Jim Crow Essay, Research Paper

Jim Crow Laws

Introduction

Jim Crow laws are about power. Power of one race over another. These laws really highlight the flaws and weakness of human nature. One group of people asserting power over another for the pride and vanity of a system of politics that had been defeated at the cost of thousands of American lives during the civil war.

The term “Jim Crow” has its origins of interest also. The interpretation was intended to ridicule the African American by white American’s in the position of power.

The Jim Crow laws were initiated after the civil war during the deconstruction of the new south and they help to create a racial caste system in the American South.

These laws were protected by the constitution and were a form of constitutional racism. When the Supreme Court ruled on Plessy v. Ferguson the Federal Government legalized racism but under the guise of a doctrine referred to as “separate but equal”.

The Jim Crow laws were in place until the Supreme Court of 1954 threw them out with it’s ruling on Brown v. The Board of Education of Topeka. This court had a different opinion of equality.

Soon after the Reconstruction, African Americans and whites Americans ate in the same restaurants, often rode together in the same railway cars, used the same public facilities, but did not often interact as equals. The development of large black communities in urban areas and the significant black labor force in factories presented a new challenge to white Southerners. They could not control these new communities in the same informal ways they had been able to control rural black Americans, which were more directly dependent on white landowners and merchants (sharecropping system) than their urban counterparts. In the city, blacks and whites were in more direct competition than they had been in the countryside. There was more danger of social mixing. The city, therefore, required different, and more rigidly institutionalized, systems of control, henceforth Jim Crow laws. The Jim Crow laws were a response to the new reality that required the white supremacy to move to where it would have a more rigid legal and institutional basis to retain control over the black population.

Why title these laws Jim Crow? The definition tells why;

Jim Crow or jim crow (j m+ kro+) Slang. noun

The systematic practice of discriminating against and suppressing Black people.

adjective

1. Upholding or practicing discrimination against and suppression of Black people: Jim Crow laws; a Jim Crow town.

2. Reserved or set aside for a racial or ethnic group that is to be discriminated against: “I told them I wouldn’t take a Jim Crow job” (Ralph Bunche).

[From obsolete Jim Crow, derogatory name for a Black person, ultimately from the title of a 19th-century minstrel song, from crow.]

- Jim+-Crow+ism (j m+kro+iz+em) noun(1).

Jim Crow was the name for an ante-bellum minstrel show character. The minstrel show was one of the first indigenous forms of the American entertainment tradition.

The tradition began in February 1843 when a group of four white men from Virginia, billed as the “Virginia Minstrels”, applied black cork to their faces and performed a song-and-dance act in a small hall in New York City. This performance was such a success that the group was invited to tour to other cities and imitators sprang up immediately. These troupes were successors to individual performers who imitated Negro singing and dancing. One of the earliest and most successful individual performers was Thomas Dartmouth “Daddy” Rice.

Rice, observing an elderly Negro crooning and dancing in Louisville, Kentucky to a song that ended with the same chorus, inspired Rice, a white actor. “The stage musical Jim Crow, a blackface song-and-dance act, wins 20 encores at the City Theater on Jefferson Street in Louisville, Ky. Minstrel show pioneer Thomas Dartmouth “Daddy” Rice, 24, has seen an elderly, deformed slave named Jim Crow perform a little jump while working in a livery stable near the theater, and he reproduces the man’s hop and song:”

“Wheelabout, turn about,

Do jes so;

An’ every time I wheel about

I jump Jim Crow” (2)

“The Virginia Minstrels give the first full-scale minstrel show at New York’s Bowery Amphitheater and are the first of the Negro Minstrel troupes that will dominate U.S. musical entertainment for most of the century. Directed by Daniel Decatur Emmet, 28, the minstrels are gaudily costumed black-faced performers who sit in a semicircle of chairs, exchange jokes based on the popular white imagination of southern black folklore, and sing songs that include Emmet’s “Old Dan Tucker.” The minstrel show will be the one form of American entertainment with any direct relation to American life” (3).

Rice’s imitation of the Negro’s song and dance routine took him from Louisville to Philadelphia and finally to New York City in 1832.

Some of the Jim Crow laws from different states are listed below; as you can see they were not from just the deep south, racism had migrated to the western part of our country along with the African American.

