

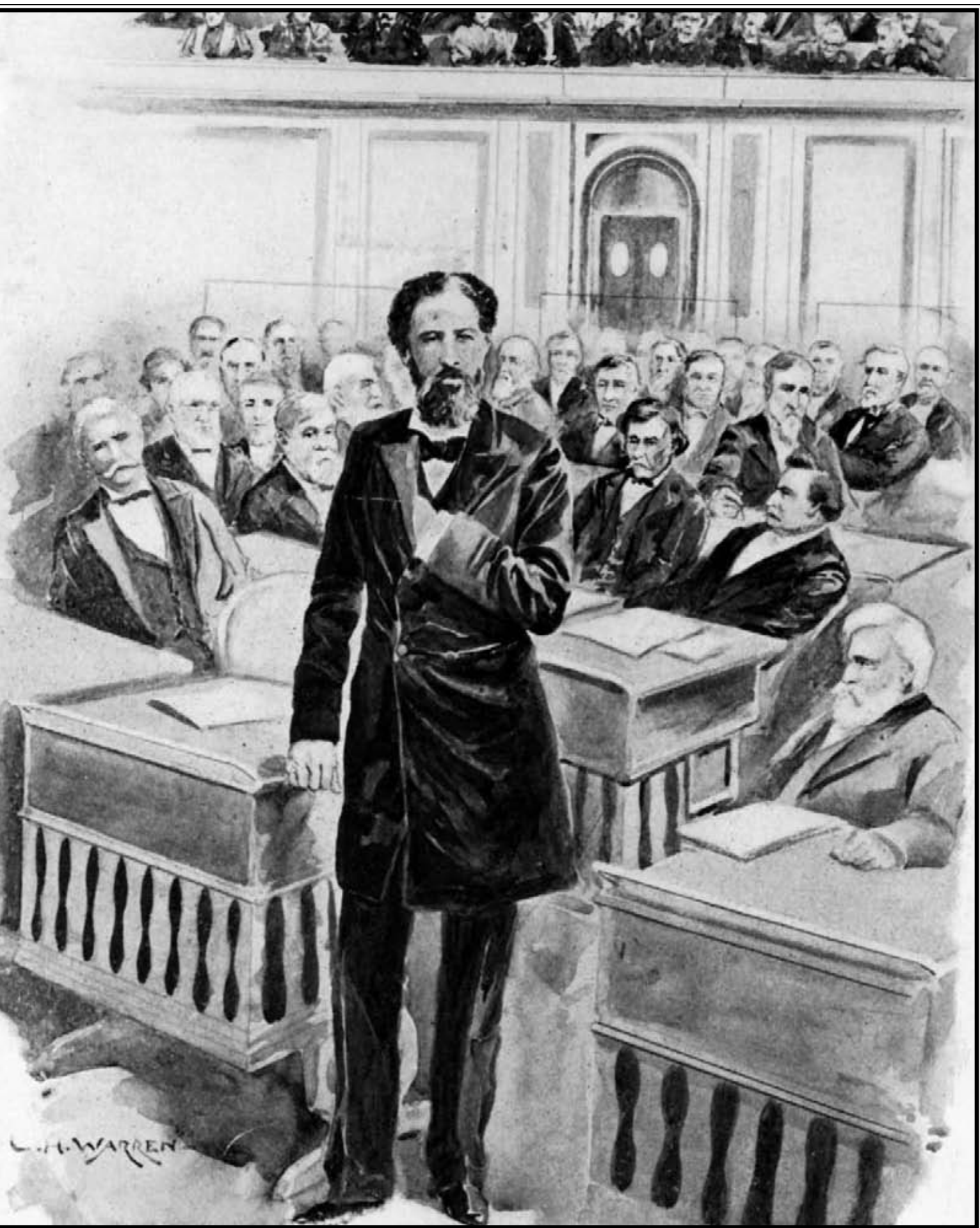
“*The Negroes’ Temporary Farewell*”

JIM CROW AND THE EXCLUSION OF AFRICAN AMERICANS FROM CONGRESS, 1887–1929

On December 5, 1887, for the first time in almost two decades, Congress convened without an African-American Member. “All the men who stood up in awkward squads to be sworn in on Monday had white faces,” noted a correspondent for the *Philadelphia Record* of the Members who took the oath of office on the House Floor. “The negro is not only out of Congress, he is practically out of politics.”¹ Though three black men served in the next Congress (51st, 1889–1891), the number of African Americans serving on Capitol Hill diminished significantly as the congressional focus on racial equality faded. Only five African Americans were elected to the House in the next decade: Henry Cheatham and George White of North Carolina, Thomas Miller and George Murray of South Carolina, and John M. Langston of Virginia. But despite their isolation, these men sought to represent the interests of all African Americans. Like their predecessors, they confronted violent and contested elections, difficulty procuring desirable committee assignments, and an inability to pass their legislative initiatives. Moreover, these black Members faced further impediments in the form of legalized segregation and disfranchisement, general disinterest in progressive racial legislation, and the increasing power of southern conservatives in Congress.

John M. Langston took his seat in Congress after contesting the election results in his district. One of the first African Americans in the nation elected to public office, he was clerk of the Brownhelm (Ohio) Township in 1855.

JOHN MERCER LANGSTON, *FROM THE VIRGINIA PLANTATION TO THE NATIONAL CAPITOL* (HARTFORD, CT: AMERICAN PUBLISHING COMPANY, 1894)





Thomas Rice created the character “the Jim Crow minstrel” in 1828. The actor was one of the first to don blackface makeup and perform as a racially stereotyped character.

IMAGE COURTESY OF LIBRARY OF CONGRESS

Jim Crow:

The term used to describe the segregation, social control, and political and economic subjugation of African Americans in the South from the late 1800s to the 1960s.



Foreshadowing the struggles of a half-century later, magazines like Puck Illustrated noted the inequities of Jim Crow transportation as early as 1913.

IMAGE COURTESY OF LIBRARY OF CONGRESS

In the decade after the 1876 presidential election, the Republican-dominated Reconstruction governments, which had provided the basis for black political participation in the South, slowly disintegrated, leaving the rights of black voters and political aspirants vulnerable to Democratic state governments controlled by former Confederates and their sympathizers. The electoral crisis of 1876 also revealed fissures within the GOP, as many party stalwarts focused on commercial issues rather than on the volatile racial agenda previously pursued by the Republicans. This period marked the beginning of a “multigenerational deterioration” of the relationship between black and white Republicans.² By the 1890s, most Black Americans had either been barred from or abandoned electoral politics in frustration. Advocacy for blacks in Congress became substantially more difficult.³ After Representative White’s departure from the House of Representatives in March 1901, no African American served in the U.S. Congress for nearly three decades. The length and persistence of this exile from national politics starkly conveyed the sweeping success of the system of racial segregation imposed upon blacks by law and custom, known widely as “Jim Crow.”

JIM CROW

During this era African Americans experienced unique suffering and deprivation. Beginning in the last quarter of the 19th century, blacks—the vast majority of whom still lived in the South—endured a system of racial segregation that circumscribed their political, economic, and social status. Distinguished historian of the South C. Vann Woodward explains that the removal of key “restraints” unleashed widespread, virulent racist social policies. Eroding northern liberal interest in fostering a biracial society in the South after 1877, the failure of southern conservatism to check race baiting politics, and the corresponding capitulation of the southern ruling class to rising white supremacist radicalism, each played a part in fashioning a uniquely American racial apartheid.⁴

Jim Crow, a system of segregation enforced by legal and extralegal means, evolved over several decades.⁵ Jim Crow was a popular character in southern minstrel shows—in which white performers in blackface portrayed African Americans. How the term Jim Crow came to be associated with segregation is not clear, but it was eventually used to describe both the formal and the informal manifestations of segregation in the South. Beginning with Tennessee in 1870, every southern state adopted laws against interracial marriage. By the 1880s, most public places and many private businesses had Whites Only and Colored facilities. These included schools, seating areas, drinking fountains, work spaces, government buildings, train stations, hospitals, restaurants, hotels, theaters, barbershops, laundries, and even public restrooms.

Virtually all the political advances afforded freedmen during Reconstruction were rolled back and eradicated during the years after 1890. In the South, the races were separated even more systematically and rigidly than during slavery. Many blacks were reduced to a suppressed citizenship that was repeatedly exploited for political and economic purposes. As C. Vann Woodward writes, Jim Crow laws “did not assign the subordinate group a fixed status in society. They were constantly pushing the Negro farther down.”⁶

PRE-CONGRESSIONAL EXPERIENCE

Though they served in Congress during the onset of Jim Crow laws, the five Black Americans elected in the late 19th century benefited from educational, economic,

and social opportunities provided by federal intervention in the Reconstruction-Era South. All five men were born in the South and hailed from the former Confederacy. Three were born slaves, but before their 14th birthdays all were freed after the conclusion of the Civil War in 1865.⁷ Like their predecessors, most of those elected in the early Jim Crow Era were of mixed race: Four of the five were mulatto; two were their masters' sons. Three of these men hailed primarily from the Upper South, a region encompassing North Carolina and extending northwest through Virginia and Maryland. Compared to the more relaxed views on racial miscegenation prevalent in the Lower South—the region stretching southwest from South Carolina—the Upper South had adopted the early British North American system of slavery in which sharp social lines defined the “white” and “black” races. Denied special legal or social privileges of their counterparts in the Lower South, both mulatto and dark-skinned men from the Upper South saw greater opportunity for advancement only after the end of slavery in 1865.⁸

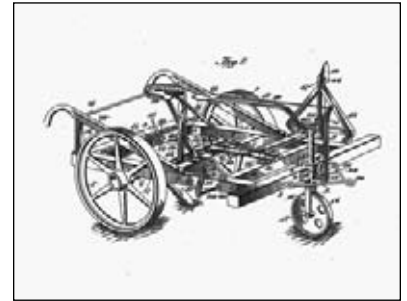
These late-19th-century Members also received substantially more formal education than their predecessors. Though their primary and secondary schooling was sporadic, all five attended college—compared with two of the 17 black men who served before them.⁹ Their more extensive education allowed Jim Crow-Era black Representatives prestigious careers. Three men practiced law: John Langston, Thomas Miller, and George White. Miller received training at Howard University, but in most rural states, formal legal training was not a requirement for passing the bar, which often consisted of an oral exam administered by local judges and lawyers.¹⁰ Several law schools rejected Langston in the 1850s. Tutored by local professionals, he passed an oral exam in 1854 for admission to the Ohio bar. George White studied law with a local retired judge and former Confederate officer, William John Clarke, in the late 1870s and later served as a district solicitor in his home in New Bern, North Carolina.¹¹

Black Representatives in the Jim Crow Era had substantial political résumés before arriving in Congress. John Langston's was the most impressive: He became one of the first blacks in American history to hold elective office when the Brownhelm (Ohio) Township elected him clerk in 1855 and later served as a U.S. diplomat in Haiti and Santo Domingo. As political opportunities diminished after Union troops withdrew from the South in 1877, Black Americans depended on local connections to secure government jobs doled out by elected officials. George Murray, for example, obtained a patronage position as a customs inspector in Charleston Harbor from 1890 to 1893.¹²

SHIFTING REPUBLICAN FOCUS

Black Members of Congress remained loyal Republicans, but their allies at home and in Congress were quickly disappearing. Southern politics in the post-Reconstruction years witnessed the rapid collapse of the states' Radical Republican governments, which had drawn from the ranks of newly freed African-American men. Over time, a cadre of local, state, and national politicians—composed of many former Confederates and Democrats—replaced the Republican regimes and they were determined to end the experiment in multiracialism. In the “redeemed” South, the Democratic Party eventually became synonymous with the codification and formalization of racial segregation.

Though the Republican Party's ideological makeup remained complicated in the late 1880s, two primary factions, dubbed “reformers” and “money men,” emerged.



George W. Murray of South Carolina patented several farming inventions before his election to Congress. Patent No. 517,961 was a cultivator and marker to “open furrows for the reception of seeds.”

IMAGE COURTESY OF U.S. PATENT AND TRADEMARK OFFICE

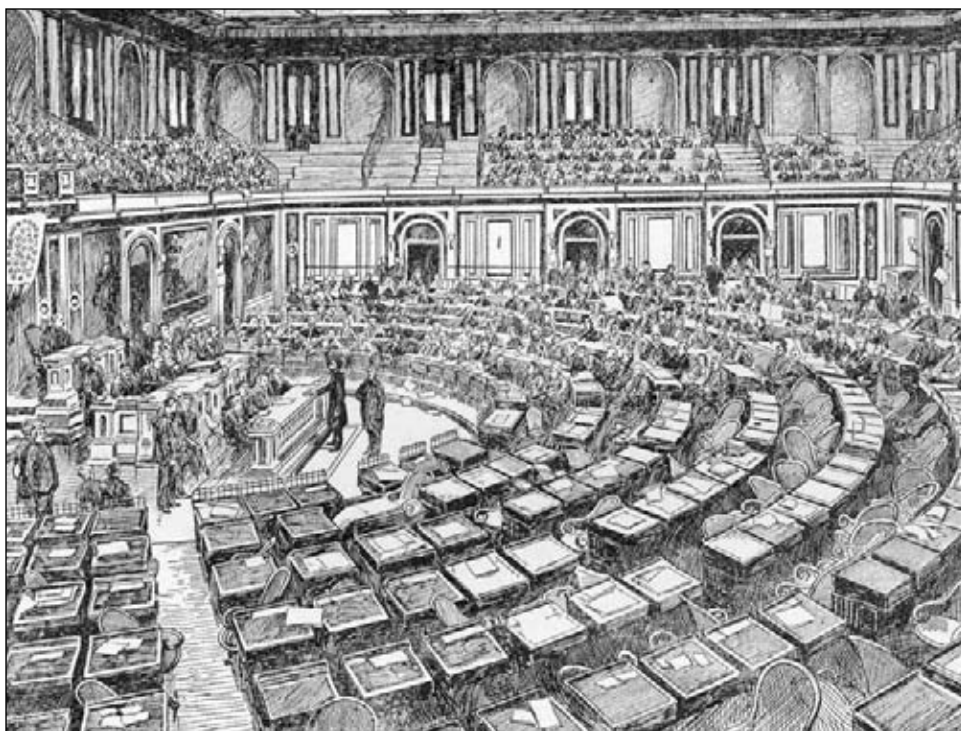


Harper's Weekly published “Death at the polls, and free from federal interference” in 1879. The cartoon depicted the violence that characterized elections in the post-Reconstruction South.

IMAGE COURTESY OF LIBRARY OF CONGRESS

In a difficult campaign for the House in 1888, John M. Langston lost to his opponent Edward Venable by 641 votes. However, Langston was seated in the Republican-controlled House after contesting the election results in his Virginia district. This sketch depicts Langston taking the oath of office in the well of the House. Empty seats in the foreground belong to Democrats who left the chamber in protest.

JOHN MERCER LANGSTON, *FROM THE VIRGINIA PLANTATION TO THE NATIONAL CAPITOL* (HARTFORD, CT: AMERICAN PUBLISHING COMPANY, 1894).



Reformers clung to the idealistic plans of postwar Radical Republicans to extend full civil rights to African Americans. Yet they began to lose support in the face of popular demand to lay the problems of the post-Civil War Reconstruction to rest, as well as a growing interest in American commercial power—the stance of the “money men.” Consequently, Congress deprioritized racial legislation.¹³ Control of the chamber seesawed between unsympathetic Democrats and increasingly ambivalent Republicans in the 1880s and early 1890s. Though one reformer implored Republican colleagues to “never surrender the great principles of human liberty of which [the party] was the born champion,” party leaders sensed little opportunity in pushing for black voting rights in the South.¹⁴ One historian explains that the Republicans “harbored some hope that if race was no longer salient in southern politics, other issues might rise to the surface and become the catalyst for a realignment of the parties . . . if the Republican Party in the South was no longer identified with and supported by black voters, it might have the opportunity to redefine itself and become accepted as a legitimate political entity.”¹⁵ Black Representatives admonished their party for abandoning the freedmen. “A veritable set of fools a few of our party leaders have been,” Thomas Miller said on the House Floor in February 1891. “They will listen to all the cheap sentimentality sounded under the name of negro domination and business prostration, be swerved from a plighted duty to a faithful constituency the country over.”¹⁶

Rapid industrialization brought economic and social changes that displaced race reform on the political agenda and moved it out of the public eye. Between 1869 and 1899, the population of the United States nearly tripled. Railroads extending to the Pacific Ocean allowed cheap transportation of goods around the country; the invention of the telephone in 1876 improved communication; entrepreneurs such as steel magnate Andrew Carnegie amassed fortunes in manufacturing. In 1890, for the first time in American history, industrial workers outnumbered farmers.¹⁷ Emigration from southern Europe had begun to increase, just as the American

frontier was declared closed. Journalist and historian Frederick Jackson Turner aptly expressed the belief that the nation was poised at the beginning of a new, uncertain era. "Movement has been . . . [America's] dominant fact," he told an audience at the American Historical Association, gathered for the 1893 World Columbian Exhibition in Chicago. "But never again will such gifts of free land offer themselves. . . . The frontier is gone, and with its going has closed the first period of American history."¹⁸

Such tectonic social shifts created cultural uncertainty. Historian Robert Wiebe describes late-19th-century America as a "distended society." Industrialization and expansion swept away the familiar rhythms and guideposts of local community life, leaving "a society without a core" and widespread "dislocation and bewilderment."¹⁹ Even long familiar political landmarks were in flux. According to historian Robert Marcus, the issues of race and sectionalism during the Civil War and Reconstruction "[stabilized] political loyalties by keeping eyes focused on a past full of familiar friends and enemies," and "fulfilled some of the need for order." By the 1880s and 1890s, "politicians could only guess at the direction in which the electorate was moving and wonder if the party system they knew was capable of containing the new populations, new pressures, and the new demands that all parts of an increasingly interconnected society made on the political system."²⁰ The Republican Party recast itself around commercial issues, expressing caution at "waving the bloody shirt" and finding unprecedented success with its new strategy by the mid-1890s.²¹

ELECTIONS

Disfranchisement

Black constituencies in the South were disappearing faster than the western frontier. Through a variety of legal mechanisms, from the rewriting of state constitutions that began in the 1890s to the implementation of a maze of local and statewide electoral devices that went on the books in earnest between 1889 and 1908—including the poll tax, the grandfather clause, and educational tests—southern white Democrats effectively shut blacks and opposition parties out of the political process.²² Poll taxes, which were widely adopted and hugely successful at excluding blacks, required prospective voters to pay as much as \$2 (a considerable sum for most blacks and whites). Additional registration laws required documents many voters did not possess and, to complicate matters, registration was sporadic and often occurred at odd times. Strategies that worked in one state were copied in others. "Each state became in effect a laboratory for testing one device or another. Indeed, the cross-fertilization and coordination between the movements to restrict the suffrage in the Southern states amounted to a public conspiracy."²³ One of the last but most effective devices was the Democratic "white primary" system. By excluding blacks from the process during which party candidates were chosen and strategy was set, the Democratic Party became the *de facto* government in the South.

South Carolina Representatives Thomas Miller and George Murray consistently protested the "eight box" law, an 1882 state law requiring multiple ballot boxes. Voters placed their ballots in boxes designated for specific offices. White voters received instructions for navigating the system, whereas black voters received no instruction, and their votes were disqualified if they dropped their ballots in the wrong box. The effect of the law was dramatic: Whereas turnout in southeastern

Bloody Shirt:

A violent event or controversial political issue used to stir up outrage or partisan support. Typically used during the late 19th century, "wave the bloody shirt" refers to the Republican Party's use of the Civil War as justification for political revenge on former Confederates.

