

NEGRO VOTING

IN

LOUISIANA

Prepared by: Baton Rouge

Committee
On
Registration
Education

1st Edition

"...however painful it may be for us to change, not to change will be fatal." James Baldwin

This pamphlet has been written to present an historical sketch of the Negro's strive to exercise his God-given and constitutional right to vote in our democratic society. The struggle of the Negro in the Southland to secure this right has been one of humiliation and suffering. Police brutality, political and economic intimidations, and other legal and social impediments have been consistently directed against the Negro in an attempt to maintain the status quo and to prevent him from achieving political and social equality.

To eliminate these unjust acts and to secure our just rights, we need more federal legislation and aggressive action in the area of civil rights and liberties, and in voting in particular. But most of all, we need to end fear and apathy among our people and to give them a fighting desire to "register and vote."

It is the sincere hope of those who prepared this pamphlet that, as you read these few pages, you will arrive at a deeper understanding of the necessity of every eligible Negro registering and voting. The struggle has not been easy in the past, nor will it be easy in the future. However, struggle we must, each of us, as individuals; for, it is in the individual that the strength and hope of the future lie.

The History of Negro Suffrage in Louisiana

The Vote in Reconstruction

Negro participation in politics began with Reconstruction in 1867. Prior to that time, Negro people in Louisiana had no voice in the policies of their state or of the United States of America. At the beginning of Reconstruction, the registration books were opened to Negroes. Under Federal law, every potential male voter, excluding those disfranchised for their attempts to overthrow the Federal Government during the Civil War, was to be registered. Federal troops were dispersed throughout the South to enforce the law and to guarantee Negroes their right to vote. In Louisiana in 1860, the Negro population was 350,000; and the white, 357,000. In 1867, Negroes began to register, and by the end of the year there were 82,000 Negroes and 44,000 whites registered. At the Constitutional Convention, there were 49 Negroes and 49 whites present. Thus, Negroes held the balance of power.

During the summer and fall of 1867, the Negro masses were stirred into an unparalleled ferment of political activity. At open-air meetings, Negro leaders began to voice their opinions to the masses, demanding civil equality for all. They began to campaign for political offices with a zeal and determination that stunned the white population.

The Minority of the South, for the first time, was experiencing the power of the ballot, and with it was making enormous strides toward freedom and equality. Within a few years, Negroes were elected to high offices--governors, sheriffs, mayors, and congressmen--throughout the South. They did not seek to dominate, but to use the power which was rightfully theirs.

These politically starved were prevailed by a spirit of great hope in the future--particularly in education.

Opposition to Negro political power sprang from every corner of the South. The baby had not begun to walk when men sat down to plan his funeral. The Klan, under the leadership of Nathan Bedford Forrest (leader of the Fort Pillow Massacre in which thousands of Negroes were slaughtered), became the epitomy of anti-Negro sentiment. By economic intimidation and political assassination, by whippings and maimings, by the knife, whip, and rope, the Klan, and similar organizations, set out to reduce Negroes to political impotence. All manner of intimidations were raised against the Negro population; but Negro power was deeply entrenched, and nothing short of full-scale revolution could dislodge it. Aware of this, the underground terrorist organizations opened war on the Negro voters. They left the politicians alone, for they knew that the power of the Negro politicians was in the hands of the Negro voters. Negro homes were raided; the occupants were

beaten and sometimes killed; roads leading to the polls were blocked by armed mobs; whites came from across the state line to "stack the ballots." With the attack on the individual, the end of Negro voting strength was in sight.

The Fall of the Negro Vote

As Reconstruction came to a close in 1877, there were more registered Negro voters than white. Then came the turning point. The elections of 1878 and 1884 were marked by rioting and violence on the part of whites attempting to overthrow administrations in which Negroes were prominent. By means of threats, physical violence, and roll purges, the feat was soon accomplished. In 1888, there were 127,923 Negroes and 126,884 whites registered. However, by 1898, registered voters had dropped to 74,133 whites and only 12,902 Negroes.

