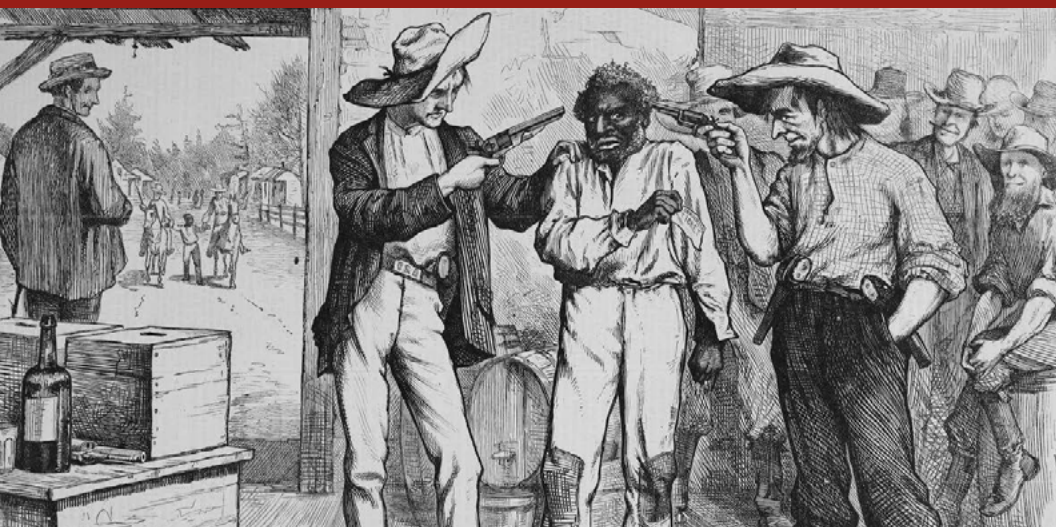


THE TRUTH ABOUT JIM CROW



The American
Civil
Rights
Union

Introduction

The Jim Crow era ended nearly 50 years ago with the passage of the 1965 Voting Rights Act, which restored African-Americans to full citizenship in the United States after a century of legalized oppression. As the era fades deeper and deeper into the past, Americans are rapidly forgetting the historical realities of Jim Crow. Most of us weren't even born when Jim Crow mercifully came to an end. Therefore, most of us never personally experienced one of the ugliest and most shameful chapters in American history.

Jim Crow was an era in which whites, mostly but not always in the South, used methods sometimes legal, sometimes illegal, often deadly, but always immoral, to maintain political and cultural domination over blacks. Blacks were reduced to second-class citizenship. They were denied the right to vote, kept separate from whites in most phases of life, and in general, treated as if they were subhuman, in an effort to justify white supremacy and keep the black population under tight control.

This brief paper is not intended to be an exhaustive academic treatise about the Jim Crow era. Instead, its purpose is to reacquaint readers with the most important aspects of Jim Crow, by addressing the Jim Crow era's white supremacist culture, how white supremacy was enforced, and the politics of the era. The public should come away understanding the three most important facts about Jim Crow: Jim Crow was Dehumanizing; Jim Crow was Deadly; and Jim Crow was Democratic.

I. Jim Crow was Dehumanizing: The Culture of Jim Crow

Jim Crow was an entire way of life dedicated to asserting and maintaining the superiority of whites over blacks. The Jim Crow system dominated the southern and border states, though Jim Crow laws and attitudes could be found in the Northeast, the Midwest and the West as well. In the South, blacks were systematically oppressed and deprived of their constitutional rights, and strict segregation of the races was aggressively enforced. Social institutions were structured to reinforce the organizing principle of the culture: that blacks were inherently inferior to whites, in effect subhuman. In consequence, blacks and whites were never supposed to relate to one another as equals. The principle of black inferiority pervaded every aspect of life, from status before the law to the voting franchise, from education to access to public accommodations to entertainment and even to social etiquette.

Jim Crow's Historical Setting

For all practical purposes, the Civil War ended with Confederate commander Robert E. Lee's surrender on April 9, 1865. Slavery ended in practice on June 19, 1865, when the Union Army reached Galveston and ordered the freeing of the 200,000 slaves in Texas. As the postwar Reconstruction period (1865–1877) began, Federal forces occupied the South. Blacks began to organize politically and campaign for equal legal and political status as early as 1865, forming equal rights movements throughout the South. The 13th Amendment to the Constitution ratified on December 18, 1865, banished slavery in the United States.

Following Republican Abraham Lincoln's assassination, however, his successor, Democratic President Andrew Johnson, allowed Southern states to implement "black codes," which restricted and controlled the newly freed slaves. The political tide turned with Republican victory in the 1866 Congressional elections. The Republicans fought to elevate the newly emancipated black slaves to full citizenship, successfully engineering two more constitutional amendments. The 14th Amendment, ratified on July 28, 1868, extended equal protection of the laws to former slaves, and the 15th Amendment, ratified on March 30, 1870, guaranteed that all blacks, including former slaves, had the right to vote.

The cumulative effect of these constitutional amendments was to make former slaves fully equal American citizens in the eyes of the law. Because most Southern states had substantial black populations, black candidates began to win state and local elections. The first black man to be seated in the House of Representatives, Joseph Rainey of South Carolina, was elected in 1870. In the same year, Hiram Rhodes Revel of Mississippi became the first black U. S. Senator. "In all, 16 African Americans served in the U.S. Congress during Reconstruction; more than 600 more were elected to the state legislatures, and hundreds more held local offices across the South."¹ Everyone was a Republican.



Blacks elected to the U.S. Congress in 1870 and 1872. Hiram Rhodes Revel is on the far left, and Joseph Rainey is second from the right.

Backlash: the Beginning of Jim Crow

Growing black political power was viewed with hostility by whites, who had ruled the roost until 1865. But even more threatening was the growth of black social status. As blacks began to interact more frequently and more equally with whites, many whites feared that interracial marriages could become commonplace, and “would produce a mongrel race which would destroy America.”² The stereotype that black males were sexually uncontrollable and predatory was ubiquitous, such that many white women feared being raped. To avoid these perceived dangers, many whites felt social contacts between the races had to be kept to an absolute minimum, and white political dominance had to be reestablished.

The Reconstruction era ended with the Compromise of 1877, which resolved the disputed 1876 presidential election. Democrats controlled the House of Representatives, which gave them the power to prevent the inauguration of the new president. The Democrats agreed to allow Republican Rutherford B. Hayes to enter the White House in return for the withdrawal of the Federal troops still occupying the South. The troops were the principal guardians of the safety of the Republican governments in Southern states, and when they departed, many white Republicans left the South as well.

The South was left in the hands of the Democratic Party, which considered itself the “party of the white man.”³ Democrats established so-called “redeemer governments” throughout the region, and began to reassert white supremacy by passing laws that infringed upon the rights of blacks and enforced strict segregation.

Black legal and political rights quickly deteriorated. “[A]fter 1877, most lost the right to vote or to hold government positions.”⁴ The 1875 Civil Rights Act, which banned discrimination based on race, was overturned by the U.S. Supreme Court in 1883.

