

# Southern Negroes at the Ballot Box

*By Herbert Hill*



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■ This article explains why there are now more than a million and a half Negro voters in the South

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ONE of the major shortcomings of democracy in America today is the tradition of non-voting by a large portion of our citizens. This is a nationwide failing which embraces all sections, but it finds its worst expression in the South. In many elections in this part of the country only five or ten per cent of the potential voters exercise the right of franchise. This is true for voters of both races in the South.

For Negroes the cause usually given is the maintenance of diverse barriers to the ballot box. However, the traditional obstructions that in the past have successfully prevented Negro citizens from voting in the South are increasingly becoming obsolescent, as this presentation will attempt to indicate.

Today, the major problem is to make southern Negroes aware of their new status. The need is a plan for education and citizenship vigorously implemented by social action.

The great need is to induce Ne-

groes to register and vote, to take part in the processes of government which touch them most directly in city, county, state, and national elections. There are now more than 6,000,000 Negroes of voting age in the eleven states of the old Confederacy. In South Carolina Negroes comprise almost forty per cent of the total population of voting age; in Mississippi, nearly fifty per cent.

Among all the barriers erected in the South to prevent Negroes from voting, the white primary was regarded as the most strongly entrenched. From its very inception in 1909, the NAACP began a successful battle against the "grandfather clause" and other legislative devices which disfranchised Negroes, and in 1920 the NAACP began an intransigent struggle, first in the state courts and then in the federal courts, against the white primary.

In 1944, attorneys for the NAACP won a historic victory in the case of *Smith vs. Allwright* which declared the white primary of Texas unconstitutional. The decision in the *Smith vs. Allwright* case affected all of the

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southern states. Immediately after this decision, vote conscious southern Negroes, operating through the National Association for the Advancement of Colored People, instituted numerous court actions against public officials who continued to defy or to evade the court verdict—on the pretext that the *Smith vs. Allwright* decision applied only to Texas.

#### SUCCESSIVE CASES

In succession came the Primus King and Wallace Van Jackson cases of Georgia; the Arthur H. Madison and William P. Mitchell cases of Alabama; the Davis and Cromwell and Dallas Graham cases of Florida; and the Edward Hall case of Louisiana. Each of these plaintiffs, represented by attorneys of the NAACP, either won his case or advanced the voting status of Negro citizens.

Observing the handwriting on the wall, the states of Florida, Georgia, Alabama, Mississippi, and Louisiana bowed to the inevitable and permitted Negroes to vote in large numbers in the primaries of 1946 for the first time since Reconstruction.

In South Carolina, in 1948, the United States Supreme Court upheld the decision of Judge J. Waties Waring in the District Court which stated that Negro voters could not be excluded from the primary by the evasion that it operates as a "private club," thereby making it possible for many thousands of Negroes to vote in the 1948 primary for the first time in that state since Reconstruction.

The use of the law as an instrument of social change by the National Association for the Advancement of Colored People for thirty years has resulted in the destruction

of the most significant legal forms of Negro disfranchisement.

Violence and intimidation are still employed, particularly in rural districts, to prevent Negroes from registering and voting. In April of 1952, the NAACP submitted affidavits to the Department of Justice complaining that Negro applicants for registration in Hattiesburg, Mississippi, were asked such questions as "How many bubbles in a bar of soap?" and "What is due process of Law?"

John Lester Mitchell, one of three Negroes who filed suit through the NAACP in Federal District Court seeking the right to register, was shot and killed by a deputy sheriff in Opelousas, Louisiana, in November of 1952.

Harry T. Moore, the executive secretary of the NAACP in Florida, who was the most prominent statewide leader and organizer of a movement to encourage Negroes to vote, was killed by a dynamite bomb on Christmas day of 1951, as was his wife.

Isaiah Nixon was murdered in Georgia in 1948 because he defied the orders of white men to stay away from the polls; and D. V. Carter, a Georgia NAACP leader, was brutally assaulted for encouraging Negroes to register and vote.

On May 27, 1952, when Florida voters were to select delegates to the Democratic National Convention, a bomb was exploded at a polling place in a predominantly Negro precinct in Jacksonville, and an unexploded dynamite bomb was found in the home of a Negro political leader. The result was a heavier turnout in the precinct than there had been in the presidential preference primaries.

