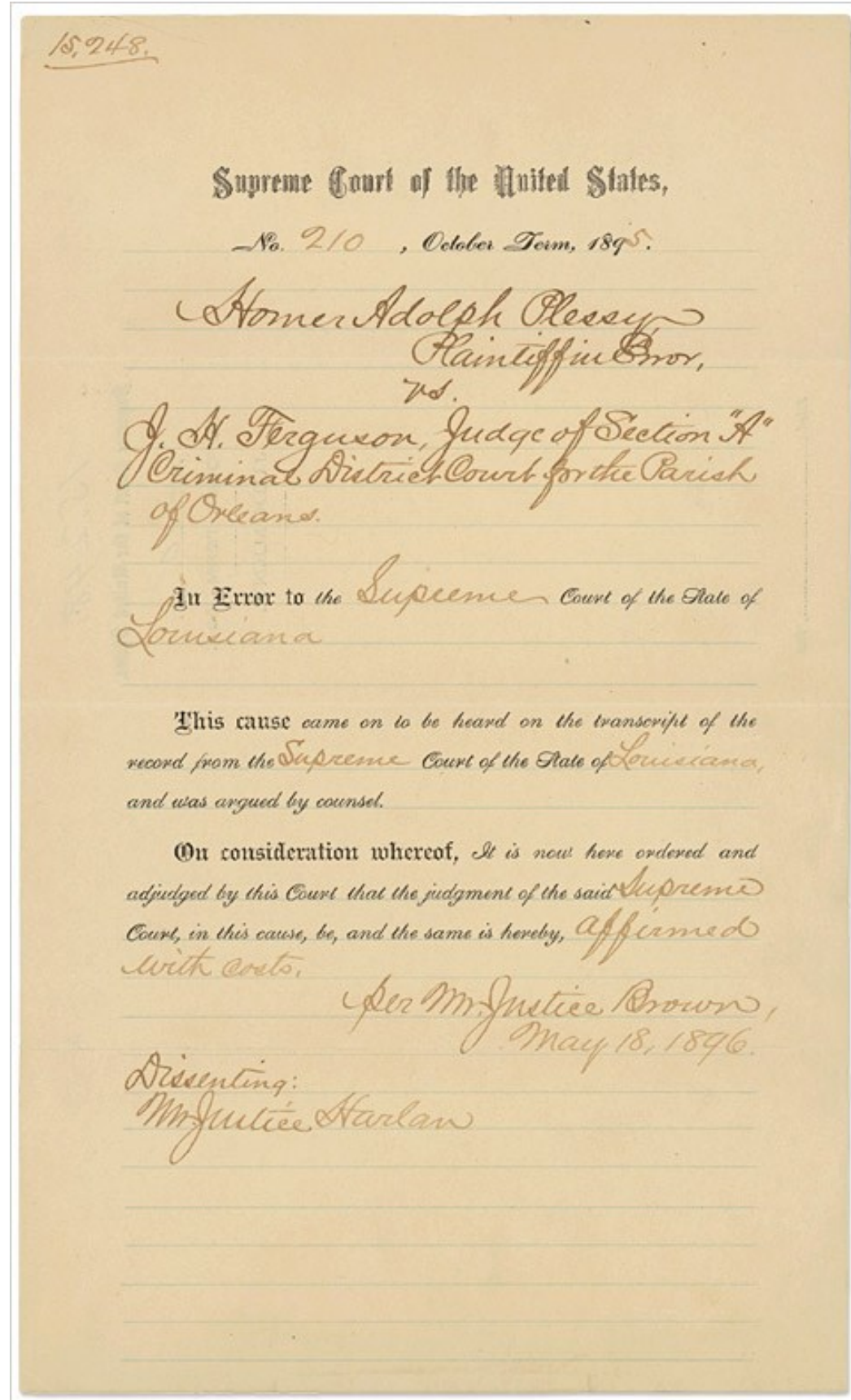
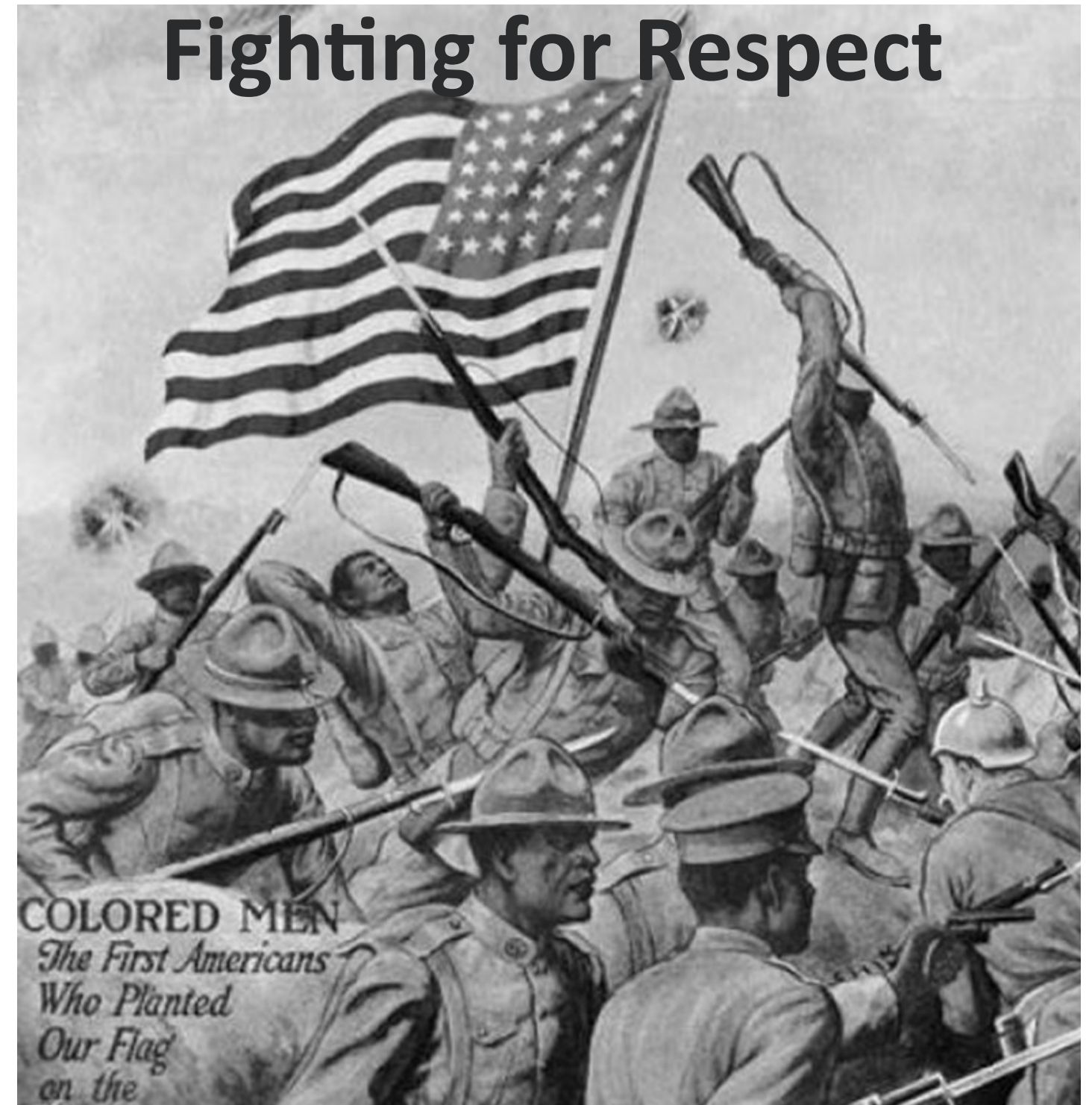