In 1890, the Louisiana General Assembly passed a law requiring segregated railroad cars. In 1896, this legalized segregation was upheld by the U.S. Supreme Court in the *Plessy v. Ferguson* case. In its infamous *Plessy* decision, the Court established the principle that public accommodations could be “separate but equal.” In 1898, the Supreme Court went further in its *Williams v. Mississippi* decision, upholding a Mississippi law intended to prevent blacks from voting.

Once discriminatory laws were approved in principle by the Supreme Court, such laws spread quickly throughout the South. According to the Civil Rights Foundation, “Given the green light, Southern states began to limit the voting right to those who owned property or could read well,

to those whose grandfathers had been able to vote, to those with ‘good characters,’ to those who paid poll taxes. In 1896, Louisiana had 130,334 registered black voters. Eight years later, only 1,342, one percent, could pass the state’s new rules.⁵

Segregation

Racial segregation was the very heart of Jim Crow, and the Jim Crow era was marked by the adoption of explicitly racist laws intended to keep blacks and whites away from each other everywhere from ballparks to graveyards. Black access to public accommodations like restaurants, buses and trains was restricted, and blacks were forced into separate (and inferior) schools. Laws decreed segregation in areas ranging from the profound to the petty, as the following list illustrates⁶:

Amateur Baseball: “It shall be unlawful for any amateur white baseball team to play baseball on any vacant lot or baseball diamond within two blocks of a playground devoted to the Negro race, and it shall be unlawful for any amateur colored baseball team to play baseball in any vacant lot or baseball diamond within two blocks of any playground devoted to the white race.” (Georgia law)

Barbering: “No colored person shall serve as a barber [to] white women or girls.” (Georgia law)

Beer and Wine Sales: “All persons licensed to conduct the business of selling beer or wine...shall serve either white people exclusively or colored people exclusively and shall not sell to two races within the same room at any time.” (Georgia law)

Burial: “The officer in charge shall not bury, or allow to be buried, any colored persons upon ground set apart or used for the burial of white persons.” (Georgia law)

Buses: “All passenger stations in this state operated by any motor transportation company shall have separate waiting rooms or space and separate ticket windows for the white and colored races.” (Alabama law)

Hospitalization: “The Board of Control shall see that proper and distinct apartments are arranged for said patients [in a mental hospital], so that in no cases shall Negroes and white persons be together.” (Georgia law)

Libraries: “The state librarian is directed to fit up and maintain a separate place for the use of the colored people who may come to

the library for the purpose of reading books or periodicals.” (North Carolina law)

Marriage: “All marriages between a white person and a negro, or between a white person and a person of negro descent to the fourth generation inclusive, are hereby forever prohibited.” (Florida law)

Marriage: “All marriages of white persons with Negroes, Mulattos, Mongolians, or Malaya hereafter contracted in the State of Wyoming are and shall be illegal and void.” (Wyoming law)

Nursing: “No person or corporation shall require any White female nurse to nurse in wards or rooms in hospitals, either public or private, in which negro men are placed.” (Alabama law)

Prison: “The warden shall see that the white convicts shall have separate apartments for both eating and sleeping from the negro convicts.” (Mississippi law)

Restaurants: “It shall be unlawful to conduct a restaurant or other place for the serving of food in the city, at which white and colored people are served in the same room, unless such white and colored persons are effectually separated by a solid partition extending from the floor upward to a distance of seven feet or higher, and unless a separate entrance from the street is provided for each compartment.” (Alabama law)

Schools: “Separate rooms [shall] be provided for the teaching of pupils of African descent, and [when] said rooms are provided, such pupils may not be admitted to the school rooms occupied and used by pupils of Caucasian or other descent.” (New Mexico law)

Schools: “[The County Board of Education] shall provide schools of two kinds; those for white children and those for colored children.” (Texas law)

Teaching: “Any instructor who shall teach in any school, college or institution where members of the white and colored races are received and enrolled as pupils for instruction shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined...” (Oklahoma law)

Toilets: “Every employer of white or negro males shall provide for such white or negro males reasonably accessible and separate toilet facilities.” (Alabama law)

Voter Denial

Keeping blacks out of the polling booth was essential for maintaining white political dominance. Blacks were denied the franchise in many ways. Dr. Russell Booker of America's Black Holocaust Museum has identified eight methods used to deny blacks the right to vote⁷:

All-white primary elections: In the United States, there are usually two rounds of elections: first the primary, then the general. In the primary, Republicans run against Republicans and Democrats run against Democrats. In the general election, the winner of the Republican primary runs against the winner of the Democratic primary. The Republican or Democrat who gets the most votes is elected.

In the South from about 1900 to about 1960, the Democratic candidates usually won. (See the exhibit Political Parties in Black and White to learn the reason for this.) Republicans were almost never elected, especially in the Deep South. *This means that the Democratic primary election was usually the only election that mattered.*

African Americans were not allowed to vote in the Democratic primary elections. White Democrats said the Democratic Party was a "club" and did not allow black members. So blacks could not vote in the only elections that mattered.

Former prisoners: People who had gone to prison were often not allowed to vote. Blacks were very often arrested on trumped-up charges or for minor offenses. Sometimes, white owners of mines, farms, and factories simply needed cheap labor, and prisons provided it. This law kept many more blacks from voting than whites.

Grandfather clause: People who could not read and owned no property were allowed to vote if their fathers or grandfathers had voted before 1867. Of course, practically no blacks could vote before 1867, so the grandfather clause worked only for whites.

Literacy tests: Today almost all adults can read. One hundred years ago, however, many people – black and white – were illiterate. Most illiterate people were not allowed to vote. A few were allowed if they could understand what was read to them. White officials usually claimed that whites could understand what was read. They said blacks could not understand it, even if they could.

Poll taxes: In Southern states, people had to pay a tax to vote. The taxes were about \$25 to \$50 dollars in today's money. Many people had extremely low incomes and could not afford this tax. This poll tax applied to all people who wanted to vote – black and white. There were ways for whites to get around other laws, but not around the poll tax. Many poor whites could not vote because of the poll tax. (Others contend that grandfather clauses did, in some states, enable whites whose fathers or grandfathers had voted before 1865 to be excused from paying the poll tax.⁸)

Property tests: In the South one hundred years ago, many states allowed only property owners to vote. Many blacks and whites had no property and could not vote.

Purges: From time to time, white officials purged the voting rolls. That means they took people's names off the official lists of voters. Some voters would arrive at the polls and find that they were not registered to vote. Often they could not register to vote again until after the election. Purges more often affected blacks than whites.

Violence: Blacks who tried to vote were threatened, beaten, and killed. Their families were also harmed. Sometimes their homes were burned down. Often, they lost their jobs or were thrown off their farms. Whites used violence to intimidate blacks and prevent them from even thinking about voting. Still, some blacks passed the requirements to vote and took the risk. Some whites used violence to punish those “uppity” people and show other blacks what would happen to them if they voted.

