

# The Pennsylvania State Equal Rights League and the Northern Black Struggle for Legal Equality, 1864–1877

NUMEROUS STUDIES published in recent years have provided valuable insights into the important role played by southern African Americans in the Reconstruction effort. But historians have devoted relatively little attention to the struggle by their northern counterparts to achieve legal equality during these years. Seminal works on Reconstruction by Eric Foner and John Hope Franklin, for example, scarcely mention the northern black crusade for legal equality. Moreover, the focus of historical studies remains largely on what white Republicans did or did not do to advance the interests of civil rights in the North.<sup>1</sup>

These historiographical patterns can be explained in part by the fact that only three hundred thousand African Americans resided in the northern states in 1870—slightly less than 2 percent of the total northern population. Even Pennsylvania's sixty-five thousand blacks—the largest number in any northern state—represented a mere 1.9 percent of the state's population.<sup>2</sup>

<sup>1</sup> See Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863–1877* (New York, 1988); John Hope Franklin, *Reconstruction after the Civil War* (Chicago, 1961). For studies that devote some attention to northern equal rights activists, see, for example, David A. Gerber, *Black Ohio and the Color Line, 1860–1915* (Urbana, Ill., 1976); David M. Katzman, *Before the Ghetto: Black Detroit in the Nineteenth Century* (Urbana, Ill., 1973); Arthur O. White, "The Black Movement Against Jim Crow Education in Lockport, New York, 1835–1876," *New York History* 50 (1969), 265–82; Leigh Dana Johnson, "Equal Rights and the 'Heathen Chinese': Black Activism in San Francisco," *Western Historical Quarterly* 11 (1980), 57–68; Marion Thompson Wright, "Negro Suffrage in New Jersey, 1776–1875," *Journal of Negro History* 33 (1948), 168–224; Thomas A. Sanelli, "The Struggle for Black Suffrage in Pennsylvania, 1838–1870" (Ph.D. diss., Temple University, 1977).

<sup>2</sup> U.S. Bureau of the Census, *Negro Population, 1790–1915* (Washington, D.C., 1918), 51.

Moreover, northern African Americans were marginalized and segregated, depending upon white allies to enact desired legislation. Finally, there are few extant manuscript collections of northern black leaders, and only a handful of black newspapers were published in the North during those years. An examination of the Pennsylvania State Equal Rights League, one of the most influential auxiliaries of the National Equal Rights League, sheds light on how and why northern African Americans responded as they did to changes generated by the Civil War, how they sought to persuade whites to live up to their stated ideals, and the degree of success their crusades achieved.

Both the national and Pennsylvania organizations were founded in 1864 partly in response to the systematic segregation and exclusion that had long affected nearly every aspect of northern lives. The national climate of opinion on race had deteriorated steadily during the antebellum decades, reaching its nadir in the 1850s with the Fugitive Slave Act and the *Dred Scott* decision.<sup>3</sup> African Americans in the North did not, however, passively accept this spreading denial of fundamental rights. Throughout the pre-Civil War years, they developed viable institutions that provided a base for social protest. In Pennsylvania, for example, Robert Purvis, James Forten, William Still, and other activists repeatedly attempted to regain political rights taken from black men in 1838. But the worsening political climate doomed such agitation to failure.<sup>4</sup>

In the face of these harsh realities, a growing number lost faith in the willingness of white Americans to end racial discrimination and gravitated toward emigration as a solution to racial injustice.<sup>5</sup> Most prominent northern blacks, however—especially those who would found the National Equal Rights League in 1864—opted for another manifestation of black nationalism: the creation of black-run organizations dedicated to achieving legal

<sup>3</sup> See Leon F. Litwack, *North of Slavery: The Negro in the Free States, 1790–1860* (Chicago, 1961), 64–77, 91–97; James Oliver Horton, *Free People of Color: Inside the African American Community* (Washington, D.C., 1993), 51–52; Forrest G. Wood, *Black Scare: The Racist Response to Emancipation and Reconstruction* (Berkeley, Calif., 1968), 1–15.

<sup>4</sup> Horton, *Free People of Color*, 50–51, 61, 71–72; Litwack, *North of Slavery*, 103–11, 250–67; Robert Mittrick, “A History of Negro Voting in Pennsylvania During the Nineteenth Century” (Ph.D. diss., Rutgers University, 1985), 44–45; Howard H. Bell, “Expressions of Negro Militancy in the North, 1840–1860,” *Journal of Negro History* 45 (1960), 11–20.

<sup>5</sup> See, for example, Jane H. Pease and William H. Pease, “Confrontation and Abolition in the 1850s,” *Journal of American History* 58 (1972), 923–37; Floyd John Miller, *The Search for a Black Nationality: Black Emigration and Colonization, 1787–1863* (Urbana, Ill., 1975).



equality and inclusion in the mainstream of American society. These African Americans were motivated in part by a growing spirit of optimism and patriotism generated by emancipation and the recruitment of black troops into the Union Army. Robert Purvis, a Philadelphia black leader, articulated the new-found hope that emancipation heralded a brighter future. Having once denounced the United States as practicing "the basest despotism," Purvis exulted with the American Anti-Slavery Society in 1864 that "The damnable doctrine of the detestable Taney [the Supreme Court chief justice who delivered the *Dred Scott* decision] is no longer the doctrine of the country." Yet these activists were also driven by the realization—prompted by the deadly anti-black draft riots in 1863 and the government's discriminatory policies toward African American soldiers—that racism was far from dead in northern society, even among their Republican allies.<sup>6</sup>

In 1864, following intense debate between the committed integrationists and those who had leaned toward emigration, the delegates who founded the National Equal Rights League decided to embark upon a crusade to achieve full rights as citizens.<sup>7</sup> At a convention in Syracuse, New York, black leaders looked toward the establishment of auxiliaries at the state and local levels. Shortly thereafter, African Americans from across Pennsylvania created the Pennsylvania league and elected William Nesbit of Altoona as president and Jacob C. White Jr. and Octavius V. Catto of Philadelphia and George B. Vashon of Pittsburgh as secretaries of the organization.<sup>8</sup>

Those who founded and sustained the national and state organizations harbored two somewhat contradictory sentiments. On the one hand, as a

<sup>6</sup> Robert Purvis, *Speeches and Letters* ([Philadelphia, Pa.,?], 1898), 4; see also Catherine M. Hanchett, "George Boyer Vashon, 1824–1878: Black Educator, Poet, Fighter for Equal Rights: Part Two," *Western Pennsylvania Historical Magazine* 68 (1985), 333–35; William Cheek and Aimee Lee Cheek, *John Mercer Langston and the Fight for Black Freedom, 1829–65* (Urbana, Ill., 1989), 418–19; David W. Blight, *Frederick Douglass' Civil War: Keeping Faith in Jubilee* (Baton Rouge, La., 1989), 157–66, 181–82; *Weekly Anglo-African*, Jan. 31, 1863; Benjamin Quarles, *The Negro in the Civil War* (New York, 1953), 184–93; John Jones, *The Black Laws of Illinois and a Few Reasons Why They Should Be Repealed* (Chicago, 1864).

<sup>7</sup> *Proceedings of the National Convention of Colored Men, Held in the City of Syracuse, October 4, 5, 6, and 7, 1864; with the Bill of Wrongs and Rights, and the Address to the American People* (Boston, 1864), 19–28; *National Anti-Slavery Standard*, Oct. 15, 1864. The Pennsylvania delegates managed to reverse the convention's selection of Cleveland and have Philadelphia designated as the league's headquarters. Cheek and Cheek, *John Mercer Langston*, 431.

