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HISTORY OF BLACK CODES AND JIM CROW LAWS

SİYAHİ KODLARIN VE JİM CROW YASALARININ TARİHÇESİ

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ÖZET

Abraham Lincoln'ün köleliği kaldırmak çabalarını devralan Devlet Başkanı Andrew Johnson, görevini tamamladı ve ABD Anayasasına On Üçüncü Değişiklik eklenmesiyle, Yeniden Yapılandırma politikaları 1865'te başladı. Kölelik sistemini geri getirmeyi amaçlayan güney eyaletleri ise Siyahi Kodları yürürlüğe soktu. Bu kodlar, özgür siyahilerin haklarını kısıtladı, Afrikalı Amerikalıları beyaz üstünlüğüne bağımlı kıldı ve serbest siyahların özel mülke sahip olmalarını, askerlik yapmalarını, seçimlerde oy kullanmalarını vb. yasakladı. Bazı eyaletlerde daha insancıl kodlar varken bazıları ise siyahilerin intikamından korktukları için onların haklarına sıkı bir kısıtlama koydu. Mississippi ile başlayan Siyah kodları siyahların güç kazanmasını önlemeye çalıştı ve birçok durumda siyahileri para cezalarına çarptırdı veya ücretsiz işçi olarak çalıştırdı. Siyahi kodlar dört başlık altında sınıflandırılmıştır: Sivil Haklar, Serserilik Yasaları, Çıraklık Yasaları ve Ceza Hukuku. 1890'larda başlayan Jim Crow yasaları 1965'e kadar devam etti. Kodların siyahilerin haklarını sınırlandırılması yerine, bu yasalar ırk ayrımcılığını yürürlüğe koydu ve beyazların ve renkli olanların iletişimini yasakladı. Siyah kodların devamı olan Jim Crow yasaları, siyah kodlarının etkilediği alanları genişletmeyi amaçlıyordu. Jim Crow yasaları beyazlar ve siyahların kullandığı kamu tesislerini ayırdı ve siyahilere hep daha kötü olanaklar temin etti. Bu sebeple beyazlar ve siyahları ayırdı ve aralarına ayrılık ve nefret tohumları ekti; ayrıca siyahlara evcil hayvanlarla aynı şekilde davranıldı ve bazı tesislere girmeleri yasaklandı. Günümüzde, ırksal ayrışmanın izleri hala etkilerini göstermektedir ve asırlık çatışmalar neredeyse DNA'larında kodlandı. Bu makalede, Amerika Birleşik Devletleri tarihine damgasını vuran Siyah Kodları ve Jim Crow Yasaları ele alınmıştır.

Anahtar Kelimeler: Siyah Kodlar, Jim Crow Yasaları, 19. Yüzyılda Amerika, Afrika Kökenli Amerikalılar, Özgürlük, Yeniden Yapılandırma Politikaları

ABSTRACT

President Andrew Johnson, who took over Abraham Lincoln's efforts to abolish slavery, completed his task, Reconstruction policies began in 1865, and Thirteenth Amendment was added to the U.S. Constitution. However, southern states, which aimed to reinstall slavery, enacted Black Codes. Codes restricted the rights of freedmen and kept African Americans dependant to the white supremacy and prohibited free blacks from owning private premises, serving in military, voting at the elections, etc. Some states had more codes that are humane while others strictly controlled black population for fear of their revenge. Black codes began with Mississippi to prevent blacks from gaining power, in many cases charged fines, and hired free blacks as free labour. Black codes classified under four headings were Civil Right, Vagrancy, Apprentice and Penal Laws. Jim Crow laws were enacted 'n 1890s until 1965. Instead of restrictions of codes, Jim Crow laws implemented racial discrimination, prohibited mixing of whites, and coloured ones. It was continuation of black codes and aimed to broaden it. Jim Crow laws separated public facilities of whites and blacks, and used provided worse facilities to coloured people. Thus avoided interracial mixing and caused a hatred and segregation between races legally, furthermore blacks were treated same as pets and were forbidden to enter some facilities. Today, traces of segregation still show its effects. Centennial conflict almost encoded in their DNAs. This paper argues Black Codes and Jim Crow Laws, which left its mark on the history of United States.

Keywords: Black Codes, Jim Crow Laws, Nineteenth Century's America , African American, Freedom

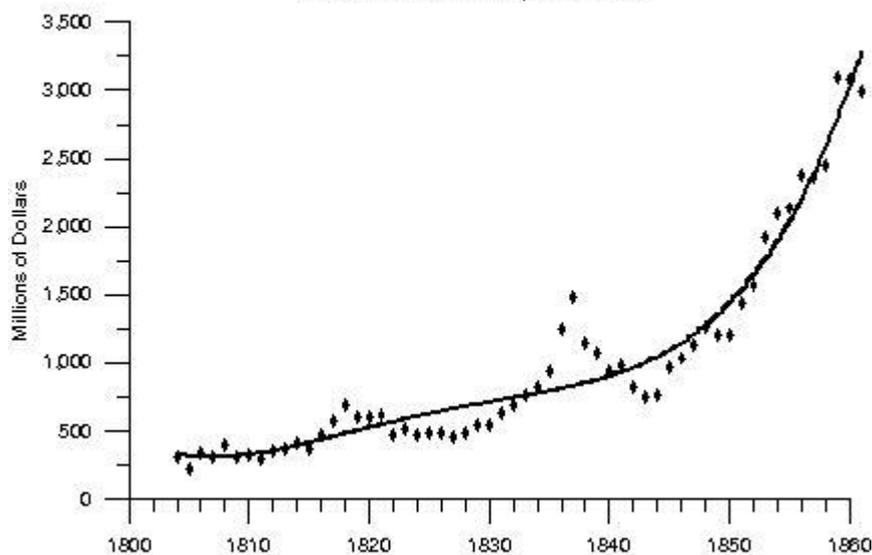
1. BLACK CODES

Black codes are defined as statues of free blacks in the United States in the nineteenth century. (Wallenfeldt) Black codes are also defined as “A body of laws, statutes, and rules enacted by southern states immediately after the Civil War to regain control over the freed slaves, maintain white supremacy, and ensure the continued supply of cheap labor.” (black codes) Antebellum, pre-war, slavery refers to slavery primarily in the southern states in different forms in 1830s-1860s, before the Civil Wars. Nearly four million slaves, which are four times of 1805, were liberated as 13th Amendment was added to the Constitution of the United States. African Americans were enslaved to work in farms, plantations, at homes, in the fields, etc. The laws and religions protected and encouraged whites to be superior to African Americans and even poor whites were superior to them because they were not black and owning a slave showed the statue and wealth until the “properties” revolted and sabotaged the fields, destroyed the yields, killed their owners and protested as much as they could.

The end of the Civil War signaled freedom of slaves and the beginning of a turmoil period in the United States. The 13th Amendment became effective and slavery was abolished throughout the country and its territories. States enacted laws to set free and to consider whites and colored ones equal. “Free Blacks” were the former slaves lived in mostly southern states. Several months later, southern states tried to restore white hegemony and slavery in spite of Civil War and 13th Amendment they did not accept abolishment of slavery and tried to find ways to go back the times they decided fates of slaves. They wanted to be supreme, control blacks and have the economic power to rule over African Americans. States were afraid of revenge. African Americans were labored, humiliated, became slaves, harshly treated. As a result, former slaveholders were afraid to lose their lives and properties and thus their fears let them pass laws against free blacks, they enacted laws, which later was called “Black Codes”. The codes were enforced by slave states by regulating laws for slaves and thus is known as ‘slave code’. There were also some states enforcing laws for both slaves and free blacks. One of the first laws was enacted on November 22, 1865, in Mississippi.