## POLL TAX

One of the major aims of the NAACP from its very inception has been the eradication of the poll tax. The NAACP was the organization that originally started the nationwide protest against the poll tax and has since secured the support of many other national and local groups in this fight. Because of the 44-year-old campaign waged by the Association, today the use of the poll tax has dwindled, though its severity varies from state to state. Of the eleven southern states which once required the payment of the fee, only five states remain. Several southern states enacted legislation exempting all veterans from paying the poll tax. This includes Negro servicemen.

Greater than the poll tax as a barrier to voting, and far greater as an instrument for race distinction, is the registration requirement. It has been extended to emphasize such tests of applicants as personal character, property ownership, and education.

There is very little centralized state control of registration, and election officials are left free to do as they please. One registrar may require more, or another may require less than the law of the state demands.

Registration is particularly difficult for a Negro in rural areas, as it involves a personal relationship in a very hostile atmosphere. In many counties the fear of physical violence, intimidation, and reprisal are effectively used to prevent Negroes from voting. However, in many states of the South significant changes toward greater equality in most phases of the electoral process have already

taken place. Most important among these are the ever-increasing urbanization of the Negro population, the widespread increase in literacy and property ownership and a new vigor and militancy that has been sustained by the decisions of the federal courts involving disfranchisement, fought and won by the NAACP.

## VOTING CONSCIOUSNESS

Today the Negro constitutes one-fourth of the southern population, with a present potential of 6,000,000 votes. Since 1946, a remarkable increase in the voting strength of Negroes in South Carolina serves dramatically to indicate a veritable political revolution. In 1946, 35,000 Negroes registered and voted in South Carolina. In 1952, more than 130,000 Negroes voted. In Florida, where approximately 40,000 Negroes voted in 1948, more than 120,000 are now registered. In Louisiana, where 60,000 Negroes voted in 1948, some 150,000 are registered today. In Arkansas, proportionately more Negroes than whites have been paying their poll taxes, and over 85,000 Negroes voted in the 1952 presidential election. In North Carolina where 55,000 Negroes voted in 1948, well over 100,000 registered and voted in the national election of 1952.

To further stimulate Negro political activity, and as an indication of these recent developments, is the fact that Negroes are running for office and occasionally being elected. In 1952, Negroes were members of city councils in Fayetteville, Greensboro, and Winston-Salem, North Carolina. In Tennessee, two Negroes are in Nashville's city council. In sixteen

southern states there are 417 Negro policemen and 468 Negroes in managerial professional posts (physician, social worker, librarian, municipal judge, etc.). In San Antonio, Texas, a Negro physician was elected to the board of education. Since 1944, Negroes have run for municipal posts in more than 40 southern cities, and Dr. Rufus E. Clement was elected to the Board of Education in Atlanta, and the well known NAACP leader, A. T. Walden, together with Miles G. Amos, was elected to the 16-member Atlanta City Executive Committee of the Democratic party.

In 1948, approximately 700,000 Negroes were registered voters in the South, and in 1952 the Negro vote approximated 1,300,000. Alexander Heard, the eminent southern historian, in a recent political study of the South, entitled "A Two-Party South?" (1952), stated that "establishing the right to vote and encouraging its use are essentially impartial matters of good citizenship. . . . This has proceeded under the leadership of the National Association for the Advancement of Colored People.

"In the South," Mr. Heard continues, "the National Association for the Advancement of Colored People has played a greater role in modern Negro politics than any other organization. The NAACP has been the driving force behind the awakening Negro's political consciousness. It has led in most of the Negro's legal battles for equal rights, the most important among them, the right to vote in party primaries. For this right to mean anything, however, Negroes must meet the suffrage requirements, intricate and baffling in many states, and go to the polls and

vote. Like the Junior Chamber of Commerce or the Civitans, the NAACP sponsors better-citizenship drives to increase citizen-participation in government through exercise of the ballot. A Negro's decision on how he should vote is inevitably bound up with the struggle he has gone through to get the right to vote. To 'educate' him to vote his obvious interests is the logical step after getting him qualified and to the polls. The NAACP, as an organization, remains officially non-partisan, but it exerts profound influence on when Negroes vote, why they vote, and also on how they vote."

#### NAACP ROLE

The NAACP is recognized as the great mass organization of the American Negro, particularly, in the South where the Association operates through more than 700 branches, state conferences, and regional offices. Its roots are deep within the Negro community in which it has been operating for over 44 years and is the oldest and largest civil rights organization of its kind in America.