According to the Veterans of the Civil Rights Movement, literacy tests often went far beyond simple tests of literacy⁹:

Prior to passage of the federal Voting Rights Act in 1965, Southern (and some Western) states maintained elaborate voter registration procedures whose primary purpose was to deny the vote to nonwhites. This process was often referred to as a “literacy test.” [Editor's note: in fact, many states, even states in the Northeast, had literacy tests.¹⁰] But in fact, it was much more than just a reading test, it was an entire complex system devoted to denying African-Americans (and in some regions, Latinos and Native Americans) the right to vote.

Veterans of the Civil Rights Movement went on to describe voter registration in Alabama¹¹:

In Alabama, a typical registration process for an African-American citizen went something like this:

In the rural counties where most folks lived, you had to go down to the courthouse to register. The Registrar's Office was only open every other Monday for a couple of hours, usually in the morning or afternoon. You had to take off work — with or without your employer's permission — to register. And if a white employer gave such permission, or failed to fire a Black who tried to vote, he could be driven out of business by economic retaliation from the Citizens Council.

On the occasional registration day, the county Sheriff and his deputies made it their business to hang around the courthouse to discourage “undesirables” from trying to register. This meant that Black women and men had to run a gauntlet of intimidation, insults, threats, and sometimes arrest on phony charges, just to get to the Registration Office. Once in the Registrar's Office they faced hatred, harassment, and humiliation from clerks and officials.

The Alabama Application Form and oaths you had to take were **four pages long**. It was designed to intimidate and threaten. You had to swear that your answers to every single question were true under penalty of perjury. And you knew that the information you entered on the form would be passed on to the Citizens Council and KKK.

Jim Crow's Social Etiquette

Discrimination under Jim Crow extended beyond legal status to social interactions. A complex set of rules governed the ways that blacks and whites spoke to each other, touched each other, ate with each other, even drove on the same roads. The rules were designed to reinforce the notion of black inferiority.

Sociology professor Dr. David Pilgrim, of the Jim Crow Museum of Racist Memorabilia at Ferris State University, compiled the following list of “etiquette norms”¹²:

- a. A black male could not offer his hand (to shake hands) with a white male because it implied being socially equal. Obviously, a black male could not offer his hand or any other part of his body to a white woman, because he risked being accused of rape.
- b. Blacks and whites were not supposed to eat together. If they did eat together, whites were to be served first, and some sort of partition was to be placed between them.
- c. Under no circumstance was a black male to offer to light the cigarette of a white female — that gesture implied intimacy.



Segregated restaurant with separate entrances for whites and colored.

- d. Blacks were not allowed to show public affection toward one another in public, especially kissing, because it offended whites.
- e. Jim Crow etiquette prescribed that blacks were introduced to whites, never whites to blacks. For example: “Mr. Peters (the white person), this is Charlie (the black person), that I spoke to you about.”
- f. Whites did not use courtesy titles of respect when referring to blacks, for example, Mr., Mrs., Miss., Sir, or Ma’am. Instead, blacks were called by their first names. Blacks had to use courtesy titles when referring to whites, and were not allowed to call them by their first names.
- g. If a black person rode in a car driven by a white person, the black person sat in the back seat, or the back of a truck.
- h. White motorists had the right-of-way at all intersections.

Dr. Pilgrim goes on to cite Stetson Kennedy, author of the 1990 book *Jim Crow Guide*, who compiled a list of Jim Crow rules for blacks conversing with whites¹³:

1. Never assert or even intimate that a white person is lying.
2. Never impute dishonorable intentions to a white person.
3. Never suggest that a white person is from an inferior class.

4. Never lay claim to, or overly demonstrate, superior knowledge or intelligence.
5. Never curse a white person.
6. Never laugh derisively at a white person.
7. Never comment upon the appearance of a white female.

Jim Crow's Climate of Racial Hostility

White notions of racial superiority, reinforced by Jim Crow's formal laws and informal code of conduct, percolated throughout American society to create an everyday climate of overt hostility toward blacks. This climate can be illustrated by studying the derision and abuse of blacks that were common themes in the entertainment of the era.

According to Dr. Denis Mercier, until World War II, carnivals and fairs commonly featured a game called, among other things, "African Dip." The "dunking booth" is still familiar today: a person sits on a seat perched above a tank of water, and players throw balls at a target. A solid hit on the target drops the person into the water. A 1928 catalog ad for African Dip claimed that at three balls for a dime, African Dip could bring in forty or fifty dollars an hour, while thrilling the crowd.¹⁴

Another carnival game, "African Dodger," was far more vicious. A black man would stick his head through a hole in a canvas painted with a plantation scene, and players would throw balls at his head. "Some operators provided human targets with protective wooden helmets covered with curly hair."¹⁵

Abusive depictions of blacks extended to children's games, and Mercier provides several examples. The 1914 "Little Darky Shooting Gallery" came with a gun, rubber-tipped arrows, and three targets, one featuring an obese black woman. Bowling games used stereotypical black figures as pins. An 1874 jigsaw puzzle was called "Chopped Up Niggers." As late as 1940, a Michigan company marketed a toy pistol game with a "Sambo" target.¹⁶

Mercier observes about such games, "The unspoken message was that Blacks, unlike other people, felt no pain, so players could indulge in and enjoy aggressive assaults because no real pain was inflicted."¹⁷

The minstrel show, which featured white or black performers in blackface depicting stereotypical blacks, was a very popular form of entertainment



throughout the United States in the mid-1800s. The name of the main character in the original 1828 minstrel show, Jim Crow, became a common derogatory term for blacks. The popularity of minstrel shows had fallen sharply by the time the Jim Crow era began in the 1870s, but the name “Jim Crow” was eventually appropriated to identify the era. Minstrel shows, which reinforced the notion that blacks are lazy and foolish, remained fairly common throughout the United States and England into the 1950s.

Jim Crow laws and behavior codes constituted a deliberate program to dehumanize blacks. Casting blacks as subhuman was necessary in order to justify white supremacy. Through segregation, deprivation of legal rights, and belittling social customs, the lesson was driven home to blacks and whites alike: blacks were inherently inferior to whites.

II. Jim Crow was Deadly: The Enforcement of Jim Crow

Jim Crow laws were enforced by the police, of course, but Jim Crow social standards and voter suppression were typically enforced through extrajudicial terrorism. Blacks were commonly intimidated, assaulted, flogged, and murdered throughout the Jim Crow era. The violent enforcement of Jim Crow culture reflected the dehumanization of blacks central to the Jim Crow mindset.

Lynching

Reaction to the growing participation of blacks in society during Reconstruction was swift and savage.

Most Americans are aware of the violent acts of the 1960s Civil Rights era, like the Birmingham church bombing and the murder of Emmett Till. Many, however, do not realize these were merely a continuation of a long history of such violence, far, far worse in earlier years, that made any challenge to the political establishment extremely and personally dangerous.

According to PBS.org's Tsahai Tafari, 535 blacks were lynched in 1867 alone.¹⁸ White Republicans were also targeted for intimidation, assault and murder.

