

# VULCAN

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**04 LETTER FROM THE EDITORS**  
**ARTICLES**  
**ROOMS OF THEIR OWN: FEMALE VOICES IN HISTORY**  
**05** *A Feminist Mirror: Reflections of the 1960's in Betty Friedan*  
 by **Alice Grissom**  
**11** *A Woman Must Soar: Florence Nightingale as an*  
*Inspiration to Southern Nurses*  
 by **Katharine Armbrester**  
**LASTING LEGACIES: CULTURAL HISTORY IN AMERICA**  
**23** *Divided We Revise*  
 by **Alice Grissom**  
**31** *T'Challa, the Black Panther: The Historical Accuracy*  
*of Institutionalized Racism and the Black Power*  
*Movement on the Pages of Marvel Comics*  
 by **Grace Larkin**  
**CROSSING BORDERS: HISTORY ABROAD**  
**38** *Ascendancy of the Vanquished: A Story*  
*of Dixie and the Boer Republics*  
 by **Sammy Jane-akson**  
**51** *Burke and Hare: The Ghoulish Duo that*  
*Advanced the Study of Human Anatomy*  
 by **Jennifer Wells**  
**BEHIND THE MAGIC: BIRMINGHAM HISTORY**  
**62** *Nigel Harlan Slaying: The Birmingham Murder*  
*That Halted Old Town Uptown Revitalization*  
 by **Laura King**  
**73** *The Unknown Truth: Police Brutality in Birmingham*  
 by **Demetric Mitchell**  
**BOOK REVIEW**  
**80** *Invisible No More: Police Violence Against Black Women*  
*and Women of Color*  
 Reviewed by **Ajanet Rountree**  
**83 ABOUT THE AUTHORS AND EDITORS**

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## LETTER FROM THE EDITORS

**T**he *Vulcan Historical Review* is one of the most useful and important traditions for the humanities at the University of Alabama at Birmingham and we would all like to express our thanks for the privilege of working on this year's issue. This journal affords the opportunity for both graduate and undergraduate students to gain vital experience and exposure during their formal education. Our individual passions and dedication to the craft of history propels new research and helps us ask new questions of the past. The answers to these questions, hopefully, can not only help us better understand how and why we arrived at our current situation but also uncover solutions to change the world for the better. This is the goal of all scholarly history research and our current editors, authors, and faculty have taken up the mantle of this serious and vital scholarship which constitutes not only this issue of *The Vulcan Historical Review* but the legacy of the former issues as well.

Our current issue contains papers and research dealing with historical issues in places ranging from here in Birmingham to across the pond in England and even South Africa. We have chosen to continue our use of the Vulcan statue for our cover as it is not only the namesake of the journal but also the best physical representation of the wonderful city this university calls home. This twenty-second edition of the journal explores various types of history in the hopes to expand scholarly consideration of the past as stated above. Our featured sections include highlighting female perspectives and feminist history in America, cultural histories in America and their legacies, a look at some foreign subjects in history, as well as local history in Birmingham. The journal concludes with a book review by an outstanding graduate student.

This journal could not have been possible without the support and advice of several faculty and staff who helped recruit authors as well as give advice and

contacts for publication. Our deepest gratitude goes to the History Department of UAB for nurturing young scholars, teaching them and instilling within them a passion for history and a curiosity that will stay with them long after they leave the department. We would like to thank our faculty advisor, Dr. Andrew Baer, for his guidance, support, and kindness. Our gratitude goes to Dr. John Van Sant, our Department Chair, for supporting our publication and student research. We would also like to thank Michele Foreman for her assistance in finding a graphic designer. Thank you to all faculty who helped recruit more authors in their classes and encouraged their students to submit papers for publication. Our special thanks must be extended to our administrative staff, Alisa Dick, our Office Service Specialist, and Melanie Daily, our Administrative Associate, without whom we could not be successful. Timothy Granger, Stephanie Womack, Grace Larkin, and Nadejda Bontcheva-Loyaga each deserve special mention for their example and help as previous members of *The Vulcan Historical Review's* editorial staff. Our academic journal depends on the efforts of our students, both undergraduate and graduate alike, and to them, we extend our thanks. Our efforts would have proven fruitless if it had not been for the financial support of all of our sponsors, especially the Linney Family Endowment, Dr. Pam Benoit (Provost), Dr. Suzanne Austin (Vice Provost) and Dr. Robert Palazzo (Dean of the College of Arts and Sciences). There are a bevy of people that we could thank and for anyone we might have left out a special thanks to you as well. Though this edition faced many hardships throughout the process of its publication we hope the work within speaks for itself as serious works of scholarship that everyone at the university can be proud of. Again, thank you all so much for everything you do every day. Ever faithful. Go Blazers.

## A FEMINIST MIRROR: REFLECTIONS OF THE 1960'S IN BETTY FRIEDAN

by Alice Grissom



*Betty Friedan Courtesy of the Library of Congress*

**C**onsidered by popular culture to be the turning point in radicalism, activism, and sexual liberty, the notorious Sixties clamor for attention in the collective memory of America as a decade that shaped the nation, freeing it from the conformist stranglehold of the 1950's. While this narrative certainly holds the appeal of a redemptive plot with clear winners and losers, it fails to encompass the actual complexity of the 1960's, a time marked as much by conservatism and violence as by liberalism and the peace movement. Of the many major characters of the Sixties, Betty Friedan: writer, feminist, and housewife, conclusively demonstrates this duality through the narrative of her activism in the 1960's, the influences of her life beforehand, and her legacy after. Indeed, in her contrasting appellations of "feminist" and "housewife" she embodies an apparent duality, in that it is commonly, albeit incorrectly,

thought that to remain a housewife one cannot simultaneously be a feminist. Much like the apparent contradictions found in the Sixties as a whole, this supposed paradox is born in the assumption that radicalism cannot coexist with plebian concerns. Though lauded as an instrumental "founding mother" of second-wave feminism and an irreplaceable asset to the women's movement, Friedan's homophobia and racism, inherent in her publications starting with the groundbreaking bestseller *The Feminine Mystique*, imply the progressive façade of the Sixties.<sup>1</sup> More recent scholarship sheds light on Friedan's pre- *Feminine Mystique* past as a leftist activist and radical, demonstrating second-wave feminism's foundation in the radicalism of labor movements of the 1930's and 1940's and thereby the continuity of the activist Left. Regardless of these illuminating connections, her motives in abandoning some of the chief causes she championed earlier in life to promote those of upper-middle-class white heterosexual women must be questioned.

Raised in a middle-class Jewish family in Peoria, Illinois, Friedan (or Bettye Goldstein, as she was then known) faced anti-Semitism from a young age and, as a reclusive and brainy book-lover, didn't truly "bloom" until her days at Smith College. During her years there, Friedan not only developed the school's newspaper into a formidable advocate for workers' rights, but also underwent a period of Leftist radicalization typical of college students.<sup>2</sup> In the time after graduating and before publishing *The Feminine Mystique*, Friedan wrote extensively for several radical unionist newspapers and magazines, including the *Federated Press* and the *UE News*.<sup>3</sup> United Electric forced Friedan out of her job at the *UE News* after her second pregnancy, and from that point on she continued work solely as a freelance writer and journalist. While she initially took time off work to

concentrate her efforts on wrangling a now three-child family, Friedan regretted leaving her profession and so began to pursue work as a freelance writer for women's magazines. She used this slight, supplementary income to provide for the childcare which allowed her to continue traveling for work.<sup>4</sup>

Curiously, it is only when she began writing for women's magazines that Friedan adopted her husband's surname, although at this point she had been married for nearly five years.<sup>5</sup> Another change to note occurs in Friedan's name itself. Betty convinced Carl Friedman to drop the "m" from his name to obscure their Jewish origins and further assimilate into the mainstream culture. This transition from Betty Goldstein, labor journalist, to Betty Friedan, freelance writer for magazines, externally signifies a greater internal transformation as Friedan moved from the city to the suburbs and became a self-proclaimed victim of the "feminine mystique."<sup>6</sup> The new nomenclature also symbolizes a shedding of the past, and Friedan's distancing herself from her former radicalism. Additionally, the change discourages recognition from her work as a labor union journalist and is therefore both a tangible and metaphorical barrier to the past. Her transformation speaks to the twin powers of words and marketability, forces both Friedan and the consumer-oriented society of the Sixties used to their advantage. By dropping her noticeably Jewish surname, Friedan ensured that her WASP audience would accept her; this is just one step of many she took, whether knowingly or by accident, to assimilate to the predominant culture both in the persona she creates in *The Feminine Mystique* and in her external life.

In 1953, Friedan compiled responses to questionnaires in preparation for the fifteen-year reunion of her graduating class at Smith College. These surveys, sent out to Friedan's cohort, posed questions regarding their current activities, lifestyle, and level of satisfaction. As the story goes, the survey results contained their multitude

of disappointments, prompting Friedan to begin investigating "The Problem that has No Name" and forming the foundation of discussions in *The Feminine Mystique*.<sup>6</sup> This retelling is somewhat misleading; Friedan had published articles on similar topics in women's magazines for the past several years, but none had the reach or the galvanizing effect of *The Feminine Mystique*.<sup>7</sup> The "feminine mystique" is defined by Friedan as the cultural concept that "the highest value and only commitment for women is the fulfillment of their own femininity." It is reinforced by the ideals of domestic suburbanization: that women should abandon their own careers and dreams to focus on facilitating those of their husbands and children, that this is what would truly make them happy, and that they should expect to be content with such a life.<sup>8</sup> Friedan argued that the pervasive misery and dissatisfaction she encountered in her classmates stemmed from their inability to pursue the meaningful careers and passions they dreamt of in college. *The Feminine Mystique* mobilized a demographic neglected by the forces of leftist union activism for social change: the middle-class, educated white woman.

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**"HER TRANSFORMATION SPEAKS TO THE TWIN POWERS OF WORDS AND MARKETABILITY, FORCES BOTH FRIEDAN AND THE CONSUMER-ORIENTED SOCIETY OF THE SIXTIES USED TO THEIR ADVANTAGE."**

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The resulting movement, denoted as "second wave feminism" because of its difference in goals and methodology from the suffrage-focused women's movement of the early 20th century, changed the face and focus of social activism. Previously, working-class unions led the battle for social justice; with the mass awareness caused by *The Feminine*

*Mystique*, middle-class women began taking part. As they did they brought their personal interests center stage. Friedan spurred second wave feminism to focus on contestable issues such as pay disparity, women in the workplace, childcare, and familial roles. The Women's Liberation Movement, as it was then known, effected fundamental changes to American society throughout the 1960's and 1970's. Changes included bringing attention to causes such as workplace discrimination and the penalization of pregnancy, both legal and de facto gender-based inequality, and taking steps to reduce the prevalence of these injustices. The National Organization for Women (NOW), founded by Friedan and other leading feminists in 1966, played a major role in attaining these gains and is still operational and contributing to the feminist fight ("Founding").<sup>9</sup>

However, within both Betty Friedan and second-wave feminism as a movement, as with the Sixties as a whole, there flows an unaccepting undercurrent pregnant with biases persisting from a previous time. In Friedan's feminism, intersectionality is unheard of, the working class is ignored, and lesbians are outcasts. In an article for *New Politics*, Joan Boucher writes that "Friedan and *The Feminine Mystique* epitomize [a] ... less sophisticated and less inclusive version of feminism. It is the feminism of a white, privileged middle-class woman who was unaware of the lives of women outside the confines of safe and prosperous suburbs," despite Friedan's evident knowledge of these problems from her days as a labor journalist.<sup>10</sup> In fact, as a labor journalist, Friedan often wrote in support of worker's rights and the rights of African Americans, two groups of women that *The Feminine Mystique* neither acknowledges nor applies to. Notable feminist theorist bell hooks rebukes Friedan bitterly for her lapse, writing in *Margin to Center* that

She did not discuss who would be called in to take care of the children and maintain the home if more women like herself were freed from their house labor and given equal access

with white men to the professions. She did not speak of the needs of women without men, without children, without homes. She ignored the existence of all non-white women and poor white women. She did not tell readers whether it was more fulfilling to be a maid, a babysitter, a factory worker, a clerk, or a prostitute than to be a leisure-class housewife.

Those who will benefit from Friedan's feminism do so at the expense of marginalized groups like African Americans or working-class women and mothers, who have neither the resources nor the leisure time to participate in the Women's Movement or seek greater fulfillment. They are the ones who will pick up the slack left by middle-class white women who, after returning to a career that stimulates them (rather than one of drudgery and necessity), realize their families need someone to care for them.



Betty Friedan (seated right) poses with other activists beside a suffragette - Courtesy of Harvard University

Second-wave feminism as a movement focuses on those near the top of Maslow's hierarchy of needs rather than addressing the more basic needs of disadvantaged groups.<sup>12</sup> By concentrating its efforts on a demographic that is middle-class, college-educated, and white, second-wave feminism takes

an easier route. Although this group of women begin with more social clout and are subject to fewer prejudices than marginalized women, they prioritize their own needs rather than provide a platform for those society subjugates. It caters to the dominant minority of white, college-educated, middle-class housewives. This is indicative of the duality of the Sixties in proclaiming itself to be progressively benefitting everyone, but in reality fails to do so and fails even to acknowledge those it harms or leaves behind. This reflects many popular movements in the Sixties and today that profess to be for the benefit of a group or in the interests of a group but in reality appropriate that group's culture for their own benefit, as well as pop cultural trends that do the same – specifically, in the 60's a renewed exoticism and a fascination with Native American cultures.

Although some will make apologies for Friedan's dismissal of African Americans and the working class on the basis of her past history advocating for them and the capitalistic forces associated with book distribution, no similar claim can be made regarding her viciously homophobic comments and exclusionary practices towards lesbians in the woman's movement. It is worth noting that, in the Sixties, although the gay rights movement was beginning to gain visibility with the Stonewall riots of 1969, homosexuality was still very much a social taboo. This is yet another way in which outwardly progressive Friedan mimics the conservative culture. Labelling lesbians “[d]isrupters of the women's movement,” Friedan used divisive tactics, such as negatively accusing lesbians of “constantly advocating ‘lesbianism and hatred of men’ ... with the encouragement of the FBI and the CIA” to demote lesbians to a fringe group of second-wave feminism and to blatantly ignore their interests and concerns.<sup>13</sup> In this statement specifically, she appeals to two prevalent categories of fears amongst her audience: the common perception of feminists as lesbians and “man-haters,” and a fear of government involvement and espionage. Utilizing fearmongering rhetoric in this way, Friedan successfully pushed lesbians out of the feminist mainstream, despite their desires to be

positively involved. Friedan's activism continued past the Sixties and in later years she relaxed her vehement homophobia. In 1977, Friedan openly supported lesbian rights for the first time.<sup>14</sup> However, she never regained the pro-worker radicalism that characterized her early labor union journal writings.

Why, then, did Friedan steadfastly ignore the myriad demographics untouched by an exclusive model of feminism? At the basic, capitalist level (because, despite the Sixties' hippy movement and Friedan's own communist-tilting radicalism, capitalist values are very much inscribed in both), Friedan's “change in the focus of her writing ... resulted from the necessity to use her skills as a writer to generate income. She cast *The Feminine Mystique*, and her situation in the world it described, as part of an effort to enhance the book's popularity and impact”; in this period, a book sympathetic to minority groups such as African Americans or drawing attention to the working class would not perform as well amongst an audience of white, middle-class Americans, who are the consumers with purchasing power.<sup>15</sup> Friedan's utilitarian choice, then, to refine her feminism and attract a middle-class audience finds its foundation in her desire to be heard; to ensure that her work reaches the widest audience, she shifts her personality as presented in *The Feminine Mystique* and rearranges her past to more closely align with that of her prospective reader:

“Yet, though she claimed that she shared so much with her suburban, white, middle-class sisters in the postwar world, during much of the two decades beginning in 1943 Friedan was participating in left-wing union activity, writing articles that went against the grain of cold war ideology, and living in a cosmopolitan, racially integrated community.”<sup>16</sup>

Friedan's decision, conscious or otherwise, to narrow her scope of grievances to those afflicting middle-class, white, suburban housewives can be viewed as paralleling the trend of advertising in the Sixties to capitalize on the appeal of a new group, trend, or movement and repurpose it for its own

means. Furthermore, it matches the broader trend of prominent 1960's political and pop cultural figures who avoid references to the darker side of America, which encompasses poverty, inequality, poor working conditions, and racism in favor of focusing on the positive aspects of society or popular counter-culture movements. By avoiding discourse on these topics, individuals can promote a favorable view consistent with their ideologies, rather than address more fundamental predicaments, especially problems with solutions that would entail a reassessment and rearrangement of the status quo, or come at a significant cost to the dominant social classes.

Much as the Sixties are remembered for their contribution to activist causes across the spectrum, so too is Friedan. Her legacy consists of six books contributing to the furtherance of second-wave feminism, a lifetime of activism, and perhaps most impressively, NOW and all of its achievements. She is widely remembered for her unswerving dedication to her cause, a devotion at once admirable and ruthless. While neither Betty Friedan or second-wave feminism were perfect, both contributed majorly to the advancement of the position of women in American society and brought the matter of gender inequality into the public eye and to the forefront of national attention. Notable among Friedan's later achievements are the founding of the National Women's Political Caucus and the National Association for the Repeal of Abortion Laws, both of which are still active today in helping secure women's rights.<sup>17</sup>

Betty Friedan's rise through the women's movement in the 1960's is marked, much like the decade itself, with the bright successes of progress and the dark falls of prejudice and a myopic worldview. Although she deserves recognition and fame as an instigator of second-wave feminism, it should not be without qualifications, or without understanding of the complex motivations and attitudes that charged her work, including the dismissal of working-class, concerns of African Americans or lesbians, and the necessity of politicization and profit, as well as the pressures of mass appeal. Friedan and *The Feminine Mystique* represent the duality of the 1960's by embodying both the positive qualities and the unmitigated flaws of the 1960's through the juxtaposition of liberal activism and a conservative mindset.

<sup>1</sup>Joanne Boucher, "Betty Friedan and the Radical Past of Liberal Feminism," *New Politics* 9.3 (2003): n.p., <http://nova.wpunj.edu/newpolitics/issue35/boucher35.htm>.

<sup>2</sup>Daniel Horowitz, "Rethinking Betty Friedan and the Feminine Mystique: Labor Union Radicalism and Feminism in Cold War America," *American Quarterly* 48, no. 1 (1996): 10-11., [www.jstor.org/stable/30041520](http://www.jstor.org/stable/30041520).

<sup>3</sup>Ibid, 11-12.

<sup>4</sup>Ibid, 18, 20-21.

<sup>5</sup>Ibid, 18.

<sup>6</sup>Susan Ware, "Friedan, Betty," *American National Biography Online*, last modified April 2014, accessed March 26, 2017, [http://www.anb.org/articles/16/16-O3896.html?from=../15/15-O1372.html&from\\_nm=Tillmon%2C%20Johnnie](http://www.anb.org/articles/16/16-O3896.html?from=../15/15-O1372.html&from_nm=Tillmon%2C%20Johnnie).

<sup>7</sup>Horowitz, 20

<sup>8</sup>Ware.

<sup>9</sup>"Founding," *National Organization for Women*, last modified July 2011, accessed 29 Mar. 2017, <http://now.org/about/history/founding-2/>.

<sup>10</sup>Boucher.

<sup>11</sup>Ashley Fetters, "4 Big Problems With The Feminine Mystique," *The Atlantic*, February 12, 2013, accessed 29 Mar. 2017, <https://www.theatlantic.com/sexes/archive/2013/02/4-big-problems-with-the-feminine-mystique/273069/>.

<sup>12</sup>Abraham Maslow, "A Theory of Human Motivation," *Psychological Review* 50 (1943): 370-96. The hierarchy of needs postulates that physiological, or "basic," needs will take precedence over social or self-actualizing needs and that higher needs cannot be attained until the basic needs are met.

<sup>13</sup>Horowitz, 27.

<sup>14</sup>Fetters.

<sup>15</sup>Horowitz, 23.

<sup>16</sup>Ibid.

<sup>17</sup>Ware.

## A WOMAN MUST SOAR: FLORENCE NIGHTINGALE AS AN INSPIRATION TO SOUTHERN NURSES

by Katharine Armbrester



*Lithograph of Florence Nightingale tending to the wounded.*

**“The Civil War was fought in the very last years of the medical middle ages.”<sup>1</sup>**

This statement, written for the *Journal of Southern History* in 1940, may seem at first unnecessarily condemnatory. It is not until one investigates the medical history of the Civil War that one realizes how apt the above statement is. Many surgeons serving in the war were often as dangerous as the enemy. As historian George Washington Adams writes, “They thought a bare finger was the best probe; they operated in dirty uniforms; they used the same marine sponge to swab out the wounds of countless men; they re-used linen dressings; they meddled with wounds and thus made bad matters worse.”<sup>2</sup> Death stalked the wounded in dressing stations and hospitals as relentlessly as it stalked the battlefields, and the finest of men on both sides were condemned due to medical incompetence.

Less than fifty years after the end of the Age of Enlightenment, which had emphasized science and reason in medical discovery, the Civil War began. It was fought largely in the remote American

countryside, where surgeons and nurses had to deal with cut supply lines, the ever-increasing cost of supplies, and the ever-increasing number of wounded. Medical historian Mary Ellen Snodgrass writes that from the very beginning of the war “The South suffered from its failure to weed out the weak and unfit from the ranks.”<sup>3</sup> Similarities to the Middle Ages can be drawn not only in terms of appalling medical ignorance, but also in the case of women and their place in a man’s world. Women, particularly in the Southern United States, rarely if ever were given the educational opportunities that men were, had few legal rights, and were usually only given some semblance of autonomy when in the position of chatelaine of a large house or plantation. Women that were used to being relegated to the societal positions of daughter, wife, and widow, women would be given new opportunities with the coming of the Civil War, particularly the occupation of nurse.

Before the advent of the Civil War, a revolution had begun in terms of women entering the field of medicine, although few realized it. On 23 January 1849, British-born Elizabeth Blackwell became the first woman to receive a medical degree in the United States. Blackwell inspired compatriot Florence Nightingale, who after her triumphant managing of the Scutari hospital in Turkey during the Crimean War, founded the first modern school of nursing in 1860. Nightingale was heralded for her courage in the face of war and her persona of cool level-headedness, combined with her aristocratic dignity and “womanly” compassion, all made for an arresting image that would inspire countless young women in both the old world and the new. The “lady with the lamp”, as she became known due to her beloved nightly ritual of checking on her wounded soldiers before bed, soon became an international symbol of what a woman with both compassion and drive could do. Only five years passed from the end of the Crimean War to the

beginning of the American Civil War, but Nightingale's influence was undoubted as the nursing profession developed under the duress of war, particularly in the South. Progress came slowly but surely, and Florence Nightingale proved a source of inspiration to Southern nurses during the American Civil War.

Florence Nightingale was not the stuff of which revolutionaries are made. Born on 12 May 1820 into an affluent and intellectual upper-class family, Florence grew up a deeply curious and compassionate child whose intelligence and enquiring mind was nurtured, rather than stifled by her doting family. Difficulties only arose when Florence grew up into a beautiful and eligible young lady and, rather than settling down, began searching for ways to further her education, particularly her hopes of becoming a nurse. Her medical education and independence was hard-won, but in 1850 she finally was able to intern briefly at the Kaiserwerth Institute for Women in Frankfurt, Germany, where she received four months worth of medical study. She then served for a year as a superintendent at the Institute for the Care of Sick Gentlewomen in London, gaining experience in hospital management that proved extremely useful in the near future.

When the Crimean War began in October of 1853, Florence could have no way of knowing that her name would soon become synonymous with compassion and resilience, as well as modernity. She felt that women could be of significantly more use in a war than to sit patiently at home and knit and make shirts while their loved ones died on the altar of battle. The Crimean War, like the Civil War less than a decade later, was meant to be over in a matter of months. When it did not end promptly, word soon spread of the general incompetence of British military management overseas, particularly in terms of medical management and provision for its wounded which were dying in droves. When Florence read of the casualties in the Crimea, she developed a plan of gathering a small band of trained women and going with them to Constantinople to offer their services as nurses to the British government.

Despite the fact that Florence and several of her affluent friends were to pay the wages of the volunteer nurse brigade out of their own well-lined pockets, Florence faced tremendous doubt and censure from others within her social circle. Florence and her nurses were not to be part of any religious sisterhood, and as Nightingale biographer Gillian Gill points out, "Any woman who moved with the men and whose dress did not absolutely proclaim her religious vows of chastity and obedience risked falling into the disgraced category of camp follower."<sup>4</sup> Eventually, with the support of powerful Englishmen like Sidney Herbert and Richard Monckton Milnes, she and thirty-eight women left for the Crimea. It was agreed that the nurses would be paid and housed at the military's expense, and the nurses would report to Nightingale, who would in turn report to the principal medical officer Dr. Menzies, just as any military officer would.<sup>5</sup>

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**"NIGHTINGALE'S INFLUENCE WAS UNDOUBTED AS THE NURSING PROFESSION DEVELOPED UNDER THE DURESS OF WAR, PARTICULARLY IN THE SOUTH."**

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For Nightingale, the greatest difficulties of Scutari were lack of proper waste disposal and laundries, lack of supplies and trained medical staff, and above all, lack of nurses.<sup>6</sup> Southern nurses would face precisely the same difficulties several years later, to devastating results. Over a period of twenty-one months at Scutari, Nightingale bought supplies for the wounded at Scutari using her own funds, most often a drastic measure she took in order to escape the never-ending red tape of the English supply lines. Supplies from England rotted in the Turkish harbors while the men in charge wrangled over them, a waste which disgusted Nightingale. Southern nurses and the civilian women left behind often took the same measures to make

sure their men in makeshift hospitals were taken care of properly, and often went without to make sure the wounded men got the food and clothing they needed.

Among the horrors that Nightingale had to encounter at Scutari hospital, the worst she recounted later was the filth and rats, the dead dogs lying around the grounds of the hospital and a dead horse that had been in the water aqueduct for several weeks before anyone's noticing.<sup>8</sup> Nightingale stated that the greatest causes of death during her stay at Scutari hospital had been typhus, gangrene and cholera, and many deaths due also to fever and diarrhea.<sup>9</sup> Bullets sent men to hospitals, but were not always the cause of death; far too many English and American men in the Civil War would die due to the ignorance and negligence that were too often present in hospitals.



*Illustration of Florence Nightingale's Scutari Hospital*

The waste of supplies due to bureaucratic mismanagement which she encountered in Scutari spurred Nightingale to ingeniously develop ways to prevent needless suffering and death in the overcrowded hospital. Among her greatest contributions to modern nursing that was born out of her management of Scutari was according to Mary Ellen Snodgrass: "A pragmatic protocol known as the environmental adaptation theory: [that] for maximum healing, the patient should receive proper dressing

and remedies, ventilation, warmth, light, cleanliness of room, bedding, and person, quality diet, cheer and quiet, and suitable observation."<sup>10</sup> Due to her pioneering spirit born from her scientific knowledge and hands-on inspiration Nightingale "Elevated nursing from the level of domestic help to the modern professional concept of competent healing" and influenced military medicine and hospital design.<sup>11</sup>

Upon her triumphant return from the Crimea, Nightingale succumbed to extreme fatigue and took to her bed for a length of time, but idle she was not. She wrote with furious speed and clear-eyed passion of her experiences at Scutari. Her greatest written work according to historian Gillian Gill was her *Notes Affecting the Health, Efficiency, and Hospital Administration of the British Army*. Published in 1858 as her first Royal Commission and approximately 1,014 pages in length, it consisted of statistical tables, analysis, firsthand testimony and observations of hospital life in Scutari.<sup>12</sup> It would have been a remarkable work for any Englishman; it was stupefying to many when they realized it was written by a woman. Despite periods of ill health that often led to a bed-ridden state, Nightingale wrote prolifically for the rest of her life.