• Nurses 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

• 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

• Railroads The conductor of each passenger train is authorized and required to assign each passenger to the car or the division of the car, when it is divided by a partition, designated for the race to which such passenger belongs. Alabama

• 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

• Pool and Billiard Rooms It shall be unlawful for a Negro and white person to play together or in company with each other at any game of pool or billiards. Alabama

• Toilet Facilities, Male Every employer of white or Negro males shall provide for such white or Negro males reasonably accessible and separate toilet facilities. Alabama

• Intermarriage The marriage of a person of Caucasian blood with a Negro, Mongolian, Malay, or Hindu shall be null and void. Arizona

• Intermarriage 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

• Cohabitation Any Negro man and white woman, or any white man and Negro woman, who are not married to each other, who shall habitually live in and occupy in the nighttime the same room shall each be punished by imprisonment not exceeding twelve (12) months, or by fine not exceeding five hundred ($500.00) dollars. Florida

• Education The schools for white children and the schools for Negro children shall be conducted separately. Florida

• Juvenile Delinquents There shall be separate buildings, not nearer than one fourth mile to each other, one for white boys and one for Negro boys. White boys and Negro boys shall not, in any manner, be associated together or worked together. Florida

• Mental Hospitals The Board of Control shall see that proper and distinct apartments are arranged for said patients, so that in no case shall Negroes and white persons be together. Georgia

• Intermarriage It shall be unlawful for a white person to marry anyone except a white person. Any marriage in violation of this section shall be void. Georgia

• Barbers No colored barber shall serve as a barber [to] white women or girls. Georgia

• 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

• Restaurants All persons licensed to conduct a restaurant, shall serve either white people exclusively or colored people exclusively and shall not sell to the two races within the same room or serve the two races anywhere under the same license. Georgia

• 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

• Parks It shall be unlawful for colored people to frequent any park owned or maintained by the city for the benefit, use and enjoyment of white persons…and unlawful for any white person to frequent any park owned or maintained by the city for the use and benefit of colored persons. Georgia

• Wine and Beer 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 the two races within the same room at any time. Georgia

• Reform Schools The children of white and colored races committed to the houses of reform shall be kept entirely separate from each other. Kentucky

• Circus Tickets All circuses, shows, and tent exhibitions, to which the attendance of…more than one race is invited or expected to attend shall provide for the convenience of its patrons not less than two ticket offices with individual ticket sellers, and not less than two entrances to the said performance, with individual ticket takers and receivers, and in the case of outside or tent performances, the said ticket offices shall not be less than twenty-five (25) feet apart. Louisiana

• Housing Any person…who shall rent any part of any such building to a Negro person or a Negro family when such building is already in whole or in part in occupancy by a white person or white family, or vice versa when the building is in occupancy by a Negro person or Negro family, shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than twenty-five ($25.00) nor more than one hundred ($100.00) dollars or be imprisoned not less than 10, or more than 60 days, or both such fine and imprisonment in the discretion of the court. Louisiana

• The Blind The board of trustees shall…maintain a separate building…on separate ground for the admission, care, instruction, and support of all blind persons of the colored or black race. Louisiana

• Intermarriage All marriages between a white person and a Negro, or between a white person and a person of Negro descent, to the third generation, inclusive, or between a white person and a member of the Malay race; or between the Negro and a member of the Malay race; or between a person of Negro descent, to the third generation, inclusive, and a member of the Malay race, are forever prohibited, and shall be void. Maryland

• Railroads All railroad companies and corporations, and all persons running or operating cars or coaches by steam on any railroad line or track in the State of Maryland, for the transportation of passengers, are hereby required to provide separate cars or coaches for the travel and transportation of the white and colored passengers. Maryland

• Education Separate schools shall be maintained for the children of the white and colored races. Mississippi

• Promotion of Equality Any person…who shall be guilty of printing, publishing or circulating printed, typewritten or written matter urging or presenting for public acceptance or general information, arguments or suggestions in favor of social equality or of intermarriage between whites and Negroes, shall be guilty of a misdemeanor and subject to fine or not exceeding five hundred (500.00) dollars or imprisonment not exceeding six (6) months or both. Mississippi

