

Democratization and the Disfranchisement of African Americans in the US South during the Late 19th Century

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The disfranchisement of African Americans in the South during the late 19th century highlights the role that mass actors, in this case African Americans, can play as part of the enforcement mechanism to prevent elites from backtracking on democracy. This episode in US history further suggests that for democratic progress to be consolidated, vulnerable groups require sufficient economic and social power to defend their formal rights. Newly emancipated African Americans gained the franchise in 1870. They voted in large numbers for two decades. But at the turn of the century each Southern state introduced disfranchising measures. The article discusses the efforts of Southern political elites to restore the antebellum social and political order, and the reasons the national state failed to intervene to protect the rights of former slaves. Above all, the article explores the nature of African American resistance and its effect on the timing and course of disfranchisement. It also draws attention to the importance of African American resistance by comparing Southern disfranchisement with the little-known cases of attempted disfranchisement of African Americans in the antebellum North and early 20th century Maryland. The article concludes that the relative strength of African Americans in contemporary America makes another rollback of democratic rights unlikely.

Key words: African Americans; disfranchisement; United States South; consolidation; enforcement mechanisms

On 29 January 1901, a 48-year-old black Congressman from North Carolina, George Henry White, stood on the floor of the House to speak. A former slave, White had worked as a teacher and lawyer before entering politics. Though by no means a militant, he had long been an advocate of justice for the ‘colored American’ in accordance with what he considered to be the traditions of American democracy and the ideals of the Republican Party. But this speech carried particular poignancy. It was White’s final speech – and he was the last remaining black Congressman. Facing his white colleagues for one last time, he spoke with desperate ‘earnestness’: ‘I want to enter a plea for the colored man, the colored woman, the colored boy, and the colored girl of this country.’ White concluded by ‘pleading for the life, the liberty, the future happiness, and manhood suffrage for one-eighth of the entire population of the United States’.¹ His pleading fell on deaf and mostly hostile ears. White left

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Congress on 4 March. No African American would be elected to Congress for almost 30 years, no black Southerner until the 1970s.

White's final speech has much to tell about democratization in the United States. Most obviously, his departure shows that the process went backwards as well as forwards. The United States was not born a full democracy, nor did it inexorably become one.² Thus the United States' place in the 'first wave' of democracies needs some qualification.³ Furthermore, it was in the area of race that reversals have been most dramatic. At the height of post-Civil War Reconstruction (1865–1877), a flurry of legislation promised a revolution in Southern race relations via the ballot box. The 15th Amendment (1870) declared 'the right of citizens ... to vote shall not be denied ... on account of race, color, or previous condition of servitude'.⁴ Newly emancipated African Americans became the key supporters of Republican state governments across the American South, and formed a voting majority in five states.⁵ But by 1908, virtually all black Americans in Southern states had been disfranchised. Black southerners only began to claw back the right to register to vote during the 1940s, and would not regain it fully until the Voting Rights Act of 1965.⁶

The fact that White issued his plea from Congress rather than, say, a chain gang flags up the curious method of this reversal. Some Congressmen even applauded his speech.⁷ Procedural means (elections and the democratic process) were used to produce an undemocratic result (loss of the franchise, a basic constitutional right). Across the South, African American voters were disfranchised through state constitutional amendments that were adopted by referenda or constitutional conventions. Thus, US disfranchisement is a reminder that the reversal of democracy can take a variety of forms. This was not a military coup overturning a new democracy and reinstating authoritarian rule. Rather, it was a case of a major group being enfranchised, and then disfranchised, through the democratic process.

As an old democracy, the United States is absent from the burgeoning literature concerning the consolidation of third wave democracies.⁸ But in many ways this reversal of democratic rights in the United States provides a useful first wave example for a potential third wave problem.⁹ Much of the current literature is pre-occupied, as Omar Encarnación recently summarized, with the key questions: 'what is democratic consolidation, and what conditions promote it?'¹⁰ The US case allows such questions to be put in reverse: 'what conditions promote the reversal of democratic progress?'

The US case provides a particularly useful comparison because this reversal occurred following the apparent consolidation of democratic progress after the Civil War. Scholars disagree over the best definition of democratic consolidation. But the US South – between the 15th Amendment and disfranchisement – seems to fit most measures.¹¹ It passes Guillermo O'Donnell's longevity test of staying in place for two decades.¹² As will be shown, the high turnout of black and white voters in the 1880s provides evidence of reasonably stable biracial arrangements.¹³ Disfranchisement only began in 1890 in Mississippi, and in some states it did not begin until the 20th century.¹⁴ The post-Reconstruction South also satisfies, to a large degree, Robert Dahl's conditions of polyarchy (including free elections, inclusive suffrage, the right to run for office, freedom of expression, and associational

autonomy).¹⁵ Above all, the post-Reconstruction South fulfils Adam Przeworski's requirement that 'a particular set of institutions becomes the only game in town'.¹⁶ It is striking that both black activists and white supremacists worked within the democratic process to further their goals.

Furthermore, the Democrats who first 'Redeemed' the South from Republican rule during the 1870s did not initially seek a world without black voters. In a roundtable discussion in the influential *North American Review* in 1879, Mississippi Senator L.Q. Lamar knew of no 'southern man of influence' who believed disfranchisement to be a 'political possibility'. South Carolina Governor Wade Hampton agreed. It was not that he (or other Democrats) thought that former slaves should have been given the vote, just that 'the disfranchisement of the negro at this or any subsequent period would be more surprising than any political event in our past history'. Republican cynics reckoned that Democrats only accepted the 15th Amendment because it hadn't stopped them sweeping back into power.¹⁷ But even as late as 1890, Senator John Ingalls, an outspoken critic of Democrat fraud, reckoned that disfranchisement would be 'impossible'. 'No race has ever been deprived of rights and prerogatives once solemnly conferred.'¹⁸

Quite why disfranchisement started so late, but then proceeded at such speed, is thus an important puzzle for understanding the reversal of democratization. On the face of it, the timing of disfranchisement would suggest entirely new developments at the end of the century. Political scientists have pointed to weakening support for black Americans by various branches of the national state in Washington DC at the turn of century.¹⁹ Meanwhile social historians have highlighted escalating social tensions associated with populism (a political challenge to Democratic dominance that appealed to poor whites) in the late 19th-century South.²⁰

As will be shown, both the lack of support in Washington and the campaigns of Southern elites were vitally important in the reversal of democratic progress. On their own, however, these factors do not fully resolve the puzzle of the timing of the process. Although Southern elites did not champion disfranchisement until the end of the century, the white supremacist campaign to restore the antebellum social order and undermine black voting power began during Reconstruction.²¹ In this sense, the removal of black voters marked the end of an old Southern story rather than the beginning of a new one. Similarly, lack of support from the authorities in Washington at the end of the century, important though this was, did not represent a decisive new departure. The national state had shown little inclination to defend black rights after the final withdrawal of Union troops from the South at the end of Reconstruction.

Rather, an important key to the timing of disfranchisement was the resistance of African American voters themselves. White's speech – reprinted under the title, 'Defense of the Negro Race – Charges Answered' – was indicative of black Southerners' determination to defend their status. He may have been the lamest of lame duck Congressmen, but he was defiant. '[My] parting words are in behalf of an outraged . . . rising people.' Black resistance took many forms, and should not be romanticized or exaggerated. But in general, as White put it, the black man 'demands that he be given the same chance for existence . . . that are accorded to

kindred nationalities'. Black Southerners had sufficient voting power to back up this demand for a generation.²²

For all their determination, however, former slaves did not have the resources to defend their status as full citizens in perpetuity. Above all, this was because their voting power was not matched by economic or social power. Crucially, the bleaching of the ballot was inextricably linked with the triumph of white supremacy in other areas of Southern society. Indeed, if it had been a battle over the ballot alone, it might not have been successful, not least because disfranchisement involved removing a significant number of white voters too. Again, White's speech illuminates the issues at hand. Angry at disfranchisement, White also condemned lynching, that 'evil particular to America'; 'unjust public sentiment'; the 'humiliation' of segregation; and that in unions and factories 'the black face has been left out'.²³ The importance of this link between voting and wider social issues was twofold. First, the relative (and increasing) weakness of African Americans beyond the ballot ultimately undermined their ability to resist disfranchisement. Second, advocates of disfranchisement gained support by connecting the ballot to racial tensions in other areas of Southern life.