<sup>8</sup> Philip S. Foner and George E. Walker, eds., *Proceedings of the Black State Conventions, 1840–1865*, vol. 1, New York, Pennsylvania, Indiana, Michigan, Ohio (Philadelphia, 1979), 161–66.

marginalized minority they realized that they depended upon white allies to make legal equality a reality. Thus they consciously sought to placate the white majority by appealing to white "generosity and sense of honor" and by reassuring white leaders that African Americans were law-abiding, moral people who sought neither "to lower the standards of refinement, intelligence or honor" nor to disrupt society nor to achieve social equality. Vincent Harding has labeled such disclaimers as naïve and misdirected. But it is difficult to imagine how a despised minority could have hoped to gain equal rights either simply by condemning white society or by opting for some form of separatism. Indeed, the Emancipation Proclamation and the passage of the Thirteenth Amendment to the United States Constitution reassured many black activists that the Republican Party's views on race and slavery were rapidly changing.<sup>9</sup>

While building these biracial alliances, however, African Americans also bitterly condemned the racist white majority for having so long humiliated and oppressed them. Delegates to the Pennsylvania league's first annual meeting pointedly recalled that black Pennsylvanians had been denied their fundamental rights by "manifestly unjust and anti-republican" actions. Their emphasis on the admirable intentions and sterling character of black citizens, and especially their repeated references to the fact that African Americans had remained loyal to the Union while many whites had turned their backs on the nation during the war, were clearly intended to stand in contrast to the "inhuman prejudices and prohibitions" they encountered from their white neighbors in their daily lives.<sup>10</sup>

The league began by targeting streetcar companies. One of the "inhuman prejudices and prohibitions" was segregation on, and at times forcible eviction from, Philadelphia's streetcars. Joseph Bustill, Jacob C. White Jr., and several others who held important positions in the Pennsylvania league also belonged to the Social, Civic, and Statistical Association of the Colored People of Pennsylvania. Founded in 1860 by William Still, Isaiah C. Wears, and others to combat racial discrimination, the association had earlier initiated a movement to desegregate the city's streetcars. In concert with the association and the Colored People's Union League, the Equal Rights

<sup>9</sup> Ibid., 147, 160–61; Vincent Harding, *There Is a River: The Black Struggle for Freedom in America* (New York, 1981), 248–49.

<sup>10</sup> Foner and Walker, *Proceedings of the Black State Conventions, 1840–1865*, 160–61, 165–66; Hanchett, "George Boyer Vashon, 1824–1878," 336.



League circulated pamphlets and petitions and held mass protest meetings demanding an end to segregation and forcible eviction of African Americans on streetcars. The league also hired lawyers to challenge the railroad's right to harass African Americans and established a committee—consisting of Octavius Catto, D. B. Bowser, and William D. Forten—that lobbied the state legislature on the issue. The *Christian Recorder*, an African Methodist Episcopal newspaper that served as the unofficial organ of the league for several years, also lent a powerful voice to the cause. Citing continuing segregation on Philadelphia streetcars at a time when Boston, New York, and other cities had desegregated their public transit systems, the *Recorder* charged in 1866 that Philadelphia was “more unmerciful in her proscription of colored men than any other city in the Union.”<sup>11</sup>

Black activists experienced immense frustration in their desegregation efforts. All the lawsuits brought by individuals against the railroads were successful in court, but these successes produced no change in the streetcar companies' policies. Moreover, though they, with assistance from Philadelphia's Republican newspapers and Radical Republican Congressmen Thaddeus Stevens and William D. Kelley and State Senator Morrow D. Lowry, succeeded in pushing a bill through the Pennsylvania Assembly prohibiting segregation on streetcars throughout the state in 1866, the Senate rejected it, delaying enactment until 1867.<sup>12</sup>

However, the broad-based interracial effort that coalesced around the streetcar desegregation issue seemed to bode well for the cause. The Equal Rights League's executive board labored mightily to create auxiliaries across the state. It hired A. M. Green, a Civil War veteran, to recruit new members

<sup>11</sup> See minutes of the executive committee, Sept. 5, Dec. 3, 1860, Feb. 1863, Feb. 18, 1867, Records of the Social, Civic, and Statistical Association of the Colored People of Pennsylvania, Leon Gardiner Collection on Negro History, Historical Society of Pennsylvania; Philip S. Foner, “The Battle to End Discrimination against Negroes on Philadelphia Streetcars,” *Pennsylvania History* 40 (1973), 261–92, 355–79; *National Anti-Slavery Standard*, June 3, 1865, March 31, 1866; Minutes of the executive board, May 29, June 5, 1866, Records of the Pennsylvania State Equal Rights League (hereafter, Records of the PSERL), Leon Gardiner Collection on Negro History, Historical Society of Pennsylvania; *Christian Recorder*, Sept. 1, 29, 1866.

<sup>12</sup> *Christian Recorder*, Sept. 1, 1866; Minutes of the executive board, Jan. 20, 1865, May 29, June 5, 1866, Records of the PSERL; *Philadelphia Press*, Jan. 30–31, May 31, 1865; Ira V. Brown, *The Negro in Pennsylvania* (University Park, Pa., 1970), 46–47; William D. Kelley, *Why Colored People in Philadelphia Are Excluded from the Streetcars* (Philadelphia, 1866), 3–5; James M. McPherson, *The Struggle for Equality: Abolitionists and the Negro in the Civil War and Reconstruction* (Princeton, 1964), 233–35.

and by 1866 auxiliaries existed in fifty counties. William Nesbit, a businessman from Altoona, who traveled to numerous communities to mobilize supporters, declared the league's progress to be "onward and upward." His sentiment was echoed by W. H. Messick of Conneautville in 1868. "The theme of all most every man," Messick informed White, "says go on that our cause es right there is onely one en fifty that will not sign petitions." The Garnet League in Philadelphia had 220 members, sponsored essay contests, established schools, and hired lawyers for aggrieved black soldiers. Most of the local leadership appears to have come from the middle class—lawyers, barbers, restaurant owners, ministers, and teachers—but many auxiliaries also included farmers and laborers.<sup>13</sup>

During the mid- and late 1860s, black activists in Pennsylvania and other northern states also constructed a broad network of equal rights organizations, especially on the suffrage issue. Although the Social, Civic, and Statistical Association of the Colored People of Pennsylvania refused to become an auxiliary of the Pennsylvania league and rejected its request for a financial contribution, members of the league and the association often attended each other's lectures and public meetings.<sup>14</sup> In addition, the Pennsylvania league, along with other state leagues and the national organization, actively cooperated with predominantly white pro-suffrage groups, such as the Impartial Suffrage League. Further, Elisha Weaver and Octavius Catto—both officers of the Pennsylvania league—were among the prominent black leaders who also joined the Pennsylvania Equal Rights Society, a biracial group that sought to achieve both black male and woman's suffrage.<sup>15</sup>

Yet from its inception the Pennsylvania league experienced serious

<sup>13</sup> Minutes of the executive board, Jan. 7, 1865, March 14, Dec. 6, 1866, Records of the PSERL; *Christian Recorder*, Feb. 4, Nov. 4, Dec. 23, 1865, Jan. 20, Feb. 17, March 31, June 2, Oct. 13, 1866; Nesbit to Jacob C. White Jr., Dec. 14, 1868, Messick to White, Dec. 14, 1868, Jacob C. White Collection, Moorland-Springarn Research Center, Howard University.