According to Robert A. Gibson, "Most of the lynchings were by hanging or shooting, or both. However, many were of a more hideous nature:

burning at the stake, maiming, dismemberment, castration, and other brutal methods of physical torture. Lynching therefore was a cruel combination of racism and sadism, which was utilized primarily to sustain the caste system in the South. Many white people believed that Negroes could only be controlled by fear. To them, lynching was seen as the most effective means of control.”¹⁹

Many people also imagine that lynchings were carried out by hooded men in the middle of the night, deep in the woods, and far out of sight of law enforcement. They couldn't be more mistaken. Many lynchings took place in broad daylight, right in the middle of major American cities. Lynchings were performed in public places in order to intimidate blacks, and whites working on behalf of blacks, and also to make examples of people accused of various crimes. The lynchers typically made no effort to hide their identities; they were proud of their work. Lynchings often drew large crowds, and took place in a carnival-like atmosphere. And they were not limited to states in the South. One well-known photograph records a lynching during a race riot in Duluth, Minnesota, in June 1920, of two black men accused of rape.

The Tuskegee Institute has compiled a list of lynchings by state and race from 1882 through 1968. According to Tuskegee, a total of 3,445 blacks and 1,297 whites were lynched during that portion of the Jim Crow era.²⁰ Tuskegee's numbers are considered understated.

Some of these murders had nothing to do with Jim Crow. More whites were lynched than blacks between 1882 and 1885, reflecting that lynching often represented rough-and-ready justice for horse thieves, cattle rustlers, and especially heinous murders and rapes, regardless of the race of the perpetrator. According to Tuskegee, between 1882 and 1968, blacks were lynched in 37 American states, and whites were lynched in 43 states. While many of these whites were criminals, others were lynched because they were Republicans challenging the Southern Democratic political establishment.²¹

Intimidation was a central purpose of lynching. In an 1899 pamphlet, Ida B. Wells-Barnett exposed the motives of the lynchers:

“During six weeks of the months of March and April just past, twelve colored men were lynched in Georgia, the reign of outlawry culminating in the torture and hanging of the colored preacher, Elijah Strickland, and the burning alive of Samuel Wilkes, alias Hose, Sunday, April 23, 1899. ... The real purpose of these savage demonstrations is to teach the Negro that in the South he has no rights that the law will enforce. Samuel Hose was burned to teach the Negroes that no matter what a white man

does to them, they must not resist. Hose, a servant, had killed Cranford, his employer [in self-defense]. An example must be made. Ordinary punishment was deemed inadequate. This Negro must be burned alive.”²²

British pastor Peter Thomas Stanford traveled to America in the 1890s to report on the state of American blacks, and asserted that the abuse of blacks under Jim Crow was among the most horrific human rights violations going on in the entire world. According to Stanford, some blacks were lynched for not knowing their place: “In the month of August, 1888, at New Iberia, Louisiana, ten Negroes were done to death for ‘being too prosperous, and not behaving correctly toward white people.’ Antonio Smith, Ramson Livingstone, Peter Simon, John Simon, Thomas Simon and Sam Kokee, all of them most respectable men and property owners, and four others whose names are not given, were butchered by a mob for no crime whatever.”²³

The widespread acceptance of lynching reflected the twisted moral values prevalent during the Jim Crow era. Lynchers boasted about their actions. Photographs of the horrifying spectacles were actually turned into postcards, which were sometimes delivered through the mails.

Most lynching victims were killed by hanging or bullets, but more barbarous methods were also used. Lynching victims were sometimes tortured before being killed. One famous photo depicts a thick black plume of smoke rising as John Lee was burned to death before a sizable crowd in the middle of the day, in Durant, Oklahoma, August 1911.

A black man accused of assaulting a three-year-old white girl was lynched in broad daylight in downtown Dallas in 1910. A mob of 200 or more stormed into the man’s trial, seized him, and strung him up from Elks Arch, a Dallas landmark.

Lynchings were frequently festive occasions. Another well-known lynching picture shows a crowd, including several women and girls, looking on, and even smiling, during a 1935 lynching in Ft. Lauderdale. “James Weldon Johnson captured the disconcerting tone of this photo when he described the epidemic of whites lynching blacks as a ‘problem of saving black America’s body and white America’s soul.’”²⁴

An “iconic” photo depicts the 1930 lynching of Thomas Shipp and Abram Smith in Marion, Indiana. The men had been accused falsely of raping a white woman, and a mob of 10,000 people broke down the jailhouse doors to get at the victims. The photo also records members of the crowd clearly enjoying themselves.

Lynching was the very antithesis of formal justice. A man, possibly a prison trustee, was lynched in 1960 in McDuffie County, Georgia. The ten-second “investigation” of this lynching by the Georgia Bureau of Investigation concluded he died by suicide.

The Ku Klux Klan

Jim Crow culture was enforced in part by local police, but the worst violence was perpetrated by unorganized mobs, often in white-instigated race riots, and by organized terror groups. The Ku Klux Klan was the largest and best known white supremacist organization operating during the Jim Crow era. While the Klan began as social club aping college fraternities, it quickly transformed into a full-fledged terror network. The Klan was primarily a collection of local groups. The first person recognized as the overall leader of the Klan, Confederate Lieutenant General Nathan Bedford Forrest, was named Grand Wizard of the Klan at an 1867 convention.²⁵ Forrest was a delegate to the Democratic National Convention in 1868. In 1869, Forrest disbanded the central organization of the Klan, but the local branches continued to operate independently.

According to History.com, “Founded in 1866, the Ku Klux Klan (KKK) extended into almost every southern state by 1870 and became a vehicle for white southern resistance to the Republican Party’s Reconstruction-era policies aimed at establishing political and economic equality for blacks. Its members waged an underground campaign of intimidation and violence directed at white and black Republican leaders. Though Congress passed legislation designed to curb Klan terrorism, the organization saw its primary goal—the reestablishment of white supremacy—fulfilled through Democratic victories in state legislatures across the South in the 1870s.”²⁶

The 1870s crackdown on the Klan effectively put an end to the Ku Klux Klan during the Reconstruction period, but the organization saw a nationwide resurgence in 1915, spurred in part by the release of the D.W. Griffith movie, *Birth of a Nation*.

According to History.com, “This second generation of the Klan was not only anti-black but also took a stand against Roman Catholics, Jews, foreigners and organized labor. It was fueled by growing hostility to the surge in immigration that America experienced in the early 20th century along with fears of communist revolution akin to the Bolshevik triumph in Russia in 1917. The organization took as its symbol a burning cross and held rallies, parades and marches around the country. At its peak in the 1920s, Klan membership exceeded four million people nationwide.”²⁷ The organization attained significant political influence in a handful of

states, but lost membership during the Great Depression in the 1930s. The second iteration of the Klan disbanded in 1944.

After the modern civil rights movement began in the mid-1950s, the Klan saw its third resurgence. Klansmen murdered several civil rights workers between 1955 and 1965, and infamously bombed the Sixteenth Street Baptist Church in Birmingham, Alabama, in 1963, killing four black girls. Rather than intimidate civil rights activists, the murders of the civil rights workers and innocent girls served only to turn public opinion against the Jim Crow system. The Klan never regained the influence it had in the 1920s. It continues to exist, but with only a few thousand members scattered around the country.