Scholars of democratization have placed great emphasis on elite behaviour and institutional design. From these perspectives, democratic openings occur for a wide variety of reasons, but democracy is consolidated when political elites enter into bargains with one another that are backed up by 'self-enforcing' institutional arrangements.²⁴ There is relatively little attention given to the role of 'mass actors', except with regard to the creation of a civil and political society,²⁵ and to value shifts leading to popular acceptance for democracy.²⁶ For example, Larry Diamond identified a minimum two-thirds support for new democratic arrangements as one of the six foundations for successful consolidation.²⁷

The history of US disfranchisement, however, suggests that more attention could be given to the role that mass actors (in this case African Americans and their allies) might play as part of the enforcement mechanism that leads elites to restrain themselves from backtracking on democracy. In the post-Reconstruction South, African American resistance helped to ensure the perpetuation of democracy for a generation. In the face of this commitment to democracy, Southern political elites did not embark on disfranchisement until the end of the century.

By this point, African Americans were powerless to defend their democratic rights. Thus the case of the late 19th century South suggests further that for democratic progress to be consolidated, it requires a reasonably equitable distribution of resources.²⁸ Potentially vulnerable groups not only need rights but also the power to exercise them and defend them. In the US South, the right to vote was not a right in isolation. Writing with regard to the modern US welfare rights movement, William Forbath observed recently that 'Most of the world's constitutions include three kinds of rights: civil, political and social. But the US Constitution sets out no "social rights"'. The Constitution has "'majestic generalities" like "liberty" and "equal protection of the laws" [but] no "affirmative rights", no right to welfare or housing, no right to a minimally adequate education.' Forbath argues that this neglect 'allows such savage inequality as ours'. In the post-Reconstruction era, the

lack of social rights did not just engender 'savage inequality'. It put seemingly consolidated democratic progress in jeopardy.²⁹

From here the article proceeds to present first an overview of disfranchisement, showing the tenacity of African American voting after Reconstruction, and that the swift removal of black voters at the end of the century was the culmination of a much longer attempt to reassert white supremacist politics. The account then shows that the inaction of the national state was a vital precondition, but not a trigger, for disfranchisement. The article highlights the connections between the battle for the ballot and a wide range of social tensions. It then goes on to explore the ways that black resistance at the ballot box was undermined by the relative weakness of African Americans in other aspects of Southern life. The study emphasises the importance of African American resistance by comparing Southern disfranchisement with two other – little known – attempts to disfranchise African Americans. In both cases, as in the South, white elites campaigned for disfranchisement with limited fear of interference from the national state. But the ability of African Americans to defend their franchise varied, with crucial consequences for the timing and outcomes of each campaign. Finally, the article explores the wider implications of this episode in US history for the study of democratization.

The Process of Disfranchisement in the American South

The systematic removal of black voters began in Mississippi in 1890 and finished in Georgia in 1908. The devices employed varied between states. Some states required literacy or good character qualifications before a person could register, others required property ownership. All states introduced a poll tax. Ultimately, every Southern state revised its state constitution in some way to secure disfranchisement (see Table 1).³⁰

Disfranchising measures were ostensibly race neutral, in order to avoid directly challenging the Reconstruction amendments. But most measures were open to discrimination in practice. When asked whether Christ could register under a good character clause, one Alabama leader admitted, 'that would depend entirely on which way he was going to vote'.³¹ In any case, many qualifications included ruses to protect white voters. There was some decrease in the number of white voters in Southern states. But overall, the relative strength of the white vote grew with staggering effect (see Table 2).

For all the suddenness of disfranchisement, however, this was a knockout blow at the end of a much longer struggle. Although formal disfranchisement began at the end of the century, white Democratic elites sought to reduce black voting power immediately after they regained power at the end of Reconstruction. The exact details varied from state to state, but overall there was a stage-by-stage assault on black electoral influence.³² An initial wave of violence and fraud was only partially effective, and such blatant contravention of the 15th Amendment risked federal interference. Having won the elections, therefore, Democrat leaders introduced a variety of race-neutral devices to dilute the black vote. In Florida, during 1876–1878, thousands of black voters were purged from the lists after being convicted of petty crimes.³³

TABLE 1
TURNOUT ESTIMATES (%) OF BLACK VOTERS FOR THE 1880, 1892, 1900, AND 1912 ELECTIONS IN SOUTHERN STATES (SHOWING EFFECTS OF POLL TAX AND LITERACY TESTS)

State	1880	1892	1900	1912
Alabama	55	55	21	<u>2</u>
Arkansas	57	36	<i>12</i>	<u>3</u>
Florida	84	<i>14</i>	7	2
Georgia	42	33	7	<u>2</u>
Louisiana	44	30	<i>4</i>	<u>1</u>
Mississippi	45	<u>1</u>	<u>4</u>	<u>2</u>
N. Carolina	81	63	44	<u>1</u>
S. Carolina	77	17	4	<u>2</u>
Tennessee	79	31	<u>14</u>	<u>1</u>
Texas	59	53	32	<u>2</u>
Virginia	59	58	38	<u>2</u>

Notes: Italics denotes states with a poll tax; Underlining denotes states with a literacy test.

Source: Kent Redding and David R. James, 'Estimating Levels and Modeling Determinants of Black and White Voter Turnout in the South, 1880–1912', *Historical Methods*, Vol. 34, No. 4 (2001), p. 148.

Democrat leaders entrenched their control by shifting to at-large elections when white voters were in the majority, or by gerrymandering voting districts when they were not. This gradual dilution of black voting power opened the way to the swift removal of black voters in each state at the turn of the century.³³

With hindsight, the process seems inexorable. But leading Democrats rightly did not see it that way. The Reconstruction settlement proscribed a systematic extra-legal attack on black voting. Meanwhile black Southerners seemed to carry sufficient voting power to repel a procedural assault on their right to vote. To be sure, the 'Redemption' of the South from Republican rule at the end of Reconstruction ushered in a so-called Solid South of Democratic dominance that lasted for nearly a century. But Redemption did not end black involvement in electoral politics. The Reconstruction governments were gone, but the Reconstruction electorate remained.³⁴ During the 1880s, on average some six out of ten black Southerners voted in the most heavily contested elections for governor. In Orangeburg, SC, Democratic boss Sam Dibble was told in 1880 that blacks were 'working with great energy ... I've pried into their camps ... We are in danger'.³⁵ Although gerrymandered districts diluted black voting power, they also ensured some local electoral victories.

TABLE 2
VOTER TURNOUT (%) IN THE SOUTH BY RACE IN ELECTIONS 1880–1912

	1880	1892	1900	1912
Black voters	61	36	17	2
White voters	67	67	55	40

Note: Figures are the mean US state means.

Source: As for Table 1.

Indeed, 12 of the 14 terms served by black Congressmen 1879–1901, including George White, were in gerrymandered districts.³⁶

Moreover, the black bloc vote carried power because the white vote was far from solidly Democratic. Many white voters initially opposed disfranchisement proposals. During the early 1880s, in seven of eleven southern states, over 40 per cent of voters cast a vote against the Democrats in state elections.³⁷ At the local level, hundreds of anti-Democratic candidates were elected, many of them black.³⁸ So-called New Departure Democrats appealed for the black vote, and, frequently, were prepared to pay for it. In some black majority counties, Democrats even nominated black officials.³⁹

By maintaining access to the ballot, black voters were initially able to join dissenting white voters and reject disfranchising measures. Moreover, the rewards from black voting power had potentially far-reaching effects for the further consolidation of Southern democracy. The appointment of black police could protect black workers at work and during elections. Increased spending on education helped adult black men to register and cast a vote. Improvements in neighbourhood sanitation countered stereotypes of blacks as unsuitable for civil society.⁴⁰

Black involvement in state governments after Reconstruction was mostly politics on the defensive. But on occasion, splits in the white vote even allowed black legislators to become part of coalition state governments. In three former slave states – Virginia 1879–1883, North Carolina 1894–1898, and Maryland 1896–1900 – the Democrat party was defeated. Biracial alliances were no panacea of racial harmony.⁴¹ Still, the spoils from such victories were impressive. In North Carolina in 1897, the *Raleigh Gazette* recorded that George White arranged 36 appointments for African Americans, an ‘excellent showing for our congressman’.⁴²

Ironically, the few moments of advance also provided propaganda for some disfranchisement campaigns. In North Carolina and Louisiana, the Populist threat to Democratic rule triggered state disfranchisement campaigns.⁴³ But for the most part, disfranchisement was dependent on the earlier gradual dilution of black voting power. In an important sense, Democratic leaders often launched disfranchisement campaigns not because of any new concerns, but because they could.⁴⁴ Each step to impede black voting enabled white elites to imagine the next one, and empowered them to take it. Disfranchisement was only possible once both white dissent and black voting strength had been undermined. Even at this late stage, black Southerners fought disfranchisement through public protests and legal action.⁴⁵ But by the early 20th century, the bleaching of the ballot was virtually complete.