<sup>14</sup> Preamble to constitution, in minutes of the executive board, Oct. 24, 31, 1864, Sept. 4, 1865, April 2, Dec. 17, 1866, Feb. 18, April 22, 1867, Records of the PSERL; *Christian Recorder*, July 22, 1866.

<sup>15</sup> *First Annual Meeting of the National Equal Rights League, Held in Cleveland, Ohio, October 19th, 20th, and 21st, 1865* (Philadelphia, 1865), 51–52; Sanelli, "Black Suffrage in Pennsylvania," 232, 240–42; Janice Sumler Lewis, "The Fortens of Philadelphia: An Afro-American Family and Nineteenth-Century Reform" (Ph.D. diss., Georgetown University, 1978), 205–9; Nell Irvin Painter, *Sojourner Truth: A Life, A Symbol* (New York, 1996) 225–32; Ellen Carol DuBois, *Feminism and Suffrage: The Emergence of an Independent Women's Movement in America, 1848–1869* (Ithaca, N.Y., 1978), 68–70.



difficulties, including a persistent shortage of funds. Systematic discrimination in the job market pushed African Americans disproportionately into low-wage jobs. Widespread poverty among league members severely limited the ability of some auxiliaries to fund their operations adequately or even to function at all. With empty treasuries, they could neither send dues to the state organization nor pay lecturers. Indeed, one local leader acknowledged that in several auxiliaries "You have the form for what it is worth the substance is a myth."<sup>16</sup>

State and local officers also at times complained that some African Americans were simply apathetic about their rights. Following an unsuccessful effort to establish an auxiliary in Wilkes Barre, one activist bitterly remarked that all too many people in the community "take no pride in this great noble act," while another local leader, his patience obviously exhausted, bemoaned the fact that "the worst set of men" would "give there life for a ball game or a parade but when you come to muster them together to get them to advocate their rights or furnish means for others to do it for them, it is like trying to force water to run uphill." These difficulties were compounded by the fact that, while A.M.E. churches often contributed to the league, some conservative clergy and lay leaders, concerned that its meetings might be disruptive, refused to allow it to meet in their churches.<sup>17</sup> To be fair, many African Americans contributed what they could to the league and conscientiously sought to advance its program. But, like many other voluntary societies of the time, it was always strapped for cash, and the leadership found it difficult to persuade the rank and file to remain actively involved in the cause.

The league was also divided, to some degree, along ideological lines.<sup>18</sup> Some African Americans strenuously objected to all-black organizations. For example, Parker Smith, a Philadelphia lawyer, criticized both the Pennsylvania league and the Social, Civic, and Statistical Association for being

<sup>16</sup> See E. N. Reynolds to White Feb. 15, 1866, W. H. Robinson to White, July 25, 1867, J. W. Webb to White, July 30, 1866, Jacob C. White Collection; William M. Strother to Jacob C. White Jr., Nov. 5, 1866, Records of the PSERL.

<sup>17</sup> William E. Welch to White, Dec. 6, 1868, B. J. Wilson to White, Feb. 11, 1866, William Nesbit to White, Sept. 5, 1865, Oliver Reynolds to White, Jan. 13, Dec. 27, 1869, Jacob C. White Collection; I. Franchett to Jacob C. White Jr., Dec. 10, 1868, Records of the PSERL.

<sup>18</sup> Clarence Walker has reminded us that northern blacks had long been divided on a number of personal and ideological issues. *Deromanticizing Black History: Critical Essays and Reappraisals* (Knoxville, 1991), xvi.

"founded upon a distinctive principle—*when the necessity of the case does not demand it.*" Their aim, he asserted, should be "homogeneity" and a declaration of "equal rights for all men, by virtue of a common humanity."<sup>19</sup> Most league members, however, appear to have concluded that societies organized and managed by blacks were necessary as instruments for protection, pride, unity, and control over their own destiny in a hostile society. The founders of the National Equal Rights League had frequently used the word "colored" in the preamble to its constitution. Following a lengthy debate at its first annual meeting, however, the delegates voted to delete this word wherever it occurred in the document; the state auxiliaries followed suit. Yet there is no record of white supporters joining either the national or state organizations.

The black community leaders who created the Pennsylvania league debated whether they would achieve more success and be truer to their principles as a biracial alliance or as a blacks-only organization. Throughout the life of the league, racial pride and identity, compounded by legitimate mistrust of potential white allies, lived in tension with a deep commitment to principles of colorblindness and the necessities of coexisting with a racist white majority. The tension surfaced again and again.

These issues lay at the heart of the debate at the league's 1865 annual meeting on a resolution that any member "who refuses to accommodate and treat colored men under all circumstances in his place of business, as he treats white men, is guilty of the greatest dereliction of duty." Although the resolution's supporters forcefully reminded the delegates that the cherished goal of equal rights must include equal treatment, several members—including barbers, restaurant and bathhouse owners, and other entrepreneurs—strenuously objected to the proposal. Black businessmen, they argued, must be free to refuse service to disreputable blacks and whites alike; further, the league had no right to regulate people's private lives. In addition, they reminded the resolution's proponents that the league sought legal, not social, equality and chided them for failing to grasp the realities that confronted businessmen. Even Nesbit, who agreed with the spirit of the resolution, criticized its advocates' "high-strung notions." Following heated

<sup>19</sup> Parker Smith to the Social, Civic, and Statistical Association of the Colored People of Pennsylvania, Feb. 22, 1867, Records of the Social, Civic, and Statistical Association of the Colored People of Pennsylvania; *First Annual Meeting of the National Equal Rights League . . . 1865*, 9, 17. Robert Purvis agreed with Smith's assessment. Sanelli, "Black Suffrage in Pennsylvania," 243.



debate, the resolution ultimately passed. Yet the issue did not disappear. In 1867 the *Christian Recorder* castigated those black businessmen who continued to stand "in the way of the elevation of their race by taking the unmanly and degraded position of catering to American prejudice."<sup>20</sup>

These same difficulties also surfaced on the question of how best to serve the educational needs of black children. After the Civil War, some northern states continued to exclude African Americans from public schools, while others, including Pennsylvania, provided for separate black schools in districts with a sufficient number of black pupils. Convinced that education was the principal means of improving their children's economic and social prospects, that the black schools were decidedly inferior in quality to the white schools, and that they were unfairly taxed to support white schools to which they had no access, African Americans vigorously condemned these discriminatory practices. In its efforts to desegregate schools that were more "meanly maintained" than those in any other northern state except Indiana, the league boycotted the schools, sent petitions to city councils and the state legislature, wrote letters to sympathetic newspapers, filed lawsuits, and created alliances with friendly Republicans. The *Christian Recorder* reflected the league's position when it proclaimed: "No schools for race or sect ought to be tolerated, much less provided for. Let the nation be the instructor of all her children."<sup>21</sup>

Some black parents, however, were reluctant to demand integration of the schools for fear that black teachers would not be hired in racially-mixed schools and that their children, therefore, would be subjected to demeaning treatment by both white teachers and classmates. Even in segregated schools, the question of who should teach black children proved especially divisive. Debate erupted on a resolution presented at the league's 1865 meeting, which stated that because "colored children make greater advancement under the charge of colored teachers than they do under white teachers," it was incumbent upon "lovers of the advancement of our race to see to it, that our schools are under the charge of colored teachers." Several supporters of this resolution pointed above all to the "shameful treatment" of black teachers by white school officials and the difficulties African Americans experienced in

<sup>20</sup> *Christian Recorder*, Nov. 25, 1865, Feb. 23, 1867.