III. Jim Crow was Democratic: The Politics of Jim Crow

Jim Crow was principally a Southern political institution, and the South was solidly Democratic throughout the entire Jim Crow era. Republicans, denounced as “carpetbaggers,” moved to the South after the Civil War to rebuild the region’s political institutions, in particular to promote black political participation. After the Reconstruction period, which ended in 1876, there were very few Republicans in the South until the Jim Crow era ended in 1965.

Jim Crow’s political purpose was to keep the white population in power, and the Democratic Party thought of itself as the white man’s party. A chronological look at the Jim Crow era will illustrate how Democrats created and exploited Jim Crow.

The Civil War period, 1860–1865

The Civil War was precipitated by the election in 1860 of the first Republican president, Abraham Lincoln. Opposition to slavery was the reason for the existence of the Republican Party, which was the political voice of the largely church-based abolition movement. After supporting Lincoln’s election in 1860, leading black abolitionist Frederick Douglass remained a loyal Republican until his death in 1895.²⁸

According to PBS, “The [GOP’s] founders totally opposed slavery. The platform adopted at the party’s first national convention in 1856 rejected the Southern position that Congress had the right to recognize slavery in a territory. The Party maintained that Congress could abolish slavery in the territories and ought to do so.”²⁹

The Democratic Party was divided over slavery in 1860, and the two factions nominated their own candidates. The division contributed to Lincoln's electoral victory.

In 1860, Lincoln ran on a platform that explicitly opposed slavery and demanded an end to the "recently reopened African slave trade."³⁰ On April 16, 1862, Lincoln freed the slaves in Washington, D.C.³¹ On January 1, 1863, Lincoln issued the Emancipation Proclamation, which freed slaves in the states in rebellion against the Union.

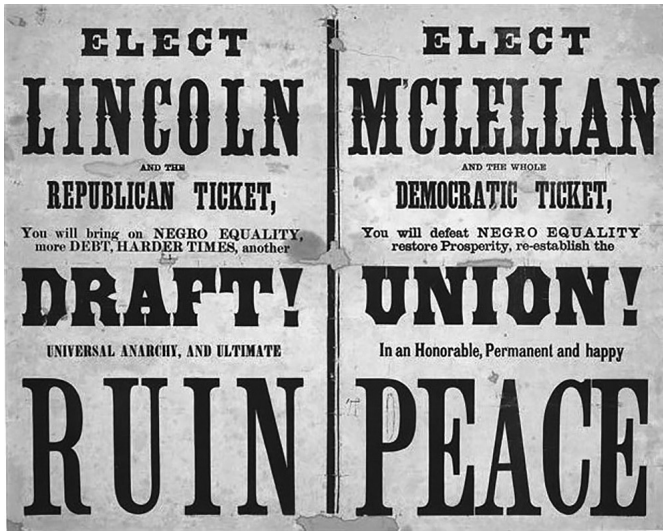
Northern Democrats widely opposed abolition. Historian Leslie M. Harris offers a snapshot of the attitude in New York City during the early war years: "Increasing support for the abolitionists and for emancipation led to anxiety among New York's white proslavery supporters of the Democratic Party, particularly the Irish. From the time of Lincoln's election in 1860, the Democratic Party had warned New York's Irish and German residents to prepare for the emancipation of slaves and the resultant labor competition when southern blacks would supposedly flee north."³²

The Emancipation Proclamation was used by Northern Democrats to foment hatred against blacks. When New York City's infamous anti-draft riots erupted on July 13, 1863, mobs numbering in the thousands targeted, beat and sometimes killed blacks, and destroyed black neighborhoods and businesses. One group even plundered the Colored Orphan Asylum on Fifth Avenue in Manhattan, and burned it to the ground.

Democrats in the South were, of course, loyal to the Confederacy, and gave their lives during the war to preserve their right to run their states as they wished — including the right to own slaves. In the North, Democrats generally opposed the Civil War, and the party fought to end the combat. The Democratic nominee for President in 1864, failed Union Major General George McClellan, ran on a platform calling for "immediate efforts [to] be made for a cessation of hostilities."³³ With the Confederacy tottering and Northern victory just months away, the Democratic Party wanted to abandon the war effort, which would allow the nation to remain permanently divided, and abandon blacks to servitude.

Reconstruction, 1865–1876

Democratic strategy during the Reconstruction period had two principal objectives: to retake control of Southern governments from the Republican administrations established in 1865, and to defeat Republican efforts to elevate blacks to full citizenship.



Democratic campaign poster, 1864

Abraham Lincoln was shot by Southern white supremacist John Wilkes Booth on April, 11, 1865, just two days after Robert E. Lee surrendered at Appomattox, Virginia, and died the next day. Lincoln's Vice President, Democrat Andrew Johnson, subsequently entered the Oval Office. Lincoln had chosen Johnson, a man from the opposing political party, to be his running mate in 1864 in order to broaden his public appeal and improve his chances to be reelected.

Johnson preferred a lenient policy during Reconstruction, allowing white Southerners to run their states their own way. In particular, Johnson permitted the continuation of "black codes," laws used to oppress and control blacks before and during the Civil War. According to PBS, "After Lincoln's assassination, Johnson and the Republican Congress were at loggerheads over who would control Reconstruction. Johnson wanted to re-admit the Southern states back into the Union and allow them to define the status of blacks. Congress wanted the federal government to insure black rights."³⁴

Republicans were having none of Johnson's leniency. After a major electoral victory in 1866, so-called "Radical Republicans" were able to force through a series of Constitutional amendments and laws guaranteeing blacks full civil rights, including the right to vote. Johnson vetoed these laws, but Congress overrode his vetoes. Eventually the House of Representatives impeached Johnson, but the Senate failed to remove him from office.

Powered by black votes, Republicans established governments throughout the South. PBS notes:

“The Republicans established a bi-racial coalition, with whites dominating. Blacks won hundreds of elected positions and were appointed to many administrative positions.

But white Southerners began to rally under the banner of white supremacy. They won some states peacefully by a large majority of votes, but in Mississippi, Louisiana, and South Carolina Democrats used violence, fraud, intimidation and murder to win.”³⁵

Southern Democrats were determined to retake control of the South and put blacks back in their place, and they weren't fighting fair. History.com agrees: “Southern whites frustrated with policies giving former slaves the right to vote and hold office increasingly turned to intimidation and violence as a means of reaffirming white supremacy.”³⁷ The Ku Klux Klan targeted local Republican leaders and blacks who challenged their white employers, and at least 35 black officials were murdered by the Klan and other white supremacist organizations during the Reconstruction era.”³⁶

Did the Democratic Party formally take over the KKK soon after the Klan was founded? The point is debatable, but there is no question the Ku Klux Klan was associated closely with the Democrats, and that during Reconstruction, the Klan's mission was heavily political. “Throughout the South, secret societies such as the Ku Klux Klan, the White League and the Red Shirts served as the military arm of the Democratic party and used violence to maintain white supremacy.” According to historian David Barton, the Democratic-KKK connection is undeniable. “Although it is relatively unreported today, historical documents are unequivocal that the Klan was established by Democrats and that the Klan played a prominent role in the Democratic Party,’ Barton writes in his book. ‘In fact, a 13-volume set of congressional investigations from 1872 conclusively and irrefutably documents that fact... The Klan terrorized black Americans through murders and public floggings; relief was granted only if individuals promised not to vote for Republican tickets, and violation of this oath was punishable by death,’ he said. ‘Since the Klan targeted Republicans in general, it did not limit its violence simply to black Republicans; white Republicans were also included.’”³⁸