Black codes existed to re-establish slavery and furthermore it aimed to prohibit former slaves from leaving South, the oppressing minority who gains their freedom and eliminate them. Its priority is to prevent slaves’ freedom and restrict economy of free blacks. Until the Civil War, the economy of agricultural Southern states basically depended on free labor. Slaves served them and worked for peanuts in unsanitary conditions. Slaveholders did not have to pay wages for their hardworking so antebellum southern slaveholders considered that a small part of African Americans, free blacks, would cause chaos and disturb their stable society and system because slaves were of great value¹:

Figure 1
The Value of the Stock of Slaves
in the United States, 1805-1860



Source: Roger Ransom and Richard Sutch (1988: Table 3)

¹ Retrieved from “Economics of the Civil War” by Roger Ransom

Oppressed slaves revolted and gained their freedom and protection of the law. Hence former masters had to pay wages for their labor and frightened for their revenge and migration. That's why mostly south states enacted laws to limit of colored people and did not allow them to leave their states. They designed black codes to prevent free blacks from moving to other states, their own financial independence or educational rights. African Americans were forced to work for low wages and even more, the employers denied to pay their wages. Whites refused to sell or rent their lands, houses even if blacks had the capital to afford it. Slavery was prohibited on paper but African Americans were not truly free and Nittle quotes the difference:

On paper, emancipation had cost the slave owners about \$3 billion — the value of their capital investment in former slaves — a sum that equaled nearly three-fourths of the nation's economic production in 1860. The real losses of planters, however, depended on whether they lost control of their former slaves. Planters attempted to reestablish that control and to substitute low wages for the food, clothing, and shelter that their slaves had previously received. They also refused to sell or rent land to blacks, hoping to force them to work for low wages (Nittle, *The Black Codes and Why They Matter Today*).

Enactment of the 13th Amendment emphasizes how blacks were forced by their former masters and difficulties they challenged during reconstruction. The amendment ends slavery but indirectly gives chance to arrest and imprison African Americans. For example, fugitives were deemed by the legal system for stealing property since slaves were recognized as the property of their masters for that reason, they violate the law before the Civil War. Initial laws considered as black codes passed in southern provinces and showed the determination of whites to resume owner-slave relationship under the name of employment, law or punishment. After Mississippi, states such as Alabama, Georgia, Louisiana, Florida, Tennessee, Virginia, and North Carolina followed the suit and enacted their own laws to limit the rights of free blacks and prohibit them to leave states. The main purpose was to prevent African Americans who wanted to move to northern states. They could not afford to lose the majority of their workers. After codes, courts would punish African Americans because they could not pay their debts, fees or taxes, which is caused by unemployment or low wages. As a result, they had to work free to pay their debts the same as before or had some kind of nominal wages which was little or nothing. It created a vicious circle that enforces blacks to work as a slave, in practice, then gain their freedom and again hired by states to perform free labor for years which is not different from what they did as slaves.

Convict or not all African Americans were subjected to Black Codes. Their daily lives were under surveillance when they meet a black person they would be suspected to protest. They had to carry passes when they travel or needed to find white sponsors to rent houses or live in the towns. The so-called 'free' blacks were obligated to have a guarantee of whites to be freed and if they could not afford fees or be against codes, they would be fined and punished. Black women and children were also forced to work. Even children were not spared and they imprisoned or worked as a labour. Black women endured sexual exploitations and abuses by convicts and prison wardens. They wanted to be free and equal, accepted as human but in all areas of their lives, they were treated worse than goods and animals, perceived as second-class citizens. Moreover, laws were protecting those who oppress, abuses and harm them. Firstly, they were slaves then became criminals. Maybe only death could free them as Douglas noted in 1888. (Nittle, *The Black Codes and Why They Matter Today*) Facing the action of states, Congress responded with the "Civil Rights Act of 1866" protecting the rights of African Americans:

Congress quickly responded to the Black Codes by passing the CIVIL RIGHTS ACT OF 1866, which made it illegal to discriminate against blacks by assigning them an inferior legal and economic status. Two years later the states ratified the Fourteenth Amendment, which guaranteed "equal protection of the laws" to the residents of every state (black codes).

In 1868, the 14th Amendment was enacted to protect the rights of black and colored people. But southern states insist upon their position and enacted laws to discriminate African Americans. Conflict of states and Congress proceeded from 1865 to 1877, during the Reconstruction period. Codes of states such as Mississippi, South Carolina, Texas, and Arkansas will be given below as an example to understand black codes more clearly.

2. MISSISSIPPI BLACK CODES

Mississippi and South Carolina were the first examples of black codes and codes were added to Laws of Mississippi on November 22, 1865, to formalize hierarchy in which whites could control blacks and restrict their freedom. Orphaned blacks were hired but were forbidden to leave and similar situations happened to limit

black freedom in the states. “Blacks who broke labor contracts were subject to arrest, beating and forced labor, and apprenticeship laws forced many minors (either orphans or those whose parents were deemed unable to support them by a judge) into unpaid labor for white planters.” (Black Codes) In a way, it caused African Americans to live in prison called ranch, farm or plantation. Free accommodation, meal, and some wages were offered but it was not different from slavery except a little bit of money they earned. Vagrancy laws were enacted. According to it, black employees who misspent their personal money or neglected their work in a way would be punished. Moreover, this cause is only effective for African Americans. Another example is the continuation of the pass that slaves had to carry before. It became a necessity for blacks to carry passes to prove their employment all the time or report annually. But they were not enough to convince free blacks to return old days so they established courts to punish blacks who violate codes limiting their actions and punishing them if they refuse to work or be against system. Furthermore, African Americans were hung if their crimes become more severe. “The law imposed draconian punishments, including "corporal chastisement" for blacks who refused to work or otherwise tried to frustrate the system. African Americans who committed real crimes, such as stealing, could be hung by their thumbs.” (black codes) The laws gave rights to the blacks but still, they were not equal to whites. For Northern states, these codes were enacted to revive slavery in the name of code as a disguise. They gave more rights to free blacks but it was not enough because blacks had rights but blacks and whites were not equal. They were given rights but had restrictions to travel, accommodate, work, live, etc. The courts decided in favor of whites and punished blacks more than they did to whites. The sections below describe discriminations and restriction on free blacks.

Mississippi codes are categorized in the paper as an apprentice, vagrancy, civil rights, and penalty codes. Mississippi codes are probably the severest ones of southern states because of its date. Under the name of apprentice, the state gives supposed rights to free blacks but actually, it restricts their rights and force them to work for whites and in some cases free blacks are obliged to work unpaid labor as a punishment. The first section of apprentice laws treats orphaned minors but only black children and mulattoes as free labors in case there is no parent or have no means to support their family. They are detected within counties, districts twice a year. Their hardworking freedom is taken away.

Section 1. Be it enacted by the legislature of the state of Mississippi, that it shall be the duty of all sheriffs, justices of the peace, and other civil officers of the several counties in this state to report to the Probate courts of their respective counties semiannually, at the January and July terms of said courts, all freedmen, free Negroes, and mulattoes under the age of eighteen within their respective counties, beats, or districts who are orphans, or whose parent or parents have not the means, or who refuse to provide for and support said minors; and thereupon it shall be the duty of said Probate Court to order the clerk of said court to apprentice said minors to some competent and suitable person, on such terms as the court may direct, having a particular care to the interest of said minors (Mississippi Black Codes (1865)) .

