

Chapter 3: Return the Union, 1877-1900

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Abstract

The circulated paper integrates material from two chapters of a larger manuscript, entitled *Southern Nation*. It is still at a very preliminary stage, and any comments would be of considerable value.

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The circulated paper is part of larger book project on the role of the South in American political development, focusing on the South in Congress during the long era that spanned the reintegration of the South into the Union after Reconstruction to the end of Jim Crow. We pose two primary questions. First, when and how did the South conduct itself as a coherent and cohesive political actor inside the national polity? Second, were southern members of Congress successful in influencing the content of national policy to reflect southern priorities, and if so, to what extent and in what ways were these priorities projected beyond the region, shaping the structure of the American state and the content of its policies? Drawing on a range of new measurements of southern preferences, we systematically identify a set of issue areas in which distinctively southern priorities were implicated. These issue areas saw the 'Solid South' at its most cohesive, but also presented areas in which alternative Souths were possible. We then examine in closer detail two recurring and vitally important sites of conflict: the regulation of elections and Federal support for education, both of which saw distinctive southern preferences and which presented the real possibility of a different trajectory for American political development.

Chapter 3: Return the Union, 1877-1900

“The whites in these States do not care for party names—the main thing is to hold on to local self-government.”¹

THE LONG DÉNOUEMENT TO RECONSTRUCTION

“The South only is solid,” opined a *Times-Picayune* editorial in 1877, “and while it has the political sagacity to remain so it will carry victory to whatever side it may espouse.”² The writer had good reason for optimism. In the preceding years, white southerners had succeeded in reconquering the region for the Democratic party, gaining control over state legislatures, governors’ offices, and the region’s congressional delegation. Political solidarity, buttressed by the increased representation that accompanied the fourteenth amendment, ensured that the ‘Solid South’ would be the most important feature of political life during the last quarter of the twentieth century, the regional fulcrum around which Gilded Age politics turned.

The expectation that the South would return an all but unanimous Democratic phalanx in Congress and the electoral college profoundly shaped the calculations of political leaders in the decades after Reconstruction. It prompted successive Republican Presidents to try and forge an alliance with what remained of ‘old Whig’ sentiment in the region, to support ‘independent’ movements, to reinforce voting rights and police fraud in southern elections, to consolidate their core supporters in the North by appeals to Civil War patriotism, and ultimately to secure political ascendancy through the ‘rotten boroughs’ of new states.³ The region was too important to be ignored.

Recognition of this fact emboldened the South’s white political elite. “The fact is,” the editorial continued, “we have extorted more from the Republicans by a vigorous opposition than we have ever secured from the Northern Democrats by an unquestioning submission to their lead-

¹“No New Party South: Time Still Necessary,” New York *Tribune*, June 1, 1877, p.2

²“The South in Congress,” New-Orleans *Times-Picayune*, September 9, 1877, p.4.

³Charles Stewart III and Barry R. Weingast, 1992. “Stacking the Senate, Changing the Nation: Republican Rotten Boroughs, Statehood Politics, and American Political Development.” *Studies in American Political Development* 6(2): 223-71.

ership. Now that we hold the balance of power we are in a position to demand our rights, and our Senators and Representatives will not deserve well of us if they do not make their weight felt whenever a question arises which affects the material interests of this section.”⁴ At least on those issues that animated regional solidarity, the ‘Solid South’ would ensure that southern priorities would be accommodated in national policy: “difference may arise between Democrats, and estrangements may occur between their leaders, but upon all sectional issues, upon all questions affecting the relative interests of the respective sections, the party of Blaine and Sherman and their bloody shirt followers will forever be confronted with a solid South.”⁵

So what, then, were those “sectional issues” on which an often fraught southern unity was based? This question was asked frequently by non-southerners during this period. “Pray what ‘sectional issues’ survive,” asked the *Chicago Daily Inter-Ocean*, “other than the issues caused by the purpose of the South to avoid compliance with the fourteenth and fifteenth amendments to the Constitution?” This chapter picks up this question. What were the policies on which a cohesive, ‘Solid South’ emerged? White supremacy, certainly; but were there other issues that prompted regional cohesion?

The solidarity of the white South during this period is well-known, and its durability for almost a century might lead us to treat it as inevitable. This would be a mistake. This was a period of “forgotten alternatives”, in C. Vann Woodward’s formulation, “a time of experiment, testing, and uncertainty—quite different from the time of repression and rigid uniformity that was to come toward the end of the century.”⁶ For all the boasting of regional solidarity there were deep divisions among white southerners that threatened to fracture this unity, potentially even blunting the full force of white supremacy that would be imposed by the turn of the century. While these divisions were “eventually resolved at the expense of the Negro,” we are interested in Woodward’s suggestion that this did not need to have been the case, that there were alternatives to white Democratic solidarity.⁷ Was there a realistic counterfactual to southern solidarity, and if so, what did it look like?

⁴“The South in Congress,” *New-Orleans Times-Picayune*, September 9, 1877, p.4.

⁵Article in the Austin Despatch, cited in “Sectional Issues,” *Daily Inter-Ocean*, Chicago, August 21, 1887, p.4.

⁶C. Vann Woodward, *The Strange Career of Jim Crow* (New York: Oxford University Press, 2002 [1955]), 33.

⁷Woodward, *Strange Career*, 6.

We argue that through the coordinated action of its congressional representatives, the white Democratic South had by the beginning of the 20th century achieved an enormous victory, but one that radically curtailed the possibilities for other reforms. The Republican party since its advent to power “had been trying. . . to establish a ‘new nation,’” the basic contours of which were national supremacy over state laws, active Federal support for industry and financial markets, and the allocation of political and civil rights without distinction of color.⁸ While Republicans were largely successful in the first two objectives, by the end of the century the white Democratic South had successfully entrenched its own paramount interest: “home rule,” the right of state governments controlled by the white population to regulate their internal social, political, and labor relations for themselves.

The region’s representatives, however, achieved this victory at great cost. Most importantly, African Americans were to be the subject population of the southern states, denied the national citizenship promised by the 14th and 15th Amendments. The triumph of white supremacy, however, also imposed costs on the region’s white inhabitants. While many southern whites clearly benefited from discriminations against African Americans—in labor markets, in school fund allocation, in the provision of infrastructure—the region itself was to cohere as a low-wage, under-educated, and under-developed section.⁹ This too, we suggest, was in part a consequence of southern politics in Congress, as the South was initially unable—and eventually uninterested—in securing Federal support for the region.

We proceed as follows. We begin with an overview of the South as it emerged after Reconstruction. It is common to treat the ‘Solid South’ as a stable fixture of national politics up to the Civil Rights movement. In fact, the degree of regional solidarity varied over time, and the

⁸“Popular Objections to Tilden as the Nominee,” *Daily Arkansas Gazette*, Little Rock, June 4, 1879, 5. See Richard Bensel, *The Political Economy of American Industrialization* (Cambridge: Cambridge University Press, 2000). The relative priority of these goals varied across different Republican constituencies and politicians. Rutherford B. Hayes continually stressed the importance of national supremacy, accusing Democrats seeking to repeal the Federal Election Laws of maintaining the old “state-rights heresy.” For William Chandler, Republican industrial policies such as the tariff had “been only an incident of [the] great labors” of resisting slavery, winning the War, freeing the slaves, and securing black suffrage and civil rights. Hayes to William H. Smith, March 27, 1879. Charles R. Williams, 1924. *Diary and Letters of Rutherford B. Hayes*, volume II. (Columbus: Ohio State Archaeological and Historical Society), 542, 552, 562. Chandler to Dodge, February 27, 1888. Hirshson, *Farewell to the Bloody Shirt*, 159.

⁹Gavin Wright, 1997. *Old South, New South: Revolutions in the Southern Economy Since the Civil War*. (Baton Rouge: Louisiana State University Press).

South in the Gilded Age was at its maximum. In Section II we examine the structure of southern preferences, identifying a set of issue areas in which distinctively southern priorities were implicated, including those in which the South was most cohesive as well as those in which alternative Souths were possible. In Section III we examine in closer detail two recurring and vitally important sites of conflict, the regulation of elections and Federal support for education. We select these policy areas because our empirical analyses show that they were areas in which southern members of Congress had distinctive preferences and because of the very real possibility of different outcomes and alternative trajectories for American political development. We conclude in Section IV.

REDEMPTION AND SOUTHERN SOLIDARITY

The Solid South was the product of ‘redemption,’ usually understood to be the return of Democratic ascendancy in the former states of the Confederacy.¹⁰ The return to Democratic control, however, occurred throughout the broader region. After the defeat of the ‘Constitutional Amendment’ party in Kentucky, the site of a guerrilla insurgency during the War and under military rule at its close, no state “presented a more solidly Confederate-Democratic front.”¹¹ Maryland, whose pro-secession legislators had been arrested in 1861, saw Democrats hold power from 1866 until 1895. After Democrats regained the Missouri legislature in 1870, the state’s Republican opposition would hold on as a reduced minority until the turn of the century. West Virginia saw an uninterrupted period of Democratic control over its legislatures from 1870 to 1894. Even Delaware, whose polling stations were occupied in 1862 by the Union army, saw the elimination of almost any Republican presence in the state legislature until the 1880s.¹²

It was the size of the ‘Solid South’ that was perhaps the most important feature of the period.

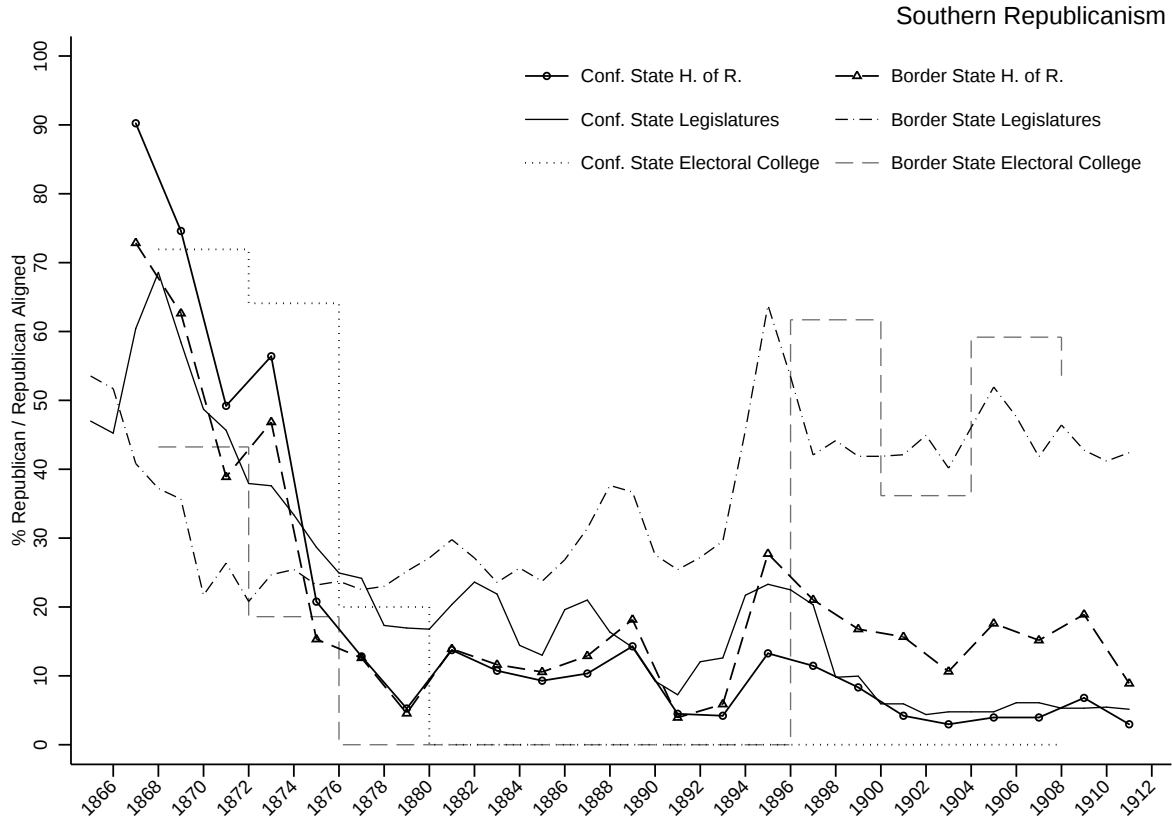
The South in the Gilded Age was widely understood as encompassing not just the former states of

¹⁰Tennessee was the first of the former Confederate states to return to Democratic rule in 1869, with Virginia ‘redeemed’ later that year, Georgia in 1871-72, and Alabama and Arkansas in 1874. The ‘Mississippi Plan’ of paramilitary violence against Republican constituencies “redeemed” that state in 1875, while the Republican Governors and legislatures of Louisiana and South Carolina were exchanged for the states’ electoral votes in 1877.

¹¹C. Vann Woodward, 1971. *The Strange Career of Jim Crow*. (Oxford: Oxford University Press), 6.

¹²When the three branches of Delaware’s state government were won by the Republicans in 1901, the State immediately ratified the Civil War Amendments.

Figure 1: Southern Republican Officeholding, 1866-1912



the Confederacy, but the fifteen states, plus West Virginia, in which slavery had been practiced at the outset of the Civil War. Figure 1 tracks the proportion of congressional, state legislative, and electoral college offices won by Republicans in the former Confederacy and the ‘border’ states, from the end of the Civil War to the beginning of the Wilson Administration. Before 1877 and after 1896, some areas of the South saw a competitive Republican party capable of winning in state legislatures and carrying a state’s electoral college votes. But in the intervening years, the ‘Solid South’ covered the entire area of the former slave-holding states, providing the region with an oft-noted advantage in Congress. Southern Democrats held an average of 31% of seats in the U.S. House of Representatives, as well as 36% of Senate seats from 1877; southern Democrats held nearly 40% of Senate seats before the mid-1890s, when Republican victories led newspapers to proclaim the “‘Solid South’ is at last broken.”¹³

¹³“Micah’s Letter,” *Savannah Tribune*, November 28, 1896. Had Democratic solidarity extended only through the former Confederacy, the proportions would have been 25% and 22% for the Senate and House respectively.