When Nightingale founded her school of nursing at St. Thomas's Hospital in 1860, she had a great many obstacles to overcome. The first obstacle she faced was the general distrust and distaste with which most hospitals and nurses were regarded. The upper-class were treated at home, and hospitals were generally viewed as a last resort for lower-class people, a place with a roof where one went to die. Nurses too were generally women dredged up from the lower classes who tended to be illiterate and alcoholic.<sup>13</sup> Nightingale did not mince her words when she gave her opinion of the state of contemporary nursing: "The art of nursing, as now practiced, seems to be expressly constituted to unmake what God had made disease to be, viz, a reparative process."<sup>14</sup>

Nightingale was determined to change the view of nurses as necessary evils, and also desired to find a

way to give hard-working women honest employment and autonomy. As she wrote in the introduction to *Organization of Nursing*, “Sickness is everywhere. Death is everywhere. But hardly anywhere is the training necessary to teach women to relive sickness, to delay death. We consider a long education and discipline absolutely necessary to train our medical man; we consider hardly any training at all necessary for our nurse.”<sup>15</sup> The first fifteen probationers of the Nightingale School were literate, sober and carefully chosen, and the first year of their training was tremulously experimental, for “the whole idea of giving nurses a systematic training was so novel”, but it paid off enormously.<sup>16</sup> Nightingale was determined that her experiment, the most important of her life, would end triumphantly, and herald a new age for women in nursing. The three iron-clad rules of the “Nightingale system” as it was called consisted of:

1. The Matron, Head Nurse, etc., was to have absolute control over and responsibility for her nurses concerning everything from hiring to training to dismissing,
2. The nurses of the Nightingale School were to be completely sober, honest and truthful, but well-trained in their work, and
3. A nurse’s character was as important, if not more important than her technical efficiency.<sup>17</sup>

The latter two of the above principles illustrate how nurses were viewed in that era as morally questionable, and Nightingale was determined to change that view. As she said in an address to her nurses, “To be a good Nurse one must be a good woman...To be a good woman at all, one must be an improving woman.”<sup>18</sup>

Whether she realized it or not, Nightingale was a radical in her belief that a woman from a lower stratum of society could, through the benefits of hard work and education and an upright character, make a living for herself and her family. “It will be a great good if you can promote the honest employment of a number of poor women, in a way which shall protect, restrain, and

elevate them,” wrote Nightingale in the *Organization of Nursing*.<sup>19</sup> She believed that all women, no matter their class background, had an equal capability for leadership and compassion, the latter she prized in her nurses as much as the former. Nightingale gently admonished her nurses: “She who rules best is she who loves best: and shows her love not by foolish indulgence to those of whom she is in charge, but by taking a real interest in them for their own sakes.”<sup>20</sup>

Nightingale was also radical in her determination that her nursing school not be part of any particular church or religion, in juxtaposition to Sisters of Charity which were fairly common at the time. “No doubt religious sisterhoods have an advantage in this kind of work, tending, as they do, to merge all personal action and avoid anything like individual prominence. But such sisterhoods are regarded with deep and unreasoning mistrust by the great majority of Protestant Englishmen, and will probably remain subject to such mistrust.”<sup>21</sup> According to Mary Louise Marshall, when the Civil War began “The only women in the South who had [any] training as nurses were the Sisters of the Roman Catholic orders who worked in camps and hospitals and on the battlefields.”<sup>22</sup> Unfortunately, in the Southern United States, as in England, these compassionate women were often looked upon with suspicion due to their faith, and Protestant women were generally preferred as nurses. Nightingale also preferred the idea of secular nursing institutions due to her hopes for increasing scientific knowledge in the medical profession, which she feared would be stunted through the hierarchy of a religiously based nursing institution. “The obedience of intelligence, not the obedience of slavery, is what we want.”<sup>23</sup>

Three qualities that Nightingale thought were essential to a nurse were: deep religious feeling and a maternal interest for each patient, a practical and intellectual interest in the medical case at hand, and an appreciation for hospital administration and management.<sup>24</sup> Management was also of great importance to Nightingale after the horrors of

mismanagement she had dealt with at Scutari, and she was determined that none of her nurses would ever be accused of mismanaging, or having blame put upon them due to their sex. “Hospital Sisters are the only women who may be in charge really of men. Is this not enough to show how essential to them are those qualities which alone constitute real authority?”<sup>25</sup>

Nightingale also wrote that “To be a really efficient Nurse requires quietness, patience, watchfulness, method, accuracy of observation and report, gentleness, firmness, cheerfulness, devotedness, a sense of duty.”<sup>26</sup> These were qualities that are expected in nurses even to this day, and these were qualities that Southern women would take upon themselves to emulate when war came to them, and the call went out for women to help alleviate suffering, and found many themselves in positions of management for the first time in their lives.

As a highly educated woman, Nightingale had a low opinion of people with little medical experience who often treated the sick with questionable remedies, often referred to as “physicking”, and she was particularly aware of criticism directed by men towards women who did so. “It is often said by men, that it is unwise to teach women anything about these laws of health, because they will take to physicking...There is nothing ever seen in any professional practice like the reckless physicking by amateur females. But this is just what the really experienced and observing nurse does not do; she neither physics herself nor others.”<sup>27</sup>

Many women who had managed large households and even plantations had some practical experience when it came to nursing in its most humble, homeopathic form. Pamphlets and home health guides were often more readily available to Southern women in remote areas than professional medical care, and women learned to treat themselves and others in their care from this literature. Historian Mary Louise Marshall writes, “Home medical care was all the more important since almost all physicians eligible for military duty were in the armed services.”<sup>28</sup> Some examples of the home medicine guides that Southern

women read prior to and during the Civil War are *The Family Nurse* or the *Companion of the American Frugal Housewife* published in 1837, *A Compendium of Medical Science* published in 1847, and *The Medical Adviser: A Full and Plain Treatise on the Theory and Practice of Medicine Suited to Planters and Families* published in 1860. Some of the practical advice from *The Family Nurse* includes “Sleep in rooms with a free circulation of air.”<sup>29</sup> This predates Nightingale’s repeated admonition of the importance of fresh air in hospitals by nearly two decades. “The want of fresh air may be detected in the appearance of patients sooner than any other want. No care or luxury will compensate indeed for its absence.”<sup>30</sup> While Nightingale would inspire Southern nurses with her emphasis on organization and discipline within hospitals, Southern women were no strangers to the effect cleanliness and fresh air could have on a patient’s morale.

Florence Nightingale and her accomplishments in the Crimean War were internationally recognized and celebrated, and with the advent of the Civil War the North was the first to take nursing seriously, thanks in part to the efforts of Dorothea Dix, Clara Barton, and Louisa May Alcott.<sup>31</sup> The South soon followed suit in the demand for competent women who would be willing to serve as nurses, but tremendous difficulties arose in enlisting women as nurses and training. Southern nurses also had to face a more pressing problem than their Northern sisters due to the problems in shortages caused by the blockade. As the death toll rose and the war dragged on longer than the “few months” that optimistic politicians had predicted it would at its inception, the call went out for nurses, and Southern women and their over-scrupulous relatives had to overcome their well-bred timidities. The young Ella Newsom wrote of her meeting fellow prospective nurse Kate Cumming at the Tishomingo Hotel-turned-hospital in Mississippi, “A bevy of women from Mobile, Alabama...arrived. They styled themselves the ‘Florence Nightingale Brigade.’ Immediately after their arrival they held a council

of criticism and decided to revolutionize the bad management.”<sup>32</sup>

Undoubtedly, this was a tribe of high-energy and highly opinionated women after Nightingale’s own heart. Unfortunately, only Cumming and another woman from her original “Nightingale brigade” made it through until the end of the war, it being more usual rather than unusual that young women left wartime nursing to return home to treat family members or marry. Cumming, a spirited Scottish-born young woman who grew up in Mobile, Alabama, never allowed herself to be distracted by anything other than nursing during the war, and while dismayed by the carnage she saw, still persevered with her nursing duties to the war’s end.

Despite a lack of medical training, Cumming was inspired by the tales of Nightingale and her nurses and wished to do something in order to help the war effort and being young and unmarried she felt she was well able to do so. However, Cumming remarked in her journal after being told it was not respectable to be a nurse, “It seems strange that the aristocratic women of Great Britain have done with honor what it is a disgrace for their sisters on this side of the Atlantic to do...If the Christian, high-toned, and educated women of our land shirk their duty, why others have to do it for them. It is useless to say the surgeons will not allow us; we have our rights, and if asserted properly will get them. This is our right, and ours alone.”<sup>33</sup>

Cumming describes in her journal the horror of seeing boys and grey-haired men, “federals” and confederate soldiers “mutilated in every imaginable way” lying together on the floor of the Tishomingo Hotel.<sup>34</sup> Foes at home and on the battlefield, the men who wore blue and those who wore grey were united in bloody suffering once the fighting was over. “We have men for nurses,” wrote Cumming, “And the doctors complain very much at the manner in which they are appointed; they are detailed from the different regiments, like guards. We have a new set every few hours. I can not see how it is possible for them to take proper care of the men, as nursing is a thing that has

to be learned.”<sup>35</sup>

Cumming also describes how she and her fellow nurses had to kneel in blood and water to tend their patients, a gruesome situation Nightingale would have been familiar with due to her experiences at Scutari, but she would have been appalled nonetheless.<sup>36</sup> Again and again in her writings Nightingale railed at how often military hospitals and their long-suffering staff had to relentlessly fight the horrors of inadequate sewage systems. Another gruesome sight Cumming had to face was the dire state of a hospital she served in. Before a more enlightened surgeon by the name of Dr. Smith took charge of the hospital in which she served as a nurse, amputated limbs had been thrown out into the yard and left there before he put a stop to it.<sup>37</sup> Nothing was deadlier than ignorance and carelessness in Civil War era hospitals.

Cumming asserted that the prevailing ailment among the soldiers that she came up against again and again was diarrhea, which she treated with milk and arrow-root, the former the soldiers “cried out for” and the latter they detested, and which she often had to resort to trickery to get them to take.<sup>38</sup> In the supplementation of a soldier’s diet by fresh milk when available, Cumming was following the advice of Nightingale, who highly recommended the nutritious beverage. “Milk and the preparations from milk, are a most important article of food for the sick... Buttermilk, a totally different thing, is often very useful, especially in fevers.”<sup>39</sup>

The daily drama within a hospital did not always pertain directly to the war, and it was with these domestic issues that upset Cumming, just as they had Nightingale at Scutari. The democratization of an army hospital often upset Southerners just as much as it upset the class-bound English. Cumming wrote of a family coming to see a dying relative and were horrified to find that “A man of his means should have been kept in a ward like any other soldier!”<sup>40</sup> When it came to nursing in the Confederate Army, other difficulties arose which Nightingale had not had to contend with in the British Army—difficulties that

came from the deeply-bred racism within the region. Whether a woman serving in a Southern hospital was mentally and physically strong and compassionate enough for the task of nurse was a secondary thought after what color her skin was. African-American women were never allowed to nurse white soldiers and were rarely employed for anything more than cooking and cleaning. Cumming reflected the general thinking of her time when she wrote that they were more suited to those duties and did not wish for them to work together with white women.<sup>41</sup>

Another petty domestic difficulty which Cumming also had to deal with was less than desirable nurses. One “very pretty widow” freely admitted to having become a nurse in order to “catch a beau” and when she had accomplished her goal she gleefully left the nurses employ.<sup>42</sup> Daily dealings with the vanity of surgeons were another never-ending war dance. Cumming wrote of how she tried to persuade a doctor of the necessity of a wash house as a separate building from the hospital in order to prevent contamination, but she was given the patronizing and flowery response of “His grandmother and mother never had any but the canopy of heaven for [their wash house] and he did not intend having any other in the hospital.”<sup>43</sup>

One of the best hospitals Cumming worked in and wrote of was in Chattanooga, Tennessee, which was fortunate in having a large kitchen with four stoves and four cooks, and an abundance of supplies. An unusual fact in its administration was that the head matron never visited the wards, which would have stupefied Nightingale,<sup>44</sup> who always did her best to supervise every facet of the hospital. Cumming often commented on the fact that it was very uncommon for a hospital to be regulated according to an agreed set of rules. For the Chattanooga hospital, the washing was done in hospital, which caused Cumming to remark, “I wonder what ‘head-quarters’ would say if this were known. It seems strange that in one hospital can be done what is unlawful in another.”<sup>45</sup>

As the war dragged on and the demand for nurses

increased, Cumming grew considerably more irritated with the prevailing reluctance of Southerners to send women out to serve as nurses. Cumming often wrote in her journal of her distress at the seeming reluctance of well-born Southern women to consider nursing; “Are the women of the South going into the hospitals? I am afraid they are not! It is not respectable, and requires too constant attention, and a hospital has none of the comforts of home...a lady’s respectability must be at a low ebb when it can be endangered by going into a hospital.”<sup>46</sup> Later in the war Cumming wrote in response to a letter addressed to one of her fellow nurses saying that a hospital was no place for a modest young lady,

As far as my judgment goes, a lady who feels that her modesty would be compromised by going into a hospital and ministering to the wants of her suffering countrymen, who have braved all in her defense, could not rightly lay claim to a very large share of that excellent virtue—modesty—which the wise tell us is ever the companion of sense.<sup>47</sup>

As historian Richard Harvell wrote in his introduction to *The Journal of Kate Cumming*, “When the states of the South seceded in 1860–61 there was too little preparation for the actualities of war. Least of all was there preparation for an adequate hospital service for the army. What need an elaborate hospital corps for a war which would be decided in a few battles and in a few months?”<sup>48</sup> It was unfortunately clear from the early months of the war that the Confederate government could not adequately care for all of its wounded; a situation which only worsened as the war continued and individual groups of citizens had to begin supplementing hospitals with food and supplies for its wounded.<sup>49</sup> When the Confederate government eventually took over administration of all military hospitals, individual groups and towns still raised funds and gave provisions to help keep the soldiers needs met.<sup>50</sup> Whether their menfolk liked it or not, women were the ones who were left remaining at home, and increasingly they had to step into positions of authority and management as the death toll

climbed.

The Confederate Congress also had to take matters into its own hands regarding the situation of women as nurses and the lack thereof, and passed an act concerning women serving in military hospitals on 27 September 1862. Cumming wrote after the event: “Congress has passed a law, making provision for ladies (where they can be had) to take charge of the domestic arrangements in hospitals.”<sup>51</sup> As the Civil war historian Bell Irvin Wiley wrote of the situation, “Soon rumors began to circulate that there was something wrong in hospital administration and Congress, desirous of remedying omissions, passed a law by which matrons were appointed. They had no official recognition, ranking even below stewards from a military point of view.”<sup>52</sup> Even after the passing of the law, few educated “ladies” applied for these positions, and they usually went to lower class, mostly uneducated women.<sup>53</sup>

Nonetheless, the Southern women who did decide to serve as nurses and matrons during the war would take a page out of Nightingale’s book and use their born and bred mild-mannered and soft-voiced gentility to their advantage. Nightingale had admonished her nurses-in-training on how to maintain control as a woman over a group of other women while surrounded by men. “The very first element for having control over others is, of course, to have control over oneself...A person, but more especially a woman, in charge must have a quieter and more impartial mind than those under her, in order to influence them by the best part of them and not by the worst.”<sup>54</sup>

Due to the passing of the law by the Confederate Congress, Southern women now had the assurance of a protected place within the hospital hierarchy for the duration of the war. Phoebe Yates Pember was one of the chief matrons at Chimborazo hospital, which was the largest military hospital in the world at that time.<sup>55</sup> Pember wrote of how before Congress passed the law, men were very often the “nurses” in a hospital, though often to detrimental effect, as they were usually patients from among the sick and wounded who were

only barely recuperated.<sup>56</sup> Pember also wrote of her arrival at a military hospital that many “expected in horror the advent of female supervision” and they were not looking forward to the enforcing of Congress’s newly passed law which would bring about, what they termed, “petticoat government.”<sup>57</sup> The passing of the law appointing matrons in hospitals slowly but surely did much to bring order to medical management within army hospitals, resulting in smoother and better-run hospitals.<sup>58</sup> Mary Louise Marshall writes that “Even after the Confederate government assumed control of the medical service and hospitals, women continued to do most of the work and furnish supplies, workings as nurses, matrons, and supervisors; in addition, the sick and wounded were received into private homes.”<sup>59</sup>

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**“NONETHELESS, THE SOUTHERN WOMEN WHO DID DECIDE TO SERVE AS NURSES AND MATRONS DURING THE WAR WOULD TAKE A PAGE OUT OF NIGHTINGALE’S BOOK AND USE THEIR BORN AND BRED MILD-MANNERED AND SOFT-VOICED GENTILITY TO THEIR ADVANTAGE.”**

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When considering the difficulty of creating a district or parish hospital due to the extreme gap between the rich and the poor, the following remedy was suggested by Nightingale: “Perhaps the best way...would be by combining personal responsibility with social organization, an individual undertaking the duties of superintendence and providing a certain proportion of the funds, and an organization, charitable or religious, the rest.”<sup>60</sup> The difficulties of military-run hospitals were never successfully resolved for the Confederate side during the war, but the most successful examples were very often those managed by women out of their own homes. Mary Louise Marshall writes:

In High Point, North Carolina, a hotel, a girl’s school, as well as Methodist and Presbyterian churches were used as relief centers. As wounded were able to be moved, they were transferred to military hospitals. At this station only 50 died out of some 5,800 who were cared for, all nursing being done by local women.<sup>61</sup>

Private hospitals had become so abundant during the early years of the war that a law was passed by the Confederate government that they be discontinued, and “no hospital was allowed except those under the care of a commissioned officer, with a rank no lower than that of a captain.”<sup>62</sup>

A young nurse from Virginia named Sally Louisa Tompkins was appalled by this law, and took the proof of the effectiveness of her privately run hospital directly to President Jefferson Davis.<sup>63</sup> Tompkins was commissioned a Confederate cavalry captain by President Davis and was the only official female officer appointed on both sides during the war and her house in Richmond officially became the Robertson Hospital.<sup>64</sup> She returned the pay she was given due to her rank, but effectively used her official authority to “issue orders and draw supplies to supplement what she could secure by gift,” as extremely few women were allowed.<sup>65</sup> She developed a notorious reputation for cleanliness and her medical facility had the lowest death rate in the entire Confederacy, with only seventy-three deaths out of 1,333 patients.<sup>66</sup>

Ella King Newsom, who became the matron of the Academy Hospital in Chattanooga, Tennessee, came from wealth and privilege like Nightingale. Richard J. Fraise, in his editing of the writings of Newsom, dubbed her “the Florence Nightingale of the Southern Army”, and he compared her to her British forbear in eight different ways, the most significant among them being “the highly endowed moral nature of each”, “each deemed a preliminary hospital training essential to ultimate success in her calling”, and “both had the capacity to organize and manage a corps of workers.”<sup>67</sup> The majority of women who served as nurses during the Civil War were from the middle to lower classes, and were no

less important than their more privileged sisters, but the entry of upper-class women helped to lessen the stigma of nursing as a unseemly occupation for a woman. Marshall writes that “certain women of wealth assumed personal responsibility for supply military units with all necessities”, and among this band of honorable women were Mary Ann Buie, Mrs. John T. Johnson, and Mrs. William Hart.<sup>68</sup> Where upper-class women led, women from the lower rungs of society often followed in considerable numbers, and when these gentlewomen gave as generously of their time and resources as Nightingale had of her own wealth, the impact cannot be underestimated. As historian Roberta Tierney writes: “With the entrance into hospital nursing of socially prominent women, possessing strong political and humanitarian beliefs, strong educational backgrounds, and good organizational ability, nursing began to emerge as a respectable occupation for women in the United States.”<sup>69</sup>

From its very beginning the Southern army had suffered from a devastating profusion of wounded men and an equally devastating shortage of trained medical staff in its hospitals and capable women to assist. In 1864, Robert E. Lee established a commission to study the shortage of hospital staff, but the tide of the war had already turned.<sup>70</sup> An overwhelming reason for the lack of women in nursing and management roles in hospitals had always been the negative light that their peers viewed their calling, and the difficulty they faced in acquiring and keeping positions in light of this negativity. While she had the approval of her doting Scottish father, Cumming had faced tremendous opposition from her brothers when she expressed her desire to become a nurse at the outset of the war. She was told by one of her brothers that nursing was “no work for a refined lady”:

One of them, whose sister and mother went with Miss Nightingale to the Crimea, told me I would be mistaken if I thought our position would be like [English nurses]...All of this made me more determined than ever...As to the plea of its being no place for a

refined lady, I wondered what Miss Nightingale and the hundreds of refined ladies of Great Britain, who went to the Crimea, would say to that!<sup>71</sup>

Cumming was doubtless able to sum up all of her Scottish feistiness and remind her brothers that what “Miss Nightingale” had done, Miss Cumming most certainly could do too! It shall unfortunately never be known just how many Southern ladies summoned the name of Florence Nightingale to gain approval to serve as nurses from closed-minded friends and family when the war began. Phoebe Yates Pember also wrote of the thorny subject of women in hospitals and their “modesty”:

There is no unpleasant exposure under proper arrangements, and if even there be, the circumstances which surround a wounded man...suffering in a holy cause and dependant upon a woman for help, care and sympathy, hallow and clear the atmosphere in which she labors...In the midst of suffering and death...a woman must soar beyond the conventional modesty considered correct under different circumstances.<sup>72</sup>

Despite the outcome of the war for the Southern women who had served in it, they had claimed a small victory for themselves, their daughters, and their female descendants. These women courageously flouted convention and endeavored to overcome

the disease-ridden hospitals in which they served. The nurses of the Confederacy paved the way for women to be viewed as capable and courageous and the equal of a man in terms of medicine and management, just as Florence Nightingale had done for Englishwomen. The independence and sense of self-worth they found in their nursing positions would prove immensely valuable to them in the days and years of hardship ahead of them. Far too many fathers, husbands, and sweethearts would not return to give Southern belles and matrons the stable futures they had been trained to expect from their childhoods, and these women would now need to find and make their own way in the world.

As Florence Nightingale had wrested an independent and pioneering future from a cosseted and complacent upbringing, Southern women had won for themselves a new frontier of opportunities. Due to the inspiration and influence of an indomitable English gentlewoman, they could pave a new future and new careers for themselves. Southern women would continue to face censure in the future, but as Nightingale exhorted her female readers in her pioneering work *Notes on Nursing*: “You want to do the thing that is good, whether it is ‘suitable for a woman’ or not...Oh, leave these jargons, and go your way straight to God’s work, in simplicity and singleness of heart.”<sup>73</sup>

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## DIVIDED WE REVISE

by Alice Grissom

In 1861, the United States of American experienced its most profound and most visceral divide, in both action and opinion, as 11 Southern states wrenched themselves away from the union, leaving behind a line of gaping wounds on the landscape – bloody battlefields, scorched cities, and farmlands in flames. In 2018, the nation experiences division anew that, while not threatening to physically rip apart the country, seems in the public mind to carry almost as great a weight as the ideological dissent that led to the Civil War. And perhaps that may be because the Civil War never really ended or diminished in the popular mind, though the fighting ended over a century and a half ago in 1865. Through textbooks and monuments, Americans have, in the intervening years since the Civil War, attempted to rewrite and revise history for the sake of subsequent generations, especially in the South. By forcing schools to use only State authorized textbooks, Virginia mandated to its students a Civil War narrative that overlooked the influence and atrocities of slavery and recast the war as "The War of Northern Aggression," rather than acknowledging the racist responsibility of the South.<sup>1</sup>



An example of a Confederate memorial statue on capitol hill Montgomery, AL. Courtesy of Library of Congress.

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**BY INSERTING SUBTLE BIAS INTO RESOURCES GENERALLY ASSUMED TO BE IMPARTIAL, SUCH AS TEXTBOOKS OR PUBLIC SPACES, SOUTHERNERS ENSURE THAT THEIR PREDILECTIONS SURVIVE TO FOSTER INTER-RACIAL ENMITY IN ANOTHER GENERATION.**

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More pertinently, Virginia did not start to enact these measures until the Civil Rights movement in the mid-twentieth century began to gain ground and influence, challenging the status quo of white hegemony. A more modern textbook conflict transpired in Texas, where passionate parents and school board members rejected the AP U.S. History curriculum and, like Virginia, set their own standards for their textbooks. More visible to the rest of the public, though no less insidious, are the Confederate monuments dotting the map, liberally sprinkled across the South and lightly cropping up all across the country. If considered only with a surface-level analysis, these monuments calmly recognize the casualty and courage in the most devastating war on U.S. soil; if understood through their context and history, however, their darker purpose – to continually revive themes of white supremacy and African American oppression – becomes apparent. These examples demonstrate the power of perception that agenda-driven educators and memorializers know so well. By inserting subtle bias into resources generally assumed to be impartial, such as textbooks or public spaces, Southerners ensure that their predilections survive to foster inter-racial enmity in another

generation. The legacy of agenda-driven history still influences Americans to this day as the U.S. perpetually grapples with the contradictions inherent in its patriotic national identity when considered in tandem with its horrific and, on occasion hypocritical past. This legacy and habit of historical revisionism influences not just adults, but through our schools and textbooks, it embeds itself into the minds of children, ensuring that the long-held tendencies of American racism will endure.

### HISTORIOGRAPHIC BACKGROUND

However, these incidents are not isolated in the scope of Western historiography and teaching. In England's educated elite of the nineteenth century, a new ideology arose in historians: the particular brand of presentism known as "Whig History." Presentist history views the past through the lens of the present, instead of the context of its time, which leads to damaging anachronism, misattributing motivations to historical figures, and contrived master narratives enacting a political agenda. The presentist historian views the past as inexorably progressing toward the present, which he views as the inevitable zenith of humanity – a view well supporting nineteenth-century British imperialism. This is not a method of historiography condoned by any consensus of modern-day historians, however. As these Whig historians, such as Thomas Macauley and James Mackintosh wrote for both a highly educated and a public audience, their works were long considered to be the foundation of Western/British history and were taught as such in schools for generations.<sup>2</sup> Coined by Hubert Butterfield in his seminal and widely-acclaimed work, *The Whig Interpretation of History*, the term "Whig History" denotes this specific nineteenth-century British subset of presentist historians who, like Macauley, indirectly supported their political leanings through their historical writings. These works, such as Henry Hallam's *Constitutional History of England*, favored Anglo-centric causes and motivations, as well as results, when depicting the past, and did so by casting various historical figures

who opposed or supported the modern day goals and values of Great Britain as characters in a master narrative. If individuals unwittingly supported the 'progressive' ideals of Victorian England, historians touted them as heroes, or portrayed as villains those who opposed English beliefs and practices, whether militaristic, social, cultural, racial, or religious. In engaging historical figures as actors in the public consciousness, Whig historians shaped the popular narrative by ascribing to real (though deceased) people anachronistic and unrealistic motivations insofar as they supported modern thought or could be construed to lead to modern developments, thereby retroactively creating secular saints and devils in the historical record.<sup>4</sup> Whig histories entrenched within the public mind the ideology of British superiority and its destiny as an actor of imperial greatness.

Many of these themes were culturally and geographically transmitted to America as it began to develop its own academic and historiographic identity. Writers used presentist thinking to support Manifest Destiny or to justify the imperialistic conquering of the continent by their ancestors. Even the first U.S. history textbook, published in 1795, contained a "patriotic tone" and "national feeling," a trend that once established, has not been abolished.<sup>5</sup> As American historical writers progressed through the Industrial Revolution, their views maintained this nationalism and additionally began to accrue a common "theme of breathless progression" that characterizes Whig history.<sup>6</sup> As American historians developed competing national narratives in times of conflict and post-war recovery, presentism merged with revisionism, which redefines accepted history to include a new perspective. This can be done to the benefit of historiography, as when women and minority voices are included in the canon, or to its detriment, as when Southern writers, both popular and academic, promulgated the "Lost Cause" theory of the Civil War, which eventually found its way into textbooks.

### TEXTBOOK CONTROVERSIES

Virginia:

As the stronghold and capital of the Confederacy, Virginia has a long heritage of revisionist history concerning race and the Civil War itself in textbooks. In the second half of the nineteenth century, with Reconstruction in full swing and the social structure and economic power of the South threatening to collapse, Southern states needed to redefine their cultural narrative in a way that discredited accusations of the North and that protected their pride. To this end, Virginian textbook authors Susan Pendleton Lee and John Williams Jones wrote textbooks which cast slavery in a favorable light and employed reprehensible tactics, such as social Darwinism and racial determinism, to falsely justify the continued subjugation of African Americans by white Southerners.<sup>7</sup> They argue that African Americans could not support or govern themselves without white guidance, and that, rather than permanently harming millions of African Americans, slavery benefited them. To supplement their racist recasting of Southern social history, Lee and Jones both promoted the "Lost Cause" explanation of the Civil War, which paints the Confederacy as underdog heroes supporting the righteous virtues of antebellum South in the face of violent opposition from greedy and godless Northerners.<sup>8</sup> They lauded Confederate leaders, such as Jefferson Davies and Robert E. Lee, as paragons of virtue and moral role models for schoolchildren. These texts were implemented statewide by 1900 and were mandated for decades.<sup>9</sup> "By influencing how history would be taught ... the nationalism of racial inclusiveness and political egalitarianism ... which embraced people of color as national citizens, could be dismissed as a delusion" by textbooks such as Lee's and Jones'.<sup>10</sup> Deliberately biased textbooks like Lee's and Jones' contributed significantly to the preservation of the fictitious "Lost Cause" version of the Civil War and ensuing structural racism.