National State and Republican Politics

During Reconstruction, unprecedented activism by the national state led to a dramatic expansion of the citizenry and the democratic rights of citizens. Yet the national state then stood aside when virtually all African Americans in the South lost the right to vote. The national state’s inaction was an important precondition for the success of Southern disfranchisement, but it was not the prompt for the process.

Why the national state stood aside is open to many interpretations. Political sociologists have often treated the American polity in this period either as a weak national state incapable of enforcing citizenship rights, or more commonly as a sectional state in which the South had considerable autonomy. There is certainly a contrast with the mid-20th century, when a powerful Civil Rights Division within the Justice Department proved adept at enforcing the law in Southern states.⁴⁶ Nevertheless, contemporary black leaders accused the branches of the national state of being complicit in the reassertion of white supremacy. The novelist Charles Chesnutt complained, 'when we seek relief at the hands of Congress, we are informed that our plea involves a legal question, and we are referred to the Courts. When we appeal to the Courts, we are gravely told that the question is a political one, and that we must go to Congress'.⁴⁷

African American leaders had good grounds to complain. Democracy was not betrayed simply because the national state was too weak to interfere. By the turn of the century the American state was increasingly able to make an impact beyond Washington. Congress's bold Reconstruction experiment in expanding national power had ended by 1873, but in some ways the legacy of an activist national state endured.⁴⁸ Administrative reform enhanced the capacities of the federal bureaucracy to govern nationally.⁴⁹ At times national institutions were willing to flex their muscles with regard to the South. For example, during the period 1880–1901, Republican Congresses intervened in 26 elections to seat Southern Republicans or Populist candidates who had been defeated through fraud.⁵⁰

Furthermore, the restraining influence of Southern Democrats in Washington was limited. Between the end of the Civil War and 1912, southerners gained only seven of 31 Supreme Court appointments, two of 12 House speakerships, and with the exception of Andrew Johnson, not a single presidential or vice-presidential nomination.⁵¹ In contrast, between 1868 and 1912, the Republican Party controlled the Senate for 40 years, the House for 26 years and the Presidency for 36 years. To be sure, elections in the so-called 'Gilded Age' were closely contested such that the Republicans often lacked the Congressional majorities to pass effective legislation. But crucially, during 1889–1891, when disfranchisement was under way, the Republican Party controlled all three branches of the federal government. During this 51st Congress, Republican Speaker Thomas 'Czar' Reed famously forced an end to the minority party's ability to obstruct House business, and Republicans passed such wide-ranging measures as the McKinley Tariff Act (1890), the Land Revision Act (1891), and the Dependent Pension Act (1890).⁵²

Rather, the problem at the federal level was the action – and sometimes deliberate inaction – of all branches of the federal government in the face of the Southern reversal of democratization. For example, the Republican Party failed to pass the Lodge Bill during the activist Congress of 1889–1891, which would have significantly increased federal power to intervene in state elections. This failure is all the more telling considering it was in Republican electoral self-interest to do so.⁵³ The Democrat-controlled legislature of 1893–1894 then repealed the remaining Reconstruction federal election laws.⁵⁴ When Republicans regained control of Congress in 1896 they abandoned black voters altogether. By this point, Republicans lacked

any incentive to intervene. The electoral realignment of 1896, which led to Republican dominance based on support in the new western states of the US, allowed them to abandon Southern black voters.⁵⁵ In addition, as Richard Benseal explains, their desire for a 'stable economic environment for northern investment and commerce' encouraged them to do so.⁵⁶

Some scholars have suggested that the federal government's abdication of responsibility for black voting during the 1890s prompted Southern politicians to pursue disfranchisement. Alexander Keyssar and others suggest the failure to pass the Lodge Bill acted as a trigger.⁵⁷ Meanwhile, Richard Valelly points to the electoral realignment of 1896. This 'shut off . . . a yellow light in the region that signaled "proceed with caution" and may have turned on a green light'. It 'made black disenfranchisement quite unstoppable'.⁵⁸

Undoubtedly, the electoral realignment made disfranchisement unstoppable by the mid-1890s. But disfranchisement was well under way by this point. Moreover, as will be shown, Southern white supremacists – while taking care not to challenge the 15th Amendment explicitly – were hardly restrained before the 1890s. At the other end of the timeframe, constitutional disfranchisement in some states did not even begin before the 1900s. Above all, the lack of support from Washington during disfranchisement was nothing new. The Supreme Court's narrow reading of citizenship rights in various cases during 1873 demonstrated 'that government officials would not really attempt the daunting task of altering social reality to conform to liberal egalitarian precepts'.⁵⁹ A decade later in the *Civil Rights Cases*, the Court warned African Americans against appeals to the constitutional protection of equal rights. Justice Joseph Bradley told black Americans that, having assumed the 'rank of mere citizen' they could no longer be 'a special favorite of the laws'.⁶⁰

The other branches of the national state were also complicit from an early stage. After Reconstruction, successive presidents sidestepped the issue of Southern white supremacy and supported lily-white measures within their parties and in the national bureaucracy. Meanwhile, the Republican Party pulled back from defending black voting rights soon after the passage of the 15th Amendment. In 1873, Congressional Republicans decided against removing Reconstruction from the oversight of the Court, in the full knowledge that the Court was likely to circumscribe federal protection for black Southerners.⁶¹ During the 1880s, black suffrage dropped off Republican Party platforms, and only re-emerged briefly in 1890 in a 'perfunctory manner'.⁶² Lack of Republican interest translated into a lack of regulatory interest. For example, between 1871 and 1893, only 5.3 per cent of expenditure for federal election officers was spent on former Confederate states.⁶³

Overall, the federal government's reticence reveals that Reconstruction left both a radical and limited legacy.⁶⁴ Radical because a new group was added to the citizenry, thereby creating a new social order in the South. But limited, because the federal government did not take responsibility to protect black citizenship rights that were inevitably contested by those opposed to the new order. In an important sense, the *Civil Rights Cases'* ruling encapsulated this unstable state of affairs. By 1883 each black citizen would indeed cease to be 'a special favorite of the law' and instead 'his rights . . . are to be protected in the ordinary modes'. As citizen rather than

slave, one of the main 'ordinary modes' was to defend his own rights and resist white supremacy. The lack of support from the national state severely hampered black Southerners as they sought to do so.

Southern White Supremacy

The struggle over the vote was not a single-issue project. Rather, to quote White, it was a battle over the 'full rights of manhood and womanhood'. Southern advocates of disfranchisement could not make their case in political terms alone. Rather, white supremacists were successful because they connected the vote with a wide range of economic and social tensions in the late 19th-century South. These tensions were intimately interlinked with gender and class concerns and the reestablishment of the antebellum social order.⁶⁵ Black-belt elites were at the forefront of disfranchisement, but the wealthy and poor, men and women, had a vested interest in different aspects of white supremacy. Therein lay its power.

As in electoral politics, black Southerners fought to preserve and improve their economic standing, defended their communities from violence, and tried to maintain their social rights. As in politics, such resistance slowed the imposition of a new racial order. However, the relative weakness of African Americans beyond the ballot box after Reconstruction ultimately undermined their ability to resist disfranchisement.