<sup>21</sup> Brown, *The Negro in Pennsylvania*, 52; Litwack, *North of Slavery*, 113-5, 133-35; Edward T. Price Jr., "School Segregation in Nineteenth-Century Pennsylvania," *Pennsylvania History* 43 (1976), 124-5; *Christian Recorder*, Feb. 27, 1869, April 9, 1870.

obtaining teaching jobs. Yet other delegates denounced the resolution as inconsistent with the league's avowed opposition to discrimination based on color. Concerned that the league might be viewed as endorsing race-based hiring, the convention ultimately adopted Octavius Catto's compromise resolution, which stated that if black and white candidates for teaching positions in black schools were equally qualified, African Americans should be selected, "not because of their complexion, but because they are better qualified by conventional circumstances outside of the school house." As Catto explained, black teachers "had the welfare of the race more at heart, knowing that they rose or fell together."<sup>22</sup>

The debate over schools and teachers reflected the widespread sense among black Pennsylvanians that schools were not only a means of building knowledge and skills for pupils. Schools were also crucial to the social structure of black communities because they provided opportunities for African American men and women to enter the teaching profession. In addition, the debate underscores the fact that the league's attachment to race solidarity, pride, and autonomy coexisted, in a complex and flexible manner, with an ardent desire to benefit from the higher quality of education available in the white schools.

Pennsylvania equal rights activists also disagreed on whether woman's suffrage should be linked to the crusade for black male enfranchisement. Robert Purvis, who was closely associated with the league until 1867, as well as Elisha Weaver and Octavius Catto, both of whom were members of the league's executive board, vigorously advocated suffrage rights for all blacks and whites. Indeed, large numbers of black women were members of the league's auxiliaries and signed petitions, distributed by the league, which urged Congress to support black male suffrage and other fundamental rights. Yet no women appear to have served as officers of the league or its auxiliaries. Moreover, Weaver and Catto remained committed above all to

<sup>22</sup> *Proceedings of the State Equal Rights Convention of the Colored People of Pennsylvania, Held in the City of Harrisburg, February 8th, 9th, and 10th, 1865*. . . (Philadelphia, 1865), 19–21. On the concerns of black parents regarding desegregation, see Leslie H. Fishel Jr., "The North and the Negro, 1865–1900: A Study in Race Discrimination" (Ph.D. diss., Harvard University, 1953), 207–8, 213; Carleton Mabey, *Black Education in New York State: From Colonial to Modern Times* (Syracuse, 1979), 100–2; Spencer R. Crew, *Black Life in Secondary Cities: A Comparative Analysis of the Black Communities of Camden and Elizabeth, N.J., 1860–1920* (New York, 1993), 130–31; John Roy Squibb, "Roads to Plessy: Blacks and the Law in the Old Northwest, 1860–1896" (Ph.D. diss., University of Wisconsin, 1992), 193.



black male suffrage and William Forten, Purvis's sons, Charles and Henry, and most other league leaders opposed the woman's suffrage movement primarily on the grounds that it would distract attention from, and weaken the drive for, black male political rights.<sup>23</sup>

Some leaders of the league were deeply disturbed by the intense debates on these issues. William Nesbit, for example, lamented in 1865 that "It is evident that the divisions among our people are injurious and destructive in their bearing on us." George Vashon was even more scathing in his criticism of this infighting. "We are so unreliant, so weak, so antagonistical, cavilling and captious," he stated, "that it is almost impossible to collect our scattered spiritless forces, made doubly so from the want of systematic combinations, and direct them to any point in our enemy lines, though assured of its vulnerability."<sup>24</sup>

Yet the resistance of most white Pennsylvanians to the equal rights cause ultimately proved more of an obstacle to the league's success than did their internal divisions. The effort to desegregate the public schools is a case in point. The league won a few local victories. For example, in 1866 a chapter in Bucks County successfully petitioned for the admission of black children to the public schools, hoping that this development might generate "a mighty change" in public sentiment. However, the Pennsylvania Legislature refused to repeal the law that provided for segregated schools in the state. Indeed, in 1869 it consolidated Pittsburgh's school system, thereby rendering it even more segregated than it had been.<sup>25</sup>

A similar lack of support within the white political establishment hampered efforts on the suffrage issue. But on this matter, unlike the issue of school desegregation, equal rights activists were unanimous in their conviction that, as the league proclaimed in 1865, the franchise was "the all important subject of our deliberations and united action." In its memorial to the Pennsylvania legislature in that year, the league pointedly reminded the lawmakers that, until the 1830s, black males had been acknowledged as citizens with political rights. They insisted that African Americans were

<sup>23</sup> See Sanelli, "Black Suffrage in Pennsylvania," 232, 240-42; U.S. Senate Committee on the Judiciary, "Petitions," files 39A-H8.2, 40A-H10.3, RG 46, National Archives; Lewis, "The Fortens of Philadelphia," 205-9; Painter, *Sojourner Truth*, 225-32; DuBois, *Feminism and Suffrage*, 68-70.

<sup>24</sup> *Christian Recorder*, Dec. 2, 1865; *First Annual Meeting of the National Equal Rights League*...1865, 43.

<sup>25</sup> *Christian Recorder*, July 21, 1866; Brown, *The Negro in Pennsylvania*, 52-53; Price, "School Segregation in Nineteenth-Century Pennsylvania," 125.

indeed still citizens and that their disfranchisement not only violated the U.S. Constitution's guarantee of a republican form of government but also rendered the government of Pennsylvania "an aristocracy the more intolerable because by it the insignia of republican nobility are conferred upon the many, while they are withheld from the few."<sup>26</sup>

In its pursuit of suffrage and other rights—including the right to serve on juries—the league held public meetings and mass rallies, wrote letters to Republican newspapers, filed lawsuits, circulated petitions, and lobbied the state legislature and governor.<sup>27</sup> Since Republicans enjoyed nearly a two-thirds majority in both houses of the legislature, the league had some cause for optimism. But, as Thaddeus Stevens explained to Charles Sumner, while many Pennsylvania Republicans wished to protect the natural rights of blacks, they considered suffrage rights "heavy and premature" and believed that African Americans would gain the vote only when it was politically expedient. In the end, a majority of Republican legislators refused to press for black suffrage, and no action was taken in either house of the legislature in 1865 or 1866.<sup>28</sup>

The league's failure to persuade the state legislature to grant voting rights convinced its officers to focus their attention largely on the federal government, at least for the time being. In the wake of its defeat in Pennsylvania, the executive board moved to collaborate with the equal rights

<sup>26</sup> Foner and Walker, *Proceedings of the Black State Conventions, 1840–1865*, 147, 160–61; *Christian Recorder*, Sept. 2, 1865.

<sup>27</sup> See, for example, *Christian Recorder*, July 22, 1865, Jan. 6, Sept. 15, 1866, Jan. 5, May 4, 18, 1867; Sanelli, "Black Suffrage in Pennsylvania," 228–30; Foner and Walker, *Proceedings of the Black State Conventions, 1840–1865*, 140, 146, 165–66.