As civil rights advocates began to be heard on a national stage in the first half of the twentieth century,

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**"THIS INSTRUCTION PREPARES WHITE STUDENTS TO FACE THE FUTURE WITH BITTERNESS TOWARDS OTHER RACES, CLASSES, AND REGIONS, FOR PERCEIVED, YET NONEXISTENT, GRIEVANCES AND PRESUPPOSES THE IMPOSSIBILITY OF FUTURE COOPERATION."**

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the Virginia State government sought a solution to preserve the racial status quo and indoctrinate young Virginians against thoughts of equality, as well as protect a positive view of the state's heritage and its identity. Like many Southerners, influential Virginians saw themselves as the victims of cruel social progress, with their values, social stability and way of life needlessly and recklessly threatened.<sup>11</sup> Thus, the state established the Virginia History and Textbook Commission to enforce the transference of the state's culture to future generations through the public-school system. The Commission requested new textbooks for 4th, 7th, and 11th grade social studies classes, and had specific requests for each. The covered everything from a "simple, entertaining, attractive and informative book for fourth-grade use on Virginia's history, with emphasis on the pioneer days," to "a new text on state history, government, and geography for the seventh grade," and "another new textbook developing fully the story of Virginia history and government for use in high school."<sup>12</sup> The publishers would only facilitate their plan if the committee guaranteed the books would be required in all Virginia schools, providing a guaranteed revenue stream for the publishing house, and the committee would only agree to work exclusively with a publisher if the publisher promised the committee full control

over all content, with the right to choose authors who would further their agenda and veto any information they did not think fit to include.

The resulting textbooks, as described in “Whoever Controls the Past, Controls the Future,” invoke an undeniably racist bias in discussing the aftereffects of the Civil War and Reconstruction upon white Southerners that intentionally promotes the social stratification and Jim Crow laws of the day:

Reconstruction finally ended when "the more broad-minded Northerners, after they came in close contact with the Negroes, came to understand Virginia's point of view. They realized that the Negroes had not been trained to rule themselves or to take part in governing the state." The book implied that African Americans still could not "take part in governing the state." Instead, "the government of Virginia" had to be in the "hands of native sons." These "native sons," the Redeemer Democrats, ended the "worst years of suffering and struggle" that Virginia had endured and corrected "the misrule, extravagance, and corruption" wrought by "carpetbaggers and scalawags."<sup>13</sup>

The texts victimize post-war Virginians and blame the North for the state's poverty, political turmoil, and social dysfunction, rather than explaining to students how Virginia's adherence to segregation and slavery was the root cause of many of these issues. Instead of encouraging Virginian students to understand the responsibility their ancestors had in starting the Civil War, they denied Virginia's responsibility in the atrocities perpetuated against African Americans in the South under slavery. Additionally, the texts wholly disregarded the necessity of restructuring the post-war South to accommodate the new economic pressures of a post-slavery industrializing region and the need for external intervention in social and civil rights affairs, a need still felt in the students' present day. This instruction prepares white students to face the future with bitterness towards other races, classes, and regions, for perceived, yet nonexistent, grievances and presupposes the impossibility of future cooperation.

When questioned about the representation of African Americans in the new textbooks, which were, appallingly, used in both white and African American schools, one author, Dr. Marvin V. Schlegel, said the following in reply:

The Negro, has no control over the preparation of the textbook ... his viewpoint can be safely discarded. Nevertheless, since the textbook is intended for the Negro schools as well as the white schools, it should be designed so far as possible to instill Virginia ideals in the colored race...When it is necessary to discuss the Negro, he should be praised for those qualities which are approved by the whites, his loyalty to his master, for example. When he must be criticized, as in Reconstruction days, his weaknesses can be excused on the grounds of his lack of training.<sup>14</sup>

Horrifyingly, these texts were constructed with the express purpose of educating African Americans in such a way as to reinforce the supposed historical and cultural validity of their continued oppression. Schlegel reiterated these themes in his depiction of African American involvement in the Civil War, which he characterized as thousands of African Americans fighting on behalf of their masters in the Confederate Army, a claim which historians have thoroughly debunked.<sup>15</sup>

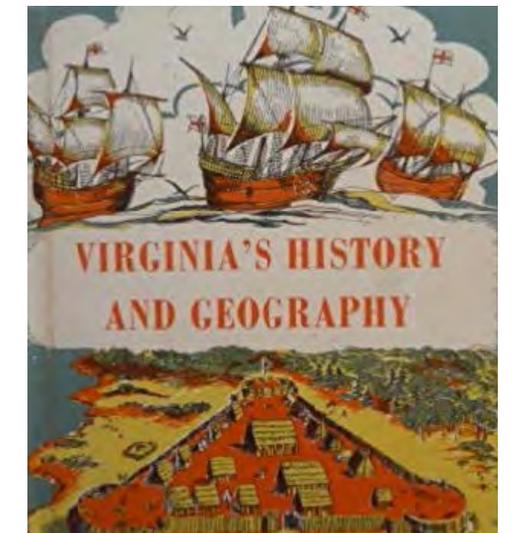
Fortunately, these textbooks are not immortal, and through the civil rights movement, African-American Virginian educators raised awareness about the misrepresentations and racist agenda inherent in the texts. The Virginia Council on Human Rights and the Southern Regional Council embarked in 1965 on a joint effort to eradicate from schools what they termed the "southern-version history textbooks," and reinstate notions of historical accuracy and unbiased education.<sup>16</sup> In the late sixties, the Civil Rights movement brought legitimate voting and civic power to African Americans, who now called on the state government to remove racist and revisionist history texts from public schools. After years of campaigning against the continued use of the texts and a national investigation into their accuracy, the Virginia Council

on Human Rights succeeded in officially ridding schools of the 1950 Virginia History and Textbook Commission's texts in 1972, thereby introducing a more equally representative curriculum which emphasized the South's true motivation in the Civil War.

Texas:

Within the last decade, a controversy rooted in similar complaints and conservative misgivings arose in the Texas public school system. Efforts of conservative Texas Board of Education members to “promote Christian fundamentalism, boost conservative political figures, and force-feed American “exceptionalism,” while downplaying the historical contributions of “minorities” in social studies curricula across the state will have ramifications outside of Texas as publishers revise books to cater towards the large market.<sup>17</sup> As California is the only other state with a market value comparable to Texas's 48 million yearly textbook order, national publishers often widely distribute Texas-approved texts to reduce reprinting costs.<sup>18</sup> These attitudes, which counteract the current academic views on U.S. history, also seek to discredit the separation of church and state doctrine, the Enlightenment background of the nation's founding, and the predominance of slavery in the Civil War. To avoid offending or upsetting conservative voices clamoring for the "Lost Cause" interpretation, textbook publishers often frame the war as a battle over the validity of states' rights, rather than over the perpetuation of slavery.<sup>19</sup> This recasting of historical truth has measurable effects in the public memory of the Civil War; according to a 2011 study conducted by Pew Research Center, up to 48% of American adults believe the country fought the Civil War over states' rights rather than issues of slavery, and an additional 9% claim both states rights and slavery as equally important causes.<sup>20</sup> As 60% of the respondents promoting states' rights as the primary cause of the Civil War were under 30, there is an implication that this widespread opinion could be the result of skewed textbooks inadequately explaining the link

between slavery and the Civil War.<sup>21</sup> Furthermore, textbooks “obscure the role of slave owners in the institution of slavery,” a damaging mindset established through subtle grammatical manipulation that reduces the compensatory responsibility of white America toward African Americans, and eradicates the full understanding of the human rights abuses perpetrated by slaveholders on a daily basis.<sup>22</sup> New Texas U.S. history policies mitigate the hardships faced by both African-Americans and Hispanics in the state, an ironic choice considering that one of the reasons Texas fought for independence and to join the United States was for the purpose of practicing slavery, which Mexico prohibited.



*Example of a textbook used in postbellum Virginia.*

In addition to the textbook debate, Texas schools have also engaged combatively with redesigned AP U.S. History curriculum, which opponents, including the Republican National Committee, claim “emphasiz[e] negative aspects of U.S. history” at the expense of the nation's master narrative of expansion and “American exceptionalism.”<sup>23</sup> The crux of this contention centers in neighboring Oklahoma, where Republican lawmakers advocate for a bill to introduce documents such as the Magna Carta and Ten Commandments

instead of College Board approved A.P. U.S. History documents and would undermine scholarship seeking to explore the racially-motivated nuance of American settlers, founders, and secessionists.<sup>24</sup> However, as impactful as the insinuations of textbooks may be, they are not the only highly visible public vehicle for propagating bias.

## MONUMENTS AND CONTROVERSY

In this millennium, presentist history has emerged from the depths of historiographical abandonment once more, but within a very different context: social justice. This moves presentist reasoning outside of academia and poses to historians (and the public) a controversial question: can we judge figures of the past by the values of the present if they, through remembrances, memorials, or intrusive visual presence, are still affecting the present? How thoroughly can we allow their cultural norms to infringe on or influence our own? Recently, controversy surrounded the persistence of Confederate monuments has developed into a national debate forcing Americans to confront their blood-red, white, and blue history. While many Americans can understand the horror of celebrating racist atrocities, that understanding becomes murky when those atrocities were committed by individuals previously considered to be national heroes. Those opposing the continued presence of these statues in public places claim that Americans should not venerate slaveholders and traitors, men who acted on racist principles to uphold a fundamentally flawed and despicable institution. However, advocates protecting the often prominent public position of Confederate statues' argue that we should not judge these men by the moral standards of our non-slaveholding society, and that simply because a social norm has shifted from accepted to abhorred does not mean we should condemn all those who practiced it or overlook their other contributions and actions. While this view may seem plausible, especially when one has been so strongly cautioned against accepting presentist arguments, it disregards a fundamental precept of anti-monument movement's grievance: by maintaining

and preserving these monuments, we implicitly acknowledge and accept – and, perhaps when patriotic fervor reaches a certain zenith even promote – the racist ideologies and the atrocities perpetuated by these individuals.

For many African-Americans, these statues are a daily reminder of oppression, whether they voice that emotion or not. Monuments symbolize power, and that reaches alike into the minds of those whom the power benefits, and those whom it leaves bereft.

Although some may imagine these monuments as a post-war expression of grief, “Confederate monuments were erected and dedicated by white southerners as an expression of their collective values—chief among them a commitment to white supremacy that secessionists were willing to die for,” rather the innocence of most memorials.<sup>25</sup> While some Confederate monuments ascended above Southern city skylines in the Reconstruction era, most appeared decades later, as Southerners and white supremacists reacted to perceived threats on their hegemony.<sup>26</sup> In the early twentieth century, the African-American diaspora and immigration policies permitting nationalities outside of very white Northern Europe prompted a backlash from American social conservatives that manifested in the first Red Scare of the 1920's, the resurgence of the Ku Klux Klan, and in erecting Confederate monuments to act as representatives of white superiority and maintain avenues of unspoken, but heavily present, oppression in public spaces. Monuments – and these monuments, specifically – are not passive structures. They are not calm art. Rather, they are eternally active, forcefully projecting a perspective, a status quo, a reminder.

## CONCLUSION

The harm imposed on minorities by implicitly (or explicitly) biased textbooks is now widely recognized and efforts are underway across the nation to speak out against maneuvers like those of the Texas and Virginia state governments. The debate engulfing Confederate monuments, while volatile and at times violent, opens the opportunity for a dialogue to

express the concerns surrounding the latent power imbalance and racist undertones of these statues. However, progress may not be permanent, and history is never solidified. Measures must be enacted to prevent subversive and discriminatory rhetoric from seeping into the textbooks of future Americans. As the "House Committee Studies Treatment of Minorities" writes at the close of the Virginia textbook controversy,

[I]n general, white-oriented textbooks tend to inoculate white Americans with the virus of racism ... the effect on black youth is equally disastrous ... because personal health depends to a great extent

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1 Adam Wesley Dean, "Who Controls the Past Controls the Future," *Virginia Magazine of History & Biography* 117, no. (2009): 319-355, [search.ebscohost.com/login.aspx?direct=true&db=f5h&AN=47393963&site=ehost-live](http://search.ebscohost.com/login.aspx?direct=true&db=f5h&AN=47393963&site=ehost-live).

2 Adrian Wilson and T. G. Ashplant, "Whig History and Present-Centred History," *The Historical Journal* 31, no. 1 (1988) 1-16, [www.jstor.org/stable/2639234](http://www.jstor.org/stable/2639234).

3 Ibid.

4 Ibid.

5 Alice Winifred Spieseke, *The First Textbooks in American History and their Compiler*, John McCulloch, etc. (New York, 1938), 5.

6 Joseph Robert Moreau, *Schoolbook nation: imagining the American community in United States history texts for grammar and secondary schools, 1865-1930* (Michigan: The University of Michigan Press, 1999), 49.

7 Ibid, 77.

8 Dean, "Who Controls."

9 Moreau. *Schoolbook nation*, 74-76.

10 Ibid, 78.

11 Ibid, 79.

12 Dean, "Who Controls."

13 Ibid.

14 Ibid.

15 Ibid.

on group self-esteem and because the spirit withers and dies if it is deprived of the opportunity to feed on the deeds of great men and the ideals of great movements.<sup>27</sup>

No one, of any race, benefits from grossly biased and inaccurate textbooks. No one, of any race, should die because of a statue. These matters are not insignificant and should not be treated as such. The content selected for textbooks, the faces displayed in public squares – these avenues of influence can either endorse a disempowering, dominating narrative, or reject it, and allow young people to live unencumbered by the prejudices of the past.

16 Ibid.

17 Tim Walker, "Will Texas Decide What's In Your Textbook?" National Education Association, [www.nea.org/home/39060.htm](http://www.nea.org/home/39060.htm); Michael Birnbaum, "Texas board approves social studies standards that perceived liberal bias," *The Washington Post* (2010): n.p, Accessed May 29, 2018, <http://www.washingtonpost.com/wp-dyn/content/article/2010/05/21/AR2010052104365.html>.

18 Ibid.

19 Alia Wong, "History Class and the Fictions About Race in America," *The Atlantic* (2015), [www.theatlantic.com/education/archive/2015/10/the-history-class-dilemma/411601/](http://www.theatlantic.com/education/archive/2015/10/the-history-class-dilemma/411601/).

20 Mary Pat Clark, "Civil War at 150: Still Relevant, Still Divisive," *Pew Research Center for the People and the Press*, April 8, 2011, [www.people-press.org/2011/04/08/civil-war-at-150-still-relevant-still-divisive/](http://www.people-press.org/2011/04/08/civil-war-at-150-still-relevant-still-divisive/).

21 Ibid.

22 Ellen Bresler Rockmore, "How Texas Teaches History," *The New York Times* (2015), [www.nytimes.com/2015/10/22/opinion/how-texas-teaches-history.html](http://www.nytimes.com/2015/10/22/opinion/how-texas-teaches-history.html).

23 Jacoba Urist, "Who Should Decide How Students Learn About America's Past?" *The Atlantic* (2015), [www.theatlantic.com/education/archive/2015/02/who-should-decide-how-students-learn-about-americas-past/385928/](http://www.theatlantic.com/education/archive/2015/02/who-should-decide-how-students-learn-about-americas-past/385928/).

24 Ibid.

25 Kevin M. Levin, "Why I Changed My Mind About

Confederate Monuments," The Atlantic, August 19, 2017, accessed May 29, 2018, <https://www.theatlantic.com/politics/archive/2017/08/why-i-changed-my-mind-aboutconfederate-monuments/537396/>.

26 Nate Dimeo, "Notes on an Imagined Plaque to be Added to the Statue of General Nathan Bedford Forrest, Upon

Hearing that the Memphis City Council has Voted to Move it and the Exhumed Remains of General Forrest and his

Wife, Mary Ann Montgomery Forrest, from their Current

Location in a Park Downtown, to the Nearby Elmwood Cemetery," August 13 2015, in The Memory Palace, produced by Radiotopia, podcast, MP3 audio, 11:03, accessed May 29, 2018, [thememorypalace.us/2015/08/notes-on-an-imagined-plaque/](http://thememorypalace.us/2015/08/notes-on-an-imagined-plaque/).

27 Dean, "Who Controls."

## T'CHALLA, THE BLACK PANTHER: THE HISTORICAL ACCURACY OF INSTITUTIONALIZED RACISM AND THE BLACK POWER MOVEMENT ON THE PAGES OF MARVEL COMICS

by Grace Larkin

*"Black men must unite to overthrow the White oppressor, but we must do it like the panther, smiling, cunning, scientifically - striking by night and sparing no one."*<sup>1</sup>

T'Challa, king of fictional yet futuristic Wakanda, rose to prominence in the 1960s and 1970s within American popular culture on the pages of Marvel Comics as the first black superhero. A hero aptly named the Black Panther, he serves as an icon of Black Power, embodying the movement's values and tactics. Graceful, lithe, and quick to act, the warrior-king of Wakanda fought to protect the weak, regardless of race. Several of his comic arcs feature him fighting for justice in the black community, whether it be in his home nation or amidst the down-trodden black neighborhoods of America. Mirroring historical events, the stories of the Black Panther reveal the deeply institutionalized racism, tension of interracial relations, and revolutionary culture of his contemporary era. His personality and sense of justice reflect historical persons, including that of Black Panther Party leader Huey P. Newton. After careful examination of these story arcs and the historical situation,

**THE BLACK PANTHER CLEARLY EMBODIED BLACK POWER IDEALS IN SUCH AN ACCESSIBLE MANNER FOR MAINSTREAM AUDIENCES THAT HE TRIGGERED THE MASS INTRODUCTION OF NON-STEREOTYPICAL BLACK HEROES AND CHARACTERS WITHIN AMERICAN POPULAR CULTURE TO COMBAT THE INSTITUTIONALIZED RACISM OF THE COUNTRY.**



Stan Lee in 1975  
Courtesy of Alan Light

### THE RISE OF THE BLACK PANTHER

In 1966, Marvel Comics' leader, Stan Lee, began to push for affirmative action on the hand drawn pages of his stories, and thus T'Challa was born. First featured in The Fantastic Four, Marvel writers quickly issued the Black Panther his own series in 1973 with Jungle Action #5,<sup>2</sup> a series that had previously been devoted to white imperialist

reprints from the 1950s.<sup>3</sup> White proofreader, Don McGregor, despised the racist work that had crossed his desk, and when given the opportunity to take over as Jungle Action's writer, he reoriented the Black Panther within T'Challa's native homeland of Wakanda. Emphasizing the character's dignity and a political message of anti-racism, masculinity, and patriotism, McGregor worked closely with black illustration artist Billy Graham to produce "the only mainstream American comic book to feature an all-black cast."<sup>4</sup> McGregor insisted on T'Challa's independence as a superhero, refusing to allow white superheroes to swoop in to save either T'Challa or the day in many issues. In the comic book run The Panther vs. The Klan (1976), the writer inserted himself vicariously into the Black Panther pages through the character of Kevin Trublood, a reporter warned

against criticizing the violent actions of the Ku Klux Klan in Georgia; Trublood represented McGregor's dedication to changing the racist conditions within America in whatever small way he could, even if doing so threatened his professional or personal reputation.<sup>5</sup> Black representation mattered, even to white writers like McGregor, reflecting the cultural shift in the American mindset after the political gains of the struggle for black liberation.

Coincidentally timed with T'Challa's emergence in 1966, the Lowndes County Freedom Organization created a black panther logo only three months after the publication of the comic character, eventually developing into the Black Panther Party (BPP).<sup>6</sup> As "black" eclipsed the term "Negro" in the American political consciousness, the rise of both the BPP and the Black Panther represented a shift in the political and cultural mindset of the nation in the wake of the classic phase of the civil rights movement. As the BPP's reputation became increasingly besmirched through the actions of COINTELPRO, media sensationalism, and individual members' crimes,<sup>7</sup> Marvel sought to distance itself, and its hero, from the negative backlash from the American public concerning the Black Power movement. Stan Lee had happily widened his audience in the early 1960s with T'Challa, defending the character as more than a "token Negro",

## BECAUSE HIS INTRODUCTION TO MAINSTREAM AUDIENCES ALLOWED FOR MARVEL TO INCLUDE MORE BLACK CHARACTERS TO CHALLENGE THE SHORTCOMINGS OF WHITE LIBERALISM AND THE FAILURE OF AMERICA TO PROTECT PART OF ITS POPULATION FROM THE HORRORS OF RACISM.<sup>8</sup>

The company's social commentary scaled back in the mid-1970s as the Black Panther Party passed

its zenith; T'Challa remarked to the Thing, "I neither condemn nor condone those who have taken up the name," leaving readers to decide whether the staff of Marvel Comics truly supported more radical Black Power tactics and movements.<sup>9</sup>

### PANTHER PERSONALITY AND CULTURAL CONNECTIONS

Firstly, T'Challa's personality, role as warrior-king, image, and home country warrant historical comparison. The sacred status and title of the Black Panther falls to the ruler of Wakanda, a small independent nation in northeast Africa. Within the comics, Wakandans understand the Black Panther as "a figurative God image...a sacred being—as the cow is venerated in India."<sup>10</sup> Not only perceived as sacred to the way of Wakandan life, the Black Panther archetype can only be fulfilled by a learned man of the highest moral quality. T'Challa's story arcs portray him as a technologically advanced scientist, an idealist who protects the weak, and a fighter for justice for the oppressed of humanity. The pages detailing Wakanda heavily feature futuristic technology blended with African tradition, a sense of reverence for the protection of the local feline god and his embodiment as the Black Panther, and a third world status that regularly flouted white imperialists. "For Wakanda, black social agency is the fulcrum for their technological advancement,"<sup>11</sup> clearly denoting the effect of the Black Power movement's ideal of black agency and self-determination on popular culture. The word "wakanda" itself bears historical significance as well; in the belief structure of the Azande people of north central Africa, wakan or wakanda represents a disembodied, powerful supernatural force that "courses through all living things" and can be harnessed, directed, and used to achieve any goal.<sup>12</sup> This additional definition of Wakanda supports the concept of self-determination so fundamental to the Black Power movement, and the choice of Marvel writers to use the word may reveal a deepening of social commentary for a mainstream audience.

Everything about the conceptualization of Wakanda, from its distant, rural setting to its vastly advanced technology, flew directly in the face of seven decades of American representation of Africa as a backwards, tribal, racist, cartoony trope within mainstream media.<sup>13</sup> The Black Panther himself also overpowers stereotypes, challenging the traditionally established discourse of Black Power. His presence in the scientific fiction genre offers a nonconventional option for black identity, challenging racist notions in his contemporary era. Arguably, T'Challa can be presented as one of many "social symbols...as ideological place-holders for variegated expressions of black racial identity and black futurism...for a more complex and unique expression of black racial identity."<sup>14</sup> The development of black identity and ideology seemed integral to the success of the Black Power movement; Jim Crow historiography reveals a nasty tendency to lump African Americans, their values, and actions into a neat monolith, which academia now recognizes as categorically untrue. The Black Power movement sought to attack institutionalized and systematic racism through achievement of autonomy, political self-determination, and black identity at local, national, and international levels. It would be historically impossible and negligent to categorize such a massive movement with its constantly evolving variations as monolithic. T'Challa served as an approachable, non-stereotypical, black hero that challenged "essentialist notions of racial subjectivity... racial inequality and racial diversity, and contain[s] a considerable amount of commentary about the broader cultural politics of race in America and the world."<sup>15</sup>

T'Challa's idealism, black-and-white sense of justice, and messianic reputation can be compared to Huey P. Newton. Black Panther Party newspaper clippings feature interviews calling Newton a "black Jesus,"<sup>16</sup> with a genuine concern for humanity,<sup>17</sup> and the historical record speaks to the rigidity of the Black Panther Party's code of justice. The comparison of a Black Power activist to Jesus proves particularly

striking, as the May 1976 cover of *The Black Panther* showed T'Challa roped to a heavy wooden cross with captions pointing out his humanity:

He is not a symbolic Christ! Forget about turning his flesh and blood into some esoteric allusion to the persecution of contemporary man. This is the Black Panther...King of the Wakandas...also known as T'Challa. And he is made of flesh and blood. And the flames which consume the cross and his body prove his humanity. And the death-watchers, dressed in white robes, revel at his torment and desire his death!<sup>18</sup>

This depiction of the Black Panther reveals the brutality of racism within the United States, as well as pointing to the physically violent backlash suffered by black activists. The cover depicts not only the Ku Klux Klan, but what is undeniably an attempt to lynch the black superhero for his justice-based humanitarian actions. Like the highly educated and brilliant T'Challa, Huey P. Newton's intelligence and scholarship can be easily traced in the newspaper clippings, with several anecdotes of his educating the people around him in intellectual subjects such as leftist politics, economics, and the reality of Black Power. Newton and his party's advocacy of armed self-defense and militant attitude fostered the cultural significance needed to develop T'Challa's character.

Heightened to a supernatural level after the ingestion of a heart-shaped herb, his senses and physical abilities enable Black Panther to excel in all forms of combat; T'Challa's skills exhibited in the comics reveal a penchant for hand-to-hand combat, proficiency in guns, knives, and projectiles, and a willingness to go to extreme measures to achieve his goal. That dedication to a cause is arguably reminiscent of the Black Panther Party. The BPP members' advocacy for armed self-defense of their children, women, and neighborhoods through violent and extreme means reflects the tactics of the Black Panther. T'Challah also resorts to extreme means, often violently fighting, to protect his family, nation, and black communities he may be visiting. In *They*

Told Me a Myth I Wanted to Believe: The Panther vs. The Klan, Part II, T’challa and his girlfriend, Monica Lynne, travel to Georgia to investigate the suspicious death of her sister Angela only to discover that the Klan ruthlessly murdered Monica’s sister to protect their financial interests. After learning that the Lynne family was considering speaking to both law enforcement and the press, the Klan sends assassins to dispatch Monica while at the grocery store; T’Challa leaps into action, quickly tossing the armed Klansmen through the aisles, destroying the stacks of food, beating them senseless within minutes.<sup>19</sup> As a result, the white crowd around the couple panics, seeing him “as a threat, attacking their own, and they gather around him in vindictive fury. After all, it could have been them that he attacked.”<sup>20</sup> His protective actions resulted in a pistol whipping from the police, a deep gash from an old lady gripping a can of cat food, and the Klan’s placement of a bounty on the head of the Black Panther.<sup>21</sup> The contemporary cultural depictions of racial tensions and Black Power values are apparent within the pages of the comic series.

Both the BPP and the Black Panther also have a meaningful uniform to serve as a physical reminder of black values. While the Black Panther Party stuck to an all-black ensemble complete with cocked beret, T’Challa prowled through the pages as a powerful figure, a tall, muscular black man clad in a skin-tight dark blue, nearly black, catsuit topped with small pointed ears. As heads turned for the Panthers’ imposing uniform, the panels of the Black Panther show the attention garnered by his outfit; again in They Told Me a Myth I Wanted to Believe: The Panther vs. The Klan, Part II, T’challa draws the numerous hostile stares of white patrons as he grocery shops with his girlfriend.<sup>22</sup> After his scuffle with knife-wielding executioners, the local sheriff remarks to Monica that her boyfriend’s manner of dress discomforts the public, trying to lighten the situation by suggesting T’Challa switch to another color to be more appealing, jokingly referring to the Pink Panther.<sup>23</sup> A small panel hints at the contemporary era’s media obsession

with the aesthetic of the Black Panther Party; the panel states that the small-town Georgia press loved the performance and “somber attire” of the Black Panther, snapping as many photos as possible before being shooed away by police.<sup>24</sup> Both the BPP and the Black Panther were immediately recognized by their uniforms, and thus their uniforms represented their values. The chosen uniform of the Panthers and of T’Challa inspired fear in their enemies and comfort in their constituency. The historical basis for such a character as the Black Panther may point to the Black Panther Party as an unconscious influence on the writers and artists at Marvel Comics.

