

# African american discrimination 1865- 1939



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Why did black Americans face discrimination during the period 1865-1939?

In 1865, the Thirteenth Amendment to the US Constitution abolished slavery in the USA and in 1868 the Fourteenth Amendment guaranteed citizenship and equal civil rights to freedmen but even in 1978 Justice Thurgood Marshall, the first black justice of the Supreme Court, commenting on inequality was to say ' Take it from me, it has not been solved'. <sup>[1]</sup>

Why is it that black Americans have continued to face discrimination since 1865 and what forms has that discrimination taken? This essay will explore the types of discrimination faced by black Americans from 1865-1939 and the reasons that may lie behind it. It begins with an examination of the origins of racial discrimination that sets the context for later developments. It then moves on to examine the reasons for and instances of discrimination in a variety of contexts.

The origins of discrimination against black Americans lies in the practice of slavery and the inherent contradiction between proclamations of freedom and the denial of humanity that is the foundation of the modern US. Virginia and other regions had economies based on slavery and incorporated racial discrimination as a quite natural. <sup>[2]</sup> The relationship of slave and master and the divisions of labour and status created, enforced and normalised unequal relationships between blacks and whites. A slave by definition of his enslaved status could be considered as inferior but black inferiority was also argued scientifically and promulgated in the popular consciousness. <sup>[3]</sup> These differences were also initially exacerbated by religion and led to an association of black, heathen and slave. It was also considered that black

people might not be human, at least not as human as whites, and black as a colour was associated with the night, with evil and with the biblical curse of Ham. Brogan states that the result of these factors ' was the deeply entrenched, pathological enmity between the races'. <sup>[4]</sup> It is against the backdrop of such a society that the phenomena of discrimination against black Americans should be seen.

Slavery as an institution came under increasing attack, being abolished firstly in the state of Vermont in 1777 followed over the next few years by several other northern states. <sup>[5]</sup> The African slave trade was banned by Federal Law in 1808 and eventually abolition was achieved in 1865 after being the central issue of the Civil War. The response to the new legal position in the southern states was twofold, involving on the one hand violence and on the other the law itself.

The violent discrimination suffered by freed black Americans in the south is embodied by the emergence of the Ku Klux Klan (KKK), founded in Tennessee on Christmas Eve 1865. <sup>[6]</sup> The Klansmen, robed and masked in white, whipped, burned, murdered and threatened in order to intimidate black Americans and those who sought to aid them. By 1867 their techniques had become popular throughout the south. They were motivated by frustration at the outcome of the Civil War and a continued belief in the supremacy of whites over blacks and attempted, reasonably successfully to prevent blacks from voting, to drive them from whatever lands they had managed to acquire and to prevent them from asserting themselves. <sup>[7]</sup>

The so-called ' Black Codes' passed in the Reconstruction period following the Civil War almost reenslaved the newly freed blacks. [8] For example they were required to hire themselves out by the year without the right to leave their employment or strike. Any black found to be unemployed or travelling without his employers permission was arrested, fined for vagrancy and allotted to a white employer. [9] The reason for such legal discrimination is not hard to fathom since they seem intended, as was pointed out by the Republican caucus on December 2<sup>nd</sup> 1865 to reduce Afro-Americans to slavery. [10]

These reactions in the aftermath of the Civil War and Reconstruction show that for many in the south the new status of black Americans as equal to whites was unacceptable and thus a cause of discrimination. In fact it should hardly be surprising that such a significant change in the social and economic fabric of a region would result in extreme reactions and resentment. Blacks as slaves had formed the foundation of an economic and social system that necessitated their continued repression. Free black Americans and whites were forced to negotiate new relationships in which black Americans would demand better treatment as cash waged employees with limited working hours on a par with labourers throughout the US or even as landowners in their own right. [11]