Section two satisfy the accommodation and care of minors. They are given food, shelter and are taken care of freely but what is expected is free labour. Their basic needs are provided; sometimes-even nominal wages are given to minors in the expense of employment. They are obliged to work for their master until they become adults. Females are bound until they are eighteen years old and in the case of males, it is twenty-one year old. Section three gives masters the same rights of the child’s father or guardian to punish him to control or manage him but he is forbidden to punish children inhumanely.

SECTION 3. In the management and control of said apprentices, said master or mistress shall have the power to inflict such moderate coporeal chastisement as a father or guardian is allowed to infliction on his or her child or ward at common law: Provided, that in no case shall cruel or inhuman punishment be inflicted (Mississippi Black Codes 1865) .

Section four gives master the right to pursue, capture, bring fugitive apprentice before court. If he refuses to return, he would be punished and hired as a free labour or accepted the reasons of blacks to quit their jobs and masters would be fined however higher, courts would veto decisions against whites and at the end, blacks would be punished and return to work. Section 5 forbids giving something to free blacks such as food or clothing without consent of their master or mistress and the person who helps blacks or use them without knowledge or his or her master; he would be punished as a result of his offence to trespass. Section 6 reminds courts to report minors within their subjective areas. Section 7 gives privilege to masters to release their apprentice, cancel their bond, and hence black minor would be hired to work for another master. However, if

case of his death before the end of his term, his widow or family is obliged to work instead of decedent and section ten authorizes the judge of court to fix the age of minors whose age cannot be recorded so that they can be hired as freedman (Mississippi Black Codes 1865).

Vagrancy Law discriminates blacks and whites before the court. Small issues become reason to punish free blacks and in case of real offences such as murder or violence they are sentenced more than whites who is sentenced for the same crime. Their meetings are restricted. They are obliged to pay taxes both male and female blacks contrary to white women who are exempt from paying taxes. Blacks are fined if they are found to be free or do not have any job. The first section of Vagrancy Laws describes the term of rouge or vagrant and emphasizes on their crimes.

Section 1. Be it enacted by the legislature of the state of Mississippi, that all rogues and vagabonds, idle and dissipated persons, beggars, jugglers, or persons practising unlawful games or plays, runaways, common drunkards, common nightwalkers, pilferers, lewd, wanton, or lascivious persons, in speech or behavior, common railers and brawlers, persons who neglect their calling or employment, misspend what they earn, or do not provide for the support of themselves or their families or dependents, and all other idle and disorderly persons, including all who neglect all lawful business, or habitually misspend their time by frequenting houses of ill-fame, gaming houses, or tippling shops, shall be deemed and considered vagrants under the provisions of this act; and, on conviction thereof shall be fined not exceeding \$100 (Mississippi Black Codes (1865)) .

They are fined because they spend their money earned by sweat. Where in the world, people are punished because they spend their wages or salaries as they wish unless they break laws or are guilty of crimes. Let us think about it. There is a man who takes his salary and then goes to the amusement park or travel the world but then he is brought before court and judge decides that he is guilty because he spent his own money. It is just nonsense. The restrictions are more obvious in the second section, and meeting of blacks without the consent of their masters is forbidden, furthermore whites who associate with blacks unnecessarily are also punished and their punishment is more severe than blacks are after 1866.

...unlawful assembling themselves together, either in the day or night time, and all white persons assembling themselves with freedmen, Free negroes or mulattoes, or usually associating with freedmen, free negroes or mulattoes, on terms of equality, or living in adultery or fornication with a freed woman, freed negro or mulatto, shall be deemed vagrants, and on conviction thereof shall be fined in a sum not exceeding, in the case of a freedman, free negro or mulatto, fifty dollars, and a white man two hundred dollars... (Mississippi Black Codes 1865).

Section 3 authorizes courts and all officials who have authority to investigate, charge and punish said parties and if they neglect or fail their duty and do not punish vagrants they should pay fine instead and officers and police services may report said official to be fined. Section 5 describes issues in case free blacks who cannot pay fine to be distributed as a labour and their fine will be acquired from their wages or employer should deduct their fine from their wages until they pay it. If the said black cannot pay their fine or be hired out, they are dealt with as a pauper.

Section 5. Be it further enacted, that all fines and forfeitures collected under the provisions of this act shall be paid into the county treasury for general county purposes; and in case any freedman, free Negro, or mulatto shall fail for five days after the imposition of any fine or forfeiture upon him or her for violation of any of the provisions of this act to pay the same, that it shall be, and is hereby made, the duty of the sheriff of the proper county to hire out said freedman, free Negro, or mulatto to any person who will, for the shortest period of service, pay said fine or forfeiture and all costs (Mississippi Black Codes (1865)) .

Section 6 give duties to blacks to support their families and all coloured poor people. Free blacks and coloured ones between eighteen and sixty years have to pay taxes to county or Freedman's Pauper Fund which helps maintenance of poor blacks. However, if they are unable to pay tax they are arrested as vagrants who overlook laws and according to section seven, polices can arrest them for neglecting their duty or refusing to pay tax and are hired as they work until their repay it and its cost would be deduct from their wages.

Vagrancy and Apprentice Laws are important and so Civil Rights of Freedmen. The first section of Civil Rights restricts free blacks to rent or lease lands which indirectly force them to stay with their former owners who

later become their master or employer even if they can afford it, "(...) not be so construed as to allow any freedman, free negro or mulatto to rent or lease any lands or tenements except in incorporated cities or towns." (Mississippi Black Codes 1865) Second section permits intermarriage between blacks as long as their records are kept separated. Section 3 forbids marriage between blacks and whites and those found guilty are penalized for life:

(...) That it shall not be lawful for any freedman, free Negro, or mulatto to intermarry with any white person; nor for any white person to intermarry with any freedman, free Negro, or mulatto; and any person who shall so intermarry shall be deemed guilty of felony and, on conviction thereof, shall be confined in the state penitentiary for life; and those shall be deemed freedmen, free Negroes, and mulattoes who are of pure Negro blood; and those descended from a Negro to the third generation inclusive, though one ancestor of each generation may have been a white person (Mississippi Black Codes (1865)).

Section 4 describes the process in which free blacks have right to be witness for blacks and whites. For example, a black witness can testify for or against plaintiffs or defendants. He can testify for a black defendant against white plaintiff or vice versa. He can also testify for civil cases blacks both parties are blacks but what is also important is that he should pass tests of court and accepted as credible and competent one. "Provided, that in all cases said witnesses shall be examined in open court on the stand, except, however, they may be examined before the grand jury, and shall in all cases be subject to the rules and tests of the common law as to competency and credibility." (Mississippi Black Codes (1865)) Section 5 limits freedom of blacks more clearly than previous sections. To begin in 1866, free blacks have to report their residence address or proof of employment annually. Effects of Civil War and unemployed free black population causes big crisis. Whites lose their free labour especially in cotton plantations thus blacks are forbidden to leave the state and are punished if they do not report. "Every freedman, free negro and mulatto shall, on the second Monday of January, one thousand eight hundred and sixty-six, and annually hereafter, have a lawful home or employment, and shall have written evidence." (Mississippi Black Codes 1865)

Section six clarifies how many days free blacks can be unemployed without a good reason, or quit their service and it also emphasize that they are bound to forfeit their wages if they quit their job before expiration of term: "(...) if the labourer shall quit the service of the employer before the expiration of his term of service, without good cause, he shall forfeit his wages for that year up to the time of quitting." (Mississippi Black Codes 1865) Section 7 is similar to section six because it describes the clauses that civil officers, whites only because blacks are not included in military or justice system, can arrest deserting blacks who quits their services before the end of term and for every arrestment, they are paid at least five dollars. Blacks can object it and sue their employers but the final decision belongs to white judges who find them guilty in most cases. "...every civil officer shall, and every person may, arrest and carry back to his or her legal employer any freedman, free Negro, or mulatto who shall have quit the service of his or her employer before the expiration of his or her term of service without good cause." (Mississippi Black Codes (1865)) Section 9 explains the punishment of people who act as an accessory to deserter blacks or knowingly hire them or trade. They would be fined between \$25 and \$200 or even sentenced because of their help.