1896 *Plessy v. Ferguson* Decision



JIM CROW ERA

Racial Segregation



Separate but Equal: The Law of the Land

African Americans turned to the courts to help protect their constitutional rights. But the courts challenged earlier civil rights legislation and handed down a series of decisions that permitted states to segregate people of color.

In the pivotal case of *Plessy v. Ferguson* in 1896, the U.S. Supreme Court ruled that racially separate facilities, if equal, did not violate the Constitution. Segregation, the Court said, was not discrimination.



The 1896-97 Supreme Court

The members of the United States Supreme Court, 1896-97. Under Chief Justice Melville Fuller, the Court established the separate-but-equal rule. Courtesy of Supreme Court of the United States.

Plessy v. Ferguson

In 1890 a new Louisiana law required railroads to provide “equal but separate accommodations for the white, and colored, races.” Outraged, the black community in New Orleans decided to test the rule.

On June 7, 1892, Homer Plessy agreed to be arrested for refusing to move from a seat reserved for whites. Judge John H. Ferguson upheld the law, and the case of *Plessy v. Ferguson* slowly moved up to the Supreme Court. On May 18, 1896, the U.S. Supreme Court, with only one dissenting vote, ruled that segregation in America was constitutional.

(Courtesy of National Archives, Washington, D.C.)

Jim Crow Era remains difficult to discuss and can be painful to others.

African Americans used the Great War to show their patriotism and to prove they could contribute to the protection and advancement of this country. The National Association for the Advancement of Colored People encouraged this spirit of Americanism to counteract racial tension and stereotypes. Because of their valorous service in protecting democracy in Europe, African-American service men began to expect more equality in wages and job opportunities when they returned home. This ideology of advocating for social change and greater respect from white Americans, known as the **New Negro Movement**, was supported by African-American leaders such as W.E.B. Du Bois, and publicized by black newspapers. Founded in 1917 by Hubert Henry Harrison, a writer, educator and political activist from the West Indies, the movement attracted black writers, poets and activists to openly voice the need for equality.



The New Negro Movement also brought increased social fears and racial tension that erupted in the **Red Summer** of 1919. Some 25 race riots were reported throughout the country. With the end of slavery and the promises of advancement for African Americans, it was believed at the beginning of the 20th century that white and black people could live in harmony and receive the same opportunities. Reactions after the end of World War I proved the United States had a long way to go in race relations.

African Americans realized they would have to fight for racial equality on all fronts. Racism was even experienced in the suffrage movement when African-American women like Ida B. Wells-Barnett and Alice Dunbar-Nelson supported the need for women’s voting rights. During an organized women’s suffrage march in 1913, the organizers of the National American Woman Suffrage Association asked black women to march separately. Although the 19th amendment was passed to grant the vote to women, it was not until the Civil Rights Movement of the 1950s and 1960s that African-American women could exercise this right without discrimination.

Jim Crow Era in the United States

farm owners for a larger share of King Cotton's profits. Landowners responded by assaulting the union's meeting place, and ordering law enforcement officials to crush the sharecroppers. These activities led to the Elaine, Arkansas, Race Riot of 1919, which destroyed agricultural unionism in the Delta and drove cotton wages back down. When African Americans in Longview, Texas, began experimenting with cooperative purchasing and marketing of farm produce—thus bypassing creditors and merchants—whites in the area launched a major assault against the black community. While the Longview Race Riot of 1919 was allegedly sparked by a black man's presence in a white woman's bedroom, the NAACP and local African Americans understood that the violence had been sparked by the cooperative venture and growing black assertiveness. The racial dynamics exposed in the Arkansas Delta and Longview, Texas, would be repeated over and over again between 1917 and 1923 as the white elite responded—sometimes with violence—to black gains by acting to reassert the status quo.

Sex and Racial Violence

One common excuse used to rationalize racial terrorism was black male sexual violence—rape or assault—against white women. A careful study of the historical record, however, shows that alleged sexual assault was given as the stated reason in only about 15 to 20 percent of all lynching incidents. In spite of the pioneering investigative work of Ida B. Wells-Barnett, the NAACP, and the Association of Southern Women for the Prevention of Lynching—all of whom demolished the myth of the black rapist—racial violence is still associated with sexual assault in the popular mind. In *At the Hands of Persons Unknown* (2002), Philip Dray noted that “Wells was one of the first people in America to perceive that the talk of chivalry and beastlike blacks ravishing white girls was largely fallacious, and that such ideas were being used to help maintain a permanent hysteria to legitimize lynching, as it reinforced the notion that the races must be kept separate at all costs” (p. 64). One white North Carolinian disavowed this racial hysteria in an editorial letter that appeared in the *Raleigh News and Observer* on February 5, 1922:

“We have a reputation of being bloodthirsty murderers down here in North Carolina, and it is our industrious lynchers who have secured that reputation for us.... All this snorting about the fierce pride of the Anglo-Saxon race is the most disgusting poppycock ever invented. If no [N]egro were ever lynched for anything but rape, it might have some shadow of excuse. But alleged rapists constitute only a small proportion of the victims of mobs in the south these days. Negroes are lynched for all manner of crimes, ranging down to simple misdemeanors.”

The Jim Crow system did sanction one form of sexual license: white exploitation of black women. African-American domestic workers who toiled in white households were frequently subjected to sexual assaults. Cleaster Mitchell, who worked as a domestic in Arkansas, recalled in *Remembering Jim Crow* that “one time in the South, it's bad to say, white men was crazy about black women. They would come to your house. They would attack you. They took it for granted when they saw a black lady that they could just approach her, that it was not an insult to her for them to approach her” (Chafe, Gavins, and Korstad 2001, p. 214). In fact, while white supremacists often cloaked their attacks on black communities with the excuse of black-on-white sexual violence, they understood that white men and women often initiated interracial sexual unions. In 1921 the Houston, Texas, Ku Klux Klan issued a warning to white male citizens against interracial sex.