This tremendous drop in white, as well as Negro, registration was a direct result of the 1898 Constitutional Convention. During this Convention, a campaign was initiated to exclude Negroes from the polls. The delegates interpreted their mandate to be: Disenfranchise as many Negroes and as few whites as possible--without violating the Fifteenth Amendment to the Federal Constitution; and do this in such a way that future elections are perfectly "free and fair." To do this, the Convention adopted the now-famous "Section 5" or

"Grandfather Clause" of the Louisiana Constitution. By virtue of its provisions, as explained by one delegate, "No man who was a voter on January 1, 1867, or prior thereto, nor his son, nor his grandson, nor any foreigner naturalized prior to January 1, 1898, provided he has resided in Louisiana five years next preceeding his application to register, can be denied the right to vote by reason of his failure to possess the educational or property qualifications prescribed by the Constitution." In other words, anyone who was registered before 1867--or whose father or grandfather was so registered--or who was naturalized before 1898, did not have to meet the literacy or property requirements for voting. This, for all practical purposes, limited suffrage in Louisiana to white males; for prior to 1867, Negroes had not been able to register.

Under the new qualifications for voters, Negroes soon constituted only 4.1% of those registered to vote. From 1910 through 1944, the number of registered Negroes never exceeded 1% of the total potential electorate. Toward the close of World War II, Negro registration again began to increase. By 1948, the number of registered Negroes had risen from 1,672 to 28,177. Six years later, the proportion of the voting age Negro population which was registered had risen from 5% to 27%. This increase brought about new and stronger efforts, on the part of the white citizens, to curtail Negro suffrage.

In July, 1954, the State Legislature established the Joint Legislative Committee "to provide ways and means whereby our existing social order shall be preserved and our institutions and ways of life...maintained" by a program "to maintain segregation of the races in all phases of our life in accordance with the customs, traditions, and laws of our State." The Committee was empowered to investigate all relevant matters. A series of conferences were held jointly with the State Board of Registration to discuss "uniform enforcement of Louisiana voter qualification laws" (i.e., reducing Negro registration).

Another form which these efforts took was the Citizens' Council movement, which began in Mississippi in 1954--shortly after the Supreme Court handed down its history-making decision on school desegregation in *Brown vs. Board of Education*. State and local associations quickly sprang up throughout the South. The Association of the Citizens' Council of Louisiana (ACCL) was chartered in early 1956 and worked very closely with the Joint Legislative Committee. The first purpose in its constitution is "to protect and preserve by all legal means our historical Southern Social Institutions in all their aspects..."

First, the Council decided upon a "thorough-going cleaning of our registration rolls," and definite steps were taken

to remove registered Negroes from the roll books. In September, 1956, the Council purged the registration rolls in Bienville Parish. In the spring of 1959, the Council in Washington Parish undertook a similar inspection of the rolls to challenge "illegally registered" voters. Despite a suit brought by the registrar in the state courts to stop them, the Council succeeded in disenfranchising, as illegally registered, 85% of the Negro and .07% of the white voters in Washington Parish. Federal Courts subsequently ordered the re-registration of these voters.

During the regular session of the 1960 Louisiana Legislature, a series of laws, known as the "Segregation Law Package," were passed. The "package" included an amendment to the Louisiana Constitution which made substantial changes in the voter qualification laws. One of the changes is directed at the character of the prospective voter. Convictions for misdemeanors (other than traffic and game law violations), participation in common law marriage, and parentage of illegitimate children constitute "bad character" and are disqualifiers. Moreover, character disqualifiers "shall not be deemed exclusive...but said bad character may be established by any competent evidence."^{*}

*Note: Also in the "package" were new breach of the peace laws, which make it impossible for some persons to legally (as defined by Louisiana) exercise their rights under the U.S. Constitution. For instance, they may be arrested for refusing to move from the premises when so ordered by the owner or manager because of race.

The "package" abolished the old provisions that illiterates could register by dictating the information for the LR-1 form. However, illiterates already registered are not, therefore, to be removed from the rolls. Before the passage of the bill, 25,498 white and 16,743 Negro illiterates were registered.

In addition, applicants must now demonstrate that they are "well disposed to the good order and happiness of the State of Louisiana by executing an affidavit affirming that (they) will faithfully and fully abide by all of the laws of the State of Louisiana." This, of course, eliminates anyone who actively opposes segregation.