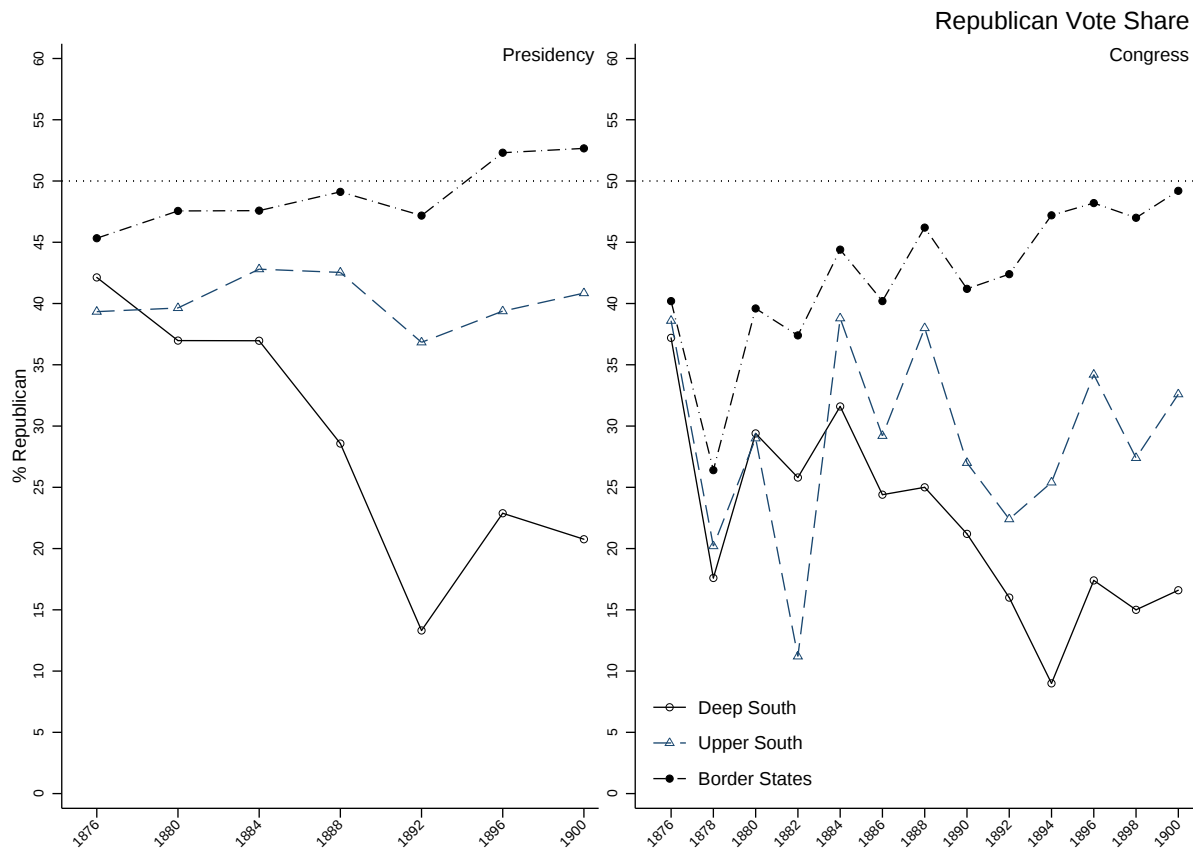
The ‘Solid South’ defined the heightened partisan competition of the period. With the South constituting slightly more than 35% of the electoral college, Democrats needed to win only the very closely contested states of New York and Indiana (and after 1890, thirteen additional electoral college votes) in order to carry the presidential election. From 1877 to 1896, the Republican party was in full control of the government for only four years, in 1881-83 and 1889-91, and their control of the Senate in 1881 rested on the support of Virginia Readjuster William Mahone. In the words of one historian of Republican efforts to ‘crack’ the Solid South, “it was nearly impossible [for the Republicans] to make sufficient gains elsewhere” to compensate for their near total exclusion from the South. The Democrats, in turn, could muster control over the government in only two years, 1893-95, and any break in the ‘Solid South’ would have left the national party a struggling minority.

That the region was politically united at the national level during this period is itself surprising. For one, despite the collapse in office-holding, the Republican party continued to win an important share of the southern vote, among African Americans as well as whites. Figure 2 shows the proportion of the vote cast for Republican candidates for Congress and the presidency, in the border states, the ‘Upper South,’ and the ‘Deep South.’ Even in the ‘deep South’ states the Republican party won an important share of the vote into the late 1880s, the vast majority of it from African Americans still able to vote. But in the ‘upper South’ and border states the Republican party was much better situated: Benjamin Harrison lost Virginia in 1888 by only 2,000 votes, and the party’s candidates regularly polled between 40% and 50% of the state-wide vote in presidential elections.

The Republican party was well-positioned in a number of states to come to power with further inroads among the white population. And many contemporaries believed that there were considerable opportunities for the party to do exactly this. As one correspondent for the *New York Tribune*, on assignment in the South, noted, “every where I have been I have found a division of opinion among the intelligent white people sufficiently radical to work out in a division in party action.”¹⁴ This belief was reinforced by an awareness that the region had been contested political

¹⁴“No New Party South: Time Still Necessary,” *New York Tribune*, June 1, 1877, p.2.

Figure 2: Republican Vote Share Across South, 1876-1900



terrain before the War, and that far from disappearing, the Whigs had been in many ways the ascendant force within the southern Democratic party in the Reconstruction years.¹⁵ Beginning with Hayes' efforts to build a southern Republican party with white, former Whig leadership, continuing through Harrison's appeal to "those men in the South who now accept the tariff views of Clay and the constitutional expositions of Webster," Republican strategists continued to believe that there were specific issues on which they could appeal to the 'old Whig' sentiment, or failing this, that support could be given to the various 'independent' movements that sprung up in the South.¹⁶

The South, then, was potentially well-positioned to extract support for their policy preferences from either Republicans and Democrats. The region held "the balance of power," and its

¹⁵Thomas B. Alexander, 1961. "Persistent Whiggery in the Confederate South." *The Journal of Southern History* 27(3): 305-29.

¹⁶Inaugural Address of Benjamin Harrison, March 4, 1889. See Hirshson, *Farewell to the Bloody Shirt*, 177-182.

representatives were “in a position to demand our rights.” But what did the South want? Southern politicians and editors repeatedly emphasized that the South’s “great object since the war has been restoration to the Union on a footing of perfect equality with other sections,” by which they meant first and foremost the maintenance of local self-government and “home rule” but also the reconfiguration of the emerging political economy so that it would no longer work to the region’s detriment.¹⁷ This meant a lowering and re-balancing of the tariff, so that the costs of supporting the government were not borne so heavily by agricultural regions, but also support for internal improvements in the South, an income tax, regulations on interstate commerce, a more elastic currency, and even Federal support for public schools.

But these issues were far from unanimous in the South, and often brought the region into conflict with northern Democrats. This in turn raised the possibility of alternative coalitions. “Is it not high time for us to say to Northern Democrats,” asked the Vicksburg *Daily Commercial*, “that we shall have no more ‘one-sided reciprocity?’... we will, if need be, sever our coalition with Northern Democrats, and look to others for the aid and fair treatment which they refuse us.”¹⁸ The South had “just ground of complaint against the Northern wing of the party, on account of its indisposition to advance the material development of this neglected section”¹⁹ So long as “home rule in their several States” was in doubt, southerners were bound to the Democratic party. But as this issue waned—first under Hayes’ reconciliation policy, and then again during the Cleveland Administration—southerners would be “at leisure, so to speak, to prepare themselves to select with intelligence their [partisan] side.”²⁰

SOUTHERN PREFERENCES AND SECTIONAL POLITICS

The question of “just how ‘solid’ is the ‘Solid South,’” on what issues, and how should we measure ‘solidarity’ are by no means new ones.²¹ V.O. Key approached the question of southern

¹⁷“The South in Congress,” New-Orleans *Times-Picayune*, September 9, 1877, p.4.

¹⁸“Mr. Cox,” *Daily Commercial*, Vicksburg, MS. April 23, 1878, p.2

¹⁹“The South and the Currency,” *The Daily Picayune*, New Orleans, August 20, 1878, p.4.

²⁰“The South and the Currency,” *The Daily Picayune*, New Orleans, August 20, 1878, p.4.

²¹Key, *Southern Politics*. 346

solidarity by examining cohesion scores on congressional roll calls.²² These scores, however, are simply a summary of how often a given bloc voted together, and do not anchor voting patterns in information about individual level preferences or the relative location of policy proposals. As a result, the scores can change dramatically as a result of change in what is being voted on, even if member preferences are held fixed.²³

To pursue these questions requires us to turn to preference-based measures. One complication for identifying distinctively sectional issues, however, is that the basic conflict during this period was more of a sectional-party cleavage than an ideological one.²⁴ As a result, we cannot simply rely on a regional second-dimension, such as is estimated for DW-NOMINATE. Figure 3 shows the location of the party and sectional medians in the House and the Senate.²⁵

“For a generation,” argued one historian of the period, “the voters had been trained to think of politics only in terms of slavery and secession and to judge candidates for office solely by their attitude toward these questions.”²⁶ The key economic issue of the period—namely, positions on the monetary system—was more likely to divide the parties internally than to separate them from each other, such that political elite North and South regularly appealed for the parties to turn their attention to “vital, living issues” and to leave behind those “buried in the dead past,” to “take up a living question instead of a dead one.”²⁷ That is, the parties should realign so that they offered

²²See in particular Key’s two chapters on southern representation in Congress, “The South in the House” and “Solidarity in the Senate.”

²³A cohesion score is calculated as the absolute difference between the number of members of a defined group who favor or oppose a given roll call, divided by the number of voting members of this group. See Stuart Rice, *Quantitative Methods in Politics* (New York: Knopf, 1928). For the most pertinent critiques, see Krehbiel, “Where’s the Party?,” *British Journal of Political Science*, 23 (1993): 235-66; and Krehbiel, “Party Discipline and Measures of Partisanship,” *American Journal of Political Science*, 44 (2000): 212-227. If the cut-point for a bill falls right in the middle of a bloc, it is likely that a low cohesion score will result, while a cut-point that appears on an extreme point distant from this bloc will likely result in a high cohesion score. This is true whether the bloc has strongly similar or widely diverse preferences.

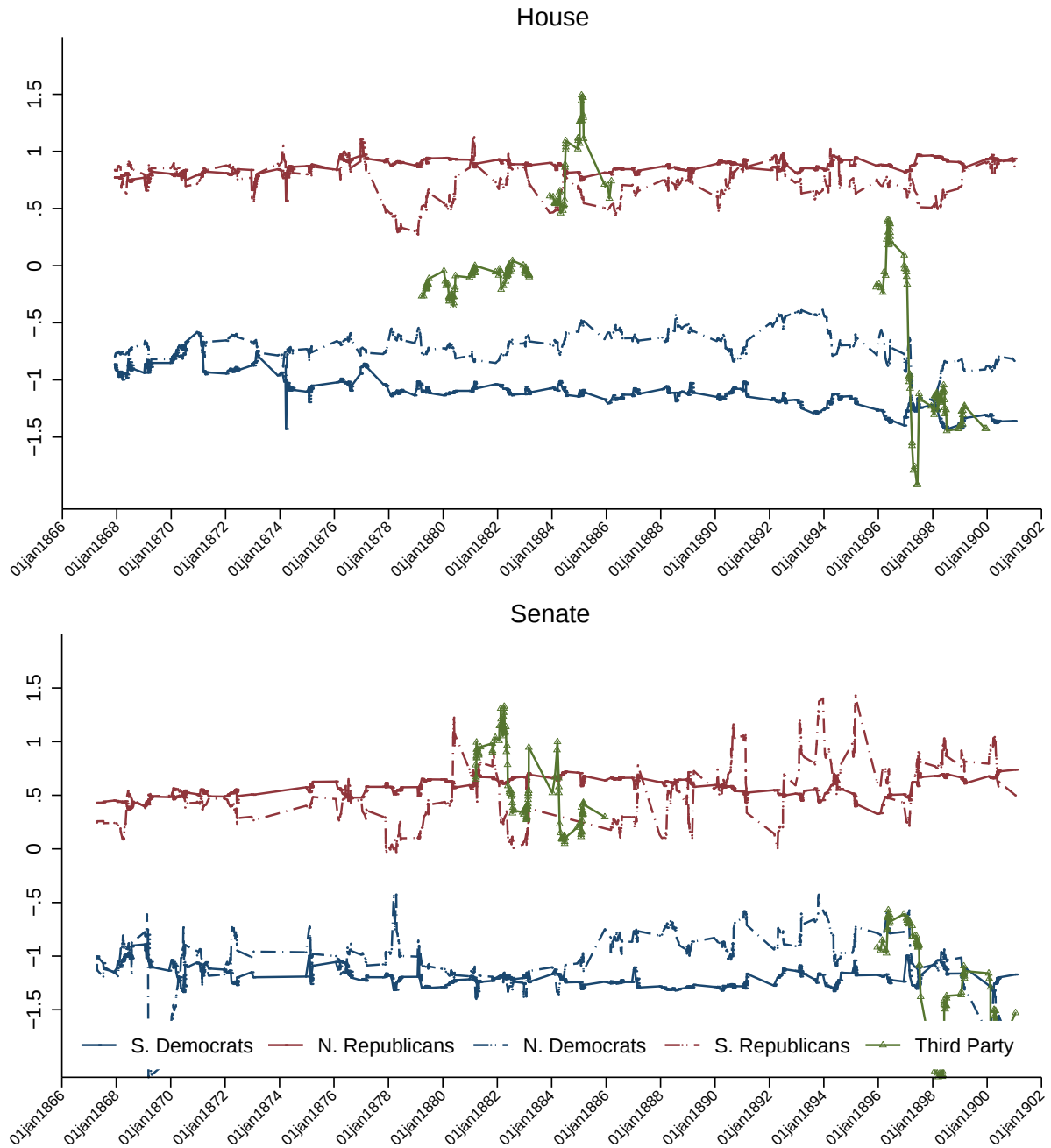
²⁴“Following the Civil War,” notes Richard Benschel, “the two great political parties came to rest on this sectional dualism.” Benschel, *Sectionalism*, 12.

²⁵The third parties shown were active in the South during this period, and include the National Greenback party in the late 1870s, the Readjusters in the 1880s, and the Populists in the 1890s.

²⁶Thomas, Harrison Cook. *The Return of the Democratic Party to Power in 1884* (New York: Columbia), 25-6.

²⁷“Popular Objections to Tilden as the Nominee of the Democratic party,” *Daily Arkansas Gazette*, June 4, 1879, p.5; Edward Atkinson to Cleveland, February 14, 1888, in *Edward Atkinson: Biography of an American Liberal*, Harold Williamson (Old Corner Bookstore: Boston, 1934), 148. Those taking the most radical position on this issue, that the Federal government should abolish the national bank and have the Treasury take exclusive responsibility for printing money, were (along with the Populists before their absorption by the Democratic party) was located between the major parties.

Figure 3: Party and Sectional Medians, 1866-1902



GLS-adjusted ideal points, estimated across 20 week interval centered on date.

a clear choice on issues, primarily economic, that did not simply divide one section from the other. “It is in some respects a fortunate circumstance for the South that the financial question has become the one great political issue of the time,” wrote one southern newspaper, as “the financial question is not essentially a sectional question,” and did not afford clear opportunities for charging “southern Democrats with inhumanity.”²⁸

This is not to say that there was no economic or redistributive content to the sectional cleavage. Indeed, and some of the issues that saw the clearest sectional splits were on matters that effectively redistributed money to the advantage of the North: military pensions, the tariff, a proposal to use the general revenue to reimburse northern states the direct tax raised during the Civil War. But the redistribution was sectional in character, a consequence of the enduring Civil War divisions. In turn, sectional polarization—the distance between the median southern and non-southern members—increased considerably during the period (Figure 4).

