

## Jim Crow Laws

**Jim Crow law**, in U.S. history, any of the laws that enforced [racial segregation](#) in the South between the end of [Reconstruction](#) in 1877 and the beginning of the [civil rights movement](#) in the 1950s.

*Jim Crow* was the name of a minstrel routine (actually *Jump Jim Crow*) performed beginning in 1828 by its author, [Thomas Dartmouth \(“Daddy”\) Rice](#), and by many imitators, including actor [Joseph Jefferson](#). The term came to be a [derogatory](#) epithet for [African Americans](#) and a [designation](#) for their segregated life.

At the dawn of the 20th century, African Americans had created a cultural and intellectual capital. Washington had relatively few "Jim Crow" laws. However, segregation and racism were endemic. The few existing laws mandated segregation in the public schools and recreation facilities but not in the streetcars and public libraries.

From the late 1870s, Southern state legislatures, no longer controlled by [carpetbaggers](#) and [freedmen](#), passed laws requiring the separation of whites from “persons of color” in [public transportation](#) and schools.

Generally, anyone of ascertainable or strongly suspected black ancestry in any degree was for that purpose a “person of colour”; the pre-[Civil War](#) distinction favoring those whose ancestry was known to be mixed—particularly the half-French “free persons of color” in Louisiana—was abandoned.

The segregation principle was extended to parks, cemeteries, theatres, and restaurants in an effort to prevent any contact between blacks and whites as equals. It was codified on local and state levels and most famously with the “[separate but equal](#)” decision of the [U.S. Supreme Court](#) in [Plessy v. Ferguson](#) (1896).

In 1954 the Supreme Court reversed *Plessy* in *Brown v. Board of Education of Topeka*. It declared segregation in public schools unconstitutional, and, by extension, that ruling was applied to other public facilities. In the years following, subsequent decisions struck down similar kinds of Jim Crow legislation. *See also* [black code](#); [racial segregation](#).

## Origins

Prior to the Civil War the inferior status of [slaves](#) had made it unnecessary to pass laws segregating them from white people. Both [races](#) could work side by side so long as the slave recognized his subordinate place.

In the cities, where most free blacks lived, [rudimentary](#) forms of segregation existed prior to 1860, but no uniform pattern emerged. In the North free blacks also labored under harsh restrictions and often found an even more-rigid segregation than in the South.

One might have expected the Southern states to have created a segregation system immediately after the war, but that did not happen. In some states the legislatures imposed rigid separation, but only in certain areas; [Texas](#), for example, required that every train have one car in which all people of color had to sit.

The South had had no real system of public education prior to the Civil War, and as the postwar governments created public schools, those were as often as not segregated by race. Nonetheless, [New Orleans](#) had fully [integrated](#) schools until 1877, and in [North Carolina](#) former slaves routinely sat on juries alongside whites.

In 1877 the [Supreme Court](#) ruled in *Hall v. DeCuir* that states could not prohibit segregation on common carriers such as [railroads](#), streetcars, or riverboats. In the [Civil Rights Cases](#) of 1883, the court overturned key elements of the [Civil Rights Act](#) of 1875, thereby sanctioning the notion of “[separate but equal](#)” facilities and transportation for the races (though it did not use the term *separate but equal*).

Seven years later the court approved a [Mississippi](#) statute requiring segregation on intrastate carriers in *Louisville, New Orleans & Texas Railway v. Mississippi* (1890). As those cases demonstrated, the court essentially [acquiesced](#) in the South's "solution" to the problems of race relations.

From 1887 to 1892 nine states, including Louisiana, passed laws requiring separation on public [conveyances](#), such as streetcars and railroads. Though they differed in detail, most of those statutes required equal accommodations for black passengers and imposed fines and even jail terms on railroad employees who did not enforce them. Five of the states also provided criminal fines or imprisonment for passengers who tried to sit in cars from which their race excluded them.

The Louisiana Separate Car Act passed in July 1890. In order to "promote the comfort of passengers," railroads had to provide "equal but separate accommodations for the white and colored races" on lines running in the state.

### [Homer Plessy](#) and Jim Crow

Martinet, of course, knew that the *Abbott* case did not apply to intrastate commerce—that is, travel entirely within the borders of Louisiana—and he and Tourgée began looking for another light-skinned black man to test the law.

They found [Homer Plessy](#)—a shoemaker, a friend of Desdunes's father, and a member of the citizens' committee that had raised the money for Tourgée's original case. Nearly 30 years old at the time, Plessy had already become well known in the Creole community for his work in several local community-betterment groups.