During the 1962 session of the State Legislature, additional laws were passed to prevent or severely limit further Negro registration. The State Board of Registration is to design a literacy test on American citizenship which applicants will now be required to pass. Though the information covered by the test in each parish must be the same, the organization of this information is left to the discretion of the individual registrar. Also, additions and revisions have further complicated the LR-1 registration form.

It is in such a climate of official State opposition that Negroes must attempt to register, and that registrars must perform their duties. Evidence received at the Civil Rights Commission's Louisiana hearing shows that the campaign to disenfranchise Negroes has met with some success in at least 11

parishes: Bossier, Caddo, Claiborne, East Carroll, Jackson, Madison, Ouachita, Plaquemines, Red River, St. Helena, and Webster. An attempted purge in Washington Parish has already been discussed. In Bienville Parish, a Justice Department suit to reinstate purged voters is still pending in the Federal Courts.

Requirements for Registration

To register to vote in Louisiana, an applicant must be 21 years of age, a resident of the state for one year, a resident of his parish for six months, and a resident of his precinct for four months. He must, as discussed above, be of "good character," and he must "understand the duties and the obligations of citizenship under a republican form of government. A special form, the LR-1, must be used when registering. On this form, one must give his exact age (in years, months, and days), color, sex, address, occupation, and previous place of registration. A prospective voter must be able to read and interpret, to the satisfaction of the registrar, any clause of the U.S. Constitution or Louisiana Constitution. He must also be able to prove his identity. Under the Constitution, "If the registrar has good reason to believe that he is not the same person, he may require the applicant to produce two credible registered voters of his precinct to make oath to that effect."

Techniques of Discrimination--Case Studies

Hide and Seek

When Negroes wanted to register in Plaquemines, they were unable to find the registrar. As one man put it, "It was something like a game of hide and seek." Only after Negroes filed suit in a Federal Court was a permanent office for registration established in Plaquemines Parish.

A witness before the Civil Rights Commission testified that in Madison Parish (where no Negroes were registered) he and several other Negroes went to the registrar's office in July, 1960. Instead of giving them application forms, the registrar told them to see the sheriff. He made two subsequent trips to the office, but on both occasions found it closed.

The Silent Treatment

In some parishes applicants are not even told whether or not they have qualified to register. Negroes Hester and Eugene Williams live on farms 35 miles from the seat of Bossier Parish. Each time they tried to register, they completed an LR-1 form, which was accepted, without comment, by the registrar. Hester made five trips; Eugene, seven. They were never told whether or not they had qualified to register as voters.

Identification

Reverend Philip Brown, formerly registered in New Orleans, was unable to register in Ouachita Parish because he could not identify himself to the satisfaction of the registrar. When, in July of 1960, he presented his driver's license and other papers for identification, he was told that they would not do and that he would have to have two registered voters from his ward and precinct identify him. A voter can only "vouch" once every twelve months, and Reverend Brown was unable to find two eligible vouchers. He found one who had not vouched for 11 months, but he was not acceptable. The registrar told Reverend Brown, "Well, if you will bring in three documents or bills or receipts or letters showing your name and address at this address, then you will be able to register. When he returned and presented three documents to Deputy Registrar Morin, she refused to accept them because she was not the same person who had waited on him before. Again, Reverend Brown was told that he would have to have two registered voters to identify him.

Identification difficulties are frequent in other parishes. In East Carroll, a well-known life-long resident was told that he would have to secure two "vouchers" from his precinct. Since only whites were registered, this was impossible. A friend on the police jury told him that the "voucher" system

was expressly designed to prevent Negroes from registering. Once, a white voter in the same parish did agree to "vouch" for a Negro, but later told the man, "I can't fool with that." The registrar of Madison Parish admitted in 1954 that she operated under orders from the sheriff and other public officials, and that she had not yet seen fit to permit Negroes to register and vote.

Intimidation

In St. Helena Parish, Negroes were warned that attempts to vote on their part would result in bloodshed. A Negro testified before the Civil Rights Commission that while he was standing in line to vote in 1952, a white man showed a gun, saying, "Negroes are not going to vote in St. Helena Parish." An FBI investigation remedied the situation and Negroes were allowed to register.

In East Carroll Parish, Negroes were subjected to economic reprisals. Mr. Atlas, a Negro farmer, was not allowed to gin his cotton, market his soybeans, or purchase fuel oil for his home because he attempted to register. Only a federal suit against the firms involved enabled him to resume his farming.