Still, this does not mean that we can say that any issue for which voting behavior is well-captured by a single dimension was a sectional issue. Even those who argued that the financial question was not a sectional issue noted that “it is very probably that the South will remain substantially undivided,” a claim attributed to the supposed homogeneity of public opinion in the region.²⁹ The combined influence of party and section could result in an array of not obviously sectional legislation generating stark sectional divisions.

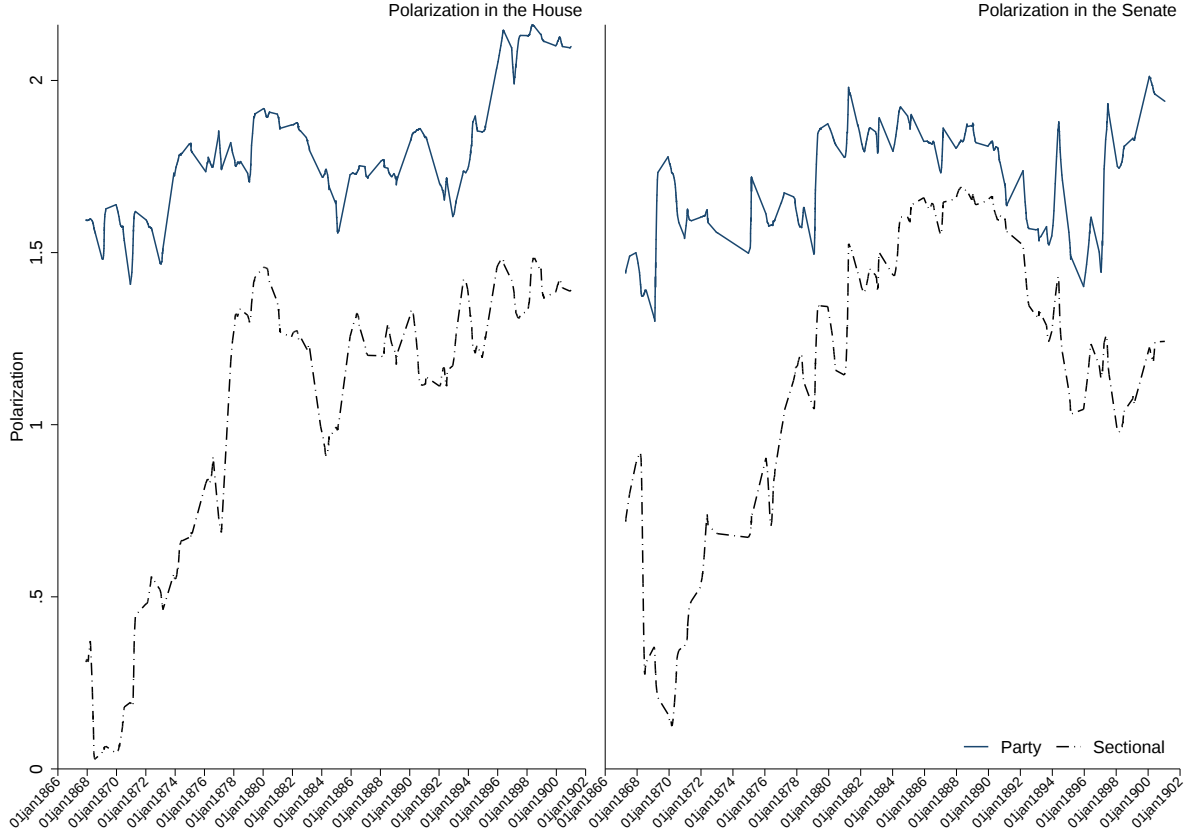
We proceed in a few ways. In order to identify issue areas in which southerners were especially likely to vote with their region, we incorporate the possibility that southern Democratic legislators experience a common shock making them more or less likely to vote Yea on a given roll call. That is, we model the possibility that legislators receive $\delta_j^{Reg_i}$, a vote- and region-party specific inducement to vote with their region-party on roll call j , so that $Reg_i = SD$ if i is a Democrat from the South, $Reg_i = ND$ if i is a Democrat from the North, and $Reg_i = R$ if i is a Republican.³⁰ This approach requires us to identify a set of votes where the southern inducement

²⁸“The South and the Currency,” *Daily Picayune*, August 20, 1878, p.4. The “much-talked of breaking up of old party lines and the formation of new ones [sic] to take sides upon the financial question” made sense only against a backdrop of starkly sectional parties. “Washington, the Silver Resolution Passed,” *New York Times*, New York, NY, January 29, 1878, p.1

²⁹“the South and the Currency,” *Daily Picayune*, August 20, 1878, p.4

³⁰Clinton, Jackman, and Rivers, “Statistical Analysis of Roll Call Data,” 365.

Figure 4: Polarization, 1866-1902



can be assumed to be negligible. Following the literature we compare lopsided to non-lopsided votes (with roll calls on which more than 65% of votes were cast on one side being lopsided).³¹

For lopsided votes we estimate the standard IRT model:

$$y_{ij} = \text{logit}^{-1}(\beta_j(\theta_i - \tau_j)) \quad (1)$$

where τ_j is the cutpoint for rollcall j , β_j is a discrimination parameter, and θ_i is legislator i 's ideal point.³² For non-lopsided votes, we add $k - 1$ vote-specific δ_{jk} terms, where k is the number of

³¹James Snyder, Jr. and Tim Groseclose, 2000. "Estimating Party Influence in Congressional Roll-Call Voting." *American Journal of Political Science* 44: 187-205; Nolan McCarty, Keith Poole, and Howard Rosenthal, 2001. "The Hunt for Party Discipline in Congress." *American Political Science Review* 95: 673-87.

³²The cutpoint in an ideal point framework is $\frac{\alpha_j}{\beta_j}$, where α_j is the difficulty parameter.

party-region groups included, and estimate,

$$y_{ij} = \text{logit}^{-1}(\beta_j(\theta_i - \tau_j - \delta_{ijk})) \quad (2)$$

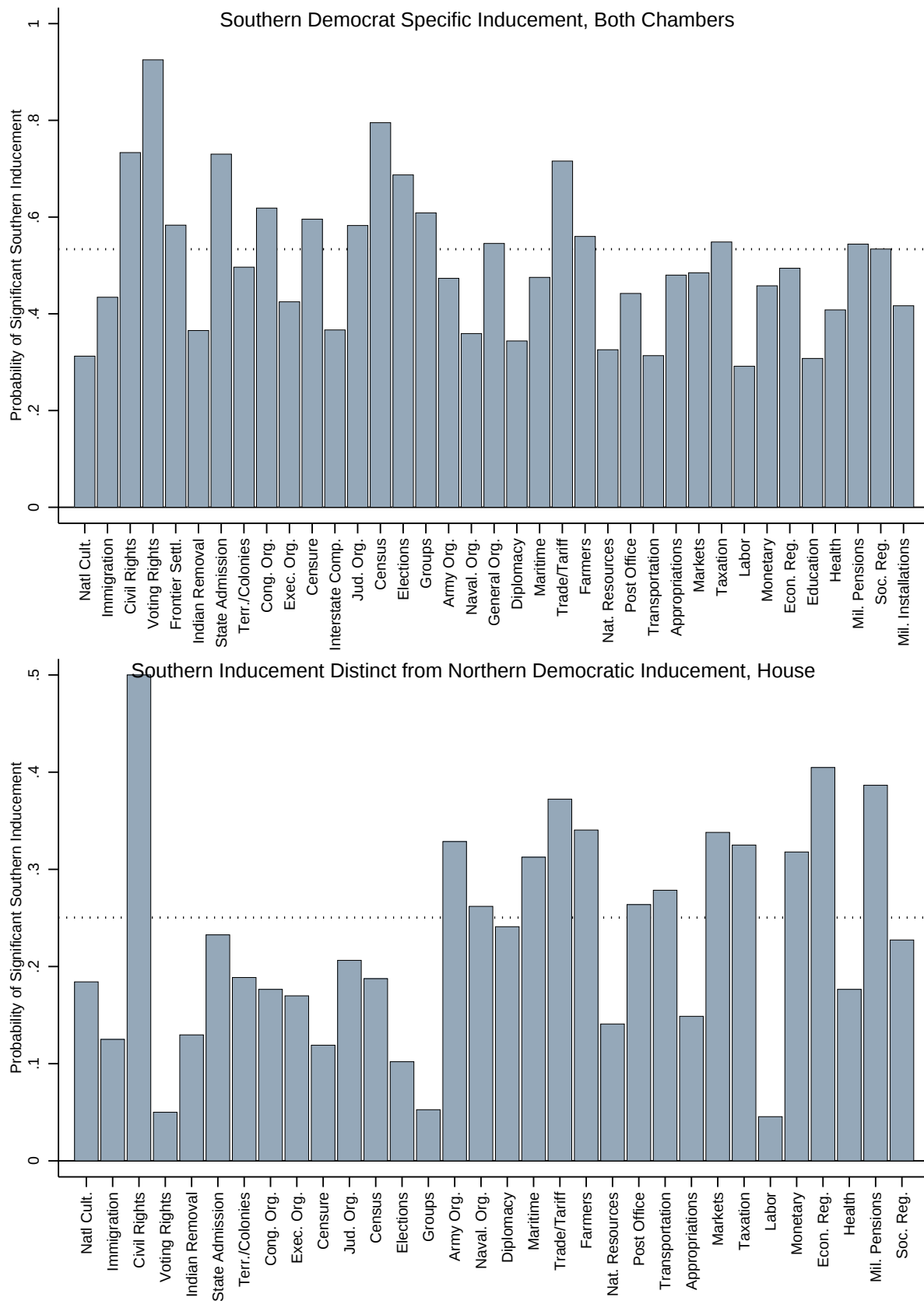
Such a two-cutpoint model, in which different groups of legislators have separate indifferent points, has several nice features for our purposes. For one, it accommodates the possibility that the second dimension along which southerners in particular evaluated policy was not orthogonal to the basic party cleavage. Given the long historical periods in which the South effectively *was* the Democratic party, we would expect southern Democratic-specific evaluations of policy to often result not in an orthogonal second dimension but in a region-specific shock making them more (less) likely to support a policy. And because δ_{jk} is estimated for individual roll calls we are able to identify a set of votes and issue areas on which southerners in particular were likely to receive a region-specific inducement, by testing whether δ_{jk} is significantly different from 0 across different subsets of j defined by their issue content.³³ After we have identified issue areas in which southern Democrats seemed to have distinctive preferences, we generate issue specific ideal points, allowing use to more closely examine the structure of preferences on a given issue and across a defined period of time.

The top panel of figure 5 shows the probability that a rollcall in a given issue area saw a statistically significant inducement for southern Democrats, in both the House and Senate. These issue areas saw a Solid South beyond what would we expect from southern preferences alone.

The issue area most likely to see a southern inducement was voting rights, followed by votes on the census—reapportionment—votes on African American civil rights (separate from voting rights), state admission, the tariff, and contested election cases. This certainly maps on well with historical accounts of the period and with contemporaries’ assessments of the key issues underlying southern solidarity. At least some of these issues, however, might capture not only

³³Clinton, Jackman, and River, “Statistical Analysis of Roll Call Data,” 365. In order to identify which policy issues induced a heightened pattern of southern solidarity we first need a template for classifying policy substance. The issue coding scheme we use is the multi-tiered scheme, in which subordinate categories are nested in a higher-level, summarized in Table 1. See Ira Katznelson and John Lapinski, 2006. “The Substance of Representation: Studying Policy Content and Legislative Behavior,” in *The Macropolitics of Congress*, E. Scott Adler and John Lapinski (eds.) (Princeton: Princeton University Press).

Figure 5: Issues with Southern Inducement, Both Chambers 1877-1902



a southern inducement but a shock common to all Democrats. To separate out the role of party we also identify those issue areas in which southern Democrats received an inducement that was significantly different from any inducement received by northern Democrats (bottom panel of Figure 5).³⁴

Perhaps the most striking thing is the degree to which voting rights, but not civil rights, saw a common inducement across both northern and southern Democrats. On African American civil rights, on the tariff, on economic regulations—such as the Interstate Commerce Commission—and on military pensions southern Democrats were likely to receive a specific shift in their evaluation of a rollcall’s cutpoint that was either not shared by or was significantly different from their northern co-partisans. The confluence of Federal election laws being enforced outside the South and the fact that the northern Democratic party was heavily reliant on southern numbers for national influence tied northern and southern Democrat together in support for “home rule.”³⁵ It was this issue area, voting rights and the enforcement of the election laws—simultaneously sectional and highly partisan—that most divided the parties in the Gilded Age.

We are also interested in those issues that divided the Democratic party, that might have given Republican strategists a basis for their persistent belief that a constituency of “old Whigs” could be cultivated through legislative action in specific policy domains. A closer examination of the distribution of preferences in figure 3 suggests possible alternatives to southern solidarity. In the 1940s, V.O.Key found that the extreme sectional center of the South was located in the Black Belt, those districts with more than 35% African Americans. When we disaggregate the Democratic representatives of the Gilded Age into their regional groupings, however, we see an unfamiliar inversion of the pattern identified by Key. Figure 6 shows the mean location of northern Democrats, border state Democrats, black belt Democrats, and non-black belt former-Confederacy Democrats.³⁶

³⁴Given that there were often very few non-southern Democrats in the Senate—meaning that any partisan inducement collapsed on to a sectional one—we present the findings from the House. There are few substantive differences, however, when the findings are pooled.

³⁵Scott C. James and Brian L. Lawson, 1999. “The Political Economy of Voting Rights Enforcement in America’s Gilded Age: Electoral College Competition, Partisan Commitment, and the Federal Elections Law.” *American Political Science Review* 93(1): 115-131; Albie Burke, 1970. “Federal Regulation of Congressional Elections in Northern Cities, 1871-94.” *The American Journal of Legal History* 14(1): 17-34.

³⁶The border states include Delaware, Maryland, West Virginia, Kentucky, and Missouri.