Underground terrorist organizations like the KKK, all widely associated with the Democratic Party, wreaked havoc across the South. History.com adds, “At least 10 percent of the black legislators elected during the 1867-1868 constitutional conventions became victims of violence during Reconstruction, including seven who were killed. White Republicans (derided as

“carpetbaggers” and “scalawags”) and black institutions such as schools and churches—symbols of black autonomy—were also targets for Klan attacks.”³⁹

In one especially horrific 1873 incident, “a band of whites murdered over 100 blacks who were assembled to defend Republican officeholders against attack in Colfax, Louisiana.”⁴⁰

According to PBS,⁴¹ “The Democratic Party identified itself as the “white man’s party” and demonized the Republican Party as being “Negro dominated,” even though whites were in control. Determined to re-capture the South, Southern Democrats “redeemed” state after state -- sometimes peacefully, other times by fraud and violence. By 1877, when Reconstruction was officially over, the Democratic Party controlled every Southern state.”

PBS continues, “The South remained a one-party region until the Civil Rights movement began in the 1960s. Northern Democrats, most of whom had prejudicial attitudes towards blacks, offered no challenge to the discriminatory policies of the Southern Democrats.”

On the legislative level, Congressional Republicans proposed, and Democrats opposed, a series of Reconstruction-era laws intended to elevate blacks, in particular to force Southern states to enforce the Constitutional amendments extending full civil rights and voting rights to blacks. These included the Civil Rights Act of 1866⁴², the Reconstruction Act of 1867⁴³, the Enforcement Act of 1870⁴⁴, the Ku Klux Klan Act of 1871⁴⁵, and the Civil Rights Act of 1875.⁴⁶

By the end of Reconstruction, Republicans had real influence in Southern elections only in states still occupied by Federal troops. According to the University of Michigan, “By 1873, Republicans were losing their enthusiasm for protecting black rights. Despite the presence of federal troops, sent by President Grant to protect black voting rights, white Democrats effectively resumed campaigns of violence and intimidation to suppress the Republican vote ... The formal end to Reconstruction was brought about in the disputed 1876 Presidential election. The Democratic candidate, Tilden, won the popular vote, but neither candidate initially had a majority of electoral votes due to disputes over returns in Florida, Louisiana and S. Carolina—the only states in which federal troops were still stationed in 1876.”⁴⁷

The disputed election was ended by a compromise, in which Democrats allowed Republican Rutherford B. Hayes to become president in return for the complete withdrawal of Federal occupying troops. Reconstruction ended with the South firmly in Democratic hands.

Jim Crow, 1877–1954

Once their control of Southern governments was established, Democrats used many tools to solidify their power. A number of these tools have already been listed in Section I of this paper, but several of these techniques deserve a closer look. The following material is taken from the University of Michigan post, “Techniques of Direct Disenfranchisement, 1880-1965”:

The 15th Amendment prohibited explicit disenfranchisement on the basis of race or prior enslavement. So Southern states devised an array of alternative techniques designed to disenfranchise blacks and, to a lesser extent, poor whites. There were three broad, overlapping phases of the disenfranchisement process. From 1868-1888, the principal techniques of disenfranchisement were illegal, based on violence and massive fraud in the vote counting process. Starting in 1877, when Georgia passed the cumulative poll tax, states implemented statutory methods of disenfranchisement. From 1888-1908, states entrenched these legal techniques in their constitutions.

Fraud. Electoral fraud by ballot box stuffing, throwing out non-Democratic votes, or counting them for the Democrats even when cast for the opposition, was the norm in the Southern states before legal means of disenfranchisement were entrenched. Between 1880 and 1901, Congress seated 26 Republican or Populist congressional candidates who had been “defeated” through electoral fraud.

Poll Taxes. Georgia initiated the poll tax in 1871, and made it cumulative in 1877 (requiring citizens to pay all back taxes before being permitted to vote). Every former confederate state followed its lead by 1904. Although these taxes of \$1-\$2 per year may seem small, it was beyond the reach of many poor black and white sharecroppers, who rarely dealt in cash. The Georgia poll tax probably reduced overall turnout by 16-28%, and black turnout by half.

Literacy Tests. The first implicit literacy test was South Carolina’s notorious “eight-box” ballot, adopted in 1882. Voters had to put ballots for separate offices in separate boxes. A ballot for the governor’s race put in the box for the senate seat would be thrown out. The order of the boxes was continuously shuffled, so that literate people could not assist illiterate voters by arranging their ballots in the proper order. The adoption of the secret ballot constituted another implicit literacy test, since it prohibited anyone from assisting an illiterate voter in casting his vote. In 1890, Southern states began to adopt explicit literacy tests to disenfranchise voters. This had a large differential racial impact, since 40-60% of blacks were illiterate, compared to 8-18% of whites.

Restrictive and Arbitrary Registration Practices. Southern states made registration difficult, by requiring frequent re-registration, long terms of residence in a district, registration at inconvenient times (e.g., planting season), provision of information unavailable to many blacks (e.g. street addresses, when black neighborhoods lacked street names and numbers), and so forth. When blacks managed to qualify for the vote even under these measures, registrars would use their discretion to deny them the vote anyway.

The White Primary. Disenfranchisement brought about one-party rule in the Southern states. This meant that the Democratic nominee for any office was assured of victory in the general election, shifting the real electoral contest to the party primary. This fact provided yet another opportunity to disenfranchise blacks. Texas passed a law forbidding blacks from participating in Democratic primary elections. The Supreme Court struck down this law as a plain violation of the 14th and 15th Amendments ... So Texas passed another law providing for each party's state executive committee to determine who could vote in its primaries. Accordingly, the Texas Democratic Party Executive Committee resolved to permit only white Democrats to participate in its primary. The idea was that, as a private association, the party executive committee was not subject to the 14th and 15th Amendments, which applied only to the states. The Supreme Court rejected this reasoning ... The State Democratic Convention promptly met and passed a resolution limiting party membership to whites. This was enough to satisfy the Supreme Court that only private parties, not the state, were involved in determining primary electors ... It therefore upheld the exclusion of blacks from the Texas Democratic primary in [1935]. ... [In 1944 the Supreme Court] found that primary elections were so pervasively regulated by the state that, in doing their part to run primaries, political parties were state actors and thus subject to the 14th and 15th Amendments. Texas Democrats evaded this ruling by arrangement with the all-white Jaybird Democratic Association (a leadership caucus within the party), which held elections unregulated by the state. The winner of the Jaybird Party election would enter the Democratic party primary, and the Democratic party would put up no opposition, thus ensuring victory to the Jaybird Party candidate. The Supreme Court saw through this ruse in 1953, finally putting an end to the white primary in its *Terry v. Adams* decision.⁴⁸