Section 9. Be it further enacted, that if any person shall persuade or attempt to persuade, entice, or cause any freedman, free Negro, or mulatto to desert from the legal employment of any person before the expiration of his or her term of service, or shall knowingly employ any such deserting freedman, free Negro, or mulatto, or shall knowingly give or sell to any such deserting freedman, free Negro, or mulatto any food, raiment, or other thing, he or she shall be guilty of a misdemeanour... (Mississippi Black Codes (1865)).

The discrimination not only limits freedom of blacks and humiliates them but also obstructs whites who feels pity for free blacks and helps them. Section eleven states that penal laws of Mississippi are specially applied and extended to all free blacks and mix bloods, mulattoes.

Penal codes are enacted to punish freedmen. First section of this part forbids any free black from military, government, or constabulary. They are forbidden to carry firearms, have authority or fight for country and in case they are found breaking laws, they are fined or arrested. They are not included in higher authority and even if war breaks out, they are excluded.

Section 1. Be it enacted by the legislature of the state of Mississippi, that no freedman, free Negro, or mulatto not in the military service of the United States government, and not licensed so to do by the board of police of his or her county, shall keep or carry firearms of any kind, or any ammunition, dirk, or Bowie knife... (Mississippi Black Codes (1865)).

Second section explains punishment of free blacks if they disturb peace or have violence, torment animals, have illegal jobs, etc. It leaves open the possibility of situation in which case is not described in section and gives authority to the court to handle it. In which cases free blacks are punished are described as:

... any freedman, free Negro, or mulatto committing riots, routs, affrays, trespasses, malicious mischief, cruel treatment to animals, seditious speeches, insulting gestures, language, or acts, or assaults on any person, disturbance of the peace, exercising the function of a minister of the Gospel without a license from some regularly organized church, vending spirituous or intoxicating liquors, or committing any other misdemeanour... (Mississippi Black Codes (1865)).

According to third section, it is forbidden to sell ammunition, firearm, knife or liquors to free blacks. Masters can send insufficient quantity of liquor which will not hinder their works. If any white is arrested for offending he shall pay fine or be imprisoned. Imagine that there is a black person carrying gun and revolts against his master or kills him or he works as a drunken and makes mistakes to cost a pretty penny therefore whites aim to prevent unnecessary problems before it happens. If a free black cannot pay his fine or refuse to pay, sheriffs or officers can hire him to whites to work and pay his debts which is not different from selling him to work free as a slave in disguise unless he pay it within five days and fifth section makes it legal. It may be thought that blacks gained rights after Civil War but it should not be forgotten that they had slave laws and restricted in states but black codes become its disguise, change of shape in law to oppress them especially in southern states beginning with Mississippi.

3. SOUTH CAROLINA BLACK CODES

White Southerners feared that free blacks would not work on their lands, ranches or plantations after gaining their freedom and move to other states especially northern states. Because they were majority of labour in fields and without them economy would collapse. Their worries, prejudices and fears of revenge led southern states to enact Black codes beginning with Mississippi. South Carolina followed its suit and hence presented its own Black Codes in October 1865 and adopted in December. Codes regulated the lives of coloured population with Black codes which were slightly less harsh than Mississippi. It defined people with more than "one-eighth Negro blood" (The Southern "Black Codes" of 1865-66) as a person of colour and the codes only applied to them without effecting white Southerners. Features of South Carolina black codes are classified as Civil Rights, Labour Contracts, Vagrancy, Apprenticeship, Penalty Laws and other restrictions.

Civil rights of freedmen were restricted and their movement were limited by codes. As former slaves, freedmen had rights but states granted them a few more right . For example, blacks had no right to own private properties because they were properties of their owners but after codes were enacted, they received rights to own properties. Free blacks had right to sue and were protected by laws but they could not leave states easily: "No person of color shall migrate into and reside in this state, unless, within twenty days after his arrival within the same, he shall enter into a bond with two freeholders as sureties." (Black Codes and Jim Crow Laws) For the first time, their marriages were recognized and recorded hence their children were born in lawful wedlock and were legitimate however codes were not flexible enough to permit and recognize marriage between blacks and whites. As it was stated in laws, "Marriage between a white person and a person of color shall be illegal and void." (The Southern "Black Codes" of 1865-66) The rights of blacks broadened more than before but still only in the borders in which it would not threaten white supremacy and social status quo.

As southerners feared the risk of losing black labourer they included codes to form apprenticeship contract between blacks who would serve and whites who would be masters. Previously, they did not receive wages but after contract was signed both sides of parties had to obey its terms and masters had to pay wages for their labour. Obligations and rights of master and labour were listed in the provision of codes. Labourers had to live in the property of their masters same as before, worked from sun rise to sun set and their day off was Sundays so they could not leave the property without consent of master or receive visitors because the premise is owned by their master and is not their own house and it was considered to be a reason to slack off. On the other hand, wages of labourers would be deducted if said labour skip his work or slack of due to illness or laziness. Masters had right to manage minor labour and use physical coercion as it is stated in laws: "Masters could "moderately"

whip servants under 18 to discipline them.” (The Southern “Black Codes” of 1865-66) Servants have no right to quit their labour because their wages would be deducted and they would be forced to return their work by court but laws did not force them to do illogical duties instead protected them.

Vagrancy laws were enacted to restrict free blacks and hire them as labourer to white employers as a punishment but it did not include white vagrants. As it was mentioned before, free blacks had to sign labour contracts to serve white masters but in some cases they ran away, damaged properties of master or slacked off during work hours. Vagrancy law pressured free blacks to labour and it was not only for unemployed individuals: “South Carolina’s code did not limit these laws to unemployed persons, but included others such as peddlers and gamblers.” (The Southern “Black Codes” of 1865-66) However, white vagrants were not punished as free labour, their punishment were waived by courts.

Apprenticeship were applied to children of vagrants and coloured orphans. Against their will, black children were hired by courts until they reach adulthood at the age of eighteen for females and at the age of twenty-one for males. Master shall provide meals and clothing and education for their apprentices and teach them craftsmanship. They can also punish their apprentices and recapture fugitive ones. The only way provided to African Americans was agriculture and for other trades they needed permission of county courts.

The third section of the Black Codes concentrated on the labor question. It imposed a “sunrise to sunset” workday for those in agriculture, along with a strict set of regulations regarding movement, breaks, dining periods, and even conversation. The law not only assumed agriculture as the livelihood of most African Americans but also coerced it; African Americans could choose to be only field hands or hired servants, and any other occupation required a license from a judge (Zuczek)

Separate courts were established to judge African Americans. Blacks had right to testify in court or be plaintiff or defendant party but only in cases which affects coloured persons. Harsh punishments were carried for crimes against whites such as rebellion, burglary. But minor offences would be punished with free labour or physical coercion. Unless white citizens commit major offense, they would not be punished by courts and even then they would not be hired as free labour. Blacks were prohibited to carry fire arms or selling alcohols without permission. Unless the employer permits, they could not sell agricultural products because they would be assumed stealing from farm. Blacks could not learn craftsmanship except farmer or servant which were what they know for centuries. For other occupations, they had to have permission of county courts.