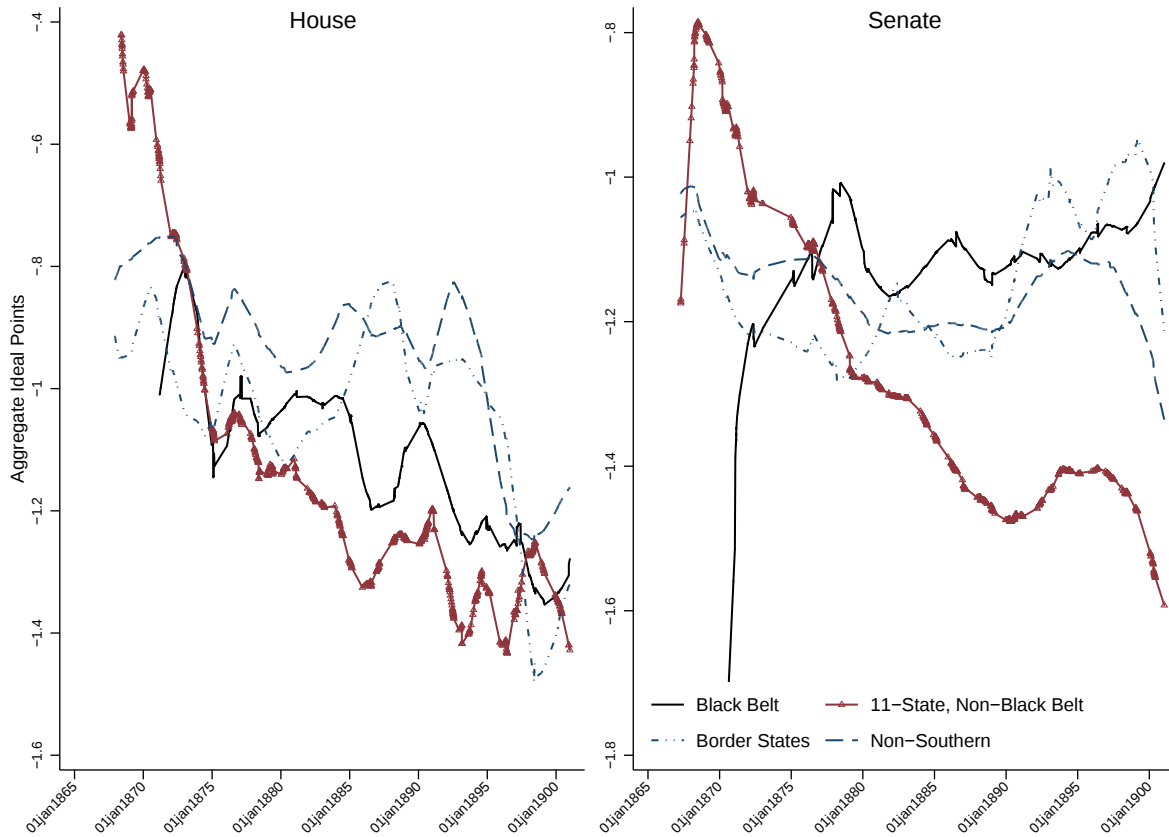
In the Gilded Age House, the non-Black Belt districts of the former Confederacy were the most extreme, followed by Black Belt representatives, those from the border states, and finally, Democrats from outside the South. In the Senate, the Black Belt—or rather the Deep South states of Louisiana, Mississippi, South Carolina, Florida, Georgia, and Alabama—were consistently the most “moderate” Democratic grouping.³⁷ If the ‘Solid South’ was the most important political fact of the Gilded Age, it was by no means seen as the most stable, and its relationship to political conflict deviated in important ways from a more familiar pattern of southern solidarity rooted in the politics of the Black Belt.

One way to identify issue areas that generated cross-party voting coalitions is to follow the approach used by Poole and Rosenthal for assessing the content of the dimensions recovered from roll call voting. We estimated a two-dimensional model using all non-unanimous votes from 1877-1893, before the potential ‘realignment’ of 1894-1896. For each issue area, we can calculate the improvement in predicting votes by the addition of a second dimension; those issues which best map on to the party cleavage should see the smallest improvement. Specifically, we calculate the proportional reduction in error from a one-dimensional model for each vote, as well as the proportional reduction in error from a two dimensional model. The improvement from an additional dimension is found by subtracting the latter from the former.

Figure 7 shows the predicted improvement that results from regressing tier 2 and tier 3 issue areas on the improvement in the model from estimating a two rather than a one dimensional model. Political economy—the issue area that today most closely maps on to the first dimension—was during this period the issue that saw the greatest improvement from an additional dimension. When we look at the more fine-grained tier 3 issue area categories, it is monetary policy, economic regulation, and education that appear to most consistently cut across the

³⁷This was recognized by contemporaries and by historians. See for instance, “No New Party South: Time Still Necessary,” *New York Tribune*, June 1, 1877, p.2. “In North Carolina and Tennessee, where the Negro is in such a hopeless minority that he is not dangerous, and where there is a respectable white Republican element, the effect of [Hayes’] wise [conciliatory] policy has been to strengthen the Republican organization. In South Carolina and Louisiana, and to a less extent in Mississippi, where the black vote preponderates over the white, there is a disposition to form an organization in support of the President, or use the existing one for that purpose, in order to keep the Northern radicals from breaking down his policy. The whites in these States do not care for party names—the main thing is to hold on to local self-government. . . . In Georgia and Alabama, where the two races are nearly evenly balanced, the Democracy is more solid than anywhere else, and it is rare to find a politician who will tolerate the idea of a division of the white vote.”

Figure 6: Mean location of Democratic Party Regions, 1866-1902



party-section cleavage.

We can supplement this by performing the same procedure using a dummy variable for southern Democrats (Figure 8). By comparing the two sets of results, we are able to identify both those issue areas on which preferences were significantly structured by a second dimension as well as those on which southerners in particular were distinctive. One issue area in particular jumps out, education. The impact of a second dimension on monetary policy and economic regulation seems to have operated equally on southerners and non-southerners. But in the area of education, the inclusion of a second dimension improves the performance of the model by the same amount as the inclusion of a dummy variable for the South. And the effect of a southern variable for education swamps issues such as internal improvements and military pensions, issue areas in which the distinct preferences (relative to their co-partisans) of the period's southern representatives has been well-established by the historical literature.

Figure 7: Issue Areas Showing most Improvement from Two-Dimensional Model

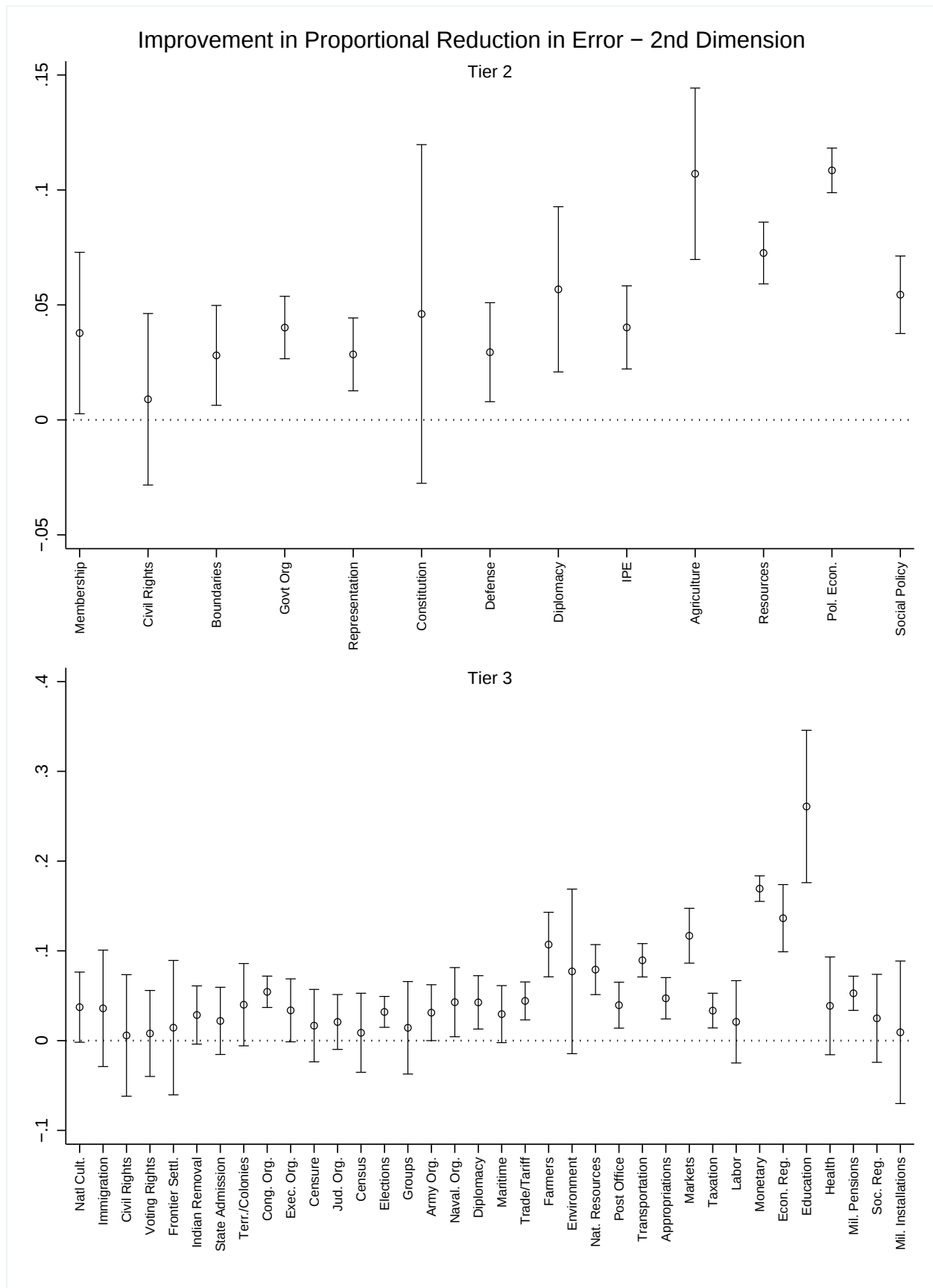
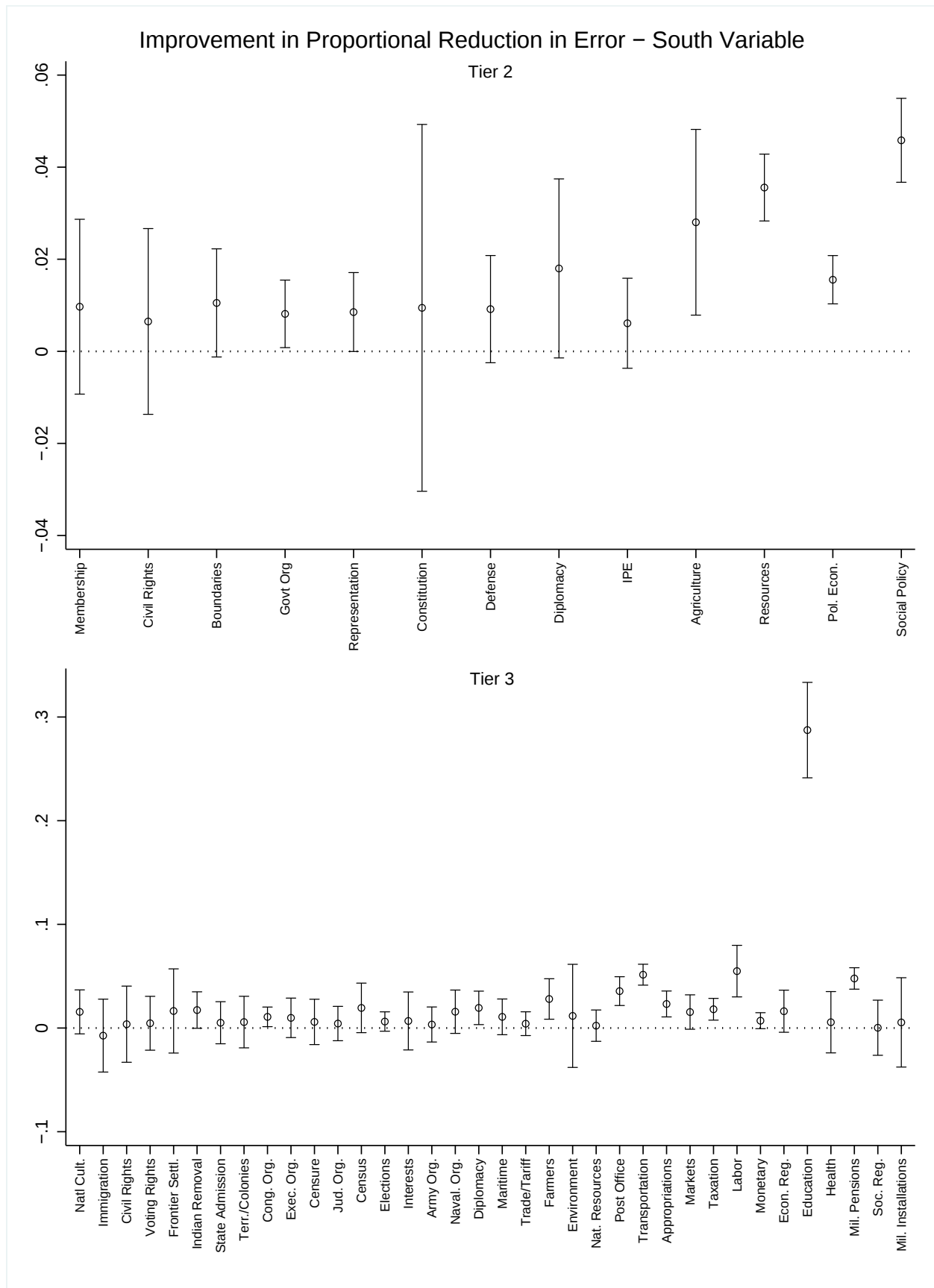


Figure 8: Issue Areas Showing most Improvement from inclusion of South Variable



These then are the issues on which the Solid South appeared in this period, and these were the potential issues on which it could have been divided. On voting rights roll calls, southern members of Congress saw a significant inducement to vote with their region on nearly every vote. But in this they were joined by their northern Democratic colleagues. In education, by contrast, southern preferences resulted in voting patterns orthogonal to the basic party cleavage. These issue areas were of profound significance for the nation's ultimate political development, and in both there was a feasible and closely debated set of alternatives to what ultimately transpired. We turn now to a closer exploration of the politics of voting rights and education, examining how these developed over the period, and suggesting reasons for the success of southern Democrats in the area of voting rights—despite the extremity of their preferences—alongside their simultaneous defeat on Federal support for education, despite a broad bipartisan coalition enjoying sizable majorities in both chambers.

