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COVER IMAGE — Florence Latimer Mars. Courtesy of the Florence Mars Collection, Mississippi Department of Archives and History.

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Florence Latimer Mars:
A Courageous Voice Against Racial Injustice
in Neshoba County, Mississippi
(1923-2006)

by Charles M. Dollar

In the years between the 1954 decision of the Supreme Court in *Brown v. Board of Education* and the closing of the Mississippi State Sovereignty Commission in 1974, many black Mississippians defied intimidation, threats of violence, and death to secure justice in the courts, equality in education/opportunity, and the right to vote. Probably many white Mississippians believed a “never, never” opposition to justice for black Mississippians was unsustainable, but their voices were silent. Supporting the rights of black Mississippians would have exposed them to bitter disagreements with fellow employees, friends, and family members; and possibly coercion from the Citizens Council, intimidation by the Sovereignty Commission, and violence on the part of the Ku Klux Klan. Despite these risks, a small but exceptional minority of white Mississippians expressed their opposition to racial injustice in a variety of public venues.¹ Some members of this “small but exceptional minority,” such as the Reverend Will D. Campbell, the Reverend Duncan M. Gray, Ira Harkey, Ed King, Claude Ramsay, Professor James Silver, and Hazel Brannon Smith are well known but others, especially white Mississippi women, are less well-known and their legacy has been all but forgotten.²

Florence Latimer Mars belongs to the latter group. A native-born

¹ The author has identified more than fifty white Mississippians who comprise this exceptional minority.

² Jenny Irons discusses briefly two white Mississippi women, Jane Schutt and Barbara Barnes, in “The Shaping of Activist Recruitment and Participation, A Study of Women in the Mississippi Civil Rights Movement,” *Gender & Society*, Vol. 12, No. 6 (December 1998), 692-709.

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Mississippian, she was a prosperous cattle farmer, owner of the Neshoba County Stock Yard, and a member of a well-connected family who owned thousands of acres of land in Neshoba County. Until she was almost forty years old, her wealth and family connections gave her an unchallenged position of privilege in Philadelphia, the county seat of Neshoba County. Her questions about the legitimacy of racial segregation were generally known but were largely tolerated because of her position in the community. All this changed in 1964-1965 when she supported the FBI's investigation of the murder of three Council of Federated Organizations (COFO) workers, Michael Schwerner, Andrew Goodman, and James Chaney. Many whites viewed her outspoken opposition to the Ku Klux Klan and support for justice for all Mississippians as a betrayal of whites in Neshoba County. Eventually fellow church members forced her resignation as teacher of the Women's Sunday School Class at the First Methodist Church in Philadelphia. In 1977 Louisiana State University Press published her memoir, *Witness in Philadelphia*, in which she describes growing up with questions about racial equality, the unwillingness of white civic leaders in the 1960s to speak out against the violence of the Ku Klux Klan, and the white community's opposition to the FBI's investigation of the murder of Schwerner, Goodman, and Chaney. She supported the Klan members' trial and conviction.

Mars had a few close friends in Philadelphia. Her college roommate, Betty Bobo Pearson, wife of a Delta cotton plantation owner, shared her views about racial equality but members of Mars's own family, including her mother, disapproved her views about race. Her own sense of identity, moral conviction, and strength of character enabled her to withstand the verbal pressures, economic losses, and physical threats of harm that her views evoked from whites in Neshoba County. She not only survived those harrowing years to tell her story but also later to see her own community acknowledge the injustice black residents of Neshoba County had experienced.

Born on January 1, 1923, Florence Latimer Mars was the only child of Adam Longino Mars, an attorney, and Emily Geneva ("Neva") Johnson Mars, who both came from prosperous pioneer families. The death of her father when she was eleven and her mother's subsequent re-marriage left a void in her life that was filled by spending considerable time with her paternal grandfather, William Henry Mars, whom she called Poppaw. She accompanied him on his inspection of his vast

landholdings (17,000 acres) including timber, farmland, and houses rented to blacks and whites. Frequently, they stopped and visited at a house a black family rented to share a meal. She wondered how black families could be so generous, patient, and humorous despite their dire financial circumstances. She concluded, “it was faith in God and promise of a heavenly reward that was responsible for their good humor and patience.”³ Years later she wondered if this was “a way of acting which was developed over the years by being in the position of a servant without money.”⁴

As a child during family dinner conversations she raised questions about how whites treated blacks in Neshoba County. She wondered how to reconcile claims of white superiority and segregation with the notion of Christian brotherhood that sent Christian missionaries to Africa to save “lost souls.” Her suggestion that “For Colored Only” signs were not right evoked strong family disapproval. Nonetheless, the idea of racial equality was planted in her childhood and flourished over the years to inspire her to speak out years later against racial injustice and violence.⁵ Her belief in racial equality put her at odds not only with members of her family but also with most of the white community. Her ideas on race gave rise to a profound sense of being out of step, “a shoe on the wrong foot.”⁶ In Sunday School at the First Methodist Church she troubled her teachers and friends with questions about segregation, sending Christian missionaries to Africa, and the age of dinosaur bones compared to Biblical creation accounts. Despite her questions, she decided “not to rock the boat over race and religion.”⁷

After graduating from Philadelphia High School in May of 1940, Florence followed in the footsteps of her deceased father and enrolled at Millsaps College, a Methodist college in Jackson, where she met Betty Bobo. She and Betty were Methodists and immediately got along fine, eventually becoming lifelong friends (Betty referred to Mars as “Flossie,” a term of endearment). They both got involved in campus activities, pledged the same sorority (Chi Omega), concentrated on making good

3 Stanley Dearman, “Florence Mars,” in Joan H. Sadoff, ed., *Pieces from the Past: Voices of Heroic Women in Civil Rights* (Fullerton, CA: Itascabooks, 2011), 37.

4 Florence Mars, *The Bell Returns to Mt. Zion* (Philadelphia, MS: Stribling Press, 1996), 54.

5 Dearman, “Florence Mars,” 38.

6 Mars, *The Bell Returns*, 23

7 Mars, *The Bell Returns*, 23.

grades, and played tennis each day.⁸

At the beginning of her sophomore year at Millsaps, Betty had an appendectomy that forced her to drop out of college for a semester. Because Millsaps lacked sufficient faculty or students to repeat first semester courses in the second semester, Betty decided to transfer to the University of Mississippi (Ole Miss) and persuaded Florence to come too so they could still be roommates.⁹ They found the Ole Miss environment more open than the Millsaps campus with its emphasis on Biblical fundamentalism, including mandatory chapel attendance. They shared the same views about race, segregation, and religion, so they spent long hours reflecting on the challenges they faced in conforming to the expectations of parents, grandparents, and friends.

Mars increasingly struggled with the validity of Jim Crow laws. In her senior year at Ole Miss she traveled by bus from Oxford to Pontotoc to board a train bound for New Orleans. The bus was packed, and all “colored seats” were occupied. Seated in the last row before the sign “For Colored Only,” “I ignored my intellect and followed the dictates of my conscience.” She invited a black woman loaded with packages to take the empty seat beside her. At first the woman declined, but at Mars’s insistence she sat down. Shortly, the bus came to a stop and the driver came to the seat, pulled the woman up, and yelled, “You know better than this.” The driver did not speak to Mars, who wanted to tell him that she, not the black woman, was at fault, but she did not.¹⁰ Embarrassed and humiliated, the woman moved to the back of the bus.

After graduation from Ole Miss, Bobo enlisted in the Marine Corps, and Mars got a job at Delta Airlines in Atlanta, Georgia, where she provided logistical support for ferry pilots who moved airplanes across the country. Atlanta was much larger than Jackson, Mississippi, and Memphis, Tennessee, two cities she had visited, and she enjoyed life in Atlanta visiting with friends and relatives when they came to the city. Soon after the war in Europe ended she returned to Philadelphia.

Mars went to work for the Neshoba County Welfare Office as a home visitor but quit after a year to assist Poppaw in managing some aspects of his large holdings of timberland, farmland, and rental housing. In 1947 her uncle died, and she took on the full-time task of working with

⁸ Telephone interview with Betty Pearson, June 12, 2012.

⁹ *Ibid.*

¹⁰ Mars, *The Bell Returns*, 30

her grandfather as he began disposing of this property. About this time Poppaw deeded to her a cotton farm that had some of the richest soil in Neshoba County. Mars decided to convert the land into a cattle farm where she could begin building a pure-bred Herford herd. In late December 1949, Poppaw became very ill and died three months later. Mars managed the settlement of his estate.

During these years, she revived her interest in photography, a hobby that had been dormant since spending three summers in North Carolina camp as a teenager where she learned to develop and print negatives.¹¹ She purchased a Rolleiflex camera and stocked a darkroom with photographic equipment and supplies so she could develop negatives and produce prints. She kept her camera in her car and took photographs as she drove around Neshoba County.

In the summer of 1950 Mars enrolled in a painting class at an Ole Miss Summer Art School conducted on the Mississippi Gulf Coast, where she studied with artist Fred Conway of St. Louis, Missouri. She learned to project her imagination as paintings but quickly extrapolated this to ordering her imagination through her camera. In the fall of 1950 she relocated to New Orleans and found an apartment in the French Quarter. Shortly thereafter, she met Ralston Crawford, a world traveler, noted abstract artist, lithographer, photographer, and jazz expert, who came to New Orleans from time to time to photograph the jazz scene. He became Mars's mentor, teaching her to photograph jazz parades and she acquired more technical skill in composing photographs. She also attended exhibits of Crawford's paintings in New Orleans and New York City, all of which helped introduce her to a world that lay far beyond the confines of Neshoba County.¹² She visited Crawford and his family in New York City several times and stayed in touch with him over the years, acquiring some of his paintings.¹³

Another significant development occurred in New Orleans: Mars began weekly psychotherapy sessions, which continued over the next three and a half years at Oschner's Clinic. The sessions helped her resolve some childhood conflicts, including her repression of thoughts and ideas about race and religion that had angered members of her family and friends. In addition, the sessions helped her learn to follow

¹¹ Mars, *The Bell Returns*, 26

¹² Mars, *The Bell Returns*, 42.

¹³ Dawn Lee Chalmers to Charles Dollar, December 5, 2014, email.

thought processes to their logical conclusions and then stand firm on them. Years later she observed that the psychotherapy sessions had given her the strength and resolve to withstand the pressures of the Klan and others to conform to their expectations.¹⁴

In 1954, Mars returned to Philadelphia with a clear sense of purpose; she adopted Fred Conway's advice to "follow the things close to your heart" by using her cameras to document day-to-day life of blacks in Neshoba County. Many of these photographs were of black children playing or picking cotton and of adults working, relaxing, napping, eating at family and community events, and socializing in their houses and churches. On one occasion, she took photographs of each step in a "hog killing" by Frank Davis, the husband of Gertrude Davis, her domestic help.¹⁵ It was during this period she began using her camera as if it were an extension of her eyes. This was especially manifested in the darkroom where "Sometimes I spent more than a day with one negative, working on one face, trying to get the results I wanted."¹⁶

The murder of Emmett Till and his killers' trial in late summer of 1955 reinforced her sense of the injustice that blacks in Mississippi endured. Fourteen-year-old Emmett Till from Chicago was visiting relatives in Tallahatchie County when he was alleged to have flirted with a young white woman. Subsequently, two white men kidnapped him from his relatives' home. Several days later his decomposed body was pulled from the Tallahatchie River. The two kidnappers, who made little secret of what they had done, were arrested and charged with Till's murder.

The trial was set to take place in Sumner, Mississippi, a small town in Tallahatchie County where the body was discovered. Mars's college roommate, Betty Bobo, now married to William Pearson, a large cotton plantation owner near Sumner, invited her to attend the trial with her. Community mores in small Mississippi towns dictated that ladies were not supposed to show an interest in such matters as a murder trial where "You will hear things that no white lady should hear."¹⁷

¹⁴ Mars, *The Bell Returns*, 42. The psychotherapy sessions must have been a very private matter for Mars because Lynn Eden, who lived in the same house with her for more than a year while working on the *Witness in Philadelphia* manuscript, recalled years later that Mars never mentioned the sessions to her.

¹⁵ Mars, *The Bell Returns*, 53-54.

¹⁶ *Ibid.*, 55.

¹⁷ Betty Pearson, "Betty Pearson," in Joan H. Sadoff, ed., *Pieces from the Past: Voices of Heroic Women in Civil Rights* (Fullerton, CA: Itascabooks, 2011), 26.

However, they ignored all of this and attended all five days of the trial. This incident was part of an emerging pattern in which Mars rejected community expectations dictating her behavior. She caught a glimpse of the challenges she could face in asserting her independence when two New York Times reporters, whom she had met during the trial, visited her in Philadelphia, and rumors began to circulate that she was a member of the NAACP.¹⁸

In 1957, the Neshoba County Stockyards came on the market, and Mars purchased it to complement her cattle farm. She thought she needed an investment someone else could manage for her while she was out of Neshoba County.

After the Supreme Court decision in *Brown v. Board of Education*, the rising tide of militant white racism, the emergence of the Citizens Council, and the state's funding of the Sovereignty Commission troubled her greatly, so she began spending more time in New Orleans where she continued her photographic work, taking numerous photographs of marching bands in the city. In the summer of 1957 she joined an eight-week tour of Europe organized under the auspices of the Art Department of the University of Alabama. The tour further expanded her understanding and appreciation of a world beyond Neshoba County and nurtured her growing concerns about a pending race relations crisis in Mississippi.

In the fall of 1959 Mars enrolled in a photography class at Tulane University. Class participation included access to a darkroom in one of the university buildings, and she began taking photographs of night life in the French Quarter. In her work as a volunteer with the Jazz Project at the Tulane University Library, she sometimes took William "Bill" Russell, the foremost expert on New Orleans jazz, (who did not drive) to various locations across the city. Frequently their drives included visits to the homes of elderly jazz musicians. She always had two or three cameras with her, so she took many photographs.

Mars's photographs of impromptu jazz sessions led to her involvement in the creation of Preservation Hall. In addition, her skills in composition along with her expertise in developing and printing negatives were being recognized. As part of its urban expansion, New Orleans was destroying old, historic buildings, and Mars was commissioned to

¹⁸ Florence Mars, *Witness in Philadelphia* (Baton Rouge: Louisiana State University Press, 1977), 69.

take photographs of these houses and to document their neighborhoods. Later she said taking these pictures and developing negatives and prints gave her a profound sense of satisfaction that enabled her to “forget about the uproar back in Neshoba County over the race issue”¹⁹

In the summer of 1962 Mars and a friend traveled by car through six European countries trying, as she put it, to focus on exploring “the roots of the Western Civilization without any thoughts of Mississippi.”²⁰ However, in early October she saw the front page of an Italian newspaper with a picture of the Lyceum on the Ole Miss campus and the word “morte,” so she knew someone had been killed but did not know who or why. Several days later, while in Greece, she learned about “The Riot at Ole Miss,” but she tried to put this news “in the back of her mind and get on with the exploration of the wonders of the World.”²¹ By late November Mars was back in New Orleans where she concluded that being an absentee owner of a cattle farm and stockyard was not working well. She decided to return to Philadelphia to take personal charge of her cattle farm and stockyard sales lot. In January 1963 she relocated permanently to Philadelphia.

Photography still was an important part of her life so she wanted to continue using her camera as she drove through Neshoba County, taking pictures of people and scenes of interest to her, especially those relating to blacks. However, she found something had changed, and she no longer derived the same level of satisfaction from photography. The easy relationship many white people had with black people was becoming a relic of the past. Whites no longer talked with blacks when they met on the streets lest someone think they were supporting integration.²² Much of this, she thought, could be explained by white militants who were committed to the preservation of white supremacy and the suppression of any action or view that deviated from it. Mars’s interest in taking pictures of blacks raised eyebrows, but no one ever challenged her although her mother asked her, “Why don’t you make some pictures of white people and the nice houses?”²³

Offsetting this development was her new interest in the First Meth-

¹⁹ Mars, *The Bell Returns*, 55.

