

# RACE AT 300

## New Orleans' Past and America's Future

By Kent B. Germany

**A**t its 300th anniversary, New Orleans sits in a familiar spot. It has serious problems regarding race and inequality — and even bigger ones regarding water. Its history, though, suggests that it may have a bright future in a 21st Century dominated by globalism and multiculturalism. New Orleans has been battling over those things for 300 years. Its history is defined by the confusion of outsiders becoming insiders, and those insiders trying to keep everyone else in their place. Today, new waves of outsiders, especially young people and college graduates, are flocking to New Orleans (and other coastal metropolises). Some geographers call them part of an urban “creative class” launching a new information-driven American epoch. As they grow older, what will the United States become? What will it mean to be an American in their America in 2028 or 2058? A short answer is to look to New Orleans. It will tell us. It always has.

Be prepared, however. The city's answers have not always been happy. For 300 years, New Orleans has been a divided city, whether by race, gender, religion, ethnicity, country of origin, class, sexuality or a range of other factors. The color line, however, has been the most fundamental divide (with the meaning of “Creole” creating enormous variability). For the most part from the early 1700s to the mid-1960s,

New Orleans was organized around the concept that people with African ancestry were not equal to other residents and were deserving of enslavement or treatment as second-class citizens. Race and the power of its categories form a historical arc from slavery to Emancipation-Reconstruction to Jim Crow to the post-1945 Civil Rights era to the period of so-called “white flight” to Hurricane Katrina and beyond.

After two and a half centuries, the dominance of white supremacy apparently came to an end in the 1960s. Southern economic modernization, unprecedented national economic growth and national fiscal and social policies reduced startling pre-1950 levels of inequality and empowered African-Americans in unprecedented ways. Activists, lawyers and local people seized the opportunity to change the rules regarding race at the federal, state and local level. They forced the political system to act, and the result became modern multicultural America. It was more inclusive, more tolerant, more creative, more global.

Those trends sent approximately 200,000 white New Orleanians to new lives in neighboring parishes. In 1950, white residents made up 67 percent of the city. By 2000, the number was 28 percent. The shift from 1960 to 1980 was the biggest, from 62 percent white to 40 percent. By the mid-1980s, the oil bust devastated the area, as did a general antiurban political

environment. The mid-1980s and 1990s were a brutal period. For much of the city, things picked up at the end of the 20th Century, then Hurricane Katrina showed how much they had not improved. The population declined long-term by about 100,000, mostly African-American.

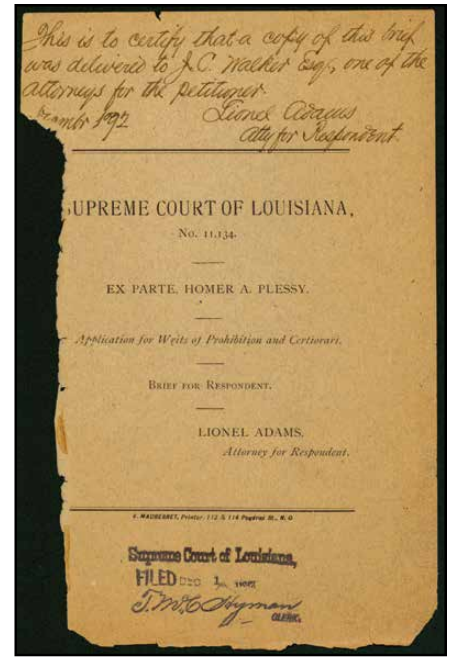
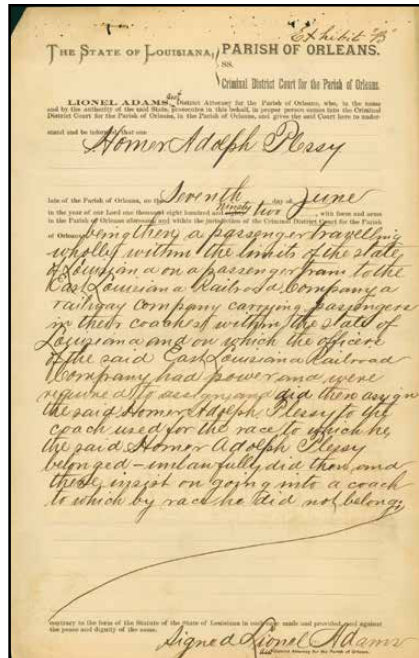
This essay offers a brief glimpse at a few parts of three centuries in New Orleans. In its simplest form, it is a story of blood and ink, violence and law. Lawyers, judges and lawmakers gave it form and set its legacies. Slavery defies easy analysis. But every modern person has to cope with the unforgettable reality that people took out ads to sell humans, while other humans took out loans to buy them. Systems like that may end, but their echo of anguish never does.