United States Department of the Interior

National Park Service

Ocmulgee Mounds National Historical Park

1207 Emery Highway

Macon, Georgia 31217-4399



5620-2020

Ref.: Jim Crow Era

Dear Sir/Madame:

The 2020 Black History Month programs presented at Ocmulgee Mounds National Historical Park will be different from those done in the past. My plan is to do an interpretive program on a series of selected eras in American history associated to people of color, to enlighten and educate the public. A different program will be presented each weekend in the month of February. The first subject to be covered is Slavery in the United States culminating in its abolishment after the Civil War. The second era to be covered is Reconstruction and the post Civil War activities of the newly freed slaves. The Third era to be covered is the period from 1896 to 1955 which has been called the Jim Crow era. The next era will be the Civil Rights Era and culminating with the Equal Rights era.

These series of programs relating to the historical eras of American history also included my attempt to come up with a small pamphlet or document on each of the subjects to help the reader to better understand these periods. I realize that all of these subjects are touchy when it come to American History. It is now time that we quit avoiding the discussion of these topics and start having meaningful dialogues as a Nation.

The period known as Reconstruction was defined by the questions of race and power that Fredrick Douglass identified, questions that flowed logically and continuously out of the Civil War. The period known as Jim Crow era was the reversal of most if not all of the progress attained during Reconstruction. Ironically, those same questions that Fredrick Douglas asked in 1866, reverberate in many political debates today—debates over the meaning of equal protection of the law, over the right to vote, and over the limits of presidential and congressional authority, both in peacetime and in war. I urge all that read this document to learn as much as they can and not forget some of the events that defined this period.

Sincerely,

Lonnie J. Davis

Lonnie J. Davis

Ocmulgee Mounds National Historical Park
Cultural Resources Specialist/Historian

JIM CROW ERA

Racial Segregation

Overview

Jim Crow Era in United States history refers to the years from the end of Reconstruction in 1877 to the beginning of the Civil Rights movement in the 1950s. The term *Jim Crow* predates the Civil War. Jim Crow was the name of a fictional character depicted as an unintelligent, foolish caricature of a black slave. This character was played by the white actor Thomas Dartmouth “Daddy” Rice in blackface makeup in minstrel shows in the early 1830s. Rice claimed to have gotten the name from a real life occurrence where he heard an older black man singing a song called “*Jump Jim Crow*,” which Rice then appropriated for his minstrel show. In the 1800s, the popularity of these shows across the country turned the name *Jim Crow* into an ethnic slur against black people. Beginning in 1877, segregation and disenfranchisement laws that was enacted by southern states became known as Jim Crow Laws. Jim Crow laws represented a formal, codified system of racial apartheid that dominated the American South for three quarters of a century until they were systematically challenged in the 1950s.



The Red Scare and the federal government’s campaign to uncover “agitators” reinforced white supremacy and increased the likelihood of racial violence. As Department of Justice investigators bullied and interrogated African Americans in Chicago and East St. Louis about their true reasons for coming North, the larger public was encouraged to see black people as subversive outcasts in a virtuous “White Republic.” The mainstream media fueled the fire of anti-black racism by publishing sensational headlines such as: “Negroes Flock in from South to Evade Draft” (*St. Louis Times*), “North Does Not Welcome Influx of South’s Negroes” (*Chicago Herald*), “Negro Migration: Is It a Menace?” (*Philadelphia Record*), and “Negro Influx On, Plan to Dam It” (*Newark [N.J.] News*) (Gregory 2005, p. 47.)

Rising postwar unemployment and inflation added fuel to the competitive fire. The race riots that broke out in East St. Louis (1917) and Chicago (1919) occurred in the wake of failed strikes as well as stillborn attempts to create multiracial trade unions. As corporations and their organizations methodically destroyed the most important vehicle for collective working-class economic improvement—unions—a sense of anger and desperation swept through urban neighborhoods. As competition between workers intensified, racial tensions flared anew. The economic dimensions of the riots cannot be overestimated.

Segregation and the Race Riots

The race riots of 1917 to 1923 occurred during the era of legal segregation (or Jim Crow as it was commonly called). Segregation was designed to generate chronic interracial strife and distrust. Why was the segregation era marked by so much violence and so many race riots? Segregation—like slavery—was a labor system designed to extract surplus labor power, property, tax revenue, wealth, and economic opportunities from African Americans and redistribute these resources to the dominant society. “Race prejudice,” the sociologist Oliver C. Cox observed, “is a social attitude propagated among the public by an exploiting class for the purpose of stigmatizing some group as inferior so that the exploitation of either the group itself or its resources or both may be justified” (Cox 1948, p. 393).

Industrial and agricultural employers were the major beneficiaries of this racial wealth redistribution, and they treated black workers’ efforts to organize or even assert themselves in their workplaces with repressive measures. Convict labor, debt peonage, and the chain gang may be seen in this context as institutionalized forms of economic—and often physical—violence.

Thus, when African Americans attempted to seize the opportunities offered by the improved economic climate of the early war years, it was not hard to predict that employers would react in a visceral manner. As African Americans

began to leave the South in large numbers in 1916, state and local authorities in some areas ordered police forces to try to halt the exodus. African-American workers in Macon, Georgia, and Jacksonville, Florida, among other towns, were beaten and driven away from train stations. African-American sharecroppers in the Arkansas Delta began organizing an agricultural labor union as well as challenging large



Convict Labor
(Photo: State Archives of Florida)

It is important to place these riots in historical context. In terms of lives lost per capita, these riots were far bloodier than the 1960s race riots but not as deadly as the anti-black riots of the nineteenth century. In each of the major race riots between 1917 and 1923—with the partial exception of the Houston Race Riot of 1917—the instigators and perpetrators of violence as well as property destruction were white citizens. This does not mean that white people in the United States were somehow biologically or culturally predisposed to violence. Instead, white rioters were acting on behalf of perceived pressures, interests, and ideologies. It is necessary to examine the roots of white violence in order to understand the genesis of the race riots. The savagery of the riots, the losses African-American communities suffered, and the effects on race relations between whites and blacks continue to echo down into the twenty-first century.

