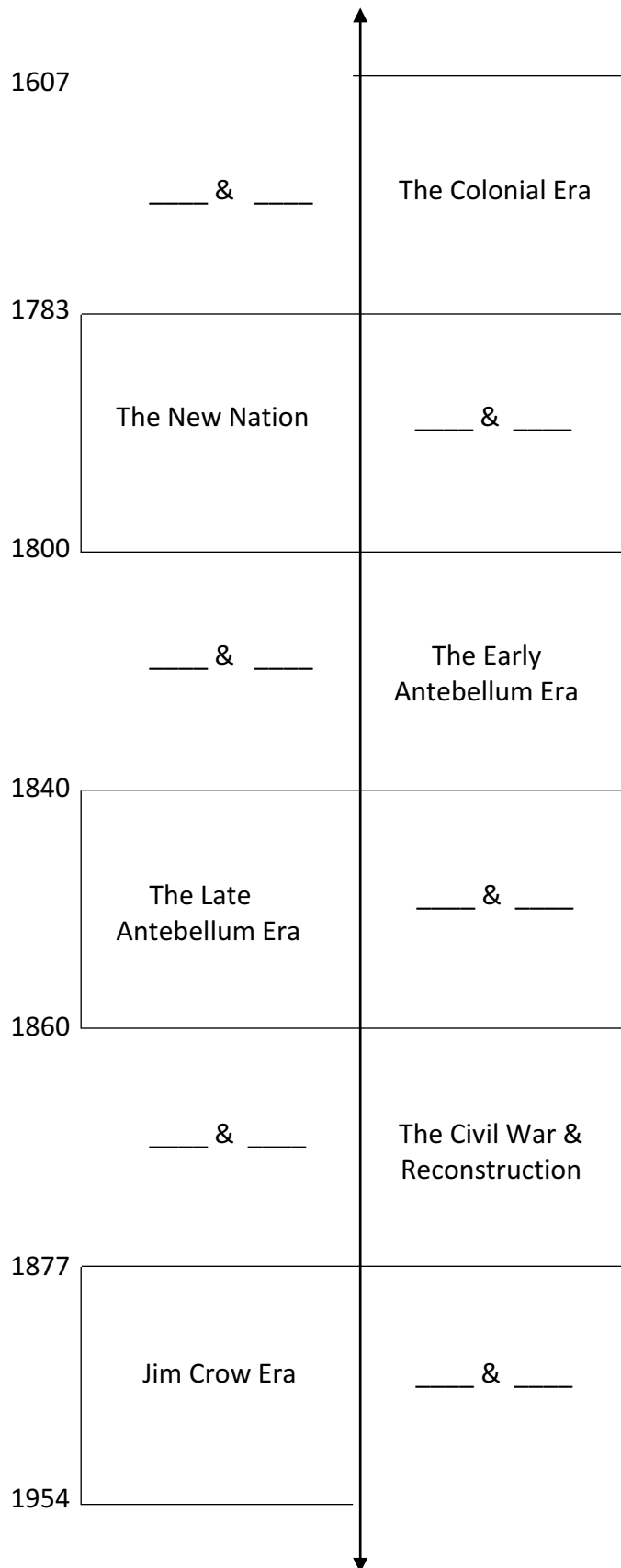


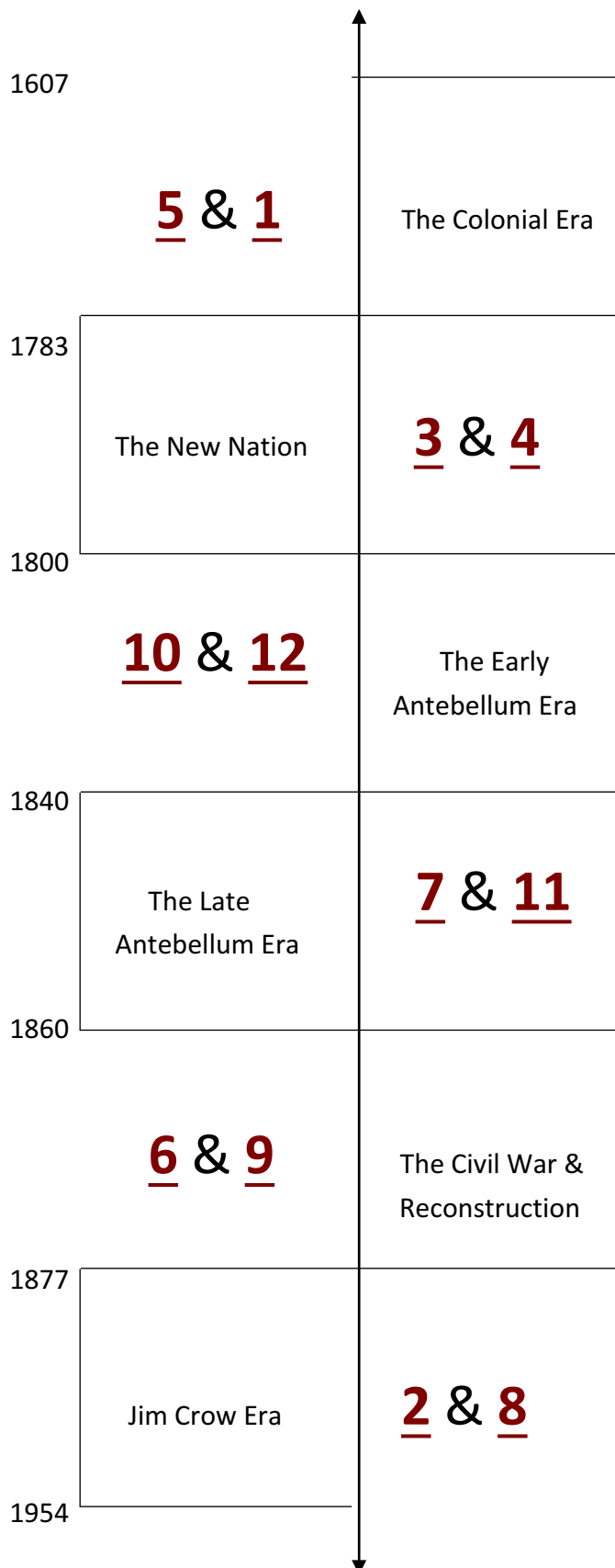
The Gilded Age (1870—1900): The Jim Crow South

Directions: Use the bank of clues to match the descriptions to the appropriate era. There are two clues per era

A Brief History of Slavery and African-Americans in the United States



1. African slaves were used as domestic servants in New England, on tobacco plantations in Virginia, and in a variety of ways in New York
2. After Reconstruction ended, segregation laws were created to keep African-Americans inferior
3. After the American Revolution, the national government under the Articles of Confederation outlawed slavery in the Northwest territories
4. During Constitutional Convention after the Revolutionary War, delegates created the 3/5 Compromise which counted some slaves toward state population and representation in Congress
5. First African slaves arrive in the Jamestown colony
6. Lincoln issued the Emancipation Proclamation after the Battle of Antietam
7. Manifest Destiny added new territories the West such as Texas and the Mexican Cession; the question of California entering as a free state led to the Compromise of 1850
8. Poll taxes, literacy tests, grandfather clauses violated the voting rights of African-Americans granted in the 15th Amendment
9. The 13th Amendment ended slavery, the 14th Amendment extended citizenship to freedmen, & the 15th Amendment gave African-American men the right to vote
10. The cotton gin led to the growth of cotton throughout the Deep South
11. The Kansas-Nebraska Act allowed the people (popular sovereignty) to decide on slavery
12. The Missouri Compromise brought up the issue of slavery in the West; Missouri was admitted as a slave state, Maine entered as a free states, and slavery was outlawed above the 36°30' line

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PLESSY v. FERGUSON (1896)

ORIGINS OF THE CASE In 1892, Homer Plessy took a seat in the “Whites Only” car of a train and refused to move. He was arrested, tried, and convicted in the District Court of New Orleans for breaking Louisiana’s segregation law. Plessy appealed, claiming that he had been denied equal protection under the law. The Supreme Court handed down its decision on May 18, 1896.