Following the Compromise of 1877 the social position of black Americans declined. Shortly after, breaking the power of the Redeemers, the rednecks seized control, resulting in the Jim Crow laws. [12] The term Jim Crow was a generic slang term for Negro, perhaps based on the rhyming principle. These

laws of segregation began in Tennessee, the home of the KKK, in 1881 with the Jim Crow railroad car law and had spread to 13 other southern states by 1907. <sup>[13]</sup> Through these laws, blacks were excluded from voting by the grandfather clause, the white primary and the poll tax. They were also restricted to the most servile employment, segregated from the better residential areas in towns, from white schools and universities, white hotels and restaurants and even segregated on buses. <sup>[14]</sup> In 1875 there had been passed a Civil Rights Act that had prohibited discrimination in hotels although this was overturned when the Act was held unconstitutional by the Supreme Court. <sup>[15]</sup> In 1896 the Supreme Court sanctioned segregation with the Plessey v. Ferguson case. <sup>[16]</sup> Only in 1957 were the Jim Crow buses ruled unconstitutional. <sup>[17]</sup>

Throughout this period and well into the twentieth century, white resentment often took the form of violence, typified by the practice of lynching. In 1886, 20 blacks were lynched in Carrollton, Miss. <sup>[18]</sup> In total more than 2, 500 lynchings were carried out between 1880 and 1900. <sup>[19]</sup> Between 1918 and 1927, 416 blacks were lynched with burning becoming a popular means of killing. <sup>[20]</sup> In the south in the 1920s a new KKK arose, the group having been inactive since 1873. <sup>[21]</sup> The reasons for the rise of both the old and new KKK have been located in the tensions that appear in the aftermath of war. <sup>[22]</sup> The movement has been identified as a defensive one, embodying reactions to innovations in race relations and more widely as a movement inspired by a fear of change, particularly that brought about by out-groups. <sup>[23]</sup>

The First World War, eventually joined by the US in 1917, saw some 400, 000 black Americans serve in the army and navy. <sup>[24]</sup> Du Bois thought that black Americans should not only obey the call of duty but demand to be allowed to fight for their country. <sup>[25]</sup> Despite segregation, slander, violence and discouragement from the US side, black troops were praised by the French and received far better treatment from them. Black soldiers abroad were warned by Wilson not to expect the same treatment on their return to the US while those stationed in the US suffered under continued Jim Crow laws. Following the war and the race riots that followed, the 1920-1 membership of the KKK grew to some five million, reacting violently against the perceived threat of veterans and the economic migrants.

Discrimination was never restricted only to the southern US. <sup>[26]</sup> The First World War had created jobs in the north and pulled by these and pushed by oppression and exploitation, some 500, 000 black Americans migrated to the north between 1915 and 1918. <sup>[27]</sup> The migration had several benefits for black Americans over and above the achievement of better, though still hard and poorly paid, work. Employment was still segregated and tensions between poor whites and blacks in particular increased as black workers were made by employers to break strikes and were discriminated against by unions. Since among the poor there tends to be competition for jobs and housing, both of which may be substandard, race relations and social discrimination could easily be exacerbated. <sup>[28]</sup> Blacks could be and were ghettoised and then exploited by being charged higher rents than whites. <sup>[29]</sup> As a result, there were 25 race riots in the summer and autumn of 1919

in the north east and midwest. The most violent riot lasted 13 days, killing 23 black Americans and 15 whites and took place not in the south but in Chicago. <sup>[30]</sup>

In answering the question of why black Americans faced discrimination during the period 1865-1939, it is appropriate to examine the controversial role of prominent black Americans such as Booker T. Washington. <sup>[31]</sup> Washington himself favoured and advocated discrimination; he 'counseled blacks to remain in the south, to become economically self-sufficient, and to remain socially separate from whites'. <sup>[32]</sup> This may seem surprising but Washington believed that in order to make political progress, black Americans had first to make economic progress and gain economic control over their own lives. <sup>[33]</sup> To achieve this he advocated vocational training. By not promoting black suffrage or attacking Jim Crow, he avoided confrontation with whites. Although some whites saw in this movement a possibility for peaceful race relations, others saw Washington as affirming the inferior status of blacks that they believed in. While Washington's eventual goal was integration and equality, his methods were too slow for many critics like Du Bois, who thought that black Americans 'should not have to sacrifice their constitutional rights in order to achieve a status that was already guaranteed'. <sup>[34]</sup> In addition, many blacks viewed him, because of his involvement with the political elite, as an "Uncle Tom' who hung around condescending whites who did nothing for him or his people'. <sup>[35]</sup>

During the so-called Great Boom of the 1920s, black Americans were largely exempt from the general prosperity. <sup>[36]</sup> The majority of black Americans still