Global Context

W. E. B. Du Bois, A. Philip Randolph, and other African-American leaders believed that the social forces unleashed by World War I would help blacks challenge the system of white supremacy in the United States. In addition, a number of industrial labor union organizing committees undertook major interracial unionizing campaigns in Chicago, Birmingham, and other urban areas. The most powerful unions had traditionally operated with color bars that excluded African Americans, Chinese, and others. Black workers, however, responded with guarded optimism to organizers' efforts to build interracial locals. James Weldon Johnson sensed a revived spirit of hope among African Americans as he traveled throughout the country during the war:

"I was impressed with the fact that everywhere there was a rise in the level of the Negro's morale. The exodus of Negroes to the North ... was in full motion; the tremors of the war in Europe were shaking America with increasing intensity; circumstances were combining to put a higher premium on Negro muscle, Negro hands, and Negro brains than ever before; all these forces had a quickening effect that was running through the entire mass of the race." (Johnson 1933, p. 315)

It was not long, however, before the forces of reaction regained the upper hand. Anticolonial and revolutionary movements were defeated, many by military force. In the United States, fear of working-class and black militancy led to a right-wing political backlash known as the "Red Scare." J. Edgar Hoover, the attorney general Alexander Mitchell Palmer, and others used their authority to arrest, detain, and ultimately expel thousands of "alien" political activists. As "law and order" types such as Hoover gained ascendancy, spaces for social and economic justice organizing diminished rapidly. State and federal authorities used powers gained through the Espionage Act of 1917 and the Sedition Act of 1918 to disrupt legitimate protest groups while ignoring the real crimes that worsened racial tensions. For example, in the two years leading up to the Chicago Race Riot of 1919, scores of African-American homes were bombed, and yet state authorities conducted no meaningful investigations nor were any of the perpetrators ever found. When similar bombing attacks rocked black homes in Miami, Florida, undercover federal agents appeared more interested in spying on African Americans than in catching the guilty parties. In contrast, the African-American soldiers who were involved in the Houston Race Riot of 1917 were vigorously prosecuted and nineteen were executed.

Origins

Prior to the Civil War the inferior status of slaves had made it unnecessary to pass laws segregating them from white people. Both races could work side by side so long as the slave recognized his subordinate place. In the southern cities, where most free blacks lived, rudimentary forms of segregation existed prior to 1860, but no uniform pattern emerged. In the North free blacks also labored under harsh restrictions and often found an even more-rigid segregation system than in the South.

You would have expected the Southern states to start creating a segregation system immediately after the Civil War, but that did not happen. In some states the legislatures imposed rigid separation, but only in certain areas; Texas, for example, required that every train have one car in which all people of color had to sit. The South had no real system of public education prior to the Civil War, and as the postwar governments created public schools, those were as often as not segregated by race. Nonetheless, New Orleans had fully integrated schools until 1877, and in North Carolina former slaves routinely sat on juries alongside whites.

In 1877 the Supreme Court ruled in *Hall v. DeCuir* and in this case it was ruled that states could not prohibit segregation on common carriers such as railroads, streetcars, or riverboats. In the Civil Rights Cases of 1883, the court overturned key elements of the Civil Rights Act of 1875, thereby sanctioning the notion of "separate but equal" facilities and transportation for the races (though it did not use the term *separate but equal*). Seven years later the court approved a Mississippi statute requiring segregation on intrastate carriers in *Louisville, New Orleans & Texas Railway v. Mississippi* (1890). As those cases demonstrated, the Supreme Court essentially concurred in the South's "solution" to the problems of race relations.

From 1887 to 1892 nine states, including Louisiana, passed laws requiring separation on public conveyances, such as streetcars and railroads. Though they differed in detail, most of those statutes required equal accommodations for black passengers and imposed fines and even jail terms on railroad employees who did not enforce them. Five of the states also provided criminal fines or imprisonment for passengers who tried to sit in cars from which their race excluded them. The Louisiana Separate Car Act passed in July 1890. In order to "promote the comfort of passengers," railroads had to provide "equal but separate accommodations for the white and colored races" on lines running in the state.

Challenging the Separate Car Act

The Louisiana Separate Car Act marked a dramatic and humiliating reversal of fortune for the black and mixed-race citizens of Louisiana. Although a slave state before and during the Civil War, Louisiana in general and New Orleans in particular had always had, because of their French origins, a more-tolerant attitude toward people of color than the other Deep South states. In addition to the usual demarcation between black and white, since the 1700s New Orleans had acknowledged a third class, free people of color (in French, *gens de couleur libres*), sometimes called Creoles, the freed descendants of European fathers and African mothers who had enjoyed a great deal of autonomy.

Although Louisiana, like most Southern states, had laws against marriage between slaves, it did allow free

people of color, whites, and the *gens de couleur* to marry, testify in court against whites, and in some cases inherit property from their fathers. Some became slave owners themselves, and apparently many of them accumulated significant property. Their social standing, especially in New Orleans, had insulated them from some of the white reaction following the war. But when whites regained power after the end of Reconstruction, they saw only two races, and the privileged position of the *gens de couleur* evaporated; from that point forward they were black as far as the law was concerned.

Gens de couleur helped form the American Citizens Equal Rights Association when the Separate Car bill was introduced and they pledged to fight it. Among the members of the committee was Louis A. Martinet, a Creole attorney and doctor who had also founded the “*Daily Crusader*”, and he and his newspaper became the leading opponents of the law. After the law’s passage, his paper called for both a legal challenge and a boycott of those railroads that had segregated cars. Martinet received the help of Albion W. Tourgée, a white lawyer, who had fought for the North during the Civil War, and served as a lawyer and judge in North Carolina.

A citizens’ committee (the Citizens’ Committee to Test the Constitutionality of the Separate Car Law), drawn primarily from the Creole community, raised \$3,000 to fund a lawsuit, and Tourgée agreed to be lead counsel in the case. But they also needed a local lawyer, since the challenge to the law would have to go through state courts before it could be appealed to the federal system. A white lawyer, James Walker, finally agreed to take the case in December 1891. Martinet did not consider any of the black lawyers in New Orleans competent to raise a constitutional question, since, as he explained, they practiced almost entirely in the police courts.

Tourgée and Martinet considered several possibilities. One of those was that they could have a black passenger buy a ticket outside Louisiana and then travel into the state, thus raising a challenge to the law under the commerce clause. Another was that they might have a fair-skinned person of mixed race attempt to enter the ladies’ car, but there they ran into the problem, as Martinet noted, that she might not be refused admission.

In New Orleans, he wrote to Tourgée, “People of tolerably fair complexion, even if unmistakably colored, enjoy here a large degree of immunity from the accursed prejudice.” But Tourgée wanted someone who was an octoroon, a person who was “of not more than one eighth colored blood,” because he believed the winning strategy would be to expose the haziness in the definition of race. Did the law give the authority to a train conductor to determine the race of a passenger? “It is a question,” Tourgée told his colleague, that the Supreme Court “may as well take up, if for nothing else, to let the court sharpen its wits on.”