Economy

In a capitalist democracy, a measure of economic independence is a particularly important component of citizenship. Gaining money meant gaining autonomy. With regard to voting, capital allowed the payment of poll tax or the building of schools to improve literacy.

In his wartime march through Georgia, General Sherman heard the call for land rather than a call for the vote. But Reconstruction only gave former slaves the right to vote and failed to redistribute land in any meaningful way. Thus former slaves entered the post-Reconstruction era on the margins of a Southern economy in crisis. Southern farmers drank from a bitter cocktail of mounting debt, poor harvests, high railroad prices, and international competition. But black workers faced particular handicaps.⁶⁶ Industrial bosses paid black employees lower wages. Marginal white farmers attacked black renters and landowners.⁶⁷ Democrat legislatures passed a welter of legislation to bolster the power of landlords.⁶⁸ To one British visitor, Sir George Campbell, the South's convict leasing system 'does seem simply a return to another form of slavery'.⁶⁹

As with disfranchisement, the subordination of black labour was not an inexorable victory for landlords or industrial bosses. George White reckoned that, despite leaving slavery penniless, black Southerners owned farms worth something 'in the neighborhood of \$750,000,000'. The 1900 census recorded that over a fifth of black farmers owned the land that they worked.⁷⁰ This (mostly marginal) land was acquired during Reconstruction rather than afterwards. Nevertheless, standing still after Reconstruction was an achievement in itself.⁷¹ Nor did it come by chance. Kinship networks and mutual aid societies underpinned black economic development.⁷²

The vast majority of black Southerners, however, were landless and poor. Nevertheless, the sheer numbers of black workers gave them some strength. In the countryside, the Southern Farmers' Alliance (SFA) paved the way for the Populist movement. In industry, the Knights of Labor took centre stage during the 1880s, to be followed by the American Federation of Labor. Both the SFA and many Southern unions had black counterparts. Leaders of the Colored Farmers' Alliance (CFA) claimed one million members by 1891. The CFA strongly supported the Lodge Bill, even though the SFA opposed it. In industry, black workers were involved in major strikes in the docks of New Orleans, the lumberyards of Florida, the coalmines of Alabama, and the tobacco factories of Virginia.

On occasion, such protests proved effective. Domestic workers, by virtue of their monopoly of laundry work, held particular power. For example, in 1881 the Washing Society of Atlanta forced the city council to back down from levying a business tax. Opponents found it hard to land a blow on the so-called Washing Amazons. The status of the work was so menial that they could not bring in white strike-breakers. And since the protest was by women, the usual appeals to rape scares were absent. There were clear links between economic protest and the ballot. In the Atlanta case, the strike coincided with Republican gains in the city elections.⁷³

Such communal confrontation was the exception rather than the rule. But white leaders bemoaned an ongoing problem with black workers. African Americans moved. Relatively few left the South, but perhaps a third of black labourers moved annually.⁷⁴ In industry, some strike-breakers stayed on the job. More generally, African Americans worked for their landlord or boss when they had to, and for themselves when they could. According to historian Sharon Holt, this building of a household economy – 'a minor enterprise on a major scale' – was 'a way to push desperation just far enough away from the door to make room for hope'.⁷⁵

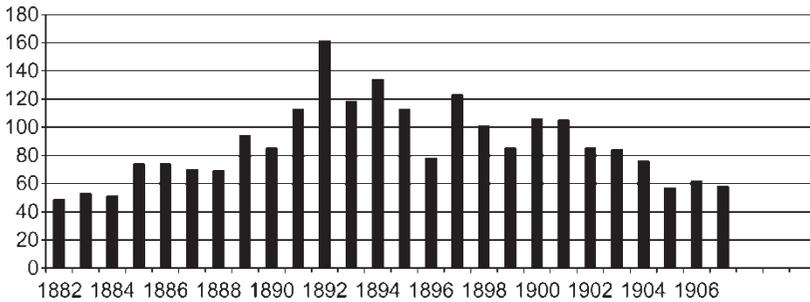
Hope, though, was no substitute for power. The increasing subordination of black workers undermined their ability to hold on to the vote. Yet the tenacity of black workers also strengthened white supremacist campaigns for disfranchisement. Time and again labour disputes played out in racial terms. For example, during the so-called Louisiana sugar wars of 1887, a majority of cane workers and even some of the strikers were white. But for one plantation mistress, the issue was simply, 'who is to rule, the nigger or the White Man?' These continuing tensions also explain the rash of vagrancy laws still to come in early 20th century.⁷⁶

Violence

The weakening position of black Americans was shown most brutally through violence. As with many black leaders, White reserved his greatest ire for lynching. In the Senate, he tried to pass a bill against it, pleading for 'justice – simple justice'.⁷⁷ In the preceding decade, some 846 black victims died at the hands of the mob, roughly one every four days.⁷⁸ In fact there had been mob violence since emancipation, often on a greater scale.⁷⁹ But lynchings increased markedly during the 1880s and into the disfranchisement era (see Figure 1).

Lynchings were also a new form of horror. In Paris, Texas, in 1893, a black man called Henry Smith, who had a learning disability, was punished for alleged rape.

FIGURE 1
LYNCHINGS OF AFRICAN AMERICANS, 1882–1907



Source: 'Persons Lynched by Race: 1882–1970', in *Statistics of the United States, Colonial Times to 1970, Part 1* (Washington DC: US Government Printing Office, 1975), Series H 1168–1170, p. 422.

Members of the victim's family pressed red-hot irons into Smith's eyes.⁸⁰ Just as telling was the wider acceptance of lynchings. Up to a third of lynchings were public spectacles. Smith's lynching took place on a high platform to entertain a crowd of some 20,000 people, including hundreds of children who had been given the day off school. Images of the lynching were recorded on photographs; sounds of Smith's screaming were recorded on graphophone.⁸¹ The spectacle reinforced the prevailing ideology of black bestiality – the retribution merely reflected the horror of the crime.⁸² The black beast was certainly not fit to vote.

Black leaders protested that rape was not the cause of the lynching spree. The leading spokesman, Frederick Douglass, tied lynching squarely to disingenuous supremacist politics. According to Douglass, the mob cried 'Negro insurrection' during Reconstruction and 'Negro rape' during the disfranchisement era.⁸³ Nevertheless, Democratic publicists used the fear of rape to good effect, asserting that where black men were concerned, the voting booth led directly to the bedroom.⁸⁴

Black Americans contested lynching vigorously. In the public domain, the indefatigable Ida B. Wells embodied the campaign, as she charged that white men, not black, were responsible for rape. White violence was contested on the ground too. In an interview for a police job in Atlanta, one candidate was asked what he would do in the black part of town if 'a couple of niggers ... started to fight you'. He replied, 'Blow your gong and run like the virry devil'.⁸⁵ In 1899, in rural McIntosh County, Georgia, Henry Deleale, a locally prominent black man, was jailed on the charge of rape. When the sheriff tried to sneak him out, the bell of the local black Baptist church sounded the alarm, and hundreds of African Americans, many armed, surrounded the jail. Deleale was later released.⁸⁶

Such community self-defence, however, was much more common during and shortly after Reconstruction, when black Southerners had more arms, and were involved in state militias. By the end of the century, black communities had limited options – they appealed to paternalism, shielded potential victims, or moved en masse.⁸⁷ The increasing prevalence of lynching, and the narrowing

options for resistance, showed that the balance of armed power had shifted decisively towards white Southerners. In an era when voting was public and could have dangerous consequences, the weakening of black armed self-defence further undermined the defence of the vote.⁸⁸

Segregation

By the turn of the century, the triumph of white supremacy also gained legal sanction with the introduction of 'Jim Crow' segregation. Like disfranchisement, legal segregation was imposed at speed towards the turn of the century. In some areas, the introduction of Jim Crow was a codification of existing custom. In others, Jim Crow replaced a pattern of exclusion rather than integration. But in many places, particularly in those areas where African Americans held political power, new laws produced a decisive moment of change.⁸⁹

It was not that black Southerners sought social interaction. But as White's speech showed, black leaders saw the 'humiliation' of enforced segregation as part of a wider power struggle. For example, the two main clusters of separate transport laws – around 1890 and 1900 – were tied to state disfranchisement campaigns.⁹⁰ By stigmatizing African Americans as unworthy of social contact, legislators legitimized the removal of black men from the voting rolls. The desire for racial separation was also linked closely to competition for jobs.⁹¹ The link with gender was shown by the fact that segregation was introduced last in all-male environments.