### INSTITUTIONALIZED RACISM BRED A FLAWED SYSTEM AND THE ALLOWANCE OF THE KU KLUX KLAN

The racist culture that birthed T’Challa as a character exists within the comics as well, but one must establish the existence of institutionalized violence, hatred, and racism before comparison. Several documents, including Black Panther Party newspaper clippings, multiple files on the activities of the Ku Klux Klan (KKK) from the Congress of Racial Equality (CORE), the U.S. Information Agency, and the NAACP, and a CORE report on interracial violence clearly indicate cultural conditions that would later generate the Black Power movement. The degree of historical accuracy in The Black Panther series concerning the KKK denotes a culture of institutionalized racism and fear, in which black communities needed heroes and role models, and the Black Panther rose to the forefront as just what his people needed.

The CORE report spanning from 1963–1965 reveals the scale of white on black killings in the southern region of the United States. A cursory glance leaves the historical reader appalled. The details of the report display a blatant disregard for black life, with the killings including men, women, and children; five out of twenty-two of the incidents listed on the report involved the severe maiming or disfigurement of the

victim(s) before being murdered. With a motivation of hatred for civil rights activism or simply pure racism, the thirty cases of murder by whites resulted in less than 25% of arrests, and absolutely no cases resulted in convictions.<sup>25</sup>

When victimized, T’Challa and Monica Lynne also experience the corruption of the justice system firsthand. After being assaulted by another subversive group while visiting the Lynne family plot, the local sheriff identifies the perpetrators as “local boys... which don’t give ‘em no special lea-way like they might think.”<sup>26</sup> They immediately posted bail and disappear without further investigation or convictions. After being kidnapped by the KKK, beaten to a pulp with baseball bats and crowbars, lashed to a cross and set aflame, T’Challa drags himself to safety and subsequently the hospital.<sup>27</sup> True to his determined nature and despite lying prone in a hospital bed, the Black Panther insists on attending a Klan rally the following evening. Immediately, the sheriff leaps to the defense of the Klan:

Now waitaminnit, you two! I don’t want you goin’ in there bustin’ things up. They got themselves a permit, you got that? Now I’m not sayin’ there’s a law that can stop you from going down there...but you are surely gonna stir up a hornet’s nest—and I’d’a thought you got stung enough already! Well, either way I’ve had enough of that! You break the law, you know what I’ll do with your carcassess!<sup>28</sup>

The sheriff’s threat does nothing to deter T’Challa, but it reveals a sense of the contemporary era’s trend of victim-blaming and quit-whilst-ahead attitude aimed at black activists. Clearly, the judicial deck had been stacked against the black community, and the CORE report points to institutional racism depicted in the pages written by Marvel.

The development of a racist culture can be evidenced in the larger files from CORE and the U.S. Information Agency as well. The white extremist view of the civil rights movement created

a motive for violence. Directed to President Lyndon Johnson, a letter from the Georgia branch of the Klan threateningly insists that he (and thus the federal government), as well as “the Left Wing News Media, the N.A.A.C.P., C.O.R.E. and all of the other Communistic and Socialistic rabble rousers”<sup>29</sup> will never be able to destroy the Klan. The letter continues to say that the hate group will “fight with every means at our [their] disposal, at the Ballot Box, in the Swamps, or in the Hills...for we shall never surrender.”<sup>30</sup> The Black Panther faces off against the Klan in more than one issue in the mid 1970s, which reveals the historical significance of racial tensions represented in the comic medium.

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**“COMIC BOOK READERS HAD SEEN THE KLAN LITERALLY FIGHT THE BLACK PANTHER IN THE SWAMPS AND THE HILLS, AND DIALOGUE MIMICS THE HISTORICAL DOCUMENTATION OF THE KKK’S INTENTIONS OF FIGHTING FOR THE FUTURE OF WHITE CHILDREN, WHITE JOBS, AND TRUE REPRESENTATION IN GOVERNMENT.**

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Comic book readers had seen the Klan literally fight the Black Panther in the swamps and the hills, and dialogue mimics the historical documentation of the KKK’s intentions of fighting for the future of white children, white jobs, and true representation in government.<sup>31</sup> A specific panel denotes the Klan’s view on the federal government, stating that the country

was controlled by “anti-Christ Jews who brand the Klan with images of slaughtering the supposedly oppressed black man.”<sup>32</sup> The comic also accurately depicts the hierarchy, member demographics, and recruitment tactics of the Klan.<sup>33</sup> Further government pages on the Klan reveal that they “struck by night”<sup>34</sup> and infiltrated various levels of law enforcement and civic businesses, leading to the failure to relieve racial tensions, extreme citizen violence, and police brutality<sup>35</sup> in Atlanta, Georgia; T’Challa faces the Klan at night, and Sheriff Tate’s actions imply Klan infiltration into the local police and businesses. A description of the Klan’s tactics, such as mutilation, beatings, and cross-burning,<sup>36</sup> remain easily identifiable upon the pages of *The Black Panther*.<sup>37</sup>

## T’CHALLA’S LEGACY

Through careful examination of primary sources and the comparison of fiction to history, the pages of Marvel Comics’ *The Black Panther* denote the various nuances of the reality of 1960s–70s culture, politics, and racial tensions. T’Challa, the Black Panther, served as the first black superhero, one who fought for the oppressed regardless of race. Seemingly based on a synthesis of anti-racism and Black Power ideals, the comic character resembled historical figures and reiterated the motions of historical events. The Black Panther continues to claw justice from the flawed American system in modern settings. Black activist, journalist, and son of a Black Panther Party Member,<sup>38</sup> Ta-Nehisi Coates currently writes *The Black Panther* comics<sup>39</sup> to continue the powerful message of Black Power, and thus empowerment.

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## ASCENDANCY OF THE VANQUISHED: A STORY OF DIXIE AND THE BOER REPUBLICS

by Sammy Jane-akson

Perhaps one of the most uttered and, frankly, fetishized adages of historical thought is that of “history being written by the victors.” The saying itself is logical to a certain extent, as nations and peoples crushed under the boot of external adversaries or perhaps self-induced follies tend to not have a legacy beyond that of a footnote in most historical works. One only has to look at the Hittites of Bronze Age Anatolia, for example, to bear witness to the almost near oblivion the past few millennia have bestowed on their reputation. In the words of individuals such as Archibald Henry Sayce, an eminent scholar on the Hittite civilization in the late 19th century, such states have been relegated by time and accompanying obfuscation to the status of “forgotten empires.”<sup>1</sup> In our North American context, that cruel fate has belonged to the various Native American and First Nation tribes who once spread across the Great Plains, but have since been confined to reservations that stand as testaments to Anglo-Saxon conquest and subjugation.

Nevertheless, what may seem peculiar is not only the survival of certain cultures crushed militarily under the boots of dominant powers but their occasional ability to assert some form of cultural and political ascendancy within those states which irrevocably change the very nature and political culture of those powers. Such characteristics describe the highly idiosyncratic examples of “Dixie” (the former Confederate States of America) and the semi-independent Boer Republics (i.e. Afrikaners), two peoples whose claims to political sovereignty were violently quashed by centralized, geographically hegemonic “empires” on two separate continents in the second half of the 19th century (the American federal government and the British Empire, respectively).

Despite this destruction of their sovereignty and the

decimation of these entities’ respective populations in wars that wiped them off the geopolitical map (the American Civil War and Second Anglo-Boer War, again respectively), the populations of both entities quickly rebounded by the 20th century to become integral political and cultural participants within Anglophonic bodies politic, to the extent of them essentially dictating the fundamental racial and ideological character of their respective states. Both groups managed to actualize or partially actualize their desires at the national level through shrewd manipulation of partisan politics, constitutional provisions, and exploitation of racial prejudices.

In the Southern (or “Dixie”) situation, politicians imbued with and inculcated in sentiments sympathetic to the cause of the deceased Confederacy effectively retarded the progress of racial relations in the United States well after the conclusion of the American Civil War. To accomplish that end, Southern politicians used their stalwart allegiance to the Democratic Party to obstruct any federal legislation perceived to be antagonistic to a supposedly divinely-inspired “natural order” of things regarding race while extracting from the federal government both financial aid and a tacit guarantee of the racially unjust status quo (e.g. the establishment of Jim Crow statutes). Moreover, suspicions toward immigrants, political dissidents, and progressive governmental measures, emanating out of the parochial prejudices of Southern local elites in general, were exported to the federal level, largely due to the disproportionate cultural and political influence of the South within the American federal system. The formation, for example, of the politically significant “Second Ku Klux Klan” during the First World War (1916) and its successors in the post-WWII period attest to this phenomenon.

In South Africa, Afrikaners, or descendants of Early Modern Dutch colonists, utilized their numerical

majority in the minority white population to thoroughly “Afrikanerize” almost every political, economic, and social facet of their country. In the process, they acquired the consent and active support of people of white British descent to crack down on the civil liberties of so-called “natives” (i.e. Africans) for the overwhelming majority of the 20th century. This dedication to suppressing human dignity within this dominion of the British Empire would reach its climax in the country with the implementation of Apartheid laws after 1948. Taking those phenomena into consideration, one could argue that while being “vanquished” as independent, sovereign entities by military defeat,

## AFRIKANERS AND SOUTHERNERS ULTIMATELY ACHIEVED CULTURAL AND POLITICAL ASCENDANCY OVER THEIR RESPECTIVE COUNTRIES LARGELY DUE TO CONCESSIONS DOLED OUT BY THE VICTORS.

### Origins: A Brief Overview of Dixie and the Boer Republics

While conceptions of a distinct Southern and Afrikaner identity had been gestating, in earnest, since the 17th century, political events in the 19th century allowed both cultural groups to achieve some semblance of sovereignty on the world stage that allowed them to define their respective ethos and modus operandi adequately.

The South’s brief but bloody brush with sovereignty in the form of the Confederacy (i.e. Dixie) during the 1860s, for example, would give future Southerners a romanticized view of the antebellum South, especially regarding race relations and the semi-aristocratic status quo. The defeat of the Southern political experiment, as facilitated by a decentralized political structure involving “sovereign states” coupled with a lack of direct foreign intervention, would weigh heavily in the minds of Southerners and Southern elites well after the Civil War (1861-1865) concerning post-war historiography and policies aimed towards

former slaves.<sup>2</sup> So-called “Lost Cause” perceptions of the antebellum South and the American Civil War, characterized by a sense of martyrdom on the part of Confederate participants and antagonisms towards blacks and the federal government, would reign supreme in the popular imaginations of Southerners not only for the duration of the 19th century but well throughout the subsequent one.

In contrast to the South’s short-lived claims to sovereignty, the Boer (i.e. Afrikaner) Republics of the Orange Free State and Transvaal had spent more than four decades as semi-sovereign entities before being directly absorbed into the British Empire as a result of the Second Boer War (1899-1902). Similar to the Southern situation as characterized by antagonisms towards blacks and the federal government, many Afrikaners would likewise paint their modern history as being one embroiled in a seemingly-perpetual struggle against both “natives” (black Africans) and, to a lesser extent, the British Empire. Events such as the commemoration of the centennial anniversary of the Great Trek in 1938, for example, would carry political significance within South Africa due to Afrikaners celebrating, in these particular events, a halcyon view of pre-Boer War South Africa.<sup>3</sup> The Great Trek, often seen in both British and Afrikaner historiography as an attempt by Afrikaner “commandos” to carve out autonomous communities beyond the official jurisdiction of the British Empire, would be seen as heroic by many Afrikaner “nationalists” in the 20th century. Moreover, the fact that many Afrikaner politicians would harbor republican sentiments throughout the 20th century as a result of a romanticized interpretation of “Boer” history, including the pioneering efforts of Boer patriarchs in carving out what would eventually become the Orange Free State and Transvaal in the late 1830s, attest to the potency of these myths on Afrikaner nationalism.

### Apocalypse and Redemption: The Post-Bellum Transition and 20th Century Ascendancy

For both Dixie and the Boer Republics, military defeat spelled the end of not only any concrete

claims to political sovereignty but their decimation in the throes of unadulterated war. In the American South, for instance, 20% of the white male population perished during the American Civil War (1861-1865), with a further 10% becoming horribly disfigured and maimed.<sup>4</sup> The detrimental effects of this war on the South were further compounded by the utter destruction of the Southern railway system (9,000 miles of track) and the eradication of a majority of its commercial shipping (2/3).<sup>5</sup> In South Africa in the early 20th century, around 7,000 Boer combatants had perished in the Second Anglo-Boer War, with a further 28,000 Boer civilians dying as a result of measures introduced mainly by the British.<sup>6</sup> One such measure, endorsed by eminent British general Lord Kitchener, was the rounding up of Boer women and children in camps in an attempt to persuade Boer guerrillas resisting British occupation to surrender. These internment camps engendered the deaths of thousands of Afrikaner civilians, mostly as a result of disease and inadequate supplies doled out in the vicinities.<sup>7</sup> Despite being utterly devastated by their participation in conflicts that completely stamped out their claims to political sovereignty, both Southerners and Afrikaners exhibited, in the immediate post-war era, a remarkable amount of resilience in terms of political mobilization.

The Reconstruction epoch (1865-1877), for example, in the American South, characterized by the rapid ascension of Republican-dominated regimes in former Confederate states and the granting of civil liberties to former slaves via the 14th and 15th Amendments to the Constitution, was undermined in earnest by the early 1870s. The deaths of notable Radical Republicans once perceived to be at the helm of egalitarian Reconstruction efforts, such as Representative Thaddeus Stevens in 1868, coupled with the disinterest of many Republican politicians during President Ulysses S. Grant's second term (1873-1877) enabled the rise of so-called Democratic "Redeemers" in the South wishing to undermine Republican domination in their states in favor of a restoration of white political supremacy.<sup>8</sup> In 1872,

attempts to mitigate the severity of Reconstruction vis-a-vis southern whites culminated in the passage of the Amnesty Act, which pardoned and enfranchised most former Confederates, save 500 prominent individuals.<sup>9</sup> This act allowed many former planter-class elites to reclaim some modicum of their pre-war prominence in their electoral bailiwicks, including individuals such as Governor James L. Kemper of Virginia, a Confederate Civil War general, and many others.<sup>10</sup> Moreover, the advent of an economic depression in the wake of the Panic of 1873 inaugurated a period of fiscal retrenchment and austerity at the national level, causing funds dedicated to Reconstruction-related activities to dry up.<sup>11</sup> Attempts to cut the costs of Reconstruction for the sake of full national reconciliation and a balanced budget would cause many Republican state governments in the South upheld, in some respects, by bayonets, African-American votes, and rigged elections, to collapse after 1874, rendering Republican-guided Reconstruction a dead letter in the majority of the ex-Confederate South even before its formal repudiation in 1877.

In South Africa, the period following the signing of the Peace of Vereeniging in 1902 witnessed Afrikaner politicians, formerly associated with the cause of the vanquished Boer Republics, manage to re-establish political prominence. That being said, it is essential to recognize that Afrikaner influence and actual concrete political authority was not confined to the Transvaal and Orange Free State alone in the 19th century. Indeed, a substantial number of Afrikaners had resided in areas under British control and had actively participated in colonial affairs, such as in the Cape Colony and Natal, which each possessed colonial governments similar, in some respects, to certain Canadian provinces prior to the formation of Canada as a semi-independent appendage (i.e. dominion) of the British Empire (1867). Prior to the outbreak of the Second Boer War at the end of the 19th century, Afrikaner intellectuals in the Cape Colony, such as journalist Jan Hofmeyer and Protestant theologian Stephanus Jacobus du Toit, had facilitated effective

Afrikaner participation in colonial politics through the creation of the African Bond.<sup>12</sup> The African Bond, founded in 1881, championed the interests of Afrikaner farmers within the Cape Colony proper until the formal foundation of South Africa in 1910. Hofmeyer and du Toit, both journalists who believed, to some extent, that collaboration with imperial authorities could satisfy the demands of Afrikaners much more effectively than confrontation, later helped to pave the way for Afrikaner political ascendancy by the 20th century. Du Toit's rather idiosyncratic views in particular regarding what he saw as a divinely-ordained destiny for domination of the region by Afrikaners would essentially become a crucial facet of Afrikaner mythos and historiography come the next century.<sup>13</sup>

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**DESPITE BEING UTTERLY DEVASTATED BY THEIR PARTICIPATION IN CONFLICTS THAT COMPLETELY STAMPED OUT THEIR CLAIMS TO POLITICAL SOVEREIGNTY, BOTH SOUTHERNERS AND AFRIKANERS EXHIBITED, IN THE IMMEDIATE POST-WAR ERA, A REMARKABLE AMOUNT OF RESILIENCE IN TERMS OF POLITICAL MOBILIZATION.**

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In the "transitional" period spanning the Treaty of Vereeniging in May 1902 with the formation of South Africa as an autonomous dominion of the British Empire (1910), Afrikaners throughout the four disparate colonies of Transvaal, Orange Free State, Natal, and the Cape Colony managed to use local



*Jan Smuts and his guerrilla fighters during the Boer War*

political organizations and elites to rapidly chip away at direct imperial authority.

In the Transvaal, for example, Boer elites under the leadership of former generals Louis Botha and Jan Smuts managed to successfully demonstrate their resilience in the wake of military defeat through the formation of the Het Volk (The People) organization in 1905.<sup>14</sup> This political group would, a mere two years after its creation, garner a legislative majority in the colony's February 1907 elections, thus propelling Botha and Smuts to the posts of Prime Minister and Colonial Secretary of the Transvaal, respectively.<sup>15</sup> Similarly in the Orange Free State, another party that facilitated Boer political resurrection, the Orange Union, would likewise achieve partisan dominance in its region under the leadership of individuals such as Abraham Fischer and, more importantly, J.B.M. Herzog. Even in the case of the Cape Colony, which contained a substantial number of Anglophonic settlers, imperial authority had been eroded, in some respects, with the ascension of the anti-imperialist statesman John X. Merriman to the colony's premiership with the help of the African Bond in the 1908 elections.<sup>16</sup> These developments would, in some ways, help to accelerate British efforts in granting the region dominion status like its former colonies in Australia and Canada, which ultimately came to fruition in 1910.

### Partisan Politics: The First Avenue to Ascendancy

One of the most instrumental catalysts of the political ascendancy of both Southerners and Afrikaners in the 20th century was their respective manipulation of the very nature of partisan politics within both the United States and South Africa in the late 19th and early 20th centuries. In the former respect, the ex-Confederacy found its solace and redemption in the Democratic Party, a political party that became almost inextricably tied with, at least in the South, white supremacy and racially-motivated “conservatism.”<sup>17</sup> The American South, in the wake of Reconstruction (1865-1877), became, in many respects, thoroughly homogenized in terms of political temperament and identity. While political historians like Michael Perman would argue that the South has almost always trended towards a rather monolithic society concerning partisan affiliation, the antebellum period had, ironically enough, been somewhat more conducive to the formation of a two-party regime in the South. Perman himself refers to this era as an aberrational “brief episode” within the overarching southern political narrative.<sup>18</sup> This bipartisan arrangement essentially characterized the inner-workings of the so-called “Second Party System” of American history (1824-1854), which involved Whigs and Democrats contesting Southern elections in a competitive manner, despite (Jacksonian) Democrats often garnering large percentages of the vote.

With the collapse of many Republican state governments in the South after 1874, however, attempts to forge yet another two-party regime in the South reminiscent of the Second Party System of antebellum America all but dissipated in favor of the Democratic Party’s electoral hegemony. Republicans were indelibly marred by the entire Reconstruction experiment and were permanently associated, in the popular imagination of many generations of Southerners, with “alien” military occupation, northern economic exploitation, and African-American empowerment.<sup>19</sup> The actual severity of the military occupation, which, in reality, only consisted of 22,000 federal troops distributed among 11

former Confederate states was highly embellished by contemporary and subsequent historiography in order to bestow the South with a status of victimhood.<sup>20</sup>

Moreover, the legend of carpetbaggers from the North with their “Scalawag” Southern collaborationists and African-American lackeys working to undermine the entire economic and political livelihood of plebeian Southern whites was such a powerful feature of “Lost Cause” mythos that it was essentially appropriated by historians of the “Dunning School” to justify the actions of Redeemers and Klansmen in the 1870s.<sup>21</sup> This school of historiography, emanating out of Columbia University at the turn of the century, buttressed, in some respects, an already prevalent (and fundamentally negative) perception of Reconstruction shared by many Southerners, namely in that it painted Reconstruction as something akin to a federal social experiment that exacerbated the economic and political misery of white Southerners en masse in favor of former slaves. Indeed, one notable historian who partly inspired the Dunning School’s creation, John W. Burgess, argued, in unequivocal terms, that Reconstruction was “a terrible mistake of the North” that engendered a “terrible degradation of the South.”<sup>22</sup> Burgess also lamented the fact that African-Americans, during this aberrational era, had been enfranchised at the state and federal levels (via the 15th Amendment), referring to such actions as “a monstrous thing” and “great political error, if not a sin” on the part of Congress.<sup>23</sup> Although Burgess had fought for the Union during the Civil War (despite being from the Confederate state of Tennessee), the academic, in some sense, embodied the popular sentiments of Southern whites of the second half of the 19th century, whether they were from former areas of the Confederacy or culturally Southern border-states like Kentucky.<sup>24</sup>

A legacy of the popular Southern backlash to Radical Reconstruction, the Democratic Party managed to carve out a prominent role for Southern politicians within federal politics well after Reconstruction. For example, rules dictating the nomination of presidential candidates were wholly

sympathetic to the Southern delegation in general, primarily due to such provisions mandating that the party's official nominee in presidential elections had to receive two-thirds of the votes at the Democratic National Convention itself.<sup>25</sup> Such mechanisms gave the Southern delegation a disproportionate amount of influence in the nomination of presidential candidates. As a result of this so-called “regional veto,” the Southern Democratic delegation at the DNC often forced the party to accept candidates respectful of the racially unjust status quo down south. In 1924, for instance, 103 ballots were taken by the DNC until anti-KKK and pro-KKK delegates ultimately compromised on Virginian “dark horse” candidate John W. Davis.<sup>26</sup> This arrangement in the DNC would last until 1936 when the historical chaos wrought by these rules was brought to an end with the re-nomination of incumbent President Franklin D. Roosevelt and their official abolition.<sup>27</sup>

Moreover, the Democratic Party embodied, for many Southern elites, a national bulwark against progressive federal measures designed to facilitate the full integration of African-Americans into civil and political society. Indeed, in some states in the South, such as Alabama, the Democratic Party was officially or sometimes referred to as the “Democratic and Conservative Party” to denote the Southern party’s emphasis not only on law-and-order but, more importantly, its staunch preservation of what it deemed to be a rigid and divinely-inspired racial hierarchy (i.e. segregation and Jim Crow).<sup>28</sup> The nature of gubernatorial primaries in Southern society during the era of the so-called “Solid South” were, for all intents and purposes, the equivalents of choosing the state's governor, due to Republicans rarely constituting a competent and serious political opposition.

Although the Democratic Party in the South would occasionally field “progressive” governors and politicians throughout the early 20th century, such as Governor Emmett O’Neal of Alabama (1911-1915), who championed the positive use of state funds to remedy society’s most egregious ills, such politicians

would enact progressive measures on a “whites-only” basis.<sup>29</sup> The first “Southern” (Virginian) President since the American Civil War, Woodrow Wilson (1913-1921), for example, would, despite his Ivy League education and politically progressive credentials, ultimately bring a halt to the government’s enrollment of African-Americans in the federal civil service, a phenomenon that had steadily increased over the course of the preceding half-century.<sup>30</sup> The defeat of racially-charged bills in Congress by Democrats in the early 20th century, such as the Dyer Anti-Lynching Bill in the 1920s (aimed implicitly against vigilante mobs in Southern states that wantonly lynched blacks suspected of crimes), likewise demonstrated the fiercely Southern hold over Democratic politics.<sup>31</sup>

Even in the election of 1928, when the DNC nominated Catholic Governor of New York Al Smith as their candidate, a substantial portion of the South, bitter towards voting for an anti-Prohibitionist, “Papist” candidate but marginally more terrified at the prospect of reinstated Republican control in the South, begrudgingly voted for Smith over Republican candidate Herbert Hoover. The significance of this one election emanates from the fact that almost all of Smith’s electoral votes came from the South, while Hoover, the popular former Secretary of Commerce, won by a landslide in terms of both popular and electoral votes. Despite the somewhat unusual nature of this election, when some Democratic politicians had “bolted” from prescribed party-line to vote for Hoover (i.e. Hoovercrats), 1928 would ultimately act as a premonition for two important future phenomena. In one respect, it demonstrated to Democratic officials that the South was, for all intents and purposes, a relatively reliable foundation of support in presidential and congressional elections. Indeed, before 1964, the South would continue to demonstrate its stalwart loyalty to what most southern elites deemed as the party more likely to preserve the racially unjust status quo, with the partial exception of 1948 and the emergence of an anti-Truman “Dixiecrat” faction led by Strom Thurmond. In another and slightly antithetical regard, however, 1928 also exhibited

tensions between the interests of a more cosmopolitan and progressive portion of the party in the North and racial reactionaries in the South that would become acute in the wake of the Civil Rights Era (1954–1968).

In the case of South Africa, Afrikaners, in the first half of the 20th century, found solace in two primary political parties: the South African Party and the National Party. By 1948, however, a narrow victory on the part of a much more virulently racist incarnation of the National Party would ultimately turn South Africa into a virtual one-party state well until the 1990s. Compared with the American South, evidence of national ascendancy on the part of the Afrikaners was much more pronounced and rapid in South Africa's infancy, given, for instance, the fact that the more prominent leaders at the onset of South Africa's creation in 1910 were former Afrikaner commandos themselves. A virtual troika of former Afrikaner generals that had fought against the British in the Boer War: Louis Botha, Jan Smuts, and J.B.M. Hertzog, would become integral players (as well as Prime Ministers) in South African politics for the first half of the 20th century. Similar to Southern politics in the wake of the Amnesty Act of 1872, South Africa would likewise be dominated, in part, by political elites who had actively fought against the central regime in question but subsequently had to acclimate themselves to a system they were mostly ambivalent towards (i.e. the British Empire).

In 1910, pursuant to the approval of its Constitution by the British Parliament, the Union of South Africa was formed out a combination of the Cape Colony, Natal, Transvaal, and the Orange Free State. Louis Botha, a prominent landowner and general in the Boer War, became South Africa's inaugural Prime Minister shortly after several pro-Botha political parties had merged to comprise a slim majority of the seats (over 50%) in the lower chamber of the South African Parliament (House of Assembly), including Botha's own Het Volk, the Afrikaner Bond in the Cape Colony, and J.B.M. Herzog's Orange Union.<sup>32</sup> This political organization, known as the South African Party (SAP), would primarily be guided by Afrikaner elites towards

the onset of the Botha Ministry (1910–1919). However, Herzog himself would later withdraw from the Cabinet and establish his own political party by January 1914, an organization in which he termed the "National Party."<sup>33</sup> This National Party, in power from 1922–1934 and in a much more extremist and unmitigated capacity from 1949–1994, would ultimately, in many respects, be the leading political vanguard of the poor white Afrikaner.

Deriving most of its political support from Afrikaner farmers and even white miners to a certain extent, the National Party envisioned a South Africa that would, pursuant, in some ways, to the divine mission of du Toit and other similar-minded individuals, be thoroughly "Afrikanerized" and eventually severed from what it perceived to be British suzerainty (i.e. dominion and regal status). In order to enhance the status of living for South African whites in general, Afrikaner elites in the National Party contended for much of their history that so-called African "Natives" (e.g. Zulu, Xhosa, etc.) had to be relegated

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to a status of perpetual poverty in accordance with a zero-sum arrangement existing between whites and blacks. While intentional and deliberate means of immiserating the standards of living for black inhabitants of South Africa was very much the modus operandi for both "Nationalists" (of the National Party) and their SAP adversaries (e.g. Natives Land Act of 1913), it was especially touted, in rather unequivocal terms, by Nationalist politicians. The rhetoric used by politicians of the National Party to justify the oppression of Africans would eventually garner popular acclamation among the country's whites.