Grandfather Clause:

A constitutional provision that was frequently used in southern states, exempting descendants of men who voted prior to 1866 from suffrage restrictions such as literacy tests, poll taxes, and property requirements. This clause allowed poor, illiterate southern whites to vote while disfranchising blacks, whose slave ancestors had no voting rights.

Poll Tax:

A tax required as a qualification for voting used by some southern states to circumvent the 15th Amendment. Many poor African Americans could not afford to pay the tax and thus were unable to vote, but poor whites were exempt from the tax.



An ardent segregationist, Benjamin Tillman of South Carolina served 23 years in the U.S. Senate. He once declared, “My Democracy means white supremacy.”

IMAGE COURTESY OF LIBRARY
OF CONGRESS

South Carolina on Election Day had been close to 20 percent in 1880, the number of constituents whose votes counted dropped to less than 10 percent in the decade after the law went into effect for the 1882 election.²⁴ “I declare to you and the people of America,” George Murray said on the House Floor in 1883, “that no gambler nor conjurer has ever planned more meaner tricks and schemes to beat his competitor or victimize his companion than has been used by the sworn officers of the law to deceive American citizens . . . [and] destroy the effectiveness of their votes on election day.”²⁵ When Murray lost his South Carolina seat encompassing the Sea Islands and Charleston in 1894, only 4 percent of the district’s eligible population voted.²⁶

State constitutional conventions—called to rewrite a state’s constitution with the intention of eviscerating the remaining eligible black vote—proved the final disfranchising blow in most southern states. To call such a convention required majorities in both houses of the state legislature. Voters had to approve the proposed convention and then select delegates to act as their representatives. The process typically took several years, from the first call for the convention to the ratification of the new constitution. More of these conventions occurred in the 11 former Confederate states in the late 19th century than in any other period in U.S. history.²⁷ The first wave of conventions, which took place just after the Civil War, involved a requirement to rejoin the Union: Under Reconstruction law, former Confederate states were required to redraft their constitutions to incorporate elements of the 13th, 14th, and 15th Amendments. Throughout the 1870s, a second wave of constitutional conventions swept southern states to restore former Confederates’ political rights. The third wave, between 1890 and 1910, sought to roll back these rights for African Americans.²⁸

One of the most notable constitutional conventions took place in South Carolina in 1895. Once the crucible of Reconstruction—owing to the state’s large and politically well-organized black population—Democrats held the majority in the state legislature in the early 1890s. In addition, Democrat Benjamin Tillman, a member of one of the most politically prominent families in the state and a vehement white supremacist, held the governor’s seat, elevated to power by a potent coalition of white farmers hailing from the western portion of the state.²⁹ “My Democracy means white supremacy,” Tillman declared. Indeed, disfranchising laws and reapportionment had severely hampered the black voting population in South Carolina, which numbered about 31,000 more than the white voting population.³⁰ However, Tillman also had a near-hysterical fear that his political rivals within the Democratic Party—primarily elite former planters in the state’s coastal regions—would ally with black voters to defeat him. “If these people want to warm this black snake into life and join forces with it,” Tillman warned in his characteristically colorful language, “we are ready to meet them and give them the worst drubbing they ever had in their lives.”³¹

Tillman first suggested calling a constitutional convention in 1894, clearly with the intention of permanently disfranchising the state’s black population. He was the driving force throughout the convention, controlling the powerful committee on suffrage. One scholar notes that “in no other state was a single public figure identified so vividly and indisputably with disfranchisement.”³² However, six black delegates with vast political experience—including former Representatives Robert Smalls and Thomas Miller—were elected to the convention, primarily via a voter

The election laws proposed in the new constitution included a residency requirement for a specific length of time in one county, proof of voter registration six months before the election, and a literacy test or proof of land ownership worth more than \$300, all of which had to be certified by a white local elections manager. The new provisions were clearly aimed at the migratory, primarily illiterate, poor black communities of South Carolina. Thomas Miller declared that the election laws “make absolutely certain the placing in operation every form of cheatery and fraud at the elections that has ever been conceived by the most fertile imagination of any man who has been engaged in this class of legislation during the last thirteen years. I see no hope, absolutely no hope, for us in South Carolina to ever have fair and honest elections as long as the men in control see imaginary evils coming through the channels of honest elections.”³⁵ The black delegates’ outspokenness prompted Tillman to deliver a scathing speech on October 31, 1895, lobbing personal attacks at them. The convention overwhelmingly (116 to 7) approved the new constitution, including the disfranchising language. Only two white men joined the five black delegates who opposed the new constitution.³⁶

“Packing” and “Cracking” Black Majority Districts



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**H. F. CUSHMAN, THE ONLY COLORED MEMBER OF
THE NEW BOARD OF REPRESENTATIVES.**
Photo a Photograph by the Associated Press Editors.

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IMAGE COURTESY OF LIBRARY
OF CONGRESS

“Packing” and “Cracking”:

Techniques used to redraw electoral boundaries to favor one political party over another. “Packing” clustered voters within a geographic area to ensure a biased result. “Cracking” distributed voters across geographic areas to dilute their voting strength.

Fusion:

A coalition of political parties or factions. Historically, the term refers to a movement in the South and West during the late 19th century, when the Populist Party “fused” with the Republican Party in an attempt to challenge Democratic Party rule.

a single district. This proved much more difficult with the state’s large African-American population, and the new district lines wound haphazardly over county and city boundaries, sometimes leaving “island” pockets of one district enclosed in another.⁴¹ The residents of a winding, narrow east-central South Carolina district known as the “shoestring district” elected two black Representatives—Thomas Miller and George Murray—after the Democrats regained the majority in the state government.

Another significant delegation of Black Americans came to Congress from a “packed” North Carolina district known as the “Black Second.” Designed to contain the state’s large coastal black population, the district elected black men to Congress from the mid-1870s to the 1890s. Every black North Carolina Representative in the 19th century—John Hyman, James O’Hara, Henry Cheatham, and George White—served the “Black Second” district in one of its gerrymandered forms. Created in 1870, this salamander-shaped district originally stretched from Warren County, along the northeastern border with Virginia, and hooked around to coastal Craven County. More than one-fifth of the state’s black population resided in this district. Republican Governor Tod R. Caldwell described the “Black Second” district as “extraordinary, inconvenient, and most grotesque.” African-American victories in the “Black Second” district provoked the Democratic Party to wage extreme white supremacy campaigns in the late 1880s. By 1892, the state legislature reversed its policy of consolidating the black vote and “cracked,” or removed, heavily black localities from the “Black Second” district, scattering its traditional voting base.⁴² Representatives Cheatham and White managed to win the district in 1892, 1896, and 1898, but the reconfigured district required them to capture the ever-dwindling support of white voters to win election.

Fusion

Though the origins of the 20th-century solid South dominated by the Democratic Party began to take shape in the late 19th century, the process was slow. For the last quarter-century after Reconstruction, formidable opposition parties existed in the South—including Republican, Populist, Independent, Greenback, and Readjuster challengers. As one historian notes, despite the efforts of white supremacists allied with Democrats to intimidate blacks and oppositionist whites, this political period in the South was marked by “transition, uncertainty, and fluctuation.” In the 1880s, between one-third and one-half of all southern voters supported opposition parties.⁴³

Black politicians were able to capitalize on this fluctuation and on the rising popularity of the Populists—a growing national alliance of agricultural advocates. This third party gained traction with poor, white farmers in the South, and a sizable percentage abandoned the Democrats in favor of the Populists. Republicans willing to provide economic aid to farmers and local Populists created temporary coalitions, a practice known as “fusion” and the primary method by which George White and Henry Cheatham won election in what remained of North Carolina’s “Black Second” district.⁴⁴

Black Political Rivalries

The consolidation of black votes into single districts led to increased competition between black candidates. African Americans had faced one another in past contests, the most famous being those between Representative Joseph Rainey of South

Carolina and Samuel Lee throughout the 1870s, between James Rapier and Jeremiah Haralson after the former moved to the latter's neighboring Alabama district in 1876, and between James O'Hara and Israel Abbott in the North Carolina "Black Second" in 1886. However, the number of repeat contests between two candidates as well as the bitterness of the rivalries intensified with the decrease in the number of black voters. Moreover, tensions between mulatto and dark-skinned candidates escalated as a result.⁴⁵

Such racial tension was especially prevalent in South Carolina's "shoestring district" where Robert Smalls, Thomas Miller, and George Murray continually battled for the Republican nomination throughout the 1890s. Smalls and Miller were both mulatto. Miller was so fair, he was rumored to be the illegitimate child of a white couple, adopted by free black parents.⁴⁶ In 1892, Murray surprisingly won the GOP nomination for the "shoestring district" over the incumbent, Miller. Murray encouraged the use of the names given the candidates by local newspapers; the name "Black Bold Eagle" or "Blackbird" (both evoked strength) was linked to him, in contrast to Miller's weak "Canary."⁴⁷ Miller returned to challenge Murray in the 1894 campaign, as did Robert Smalls. Murray described the racial animosity between the candidates, noting that Smalls and Miller "seem more desirous of accomplishing my defeat than even [white supremacist Democrat William] Elliott, [and] are doing everything in their power, foul or fair, to accomplish their work."⁴⁸ White supremacists enjoyed the rivalry and even supported it. A newspaper endorsing Tillmanite Democrats teased, "by the time the Canary gets through with the Blackbird, the latter will be willing to shed its feathers." The bitter rivalry came to a head after Murray backed down from contesting South Carolina's electoral votes while serving in Congress during the 1896 election—the first one held after the 1895 state constitution severely hampered black voters. Miller labeled Murray "a heartless traitor" who "cowardly [deserted] them before the battle was on." Murray countered Miller's "malevolent remarks" by calling him a "miserable vampire." He also defended his decision not to challenge the results because he did not want to disrupt GOP candidate William McKinley's certification as the winner of the election.⁴⁹

The political competition between brothers-in-law Henry Cheatham and George White in the North Carolina "Black Second" district also had a "sharp, unpleasant character." Cheatham was refined and quiet and often courted the district's white Republicans, whereas White tended to be outspoken, blunt, and less receptive to his white constituents. After White moved to the district while Cheatham served in Congress in the mid-1890s, the latter observed that White intended to "give me trouble purely on personal grounds."⁵⁰ In 1894, both laid claim to the GOP nomination after the district convention "broke up in a row." After local Republican leaders pleaded with the two men to withdraw from the contest so as not to split the GOP vote, Cheatham asked his brother-in-law to "stop his foolishness." A committee of national GOP officials eventually ruled that Cheatham deserved the nomination, though a North Carolina newspaper endorsed White, noting, "Cheatham is said to be a man of excellent character; but we need a man of energy and ability to represent us in Congress."⁵¹ Disgusted with GOP bickering over the two black candidates, the Populists decided to run their own candidate, siphoning off Republican votes. Democrat Frederick Woodard carried the contest; the GOP loss was blamed on the "White-Cheatham mess."⁵² Woodard's victory effectively

Populism:

A political philosophy and movement that emerged in the agrarian West and South during the late 19th century. Populists advocated greater public participation in government and business to protect individuals from impersonal bureaucracies and financial conglomerates.



In 1890, John M. Langston of Virginia ran an unsuccessful campaign for re-election to the 52nd Congress (1891–1893).

IMAGE COURTESY OF JOHN MERCER LANGSTON COLLECTION, SPECIAL COLLECTIONS, FISK UNIVERSITY FRANKLIN LIBRARY

We'll Stand by John M. Langston.

[TUNE—"Scatter Seeds of Kindness."*]
By JESSE LAWSON.

Let us stand by John M. Langston,
For he is the people's choice.
In the Congress of the Nation,
He will represent our boys,
Who are fighting now for freedom,
And their manhood to maintain,
As against a yoke of serfdom,
And a tyrant's galling chain.

CHORUS.

Then stand by John M. Langston,
Then stand by John M. Langston,
Then stand by John M. Langston,
Until the victory's won.

Let us stand by John M. Langston,
While he stands up for the right.
Let us stand by John M. Langston
In our manhood and our might—
Where the battle fierce is raging
He will be a leader true,
With the enemy engaging,
He will surely put them through.

CHORUS.

Then stand by John M. Langston,
Then stand by John M. Langston,
Then stand by John M. Langston,
Until the victory's won.

Let us stand by John M. Langston,
As the patriots stood of old,
By the father of the Nation,
While we wallop'd Arnold's fold,
Let us keep the foe a running
While we have them on the go,
And we'll overcome their cunning,
By the numbers we can show.

CHORUS.

Then keep the foe a running,
Then keep the foe a running,
Then keep the foe a running,
And victory we will score.

A rare example of a campaign song for John M. Langston of Virginia, written by Jesse Lawson and sung to the tune of "Scatter Seeds of Kindness."

IMAGE COURTESY OF JOHN MERCER LANGSTON COLLECTION, SPECIAL COLLECTIONS, FISK UNIVERSITY FRANKLIN LIBRARY

sank Cheatham's political career, though Cheatham eventually supported White's candidacy in the late 1890s.

Contested Elections

The number of contested elections in the House increased dramatically in the late 19th century; the majority originated in the former Confederacy. Several factors accounted for this exponential increase. The United States was nearly evenly divided between the two traditional political parties; congressional majorities flip-flopped five times between 1870 and 1900. One scholar speculates that the partisan competition and southern disfranchisement directly influenced the increased number of contested elections, particularly during GOP-controlled Congresses. When a Republican majority could influence the outcome, the party encouraged its candidates to contest, viewing contested elections as an "institutional equalizer" for electing southern GOP Representatives to the House and maintaining a majority.⁵³ As loyal Republicans, African-American candidates enjoyed greater success in contesting their Democratic opponents' victories before a GOP-controlled House during this period. John Langston and Thomas Miller won their seats to the 51st Congress by contesting their elections. George Murray successfully contested his opponent's victory in the 54th Congress (1895–1897).⁵⁴ However, contesting elections was time-consuming. Murray spent the entire third session of the 53rd Congress (1893–1895) preparing to contest his opponent's election before the House, leaving him little time to legislate as he gathered and submitted a massive amount of testimony to prove election fraud; the paperwork was reported to be nearly a foot thick.⁵⁵

LEGISLATIVE INTERESTS

African Americans had never been elected to Congress in high enough numbers to influence legislation, and their increased isolation in the Jim Crow Era further eroded their ability to reach their legislative goals. They were often denied the opportunity to speak in the well of the House; their prepared remarks were relegated to the *Congressional Record Appendix*, which contained speeches for which no time was allotted on the House Floor. Yet all five black Representatives from this era attempted to defend the diminishing rights of their black constituencies, considering themselves "surrogate" Representatives for the entire U.S. black population.⁵⁶ The only African American in Congress from 1897 to 1901, George White elicited laughter from the House Gallery when he said, "I am easily the leader of one thing, and that is the black phalanx on this floor. I have no rival and will not be disturbed in that leadership."⁵⁷ Black Members' committee assignments of this era also reflected their relative lack of power. Henry Cheatham and White served on the prestigious Agriculture Committee, ranked by one political scientist as the eighth-most-attractive panel (out of 29) in the House. However, neither achieved the seniority required to set the committee's priorities.⁵⁸ Most of the black Members served on middle-ranking committees, including four who served on the Education Committee (ranked 18th).

Monetary, Economic, and Foreign Policy Issues

Black Members were typically relegated to weighing in on the largely commercial legislation that dominated Congress throughout the late 19th century, adjusting

their legislative strategies to meet the new GOP focus on economic and foreign policy issues. The five black Members who served during the 1890s joined in debates on the coinage of silver and imperialism, typically voting according to sectional or partisan loyalties. However, they found ways to weave these contemporary issues into a dialogue about the continuing deterioration of civil rights in the South.

When an economic panic gripped the agrarian United States in the late 1880s, rural Members of Congress supported the coinage of silver. Circulating silver would incite inflation and raise commodity prices, creating an economic boon for the agricultural economy. Joined by western Members—whose states provided much of the precious metal—rural southern Representatives of both parties also supported the circulation of silver bullion to weather the boom-and-bust economy. GOP leaders, centered in the industrial northeast and the Midwest, however, typically upheld the gold standard (backing currency entirely with gold bullion), to create a more stable economy. The issue divided Members along sectional, partisan, and rural-versus-urban lines.⁵⁹

Representing primarily rural districts, black Members favored the coinage of silver. Concerned about the failing economy in his North Carolina district, Henry Cheatham broke from the Republican Party and joined with the entire North Carolina delegation in supporting the Sherman Silver Purchase Act in 1890. The law required the federal government to mint 4.5 million ounces of silver bullion each month in exchange for legal tender. Cheatham was one of only eight Republicans in the House to defect; the bill failed, 154 to 136.⁶⁰ In 1892, George Murray campaigned in support of the free coinage of silver. However, Murray cleverly turned his defense of silver into a speech advocating civil rights, relating the prejudice against silver coinage to the prejudice against African Americans. “I sincerely trust that the lovers of white metal will hereafter have more sympathy,” Murray said, “for human beings . . . suffering and dying under the fell blows of hateful prejudice and discrimination.”⁶¹

In the 1880s and the 1890s, U.S. officials—influenced by business interests and geostrategic arguments advanced by advocates such as Alfred Thayer Mahan—turned their focus to acquiring overseas possessions. Industrialists envied the wealth of natural resources available in the colonized world. Also, Americans wished to guard the “New World” from Europeans, following the Monroe Doctrine of 1823, which stipulated that the United States had compelling reasons to protect the Western Hemisphere from foreign encroachments. However, the acquisition of Hawaii, Cuba, and the Philippines in the late 1890s involved the absorption of eight million residents from these countries, renewing discussions on race. Imperialists’ approaches to the “white man’s burden” in these new colonies often echoed those of southern segregationists: They believed the white race was inherently superior to colonized peoples and sought to limit their political participation.⁶² It can certainly be argued that U.S. racial attitudes were projected abroad onto imperialistic adventures of the era—providing both rhetoric and rationale for empire-building. But efforts to undertake colonizing projects abroad (and internal perceptions of those efforts) also strengthened racist views at home, both in the North and the South.⁶³

Serving during the high tide of U.S. colonial acquisitions in the 56th and 57th Congresses (1897–1901), George White—the lone African American in Congress—supported U.S. imperialist acquisitiveness. He endorsed the Spanish–American War and voted to annex Cuba and the Philippines. However, White expressed



In this detail of a print from 1889, Frank Leslie's Illustrated documented the great interest of African Americans in observing Congress. Although no official segregation laws existed, in practice the visitors' galleries in both the House and Senate were segregated by gender and race.

COLLECTION OF U.S. HOUSE
OF REPRESENTATIVES



In 1898, a segregated group of soldiers prepares for deployment to Santiago, Cuba, to participate in the Spanish–American War.

IMAGE COURTESY OF LIBRARY OF CONGRESS

concern about the treatment of colonized populations. He purposely avoided a vote on the annexation of Hawaii to protest the treatment of Native Hawaiians and later submitted (unsuccessful) legislation for their protection. He also used American paternalism toward colonized peoples to garner support for his ultimately unsuccessful anti-lynching legislation and related the issue of imperialism to inequities at home: “Recognize your citizens at home, recognize those at your door, give them the encouragement, give them rights that they are justly entitled to, and then take hold of the people of Cuba and establish a stable and fixed government there that wisdom predicated, which justice may dictate,” White told his House colleagues. “Take hold of the Philippine Islands, take hold of the Hawaiian Islands, there let the Christian civilization go out and magnify and make happy those poor, half-civilized people; and then the black man, the white man—yes, all the riff-raff of the earth that are coming to our shores—will rejoice with you in that we have done God’s service and done that which will elevate us in the eyes of the world.”⁶⁴ White’s complex and often contradictory approach to imperialism demonstrated the difficulty of balancing his plea for black civil rights with imperialist goals.