• Intermarriage The marriage of a white person with a Negro or mulatto or person who shall have one-eighth or more of Negro blood, shall be unlawful and void. Mississippi

• Hospital Entrances There shall be maintained by the governing authorities of every hospital maintained by the state for treatment of white and colored patients separate entrances for white and colored patients and visitors, and such entrances shall be used by the race only for which they are prepared. Mississippi

• Prisons The warden shall see that the white convicts shall have separate apartments for both eating and sleeping from the Negro convicts. Mississippi

• Education Separate free schools shall be established for the education of children of African descent; and it shall be unlawful for any colored child to attend any white school, or any white child to attend a colored school. Missouri

• Intermarriage All marriages between…white persons and Negroes or white persons and Mongolians…are prohibited and declared absolutely void…No person having one-eighth part or more of Negro blood shall be permitted to marry any white person, nor shall any white person be permitted to marry any Negro or person having one-eighth part or more of Negro blood. Missouri

• Education Separate rooms [shall] be provided for the teaching of pupils of African descent, and [when] said rooms are so provided, such pupils may not be admitted to the schoolrooms occupied and used by pupils of Caucasian or other descent. New Mexico

• Textbooks Books shall not be interchangeable between the white and colored schools, but shall continue to be used by the race first using them. North Carolina

• 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

• Militia The white and colored militia shall be separately enrolled, and shall never be compelled to serve in the same organization. No organization of colored troops shall be permitted where white troops are available, and while white permitted to be organized, colored troops shall be under the command of white officers. North Carolina

• Transportation The…Utilities Commission…is empowered and directed to require the establishment of separate waiting rooms at all stations for the white and colored races. North Carolina

• Teaching Any instructor who shall teach in any school, college or institution where members of the white and colored race are received and enrolled as pupils for instruction shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than ten dollars ($10.00) nor more than fifty dollars ($50.00) for each offense. Oklahoma

• Fishing, Boating, and Bathing The [Conservation] Commission shall have the right to make segregation of the white and colored races as to the exercise of rights of fishing, boating and bathing. Oklahoma

• Mining The baths and lockers for the Negroes shall be separate from the white race, but may be in the same building. Oklahoma

• Telephone Booths The Corporation Commission is hereby vested with power and authority to require telephone companies…to maintain separate booths for white and colored patrons when there is a demand for such separate booths. That the Corporation Commission shall determine the necessity for said separate booths only upon complaint of the people in the town and vicinity to be served after due hearing as now provided by law in other complaints filed with the Corporation Commission. Oklahoma

• Lunch Counters No persons, firms, or corporations, who or which furnish meals to passengers at station restaurants or station eating houses, in times limited by common carriers of said passengers, shall furnish said meals to white and colored passengers in the same room, or at the same table, or at the same counter. South Carolina

• Child Custody It shall be unlawful for any parent, relative, or other white person in this State, having the control or custody of any white child, by right of guardianship, natural or acquired, or otherwise, to dispose of, give or surrender such white child permanently into the custody, control, maintenance, or support, of a Negro. South Carolina

• Libraries Any white person of such county may use the county free library under the rules and regulations prescribed by the commissioners court and may be entitled to all the privileges thereof. Said court shall make proper provision for the Negroes of said county to be served through a separate branch or branches of the county free library, which shall be administered by [a] custodian of the Negro race under the supervision of the county librarian. Texas

• Education [The County Board of Education] shall provide schools of two kinds; those for white children and those for colored children. Texas

• Theaters Every person…operating…any public hall, theatre, opera house, motion picture show or any place of public entertainment or public assemblage which is attended by both white and colored persons, shall separate the white race and the colored race and shall set apart and designate…certain seats therein to be occupied by white persons and a portion thereof, or certain seats therein, to be occupied by colored persons. Virginia

• Railroads The conductors or managers on all such railroads shall have power, and are hereby required, to assign to each white or colored passenger his or her respective car, coach or compartment. If the passenger fails to disclose his race, the conductor and managers, acting in good faith, shall be the sole judges of his race. Virginia

• Intermarriage 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 (4).

The Supreme Court’s ruling on Plessy v. Ferguson was the birth of the separate but equal doctrine used to promote legal racism during the era of deconstruction.