THE SOLID SOUTH: “HOME RULE” AND CIVIL RIGHTS

*“It is a land with a unity despite its diversity. . . [and] a common resolve indomitably maintained—that it shall be and remain a white man’s country.”*³⁸

The question of “why the Solid South,” in one form or another, was repeatedly asked of southerners in the decades after 1877. And by far the most common response was that solidarity was necessary to secure “home rule,” that this was the primary concern in the hierarchy of southern priorities, and that whites were willing if necessary to subordinate all other political divisions to its achievement. When asked by the *Boston Herald* to identify the basis for southern solidarity, southern governors responded that “solidity of the white vote of the South is the result of the false reconstruction policy of the Republican party after the war,” the “massing” of black voters against the proscribed “wealth and intelligence” of the state, and the denial of “self-government” to the region’s white population. Any break in the southern national front was objected to on account of the “fear that their State governments will return to the condition of things existing

³⁸Ulrich B. Phillips, “The Central Theme of Southern History.” *The American Historical Review*. 34(1): 30-43, 31.

under the scallawag [sic] and carpetbag governments, and from which the Democracy rescued them.”³⁹

In their responses, many southerners emphasized that the Democratic coalition in the region was potentially fraught, but that self-described “perforce” Democrats were united to a party they otherwise disdained solely by the “paramount necessity of rescuing and preserving [their] State from the ruinous rule of carpet-baggers and the negroes.” Before any “large body of whites will withdraw from the Democratic party,” there would have to be a “a thorough conviction, reënforced by experience, that no further danger need be apprehended of the massing of the black vote.” The main thing “is to hold on to local self-government and to insure themselves against Federal interference.”⁴⁰ Southern Republicans largely agreed. “The principal influence which holds the white people of the South together,” noted one Louisiana Republican representative, “is the old Democratic war-whoop of ‘negro supremacy’ and ‘Africanization.’” It was this that kept the “old Whigs” in the ranks of their former political opponents, against who they would gladly vote “if they could do so without fear of negro supremacy.”⁴¹

To northern audiences, at least, many southerners stressed that “home rule” did not necessarily require the elimination of black suffrage.⁴² Mississippi Representative, and future Senator and Secretary of the Interior, Lucius Q.C. Lamar insisted that with local self-government, “all the rights of the black man” could be protected without “abridging universal suffrage or subjecting either race to the control of the other.”⁴³ Wade Hampton, who led the Red Shirt terror campaign of 1876, argued that while African Americans should never have been enfranchised, it would be

³⁹Fitzhugh Lee, Governor of Virginia. Governor Perry of Florida wrote that “Upon no issue and by no honest means [would white voters divide], as long as such division would put our States back under that diabolical rule from which they were only redeemed by the united efforts of all intelligent and honest advocates of good government, regardless of former political proclivities” and listed among the objections to a break in the solid South “a return of the dark days of the past, the horrors of which are a blot upon humanity.” “Solid South Sentiment,” *Dallas Morning News*, November 16, 1885, p.1.

⁴⁰“No New Party South: Time Still Necessary,” *New York Tribune*, June 1, 1877, p.2.

⁴¹Coleman, Republican of Louisiana, opposing the Federal Elections bill of 1890. *Congressional Record*, June 30, 1890, p.6773.

⁴²“The white people,” argued Governor Fitzhugh Lee of Virginia, “will not practically divide until the colored people do.” “The Solid South. Current Political Sentiment and Tendencies in the Late Confederate States,” *Cleveland Plain Dealer*, November 10, 1885, p.5.

⁴³Edward Mayes, 1896. “The Policy of the Republican Party in the South, and the Condition of Southern Affairs—Speech in the House on the 2d of August, 1876,” Lucius Q.C. Lamar: His Life, Times, and Speeches, 1825-1893. (Nashville, TN: Publishing House of the Methodist Episcopal Church, South), 697.

impossible and wrong to disfranchise and that “the South does not desire to see this done.”⁴⁴ Augustus Bacon of Georgia agreed, stressing that “we would not re-enslave [the African American] if we could, and we would not take away from him the right to vote if we had the power to do so.”⁴⁵

We should not take these speakers at their word, but their rhetorical insistence on the inviolability of black suffrage speaks to the rough equilibrium that characterized the period. Perhaps the most common telling of Reconstruction emphasizes the abandonment of Federal protections for black suffrage in exchange for the Electoral College votes of South Carolina and Louisiana in 1877. This narrative considerably overstates the degree to which the Reconstruction-era protections of black suffrage were withdrawn.⁴⁶ Large numbers of African Americans in the South continued to vote—indeed in some areas white Democrats entered into local “fusion” arrangements, and in some states black officeholding peaked in the 1880s—much of the legal framework for Federal protection of voting rights remained in place, and southern Democrats were anxious about the possibility that more aggressive Federal supervision might be renewed.⁴⁷

But while some southerners were willing to rhetorically acquiesce to the existing legal framework, there were many others who argued that it had to be dismantled entirely, that President Hayes’ expressed desire to avoid using the military to protect black voters was insufficient guarantee so long as the election laws remained in place. By the end of the 45th Congress, these views had ascendancy in the Democratic caucus, and Democrats north and south united in an effort to force the repeal of the election laws.

Efforts to overturn the election laws by holding appropriations bills hostage began in the 44th Congress, after the contested election of 1876 but before its resolution. The Army Appropriations

⁴⁴Wade Hampton, 1879. “Ought the Negro to be Disfranchised? Ought He to Have Been Enfranchised?” *The North American Review*, 128(268): 225-283, 241.

⁴⁵“The Solid South As Presented to Republican Readers at the North by Speaker Bacon,” *Macon Weekly Telegraph*, March 18, 1881, p.8. There was a clear political rationale to sustaining enfranchisement, namely that “if our section is to be profited by the possession of the ballot by the negro [through increased representation in Congress], the principles of justice and of honor dictate that he should enjoy perfect freedom in his use of it.”

⁴⁶Richard Valelly, 2004. *The Two Reconstructions: The Struggle for Black Enfranchisement*. (Chicago: University of Chicago Press); Pamela Brandwein, 2011. *Rethinking the Judicial Settlement of Reconstruction*. (Cambridge: Cambridge University Press); J. Morgan Koussar, 1974. *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910*. (New Haven: Yale University Press).

⁴⁷Michael Klarman, 2004. *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality*. (Oxford: Oxford University Press), 10.

bill passed by the House in 1877 reduced the size of the Army from 25,000 to 17,000 and required that no part of the money be spent for the purpose of sustaining any state government that had not been recognized by Congress. Both the reduction and the restriction on the use of the army were defended in terms of ending the Republican party's "policy of vengeance and remorseless hate toward the conquered South" and ensuring the region's "rights of self-government."⁴⁸ When the Republican-controlled Senate refused to pass the restriction, the Congress adjourned without passing the appropriations.⁴⁹ While the Democrats were broadly united in the effort to limit the use of the army to safeguard elections, it was "southern Democrats who took the lead in urging restrictions."⁵⁰

A more ambitious effort was launched a few years later, in the last months of the 45th Congress, when Democrats attached a rider repealing the Federal election law and the juror's test oath to the Legislative, Executive, and Judicial appropriations bill. Again the Republican Senate refused to accept these provisions, and the Congress adjourned without having passed the appropriations. In the special session of the 46th Congress in March 1879, however, the Democrats held a majority in both chambers and quickly passed appropriations repealing the juror's test oath and the authority to use the army to maintain peace at the polls. This was promptly vetoed, with President Hayes delighting Republicans by his emphasis on the necessity of "national legislation" to "secure the right to vote to the enfranchised race at the South" and prevent fraud in "the large cities of the North."⁵¹

Regrouping after this defeat, Democrats passed separate legislation repealing the election law and juror's test oath, which was again vetoed. Returning to the appropriations tactic, Democrats included a provision in the Legislative, Executive, and Judicial Bill that allowed only civil supervisors with negligible authority to the polls. This too was vetoed. After a few more volleys, Democrats effectively acquiesced: a 'clean' army bill was passed, as were separate Legislative and Executive and Judicial bills, but an appropriations act for marshals was vetoed for prohibiting

⁴⁸John Atkins (D TN-8), Congressional Record, March 2, 1877, p.2113.

⁴⁹Robert W. Coakley, 1988. *The Role of Federal Military Forces in Domestic Disorders, 1789-1878*. (Washington, DC: Center of Military History), 343.

⁵⁰Coakley, *Role of Federal Military Forces*, 344.

⁵¹Veto of Army Appropriations Bill (April 29, 1879)

their use in elections. The election laws remained in place, and while there was no appropriation for deputy marshals for the upcoming elections, the result was a clear victory for the President and for the principle of Federal protection of voting rights.

Throughout the conflict, the focus of debate—in Congress and in the press—was largely on the South. In response to the President’s veto message, the *Daily Picayune* reported that “the few southern Democrats who have been disposed to place as favorable a construction as possible on Hayes’s [conciliation] policy are bitterly disappointed. . . . The great point and animus of the President is to hold on to the power to appoint Radical supervisors and deputy marshals at the elections.”⁵² But while the South perhaps had an especially important interest in securing their elections from the possibility of Federal intervention, the fight over the appropriations’ rider was not exclusively concerned with southern elections. Ohio Democrat Allen Thurman pointed to the fact that most of the money spent on deputy marshals and election supervisors was spent in northern states, and argued that “the laws which these provisions are intended to repeal were passed originally to oppress the people of the south and to disfranchise, imprison, and persecute the naturalized citizens of the north.”⁵³ Even Hayes, in his diary, stressed that the fight need not be a sectional one, that the need to safeguard elections in New York was just as important. The fight over Federal election laws tied the northern and southern wings of the Democratic party together in a way that few other issues could rival.

But as the conflict progressed the sectional overtones became increasingly stark, and even Hayes had come to regret his conciliation policy. “I tried an experiment in Southern matters,” he noted to a Republican critic, “but it failed. From this time on I intend to be radical enough to suit our people.”⁵⁴ Ironically, the narrative of Republican abandonment of southern blacks better captures the prevailing mood of 1877 than that of a few years later. Democratic efforts to repeal the election laws had prompted a considerable backlash, emboldening Republicans to once again make southern elections a centerpiece of their electoral campaigns.

The Republican platform of 1880 prominently asserted the responsibility of the nation to de-

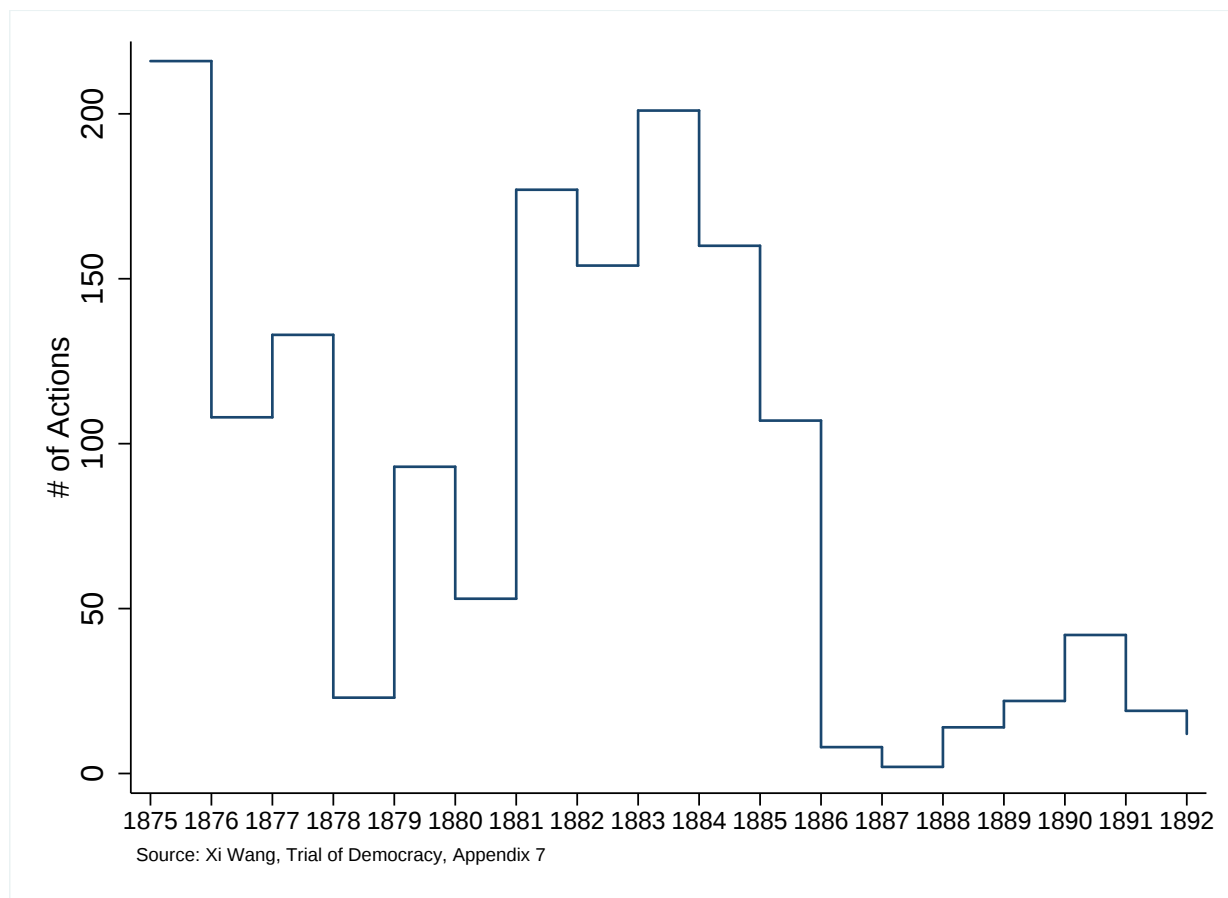
⁵²“The Veto Message,” *Daily Picayune*, April 30, 1879, p.1.

⁵³“Congressional,” *Arkansas Gazette*, May 16, 1879, p.1.

⁵⁴Frank P. Vazzano, 1993. “President Hayes, Congress, and the Appropriations Riders Vetoes.” *Congress & the Presidency* 20(1): 25-37.

to defend the rights of citizenship, to protect “honest voters” from “terrorism, violence, or fraud,” and to divide the solid south through the peaceful agency of the ballot. And by 1881 the Department of Justice had renewed its involvement in southern elections, albeit not at the same levels as during the Grant administration. Figure 9 shows the number of actions undertaken by the DOJ in southern elections, from 1875 to 1892.

Figure 9: Enforcement Actions by Department of Justice in Southern Elections



During the last two years of the Grant Administration, 324 cases were brought, more than the entire four year term of Hayes.⁵⁵ By the end of the second year of the Garfield/Arthur administration, 331 cases had been brought, followed by 361 in the last two years. Moreover, during the 1880s the Supreme Court—while greatly limiting the scope of civil rights protections—repeatedly affirmed the right of the Federal government to regulate national elections, and seemed to be constructing a foundation for further regulatory action by Congress. And throughout the

⁵⁵This was a sharp decline from the 890 actions in 1874 and the 1,148 actions in 1873.

1880s—and after—Republicans aggressively used contested election cases not only to sustain a Republican party in the South, but also to publicize outrages and build support for renewed Federal activism.⁵⁶ The increased violence in southern elections during the mid-1880s encouraged a growing number of Republicans to support congressional action. The result, of course, was the Federal Elections Bill of 1890.