²⁰ *Ibid.*, 59.

²¹ *Ibid.*

²² Andrew Yates, “Class of 64,” (Los Angeles: Unpublished Historical Documentary Video, 1974). Copy in possession of the author.

²³ Mars, *The Bell Returns*, 47.

odist Church. Since graduating from Ole Miss, she had little interest in organized religion. However, on one of her trips to Philadelphia she had met the Reverend John Cooke, pastor of First Methodist Church, who persuaded her that the church of her childhood had changed. As she put it later, “the increasing racial tensions in the state, my very strong desire to take a stand, and my belief that the church offered the best hope as a moderating influence helped me to decide to become active.”²⁴

Through conversations with the Reverend Cooke, Mars developed a renewed interest in religion and began participating in the activities of the church. Soon she was invited to become the teacher of the Women’s Bible class on Sunday mornings. Initially, she found teaching the Bible class very satisfying, reading widely to supplement church literature. But she also found it frustrating because no one in the class, or in the church for that matter, seemed interested in talking about race relations in Neshoba County, the murder of Medgar Evers, or the four Negro girls who were killed by a bomb in their Birmingham, Alabama, church.

Inspired by the January 1963 “Born of Conviction” statement of twenty-eight Mississippi Methodist ministers, who believed clergy had a responsibility for leadership in race relations, she decided to add her voice to their plea for reason and moderation about race relations in the Methodist Church in Mississippi.²⁵ Advocates of the “Born of Conviction” statement soon were under fire from a majority of Mississippi Methodist ministers and churches, some of whom rejected the notion that ministers and churches had a role in combatting racial injustice and others who supported “The Closed Society.” This conflict played out in many Methodist churches in Mississippi, but especially in the First Methodist Church of Philadelphia in the aftermath of the murder of the three COFO workers in June of 1964,

By the beginning of 1964 it was widely recognized that the Ku Klux Klan was burning crosses in Mississippi. In Neshoba County alone the Klan burned twelve crosses. The Neshoba County sheriff reported that outsiders had burned the crosses and had left before law officials could apprehend them. In March the Council of Federated Organizations (COFO) announced it would send workers to Neshoba County to organize a voter registration drive for black voters. Several weeks later COFO

²⁴ Mars, *Witness in Philadelphia*, 41.

²⁵ Joseph T. Reiff, *Born of Conviction: White Methodists and Mississippi’s Closed Society* (New York: Oxford University Press, 2016).

workers Michael Schwerner and James Chaney were in the Mt. Zion community to begin planning for a voter registration drive and a Freedom School. A community meeting was held at the Mt. Zion Methodist Church. After a few days, Chaney and Schwerner returned to Meridian.

On June 16 a group of Ku Klux Klan members drove to the Mt. Zion Church, viciously beat up several members, and then set the church on fire. Schwerner, who was attending a COFO meeting in Oxford, Ohio, learned of this and immediately drove back to Meridian with the intent of visiting Mt. Zion to obtain more information. Andrew Goodman, a recent recruit, came with him. On Sunday afternoon, June 21, Schwerner, Goodman, and Chaney drove to Mt. Zion to investigate the burning of the church. En route to the church they drove through Philadelphia, where Deputy Sheriff Cecil Price pulled over the station wagon Chaney was driving and charged him with speeding and arrested Goodman and Schwerner for investigation into the church burning. They were taken to the county jail and after Chaney paid a fine of \$20.00 they were released around 10:30 PM and told to get out of the county. Deputy Sheriff Price said he last saw the car headed south on Highway 19. The young men never made it back to Meridian. Three days later their abandoned, burned-out station wagon was discovered twelve miles north of Philadelphia; the three COFO workers were missing.

Most whites in Neshoba County concluded that the absence of bodies meant this was a hoax; COFO had staged their disappearance to make Neshoba County look bad. They now linked the burning of Mt. Zion Church as part of this "hoax." In remarks delivered on June 25, 1964, on the floor of the United States House of Representatives, Congressman William Arthur Winstead (D-MS), whose hometown was Philadelphia, declared "It is the belief of many prominent citizens that this instance is part of a plan to discredit the State of Mississippi. Even the church burning, some people believe, may be a hoax."²⁶

In early July, Mars drove to Meridian with her childhood friend, Iris Turner Kelso, who grew up in Neshoba County and was now a reporter for the New Orleans States-Item. Kelso was covering the disappearance of the three civil rights workers, and she wanted to go to Meridian to investigate the discovery of a torso in the Mississippi River that might be that of James Chaney. Mars volunteered to drive Kelso to the Meridian COFO office. Curious about COFO, she went into the

²⁶ 110 *Congressional Record*, 14997-14998 (1964).

office with her friend, who learned the torso was not that of Chaney. As the two left, a young COFO worker from New York asked Mars if it would be safe for him to go to Neshoba County, and she told him “no.” Unhappy with her response, he asked her, “Do you think you are free?” She told him she was and he responded, “Well you’re not. Somebody got your name and number just as soon as you walked through the door downstairs.”²⁷ Naively believing her standing in Neshoba County gave her immunity, she summarily rejected his assessment. A few days later she learned the Klan had the COFO office under surveillance, and rumors were circulating in Philadelphia that she was attending COFO meetings in Meridian. Afterwards, she discovered she was under daily Klan surveillance in Philadelphia.²⁸ It was a shock to her to learn how vulnerable she had become.

Teams of FBI agents were in Philadelphia investigating leads that the Klan was involved in the murder of the three civil rights workers. Almost without exception, residents of Philadelphia refused to cooperate with the FBI agents. One exception was Mars’s aunt Ellen Spendruff, who was “tough, outspoken, [and] afraid of nothing.” Spendruff had invited FBI agents to visit her in her home where she told them there were a few people in Philadelphia willing to talk with the FBI.²⁹ Several days later two FBI agents came to talk with Mars.

In the meantime, she began speaking with local business leaders about the possible connection between the disappearance of the three civil rights workers and the Klan. She began to suspect no one wanted to publicly challenge Klan leadership, which she believed included Sheriff Lawrence Rainey and his deputy, Cecil Ray Price. She raised her concerns with Tom DeWeese, a family friend, owner of the DeWeese Lumber Company, and one of the most powerful and influential business leaders in Neshoba County.³⁰ He told her he had been too busy with his lumber business to pay much attention to suspicions about increased Klan activity but assured her he would look into it. After a few weeks

²⁷ Thomas Healy, “An Oral History with Miss Florence Mars, Native Mississippi Author,” (The Mississippi Oral History Program of the University of Southern Mississippi, 1981), 23.

²⁸ Healy, “An Oral History with Miss Florence Mars, Native Mississippi Author,” 25.

²⁹ Dearman, “Florence Mars,” 43.

³⁰ Mars does not reference DeWeese by name but a reference to this same individual in an article by Joseph Lelyveld, “A Stranger in Philadelphia, Mississippi,” December 27, 1964, in *The New York Times Magazine* identifies him.

without a follow-up from DeWeese, she realized no civic leader was willing to challenge the Klan. Adding to her concerns were that some people who rejected the disappearance of the three civil rights workers as a hoax were afraid to say so, because “if you said ‘it’s not a hoax’ that put you on the side of COFO.”³¹

The FBI continued its extensive search for the missing civil rights workers, now presumed dead. Based upon tips received from those seeking to claim an award of \$25,000 for information leading to the discovery of the bodies of the three civil rights workers, the FBI began excavation of a recently built earthen dam several miles west of Philadelphia. On August 4, the FBI found the bodies of Michael Schwerner, Andrew Goodman, and James Chaney buried under fifteen feet of dirt at the new dam.

Although this discovery jolted many Neshoba County residents who believed the civil rights workers’ disappearance was a hoax, it did not change the prevailing view that COFO was the underlying cause of violence in the community. When COFO decided to send more civil rights workers to Philadelphia, the Klan organized an effort to drive out COFO by bringing economic pressure on and physically intimidating any black Philadelphia COFO supporters. Seeking community endorsement, the Klan leadership organized a closed meeting in the county courthouse on August 17.

Mars, Aunt Ellen, three other women, two preachers, and two businessmen decided to attend. As the women entered and moved to the back of the room it became totally silent; the presence of the five women was unexpected and unwelcomed. Nonetheless, they were permitted to stay. The ensuing discussion included proposals to prepare a list of local “Negroes who supported COFO” and circulate it to all businesses in Philadelphia. Anyone whose name was on the list would be denied credit and if working would be immediately fired.³² Aunt Ellen surreptitiously took notes of the proposals, discussion, and decisions by pretending to make entries in her checkbook register which she planned to hand over to the FBI.³³ The meeting concluded with the chairman’s admonition that all the decisions made should not be discussed outside the meeting.

In mid-September, Mars learned the FBI had no eyewitnesses to

³¹ Healy, “An Oral History with Miss Florence Mars, Native Mississippi Author,” 25.

³² Mars, *Witness in Philadelphia*, 116.

³³ Dearman, “Florence Mars,” 44.

support indictments for the murders, but it had identified twenty-one instances of prosecutable police brutality. FBI Inspector Joe Sullivan told her that Robert Owen, the Justice Department attorney handling the grand jury hearings, needed the testimony of “responsible white citizens” to challenge the testimony that Sheriff Lawrence Rainey was a “fine sheriff” and that there were no racial problems in Neshoba County until the Council of Federated Organizations “persuaded Negroes to tell lies.”³⁴ Subpoenas were served on Aunt Ellen and Mars to testify at a federal grand jury hearing in Biloxi, which they did on Thursday, October 1. Later Mars reported that she described the courthouse meeting and when asked about Sheriff Rainey’s reputation in dealing with Negroes, she stated that ever since the sheriff took office in January 1964 there had been constant stories of police brutality circulating both in the black and white communities.³⁵

Back in Philadelphia the next day, Mars went to her stockyard and was outraged to learn the Klan knew about her testimony in Biloxi. One of her employees reported that Klan members told him she “had testified against our folks down at the grand jury” and that she was working for COFO. A livestock buyer from Tennessee informed her Klan members told him they were organizing a boycott against sales at the stockyard to close it down. She tried to fight back, but Klan members stopped truck drivers delivering livestock to the stockyard and told them the stockyard was closed. She asked her first cousin, Mont Mars, for advice about what she should do. A recent graduate of the University of Mississippi School of Law, he told her he believed the Klan’s boycott efforts probably would succeed. In apparent agreement with others in the community who believed she had “broken the rules,” he added, “You’ve been asking for trouble and now you’ve got it.”³⁶ Several months later she found a non-Klan buyer and sold the stockyard at a loss. Later, after hearing threats that the Klan planned to poison her purebred Hereford cattle, she sold the farm and the cattle.

Mars heard rumors circulating among friends that she worked for COFO. Indignant that anyone would think she had so little sense of community concerns she would work for COFO, much less be a member, she also was outraged to learn that Clarence Mitchell, a prominent

³⁴ Mars, *Witness in Philadelphia*, 133.

³⁵ *Ibid.*, 135.

³⁶ *Ibid.*, 138.

member of the First Methodist Church and a reputed KKK member,³⁷ was telling church members and others that her testimony before the federal grand jury in Biloxi made her a “traitor to the community,” and he would see to it she paid for it.³⁸

In June of 1964, the Methodist Bishop of Mississippi assigned the Reverend Clay Lee to be pastor of the First Methodist Church in Philadelphia. Rev. Lee looked forward to this assignment because he had just completed a very difficult year as associate pastor of Galloway Methodist Church in Jackson, the largest Methodist Church in the state, where efforts to integrate worship services split the congregation. Several weeks after Rev. Lee’s arrival in Philadelphia, he asked Mars to lead the senior Methodist Youth Fellowship (MYF), which met on Sunday evenings. She agreed to do so but with the proviso, “I’m not just going to take that class if I can’t feel free to teach and bring out whatever I can on whatever subjects we might want to have in open and free discussion.” He assured her this was okay; “That is exactly why I wanted you to have it.”³⁹

During the spring of 1965, the community and church hostility toward her subsided, but it erupted again after a COFO memorial parade on June 21, 1965, the anniversary of the Chaney, Goodman, and Schwerner murders. Mars’s maternal grandfather was ill, and the family hired a black nurse from the Mt. Zion community to tend to his needs. The usual practice was for a family member to drive to Mt. Zion and bring the nurse back to her grandfather’s house where the nurse worked fourteen days and then took off for three days. On the date of the COFO memorial parade it was Mars’s turn to make the run. She drove her familiar 1962 Volkswagen out to Mt. Zion while the parade was still in process, but the highway patrol stopped traffic for a few minutes and then allowed the cars to follow behind the parade. Deputy Sheriff Cecil Price saw Mars and reported to the sheriff’s office she was part of the parade. Within an hour or so a rumor that she was in the parade was viral in Philadelphia, and some church members once again questioned if she should be teaching the Women’s Bible Class. Mars’s troubles continued to mount. The First Methodist Church was across

³⁷ Justice Department, Civil Rights Division, Jackson, n.d. Florence Mars Papers, Philadelphia, Mississippi. Copy in possession of the author.

³⁸ Mars, *Witness in Philadelphia*, 140.

³⁹ Healy, “An Oral History with Miss Florence Mars, Native Mississippi Author,” 32.

the street from the county jail, and during a discussion with the MYF, she asked if they remembered what happened there a year earlier. Everybody remembered, and when she asked why the civil rights workers were killed, several class members said it was because of their ideas. Picking up on a theme discussed the previous week she observed, "Well, you couldn't really say that this is the same thing as killing six million Jews, but there are some similarities."⁴⁰ The parents of some of the MYF members were infuriated when they learned of this discussion because they did not want their children to hear about the killings nor did they want the murders compared to the Holocaust.

Several months later during the Neshoba County Fair, Mars attended a party at the fairgrounds where alcohol was served. She was observed having two drinks, and when she got into her car and started to drive home, Neshoba County Sheriff Lawrence Rainey arrested her for drunk driving. The arrest enraged her because she was not drunk, and witnesses at the party could testify she had only two drinks. There were many other people who drank alcohol that night at the party, but she was the only one arrested. Eventually, the drunk driving charge was dropped, but the damage was done. Her old foe, Clarence Mitchell, soon was asserting that Mars was not fit to teach the Women's Bible Class or the MYF and that the church should ask her to resign. He told Rev. Lee her participation in church affairs was like "putting shit in homemade ice cream."⁴¹ She offered to resign, but Rev. Lee urged her to stay the course, saying he would not want to remain at the church if she resigned.

A Philadelphia, Mississippi to Philadelphia, Pennsylvania Project imbroglio culminated in Mars's resignation in April 1966 as teacher of the Women's Bible Class and leader of the MYF. After learning of the murder of the three COFO workers in Neshoba County, Rudi Gelsey, pastor of the Unitarian-Universalist Church of the Restoration in Pennsylvania, created a Social Concerns Committee to establish a "sister to sister city" exchange program to improve racial relations in Philadelphia, Mississippi.⁴² In January 1965, he visited Mississippi

⁴⁰ Healy, "An Oral History with Miss Florence Mars, Native Mississippi Author," 48.

⁴¹ Yates, "Class of 64."

⁴² William Dikeman, *Restoration After 175: Milestone and Landmarks* (Philadelphia, PA: privately published, 1995), 45. Extract courtesy of Rev. Dr. Kathryn Ellis, Minister of Unitarian-Universalist Church of the Restoration, Philadelphia, PA.

to meet with blacks and whites who might be interested in attending a seminar to develop plans for an exchange program. Among the people he met were Rev. Lee, Mars, and Rev. Clinton Collier, a black pastor of a Methodist Church in Neshoba County, who had the reputation of being “the most militant Negro in the county.”⁴³ Mars became a strong supporter of the Philadelphia to Philadelphia Project, believing it could help break the stranglehold the Klan had on the community.