Several acts of violence in the 19th Century serve as testament to the willingness of white Louisianians to preserve white supremacy. In 1811, several hundred slaves revolted in St. Charles and St. John the Baptist Parishes and headed toward New Orleans with visions of freedom. Suppression was brutal and quick. Some of the revolters supposedly had their heads cut off and put atop poles as a warning. In 1866, a year after the Civil War, a white mob in New Orleans clashed with black men trying to secure the right to vote. Known as The Absolute Massacre, it left 38 people dead, most of them African-

American. In North Louisiana in 1873, the Colfax Massacre involved the murder of upwards of 150 pro-Republican black men by a mob of white men upset about a Reconstruction election. The legal response to it in the *Cruikshank* case undermined the 14th Amendment and actually diminished the power of black residents. In 1874 in New Orleans, the Battle of Liberty Place resulted in approximately 35 deaths. In a military street battle, the Crescent City White League crushed the pro-Republican police force. Two decades later, civic leaders put up a monument honoring leading citizens for defeating the “usurpers.” Into stone they celebrated the recognition of “white supremacy in the South.” That monument came down in 2017.

Lynchings were prominent, too. Louisiana had almost 400 from the 1880s to the 1960s. Approximately 85 percent were African-Americans. One notable episode in New Orleans involved anti-Italian sentiment. The 1892 “Who Killa Da Chief” incident left 11 Sicilians either shot or hanged by a mob after acquittals in a trial over the murder of the New Orleans police chief. In 1900, in another explosion of violence, Robert Charles, an African-American recently arrived from Mississippi, shot and killed several New Orleans police officers and residents. He was finally located in Central City and killed. The related riots by white mobs led to multiple other deaths and the burning down of a school for African-American boys.

Public violence could be an effective way to assert majority control, but it was unpleasant and usually bad for business. Abandoning the rule of law was dangerous and disorderly. It made bankers nervous. The law, therefore, usually bent to the will of the majority. The major legal turning points came with Emancipation-Reconstruction (1862-ish to 1877), the rise of Jim Crow (1880s-ish to early 1900s) and the end of Jim Crow (1950s-1960s). Emancipation and Reconstruction offered a brief victory for egalitarians. U.S. constitutional amendments established birth-right citizenship, equal protection and universal adult male voting. A new state Constitution, the development of desegregated schools and the election of black leaders were startling departures for New Orleans. Congress backed it up with the military. In 1872, a New Orleans man,



Depicted are documents from the record in *Ex Parte Plessy*. Courtesy of Historical Archives of the Supreme Court of Louisiana, Earl K. Long Library, University of New Orleans.

P.B.S. Pinchback, became the first black governor of any state in U.S. history, if only for a few weeks.

Overwhelming and often vicious white opposition demolished most of it, though, and restored white supremacy. The Jim Crow system of racial segregation solidified in the 1890s. The 1898 Louisiana state Constitution was a model for racial segregation and for taking the vote from African-Americans, while saving it from many poor whites through the novel Grandfather Clause. Three Louisiana cases — *Slaughter-House Cases*, 1873; *Cruikshank*, 1875; and *Plessy*, 1896 — were crucial for crafting the legal foundations of that Jim Crow era. In combination with other decisions from elsewhere, they drastically restricted the 14th Amendment’s protections, leaving African-Americans increasingly vulnerable to an increasingly fearful white majority at the state level.

*Plessy*, in particular, signaled the new era was to begin. In a cultural sense, the case asked who deserved to be a full American. Did an anxious white majority have the right to restrict the citizenship of people of color? Homer Plessy and his attorney Albion Tourgée said no. The U.S. Supreme Court essentially said yes. The result was an unrelenting, systematic decimation of the power available to people of

color to defend themselves, their economic position and their rights as citizens. The two decades after *Plessy* produced a fanatical, culture-wide devotion to what scholars refer to as “whiteness,” reflected by the popularity of the 1915 film *The Birth of a Nation*. The epic movie canonized the Lost Cause mythology of the confederacy, belittled black Americans as incompetent fools and euphorically celebrated the rise of the Ku Klux Klan. At its end, a Jesus-like figure blesses the restoration of white supremacy.

Jim Crow and the “southern way of life” was set. Generations believed that segregation was natural, that the law affirmed something first ordained by God. Resistance to Jim Crow grew dramatically after World War II, and so did white opposition to any changes to the racial regime. Activists, attorneys and political leaders used the U.S. Constitution (particularly the 14th and 15th Amendments and the Commerce Clause) and grassroots political power to crack it apart. Considering its long history, the end of white supremacy was relatively swift. It did not come easily. More than 250 people in the South were killed in that period by individuals and groups opposed to the civil rights movement. In 2006, the FBI began its Cold Case Initiative to take a new look into more than 100 of them. Among them was the 1965

drive-by murder of Deputy O'Neal Moore near Bogalusa. Another was Frank Morris, burned alive in his shoe shop in Ferriday in 1964. The LSU Cold Case Project has identified five others in Louisiana.