Homer Plessy was an African American shoemaker from New Orleans, Louisiana. On June 7, 1892, he was arrested for sitting in a “whites only” railroad car of the East Louisiana Railroad. Plessy was only one-eighths black and seven-eighths white, and under Louisiana law, he was considered a black man and that required him to sit in the “Colored” car. Mr.Plessy went to court and argued, in Homer Adolph Plessy v. The State of Louisiana, that the Separate Car Act violated the Thirteenth and Fourteenth Amendments to the Constitution. The judge was John Howard Ferguson, a lawyer from Massachusetts who had previously declared the Separate Car Act “unconstitutional on trains that traveled through several states” (5). (This makes you wonder, considering the corruption of the court system during this period of our history what his motives were and where they came from.)

In Plessy’s case, however, he decided that the state could choose to regulate railroad companies that operated only within Louisiana. He found Plessy guilty of refusing to leave the white car (6). Plessy then appealed to the Supreme Court of Louisiana, which upheld Ferguson’s decision. Four years after his arrest, in 1896, the Supreme Court of the United States heard Plessy’s case and found him guilty once again. Speaking for an eight-person majority, Justice Henry Brown wrote:

“That [the Separate Car Act] does not conflict with the Thirteenth Amendment, which abolished slavery…is too clear for argument…A statute which implies merely a legal distinction between the white and colored races-a distinction which is founded in the color of the two races, and which must always exist so long as white men are distinguished from the other race by color-has no tendency to destroy the legal equality of the two races…The object of the Fourteenth Amendment was undoubtedly to enforce the absolute equality of the two races before the law, but in the nature of things it could not have been intended to abolish distinctions based upon color, or to enforce social, as distinguished from political equality, or a commingling of the two races upon terms unsatisfactory to either.”(7).

The lone dissenter, Justice John Harlan, showed incredible foresight when he wrote

“Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law…In my opinion, the judgment this day rendered will, in time, prove to be quite as pernicious as the decision made by this tribunal in the Dred Scott case…The present decision, it may well be apprehended, will not only stimulate aggressions, more or less brutal and irritating, upon the admitted rights of colored citizens, but will encourage the belief that it is possible, by means of state enactment’s, to defeat the beneficent purposes which the people of the United States had in view when they adopted the recent amendments of the Constitution.” (8).

Justice Harlan predicted the future. The Plessy decision set the precedent that “separate” facilities for blacks and whites were constitutional as long as they were “equal.” The “separate but equal” doctrine was quickly extended to cover many areas of public life, such as restaurants, theaters, restrooms, and public schools. These laws always caused the separation, but there was never equality.” The Supreme Court of the United States ruled that “separate but equal” accommodations were constitutional. In fact, separate was almost never equal, but the Plessy doctrine provided constitutional protection for segregation for the next 50 years”(9).

The decision in Plessy v. Ferguson remained the enforced standard in the south until the 1960s, when, influenced by the Civil Rights movement, the federal goverment and the courts dispensed rulings that struck down the legal walls of racial segregation and ended Jim Crow.

Starting in 1915, victories in the Supreme Court began to chip away at the Jim Crow Laws. The first major blow against the Jim Crow system of racial segregation was struck in 1954 by the Supreme Court’s decision in Brown v. Board of Education of Topeka,(10) Kansas, which declared segregation in the public schools unconstitutional.

This was one of the beginnings of what is known as the “Civil Rights Movement” and the beginning of the end of Jim Crow Laws.

Time Magazine chronicles an early event of the newfound spirit of the civil rights movement;

“The egalitarian revolution in the South sometimes moves like a spring flood, seeping over and around the barriers, running ahead of the sluggish channels dredged by the law. One afternoon last fortnight, such a spring freshet bubbled up in the textile city of Greensboro, N.C. (pop. 125,000) when four young college students–freshmen from the Negro Agricultural and Technical College–walked into the F.W. Woolworth store on South Elm Street and quietly sat down at the lunch counter. The white patrons eyed them warily, and the white waitress ignored their studiously polite requests for service. The students continued to sit until closing time. Next morning they reappeared reinforced by 25 fellow students. By last week their unique sit-down had spread through 14 cities in five Southern states in a far-ranging attach on the Jim Crow custom that Negroes may be served while standing at downtown lunch counters but not if they sit down “(11).