Federal Elections Bill

When Democratic candidate Grover Cleveland won the presidential campaign in 1884, the Republican Party lost control of the White House for the first time since 1860. GOP reformers were quick to blame disfranchisement of black (and mostly Republican) voters in the South for the devastating electoral loss. Republican Senators William Chandler of New Hampshire and John Sherman of Ohio—both staunch reformers with GOP careers predating the Civil War—led an attempt to roll back disfranchisement. Chandler began amassing evidence of election fraud in the South after the 1884 election, which led one African-American committee witness to call him “the greatest man in the United States.”⁶⁵ Sherman introduced a bill to enact federal control over national elections in January 1889; however, the bill had no chance of passing the 50th Congress (1887–1889). Republicans held a slim, two-person majority in the Senate and Democrats controlled the House. Nevertheless, the Senators captured the attention of other Republicans who, pushed and pulled by the monetary and humanitarian factions of the party, began to realize the political expedience of reasserting federal election law in the South.

In 1888, Republican presidential candidate Benjamin Harrison added election reform to his campaign platform. Born in Ohio and hailing from Indiana, Harrison was a Civil War veteran who had declared in 1876 that the U.S. government had “an obligation solemn as a covenant with God to save [freedmen] from the dastardly outrages that their rebel masters are committing upon them in the South.” During his campaign, he refused to “purchase the Presidency by a compact of silence” regarding black voting rights in the South.⁶⁶ Riding the coattails of Harrison’s victory, the Republican Party gained a majority in both houses for the first time in eight years at the start of the 51st Congress. Led by the influential Massachusetts duo of Representative Henry Cabot Lodge and Senator George Hoar, the GOP made one last attempt at reinforcing the 15th Amendment and combating disfranchisement in the South.

George Hoar had been a leading GOP House Member and an ally to abolitionist-turned-freedmen’s advocate Senator Charles Sumner of Massachusetts during the Reconstruction Era. When Senator Chandler fell ill just before the opening

of the 51st Congress, Hoar drafted a new bill to place national elections under federal control. Representative Lodge, however, soon convinced Hoar that since the bill affected only the lower chamber (Senators were not directly elected until 1913) the legislation should originate there. A Boston native of Puritan stock, Lodge earned one of the first history Ph.D. degrees awarded by Harvard University. Described as a “self-righteous humanitarian,” he was abrasive and blunt with friends and enemies alike.⁶⁷ Unlike Hoar, who died in 1904, Lodge enjoyed a long and storied career in the Republican Party well into the 20th century. In 1893, he moved to the Senate, where he remained for more than 30 years, chairing five committees, serving as chairman of the Republican Conference, and becoming a spokesman for the party’s foreign policy initiatives.

Lodge submitted the Federal Elections Bill to the House on June 14, 1890. The legislation was a conglomerate of several measures, including Hoar’s and those of other House and Senate Members. Exceeding 70 pages, the bill allowed a small number of constituents in any given precinct to petition a federal judge to take charge of a national election rather than leaving the process in the hands of local—and, in the South, usually Democratic—officials. The federal government also would appoint supervisors to oversee all phases of federal elections, from voter registration to the certification of the results. The bill reaffirmed the President’s prerogative to send federal troops to monitor violent or chaotic elections. On June 26, Lodge opened the debate to support the bill with what one historian describes as a “racial sermon.”⁶⁸ “The first step . . . toward the settlement of the negro problem and toward the elevation and protection of the race is to take it out of national party politics,” Lodge asserted. “This can be done in but one way. The United States must extend to every citizen equal rights.” Addressing southern Representatives’ tendency to call forth the specter of “negro domination,” he continued, “This bitter appeal to race supremacy, which is always ringing in our ears, is made a convenient stalking horse to defraud white men as well as black men their rights. It is an evil which must be dealt with, and if we fail to deal with it we shall suffer for our failure.”⁶⁹ Opponents in the South soon labeled the Federal Elections Bill the “Force Bill” and recalled the chaos caused by federal regulation during the Reconstruction Era. “If you could only realize as we do how this measure is destined to retard our progress, destroy confidence, impair development, engender strife, revive bitterness, relegate us to the dark and deplorable conditions of reconstruction, and produce only evil,” Representative Samuel Lanham of Texas declared.⁷⁰

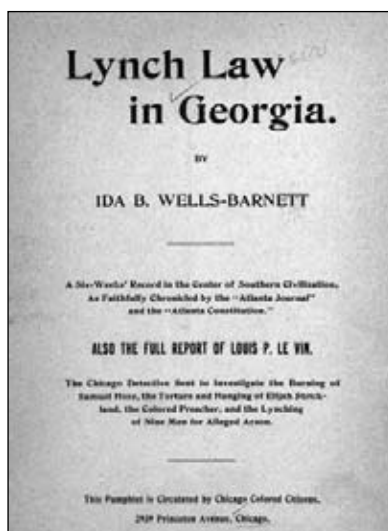
The Federal Elections Bill barely passed the House on July 2, 1890, 155 to 149. It then languished in the Senate, where the debate over circulating silver bullion eventually killed it. Western Republicans dismissed the bill, hoping the coinage of silver—a policy beneficial to their mining states—would come before the Senate first. When the Senate finally took up the Federal Elections Bill, angry Silver Republicans joined Democrats in a week-long filibuster that defeated the legislation in February 1891. Most notably, Nevada Senator William Stewart—a principal architect of the 15th Amendment and the floor manager during debate on the Ku Klux Klan bills—joined the filibuster.

In many ways, the GOP reformers’ efforts paralleled those of the Radical Republicans, who steered the 1875 Civil Rights Bill through Congress. Both pieces of legislation were carefully whittled into the form that was deemed most palatable to the competing factions of the Republican Party. Both bills were partially blamed for



As a Representative from Massachusetts, Henry Cabot Lodge authored the controversial Federal Elections Bill in 1890. He later served in the Senate as one of the GOP’s foreign policy leaders.

IMAGE COURTESY OF LIBRARY
OF CONGRESS



"Lynch Law in Georgia," a pamphlet distributed by the Chicago Colored Citizens group in 1899, presented the findings of journalist and civil rights advocate Ida B. Wells-Barnett who investigated the deaths of 11 men in Georgia.

IMAGE COURTESY OF LIBRARY OF CONGRESS

and threatened by GOP losses in midterm elections. Much as in the 1874 elections, the Republican Party was devastated in 1890. In the House, the 17-seat majority in the 51st Congress gave way to a whopping 152-seat deficit in the 52nd Congress (1891–1893). Though Senate Republicans maintained their majority, they lost four seats.

Several other obstacles doomed the passage of the Federal Elections Bill. Foremost, it landed low on the congressional priority list. Republican leaders in both chambers saw to it that commercial legislation was dispensed with before taking up the Lodge Bill. Congress spent half of the first session debating the McKinley Tariff—which raised duties on imports almost 50 percent to protect domestic agricultural and industrial products—before taking up the Federal Elections Bill. Once debate commenced, few Members put a human face on the legislation, despite ample evidence of black suffering in the South. Lodge was one of the few supporters of the bill who emphasized African-American rights. In contrast to the debate on the Civil Rights Bill, which was permeated by talk of “equality” and “humanity,” debate on the Federal Elections Bill emphasized the need to defend “republicanism”—abstractly defined as the “right to vote.”⁷¹

Finally, in contrast to the firsthand testimony of black Members during the Civil Rights Bill debate in 1874 and 1875, black Representatives had very little input on the 1890 Federal Elections Bill. Henry Cheatham, the only black Member serving in the House while that chamber considered the bill, never gave a speech on the topic. Thomas Miller and John Langston, who joined Cheatham in the next session after winning their contested election cases, could only encourage Senate consideration of the bill. “It does not matter how black we are; it does not matter how ignorant we are; it does not matter what our race may be,” Langston declared in January 1891. “The question presented here to-day under our amended Constitution . . . is shall every freeman, shall every American citizen, shall every American elector . . . be permitted to wield a free ballot?”⁷² Miller noted that southern blacks lacked necessities whose absence overshadowed their lack of voting rights. “Ah, gentlemen,” he lamented, “what we need in this land is not so many [political] offices. Offices are only emblems of what we need and what we ought to have. We need protection at home in our rights, the chiefest of which is the right to live.”⁷³

Early Congressional Anti-Lynching Campaign

As the lone black Member at the dawn of the 20th century, Representative George White defended the “right to live” in his campaign for anti-lynching legislation. Lynching—public execution by hanging or shooting, sometimes involving torture—was a particularly racially tinged form of violence that had long been a scourge of American society. Lynch mobs consisted of a handful of vigilantes, or sometimes hundreds, ranging from criminals and thugs to the leading citizens and favorite sons of local communities. Occasionally, lynchings were attended by throngs of onlookers. A disproportionate number of the victims were black men. Particularly in the South, they were accused of rape and other sexual offenses against white women (even though the vast majority of victims already under arrest were not charged with any crime of sexual violence).⁷⁴ Accurate figures are impossible to obtain, but from 1882, when reliable statistics first became available, to the early 1930s, approximately 3,400 African Americans were lynched.⁷⁵

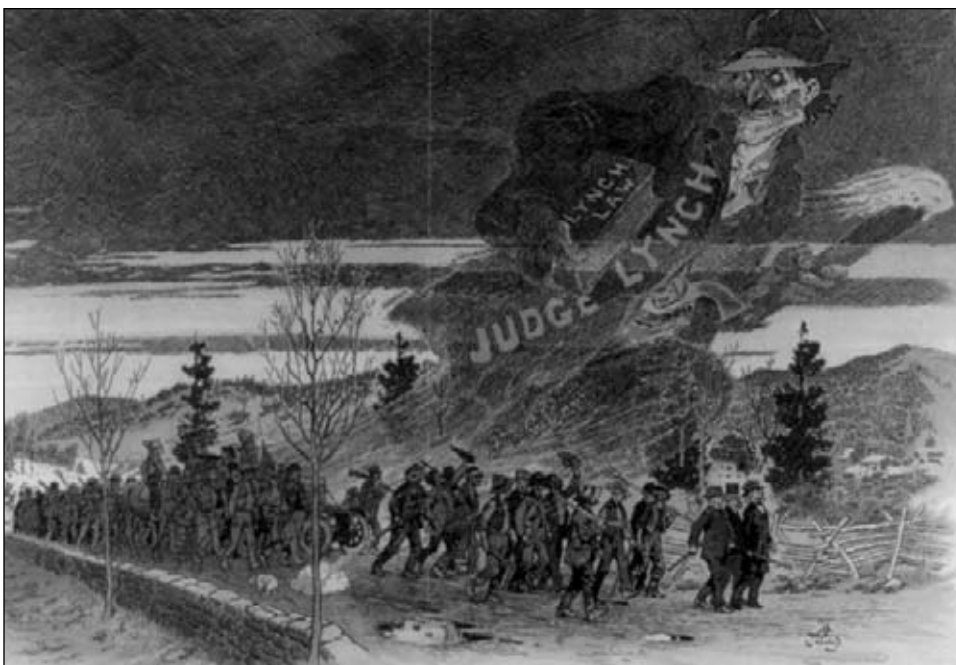
Representative White called for an end to the barbarism of lynching in the South on January 20, 1900, when he introduced H.R. 6963, the first federal anti-lynching bill “for the protection of all citizens of the United States against mob violence.”⁷⁶ A month later, during general debate on American territorial expansion in the Caribbean and Pacific, White defended his bill on the House Floor. He provided graphic accounts of lynching atrocities and a stern rebuttal to derogatory comments made on the House and Senate floors against blacks. White noted that his goal in seeking to require lynching cases to be tried in federal courts was “that the National Government may have jurisdiction over this species of crime.” But conditions in the South were such that they provoked serious questions not only about regional race relations but also about national and international policy. “Should not a nation be just to all her citizens, protect them alike in all their rights, on every foot of her soil,” White asked rhetorically, “in a word, show herself capable of governing all within her domain before she undertakes to exercise sovereign authority over those of a foreign land—with foreign notions and habits not at all in harmony with our American system of government? Or, to be more explicit, should not charity first begin at home?”⁷⁷ The legislation garnered no support from the William McKinley administration, stirred little enthusiasm in the House, and was met with ambivalence by an American public with scant knowledge of the magnitude of the lynching problem. White’s bill died in the Judiciary Committee at the close of the 56th Congress in 1901.

Reduction

In addition to campaigning for anti-lynching legislation, George White challenged the House to punish southern states for disfranchising blacks by calling for a reduction in their congressional delegations. White’s appeal in 1899 that southern delegations to Congress ought to be limited to “the benefit of the votes that are allowed to be cast in their representation” initially fell on unsympathetic ears, despite his declaration, “It is a question that this House must deal with some time, sooner or later.”⁷⁸ Derived from Section 2 of the 14th Amendment, reduction

Lynching:

Execution without due process of law; the mob execution, usually by hanging and often accompanied by torture, of alleged criminals, especially African Americans, during the Jim Crow Era.



Anti-lynching advocates connected mob violence with an acquiescent judicial system in a 1913 cartoon from Puck Illustrated.

IMAGE COURTESY OF LIBRARY OF CONGRESS

Census:

An official count of a population, with various related statistics. The U.S. Constitution mandates that a census be taken every 10 years.

Apportionment:

The allocation of congressional seats in the House of Representatives in proportion to states' populations as tabulated by the U.S. Census Bureau every 10 years. Although federal law determines the total number of Representatives, states determine the size and boundaries of their congressional districts based on population changes revealed in the census.

Disfranchisement:

The act of depriving an eligible citizen or a portion of the population of voting rights.

legislation required Congress to penalize states that sought to disqualify eligible voters by subtracting the number of disfranchised voters from the population count used to determine the number of seats each state was allotted in the House. At the high tide of Radical Republican rule in the House, the chamber passed a measure after the 1870 Census that required Congress to enforce that provision. Section 6 of the Apportionment Act of February 2, 1872, mandated that if any state denied or abridged the voting rights of eligible male inhabitants over the age of 21, "the number of Representatives apportioned in this act to such State shall be reduced in the proportion which the number of male citizens shall have to the whole number of male citizens twenty-one years of age in such state."⁷⁹

The 1900 Census and the resultant reapportionment of U.S. House seats presented those few inclined to White's views a chance to resurrect the issue. In 1901, Congress took up its prescribed role of reapportioning House seats based on the states' population gains or declines recorded in the census.⁸⁰ Among several bills addressing the process, a measure introduced by Edgar Dean Crumpacker of Indiana received the most attention. The legislation sought to penalize Louisiana, Mississippi, North Carolina, and South Carolina, which had approved state constitutions disfranchising blacks. A former appellate judge and a prosecuting attorney from Valparaiso, Indiana, Crumpacker was first elected as a Republican in 1896 from a northwestern district that encompassed the industrial city of Gary. He appears to have first raised the issue of reduction in the late 1890s, as a member of the Select Committee on the Census. In that capacity he introduced H.R. 11982, requiring the director of the census to collect information on state suffrage laws relating to voter qualifications and to tabulate for each state the number of males over the voting age of 21. Armed with this information, Crumpacker hoped to enforce the reduction clause of the 14th Amendment. The committee reported the bill favorably to the House on the final day of the 55th Congress (1897–1899) when it was too late to take action.⁸¹ This failed attempt to obtain a House vote on reduction would be the first of many.

On January 7, 1901, Representative Crumpacker delivered a lengthy floor speech emphasizing Congress's obligation to uphold the 14th Amendment. He urged his colleagues not to let their "coercive power" be "abrogated by passive nullification" of the Constitution. Opposing southern claims that the 15th Amendment superseded the 14th, Crumpacker declared both "active and operative" and complementary. "No state may disfranchise citizens on account of race, color, or previous condition of servitude, but they may disfranchise on any other account," Crumpacker said, taking note of state constitutional provisions for poll taxes and literacy tests. "But, sir, if they restrict the right of suffrage of male citizens 21 years of age by raising the age limit, by educational laws, by property qualifications, or by any other method within their constitutional authority, except for crime, the basis of representation [of those states in Congress] must be reduced accordingly." Crumpacker hoped to avoid a protracted struggle with southern Members over voting statistics. He proposed to reduce representation based on illiteracy rates for both whites and blacks, assuming illiterates would fail education tests that accompanied disfranchisement plans.⁸² Representative George White praised Crumpacker as an exemplar "who has taken occasion to stand up in his place as a man, and has said a word in defense" of African Americans.⁸³ The House, which eventually voted to expand its membership, devoted

considerable attention to Crumpacker's plan before voting—136 to 94—to table further consideration.⁸⁴

The reduction debate flared again in early 1902, after Charles Dick of Ohio proposed to instruct the House Rules Committee to investigate the relationship between disfranchising states' congressional representation and the voting figures for congressional elections.⁸⁵ Southerners responded venomously. Thomas Spight of Mississippi, a Confederate veteran turned newspaper publisher, baldly declared that disfranchisement's "leading purpose was to eliminate the negro from the political equation." He added that the South would prefer to have no congressional representation if it could avoid a "return again to the state of affairs existing in the reconstruction period."⁸⁶ Nevertheless, in a party line vote, the Republican-dominated House Rules Committee supported the Dick proposal in March 1902. However, Representative Oscar Underwood of Alabama, who had just spearheaded his state's 1901 constitutional convention disfranchising virtually all blacks, successfully sabotaged the proposed investigation by exploiting a Republican division regarding a sugar tariff. Insurgent Republicans opposed leadership efforts to strike the elimination of a tariff differential amendment and thus retain a high tariff. By joining Midwestern and insurgent Republicans on an economic issue to thwart corrective federal legislation, Democrats replayed their strategy for subverting the Federal Elections Bill of 1890. In delivering the Democratic Caucus vote to these Republicans, Underwood secured their promise to vote down the Rules Committee investigation after it came to the floor.⁸⁷

HISTORICAL LEGACY

Reduction's failure was but one symptom of the greater disorder afflicting southern blacks. In 1901, anticipating his imminent displacement, George White—the last African American remaining in Congress—retired, a victim of North Carolina's disfranchisement schemes. On the eve of his departure from the House, White lamented, "The mule died long ago and the land grabbers have obtained the 40 acres."⁸⁸ Audible in his tone was the frustration that underlay more than 30 years of broken promises made to African Americans. In his farewell speech, White observed, "This, Mr. Chairman, is perhaps the negroes' temporary farewell to the American Congress. But let me say, Phoenix-like he will rise up someday and come again."⁸⁹ It would be 28 years before another African American was elected to Congress.

The legacy of Black Americans in Congress during the 19th century has often been regarded as a footnote to discussions of their famous contemporaries, such as Frederick Douglass, Booker T. Washington, and Senator Charles Sumner. During the early 20th century, Jim Crow-Era scholars disparaged blacks' role in Reconstruction, citing black Representatives's lack of legislative successes.⁹⁰ Columbia University professor William Dunning introduced this interpretation: "The negro had no pride of race and no aspiration or ideals save to be like whites," he wrote in 1907. One of his contemporaries, Ohio businessman and historian James Ford Rhodes, asserted that black Representatives "left no mark on the legislation of their time; none of them, in comparison with their white associates, attained the least distinction."⁹¹

Former Representative John Lynch of Mississippi helped initiate the refutation



An 11-term Representative, Leonidas Dyer of Missouri crusaded against lynching. In 1918, he introduced H.R. 11279, "a bill to protect citizens of the United States against lynching in default of protection by the States."