4. TEXAS BLACK CODES

The codes were enacted on August 26th, 1866 and thereby the codes which regulate and restrict the lives of blacks are implemented. It prohibited carrying and using arms freely, regulates accommodations, declares the rights of former black and coloured slaves, entitles criminal cases, regulates contracts of labour, defines punishment of apprentices and obligations of masters and mistresses.

Mississippi codes regulated and restricted free blacks in particular but Texas included coloured people, too. According to the codes, person of colour could testify if plaintiff and defendant are coloured but they are not allowed to testify against whites. “. . . 3rd. Persons of color shall not testify, except where the prosecution is against a person who is a person of color . . .” (BlackPast 1) If labourers work more than a month, they have to have contracts binding them till due time. They can choose for whom they are willing to work but after decision they cannot leave without fulfilling it and they forfeit their wages in case of quitting their job without the consent of employer. The clerk shall keep records of contracts with detail and parties should pay fee to fill the contract. What is cruel is that contract includes and binds all family members to the contract. “SEC. 5. All labor contracts shall be made with the heads of families; they shall embrace the labor of all the members of the family named therein, able to work, and shall be binding on all minors of said families.” (BlackPast 3) Seventh section prohibits employers from torturing and tormenting their labourers and fines them in double amount of labourer’s wage. Cruel reality is uncovered yet again in section eight. Wages of labourer is deducted for the period they are sick and unable to work and if an employer finds out that labourer feigns his sickness or refuse to work as it was decided in contract, their two-month wages are deducted and if they do not work beyond three days without a good cause, labourer can be reported to court and hired as a labour at public services until he accepts to return to his labour but during the period he works as a punishment he shall not have wages which is not different from returning slavery times for offender. Employees are deducted from their wages if it’s found that he injured animals and agricultural implements they take care, in brief if animals

and instruments are harmed or neglected by labourer the employer can deduct their wages. In case labourer disobeys or offends his employer they shall be fined of one dollar and if he does not work unless he is sick, he shall be fined minimum twenty-five cent and if he leaves home without consent of employer, he shall pay two dollars per day. They are in charge of stocks and services within their contract unless they have another contract for specific work. If any property of employer is stolen, injured or destructed by labourers they shall pay double or one-half of the amount of the property. No visitor is allowed during work hours for neglecting work or delinquency. Time is money so labourers should work without slackness. (BlackPast 3-4) Labourers have to execute all orders of employers and standby to answer all their calls twenty-four-seven unless otherwise specified in the contract. Refusal or failure to answer employer's call is unaccepted except sickness and if they are not sick, it is deemed as disobedience but what is different from slavery? Slaves have to serve and obey the commands of their master all day and night without failure but labour means that they work and are paid as a result of their labour but section ten adds this hard condition and employer has a legal basis to punish his labourer or deduct his wage. Employer cannot command his labour after ten o'clock at night or on Sundays but this statement contrasts with previous one.

SEC. 10. Laborers, in the various duties of the household, and in all the domestic duties of the family, shall, at all hours of the day or night, and on all days of the week, promptly answer all calls, and obey and execute all lawful orders and commands of the family, in whose service they are employed, unless otherwise stipulated in the contract; and any failure or refusal by the laborer to obey, as herein provided, except in case of sickness, shall be deemed disobedience, within the meaning of this Act. [...] Employers, and their families, shall after ten o'clock at night, and on Sundays, make no calls on their laborers, nor enact any service of them which exigencies of the household or family do not make necessary or unavoidable (BlackPast 4).

As the labourer is punished because of his misconducts, he can also be discharged by his master according to section eleven, shall the employer finds it unacceptable he can appeal to a Justice of Peace.

At first, laws were enacted to keep black population in the states without migration but it is not simply giving them work and paying wages which caused them sufferings. The real reason is punishment system. Think about an era in which black minority gains rights and are liberated but they cannot leave american continent and return their motherland. They have to live in states where they were kept captive and humiliated, punished and insulted. States forbid their moving moreover force them to work. If they do not work, they are sentenced or hired as free labour, if they do not obey and serve their employer their wages are deducted or courts pass verdict and they have to pay fine or imprisoned, if they skip in the work hours or leave the house without permission they are still sentenced or they have to pay fine for material damage or breaking law in other words laws restrain their movement and freedom which can be called better version of slavery if wage is included.

There are sections in Texas codes, which are enacted to punish coloured population. Firstly, it is forbidden to leave without permission of master otherwise such employer or apprentice is punished to pay fine between ten and five hundred dollars, which is a huge sum for that period of workers, or both of them. Secondly, employer who employs his apprentice or labourer after their contract without renewing it shall be punished by a fine between ten and five hundred dollars or jailed thirty days at most. Thirdly, contract can be terminated as a result of the reconciliation of both sides. If employer refuses, or breaks the agreement and do not write certificate of discharge he shall be punished. The same applies to the expiration of the contract if not he is punished by a fine not exceeding one hundred dollars. (BlackPast 5)

Establishment of Act of General Apprentice Law defines obligations of master and apprentice. It is lawful to employ a minor as an apprentice by the consent of his parents or guardian and such minor enters to the records and is regarded as a resident. At the age of fourteen, minors can apply to be apprentice and his parents or guardian have no authority to say no against the minor's decision. Secondly, civil officers have duty to protect the rights of minors and find them suitable works if their parents refuse their apprentice or have no means. What is shocking is that minors are described as poor children or vagrant ones hence the children of poor family have to work for living and generally black and mixed blood children are imposed as vagrant.

SEC. 2. It shall be the duty of all Sheriffs, Justices of the Peace, and other civil officers of the several counties of the State, to report to the Judge of the County Court of their respective counties, at any time, al indigent or vagrant minors, within their respective counties or precincts, and, also, all minors whose parent or parents have not the means, or who refuse to support said minors ; and thereupon, it shall be the duty of the County Judge to apprentice said minor to some

suitable or competent person, on such terms as the Court may direct, having particular care to the interest of said minor (BlackPast 6).

All contracts of employment have to be legal and thereafter they are recorded by Clerk of county as illicit employment of minors is illegal. The apprentice of minors end at the age of twenty-one years unless they get married before twenty-one which is different from Mississippi codes in which minors had difference age range: "... apprentice shall be bound by indenture, in case of males until they are twenty-one years old, and in case of females until they are eighteen years old." (Mississippi Black Codes (1865)) Besides, Texas black codes encouraged minors to work by free will whether or not they are orphan but in Mississippi, orphaned minor labourers were majority as it was stated in acts. In section five it is stated by law to supply sufficient meals and clothing, teaching occupation and provide medical care in need, etc. to minors by their employers. According to section six, employer has the right to punish the apprentice with physical punishment to control or manage him. Section 7 identifies possible escape issues and its punishments. For example, master can pursue and recapture runaway apprentice and court shall investigate the case and punish guilty party whether it is employer or employee. But section seven only states the punishment of apprentice who left his labour but does not state punishment or fine of employer:

(...) said Justice shall commit said apprentice to the county jail, on failure to give bond for appearance, at the next term of the County Court ; and it shall be the duty of the County Judge, at the next regular term thereafter, to investigate said cause, and, if the Court shall be of opinion that said apprentice left the employment of his master or mistress without good and sufficient cause, to order him to receive such punishment as may be provided by the vagrant laws then in force, until said apprentice agrees to return to his employment... (BlackPast 7).

