An Excerpt from

“An American Dilemma
The Negro Problem and Modern Democracy”

Gunnar Myrdal

(Harper and Brothers, New York, 1944)

(edited by the instructor)

* * * There is no doubt that Congress intended to give the Negroes “social equality” in public life to a substantial degree. The Civil Rights Bill of 1875, which, in many ways, represented the culmination of the federal Reconstruction legislation, was explicit in declaring that all persons within the jurisdiction of the United States should be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land and water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of previous condition of servitude. The federal courts were given exclusive jurisdiction over offenses against this statute....

During Congressional Reconstruction some Southern states inserted clauses in their constitutions or in special laws intended to establish the rights of Negroes to share on equal terms in the accommodations of public establishments and conveyances. Louisiana and South Carolina went so far as to require mixed schools. From contemporary accounts of life in the South during Reconstruction, it is evident, however, that Negroes met considerable segregation and discrimination even during these few years of legal equality. It is also apparent that nothing irritated the majority of white Southerners so much as the attempts of Congress and the Reconstruction governments to remove social discrimination from public life.

After Restoration of "white supremacy," the doctrine that the Negroes should be "kept in their place" became the regional creed. When the Supreme Court in 1883 declared the Civil Rights Bill of 1875 unconstitutional (in the Civil Rights Cases) * * * the way was left open for the Jim Crow legislation of the Southern states and municipalities. For a quarter of a century this system of statutes and regulations – separating the two groups in schools, on railroad cars and on street cars, in hotels and restaurants, in parks and
playgrounds, in theaters and public meeting places – continued to grow, with the explicit purpose of diminishing, as far as was practicable and possible, the social contacts between whites and Negroes in the region.

* * * American sociologists, following the Sumner tradition of holding legislation to be inconsequential, are likely to underrate these effects. Southern Negroes tell quite a different story. From their own experiences in different parts of the South they have told me how the Jim Crow statutes were effective means of tightening and freezing – in many cases of instigating – segregation and discrimination. They have given a picture of how the Negroes were pushed out from voting and office holding by means of the disfranchisement legislation which swept like a tide over the Southern states during the period from 1875 to 1910. In so far as it concerns the decline in political, civic, and social status of the Negro people in the Southern states, the Restoration of white supremacy in the late "seventies" – according to these informants – was not a final and consummated revolution but the beginning of a protracted process which lasted until nearly the First World War * * *

Before the Jim Crow legislation there is also said to have been a tendency on the part of white people to treat Negroes somewhat differently depending upon their class and education. This tendency was broken by the laws which applied to all Negroes. The legislation thus solidified the caste line and minimized the importance of class differences in the Negro group. This particular effect was probably the more crucial in the formation of the present caste system, since class differentiation within the Negro group continued and, in fact, gained momentum. As we shall find, a tendency is discernible again, in recent decades, to apply the segregation rules with some discretion to Negroes of different class status. If a similar trend was well under way before the Jim Crow laws, those laws must have postponed this particular social process for one or two generations. While the federal Civil Rights Bill of 1875 was declared unconstitutional, the Reconstruction Amendments to the Constitution – which provided that the Negroes are to enjoy full citizenship in the United States, that they are entitled to “equal benefit of all laws,” and that “no state shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States” – could not be so easily disposed of. The Southern whites, therefore, in passing their various segregation laws to legalize social discrimination, had to manufacture a legal fiction* * *

The legal term for this trick in the social field, expressed or implied in most of the Jim Crow statutes, is “separate, but equal.” That is, Negroes were to get equal accommodations, but separate from the whites. It is evident, however, and rarely denied, that there is practically no single instance of segregation in the South which has not been utilized for a significant discrimination. The great difference in quality of service for the two groups in the segregated set-ups for transportation and education is merely the most obvious example of how segregation is an excuse for discrimination. Again the Southern white man is in the moral dilemma of having to frame his laws in terms of equality and to defend them before the Supreme Court – and before this own better
conscience, which is tied to the American Creed – while knowing all the time that in reality his laws do not give equality to Negroes, and that he does not want them to do so.

The formal adherence to equality in the American Creed, expressed by the Constitution and in the laws, is, however, even in the field of social relations, far from being without practical importance. Spokesmen for the white South, not only recently but in the very period when the segregation policy was first being legitimatized, have strongly upheld the principle that segregation should not be used for discrimination. Henry W. Grady, for instance, scorned the “fanatics and doctrinaires who hold that separation is discrimination,” emphasized that “separation is not offensive to either race.” and exclaimed: ... the whites and blacks must walk in separate paths in the South. As near as may be, these paths should be made equal – but separate they must be now and always. This means separate schools, separate churches, separate accommodations everywhere – but equal accommodations where the same money is charged, or where the State provides for the citizen.

Further, the legal adherence to the principle of equality gives the Southern liberal a vantage point in his work to improve the status of the Negroes and race relations. Last, but not least, it gives the Negro people a firm legal basis for their fight against social segregation and discrimination. Since the two are inseparable, the fight against inequality challenges the whole segregation system. The National Association for the Advancement of Colored People has had, from the very beginning, the constitutional provisions for equality as its sword and shield. Potentially the Negro is strong. He has, in his demands upon white Americans, the fundamental law of the land on his side. He has even the better conscience of his white compatriots themselves. He knows it; and the white American knows it, too.... It is commonly reported that white workers, if they become accustomed to working with Negro workers, tend to become less prejudiced, and consequently that the Negro workers become less suspicious and resentful. If, in later stages of the War, necessities in the nature of a national emergency should tend to open up new employment possibilities for Negroes in the war industries, this would probably have permanently beneficial effects on racial attitudes on both sides of the caste gulf. Our general hypothesis is that everything which brings Negro and white workers to experience intimate cooperation and fellowship will, on the balance, break down race prejudice somewhat and raise Negro status. The possibilities for Negroes to rise to the position of skilled workers have, therefore, not only economic significance, but also a wider social import as this will tend to weaken the stereotype of the menial Negro.