*Louis Botha during the Boer War*

Partisan politics of the 1930s and the merger of Prime Minister Herzog's National Party with that of Jan Smuts' South African Party to respond to the exigencies posed by the Great Depression caused a schism within the National Party in 1934. Under the leadership of theologian and journalist D.F. Malan, a secessionist Purified National Party managed to wage an electoral war of attrition against Herzog and Smuts' "United Party" for the duration of the decade.<sup>34</sup> The outbreak of the Second World War in 1939 and the resignation of Prime Minister Herzog as a result of what seemed to be a somewhat streamlined entry into that conflict on the side of the Allies significantly augmented the influence of D.F. Malan's Purified National Party, which was rabidly racist and right-wing in orientation. By the end of the war, D.F. Malan's faction would become ascendant in a formally reconstructed Nationalist Party, profoundly shaped in its rhetoric by many of its leaders' (e.g. Hendrik Verwoerd) admiration for National Socialism (Nazism) and general antagonisms towards the

humanitarian implications of the Second World War.<sup>35</sup>

A narrow victory in the 1948 general election would inaugurate almost five decades of Nationalist rule, a period mostly characterized by the nefarious implementation of national Apartheid (or Apartness) and South Africa's consequent relegation, in the minds of much of the Western intelligentsia, to the status of a pariah state. Concurrently, South Africa's Nationalist governments, under the premierships of individuals such as Hendrik Verwoerd (1958–1966) and B.J. Vorster (1966–1978), would also see the end of nominally monarchical governance (1960) in favor of a republic with a ceremonial president (up until the premiership-turned-presidency of P.W. Botha in 1984) and an almost unadulterated sense of ascendancy on the part of Afrikaners. Afrikaners, who had, similar to Southerners prior to the American Civil War, been slightly divided in terms of partisan affiliations (between the National and South African/United Parties) in the first half of the 20th century became utterly loyal as a demographic group to the National Party after the Second World War, relishing, in many respects, the economic benefits bestowed on them by the regime in terms of social spending and employment (e.g. in bureaucracy/state-owned industries).<sup>36</sup>

#### **Constitutional Provisions: The Second Avenue**

The second most significant catalyst of Southern and Afrikaner ascendancy was the role each cultural group's Constitution played in accentuating their influence in their respective countries. For example, the American Constitution, itself a product of deliberations between northerners and southerners in the late 18th century, laid the foundation for Southern political resurgence beginning in the latter half of the 19th century. The document managed to facilitate the recovery of Southern political clout that had been potent in the antebellum period through its Senate provisions, emphasis on dual federalism, and the deletion of its own three-fifths clause.

Addressing the first characteristic, the Senate gave disproportionately too much power to

Southern legislators simply by it granting each state two senators. Because of this numerically equal arrangement established by the "Connecticut Compromise" of the 1780s, Southern states, both of the ex-Confederate and non-Confederate mold (e.g. Kentucky), became an electorally monolithic voting bloc for the Democratic Party due to Southern elites having a vested interest in essentially pooling their Senate votes together in order to better represent their collective regional interests (i.e. segregation) at the federal level. Moreover, Senate rules allowed Southerners to engage in long-winded filibusters to derail the passage of racially controversial pieces of proposed legislation, like the aforementioned Dyer Anti-Lynching Bill of the 1920s and the Lodge Bill of the early 1890s, which attempted to protect the right of African-Americans to vote in the South.<sup>37</sup>

In terms of the document's "dual federalist" orientation at the time of the late 19th and early 20th centuries, which merely stated that both the individual states and the federal government had clearly defined areas of jurisdiction over certain affairs, Southern states were able to use this prominent interpretation of the Constitution to, among other things, implement the infamous system of segregation and voter restrictions known as Jim Crow.<sup>38</sup> Although Southern segregation and disenfranchisement had transpired shortly after the demise of the Reconstruction experiment in 1877, efforts at permanently dismantling African-American legal and economic status within the South reached its climax after 1890. In that year, Mississippi adopted a stringent segregationist state constitution that barred many blacks from voting via notorious mechanisms such as poll taxes and literacy tests while also explicitly calling for separate school systems for black and white children.<sup>39</sup> Shortly thereafter, other Southern states adopted similar mechanisms as a means of circumventing the 15th Amendment's somewhat fragile guarantee of the right to vote, while likewise segregating public transportation and other public facilities.

Such actions in the South were not only abetted by the federal government but, after 1896, formally

encouraged. In the Supreme Court case *Plessy vs. Ferguson* (1896), the Fuller Court ruled that segregation of public facilities (e.g. transportation/schools) was constitutional so long as states agreed to establish "separate but equal" institutions for both races.<sup>40</sup> Thus, the notorious "separate but equal" precedent as established by *Plessy v. Ferguson* would become firmly entrenched in American constitutional law until 1954, when the Warren Court overturned it in *Brown v. Board of Education*.

To briefly address the third point, the abolition of the constitution's original three-fifths Clause via the 14th amendment, which, for apportionment purposes, treated slaves as three-fifths as a person, allowed Southern states to exploit this "bump" in their populations due to blacks being considered citizens after the Civil War. As has been made abundantly clear at this point, however, Southern blacks failed to relish theoretical increases in the number of representatives sent by their respective states due to a plethora of restrictions on the franchise.

The South African Constitution of 1910, though not a federal constitution similar to the American one, nevertheless gave Afrikaners a significant role within the South African body politic by guaranteeing the disenfranchisement of blacks or "natives" within Transvaal and Orange Free State, empowering rural (i.e. Afrikaner) voters via its electoral system, and being devoid of a bill of rights.

As part of the negotiations leading up to the creation to the South African Constitution of 1910, the notion of a federal union of states similar to the British dominions of Canada and Australia was jettisoned in exchange for a governmental protection of "color bars" (or race-based voting restrictions) in the provinces of Orange Free State and Transvaal. Eventually, with the ascension of National Party hegemony after 1948, even so-called "qualified voting restrictions" that were theoretically "racially-neutral" in such areas as the Cape Province were eventually rescinded, despite those qualifications, similar to poll taxes in the American South, being based on wealth

that most blacks just did not possess.<sup>41</sup> Moreover, South Africa's overarching electoral system as derived from parliamentary constituencies created by so-called "delimitation commissions" ultimately came to favor white inhabitants of rural areas, which were mostly Afrikaners.<sup>42</sup> Lastly, the fact that the South African Constitution lacked a concrete bill of rights that, at the very least, embodied protections of basic, fundamental civil liberties (similar to the American Bill of Rights' focus on negative liberty) ultimately meant that the constitutional framework of South Africa failed to become a "living" document similar to the American Constitution that would make it conducive to the eventual inclusion of Africans in civil society. Although this document itself would eventually be superseded by "republican" constitutions in 1961 and 1983, the general provisions and intent of the first document, namely in preserving white control, would be maintained until the 1990s.<sup>43</sup>

#### **Race-Baiting and Prejudice: The Third Avenue**

The third most important catalyst for Southern and Afrikaner influence in their respective states was their unscrupulous exploitation of almost endemic racial prejudices as a means of ensuring their oppression of people of African descent. Indeed, in the milieu of the late 19th and early 20th centuries, a period of time dominated by positivism and a misapplication of Charles Darwin's theory of natural selection to human society and countries, both American and European societies embraced precepts of "scientific racism" as a means of enforcing both social and political (e.g. colonial) control over non-Caucasian peoples. Both Southerners and Afrikaners used deep-seated prejudices as a way of justifying the maltreatment of people of African descent that fell under their jurisdictions, often exacerbating Africans' already subpar socioeconomic conditions for the sake of relegating them to a caste-like status that could be exploited as cheap labor.

Southern political elites enthusiastically touted the Reconstruction Era as one of oppression and military dictatorship, a view that ultimately gained currency at

the national level through the influence of historians affiliated with the Dunning School. What had prior to the advent of the 20th century been mere bitterness in "Lost Cause" recollections of Reconstruction became, in the first third of the 20th century, virtually unassailable historiography, with Southern history textbooks going so far as to even paint the very nature of antebellum chattel slavery itself as largely benevolent and even idyllic for African-Americans.<sup>44</sup> Shortly after the outbreak of the First World War, as part of national historiography condemning Reconstruction as impeding full reconciliation between the North and South after the Civil War, director D.W. Griffith adapted author Thomas F. Dixon, Jr.'s novel *The Clansman* into one of the most seminal works in cinematic history. That film, known as *The Birth of a Nation* (1915), utterly enthralled American audiences throughout the entire country through its rather

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graphic (and prejudicial) portrayal of racial relations during Reconstruction and its glorification of the Ku Klux Klan.<sup>45</sup>

While the first incarnation of the KKK during Reconstruction had effectively been stamped out by the federal government by the early 1870s (via several Enforcement Acts), Birth of a Nation inadvertently helped to resurrect and rebrand the defunct KKK as a national organization dedicated to “all-American” notions of xenophobia, anti-Semitism, and racism. The fact that the Midwestern states of Ohio and Indiana harbored the most substantial number of Klan members during the organization's zenith in the 1920s was, in some respects, a testament to the cultural ascendancy of Southern elites in general, namely regarding their view of African-Americans and other non-white, non-Protestant individuals at the national level.<sup>46</sup> The Second Klan would also carve out a significant niche in Democratic politics, as was demonstrated in the 1924 Democratic National Convention when pro-Klan delegates successfully opposed the adoption of an anti-Klan plank in the party's platform and subsequently paraded within relative proximity to the convention center.<sup>47</sup>

The National Party in South Africa similarly also gained the consent and, in many respects, approval, of other white Europeans in South Africa to oppress Africans during its hegemony in national politics (1948-1994). In 1966, for instance, in spite of growing condemnation from the international community due to its support of rogue neighbor Rhodesia and brutal repression against African opponents of Apartheid (e.g. Sharpeville Massacre of 1960), whites, especially those of British descent, voted overwhelmingly for the incumbent party.<sup>48</sup>

Even in the first half of the 20th century, when South Africa had still yet to embark on a path towards comprehensive, national apartheid, elites in both the SAP and National Party strongly espoused measures of keeping Africans confined to “reserves” as a means of both ensuring that “industrial cities and rural townships” remained white while making sure that

those that did manage to travel outside the reserves were exploited as cheap labor, namely in the form of wage or tenant workers.<sup>49</sup> In 1913, for example, the Botha Ministry presided over the passage of the Natives Land Act, which prohibited Africans (i.e. Natives) from conducting purchases of land as well as negotiating lease agreements with land belonging to non-Africans.<sup>50</sup> In addition, it delegated a paltry 7% of the total area in South Africa to “reserves.”<sup>51</sup> With the introduction of apartheid, whites were for the sake of political purposes considered the same “population group” out of four official groups in the country (White, Coloured, Indian, and Black), despite the National Party-dominated legislatures implementing laws mandating that white children had to go to schools where their “native” language was taught (e.g. English/Afrikaans).<sup>52</sup>

Meanwhile, in reserve territory, the Apartheid regime embarked on an attempt to carve out so-called “Bantustans” in which would, in theory, act as “homelands” for certain ethnic groups (e.g. Transkei). The idea behind this, as postulated by individuals such as Hendrik Verwoerd in the 1950s, was that if the majority “native” population of South Africa was mostly confined to certain areas that had a certain degree of autonomy (via chiefdoms) and, in the case of some areas, “independence” (the so-called TBVC states), complete separation between whites and blacks would be realized. Despite the rather egregious nature of the South African regime in many respects, a majority of the white population would directly or tacitly support the government well until the final years of apartheid, perceiving dissidents to be communists/terrorists on the payroll of Moscow.<sup>53</sup>

In conclusion, it can be said that Southerners and Afrikaners were notable examples of groups that managed to establish ascendancy over their respective countries through partisan politics, constitutional provisions, and exploitation of popular racial prejudices as a means of eliciting support for racial policies from other white nationals. However, the collapse of segregation and Apartheid within the American South and South Africa, respectively,

would inaugurate entirely new epochs of political history for both countries, with the enfranchisement of formerly oppressed people of color engendering the gradual decline of the Democratic Party in the American South and rapid decline of the National Party in South Africa. With the gradual drift of former Southern Democrats to the Republican fold in the wake of the “Second Reconstruction” period of the 1950s and 1960s (i.e. Civil Rights Era), Southern conservatives would largely manage to maintain some modicum of political ascendancy under the auspices of the Republican Party, as has been demonstrated

with antagonisms towards comprehensive health care reform (both in the 1990s and after 2010), the lingering political influence of the Moral Majority (e.g. Pat Robertson) concerning gay marriage and homosexuality, and the eventual ascension of the Trump administration. In contrast, the Afrikaners, relegated to minority status in politics following the end of apartheid, have ultimately failed to recoup their former political ascendancy, having essentially passed the torch of one-party hegemony that their former National Party carried for more than four decades to that of the African National Congress.

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## BURKE AND HARE: THE GHOULISH DUO THAT ADVANCED THE STUDY OF HUMAN ANATOMY

by Jennifer Wells

Fear permeated the streets and stalked the residents of the West Port community in Edinburgh, Scotland during the 1828 trial of William Burke and Helen McDougal. The ghastly murders of sixteen innocent victims carried out by William Burke and William Hare seemed more like an Edgar Allen Poe narrative than reality. The Burke and Hare duo murdered men, women, and even a child, not for any transgressions committed by the victims, but rather to sell their bodies to the anatomist Robert Knox for dissection. As information regarding the murder trial spread to the citizens of Edinburgh, the news sparked a public outcry for reform through Parliamentary legislation. Before the trial, Europeans and Americans viewed Edinburgh as a scientific pillar and hub for medical training and progress. However, the nefarious deeds committed by William Burke and William Hare tainted the city’s pristine image and underscored the need to regulate the distribution of cadavers for anatomical study.

During the late eighteenth and early nineteenth centuries, the need for more cadavers became evident as the number of newly established medical schools increased. Anatomists legally received cadavers for dissection from executed prisoners sentenced to death by hanging. Unfortunately, demand outstripped supply and anatomists implored Parliament to pass legislation that would broaden the scope of cadavers available for dissection to include unclaimed bodies of those in charity hospitals and workhouses.<sup>1</sup>In 1824, William Mackenzie, an anatomist working in Edinburgh, Scotland, wrote *Use of the Dead to the Living*. The book emphasized the importance of anatomical knowledge for medical practice. *Use of the Dead to the Living* stressed the need of knowledgeable physicians, stating, “ignorant physicians and surgeons are the most deadly enemies of the community.”<sup>2</sup> Parliament disregarded the frequent requests made by anatomists and physicians for reform and new legislation.

## THE LIMITED SUPPLY OF LEGALLY OBTAINABLE CADAVERS FORCED ANATOMISTS IN GREAT BRITAIN TO FIND MORE CREATIVE MEANS TO PROCURE SUBJECTS FOR DISSECTION. ENTER RESURRECTIONISTS, BODY SNATCHERS, OR “SACK-EM UP MEN.”

Resurrectionists were men that worked in groups to exhume recently buried bodies from cemeteries. The men unearthed cadavers and sold them to anatomists throughout Edinburgh.<sup>3</sup> Two distinct resurrectionists groups emerged. The first included men of science such as anatomists, medical students, and those genuinely interested in the pursuit of medical knowledge.<sup>4</sup> The second group, the majority of resurrectionists, procured cadavers and sold them to medical schools for profit. The general public viewed the latter as “human ghouls” and “thieves of the lowest grade” who belonged to “the most abandoned and desperate class of the community.”<sup>5</sup> While their abhorrent actions deserved this reputation, some felt they had no choice but to turn to disreputable trades. Many men became resurrectionists because they lived on the margins of an increasingly industrial society with few opportunities for education or economic advancement.

Resurrectionists banded together to form gangs of self-professed criminals that roamed graveyards in search of recently buried bodies. Fierce competition for cadavers caused rival gangs to sabotage one another. A body purloined from the territory of one gang by an outside group provoked the defrauded gang to seek the location of the body and mutilate it. If the body could not be found, the gang would inform the police of the rival gang’s illegal actions. Many resurrectionists often bribed cemetery custodians and grave diggers for access to newly buried graves. If

denied, resurrectionists offered alcohol to caretakers and stole the bodies once the men were inebriated.<sup>6</sup>

The notorious reputation of resurrectionists and the stigma associated with human dissection caused many living during the late eighteenth and early nineteenth centuries to take precautions against those who would exhume bodies. Newspapers advertised iron coffins that were said to be impenetrable. Additionally, some cemeteries created burial plots that were outfitted with iron guards placed over graves. Other cemeteries advertised locked houses that safeguarded cadavers until they were no longer viable for dissection and could be buried.<sup>7</sup>

The easy money provided from selling bodies attracted two very unsavory characters, William Burke and William Hare. The two were Irish immigrants in their mid-thirties that lived in the tenement community of West Port in Edinburgh, Scotland. The unscrupulous men preyed on individuals marginalized by society and became notorious throughout Europe and America.

William Burke abandoned his wife and two children in Ireland and moved to Scotland after a land dispute with his father-in-law. He met his common-law spouse, Helen McDougal, once he arrived in Scotland. McDougal, a Scottish native, had been with Burke for ten years prior to meeting Hare. The two resided in Grindlay's Close, a squalid tenement house in the West Port community. Burke worked as a cobbler and sold used clothing to Edinburgh's poor.<sup>8</sup> Burke had a history of domestic violence that worked to undermine reports of his even-tempered and amiable personality.<sup>9</sup>

William Hare lived with Margaret Laird, a widow in the Tanner's Close tenement house. Laird's deceased husband was the landlord of Tanner's Close, and after his death Hare moved in with Laird and assumed the position of landlord.<sup>10</sup> Hare had the reputation as "a ferocious and tyrannical character, always ready for a fight, especially when drunk, which was often."<sup>11</sup> Margaret Laird, referred to in trial documents as Mrs. Hare, was known to terrorize others under her control.

Often "brutally" intoxicated and prone to violence, records indicate that she "was seldom without a pair of black eyes."<sup>12</sup> Unsurprisingly, Tanner's Close had the reputation in the community as a "riotous and disorderly house" for "beggars and other wanderers."<sup>13</sup>

In November 1827, William Burke and William Hare began the lucrative business of selling cadavers to the Edinburgh Medical School. The venture began when Donald, a military veteran and tenant at Tanner's Close, died indebted to Hare. Donald owed Hare four pounds, and rather than forgive the unpaid debt Hare



*Illustration of William Hare at trial*

decided to recover his losses by selling Donald's body to "the doctors," as he called them.<sup>14</sup> Hare enlisted the help of Burke and the two worked together to remove Donald's body from its coffin and replace it with a bag of tanner's bark for weight.<sup>15</sup> That evening, Burke and Hare went to Surgeons' Square and sold Donald's body to an assistant of the anatomist

Robert Knox. The assistant paid a generous sum for the cadaver and told the two "that [Knox] would be glad to see them again when they had another [subject] to dispose of."<sup>16</sup> Burke and Hare did not want to burden themselves with the strenuous labor necessary to unearth recently buried graves. Instead, the two concocted the idea to scout out victims ostracized by society, murder them, and sell their bodies to Knox.

Burke and Hare developed a pattern for murdering their victims. The men sought and befriended people living on the margins of society. Once targeted, the



*Illustration of William Burke at trial*

men invited their victims to drink copious amounts of whiskey and waited for them to fall asleep. The duo would then asphyxiate their victims through a process that later became known as "burking." The method required one person to block airflow by covering the mouth and nose of the victim while the other laid across the body to prevent arms and legs from flailing. The process was widely successful as it left no visible marks on the body.<sup>17</sup>

Mary Paterson, a young prostitute known in Edinburgh for her physical beauty and audacious personality, was one of the earliest victims of the duo. In April 1828, Burke invited her and a fellow prostitute, Janet Brown, out for a drink. Burke took the women to his brother's dilapidated one-bedroom tenement apartment. Paterson drank herself to unconsciousness and slept in a chair. Brown remained awake and even went with Burke to a nearby tavern for "pies and porter."<sup>18</sup> The two eventually returned to the house. An unexpected visit by Helen McDougal led to complete chaos. McDougal was furious when she caught Burke with two prostitutes. McDougal did not want Burke romantically linked to anyone, especially potential victims. McDougal began to assault Burke, but he countered her attack by hurling a drinking glass at her forehead. The squabble ended only after Burke locked McDougal out of the home. Burke escorted a frightened Brown outside and returned to the room with Hare. Paterson was still unconscious when the two suffocated her.<sup>19</sup>

men invited their victims to drink copious amounts of whiskey and waited for them to fall asleep. The duo would then asphyxiate their victims through a process that later became known as "burking." The method required one person to block airflow by covering the mouth and nose of the victim while the other laid across

Brown came later to search for her friend Mary Paterson but to no avail. That afternoon, the two murderers delivered Paterson's body to Dr. Knox in a tea chest. A few medical students recognized Paterson and inquired as to her death. Burke and Hare claimed Paterson died from alcohol poisoning and that they had bought the cadaver from an old woman. A student of Knox stated that Paterson's body, "could not fail to attract attention by its voluptuous form and beauty; students crowded around the table on which she lay and artists came to study a model worthy of Phidias and the best Greek art."<sup>20</sup> Dr. Knox was so captivated by Paterson's body that he preserved it in whiskey for three months prior to dissection.<sup>21</sup>

James (Jamie) Wilson was another notable victim of the Burke and Hare murder spree. Recognized throughout Edinburgh for his happy disposition and "tuneful voice in singing," Wilson was well-liked in the community.<sup>22</sup> Intellectually and developmentally disabled, Wilson lived as a beggar on the streets of Edinburgh. His precarious position rendered him a target for the nefarious plan of Burke and Hare. According to Burke, Mrs. Hare targeted Jamie and led him to her house as a "lamb to the slaughter and as a sheep to the shearers."<sup>23</sup> Burke and Hare coaxed Jamie to drink whiskey, but he resisted and only consumed a small amount. The two then urged him to rest. Once asleep the duo attempted to suffocate Jamie, but he possessed unmatched strength. According to Hare, Wilson "fought like a hero."<sup>24</sup> The two assailants worked together to subdue and murder Wilson. After Wilson's death, the criminals sold his body to Dr. Knox in Surgeons' Square.<sup>25</sup> An assistant of Dr. Knox and several medical students instantly recognized him. When news reached Dr. Knox that Jamie was reported missing, Knox amputated his head and his distinct feet. He also worked quickly to dissect Jamie's body, so as to render him unrecognizable.<sup>26</sup> Hare pocketed Jamie's snuff box and spoon and Burke's nieces and nephews divided Jamie's clothes amongst themselves.<sup>27</sup> Dr. Knox's unquestioning and prompt dissection of Jamie illustrates the desperation rampant among anatomists for cadavers regardless of

their source or untimely death.

On Halloween night in 1828, Burke and Hare committed their most infamous murder. The death of Margaret Campbell, commonly referred to in court documents by her maiden name of Docherty, occurred nearly a year after the two started selling cadavers to Knox. This plot began when Burke noticed Docherty begging for charity at a local tavern. An Irish native, Docherty came to Edinburgh to search for her son, who had moved to the city in search of work. Burke befriended Docherty and gained her confidence by falsely stating that his mother's maiden name was also Docherty and concluding that they must be related. He invited Docherty to his house with the promise of shelter and a warm breakfast. Docherty, elated with her perceived luck, agreed to go with Burke.<sup>28</sup>

After Burke left Docherty in McDougal's care, he went to search for Hare. He told Hare about Docherty and referred to her as a "good shot" for "the doctors."<sup>29</sup> The duo employed the term "shot" to mean "potential victim." The men frequently used the phrase and court documents report that their wives knew it as well.

During the day, Docherty's clothes were washed and her shoes were taken, under the guise of repairing them. McDougal encouraged her to nap and plied Docherty with alcohol, refusing to let her leave the house.<sup>30</sup> Eventually, McDougal had to run errands and asked her neighbor, Ann Connaway, to watch the door to ensure that Docherty remained in the room. When the intoxicated Docherty attempted to search for her son, Connaway told her to stay inside because she would get either lost or arrested.<sup>31</sup> In reality, the ultimate goal was to keep Docherty confined to the apartment in order to turn a fast profit for Burke and Hare.

While Burke befriended Docherty, he and McDougal also hosted McDougal's step-daughter and her family. Elizabeth Gray, McDougal's step-daughter, was a guest at Grindlay's Close for five days before Burke's chance meeting with Docherty. The day Burke met Docherty, however, he told the Gray family they

needed to sleep elsewhere for the night as he did not want extra people privy to the murder he planned to commit. Burke paid the Grays' lodging expenses and arranged for them to spend the night with William and Margaret Hare in Tanner's Close. Prior to leaving, the Gray family met and spent time with Docherty.<sup>32</sup> Gray's presence proved to be essential in the eventual capture and arrest of Burke and Hare.

As day turned to night, alcohol flowed freely and merriment abounded with sinister undertones.

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## "DR. KNOX'S UNQUESTIONING AND PROMPT DISSECTION OF JAMIE ILLUSTRATES THE DESPERATION RAMPANT AMONG ANATOMISTS FOR CADAVERS REGARDLESS OF THEIR SOURCE OR UNTIMELY DEATH."

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Docherty, McDougal, and the Hares enjoyed a Halloween party at Ann Connaway's house. The group sang, drank, and danced late into the night. McDougal later invited everyone to continue the party at her house. The Hares readily took McDougal's offer and exited Connaway's apartment.<sup>33</sup> According to trial documents, Docherty refused to leave Connaway's residence without Burke. Connaway needed to wake up early the following morning and pleaded with Docherty to go, but Docherty did not want to be without her perceived protector, William Burke. When Connaway told Docherty that Burke lied about his name, Docherty admonished Connaway and refused to believe her. Around ten or eleven, Burke arrived and escorted Docherty to his home.<sup>34</sup>

The Halloween party went on at Burke's apartment until a fight broke out between Burke and Hare. Hugh Alson, a neighbor that lived above Burke, testified in court that he heard "two men quarrelling and fighting, making a great noise" and that a woman's scream of

murder "attracted [his] particular attention."<sup>35</sup> The quarrelsome nature of the Burke household fostered Alson's hesitancy to seek immediate outside help for its occupants. Instead, he decided to investigate the matter himself. As he listened closely, he heard "two men making a great noise, as if wrangling or quarreling."<sup>36</sup> Additionally, he heard "a woman crying murder, but not in that way as [he] could consider her in imminent danger."<sup>37</sup> He later heard someone sound as if they had been strangled. Alson reluctantly decided to search for the police unsuccessfully and returned to Grindlay's Close. When the noise ceased, he determined that the situation was resolved and retired to his apartment for the night.<sup>38</sup>

In court, William Hare testified that he had a major altercation with Burke on Halloween night. Hare



*Illustration of William Hare at trial*

claimed the fight escalated after Burke punched him in the mouth. Docherty came between the two men and begged Burke to stop. Hare also testified that Docherty screamed "murder," and left the apartment twice to seek help, but was ushered back to the room by McDougal.<sup>39</sup> During the struggle, the men knocked Docherty down. Her drunken state rendered her unable to stand, but she continued to plead with Burke to end the conflict.<sup>40</sup> Burke approached Docherty after the brawl. Both Helen McDougal and Margaret Hare briskly exited the room and Burke "got on the old woman with his breast on her head, and kept in her breath."<sup>41</sup> Hare reported that "[Docherty] gave a kind of cry and moaned a little after the first cry."<sup>42</sup> Burke

suffocated Docherty for ten to fifteen minutes until she died. Burke then stripped Docherty's body and buried it in the room under a bed of hay.<sup>43</sup>

The following morning, All Saints' Day, Elizabeth Gray and her family returned to Burke's apartment and inquired as to Docherty's whereabouts. McDougal dismissed the situation and told Gray that the "too impudent" Docherty had to leave.<sup>44</sup> During the course of her return, Burke poured whiskey on the roof and around the straw bed and yelled at her to "keep out of there" when she searched around the bed for her child's missing stocking.<sup>45</sup> Burke's strange behavior aroused Gray's curiosity and her suspicion was confirmed when she accidentally grabbed Docherty's limp right hand under the hay.<sup>46</sup> James Gray, Elizabeth's husband, confronted McDougal. McDougal begged the couple to remain quiet. She offered them ten pounds a week for their silence. Elizabeth Gray responded, "God forbid that I would be worth money [got] with dead people."<sup>47</sup> The Grays, although poor and in desperate need of funds, showed enormous bravery by refusing to be bribed into submission.