But while Democratic efforts in the 44th through 46th Congresses had ended in failure, by 1894 they had not only successfully defeated this new effort to involve the Federal government in the supervision of southern elections but had secured the full repeal of the remaining election laws. The explicit aim of the Democratic majority in repealing the Federal Elections Laws in 1894 was to ensure that “every trace of the reconstruction measures” was “wiped from the statute books,” although it was widely reported that the bill was intended to compensate southern Democrats for the repeal the Sherman Silver Purchase Act.⁵⁷ The measure passed on a party line vote, with only two Republicans siding with the Democrats.

Why were southern Democrats successful in this issue area? For one, on matters related to federal elections and voting rights, southern and northern Democrats were in near-perfect agreement. This is in marked contrast to other issues impinging on African American civil rights, where many northern Democrats continued to demonstrate a commitment to the “new departure” policy of the early 1870s.⁵⁸ For instance, a majority of northern Democratic Representatives voted in favor of James O’Hara’s amendment to bar racial discrimination in the interstate commerce bill in 1884, against almost all southern Democrats.⁵⁹ Moreover, southern Democrats—including those from outside the former Confederacy—were highly cohesive on this issue, with not a single Democrat defecting from the southern position on any roll call concerned with African American voting rights or Federal regulation of elections.

⁵⁶Jeffrey A. Jenkins, 2004. “Partisanship and Contested Election Cases in the House of Representatives, 1789-2002.” *Studies in American Political Development* 18(2): 112-35.

⁵⁷Michael Perman, *Struggle for Mastery: Disfranchisement in the South, 1888-1908*. (Chapel Hill: University of North Carolina Press), 46-7. Repeal amounted to “a new declaration of independence from the South,” argued Maine Republican Charles Boutelle.

⁵⁸Lawrence Grossman, 1976. *The Democratic Party and the Negro*. (Urbana: University of Illinois Press).

⁵⁹Only five southern Democrats voted for O’Hara’s amendment, at least one of which likely voted for it to break up support for the bill. The majority of northern Democrats who voted for the amendment continued to support the bill when it came up for final passage.

Figure 10: Development of Preferences on Civil Rights, Senate

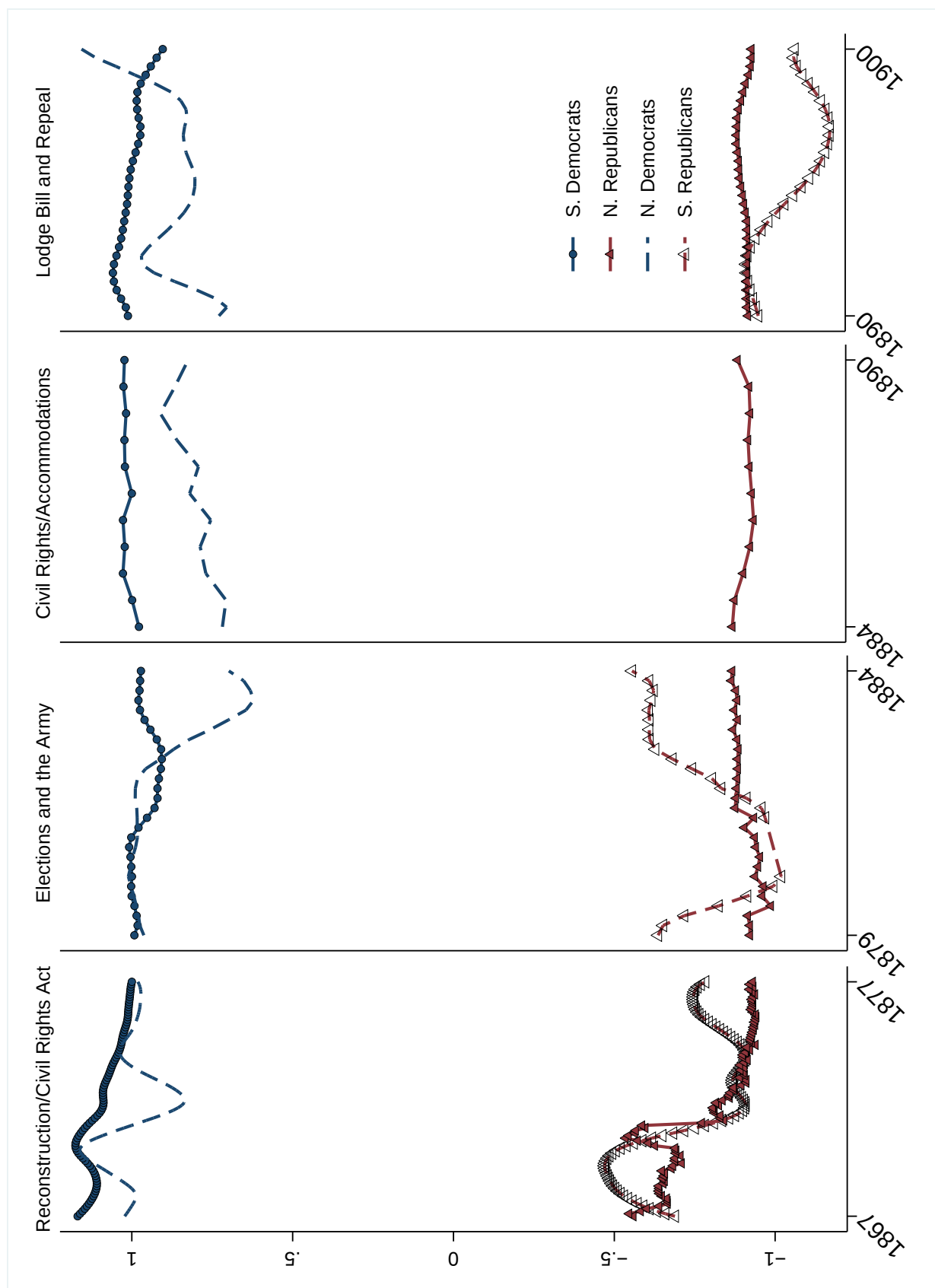
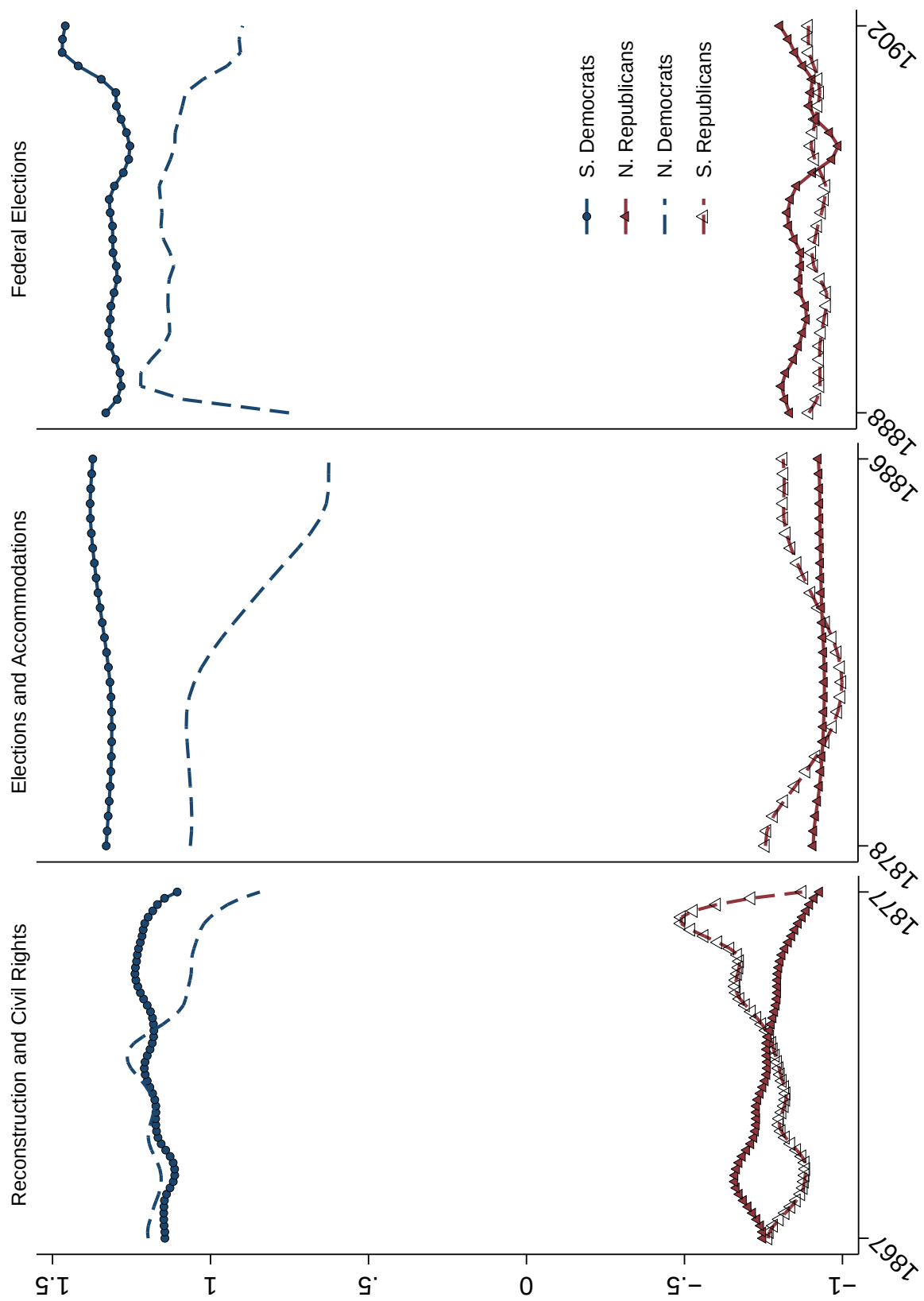


Figure 11: Development of Preferences on Civil Rights, House



Figures 10 and 11 track the location of the median southern Democrat, northern Democrat, and Republican in the issue areas of civil and voting rights, across distinct periods from the beginning of Reconstruction to the turn of the century. Only on the issues of accommodations—in the Civil Rights Act of 1875 and in votes on discrimination in interstate passenger rail in the mid-1880s—was there any division between the sectional wings of the Democratic party. On the federal regulation of elections and voting rights, the two parties were internally coherent and highly polarized, a considerable advantage given that the South constituted such a large portion of both chambers and the declining commitment of many Republicans to civil rights’ protections.

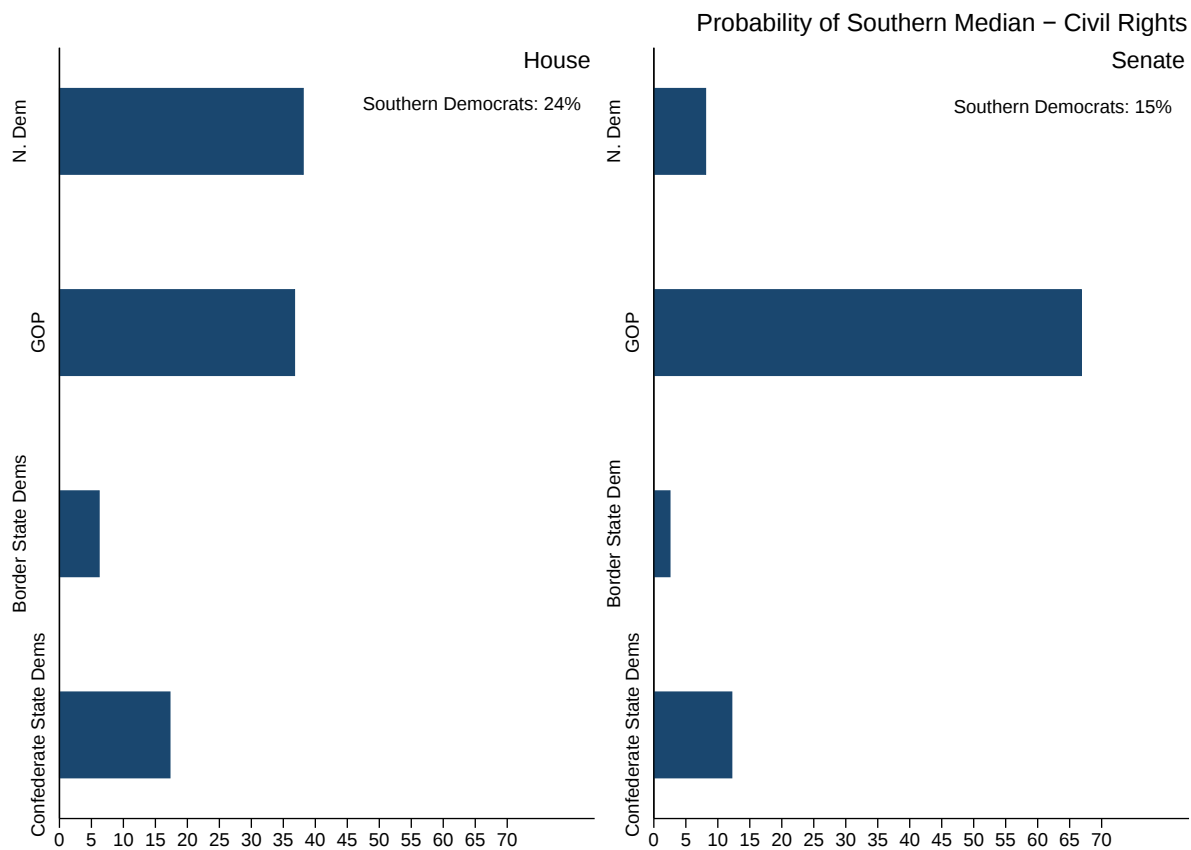
Given the extreme preferences of southerners on civil rights and elections, it is unsurprising that they had a very low probability of being the pivotal member in either the House or the Senate. Figure 12 shows the respective probability of being the median member for Democrats from the former Confederacy, from the border states, from outside the South, and for Republicans, from 1877-1902. Southern preferences on civil and political rights would likely not be sustained if it were not for the support of northern Democrats and their ability to obstruct new legislation during a period of close party margins and divided government.

By the late 1880s it was clear that what was needed to secure black voting rights was new legislation. The main options for federal enforcement were the use of the Army to secure the peace—which Republicans had successfully defended but were extremely reluctant to employ given its unpopularity and the regulatory safeguards that had been put in place to prevent it being used in a partisan fashion—and Department of Justice actions against state or federal officials who conspired to deny civil rights on the basis of race. Both of these options were extremely limited and, given white Democratic control over southern states, were decreasingly effective. The need for new legislation further advantaged southern Democrats, whose overarching unifying purpose in Congress was to defeat any such a threat to “home rule” and whose intense preferences enabled a more effective obstruction.⁶⁰

The same intensity of preferences that enabled the success of the southern filibuster also worked to undermine Republican commitments. As the abolitionist generation was passing, the

⁶⁰Wawro and Schickler, *Filibuster*

Figure 12: Probability of Southern Median on Civil Rights



Republican party was changing and many Republicans believed that a national conservative coalition was possible, provided that the question of black voting was ended as a national concern. The intensity of opposition among southern whites had left even committed abolitionists despairing about the possibility of protecting black voting rights. As the former Republican congressman from Florida Horatio Bisbee remarked, “my state of mind is like thousands of others in the South. It is a consciousness of being utterly powerless to correct existing wrongs and evils, and [I] am happier when I do not think about them. This is a humiliation, indeed, for a New England raised man but an unavoidable condition.”⁶¹

The cohesion of the South on the issue of elections, the solid support of the northern Democrats, the intensity of southern Democratic preferences in contrast with the dwindling support for Federal intervention and supervision among northern Republicans, and the status quo bias of Amer-

⁶¹Bisbee to Chandler, 20 November 1887. Crofts, “The Blair Bill and Federal Elections Bill,” 230.

ican institutions helped ensure that the South was able to achieve an immense victory on its paramount concern.