The decisive role of the NAACP in organizing successful registration and voting campaigns among southern Negroes, and the role of the Association in relation to the most significant institutions within the Negro community, was described by the late Professor Luther P. Jackson in an article which appeared in the June, 1948, issue of the *New South*, entitled "Race and Suffrage In The South." Professor Jackson states: "Interlocking with these civil and political organizations has been the National Association for the Advancement of Colored People. In

some instances the individual who is a newspaper editor or lawyer is also a leader in the state voters' league and at the same time head of a branch of this militant body. Though the NAACP seeks to protect the rights of Negro citizens in every area of the broad field of civil rights, its leaders have always placed great emphasis on voting; so strong has been this emphasis that the NAACP has over-shadowed other civic groups as an instrument for forging a voting consciousness among Negroes."

Beginning in 1946, the NAACP instituted an intensive campaign in the South to encourage Negro electoral activity. Special organizers were sent into the field. Political action seminars and institutes were conducted on a city, county, and state basis. "Pay Your Poll Tax" campaigns were initiated and successfully carried out. Many Negro voters' leagues were encouraged and effective plans were initiated through the largest Negro churches, fraternal organizations, and sororities, and professional and business men's groups. Careful attention was paid to the education of large groups on how to register and how to cope with hostile registration officials. An illustration of the effectiveness of NAACP activity was reported by the *Richmond Times-Dispatch* on May 3, 1947, in a story stating that Negroes were "Qualifying to vote in larger numbers than whites," and headlined, "Drive By NAACP Exhibits Results." The news story follows:

#### CAREFUL SUPERVISION

"A Negro man wearing an NAACP badge on his coat lapel was supervising the poll tax payments

and registration of many Negroes yesterday. He patrolled the first floor of City Hall and directed Negroes to the line outside Mr. Hulce's office. As soon as each Negro paid his poll tax he told him, 'Now, go to the fourth floor, Room 414; that's where you register.'"

At the turn of the century southern Negroes adopted the slogan "Politics is white folks' business." Of great significance for the political development of the entire nation is the sharp leap forward in the evolutionary process within a comparatively short period of time among Negroes in the South.

A recent study conducted by the Committee on Registration and voting in Alabama, entitled "A Report of Negro Voting in Alabama by Counties," indicates some of the very serious barriers that still persist according to the registration reports from several counties in Alabama. The following practices are listed:

1. Requiring Negro applicants to produce one or more white character witnesses. Sometimes this man must go to the board of registrars and sign (eight counties reported this to be the case).
2. Applying severe property qualifications and requiring a Negro applicant to show property-tax receipts.
3. Strictly enforcing literacy tests against Negro applicants.
4. Putting unreasonable questions about the Constitution to the Negro applicants.
5. Basing rejection of Negro applicants on alleged technical mistakes in filling out registration blanks.

6. Requiring Negro applicants to suffer long waiting periods before the officials serve them.
7. Requiring Negro applicants to fill out their own blanks, while those of the white are filled out by the officials.
8. Evasion—informing Negro applicants that registration cards have run out, that all members of the registration board are not present; that it is closing time, or that applicant will be notified in due time.
9. Deliberate threats by official hangers-on.

Because of the poverty and limited education of hundreds of thousands of white southerners, the forces of reaction in the South have always been powerful, and this group stands ready to fight any movement to increase Negro electoral participation.

Regardless of reaction and demagoguery the great progress made by southern Negroes must be extended. At one time, in a considerable portion of the South, physical violence was inflicted upon any Negro who

attempted to register. The time is now passing when violence, cross-burnings, threats, intimidations, and ominous effigies, e.g., "This nigger tried to vote," preceded election day, and murders, as in Georgia in 1946, followed them, succeed in deterring large numbers of Negroes from the polling places. Later, brutality was discarded in favor of evasion; today registrars will enroll some or all of the Negroes who apply. But the most important task is to get Negroes to apply, and then to vote in great numbers. They must do this, not only in the areas of the greatest density of population, but also in certain important rural communities.

The brilliant history of the legal victories in the federal courts won by NAACP attorneys, the industrialization of the South, the increase in education, the waning effect of the poll tax, a new consciousness among southern Negroes, and above all, a greater appreciation for democracy in the light of world conditions, are some of the factors which have brought changes at the registration places throughout the South.