On their departure, they confronted Mrs. Hare. She invited them for drinks at a local tavern and, surprisingly, they accepted her offer. Meanwhile, McDougal crept out and told Burke and Hare that Elizabeth had uncovered Docherty's body. Although Mrs. Hare begged the Grays to keep Docherty's death a secret, they refused and went to the police.<sup>48</sup> As soon as Burke and Hare heard that Docherty's body had been discovered, they hastily made plans to sell it to Knox. The men enlisted the help of a porter named John McCulloch. They packed Docherty's body into a tea box and tied it with ropes. Hair hung from the box and McCulloch stuffed the loose strands inside the box as he said it was "bad to let it hang out" as it could arouse unwanted attention.<sup>49</sup> The men went to Surgeons' Square and left the tea box in a cellar.

Dr. Knox's assistant, David Paterson, handled the transaction. He paid Burke, Hare, and McCulloch at a local tavern.<sup>50</sup> During the trial, Paterson admitted that Docherty's face was bloody and "livid [in] color."<sup>51</sup>

Paterson also stated that Docherty’s appearance “indicated evident marks of strangulation, or suffocation from pressure.”<sup>52</sup>

Police arrived at Burke’s residence that evening and found Burke and McDougal scrambling to pack their

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## **"NEWS OF THE BURKE AND HARE MURDERS OUTRAGED THE CITIZENS OF EDINBURGH. PEOPLE FEARED FOR THEIR PERSONAL SAFETY AND HARBORED UNABASHED HATRED FOR THE PERCEIVED CRIMINALS."**

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belongings to leave town. The pair gave conflicting accounts about Docherty and were arrested. The police also arrested William Hare and Margaret Hare.<sup>53</sup> The following day, officers went to Surgeons’ Square to locate Docherty’s body. They ordered David Paterson to open the tea box he had purchased from Burke and Hare. James Gray was there and confirmed Docherty’s identity.<sup>54</sup> Dr. Black, the medical doctor assigned to determine Docherty’s cause of death, stated that in his “private opinion,” Docherty died violently, but that he “could not give a decided medical opinion on the subject.”<sup>55</sup> The four prisoners vehemently denied any wrongdoing. The lack of hard evidence needed to convict the group worried the prosecuting Lord Advocate and he feared the criminals would be acquitted. Therefore, the desperate prosecutor offered king’s evidence, or immunity, to the Hares if they testified against Burke and McDougal. The Hares readily agreed and the trial was set for Christmas Eve.<sup>56</sup>

News of the Burke and Hare murders outraged the citizens of Edinburgh. People feared for their personal safety and harbored unabashed hatred for the perceived criminals. To ensure that the prisoners

remained safe and justice was upheld, Edinburgh police enlisted three hundred men as temporary police reinforcements. When the court opened for trial on Christmas Eve, people swarmed inside and “every available inch of space was crowded to suffocation.”<sup>57</sup>

The Lord Advocate initially charged Burke with the murders of Mary Paterson, James (Jamie) Wilson, and Margaret Docherty. On the day of the trial, the court decided not enough evidence existed to prosecute Burke for the murders of Paterson or Jamie as their bodies had long been dissected and discarded. The Lord Advocate subsequently resolved to charge Burke solely with Docherty's murder.

The trial lasted a grueling twenty-four hours. Key witnesses set the stage for the events surrounding Docherty’s death. Ann Connaway discussed the Halloween party and Docherty’s unwillingness to be without Burke. Hugh Alson spoke of the fight and shrieks of “murder” he heard from his apartment above Burke’s residence. John McCulloch admitted to carrying Docherty’s body in a tea chest to Surgeons’ Square.<sup>58</sup> David Paterson confirmed buying Docherty's body but insisted he knew of no foul play. James and Elizabeth Gray testified that they had discovered Docherty's body under a bed of hay at Burke's apartment, and of the bribes offered by McDougal for their silence.<sup>59</sup> The testimonies against Burke proved to be devastating for his case, but could not provide incontrovertible proof without Hare.

The courtroom waited in anticipation for William Hare to testify against his one-time accomplice. Immediately after Hare was sworn in, the prosecutor asked him to discuss Docherty and the events surrounding her murder. Hare boldly responded, “[The old] woman, sir?”<sup>60</sup> Hare testified that Burke murdered Docherty on Halloween night after the two men fought. Hare claimed he sat motionless in a chair while Burke suffocated Docherty. When questioned as to his involvement in other murders, Hare refused to answer. He also stated that he never personally delivered bodies to Surgeons’ Square, but often “saw [others] doing it.”<sup>61</sup>

Margaret Hare followed her husband into the witness box. She held an infant sick with whooping cough and rattled the child to induce coughing when asked a question she wanted to avoid.<sup>62</sup> She admitted to intentionally leaving the room just before Burke murdered Docherty.<sup>63</sup> She also suspected that Burke killed Docherty as she had “seen a little trick of it done before.”<sup>64</sup> Additionally, she admitted to purchasing the tea chest used to transport Docherty’s body to Surgeons’ Square.<sup>65</sup>

William Burke and Helen McDougal had no witnesses for their defense. On Christmas morning 1828, the jury deliberated for fifty minutes. At nine twenty they read their verdict to a suspenseful crowd. The jury found William Burke guilty of Docherty’s murder. The jury determined Helen McDougal’s guilt as “not proven.”<sup>66</sup> When Burke heard McDougal’s outcome he leaned toward her and said, “Nelly, you are out of the scrape!”<sup>67</sup>

One of the judges, Lord Meadowbank, admonished Burke by stating that his crimes had to be the “most monstrous exhibitions of atrocity ever disclosed in the annals of the criminal jurisprudence in [Scotland] or any other country.”<sup>68</sup>

## **THE COURT SENTENCED BURKE TO DEATH BY HANGING AND SET THE EXECUTION FOR THE MORNING OF JANUARY 28, 1829. THE SENTENCE ALSO STATED THAT HIS CADAVER WOULD BE PUBLICLY DISSECTED BY DR. ALEXANDER MUNRO, A PROMINENT ANATOMIST WORKING AT THE UNIVERSITY OF EDINBURGH.**

While awaiting execution Burke made two separate confessions. The first taken on January 3, 1829 stated that Helen McDougal, not Docherty, screamed “murder” and “police” on Halloween night. According to Burke, McDougal feared for Burke’s safety during the brawl and temporarily sought outside help. Burke

also confessed to suffering a visceral guilt for the murders. He admitted that he “could not sleep without a bottle of whiskey by his bedside, and a two-penny candle to burn all night beside him.”<sup>70</sup>

Heavy rain did not prevent large crowds from developing on the morning of January 28, 1829. At least 20,000–25,000 people lined the streets of Edinburgh to catch a glimpse of the execution of the notorious William Burke. Curious onlookers paid five to ten shillings for the opportunity to view the scaffold from various vantage points. The spectacle even attracted individuals from Edinburgh’s neighboring cities and towns, as the case of Burke and Hare had gained considerable infamy.<sup>71</sup>

Struck with the realization of his fast-approaching execution, Burke reportedly exclaimed, “Oh that the hour was come which shall separate me from this world!”<sup>72</sup> Burke drank a final glass of wine and went to the scaffold. The unruly crowd shouted, “Hare! Hare! Bring out Hare!” and “Burke him!”<sup>73</sup> As the executioner adjusted the rope, Burke took one glimpse at the gallows and assumed his place under the drop. Burke signaled his readiness to the executioner at a quarter after eight and died without incident. Gathering masses attempted to steal Burke’s body, but were held back by reinforced barricades and police.<sup>74</sup>

The following day, Dr. Munro publicly dissected Burke’s body at the University of Edinburgh. Dr. Munro described Burke’s brain as “unusually soft.”<sup>75</sup> Large crowds gathered to view Burke’s body and his skin was flayed, tanned, and sold to the public. The University of Edinburgh exhibited Burke’s skeleton in their Anatomical Museum where it remains today.<sup>76</sup>

The fates of William Hare, Margaret Hare, and Helen McDougal remain murky at best. Crowds throughout Edinburgh supposedly mobbed each one on separate occasions. Unconfirmed reports indicate that Mrs. Hare moved to Ireland after a mob suspended her over a bridge.<sup>77</sup> An unruly crowd recognized William Hare in London. The mob threw his body in a lime pit and he was rendered blind. Reports claim he ended his days as a beggar on the streets of London. Other

accounts indicate that Hare traveled to Dumfries and later Ireland.<sup>78</sup> As for McDougal, a tabloid printed in 1829 revealed that a crowd of mill workers near Doune recognized and killed her. Additional theories entail a move to Australia or the Western Isles.<sup>79</sup>

Before news of William Burke and William Hare spread to the public, Robert Knox had been a

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**"THE FOLLOWING DAY, DR. MUNRO PUBLICLY DISSECTED BURKE'S BODY AT THE UNIVERSITY OF EDINBURGH. DR. MUNRO DESCRIBED BURKE'S BRAIN AS "UNUSUALLY SOFT." 75 LARGE CROWDS GATHERED TO VIEW BURKE'S BODY AND HIS SKIN WAS FLAYED, TANNED, AND SOLD TO THE PUBLIC. THE UNIVERSITY OF EDINBURGH EXHIBITED BURKE'S SKELETON IN THEIR ANATOMICAL MUSEUM WHERE IT REMAINS TODAY."**

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renowned anatomist at the Royal College of Surgeons of Edinburgh. Knox routinely taught in a lecture hall filled to capacity with students that revered him. At the height of his success from 1828-1829, he had over five hundred pupils. To attract even larger classes, he regularly advertised an "ample supply of Anatomical Subjects."<sup>80</sup> Unfortunately for Knox, his name was firmly connected with Burke and Hare during the trial. One of the most popular songs of the time chants:

Down the Close and up the Stair

But and ben wi' Burke and Hare,  
Burke's the butcher, Hare's the thief,  
Knox the man that buys the beef.<sup>81</sup>

Was Knox truly ignorant of the foul play involved in the untimely deaths of his many subjects? His innocence on the matter appears dubious at best. Knox had been an expert anatomist at the height of his career. He continually paid the duo for curiously fresh cadavers. He deliberately rendered Jamie unrecognizable as soon as medical students identified him. His willingness to exploit those less privileged than himself for the sake of scientific progress and professional gain speaks to a greater flaw in the under-regulated, under-funded system of medicine.

Interestingly, police did not file charges against him. Knox had the opportunity to select a committee of his medical peers to investigate his involvement in the ordeal. The official "Report of the Committee of Investigation as the Dealings of Dr. Knox with the West Port Murders" concluded there to be "no evidence that Dr. Knox or his assistants knew that murder was committed in procuring any of the subjects brought to his rooms."<sup>82</sup> Although not officially charged with a crime, Knox's life after Burke and Hare fell into a downward spiral. Students stopped attending his lectures, his colleagues shunned him, and he moved to London to locate work. He died with little fanfare on December 20, 1862.<sup>83</sup>

The trial of William Burke and Helen McDougal caused a public firestorm that resulted in the draft and passage of the Anatomy Act of 1832. The knowledge of the brutal murders of sixteen innocent victims led the public to demand action from Parliament. In 1828, the first attempt to pass an Anatomy Bill, which would help regulate the cadaver market, failed. However, as a result of the notorious Burke and Hare murders, a new Anatomy Bill was introduced in 1831.<sup>84</sup> The passage of the bill in 1832 significantly expanded the available cadavers for dissection by including individuals that died and were unclaimed in charity hospitals and public workhouses. Thus, the Anatomy Bill helped to end both the

resurrectionists' practice of obtaining bodies from graves and the temptation of sinister characters like Burke and Hare to murder for profit.

## THE TRIAL OF WILLIAM BURKE AND HELEN MCDUGAL PROFOUNDLY ALTERED THE STUDY OF HUMAN ANATOMY IN GREAT BRITAIN AND EUROPE.

Before the trial, the field required a symbiotic

relationship between distinguished men of science and shadowy individuals living on the fringes of society. The trial exposed the numerous failings of Parliament to pass suitable legislation that would regulate anatomy. News of the Burke and Hare murders led the public to demand action from a previously ambivalent Parliament. Great Britain's passage of the Anatomy Act of 1832 both heralded the end for desperate criminals like Burke and Hare and facilitated the study of anatomy for modern medicine.

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<sup>1</sup> Sanjib Kumar Ghosh, "Human Cadaveric Dissection: A Historical Account from Ancient Greece to the Modern Era," *Anatomy and Cell Biology* 48, no. 3 (2015): 153-169, accessed November 1, 2017, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4582158/>.

<sup>2</sup> William Mackenzie, *Use of the Dead to the Living*, (1827;repr., London: Forgotten Books, 2012), 1.

<sup>3</sup> P.D. Mitchell, C. Boston, A. T. Chamberlain, S. Chaplin, V. Chauhan, J. Evans, A. Witkin, "The Study of Anatomy in England from 1700 to the Early 20th Century," *Journal of Anatomy* 219, no. 2 (2011): 91-99, accessed October 10, 2017, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3162231/>.

<sup>4</sup> James M. Ball, *The Sack-'Em-Up Men: An Account of the Rise and Fall of the Modern Resurrectionists* (Edinburgh: Oliver and Boyd, 1928), 71.

<sup>5</sup> *Ibid*, 75.

<sup>6</sup> James B. Bailey, *The Diary of a Resurrectionist: 1811- 1812* (1896; repr., Fairford: Echo Library, 2010), 20-25.

<sup>7</sup> *Ibid*, 32-36.

<sup>8</sup> William Roughead, ed., *Burke and Hare*, (Edinburgh and London: William Hodge & Company, 1921), 12, accessed October 10, 2017, <https://archive.org/stream/burkehareOOburk#page/n9/mode/2up>.

<sup>9</sup> Molly Lefebure, "The Blind Beggar and the Discharged Soldier: A Partnership," *The Wordsworth Circle* 26, no.2 (1995): 75, accessed

November 10, 2017, <http://www.jstor.org/stable/24044422>.

<sup>10</sup> Roughead, *Burke and Hare*, 12-13.

<sup>11</sup> Lefebure, "The Blind Beggar and the Discharged Soldier," 73.

<sup>12</sup> Trial of William Burke and Helen M'Dougal, High Court of Justiciary (1828): xiv, Hathi Trust Library, accessed October 13, 2017, <https://hdl.handle.net/2027/nyp.33433075956627>.

<sup>13</sup> Roughead, *Burke and Hare*, 13.

<sup>14</sup> *Ibid*, 262.

<sup>15</sup> Ball, *The Sack-'Em-Up Men*, 83.

<sup>16</sup> Roughead, *Burke and Hare*, 15.

<sup>17</sup> *Ibid*, 263.

<sup>18</sup> *Ibid*, 25.

<sup>19</sup> *Ibid*, 26.

<sup>20</sup> *Ibid*, 27-29.

<sup>21</sup> *Ibid*, 28.

<sup>22</sup> Trial of William Burke and Helen M'Dougal, vii.

<sup>23</sup> Roughead, *Burke and Hare*, 34.

<sup>24</sup> *Ibid*, 33.

<sup>25</sup> *Ibid*, 33.

<sup>26</sup> Lefebure, "The Blind Beggar and the Discharged Soldier," 90.

<sup>27</sup> Roughead, *Burke and Hare*, 30-35.

<sup>28</sup> West Port Murders: Or an Authentic Account of the Atrocious Murders Committed by Burke and His Associates, containing a Full Account of All the Extraordinary Circumstances Connected with Them, also a Report of the Trial of Burke and M’Dougal with a Description of the Execution of Burke, His Confessions and Memoirs of his Accomplices, including the Proceedings Against Hare, (Edinburgh: Thomas Ireland, 1829): 2, Hathi Trust Library, accessed October 10, 2017, [https://hdl.handle.net/2027/uc1.\\$b268799](https://hdl.handle.net/2027/uc1.$b268799).

<sup>29</sup> Trial of William Burke and Helen M’Dougal, 88.

<sup>30</sup> Lefebure, “The Blind Beggar and the Discharged Soldier,” 91.

<sup>31</sup> Trial of William Burke and Helen M’Dougal, 54-55.

<sup>32</sup> Ibid, 73-74.

<sup>33</sup> Ibid, 55-56.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid, 62.

<sup>36</sup> Ibid, 63.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid, 63-64.

<sup>39</sup> West Port Murders, 55.

<sup>40</sup> Ibid, 54-55.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid, 55.

<sup>43</sup> Ibid.

<sup>44</sup> Trial of William Burke and Helen M’Dougal, 75.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid, 75-77.

<sup>48</sup> West Port Murders, 39.

<sup>49</sup> Ibid, 56.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid, 47.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid, 39-40.

<sup>54</sup> Ibid.

<sup>55</sup> Ibid, 65.

<sup>56</sup> Roughead, Burke and Hare, 45-46.

<sup>57</sup> Ibid, 47.

<sup>58</sup> Ibid, 49-53.

<sup>59</sup> Trial of William Burke and Helen M’Dougal, 88.

<sup>60</sup> West Port Murders, 53-61.

<sup>61</sup> Roughead, Burke and Hare, 52.

<sup>62</sup> Ibid.

<sup>63</sup> West Port Murders, 63.

<sup>64</sup> Roughead, Burke and Hare, 53.

<sup>65</sup> West Port Murders, 92.

<sup>66</sup> Ibid, 102.

<sup>67</sup> Ibid, 94.

<sup>68</sup> Ibid, 96.

<sup>69</sup> Roughead, Burke and Hare, 265-270.

<sup>70</sup> Ibid, 273.

<sup>71</sup> Ibid.

<sup>72</sup> Ibid, 274.

<sup>73</sup> Ibid, 274.

<sup>74</sup> Ibid.

<sup>75</sup> Lefebure, “The Blind Beggar and the Discharged Soldier,” 96.

<sup>76</sup> Ibid.

<sup>77</sup> “William Hare,” University of Edinburgh: Anatomical Museum, last modified June 5, 2017, accessed November 1, 2017, <https://www.ed.ac.uk/biomedicalsciences/anatomy/anatomicalmuseum/exhibits/people/hare>.

<sup>78</sup> Denise Glass, “Murder Burke’s Mistress Killed by Mob, Claims Paper,” BBC News, last modified January 23, 2010, accessed November 1, 2017, [http://news.bbc.co.uk/2/hi/uk\\_news/scotland/tayside\\_and\\_central/8472759.stm](http://news.bbc.co.uk/2/hi/uk_news/scotland/tayside_and_central/8472759.stm).

<sup>79</sup> Roughead, Burke and Hare, 80-81.

<sup>80</sup> Henry Lonsdale, A Sketch of the Life and Writings of Robert Knox, (1870; repr., London: Forgotten Books, 2015), 78.

<sup>81</sup> Roughead, Burke and Hare, 277.

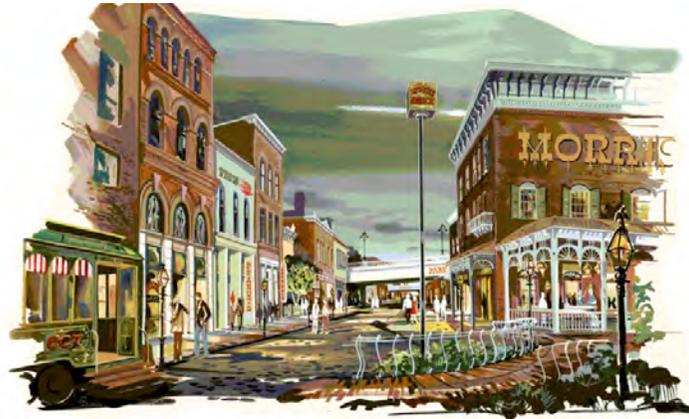
<sup>82</sup> “Robert Knox, The Anatomist," The British Medical Journal 2, no. 517 (1870):581, <http://www.jstor.org/stable/25220094>.

<sup>83</sup> Ibid.

<sup>84</sup> Helen MacDonald, “Procuring Corpses: The English Anatomy Inspectorate, 1842 to 1858,” Medical History 53, no. 3 (2009): 379-396, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2706054/>.

## NIGEL HARLAN SLAYING: THE BIRMINGHAM MURDER THAT HALTED OLD TOWN UPTOWN REVITALIZATION

by Laura King



*Morris Avenue Concept Art Courtesy of Bob Moody*

“The Magic City,” formally Birmingham, Alabama, grew into a sprawling industrial city in a matter of years after its founding in 1871 due to the success of the area’s mining industry. Eventually, as the mining industry slowed, the once chaotic and industrially vital downtown streets, full of warehouses and merchants, morphed into barren skeletons of their former glory. One such street, Morris Avenue, ran at the center of Birmingham’s industrial district. Moving into the 1970s, the idea to reinvent Morris Avenue into the “Bourbon Street of Birmingham” came to the forefront of plans to increase the viability of downtown.<sup>1</sup> Birmingham was affected, like many other major United States cities, by the suburbanization movement which drew populations away from their inner cities leaving abandoned industrial and commercial centers, creating a need for planners to bring populations back. Morris Avenue became one of those focuses. By the early 1970s, only a few short years after project planning began, multiple businesses already stood open on Morris Avenue within the newly formed Old Town Uptown district. The area met early success with its nightlife and music scene, but in 1977, the murder of Nigel Harlan brought swarms of bad press to the project, and eventually

the brunt of the blame for Old Town Uptown’s end. Despite the murder of Nigel Harlan remaining widely accepted as the cause for Old Town Uptown’s sudden end, in reality, this case and the media frenzy to follow showed only a glimpse into the larger problem of the public fear of inner cities and their soaring crime rates towards the end of the 1970s, proving that the “Bourbon Street of Birmingham” could not overcome the violence that drew people away from inner cities.

Morris Avenue struggled to remain viable during the 1950s and 1960s, but this reality stood in stark contrast to Morris Avenue during the late 1800s. From the earliest plans of Birmingham, the heart of the city focused on the city’s mining industry and its reliance on railroad transportation. Morris Avenue, named for Josiah Morris, a major stockholder in the Elyton Land Company, the real estate company credited with making Birmingham a reality with its careful planning, sat at almost the center of these early plans. Descriptions of the area during the street’s peak activity stated, “Due to its prime location, Morris Avenue quickly grew into Birmingham’s wholesale district.” In its early years, the unpaved street developed from nothing more than a muddy, unkempt path running parallel to a major railroad track. Accounts describe the smells of manure and fumes of trains that permeated the area, but these conditions did not hinder business. In just a few short years, the street improved and reports of the area stated that, “By the 1880s, the cobble-lined street stood at the center of sturdy brick warehouses that ‘were built to house family enterprises which sold fruits, groceries, spices, coffee, tea, meal, and flour.’”<sup>2</sup> The many warehouses that lined Morris Avenue bustled with these small businesses as well as larger lumber yards and even a carriage maker. The street remained busy with people, carriages, as well as horses and buggies moving through the crowd. Immigrant merchants sold wares such as roasted peanuts and other foods on

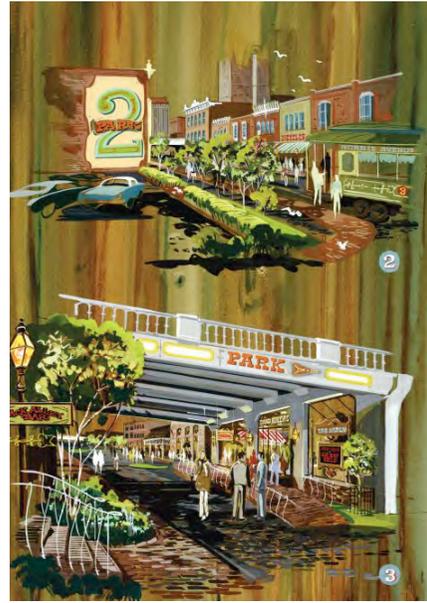
sidewalks and street corners.<sup>3</sup> This success proved to be short lived as various factors drew commerce away. Newspapers beginning in the early 1900s stated that, “Morris Avenue [was] dead.”<sup>4</sup> This early downturn of the area’s commerce would be eclipsed by the impact of inner-city flight a few decades later as suburbs began rapid development, drawing the very business the city depended on into developing shopping centers and homes outside the city.

The suburbanization movement began in the early 1940s and lasted through the 1970s as a result of factors such as urban crime, increased wealth, and better transportation. People with the means to move out of cities took advantage of the improving highway system implemented by the Eisenhower administration as well as lower construction prices in the developing suburbs.<sup>5</sup> These factors allowed people, growing fearful of the violence and crime, to question whether or not downtowns had become too dangerous and if they should move into less crime-riddled neighborhoods. For many, the incentives that moving would bring such as cheaper living costs, safer neighborhoods, and more spacious homes created an almost utopian vision of the suburbs, especially as increasing populations crowded cities and brought in more crime. Suburbanization throughout the United States depended on these factors and in cities like Birmingham, the added modern trend of industrially founded cities transforming into manufacturing economies created a more significant impact. Manufacturing economies that could thrive away from transportation hubs allowed businesses to move out of downtown areas, taking jobs with them, and created a seemingly unstoppable force of suburban immigration. As the 1940s ended, industrial jobs took another hit as the boom for iron and steel needed to fuel World War II slowed with the close of the war. Mines slowed and the jobs fueled by increased demand were lost. Within Birmingham, which developed around these mines in Red Mountain, recovering from this loss became a daunting task. Suburbanization impacted the entire United States, but in the South this

movement remained consistently high in comparison to the national average throughout the 1960s. New suburbs outside of Birmingham such as Mountain Brook and Vestavia Hills quickly grew and included with these new residential areas were restaurants, stores, and jobs which practically isolated the communities from needing the downtown area.

To combat the economic losses, city leaders and prominent businessmen of Birmingham formed a new association designed to plan and implement tactics they believed would turn the economy around. This new organization, the Birmingham Downtown Improvement Association (BDIA), led these early years of redevelopment in Birmingham. The Association’s work began in 1957 and aimed to improve the business district of downtown to put the city back on a path of prosperity. They implemented various studies into roadways, parking, and beautification, but many held the opinion that little progress actually came to fruition. These critics did not deter the BDIA’s efforts, however, and various committees and plans came from the Association. Not every plan proposed seemed feasible or gained the support needed to move forward. One such proposal, known as “sky city,” included drawings of expansive, air-conditioned walkways and plazas throughout Birmingham, highlighted by landscaping and fountains.<sup>6</sup> The most notable work from the BDIA came in 1965 when the Association’s name changed to Operation New Birmingham. Under this new name, the “Design for Progress” event became public. The Birmingham News reported, “Birmingham’s downtown booster today took the wraps off an \$86 million ‘docket’ of models and plans for the future, and also put the spotlight on an additional \$28 million of construction.”<sup>7</sup> These plans and initiatives pushed for downtown development and restoration to boost the city’s economy. Towards the end of the BDIA’s days, a partnership formed with the architecture firm Harland Bartholemew & Associates where recommendations for redeveloping Morris Avenue formed, but no one seemed ready to commit to the project.<sup>8</sup> Operation New Birmingham carried on

with this proposal which then reached the League of Architects working in Birmingham. Eventually architect Bob Moody took up the project. He saw the potential in an entertainment district designed around the theme of old-style warehouses.



*Morris Avenue Concept Art Courtesy of Bob Moody*

that the redevelopment would be extremely expensive and Operation New Birmingham could not move forward without the aid of Birmingham and business investors. So his next task required developing a plan to gain the support of the Birmingham City Council.<sup>9</sup> He began giving formal presentations of his plans for bars and clubs with his early sketches, highlighting the potential economic gain the city would receive, in order to gain monetary support from the city. The early stages of the project moved at an uncertain pace as the Birmingham City Council repeatedly delayed their votes to invest money into improving Morris Avenue, but they could not delay the vote indefinitely. During this time, the city as a whole was inundated with plan after plan to improve and reinvent Birmingham from Operation New Birmingham; many

felt like projects would not progress beyond the planning stage.<sup>10</sup> The “Design for Progress” believed that preservation of Morris Avenue remained vital despite its dilapidating state with the once impressive cobblestone street lying in near disrepair. Structural improvements remained crucial to move forward with Old Town Uptown, but funds for upkeep and repair remained scarce.