In May of 1965, Rev. Lee, Rev. Collier, and several other blacks attended a seminar in Pennsylvania that discussed several initiatives, including the promotion of open and equal communication between whites and Negroes of Neshoba County and a student exchange program.⁴⁴ Several months later Rev. Lee received a copy of a brochure the Pennsylvania group had produced to solicit funding for the project. He showed it to Mars, and they agreed its condescending tone, missionary zeal, and prominent mention of the three murders along with two pictures, one a picture of a shack and another of a black and white child playing together would kill the project. They revised the brochure to one page, deleting the condescending tone, the reference to three murders, and the two pictures.

In the meantime, another Philadelphia-to-Philadelphia working session and banquet were scheduled for January 1966. Three whites from Philadelphia, Mars, Rev. Lee, and Robert Carley Peebles, and several blacks, including Rev. Collier, attended the conference and banquet. Peebles (1892 – 1977), a well-respected businessman, civic leader, and former president of the Philadelphia Chamber of Commerce, delivered the keynote speech, “One Government – One Bible – One People,” in which he declared “that the rule of law is perhaps the greatest achievement in the long struggle for liberty, and if that is lost, liberty is lost; that the use of orderly, ‘due process’ to change the laws is essential for an orderly society.”⁴⁵ His speech was not an explicit denunciation of the Klan, but to many residents of Neshoba County the message was clear. The Philadelphia Chamber of Commerce demanded Peebles

⁴³ Mars, *Witness in Philadelphia*, 197.

⁴⁴ Social Concerns Committee, 1964, 1965, 1966, and 1967 annual reports of the Unitarian-Universalist Church of Restoration, Philadelphia, Pa. Extracts of the annual reports are in the possession of the author, courtesy of Rev. Dr. Kathryn Ellis, Minister of Unitarian-Universalist Church of the Restoration. Mars, *Witness in Philadelphia*, 202.

⁴⁵ Copy in possession of the author, courtesy of Peebles’s daughter, Sarah Howell, Philadelphia, Mississippi.

issue a statement saying his speech did not represent the views of the Chamber. He refused.

The only project the Mississippi and the Pennsylvania delegations could agree on was a student exchange program. Initially, the plan was that six white students would come to Philadelphia, three would stay in white homes and three in black homes. Eventually, this was reduced to two white students who would stay in white homes. When the two students arrived in Philadelphia at the beginning of Easter Week, they brought with them copies of the revised brochure with the intention of passing them out to various groups. Unfortunately, local police had discovered copies of the old, unrevised brochure in the car of Rev. Clinton Collier during a routine traffic stop earlier and now they were being circulated in the community. Rev. Collier was associated with COFO, so Rev. Lee and Mars knew whites in Neshoba County would conclude the Philadelphia to Philadelphia Project was a front for civil rights and COFO and that they were working in its behalf. This gave rise to renewed efforts to oust Mars from teaching the Women's Bible Class. Under pressure from their husbands, some members of the class sought her resignation because they were concerned about being associated with communist civil rights agitation. This time Rev. Clay agreed she should resign from teaching the Women's Bible Class and leading the Methodist Youth Fellowship. On April 24, 1966, Mars submitted her resignation.

Concurrent with all the challenges Mars faced in 1965, the National Council of Negro Women repeated an initiative to arrange for interracial and interfaith teams of northern middle and upper class women to come to Mississippi to meet with their southern counterparts. Called Wednesdays in Mississippi (WIMS), team members arrived in Jackson on Tuesdays and left on Thursdays.⁴⁶ In May of 1965, Caroline Smith, who was associated with both the Philadelphia to Philadelphia Project and WIMS, asked Rev. Lee to set up a WIMS meeting in Philadelphia. He asked Mars to coordinate the meeting so Smith came to Philadelphia several times to plan the meeting.⁴⁷ About fifteen white women in Neshoba County attended the WIMS meeting but neither they nor

⁴⁶ Debbie Z. Harwell, *Wednesdays in Mississippi, Proper Ladies Working for Social Change*, Freedom Summer 1964 (Jackson, MS: University Press of Mississippi, 2015).

⁴⁷ Research Notes 1959-1966," Series 1, Papers of Florence Mars, Mississippi Department of Archives and History.

their visitors could agree on a workable program.⁴⁸ Caroline Smith suggested organizing a Philadelphia chapter of “Mississippians for Public Education.” She arranged for Pat Derian, one of the founders of “Mississippians for Public Education” in Jackson, to come to Philadelphia and discuss how the group could organize a local chapter. The chapter took on the task of facilitating the peaceful integration of fifteen black students into previously all-white schools in 1966.

Recognizing that the controversy swirling about her could impede the activities of the chapter, Mars withdrew completely from involvement in these activities. Nonetheless, she stayed in contact with Caroline Smith through correspondence and telephone calls. In one letter to Smith she expressed her appreciation for Smith’s vision and leadership:

The enormity of the challenge . . . here in Philadelphia is slowly but surely making its way into my consciousness. Sometimes you hear the word, you know their definitions; then, bang, you suddenly understand . . . this realization came to me. The means, the methods of achieving results seems obscure to those who have been so long in a frustrating situation without direction. It is the reality of the possibility that came into my consciousness.⁴⁹

In mid-June 1966, Dr. Martin Luther King, Jr. was in Mississippi to support James Meredith’s “March Against Fear” after Meredith was wounded in an ambush. A few days later Dr. King came to Philadelphia to participate in the second memorial march commemorating the deaths of Goodman, Chaney, and Schwerner. As he led 150 people to the courthouse square where he intended to make a brief speech, a crowd of white hecklers yelled and screamed at him and tried to prevent him from speaking. Mars later recounted that she was standing at the courthouse as the marchers began their return to Independence Quarter and was stunned as she saw whites she knew throwing rocks

⁴⁸ Wednesdays in Mississippi – 1965, Report from Jean Dillinger, Team #2 – Philadelphia, July 13-15, 1965, Folder 311, Series 19, Records of the National Council of Negro Women Papers, the National Black Women’s Archives, United States National Park Service. Available digitally after consultation with Kenneth Chandler, Archivist of the National Black Women’s Archives.

⁴⁹ Florence Mars to Caroline Smith, July 19, 1965, Wednesdays in Mississippi – 1965, Transcript of Debriefing Team # 2, Folder 311, Series 19, Records of the National Council of Negro Women Papers.

and bottles at King and the marchers.⁵⁰ The local police made no effort to control the mob as it became more violent, especially as Klansmen encouraged others to throw rocks or to attack the marchers with their fists and clubs. All the while she remained on the square, silent and holding high an American flag as though to say, “this is not America.” Dick Molpus, who was fourteen-years-old at the time, recalled later that “Florence Mars stood regally on the court square, holding a huge American flag straight out in front of her with both hands, pushing it as far forward as she could. She didn’t flinch, or look one way or the other, just stared straight ahead.”⁵¹

The trial of the men indicted for the murder of the three civil rights workers had been on hold while government attorneys appealed Judge Harold Cox’s dismissal of most of the charges. In March 1966 the United States Supreme Court unanimously reversed his decisions. However, procedural issues delayed the trial until October 9, 1967. The trial was conducted in Meridian, and Mars and Aunt Ellen attended all sessions.

To the shock of most whites in Neshoba County, on October 20, 1967, an all-white jury of five men and seven women found seven of the defendants guilty and acquitted seven others. Mistrials were declared for three other defendants, including Ku Klux Klan leader Edgar Ray Killen, an ordained Baptist minister, even though there was corroborative testimony he planned the murders. The jury was dead-locked 11 to 1 on Killen’s conviction, the one holdout being a woman who said she could never vote to convict a preacher.

In the aftermath of the white community’s acceptance of rumors that Mars was a COFO supporter and her trumped-up arrest for drunken driving in the summer of 1965, she began thinking about setting things right for her own peace of mind. Rev. Lee asked if she had ever thought about writing a book. She told him, “No, I can’t write, Clay. I can talk but I can’t write.”⁵² He suggested she buy a tape recorder and begin recording her recollections of events over the past two years. She followed his advice, and started recording her recollections, transcribing the recordings into typed notes. She continued this practice over the next year and a half and finished a first rough draft in December 1967.

⁵⁰ Mars, *Witness in Philadelphia*, 207.

⁵¹ Donna Ladd, “In Memory of Florence Mars, 1923 – 2006,” *Jackson Free Press*, May 3, 2006.

⁵² Healy, “An Oral History with Miss Florence Mars, Native Mississippi Author,” 50

She asked Turner Catledge, managing editor of *The New York Times*, who had grown up in Philadelphia with her mother, to read the draft and he told her the draft contained marvelous things and advised her to continue working on it. She followed his advice and over the next year or so produced multiple drafts. In addition, Mars decided to explore the history of the Mt. Zion community and began researching county land records to understand how the community came into being after slaves were freed. There were so many unanswered questions that she began recording interviews with residents of the Mt. Zion community.⁵³

A major problem Mars encountered with the drafts was that she did not want to use footnotes because they involved “looking up this dull stuff.” Several reviewers of the manuscript advised her readers would not necessarily believe what she wrote without documentation. With considerable reluctance, she began documenting some parts of her draft based on issues of *The Neshoba Democrat* and *The New York Times*. At this point, Lynn Eden, a recent graduate of the University of Michigan and author of a forthcoming book based on her senior thesis, joined the project.⁵⁴ From January 1972 until the summer of 1973, Eden stayed in Mars’s house and worked with her in reorganizing the structure of the manuscript, recommending revisions, identifying places where documentation was required, and then locating the appropriate source. Although she was listed on the title page as “with the assistance of Lynn Eden,” Eden rewrote most of the manuscript⁵⁵ that the Louisiana State University Press accepted and published in August 1977 as *Witness in Philadelphia*. It was an alternative selection in the Book of the Month Club and received praise in numerous book reviews. More than 500 copies were sold in Philadelphia alone, but Mars thought most people probably either rejected her description of events during the 1960s or wanted to forget this past, believing nothing could come of stirring up these matters. “Neshoba County whites,” she declared, “are still hostile to any references made to the three civil rights workers and resentful that the press brings the murders up every time anything is written about the community.”⁵⁶

In the 1980s as Neshoba County moved closer to racial tolerance

⁵³ Mars, *The Bell Returns*, 64.

⁵⁴ Lynn Eden to Charles Dollar, December 3, 2014, email.

⁵⁵ *Ibid.*

⁵⁶ Mars, *Witness in Philadelphia*, 281.

and moral and political commitment to the equality and social justice that Mars exemplified, the controversy swirling around her in the 1960s faded away. Now in her 60s, she still drove her old Volkswagen Beetle and remained active in the community. She attended the twenty-fifth anniversary of the murders of Schwerner, Chaney, and Goodman in 1989 where she heard Mississippi Secretary of State Dick Molpus, who grew up in Philadelphia, apologize for the murders on behalf of the community. She was pleased that in 2004 the Philadelphia Coalition, a multi-racial organization committed to racial reconciliation in Neshoba County, rose Phoenix-like from the ashes of the Philadelphia to Philadelphia Project. Doubtless, she derived great pleasure in seeing her second cousin, Dawn Lea Chalmers, become an active member of the coalition.

Mars continued her research and writing. In 1995 she published *The Lake Place Burnside Family History: a Neshoba County history*, which was followed by *The Bell Returns to Mt. Zion* in 1996. The latter is a revealing self-portrait of the complexity of her aspirations and contradictions. It is a stream-of-consciousness narrative in which she explores her own evolving self-awareness, the emotional conflicts she had with her father and his brother William (both of whom were addicted to morphine), her relations with blacks in Neshoba County, and her views on religion.

By 2000 Mars had become less active because of palsy, diabetes, and heart issues. Her health gradually declined to the point where she was in a wheelchair most of the time. Despite this, she enjoyed one last hurrah when justice finally caught up with Edgar Ray Killen in 2005. A state grand jury indicted him on three counts of murder. In early June, the trial opened in Philadelphia, and she was there. Stanley Dearman, the retired editor of *The Neshoba Democrat*, wrote that while spectators were quietly waiting for the trial to begin:

They suddenly became aware of a voice outside the courtroom talking nonstop. The door in the back of the room opened and Florence, still talking, was wheeled in by two attendants. One thing she was heard to say was "I've been with this case too long to miss this."⁵⁷

She was in the courtroom the day the jury delivered a guilty verdict on all three counts.

⁵⁷ Dearman, "Florence Mars," 45.

Florence Latimer Mars died on April 23, 2006. Stanley Dearman had the last word. In remarks at her funeral he reminded the audience that many people who lived in Neshoba County during the 1950s and 1960s now acknowledge that Florence was right all along, but they had forgotten what they said and did more than four decades earlier.⁵⁸

Florence Mars's opposition to social injustice in Neshoba was impelled by a deep need to understand how a community of Christians committed to the teachings of Jesus could remain silent about police brutality and the hatred, violence, and lawlessness espoused by the Klan. She replaced her camera with a tape recorder and a typewriter, determined to be an author and began to write. Like Georgian Lillian Smith, author of *Killers of the Dream* (1949), she had to write "because I had to find out what life in a segregated culture had done to me, one person; I had to put down on paper these experiences so that I could see their meaning for me."⁵⁹

These experiences were almost preordained in the sense that from her childhood she had objected to people telling her what to believe and what she had to do. She once responded to someone who told her she had to do something, "I don't have to do anything but die and I have to live with myself until I do."⁶⁰ In this context, her drive to capture photographic images of blacks, to expose the violence and lawlessness of the Klan, and to call for Christians to practice the teachings of Jesus was a personal journey of overcoming fear and being true to her convictions. Her voice of conscience and conviction could not be silenced, and the publication of *Witness* in Philadelphia in 1977 ensured her voice of conscience would be heard across the United States.

Of course, Mars's voice was not the only voice of conscience among white Mississippi women in the 1960s. Other voices of conscience included Hazel Brannon Smith (Lexington), Jane Schutt (Jackson), Pat Derian (Jackson), Marge Baroni (Natchez), Winifred Green (Jackson), Anne Hewitt (Jackson), Mary Anne Henderson (Jackson), and Elaine Crystal (Jackson). Strong religious convictions that there was a brotherhood of men largely inspired Schutt, Baroni, and Hewitt while the prospect that the state legislature would close public schools rather than accept integration inspired Derian, Green, Henderson, and Crystal to

⁵⁸ Dearman, "Florence Mars," 47.

⁵⁹ Quoted in Mars, *The Bell Returns*, 87.

⁶⁰ Mars, *The Bell Returns*, 67.

create Mississippians for Public Education to promote keeping public schools open. Mars and Smith supported legal rights for blacks and opposed police brutality, the violence of the Klan, and intimidation by the Citizens Council primarily on constitutional and moral grounds. Unlike Mars, Hazel Brannon Smith as editor and publisher of *The Lexington Times* and *The Northside Reporter*, had a state and national venue in which to express her views, which earned her the 1964 Pulitzer prize for editorial writing. Both Mars and Smith faced economic losses because of their views, although Smith suffered greater losses because an economic boycott by the Citizens Council drove her newspaper into bankruptcy, forcing her to move back to her home state of Alabama.

Except for Rev. Lee, Mars's discussions about race relations were largely limited to weekly telephone calls and occasional visits with her lifelong friend Betty Pearson at Rainbow Plantation and conversations with a few very close female friends in Philadelphia. Mars did not have a sanctuary like Rainbow Plantation where she could temporarily escape from the hostility of whites, who considered her a racial agitator, a communist sympathizer, and a threat to society. It required great fearlessness and commitment to her convictions to survive in this environment, which Ken Dean, executive director of the Mississippi Council on Human Relations (1965-1970), affirmed when he described her as one of the most courageous people he had ever met.⁶¹

⁶¹ Ken Dean to Charles Dollar, December 18, 2016, email.

