Standard VUS.1i
The student will demonstrate skills for historical and geographical analysis and responsible citizenship, including the ability to
   i) identify the costs and benefits of specific choices made, including the consequences, both intended and unintended, of the decision and how people and nations responded to positive and negative incentives.
   (VUS.1i)

Analyzing Black Codes and Jim Crow Laws

Background
Black Codes: Abraham Lincoln’s 1863 Emancipation Proclamation had freed enslaved persons in states that were “in rebellion,” such as Virginia. Slavery was still legal in some places, however. In Kentucky, for example, 40,000 people remained enslaved. The Thirteenth Amendment, ratified in 1865, freed African Americans everywhere in the United States.

In response to the Thirteenth Amendment, Southern states decided to try to control formerly enslaved persons by enacting laws known as “black codes” in 1865 and 1866. These laws varied from state to state, but all were designed to do two things:

1. Black codes were enacted to ease Southerners’ fears that formerly enslaved persons would attack them as revenge for slavery. Emancipation did not guarantee freed people food, shelter, or work for fair wages. Slanted articles appeared in Southern newspapers and magazines warning that “hundreds of thousands of lazy and idle negroes” were milling about ready to steal from or murder whites in their homes. Louisiana passed a law stating that “every adult freed man or woman shall furnish themselves with a comfortable home and visible means of support within twenty days after the passage of this act.” Anyone failing to do so was arrested.

2. Black codes also ensured a continued supply of cheap labor. Plantation owners had prospered in the prewar South because most of their labor force was unpaid. After the war, plantation owners were faced with the prospect of lower profits, since they suddenly had to pay for work once obtained by force. The black codes had the effect of reducing African Americans to legal servitude similar to—and, in some cases, worse than—slavery.

In Virginia and other Southern states, vaguely worded vagrancy laws cost many African Americans their newly won freedom while benefiting white plantation owners and business owners. The laws served as negative incentives to freed persons who were hesitant to enter into labor contracts that offered low pay, long hours, and poor working conditions. Contract laborers were charged for the time they spent away from the job, so even those who worked hard went into debt. Since labor contracts were usually oral, a plantation owner also could claim that a freed person had violated its terms, and the person could not prove otherwise. That made the person a “vagrant.” A Virginia vagrancy law enacted in 1866 defined vagrants as:

“All persons who, not having wherewith [wherewithal] to maintain themselves and their families, live idly and without employment, and refuse to work for the usual and common wages given to other laborers in the like work in the place where they are . . . All persons going about from door to door, or placing themselves in streets, highways or other roads, to beg alms; and all other persons wandering abroad and begging, unless disabled or incapable of labor . . . All persons who shall come from any place without this commonwealth to any place within it, and shall be found loitering and residing therein, and shall follow no labor, trade, occupation, or
 Those found guilty of vagrancy could be forced to work without pay, or for pay so low that the worker would actually incur increasing amounts of debt. Former slaveholders were given first choice of convicted “vagrants,” so freed people often wound up working for them again.

**Jim Crow Laws:** During Reconstruction, the Fourteenth and Fifteenth Amendments ended the black codes. These amendments gave African Americans the same due process, equal protection, and voting rights as other Americans. The Fourteenth Amendment was proposed in 1866 and the Fifteenth Amendment, in 1869. Virginia ratified the Fourteenth Amendment in 1869 and the Fifteenth Amendment, in 1869.

In response, legislatures in the former Confederate states enforced discrimination with new statutes called Jim Crow laws. The term *Jim Crow* probably came from the name of a character popularized by a slavery-era blackface minstrel—a white musical stage performer who darkened his face with makeup and crudely imitated supposed African American behavior.

Although Virginia gained a reputation for relatively harmonious race relations (compared to other Southern states), the state enacted 25 Jim Crow laws from 1870 to 1960. They were not repealed until passage of the Civil Rights Act of 1964.

**Activity**
Below are summaries of some of Virginia’s Jim Crow laws. Read them and answer the questions that follow.

**Virginia’s Jim Crow Laws**

**1870:** Required segregated schools. The state passed similar laws in 1902, 1930, 1956, and 1958.

**1900:** Required railroads to provide separate cars for whites and African Americans. Similar laws pertaining to segregation in steamboats, streetcars, and entertainment venues such as movie theaters were passed in 1900, 1901, and 1930, respectively.

**1878:** Prohibited whites and African Americans from intermarrying (called miscegenation). The penalty was a prison term of two to five years. Ministers who performed the ceremonies were fined $200; informers received half of that amount.

**1912:** Allowed cities to designate certain communities for whites only. This law served as a model for many other states’ restrictions on where African Americans could live.

**1930:** Made marriages between whites and Asians or other nonwhites a felony, punishable by prison terms of one to five years.

**1950:** Established a poll tax.
Questions
1. **Making Connections**  What was one unintended consequence of Virginia’s laws requiring segregated schools?
2. **Drawing Conclusions**  Under Virginia’s vagrancy law, could a free person traveling to Alexandria to visit his or her mother be found guilty of vagrancy?
3. **Identifying**  What phrase in the vagrancy law applies to workers who might leave a job to seek better pay or working conditions, or reject a low-wage contract?
4. **Predicting**  What would have been the consequences to Virginia of the 1950 poll tax?
5. **Making Generalizations**  How do you think segregating schools and housing affected African Americans and whites?

For additional practice using the skills for Standard VUS.1i, see the following Student Activities:
- VUS.10d  FDR and the New Deal
- VUS.12a  U.S. Mobilization for World War II
- VUS.15e  The Federal Reserve System