Gaining the support of the city continued not to be an easy task. Early discussions within the Birmingham City Council involved debates on whether or not to invest in Morris Avenue. The public, watching the money being poured into city development through the BDIA and eventually Operation New Birmingham, began to question the city’s investment in downtown and its neglect of its other struggling neighborhoods. Citizens wrote to the Council, speaking out against the development of Morris Avenue. Eventually, the Council could no longer delay votes despite outcries that the city “cares more about projects than people.”<sup>11</sup> These early controversies did not hinder the City of Birmingham from investing in Morris Avenue after new businesses committed to the area, proving the project could lead to something great. In 1974, Birmingham voted to join the other investors of Morris Avenue, bringing the total investment to \$400,000 with funding coming from the building owners as well as federal grants.<sup>12</sup> Construction began on March 6, 1974 and included improvements to both the structure and landscaping of Morris Avenue. They even commissioned an artist who painted the official sign for the newly named district, Old Town Uptown, in large, flowing letters on the side of the Lacke Building near 20th Street.<sup>13</sup> These improvements also included a new cobblestone street illuminated by gas lights running its length and brick sidewalks to compliment the historical theme of the street’s founding, a significant upgrade from the muddy street during Morris Avenue's earliest prime decade.<sup>14</sup>

From the very start of the project, as Bob Moody attempted to make his vision reality, Birmingham residents followed the progress through the local

newspapers, primarily The Birmingham News and the Birmingham Post-Herald. As excitement grew for some at the prospect of downtown redevelopment newspapers printed his sketches of a revamped Morris Avenue, thriving with businesses and commerce rather than dilapidated warehouses.<sup>15</sup> With the support of the Birmingham City Council, progress moved forward. This success did not overcome all the hurdles towards opening businesses, however. The plans for development also drew criticism that the historical nature of Morris Avenue would be lost to redevelopment. Ordinances quickly put into place to appease these concerns caused delays and increased costs for prospective businesses. These guidelines, reviewed by an architectural board including Bob Moody, ensured the historical accuracy of the architectural elements Morris Avenue had during the 19th century and dictated how the already standing buildings could be renovated as well as the expected appearance of new buildings that could begin construction. The ordinances virtually prohibited anything other than restoration on the façade of the buildings while the interiors could be altered to fit the needs of each business. These restrictions added obstacles to businesses, but remained critical in maintaining Moody's original vision of Old Town Uptown. Business owners such Randall Oaks, who later opened the Oaks Street club, showed his support when he remarked that, “When a person visits Oaks Street, he will feel as if he has walked into history,” clearly people believed in Moody’s vision.<sup>16</sup> Regardless of delays at the hands of these “flexible but strong” ordinances, development remained underway for Old Town Uptown.<sup>17</sup> By 1974, businesses such as Victoria Station and Diamond Jim’s opened their doors in Old Town Uptown, with more to follow. The initial excitement the revitalization of the district brought to Birmingham drew the attention of other business owners and developers as they eagerly waited to see the success of Victoria Station and Diamond Jim’s as well as Fred’s Leather Shop with a few, such as the Oaks Street club, planning to begin construction the same year.<sup>18</sup>



*Morris Avenue Concept Art Courtesy of Bob Moody*

Within a few years, Old Town Uptown had a respectable number of clubs and bars open, drawing musical performances and crowds to the gas-lit street. In addition to Victoria Station and Diamond Jim’s, the area now featured Cobblestone, Inc., which later became the Crazy Horse, as well as the Old Town Music Hall, Bachelor’s Showboat Lounge, and Oaks Street. The clubs drew a mix of genres from bluegrass and jazz to southern rock. One musician, Glenn Tolbert, that frequented Oaks Street during Old Town Uptown’s peak recalled, “I remember taking my mom there... She loved good ol’ bluegrass music... I remember taking her, and her riding down there with me to Oaks Street, like on a Tuesday night, and this was like the ‘70s...I remember the place Oaks street being packed with people you couldn’t hardly get in the door down there. Not on a weekend, bear in mind, but during the week!”<sup>19</sup> Musicians that remember Morris Avenue’s musical heyday agree that it transformed much of downtown and became the “it” place to be. The variety of musical scenes the clubs drew and the sheer number of foot traffic that visited the area created an entertainment hub that Birmingham never before experienced. Randy Holzman who played with his band often at the Old Town Music Hall fondly remembers of the area, “Morris Avenue had so much charm. The cobblestone streets, the peanut factory, and you would go down the street and there

was actually a gay bar down the end of the road.”<sup>20</sup> Despite the success of these venues and the positive memories of many of the musicians, an undercurrent of crime still infiltrated Old Town Uptown. Tempers flared easily among the crowded streets and often brought out violent encounters. One night at the Old Town Music Hall in the late 1970s, a car full of people drove by the club and threw a rock into the window, shattering glass and yelling, infuriating the owner who went out to the street with his pistol as the car drove around again. He fired multiple shots after the car while an estimated two hundred people walked the street. Other attacks remembered by musicians that visited the area frequently included robberies and even a stabbing.<sup>21</sup> Encounters like these, some ranging in violence, remained commonplace on Morris Avenue, but soon would come to a head as an abduction and murder beginning in Old Town Uptown caught the attention of Birmingham citizens and the local media.

On August 17, 1977, three men visiting Birmingham on business decided to have drinks in the new entertainment district. They arrived together at the Bachelor’s Showboat Lounge near midnight for drinks and to see a music performance.<sup>22</sup> Nigel Harlan, vice president of Ogden Steel Company in Chicago, sat with his two associates, Guy Crain and Don Schmuck, at a booth where a young woman approached them and eventually sat with the men. She entered the bar with a man, but shortly after arriving she moved to sit with the three men. There, she talked to the men sharing personal details and drinking. The man she arrived with eventually left the bar without her. Not long after, a beer arrived at the table that was already paid for and within minutes the woman got up to leave, asking Harlan if he wanted to go with her. Harlan agreed and left his associates who would never see him alive again. By now, the night had turned into the early hours of the next day. After leaving the Bachelor’s Showboat Lounge, Harlan disappeared. He did not show up for meetings the next day and his associates, fearing the worst, reported him missing to local police.<sup>23</sup> The men did not know where Harlan went with the woman or any details that would help track

her down. Quickly the case had no leads so a massive search began spanning across Birmingham and into the surrounding towns. The search proved futile in the beginning as no one knew the identity of the mystery woman who could only be described as young, white, and possibly named Debra. The police were limited in their options for finding the mystery woman.<sup>24</sup>

After a few weeks with little progress made by police toward finding Nigel Harlan, the reward for information increased from the original \$1,000 offered by Harlan’s company to \$12,500. Ogden Steel Company offered an additional \$2,500 and the remaining \$10,000 came from the state of Alabama. Initial tips from callers stated that the woman had been seen before at the Bachelor’s Showboat Lounge, but that did not help police identify her. Tips and information collected grew increasingly misleading and even bizarre. One such tip made public through the newspapers stated that after the interviews of two unidentified men who may have been on Morris Avenue that same night, “Investigators now believe the “woman” may have been a transvestite- a man dressed as a woman, [Deputy Chief B.R. Myers] said. Witnesses described the woman as being about five feet, eight inches tall and weighing about 140 pounds.”<sup>25</sup> Eventually this tip and dozens of others proved false, but the increased reward brought forth a promising acquaintance of the suspects.

This tipster identified herself as the babysitter for the mysterious "Debra." The babysitter reported to cops that on the night Harlan disappeared, she watched Debra's eighteen-month-old child through the night. On September 3rd, police finally reported that they believed they knew the identities of the Debra as well as the man she arrived to the Bachelor’s Showboat Lounge with, promising that arrests could come soon. From the information police gained and the length of Harlan’s disappearance, the police also inferred that despite their investigation and search efforts, Nigel Harlan would most likely not be found alive. Other leads surfaced at the time, such as a credit statement showing a charge on Harlan’s credit

card from a nearby state after his disappearance. Police now believed Harlan was robbed before being murdered, but without his body, the police struggled to prove that a murder took place, rather than simply kidnapping and robbery. Helicopters and search teams scoured the city and surrounding areas in hopes of finding Harlan or his body. With the suspects named as possibly out of state residents, the police expanded the search for the Harlan and his attackers to multiple southern states. With the aid of the babysitter’s tip, a single credit card charge, and dedicated search parties, the suspects were found and arrested on September 9th in Florida. With the identities confirmed, suspects Debra Ann Andrus and Tony Randolph Nolen made their way back to Alabama to be arraigned and await trial. With the pair in custody, police finally had the chance to narrow their five state-wide search for Nigel Harlan. Police focused on Andrus whom they believed would offer information because of her easy surrender to police compared to Nolen who attempted to flee. In the investigators’ early questioning Andrus broke down after prosecutors offered a plea deal in return for information and her testimony against Nolen, whom she named as the killer. She then admitted to officers that the body of Harlan lay in a pasture in Shelby County, not far from Birmingham.<sup>26</sup> With this information, prosecutors moved forward with locating Harlan’s remains and prepared for the preliminary hearings.

By the end of September 1977, the two suspects, Tony Nolen and Debra Andrus faced preliminary hearings set at the beginning of October to determine whether capital murder charges could be brought forth by the court.<sup>27</sup> The preliminary trials brought out the initial defense of Nolen who stated that he fired shots at Nigel Harlan only after Andrus arrived at the couple’s car with Harlan who became aggressive with him. His defense rested on his statements of being scared of Harlan which made him point his rifle and demand Harlan’s wallet. The testimony of Andrus countered much of this story. Andrus spent hours on the stand being cross examined by Nolen’s lawyer, but her story remained centered on Nolen

being the primary aggressor. Her testimony began at the beginning when the pair arrived together at the Bachelor’s Showboat Lounge with Debra posing as a charming woman, waiting for a beer to arrive at the table to signal her to leave the bar.<sup>28</sup> She shared details of their drive to the pasture, with her driving and Nolen in the backseat with a gun pressed against Harlan’s neck, ordering him to hand over his wallet and watch. Harlan refused to cooperate.<sup>29</sup> Her testimony ended with blame pointed at Nolen as the one who pulled the trigger, first he shot him in the legs to cripple Harlan and then later in the head to kill him. By the end of the hearing, Nolen faced charges of capital murder and robbery while Andrus faced a lesser charge of first and second-degree murder with the agreement that she would plead guilty and again testify against Nolen.<sup>30</sup>

A few months later, on January 23, 1978, the official trial for Tony Nolen began with prosecutors pushing for the automatic death penalty pending a conviction of Nolen. Early in the trial, Debra Andrus again took the stand against Nolen, providing a detailed account of their night and admitting that they planned to rob someone “with money” that night with Andrus taking the lead to lure Harlan to the awaiting Nolen.<sup>31</sup> The courtroom remained full of press throughout the trial as the murder shook locals and remained a sensational news story. Birmingham newspapers recorded Andrus’s full testimony beginning with her setting the trap and including the car ride leading to the pasture and the dramatic murder. Andrus testified that Nolen became angry when leaving the pasture. He intended the initial shots to Harlan’s leg to simply cripple him so they could make a clean getaway and delay the authorities search for them. After Andrus revealed to Nolen that she had shared many personal details, including her real name, to Harlan. Nolen fumed that it could cause Harlan to find them, so he was forced to return to the pasture to kill Harlan and hide his body. The account of the murder stated:

All three got out of the car, and Nolen, holding a .22 rifle on Harlan, ordered Harlan into the pasture. Harlan

said he “didn’t want to go,” but Nolen told him to go on. Nolen then told Mrs. Andrus to “come on, too,” adding that she refused and stayed out by the pasture gate. She then heard Nolen tell Harlan to take his clothes off... After that there was a thud, followed by a man’s groans, and then two shots were fired... “Tony came back to the car and [Mrs. Andrus] asked him what happened. He said he had hit Nigel on the back of the head and shot him in both legs.” After they drove off, [Mrs. Andrus] said, Nolen told her, “I want to go back and hide the body... cover it up.”... Once again, [Mrs. Andrus] said, she waited at the end of the road leading to the pasture while Nolen went back. “[Mrs. Andrus] heard two shots for sure, maybe three.”<sup>32</sup>

After this testimony, Nolen’s defense attorneys immediately began an intense cross-examination hoping to prove that Andrus pulled the trigger rather than Nolen. Nolen stated during his testimony that he left the bar before Andrus because they had a disagreement and the next morning she told him she shot Harlan. Prosecutors reminded the court of the fact that during the arrests only Nolen attempted to run from police. They also pointed out how Nolen’s story changed multiple times. Evolving from complete ignorance of the shooting, to stating he shot Harlan out of self-defense but did not attempt to kill him until Harlan tried to attack.<sup>33</sup> In contrast Andrus’s story remained consistent since her arrest, a strong indicator of its veracity. After days of trial and hours of testimony, it only took jurors two hours to convict Nolen of capital murder.

The high profile case ended with a courtroom filled with reporters, a pending death sentence for Nolen, and a twenty-year prison term for Andrus as a result of her cooperation.<sup>34</sup> In the sentencing hearing, presiding Circuit Judge Charles Nice lessened the sentence of Nolen from death by the electric chair to life in prison. After this decision, those involved in the trial held strong and differing opinions about the sentencing. For the capital murder conviction in the state of Alabama, death by electric chair remained the expected sentence unless a judge intervened, and

prosecutors pushed for Judge Nice to uphold this precedence.

**JUDGE NICE IGNORED THIS ADVICE, HOWEVER, AND PROSECUTORS SPOKE OUT IN UNABASHED ANGER AT THE DECISION, STATING JUDGE NICE MADE A COLOSSAL MISTAKE. THIS DECISION PROVED CONTROVERSIAL, BUT JUDGE NICE DEFENDED HIS RULING STATING, “THE COURT MAY BE IMPOSING THE LESS SEVERE BUT MORE DRAMATIC SENTENCE...(NOLEN) SHALL NOT DIE WHILE (ANDRUS) LIVES.”<sup>35</sup>**

The lessened sentence did little to prevent multiple appeal requests from Nolen beginning the following year in 1979, but the Alabama Court of Criminal Appeals denied the requests, solidifying that Nolen would spend the rest of his life in prison without the option for parole.<sup>36</sup>

Throughout the investigation, trials, and sentencing of Debra Andrus and Tony Nolen, the public followed the case through the media that latched on to the story. The murder of Nigel Harlan stirred fears throughout Birmingham, aided by the almost constant updates in local newspapers and broadcasts. Headlines of murder, abduction, and robbery fueled public perceptions of the dangers of downtown areas, impacting the success and viability of Old Town Uptown. Even though crime occurred throughout the area before and after the murder of Harlan, none of them dominated the headlines of the newspapers throughout the investigation and trials to the scale that this case did. This resulted in the eventual shutdown of Old Town Uptown as businesses, already battling high lease prices on Morris Avenue, could not keep up financially as people remained too frightened to frequent the once popular area.<sup>37</sup> Many news sources and publications years later blamed this high profile crime, coupled with smaller issues such as lease

prices, as the ultimate reason Old Town Uptown faded in only a few short years, but in reality, this murder showed only a glimpse into the broader issue of the increase in city-wide crime rates.

**“THIS HIGH PROFILE CRIME AND THE REALITY OF RISING INNER CITY CRIME RATES LED TO A FEELING THAT DOWNTOWN COULD NOT BE SAVED.”**

To better understand where the highest levels of crime took place and to provide aid to local law enforcement, various studies took place focusing on Birmingham. Many studies, including those completed by the FBI, the University of Alabama at Birmingham, and the University of Alabama, spanning from the mid-1970s through the mid-1980s showed an increase of crime throughout downtowns and more impoverished residential areas. In one study conducted by UAB police reports compiled from 1975 and 1976, when crime began to increase, became useful in plotting the high crime areas within Birmingham, giving police visual information to see where their patrols should focus. Unsurprisingly, the study found the majority of crime to be focused near highways and throughout the downtown areas. Included in the statistics the study presented were the areas of the city with the highest occurrences of rape, homicide, and robberies. Most of these violent crimes happened downtown with more petty crimes happening in outlying neighborhoods.<sup>38</sup> After 1975, crime increased throughout the city, except for robberies which showed a decrease in 1976. This was commensurate with national trends. As America approached the 1980s all crime rates grew throughout the whole country. The FBI report showed an eight percent average increase in the United States, but the South as a whole held the highest increase at ten percent. Birmingham’s

rate of violent crime matched the overall increase throughout the South but doubled the average in other categories such as property crime.<sup>39</sup>

This increased crime rate led to demands from the public to the police and city officials to do something about the crime rates. After the shooting of city cop Edward Alley, Jr., Deputy District Attorney Claude Vines stated that, “Even before the Alley shooting, the general public was getting fed up with the growing crime problem... We hear it every place we go... People are letting us know how they feel.”<sup>40</sup> For crimes considered “serious,” such as homicides and robberies, the number of reported crimes jumped statewide from 9,215 in 1977 to 34,249 in 1983.<sup>41</sup> The crime rates throughout Birmingham remained consistent with the entire state of Alabama as shown through the yearly reports produced by the Alabama Criminal Justice Information Center. Every year from 1975 to 1979, the number of reported crimes rose. With the exception of a small decline in 1977, the rate rose to nearly 35,000 more reported crimes over the four year span with the trend carrying into the 1980s.<sup>42</sup> With such drastic increases, downtown improvements could not overcome the crime rates, and the public grew increasingly wary.

The search for Nigel Harlan and the trials of Tony Nolen and Debra Andrus became the representation of the rising crime rate in the city of Birmingham for its citizens. This high profile crime and the reality of rising inner city crime rates led to a feeling that downtown could not be saved. No amount of money raised by Operation New Birmingham could create a safer feeling downtown. Many believed the only solution, for those who could afford it, remained living outside the city and its violent neighborhoods. Newspaper headlines were rife with articles highlighting the many crimes impacting the neighborhoods and the public fear they instilled. As the crimes increased more and more articles relating to crime prevention and police cooperation began to be printed. Such articles included those from the citizens’ perspective. They asked if guards would be necessary for dangerous

areas. There were also articles advertising that police departments would be attending specially focused seminars on homicides.<sup>43</sup> The common theme that dominated the newspapers centered on the citizens' demands that a solution be found to combat the high crime rates. Despite these initiatives, crime continued to increase and Morris Avenue continued to suffer economically. Businesses began to struggle in Old Town Uptown as early as 1978 because of the area's reliance on its nightlife and clubs, but with people fearing the area, the lack of daytime businesses did little to draw crowds during less crime-riddled hours. One club, Cobblestone, Inc., filed bankruptcy in August of 1978 after a net loss of almost \$50,000 in less than a year. Even though the owners managed to open the Crazy Horse in its place, these struggles marked a change in the success of Old Town Uptown.<sup>44</sup> Birmingham drew little tourism, so locals who knew full well of the Nigel Harlan murder and increased crime of the area were reluctant to visit the area and spend the money necessary to keep Old Town Uptown flourishing.<sup>45</sup>

Birmingham during the mid to late 1970s struggled to overcome its reputation for crime as well as push back against the suburbanization movement that led to many to move from downtowns to safer, suburban neighborhoods. The former industrial districts within downtown stood empty, creating eyesores for the city, but more importantly, by sitting abandoned, the economy of the city suffered. Operation New Birmingham pushed to change this and with the idea to fill the former warehouses on Morris Avenue with bars and clubs, Old Town Uptown became the place to enjoy the city's nightlife, but crime continued to plague the area and Birmingham as a whole. After the 1977 murder of Nigel Harlan, public fear was renewed that crime in inner cities remained too prevalent for a thriving nightlife scene. The spread of bad press regarding Morris Avenue reinforced the fear that many locals held and eventually led to the closure of a majority of businesses within Old Town Uptown in

just a few short years. This loss was one that Morris Avenue never recovered from and many warehouses are left undeveloped and sit empty to this day.<sup>46</sup> This murder, however, and the reactions of public simplified the more significant issue of crime and pushed the blame of the failure of the district onto a single event rather than an issue plaguing the city. Even though the murder of Nigel Harlan marks a definitive shift in the public's perception of downtown, in truth it showed only a glimpse into the trend of increased violence in Birmingham. Revitalization and improved economies can aid in improving crime rates, but not without a broader plan to deal with crime on its own.

## **THROUGH THE DEATH OF NIGEL HARLAN AND THE TRIALS OF DEBRA ANDRUS AND TONY NOLEN THAT FOLLOWED, IT BECOMES CLEAR THAT CRIME COULD NOT BE EASILY OVERCOME WITH NEW FLASHY ENTERTAINMENT DISTRICTS AND PROMISES THAT THE "BOURBON STREET OF BIRMINGHAM" WILL CREATE A NEW IMAGE, A PROSPEROUS IMAGE FOR BIRMINGHAM.**

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34 Ron Casey, "Fateful August Trips End with Conviction of Nolen," *The Birmingham News* (Birmingham, AL), Jan. 29, 1978.

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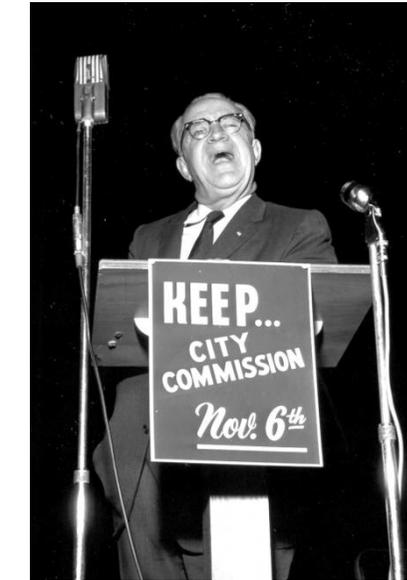
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## THE UNKNOWN TRUTH: POLICE BRUTALITY IN BIRMINGHAM

by Demetric Mitchell

In the Spring of 1963, the United States bore witness to the one the worst acts of police brutality this nation has ever seen. To combat protestors, the Birmingham Police Department upheld orders to unleash water hoses upon children, with pressures high enough to knock adults off their feet, and let loose vicious dogs to chase and attack young children. Police sworn to maintain law and order utilized their powers to brutalize the men, women, and children of the Civil Rights Movement. Shown on television, these events painted Birmingham, Alabama as one of the most racially resistant cities in America. These events also prompted the passage Civil Rights Act of 1964 and the desegregation of the south. Reading this in a history book or in a magazine would make the reader ask what made this possible? What allowed this to happen? Who was responsible for these horrific events? Books and magazines will often reference Commissioner of Public Safety Eugene "Bull" Connor as the progenitor of much of the violence. Connor, a native Alabamian and staunch supporter of segregation would order the use water hoses and police dogs to suppress protesters. Some articles might even neglect the police brutality and deem the economic impacts of boycotts and public as the reason for progress made in the Civil Rights Movement.<sup>1</sup> In truth it was a combination of these factors that led to the passage of the Civil Rights Act of 1964, but it still doesn't explain the reason behind such a brutal response to demonstrations. First and foremost, Connor was not the sole cause police brutality in Birmingham; to believe as such would be a fallacy. Police brutality in Birmingham predated the traditional Civil Rights Movement. Beginning in 1950 police brutality resulted directly from insufficient governing, inadequate policing, and a lack of willingness to change. These factors ultimately allowed for the power structure needed for Connor to rise to authority over affairs within

Birmingham and oversee the horrific atrocities in May of 1963. Although Connor remained the figurehead of police brutality in Birmingham, other actors and factors, such as the structuring of the Birmingham City Commission, allowed for police brutality to be condoned in Birmingham.



*Connor campaigning against the dissolution of the City Commission. Courtesy of Birmingham Public Library*

From 1911 up to 1963, the City Commission alone governed Birmingham. From 1950 through 1963, the City Commission called for three commissioners to lead and essentially run the city. These positions consisted of: the Commissioner President, Commissioner of Public Improvements, and Commissioner of Public Safety. This outdated system allowed for the City of Birmingham to be governed like

a business rather than a small-town. The Mayor-Aldermen form of government which preceded the City Commission, suited for small towns, was seen as unfit for Birmingham and its growing population. In short, these changes meant that business interests had an even greater stake in Birmingham politics. The "Big Mules," the industrial elites of Alabama, in particular held much of this power. Since the Alabama Constitution of 1901 "Big Mules" have greatly influenced Alabama politics as a whole not

just Birmingham.<sup>2</sup> With this economic power and their stake in local politics the "Big Mules" used and influenced the City Commission for their business interests. Their support of the City Commission and their manipulation of local laws and politics means that they too bear responsibility for the police brutality in Birmingham.

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**WITHIN THIS ROLE,  
"BULL" CONNOR HELD  
ADMINISTRATIVE OVERSIGHT  
OVER THE FIRE AND  
POLICE DEPARTMENTS IN  
BIRMINGHAM. HE CONTROLLED  
WHERE THE POLICE OFFICERS  
WENT AND HOW FAR THEY  
COULD EXERCISE THEIR USE  
OF FORCE.**

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For the "Big Mules" to stay in control and ensure high profits and low cost of labor, they needed to keep segregation alive. To accomplish this "Big Mules" had to keep poor whites and blacks at odds with each other so they would never have the opportunity to possibly unionize together and argue more stringently for higher pay and better conditions. This separation and unequal pay along racial lines created a narrative that blacks would do a job for less, which ensured that poor whites could feel better and more secure about their pay and in turn would not unionize for higher pay, or allow blacks to assimilate into their society, lest they be seen as equals and worthy of equal pay. The white industrial workers feared a race to the bottom for wages and essentially lowering their financial position indefinitely. They along with the "Big Mules" had a vested interest in keeping segregation alive. These poor to lower-middle-class whites made up the majority of the voting population in Birmingham and in

turn are the electorate that elected officials who would condone segregation in Birmingham. Therefore, it can be reasoned that those same poor to lower-middle-class whites would elect someone that supported segregation and possibly condoned police brutality against blacks in defense of the unequal racial system. It becomes even clearer that police brutality could and would most likely occur when most of the police officers during the peak of the Civil Rights Movement were from those same poor and lower-middle-class white families that supported segregation and shared animosity toward blacks. It has even been stated by Homero Yearwood, a professor of criminal justice, in his 1969 article on police and community relations that, "It is difficult for brutality and corruption to exist to any significant degree over a long period of time without the support of major segments of the population."<sup>3</sup> The idea of the support of police brutality towards blacks in Birmingham over the course of the peak of the Civil Rights Movement can be illustrated by the constant re-election of "Bull" Connor.

Eugene "Bull" Connor served as the Commissioner of Public Safety for Birmingham from 1937-1952 and from 1957-1963. This position contained considerable power: a third of the government. Within this role, "Bull" Connor held administrative oversight over the fire and police departments in Birmingham. He controlled where the police officers went and how far they could exercise their use of force. As mentioned before, the "Big Mules" of Alabama needed segregation to keep poor to lower-middle-class whites to be at odds with blacks. They had the power to put whom they wanted in office, and they wanted "Bull" Connor. Charles E. Connerly, in his book on Birmingham and civil rights, states, "The Big Mules also had a stake in maintaining racial segregation...for maintaining the status quo, the Big Mules relied on T. Eugene 'Bull Connor.'"<sup>4</sup> Connor ran his campaigns on the platforms of segregation and the denial of Civil Rights to blacks. He even garnered the support of conservatives of the city in his failed mayoral bid.<sup>5</sup> Glenn T. Eskew, in his book on Civil

Rights in Birmingham, refers to Connor's political success stating, "Birmingham's stunted electorate – the white lower middle class with its allies among the Big Mules – chose its own to manage city affairs. As a consequence, the municipal government defended the segregated social structure that protected 'whites only' jobs."<sup>6</sup> Through Connor the "Big Mules" could keep segregation alive, fuel racial tensions between blacks and whites, and maintain profits from poor to lower-middle-class whites working for less and blacks working for next to nothing. Most importantly they could maintain a society where police brutality against blacks could go unchecked. Eskew references the frequent and often violent police brutality that went on under Connor's supervision restating, "Officers regularly beat black suspects in an exercise of authority to show who controlled the streets."<sup>7</sup> Eventually police brutality had become so frequent that leaders in the black community were forced to act. Reverend Nelson Smith Jr., in an interview about Fred Shuttlesworth (founder of the Alabama Christian Movement for Human Rights) intervening in the Civil Rights Movement, stated, "I think at a point it became the burden of leadership and all of that and the plight of the people and the terrible atrocities and indignities that took place from almost day to day, the main situation of police brutality, attacking segregation on every front, preservation, all of these things, and, you know, there were moments when you were just – you had no other choice."<sup>8</sup> This statement would represent the situation and motivation of many Civil Rights participants.