Martinet agreed, and in New Orleans he began talking to sympathetic railroad officials who wanted the law overturned for their own financial reasons. It would not do if their test passenger was merely excluded from boarding or even thrown off the train; he would have to be arrested so that a real case existed and he could claim injury in federal court. One railway informed him that it did not enforce the law, while another said that though it opposed the statute as too costly, it did not want to go against it publicly. Then the Louisville & Nashville line agreed to a test case. As it happened, for reasons neither Martinet nor Tourgée expected, their test case fizzled.

Meanwhile, large numbers of black southerners were moving to the North in order to take factory jobs in the burgeoning war economy. By the time thousands of black World War I veterans returned from France demanding their civil rights, the NAACP was becoming a mass-membership protest organization with hundreds of new branches forming in the South and Midwest. African Americans in Florida organized the first statewide civil rights movement of the century, and black voters began to flex their political muscles in Chicago, East St. Louis, New York, and other cities. Many white citizens, however, interpreted black advancement as threatening their own interests. The leadership of the Democratic Party in Miami, Florida, responded to African-American voter registration with an ad that stated white supremacy was being assaulted which was published in the *Miami Herald*.

Race riots broke out in Washington, D.C.; Charleston, South Carolina; Tulsa, Oklahoma and Longview, Texas, among other places. Lynching was also prevalent during these years. Eleven African-American men were burned alive at the stake in 1919. In the same year lynch mobs murdered sixty-nine black people, including ten World War I veterans whose military service was viewed by some whites as a threat to the racial status quo. Anti-black race riots were often waged over the course of several days, and garnered international attention. The riots cost hundreds of lives and incalculable property damage. The riots also undermined the political and economic status of African Americans in numerous communities across the nation.

The intensity of these riots may be explained in part by examining the social context of violence in this period. White rioters enjoyed an almost universal immunity from prosecution, whereas their black counterparts were often incarcerated for defending their homes and neighborhoods. White citizens who shot or beat a black person to death in broad daylight had little to fear from law enforcement authorities, who in many cases often participated in vigilante activities themselves.

Race riots were not inspired by blind racist hatred. White citizens who rioted were motivated by political and economic, as well as social, factors. For example, the 1920 Election Day massacre of African Americans who attempted to vote in Orange County, Florida, was designed to enforce black disfranchisement. The East St. Louis Race Riot of 1917 was aimed in part at keeping African Americans from moving up the occupational ladder. The Tulsa, Oklahoma, Race Riot of 1921 destroyed a thriving black business district, and white rioters explicitly targeted properties owned by African Americans. Remembering the years she spent building up a successful hairdressing practice in Tulsa, Mabel Little recalled decades later, “At the time of the riot, we had ten different business places for rent. Today, I *pay* rent” (Hirsch 2002, p. 8). Riots in small towns and rural areas drove African Americans off the land and often allowed white residents to take control of black property for drastically reduced rates or for nothing at all. The massacre and forced removal of the African-American community in Rosewood, Florida, in 1923 wiped out generations of black land ownership.



Rosewood, Florida ruins in 1923
(Courtesy : Bettmann/CORBIS)



"Colored Troops", returning from fighting in the Great War
(Photo: Library of Congress)

rude awakening upon their return. Back home, many whites feared that African Americans would return demanding equality and would try to attain it by employing their military training. As the troops returned, there was an increase of racial tension. During the summer and fall of 1919, anti-black race riots erupted in twenty-six cities across America. The lynching of blacks also increased from fifty-eight in 1918 to seventy-seven in 1919. At least ten of those victims were war veterans, and some were lynched while in uniform.

Jami L. Bryan, Army Historical Foundation

U.S. Race Riots 1917—1923

The race riots that occurred from 1917 to 1923 may be understood as a continuation of the tradition of publicly sanctioned assaults against the progress of African Americans as a group. This national wave of riots was in part a response to the fact that black people were waging increasingly effective struggles against white supremacy. In 1909 a group of liberal whites and African Americans founded the National Association for the Advancement of Colored People (NAACP). The NAACP scored a major victory in 1915 with the Supreme Court's *Guinn v. United States* decision. This decision outlawed the "grandfather clauses" in certain state constitutions that had allowed white men to vote without passing a literacy test as long as their grandparents had voted prior to 1867. It also gave registrars the discretion they needed to exclude black southerners whose grandparents had not been legally able to vote prior to the end of the Civil War, 1866, or 1867, depending on the state. The *Guinn* decision encouraged African Americans across the South to undertake new initiatives to becoming registered voters.

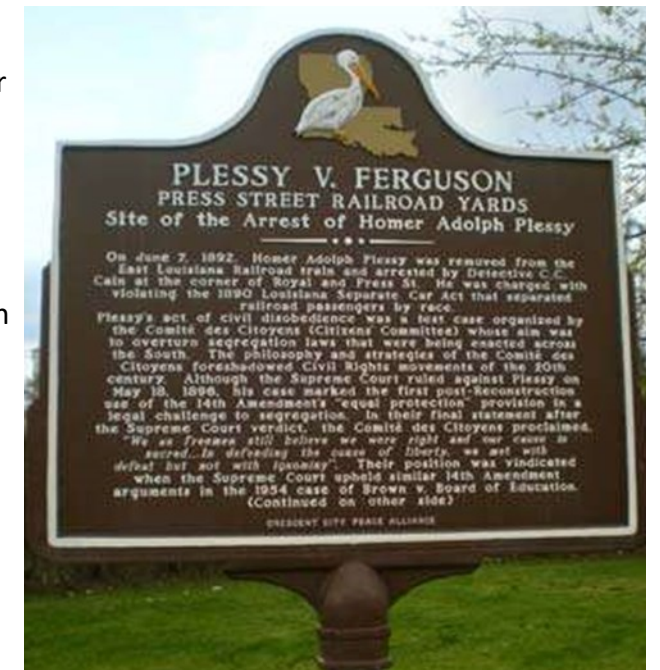
On February 24, 1892, 21-year-old Daniel Desdunes purchased a first-class ticket on the Louisville & Nashville from New Orleans to Mobile, Alabama, and took a seat in the "whites-only" car. He was arrested according to the plan and charged with a criminal violation of the Separate Car Act. Tourgée, Martinet, and the local attorney, James Walker, filed a "plea of jurisdiction," arguing that since Desdunes was a passenger in interstate commerce, he had the right and privilege to travel free from any governmental regulation save that of the Congress. Tourgée also introduced his claim that the determination of race was a complex question of both science and law and so could not be delegated to a train official. The lawyers assumed that their plea would be denied, Desdunes would be convicted, and then they would appeal. Then, on April 19, 1892, the presiding judge, Robert Marr, suddenly disappeared, and no one knew what had happened to him.