As in other areas of racial oppression, former slaves challenged segregation. Some black leaders played the class card. State Representative John Gray Lucas argued that even advocates of legislation to introduce segregation on Arkansas coaches would not claim 'that a drunken white man is preferable, as a fellow passenger, to the most genteel negro'. Others appealed to basic citizenship rights in the courts. In the first case after Redemption in New Orleans, black teacher Paul Trévigne filed in state district court so that his son could continue at his school. However, in Arkansas, the sponsor of the bill mocked the class argument, claiming that blacks 'want us to draw the soap line'. The bill passed with only three legislators opposed. Some legal suits did make an impact, even into the 20th century. But for the most part, the logic of the arguments was less important than the colour of who was making them. In Trévigne's case, the state district judge dismissed the suit, since it referred to possible future damage. But when Trévigne appealed to the state supreme court, the judge ruled that the suit had come too late.⁹²

Black Southerners protested to the bitter end. Ida Wells bit a conductor before being thrown off a segregated carriage. At the turn of the century, African Americans launched boycotts of segregated transport in at least 25 cities, and some boycotts delayed streetcar segregation by a few years.⁹³ But the few successes were fleeting. The logic of racial domination allowed for nothing less.

Two Contrasting Cases

Two other – usually overlooked – cases of attempted disfranchisement underscore the importance of vulnerable groups having sufficient resources in order to be able

to protect their procedural rights. In the antebellum north, black voters were disfranchised, whereas in early 20th-century Maryland, repeated attempts to disfranchise black voters were thwarted. In both cases, there was minimal threat of federal intervention. In both cases, white supremacists ran savvy campaigns connecting black voting to wider racial issues. But in the antebellum north, the small numbers of black voters meant that white supremacists were able to impose disfranchisement without delay. In Maryland the strength of black voters – both at the ballot box and beyond – helped keep disfranchisement at bay.

Antebellum North

By the outbreak of the civil war, all Northern states save the New England states did not allow black men to vote on equal terms with white men.⁹⁴ This restriction of black voting ran in tandem with franchise expansion for white men under Jacksonian democracy. Often states simply wrote white suffrage into their constitutions from the outset. But in at least four states, existing black voters had to be disfranchised. The most notable cases were in New York (1821) and Pennsylvania (1838), which had the largest and most organised black communities outside the South.⁹⁵

Unlike the South, disfranchisement was swift and untroubled. In part, the quick removal of black voters was because of effective white supremacist campaigns and because northern states did not face the 15th Amendment. But in the South, white supremacists also ran effective campaigns and found it relatively straightforward to sidestep federal interference. Rather, a main difference was that white supremacists did not face significant opposition within their states. It was not that black Northerners acquiesced. Anger at disfranchisement energized the antebellum black convention movement. However, black voters were impotent to delay the reforms.

The disfranchisement campaigns in New York and Pennsylvania followed similar patterns to Southern disfranchisement. The Democrat Party led the assault, while the opposition parties (first the Federalists, and then the Whigs) were divided over the issue.⁹⁶ After a close election in Bucks County, PA, in 1837, a group of concerned white voters declared, ‘the high handed measure of negroes going to the election, ARMED WITH LOADED GUNS . . . require the most decided steps, in order to guard against a negro revolution’.⁹⁷ A ‘negro revolution’ was hardly on the cards. Black voters were less than three per cent of the electorate in New York State and Philadelphia.⁹⁸ Nonetheless, propagandists painted a terrifying picture of the inevitable consequences of black voting. The Doylestown Democrat reported that Bucks County was already a ‘negro paradise’ and that runaway slaves will flood in and take jobs, ‘unless we keep them out’.⁹⁹ Publicists also raised the spectre of ‘intermixture’, when black men’s access to the polls would lead to access to white women.¹⁰⁰

As in the South, black voters resisted. In Pennsylvania, rival black leaders put their differences to one side to publish an ‘Appeal of Forty Thousand Citizens threatened with Disfranchisement’. The appeal pointed out, ‘We are in too feeble a minority to cherish a mischievous ambition.’ It condemned white supremacists as hypocrites on the ‘intermixture’ question, because they were more than happy to sign contracts with black labourers. It highlighted the sacrifices of black men in times of trouble, and their hard work in times of peace. Above all, the document

appealed to democratic principles. Did white reformers want to deny “that all men are born equally free” . . . or to divide what our fathers bled to unite, to wit, TAXATION and REPRESENTATION?’¹⁰¹

The rhetoric was carefully crafted. But the problem was black activists lacked power to back up their appeal. As in the post-Reconstruction South, black Northerners in the antebellum era were weak away from the ballot box. De Tocqueville noted that if black men vote ‘their lives are in danger. If oppressed, they may bring action at law, but they will find none but whites among their judges’.¹⁰² But unlike the South, black voters in the North were weak at the ballot box too. They were indeed ‘too feeble a minority’. ‘Forty Thousand Citizens’ counted for nothing in electoral terms. All they could do was appeal. Thus, white supremacists did not need to break down the black vote step by step. They barely paused for breath.¹⁰³

Maryland

By contrast, when Maryland’s General Assembly put forward disfranchising measures to the popular vote in 1905, 1907, and 1911, it was rebuffed on each occasion, in large part because of black opposition.

The Maryland disfranchising campaign is a particularly useful contrast because it was very much part of the Southern movement. A former slave state, Maryland had the highest proportion of black voters (20 per cent) of any state that did not impose disfranchisement (and a higher proportion than two states that did). In a rerun of Southern campaigns, the successful Democratic gubernatorial candidate, Edwin Warfield, proclaimed in 1903, ‘This election is a contest for the supremacy of the white race’.¹⁰⁴ The incoming Democratic government subsequently imposed Jim Crow alongside attempts to remove black voters.

The failure of disfranchisement can partly be explained by the obstacles facing white supremacists. Maryland’s original Declaration of Rights expressly forbade a poll tax. Moreover, because 15 per cent of white Marylanders were immigrants, white supremacists found it difficult to frame a plan that targeted black voters alone. The Maryland League of Foreign-Born Citizens brought together at least nine ethnic groups in opposition to disfranchisement. Maryland’s anti-Democrat voting bloc carried real power, and Republicans controlled the state government between 1896 and 1900.¹⁰⁵ The Democrat party was also somewhat faction-ridden. Some Democrats worried that the disfranchising amendments would centralize power in the state capital. Business interests threatened to oppose disfranchisement as a bargaining chip in their efforts to retain control over the lucrative oyster industry.

Yet similar obstacles were faced by white supremacists across the South. State Democrat Parties were invariably riven with faction, not least between black belt and urban delegates. Anti-Democratic voting was common too. More than one in five white Southerners voted against the Democrat party at some stage in the late 19th century.¹⁰⁶ Indeed, the Republican–Populist victory in North Carolina served to empower the disfranchising campaign there.