White-Collared White Supremacists: The Mississippi Citizens' Councils and the Origins of Rightwing Media

by Ian Davis

William J. Simmons, who occupied a precarious position among his peers, has remained a relatively obscure name in the history of post-war conservatism. The son of a wealthy Jackson banker and premier intellectual of the Citizens' Council movement, Simmons's loyalties, on their face, seemed to reside solely with the South and its racial hierarchy.¹ Yet though he fought to preserve racial segregation, Simmons ultimately envisioned the Citizens' Council as a major part of the conservative movement and saw the potential of media as a way to define and disseminate conservative ideology.² While partisan news outlets on television and the internet have become commonplace, rightwing media titans such as Fox News and burgeoning rightist internet outlets such as Breitbart and InfoWars grew not only out of the labors of iconic Northern and Sunbelt conservatives, but also out of segregationists in the Deep South.³

The Citizens' Council represented the legalistic, middle-class branch of the segregationist movement, and no Council chapters were more organized and innovative than those of Mississippi.⁴ Comprised of "the best men" of the white South, these chapters drew entrepreneurs, planters, and white-collar professionals into their ranks and engaged

¹ W. F. Minor, "Enter Bill Simmons, Theoretician," undated, 31, Citizens' Council Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; Neil R. McMillen, *The Citizens' Council: Organized Resistance to the Second Reconstruction* (Urbana: University of Illinois Press, 1971), 119.

² Minor, "Enter Bill Simmons, Theoretician," undated, 39, Citizens' Council Collection.

³ Nicole Hemmer, *Messengers of the Right: Conservative Media and the Transformation of American Politics* (Philadelphia: University of Pennsylvania Press, 2016), ix-xvi, 260-276.

⁴ Numan V. Bartley, *The Rise of Massive Resistance: Race and Politics in the South during the 1950's* (Baton Rouge: Louisiana State University Press, 1969), 86-7.

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primarily in legal defenses of segregation and economic reprisals against their grassroots adversaries.⁵ The Citizens' Council proved more than an extra-political pressure group, and its use of print, television, and radio media to shape the agenda on American race relations and align the South with the national conservative movement reflected a strategy grander in ambition than the preservation of segregation alone. Although Robert "Tut" Patterson founded the first Citizens' Council in Indianola, Mississippi, in the summer of 1954 in response to the Supreme Court's decision in *Brown v. Board of Education*, Simmons's Jackson chapter proved the more influential segment of the movement within and beyond the state.⁶ It produced the monthly journal of the umbrella organization, the Citizens' Councils of America (CCA), as well as the organization's television and radio program, the Citizens' Council *Forum*, on which southern, national, and international conservative leaders appeared.⁷ Despite its regional and segregationist origins, this study argues that the Citizens' Council pursued and achieved footholds in print, radio, and television media in order to advance a middle-class, pro-segregationist conservatism.

The scholarship on the Citizens' Council has shifted from interpreting its origin as a regional backlash against federal policy on race relations to uncovering its ties to postwar conservatism, but the role of the Citizens' Council in the origins of rightwing media remains a largely open frontier.⁸ Stephanie Rolph's analysis of its use of media to gain the favor of conservatives outside of the region has shed light on the centrality of media to the Citizens' Council strategy and marks

⁵ W. F. Minor, "The Citizens' Councils—An Incredible Decade of Defiance," undated, 3-4, 8, Citizens' Council Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; Bartley, *The Rise of Massive Resistance*, 104; McMillen, *The Citizens' Council*, 20.

⁶ Minor, "The Citizens' Councils—An Incredible Decade of Defiance," undated, 1, 3, Citizens' Council Collection; Minor, "Enter Bill Simmons, Theoretician," undated, 39, Citizens' Council Collection; McMillen, *The Citizens' Council*, 119, 140-41; Bartley, *The Rise of Massive Resistance*, 85-7; McMillen, *The Citizens' Council*, vii-viii, 16-18.

⁷ *The Citizens' Council* was published in Jackson, Mississippi, from 1954 to 1961. The Citizens' Council *Forum* ran from 1957 through 1966.

⁸ Bartley, *The Rise of Massive Resistance*, 82-104; McMillen, *The Citizens' Council*, 363; Joseph Crespiño, *In Search of Another Country: Mississippi and the Conservative Counter Revolution* (Princeton: Princeton University Press, 2007), 4, 8-9; Stephanie R. Rolph, "Courting Conservatism: White Resistance and the Ideology of Race in the 1960s," in *The Right Side of the Sixties: Reexamining Conservatism's Decade of Transformation*, eds. Laura Jane Gifford and Daniel K. Williams (New York: Palgrave MacMillan, 2012), 21-25.

the starting point of a larger discussion on segregationists' influence on rightwing media.⁹ Recent studies on rightwing media such as Bryan Thrift's *Conservative Bias* (2014) and Nicole Hemmer's *Messengers of the Right* (2016) have not only extended the time frame of conservative media endeavors but have also uncovered segregationists' engagement in them.¹⁰ Yet, these historians' overwhelming emphasis remains on notable names such as William F. Buckley, Jr., Clarence Manion, and Jesse Helms, prioritizing a largely Northern or Sunbelt narrative of rightwing media's origins while casting Deep Southern conservatives and segregationists in a subordinate role.¹¹ Citizens' Council media ventures reveal that segregationists not only seized the initiative in creating rightwing media platforms in the Deep South, but also projected their message across the nation.

In the South, Mississippi led the way in the production and dissemination of rightwing media, and the Citizens' Council represented a significant grassroots effort to create separate, ideologically biased networks of news and information. The CCA printed the first issue of *The Citizens' Council* the same year that *National Review* printed its first issue, and by the late 1950s, Citizens' Council *Forum* broadcasts spanned across most of the continental United States.¹² The emergence of rightwing media was as historically contingent on an event in the Deep South as it was in the Sunbelt.¹³ Insofar as the reaction of white southerners to the Democratic Party's New Deal and Fair Deal policies laid the foundation for Sunbelt conservatism, the Party's increasing commitment to desegregation drove the South's rightward and eventual

⁹ Rolph, "Courting Conservatism: White Resistance and the Ideology of Race in the 1960s," 21-25.

¹⁰ Hemmer, *Messengers of the Right*, x-xii, xiv-xv, 116-117; Bryan Hardin Thrift, *Conservative Bias: How Jesse Helms Pioneered the Rise of Right-Wing Media and Realigned the Republican Party* (Gainesville: University Press of Florida, 2014), 1-14.

¹¹ Hemmer, *Messengers of the Right*, xi-xii; Thrift, *Conservative Bias*, 1-2.

¹² The first issue of the first volume of *The Citizens' Council* was published in October of 1955, see: Minor, "Enter Bill Simmons, Theoretician," undated, 32, Citizens' Council Collection; "William F. Buckley Jr.: The Man and his Magazine," *National Review*, accessed July 19, 2017, <http://www.nationalreview.com/about>; "Citizens' Council Forum on TV and Radio," *The Citizens' Council*, April 1959, 3, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University.

¹³ Lisa McGirr, *Suburban Warriors: The Origins of the New American Right*, new edition (Princeton: Princeton University Press, 2015 [2001]), xvii.

Republican realignment.¹⁴ Rather than a perception of liberal media bias, white southerners' embrace of rightwing media was spawned by the immediate reality of waning political power, and media offered them an avenue to counterattack liberalism from without. Through its media platforms, the Citizens' Council blended segregation with conservative tenets such as property rights and anticommunism to project an ideology of white-collared white supremacy separate from the Klan and the Far-Right. Although Sunbelt segregationists such as Jesse Helms and Strom Thurmond became the southern leaders of the New Right, the Citizens' Council, for a time, was a recognized voice within rightwing media and in the national conservative movement.¹⁵

The publication that became the official paper of the Citizens' Councils of America began months after the formation of the first Citizens' Council in Indianola, Mississippi. Under the editorship of W. J. Simmons, *The Citizens' Council* operated out of Jackson and covered state, national, and foreign affairs.¹⁶ Jackson journalist Wilson F. Minor described Simmons as "a highly educated, world-traveled, semi-intellectual who had been long impressed with white supremacist causes" and who "saw the Citizens [sic] Council as the catalyst for creating a new political party in America – a party, of course, in which he would have a dominant role."¹⁷ As Simmons himself suggested in a 1958 speech in Oakland, Iowa, the "Citizens' Councils are not just a pro-segregation movement . . . They represent a fundamental conservative movement."¹⁸ Though the Citizens' Council grew out of white southern outrage over the *Brown* Decision, Simmons and his paper fit into a wider spectrum of rightwing activism during the 1950s that sociologist Daniel Bell termed the "Radical Right."¹⁹

¹⁴ Darren Dochuk, *From Bible Belt to Sunbelt: Plain-Folk Religion, Grassroots Politics and the Rise of Evangelical Conservatism* (New York: W.W. Norton & Company, Inc., 2011), 4-5.

¹⁵ Thrift, *Conservative Bias*, 5, 196, 204-6; Joseph Crespino, *Strom Thurmond's America* (New York: Hill and Wang, 2012), 8-11, 253-4, 274-5, 296-7.

¹⁶ Minor, "Enter Bill Simmons, Theoretician," undated, 31, Citizens' Council Collection; "The Citizens' Council – Annual Report," August 1956, 2, Citizens' Council Collection, Special Collections, Mitchell Memorial Library, Mississippi State University.

¹⁷ Minor, "Enter Bill Simmons, Theoretician," undated, 39, Citizens' Council Collection.

¹⁸ *Ibid.*

¹⁹ The "Radical Right" was a term coined by Bell that came to be the title of a volume he contributed to and edited. For more on the "Radical Right," see: Daniel Bell, *The Radical Right: The New American Right Expanded and Updated* (Garden City: Doubleday, 1963).

Simmons graduated from Mississippi College in 1937 and attended the Sorbonne before the Second World War, but scandal defined his life and endeavors prior to becoming editor of *The Citizens' Council*.²⁰ Minor reported that Simmons harbored sympathies for "Adolf Hitler and the Aryan theories of the Nazis" and that he came under the scrutiny of the Federal Bureau of Investigation (FBI) as a result.²¹ According to Neil McMillen, however, Simmons's Nazi sympathies had been "darkly rumored" but "never substantiated."²² While Simmons harbored a white supremacist worldview, his most apparent sympathies resided with the segregationist states of Rhodesia and South Africa.²³ Beyond his politics, Simmons received a discharge due to psychological problems two months after entering the United States Navy in 1942.²⁴ Simmons's beliefs and personal conduct comported with the early, explicitly bigoted phases of the postwar Right, but as editor of *The Citizens' Council*, he devised a more nuanced agenda that united the interests of segregationists with those of the wider postwar conservative movement.²⁵

As Simmons stated on a 1958 *Forum* episode, the Citizens' Councils came into existence primarily "to inform and educate the people of the South as to some of the problems facing them," and *The Citizens' Council* publication represented an outgrowth of this mission.²⁶ It functioned as a respectable print outlet for the Citizens' Council movement and the segregationist cause at large, yet to view the paper only as a segregationist platform reduces the range of its ideas without acknowledging

²⁰ Minor, "Enter Bill Simmons, Theoretician," undated, 31, Citizens' Council Collection; W. F. Minor, "WILLIAM JAMES SIMMONS, ADMINISTRATOR OF CITIZENS COUNCILS OF MISSISSIPPI, PERSONAL HISTORY," undated, 1, Citizens' Council Collection, Special Collections, Mitchell Memorial Library, Mississippi State University.

²¹ Minor, "Enter Bill Simmons, Theoretician," undated, 31, Citizens' Council Collection.

²² McMillen, *The Citizens' Council*, 122-23.

²³ W. J. Simmons, "Report on Africa Trip," Citizens' Council *Forum* # 6622, 1966, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University.

²⁴ Minor, "Enter Bill Simmons, Theoretician," undated, 31, Citizens' Council Collection; Minor, "WILLIAM JAMES SIMMONS, ADMINISTRATOR OF CITIZENS COUNCILS OF MISSISSIPPI, PERSONAL HISTORY," undated, 1, Citizens' Council Collection.

²⁵ John George and Laird Wilcox, *Nazis, Communists, Klansmen, and Others on the Fringe: Political Extremism in America* (Buffalo: Prometheus Books, 1992), 251-53, 256-57.

²⁶ W. J. Simmons, "1st Anniversary of the Forum," Citizens' Council *Forum* # 58 x 14, 1958, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University.

its contributions to rightwing media and conservative discourse. Early issues offered vitriolic criticisms of the *Brown* Decision and the Eisenhower Administration's implementation of desegregation in Little Rock, Arkansas, and while *Brown* and Little Rock remained subjects of the paper, *The Citizens' Council* incorporated a broader array of talking points in succeeding volumes.



Fig. 1

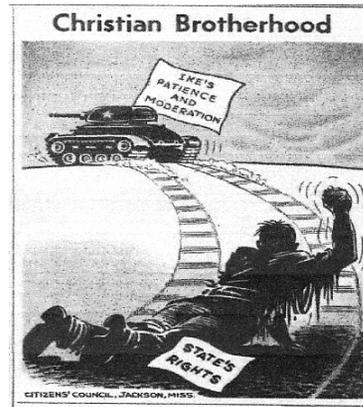


Fig. 2

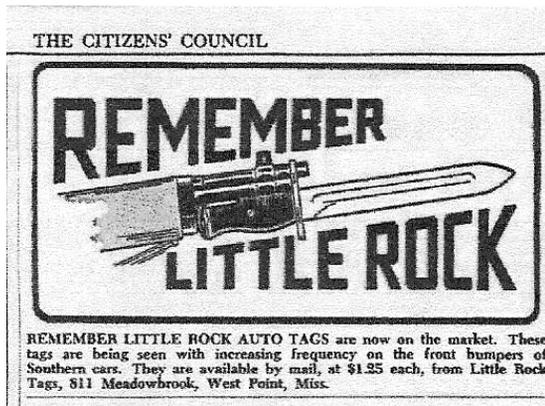


Fig. 3

Figure 1: A cartoon representation of the *Brown v. Board of Education* decision on the front page of *The Citizens' Council*, November 1955. Image courtesy of the Mitchell Memorial Library, Mississippi State University.

Figure 2: A cartoon representation of the Little Rock Crisis on the front page of *The Citizens' Council*, October 1957. Image courtesy of the Mitchell Memorial Library, Mississippi State University.

Figure 3: An advertisement for an automobile tag protesting the Eisenhower Administration's handling of the Little Rock Crisis on page 2 of *The Citizens' Council*, December 1958. Image courtesy of the Mitchell Memorial Library, Mississippi State University.