IMAGE COURTESY OF OFFICE OF THE CLERK, U.S. HOUSE OF REPRESENTATIVES

of the Dunning interpretation, noting in *The Journal of Negro History* that black officeholders, "not only gave satisfaction to the people whom they served, but they reflected credit upon themselves, their race, their party and the community that was so fortunate as to have the benefit of their services." W. E. B. Du Bois, a leading intellectual and activist, also praised the black Representatives in his classic work, *Black Reconstruction*. Writing in 1935, Du Bois reviewed some of their most famous speeches. "The words of these black men were," Du Bois concluded, "perhaps, the last clear, earnest expression of democratic theory of American government in Congress."⁹²

The civil rights movement of the 1950s and 1960s forced scholars to re-evaluate the significance of the black Reconstruction-Era Representatives. Additionally, unprecedented numbers of African Americans participating in politics during the 1960s and 1970s inspired renewed interest in the lives and careers of their 19th-century forebears—many of whom were the subjects of extended biographies.⁹³ The fuller historical picture that emerged fundamentally altered the earlier, derisive interpretations of Reconstruction-Era black Representatives. Modern scholars observe that early black officeholders were prevented from fulfilling their potential. Eric Foner describes their political careers as fraught with obstacles, noting that "the rising presence [of blacks] in office did not always translate into augmented power." Carol Swain remarks that "no matter how responsible these pioneers may have been, the times, the precariousness of their situations, and the attitude of their colleagues kept them from accomplishing much in the way of substantive representation." Their example, Swain adds, "undoubtedly helped—however modestly—to break down their white colleagues' notions of black inferiority."⁹⁴ Another scholar concludes, "Something magnificent happened between 1870 and 1901," noting that "the significance of the African-American congressmen . . . goes beyond the number of bills they pushed through Congress." Their courage and perseverance in their attempts to create a more democratic government form the core of their collective symbolism.⁹⁵

A GENERATION LOST

For a long generation, lacking a single black Representative or Senator and absent direction from a line of ambivalent or hostile Presidents, the parties in Congress deferred—sometimes scuttled—meaningful civil rights protections and the consideration of equal educational and economic opportunity. Southern politicians routinely and loudly invoked the threat of federal intervention in southern race relations to stir the electorate, but the specter amounted to little more than a harmless bogeyman. In sharp contrast to the Reconstruction Era, Congress adopted a hands-off approach to the issue of race in the South during the early decades of the 20th century, with few exceptions. A handful of dogged reformers such as Edgar Crumpacker, Leonidas Carstarphen Dyer of Missouri, and George Holden Tinkham of Massachusetts brought significant measures before the House. But congressional action consisted more of punitive threats and partisan maneuvering than of positive reaffirmations of the federal government's commitment to the 14th or 15th Amendment.

Also at work were pervasive social theories that assumed the racial superiority of whites and the inferiority of blacks.⁹⁶ These ideas were subscribed to not only by unreconstructed southern spokesmen of white supremacy but also by many of the

most progressive minds of the era—including those in Congress who theoretically supported voting rights for southern blacks. “No one questions the superiority of the white race, but that superiority is grounded in the rugged virtues of justice and humanity,” Representative Crumpacker told colleagues. In a sense, his plan to punish states disfranchising black voters was as much about teaching recalcitrant southern whites a lesson in *noblesse oblige* as it was about elevating the status of southern blacks, whom he described as being “in the childhood of civilization . . . [in] want of manly virtues.” He continued, “It is surely no credit to American manhood to bind and shackle a helpless race to avoid the temporary embarrassments that would attend its proper development.”⁹⁷

Congressional ambivalence toward racial legislation derived from the general disinterest of the American public and many prevalent stereotypes. By the late 19th century, popular opinion turned apathetic toward black civil rights and supportive of returning unencumbered self-governance to southerners. For many disaffected northerners, segregation and disfranchisement seemed viable—even rational—alternatives to mounting racial violence in the South. Federal inaction mirrored public complacency. In this social context, congressional inertia and a series of devastating Supreme Court rulings were “broadly reflective” of an American public that was not receptive to the concept of a multiracial society.⁹⁸ As one historian concludes, the passivity of the federal government on the issue of disfranchisement enabled and encouraged other southern states to follow the example of Louisiana, Mississippi, and the Carolinas.⁹⁹

By the early 20th century, the Supreme Court had essentially eroded the legal basis for black equality and bolstered states’ efforts to stringently separate the races.¹⁰⁰ Among the high court’s most devastating rulings were *Plessy v. Ferguson* (1896), *Williams v. Mississippi* (1898), and *Giles v. Harris* (1903).¹⁰¹ In upholding the constitutionality of an 1890 Louisiana law that required rail companies to provide “equal but separate accommodations for the white and colored races,” *Plessy* sanctioned the system of segregation then crystallizing in the South.¹⁰² In *Williams*, a black man convicted of murder by an all-white jury appealed the decision based on the 14th Amendment. The Supreme Court unanimously upheld the jury’s decision, endorsing the disfranchising laws that prevented black men from serving on juries.¹⁰³ Several years later, *Giles* upheld the grandfather clause, one of the chief disfranchising methods used at southern constitutional conventions at the turn of the 20th century.

The decline of African-American civil rights coincided with one of the nation’s most fervent bursts of social reform. Spanning the 1890s through World War I, the Progressive Era was a period when a broad and diverse group of social reformers moving from local to national arenas pushed for the modernization and democratization of American society.¹⁰⁴ Progressives sought to advance public safety and welfare through professionalization and standardization across the spectrum of American life. Their efforts included regulating food content and production, establishing laws for child labor and guidelines for industrial safety, and implementing conservation, temperance, and even experimental welfare programs. Progressives also ushered in political reforms, including direct primary elections, the popular election of U.S. Senators, and women’s suffrage.

Though Progressivism would seem a democratizing force positioned against segregationists, in fact, the movement often complemented Jim Crow. The

Progressives' focus on the necessity for expertise provided an important rationale for limiting the franchise to voters who were deemed to be qualified.¹⁰⁵ Order, organization, and rational decision-making within a rapidly industrializing, sometimes chaotic, society lay at the heart of the Progressive impulse and often trumped democratic reform. "Whenever general anxieties rose across the nation, followers of the bureaucratic way had to turn for help to one of the several traditional techniques for achieving tighter cohesion," observes historian Robert Weibe. "One of the time-honored devices was exclusion: draw a line around good society and dismiss the remainder."¹⁰⁶ Moreover, Progressives' obsession with scientific method spread "social Darwinism" (sometimes referred to as "scientific racism" or eugenics), which postulated that Anglo-Saxon social success was rooted in superior biological and evolutionary traits. The resulting rationalization of white supremacist thinking via a national political, social, and scientific movement only emboldened proponents of segregation.¹⁰⁷

African Americans participated as fully as possible in a society that had marginalized them. As George White once noted in a characteristically upbeat floor speech, "We are ramifying and stretching out as best we can in all departments of life, with a view to making ourselves good citizens."¹⁰⁸ These efforts were marked by significant milestones: the founding of advocacy groups such as the National Association for the Advancement of Colored People (NAACP) in 1909, African-American contributions to World War I, and the black intellectual and artistic flowering of the Harlem Renaissance in the 1920s. Faced with a repressive system of segregation in the South, African Americans sought new opportunities outside the region, as an ever-stronger current of southern blacks moved into northern cities. This demographic shift and the nascent political activism of northern urban blacks portended change for the future.

SEGREGATIONIST LEGISLATION AND THE RISE OF THE NAACP

When, in 1913, Democrats gained control of Congress and the White House for the first time since the mid-1890s, southern Members of the party were tempted to expand segregation into areas of federal jurisdiction.¹⁰⁹ In the first two Congresses of the Woodrow Wilson administration (the 63rd and 64th, 1913–1917), southern Members introduced bills to segregate the federal civil service, the military, and public transportation in Washington, DC. Others introduced bills to repeal the 15th

Founded in 1909, the National Association for the Advancement of Colored People (NAACP) became a primary advocacy group for early civil rights causes. The 1929 annual meeting in Cleveland, pictured here, included NAACP staff W.E.B. Du Bois, James Weldon Johnson, Walter White, William Pickens, Arthur Spingarn, Daisy Lampkin, and Robert Bagnall.

IMAGE COURTESY OF LIBRARY OF CONGRESS



Amendment. Though Congress enacted none of these measures, the significance of these proposals lay in the fact that they were entertained at all. Having solidified absolute control over race issues in the South, southern Members of Congress were sufficiently emboldened to prod Congress to endorse a nationalized racial apartheid.¹¹⁰

Political power brokers in the Capitol and in the Wilson administration harbored segregationist sympathies even if they were unable to promote them by imparting the full weight of federal legislative sanction. In 1913, President Wilson acceded to the wishes of several Cabinet members, who quickly segregated various executive departments. Soon, dining facilities and restrooms throughout the federal government were racially segregated, although not uniformly. Wilson issued no formal executive order, and no laws were enacted, but segregation was tacitly encouraged and widely practiced.¹¹¹ Congress, which had the responsibility of administering the nation's capital, did much to promote the practice of segregation in Washington. From 1913 to 1921 and after 1933, southerners largely controlled the panels that appropriated funds and those that dealt with the administrative details of city government. In places where Congress could have overturned Jim Crow practices—in public parks, at Union Station, in theaters, restaurants, and innumerable other locations—it did nothing. Instead, its record in managing the District of Columbia was “profoundly segregationist.”¹¹²

In part, the emergence of African-American public advocacy groups such as the NAACP—founded by Mary White Ovington and Oswald Garrison Villard, descendants of prominent abolitionists—counterbalanced efforts to introduce federal segregation laws.¹¹³ Although its original organizers were largely white, the NAACP included black intellectuals such as W. E. B. Du Bois, anti-lynching reformer Ida Wells-Barnett, and women's rights leader Mary Church Terrell, establishing its headquarters in New York City under the leadership of Moorefield Storey, a former president of the American Bar Association. Du Bois soon began publishing *The Crisis*, the organization's journal, which served as an outlet for reformers and literary contributors and as a tool to inform the American public about issues critical to African Americans. The NAACP quickly experienced a growth spurt: During World War I, membership swelled 900 percent to include more than 90,000 individuals in 300 cities and towns nationwide. In the 1910s it began a methodical apprenticeship, learning to lobby Congress and to organize national public opinion campaigns.

WORLD WAR I AND THE GREAT MIGRATION

Throughout American history, wartime necessity has often opened new political and social avenues for marginalized groups. This familiar scenario played out after the United States intervened in the First World War in April 1917. By participating in the war effort, women suffrage activists made a compelling, and ultimately successful, case for voting rights: After all, how could America protect democracy abroad without extending it to half the population at home? Likewise, Black Americans furthered their claim for racial equality at home by their contributions on European battlefields and on the home front filling industrial jobs.

Congress passed the Selective Service Act on May 10, 1917, which required all able-bodied men ages 21 to 31 to register for military duty.¹¹⁴ On registration day, July 5, 1917, more than 700,000 black men enrolled. By war's end, nearly 2.3 million had answered the call. In less than two years, more than four million draftees



African-American troops of the 351st Field Artillery gather on the deck of the U.S.S. Louisville in February 1919 during their return voyage home from Europe.

IMAGE COURTESY OF NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Great Migration:

The mass movement during the 1910s through the 1950s from the rural, segregated South to the urban North and West of African Americans in pursuit of economic, social, and political opportunities.



African-American families lined the streets of New York to celebrate the homecoming of the 369th Army infantry unit in 1919.

IMAGE COURTESY OF NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

The federal government made segregation part of its institutional practice in the early 1900s. Patients at a health dispensary for government workers were directed to clearly marked segregated waiting rooms.

IMAGE COURTESY OF LIBRARY OF CONGRESS



swelled the ranks of the U.S. military. Of these, 367,000 were African Americans who were drafted principally into the U.S. Army. Segregation in military service reflected the segregation in civilian life. Blacks were barred from the Marine Corps and the Army Air Corps, and in the U.S. Navy they were assigned only menial jobs. African Americans had to fight to establish a black officer training program.¹¹⁵ On the battlefield, many infantry units in the all-black 92nd U.S. Army Division distinguished themselves.¹¹⁶

Arguably the most profound effect of World War I on African Americans was the acceleration of the multi-decade mass movement of black, southern rural farm laborers northward and westward in search of higher wages in industrial jobs and better social and political opportunities. This Great Migration led to the rapid growth of black urban communities in cities like New York, Chicago, St. Louis, and Los Angeles.¹¹⁷ While relatively small groups of southern African Americans migrated after Reconstruction to border states such as Kansas and into the Appalachians, it was not until the imposition of Jim Crow segregation and disfranchisement in the South that large numbers of blacks left their homes and families to search elsewhere for a better life. Still, in 1910, nearly 90 percent of American blacks lived in the South, four-fifths of them in rural areas.

Emigration from the South gained more traction with the advent of several important developments, chiefly economic, beginning in the second decade of the 20th century.¹¹⁸ In the South the depressed cotton market and a series of natural disasters reduced even the rare independent black landowner to sharecropping or tenant farming, trapping him in a cycle of indebtedness. Military conscription and the slackening of European immigration caused massive labor shortages in the North, just as war production created an insatiable demand for industrial goods. Labor shortages provided blacks with jobs in the steel, shipbuilding, and automotive industries as well as in ammunition and meat packing factories.

Many found the promise of economic opportunity irresistible, though this was not the only element pulling blacks northward. Contemplating departure from the



In 1917, New Yorkers silently protested the race riots in East St. Louis, Illinois.

IMAGE COURTESY OF LIBRARY OF CONGRESS

South, Representative George White said to the *Chicago Daily Tribune*, “I cannot live in North Carolina and be a man and be treated as a man.” In an interview with the *New York Times*, he encouraged southern black families to migrate west, “los[ing] themselves among the people of the country.”¹¹⁹ Historian Steven Hahn suggests that a “pronounced self-consciousness” encompassed both social and political motivations for emigrating: “searches for new circumstances in life and labor, new sites of family and community building, new opportunities to escape economic dependence. . . .” Hahn explains that the movement not only created new political vistas for migrating blacks but “also served as a large and powerful political transmission belt that moved and redeployed the experiences, expectations, institutions, and networks” forged in the black community during slavery and in Reconstruction, which would fundamentally shape emerging centers of African-American culture and thought in the North.¹²⁰

Whether their motivation was economic, political, individual, or communal, immense numbers of African Americans streamed northward. By one estimate, roughly a half-million blacks migrated to northern cities between 1915 and 1920, and between 750,000 and one million left the South in the 1920s. Chicago’s black population soared 600 percent between 1910 and 1930. In the same 20-year period, Detroit’s African-American community grew 2,000 percent—from 6,000 individuals to about 120,000.

This massive demographic shift dramatically altered African-American history culturally, politically, and socially, producing during the 1920s a period of black artistic expression in literature, music, and thought known as the Harlem Renaissance. Among those who participated in this cultural moment in northern Manhattan, which raised black consciousness nationally, were poet Langston Hughes, writer Zora Neale Hurston, and scholar and intellectual W. E. B. Du Bois. A new sense of African-American culture emerged, stoked by such leaders as Marcus Garvey, an advocate for black separatism and repatriation to Africa. Garvey emigrated from Jamaica to New York City in 1916 and, within a few years, founded



A civil rights pioneer, James Weldon Johnson was the NAACP's executive secretary and the chief congressional anti-lynching lobbyist.

IMAGE COURTESY OF LIBRARY
OF CONGRESS

the Universal Negro Improvement Association (UNIA), enlisting thousands of members.¹²¹ Interestingly, UNIA found much support in the recently transplanted community of southern blacks, who helped establish many UNIA chapters in the South by sharing the organization's literature with their relatives back home.¹²² Skyrocketing black populations in urban wards created new opportunities for political activism. Slowly, African Americans were elected to important political offices; for example, Oscar De Priest, a native Alabamian and future Member of Congress, became a member of the Chicago city council in 1915.

ANTI-LYNCHING LEGISLATION RENEWED

The passage of anti-lynching legislation became one of the NAACP's central goals. Slow to join the cause of pursuing legislation to remedy lynching because of the leadership's concerns about the constitutionality of such an undertaking, the NAACP eventually embraced the movement, using it to educate the often ambivalent American public so as to jar it into substantive action.

Statistics supported the NAACP's increased urgency in the anti-lynching campaign. Between 1901 and 1929, more than 1,200 blacks were lynched in the South. Forty-one percent of these lynchings occurred in two exceptionally violent states: Georgia (250) and Mississippi (245).¹²³ The NAACP report, *Thirty Years of Lynching in the United States, 1889–1919*, created momentum for congressional action. The anti-lynching effort provided the NAACP valuable experience waging a mass public relations campaign and mastering the art of congressional relations.¹²⁴ In the 1920s, through the organizational leadership and diverse talents of its secretary, James Weldon Johnson, the NAACP became a significant vehicle for marshaling public opinion. Johnson's biographer describes him as “truly the ‘Renaissance man’ of the Harlem Renaissance”—a poet, composer, writer, and activist.¹²⁵ Acting as the group's chief congressional lobbyist, he pushed for the reduction scheme during the larger congressional debate over reapportionment and decisively shaped the NAACP's campaign against lynching. Of his anti-lynching lobbying experience, Johnson recalled, “I tramped the corridors of the Capitol and the two office buildings so constantly that toward the end, I could, I think, have been able to find my way about blindfolded.”¹²⁶

Pushed vigorously by Johnson and NAACP assistant executive secretary Walter White (a civil rights activist from Atlanta), anti-lynching reform awaited only a legislative entrepreneur in Congress and, regrettably, a triggering event. Activists found Representative Leonidas C. Dyer to be a willing ally. Dyer, a Spanish-American War veteran and a former aide to Missouri Governor Herbert S. Hadley, represented a thin sliver of the southern and eastern sections of St. Louis. Heavily industrialized, part of the district hugged the Mississippi River and included growing African-American neighborhoods.¹²⁷ Since his election to the House in 1911, Dyer had demonstrated a disposition toward advocating for the black community.¹²⁸

Dyer had a front-row seat to some of the nation's most virulent wartime race violence. In the summer of 1917, just across the Mississippi River from his district, a riot in East St. Louis, Illinois, drew national attention and widespread condemnation. A hub for southern blacks migrating northward, East St. Louis had seen its black population triple in the first decade of the 20th century. Its racial tensions, stoked by competition for jobs and prejudice, struck a chord among many white northerners apprehensive about black migration. On July 1, 1917,

white assailants drove through a black neighborhood, firing indiscriminately. Two plainclothes police officers sent to investigate the disturbance arrived in a vehicle similar to the one driven by the shooters. Fearful residents mistakenly opened fire on the policemen, both of whom were killed. White residents' attempt to retaliate on July 2 flared into a merciless episode of mob sadism. The death toll climbed to 47 persons, including 38 African-American men, women, and children. Much of the black population fled the city.¹²⁹ On the House Floor, Dyer decried the event as one of "the most dastardly and most criminal outrages ever perpetrated in this country." Large numbers of refugees flowed across the river and into his district, compelling Dyer to tackle the problem of lynching and mob violence.