On June 7, 1892, Homer Plessy walked into the Press Street Depot in New Orleans, bought a first-class ticket to Covington, and boarded the East Louisiana Railroad's Number 8 train. As the train pulled away from the station, the conductor asked the light-complected Plessy if he was a "colored man." Plessy said he was and the conductor told him to move to the colored car. Homer Plessy refused. "I am an American citizen," he told the trainman. "I have paid for a first-class ticket, and intend to ride to Covington in the first-class car."

The conductor stopped the train, and Detective Christopher Cain boarded the car, arrested Plessy, and forcibly dragged him off the train with the help of a few other passengers. After a night in jail, [Plessy](#) appeared in criminal court before Judge [John Howard Ferguson](#) to answer charges of violating the Separate Car Act.

The [Committee to Test the Constitutionality of the Separate Car Act](#) then posted a \$500 bond so Plessy could be released, after which the extensive legal maneuvers began. Plessy was not arraigned until October 1892, four months after his arrest, and once again his trio of attorneys—[Martinet](#), [Walker](#), and [Tourgéé](#)—entered a plea claiming that the act was unconstitutional and therefore the court did not have jurisdiction to hear or determine the facts.

And again they claimed that the matter of race, both as to fact and to law, was too complicated to permit the legislature to assign that determination to a railway conductor.

Plessy failed in court, and his subsequent appeal to the state Supreme Court (in [Ex parte Plessy](#), 1893) was similarly unsuccessful. An appeal to the U.S. Supreme Court followed, but time was hardly on Plessy's side.

Between the filing of the appeal in 1893 and oral argument before the [U.S. Supreme Court](#) in Washington in April 1896, both the general climate and the attitude of the court had hardened. Throughout the country, but especially in the South, conditions for African Americans were quickly deteriorating.

The Supreme Court ruling that followed on May 18, 1896, and that bore the names of Plessy and Ferguson solidified the establishment of the Jim Crow era.

Jim Crow was settling in and among of its worst proponents were Woodrow Wilson and his wife. Mrs. Wilson complained to her husband that she had found black men working in government offices with white women and the president in 1913 signed a law that segregated all federal workplaces.

Elsewhere, Washington, D.C. and Richmond, VA was segregated largely by custom - and illegally at that since it turned out years later than the 19th century civil rights laws had never been repealed. There were a few exceptions to the custom such as the Library of Congress, public libraries, streetcars, and Griffith Stadium.

Yet in a truly amazing response to the new oppression, Washington's black community - with a leadership centered around U Street - built a self-sufficient and resilient alternative to the world from which they were barred. Black Washingtonians now owned two steamboat companies, grocery stores, heat fuel companies, and the Adams Oil and Gas Development Company, which was looking for oil in Oklahoma.

Within ten years there was a black-owned bank, Capital Savings; two black-owned insurance companies and at least 11 black employment agencies.

In 1909 the local chapter of the NAACP had over 1,000 members, the largest in the country, with its headquarters on U Street.

As an article in City Journal noted, "The Union League printed a directory of black-owned businesses that those looking for work or a place to shop might consult.'There is no better index to the character and development of a people than the number and nature of organizations they sustain,' declared the directory's editor.

The booklet soon ran to more than 100 pages. Other leaders encouraged blacks to patronize black businesses. 'If the colored people are to have their quota in the skilled trades, in business and in professions,' editorialized one black newspaper in 1894, 'colored people must have more confidence in the ability of men and women of their own race to fill these positions than they have yet shown.'

"By 1894 more than 3,000 black families owned their own homes in the District. The total value of assets owned by black Washingtonians that year was estimated to be about \$17 million. Some members of the city's black upper classes maintained country houses in Virginia, employed servants, and held debutante balls for their daughters.

Others sent their children to predominantly white boarding schools and colleges in New England. . . . In 1899, students at Washington's one black high school scored higher than their white counterparts on citywide academic achievement tests.

"Dunbar sent its graduates to the best colleges in America. From 1918 to 1923, for example, 15 students went on to graduate from Ivy League schools. In 1949 Dunbar sent one graduate each to Colby, Columbia, Dartmouth, Georgetown, Harvard, MIT, Smith, and Yale. A total of five went to Bates and NYU. One hundred fifteen went to Howard University. Of the 310 students who graduated from Dunbar that year, 267 went to college, five joined the military, and only 37 went immediately to work.