Crucially, black voters in Maryland had significant power to continue to make their votes count and thus augment white dissent. It was not that black Marylanders were particularly prosperous.¹⁰⁷ But compared with the rest of the South, rural black

Marylanders enjoyed a significant degree of economic autonomy. Before the civil war, there were almost as many free Negroes as slaves in the countryside.¹⁰⁸ After emancipation, there were disproportionately few black tenant farmers. Although land-ownership was not especially high, in many counties a typical black landowner held land in roughly equal proportion to a typical white landowner.¹⁰⁹

By the end of the century, almost half black Marylanders lived in the relative security of cities. By the outbreak of the civil war, some 92 per cent of African Americans in Baltimore were 'free Negroes'. After the war, local knowledge of the bay helped them to compete in the maritime and oyster industries.¹¹⁰ Indeed, their prowess deterred Irish and Eastern European immigrants, the traditional antagonists of black workers. Black Marylanders' economic progress translated into a high literacy rate. Following a series of protests, enrolment at black schools increased by a factor of ten between 1867 and 1900, and well over half black males were literate by the end of the century. Because Maryland joined the Union during the civil war, black Marylanders also had a strong tradition of militia activity and were well stocked with arms.¹¹¹

Thus black Marylanders were able to withstand the first attempts to whittle down the black vote. In March 1901, the *Baltimore Sun* reckoned that black voters rallied to 'retain their right to the franchise' more than illiterate whites. Faced with a complex new ballot, black attendance was high at night-time voter education classes. By the time the suffrage amendments were put forward, three-quarters of black voters were still able to cast ballots. In a letter to the famous black educator Booker T. Washington, local leader Harry Cummings wrote that the Maryland Suffrage League's success 'is down to good, hard, and earnest work and we shall endeavor to reach every one of the 53,000 colored voters of the State and . . . instruct them how to vote'.¹¹² Thus, in alliance with white dissenters, black Marylanders were able to defeat the disfranchise amendments.

Conclusion

The unfolding of events in the American South highlights the role of mass actors in democratic consolidation. In the first place, it affirms the work of scholars who identify the importance of popular approval of democratic arrangements. Southern white elites needed to foster widespread opposition to the principal of black voting before they could embark on disfranchisement. This was not a simple task. They achieved it by interweaving the issue of voting rights with the wider 'negro problem', not to mention class and gender hierarchies.¹¹³ In his study of democratic consolidation, Larry Diamond suggested an 'arbitrary' minimum figure of two-thirds support for democratic arrangements.¹¹⁴ The experience of the Southern states and Maryland would suggest that this figure is about right.

The case of the American South, though, shows that mass actors were not only important for their willingness to accept democracy, but their eagerness to protect it. Because the state did not have watertight self-enforcing powers to protect black voting, African Americans took responsibility for enforcing Reconstruction arrangements. Southern political elites did not attempt disfranchisement until the end of the

century, once African American power had been undermined. Thus, the history of the US South after Reconstruction suggests that elites restrain themselves from backtracking on democracy not only because they fear the action of other elites or because they lack the institutional clout to do so, but because they fear that mass actors themselves will take action to enforce democracy, by force if needs be, against elite democratic defection.

This question of mass actors forcing elites to restrain themselves from backtracking on democracy may have wider applicability. For example, one might imagine that in some countries, for example, the United Kingdom, public outcry would be sufficient to deter a significant rollback of democratic rights. But in other countries, such as Russia, this may not be the case.¹¹⁵ Furthermore, the US experience suggests that in a consolidated democracy, vulnerable groups require sufficient social and economic power to defend their political rights. For all that the Reconstruction Amendments proclaimed a remarkable set of political and legal rights for former slaves, it paid little attention to the question of economic or other resources, such as education, or the place of former slaves in the militia. In the post-Reconstruction struggle over the place of former slaves in the Southern society, this weakness beyond the ballot box ultimately opened the way to disfranchisement.

The US case also throws up some paradoxes. In the first place, it highlights the ambiguous legacy of momentous events of democratic progress.¹¹⁶ In US history, Reconstruction stands alongside the civil rights movement as one of the celebrated milestones in the expansion of democratic rights for African Americans. By broadening the scope of democracy to include black men, Reconstruction turned Southern society upside down. However, emancipation and Reconstruction also engendered a powerful response from those desperate to return the South right side up by restoring antebellum racial, gender, and class hierarchies. In a sense, the seeds of democracy's reversal were embedded within the very institutional arrangements intended to create and preserve its expansions. The power of the reactionary response in the South is also a reminder that grass-roots movements, even those working within a democracy, can be mobilized against the expansion of democracy.¹¹⁷

The timing of Southern disfranchisement within the broader context of US social and economic development is also curious. Numerous studies have made a link between the emergence of modern industrial 'civil' societies and the establishment of democracies.¹¹⁸ But in the United States at the turn of the century, this link is conspicuous by its absence. This was an era when the US emerged with many of the hallmarks of a modern society – an era of spectacular industrial growth, urbanization, and bureaucratic expansion. It was even the dawn of the progressive era of social and municipal reform. Indeed 'Southern boosters' (business and municipal leaders promoting the South to northern investors and onlookers), eager to embrace the benefits of modernization, proclaimed a 'New South'. But instead of producing or consolidating universal rights and freedoms, this new era witnessed a democratic reversal. In the American case, a flourishing civil society was for whites only.¹¹⁹

With regard to the present day, the reversal of American democracy in the late 19th century lends credibility to the warnings of scholars that newly established democracies are vulnerable – not just to a reversion to authoritarian rule, but to a

narrowing of democratic rights. Indeed, the late 19th-century US South provides a compelling precedent for Samuel Huntington's prediction that 'threats to third-wave democracies are likely to come not from generals and revolutionaries who have nothing but contempt for democracy, but rather from participants in the democratic process. These are political leaders and groups who win elections, take power, and then manipulate the mechanisms of democracy to curtail or destroy democracy . . . the problem is not overthrow but erosion: the intermittent or gradual weakening of democracy by those elected to lead it'.¹²⁰

Finally, the reversal of democratization after Reconstruction has implications for predictions about the future of American democracy. Some scholars have argued that recent developments in the United States portend another rollback of democratic rights for racial minorities. In particular, they point to the recent rise of colour-blind rhetoric in the judiciary and legislature, including the 1993 *Shaw v. Reno* decision that reversed minority-majority electoral districting (and thus weakened the power of the African American vote).¹²¹ Certainly, the restriction of African American voters in Florida during the 2000 presidential election seems eerily familiar to the post-Redemption purging of thousands of black voters there. Moreover, the Voting Rights Act of 1965 would appear vulnerable because many of its provisions are dependent on Congress for renewal.

The history of US disfranchisement, however, gives some grounds for optimism too. Although former slaves were abandoned by the national state and opposed by white supremacists, they were still able to defend their rights for a generation. At the dawn of the 21st century, despite the racially linked problems of poverty and unemployment, and the continued blight of urban racial segregation, black Americans are much more powerful than their 19th-century counterparts. Compared with 1900, the average black income relative to average white income has doubled.¹²² While most police forces were lily-white in 1900, they are now integrated nationwide. Nevertheless, one lesson of the post-Reconstruction era is that even in a historic democracy like America, there is no inherent reason why the process of democratization will inexorably progress.¹²³

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NOTES

1. *Congressional Record: 56th Congress, Second Session*, Volume XXXIV (Washington DC: Government Printing Office), pp. 1634, 1638. See Benjamin Justesen, *George Henry White: An Even Chance in the Race of Life* (Baton Rouge, LA: Louisiana State University Press, 2001).
2. This fact is ignored in many discussions of democratization in the United States. For example, Francisco González and Desmond King say 'the hundred years after the Civil War (1861–1865) were characterized by a gradual abandonment of narrow assimilationism and the enactment – in the 1960s – of legislation . . . to uphold the rights of citizenship of all Americans'. In Peter Burnell (ed.), *Democratization Through the Looking Glass* (Manchester: Manchester University Press, 2003), p. 231.