The rash of wartime mob violence nationwide provided new impetus for legislative action.¹³⁰ After months of consultation with legal experts and the NAACP, Representative Dyer introduced H.R. 11279 on April 18, 1918, "to protect citizens of the United States against lynching in default of protection by the States." Dyer's bill, which provided the blueprint for all subsequent NAACP-backed anti-lynching measures, sought to charge lynch mobs with capital murder charges and to try lynching cases in federal court. It levied on each county where a lynching occurred, a fine of between \$5,000 and \$10,000 that would be paid to the victim's immediate family or, if none existed, to the U.S. government to facilitate prosecution of the case. The Dyer Bill also mandated jail time and imposed a fine of up to \$5,000 on state and local law enforcement officials who refused to make a reasonable effort to prevent a lynching or surrendered a prisoner in their custody to a lynch mob. Finally, the bill sought to establish guidelines for fair courtroom proceedings by excluding lynch mob participants and supporters from juries.¹³¹

Dyer's rationale was elegantly simple: Lynching—and states' refusal to prosecute the perpetrators—violated victims' 14th Amendment rights. Anticipating that Members would object to the bill because it involved federal control over social policy, he cited the slate of child labor laws the chamber had enacted and Congress's December 1917 passage of the 18th Amendment, which forbade the production, transportation, or sale of alcohol within the United States: "If Congress has felt its duty to do these things, why should it not also assume jurisdiction and enact laws to protect the lives of citizens of the United States against lynch law and mob violence? Are the rights of property, or what a citizen shall drink, or the ages and conditions under which children shall work, any more important to the Nation than life itself?"¹³² In the Democrat-controlled 65th Congress (1917–1919), however, the measure remained stuck in the Judiciary Committee.

But advocates' hope was renewed when Republicans gained majorities in the House and Senate at the start of the 66th Congress in 1919. In early 1921, James Weldon Johnson paid his first visit to Representative Dyer's office, recognizing that the St. Louis Representative was a valuable contact.¹³³ Throughout this process, the NAACP played a significant role in keeping the issue alive in Congress, and at several junctures, Johnson bolstered Dyer, urging him not to accept compromises to attain passage of legislation and encouraging him to resist pressure from the Republican Conference to abandon legislation many of his colleagues felt was unpopular.¹³⁴

Under the NAACP's intense lobbying pressure, the House began to move toward consideration of a bill derived from Dyer's earlier efforts—first adopting a rule for consideration and then, in early January 1922 commencing consideration on



Racial violence in Tulsa, Oklahoma, in 1921, left the African-American community in smoldering ruins. Competition for jobs and housing, deep-seated racial mistrust, and informal segregation practices, were at the heart of tensions in many urban areas.

IMAGE COURTESY OF LIBRARY OF CONGRESS



In 1917, 75 sixth-graders shared a single room and teacher in segregated Muskogee, Oklahoma.

IMAGE COURTESY OF LIBRARY OF CONGRESS



Hatton W. Sumners of Texas opposed anti-lynching laws during his 17 terms in the House of Representatives, arguing that the individual states could handle the problem of mob violence against African Americans.

IMAGE COURTESY OF LIBRARY OF CONGRESS



A mix of black and white British members of the NAACP protested the lack of anti-lynching laws in the United States in hopes of bringing more international attention to the epidemic.

IMAGE COURTESY OF LIBRARY OF CONGRESS

the legislation.¹³⁵ Southern opponents attempted to impede debate several times, refusing to come to the House Chamber so as to prevent a quorum. On such occasions Speaker Frederick H. Gillett of Massachusetts ordered the chamber doors locked and dispatched the Sergeant at Arms to search for errant Members.¹³⁶ The debate came to a head on January 25 and 26, 1922, when the House considered a bill that contained many of the essentials of Dyer's original measure. Though the provision seeking to ensure an impartial jury had been removed, the bill sought to levy a \$10,000 fine on counties where lynchings occurred—as well as on counties through which victims were transported.

Southern Democrats rebuffed the measure, mustering familiar practical and constitutional defenses. Hatton W. Sumners of Texas, a Dallas attorney who later served 16 years as chairman of the House Judiciary Committee, led the defense. In two lengthy debates, Sumners compared the bill to an act of legislative “mob” violence and suggested Congress let southern states resolve the lynching issue on their own. “I say to you that you cannot pass this bill unless you pass it under the influence of the same spirit which this bill denounces, *viz.*, the mob spirit,” Sumners said to laughter and applause on the House Floor. “You say that the folks down in the South are not doing this thing fast enough, and the folks in the South say the officers are not doing this thing fast enough, and you each get ropes and they go after the criminal and you go after the Constitution.”¹³⁷

African Americans packed the House Gallery, intensely monitoring the debate, and on several occasions they cheered loudly, in violation of gallery rules. Some traded derogatory barbs with southern House Members below on the floor, whose speeches repeatedly referred to NAACP activists as “race agitators.”¹³⁸ The glare of publicity pushed cautious House leaders to move swiftly for a vote. In the end, the Dyer Bill passed the Republican-controlled chamber on January 26, 1922, by a vote of 231 to 119, with four Members voting “present” and 74 others not voting.¹³⁹ Among the 119 who voted “no” were four future Speakers of the House, each a southern Democrat who eventually presided over the chamber after Democrats assumed control of the House in 1931: John Nance Garner of Texas, Joseph Byrns of Tennessee, William Bankhead of Alabama, and Sam Rayburn of Texas.¹⁴⁰

In the Senate, a combination of ambivalent Republican backing and spirited southern opposition doomed the Dyer Bill to legislative limbo. It withered in the Judiciary Committee under the unsympathetic oversight of Chairman William Borah of Idaho, who doubted its constitutionality. Nevertheless, Borah pledged not to block consideration of the measure if a majority of his colleagues assented. The measure passed out of the committee 8 to 6 in the summer of 1922—with Borah dissenting.¹⁴¹ The NAACP proceeded to engage in a formidable public campaign, increasing direct pressure on Majority Leader Henry Cabot Lodge of Massachusetts (who faced re-election that fall). Lodge, who had authored the Federal Elections Bill in 1890, had greatly moderated his previously progressive stance on federal oversight of black civil rights. He reluctantly brought the measure to the Senate Floor in September, but his choice of a manager to shepherd the bill through debate—Samuel Shortridge, California's junior Senator and a relative novice—suggested he had little enthusiasm for the endeavor. Byron (Pat) Harrison of Mississippi swiftly upstaged Shortridge by gaining control of the debate. Further consideration was forestalled until after the November 1922 elections, relieving Senators of

electoral pressure.¹⁴²

When the bill came up for consideration in late November after the elections, southern Members again halted Shortridge with parliamentary maneuvers. As he had with the reduction issue two decades earlier, Alabama's Oscar Underwood, now Senate Minority Leader, played a key role in killing the Dyer measure. Underwood threatened Lodge and the Republicans with a filibuster that would shut down end-of-session business in the Senate. Fearful they would be unable to secure a ship subsidy bill desired by the Harding administration, the members of the Senate Republican Conference voted to abandon the Dyer Bill. Though Representative Dyer reintroduced the measure in each new Congress in the 1920s, it failed to gain significant political traction. However, the public awareness campaign relentlessly pushed by the NAACP likely contributed to a general decline in lynching after the 1920s. It would be 15 years before Congress would seriously consider the subject again. In the words of historian Robert Zangrando, anti-lynching legislation was "displaced by the indifference of its friends and the strategy of its enemies."¹⁴³

REDUCTION REDUX

Although the subject of reduction arose occasionally in Congress, "increasingly it was becoming a posture rather than a policy."¹⁴⁴ Republican party leaders seemed content to raise the issue because it permitted them to lay claim to the moral high ground, but upon meeting stiff opposition, they readily let it die a quiet death in the interest of political expediency. Moreover, fortified by widespread social ambivalence and sensing the weakness of their opponents, southern Representatives became bolder and coordinated their efforts to repulse the reduction movement.¹⁴⁵

Reduction eventually became absorbed in the larger reapportionment struggle in the House after the 1920 Census, which pitted rural and urban factions against one another for much of the next decade.¹⁴⁶ At several junctures during this nearly decade-long debate, Representative George Holden Tinkham of Massachusetts spoke on behalf of disfranchised blacks. A Republican who rose through the Boston common council, the board of aldermen, and the Massachusetts state senate, Tinkham was frank and fiercely independent. In 1914, he won election to a U.S. House seat—the first of his 14 terms in Congress—representing a wide multi-ethnic swath of Boston. He became one of the institution's more colorful characters.¹⁴⁷ A biographer described him as "the conscience of the House" in the 1920s, based on his repeated efforts to rally colleagues to the cause of investigating disfranchisement of southern blacks in violation of the 14th and 15th Amendments.¹⁴⁸

On May 6, 1921, Tinkham interrupted consideration of an Army appropriations bill by introducing a resolution instructing the House Committee on the Census to investigate disfranchisement efforts by the states and report back to the full House to provide information for a debate about reapportioning to expand the chamber's membership. As usual, he did not mince words, describing southern disfranchisement schemes as "the most colossal electoral fraud the world has ever known." He added, "On this question moral cowardice and political expediency dominate the Republican leadership of the House."¹⁴⁹ Clearly annoyed that his planned appropriations debate had been hijacked, House Majority Leader Frank W. Mondell of Wyoming dismissed Tinkham's address as an expression of "fancy" and a "stump speech," echoing southern complaints that the reduction proposal was



George Holden Tinkham of Massachusetts became known as "the conscience of the House" for his efforts to protect voting rights for blacks. He also was one of Congress's most colorful characters. Newspapers reported that he was the first American to fire a shot against the Central Powers in World War I, when, on a congressional visit to the Allied front in 1917, an Italian army commander persuaded him to pull the firing lanyard on an artillery piece trained on Austrian forces. An avid big-game hunter, Tinkham also named his trophies for political opponents.

IMAGE COURTESY OF LIBRARY
OF CONGRESS



Sixteen-term House Member John E. Rankin of Mississippi defended southern white supremacy. Later in Rankin's congressional career, Representative Adam Clayton Powell, Jr., of New York, regularly needled Rankin by sitting as near to him as possible in the House Chamber.

IMAGE COURTESY OF OFFICE OF THE CLERK, U.S. HOUSE OF REPRESENTATIVES



Left to right: U.S. Senator James Vardaman of Mississippi, U.S. Representative James Heflin of Alabama, and U.S. Senator Ollie James of Kentucky built their congressional careers on promoting segregation and white supremacy.

IMAGE COURTESY OF LIBRARY OF CONGRESS

merely an electoral enticement for northern black voters.¹⁵⁰ When Speaker Gillett rejected Tinkham's argument that his measure was constitutionally privileged, the full House overwhelmingly backed the ruling, 286 to 47.¹⁵¹

Later that fall during floor debate about a bill sponsored by Census Committee Chairman Isaac Siegel of New York to expand Membership of the House from 435 to 483, Tinkham again injected into the dialogue the issue of upholding the 14th Amendment, noting that the word "shall" in Section 2 compelled Congress "unconditionally" to enforce reduction. "Franchise equality is fundamental and profound," Tinkham declared, adding "national elections can no longer be half constitutional and half unconstitutional."¹⁵² Tinkham registered unconcealed contempt for House leaders who declined to investigate southern voting fraud. "For this refusal by the leaders of the majority party I do not possess a command of language strong enough to use in denunciation and reprobation," he said. "The real anarchists in the United States, the real leaders of lawlessness, are the Members of this House of Representatives who refuse obedience to the Constitution which they have sworn to obey."¹⁵³ Representative Wells Goodykoontz of West Virginia, former president of the West Virginia Bar Association, was the sole Member to join Tinkham in calling for enforcement of the 14th Amendment. He provided statistical evidence based on November 1920 voting returns in his district (85,587 votes were cast) versus the total votes recorded for the entire congressional delegations in South Carolina (67,737) and Mississippi (70,657).¹⁵⁴

The man who emerged as one of the white supremacist South's most ardent congressional defenders, John Elliott Rankin of Mississippi, offered the rejoinder to Tinkham. In 1921, Rankin was a freshman Member of the House, embarking on a 32-year career representing the northeastern corner of Mississippi. A World War I veteran, he served 20 years as chairman of the Committee on World War Veterans Legislation (later Veterans' Affairs). When he died in 1960, the press called him "one of the most turbulent political figures in modern congressional history."¹⁵⁵ Had reduction been adopted, Mississippi's delegation would have been halved, from 8 to 4. Rankin countered Tinkham by arguing that the 15th Amendment—in prohibiting disfranchisement because of race or color—had "by implication" superseded and voided the part of the 14th Amendment that called for reduction.¹⁵⁶ Conjuring up the specter of Reconstruction, Rankin continued, "the time has passed when a man or a party can successfully make political capital by holding out to the Negro the hope or promise of social and political equality."¹⁵⁷ The House brushed aside Tinkham's amendment on an unrecorded voice vote.¹⁵⁸

Roiled and divided by major issues like immigration, tax policy, a soldier's bonus, and international questions such as U.S. participation in the League of Nations, Congress postponed work on the reapportionment issue from 1921 to 1927.¹⁵⁹ Tinkham made at least two more attempts to add reduction amendments before passage of a comprehensive reapportionment bill in 1929, but he was unsuccessful.¹⁶⁰ As one scholar notes, it is not surprising that congressional leaders failed to vigorously protect black voting rights, given pervasive notions among national political leaders and strategists that extending the franchise might be more harmful than the alternative.¹⁶¹

POWER OF THE SOUTHERN BLOC IN CONGRESS

The reduction and anti-lynching failures occurred during the heyday of southern

demagogues in Congress. Innumerable racist slanders were uttered on the House and Senate floors with virtual impunity from 1890 through the 1920s. Among the practitioners of white supremacist bile was James Kimble Vardaman of Mississippi, a powerful orator who served as governor from 1904 to 1908 before winning election in 1912 to a single term in the U.S. Senate. Known by his followers as the “White Chief,” Vardaman ran state and federal campaigns that unabashedly supported white supremacy and constantly sought to take money from schools for blacks. “To educate a negro is to spoil a good field hand,” Vardaman once declared.¹⁶² Others of this ilk included Ben Tillman of South Carolina, a 23-year veteran of the Senate and the architect of disfranchisement in South Carolina; the Populist-turned-race baiter Tom Watson of Georgia, who served a term in the House from 1891 to 1893 and a partial term in the U.S. Senate 30 years later; and James Thomas Heflin, a Representative and Senator of Alabama, who said the right to vote was “an inherent right with the white man and a privilege with the Negro.”¹⁶³

For such men, white supremacy was a closely held belief. For others, it was a mechanism to engage voters. The southern political system promoted—and even rewarded—a certain level of recklessness, sensationalism, and demagoguery. Race became the most potent topic available for striking powerful chords with southern voters, who by 1900 were essentially white and often disengaged from politics. “Deprived of the normal party channels of rising to power and getting support in elections, politicians were practically forced to blare recklessly in an effort to become known to an amorphous public,” notes historian J. Morgan Kousser.¹⁶⁴ Race, as political scientist V. O. Key observed in his landmark study of southern politics in the 1940s, became the keystone of the one-party, solid Democratic South that emerged around 1900 and lasted until the civil rights movement of the 1950s. “Southern sectionalism and the special character of southern political institutions have to be attributed in the main to the Negro,” Key explained. He added, “the predominant consideration in the architecture of southern political institutions has been to assure locally a subordination of the Negro population and, externally, to block threatened interferences from the outside with these local arrangements.”¹⁶⁵

Southern Members of Congress who opposed race reforms in the 1910s and 1920s soon became influential enough to thwart such “interferences.” Accruing seniority, many ascended to powerful positions on Capitol Hill during the 1930s. Benefiting from the longevity conferred by their party, which held a virtual lock on elective office in the South, many southern House Members served long terms in secure districts, earning important leadership posts. For instance, when Democrats gained control of the House in 1931, southerners wielded the chairman’s gavel on 29 of 47 committees—including virtually all the most influential panels: Ways and Means (James W. Collier of Mississippi), Rules (Edward W. Pou of North Carolina), Rivers and Harbors (John J. Mansfield of Texas), Naval Affairs (Carl Vinson of Georgia), Military Affairs (Percy Quin of Mississippi), Judiciary (Hatton Sumners of Texas), Interstate and Foreign Commerce (Sam Rayburn of Texas), Banking and Currency (Henry B. Steagall of Alabama), Appropriations (Joseph W. Byrns of Tennessee), and Agriculture (John Marvin Jones of Texas). Of the 10 most attractive committees, southerners chaired nine (J. Charles Linthicum of Maryland, a border state, chaired the Foreign Affairs Committee).¹⁶⁶ Southerners also held two of the top three positions in House leadership: John Nance Garner of Texas served as Speaker, and John McDuffie of Alabama was the Majority Whip.



The Ku Klux Klan's resurgence in the early 1900s ushered in a reign of violence, buttressed by public shows of power like this demonstration, just outside the U.S. Capitol in 1926.

IMAGE COURTESY OF LIBRARY OF CONGRESS

In the Senate, which went Democratic with the election of Franklin D. Roosevelt to the presidency in 1932, southern influence, although less pronounced, was nonetheless significant. Southerners chaired 13 of the chamber's 33 committees in 1933, including some of the most influential panels: Agriculture and Forestry (Ellison D. Smith of South Carolina), Appropriations (Carter Glass of Virginia), Banking and Currency (Duncan U. Fletcher of Florida), Commerce (Hubert D. Stephens of Mississippi), Finance (Pat Harrison of Mississippi), Military Affairs (Morris Sheppard of Texas), and Naval Affairs (Park Trammell of Florida). In addition, Walter F. George of Georgia wielded the chairman's gavel on the Privileges and Elections Committee, through which any voting rights bill would have to pass. Setting the chamber's agenda was Senate Majority Leader Joseph T. Robinson of Arkansas, who served in that capacity until his death in 1937.

PARTY REALIGNMENT

The political realignment of black voters set in motion at the close of Reconstruction gradually accelerated in the early 20th century, pushed by demographic shifts such as the Great Migration and by black discontent with the increasingly conservative racial policies of the Republican Party in the South. A decades-long process ensued in which blacks were effectively pushed outside or left the Republican fold because of its increasingly ambiguous racial policies. By the end of this era, the major parties' policies and a re-emergent activism among younger African Americans positioned blacks for a mass movement in the early and mid-1930s to the northern Democratic Party.¹⁶⁷

Weakened to the point of irrelevancy, southern Republicans after 1900 curried favor with the political power structure to preserve their grasp on local patronage jobs dispensed by the national party. Therefore, southern white GOP officials embraced Jim Crow. Through political factions such as the "lily white" movement, which excluded blacks, and "black and tan" societies, which extended only token political roles to blacks, the party gradually ceased to serve as an outlet for the politically active cadre of southern African Americans.