<sup>28</sup> Sanelli, "Black Suffrage in Pennsylvania," 203–16; Brown, *The Negro in Pennsylvania*, 48–49; Brown, "Pennsylvania and the Rights of the Negro, 1865–1887," *Pennsylvania History* 28 (1961), 51–52. African Americans across the North achieved little success in their efforts to persuade state legislatures to grant them political rights. Only in Minnesota and Iowa—both with miniscule black populations—was suffrage enacted by popular vote. In all other northern states where the issue was voted on by the legislature or in a popular referendum, it lost by a decisive margin, even where Republicans constituted a majority of voters or controlled both legislative houses. See, for example, Gary Libman, "Minnesota and the Struggle for Black Suffrage, 1849–1870: A Study in Party Motivation" (Ph.D. diss., University of Minnesota, 1972), 117–86; Robert R. Dykstra, *Bright Radical Star: Black Freedom and White Supremacy on the Hawkeye Frontier* (Cambridge, Mass., 1993), 219–28; Fishel, "The North and the Negro, 1865–1900," 83–103; Eugene H. Berwanger, *The West and Reconstruction* (Urbana, Ill., 1981), 158, 163–69; William Gillette, *Retreat from Reconstruction, 1869–1879* (Baton Rouge, La., 1979), 8–9; Arthur R. Marshall, "The Negro in Illinois Politics, 1865–1870: A Study of the Race Issue in Illinois During Reconstruction" (M.A. thesis, Univ. of Maryland, 1977), 31–36; Felice A. Bonadio, *North of Reconstruction: Ohio Politics, 1865–1870* (New York, 1970), 93–104.



leagues in New York and New Jersey to test the voting rights laws in the courts. Convinced that the case would ultimately be decided by the U.S. Supreme Court, the league appointed a committee of five—including Bustill, White, and Catto—to oversee the project; it then sent a circular to its auxiliaries to solicit contributions for the litigation. In addition, the committee was instructed to confer with Congressmen Stevens and Kelley about hiring legal counsel. Though the New Jersey league did file suit in federal court, the Pennsylvania league ultimately decided that it could not afford five thousand dollars for the legal action.<sup>29</sup>

The evidence indicates that New Jersey's suit never came to trial. As the Pennsylvania league's officers always realized, the best hope lay with their Republican friends—especially the Radicals—in Congress. In 1865 Bustill praised Stevens and pledged to sustain him and other friends of universal suffrage in their political campaigns. In return, he asked Stevens to forward the league's literature to his House colleagues. In addition, the league established a committee to raise money for the Republican Congressional Committee in order to advance the suffrage campaign.<sup>30</sup>

The league also joined John Jones of Illinois, George T. Downing of Rhode Island, and other equal rights leaders in urging the creation of a lobbying group in Washington during the 1866 congressional session, and pledged two hundred dollars for this endeavor. In early 1866 a group of lobbyists from both the North and South, including Frederick Douglass, Downing, Jones, and William Whipper of Pennsylvania, came to Washington to urge President Johnson and Congress to enact legislation granting African Americans legal equality. With the president warning the delegation that black suffrage would lead to a race war, their meeting with Johnson came to nothing.<sup>31</sup>

Nevertheless, they held out much greater hope for meaningful action by Congress. The league decided to reinforce the lobbying efforts of the black delegation in Washington by addressing a memorial to Congress. Written by Nesbit, Bustill, and Forte, it presented a wide-ranging and sophisticated

<sup>29</sup> Minutes of the executive board, Sept. 4, Nov. 10, Dec. 6, 1866, Records of the PSERL; *Christian Recorder*, Sept. 15, 1866; Wright, "Negro Suffrage in New Jersey," 208–12.

<sup>30</sup> Bustill to Stevens, Dec. 22, 1865, Thaddeus Stevens Papers, Library of Congress; Sanelli, "Black Suffrage in Pennsylvania," 223.

<sup>31</sup> *Weekly Anglo-African*, Oct. 20, 1865; *Christian Recorder*, Sept. 24, Dec. 23, 1865, Feb. 17, 1866; William Nesbit to Jacob C. White Jr., Sept. 27, 1865, Records of the PSERL; George T. Downing to Frederick Douglass, 1866, Jan. 18, 1866, Frederick Douglass Papers, Library of Congress.

argument for suffrage rights. The authors looked back especially to the Revolutionary era for inspiration. The denial of fundamental rights, they insisted, violated the letter and spirit of moral law, the right to protection of life and liberty, and the principle of no taxation without representation. They also asserted that any state government that arbitrarily disfranchised a portion of its citizenry violated the U.S. Constitution's guarantee of a republican form of government. The league underscored their attachment to the Constitution and the Union by forcefully reminding members of Congress that, unlike many whites, they were "the true, tried, and faithful friends and supporters of the Government," who "have never been sullied by covering the brow of a single traitor." Indeed, the memorial effectively employed both southern whites and immigrants as foils by asking why black citizens should be denied political rights that new immigrants enjoyed and former rebels might well regain.<sup>32</sup>

In keeping with equal rights manifestos presented by other northern African Americans, the league's memorial sought to assure Congressional leaders that legal equality would not lead to social equality. To believe that this would occur, the authors declared, was "foolish." Indeed, they pointed out that white citizens were under no obligation to mingle with, or even like, black citizens. "Hate us as you will, turn from us at your pleasure," the authors noted, "this you may claim a perfect right to do." But, following this obligatory disclaimer the league insisted that there were no legitimate grounds for "subjecting us to every species of outrage, persecution, and disfranchisement" for so many years.<sup>33</sup> In fact, the memorial defiantly warned of the dire consequences of failing to enact black suffrage and ridiculed the Republicans' willingness to compromise their principles. Replying indirectly to President Johnson, the League contended that the franchise was required in order to *avoid* racial conflict and, above all, to save the nation from "the just and terrible vengeance of God, and the curses and hatred of an outraged and indignant humanity." The league also lectured the Republicans on the virtues of acting in a righteous manner. "Expediency," the memorial intoned, "is a pillar on which oppressors and tyrants always lean."<sup>34</sup>

In an attempt to apply still more to Congress, the league sent Nesbit and

<sup>32</sup> Memorial to Congress, Feb. 1866, Records of the PSERL, 1-3.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid., 3.



Bustill to Washington to present the memorial, along with several other petitions from black Pennsylvanians, to the Republican leadership in person. Over several weeks in early 1866, the delegation met with Sumner, Stevens, Kelley, and other Republicans on numerous occasions. Nesbit declared their mission to be "eminently successful" and ample confirmation of his belief that the league was "the rallying point and exponent of our people." Congressman Kelley concurred with Nesbit's assessment, concluding that such lobbying efforts played a vital role in moving Congress forward on the equal rights front. Indeed, in late 1866 and early 1867 Congress granted African Americans suffrage rights in the nation's capital and in all of the territories.<sup>35</sup>

These measures established a critical precedent for the federal regulation of suffrage. Yet they did little to change the prevailing view that the franchise was appropriately the subject of state law. In fact, the Civil Rights Act of 1866 said nothing about suffrage, and the Fourteenth Amendment, drafted primarily by moderate Republicans, only indirectly granted suffrage rights to southern blacks by reducing southern state representation in Congress proportionate to the denial of the franchise to African Americans. The amendment did not directly confer voting rights on southern blacks and essentially permitted the northern states to withhold political rights since their black population was too small to make a difference in representation. So the National Equal Rights League denounced it as "undemocratic, illegitimate, and unjust." While equal rights lobbyists like Nesbit and Bustill received a warm welcome and assurances from sympathetic members of Congress, their influence on those who were primarily responsible for shaping crucial civil rights legislation was sharply limited.<sup>36</sup>

The prospects for black suffrage worsened following Republican defeats in Pennsylvania and other northern states in 1867. With few exceptions the Democratic Party at both the state and national levels effectively exploited the race issue by vehemently opposing black suffrage and other civil rights

<sup>35</sup> George T. Downing and John Jones to Charles Sumner, Feb. 1, 1866, Charles Sumner Papers, Harvard University; William Nesbit to White, March 5, 1866, Jacob C. White Collection; William D. Kelley to William Nesbit, March 14, 1866, Records of the PSERL; Ira V. Brown, "William D. Kelley and Radical Reconstruction," *Pennsylvania Magazine of History and Biography* 85 (1961), 321-23. William Gillette, *The Right to Vote: Politics and the Passage of the Fifteenth Amendment* (Baltimore, 1969), 29-31.