Apprentice can testify in court if his master desire him to act as a witness but they have to have good reason or will not be threatened thereby. Recorded apprentices cannot reside out of their county and certifications of permission to leave county is given by County courts and is recorded. Apprentices are retained more than thirty days in the county they reside after their indentures expire and if they are pleased, they can be retain by their master and sign labour contract. If a person prepossess an apprentice and after his runaway harbours or helps him to escape, he is punished to pay fine five dollars for each day apprentice is absent and is obliged for all damage sustained by employer. For instance, a person conceals a runaway for five days and causes the plantation to lose fifty dollars so he is held liable to pay twenty-five dollars for concealing and fifty dollars for damages. He has to pay seventy-five dollars to the master or mistress for helping and enticing away an apprentice.

Texas black codes prohibit carrying arms on properties and plantations without permission of the owner within boundaries of Texas. It is forbidden to carry fire-arms other than military or civil duty. In case it is needed, said person shall have consent of owner of premises if not they are fined or imprisoned according to the laws. Railroad Companies are required to provide one car for each passenger train for Freedmen. The rights of freedmen were restricted after civil war but such Acts caused increase in discrimination against free blacks and coloured minority while Act of Civil Rights of Slaves and Free Persons of Colour states no discrimination against freedmen and slaves and sections conflict with each other as it is described:

SECTION 1. Be it enacted by the Legislature of the State of Texas, That all persons heretofore known as slaves, and free persons of color, shall have the right to make and enforce contracts, to sue and be sued, to inherit, purchase, lease, hold, sell, and convey real, personal and mixed estate; to make wills and testaments, and to have and enjoy the rights of personal security, liberty, and private property, and all remedies and proceedings for the protection and enforcement of the same and there shall be no discrimination against such persons in the administration of the criminal laws of this State (BlackPast 9).

As it is stated above, slaves also had rights before abolishment of slavery. As they regained their freedom and earned wages, they had right to buy, lease or inherit private properties. Prohibition of marriage between whites and blacks are repealed and freedmen are forbidden to vote, serve on jury, hold office. They are allowed to testify in court except some cases stated in Constitution. Only able-bodied free whites are obliged to perform in military between at the age of eighteen and forty-fives. "That every able-bodied free white male inhabitant of this State between the ages of eighteen and forty-five years, shall be liable to perform military duty..." (BlackPast 10) It should be remembered that minor labourers are exempt from minor apprenticeship at the age

of twenty-one but white men begin to serve in military at the age of eighteen so it can be deducted that employers take advantage of laws to employ freedmen for a few more years.

5. ARKANSAS BLACK CODES

According to the laws enacted by general Assembly of the state of Arkansas in 1867, slaves or free blacks and coloured individuals gains 'statue of protection (?)' of law. First section gives coloured people the right to have personal properties or real estates through selling, inheriting, purchasing, leasing (...) they have equal protection and enforcement whites have. They are subjected to laws, punishment or penalty for their offence same as whites. What is important to point out is that those laws are effective within the borders of state.

SECTION 1. Be it enacted by the General Assembly of the State of Arkansas, That all persons hitherto known in law in this state, as slaves or as free persons of color, shall have the right to make and enforce contracts, to sue and be sued, to be affiants, give evidence, to inherit, purchase, lease, sell, hold, convey and assign real and personal property, to make wills and testaments, and to have full and equal benefit of the rights of personal security, personal liberty and private property, and of all remedies and proceedings for the enforcement and protection of the same, that white persons now have, and shall not be subjected to any other or different punishment, pain or penalty, for the commission of any act or offence, than such as are prescribed for white persons committing like acts or offences ; and all laws and statues of this state shall be applicable to all persons within its limits, without distinction of race or color, except as hereinafter provided (Campbell).

Second section gives 'Negros and mulattoes'² the right to marry whites voting rights, doing military duties or serving as a jury contrary to some states forbidding blacks' human rights. As it was written in previous pages, some states such as Mississippi do not allow marriage between blacks and whites. So this statement is more humane and respectful to the rights of blacks.

SEC. 2. Be it further enacted, That all acts and parts of acts, specially relating to negroes or mulattoes, contrary to these provisions be, and the same are hereby repealed ; Provided, That nothing herein contained, shall be construed to repeal or modify any statute, common law or usage of this state, respecting marriage of white persons with negroes or mulattoes, voting at elections, service on juries or militia duties (Campbell).

Third section makes second section clearer as it makes marriage between blacks and whites acceptable and protects their marriage and the right they have. For example, their children have same rights as white children and recognize their children legitimately. This part is important because prior to codes, when a slave had a child he also be labelled as slave from his birth without having a chance to live as a free man. They had no rights and were not accepted as a citizen or have a statue by laws but after these codes were enacted they became free persons and their children also shared their lives and were protected by laws. It enables children born as black or mulatto to be protected as much as white children are protected.

SEC. 3. Be it further enacted, That all negroes and mulattoes who are now cohabiting as husband and wife, and recognizing each other as such, shall be deemed lawfully married from the passage of this act, and shall be subject to all the obligations, and entitled to all the rights appertaining to the marriage relation ; and in all cases, where such persons now are, or have heretofore been so cohabiting, as husband and wife, and may have offspring recognized by them as their own, such offspring shall be deemed in all respects legitimate, as fully as if born in lawful wedlock(...) (Campbell)

Still there were discriminations which were hard to be forgotten and eliminated. Section four gives clues to it. As it is described in section three, blacks can get married and have legal rights but their documents are kept in a different book instead of being mixing their marriage record with the records of whites: "...Provided, That the clerks of each county shall keep a separate book for the record of marriages of negroes and mulattoes." (Campbell) previous sections give blacks the right to have property, voting rights, respect their marriage but it limits their education right in section five. The codes put invisible barriers between whites and blacks. "SEC. 5. Be it further enacted, That no negro or mulatto shall be admitted to attend any public school in this state, except such schools as may be established exclusively for colored persons." (Campbell) and the law was

² Negro is a slang term used instead of black for African Americans and Mulatto means mixed bloods.

enacted with these sections on February 6, 1867. All states had similar laws enacted to restrain free black minority and regain white supremacy. They feared the wrath of former slaves and hence tried to limit their action and rights such as education rights, labour rights and governance powers and military rights.

6. END OF BLACK CODES

In 1860s, Southern states shifted they focus from farming to manufacturing to race with northern states. Blacks were intimidated and suffered from extreme labour conditions. They fell prey to those who benefit from their cheap labour and passing laws of Democrats supported merchants and blacks endured them all. Blacks were imprisoned for small offence while whites were imprisoned for big offences such as murder and black convicts were jailed with such white convicts which endanger their lives. Number of black prisoners increased by years for such petty offences. They had had three options: serving whites without object, being jailed for not working or paying fines or working as free labour then resuming his work. Freedom of African Americans were taken away and they were controlled through vigilantism. Black minors were hired as apprentices but they had to live with their masters and could not leave for any reason. Whites were prohibited to entice away 'employed' blacks. It should be noted that there was hidden reasons behind Civil War such as economic interests between Northern and Southern states. Industrial revolution showed its effect in North earlier than South in which economy was based on plantations and slavery. Northern states opposed inhumane slavery system and supported abolishment of slavery. As a result, restrictive attempts of southern states outraged the North.