The *Brown* decision, the Little Rock Crisis, and desegregation each served as external threats around which *The Citizens' Council* could rally white southerners, but the paper did not focus exclusively on civil rights activism or federal action against segregation. Throughout its publication, the paper concentrated on civil rights groups' communist sympathies or connections to the Soviet Union, sensationalist accounts of black criminal activity in the North, and advocacy pieces on segregationist states in Africa. Rather than being simply segregationist or regional in scope, Simmons attempted to frame these topics within a larger hierarchy of conservative ideas circulating in the postwar era Sunbelt.²⁷

Historians have interpreted segregationist efforts to malign civil rights advocates and legislation with the labels of "Red" or "Pink" purely as a defensive deflection through which they could delegitimize the civil rights movement, but *The Citizens' Council's* focus on communism

²⁷ "Hoover Refuses To Clear NAACP," *The Citizens' Council*, March 1958, 1-2, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; "It's About TIME! Negro Crimes Revealed," *The Citizens' Council*, April 1958, 1, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; "A Rip In 'The Paper Curtain'—Savages Stalk Corridors Of Northern 'Blackboard Jungles,'" *The Citizens' Council*, November 1960, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; John R. Parker, "Western Nations Undermine White Influence In Africa," *The Citizens' Council*, December 1960, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; John R. Parker, "New Society in South Africa Seeks Closer Ties With White Southerners," *The Citizens' Council*, March 1961, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; "The Pro-Communist Record of the NAACP Board Chairman Robert C. Weaver," *The Citizens' Council*, January 1961, 1, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; "U.S. Could Learn From South Africa," *The Citizens' Council*, April 1961, 3, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; McGirr, *Suburban Warriors*, 5-7.

reflected a stratagem different from simple McCarthyism.²⁸ No cause during the 1950s was greater in scope and more favorable to conservatism than anticommunism, and aligning segregation with it fit into Simmons's grander vision of the Citizens' Council movement.²⁹ The Citizens' Council sought to preserve segregation by "courting" conservatives and winning colorblind, anticommunist defenders of the South's racial order.³⁰ By emphasizing the purported communist orientation, affiliation, or sympathy of groups such as the National Association for the Advancement of Colored People (NAACP) or the National Council of Churches (NCC), the paper affirmed the anticommunist credentials of the Citizens' Council while undermining those of civil rights advocates.³¹

Although *The Citizens Council's* language of anticommunism and national conservatism suggested a courtship of the Right, the implicit purpose of this framing, from Simmons's perspective, was to set or, at minimum, influence the conservative agenda.³² Rather than to coordinate a loose confederation of regional or local pressure groups, Simmons hoped to "catalyze" a national rightwing movement that would preserve segregation.³³ The paper served as both a separate, pro-segregationist channel of information and as a propagandistic vehicle placing the Citizens' Council in the anticommunist wing of postwar conservatism. With headlines like "Northern Whites Are Organizing!," "Citizens' Council Given Utah Oil Land," and "New Society In South Africa Seeks Closer Ties With White Southerners," the paper framed the Citizens' Councils as the vanguard of a national and, at times, international conservative

²⁸ Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy* (Princeton: Princeton University Press, 2000), 28.

²⁹ Minor, "Enter Bill Simmons, Theoretician," undated, 39, Citizens' Council Collection; McGirr, *Suburban Warriors*, xviii.

³⁰ Rolph, "Courting Conservatism: White Resistance and the Ideology of Race in the 1960s," 21-23.

³¹ "NAACP, Reds, Pinks Are Well-Represented on N. C. Civil Rights Advisory Committee," *The Citizens' Council*, April 1959, 1, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; "Left-Wing Clergy in NCC Advocates Recognition Of Mao's Communist China," *The Citizens' Council*, May 1959, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University.

³² Rolph, "Courting Conservatism: White Resistance and the Ideology of Race in the 1960s," 21.

³³ Minor, "Enter Bill Simmons, Theoretician," undated, 39, Citizens' Council Collection.

segregationist movement.³⁴ Ultimately, *The Citizens' Council* synthesized the preservation of segregation with anticommunism to render segregation not only a goal of America's anticommunist crusade, but a position palatable to white-collared conservatives around the country.

The paper's synthesis of pro-segregation and anticommunist arguments encapsulated larger shifts in traditional racism and in white southerners' defense of segregation. Its decreasing focus on traditional white supremacist talking points such as miscegenation, social Darwinism, and biblically-ordained white supremacy reflected a turn from explicit to more implicit racist frameworks. This shift supported the CCA's effort to transcend from a regional to a national entity. To be sure, *The Citizens' Council's* minstrel-style caricatures of African Americans, such as a cartoon titled "Levittown, Pa." in which white suburbanites play a song titled "Ole (censored) Joe" to a prospective black resident, did harken back to older white supremacist tropes.³⁵ More often than not, however, the paper's cartoons sought to link the cause of white Mississippians to domestic anticommunism and, increasingly, to the plight of whites in decolonizing Africa.

³⁴ "Northern Whites Are Organizing!," *The Citizens' Council*, February 1960, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; "Citizens' Council Given Utah Oil Land," *The Citizens' Council*, November 1960, 3, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; John R. Parker, "New Society in South Africa Seeks Closer Ties With White Southerners," *The Citizens' Council*, March 1961, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University.

³⁵ "Levittown, Pa.," *The Citizens' Council*, November 1957, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library Mississippi State University; "Mau Mau Party—Mississippi Headquarters," *The Citizens' Council*, December 1958, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; "The String Pullers," *The Citizens' Council*, May 1959, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University.



Fig. 4



Fig. 5

Figure 4: A cartoon likening African-American political activists to the Mau Mau rebels in *The Citizens' Council*, December 1958. Image courtesy of the Mitchell Memorial Library, Mississippi State University.

Figure 5: A cartoon maligning the National Council of Churches (NCC) as puppets of People's Republic of China (PRC) leader Mao Zedong and the Mau Mau rebels in *The Citizens' Council*, May 1959. Image courtesy of the Mitchell Memorial Library, Mississippi State University.

As a 1961 article in *The Citizens' Council* revealed, white South Africans displayed an interest in the Citizens' Council movement and dignitaries from South Africa and Rhodesia appeared as guests on the Citizens' Council *Forum*.³⁶ Simmons played a personal role in the CCA's alliance-building efforts in Africa, making trips to segregationist African states and delivering favorable reports on their economies and race relations on the *Forum*.³⁷ Though the paper's cartoons relied on older racial tropes, they also reflected an internationalist view of segregation

³⁶ Parker, "New Society in South Africa Seeks Closer Ties With White Southerners," 4, McIlhenny Collection; John Gaunt, "Circumstances Leading Up to Rhodesian Independence," *Citizens' Council Forum* #6611A, 1966, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; Basie Maartens, "Life in Southwest Africa," *Citizens' Council Forum* # 6617A, 1966, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University.

³⁷ W. J. Simmons, "Report on Africa Trip," *Citizens' Council Forum* # 6622, 1966, CCFC.

as a front in a global defense of the western, implicitly white, way of life that ironically paralleled some African-American activists' alignment of civil rights with pan-African struggles against colonialism.³⁸

While articles and cartoons on foreign affairs reflected the CCA's international aspirations, articles "exposing" criminal activity in urban centers such as New York and Los Angeles that resulted from integration situated the Citizens' Council at the head of a burgeoning national consensus on crime and race.³⁹ Beyond explicit race baiting, articles such as "Negro Wolf Pack Slays and Rapes in Michigan" and "Savages Stalk Corridors of Northern 'Blackboard Jungles'" that often referenced FBI statistics on urban crime reflected the adaptation of the Citizens' Council media strategy to national postwar racial constructions.⁴⁰ Nationwide anxieties about youth delinquency and urban guerilla warfare in the Third World migrating to American cities became salient concerns by the end of the 1950s, and *The Citizens' Council's* crime articles spoke within the ideologically and geographically wider dialogue on "law and order."⁴¹ Insofar as Jesse Helms's WRAL-TV network saturated its programming slots with westerns and crime dramas as a subtle means of political positioning, *The Citizens' Council* focused on black criminal activity to affirm the CCA's commitment to "law and order" as much as to malign civil rights activism.⁴² In this regard, the paper's crime exposés represented more than straightforward race baiting as they catered to broader anxieties on criminal activity with the strategic ends of discrediting desegregation and reinvigorating segregation as a national rather than simply southern institution. The paper's coverage of crime suggested a positioning of segregation within the national discourse on

³⁸ "Mau Mau Party—Mississippi Headquarters," 4, McIlhenny Collection; Dudziak, *Cold War Civil Rights*, 220-26.

³⁹ "It's About TIME! Negro Crimes Revealed," 1, 4, McIlhenny Collection; "A Rip In *The Paper Curtain*'—Savages Stalk Corridors Of Northern 'Blackboard Jungles,'" 4, McIlhenny Collection.

⁴⁰ "Black Cult Menaces White Race: 'Your Time Is Up' Says 'Messenger' To All White Men," *The Citizens' Council*, August 1959, 1, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; "It's About TIME! Negro Crimes Revealed," 1, 4; "A Rip In *The Paper Curtain*'—Savages Stalk Corridors Of Northern 'Blackboard Jungles,'" 4; "Negro Wolf Pack Slays and Rapes in Michigan," *The Citizens' Council*, June 1956), 9, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University.

⁴¹ Elizabeth Hinton, *From the War on Crime to the War on Poverty: The Making of Mass Incarceration in America* (Cambridge: Harvard University Press, 2016), 106-12.

⁴² Thrift, *Conservative Bias*, 142-143.

"law and order," and its "Letters To The Editor" section revealed how it potentially succeeded in this endeavor as well as the Citizens' Council movement's appeal outside the South.

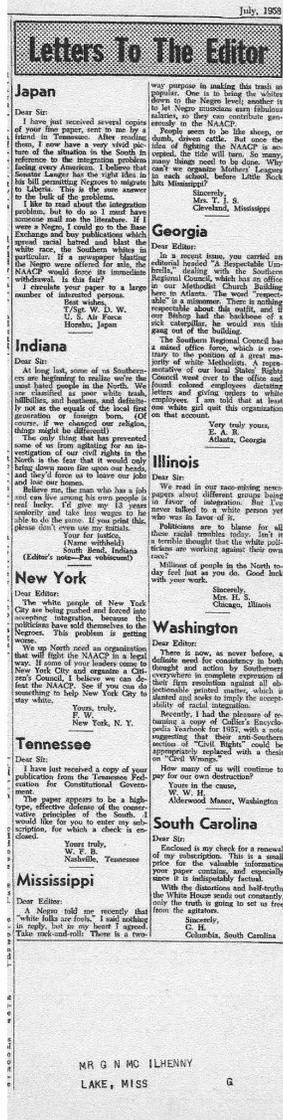


Fig. 6

Fig. 7

Figure 6: The Citizens' Council, March 1958. Image courtesy of the Mitchell Memorial Library, Mississippi State University.

Figure 7: *The Citizens' Council*, July 1958. Image courtesy of the Mitchell Memorial Library, Mississippi State University.

Contrary to the regional and state orientation of the paper, *The Citizens' Council's* "Letters To The Editor" section featured letters from around the country, suggesting that the paper reached a significantly broader audience. These letters demand some skepticism due to their predominantly anonymous authorship as well as the paper's purpose as a propaganda platform for the CCA and the greater Citizens' Council movement, but the popularity of *The Citizens' Council* outside of Mississippi and the Deep South is neither impossible nor improbable. Letters of citizens from northern states like New York, Minnesota, Pennsylvania, Michigan, Illinois, Indiana, and Ohio and western states such as California pledging monetary contributions and pleading for organizational training from the CCA would confirm the Citizens' Council's legitimacy to Southern as well as non-Southern readers, yet the context and maneuvers of the CCA suggest far more.⁴³

Simmons as well as other prominent Citizens' Council leaders engaged in speaking tours in northern and western states as well as outside the U.S. and attempted to establish organizational ties with activists in California and segregationists in Africa.⁴⁴ These activities suggest that the Citizens' Council possessed sympathizers outside the Deep South, and while few records exist on the attendance and reception of these events and speeches except for the testimony of the Citizens' Councilors themselves, it remains probable that *The Citizens' Council* possessed a readership above the Mason-Dixon Line. Studies dismantling the liberal consensus narratives of the 1950s and 1960s and the exceptionalist narratives of southern racism and northern colorblindness suggest a portion of these letters were authentic.⁴⁵ The embrace of Citizens' Council outreach efforts in northern and western states as well as the

⁴³ "Letters To The Editor," *The Citizens' Council*, March 1958, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University; "Letters To The Editor," *The Citizens' Council*, July 1958, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University.

⁴⁴ Minor, "Enter Bill Simmons, Theoretician," undated, 39, Citizens' Council Collection; McMillen, *The Citizens' Council*, 140-46; for African connections, see: notes 39-40.

⁴⁵ Matthew D. Lassiter and Joseph Crespino, "Introduction: The End of Southern History," *The Myth of Southern Exceptionalism* (Princeton: University of Princeton Press, 2010), 6-8.

later popularity of the arch-segregationist Alabama governor George Wallace during his 1968 presidential run suggest that the ideas of *The Citizens' Council* resonated beyond the Deep South.⁴⁶

The Citizens' Council ran from 1955 to 1961 as the premier publication of the CCA, but it was far more than a print media platform for segregationists. It constituted a Deep Southern foray into rightwing media and revealed segregationists and conservatives' ideological closeness during the 1950s and 1960s. Rather than segregationists latching onto the burgeoning conservative movement, however, the paper advanced conservative ideas filtered through southern racial frameworks. *The Citizens' Council* reflected the view of Simmons and his fellow Citizens' Councilors that the relationship between conservatism and segregation was a natural one rather than an alliance of convenience. For the Mississippi Citizens' Council movement, segregation existed within the conservative ideological tent as both a legal institution and a way of life threatened by the Scylla and Charybdis of increasing racial liberalism and expanding federal power. Just as civil rights activists packaged their struggle against segregation as a microcosm of the global struggle between American democracy and totalitarianism, *The Citizens' Council* framed the preservation of the white southern way of life as a test not simply of the South's anticommunist credentials, but of the nation.⁴⁷ *The Citizens' Council* contrasted the colorblind conservatism that figures like William F. Buckley and Clarence Manion projected, but it was no less a part of the "first generation" of conservative media activism and demonstrated the entrepreneurship of segregationists in rightwing media.⁴⁸

As the CCA began transitioning from print to radio and television, both the message and the audience of the Citizens' Council expanded. With the subtitle, "The American Viewpoint with a Southern Accent," Simmons and the CCA envisioned the Citizens' Council *Forum* as the voice of a national rather than purely regional movement.⁴⁹ Constituting

⁴⁶ For more on Wallace, see: John Egerton, *The Americanization of Dixie: The Southernization of America* (New York: Harper's Magazine Press, 1974), 126-150; Dan T. Carter, *The Politics of Rage: George Wallace, the Origins of the New Conservatism, and the Transformation of American Politics* (New York: Simon and Schuster, 1995), 341-347.

⁴⁷ Dudziak, *Cold War Civil Rights*, 11.