<sup>36</sup> William E. Nelson, *The Fourteenth Amendment: From Political Principle to Judicial Doctrine* (Cambridge, Mass., 1988), 195-96; *Christian Recorder*, Jan. 19, 1867.

measures. At least until the early 1870s, northern blacks largely agreed that the Democrats were the party of the enemy and that efforts to convert Democrats to the equal rights cause would be futile.<sup>37</sup>

The relationship of northern African Americans with the Republican Party was much more complicated. Scholars have long debated whether expediency or principle primarily shaped the Republican position on black suffrage.<sup>38</sup> But such a sharp dichotomy is far too simplistic, for the party's stance on equal rights for African Americans had, from the beginning of the Civil War, moved inexorably toward emancipation, and then toward civil rights. Indeed, in most northern states, nearly all white supporters of suffrage amendments to state constitutions were Republicans. The party as an organization, however, was divided and ambivalent on the suffrage question. Radicals like Stevens and Kelley were generally attached to the concept of equal rights, though even many of them came to endorse suffrage rights more slowly than black activists desired. Republican moderates tended to delay embracing enfranchisement, for fear of a white backlash.<sup>39</sup>

This tendency by many Republicans to pursue a cautious and somewhat expedient course on the suffrage question deeply angered some black suffragists. For example, following the refusal by Pennsylvania Republicans to act on a black suffrage amendment in 1865 to the state constitution, William D. Forten stated indignantly: "We have been deserted by those whom we faithfully supported, and insolently informed that this is a white man's country, though it required the strong arms of over 200,000 blacks to save it." Blacks and whites, he concluded, "cannot live together upon terms of equality." Charles Lenox Remond, a New York activist, probably spoke for many African Americans when he lamented: "It is utterly impossible for our white friends, however much they may have tried, fully to understand

<sup>37</sup> See, for example, Brown, *The Negro in Pennsylvania*, 49; Wood, *Black Scare*, 80–102; Lawrence Grossman, *The Democratic Party and the Negro: Northern and National Politics, 1868–1892* (Urbana, Ill., 1976), 1–4, 14–22; Jerome Mushkat, *The Reconstruction of the New York Democracy, 1861–1874* (East Brunswick, N.J., 1981), 118–27.

<sup>38</sup> Historians who emphasize the Republicans' reliance on principle include McPherson, *The Struggle for Equality*, 333–34, and John and LaWanda Cox, "Negro Suffrage and Republican Politics: The Problem of Motivation in Reconstruction Historiography," *Journal of Southern History* 33 (1967), 303–30. Gillette, *Retreat from Reconstruction, 1869–1879*, 17–18, and Bonadio, *North of Reconstruction*, 106, argue that Republicans were motivated especially by expediency.

<sup>39</sup> Xi Wang, *The Trial of Democracy: Black Suffrage and Northern Republicans, 1860–1910* (Athens, Ga., 1997), 24–27 passim; see also Foner, *Reconstruction*, 470–71; McPherson, *The Struggle for Equality*, 333–34, 351–52.



the black man's case in this nation."<sup>40</sup>

In 1868, the Pennsylvania legislature resoundingly defeated an attempt to delete the word "white" from the state constitution, intensifying the anger and frustration of league members. Legislative debate on the issue once again indicated solid Democratic opposition to black suffrage. Many Republicans expressed support for equal rights but continued to temporize, believing that the issue was premature and that black suffrage would alienate their white constituents. In the final analysis, nearly half of all Republican Assembly members joined the solid Democratic opposition to defeat the proposed constitutional amendment by a vote of 68-14.<sup>41</sup>

Twice rebuffed by Republicans in the state legislature, black suffragists confronted the Republicans' national platform, which assumed the hypocritical position that federally-mandated black suffrage should be imposed on the South while state control of the franchise should continue in the North. Despite feeling a deep sense of betrayal, they did not break with the Republican Party. The *Christian Recorder* underscored African Americans' realization that the Republicans represented the only realistic hope they had of breaking down the barriers of discrimination. Blacks would continue to identify with the party, said the *Recorder*, "just as a hungry man would vote to have bread or a thirsty man, water." If anything, their profound disappointment served to strengthen their resolve to pressure Congress to enact suffrage rights. They realized that only an amendment to the U.S. Constitution would provide uniform suffrage rights for northern and southern blacks and would overcome the desire of many moderate Republicans to leave the issue to the states. Black suffragists therefore urged the passage of a suffrage amendment in preference to congressional legislation.<sup>42</sup>

The Fifteenth Amendment was introduced in Congress in early 1869.

<sup>40</sup> *First Annual Meeting of the National Equal Rights League...1865*, 39; *National Anti-Slavery Standard*, May 20, 1865; also *Christian Recorder*, Oct. 21, 1865.

<sup>41</sup> Sanelli, "Black Suffrage in Pennsylvania," 250-58; Mittrick, "Negro Voting in Pennsylvania," 53. For Pennsylvania legislators' endorsement of equal political rights, see House, *Resolution of the House of Representatives of Pennsylvania*, 39th Cong., 2d sess., 1867, H. Misc. Doc. 44, serial 1302, 1.

<sup>42</sup> *Christian Recorder*, March 20, 1869; also Earl M. Maltz, *Civil Rights, the Constitution, and Congress, 1863-1869* (Lawrence, Kans., 1990), 138; Berwanger, *The West and Reconstruction*, 250. The PSERL labeled the 1868 Republican platform on black suffrage "the old pernicious doctrine of states rights." Minutes of the executive board, April 2, 1868, Records of the PSERL. The Radical Republicans agreed with this assessment. McPherson, *The Struggle for Equality*, 424-25.

During the extended debate on the amendment, the league actively sought to mobilize its own members as well as sympathetic white Republicans. Convinced that the proposed amendment was "our political redemption," Nesbit called on the league to send petitions to Kelley and other "friendly" Republicans. A suffrage amendment, he informed White, was "so popular and so plausible" that the league must do all in its power to advance the cause. "Without such action," he warned, "we will fall behind."<sup>43</sup>

The league's leadership, however, did not agree on what the wording of the amendment should be. Nesbit, for example, believed that black equal rights activists and their white friends should not specify its language. Trusting that Republican allies in Congress would do their best to enact political rights for African Americans, he informed White that the important point was "Simply that we ask for *the matter* and let our friendly statesmen supply the *form* or *wording* of the Amendment." Yet others, including Forten, were adamant that the amendment not include any reference to race or color, or "what is worse, to previous condition." "We cannot have this thrust to endless days in our faces that we are a *Race of Slaves*," Forten informed Sumner, for this would mean that African Americans would be "Constitutionally branded with the misfortune of our fathers. . . . There must be no color known to Americans but the national one—no race but the human race—no condition either previous or present but loyalty, patriotism, and sanity." Rather, he insisted that the amendment guarantee suffrage rights for all adult males in all elections.<sup>44</sup>

Forten's recommendation was ultimately rejected by most congressional Republicans. Although convinced that any racial qualification for voting must end, moderate Republicans were especially concerned about granting sweeping powers to the federal government. Moreover, they believed that suffrage was a political privilege, not a fundamental right, and that more conditional language was necessary in order to achieve ratification. Thus most Republicans opted for a negative injunction that voters could not be disbarred by race rather than a positive requirement of

<sup>43</sup> Joseph Bustill to Sumner, Jan. 2, 1867, Charles Sumner Papers; William Nesbit to Jacob C. White Jr., Nov. 25, 1868, White to William D. Kelley, Dec. 7, 1868, Records of the PSERL; For the league's petitions, see U.S. Senate Committee on the Judiciary, "Petitions," file 40A-H10.3, RG 46, National Archives.