Interpretation

Applicants must be able to interpret any clause of the U.S. Constitution or of the Louisiana Constitution. Whether or not interpretations are correct is left to the discretion of the registrar.

Joe Kirk of Webster Parish had been registered from 1944 to 1957, when he was disenfranchised. Three times after that, he attempted to register but was unable to because of the interpretation requirements. On his fourth try, he was asked whether he had any illegitimate children. When he said no, Registrar Clement said, "You are a damned liar"--and flunked him again.

In Plaquemines Parish, a written interpretation, in accordance with an official set of answers drawn up by segregationist leader Leander Perez, must be submitted. Below is an example of one of Perez' interpretations:

Art. 1, Sec. 11, La. Const.: No person shall be compelled to give evidence against himself in a criminal case.

Interpretation: No one shall be required to give evidence against himself, nor shall he be required to testify in any case in which he is being prosecuted. The fact that he does not testify shall not be used against him.

In Claiborne and Webster Parishes, oral examinations on the Constitution are given before the applicant is permitted to complete his LR-1 form. This oral interpretation must be to the satisfaction of the registrar.

Slowdowns

In Ouachita Parish, challenge notices were sent to over 5000 Negro voters. To contest these challenges and to prevent removal of their names from the rolls, these people had to appear before the registrar within 10 days. They went to the courthouse in large numbers, but only a few succeeded in seeing the registrar within the legal time limit. Often, the clerks deliberately wasted time in order to limit the number of Negroes who could be seen. As one witness before the Civil Rights Commission testified, "(there was a line) completely down the corridor, completely down two flights of stairs, on to the lawn...Sometimes people (clerks) would stop and drink a coke or go over to the window and look out, in order to--in my mind, in order to waste a lot of time."

In other parishes, Negroes, after traveling long distances to register, have had to wait in line for hours, while whites were waited on immediately. Frequently, only one Negro may fill out the form at a time.

Civil Rights Violation Complaint

(Note: Send one copy to the U.S. Commission on Civil Rights, 726 Jackson Place, Washington 25, D.C. and send one copy to Civil Rights Division, U.S. Justice Department, Washington 25, D.C.)

My name is _____ and I live in
(Give full name)

_____. I can be reach-
(Give full address)

ed at this phone number: _____. I work as a

(Give occupation)

I wish to make a formal complaint of the following occurrence: (Give exact details of what happened, giving times, places, names, and all other circumstances, using the back of this sheet and other paper if necessary.)

Signed: _____
(sign here)

(Note: If possible and safe, have complaint notarized. Send air mail as soon as possible after occurrence. If very urgent call the Civil Rights Division of the U.S. Justice Department at RE 7-8200 in Washington, D.C.)

Registration Data

| Parish | Potential Registered Whites | Registered Whites | Potential Registered Negroes | Registered Negroes |
|----------------|-----------------------------|-------------------|------------------------------|--------------------|
| Acadia | 22,399 | 19,926 | 4,557 | 3,780 |
| Allen | 8,357 | 8,169 | 2,310 | 1,995 |
| Ascension | 10,110 | 8,401 | 4,171 | 2,350 |
| Assumption | 5,877 | 5,022 | 3,237 | 1,967 |
| Avoyelles | 15,845 | 13,630 | 4,717 | 1,837 |
| Beauregard | 8,682 | 7,969 | 2,145 | 1,131 |
| Bienville | 5,617 | 5,184 | 4,077 | 26 |
| Bossier | 23,696 | 12,813 | 6,847 | 542 |
| Caddo | 87,774 | 58,144 | 41,749 | 4,686 |
| Calcasieu | 62,987 | 43,553 | 14,924 | 7,364 |
| Caldwell | 3,843 | 4,019 | 1,161 | 92 |
| Cameron | 3,642 | 3,184 | 239 | 160 |
| Catahoula | 4,110 | 4,117 | 1,919 | 377 |
| Claiborne | 6,415 | 5,510 | 5,032 | 28 |
| Concordia | 5,963 | 5,323 | 4,582 | 383 |
| DeSoto | 6,543 | 5,828 | 6,753 | 595 |
| E. Baton Rouge | 87,985 | 66,173 | 36,908 | 10,576 |
| East Carroll | 2,990 | 2,845 | 4,183 | 0 |
| East Feliciana | 7,043 | 2,448 | 6,081 | 82 |
| Evangeline | 13,652 | 13,450 | 3,342 | 3,135 |
| Franklin | 8,954 | 8,260 | 4,433 | 390 |
| Grant | 6,080 | 6,066 | 1,553 | 674 |