These methods of disenfranchising blacks proved extremely effective in keeping the Democratic Party in power throughout the Jim Crow era. For example, in the 1948 Congressional election, "almost all counties in the Deep South delivered 98% or more votes to the Democrats."⁴⁹ And in Fort

Bend County, Texas, the jurisdiction giving rise to *Terry v. Adams*, Jaybird candidates won every election for more than 50 years.⁵⁰

According to the Civil Rights Movement Veterans, “In December of 1964 when the Southern Christian Leadership Conference (SCLC) begins sending organizers into Selma, Montgomery, and adjacent counties, no more than 2% of Dallas County’s 15,000 eligible Blacks have managed to register. In some of the nearby rural counties such as Lowndes and Wilcox, Blacks far outnumbered whites, but no Blacks at all are registered, while white registration is 110% or higher. More whites can be registered than actually live in the county because when whites die or move away their names are kept on the voter rolls, and every election day they somehow manage to vote for the candidates favored by the entrenched power structure.”⁵¹

Democrats became politically competitive throughout the United States soon after the end of Reconstruction. After regaining control of the White House and Congress, the Democrats passed the 1894 Repeal Act, which turned the clock back on the Republican civil rights legislation passed during Reconstruction.

In another backward step, Democratic President Woodrow Wilson segregated the federal government in 1913, costing many blacks their federal jobs. Wilson made the KKK recruiting film, *Birth of a Nation*, the first movie ever shown in the White House. According to one historian, the Ku Klux Klan was a “wing of the Democrat Party”⁵² during the first third of the 20th Century.

The absolute dominance of the Democratic Party in the South enabled Democrats to block Congressional efforts to attack the Jim Crow system. According to PBS, “One of the consequences of the Democratic victories in the South was that many Southern Congressmen and Senators were almost automatically re-elected every election. Due to the importance of seniority in the U.S. Congress, Southerners were able to control most of the committees in both houses of Congress and kill any civil rights legislation. Even though Franklin Delano Roosevelt was a Democrat, and a relatively liberal president during the 1930s and ‘40s, he rarely challenged the powerfully entrenched Southern bloc. When the House passed a federal anti-lynching bill several times in the 1930s, Southern senators filibustered it to death.”⁵³

Roosevelt’s liberalism did not necessarily extend to his attitude toward race. FDR was responsible for appointing two segregationists to the Supreme Court, Jimmy Byrnes and former Klansman Hugo Black.⁵⁴ Black was nominated in 1937 because he was politically liberal, and considered certain to support Roosevelt’s New Deal legislation.

Violence remained a powerful weapon for maintaining Democratic power throughout Jim Crow, but the number of lynchings declined continually after

the first two decades of the 20th Century. Gibson attributes that reduction to a bill passed by the Republican-controlled House of Representatives in 1922. “The Dyer Anti-Lynching Bill provided fines and imprisonment for persons convicted of lynching in federal courts, and fines and penalties against states, counties, and towns which failed to use reasonable efforts to protect citizens from mob violence. It was killed in the Senate by the filibuster of the Southern senators who claimed that anti-lynching legislation would be unconstitutional and an infringement upon states’ rights. However, the long discussion of the Dyer Anti-Lynching Bill was of great importance to the decline.”⁵⁵

The Democrats completely dominated national politics throughout the 1930s and 1940s, with full control of the White House and both houses of Congress until 1947. Northern Democrats were gradually turning against Jim Crow, but they were unwilling to challenge Southern Democrats about the ongoing oppression of blacks. No significant steps were taken by Democrats to advance civil rights until 1947, when President Harry S. Truman began to speak publicly about the need to end discrimination in the United States. The former outspoken racist, and, briefly, Klansman, ordered the desegregation of the military in 1948, in part to win black votes for his reelection bid, but also possibly because he had a change of heart about the oppression of blacks.

Civil Rights Era, 1954–1965

The first in a series of mortal blows to Jim Crow was a Supreme Court decision banning segregation in the schools. In 1954, the Supreme Court, led by Republican President Dwight Eisenhower’s appointee, Chief Justice Earl Warren, handed down its *Brown vs. Board of Education* decision rejecting “separate but equal” schools. Southern Democrats chose to resist school desegregation.

Even before the *Brown* decision was announced, Georgia Democratic Governor Herman Talmadge declared, “We intend to maintain separate schools in Georgia in one way or another, come what may.” Talmadge included the possibility of taxpayer-funded tuition payments to private schools, “if that becomes necessary.”⁵⁶

The Brown decision was condemned in 1956 by the “Southern Manifesto,” a document signed by 99 Members of Congress. The Manifesto read, in part:⁵⁷

We commend the motives of those States which have declared the intention to resist forced integration by any lawful means...

We pledge ourselves to use all lawful means to bring about a reversal of this decision which is contrary to the Constitution and to prevent the use of force in its implementation.

Ninety-seven of the Manifesto's signers were Democrats, and two were Republicans. The Republican platform in the 1956 elections endorsed the Brown decision. The Democratic platform did not endorse the decision.⁵⁸

In 1956, the Republicans, led by President Eisenhower and Senate Minority Leader Everett Dirksen of Illinois, introduced a comprehensive civil rights bill, the first considered by Congress since 1875. The 1956 bill "intended to outlaw the various measures that states had implemented in order to prevent African Americans from voting, such as poll taxes and reading tests."⁵⁹ Republicans in the House supported the bill overwhelmingly, 168-24, and Democrats in the House supported it narrowly, 111-102. In the Senate, the legislation was blocked by the Democratic Senate Majority Leader, Lyndon Baines Johnson (LBJ) of Texas, who, up to this point in his career, was a consistent opponent of civil rights. LBJ's reading of the course of history, and his ambition to become President, may have influenced his later reversal on civil rights.

In 1957, the Republicans took another bite at the apple, and this time they succeeded. They pushed through the 1957 Civil Rights Act, the first civil rights legislation to be enacted since Reconstruction. But the bill itself had no teeth. LBJ couldn't stop the 1957 legislation, but he did manage to strip all of the enforcement provisions out before the bill passed.

Nevertheless, Southern Democratic resistance to the bill was bitter. One opponent, Democratic Senator Strom Thurmond of South Carolina, set the record for the longest spoken filibuster in American history by holding the Senate floor for 24 hours and 18 minutes.⁶⁰ Opposition to the bill was not limited to Southern Democrats; Massachusetts Democratic Senator John F. Kennedy also voted against the 1957 Civil Rights Act. Other prominent Democratic senators opposing the 1957 Civil Rights Act included J. William Fulbright of Arkansas, Russell Long of Louisiana, John Stennis of Mississippi, Sam Ervin of North Carolina, Wayne Morse of Oregon, Albert Gore Sr. of Tennessee, and Harry Byrd of Virginia. In the end, Republicans in the Senate supported the 1957 Civil Rights Act 43-0, and Democrats supported the bill 29-18.⁶¹

Wall Street Journal columnist James Taranto cites author Bruce Bartlett on Johnson's motivation for allowing the 1957 bill to pass:⁶²

To put it mildly, LBJ was not a consistent advocate of racial equality. Bartlett (both in his book and in this article) quotes LBJ's explanation why he backed the Civil Rights Act of 1957:

"These Negroes, they're getting pretty uppity these days and that's a problem for us since they've got something now they never had before, the political pull to back up their uppityness. Now we've got to do something about this, we've got to give them a little something,



As Senate Majority Leader, Texas Democrat Lyndon Baines Johnson blocked Eisenhower's 1956 civil rights bill, and gutted the 1957 Civil Rights Act.

just enough to quiet them down, not enough to make a difference. For if we don't move at all, then their allies will line up against us and there'll be no way of stopping them, we'll lose the filibuster and there'll be no way of putting a brake on all sorts of wild legislation. It'll be Reconstruction all over again."