<sup>44</sup> Nesbit to Jacob C. White Jr., Nov. 25, 1868, Records of the PSERL; Forten to Sumner, Feb. 1, 1869, Charles Sumner Papers.



universal suffrage.<sup>45</sup>

The passage of the Fifteenth Amendment, however, was the result of more than Republican political calculations. Black activists, including members of the Pennsylvania league, clearly were instrumental in persuading Republicans to do more than pay lip service to the concept of equal rights. For example, in the midst of the congressional debates on the amendment, the National Convention of Colored Men of the Country, which met in Washington and included a number of Pennsylvania delegates, demanded that the government "stand consistent with its declared principles." At the same time, George Vashon and A. M. Breen of the league, as well as other black leaders, met with President-elect U.S. Grant and his running mate, Schuyler Colfax, to urge them to pressure Congress to pass the amendment. While pointing out the "shortcomings" of the Republican Party, the delegates praised its "honest advocacy of genuine democratic principles."<sup>46</sup>

The league viewed the passage of the Fifteenth Amendment as the moment of truth, and thus was determined to press for its ratification. A league member from Meadville, for example, implored Jacob White and other league officials to pursue ratification aggressively. "Give us a 'historic, denunciative, recitative, argumentive,' or in short infuse into it as some would say, the *damnation* spirit that is the life of the sermons of colored preachers," wrote William A. Lavalette. "Let the proud caucasian feel that we do not cringe. . . . Bring on the *demands* for justice." Notwithstanding its earlier rejection of black suffrage initiatives, the Pennsylvania legislature was among the first to ratify the amendment, although it did so strictly along party lines in both houses.<sup>47</sup>

When national ratification occurred in early 1870, blacks were jubilant. Some African Americans had been reluctant to attach too much meaning to the franchise. For example, the *Christian Recorder* had warned that the

<sup>45</sup> Gillette, *The Right to Vote*, 46–91, 166–80 passim; Maltz, *Civil Rights, the Constitution, and Congress, 1863–1869*, 122–56; Wang, *The Trial of Democracy*, 42–48; McPherson, *The Struggle for Equality*, 420–27.

<sup>46</sup> Memorial of the Executive Committee of the Late National Convention to the Colored Men of the Country. . . . (Washington, D.C., 1869), 1; — to Schuyler Colfax, Jan. 23, 30, 1869, John Mercer Langston Papers, Library of Congress; *National Anti-Slavery Standard*, Jan. 23, 30, 1869; *Christian Recorder*, Jan. 23, 30, 1869.

<sup>47</sup> Lavalette to White, July 20, 1869, Jacob C. White Collection; Brown, *The Negro in Pennsylvania*, 50. But Pennsylvania did not bring its constitution into conformity with the U.S. Constitution by deleting the word "white" until 1873. Mittrick, "Negro Voting in Pennsylvania," 66–67.

amendment should be viewed "as a means and not an end." Yet, following ratification the *Recorder* exulted that this event was "the harbinger of peace and prosperity—such peace and prosperity as has never rested upon the land." Likewise, Nesbit termed it "our political redemption," an advance that would create "great incentives and opportunities" for African Americans.<sup>48</sup>

The league was divided on both whether the organization should continue to function following ratification and, if it did, what its relationship to the Republican Party should be. Nesbit informed White in late 1869 that he and a few other executive board members believed that as soon as ratification occurred, the league should hold a jubilee celebration and then disband. Indeed, at its 1869 annual meeting a delegate proposed that the league become an arm of the Republican Party once suffrage rights were achieved. The debate on this proposal echoed earlier ones concerning collaboration with white allies. Those who favored a formal affiliation with the party argued that the league must change with the times and that Republicans had been responsible for enacting fundamental rights for African Americans. But opponents of the resolution insisted that a separate organization would enable black Pennsylvanians to speak with one voice concerning their rights, and they reminded league members that Republicans supported the Fifteenth Amendment for their own interests as much as for black rights. At this time also a number of league members in fact solicited funds from Pennsylvania Republicans to sustain the league, arguing that the league would bring out black Republican voters. They also warned that unless Republicans were vigilant, the Democrats might garner a portion of the black vote. In the end, the annual meeting appointed a committee of seven, including Nesbit, to propose amendments to the league's constitution that would be consistent with the new political realities.<sup>49</sup>

This committee did not meet until after suffrage rights were gained. By that time, Nesbit had changed his mind on the status of the league; he now recommended that its existence was necessary to ensure that all black rights and liberties were protected. At the league's 1870 meeting members adopted the position that, with suffrage in place, no change in the constitution should

<sup>48</sup> *Christian Recorder*, Sept. 11, 1869, April 9, 1870; Minutes of the executive board, Aug. 17, 1869, Records of the PSERL.

<sup>49</sup> *National Anti-Slavery Standard*, Sept. 25, 1869; *Christian Recorder*, Sept. 25, 1869; Minutes of the executive board, Aug. 17, 18, 1869, William A. Lavalette to Jacob C. White Jr., Records of the PSERL.



be made "except such as will make the League an efficient instrumentality of obtaining for us an equal distribution of school funds and school privileges." In other words the league would remain a separate organization but its new agenda would be the procurement of equal educational benefits.<sup>50</sup>

Though they devoted attention to schools, during the 1870s black Pennsylvanians met with no success. In 1874 Republicans in Congress abandoned the educational provision of Charles Sumner's civil rights bill; soon thereafter, though the Pennsylvania Senate voted to repeal the 1854 state segregation law, the Education Committee of the Pennsylvania Assembly refused to act. Nevertheless, the league did not relent in its efforts to repeal this discriminatory law; indeed, every year between 1876 and 1880 it petitioned the legislature for repeal. Yet black Pennsylvanians remained, as they had long been, somewhat ambivalent on school desegregation. Even in Philadelphia's all-black schools a majority of the teachers were white, and no white schools hired African Americans. Thus, in a replay of the league's debate on the education question, many people apparently feared that desegregation would lead to the loss of teaching jobs for African Americans. With the black leadership divided and whites adamantly opposed to school desegregation, neither the courts nor the legislature acted decisively against separate schools until the early 1880s.<sup>51</sup>

The evidence indicates that the league in fact continued to focus largely on the political process after 1870. The ratification of the Fifteenth Amendment did not end Democratic efforts to deny blacks the vote. Perhaps the most serious incidents in the North occurred in Philadelphia, which had the largest black population of any northern city. Though the 1870 municipal elections included few important races and no black candidates, and offered little prospect of ousting the entrenched Democratic machine, voting officials required that each African American voter have two white voters to vouch for him. Black voters were also assaulted by Irish residents of a predominantly Democratic ward. In spite of these obstacles, they contributed substantially to Republican victories in certain wards. In the next year's municipal elections the situation was much worse. A mob of Irish Democrats—with either police support or neutrality—killed Octavius Catto

<sup>50</sup> *Christian Recorder*, May 5, 1870.