While Desdunes's attorney tried to figure out what to do next, on May 25 the Louisiana Supreme Court handed down its decision in *Louisiana ex rel. Abbott v. Hicks*. A train conductor on the Texas and Pacific Railway had been prosecuted for seating a black passenger in a white car, and the railway argued that since the passenger was traveling between two states, either the Louisiana law did not apply to interstate travel or, if it did, then it was unconstitutional under the commerce clause. Much to everyone's surprise, the Louisiana high court agreed that regulations of the Separate Car Act could not apply to interstate passengers. Given that development, the new judge in Desdunes's case, John Ferguson, dismissed the case.

Homer Plessy and Jim Crow

Martinet, of course, knew that the *Abbott* case did not apply to intrastate commerce—that is, travel entirely within the borders of Louisiana—and he and Tourgée began looking for another light-skinned black man to test the law. They found Homer Plessy, a shoemaker, a friend of Desdunes's father, and a member of the citizens' committee that had raised the money for Tourgée's original case. Nearly 30 years old at the time, Plessy had already become well known in the Creole community for his work in several local community-betterment groups.

On June 7, 1892, Homer Plessy walked into the Press Street Depot in New Orleans, bought a first-class ticket to Covington, and boarded the East Louisiana Railroad's Number 8 train. As the train pulled away from the station, the conductor asked the light-skinned Plessy if he was a "colored man." Plessy said he was and the conductor told him to move to the colored car. Homer Plessy refused. "I am an American citizen," he told the trainman. "I have paid for a first-class ticket, and intend to ride to Covington in the first-class car." The conductor stopped the train, and Detective Christopher Cain boarded the car, arrested Plessy, and forcibly dragged him off the train with the help of a few other passengers. After a night in jail, Plessy appeared in criminal court before Judge John Howard Ferguson to answer charges of violating the Separate Car Act.



Louisiana Historical Marker
(Photo: Encyclopedia Britannica)

The Committee to Test the Constitutionality of the Separate Car Act then posted a \$500 bond so Plessy

Plessy failed in court, and his subsequent appeal to the state Supreme Court (in *Ex parte Plessy*, 1893) was similarly unsuccessful. An appeal to the U.S. Supreme Court followed, but time was hardly on Plessy's side. Between the filing of the appeal in 1893 and oral argument before the U.S. Supreme Court in Washington in April 1896, both the general climate and the attitude of the court had hardened. Throughout the country, but especially in the South, conditions for African Americans were quickly deteriorating. The Supreme Court ruling that followed on May 18, 1896, and that bore the names of *Plessy v. Ferguson solidified the establishment of the Jim Crow Era*

Melvin I. Urofsky and The Editors of Encyclopedia Britannica

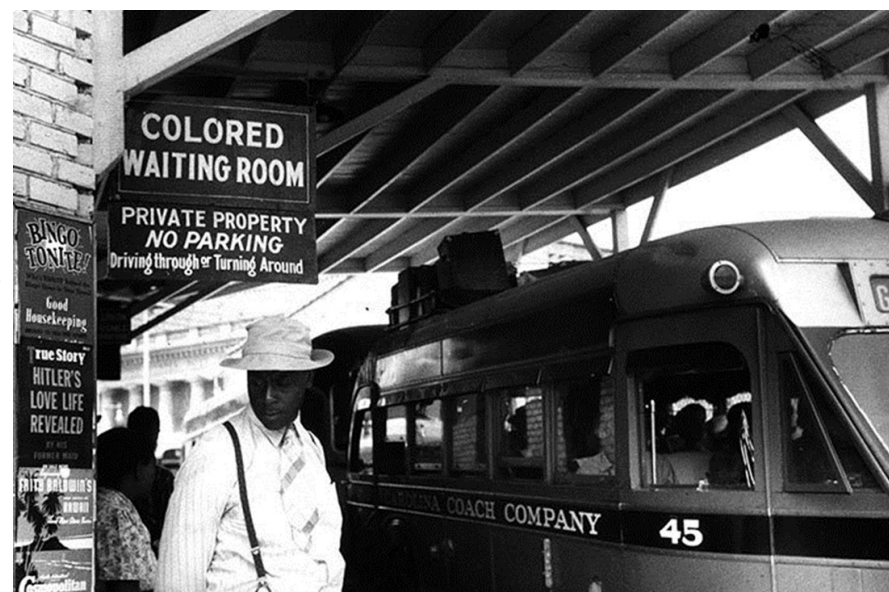
Separate but Equal

Plessy v. Ferguson opened the doors to a wave of restrictive laws all across the southern US to curb the rights of black people, and by 1899, one such law in North Carolina had been dubbed "the *Jim Crow law*" and "the color line." Other *Jim Crow* laws involved segregating schools by skin color (with the black schools getting much less funding, therefore suffering in quality and condition), the segregation of hospitals, a curfew for black citizens, requirements for black people and white people to use separate public bathrooms, water fountains, and entrances, among numerous other examples. The segregation principle was extended to parks, cemeteries, theatres, and restaurants in an effort to prevent any contact between blacks and whites as equals. It was codified on local and state levels and became the new Law of the land and had now been concurred by the "separate but equal" decision of the U.S. Supreme Court. New *Jim Crow* laws continued to be passed all the way up into the mid-20th century.

The laws affected almost every aspect of daily life, mandating segregation of schools, parks, libraries, drinking fountains, restrooms, buses, trains, and restaurants. "Whites Only" and "Colored" signs were constant reminders of the enforced racial order. In legal theory, blacks received "separate but equal" treatment under the law — in actuality, public facilities for blacks were nearly always inferior to those for whites, when they existed at all. In addition, blacks were systematically denied the right to vote in most of the rural South through the selective application of literacy tests and other racially motivated criteria.

The Jim Crow system was upheld by local government officials and reinforced by acts of terror perpetrated by Vigilantes. In 1908, journalist Ray Stannard Baker observed that "no other point of race contact is so much and so bitterly discussed among Negroes as the Jim Crow car." As bus travel became widespread in the South over the first half of the 20th century, it followed the same pattern.

Travel in the segregated South for black people was humiliating," recalled Diane Nash in her interview for *Freedom*



"Colored Waiting Room" signs were common throughout the South
(Photo: Library of Congress)

proved their tenacity once again by helping the French 161st Division drive the Germans from their trenches during the Aisne-Marne counter-offensive.

In this three-week period, the Germans were making many small night raids into Allied territory. During one of these raids, a member of the 369th Infantry, CPL Henry Johnson, fought off an entire German raiding party using only a pistol and a knife. Killing four of the Germans and wounding many more, his actions allowed a wounded comrade to escape capture and led to the seizure of a stockpile of German arms. Johnson and his comrade were wounded and both received the French Croix de Guerre for their gallantry. Johnson was also promoted to sergeant.