According to Bartlett, "Eisenhower was disappointed at not being able to produce a better piece of legislation.

'I wanted a much stronger civil rights bill in '57 than I could get,' he later lamented. 'But the Democrats... wouldn't let me have it.'"

In September 1957, the NAACP attempted to put the 1954 *Brown* decision into effect by integrating Central High School in Little Rock, Arkansas. In defiance of the Supreme Court-ordered integration, Democratic Governor Orval Faubus ordered the Arkansas National Guard to prevent the first group of black students, the Little Rock Nine, from entering the school. At the urging of Dr. Martin Luther King, Jr., Republican President Dwight Eisenhower resolved the issue by sending in the 101st Airborne Division of the U.S. Army (the "Band of Brothers" division) to escort and protect the black students for the duration of the school year.

Governor Faubus wasn't finished with his fight against desegregation. "Before schools opened in the fall of 1958, Faubus closed all four of Little Rock's public high schools rather than proceed with desegregation, but his efforts were short lived. In December 1959, the Supreme Court ruled that the school board must reopen the schools and resume the process of desegregating the city's schools."⁶³

In 1960, President Eisenhower pushed through his second major civil rights bill. "The 1960 Civil Rights Act introduced penalties to be levied against anybody who obstructed someone's attempt to register to vote or someone's attempt to actually vote. A Civil Rights Commission was created."⁶⁴ Again, no Republican senators opposed the bill, while 18 Democrats filibustered it. Significantly, John F. Kennedy, in the midst of his Presidential campaign, switched sides and voted for the bill.⁶⁵

Debate about banning the poll tax had gone on for decades, but Congressional efforts to end poll taxes were consistently blocked by Democratic filibusters. President Kennedy proposed banning the poll tax by amending the Constitution, rather than by federal legislation, in order to avoid a filibuster. On August 27, 1962, the House of Representatives passed the 24th Amendment to the U. S. Constitution, which banned the poll tax, by a vote of 295-86. Democrats supported the measure 163-71, and Republicans supported it 132-15.⁶⁶ The Senate passed the measure 77-16, but a partisan breakdown of the vote is not available.⁶⁷ The amendment be sent to the states for ratification, and it was ratified on January 23, 1964.

In 1963, Alabama Democratic Governor George Wallace made his infamous “Stand in the Schoolhouse Door,” when he physically blocked two black students attempting to register at the University of Alabama. Wallace had just been elected governor, running with the campaign slogan “Segregation now! Segregation tomorrow! Segregation forever!”⁶⁸

Also in 1963, Bull Connor, a member of the Democratic National Committee, turned fire hoses and dogs on peaceful civil rights protestors marching in Birmingham, Alabama.⁶⁹

After becoming President, Democrat President John F. Kennedy proposed a new civil rights bill in 1963. Sadly, Kennedy was assassinated before he could push the legislation through Congress. The new President, Lyndon Baines Johnson, made it his business to pass the bill in Kennedy’s memory.

Southern Democrats continued to wield the filibuster against the 1964 bill. In fact, they set the Senate record by maintaining the filibuster for 57 working days. A former Ku Klux Klan “Grand Cyclops,” or head of his local Klan unit, Senator Robert Byrd of West Virginia, was the leader of the filibuster. Byrd personally held the floor for more than 14 consecutive hours. Despite his Klan involvement, which lasted for several years during the 1940s, Byrd was eventually elected Senate Majority Leader by his fellow Democrats, who gave him the nickname, “The conscience of the Senate.” Byrd continued to serve in the Senate until 2010.

In the end, more than 80 percent of Republican legislators voted for the 1964 Civil Rights Act, which outlawed segregation. The Act was the single piece of legislation most responsible for breaking the back of Jim Crow. Fewer than 70 percent of Democrats supported the bill.

Ever the political calculator, infamously having won his Senate seat in 1948 through overt vote fraud in the Democratic primary, Johnson was

very concerned about the political ramifications of the Act. “Upon signing the Civil Rights Act of 1964, Lyndon Johnson is said to have told aide Bill Moyers, ‘I think we have just delivered the South to the Republican Party for a long time to come.’”⁷⁰

The Jim Crow era concluded with the passage of the Voting Rights Act in 1965. According to SCLC veteran Bruce Hartford, Martin Luther King, Jr. had to twist LBJ’s arm to get him to push the bill:

“My understanding is that after the Civil Rights Act of 1964 was passed, President Johnson told King that there had been enough civil rights legislation. No more civil rights legislation could be passed for a couple of years, things had to be quieted down, particularly because it would affect the campaign against Goldwater. Remember the phrase “Cooling off period?” So Johnson told King that he was not going to do any more civil rights acts for the foreseeable future. And the reason King decided to do the Selma campaign was to *force* Johnson — to create such a public pressure and turmoil — that Johnson would be forced to act. It was not that Johnson asked him to do it — it was in opposition to Johnson.”⁷¹

Johnson is also on record defending his newfound support for civil rights and his launching of a national welfare entitlement program through his Great Society legislation, by referring to the purely political advantage he expected Democrats to receive. As Johnson infamously said to two Democratic governors on Air Force One, “I’ll have those niggers voting for the Democratic Party for the next 200 years.”⁷²

Conclusion

The Jim Crow period was one of the most horrible chapters in American history, exceeded only by slavery and the conquest and dispossession of the American Indian. For nearly an entire century, more than a third of our national existence, Jim Crow forced a group of innocent human beings to live in fear and degradation. They were systematically segregated from society, dehumanized, and terrorized. On a massive scale, members of this group were cheated of their right to vote, to live where they wished, and to associate with whom they wished. People were beaten and murdered at the whim of a more powerful group acting out of its own fear, its malice, and its lust for power.

It's bewildering to realize that while Jim Crow reigned, America was fighting for freedom around the globe, destroying fascism and leading the fight against perhaps the greatest tyranny mankind has ever known, communism. Yet as we led humanity toward liberty, respect for human dignity, and embrace of the rule of law, we denied millions of America's own citizens the most basic human rights. In effect, the Constitution did not apply to them.

During Jim Crow, millions of Americans organized themselves politically with the overriding objective of dominating and dehumanizing another group of people. Jim Crow teaches us that a great American political party is capable of subordinating the good of the nation and of humanity to its own selfish interest.

If Americans take any lesson from Jim Crow, it is to be humble. Our country was founded to be a shining city on a hill, but during Jim Crow we proved ourselves to be as capable of committing great evil as any nation on earth.

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