⁴⁸ Hemmer, *Messengers of the Right*, x-xii

⁴⁹ The subtitle of the *Citizens' Council Forum* on TV and Radio. See: "Citizens' Council Forum on TV and Radio," *The Citizens' Council*, April 1959, 3, McIlhenny Collection.

the most ambitious media venture of the movement, the Forum offered commentary on state, regional, national, and international affairs to a viewership within and beyond the borders of Mississippi.⁵⁰ Although ostensibly an extension of the Jackson-based CCA and *The Citizens' Council*, the television and radio program aspired to and nominally achieved a national orientation. By 1958, it had moved its headquarters from Jackson to Washington, D.C., and according to an advertisement in a 1959 issue of *The Citizens' Council*, the *Forum* aired on television stations in Alabama, Arkansas, Louisiana, Mississippi, South Carolina, and Virginia as well as on television stations in New York, Illinois, Minnesota, Montana, and Wyoming.⁵¹

CITIZENS' COUNCIL FORUM on TV and RADIO
 THE AMERICAN VIEWPOINT WITH A SOUTHERN ACCENT

TELEVISION

ALABAMA
 Mobile - WFTL Channel 8
 Montgomery - WFTL Channel 8
 Tallahassee - WFTL Channel 8

ARKANSAS
 Little Rock - WFTL Channel 8

ILLINOIS
 Springfield - WFTL Channel 8

LOUISIANA
 Baton Rouge - WFTL Channel 8

MISSISSIPPI
 Jackson - WFTL Channel 8

MONTANA
 Helena - WFTL Channel 8

SOUTH CAROLINA
 Columbia - WFTL Channel 8

VIRGINIA
 Richmond - WFTL Channel 8

WEST VIRGINIA
 Charleston - WFTL Channel 8

WYOMING
 Cheyenne - WFTL Channel 8

RADIO

ALABAMA
 Mobile - WFTL (1000 kc) Radio
 Montgomery - WFTL (1000 kc) Radio
 Tallahassee - WFTL (1000 kc) Radio

ARKANSAS
 Little Rock - WFTL (1000 kc) Radio

ILLINOIS
 Springfield - WFTL (1000 kc) Radio

LOUISIANA
 Baton Rouge - WFTL (1000 kc) Radio

MISSISSIPPI
 Jackson - WFTL (1000 kc) Radio

MONTANA
 Helena - WFTL (1000 kc) Radio

SOUTH CAROLINA
 Columbia - WFTL (1000 kc) Radio

VIRGINIA
 Richmond - WFTL (1000 kc) Radio

WEST VIRGINIA
 Charleston - WFTL (1000 kc) Radio

WYOMING
 Cheyenne - WFTL (1000 kc) Radio

FLORIDA
 Jacksonville - WFTL (1000 kc) Radio
 Miami - WFTL (1000 kc) Radio
 Orlando - WFTL (1000 kc) Radio
 Tampa - WFTL (1000 kc) Radio

GEORGIA
 Atlanta - WFTL (1000 kc) Radio

INDIANA
 Indianapolis - WFTL (1000 kc) Radio

MICHIGAN
 Detroit - WFTL (1000 kc) Radio

MINNESOTA
 Minneapolis - WFTL (1000 kc) Radio

MISSOURI
 St. Louis - WFTL (1000 kc) Radio

MONTANA
 Helena - WFTL (1000 kc) Radio

NEBRASKA
 Omaha - WFTL (1000 kc) Radio

NEW MEXICO
 Albuquerque - WFTL (1000 kc) Radio

OKLAHOMA
 Oklahoma City - WFTL (1000 kc) Radio

PENNSYLVANIA
 Harrisburg - WFTL (1000 kc) Radio

TENNESSEE
 Nashville - WFTL (1000 kc) Radio

WISCONSIN
 Madison - WFTL (1000 kc) Radio

WYOMING
 Cheyenne - WFTL (1000 kc) Radio

THE TRUTH FOR A CHANGE!
 CITIZENS COUNCIL FORUM

SUBSCRIBE NOW

111 Pine Bluff, Jackson, Mississippi
 Citizens' Council, 111 Pine Bluff, Jackson, Mississippi
 (1) Pine Bluff, Mississippi
 Name _____
 Address _____
 Phone _____

Fig. 8

Figure 8: An advertisement listing the television and radio stations on which the Citizens' Council Forum aired, *The Citizens' Council*, April 1959. Image courtesy of the Mitchell Memorial Library, Mississippi State University.

⁵⁰ Rolph, "Courting Conservatism: White Resistance and the Ideology of Race in the 1960s," 25-26.

⁵¹ Ibid.; "Citizens' Council Forum on TV and Radio," *The Citizens' Council*, April 1959, 3, McIlhenny Collection.

Approximately two years later, *The Citizens' Council* reported the addition of seventy-five new stations broadcasting the *Forum*, reaching three-hundred and eighty-three stations total.⁵² Although the states with the most *Forum* television and radio broadcasts resided in the Deep South, the program's distribution above the Mason-Dixon Line revealed the Citizens' Council *Forum's* influence and credibility as a rightwing media operation. The *Forum* functioned as an agenda-setting tool with which the Citizens' Council could establish its legitimacy and bona fides as a southern faction within the national conservative movement.⁵³ Issues of *The Citizens' Council* framed the program as an "American" and therefore national perspective "with a Southern Accent," and in Simmons's own ideological vision, the *Forum* would not only allow white southerners to regain the initiative in the civil rights debate but would place them on the frontline of the national conservative counterrevolution against the postwar liberal consensus.⁵⁴

Despite the Citizens' Council's reputation as a segregationist organization, the *Forum* devoted equal-to-surpassing attention to domestic issues such as communist subversion and unrest on college campuses and foreign policy issues such as American relations with Rhodesia and, eventually, the Vietnam War. *Forum* episodes also engaged in informational campaigns about organizations such as the House Un-American Activities Committee (HUAC), state equivalents thereof, the Citizens

⁵² "Citizens' Council Forum' TV-Radio Series Adds Another 75 Stations," *The Citizens' Council*, April-May, 1961, 4, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University.

⁵³ Rolph, "Courting Conservatism: White Resistance and the Ideology of Race in the 1960s," 36.

⁵⁴ *The Citizens' Council*, April 1959, 3, McIlhenny Collection, Special Collections, Mitchell Memorial Library, Mississippi State University.

Council, as well as the Mississippi State Sovereignty Commission.⁵⁵ The *Forum* offered a platform for groups friendly to the cause of the Citizens' Council and occasionally engaged in self-advertisement, but it also transcended the Council's original mission.⁵⁶ As the Citizens' Council *Forum's* radio and television distribution widened, its episodes continued to project southern critiques of integration's legality and necessity to audiences in Iowa, New York, and California, but also linked the ills of integration to those of federal spending and communist

⁵⁵ Martin Dies, John Bell Williams, William Colmer, Jamie Whitten, and Arthur Winstead, "Committee on Un-American Activities and Its Functions," Citizens' Council Forum # 57-1, 1957, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; Carroll Gartin, "State Sovereignty Commission," Citizens' Council *Forum* # 597-57 x 7, 1957, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; Citizens' Council *Forum* # 57-1, 1957, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; Carroll Gartin, "State Sovereignty Commission," Citizens' Council *Forum* # 597-57 x 7, 1957, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; W. J. Simmons, "1st Anniversary of the Forum," Citizens' Council *Forum* # 58 x 14, 1958, CCFC; W. J. Simmons, "Informational and Educational Work of the Citizens' Councils," Citizens' Council *Forum* # 597-58 x 21, Citizens' Council Forum Collection (CCFC), Mitchell Memorial Library, Mississippi State University; Samuel L. Devine, "Duties of the Ohio Un-American Activities Committee," Citizens' Council *Forum* #6013, 1960, Citizens' Council *Forum* Collection (CCFC), Mitchell Library, Mississippi State University; Francis D. Walter, "House Committee on Un-American Activities," Citizens' Council *Forum* # 6114, 1961, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University.

⁵⁶ See note 26.

subversion.⁵⁷ On the one hand, this blending of messages vindicated the Citizens' Council as a respectable, middle-class voice among white southerners already sympathetic to the cause and among northern and western whites who might have otherwise viewed the South's brand of segregation more negatively. On the other hand, they shifted the conversation on the South and its institutions from one about white supremacy and segregation to a one about the unifying themes of the American Right that positioned the Citizens' Council within the greater, grassroots conservative counterrevolution. Yet, contrary to the view that the Citizens' Council *Forum* coded its white supremacist message in "Americanism," "anti-communism," and "states' rights" to bypass Federal Communications Commission (FCC) regulations, the *Forum* was not simply a Trojan horse for segregationists.⁵⁸

The Citizens' Council was more than "a white supremacist organization," and the format and messaging of the *Forum* reflected its members' identity as middle-class conservatives as well as their conviction in the intertwined destinies of segregation and conservatism.⁵⁹ The *Forum* dispensed with an explicitly southern, white supremacist message, going

⁵⁷ Tom Q. Ellis, "Northern Concept of Mississippi Race Relations," Citizens' Council *Forum* # 57 x 2, 1957, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; Tom P. Brady, "Reactions to a speech made to the Commonwealth Club of California," Citizens' Council *Forum* # 58 x 2, 1958, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; Strom Thurmond, "Factors Affecting Internal Security," Citizens' Council *Forum* # 5938, 1959, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; Roy V. Harris, "Northern Interest in Race Problems," Citizens' Council *Forum* # 6343R, 1963, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; James Utt, "Trend Toward Conservatism," Citizens' Council *Forum* # 6208, 1962, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; James Utt, "California's Views on the Cuba Crisis," Citizens' Council *Forum* # 6319, 1963, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; James Dumbacher, "Students for a Democratic Society," Citizens' Council *Forum* # 6548R, 1965, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; Medford Evans, "Racial Riots," Citizens' Council *Forum* # 6631, 1966, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University.

⁵⁸ Hemmer, *Messengers of the Right*, 116-117.

⁵⁹ *Ibid.*; Bartley, *Rise of Massive Resistance*, 104-107; McMillen, *The Citizens' Council*, 20, 25, 144-147.

so far as to change its intro music from Dixie to a more generic martial theme, but these changes embodied a natural evolution rather than an sudden sea change in the Citizens' Council media strategy.⁶⁰ The program projected a white-collar, pro-segregationist conservatism that implied, but never explicitly endorsed white supremacy, and its repackaging of segregation represented no significant departure in mission or messaging from the CCA's prior endeavors.⁶¹ Simmons and his fellow Citizens' Councilors approached conservatives as neither charlatans nor sycophants but as sincere ideologues and committed partners in the conservative agenda, and nowhere was this more apparent than in the *Forum's* guests.

The plethora of southern and national politicians and foreign dignitaries who appeared on the program was a defining feature of the *Forum* and revealed not only the national contours of the Citizens' Council movement but the extent to which conservatives embraced it. Senators Strom Thurmond of South Carolina and John Stennis of Mississippi, Congressmen James Utt of California, Ralph Gwinn of New York, and Samuel L. Devine of Ohio, and presidential candidates Barry Goldwater of Arizona and George Wallace of Alabama appeared on the

⁶⁰ Edward Hunter, "Communist Brainwashing," Citizens' Council *Forum* #6116, 1962, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University.

⁶¹ Rolph, "Courting Conservatism: White Resistance and the Ideology of Race in the 1960s," 36.

program.⁶² Beyond politicians, the program also featured Simmons himself as well as intellectuals and heroes on the Right like William Shearer, a rightwing Republican political consultant and organizer in California, and former U.S. Army Major General Edwin Walker, whose career martyrdom and rightwing agitation during and after his service earned him both fame and infamy.⁶³ While scholars have traditionally framed the Citizens' Council as a largely state and regional movement and dismissed its claims of national status on the grounds that they remained institutionally strong only in the Deep South and seemingly

⁶² Strom Thurmond, "Integration, how to oppose," Citizens' Council *Forum* # 5910, 1959, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; Strom Thurmond, "Factors Affecting Internal Security," Citizens' Council *Forum* # 5938, 1959, CCFC; Strom Thurmond, "Trend Toward Big Government," Citizens' Council *Forum* # 5825, 1958, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; John C. Stennis, "Trend Toward States Rights, American People," Citizens' Council *Forum* # 5828, 1958, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; James Utt, "Trend Toward Conservatism," Citizens' Council *Forum* #6208, 1962, CCFC; James Utt, "California's Views on the Cuba Crisis," Citizens' Council *Forum* # 6319, 1963, CCFC; Ralph Gwinn, "Opposition to Force Bills," Citizens' Council *Forum* # 5824, 1958, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; Samuel L. Devine, "Duties of the Ohio Un-American Activities Committee," Citizens' Council *Forum* #6013, 1960, CCFC; Barry Goldwater "Labor and Politics, COPE," Citizens' Council *Forum* # 5926, 1959, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; George C. Wallace, "Effect of Kennedy's Sending Federal Troops into Ole Miss on Future of National Elections," Citizens' Council *Forum* #6246R, 1962, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; George C. Wallace, "Public Attitudes Toward the South," Citizens' Council *Forum* # 6640R, 1966, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University.

⁶³ W. J. Simmons, "1st Anniversary of the Forum," Citizens' Council *Forum* # 58 x 14, 1958, CCFC; W. J. Simmons, "Informational and Educational Work of the Citizens' Councils," Citizens' Council *Forum* # 597-58 x 21, CCFC; William K. Shearer, "California's Views on the Civil Rights Act, Citizens' Council *Forum* #6404, 1964, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; Edwin A. Walker, "U.S. Victory in the Cold War?," Citizens' Council *Forum* #6107R, 1961, Stephanie Rolph Transcripts Addition, Citizen's Council *Forum* Collection (CCFC), Mitchell Memorial Library, Mississippi State University; for more on Shearer, see: McMillen, *The Citizens' Council*, 144-147; for more on Walker, see: Charles W. Eagles, *The Price of Defiance: James Meredith and the Integration of Ole Miss* (Chapel Hill: University of North Carolina Press, 2009), 174-176, 331, 345-346, 360-362, 368-369.

floundered everywhere else, the intersections between southern and non-southern conservatives say otherwise.⁶⁴ To be sure, the CCA failed to create the nationwide organizational infrastructure that its name implied, but as Simmons's statement on the Citizens' Council's mission implied, informing and persuading the public superseded organizational expansion.⁶⁵ The *Forum's* guests reflected the appeal and embrace of the Mississippi Citizens' Councils outside of traditional white supremacist circles as well as the nuances in the segregationist movement and early rightwing media.

On the surface, the Citizens' Council *Forum* appeared to constitute a refined platform for elevating segregation into the ranks of respectable conservative political discourse, yet the content, framing, and guests on the television and radio program tell a different story. As a public affairs program that devoted more time to questions of domestic and foreign policy than explicit white supremacy, the *Forum* reflected Simmons's aspirations for the Citizens' Council to act as the vanguard of a national conservative movement separate from less savory segregationists and conservatives in the postwar era.⁶⁶ The *Forum* may never have achieved the prestige of later programs such as *Firing Line*, but, with prominent guests such as Strom Thurmond and Barry Goldwater, it constituted a significant, Deep Southern footprint in rightwing media.⁶⁷ To a greater degree than *The Citizens' Council*, the *Forum* revealed the artificial separation of segregationists from postwar conservatism, and suggested that for a time the Citizens' Council and the state of Mississippi could not only participate in but could potentially play a leading role in the broader conservative discourse of the 1950s and 1960s.

The disintegration of the Citizens' Council movement in the mid- and late 1960s as well as the triumph of an avowedly colorblind conservative movement and media suggested that neither *The Citizens' Council* paper nor the Citizens' Council *Forum* played any significant role in

⁶⁴ Bartley, *The Rise of Massive Resistance*, 86-90; McMillen, *The Citizens' Councils*, 118-122, 140-146.

⁶⁵ W. J. Simmons, "1st Anniversary of the Forum," Citizens' Council *Forum* # 58 x 14, 1958, CCFC.

⁶⁶ Minor, "Enter Bill Simmons, Theoretician," undated, 39, Citizens' Council Collection.

⁶⁷ For an example of *Firing Line*, see "Firing Line with William F. Buckley: The Practical Limits of Liberalism," archives.org video, 1:00:08, from *Firing Line* by Southern Educational Communications Association (SECA) on October 11, 1975, posted by Pamela Vakadan, 7/20/2011, https://archive.org/details/csth_00001.

the origins of rightwing media. The narratives of the South's political realignment, moreover, continue to cast the Sunbelt South and its politicians as the dominant forces in the Republicanization of the region.⁶⁸ Yet, the Sunbelt South, much like the Sunbelt thesis itself artificially limits the geography of the conservative movement and the influence of segregationist elements upon it.⁶⁹ Insofar as the conservative movement in the postwar era was far from monolithic, the origins of rightwing media were not isolated to men such as Buckley and regions such as the Sunbelt. The Citizens' Council's creation of pro-segregationist, conservatively biased media platforms arose from the *milieu* in which Buckley and Manion flourished, but its efforts were not simply derivatives but competitors for the postwar conservative agenda.

