

HOMEWORK: Realities of Reconstruction (Part II)

Directions: Please read the following 2 readings on the Black Codes and the Jim Crow laws. They will help you get a sense of what life was like for African Americans (often referred to as "freedmen") during the era of Reconstruction. Please read each source carefully and then answer the questions.

BLACK CODES

Summary

As newly freed slaves would soon learn, freedom was not as they had anticipated. White southerners were anxious to regain power over them, and used the law in order to achieve that objective. In 1865, southerners created **Black Codes**, which served as a way to control and inhibit the freedom of ex-slaves. Codes controlled almost all aspects of life, and prohibited African Americans from the freedoms that had been won.

Not only did whites want to control ex-slaves, but also they needed laborers. While things could no longer be exactly the same as in slavery, they found a way to guarantee that blacks would serve as their laborers. To do this, they created Black Codes. Codes regulated civil and legal rights, from marriage to the right to hold and sell property to the predestined definition of African Americans as agricultural laborers.

Laws were different in each state, but most embodied the same kinds of restrictions. Commonly, Codes compelled freedmen to work. In many states, if unemployed, African Americans faced the potential of being arrested and charged with vagrancy. Many of those that did work had their day regulated. Codes dictated their hours of labor, duties, and the behavior assigned to them as agricultural workers.

Black Codes left African Americans with little freedom. Even the freedom to choose a type of work was often regulated. Many white southerners believed blacks were predestined to work as agricultural laborers. In addition, the advantage of regulating occupations provided them with laborers. In South Carolina, for example, a special license and certificate from a local judge attesting to a freedman's skill had to be obtained in order to pursue work in any occupation other than in agriculture or domestic work. Self-sufficiency was also discouraged. Codes prevented African Americans from raising their own crops. In Mississippi, for instance, they were restricted from renting or leasing any land outside of cities or towns and black ownership was left up to local authorities.

Almost every aspect of life was regulated, including the freedom to roam. Often blacks were prohibited from entering towns without permission. In Opelousas, Louisiana, blacks needed permission from their employer to enter the town. A note was required, and it had to state the nature and length of the visit. Any black found without a note after ten o'clock at night was subject to imprisonment. Residency within towns and cities was also discouraged. Local ordinances in Louisiana made it almost impossible for blacks to live within the towns or cities. Residency was only possible if a white employer agreed to take responsibility for his employee's conduct.

The creators of the Codes did not try to hide the obvious bias and prejudice. Not surprisingly, by 1866, Black Codes were suspended by Federal officials who deemed that the codes were too harsh, and decided that blacks should be subject to the same penalties and regulations as whites.

Mississippi Black Codes (excerpts)

Section 3. It shall not be lawful for any freedman, free negro or mulatto to intermarry with any white person; nor for any person to intermarry with any freedman, free negro or mulatto; and any person who shall so

intermarry shall be deemed guilty of felony, and on conviction thereof shall be confined in the State penitentiary for life; and those shall be deemed freedmen, free negroes and mulattoes who are of pure negro blood, and those descended from a negro to the third generation, inclusive, though one ancestor in each generation may have been a white person.

Section 5. Every freedman, free negro and mulatto shall, on the second Monday of January, 1866, and annually thereafter, have a lawful home or employment, and shall have written evidence thereof as follows, to wit: if living in any incorporated city, town, or village, a license from that mayor thereof; and if living outside of an incorporated city, town, or village, from the member of the board of police of his beat, authorizing him or her to do irregular and job work; or a written contract, as provided in Section 6 in this act; which license may be revoked for cause at any time by the authority granting the same.

Section 6. All contracts for labor made with freedmen, free negroes and mulattoes for a longer period than one month shall be in writing; and said contracts shall be taken and held as entire contracts, and if the laborer shall quit the service of the employer before the expiration of his term of service, without good cause, he shall forfeit his wages for that year up to the time of quitting.

Section 7. Every civil officer shall, and every person may, arrest and carry back to his or her legal employer any freedman, free negro, or mulatto who shall have quit the service of his or her employer before the expiration of his or her term of service without good cause; and said officer and person shall be entitled to receive for arresting and carrying back every deserting employee aforesaid the sum of five dollars, and ten cents per mile from the place of arrest to the place of delivery; and the same shall be paid by the employer, and held as a set off for so much against the wages of said deserting employee.

Reading Questions: Black Codes

1. What did the Black Codes include? (Summarize 2-3 exs. below.)

2. Now that you have read the Black Codes, please define what they are in 1 or 2 good sentences.

3. What was the purpose of the Black Codes? What were the Black Codes attempting to do to newly freed slaves?

JIM CROW LAWS

Samples of Jim Crow Laws (After 1877)

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*

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: 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*

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*

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 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*

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*

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*

Reading Questions: Jim Crow Laws

1. Please choose the 2 strongest laws which you feel would have the most devastating impact on newly freed slaves in the South. Explain your thinking.

2. Imagine that you are a newly freed slave in the South during Reconstruction. How are the **Jim Crow laws** going to affect you in the long term with regard to:

- a) your opportunities to advance in society;

- b) your relationships/interactions with white people;

- c) your self identity

3. Now that you've read about legislation designed to help and hurt African-Americans in the post-Civil War era, what can you say about the rights of African Americans in the post-Civil War era?