)
Richmond Planet (Virginia)
Southwestern Christian Advocate (New Orleans)

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Tallahassee Sentinel (Florida)
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