Gradually, African-American leaders at the national level began to abandon their loyalty to the GOP. While the party's political strategy of creating a competitive wing in the postwar South was not incompatible with the promotion of black civil rights, by the 1890s party leaders were in agreement that this practical political end could not be achieved without attracting southern whites to the ticket. "Equalitarian ideals," explains a leading historian, "had to be sacrificed to the exigencies of practical politics."¹⁶⁸

However, mutually exclusive opportunities presented themselves to the national Republican Party as late as the 1920s. On the one hand, GOP officials sensed an opportunity to present the party as a moderate alternative to the segregationist policies endorsed by the outgoing Woodrow Wilson administration—to make inroads into the growing urban centers of African-American voters. On the other hand, in campaign efforts against northern Democrats such as Al Smith of New York, Republicans perceived the chance to cultivate southern white voters by adopting racially conservative positions. "The dilemma," writes historian Lewis L. Gould, "was that the politics that spoke to one group alienated the other."¹⁶⁹ The party chose a middle course. GOP Presidents in the 1920s hosted black leaders to discuss touchstone issues such as anti-lynching legislation, though they did little

more for fear of alienating southern whites. The party's relative lack of enthusiasm for changing segregation practices in the civil service, enforcing the reduction clause of the 14th Amendment, or endorsing fully the enactment of anti-lynching legislation convinced many African Americans that the political priorities of the party of Lincoln were no longer compatible with those of the black community. At its 1926 national convention, the NAACP pointedly resolved, "Our political salvation and our social survival lie in our absolute independence of party allegiance in politics and the casting of our vote for our friends and against our enemies whoever they may be and whatever party labels they carry."¹⁷⁰

The Republicans' presidential nominee in 1928 cast more doubt in black voters' minds.¹⁷¹ Herbert Hoover's handling of the relief efforts after the devastating 1927 Mississippi River floods disappointed the African-American community. Tone deaf to issues that resonated with blacks, Hoover catered to the lily-white delegations at the Republican National Convention. The platform contained no substantive concessions to black interests besides a perfunctory sentence about the necessity for anti-lynching legislation. Furthermore, during the campaign Hoover devised a southern strategy against Democratic nominee Al Smith, who was perceived negatively in the South because he was Catholic and was believed to represent ethnic and black interests. By courting the racially conservative white vote with tacit support for the segregationist status quo, Hoover fractured the solid South and captured the electoral votes of five southern states: Virginia, North Carolina, Tennessee, Florida, and Texas.¹⁷²

The 1928 presidential campaign marked a significant step toward the eventual black exodus from Republican ranks. Though a majority of African Americans cast their vote for Hoover, black defection from the party was greater than in any prior election. Manufacturers of public opinion within the black community, including the *Chicago Defender* and the *Baltimore Afro-American*, supported Al Smith.¹⁷³ Meanwhile, the party of Lincoln seemed unresponsive to the changing electorate and lacked a strategy for adjusting to new political realities. "As Negroes moved to the North and to the cities, they became part of the new urban constituency," explains historian Richard Sherman. "Just as America had ceased to be predominantly Anglo-Saxon, so had black-white relations ceased to be primarily a problem for the South. . . . In short, Republicans failed to develop a program which could attract major elements of the new, urban America," a constituency that formed the core of the Roosevelt New Deal coalition that propelled Democrats into power in the 1930s.¹⁷⁴

CONCLUSION

W. E. B. Du Bois insightfully observed that the dominant theme of 20th-century America would be the "color line." As historian Manning Marable points out, that line, dating back to Reconstruction, was remarkably resilient, outlasting the southern experiment in multiracialism, economic depressions, foreign wars, and massive migrations of Black Americans from the South to the North. Congress's management (or avoidance) of the issue of race relations in this era strongly confirms Marable's assessment of the durability of racial prejudice and the pervasive nature of segregation in America. Throughout the first half of the 20th century, Congress lagged behind the executive and the judicial branches—and sometimes behind popular will—in terms of racial issues.¹⁷⁵

Change would arise from a “Second Reconstruction”—a civil rights movement derived from the people, not imposed on them—one shaped by everyday African Americans operating largely outside of political channels who would slowly convince society of the need for change. By then blacks would have allies and advocates within the federal government, such as Oscar De Priest, who was elected to the U.S. House from his Chicago-based district in 1928. In ending African Americans’ long exile from Congress, De Priest’s election would infuse millions with hope—and validate the power of organized black politics in northern cities.

NOTES

- 1 “The Negro in Politics,” 12 December 1887, *Washington Post*: 5.
- 2 Michael K. Fauntroy, *Republicans and the Black Vote* (Boulder, CO: Lynne Rienner Publishers, 2007): 41.
- 3 C. Vann Woodward, *The Strange Career of Jim Crow* (New York: Oxford University Press, 2002): 82.
- 4 Woodward, *The Strange Career of Jim Crow*: 69.
- 5 A rich historical literature details this process. Aside from *The Strange Career of Jim Crow*, see Woodward’s seminal work, *The Origins of the New South, 1877–1913* (Baton Rouge: Louisiana State University, 1951) and Edward Ayers, *The Promise of the New South: Life After Reconstruction* (New York: Oxford University Press, 1992). For African-American political activism in the South from slavery into the Jim Crow and Great Migration eras, see Steven Hahn’s *A Nation Under Our Feet: Black Political Struggles from Slavery to the Great Migration* (Cambridge, MA: Belknap Press, 2003).
- 6 Woodward, *The Strange Career of Jim Crow*: 108.
- 7 All the black Jim Crow-Era Representatives were born in 1849 or later, except John Langston, who was born in 1829, and lived most of his life in privilege in Ohio. He achieved an education and a level of experience that was comparable, if not superior, to that of his late-19th-century colleagues.
- 8 Several historians discuss the impact of skin color on the stratification of free and enslaved black communities in different regions of the South from the colonial to the postbellum periods. Winthrop D. Jordan discusses the colonial period in “American Chiaroscuro: The Status and Definition of Mulattoes in the British Colonies,” in Edward Countryman, ed., *How Did American Slavery Begin?* (Boston: Bedford/St. Martin’s, 1999). Both Eugene D. Genovese and Paul D. Escott discuss stratification within slave communities in the antebellum period: Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Pantheon Books, 1974) and Escott, *Slavery Remembered: A Record of Twentieth-Century Slave Narratives* (Chapel Hill: University of North Carolina Press, 1979). For the racial tensions within the free black communities in the antebellum period, see Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: The New Press, 1974). Joel Williamson provides a thorough history of racial miscegenation in the United States in *New People: Miscegenation and Mulattoes in the United States* (New York: The Free Press, 1980). Willard Gatewood examines the effects of skin color on the postbellum elite communities in *Aristocrats of Color: The Black Elite, 1880–1920* (Fayetteville: University of Arkansas Press, 2000).
- 9 Senator Hiram Revels of Mississippi graduated from Knox College in Galesburg, Illinois, in 1857, and Representative Richard Cain of South Carolina attended Ohio’s Wilberforce University in the early 1860s.
- 10 “John Mercer Langston,” in Jessie Carney Smith, ed., *Notable Black American Men* (Farmington Hills, MI: Gale Research, Inc., 1999): 693–698. Former Representatives Josiah Walls of Florida and James O’Hara of North Carolina were admitted to the bar in a similar fashion, although O’Hara received some formal training at Howard University.
- 11 Benjamin R. Justesen, *George Henry White: An Even Chance in the Race of Life* (Baton Rouge: Louisiana State University Press, 2001): 39, 135–144.
- 12 During the 1890s, GOP corruption at the state and national levels challenged the notion of patronage. Black Members of Congress vehemently supported the Republican defense of these favors. Representative Robert Smalls of South Carolina was in the minority voting against passage of the Pendleton Act in the 47th Congress (1881–1883), which made hiring procedures for the civil service more competitive. See *Congressional Record*, House, 47th Cong., 2nd sess. (4 January 1883): 837. While in office, black Representatives regularly doled out patronage positions. For example, throughout his career, Henry Cheatham gave friends and constituents in North Carolina and Washington, DC, federal positions, bestowing more than 80 appointments in the postal, internal revenue, and judicial services.
- 13 Thomas Adams Upchurch, *Legislating Racism: The Billion Dollar Congress and the Birth of Jim Crow* (Lexington: The University Press of Kentucky, 2004): 9–12, 74–84; Charles W. Calhoun, *Conceiving a New Republic: The Republican Party and the Southern Question, 1869–1900* (Lawrence: University Press of Kansas, 2006): 7–32.

- 14 *Congressional Record*, House, 56th Congress, 2nd sess. (7 January 1901): 74.
- 15 Michael Perman, *Struggle for Mastery: Disfranchisement in the South, 1888–1908* (Chapel Hill: University of North Carolina Press, 2001): 229.
- 16 *Congressional Record*, House, 51st Cong., 2nd sess. (14 February 1891): 2694.
- 17 Upchurch, *Legislating Racism*: 12; Samuel P. Hays, *The Response to Industrialism, 1885–1914* (Chicago: University of Chicago Press, 1957; reprint, 1995): 7–24.
- 18 Frederick Jackson Turner, “The Significance of the Frontier in American History,” in Martin Ridge, ed., *Frederick Jackson Turner: Wisconsin Historian of the Frontier* (Madison: State Historical Society of Wisconsin, 1986): 26–47.
- 19 Robert H. Wiebe, *The Search for Order, 1877–1920* (New York: Hill and Wang, 1967): 11–12.
- 20 Robert D. Marcus, *Grand Old Party: Political Structure in the Gilded Age: 1880–1896* (New York: Oxford University Press, 1971): 10–11, 19.
- 21 Marcus, *Grand Old Party*: 20, 90–91, 93.
- 22 J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and Establishment of the One-Party South, 1880–1910* (New Haven: Yale University Press, 1974): 238–240; see especially the chart on page 239.
- 23 Kousser, *The Shaping of Southern Politics*: 46–53; quotation on pages 39–40. See also Woodward, *The Strange Career of Jim Crow*: 83–86.
- 24 For population statistics and election results, see Stanley B. Parsons et al., *United States Congressional Districts, 1843–1883* (New York: Greenwood Press, 1986): 213; Stanley B. Parsons et al., *United States Congressional Districts, 1883–1913* (New York: Greenwood Press, 1990): 143, 279, 281; Michael J. Dubin et al., *U.S. Congressional Elections, 1788–1997* (Jefferson, NC: McFarland & Company, Inc., Publishers, 1998): 254, 262, 269, 276, 284, 292, 301, 310.
- 25 *Congressional Record*, House, 53rd Cong., 1st sess. (5 October 1893): 2159.
- 26 Dubin et al., *U.S. Congressional Elections, 1788–1997*: 319.
- 27 The Confederacy included South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana, Texas, Virginia, Arkansas, North Carolina, and Tennessee.
- 28 Michael Perman, *Road to Redemption: Southern Politics 1869–1879* (Chapel Hill: University of North Carolina Press, 1984): 193–220; Kousser, *The Shaping of Southern Politics*: 139–181.
- 29 See Stephen Kantrowitz, *Ben Tillman and the Reconstruction of White Supremacy* (Chapel Hill: University of North Carolina Press, 2000).
- 30 Perman, *Struggle for Mastery*: 96.
- 31 Ibid.
- 32 Ibid., 93.
- 33 George Brown Tindall, *South Carolina Negroes, 1877–1900* (Columbia: University of South Carolina Press, 2003; reprint of 1952 edition): 78.
- 34 Perman, *Struggle for Mastery*: 96.
- 35 “South Carolina’s Plan,” 4 November 1895, *New York Times*: 7.
- 36 Tindall, *South Carolina Negroes*: 88.
- 37 Perman, *Struggle for Mastery*: 225–226.
- 38 Woodward, *The Strange Career of Jim Crow*: 85; Perman, *Struggle for Mastery*: 313.
- 39 John Hope Franklin and Alfred A. Moss, *From Slavery to Freedom: A History of African Americans*, 8th edition (New York: Alfred A. Knopf, 2000): 288. Additionally, as southern states legally disfranchised hundreds of thousands of Black Americans, violence wracked southern cities. On November 10, 1898, in the coastal town of Wilmington, North Carolina, local whites violently evicted elected city officials including the white mayor and sheriff—who were part of a “fusion” Populist government that had the support of a thriving and politically active African-American community. Former U.S. Representative Alfred M. Waddell of North Carolina (1871–1879), a newspaper editor and an ex-Confederate cavalry colonel, led a mob of whites who ransacked black neighborhoods in the city and the offices of the local black newspaper. Eleven African Americans were killed, and the black community’s leaders were sent into exile. For more on this topic, see the extensive report of the Wilmington Race Riot Commission, published in 2006: <http://www.ah.dcr.state.nc.us/1898-wrrc/default.htm> (accessed 1 December 2007); contemporary newspaper

- accounts include “Negro Rule Ended,” 11 November 1898, *Washington Post*: 1. For more on Waddell, see “Waddell, Alfred Moore,” *Biographical Directory of the United States Congress, 1774–Present*, available at <http://bioguide.congress.gov/scripts/biodisplay.pl?index=W000002>.
- 40 For more on “packing” and “cracking” as gerrymandering strategies, see Bernard Grofman, *Political Gerrymandering and the Courts* (New York: Algora Publishing, 1990): especially pages 178–179.
 - 41 See, for example, the borders between the South Carolina’s 1st and 7th districts from 1893 to 1895 in Parsons et al., *United States Congressional Districts, 1883–1913*: 275.
 - 42 Eric Anderson, *Race and Politics in North Carolina, 1872–1901* (Baton Rouge: Louisiana State University Press, 1981): 3–4, 141; Parsons et al., *United States Congressional Districts, 1843–1883*: 201; Parsons et al., *United States Congressional Districts, 1883–1913*: 255–257.
 - 43 Kousser, *The Shaping of Southern Politics*: 11, 13–14, 261.
 - 44 For more on this phenomenon see, Helen G. Edmonds, *The Negro and Fusion Politics in North Carolina* (New York: Russell and Russell, 1951; reprint 1972).
 - 45 Thomas Holt explains the origins of the tensions between mulatto and dark skinned candidates. See *Black Over White: Negro Political Leadership in South Carolina During Reconstruction* (Urbana: University of Illinois Press, 1977): 59–64.
 - 46 Quoted in William C. Hine, “Miller, Thomas Ezekiel,” *American National Biography* 15 (New York: Oxford University Press, 1999): 518–520 (hereinafter referred to as *ANB*).
 - 47 John F. Marszalek, *A Black Congressman in the Age of Jim Crow: South Carolina’s George Washington Murray* (Gainesville: University Press of Florida, 2006): 37.
 - 48 Quoted in Tindall, *South Carolina Negroes, 1877–1900*: 58.
 - 49 Marszalek, *A Black Congressman in the Age of Jim Crow*: 109.
 - 50 Anderson, *Race and Politics*: 208–209.
 - 51 *Ibid.*, 213.
 - 52 Justesen, *George Henry White*: 199.
 - 53 Jeffrey A. Jenkins, “Partisanship and Contested Election Cases in the House of Representatives, 1789–1902,” *Studies in American Political Development* 18 (Fall 2004): 113.
 - 54 Chester H. Rowell, *A Historical and Legal Digest of All the Contested Election Cases* (Washington, DC: Government Printing Office, 1901). Though Rowell is one of the most comprehensive sources on the activities of the Committee on Elections for this era, his data are incomplete. At least six contested elections cases involving black men are missing from his volume.
 - 55 William J. Gaboury, “George Washington Murray and the Fight for Political Democracy in South Carolina,” *Journal of Negro History* 62 (July 1977): 266. The demands placed a considerable burden on members of the Committee on Elections, which was charged with investigating disputed results and reporting its findings back to the full House. In the 54th Congress (1895–1897), facing 38 contested election cases (28 of which originated in the South), the Committee on Elections split into three separate panels named Elections #1, Elections #2, and Elections #3. The three committees remained until the Legislative Reorganization Act of 1946 combined them under the jurisdiction of the Committee on House Administration.
 - 56 For a discussion of surrogate representation using modern examples, see Jane Mansbridge, “Should Blacks Represent Blacks and Women Represent Women? A Contingent ‘Yes,’” *Journal of Politics* 61 (1999): 628–657.
 - 57 *Congressional Record*, House, 55th Cong., 2nd sess. (22 April 1898): 4194.
 - 58 Charles Stewart III, “Committee Hierarchies in the Modernizing House, 1875–1947,” *American Journal of Political Science* 36 (1992): 845–846. Cheatham was ranked fifth out of six minority members of the Agriculture Committee in the 52nd Congress (1891–1893); White was ranked last out of 11 majority members on the Agriculture Committee in the 55th Congress (1897–1899).
 - 59 For a thorough discussion of U.S. monetary policy in the late 19th century, see Irwin Unger, *The Greenback Era: A Social and Political History of American Finance, 1865–1880* (Princeton, NJ: Princeton University Press, 1964); Alan Weinstein, *Prelude to Populism: Origins of the Silver Issue, 1867–1878* (New Haven, CT: Yale University Press, 1970); Milton Friedman and Anna J. Schwartz, *A Monetary History of the United States, 1867–1960* (Princeton, NJ: Princeton University Press, 1963).

- 60 *Congressional Record*, House, 52nd Cong., 1st sess. (13 July 1892): 6133. The rest of the Republicans voting in favor of the bill were from silver-mining states.
- 61 *Congressional Record*, House, 53rd Cong., 1st sess. (24 August 1893): 859.
- 62 Woodward, *The Strange Career of Jim Crow*: 72–74.
- 63 Recent historical literature suggests that racism at home cooled enthusiasm for imperialism abroad. One historian argues that segregationists often opposed imperialists because they were unwilling to incorporate foreign, dark-skinned citizens. See Eric T. Love, *Race Over Empire: Racism and U.S. Imperialism, 1865–1900* (Chapel Hill: University of North Carolina Press, 2004).
- 64 *Congressional Record*, House, 55th Cong., 3rd sess. (26 January 1899): 1126.
- 65 Quoted in Upchurch, *Legislating Racism*: 86.
- 66 Charles W. Calhoun, *Benjamin Harrison* (New York: Henry Holt and Company, 2005): 33, 55.
- 67 Upchurch, *Legislating Racism*: 94.
- 68 *Ibid.*, 95.
- 69 *Congressional Record*, House, 51st Cong., 1st sess. (26 June 1890): 6544.
- 70 *Congressional Record*, House, 51st Cong., 1st sess. (28 June 1890): 6728.
- 71 Calhoun, *Conceiving a New Republic*: 242–243.
- 72 *Congressional Record*, House, 51st Cong., 2nd sess. (16 January 1891): 1480–1481.
- 73 *Congressional Record*, House, 51st Cong., 2nd sess. (12 January 1891): 1216.
- 74 See W. Fitzhugh Brundage, ed., *Under Sentence of Death: Lynching in the South* (Chapel Hill: University of North Carolina Press, 1997); see also Brundage's *Lynching in the New South: Georgia and Virginia, 1880–1930* (Urbana: University of Illinois Press, 1993). For a classic study of lynching, see NAACP secretary Walter White's, *Rope and Faggot: A Biography of Judge Lynch* (Notre Dame, IN: University of Notre Dame Press, 2001; reprint of 1929 Knopf edition).
- 75 Susan Carter et al., eds., *Historical Statistics of the United States: Government and International Relations* 5 (New York: Oxford University Press, 2006): 252–255. While this figure represents the most recent scholarship available, it almost certainly underrepresents the actual number of white-on-black lynchings in the South. Figures exist for 10 of the original Confederate states (Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia). Figures for Texas are not included in this analysis. Statistics for Kentucky, a border state, are included in this figure. See also Stewart Tolnay and E. M. Beck, *A Festival of Violence: An Analysis of Southern Lynchings, 1882–1930* (Urbana: University of Illinois Press, 1995).
- 76 *Congressional Record*, House, 56th Cong., 1st sess. (20 January 1900): 1021.
- 77 *Congressional Record*, House, 56th Cong., 1st sess. (23 February 1900): 2151–2154; quotations on pages 2153, 2151.
- 78 *Congressional Record*, House, 55th Cong., 3rd sess. (26 January 1899): 1125. See also Justesen, *George Henry White*: 263.
- 79 House of Representatives, 56th Cong., 2nd sess. (20 December 1900), report no. 2130: 15. This document, which contained a section entitled “History of Apportionment,” accompanied H.R. 12740 and was generated by the Select Committee on the Twelfth Census. Later efforts to enforce that provision, following the wave of state constitutional conventions that drafted statutes to eliminate black voters, were pursued on several occasions but were feeble, halting and, ultimately, ineffective. The enforcement section was struck and never reinserted into subsequent decennial apportionment bills.
- 80 Charles W. Eagles, *Democracy Delayed: Congressional Reapportionment and Urban–Rural Conflict in the 1920s* (Athens: The University Georgia Press, 1990): especially pages 21–31.
- 81 House of Representatives, 55th Cong., 3rd sess. (3 March 1899), report no. 2354: 1–2.
- 82 *Congressional Record*, House, 56th Cong., 2nd sess. (7 January 1901): 67–75; Perman, *Struggle for Mastery*: 228–229. States with additional poll taxes and property exclusions would potentially lose even more seats.
- 83 *Congressional Record*, House, 56th Cong., 2nd sess. (8 January 1901): 737.
- 84 *Ibid.*, 748.