These attacks on the black population of Birmingham became so severe that they attracted civil rights activists to come to the city to challenge the power structure of Birmingham. Activists such as Dr. Martin Luther King, Jr. came to protest and faced arrest just like hundreds of local foot soldiers. While in jail, Dr. King remarked on the power structure of Birmingham and how it worsened the state of blacks living in Birmingham by continuing to disenfranchise their communities. Dr. King stated, "It is unfortunate that the white power structure of this city has left the

Negro community with no other choice."<sup>9</sup> It has been proven that not just "Bull" Connor but the insufficient governing of the city created the atmosphere where police brutality in Birmingham could exist. Now, the focus must shift to the role of poor policing and its consequence of more police brutality during this period.

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Poor policing played an essential role in the police brutality experienced in Birmingham during the Civil Rights Movement. Specifically, the lack of proper training, discipline, and manpower led to inconsistent and unequal patrolling and law enforcing throughout Birmingham as well as a police force that too quickly turned to brutal methods of control. In a report completed by the Citizens Committee on Birmingham Police Department (1952), three major issues came to light: there was an inadequate number of superior officers on the Birmingham Police force, having an inadequate number of superior officers prevented adequate supervision and training, and the Birmingham Police Department lacked an Inspector of Police.<sup>10</sup> Police not properly trained and aware of guidelines and procedures could commit police brutality unknowingly. Police officers could be prone to police brutality, especially while working under a Commissioner of Public Safety that was not afraid of utilizing violence by the police. The Inspector of

Police could have been a deterrent to the frequent and severe police brutality that took place under the leadership of “Bull” Connor and the “Big Mules” of Birmingham. The lack of adequate training, supervision, and the absence of an Inspector of Police all contributed to poor policing in Birmingham during this time; that contributed to the police brutality that continually persisted in Birmingham, especially during the Civil Rights Movement. The reaction of the police department to protest must be addressed in relation to police brutality as well.

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**“BULL” CONNOR AND THE BIRMINGHAM POLICE DEPARTMENT UTILIZED VIOLENCE IN AN EFFORT TO END THE PROTEST AND CALLS FOR DESEGREGATION. BY CONTRAST CHIEF OF POLICE LAURIE PRITCHETT AND THE ALBANY, GEORGIA POLICE DEPARTMENT USED NON-VIOLENT METHODS OF ARRESTING PROTESTERS, WHICH AVOIDED NEGATIVE ATTENTION.”**

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The Birmingham Police Department did not understand how to deal with the protest. “Bull” Connor and the Birmingham Police Department utilized violence in an effort to end the protest and calls for desegregation. By contrast Chief of Police Laurie Pritchett and the Albany, Georgia Police Department used non-violent methods of arresting protesters, which avoided negative attention.<sup>11</sup> Pritchett’s methods explain why the Civil Rights Movement in

Albany, Georgia went down in history as a win for segregation and a loss for the Civil Rights Movement. As history has shown police violence only furthered desegregation sentiments and played an integral role in passing desegregation legislation. Connor and the Birmingham Police Department ignored the sensible way to handle protest, exemplified by Laurie Pritchett and the Albany Police Department. Gordon Misner portrays this dynamic in his writings on police agencies stating, “Although the substance, tactics, and strategies of protest movements have changed, police agencies are precisely those institutions most resistant to change in operating procedures and administrative styles.”<sup>12</sup>

Furthermore, even if the Birmingham Police Department had enough superior officers to train and supervise police officers adequately, the environment is one that made police brutality more than likely to happen with the same magnitude as it did in this period. There would still be the factor of racial animosities in one of the most racially segregated cities in America fueling the brutal policing methods of black communities by white police officers. Even the categorization and filing of deaths in Birmingham showed the segregation of the city and the denigration of black victims with the murders of black citizens being categorized as “Negro homicides” and the murders of whites being categorized as simply “homicides.”<sup>13</sup> Even in death there was a different classification for black citizens of Birmingham; which illustrated the deep-seated racial animosities that some police officers and citizens had against blacks. One of the only feasible deterrents to police brutality in Birmingham would have been to employ black police officers. A deterrent sadly ignored until after the peak Civil Rights Movement, and after Birmingham had been deemed one of the most racially segregated cities in America.

The failure to hire black police officers can be attributed to keeping segregation intact and can be considered one of the essential examples of poor police policies in Birmingham during this period. Dr.

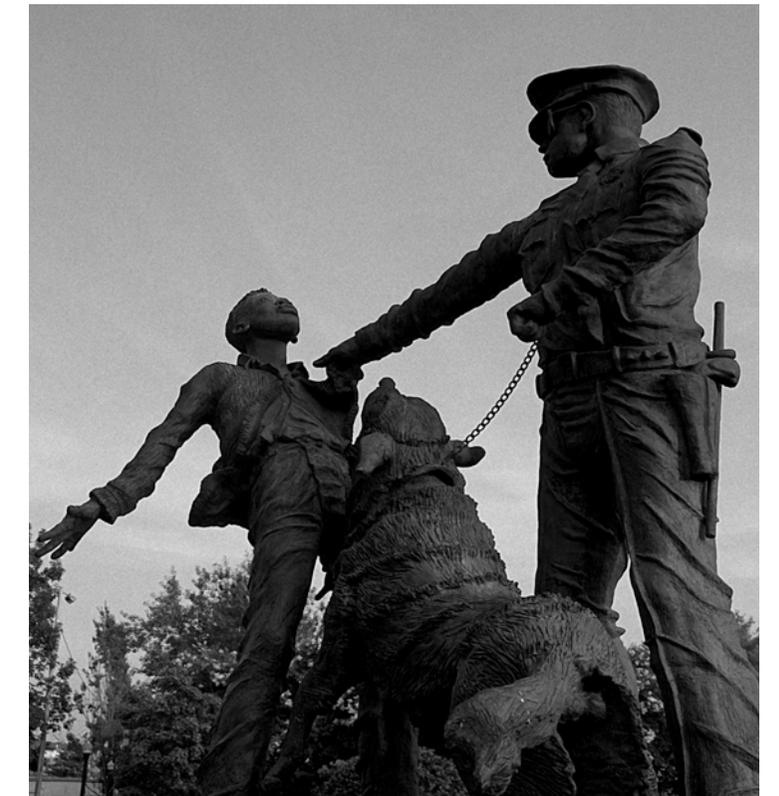
Jonathan MacPherson, in 1957, as a young man, attempted to become a policeman under the orders of Fred Shuttlesworth. MacPherson stated in an interview:

One thing about Reverend Shuttlesworth, he believed in putting all of his irons in the fire. And not only was he testing the segregation on buses but he had us to go down and test how to become a policeman. That’s another thing we did back in 1957... So we went down. I was one of the few Blacks that went down to take the test for policeman. Because, well, I passed. I was about the first Black to pass that Civil Service job. But they didn’t call me down to interview for the position.<sup>14</sup>

Furthermore, in a report made by the Jefferson County Coordinating Council of Social Forces on black police officers mentioned that over eighty cities in the South employed blacks; Birmingham not among those southern cities.<sup>15</sup> This report completed in 1953, an entire ten years before the incident in 1963, and thirteen years before the hiring of the first black police officer, displays the known need for police reform and inclusivity in Birmingham.<sup>16</sup> Despite this need, the reality stood that the Birmingham Police Department did not want black police officers. Some citizens suspected that Birmingham Police officers supported or were members of the Ku Klux Klan, a sentiment shared by several of the black communities during that time. W. Edward Harris even remarks on this sentiment in his book stating, “The law rested on community sanction, a bedrock fear and hatred for the Negro. I knew the police were charged with enforcing the law and that the police worked with the Ku Klux Klansmen to keep -blacks and whites- in line.”<sup>17</sup> It could even be said that a significant portion of the people did not want black police officers. This type of sentiment indirectly led to police brutality in Birmingham. This sentiment also portrays the city’s unwillingness to change or adopt a more progressive outlook especially in race relations.

A direct cause of this stagnant attitude towards change shows the level of police brutality experienced

during this period; police brutality was shown explicitly in Birmingham newspapers. Remembering the children that were attacked by police dogs and knocked to the ground by heavy pressure water hoses, one would believe that this image alone would be enough to put aside pro-segregation sentiment and take note of the atrocity that had taken place. However, for many in Birmingham, it did not. Take for example the Birmingham Post-Herald, which did not believe the actions of the police toward the protesters constituted



*Statues depicting police brutality against protestors in Kelly Ingram Park Birmingham, AL. Courtesy of Robert Fincher*

police brutality stating:

Last resort use of fire hoses and leashed police dogs to uphold the law and maintain order is not brutality. Under the same circumstances they would be used and should be used against white law violators just as

quickly as they were against the Negro demonstrators. Certainly, the use of dogs under the control of the policemen with whom they are trained to work is far better than to beat recalcitrants over the head with clubs and blackjacks. And the law must be upheld.<sup>18</sup>

This widely read Birmingham newspaper actually praised the use of police dogs and water hoses on non-violent protesters in comparison to more run of the mill police violence that no doubt occurred in Birmingham. As Americans all over the country, white and black, watched horrified at the images of police brutality against the protesters in Birmingham, the Birmingham Post-Herald applauded its Commissioner of Public Safety and Police Department. Many felt that these actions not only showed an unwillingness to change but, more importantly, a lack of humanity.

The lack of willingness to change in Birmingham can be seen again in another Birmingham Post-Herald article on the use of water hoses and police dogs. The Birmingham Post-Herald states:

the dogs were not 'loosed' on the innocents in Birmingham as many were led to conclude and not until last Tuesday, when the demonstrators were all but out of hand, was any pressure put in the fire hoses. And children were not knocked down to the street and left bleeding as the Time Reported. The simple fact is there was no police brutality and we salute again the men on the police force for the manner in which they acquitted themselves.<sup>19</sup>

The Birmingham Post-Herald reflected the city's unwillingness to change. Instead of admitting that an atrocity had occurred the Post-Herald lied and ignored the young boys and girls blown away by water hoses and mauled by dogs. Instead of condemning the actions of the police department the Post-Herald saluted them. Some newspapers in Birmingham did not want to write on police brutality suffered by blacks. In an interview with Andrew Michael Manis, Anne Braden, a white participant in the Civil Rights Movement, tells of how the newspapers did not care to write on police brutality stating, "And then there was the fact that it wasn't news any more or it was

the kind of news they didn't want to print and even in Birmingham, there were continuing struggles there, especially around the police... Various police brutality things going on, demonstrations, 47 in the late sixties, weren't covered in the press at all."<sup>20</sup> One of the main source for news and media at the time completely ignored the issue of police brutality and kept it hidden from public view.

Police brutality in Birmingham was not just caused by racism, or simply because "Bull" Connor staunchly supported segregation and possessed the will and resources to violently protect it, but also by many other contributing factors. Police brutality existed and persisted because of a larger insufficient power structure that governed the city, poor policing, and the city's unwillingness to change. However, times have changed. Birmingham has changed. In 1963, Birmingham did away with its City Commission and elected its first Mayor and City Council under the Mayor-Council Act. The citizens of Birmingham pushed "Bull" Connor out of Birmingham politics. These events signaled a massive change in Birmingham for multiple reasons. First, the new government of the city made it its goal to improve race relations in Birmingham. Exemplified best in Pamela Sterne King's, a Birmingham historian and professor of history, article on the city of Birmingham after Bull Connor, King stated, "The next year, moreover, on April 2, 1963, progressive whites and blacks put Bull Connor, and his junta, out of their jobs for the last time. A month later, Birmingham's new mayor, Albert Boutwell, announced plans to appoint a Citizens Committee on Community Affairs to deal with racial problems. In July, he announced the 212-member group, which was a who's who of prominent whites and blacks, and they were ready to work."<sup>21</sup> After that, the Civil Rights Act of 1964 outlawed discrimination on the basis of color, race, religion, or sex. The legislation placed blacks and whites in Birmingham on the same footing legally. Two years later in 1966, Leroy Stover became the first black police officer in Birmingham, laying the foundation for the hundreds of black police officers to follow in his footsteps. The Birmingham

Police Department today consists of a majority black officers, led by a black Police Chief, showing that change, even in the "most segregated city in America," is possible.

Eugene "Bull" Connor contributed to the police brutality that existed in Birmingham during 1950 through the Civil Rights Movement. However, more significant actors and factors at play that led to the

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1 Aldon D. Morris, "Birmingham Confrontation Reconsidered: An Analysis of the Dynamics and Tactics of Mobilization," *American Sociological Review* vol.58, no.5 (1993), 621-636.

2 Big Mules were the economic elites of industrial Alabama located in and around the city of Birmingham, with its iron and steel mills, railroads, utility companies, law firms, and other big businesses, whose power came in no small part from black belt planters who had significant representation in the state legislature due to the Alabama Constitution of 1901.

3 Homero Yearwood, "Police Community Relations: A Review of the Current State of Affairs," *Issues in Criminology* 4, no.1 (1968): 45-57, accessed June 10, 2017, <http://www.jstor.org/stable/42909598>.

4 Charles E. Connerly, *The Most Segregated City in America: City Planning and Civil Rights in Birmingham, 1920-1980* (Charlottesville: University of Virginia Press, 2005), 4.

5 Birmingham Post Herald, "Conservatives Back Connor for Mayor," February 23, 1963.

6 Glenn T. Eskew, *But for Birmingham: The Local and National Movement in the Civil Rights Struggle* (Chapel Hill: University of North Carolina Press, 1997), 86.

7 Ibid, 92.

8 Reverend Nelson Smith Jr., interview by Andrew Michael Mandis, Birmingham, 1989. Birmingham Public Library.

9 Martin Luther King Jr., *Letter from Birmingham City Jail* (Birmingham: American Friends Service Committee, 1963), 1.

10 Report of Citizens Committee on Birmingham Police Department (Birmingham: Citizens Committee on Birmingham Police Department, 1952), accessed June 28, 2017, Lister Hill Archives Department.

11 Laurie Pritchett was known for his actions during the Civil Rights Movement in Albany, Georgia. Pritchett used non-brutal methods of arresting protesters, and after arresting

horrific events of 1963. Factors such as poor policing, insufficient governing, and a city's unwillingness to change significantly contributed to police brutality in Birmingham. These findings are not just specific to Birmingham and police brutality during the civil rights movement. The same factors can be applied to the present day and the continuing fight against police brutality.

Dr. King for disturbing the peace placed him in the county jail rather than the city jail to avoid negative attention by the federal government and outsiders.

12 Gordon Misner, "The Response of Police Agencies," *The Annals of the American Academy of Political and Social Science* 382 (1969), 109-119.

13 Eugene Connor, *Police Department Crime Reports, January 1961 to December 1961* (Birmingham. Theophilus Eugene 'Bull' Connor Collection Number 268, Birmingham Public Library, 1961).

14Dr. Jonathon MacPherson, interview by Andrew Michael Manis, Birmingham, 1989. Andrew M. Manis Oral History Interviews. Birmingham Public Library.

15 Report on a Study of Negro Police made by The Jefferson County Coordinating Council of Social Forces (Birmingham: The Jefferson County Coordinating Council of Social Forces, 1953), accessed June 28, 2017 Lister Hill Archives Department.

16 Leroy Stover, Birmingham's first black police officer.

17 W. Edward Harris, *Miracle in Birmingham: A Civil Rights Memoir, 1954-1965*, (Indianapolis: Stonework Press, 2004), 60.

18 Birmingham Post Herald, "Praise Where Praise is Due," May 9, 1963.

19 Birmingham Post Herald, "Costly Experience," May 11, 1963.

20 Anne Braden, interview by Andrew Michael Manis, Louisville, 1988. Andrew M. Mansi Oral History Interviews. Birmingham Public Library.

21 Pamela Sterne King, "The City of Perpetual Promise," *Weld*

## INVISIBLE NO MORE: POLICE VIOLENCE AGAINST BLACK WOMEN AND WOMEN OF COLOR

Reviewed by Ajanet Rountree

Andrea J. Ritchie is a lawyer and activist. She writes *Invisible No More* “as an act of love, of mourning, of honoring, of commemoration, of liberation, as a contribution to our shared struggles, wrestling with the meanings of Blackness, privilege, solidarity, and co-struggling; of ‘survivor’ and ‘ally’” (5) for and from the community of which she is a member (11). The goal of *Invisible No More* is to establish recognition of the police brutality against women of color (us). She accomplishes this in several ways throughout this book. First, this book brings personal stories to the center and into focus by identifying the differences and commonalities among women of color. Second, it explores the various forms of police violence, as well as how race, gender, sexual orientation and ability influence the action/expression of police violence. Third, it identifies patterns and paradigms within the controlling narratives which are rooted in colonialism, slavery, and structural violence. Lastly, it invites a discourse on aspects of the mass incarceration system previously invisible, including profiling and police brutality against women of color.

The book’s layout consists of eight chapters (2–9) that highlight various areas and interactions of police with women of color. Each chapter concludes with a resistance subsection wherein details of individual and collective resistance to the policing of gender takes a variety of forms at the local and national level (139). Ritchie bookends chapters 2–9 with chapter one, “Enduring Legacies” and chapter ten, “Resistance.” Within the pages, Ritchie questions the societal demand upon police for prevention of and response to violence while also challenging their contribution to the violence. Additionally, she ponders, “what would it mean to build structures and strategies beyond police that will produce genuine safety for women of color, especially in hostile terrain.” (18) She suggests that placing Black women and women of color at the

center of the conversation shifts demands, analysis, and approaches (17).

Chapter 1 outlines the historical record of violence against women of color, inclusive of Indigenous women, by highlighting a portion of the controlling narratives. Colonization brought about the desecration and extermination of Indigenous identity and humanity. Sexual violence was a primary weapon. Ritchie introduces the concept of “the myth of absence” as a collective reductionist method. Employing the myth of absence allows for the normalization of invisibility under the guise of colonial establishment. This myth applies on both land and sea.

Masters of the enslaved utilized motherhood as an instrument of punishment under the oppressiveness of slavery. There was no shadow of law, so Black women became property, and with this new “label” came the disassociation their gendered status. This disassociation with womanhood dislodged the perception of femininity as well. “This system of constructed categorizations of Black women’s behavior and possibilities for existence persist to this present day... such narratives [mammy, Jezebel, subservience, tolerant, pain intolerant] inform police perceptions of what conduct is appropriate and permissible toward Black women.” (35)

The government positions immigrant women as a “control apparatus... for the regulation of sexual norms, identities and behaviors.” (37) This control functions as both a mode of discipline and a measurement of their suitability to contribute to the overall national identity (38). Stereotyped and prejudged, immigrants and queer/trans women extend beyond the normalized border standard of hetero, cis, white, etc. In other words, non-white women—whether with attitude, dress, and sexuality, size and skin tone—

represent a deviation from the norm. To correct the “deviation,” a pattern of law enforcement arises to “structure and reinforce...perceptions” (41).

Chapters 2–9 describes the patterns of law enforcement applied to women of color. A summarization to the roots of the enforcement patterns comes from Arizona State University professor, Ersula Ore: “This entire thing has been about your lack of respect for me.” (58) The chapters expose how police, with impunity, make gender (for cis and/or queer/trans women) a sociopolitical site (139) of human rights abuses and violations as they view the bodies of girls and women of color as threats in public and private spaces (145). The gendered degradation and disposability of Black women (51–2), and the deep devaluation of motherhood and life for women of color (170) are merely two identifiable threads in the fabric of sexual violence within the police system (105).

Chapters 3 and 4 confirm that police brutality against women of color, includes minors and persons with disabilities. There is no escape from the profane overreaction of those “who make the rules up as they go along and often enforce them in deeply racialized ways” (75). In chapter 3, Ritchie builds upon the works of Monique W. Morris and bell hooks. They agree that schools—sites for the profound regulation and punishment of Black femininity-- institute zero-tolerance policies and exact an “oppositional gaze” applicable disproportionately to girls of color, who are disrupting the peace or engaging in disorderly conduct by “having the audacity to demand to be treated with dignity” (73–8). Morris introduces age compression as a weapon in the arsenal that schools and law enforcement use against girls of color. Age compression is the inability to see children of color as children, because of this, they are handled and treated like adults of color (78). In chapter 4, with each incident involving police and women with a disability or mental health disorder, the women are either injured or killed. Thus, in both instances, the failure to respond appropriately due to the misapplication of stereotypes

escalates but does not resolve situations.

Chapter 10 provides an extended culmination of the resistance subsections introduced in chapters 2–9. This chapter seeks to outline critical ways community activists and organizers, alongside survivors and the families of the victims, are turning violations into victories by piercing the bubble of silence. Ritchie repeats the underlying question of “what would freedom from fear look like for girls and women of color” while reminding the reader of the need to continually speak truth to power. Resistance, like violence, exists within the sociopolitical site of the body (139). Resistance draws those subjected to the margins by anti-police violence and feminist movements, back in and towards the center with the understanding that police are necessary for social order (205–7). However, the perpetuation of violence and the invisibility of that occurs during and after, can no longer remain in the shadows (206). Resistance reinstates the tradition of truth-telling through the reclaiming of bodies and humanity.

Two key strengths of this book are the inclusion of Ritchie’s personal experience and investment, and her purposeful build upon the works of Angela Y. Davis, Danielle McGuire, Beth Richie, Monique Morris, bell hooks, etc. By incorporating the works of other female activist/scholars who posit and bring a different angle to this issue, this book makes a significant contribution to recovering the missing female narrative within the mass incarceration canon and the US gender relations discourse. This is a huge plus for this book as “women of color” includes every non-white category and encompasses the fluidity of the gender/sexuality spectrum. Ritchie does not shy away from her critique of the embedded racial and gender bias within the American social system. Her frankness adds a crucial element to discussions on interracial relations and intra-racial relations.

*Invisible No More: Police Violence Against Black Women and Women of Color* is an off-the-beaten-path collection of domestic violence and terror stories against humans being of color. It is a difficult read that

though not weighted down by academic language and statistics; it does, frankly, deserve a trigger warning. The descriptions of dehumanizing brutality are unbearable at times. By reading this book, one begins to understand both the complexity and the root of Colin Kaepernick's protest, the mindfulness of young girls like Naomi Wadler, and the demands of justice for

victims and survivors of police violence like Deborah Danner, Sandra Bland, and now, Chikesia Clemons. *Invisible No More* is a stark reminder that there is a notably, significant difference in the treatment of whites and non-whites by US law enforcement, and if you are not outraged, you are not paying attention.



## ABOUT THE AUTHORS AND EDITORS

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Alice Grissom is thrilled to have found room on the grounds of the University of Alabama at Birmingham to pursue a double major in History and English and a minor in Women's Studies. Although she would generally elect to study words over wrangling with them, she enjoys the editorial process immensely – so much so that she serves on the editorial boards of *Aura Literary Review* and the *Vulcan Historical Review*. Although currently a sophomore, she hopes in future years to expand her research into the field of historical linguistics, intertwined with her broader historical studies.



Grace Larkin recently graduated from UAB with her M.A. in history with a specialization in Western Esotericism. Her academic interests include occult and religious histories, particularly the study of Catholicism, witchcraft, and demonology, modern Europe, and World War II. She enjoys a good cup of black coffee, crochet, yoga, and all things nerdy.



Lance Ledbetter received his Bachelor's degree in history from the University of Alabama. His research interests include African American history, public history, and sports history. He is currently working on a thesis on professional wrestlers in Alabama. In his free time he enjoys good books and bad movies.



**Laura King** is currently completing her Bachelor's degree in History with a double minor in African American Studies and Sociology. Her primary focus is on the post-Antebellum racial climate in the South and the reenslavement of the black populations through the Civil Rights Movement. With this focus, she hopes to eventually earn her Ph.D. in history to teach at the university level. Laura completed an internship in the Birmingham Civil Rights Institute archives. During her time as the President of UAB's Phi Alpha Theta History Honor Society Chi Omicron Chapter, she invited Civil Rights icon James Meredith to UAB during Black History Month.



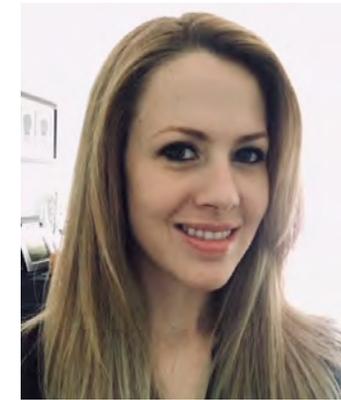
**Katharine Armbraster** has formerly attended Shelton State Community College and the University of Montevallo and received her undergraduate degrees in history. She also has a minor in art history and intends to one day teach that along with British history. Her experience at UAB has been wonderful and she intends to graduate in December.



**Ajanet Rountree** is a student in the Anthropology of Peace and Human Rights master's program at UAB. She graduated from UAB with a Liberal Arts Interdisciplinary BA focused on Women, Social Change, and Globalization. Her research interests include civil rights, women's rights, and writing. Ajanet is the blog coordinator for the UAB Institute for Human Rights.



**Demetric Mitchell** graduated April 28, 2018 majoring in Political Science and History. He chose history as one of his majors because it has interested him since childhood. His love for history grew even more when he first attended UAB by being exposed to different viewpoints and interpretations of History. He particularly enjoys researching and writing about the Civil War and Civil Rights Movement.



**Jennifer Wells** graduated summa cum laude from Texas A&M University with a B.S. in interdisciplinary studies and a minor in geography. She taught fifth and sixth grade English in Galveston, Texas before beginning her graduate studies in history at the University of Birmingham at Alabama. Her academic interests include American and legal history.



**Eric Greer** is a second-year graduate student at UAB and is currently nearing completion of a master's degree in history with a focus on Asian history, and modern Japanese history in particular. When he isn't busy writing papers and studying, he spends his spare time pursuing a number of different interests including: metal fabrication, computer programming, auto mechanics and photography. Upon graduating, he plans to continue his education with hopes of obtaining his PhD.



**Samuel ("Sammy") Peter Jane-akson** A lifelong resident of Birmingham and Homewood, Sammy has always had an intense fascination with history and the resonating effects this field of study has had on the modern world. A scholar of political history and a staunch Anglophile, Sammy has written on a variety of different subjects regarding historical and political enquiry, including the authoritarian trajectory of Japan prior to the Second World War and the Syrian Civil War. Being of half-Asian (Thai) and half-Italian descent, Sammy believes that historical understanding is essential in adequately evaluating the modern world while also having the potential to strengthen the bonds between people of different nationalities, religions, etc. Being a son and grandson of war veterans, Vietnam and WWII, respectively, Sammy believes that a knowledge of history and, more importantly, historical blunders is crucial in creating a more stable and peaceful world.

## IN MEMORIAM

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This year's issue of the Vulcan Historical Review is dedicated to the memory of Dr. James Foster Tent who passed on June 25th of this year. Dr. Tent was raised in Glen Rock, New Jersey and above all else was a dedicated educator. He graduated from Dartmouth in 1969 and received his Ph.D. from the University of Wisconsin-Madison in 1973. Soon after Dr. Tent was hired as a professor here at the University of Alabama-Birmingham in 1974. In 1990 he was named a University Scholar and he served as the chair of the History Department from 2002 to 2009. In 2010 he was appointed as a University Scholar Emeritus.

An expert in modern German history Dr. Tent published several works while at UAB including: *Mission on the Rhine: Reeducation and Denazification of in American-Occupied Germany* (1982); *The Free University of Berlin: A Political History* (1988); *E-Boat Alert: Defending the Normandy Invasion Fleet* (1996); *Den Deutschen Freund Sein: Das American Friends Service Committee und die humanitäre Hilfe im Deutschland nach 1945* (1998); *Academic Proconsul: Harvard Sociologist Edward Y. Hartshorne and the reopening of German Universities 1945-1946: His Personal Account* (1998); and *In the Shadows of the Holocaust: Nazi Persecution of Jewish Christian Germans* (2003). Due to his prodigious contribution to German history he was awarded the Education Award from the Alabama-Germany Partnership. In addition, he was instrumental in recruiting scholars to the history department such as the current interim chair Dr. John Van Sant. He would speak passionately at length about his areas of expertise to students and colleagues alike debunking popular but sensationalist theses. He demonstrated at length the character and care essential to the field of history. He also developed a mutually productive relationship with the Southern Museum of Flight in Birmingham and was a drum major in the Alabama Pipes and Drums. Dr. Tent is survived by his son John, his daughter Virginia, his three grandchildren Joanna, Helena, and Hugo, and his sister Penelope. He will be missed and his contributions to the eternal academic conversation will not be forgotten.



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