From 26 September to 5 October, the 369th participated in the Meuse-Argonne offensive, and continued to fight well throughout the remainder of the war. The regiment fought in the front lines for a total of 191 days, five days longer than any other regiment in the AEF. France awarded the entire unit the Croix de Guerre, along with presenting 171 individual awards for exceptional gallantry in action.

Although the 369th won much of the glory for the 93rd Division, the 370th, 371st, and 372d Regiments, each assigned to different French divisions, also proved themselves worthy of acclaim at the front. The 370th fought hard in both the Meuse-Argonne and Oise-Aisne campaigns. Seventy-one members of the regiment received the French Croix de Guerre, and another twenty-one soldiers received the Distinguished Service Cross (DSC). Company C, 371st Infantry, earned the Croix de Guerre with Palm. The 371st Regiment spent more than three months on the front lines in the Verdun area, and for its extraordinary service in the Champagne offensive, the entire regiment was awarded the Croix de Guerre with Palm. In addition, three of the officers of the 371st were awarded the French Legion of Honor, 123 men won the Croix de Guerre, and twenty-six earned the DSC.



"Colored Troops Advancing" Meuse-Argonne Offensive
(Photo: Library of Congress)

The 372nd Infantry also performed admirably during the American assault in Champagne, and afterwards assisted in the capture of Monthois. It was there the regiment faced strong resistance and numerous counterattacks, resulting in many instances of hand-to-hand combat. In less than two weeks of front line service, the 372d suffered 600 casualties. The regiment earned a unit Croix de Guerre with Palm, and in addition, forty-three officers, fourteen noncommissioned officers, and 116 privates received either the Croix de Guerre or the DSC.

On 11 November 1918 at 1100, the armistice between the Allies and Central Powers went into effect. Like all other American soldiers, the African American troops reveled in celebration and took justifiable pride in the great victory they helped achieve. It was not without great cost: the 92d Division suffered 1,647 battle casualties and the 93d Division suffered 3,534. Expecting to come home heroes, black soldiers received a

gap between the American 77th Division and the French 37th Division. However, due to their lack of training with the French, shortages of equipment, and unfamiliarity with the terrain, the regiment did not successfully complete this important assignment. The failure to accomplish this crucial mission blemished the 92nd's combat record, and it was often used by military authorities for more than thirty years to prove the inadequacy of African American soldiers in combat.

After the disaster in the Argonne, the entire division was sent to a relatively quiet area of the front in the Marbache sector. Their primary mission was nevertheless a dangerous one: harass the enemy with frequent patrols. The danger of the assignment was reflected in the 462 casualties sustained in just the first month of patrolling. Although American commanders were dissatisfied with the unit's performance, the French obviously had a different opinion—they decorated members of the 365th Infantry and 350th Machine Gun Battalion for their aggressiveness and bravery.

By late 1918, the German Army was in full retreat, the Allied Commander in Chief, Field Marshal Ferdinand Foch, wanted to apply heavy pressure for a decisive breakthrough and defeat. The 92nd was ordered to take the heights east of Champney, France, on 10 November 1918. Although only lasting one day, the attack was fierce and bloody, costing the division over 500 casualties.

As the 92nd Division struggled to clear its reputation, the 93rd Division had a much more successful experience. Commanded by BG Roy Hoffman, the 93rd Division was also organized in December 1917. Unlike other American infantry divisions, the 93rd was limited to four infantry regiments, three of which were comprised of National Guard units from New York, Illinois, Ohio, Maryland, Connecticut, Massachusetts, the District of Columbia, and Tennessee. Being made up of mostly draftees and National Guardsmen, the 93rd lacked any sort of consistency in its experience or composition. The unit also lacked its full number of combat units and support elements, and as a result never attained full divisional strength. Seeming to have odds stacked against it, the 93rd fared remarkably well when faced with battle.

The situation was desperate in France, and with exhausted and dwindling armies, the French begged the United States for men. General John Pershing, commander of the American Expeditionary Force, promised them four American regiments. He decided to give them the regiments of the 93rd Division. The first African American combat troops to set foot on French soil belonged to the 93rd Division. Armed, organized, and equipped as a French unit, the 93rd quickly adjusted to their new assignment. Although experiencing some difficulties like language problems, the black soldiers were treated as equals.

The 369th Infantry was the first regiment of the 93rd Division to reach France. They arrived in the port city of Brest in December 1917. On 10 March, after three months of duty with the Services of Supply, the 369th received orders to join the French 16th Division in Givry en Argonne for additional training. After three weeks the regiment was sent to the front lines in a region just west of the Argonne Forest. For nearly a month they held their position against German assaults, and after only a brief break from the front, the 369th was placed once again in the middle of the German offensive, this time at Minacourt, France. From 18 July to 6 August 1918, the 369th Infantry, now proudly nicknamed the "Harlem Hellfighters,"



"Harlem Hellfighters"
(Photo: Library of Congress)

Riders. "The very fact that there were separate facilities was to say to black people and white people that blacks were so subhuman and so inferior that we could not even use the public facilities that white people used."

Fighting for Respect: African American Soldiers in WW I

As the people of the United States watched World War I ignite across Europe, African American citizens saw an opportunity to win the respect of their white neighbors. America was a segregated society and African Americans were considered and looked upon as second class citizens. Yet despite that, there were many African American men willing to serve in the nation's military, but even as it became apparent that the United States would enter the war in Europe, blacks were still being turned away from military service.

When the United States declared war against Germany in April of 1917, War Department planners quickly realized that the standing Army of 126,000 men would not be enough to ensure victory overseas. The standard volunteer system proved to be inadequate in raising an Army, so on 18 May 1917 Congress passed the Selective Service Act requiring all male citizens between the ages of 21 and 31 to register for the draft. Even before the act was passed, African American males from all over the country eagerly joined the war effort. They viewed the conflict as an opportunity to prove their loyalty, patriotism, and worthiness for equal treatment in the United States.

Following the Civil War, the Army disbanded volunteer "colored" regiments, and established six Regular Army regiments of black troops with white officers. In 1869, the infantry regiments were reorganized into the 24th and 25th Infantry. The two cavalry regiments, the 9th and 10th, were retained. These regiments were posted in the West and Southwest where they were heavily engaged in the Indian War. During the Spanish-American War, all four regiments saw service.

When World War I broke out, there were four all-black regiments: the 9th and 10th Cavalry and the 24th and 25th Infantry. The men in these units were considered heroes in their communities. Within one week of Wilson's declaration of war, the War Department had to stop accepting black volunteers because the quotas for African Americans were filled.