Congress passed "Civil Rights Act Of 1866" as a response to the Black Codes. It protected blacks and prohibited discrimination and economical oppression against them but it the bill was vetoed by Democrats. Congress overrode it and enacted the bill in April 1866. Each and every residents of every states were "equally protected". President Johnson opposed to the 14th Amendment and vetoed the laws passed to protect African Americans hence Republicans took over of Reconstruction. But it did not stop the ambitions of Southern States. Undeterred states enacted new laws to oppress blacks informally and Democrats passed laws which supported southern states and intimidated free blacks:

'Indebted African American farmers faced imprisonment and forced labor unless they toiled on the land according to the instructions of the merchant-creditor,' states 'America's History. 'Increasingly, merchants and landlords cooperated to maintain this lucrative system, and many landlords became merchants. The former slaves had become trapped in the vicious circle of debt peonage, which tied them to the land and robbed them of their earnings.' (Nittle, The Black Codes and Why They Matter Today)

The conflict between Congress and southern states continued between 1865-77 which is also known as Reconstruction. 14th Amendment naturalized inequality between whites and blacks. "Equal protection clause" was aimed to stop discrimination. According to 14th Amendment, states violated rights of their citizens would be punished by federal government. 14th Amendment which passed in 1870 protected the right of vote so that states could not prevent African Americans from voting "on account of race, color, or previous condition of servitude." (Editors, Black Codes) After blacks gained rights to vote, they won elections in southern states and black men were allowed to vote thereafter but their success enraged some whites such as Ku Klux Klan which undermined and oppressed African Americans. At the end of Reconstruction, Congress could not improve life standards of blacks very much. But it was not enough as Richard Zuczek pointed out:

Ironically, large parts of these devices would prove as fleeting as the Black Codes, and within a generation northern indifference and racism would allow southern white conservatism once again to redefine the place of African Americans in America (Black Codes).

Southern whites continued to restrict free blacks and discrimination extended. Black Codes were shackles African Americans could not free themselves. Their newly gained rights were opposed and they were forced to serve white masters without learning new trades or improving their educational level.

7. JIM CROW LAWS

Towards the end of Reconstruction, Jim Crow era began and lasted until 1965 and Voting Rights Act ended the era of racial segregation. Phrase of "Jim Crow Law" appeared in newspapers in 1894. 13th, 14th and 15th Amendments granted African Americans new rights and nullified inequality between whites and blacks. After losing support of Congress, African Americans were exposed to discrimination and oppression. Their motto was "separate but equal". Higher courts rejected opposition of blacks because for them facilities were designed

same and had no discrimination. Public facilities were separated and blacks were excluded. They were forbidden sharing same establishments with whites and African American males lost their right to vote in election. It should be remembered that blacks won election after joining and voting and states feared to lose their control over blacks. The way of life changed; schools, hospitals, restrooms, phone booths, restaurants, public pools, jails, neighbourhoods, etc. were separated.

Jim Crow laws maintained racial segregation in the South beginning in the late 1800s. After slavery ended, many whites feared the freedom blacks had. They loathed the idea that it would be possible for African Americans to achieve the same social status as whites if given the same access to employment, healthcare, housing, and education (Nittle, *The Black Codes and Why They Matter Today*).

Blacks used different fountains while drinking water, sat apart from whites in public buses or theatres, used bathrooms designed for blacks, some businesses did not even accept them and treated them same as dogs and cats. White neighbourhoods did not accept blacks to resident, children went to different schools and their textbooks changed in some states. Education system was included in this discrimination and next generations were raised with this norms: "Some states required separate textbooks black and white students. New Orleans mandated the segregation of prostitutes according to race." (Editors, *Jim Crow Laws*) African Americans swore on different Bible in courts from whites. Intermarriage between blacks and whites was strictly forbidden. Signs were posted to express unwillingness of welcoming blacks. Segregation did not began overnight. Some states imposed laws to separate blacks before its name was called 'Jim Crow Law' and whites while using public facilities like railroad. Texas was one of them. The state required railroad companies to prepare another train carriage dedicated to blacks who travelled. Prior to Civil War blacks had no right to attend public school and after Jim Crow laws, established public schools was also subjected to racial discrimination and blacks and coloured persons could not attended same schools as white peers.

Nothing was over yet. Under the oppression and restriction of whites, blacks stepped forward to oppose the laws. Homer Plessy sat in a train car and was arrested for fighting against his removal from it. His planned protest was rejected by higher court, separated accommodations for different races was not discrimination because they were separated but had equal conditions. (Nittle, *Understanding Jim Crow Laws*) One of the pioneers was Ida B. Wells who refused to a leave train car. Conductor throw her out because it was a train car for whites and she was forbidden to sit there. After she injured him, the judge ruled in Wells's favour but a higher court reversed the decision (Editors, *Jim Crow Laws*). After losing the lawsuit, she devoted herself to fight against Jim Crow Laws. She wrote in newspaper and fought against school segregation and sexual harassment.

Angry at the injustice, Wells devoted herself to fighting the oncoming Jim Crow laws in Memphis. Her vehicle for dissent was newspaper writing. In 1889, she became co-owner of the *Memphis Free Speech and Headlight* and used her position to take on school segregation and sexual harassment (Editors, *Jim Crow Laws*).

She investigated unjust treatments and travelled to publicize her work. Therefore, she was threatened with death and her newspaper was destroyed. Under the threat, she kept her efforts in north and fought against segregation. In 1955, Rosa Park did not give her seat on a public bus, challenged segregation, which led Montgomery Bus Boycott.

Other example is Charlotte Hawkins Brown, also a teacher, fought for school after a school funding was withdrawn. She founded Alice Freeman Palmer Memorial Institute to raise funds for school. She established the first black school as a woman in North Carolina where she returned in 1901 as a teacher, and opposed Jim Crow Laws through her work. Isaiah Montgomery did not oppose Jim Crow Laws and created a town only for African Americans in Mississippi in 1887. To him, whites and blacks should not live together and it was an opportunity to have a place where blacks could live without intimidations of whites. As a former slave, he recruited other former slaves to reach his dream. They cleared and forged wilderness as a settlement and established a school, too.

During twentieth century, violence became part of Jim Crow Laws. Lynching and riots increased throughout many states of the country. Under oppression, educated blacks had little opportunities in South and migrated out of the south. Publications encouraged their migration to north. Whites threatened blacks for reading such

newspaper and attempted to ban it. Some northern states supported Jim Crow Laws and separated public facilities with the signs like “whites only”.

After post-World War II, civil rights of blacks were increased and African Americans were able to vote again, which resulted with the end of Jim Crow laws. In 1948, African Americans were included in military and in 1954, then, educational segregation became unconstitutional. In 1964, Civil Rights Act was signed and ended racial discrimination. In 1965, minorities were included and could vote in elections. In 1968, houses were sold fairly without discrimination in selling or renting. Femi states the end of period, “Finally, with the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, the Jim Crow Era was buried for good.” (Lewis) Jim Crow laws became invalid but its effects continued and blacks and whites could not integrate overnight.

Invalidating racial segregation did not solve problems between white and coloured population. Black students chose to attend schools with same coloured children rather than attending with whites. Neighbourhood remained same, whites and blacks did not integrate. Prisons were full of African Americans who lost their freedom. Because of “Juan Crow Laws”, undocumented immigrants subjected to unjust conditions because they did not have documents they lacked healthcare, what is more, they were offered low wages or worked for long hours, sexually assaulted or experienced domestic violence.