- 85 Perman, *Struggle for Mastery*: 238–239.
- 86 *Congressional Record*, House, 58th Cong., 2nd sess. (27 January 1904): 1276. Quotation in Perman, *Struggle for Mastery*: 240.
- 87 “A Bomb in Caucus: Republican Proposition to Southern Democrats,” 18 April 1902, *Washington Post*: 1; Perman, *Struggle for Mastery*: 239–240. Subsequent reduction legislation also failed. In 1903, Crumpacker assumed the chairmanship of the House Committee on the Census, affording him a prime perch from which to push for enforcement of the 14th Amendment. During the 59th Congress (1905–1907), Crumpacker, working with former Speaker of the House Joseph Keifer of Ohio, introduced a measure to reduce southern representation by 37 House seats. The bill never made it to the floor for a vote. See *Congressional Record*, House, 59th Cong., 1st sess. (16 March 1906): 3885–3894; “Crusade Against South as Result of Campaign for ‘Disfranchisement,’” 27 February 1906, *Atlanta Constitution*: 1; “Gen. Keifer’s New Reconstruction,” 3 March 1906, *Washington Post*: 6; “Disfranchisement and Reapportionment,” 4 March 1906, *Atlanta Constitution*: C4. In May 1908, Crumpacker managed to attach a reduction rider to a campaign contribution reform bill. The amended measure passed the House, despite condemnations from southern Members, but the campaign bill and its rider died quietly in the Senate Committee on Privileges and Elections at the end of the 60th Congress (1907–1909). See *Congressional Record*, House, 60th Cong., 1st sess. (22 May 1908): 6763–6768; “Minority Is Hard Hit: House Republicans pass the Crumpacker Bill,” 23 May 1908, *Washington Post*: 4. For Williams’s quotation, see “House Upholds Stroke at South by Crumpacker,” 23 May 1908, *Atlanta Constitution*: 1. For southern reaction, see “The Crumpacker Menace,” 24 May 1908, *Atlanta Constitution*: A4; and “Fooling With Dynamite,” 27 May 1908, *Atlanta Constitution*: 6.
- 88 *Congressional Record*, House, 55th Cong., 3rd sess. (26 January 1899): 1124.
- 89 *Congressional Record*, House, 56th Cong., 2nd sess. (29 January 1901): 1638.
- 90 Howard N. Rabinowitz provides a detailed essay chronicling the history of Reconstruction-Era scholarship; see “Introduction: The Changing Image of Black Reconstructionists,” in Howard Rabinowitz, ed., *Southern Black Leaders of the Reconstruction Era* (Urbana: University of Illinois Press, 1982): xi–xxiv.
- 91 William Archibald Dunning, *Reconstruction Political and Economic* (New York: Harper & Brothers Publishers, 1907): 213; James Ford Rhodes, *History of the United States From the Compromise of 1850*, Volume 7 (New York: MacMillan Company, 1906): 169.
- 92 John R. Lynch, “Some Historical Errors of James Ford Rhodes,” *The Journal of Negro History* 2 (October 1917): 357; W. E. B. Du Bois, *Black Reconstruction in America* (New York: Harcourt, Brace, 1935, under the title *Black Reconstruction*; reprint, New York: Free Press, 1998): 629 (citations are to the Free Press edition).
- 93 Most biographies appeared in the 1970s. See, for example, Okun Edet Uya, *From Slavery to Political Service: Robert Smalls, 1839–1915* (New York: Oxford University Press, 1971); Peggy Lamson, *The Glorious Failure: Black Congressman Robert Brown Elliott and the Reconstruction in South Carolina* (New York: Norton, 1973); Peter D. Klingman, *Josiah Walls: Florida’s Black Congressman of Reconstruction* (Gainesville: University of Florida Press, 1976); and Loren Schweninger, *James T. Rapier and Reconstruction* (Chicago: The University of Chicago Press, 1978). Recent scholars, too, have shown a renewed interest in the lives of 19th-century black Representatives. See, for example, Justesen, *George Henry White* (2001) and Marszalek, *A Black Congressman in the Age of Jim Crow* (2006).
- 94 Eric Foner, *Freedom’s Lawmakers: A Directory of Black Officeholders During Reconstruction* (New York: Oxford University Press, 1993): 538; Carol Swain, *Black Faces, Black Interests: The Representation of African Americans in Congress* (Cambridge: Harvard University Press, 1993): 29.
- 95 Stephen Middleton, ed., *Black Congressmen During Reconstruction: A Documentary Sourcebook* (Westport, CT: Praeger, 2002): xx.
- 96 See Richard Hofstadter, *Social Darwinism in American Thought* (Philadelphia: University of Pennsylvania Press, 1944 under the title *Social Darwinism in American Thought, 1860–1915*; reprint, Boston: Beacon Press, 1992).
- 97 *Congressional Record*, House, 56th Cong., 2nd sess. (7 January 1901): 74. For Crumpacker’s motivations, see Perman, *Struggle for Mastery*: 229.
- 98 Michael J. Klarman, “Court, Congress, and Civil Rights,” in *Congress and the Constitution*, Neal Devins and Keith E. Whittington, eds. (Durham, NC: Duke University Press, 2005): 175.

- 99 Richard B. Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896–1933* (Charlottesville: University Press of Virginia, 1973): 19.
- 100 Gloria J. Browne-Marshall, *Race, Law, and American Society, 1607 to Present* (New York: Routledge, 2007): 115–136, especially pages 118–122.
- 101 *Plessy v. Ferguson* 163 U.S. 537 (1896); *Williams v. Mississippi* 170 U.S. 213 (1898); *Giles v. Harris* 189 U.S. 475 (1903).
- 102 For more on *Plessy v. Ferguson*, see Charles A. Lofgren, *The Plessy Case: A Legal Historical Interpretation* (New York: Oxford University Press, 1987).
- 103 The cases are discussed in detail in Kermit L. Hall, ed., *The Oxford Companion to The Supreme Court of the United States* (New York: Oxford University Press, 1992).
- 104 The rich literature on the Progressive movement includes Arthur S. Link and Richard L. McCormick, *Progressivism* (Arlington Heights, IL: Harlan Davidson, Inc., 1983); Wiebe, *The Search for Order, 1877–1920*; and Hays, *The Response to Industrialism, 1885–1914*. For a survey of the era, see John Milton Cooper, *Pivotal Decades: The United States, 1900–1920* (New York: W. W. Norton, 1990).
- 105 Kousser, *The Shaping of Southern Politics*: 260–261. In the South, Progressivism provided an intellectual lynchpin for efforts to eradicate party competition and to exclude blacks from political participation. Kousser writes, “Suffrage restriction was entirely consonant with the Progressive urge to rationalize the economic and political system, to substitute public for private agreements, to enact reforms which disarmed radical critics while actually strengthening the status quo. . . . How much more rationalized was the South after 1900! Virtually every elected officeholder was a white Democrat. . . . Where the Redeemers had had to count out opponents during and after elections, Progressives stopped them from running at all by disfranchising their potential followers.”
- 106 Wiebe, *The Search for Order, 1877–1920*: 156.
- 107 For more on social Darwinism, see Stephen Jay Gould, *The Mismeasure of Man*, revised and expanded edition (New York: Norton, 1996); Allan Chase, *The Legacy of Malthus: The Social Costs of the New Scientific Racism* (Urbana: University of Illinois Press, 1980); Hofstadter, *Social Darwinism in American Thought*.
- 108 *Congressional Record*, House, 55th Cong., 2nd sess. (26 January 1899): 1125.
- 109 For an exhaustive study on segregation in the federal government, see Desmond King, *Separate and Unequal: Black Americans and the US Federal Government* (New York: Oxford, 1995): especially pages 9, 20–27.
- 110 See, for example, H.R. 5968 (63rd Congress, 1913–1915), H.R. 7540 (64th Congress, 1915–1917), H.R. 3573 (65th Congress, 1917–1919); King, *Separate and Unequal*: 218, appendix A1.3.
- 111 From 1914 and lasting until 1940, persons seeking civil service jobs were required to submit a photograph with their application—a *de facto* method of discrimination based on race and color. Successful African-American job seekers were assigned to a disproportionate number of menial positions (custodial, clerical, and laborer jobs) and very few supervisory positions. See King, *Separate and Unequal*: 4, 29, 48. As a result, the percentage of African-American civil servants declined from 6 to 4.9 percent of the federal workforce during the Wilson administration, though that figure was somewhat misleading because the actual total increased due to the growth of the federal government during the war production effort. Kendrick A. Clements, *The Presidency of Woodrow Wilson* (Lawrence: University Press of Kansas, 1992): 45–46, 60–61. See also Joel Williamson *The Crucible of Race: Black-White Relations in the American South Since Emancipation* (New York: Oxford University Press, 1984). For percentages of African Americans in the federal workforce, see King, *Separate and Unequal*: 49. Even after Wilson left office, however, discrimination in the federal government remained pervasive. King, *Separate and Unequal*: 16, 20, 222, 229 (appendices A2.2 and A3.2).
- 112 King, *Separate and Unequal*: 26–27.
- 113 For a history of the NAACP, see Gilbert Jonas, *Freedom’s Sword: The NAACP and the Struggle Against Racism in America, 1909–1969* (New York: Routledge, 2005).
- 114 See Adam P. Plant, “Selective Service Act of 1917,” in Brian K. Landsberg, ed., *Major Acts of Congress*, Volume 3 (New York: Macmillan Reference/Thompson Gale, 2004): 178–181; see also Robert W. Mullen, *Blacks in America’s War: The Shift in Attitudes From the Revolutionary War to Vietnam* (New York: Monad Press, 1973).

- 115 Franklin and Moss, *From Slavery to Freedom*: 361–362.
- 116 Ibid., 366–374. Among these, the 15th New York Regiment of the 369th U.S. Infantry stood out. It was the first Allied unit to reach the German border on the Rhine River, and never yielded a trench or lost a member to capture. The French awarded the entire regiment the *Croix de Guerre*.
- 117 For more on black migrations in the post-Reconstruction period and the 20th century, see Nicholas Lemann's *The Promised Land: The Great Black Migration and How It Changed America* (New York: Knopf, 1991); Nell Irvin Painter, *Exodusters: Black Migrants to Kansas After Reconstruction* (Lawrence: University Press of Kansas, 1986); Douglas Flammig, *Bound for Freedom: Black Los Angeles in Jim Crow America* (Berkeley: University of California Press, 2005). For a concise essay on the historical literature on this topic, see Joe William Trotter, "Great Migration: An Interpretation," in *Africana* 3, Kwame Appiah and Henry Louis Gates, Jr., eds. (New York: Oxford University Press, 2005): 53–60.
- 118 See the chart on regional black population shifts at the end of this essay. Migration was a long and vexing question in the South and among African-American communities generally. In 1822, the American Colonization Society (ACS) acquired a small tract of land in the British colony of Sierra Leone in sub-Saharan Africa and named it "Liberia"—a settlement of people "made free." Approximately 15,000 free blacks from the United States migrated to Liberia over the next 20 years. Though the ACS initially received support from several prominent politicians, vocal objectors and an economic depression in Liberia killed the project by the 1830s. After Reconstruction, the issue of African migration was rekindled; however, many leading blacks, among them John Langston, opposed foreign emigration. "Abuse us as you will, gentlemen," Langston told Democrats. "There is no way to get rid of us. This is our native country." *Congressional Record*, House, 51st Cong., 2nd sess. (16 January 1891): 1480–1482; see also William Cohen, *At Freedom's Edge: Black Mobility and the Southern White Quest for Racial Control, 1861–1915* (Baton Rouge: Louisiana State University Press, 1991).
- 119 "Sees No Hope in South," 26 August 1900, *Chicago Daily Tribune*: 7; "Southern Negro's Complaint," 26 August 1900, *New York Times*: 8. White lived in Washington and Philadelphia for the rest of his life. He was among eight black Congressmen in the 19th century who left the South after their service in Washington.
- 120 See Hahn's discussion in *A Nation Under Our Feet*: 465–476; quotations on pages 465, 466.
- 121 Edmund David Cronon, *Black Moses: The Story of Marcus Garvey and the Universal Negro Improvement Association* (Madison: University of Wisconsin Press, 1955): especially pages 204–207, 212–220.
- 122 Hahn, *A Nation Under Our Feet*: 470–473.
- 123 Carter et al., *Historical Statistics of the United States: Government and International Relations* 5: 252–255.
- 124 William B. Hixson, Jr., "Moorefield Storey and the Defense of the Dyer Anti-Lynching Bill," *New England Quarterly* 42 (March 1969): 65–81; Robert L. Zangrando, *The NAACP Crusade Against Lynching, 1909–1950* (Philadelphia: Temple University Press, 1980): 18–19, 80–83, 214.
- 125 The standard biography on Johnson is Robert Fleming, *James Weldon Johnson* (New York: Twayne Publishers, 1987).
- 126 For more on Johnson and his role in lobbying for the Dyer Bill, see his memoir, *Along This Way* (New York: DaCapo Press, 2000; reprint of 1933 Viking Press edition): especially pages, 361–373; quotation on page 363.
- 127 *Congressional Directory*, 65th Congress; *Biographical Directory of the United States Congress, 1774–Present*, available at <http://bioguide.congress.gov>.
- 128 Zangrando, *The NAACP Crusade Against Lynching, 1909–1950*: 42–43.
- 129 Ibid., 36–37.
- 130 *Congressional Record*, House, 65th Cong., 1st sess. (9 July 1917): 4879; *Congressional Record*, House, 65th Cong., 1st sess. (6 July 1918): 8827. See also Zangrando, *The NAACP Crusade Against Lynching*: 43. The East St. Louis tragedy epitomized wartime racial violence in cities—spurred in large measure by the growing influx of southern blacks and immigrant whites and increased competition for industrial employment and housing. Over the next two years, riots occurred in Houston, Texas; Chester, Pennsylvania; Washington, DC; Knoxville, Tennessee; Omaha, Nebraska; and Chicago, Illinois. The summer of 1919, known widely as the "Red

Summer,” was particularly violent—with 26 race riots reported nationwide resulting in hundreds of deaths. For a representative account of a particularly violent episode in 1919, see William M. Tuttle, Jr., *Race Riot: Chicago in the Red Summer of 1919* (New York: Atheneum, 1980).

- 131 *Congressional Record*, House, 65th Cong., 2nd sess. (7 May 1918): 6177.
- 132 *Congressional Record*, House, 65th Cong., 2nd sess. (7 May 1918): 6177–6178.
- 133 Zangrando, *The NAACP Crusade Against Lynching, 1909–1950*: 54–55, 61–62; Johnson, *Along This Way*: 362–364.
- 134 Zangrando, *The NAACP Crusade Against Lynching, 1909–1950*: 61–62.
- 135 For the entire debate, see the *Congressional Record*, House, 67th Cong., 2nd sess. (26 January 1922): 1773–1796.
- 136 Zangrando, *The NAACP Crusade Against Lynching, 1909–1950*: 63. Members were rounded up for a quorum on three dates: December 19 and December 20, 1921, and January 25, 1922. *Congressional Record*, House, 67th Cong., 2nd sess. (25 January 1922): 1697–1698; *Congressional Record*, House, 67th Cong., 2nd sess. (19 December 1921): 541–562.
- 137 *Congressional Record*, House, 67th Cong., 2nd sess. (4 January 1922): 797, 799; *Congressional Record*, House, 67th Cong., 2nd sess. (26 January 1922): 1775. For Sumners’s complete speech on January 26, see pages 1774–1786. Sumners’s defense rested principally on the suppositions that such an intrusion of federal power on states’ rights was unconstitutional, that it placed state officers under federal control and, moreover, that proposed fines levied against local municipalities and individuals were excessively punitive. During the climax of the debate, Sumners taunted Dyer directly by using the analogy of the accused in a jailhouse besieged by the mob at the front door: “Today the Constitution of the United States stands at the door, guarding the governmental integrity of the States, the plan and the philosophy of our system of government, and the gentleman from Missouri, rope in hand, is appealing to you to help him lynch the Constitution.” *Congressional Record*, House, 67th Cong., 2nd sess. (26 January 1922): 1774.
- 138 Johnson, *Along This Way*: 366; *Congressional Record*, House, 67th Cong., 2nd sess. (26 January 1922): 1784.
- 139 *Congressional Record*, House, 67th Cong., 2nd sess. (26 January 1922): 1795–1796.
- 140 Bankhead was the only one of these Members to deliver a lengthy floor speech. In his conclusion, he declared, “If it is a monstrosity evil thing, as it is, to lynch a citizen, I answer that it is equally as felonious and culpable for a lawmaker knowingly to assassinate the Constitution.” *Congressional Record*, House, 67th Cong., 2nd sess. (26 January 1922): 1792.
- 141 Zangrando, *The NAACP Crusade Against Lynching, 1909–1950*: 66.
- 142 *Ibid.*, 66–67; *Congressional Record*, House, 67th Cong., 2nd sess. (21 September 1922): 13075–13079, 13082–13086.
- 143 Zangrando, *The NAACP Crusade Against Lynching, 1909–1950*: 69.
- 144 Perman, *Struggle for Mastery*: 240.
- 145 With the exception of requiring a minimum of one Representative per state and no more than one Representative per 30,000 people, the Founders were vague as to how large future Congresses should be. This problem vexed Congress throughout history. For 120 years Congress used several methods to calculate the distribution of House seats. Sometimes in combination and sometimes by ignoring the inconvenient calculations of one system and embracing those of another, the House successfully reapportioned itself through the first 12 censuses—usually within a timely fashion and in a manner that expanded, or at least preserved, the representation of most states. Problems arose in the late 19th century when, according to one formula, which distributed some House seats based on fractions, smaller rural states began to lose representation to larger states as membership was increased. See Eagles, *Democracy Delayed*: 29; Office of the Clerk, “Congressional Apportionment,” available at http://clerk.house.gov/art_history/house_history/congApp.html.
- 146 In the 1920s, for the first (and only) time in its history, the House failed to reapportion itself based on the most recent census figures. For nine years the House haltingly debated the method for reapportioning itself, and the membership remained at the level set after the 1910 Census: 435 seats. In addition to disputing the proper statistical procedure for determining apportionment, Members contended with a number of thorny issues: Would the House become less efficient as it grew larger? How could the chamber physically hold the continually expanded memberships (required to ensure that no states lost representation)? Should African Americans and aliens be

counted in the population counts, even though most could not vote? For the single best study of the fight over congressional reapportionment and the decision to cap the House Membership at 435 Representatives, see Eagles, *Democracy Delayed*.