<sup>51</sup> See Price, "School Segregation in Nineteenth-Century Pennsylvania," 128–32; Roger Lane, *Roots of Violence in Black Philadelphia, 1860–1900* (Cambridge, Mass., 1986), 55; Brown, *The Negro in Pennsylvania*, 54–55.

and two other black men in an attempt to prevent African Americans from voting.<sup>52</sup>

Some scholars claim that, while Catto's murder generated a biracial outpouring of grief and anger in Philadelphia, the incident demoralized the league's membership, even to the point of convincing its officers to move their headquarters to Reading.<sup>53</sup> But, in fact, black Pennsylvanians remained politically active—holding conventions, filing lawsuits to protect access to the vote, and petitioning and addressing memorials to Congress and the state legislature. Between 1870 and 1875, the league was especially active in lobbying for Charles Sumner's supplementary civil rights bill, which sought to ban discrimination in public transportation, accommodations, and schools. For example, in 1873 the league, citing the need to protect African Americans from "invidious distinctions," called for a national black convention for the purpose of pressuring Republicans to pass Sumner's bill. When the convention assembled in Washington in late 1873, a delegation elicited a pledge of support from President Grant for the civil rights bill.<sup>54</sup>

These intensive lobbying efforts by the Pennsylvania league and other equal rights organizations underscore the determination of northern African Americans to employ whatever political pressure they could to force the Republican Party to act in accordance with its avowed principles. They frequently acknowledged that the party had been responsible for whatever progress blacks had achieved in the area of civil rights. In 1870, for example, the league urged black voters to "remember those who remembered us by sustaining the whole Republican ticket." In an address to Pennsylvanians two years later, the league again reminded African Americans that, as "God's chosen instrument," the party was pitted against "the foes of righteous government and of liberty." Even Forten, who at times was critical of the party for its reluctance to take an uncompromising stand on behalf of equal

<sup>52</sup> Lane, *Roots of Violence*, 45–47, 53–54; Harry C. Silcox, "Nineteenth-Century Philadelphia Black Militant: Octavius V. Catto (1839–1871)," *Pennsylvania History* 44 (1977), 74–76; Philadelphia Press, Oct. 12, 1870.

<sup>53</sup> See Lane, *Roots of Violence*, 45–47, 53–54; Silcox, "Philadelphia Black Militant," 74–76; A. K. McClure, *Old Time Notes of Pennsylvania* (2 vols., Philadelphia, 1905), 2:285–88.

<sup>54</sup> *Christian Recorder*, July 16, 1870, Oct. 16, Nov. 6, 1873, May 21, June 11, July 2, 1874; *Memorial of the National Convention of Colored Persons*. . . (Washington, D.C., 1873), 1, 4. For memorials to Congress from the PSERL and the National Convention of Colored Persons on Sumner's civil rights bill, see *Senate Journal*, 1872. 42d Cong., 2d sess., Jan. 15; House, *Memorial of National Convention of Colored Persons*, 43d Cong., 1st sess., 1873, H. Misc. Doc. 44, 1–4.



rights, was certain that Republicans sought to apply the principles embodied in the Declaration of Independence "in their most complete sense."<sup>55</sup>

Yet northern blacks were neither political neophytes nor totally dependent on the Republican Party. Although numbering only 146,000 eligible voters in the North in 1870, they were quite aware of their potential impact on certain elections. At times during the 1870s they in fact played a decisive role in close contests at the state and local levels. For example, in Pennsylvania the black vote enabled Republicans to win statewide elections in 1871 and 1875, the gubernatorial election in 1878, and the presidential contest in 1876. Likewise, the African American vote proved decisive in the Philadelphia municipal elections in 1871 and 1877 and the Harrisburg mayoral elections in 1871, 1872, 1874, and 1876.<sup>56</sup>

Such political leverage at times forced the Republican leadership to acknowledge the importance of the black vote by offering positions and privileges to black leaders. In 1872, for example, Forten was nominated by the party as a presidential elector. Nevertheless, some African Americans became increasingly critical of the party's reluctance to appoint blacks to office and of its failure to pass Sumner's civil rights bill. As early as the 1870 celebrations of the Fifteenth Amendment, Frederick Douglass had asserted that if African Americans chose to vote Democratic, they should not be condemned. Other black leaders—including Peter Clark of Ohio, George T. Downing of Rhode Island, and Philip Bell of California—indeed called for a declaration of black political independence in the face of Republican indifference. And in Philadelphia in 1874, William Still, Robert Purvis, and a number of other African Americans supported an independent candidate for mayor against the Republican incumbent.<sup>57</sup>

<sup>55</sup> *Philadelphia Press*, Oct. 6, 1870; *Christian Recorder*, Aug. 31, 1872; *New National Era*, Oct. 24, 1872.

<sup>56</sup> See Gillette, *The Right to Vote*, 130, 145–46, 182–83; Gerald G. Eggert, "Two Steps Forward, a Step-and-a-Half Back: Harrisburg's African American Community in the Nineteenth Century," in Joe William Trotter Jr. and Eric Ledell Smith, eds., *African Americans in Pennsylvania: Shifting Historical Perspectives* (University Park, Pa., 1997), 244; Mittrick, "Negro Voting in Pennsylvania," 91; Foner, *Reconstruction*, 472; *Christian Recorder*, April 1, 1875.

<sup>57</sup> See, for example, Mittrick, "Negro Voting in Pennsylvania," 93–96; Philip S. Foner, *Frederick Douglass* (New York, 1964), 269–70, 320–21; Gerber, *Black Ohio and the Color Line, 1860–1915*, 218–22; *Elevator*, July 8, 1874; *Christian Recorder*, Aug. 9, 1877; Roger D. Bridges, "Equality Deferred: Civil Rights for Illinois Blacks, 1865–1885," *Journal of the Illinois State Historical Society* 84 (Summer 1981), 99–100; Grossman, *The Democratic Party and the Negro*, 38–40, 63–64, 80–81; Grossman, "In His Veins Coursed No Bootlicking Blood: The Career of Peter H. Clark," *Ohio History* 86 (spring

Despite their disappointment with the Republicans, however, most African Americans remained loyal to the party. In 1874, Forten bluntly warned of the consequences of abandoning the party: "If the Democratic party gets back into power, the rights of the black man would be swept away." Likewise, in 1875 the league urged blacks to support the Republican party "for past favors" and warned that "the curse of God will blight and destroy us . . . if we permit its destruction." Indeed, most of the black renegades ultimately returned to the Republican fold.<sup>58</sup> Nevertheless, defections by a minority of African Americans in Pennsylvania and other northern states signaled a willingness to employ whatever leverage they could within the two-party system. In the finest tradition of American protest movements, the league sought to pressure white leaders to act in accordance with the principles of equality and democracy, no matter the political consequences. Although the league's efforts produced some notable achievements, in many respects their crusade for legal equality fell short of their expectations. This was not due to the league's failure to organize and to articulate their demand that America live up to its stated ideals. Rather, it resulted from a combination of factors: the deep-seated racial prejudice that persisted among white Americans, especially within the resurgent Democratic Party; the assumption by most white Republicans that civil and political rights would enable African Americans to protect their vital interests; and the fact that, because they represented a small minority within the northern Republican Party, black voters were often ignored or taken for granted by the party's white leadership.

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1977), 86-88; William Still, *An Address on Voting and Laboring, Delivered at Concert Hall, Tuesday Evening, March 10th, 1874* (Philadelphia, 1874), 5-10; J. S. Newby to Still, March 1874, William Still Papers, Leon Gardiner Collection on Negro History, Historical Society of Pennsylvania.

<sup>58</sup> Sanelli, "Black Suffrage in Pennsylvania," 304-5; Mittrick, "Negro Voting in Pennsylvania," 96-97; *Philadelphia Press*, Feb. 9, Aug. 21, 1875.