| Parish | Potential Registered Whites | Registered Whites | Potential Registered Negroes | Registered Negroes |
|-----------------|-----------------------------|-------------------|------------------------------|--------------------|
| Iberia | 20,200 | 16,662 | 7,060 | 2,486 |
| Iberville | 8,733 | 7,236 | 2,535 | 484 |
| Jackson | 6,607 | 5,817 | 14,970 | 8,563 |
| Jefferson | 98,103 | 77,859 | 2,881 | 1,655 |
| Jefferson Davis | 12,892 | 9,599 | 9,473 | 5,505 |
| Lafayette | 35,513 | 27,244 | 3,078 | 2,034 |
| Lafourche | 25,737 | 22,197 | 849 | 202 |
| La Salle | 6,799 | 6,823 | 5,723 | 860 |
| Lincoln | 9,611 | 6,927 | 1,818 | 1,200 |
| Livingston | 12,306 | 11,814 | 5,181 | 0 |
| Madison | 3,334 | 2,714 | 7,208 | 301 |
| Morhouse | 10,311 | 7,490 | 7,444 | 1,779 |
| Natchitoches | 11,328 | 8,752 | 125,752 | 36,283 |
| Orleans | 257,495 | 176,742 | 16,377 | 730 |
| Ouachita | 40,185 | 24,856 | 2,897 | 47 |
| Plaquemines | 8,633 | 7,170 | 5,273 | 2,313 |
| Pointe Coupee | 6,085 | 5,354 | 18,141 | 3,036 |
| Rapides | 44,823 | 30,055 | 2,181 | 27 |
| Red River | 3,294 | 3,440 | 4,608 | 263 |
| Richland | 7,601 | 6,075 | 2,143 | 1,624 |
| Sabine | 8,251 | 8,471 | 1,105 | 779 |
| St. Bernard | 15,836 | 14,669 | 2,621 | 1,958 |

| Parish | Potential Registered Whites | Registered Whites | Potential Registered Negroes | Registered Negroes |
|----------------------|-----------------------------|-------------------|------------------------------|--------------------|
| St. Charles | 8,117 | 7,451 | 2,621 | 1,958 |
| St. Helena | 2,363 | 2,478 | 2,082 | 1,243 |
| St. James | 4,892 | 4,447 | 3,964 | 2,522 |
| St. John the Baptist | 4,982 | 4,143 | 4,279 | 2,967 |
| St. Landry | 25,580 | 21,918 | 14,982 | 11,178 |
| St. Martin | 9,781 | 8,449 | 4,664 | 2,848 |
| St. Mary | 17,991 | 14,027 | 7,176 | 4,077 |
| St. Tammany | 16,032 | 16,878 | 5,038 | 2,847 |
| Tangipahoa | 22,311 | 18,631 | 9,401 | 3,137 |
| Tensas | 2,287 | 1,964 | 3,533 | 0 |
| Terrebonne | 24,393 | 17,328 | 5,464 | 1,796 |
| Union | 7,021 | 5,927 | 3,006 | 597 |
| Vermillion | 19,710 | 17,902 | 2,429 | 2,065 |
| Vernon | 9,279 | 9,704 | 1,268 | 773 |
| Washington | 16,804 | 15,423 | 6,821 | 1,729 |
| Webster | 15,713 | 12,217 | 7,045 | 130 |
| W. Baton Rouge | 3,974 | 3,323 | 3,502 | 1,194 |
| West Carroll | 6,171 | 5,185 | 1,389 | 70 |
| W. Feliciana | 2,814 | 1,305 | 4,553 | 0 |
| Winn | 6,790 | 6,418 | 2,590 | 1,096 |
| State Total | 1,289,216 | 993,118 | 514,589 | 159,033 |

Note: figures for 1960

Sources

Ebony Magazine, June, 1962

1961 United States Commission on Civil Rights Report

Margaret Price, The Negro and the Ballot in the South