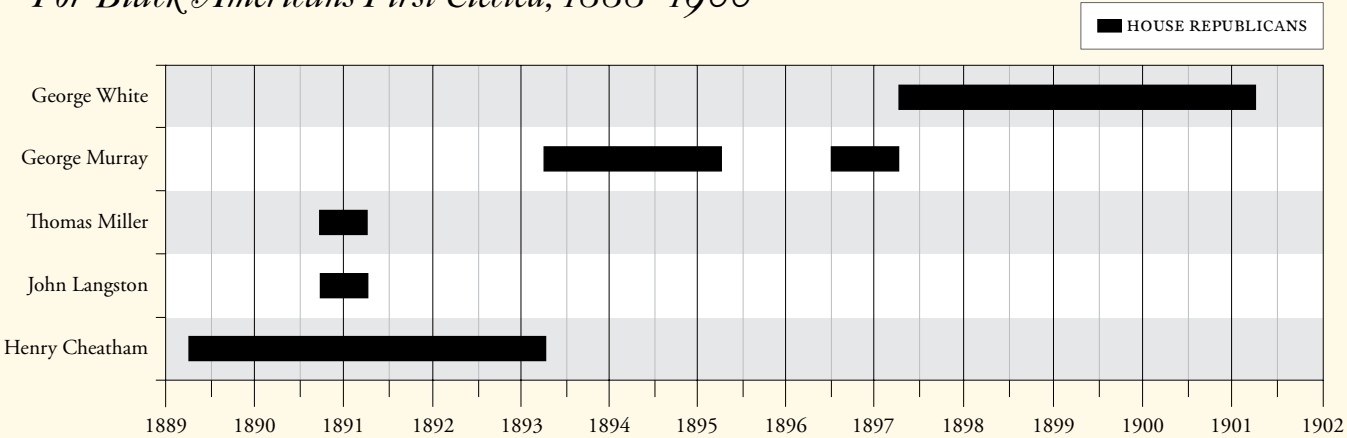
- 147 "Former Rep. Tinkham Dies, 86; Fired First U.S. Shot at Austria," 29 August 1956, *Washington Post*: 16; "George Tinkham, Legislator, Dead," 29 August 1956, *New York Times*: 28.
- 148 Richard H. Gentile, "Tinkham, George Holden," *ANB* 21: 696.
- 149 *Congressional Record*, House, 67th Cong., 1st sess. (6 May 1921): 1124–1126; the entire debate is on pages 1124–1131. For a brief account, see Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896–1933*: 170–171.
- 150 *Congressional Record*, House, 67th Cong., 1st sess. (6 May 1921): 1127.
- 151 *Congressional Record*, House, 67th Cong., 1st sess. (6 May 1921): 1130–1131; Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896–1933*: 171.
- 152 *Congressional Record*, House, 67th Cong., 1st sess. (14 October 1921): 6311–6312. See Eagles, *Democracy Delayed*: 47; Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896–1933*: 171.
- 153 *Congressional Record*, House, 67th Cong., 1st sess. (14 October 1921): 6312.
- 154 *Ibid.*; Eagles, *Democracy Delayed*: 47. For more information on Goodykoontz, see the *Biographical Directory of the United States Congress, 1774–Present*, available at <http://bioguide.congress.gov/scripts/biodisplay.pl?index=G000308>. For a specific case study of election fraud and the call for reduction in Florida, see Paul Ortiz, *Emancipation Betrayed* (Berkeley: University of California Press, 2005): especially, 224–228.
- 155 For more on Rankin, see Walter Goodman, *The Committee: The Extraordinary Career of the House Committee on Un-American Activities* (New York: Farrar, Straus and Giroux, 1968). Also useful are his obituaries: "John Rankin Dies; Ex-Legislator, 78," 27 November 1960, *New York Times*: 86; "Rep. John Rankin, 78; Lost House Seat in '52," 28 November 1960, *Washington Post*: B3.
- 156 *Congressional Record*, House, 67th Cong., 1st sess. (14 October 1921): 6315–6316; Eagles, *Democracy Delayed*: 47–48.
- 157 *Congressional Record*, House, 67th Cong., 1st sess. (14 October 1921): 6316.
- 158 In late 1922, Representative Tinkham wrote President Warren G. Harding an open letter urging him to support such an investigation. He ventured as far as to warn President Harding that "the very tenure of the office you hold and the representation of the lower House of Congress is tainted with unconstitutionality." See "Negro Right to Vote Is Urged on Harding," 4 December 1922, *New York Times*: 2.
- 159 Eagles, *Democracy Delayed*: 51–53.
- 160 In early December 1927, Tinkham reintroduced an (ultimately unsuccessful) amendment to create a special House panel to investigate disfranchisement by linking it to the larger issue of equitable distribution of House seats between urban and rural constituencies. See "Will Urge Congress to Investigate South," 5 December 1927, *New York Times*: 3. In 1929, amid the deal-cutting for a key combined census and apportionment measure that permanently set the House Membership at 435, Tinkham secured enough votes to pass two amendments to a comprehensive reapportionment bill that had passed the Senate; however, Speaker Nicholas Longworth of Ohio intervened in conjunction with Majority Leader John Q. Tilson of Connecticut to kill the Tinkham provisions. House leaders feared an open debate on the issue would undo the delicate coalition of support for the overall reapportionment package. See *Congressional Record*, House, 71st Cong., 1st sess. (3 June 1929): 2348. For more on his efforts during debate on the general bill, see pages 2238–2243, 2271–2275, 2361–2364, and 2448–2449. See also Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896–1933*: 221–222; Eagles, *Democracy Delayed*: 79–80.
- 161 Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896–1933*: 222–223.
- 162 For more on Vardaman, see William F. Holmes, *The White Chief: James K. Vardaman* (Baton Rouge: Louisiana State University Press, 1970) and *James Kimble Vardaman: Southern Commoner* (Jackson, MS: Hederman Brothers, 1981). See also "Vardaman, James Kimble," *Biographical Directory of the United States Congress, 1774–Present*, available at <http://bioguide.congress.gov/scripts/biodisplay.pl?index=V000070>.

- 163 Kousser, *The Shaping of Southern Politics*: 170.
- 164 Ibid., 232–236, quotations on page 237.
- 165 V. O. Key, *Southern Politics in State and Nation* (Knoxville: University of Tennessee Press, 1984; reprint of 1949 Knopf edition): 665.
- 166 For House Members' perceptions of committee rankings based on desirability, see Stewart, "Committee Hierarchies in the Modernizing House, 1875–1947."
- 167 Fauntroy, *Republicans and the Black Vote*: 41, 42–55. See also Nancy Weiss's treatment in *Farewell to the Party of Lincoln: Black Politics in the Age of FDR* (Princeton, NJ: Princeton University Press, 1983): 209–235.
- 168 Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896–1933*: 256.
A significant break between the black elite and the Republican Party occurred in the aftermath of the August 1906 Brownsville affair. A garrison of African-American soldiers stationed near Brownsville, Texas, were accused (on the basis of scant evidence) of several shootings in the town. Three companies of black troops (167 enlisted men) were discharged without honor by recommendation of the U.S. Army command. President Theodore Roosevelt swiftly approved the findings. When Republican Senator Joseph B. Foraker of Ohio (a would-be contender for the 1908 party's presidential nomination) rose to defend the accused and criticized the White House, Roosevelt bristled and refused to reconsider the case. Aside from the injustice to the dishonorably discharged troops, the most lasting legacy was the alienation of a number of young black leaders, including Mary Church Terrell and Archibald Grimke.
- 169 Lewis L. Gould, *Grand Old Party: A History of the Republicans* (New York: Random House, 2003): 224–225.
- 170 *Annual Report of the NAACP* (1926): 32; cited in Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896–1933*: 224.
- 171 For more on Hoover and African Americans, see Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896–1933*: 224–259.
- 172 For an insightful analysis of Hoover's southern strategy, see Donald J. Lisio, *Hoover, Blacks & Lily-Whites: A Study of Southern Strategies* (Chapel Hill: University of North Carolina Press, 1985).
- 173 Sherman, *The Republican Party and Black America from McKinley to Hoover, 1896–1933*: 232.
- 174 Ibid., 258.
- 175 Manning Marable, *Race, Reform, and Rebellion* (Jackson: University of Mississippi Press, 1984): 10; Klarman, "Court, Congress, and Civil Rights," especially pages 177–180.



“THIS, MR. CHAIRMAN,
IS PERHAPS THE NEGROES’
TEMPORARY FAREWELL TO THE
AMERICAN CONGRESS,” SAID
GEORGE WHITE OF NORTH
CAROLINA IN HIS FINAL HOUSE
FLOOR SPEECH. “BUT LET ME SAY,
PHOENIX-LIKE HE WILL RISE UP
SOMEDAY AND COME AGAIN.”

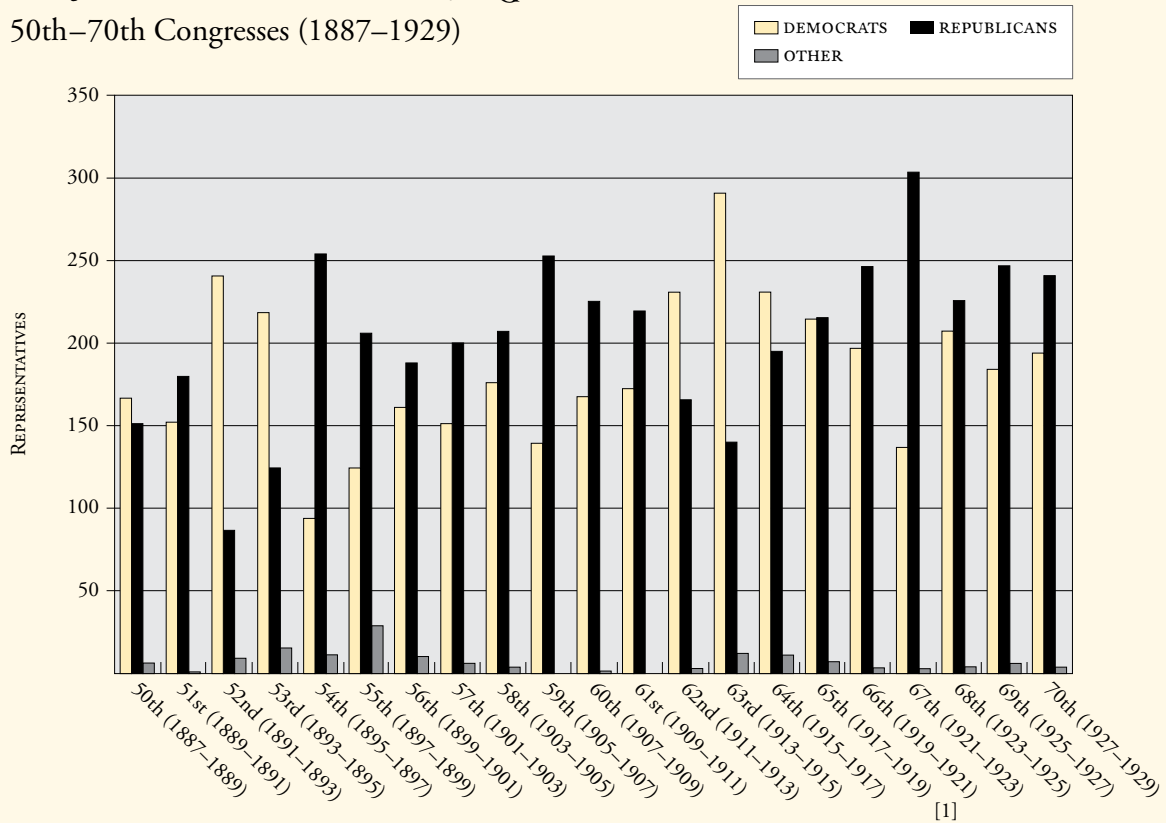
*Congressional Service
For Black Americans First Elected, 1888–1900*



Source: *Biographical Directory of the United States Congress, 1774–2005* (Washington, DC: Government Printing Office, 2005); also available at <http://bioguide.congress.gov>.

Party Divisions in the House of Representatives

50th–70th Congresses (1887–1929)

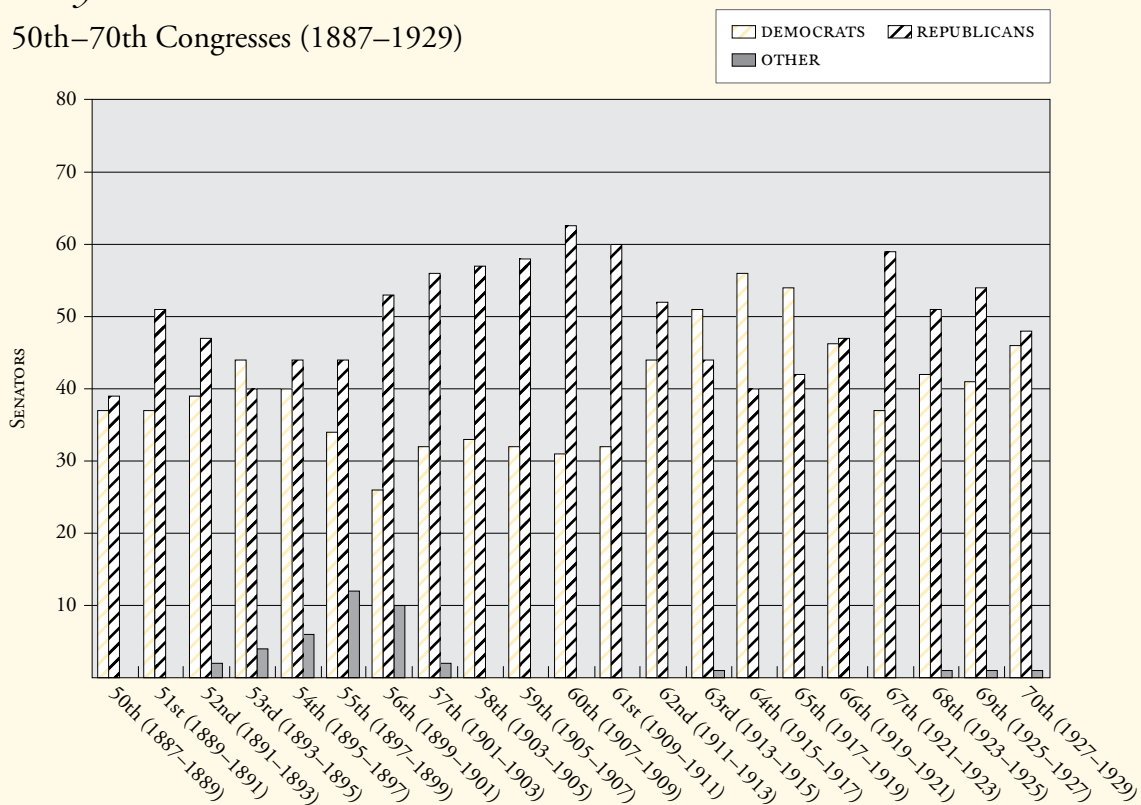


[1] The portion of the chart indicating party divisions in the 65th Congress (1917–1919) reflects the Election Day results: 215 Republicans; 214 Democrats; 3 Progressives; 1 Independent Republican; 1 Prohibitionist; 1 Socialist. Democrats, with the help of third-party Members, organized the House and elected James Beauchamp (Champ) Clark of Missouri as Speaker.

Source: Office of the Clerk, U.S. House of Representatives.

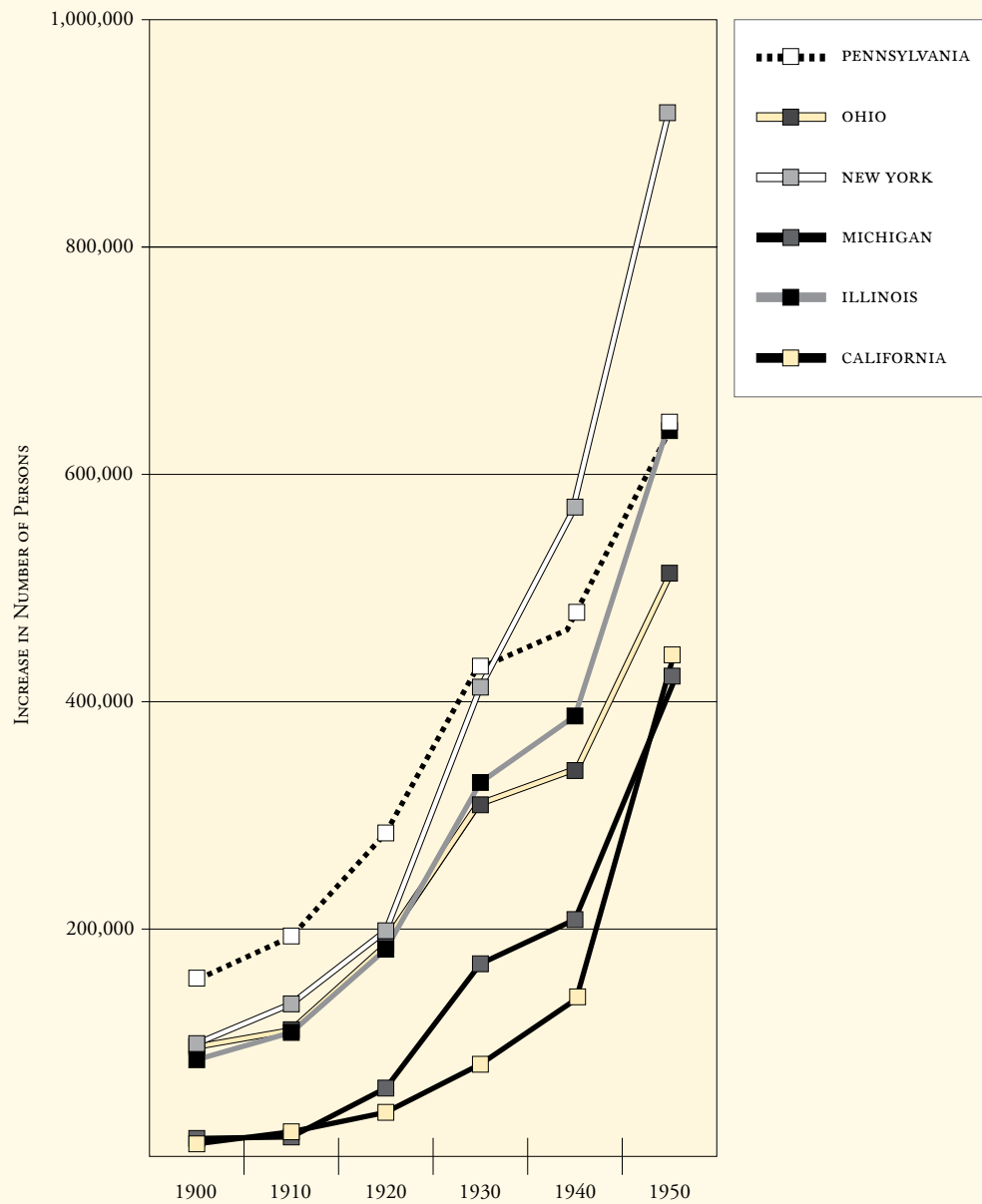
Party Divisions in the Senate

50th–70th Congresses (1887–1929)



Source: U.S. Senate Historical Office.

Black Population Gains in Selected Northern States, 1900–1950



Source: U.S. Census Bureau.