Exploration Questions:

1. In your own words, what protection does the 14th Amendment provide all Americans?
2. What does the Louisiana Acts 1890, No 111 state?
3. Based upon the “origins of the case” (above) and your understanding of the 14th Amendment, what should the Supreme Court have ruled?
4. Based upon the information in the “related cases” section to the right, how do you think the Supreme Court ruled?

Class Discussion Questions:

5. After discussing your answers to questions 1-4, your teacher will reveal the verdict in the Plessy v Ferguson case. Using the information gathered in this exercise, what do you think was the biggest obstacle facing African-Americans during the Jim Crow Era?
6. What could African-Americans do to overcome these unequal laws and racist culture?

LEGISLATION

U.S. CONSTITUTION, FOURTEENTH AMENDMENT (1868)

“No state shall . . . deny to any person within its jurisdiction the equal protection of the laws.”

LOUISIANA ACTS 1890, NO. 111

“. . . that all railway companies carrying passengers in their coaches in this State, shall provide equal but separate accommodations for the white, and colored races.”

RELATED CASES

CIVIL RIGHTS CASES (1883)

The Court ruled that the Fourteenth Amendment could not be used to prevent private citizens from discriminating against others on the basis of race.

WILLIAMS v. MISSISSIPPI (1898)

The Court upheld a state literacy requirement for voting that, in effect, kept African Americans from the polls.

CUMMING v. BOARD OF EDUCATION OF RICHMOND COUNTY (1899)

The Court ruled that the federal government cannot prevent segregation in local school facilities because education is a local, not federal, issue.

African Americans Fight Legal Discrimination

As African Americans exercised their newly won political and social rights during Reconstruction, they faced hostile and often violent opposition from whites. African Americans eventually fell victim to laws restricting their civil rights but never stopped fighting for equality. For at least ten years after the end of Reconstruction in 1877, African Americans in the South continued to vote and occasionally to hold political office. By the turn of the 20th century, however, Southern states had adopted a broad system of legal policies of racial discrimination and devised methods to weaken African-American political power.

VOTING RESTRICTIONS

All Southern states imposed new voting restrictions and denied legal equality to African Americans. Some states, for example, limited the vote to people who could read, and required registration officials to administer a literacy test to test reading. Blacks trying to vote were often asked more difficult questions than whites, or given a test in a foreign language. Officials could pass or fail applicants as they wished.

Another requirement was the **poll tax**, an annual tax that had to be paid before qualifying to vote. Black as well as white sharecroppers were often too poor to pay the poll tax. To reinstate white voters who may have failed the literacy test or could not pay the poll tax, several Southern states added the **grandfather clause** to their constitutions. The clause stated that even if a man failed the literacy test or could not afford the poll tax, he was still entitled to vote if he, his father, or his grandfather had been eligible to vote before January 1, 1867. The date is important because before that time, freed slaves did not have the right to vote. The grandfather clause therefore did not allow them to vote.



JIM CROW LAWS During the 1870s and 1880s, the Supreme Court failed to overturn the poll tax or the grandfather clause, even though the laws undermined all federal protections for African Americans' civil rights. At the same time that blacks lost voting rights, Southern states passed racial **segregation** laws to separate white and black people in public and private facilities. These laws came to be known as **Jim Crow laws** after a popular old minstrel song that ended in the words "Jump, Jim Crow." Racial segregation was put into effect in schools, hospitals, parks, and transportation systems throughout the South.