In the next few years, Republican voting would fall even further in the deep South, as states began altering their constitutions to take advantage of the new political context. But the defeat of the Lodge bill and the repeal of the elections laws was also accompanied by a slight increase in the Republican vote share in the border and the upper South states. Whatever the reason, the increased support for the Republican party in this part of the South was interpreted by Republican strategists as the beginning of “a new epoch” in the career of the Republican party. As one Republican wrote on the occasion of the 1896 Republican convention,

“The repeal of the federal election laws removed the specter of ‘negro domination,’ relaxed the pressure which held differences of views on economic questions in imperative subjection to the one over-mastering issue, and permitted the South to divide like the rest of the country on the living questions of the day. Nine months after the federal election laws were stricken from the national statute book, in February, 1894, the Republicans gained an overwhelming victory. The Southern States promise to be the great recruiting ground of the party in the future.”⁶²

The writer added optimistically, if prematurely, that “the Southern States promise to be the great recruiting ground of the [Republican] party in the future.”

THE ALTERNATIVE SOUTH: FEDERAL SUPPORT FOR EDUCATION

*“To guard the sacred truth of equal rights we must go one step further. We should furnish to all our countrymen the means for that instruction and knowledge without which wise and honest self government is impossible.”*⁶³

The language of the South in the area of elections was very much that they wanted to be left alone to govern their own affairs, that this was the defining quality of their frequently expressed demand to be restored to the union on a footing of perfect equality. It would be wrong, however, to argue that the South wanted to be left alone on all issues: southern representatives and newspapers frequently called for Federal spending and regulations to remedy the sectional imbalance in the

⁶²Charles M. Harvey, *History of the Republican Party, Together with the Proceedings of the Republican National Convention at St. Louis, June 16th to 18th, 1896*. (St. Louis: I. Haas Publishing and Engraving Co.), p.99-100

⁶³Hayes to Frank Hattan, August 24 1880. Cited in Crofts, “The Blair Bill and the Federal Elections Bill,” 31.

period's political economy. The white South wanted to be left alone on their one paramount issue, and would evaluate others by weighing their policy preferences against the possibility that Federal intervention in an area—regulation of railroads, internal improvements, support for education—might undermine “home rule” and white supremacy.

But to evaluate a policy based on its potential for federal involvement in local affairs (and racial hierarchies) did not mean that southern representatives were willing to subordinate all policy interests to this overarching objective. In fact, on the period's most ambitious proposal for Federal intervention in local affairs the South was disproportionately likely to find itself aligned with the former Radical wing of the Republican party, accepting compromises that stipulated how states would spend money and guaranteeing a measure of racial equality. This reordering of political alliances suggested the possibility of an alternative South, one in which coalitions with northern Republicans could be organized around specific issues that struck a compromise between a national concern for the condition of southern blacks and the local autonomy that was the overarching purpose of Democratic party unity in the South.

The Federal Educational Bill—more commonly referred to as the Blair Bill, after its sponsor Henry W. Blair (R-NH)—would have apportioned money to the states on the basis of the state's illiteracy rate, ensuring that the vast majority of the funds would have been allocated to the South. States would have been required to match one-third of the funds received in the first few years, and fully match funds afterwards, with the program in total costing between \$77 million and \$105 million over 8-10 years. It would have been the largest single peace time expenditure the Federal government had undertaken to date, and had it achieved the objectives of its supporters in spurring investments in common schools and primary education it likely would have had a long term impact on the region and the country.⁶⁴

The Blair Bill is not usually thought of as a civil rights measure, and is often treated primarily in the context of tariff politics—that is, as a measure to spend off the tariff surplus in order to

⁶⁴It is difficult to evaluate the likely consequences of the Blair bill, but it seems reasonable to suggest two important outcomes: (1) increased productivity of the southern workforce, and (2) the development of more robust inter-sectional mobility, the absence of which during this period for much of the southern laboring population helped ensure the region remained a low-wage one in a high-wage country. Wright 1997, *Old South New South*.

deflect growing calls for a reduction in duties.⁶⁵ While this was an important part of its appeal among Republicans, and a source of opposition for influential Democrats, it was understood by both Republican and Democratic supporters as a necessary accompaniment to the civil and political rights extended after the Civil War.⁶⁶ In order to “guard the sacred truth of equal rights,” wrote Rutherford Hayes, “we must. . . furnish to all our countrymen the means for that instruction and knowledge without which wise and honest self-government is impossible.”⁶⁷ “In putting the ballot in one hand,” argued the Christian Union, “we obliged ourselves to put the school-book into the other.”⁶⁸ The measure was expressly intended to assist southern blacks and to secure them in the exercise of their voting rights, and was hailed by Lucius Lamar (D-MS) as “the most important step that this government has ever taken in the direction of the solution of what is called the race problem. . . the logical sequence and practical continuation” of the Reconstruction amendments.⁶⁹

But alone among civil rights measures, the Blair bill had substantial support in the South. Many Republicans believed it could serve as a vehicle for building a Republican basis in the region, and Republicans reported to Garfield that the response to the idea of Federal support for education among white southerners was overwhelmingly positive: “A large party of the very best men—I mean truly best and not pseudo best—will break away and go with us on the ‘educational’ idea. They need an excuse and that gives them one.”⁷⁰ There were some southern Democrats who did just this, such as Patrick Winston of North Carolina who became a Republican in 1883 and charged the Democrats with “not only fail[ing] to educate our children but refus[ing] to let others

⁶⁵C. Vann Woodward, *Origins of the New South, 1877-1913* (Baton Rouge: 1951), p. 64. An exception to this is Daniel Crofts, 1968. “The Blair Bill and the Elections Bill: The Congressional Aftermath to Reconstruction,” Ph.D. Dissertation. (New Haven: Yale University Press). Crofts remains the best source on the Blair Bill, in which it is appropriately paired with a discussion of the Federal Elections bill of 1890.

⁶⁶The belief that the ballot could only be protected—both for the country and for those to whom it had been extended—was a common place of the period, perhaps most famously evidenced by the immediate conversion of conservative Liberal politicians in the United Kingdom to the cause of free education after the success of the 1867 Reform Act.

⁶⁷Hayes to Unidentified, August 16, 1880; Hayes to Frank Hatton, August 24, 1880. Williams, 1924. *Diary and Letters of Rutherford B. Hayes*, 621, 624.

⁶⁸Cited in Dan M. Robison, 1931. “Governor Robert L. Taylor and the Blair Educational Bill in Tennessee.” *Tennessee Historical Magazine* 2(1): 28-49, 32.

⁶⁹Congressional Record, March 28, 1884, p.2369.

⁷⁰Tourgee to Garfield, October 14, 1880. Crofts, “The Blair Bill and Federal Elections Bill,” p.38

furnish the money.”⁷¹ The Blair bill was particularly effective in strengthening the Republican party in those states where it had remained competitive, such as North Carolina and Tennessee.

But southern Democrats, even in these more competitive states, were generally supportive of the Blair bill as well: a revised version of the bill was drafted by Blair in collaboration with James Pugh, the Democratic Senator from Alabama, and was advanced in the House of Representatives by Albert S. Willis, Democrat from Kentucky, while “most of the initial support for the Blair bill came from various prominent Redeemer Senators, including Augustus H. Garland of Arkansas, Joseph E. Brown of Georgia, Zebulon B. Vance of North Carolina, [and] Wade Hampton of South Carolina.”⁷² It repeatedly was endorsed by a majority of southern Senators—although support was strongest among states in the former Confederacy, which would also receive the most money—and was endorsed on several occasions by the legislatures of North and South Carolina, Louisiana, Georgia, Mississippi, Virginia, Alabama, and Florida, as well as several state Democratic platforms.⁷³

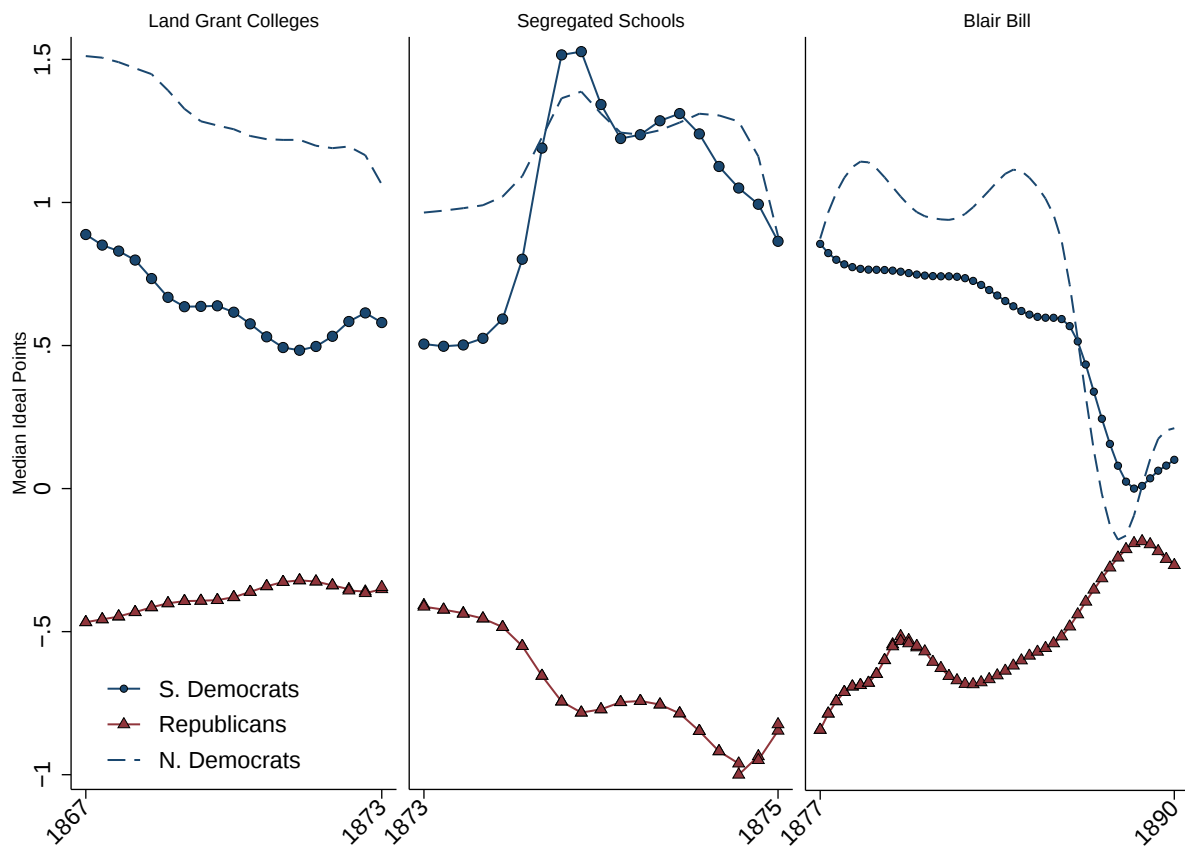
Federal support for education, in fact, had been since the end of the War an area in which southern representatives were largely supportive of Republican party proposals, certainly more so than their northern co-partisans. Figure 13 shows the location of different party and sectional means in the Senate, from the end of the Civil War to the ultimate defeat of the Blair Bill in 1890. During debates over the land college program, the average southern representative was located between the Republicans and the northern Democrats, and generally supported the program despite its provisions for black colleges. Education policy again became polarized during debates on the Civil Rights Act of 1875, when de-segregation of public schools was on the congressional agenda. But by the time of Blair Bill’s introduction in the 1880s the South was again strongly supportive of Federal support, and by the time of the bill’s final defeat in the Senate party lines had effectively collapsed.

⁷¹Willard B. Gatewood, Jr., 1963. “North Carolina and Federal Aid to Education: Public Reaction to the Blair Bill, 1881-1890.” *The North Carolina Historical Review* 40(4): 465-88, 471.

⁷²Crofts, “Blair Bill and Elections Bill,” 62, 64. Gatewood, “Reaction to the Blair Bill,” 475.

⁷³Allen Going, 1957, “The South and the Blair Education Bill.” *The Mississippi Valley Historical Review* 44(2): 267-90, 278. Opposition in Texas was in part a function of the relative weakness of former Whigs in the state Democratic party, as well as the state’s extensive land holdings, which provided an alternative source for supporting common schools.

Figure 13: Development of Preferences on Education, Senate



While many southern Democrats—especially former Whigs—supported the bill, it was opposed by many others on the grounds that it spent the treasury surplus (thereby limiting the possibility for a tariff reduction), that it was unconstitutional, and that the involvement of Federal supervision, no matter how unobtrusive at first, would invite a return to more active Federal involvement in southern race relations. James Beck of Kentucky, one of the principal opponents of the bill, warned that “Troy fell when her leaders accepted the fatal gift from the Greeks,” and argued that mixed schools, racial strife, and the return of “Radical tyranny in the South” would be the result of supporting the Blair Bill. More extreme opponents, such as Senator Ephraim Wilson of Maryland, worried that any substantial education of African Americans would reduce their value as laborers; Senator John Morgan warned the extended school-term required by the bill would limit the availability of children for picking the cotton harvest.⁷⁴ But during this pe-

⁷⁴Congressional Record, April 3, 1884, p.2540. The reference to a Trojan horse was a common trope in opposition by southerners or appealing to southerners. “This bill,” argued one Pennsylvania Democrat about an earlier proposal

riod southern opponents of federal aid were in a distinct minority in Congress, and in 1884 a substantial majority of southern Senators (and 75% of Senators from the former Confederacy) voted with 80% of Republicans to pass the bill; in 1886 and 1888 southern support stayed the same or increased.

But while southern representatives endorsed the Blair bill, they were unwilling to either cede control over the allocation of school funding to the Federal government or allow intrusive supervision. The region's members of Congress were able to secure numerous concessions from Blair's initial proposal, which included Federal supervisors and Federal control over the allocation of funds. The revised bill was stripped of Federal supervisors, separate schools were explicitly recognized as acceptable, states were ensured responsibility for administering assistance, and aid would not be exclusively targeted toward African Americans. According to Albion Tourgee, these concessions marked "another instance of the superior tact and subtlety of Southern politicians."⁷⁵

Still, Republicans successfully insisted that all states receiving money provide free common schools for all children and that money be distributed by the state "equally for the education of all the children, without distinction of color," with states failing to comply barred from receiving subsequent disbursements.⁷⁶ This would be ensured by requiring states file annual reports to the Secretary of the Interior, a provision whose passage against southern votes was nonetheless accepted by the region's representatives. Much of the South desperately needed the money, and while opposition would target the remaining restrictions, most southern representatives were willing to compromise with Republicans.