8.CONCLUSION

Slavery was an important part of economic system of Southern states prior to Civil War. Nevertheless it does not change the fact that a number of human races were treated as property for others. They were traded, used and disposed after losing their worth. It enraged people who opposed human traffic and laws were established to abolish slavery which is against basic human rights. After assassination of Abraham Lincoln, Andrew Johnson took over his unfinished dream. Emancipation was the beginning of a turmoil period known as Reconstruction and Jim Crow era. Passing 13th Amendment, Congress granted blacks rights to vote, legalized their marriages and protected them however it caused disapproval. Blacks were major part of slavery agricultural system and liberating them meant trouble because values of slaves were increasing year by year and reached its peak in 1860s. Southern states fought back and passed new laws to limit blacks and did not allow them moving around freely. They tried to intimidate free blacks and hoped to return pre-war period. They feared that freedmen would brainwash slaves and African Americans would gain power and take revenge or even become their masters. Therefore they withdrawn new rights of blacks or restricted them. They required labourers hence passed laws to punish blacks to free labour or forced them to sign labour contracts. Leisure blacks were defined as vagrants and courts punished them because they did not work in a job or wasted their time while there were whites who needed labourers. Migration was another threat for south. Attractive opportunities in north meant possible labour migration. They kept blacks captive and prohibited them moving out of states. Some states implemented black laws more harshly than others. First example and maybe one of the harshest was Mississippi. They had to work or were imprisoned. Any person having black blood was included as a part of black race. Blacks had to have support and guaranty of whites for owning property, travelling, assembling,... Their only day of leave was Sunday and work hours were strictly controlled. They were not sent to public schools most of the times. Whether or not they acknowledge the laws, they were treated as second class citizen and lower races waiting for white masters and this mentality caused huge contrasts and segregations.

Jim Crow laws were beginning of hatred and discrimination between races in the United States. After laws were implanted, whites and blacks separated public services. For example, they want to go to the theatre and they have to use different buses or different seats in the same bus, and in the theatre, they have different entrances and different parts for sitting. During journey, they have to seat in different train cars designated for them. Superiority of whites was emphasized as Jim Crow laws were applied. According to whites, they were better than blacks in all ways. Their intermarriage was forbidden and mixed bloods were called as mulattoes or mongrels. Blacks were managed and controlled through domestic violence or lynching. They could not shake hands, share same foundations, restrooms, restaurants, residents, barbers, phone booths, buses... Black teachers could not teach whites, could not vote in elections, carry arms or testify in courts some facilities or businesses were designated for only whites and refused blacks. On top of that some states did not welcome them and banned blacks. Nearly a century of bondage and oppression finally ended but its effects are still visible nowadays. Hatred cannot drive out hatred or anger, only love and peace can bring quiescence. A person does not have to love another one but should has a sense of respect.

WORKS CITED

Social Consciousness in Legal Decision Making: Psychological Perspectives. Ed. Richard L. Wiener, et al. Springer Science & Business Media, 2007. 77-87.

"black codes." *West's Encyclopedia of American Law* 2008, 2 ed. 1 May 2019. <<https://legal-dictionary.thefreedictionary.com/Black+Codes>>.

"Black Codes and Jim Crow Laws." n.d. www.sciway.net. 1 May 2019. <<https://www.sciway.net/afam/reconstruction/blackcodes.html>>.

BlackPast, B. "(1866) Texas Black Codes." 17 December 2010. www.blackpast.org. 1 May 2019. <<https://www.blackpast.org/african-american-history/1866-texas-black-codes/>>.

Campbell, Annie. *Arkansas Black Codes (February 1867)*. n.d. 1 May 2019. <<http://ushistoryscene.com/article/arkansas-black-codes-february-1867/>>.

Editorial Staff. *Difference between Black Codes and Jim Crow Laws*. 2 February 2018. 1 May 2019. <<https://difference.guru/difference-between-black-codes-and-jim-crow-laws/>>.

Editors, History.com. "Black Codes." 6 June 2019. www.history.com. A&E Television Networks. 9 June 2019. <<https://www.history.com/topics/black-history/black-codes>>.

—. "Jim Crow Laws." 13 March 2019. www.history.com. A&E Television Networks. 9 June 2019. <<https://www.history.com/topics/early-20th-century-us/jim-crow-laws>>.

Forehand, Beverly. *Striking Resemblance: Kentucky, Tennessee, Black Codes and Readjustment, 1865-1866*. Master Theses. Kentucky: Western Kentucky University, 1996. 1 May 2019. <<http://digitalcommons.wku.edu/theses/868>>.

Goodman, Byne Frances. "The Black Codes, 1865-1867." Thesis (B.A.). 1912. <<https://archive.org/details/blackcodes18651800good/page/n7>>.

Kelly, Martin. "14th Amendment Summary." January 14 2019. www.thoughtco.com. 9 June 2019. <<https://www.thoughtco.com/us-constitution-14th-amendment-summary-105382>>.

Lewis, Femi. "The Jim Crow Era." 8 September 2018. www.thoughtco.com. June 9 2019. <www.thoughtco.com/what-is-jim-crow-45387>.

Masarik, Elizabeth Garner and Averill Earls. "Slave Codes, Black Codes and Jim Crow Laws: Codifying the Color Line." Prod. Elizabeth Garner Masarik and Averill Earls. Dig: A History Podcast, 2018. 1 May 2019. <<https://digpodcast.org/2018/09/02/slave-codes-black-codes-jim-crow/>>.

May, Nicholas. "Holy Rebellion: Religious Assembly Laws in Antebellum South Carolina and Virginia." *The American Journal of Legal History* 49.3 (2007): 237-256. 9 June 2019. <<https://www.jstor.org/stable/25664424>>.

"Mississippi Black Codes (1865)." n.d. www.historyisaweapon.com. 1 May 2019. <<https://www.historyisaweapon.com/defcon1/mississippiblackcode.html>>.

"Mississippi Black Codes 1865 ." 24 May 2006. www.afroamhistory.about.com. 1 May 2019. <http://afroamhistory.about.com/library/blmississippi_blackcodes.htm>.

Nittle, Nadra Kareem. "The Black Codes and Why They Matter Today." 18 February 2019. www.thoughtco.com. 1 May 2019. <thoughtco.com/the-black-codes-4125744>.

—. "Understanding Jim Crow Laws." 1 November 2018. www.thoughtco.com. 1 May 2019. <thoughtco.com/what-is-the-definition-of-jim-crow-laws-2834618>.

Parise, Agustín. "Codification of the Law in Louisiana: Early Nineteenth-Century Oscillation Between Continental European and Common Law Systems." *Tulane European & Civil Law Forum* 27 (2012): 133-164. 1 May 2019. <<http://journals.tulane.edu/index.php/teclf/article/view/1816/1664>>.

Ransom, Roger L. "The Economics of the Civil War." 24 August 2001. www.eh.net/encyclopedia. Ed. Robert Whaples. EH. Net. 9 June 2019. <<https://eh.net/encyclopedia/the-economics-of-the-civil-war/>>.

“Slave Laws of Georgia, 1755-1860.” n.d. www.georgiaarchives.org. 1 May 2019. <https://www.georgiaarchives.org/documents/Slave_Laws_of_Georgia_1755-1860.pdf>.

“The Southern “Black Codes” of 1865-66.” n.d. www.crf-usa.org. 1 May 2019. <<https://www.crf-usa.org/brown-v-board-50th-anniversary/southern-black-codes.html>>.

THOMAS, JD. *The Black Code of Louisiana, 1806*. 25 August 2011. 1 May 2019.

Wallenfeldt, Jeff. “Black Code | United States History.” 4 June 2015. www.britannica.com. Encyclopedia Britannica. 1 May 2019. <<https://www.britannica.com/topic/black-code>>.

Zuczek, Richard. “Black Codes.” 17 May 2016. *South Carolina Encyclopedia*. University of South Carolina, Institute for Southern Studies. 24 June 2019. <<http://www.scencyclopedia.org/sce/entries/black-codes/>>.