The collapse of *de jure* segregation as well as the crystallization and political success of a colorblind conservatism prompted the scholarly and popular embrace of a historical narrative of the postwar Right largely absent of the segregationists, yet this narrative is a dying one.⁷⁰ With the exposure of southern exceptionalism's artificial geographic and ideological dichotomies, the scholarship on rightwing media has to contend with the southern contours of conservatism and the national contours of southern politics.⁷¹ Recognizing the Citizens' Council as an actor in the early development of rightwing media represents the next step in re-approaching the postwar conservative movement.

The Citizens' Councilors were middle-class defenders of segregation who consciously set themselves in contrast to the terroristic, working-class Klan, but they also represented pioneers in rightwing media and the Deep South's political future. Individuals such as William J. Simmons demonstrated that the Citizens' Council viewed conservatives not simply as pawns for their pro-segregationist cause but as natural ideological partners in the futures of the region and nation, and their media conveyed this informal but sincere alliance during the 1950s and 1960s. Though Jesse Helms and Strom Thurmond have long occupied the center of histories on the South's Republican realignment, this process ultimately began at the grassroots with men like Simmons and groups

⁶⁸ Crespino, *Strom Thurmond's America*, 8-11; Thrift, *Conservative Bias*, 4-5.

⁶⁹ McGirr, *Suburban Warriors*, 14; Crespino, *Strom Thurmond's America*, 8-11; Thrift, *Conservative Bias*, 5;

⁷⁰ Matthew D. Lassiter, "De Jure/De Facto Segregation: The Long Shadow of a National Myth," in *The Myth of Southern Exceptionalism*, ed. Matthew Lassiter and Joseph Crespino (New York: Oxford University, 2010), 25-28; McGirr, *Suburban Warriors*, xiii.

⁷¹ Lassiter and Crespino, "Introduction: The End of Southern History," 6-13.

like the Citizens' Council utilizing media as the foundation for a larger movement.⁷² While contemporary rightwing media outlets bare little similarity in format and messaging to either *The Citizens' Council* or the Citizens' Council *Forum*, the endeavors of the Mississippi Citizens' Council movement expose both the longer and wider development of rightwing media in postwar America.⁷³

⁷² Crespino, *Strom Thurmond's America*, 3-5; Thrift, *Conservative Bias*, 5, 14.

⁷³ Hemmer, *Messengers of the Right*, x.

Richard Nixon, Mississippi, and the Political Transformation of the South.

by Justin P. Coffey

On November 7, 1972, President Richard M. Nixon won one of the most decisive electoral victories in American history. Nixon and his running mate Spiro T. Agnew won forty-nine states and took over 60 percent of the popular vote. Nixon received an overwhelming vote in every part of the country, but his largest margins were in the Deep South. The Republican incumbent swept all of Dixie, becoming the first Republican to capture every state in the South. Nixon won over 70 percent in five southern states, Mississippi, Alabama, Georgia, South Carolina, and Florida. Mississippi gave Nixon his biggest total—78.2 percent.¹

Nixon's staggering victory in 1972 is generally attributed to his "Southern Strategy." Although it has become part of American political history that Richard Nixon and his advisors developed a plot to lure southern whites to the Republican Party, there is no evidence to suggest Nixon ever devised a Southern Strategy. Critics claim Nixon initiated this plan beginning in the 1968 campaign, but the reality is that with the exception of South Carolina, Nixon all but ignored the Deep South in 1968. He ceded it to the American Independent Party candidate George Wallace and adopted what historian Dean Kotlowski calls a "Border Strategy," concentrating on states like Tennessee and Kentucky.² Over the next four years, as the argument goes, Nixon pursued policies to block school integration and used code words to woo disaffected southern

¹ 1972 Presidential General Election Results," <http://uselectionatlas.org/RESULTS/national.php?year=1972>, accessed January 3, 2015.

² Dean Kotlowski, *Nixon's Civil Rights: Politics, Principle, and Policy* (Cambridge: Harvard University Press, 2002); Jere Nash and Andy Taggart, *Mississippi Politics: The Struggle for Power, 1976-2008* (Jackson: University Press of Mississippi, 2007), 49.

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whites to his side.³

The historical evidence, however, presents a more complicated picture. A look at Nixon's first term shows that his administration desegregated public schools across the South. Nixon supported and helped create the federal government's affirmative action program and launched efforts to bolster economic opportunities in black urban areas. A decade after his resignation, Nixon granted several interviews with historian Joan Hoff, in which he denied having a "southern strategy."⁴ Arguably, the Nixon administration is the most documented in American history, but no tape exists of Nixon discussing a southern strategy, nor are there any memos in the Nixon Library attesting to this subject. There is no evidence that Nixon, who wrote everything on yellow legal plans, ever put to paper a strategy for capturing the South. Patrick J. Buchanan, Nixon's speechwriter and in-house conservative, calls the claims that Nixon had a Southern Strategy one of the "big lies of U.S. political history."⁵

Buchanan does argue, however, that Nixon created a "New Majority." According to Buchanan, this coalition included disaffected Democrats, but not just those from the South. Nixon brought in white ethnics, union members, white southerners, and suburbanites. These disparate groups had little in common, and the first three had long been reliable members of the Democratic Party. But according to Buchanan, Nixon and his aides never drew up plans to win these blocs, instead they went about it on an ad hoc basis. For example, in an effort to make inroads with Catholics, Nixon supported aid to parochial schools.⁶ In 1972 Nixon signed a bill into law indexing Social Security payments to the inflation rate which helped him with elderly voters.⁷ Ever the consummate politician, Nixon knew where the votes were.

It was out of this sense of political pragmatism that Nixon decided to ignore black voters. White House Domestic Policy Advisor John D.

³ For two authors who contend Nixon had a "Southern Strategy," see Rick Perlstein, *Nixonland: The Rise of a President and the Fracturing of America* (New York: Scribner, 2008); Elizabeth Drew, *Richard M. Nixon* (New York: Times Books, 2007).

⁴ Joan Hoff, *Nixon Reconsidered* (New York: Basic Books, 1994), 79.

⁵ Patrick J. Buchanan, "Nixon's 'Southern Strategy' and a Liberal Big Lie," July 3, 2014, Townhall.com, accessed September 23, 2014.

⁶ William Safire, *Before the Fall: An Inside View of the Pre-Watergate White House* (New York: Belmont Tower Books, 1975), 555-563.

⁷ Hoff, *Nixon Reconsidered*, 135-136.

Ehrlichman once told an assistant in the Nixon administration, “You know Jack, the blacks aren’t where our votes are.”⁸ The man often credited (or blamed) for formulating the Southern Strategy, Kevin Phillips, was quite explicit about what direction Nixon and the GOP needed to take. Writing in *The New York Times* in 1970, Phillips argued:

“From now on, the Republicans are never going to get more than 10 to 20 percent of the Negro vote and they don’t need any more than that . . . but Republicans would be shortsighted if they weakened enforcement of the Voting Rights Act. The more Negroes who register as Democrats in the South, the sooner the Negrophobe whites will quit the Democrats and become Republicans. That’s where the votes are. Without that prodding from the blacks, the whites will backslide into their own comfortable arrangement with the local Democrats.”⁹

Wresting the South from the Democrats was never guaranteed. By the time Nixon took office in January 1969, almost all remnants of Jim Crow were no more. The 1964 Civil Rights Act and the 1965 Voting Rights Act had abolished legal racial discrimination. The laws had not eradicated racism or ended de facto segregation in the South (or outside the South), but there was no turning back the clock, and Nixon had neither the intent nor inclination to do so. The issue for Nixon was not halting integration or fighting the legal gains made over the past decade, but finding a way to enforce the law without alienating white southerners. Doing so was a tricky business, but Nixon, the master politician, hoped to pull it off.

The one major area where little progress had been made involved the desegregation of schools. For fifteen years much of the South had ignored the Supreme Court’s rulings to end segregation, and the majority of schools in the South were still racially separated, none more so than in Mississippi. Mississippi’s segregated school system tested Nixon’s attempt to transform the Deep South. When he took office in January 1969, Nixon was faced with the problem of trying to desegregate the

⁸ Quoted in “Richard M. Nixon, Southern Strategies, and Desegregation of Public Schools,” in *Richard M. Nixon: Politician, President, Administrator*, eds., Leon Friedman and William F. Levantrosser (Westport CT: Greenwood Publishing, 1991), 146.

⁹ *The New York Times*, May 17, 1970.

schools while not angering white southern voters. White House aide Harry Dent, a former assistant to South Carolina Senator Strom Thurmond, penned a memo that outlined the White House's political position. If the administration could end segregation in the South "without blame being attached to this administration . . . then we will have achieved the miracle of this age."¹⁰

Within a few months that approach was put to the test. The issue involved the Department of Health, Education, and Welfare (HEW), which had issued a court-backed mandate that Mississippi's schools integrate by August 1, 1969. HEW was threatening to withhold federal funds from school districts that failed to implement desegregation plans. One of Mississippi's House members, Democrat Jamie L. Whitten, had tried to place an amendment in a HEW appropriation bill to prohibit the department from withholding funds from districts failing to comply with desegregation edicts. The Nixon White House backed Whitten's proposal, and in so doing tried to send a message that the administration was sympathetic to the likes of Whitten. Nixon could have come out in opposition to the Whitten amendment, which had little chance of passing the House and no chance whatsoever of making it through the Senate. Whitten knew his maneuver was more symbolic than realistic. Nixon gave Whitten's gesture aid and comfort, realizing that there would be no penalty for supporting the doomed effort, while thinking that his action might possibly reap a reward with whites, who were grateful for his quiet resistance to immediate integration.¹¹

During the summer of 1969, Nixon met with Mississippi Senator John Stennis, who asked that Nixon delay an order that would have cut federal funding for thirty-three Mississippi school districts. When the August 1 deadline arrived, most school districts in Mississippi had failed to comply with the HEW requirements. Shortly after Hurricane Camille struck the Gulf Coast. In addition to the loss of life and catastrophic property damage, the hurricane produced a political storm. An official in the United States Office of Education informed Mississippi school administrators that the State's school districts were not in compliance

¹⁰ Quoted in Matthew D. Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton: Princeton University Press, 2006), 242.

¹¹ Gary Allen, *Richard Nixon: The Man behind the Mask* (Boston: Western Islands, 1971); Mark M. Smith, *Camille, 1969: Histories of a Hurricane* (Athens: The University of Georgia Press, 2011), 27-29.

with Title VI of the 1964 Civil Rights Act and therefore would not receive any federal aid for the repair of damaged schools. Then the same Office of Education official ordered the state of Mississippi not to spend \$32 million in federal aid that it had received from the federal government because HEW had learned that African American students in the state were not receiving the same educational aid as white students.¹²

The two rulings enraged large numbers of Mississippians, and state and federal officials turned to President Nixon for help. During the 1968 campaign Nixon had allegedly told a group of southern Republican politicians that under his administration no federal funds would be given to school districts that practiced overt segregation, but at the same time “he agreed that no Federal funds should be withheld from school districts as a penalty for tardiness in response to a bureaucratic decision in Washington.”¹³ Nixon had no intention of allowing his own department to withhold funds from Mississippi. His problem, however, was that he was almost at war with certain members of his administration. HEW Secretary Robert Finch and his aide Leon Panetta continued to threaten to deny aid to Mississippi unless desegregation plans were in place by December 31, 1969. Nixon had Finch fire Panetta in March 1970. Two months later, Attorney General John Mitchell filed a brief with the Supreme Court supporting a tax exemption for payments to private schools in the South.¹⁴

Such steps were popular in Mississippi, as many white Mississippians blamed Finch and Panetta—not Nixon—for the federal government’s heavy-handed tactics. Columnists Rowland Evans and Robert Novak noted the success the Nixon administration was having at avoiding blame for school integration. The country’s most influential and perspicacious political commentators wrote that white Mississippians distinguished between the White House and HEW bureaucrats.¹⁵

The state continued to receive federal disaster relief and education aid. Still, the vexing segregation issue remained. In 1969, in *Alexander v. Holmes*, the United States Supreme Court ordered the school

¹² Ibid.

¹³ Frederick M. Wirt, *Politics of Southern Equality: Law and Social Change in a Mississippi County* (Chicago: Albion Publishing Company, 1970), 189-190. The quote is from Theodore White, *The Making of the President 1968* (New York: Atheneum, 1969).

¹⁴ Ibid, 200.

¹⁵ Joseph Crespino, *In Search of Another Country: Mississippi and the Conservative Counterrevolution* (Princeton: Princeton University Press, 2007), 276.

districts across the South to integrate without delay. The decision irked Nixon, who viewed the Court's February deadline for compliance as "unrealistic," but the ruling left him no choice but to comply.¹⁶ How to do so, without angering whites in the South and while preventing violence from breaking out, were major concerns for Nixon. The Court's ultimatum essentially mandated school busing programs. As the era's shrewdest politician, Nixon knew the pitfalls of integrating southern schools. Enforcing the decision might well doom his efforts to gain political support in Dixie, so Nixon devised a politically ingenious solution—he named Vice President Spiro T. Agnew the Chair of the President's Cabinet Committee on Education. In a typically Nixonian manner, the president never asked for Agnew's input, instead he sent a memo on January 26, 1970, requesting that Agnew "chair a group whose purpose would be to develop political and programmatic plans to help southern communities maintain a decent system of public education while wrestling with the problems of complying with tough, categorical court orders."¹⁷ The group included Agnew, Attorney General John Mitchell, Secretary of Health, Education, and Welfare Robert Finch, Secretary of Labor George Schultz, presidential advisor Daniel Patrick Moynihan, and presidential aides Bryce Harlow, John Ehrlichman, Leonard Garment, and Harry Dent. The president announced the formation of the committee in February 1970. Since Nixon was torn about the direction his administration should take, the committee initially produced no substantive ideas. Over the next few weeks a pitched battle ensued, as those who urged restraint, or even inaction, warred against those demanding forceful action, with Agnew casting his lot with the conservatives. Though he never advocated massive resistance, Agnew saw no political advantage for Nixon (or for himself) in choosing open compliance with the courts.¹⁸

So Agnew distanced himself from the committee, and George Schultz took the lead. On the advice of Schultz, Nixon formed advisory committees for seven states, Arkansas, Mississippi, North Carolina,

¹⁶ Richard Nixon, *RN: The Memoirs of Richard Nixon* (New York: Simon & Schuster, 1978), 440.

¹⁷ "Memorandum for the Vice President," March 27, 1970, box 2, White House Special Files, President's Office File, Richard Nixon Presidential Library and Museum, Yorba Linda, California.

¹⁸ George Shultz, *Turmoil and Triumph: Diplomacy, Power, and Victory* (New York: Simon & Schuster, 1993).

South Carolina, Georgia, Alabama, and Louisiana. The bi-racial groups included elected officials, ministers, and other prominent members of their communities. The first meeting took place on June 24, 1970, in the Jefferson Room in the State Department and involved the fifteen-member Mississippi delegation. The Magnolia state was chosen because it was looked upon as the “most recalcitrant” state in the nation. Nixon personally attended the meeting and later wrote that one of the black members told him, “The day before yesterday I was in jail for going to the wrong beach. Today, Mr. President, I am meeting you. If that’s possible anything can happen.” Although the meeting was by no means smooth, it began the process of once and for all ending school segregation in the South.¹⁹

School desegregation proceeded at a remarkably brisk pace, with almost no violence. In early February 1971, Elliot Richardson, the new Secretary of HEW, sent Nixon a memo detailing the success of the administration’s desegregation policies. Richardson noted that in the fall of 1968, 68 percent of black pupils in the South attended all-black schools; two years later the number had fallen to just 18.4 percent. The schools in the South were desegregated, owing no small part to Nixon’s efforts to see integration through.²⁰

If Nixon helped end the last racial barrier in the South, why would he prove to be so popular in Dixie, in particular in Mississippi? As with almost everything concerning Nixon, the answer is complicated. While Nixon helped end segregation in the schools, he did so in a manner that seemed to suggest he did so more because the courts were forcing him to than out of a great desire to create integrated schools. Firing Leon Panetta sent a signal to the South that he was not sympathetic to liberals who wanted to coerce the South. And since many white southerners were resigned to the fact that the schools were going to have to change, Nixon was not much blamed for the result. Further, Nixon sent signals to white southerners that he was with them. Southern whites hated the Supreme Court more than any other institution in the country, blaming in particular Chief Justice Earl Warren for the social changes of the 1960s. During the 1968 campaign Nixon promised to appoint justices to the Court who “would follow the law.” Nixon replaced Earl Warren with

¹⁹ Tom Wicker, *One of Us: Richard Nixon and the American Dream* (New York: Random House, 1991), 485.