After several attempts at passage, the Blair bill was finally abandoned in 1890, by the same Congress that defeated the Elections Bill. As figure 14 shows, this was an issue on which the South had a very high likelihood of being pivotal, and which in successive Congresses had over

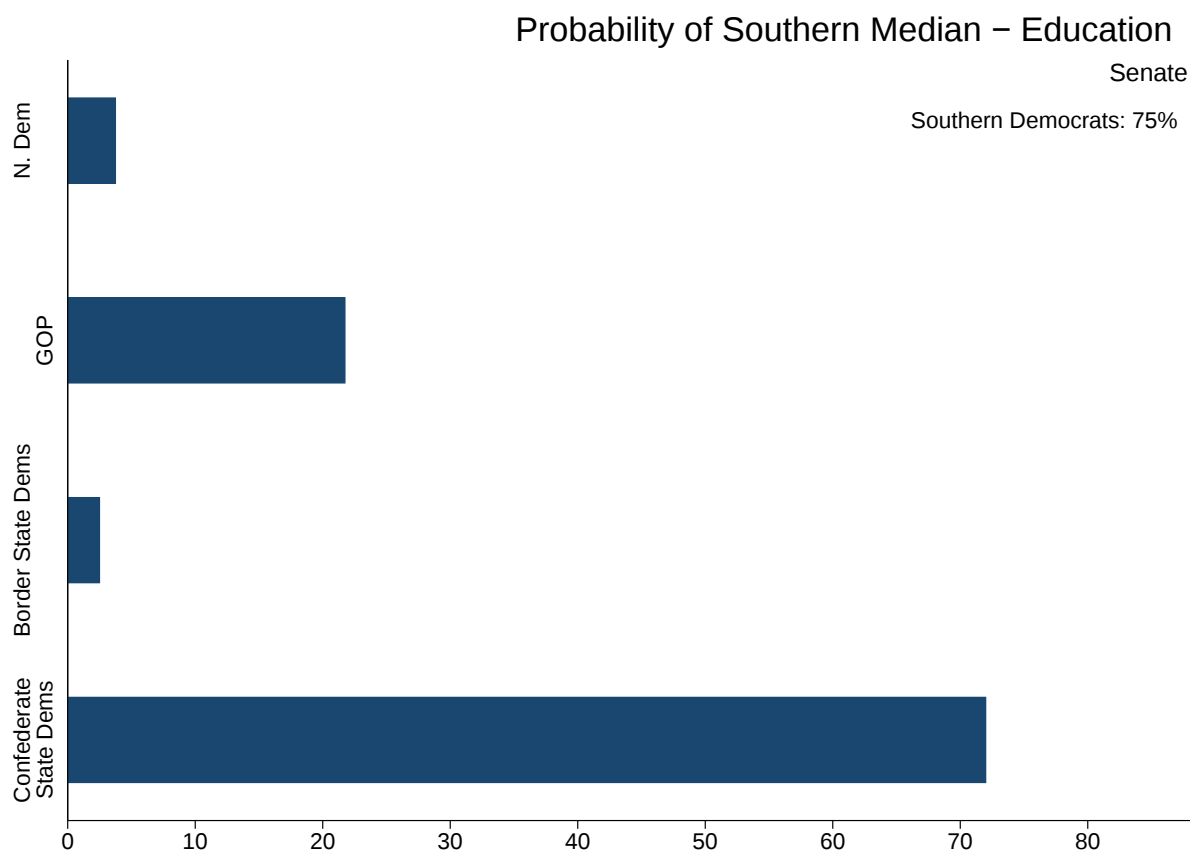
for Federal support for education, "is a Trojan horse. In its interior are concealed the lurking foe—mixed schools." Crofts, "The Blair Bill and Federal Elections Bill," 11, 159. Benjamin Tillman, future governor of South Carolina, argued against any education for African Americans on the grounds that it would "spoil a good field hand." Stephen Kantrowitz, 2000. *Ben Tillman & the Reconstruction of White Supremacy*. (Chapel Hill: University of North Carolina Press), 216.

⁷⁵ Albion Tourgee, 1884. *The Continent* 5(May): 570-71. Crofts, "Blair Bill and Federal Elections Bill," 85.

⁷⁶ Congressional Record, 48th Congress 1st Session, 2556-2557.

two-thirds support in both chambers. Why, then, was it defeated?

Figure 14: Probability of Southern Median on Education



The bill was defeated in the House in 1886 and 1888 because of the opposition of the Democratic party leadership. Speaker John Carlisle was a determined opponent of the tariff, and was generally opposed to alternative ways by which the Treasury surplus might be reduced.⁷⁷ In the 48th Congress, Carlisle successfully resisted attempts by the Education Committee to bring the bill to the floor, and the bill was left “buried under [the] infamous system of rules on the Speaker’s table.”⁷⁸ In the 49th Congress, Carlisle put together a House Education Committee that was largely hostile to the bill, with only three southern members. As Blair complained in a letter to Frederick Douglass,

“In the last congress power to prevent consideration was vested under the rules of the House in one man unless there was a two-thirds majority. Now that power is

⁷⁷Crofts, “Blair Bill and Elections Bill,” 103

⁷⁸Crofts, “Blair Bill and Elections Bill,” 109.

placed in committees & what [William] Morrison [(D-IL)] [Samuel] Randall [(D-PA)] or Carlisle could do alone, they now accomplish by constituting an *Education* Committee adverse to the bill by a two-thirds vote.”⁷⁹

As expected, the House Education committee refused to report on the bill, and so an alternative strategy was devised: an identical bill would be introduced, and then by majority vote would be referred to the more supportive Labor Committee. The eventual Labor Committee ultimately did not act until very late in the session, likely because Carlisle promised the Committee speedy action on their most important legislation, a labor arbitration bill. When supporters tried to bring up the Labor Committee bill during the morning hour they were defeated by obstruction; and when supporters on the Rules Committee sought to amend proposed rules by fixing a date for the consideration of the bill, the hostile leadership of the committee refused to report any rules at all.⁸⁰ So long as the Democratic leadership was hostile to the bill, and so long as southern Democrats were unwilling to make a more decisive break with the party, the Blair bill would not be considered by the House.

When Republicans took charge of both chambers, however, southern support had already begun to wane, as it came to be evaluated in light of the prospect of renewed Federal intervention in southern elections. Supporters of the bill in the South had always been careful to stress that the bill did not enable the Federal government to take control over local schools, that there was no danger of children being taught that “old John Brown was a saint or that Lee and Jackson were evil men.”⁸¹ But as Republicans campaigned on a platform of more aggressively protecting African American voting rights, support for the bill suffered. By 1890 a “remarkable falling off in the support of the Blair Bill” in the South was widely recognized.⁸²

“The Blair bill is losing support all along the line,” noted the Macon Telegraph. “This is the natural result of the fact that the intent and possibilities of the scheme are being generally apprehended.”⁸³ The Governor of Tennessee sought to clarify that he supported aid so long as it was

⁷⁹Cited in Gordon McKinney, 2013. *Blair's Campaign to Reform America*. (Lexington: University of Kentucky Press), 118.

⁸⁰Crofts, “Blair Bill and Elections Bill,” 135.

⁸¹Woodward, Jr. “Reaction to the Blair Bill,” 481.

⁸²“Blair Bill,” The Macon Telegraph, January 26, 1890, p.4

⁸³The Macon Telegraph, January 11, 1890, p.4

“stripped and freed of every possible condition of Federal supervision and control. . . unburdened with conditions prejudicial to the local government of the states,” a clarification he felt necessary after he was burned in effigy and accused of enabling a return to Reconstruction.⁸⁴ The “Bad Blair Bill,” it was argued, would “provide[] in effect for the absolute surrender by the states of the right to control their own schools in their own way,” and constituted “a means for a new republican crusade in the South.”⁸⁵ The claim that the defeat of the bill was needed to “keep their autonomous state governments” became increasingly prominent after the election of 1888, and in an article titled “Why the South Rejects the Blair Bill,” the Charleston News and Courier noted that were it to support the bill, “we [could not] consistently oppose the Chandler, Sherman, Hoar and Lodge bills for the polls.”⁸⁶ More bluntly, the Louisville Courier-Journal argued that “the bill was never intended as a means of education. The purpose of it is the destruction of local institutions, to make way for the further extension of federal power. Back of Mr. Blair—the Greek bearing gifts—stand Mr. Chandler, with his bludgeon, Mr. Ingalls with his torch, and Mr. Sherman with his shot-gun.”⁸⁷

As the bill became increasingly contentious in the South, it was also losing support among Republicans. This was in part the consequence of it becoming clear that school funds in the Deep South were being unfairly allocated by race. The Dallas Morning News noted that “republicans assume that democrats in the south are keeping the negro down,” and asked whether they believed the “democratic supporters of the Blair bill [were] less eager or resolute than its opponents to maintain white supremacy...? If the Virginia democrats would take the federal appropriation they must have made their calculations that it will not or shall not lead to negro supremacy.”⁸⁸ But many other Republicans had become skeptical of the whole project of Federal aid to education, especially as the Treasury surplus declined.

But while the loss of some Republicans was important, it was the loss of southern Demo-

⁸⁴Robison, “Governor Robert L. Taylor,” 46.

⁸⁵“The Bad Blair Bill,” The Macon Telegraph, January 13, 1890, p.4; “Blair Changing Base: Not so Sure of Passing his Educational Bill,” The Macon Telegraph, January 18, 1890, p.2

⁸⁶“A Rising Opposition,” Dallas Morning News, January 18, 1890, p.6; “Why the South Rejects the Blair Bill,” reprinted in the Kansas City Star, February 22, 1890, p.4.

⁸⁷“True Meaning of the Blair Bill, From the Louisville Courier-Journal,” The Macon Telegraph, February 18, 1890, p.6

⁸⁸“A Rising Opposition,” Dallas Morning News, January 18, 1890, p.6

cratic support that ultimately sealed the fate of the bill. In 1890, much to the shock and dismay of Blair, the bill failed to pass the Senate after having passed with large majorities on several earlier occasions. A majority of southern Democrats now opposed the bill, and while opposition remained concentrated in the border states it now included both Tennessee Senators, one Senator each from Alabama, Louisiana, Mississippi, and North Carolina, and both Senators from Arkansas. While the Virginia Senators and a few other deep South Senators continued to support the bill, the southern coalition had fractured. After two months of debate, 32 Senators voted for third reading and 36 voted against, with a dejected Blair changing his vote to nay so that he might move to reconsider.

The Blair bill, then, failed because it had never enjoyed the full support and intense commitment of the entire South, because Democratic party leaders in the House were adamantly opposed to the bill, and because it ultimately became entwined with the question of renewed Federal supervision of southern politics. A measure that promised considerable benefits to the region became difficult for southern Democrats to defend, as it came to be seen as part of a broader package of reforms intended to renew the active involvement of the nation in southern affairs.

CONCLUSION

The Gilded Age presented alternative paths for the relationship of the South to the rest of the nation. The one with which we are familiar saw a single-party dominate the region, a party whose “all-consuming preoccupation was with keeping itself intact” and which as a result was “unable to act forcefully and decisively on any particular front” other than maintaining white supremacy.⁸⁹ Party competition in this South remained largely confined to the region’s periphery, in the border states that were in turn seen as becoming less and less southern.⁹⁰ In this context, advocates of different policy initiatives had to work their way through the region’s increasingly byzantine factionalism, limiting the possibilities for programmatic reform.

The characteristic features of the other South(s) are less familiar. Federal supervision of

⁸⁹Perman, *Road to Redemption*, 277.

⁹⁰Indeed, in the decades after 1896 the defining feature of the South was often treated as electoral solidarity for the Democratic party, a definition that made little sense in the late 19th century.

voting might have ensured that political competition was more broadly diffused across the region, and while African American civil and political rights would likely not have been perfectly secured, they would certainly have been more generally protected and regarded. Investments in education might have delayed or even impeded the decline in support for black schools that occurred in the late 19th and early 20th centuries, while a better educated citizenry might have helped avoid the eventual coherence of the South as a low-wage and under-developed region. These alternatives were feasible and, we suggest, had the potential to gradually transform the region and the country.

The South as it emerged in the first decade of the 20th century was the product of the victory of its Democratic members of Congress in the last decade of the 19th, when Congress became for many white southerners “the last refuge of the people of [their] beloved Southland,” the branch that had enabled the South to fight back “when political passion and persecution sought to nullify their self-government.”⁹¹ The defeat of the Federal Elections Bill, however, not only secured “self-government” to the region’s white Democrats; it also foreclosed the possibility of other political coalitions and arrangements, and confined the region to decades of political exclusion and of further lagging behind the rest of the Union.

⁹¹Clayton (D AL-3), Congressional Record, May 20, 1897, p.1198.

Table 1: Three-Tiered Policy Issue Coding Scheme

Tier 1	Tier 2	Tier 3
Sovereignty	Liberty	Loyalty and Expression Religion Privacy
	Membership and Nation	Loyalty and Expression Commemorations/Natl Culture Immigration/Naturalization
	Civil Rights	African Americans Women Voting Rights Native Americans Other Minorities
	Boundaries	Frontier Settlement Indian Removal/Compensation State Admission Territories & Colonies
Organization and Scope	Government Organization	Congressional Organization. . . Executive Organization. . . Judicial Organization. . . Censure/Impeachment/Misconduct
	Representation	Census and Apportionment Elections Groups and Interests
	Constitutional Amendments	Federalism/terms of office Political Participation and Rights Other
International Relations	Defense	Air Force Org. and Deployment Army Org. and Deployment Navy Org. and Deployment Conscription and Enlistment Militias Organization, General Military Installations Civil/Homeland Defense
	Geopolitics	Diplomacy and Intelligence Foreign Aid International Organizations
	Intl Pol. Economy	Maritime Trade and Tariffs Economic International Orgs.
	Agriculture and Food	Agricultural Technology Farmers and Farming Support Fishing and Livestock

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Planning and Resources	Environment
	Infrastructure and Public Works
	National Resources
	Corporatism
	Social Knowledge
	Transportation
	Post Office
	Wage and Price Controls
	Interstate Compacts/Federalism
	Urban/Regional Development
Political Economy	Appropriations
	Fiscal and Taxation
	Labor Markets and Unions
	Multiple Agency
	Business/Capital Markets
	Monetary
Social Policy	Economic Regulation
	Education
	Civilian Health
	Housing
	Social Insurance
	Children/Youth
	Crime
	Disaster
	Military Pensions. . .
	Social Regulation