When it came to the draft, however, there was a reversal in usual discriminatory policy. Draft boards were comprised entirely of white men. Although there were no specific segregation provisions outlined in the draft legislation, blacks were told to tear off one corner of their registration cards so they could easily be identified and inducted separately. Now instead of turning blacks away, the draft boards were doing all they could to bring them into service, southern draft boards in particular. One Georgia county exemption board discharged forty-four percent of white registrants on physical grounds and exempted only three percent of black registrants based on the same requirements. It was fairly common for southern postal workers to deliberately withhold the registration cards of eligible black men and have them arrested for being draft dodgers. African American men who owned their own farms and had families were often drafted before single white employees of large planters. Although comprising just ten percent of the entire United States population, blacks supplied thirteen percent of inductees.

While still discriminatory, the Army was far more progressive in race relations than the other branches of the military. Blacks could not serve in the Marines, and could only serve limited and menial positions in the Navy and the Coast Guard. By the end of World War I, African Americans served in cavalry, infantry, signal, medical, engineer, and artillery units, as well as serving as chaplains, surveyors, truck drivers, chemists, and intelligence officers.

Although technically eligible for many positions in the Army, very few blacks got the opportunity to serve in combat units. Most were limited to labor battalions. The combat elements of the U.S. Army were kept completely segregated. The four established all-black Regular Army regiments were not used in overseas combat roles but instead were diffused throughout American held territory. There was such a backlash from the African American community, however, that the War Department finally created the 92nd and 93rd Divisions, both primarily black combat units, in 1917.

With the creation of African American units also came the demand for African-American officers. The War Department thought the soldiers would be more likely to follow men of their own color, thereby reducing the risk of any sort of uprising. Most leaders of the African American community agreed, and it was decided that the Army would create a segregated, but supposedly equal, officer training camp. In May 1917, Fort Des Moines opened its doors to black officer-trainees. Approximately 1,250 men attended the camp in Des Moines, Iowa.

Two hundred fifty of those men were already noncommissioned officers, and the rest were civilians. The average man attending the camp only had to have a high school education, and only twelve percent scored above average in the classification tests given by the Army. The training program was ran by LTC Charles C. Ballou, the fort's staff of twelve West Point graduates, and a few noncommissioned officers from the four original all-black regiments put the candidates through a rigorous training routine. They practiced drilling with and without arms, signaling, physical training, memorizing the organization of the regiment, reading maps, and training on the rifle and bayonet. However, as Ballou noted after the war, the men doing the training did not take the job very seriously, and seemed to consider the school, and the candidates, a waste of time. Consequently, the War Department determined that the instruction at Fort Des Moines was poor and inadequate. Also adding to the poor training was the fact that no one knew exactly what to expect in France, so it was difficult to train as precisely as was needed.

On 15 October 1917, 639 African-American men received their commissions as either captain or first or second lieutenant, and were assigned to infantry, artillery, and engineer units with the 92d Division. This was to be the first and only class to graduate from Fort Des Moines; the War Department shut it down soon after their departure. Future black candidates attended either special training camps in Puerto Rico (from which 433 officers graduated), the Philippines, Hawaii, and Panama, or regular officer training facilities in the United States .

The Army had no written policy on what to do if an officer training camp became integrated, so each camp was allowed to decide for itself the manner in which the integration was executed. Some were completely segregated and others allowed for blacks and whites to train together. Over 700 additional black officers graduated from these camps, bringing the total number to 1,353.

Although African Americans were earning higher positions in the Army, that did not necessarily mean they were getting equal treatment. Black draftees were treated with extreme hostility when they arrived for training. White men refused to salute black officers and black officers were often barred from the officer's clubs and quarters. The War Department rarely interceded, and discrimination was usually overlooked or sometimes condoned. Because many Southern civilians protested having blacks from other states inhabit nearby training camps, the War Department stipulated that no more than one-fourth of the trainees in any Army camp in the U.S. could be African American.

Even when integrated into fairly progressive camps, black soldiers were often treated badly and sometimes went for long periods without proper clothing. There were also reports of blacks receiving old Civil War uniforms and being forced to sleep outside in pitched tents instead of warmer, sturdier barracks. Some were forced to eat outside in the winter months, while others went without a change of clothes for months at a time. Not all black soldiers suffered treatment like this, however, as those who were lucky enough to train at newly erected National Army cantonments lived in comfortable barracks and had sanitary latrines, hot food, and plenty of clothes.

The first black troops sent overseas belonged to service units. Because the work that these units did was absolutely invaluable to the war effort, commanders promised special privileges in return for high-yield results. With such motivation, the soldiers would often work for twenty-four hours straight unloading ships and transporting men and materiel to and from various bases, ports, and railroad depots. As the war continued and soldiers took to the battlefields, black labor units became responsible for digging trenches, removing unexploded shells from fields, clearing disabled equipment and barbed wire, and burying soldiers killed in action. Despite all the hard and essential work they provided, African American stevedores received the worst treatment of all black troops serving in World War I.

Although not nearly as respected as any of the white soldiers involved in the war effort, African American combat troops, in many respects, were much better off than the laborers. The two combat divisions—the 92nd and 93rd Divisions—had two completely different experiences while fighting the Great War.

The 92nd Division was created in October 1917 and put under the command of BG Charles C. Ballou, who had organized the first African American officer candidate school. Organized in a manner similar to the other American divisions, the 92nd was made up of four infantry regiments, three field artillery regiments, a trench mortar battery, three machine gun battalions, a signal battalion, an engineer regiment, an engineer train, and various support units.

Although in no case did a black officer command a white officer, most of the officers (up to the rank of first lieutenant) in the unit were African American. Unlike just about every other American unit training to go into battle, soldiers from the 92nd were forced to train separately while in the United States. The War Department, fearing racial uprisings, was willing to sacrifice the unit's ability to develop cohesion and pride. The lack of a strong bond between the men was one of the factors that led to the unit's poor performance in the Meuse-Argonne campaign.

The personal animosity between LTG Robert Bullard, commander of the American Second Army, and BG Ballou was another problem. Bullard was not only a staunch racist, but he also had a rivalry going with BG Ballou. In order to make both Ballou and the black soldiers appear completely incompetent, Bullard spread misinformation about the successes and failures of the 92nd.

Even COL Allen J. Greer, Ballou's chief of staff, was in on the plan to sabotage the reputation of his African American unit, and helped put a negative twist on stories from the front lines. Regardless of how well the 92nd Division actually did on the battlefield, it was virtually impossible to overcome the slander from prejudiced officers.

Following some initial successes in Lorraine in mid-August, on 20 September 1918, the 92nd was ordered to proceed to the Argonne Forest in preparation for the Meuse-Argonne offensive. The division reached the front lines just before the first assault. The 368th Infantry Regiment immediately received orders to fill a