3. For Samuel Huntington, the 'first wave' began with Jacksonian democracy in 1828, when the US became 'the premier democratic country in the world'. *The Third Wave: Democratization in the Late Twentieth Century* (Norman, OK: University of Oklahoma Press, 1991), p. 30.
4. Section 2 of the Amendment gave Congress the power to enforce the Amendment by appropriate legislation. Congress also had power to enforce the 14th Amendment (1868) which asserted that 'No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.'
5. See Stephen Middleton (ed.), *Black Congressmen During Reconstruction* (Westport, CT: Greenwood Press, 2002), and Eric Foner, *Reconstruction: America's Unfinished Revolution* (New York: Perennial Classics, 2002).
6. Stephen Tuck, *Beyond Atlanta: The Struggle for Racial Equality in Georgia* (Athens, GA: University of Georgia Press, 2003), ch. 2; Steven F. Lawson, *In Pursuit of Power* (New York: Columbia University Press, 1985).
7. *Congressional Record* (note 1), p. 1638. Richard Valelly asserts that the process of this reversal – where a major group is enfranchised, then disfranchised, through procedural means – is unique to the United States. Richard Valelly, *The Two Reconstructions* (Chicago, IL: University of Chicago Press, 2004).
8. For example, in his review of recent literature, Omar G. Encarnación applauded the wide reach of the field 'as new evidence of democratic consolidation from eastern Europe, the former Soviet Union, Asia, and Africa accumulates and joins that of southern Europe and Latin America to create a truly global empirical laboratory'. 'Beyond Transitions: The Politics of Democratic Consolidation', *Comparative Politics*, Vol. 32, No. 4 (2000), p. 480. This article seeks to add the United States to the laboratory.
9. Or as Gerard Alexander put it, 'the best classroom of all is comparison between good and bad times', *The Sources of Democratic Consolidation* (Ithaca, NY: Cornell University Press, 2002), p. 10. See too, Peter Burnell, 'Introduction', in Burnell (note 2), p. 15.
10. Encarnación (note 8), p. 480. 'Beyond Transitions' provides a helpful overview of recent literature on consolidation. See also Larry Diamond, *Developing Democracy: Toward Consolidation* (Baltimore, MD: The Johns Hopkins University Press, 1999); Juan Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation* (Baltimore, MD: The Johns Hopkins University Press, 1996).
11. For a helpful overview of various tests see George Philip, 'Latin America', in Burnell (note 2), p. 205. See too A. Schedler, 'What is Democratic Consolidation?' *Journal of Democracy*, Vol. 9, No. 2 (1998), pp. 91–107; Alexander (note 9), p. 16. The post-Reconstruction South also fits the tests put forward by Juan Linz and Alfred Stepan, 'Towards Consolidated Democracies,' *Journal of Democracy*, Vol. 7, No. 2 (1996), p. 15, and (because of the 'external' interest from Northern states) of Jon C. Pevehouse, 'With a Little Help From My Friends? Regional Organizations and the Consolidation of Democracy', *American Journal of Political Science*, Vol. 46, No. 3 (July 2002), pp. 611–26.
12. Guillermo O'Donnell, 'Illusions about Consolidation', *Journal of Democracy*, Vol. 7, No. 2 (1996), p. 35.
13. C. Vann Woodward, *The Strange Career of Jim Crow* (New York: Oxford University Press, 1974).
14. For overviews of the process of disfranchisement see J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880–1910* (New Haven, CT: Yale University Press, 1974); Michael Perman, *Struggle for Mastery, Disfranchisement in the South, 1888–1908* (Chapel Hill, NC: University of North Carolina Press, 2001); Valelly (note 7).
15. Robert Dahl, *Democracy and Its Critics* (New Haven, CT: Yale University Press, 1989), p. 221. There was some fraud, but as James MacPherson recently pointed out, 'the 1872 election was the 'fairest election in the South in American history to that point'. 'The Great Betrayal', *New York Review of Books*, Vol. 53, No. 19 (30 November 2006).
16. Adam Przeworski, *Democracy and the Market* (Cambridge: Cambridge University Press, 1991), p. 26; Diamond (note 10), p. 65.
17. L. Q. C. Lamar, Wade Hampton, James Blaine et al., 'Ought the Negro to be Disfranchised? Ought he to have been Enfranchised?' *North American Review*, Vol. 128 (1879), pp. 231, 240.
18. Perman (note 14), p. 38.
19. Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States* (New York: Basic Books, 2000), p. 108; Richard Bensel, *Sectionalism and American Political*

- Development 1880–1980* (Madison, WI: University of Wisconsin Press, 1984), p. 77; Valeyly (note 7).
20. Initially populists appealed to the black vote too, in an attempt to create anti-Democratic majorities. Steven Hahn, *A Nation Under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration* (Cambridge, MA: Belknap Press, 2003); Glenda Gilmore, *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896–1920* (Chapel Hill, NC: University of North Carolina Press, 1996). Historians of the South have long debated whether it was the Bourbons (conservative, pro-business Democrats) or white populists who were behind the move to disfranchise. The most recent findings suggest that it varied from state to state. Black belt elites were invariably involved. See Perman (note 14); Kousser (note 14). For the purposes of this article, however, the key point is that white elites (of whatever stripe) sought to manipulate social tensions to promote disfranchisement, and that the struggle to reassert white supremacy in Southern politics dated back to the end of Reconstruction.
 21. For example, Gilmore demonstrates that the populist threat, and associated gender scares, provoked a vicious supremacist campaign in North Carolina. But Perman (note 14) shows that the populist threat was key in North Carolina and Louisiana only. See too, Kent Redding, *Making Race, Making Power: North Carolina's Road to Disfranchisement* (Urbana, IL: University of Illinois Press, 2003), p. 8.
 22. *Congressional Record* (note 1), p. 1638.
 23. *Ibid.*, pp. 1636–8.
 24. For example, Przeworski, *Democracy* (note 16); Barry Weingast, 'The Political Foundations of Democracy and the Rule of Law', *American Political Science Review*, Vol. 91, No. (1997), pp. 245–63; Adam Przeworski and Fernando Limongi, 'Modernization: Theories and Facts', *World Politics*, Vol. 49, No. 2 (1997), pp. 155–83; John Higley and Richard Gunther, *Elites and Democratic Consolidation in Latin America and Southern Europe* (Cambridge: Cambridge University Press, 1992).
 25. Linz and Stepan (note 10); Robert Putnam, *Making Democracy Work* (Princeton, NJ: Princeton University Press, 1994); Leonardo Morlino, *Democracy Between Consolidation and Crisis* (Oxford: Oxford University Press, 1998); Gabriel Almond and Sidney Verba, *The Civic Culture* (Boston, MA: Little and Brown, 1965).
 26. Dankwart Rustow, 'Transitions to Democracy: Toward a Dynamic Model', *Comparative Politics*, Vol. 2, No. 3 (1970), pp. 358–63.
 27. Diamond (note 10), p. 68.
 28. Terry Lynn Karl, 'Economic Inequality and Democratic Instability', *Journal of Democracy*, Vol. 11, No. 1 (2000), pp. 149–56.
 29. William Forbath, 'Social Rights, Courts and Constitutional Democracy: Poverty and Welfare Rights in the United States', *Democratization*, Vol. 12, No. 5 (December 2005), p. 725.
 30. Kousser (note 14), p. 59; Perman (note 14), p. 322.
 31. Kousser (note 14), p. 59.
 32. For an excellent overview of this process, see Kousser (note 14) and J. M. Kousser, *Colorblind Injustice: Minority Voting Rights and the Undoing of the Second Reconstruction* (Chapel Hill, NC: University of North Carolina Press, 1999), pp. 25–7.
 33. Wali R. Kharif, 'Black Reaction to Segregation and Discrimination in Post-Reconstruction Florida', *Florida Historical Quarterly*, Vol. 64, No. 2 (1985), p. 162.
 34. It was also the opposite of the 'democratic deepening' identified by Diamond (note 10), p. 74, as an important factor in consolidation.
 35. Perman (note 14), p. 33.
 36. Stephen Kantrowitz, *Ben Tillman and the Reconstruction of White Supremacy* (Chapel Hill, NC: University of North Carolina Press, 2000), pp. 96–7.
 37. William Cohen, *At Freedom's Edge: Black Mobility and the Southern White Quest for Racial Control, 1861–1915* (Baton Rouge, LA: Louisiana State University Press, 1991), p. 206.
 38. Kousser (note 14), p. 27; Kantrowitz (note 36), p. 97.
 39. Carl Moneyhon, 'Black Politics in Arkansas during the Gilded Age, 1876–1900', *Arkansas Historical Quarterly*, Vol. 44, No. 3 (1985), p. 227; Merline Pitre, *Through Many Dangers, Toils and Snares: The Black Leadership of Texas, 1868–1900* (Austin, TX: Eakin Press, 1985), p. 53.
 40. Fan Louise Gordon, *Caste and Class: The Black Experience in Arkansas, 1880–1920* (Athens, GA: University of Georgia Press, 1995), p. 13.
 41. John Oldfield, 'On the Beat: Black Policemen in Charleston, 1869–1921', *South Carolina Historical Magazine*, Vol. 102, No. 2 (2001), p. 159; Lawrence Hartzell, 'The Exploration of Freedom in Black