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lived and worked as agricultural labourers in the south, where they were always the first to be laid off. Despite further northerly migrations, between 1910 and 1970 over 6 million blacks left the south, the economic and social conditions experienced by black Americans in the north remained of a lower standard but despite this still caused resentment amongst whites. <sup>[37]</sup> The Depression, beginning in 1929 saw 2 million black American farmers forced off the land, and in the general scramble for any employment they came off worst in competition with whites in the cities, where black unemployment was between 30-60%. <sup>[38]</sup> The resulting New Deal of Roosevelt, while tainted by discrimination in the south, offered aid to blacks in the form of jobs, housing, finance and skills training on an unprecedented scale. Many were for the first time able to become independent farmers or develop careers in entertainment and culture. Some white reactions to a perceived increased black assertiveness and the belief that Roosevelt was courting the potential black vote revealed continuing opposition to civil rights for black Americans who considered that such things would lead to the ' mongrelisation of the American race'. <sup>[39]</sup>

Even though the discrimination against black Americans goes back to the beginnings of American history, it should be emphasised that since changes towards a belief in equality in the status of blacks and whites in white thought became more widespread and it was no longer natural for whites to think of blacks as inferior, there has been an increasing option for whites to be non-discriminatory. The continuation of discrimination undoubtedly has many reasons that vary with the socio-economic locus of the discrimination. It is certain that discrimination, as well as being caused by sincerely held



beliefs, is caused by tensions within societies and that groups tend to blame other groups for the problems that they suffer. It is also certain that experiences in war, increased assertiveness of black Americans and changes in their legal status inspired resentment, particularly amongst southern whites, at a changing world order. Discrimination could also be good for business, providing a pool of cheap labour to be exploited at work and in the provision of housing and blacks as well as whites discriminated. Perhaps in the end we are forced to conclude that black Americans faced discrimination between 1865 and 1939 because discrimination based on physical appearance, or on other factors, is quite normal to human behaviour.

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[1] Goode, K. G. 1969. *From Africa to the United States and then...* Glenview: Scott, Foresman and Co., 164; Brogan, H. 1999. *The Penguin History of the USA* . 2<sup>nd</sup> edition. London: Penguin, 644

[2] Brogan 1999, 106-7; Sanders, V. 2003. *Race Relations in the USA since 1900* . London: Hodder & Stoughton, 7-10

[3] McPherson, J. M. 1964. *The Struggle for Equality* . Princeton: Princeton University Press, 134

[4] Brogan 1999, 107

[5] Goode 1969, 162

[6] Brogan 1999, 352; Goode 1969, 84

[7] Brogan 1999, 367

[8] Goode 1964, 164

[9] Brogan 1999, 352

[10] Goode 1964, 79

[11] Brogan, 1999 357-8

[12] Brogan 1999, 371

[13] Goode 1964, 165

[14] Brogan 1999, 371

[15] Goode 1964, 84-5, 138, 165

[16] Sanders 2003, 21

[17] Goode 1964, 167

[18] Goode 1964, 165

[19] Goode 1964, 112-3

[20] Brogan 1999, 479

[21] Brogan 1999, 368, 488

[22] Johnson, G. B. 1980. A Sociological Interpretation of the New Ku Klux Klan. In Pettigrew, T. F. (ed.) 1980. *The Sociology of Race Relations* . New York: The Free Press, 71. [Originally published in *Social Forces* 1 (May 1923), 440-45]

[23] Johnson 1980

[24] Goode 1964, 117-120

[25] Moses, W. J. 1978. *The Golden Age of Black Nationalism, 1850-1925* . New York: Oxford University Press, 230

[26] Brogan 1999, 317

[27] Goode 1964, 119-20

[28] Johnson, G. B. 1980b. The Negro Migration and Its Consequences. In Pettigrew, T. F. (ed.) 1980. *The Sociology of Race Relations* . New York: The Free Press, 79. [Originally published in *Social Forces* 2 (March 1924), 404-08]

[29] Sanders 2003, 21-2

[30] Goode 1964, 120

[31] Sanders 2003, 25-32

[32] Goode 1964, 103

[33] Brogan 1999, 371

[34] Goode 1964, 105

[35] Sanders 2003, 30

[36] Lowe, N. 1982. *Mastering Modern World History* . London: Macmillan, 79

[37] Sanders 2003, 35-6

[38] Sanders 2003, 40

[39] Sanders 2003, 42