The civil rights movement in New Orleans is probably 300 years old. Its peak was in the 1960s, as local people contributed to a larger national moment. The face of that era in New Orleans likely belongs to Ruby Bridges. Framed by ponytail and lit by her smile, the 6-year-old African-American girl joined three other first-graders in 1960 to test federal desegregation rulings in *Bush v. Orleans*. The soul of the era is probably Ernest N. (Dutch) Morial, a visionary pioneer descended from a century-plus of Creole radicalism and the spirit of the *gens de couleur*.<sup>1</sup> The mind of the era rests in a big way with Alexander Pierre Tureaud, Sr., an attorney and NAACP leader who litigated a generation of civil rights cases and built the foundation for others to come.<sup>2</sup> A labor movement drawing from the longshoremen and a substantial Jewish community added a complex foundation of civil rights activism. The judges are many, but J. Skelly Wright and John Minor Wisdom stand with John Marshall Harlan (the only dissent in *Plessy*) in a stream of American justice that said all men (and at times, women) are created equal.

A description of other important lawyers and judges could go on for hundreds of pages (my apologies for leaving out so many). New Orleans was one of the few southern cities with a relatively powerful community of black lawyers, including such figures as Israel M. Augustine, Jr. (who became the first black judge in Criminal District Court in 1970) and Revius O. Ortique, Jr. (a future member of the Louisiana Supreme Court). Lolis E. Elie, Nils R. Douglas and Robert Collins became well known for their civil rights work and their political vision.

New Orleans's civil rights attorneys made an enormous difference. Imagine if none had been willing to represent the scores of revenue-draining, unpopular clients who spoke up, sat in, marched, protested and threatened the fundamental structures of power that had dominated society for almost a century. The attorneys who took on the challenge kept individuals from being crushed by the Jim Crow regime. Another group of lawyers must receive at

least a brief mention. By 1968, the War on Poverty had led to the creation of a small but powerful local legal force, the New Orleans Legal Assistance Corp. (NOLAC). Supported by Dutch Morial, John Nelson, Jr. and others, it blossomed into a formidable institution to fight against poverty and for social justice. As I detail in part of my book *New Orleans After the Promises*, its lawyers profoundly impacted welfare rights, social policy, housing rights and black political power. NOLAC is probably best known for the controversy surrounding its attorneys who successfully defended the Black Panthers in 1970 and 1971.

The energy of the era came from local people — particularly young people — who wanted an America that had never been America for them, to paraphrase Langston Hughes. Oretta Castle Haley, Richard Haley, Rudy Lombard and others with the Congress of Racial Equality (and others with other groups) raised questions that raised consciousness. Sit-ins, boycotts and protests made it all hard to ignore. One sign at a downtown protest captured the moral and religious dilemma of Jim Crow: “Will There Be Segregation in Heaven?” In September 1963, thousands marched downtown from Shakespeare Park (later A.L. Davis Park) in Central City. On Halloween 1963, a sit-in at City Hall showed the absurdity of segregation. To evict Doris Jean Castle from the city government complex, four officers carried her out in the chair she was sitting in. Rev. Avery Alexander got dragged down the corridor and stairs by his feet, all 6-feet-plus of him bouncing and sliding until they put him in his place outside.

The political and bureaucratic blueprint is perhaps best represented by Maurice (Moon) Landrieu, a Loyola Law School graduate and two-time mayor who finished his career as a Louisiana appellate court judge. Trained by Jesuits and inspired by his wife, Verna, and his friend from Loyola University, Norman C. Francis, Mayor Landrieu brokered the modern multiracial transformation that anchored the next 50 years.

Two moments of torment capture the agony of the era. One was the mass-shooting rampage of a black Navy veteran, Mark Essex, that ended on the Howard Johnson's rooftop. Ten died. The other is less violent. It is the image of the white “Cheerladies” who lined up in 1960 to protest school

desegregation in 1960. “Vomitings of demoniatic people” is how John Steinbeck described what they did and said. They stunned the artist Norman Rockwell, too. Four years later, he immortalized Ruby Bridges in a now-famous painting. Surrounded by U.S. Marshals, she walks toward school with tomatoes and the n-word smeared on the wall around her. The shift of her arm and slight bend of her knee propel her (and us) toward what Rockwell labeled “the problem we all live with.”

In 2018, that symbolic walk into the future continues, as New Orleans continues to evolve. According to the New Orleans Data Center, the city's population is 59 percent African-American, 31 percent white, 6 percent Hispanic and 3 percent Asian. For the first time ever, the mayor is a woman. The City Council is multiracial, multicultural and global. New members include a Vietnamese-American female and a Hispanic-American woman born in Mexico. College graduates account for more than 35 percent of the population. The largest age group is no longer children, but young adults from age 25 to 35, a historic shift since 2000.

What, then, will it mean to be an American in 10 years or 50 years? Unless something changes, the answer will emerge from figuring out what it means in New Orleans. Then, go from there. Or ignore it all and just stay in New Orleans.

## FOOTNOTES

1. Ernest (Dutch) Morial is a person of so many firsts his list cannot fit here — first black graduate of Louisiana State University Law School, first black modern Louisiana legislator, first black mayor of New Orleans, first mayor whose son became mayor.

2. Tureaud's son, A.P. Tureaud, Jr., was the first black Louisiana State University undergraduate.

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