- Petersburg, Virginia, 1865–1902’, in Edward Ayers and John C. Willis, *The Edge of the South: Life in Nineteenth Century-Virginia* (Charlottesville, VA: University of Virginia Press, 1991), p. 140.
42. Gregg Cantrell and D. Scott Barton, ‘Texas Populists and the Failure of Biracial Politics’, *Journal of Southern History*, Vol. 55, No. 4 (1989), pp. 659–92.
 43. Robert C. Kenzer, *Enterprising Southerners: Black Economic Success in North Carolina, 1865–1915* (Charlottesville, VA: University Press of Virginia, 1997), p. 102.
 44. Perman (note 14).
 45. They also borrowed mobilizing techniques from their opponents. Redding (note 21).
 46. Kharif (note 33), p. 162; Kousser (note 14), p. 250.
 47. Stephen Tuck, ‘Making the Voting Rights Act,’ in Richard Valelly (ed.), *The Voting Rights Act* (Washington, DC: CQ Press, 2006).
 48. Charles W. Chesnut, ‘The Disfranchisement of the Negro’, in Bernard R. Boxill (ed.), *The Negro Problem, Centennial Edition* (New York: Humanity Books, 2003), p. 115.
 49. Karen Orren and Stephen Skowronek, *The Search for American Political Development* (Cambridge: Cambridge University Press, 2004), pp. 133–43.
 50. Stephen Skowronek, *Building a New American State: The Expansion of National Administrative Capacities, 1877–1920* (Cambridge: Cambridge University Press, 1982); Peter H. Argersinger ‘The Transformation of American Politics: Political Institutions and Public Policy 1865–1910’, in B. E. Shafer and A. J. Badger (eds), *Contesting Democracy* (Lawrence, KS: University Press of Kansas, 2001).
 51. Kousser (note 14), p. 263.
 52. Steven Hahn, ‘Class and State in Postemancipation Societies: Southern Planters in Comparative Perspective’, *American Historical Review*, Vol. 95, No. 1 (1990), p. 95.
 53. Argersinger (note 50), p. 131.
 54. Party strategists calculated that 30 seats out of 123 in the former slave states had been ‘stolen’ during the elections of 1888. Mark Robert Schneider, *Boston Confronts Jim Crow, 1890–1920* (Boston, MA: Northeastern University Press, 1997), p. 31. Congress did not even pass the Blair Education Bill, which would have helped black schooling.
 55. Perman (note 14), pp. 43–7.
 56. Valelly (note 7), p. 136
 57. Bensel (note 19), p. 77.
 58. Keyssar (note 19), p. 108. Paul Kleppner, *Continuity and Change* (New York: Greenwood Press, 1987), pp. 34–5; Argersinger (note 50), p. 132.
 59. Valelly (note 7), p. 136.
 60. Rogers Smith, *Civic Ideals: Conflicting Visions of Citizenship in US History* (New Haven, CT: Yale University Press, 1997), p. 337.
 61. *Civil Rights Cases* 109 US. 3 (1883).
 62. Orren and Skowronek (note 49), pp. 134, 140–2.
 63. Richard Bensel, *The Political Economy of American Industrialization, 1877–1890* (Cambridge: Cambridge University Press, 2000), p. 171.
 64. William Gillette, *Retreat from Reconstruction, 1869–1879* (Baton Rouge, LA: Louisiana State University Press, 1979), pp. 48–9; Bensel (note 19), p. 84. Similarly, the Department of Justice mounted nearly 5,000 criminal indictments in the South between 1870–1894 under the 14th and 15th Amendments, but only a quarter came after 1877, and the vast majority of these occurred before 1884. Richard Valelly, ‘National Parties and Racial Disenfranchisement’, in Paul E. Peterson, *Classifying By Race* (Princeton, NJ: Princeton University Press, 1995), p. 200.
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 67. Gavin White, *Old South, New South: Revolutions in the Southern Economy since the Civil War* (New York: Basic Books, 1986).
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71. *Congressional Record* (note 1), p. 1636.
72. J. W. Trotter, *African American Experience* (New York: Houghton Mifflin, 2000), p. 303. Loren Schwenger, *Black Property Owners in the South, 1790–1915* (Urbana, IL: University of Illinois Press, 1990), p. 176.
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74. Tera W. Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labors after the Civil War* (Cambridge: Harvard University Press, 1997), pp. 89–95.
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76. Sharon Holt, 'Making Freedom Pay: Freedpeople Working for Themselves, North Carolina, 1865–1900', *Journal of Southern History*, Vol. 60, No. 2 (1994), p. 262.
77. Jeffrey Gould, 'The Strike of 1887: Louisiana Sugar War', *Southern Exposure*, 12 (1984), p. 45.
78. *Congressional Record* (note 1), p. 1637.
79. From Table C-3 in Stewart E. Tolnay and E. M. Beck, *A Festival of Violence: An Analysis of Southern Lynchings, 1882–1930* (Urbana, IL: University of Illinois Press, 1995), p. 271.
80. Philip Dray, *At the Hands of Persons Unknown* (New York: The Modern Library, 2002), p. 49.
81. Tolnay and Beck (note 79), pp. 64, 23.
82. Ralph Luker, *The Social Gospel in Black and White* (Chapel Hill, NC: University of North Carolina Press, 1991), p. 94.
83. Jacquelyn Dowd Hall, 'The Mind that Burns in Each Body: Women, Rape, and Racial Violence', in Ann Snitow, Christine Stansell and Sharon Thompson (eds), *Powers of Desire: The Politics of Sexuality* (New York: Monthly Review Press, 1983), p. 339.
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86. Howard Rabinowitz, *Race and Ethnicity* (Columbia, MO: University of Missouri Press, 1993), p. 179.
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88. Brundage, 'The Roar on the Other Side of Silence: Black Resistance and White Violence in the American South, 1880–1940', in Brundage (note 84), p. 277.
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110. John R. Wennersten, 'A Cycle of Race Relations on Maryland's Eastern Shore: Somerset County, 1850–1917', *Maryland Historical Magazine*, Vol. 80, No. 4 (1985), p. 378; Schweninger (note 72).
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113. Callcott (note 106), p. 122.
114. Rising racism across the country meant that although white Americans in the Northern states did not formally disfranchise their small black electorates, they did undermine black voting power, and proved sympathetic to Southern disfranchisement. Stephen Tuck and Desmond King, 'Decentering the South: America's Nationwide White Supremacist Order After Reconstruction', *Past and Present*, Vol. 193, No. 2 (2007), pp. 219–57.
115. Diamond (note 10), p. 68; Encarnación (note 8), p. 495.
116. I am grateful to Stephen Whitefield for suggesting this point.
117. Samuel Huntington noted that 'each of the first two waves of democratization was followed by a reverse wave'. 'Democracy for the Long Haul', *Journal of Democracy*, Vol. 7, No. 2 (1996), p. 5. Bill Kissane and Nick Sitter argue that, in the case of 20th-century Europe, 'there is no a priori reason to believe that civil wars should further democratization'. 'Civil Wars, Party Politics and the Consolidation of Regimes in Twentieth Century Europe', *Democratization*, Vol. 12, No. 2 (2005), p. 184.
118. See Tuck (note 6), chapter 3, and Michael Klarman, 'How *Brown* Changed Race Relations: The Backlash Thesis', *Journal of American History*, Vol. 81 (1994), pp. 81–118.
119. Linz and Stepan (note 11), p. 17; Morlino (note 25); Almond and Verba (note 25).
120. Tuck and King (note 114).
121. Huntington (note 117), p. 8.
122. See Kousser (note 14); Rogers Smith and Philip Klinkner, *The Unsteady March: The Rise and Decline of Racial Equality in America* (Chicago, IL: University of Chicago Press, 1999).
123. Thomas Shapiro, *The Hidden Cost of Being African American: How Wealth Perpetuates Inequality* (New York: Oxford University Press, 2004).
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