PLESSY v. FERGUSON Eventually a legal case reached the U.S. Supreme Court to test the constitutionality of segregation. In 1896, in **Plessy v. Ferguson**, the Supreme Court ruled that the separation of races in public accommodations was legal and did not violate the Fourteenth Amendment. The decision established the doctrine of "separate but equal," which allowed states to maintain segregated facilities for blacks and whites as long as they provided equal service. The decision permitted legalized racial segregation for almost 60 years. (See *Plessy v. Ferguson*, page 496.) **A**

VIOLENCE African Americans and others who did not follow the racial etiquette could face severe punishment or death. All too often, blacks who were accused of violating the etiquette were lynched. Between 1882 and 1892, more than 1,400 African-American men and women were shot, burned, or hanged without trial in the South. Lynching peaked in the 1880s and 1890s but continued well into the 20th century.

DISCRIMINATION IN THE NORTH Most African Americans lived in the segregated South, but by 1900, a number of blacks had moved to Northern cities. Many blacks migrated to Northern cities in search of better-paying jobs and social equality. But after their arrival, African Americans found that there was racial discrimination in the North as well. African Americans found themselves forced into segregated neighborhoods. They also faced discrimination in the workplace. Labor unions often discouraged black membership, and employers hired African-American labor only as a last resort and fired blacks before white employees.

Sometimes the competition between African Americans and working-class whites became violent, as in the New York City race riot of 1900. Violence erupted after a young black man, believing that his wife was being mistreated by a white policeman, killed the policeman. Word of the killing spread, and whites retaliated by attacking blacks. Northern blacks, however, were not alone in facing discrimination. Non-whites in the West also faced oppression. **C**



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ORIGINS OF THE CASE In 1892, Homer Plessy took a seat in the “Whites Only” car of a train and refused to move. He was arrested, tried, and convicted in the District Court of New Orleans for breaking Louisiana’s segregation law. Plessy appealed, claiming that he had been denied equal protection under the law. The Supreme Court handed down its decision on May 18, 1896.

THE RULING The Court ruled that separate-but-equal facilities for blacks and whites did not violate the Constitution.

LEGAL REASONING

Plessy claimed that segregation violated his right to equal protection under the law. Moreover he claimed that, being “of mixed descent,” he was entitled to “every recognition, right, privilege and immunity secured to the citizens of the United States of the white race.”



▲ One result of Jim Crow laws was separate drinking fountains for whites and African Americans.

WHY IT MATTERED

In the decades following the Civil War [1861–1865], Southern state legislatures passed laws that aimed to limit civil rights for African Americans. The Black Codes of the 1860s, and later Jim Crow laws, were intended to deprive African Americans of their newly won political and social rights granted during Reconstruction.

Plessy was one of several Supreme Court cases brought by African Americans to protect their rights against segregation. In these cases, the Court regularly ignored the Fourteenth Amendment and upheld state laws that denied blacks their rights. *Plessy* was the most important of these cases because the Court used it to establish the separate-but-equal doctrine.

As a result, city and state governments across the South—and in some other states—maintained their segregation laws for more than half of the 20th century. These laws limited African Americans’ access to most public facilities, including restaurants, schools, and hospitals. Without exception, the facilities reserved for whites were superior to those reserved for nonwhites. Signs reading “Colored Only” and “Whites Only” served as constant reminders that facilities in segregated societies were separate but not equal.

HISTORICAL IMPACT

It took many decades to abolish legal segregation. During the first half of the 20th century, the National Association for the Advancement of Colored People (NAACP) led the legal fight to overturn *Plessy*. Although they won a few cases over the years, it was not until 1954 in *Brown v. Board of Education* that the Court overturned any part of *Plessy*. In that case, the Supreme Court said that separate-but-equal was unconstitutional in public education, but it did not completely overturn the separate-but-equal doctrine.

In later years, the Court did overturn the separate-but-equal doctrine, and it used the *Brown* decision to do so. For example, in 1955, Rosa Parks was convicted for violating a Montgomery, Alabama, law for segregated seating on buses. A federal court overturned the conviction, finding such segregation unconstitutional. The case was appealed to the Supreme Court, which upheld without comment the lower court’s decision. In doing so in this and similar cases, the Court signaled that the reasoning behind *Plessy* no longer applied.



▲ As secretary of the Montgomery chapter of the NAACP, Rosa Parks had protested segregation through everyday acts long before September 1955.