²⁰ *Ibid.*, 486-487.

Warren Burger, and then when Associate Justice Abe Fortas resigned in 1969, Nixon appointed Clement F. Haynsworth, a South Carolinian who served on the Fourth Circuit Court of Appeals. The choice sent a message that Nixon wanted to turn the court in a more right-wing direction and also that he wanted a conservative from the South on the Court. A furor erupted over Haynsworth's nomination with critics charging the jurist had failed to recuse himself in a number of cases where he supposedly had a financial stake in the outcome of the case. Nixon noted that the Kennedy administration had cleared Haynsworth of any wrongdoing, but that fact was largely ignored. After an intense battle, the Senate rejected Haynsworth by a vote of 55-45.²¹

Undeterred, Nixon next picked another southerner, G. Harrold Carswell of Florida. His decision to do so was disastrous. Nixon had delegated the selection process to his attorney general John N. Mitchell, whom Nixon had met in the 1960s when Nixon moved to Manhattan in the wake of his 1962 defeat by Governor Pat Brown of California. Nixon joined Mitchell's law firm, and the two established a bond that would last until Mitchell's death in 1988. Mitchell, who specialized in municipal bond law and had established political contacts throughout the country, impressed Nixon so much that Nixon would call him "my strong man." He ran Nixon's 1968 campaign. After the election Nixon persuaded a reluctant Mitchell to serve in his cabinet. While there was no doubt that Mitchell was an excellent attorney he lacked political instincts, and his political tone deafness cost Nixon dearly.²² Carswell was intellectually challenged, so much so that Senator Roman Hruska of Nebraska came to his defense with the famous line, "Even if he is mediocre, there are a lot of mediocre judges and people and lawyers. They are entitled to a little representation, aren't they, and a little chance?"²³ The Senate decided not, as Carswell was voted down 51-45.

Even though Nixon lost the nomination battles, he gained support across the South. Haynsworth and Carswell came to be seen as victims, and for a region of the country dedicated to the "Lost Cause," the pair

²¹ Nixon, *RN*, 420-421.

²² James Rosen, *The Strong Man: John Mitchell and the Secrets of Watergate* (New York: Doubleday, 2008).

²³ Sarah Katherine Mergel, *Conservative Intellectuals and Richard Nixon: Rethinking the Rise of the Right* (New York: Palgrave Macmillan, 2009), 121-122; the quote is from *Time*, "Supreme Court Nomination Battles," http://content.time.com/time/specials/packages/article/0,28804,1895379_1895421_1895542,00.html, accessed May 28, 2015.

became almost martyrs. By the late 1960s, there was a disconnect between the Deep South and urban Northeast, which the fight over the Supreme Court encompassed. Nixon knew this, and so did Vice President Spiro T. Agnew. While Agnew never had a substantive policy role in the Nixon administration, he did help in specific areas, such as rousing the conservatives in the GOP who were never particularly fond of Nixon. It was with his speeches that Agnew made his mark, and some of his more controversial addresses were in Mississippi.

On Monday, October 20, 1969, Agnew was the keynote speaker at a \$100-a-plate Republican fundraiser in Jackson, Mississippi. Organizers of the dinner expected a crowd of 1,500. Earlier in the day Agnew had toured the area. Nearly 2,600 jammed the Mississippi Coliseum, many of them Democrats, including Mississippi Governor John Bell Williams and Jackson Mayor Russell Davis. Speaking in the heart of the Deep South, a state that in 1964 had given Barry Goldwater 87 percent of the vote, Agnew delivered a searing assault on those who mocked Dixie. In the speech, entitled “Racism, The South and The New Left,” Agnew lectured:

“For too long the South has been the punching bag for those who characterize themselves as intellectuals. Actually they are consistently demonstrating the antithesis of intelligence. Their reactions are visceral, not intellectual; and they seem to believe that truth is revealed rather than systematically proved. These arrogant ones and their admirers in the Congress, who reach almost for equal arrogance at times, are bringing this nation to the most important decision it will ever have to make. They are asking us to repudiate principles that have made this country great. Their course is one of applause for our enemies and condemnation for our leaders. Their course is a course that will ultimately weaken and erode the very fiber of America. They have a masochistic compulsion to destroy the country’s strength whether or not that strength is exercised constructively. And they rouse themselves into a continual emotional crescendo—substituting disruptive demonstration for reason and precipitate action for persuasion.”

The crowd cheered Agnew’s defense of Dixie. Tired of being uniformly derided by the northern liberal intelligentsia, Southerners

welcomed this ringing defense of their land and traditions. But Agnew stressed that his words were not part of a ‘Southern Strategy’: “This administration,” Agnew told the all-white audience, “will never appeal to a racist philosophy.” Instead, Agnew argued, the Nixon administration, in concert with the GOP, was trying to develop a “national strategy.”²⁴

The intellectuals whom Agnew denounced attributed the Mississippians’ applause to Agnew’s playing to the basest instincts of white southerners. They were quick to accuse Agnew of playing the race card. Still, some of the establishment grudgingly admitted that Agnew was not entirely out of line. *Time* allowed that Agnew “had a point about the South.”²⁵

Agnew returned to the Magnolia state in May 1971. Addressing an audience in the Mississippi Coliseum estimated to be more than 3,000 on May 18, the vice president called the Southern Strategy a myth created by the media: “It is a political phenomenon that is born in the suspicious minds of the liberal pundits and flung at an unsuspecting public via tons of newsprint and network rhetoric whenever a national administration attempts to treat the South on equal terms with other regions of this country.”²⁶

The 1972 election provided evidence that the wooing of the South was well worth it. Nixon pulled in 78 percent of the Mississippi vote, the highest percentage of any state he won that year. His popularity helped elect two Republicans to the House of Representatives, Thad Cochran and Trent Lott, only the second and third Republicans elected to the House from Mississippi since Reconstruction. Though Nixon did not equal Barry Goldwater’s 87 percent eight years earlier, his victory in Mississippi was much more than an anti-McGovern vote. Voters in Mississippi—which really meant almost all the white voters—went for Nixon and Agnew.²⁷

Nixon and Agnew’s victory ensured that James Eastland would

²⁴ Speeches—October 20, 1969,” folder 28, box 2, subseries 3.7, series 3, Spiro T. Agnew Papers, Special Collections, University of Maryland Libraries, College Park, Maryland. Hereafter “Agnew MS.”

²⁵ *Time*, October 31, 1969, 12.

²⁶ Speeches—Mississippi Fundraiser,” May 18, 1971, folder 7, box 6, series 3.7, series 3, Agnew MS; Jackson Clarion-Ledger, May 19, 1971.

²⁷ Nash and Taggart, *Mississippi Politics*, 52; “Election of 1964,” The American Presidency Project, <http://www.presidency.ucsb.edu/showelection.php?year=1964>, accessed June 26, 2015.

serve another term in the United States Senate. During his presidency Nixon developed a fondness for Southern Democrats whom he believed were his most reliable allies in Congress, none more so than Eastland. The seventy-three year old Eastland was running for his sixth term. For almost a century, being the Democratic nominee in Mississippi had guaranteed victory, but the times were changing. In 1972, Eastland faced a solid, if not formidable, Republican challenger in Gil Carmichael. Given Nixon's popularity in Mississippi, coupled with a revulsion many traditional Democrats in the state felt for their party's nominee Senator George McGovern, a Carmichael victory was not out of the question, provided that he received an endorsement from Nixon and Agnew. No such endorsement ever came, for Nixon decreed that he would back Eastland. When Agnew went down to Jackson, the White House issued a directive that Carmichael not be on the platform. Eastland won the race with 58 percent of the vote, the lowest margin of his career. It is likely that Eastland would have won even if Nixon and Agnew had campaigned for Carmichael, but it is certain the race would have been closer.²⁸

Following the election, Nixon seemed poised to make good on building a Republican majority. Though the Democrats still controlled both houses of Congress, the voters' decisive rejection of McGovern's liberalism seemed to herald a shift to the right. Although Nixon was more of a moderate than a conservative, he sensed that the country had turned away from the liberalism of the 1960s. With a convincing mandate, Nixon was in a position to alter the direction of American politics. Then came Watergate.

When the scandal that engulfed Nixon's presidency broke, Nixon lost the support of many of his traditional backers, but not in Mississippi, where he remained popular. Nixon recalled meeting with the "deans of the Senate," John McClellan of Arkansas, Louisiana's Russell Long, Stennis, and Eastland. As Nixon began reviewing the charges against him, "Jim Eastland leaned forward and said, 'Mr. President, we don't need to hear any explanations. We don't even want to talk about

²⁸ Jack Bass, *The Transformation of Southern Politics: Social Change and Political Consequences Since 1945* (Athens: University of Georgia Press, 1995), 215-216; Nash and Taggart, *Mississippi Politics*, 51-52. In his biography of Eastland, Maarten Zwiers argues Carmichael and Prentiss Walker, Eastland's opponent in 1966, "never came close to defeating Big Jim Eastland." Maarten Zwiers, *Senator James Eastland: Mississippi's Jim Crow Democrat* (Baton Rouge: Louisiana State University Press, 2015), 239.

Watergate. Just tell us what to do to help.’ The elder statesman John Stennis leaned over to Eastland and said, “Quiet Jim. Let the boy speak.”²⁹

By early October 1973, Special Prosecutor Archibald Cox was demanding that Nixon turn over the subpoenaed tapes. Nixon had offered summaries of the tapes and wanted to have a supposedly neutral person verify the accuracy of the summaries. According to Nixon, White House Counsel Fred Buzhardt recommended that John Stennis be requested to serve in this capacity. The idea appealed to Nixon, for Stennis “was a Democrat, the Chairman of the Senate Select Committee on Standards and Conduct, a former judge, and one of the few men in Congress respected by members of both parties for his fairness and integrity.”³⁰ Left unmentioned was the fact that Stennis was seventy-two years old and reputedly hard of hearing. J. R. Haliman, who served as Stennis’s legal counsel from 1971-1973, disputes the idea that Stennis was hard of hearing. In an interview years later, Haliman claimed Stennis “could hear perfectly well.”³¹ Stennis accepted the arrangement without knowing that Nixon hoped Stennis’s involvement would enable him to get rid of Cox, whom he wanted to fire. Nixon kept that between himself and a few advisors.³² The “Stennis Compromise,” when it was announced, went over well in Congress, and Nixon thought he might have solved his Archibald Cox problem.³³

Nixon was wrong. He had hoped that Cox would find the compromise unpalatable and resign. When Cox rejected the compromise, Nixon ordered Attorney General Elliot Richardson to fire Cox. Richardson refused to comply with the president’s directive and resigned. Nixon then ordered Richardson’s deputy, William Ruckelshaus to fire Cox, but he also refused, so Nixon fired him. Robert Bork, the Solicitor General and next in line, followed Nixon’s orders and dismissed Cox. The resulting uproar from the “Saturday Night Massacre” led to the House Judiciary

²⁹ Nixon, *RN*, 947.

³⁰ *Ibid.*, 929.

³¹ “Interview with John R. Hailman,” John C. Stennis Oral History Project Script, Mississippi State University, 25.

³² Alexander Haig, *Inner Circles: How America Changed the World, A Memoir* (New York: Warner Books, 1992), 392.

³³ Elliot Richardson, *The Creative Balance: Government, Politics, and the Individual in America’s Third Century* (New York: Holt, Rinehart, and Winston, 1976), 38; Conrad Black, *Richard M. Nixon: A Life in Full* (New York: Public Affairs, 2008), 933-935.

Committee to open impeachment hearings.³⁴

The proposed Stennis Compromise had failed. Nixon may have truly believed the deal was acceptable but Cox's refusal to go along and Nixon's rash reaction helped lead to Nixon's eventual downfall. Stennis had little to say about the incident and over the next nine months remained mostly quiet about Watergate. When asked about Watergate, Stennis invariably responded that since he might sit in judgment of Nixon at a senate trial, he did not wish to prejudge the case. Though he remained mostly silent, Stennis continued to be a Nixon supporter. And the mail he received from his constituents demonstrated that many in Mississippi backed Nixon during the Watergate crisis.³⁵

Almost all of the Mississippi congressional delegation members, including Democrats G.V. (Sonny) Montgomery and David Bowen, remained steadfastly behind Nixon. The president had no more ardent defender than freshman congressman Trent Lott, who served on the Judiciary Committee. Throughout the impeachment hearings Lott was one of Nixon's most steadfast defenders. Watergate, Lott believed, was nothing more than "politics as usual."³⁶ When the Judiciary Committee began its investigation in the spring of 1974, Lott vowed that he would be a "very aggressive defender" of the president, a man Lott "greatly respected" and believed was a victim of the liberal establishment. Lott went so far as to pen a letter in defense of Nixon and persuaded fourteen of his fellow House Republican freshmen to sign it. After months of hearings, the committee settled on five counts of impeachment against Nixon, including one for improperly taking a tax deduction when he donated his vice presidential papers to the National Archives. Lott was asked by the senior Republican on the committee Charles Wiggins of California, to take the lead in defending Nixon against that charge, which Lott did. When the time came for a vote, Lott voted no on all five counts.³⁷

Though the House Judiciary Committee approved three of the articles of impeachment, Nixon still had a chance of surviving. The

³⁴ Nixon, RN, 935; Keith W. Olson, *Watergate: The Presidential Scandal That Shook America* (Lawrence: University Press of Kansas, 2003), 116-122.

³⁵ Luke Fowler and Jeffrey Markham, "John C. Stennis and the Watergate Controversy," Congressional Research Brief, The Stennis Institute of Government at Mississippi State University, 2008.

³⁶ Trent Lott, *Herding Cats: A Life in Politics* (New York: HarperCollins, 2006), 62.

³⁷ *Ibid.*

House was almost certain to vote for impeachment, but that required a simple majority of its members. The battle would take place in the Senate, where a conviction required a two-thirds majority. In that congressional session, the Democrats had fifty-seven seats to the Republicans forty-three.³⁸ There were some Republicans, particularly the more liberal ones, who were likely to vote for conviction, but Nixon only had to hold thirty-four members of his own party to stay in office. But he did not even need that many, given the support he had from Southern Democrats, including Stennis and Eastland, who were firmly with Nixon. After a year of investigations and hearings, there was still no concrete piece of evidence that Nixon had obstructed justice.³⁹

All that changed in late July when the Supreme Court ruled that Nixon had to turn over additional tapes to Leon Jaworski, who had replaced Cox as Special Prosecutor. One of the tapes included the “smoking gun” that doomed his presidency. On Friday, June 23, 1972, Nixon had met with his chief-of-staff H. R. Haldeman. During the meeting, Haldeman informed Nixon of the plan to block the FBI investigation into the Watergate burglary, which involved having the CIA Director telling the FBI that the break-in had been a CIA operation. Nixon gave his approval, ordering Haldeman to tell the FBI: “Don’t go any further into this case, period!”

Nixon had listened to the contents of this tape in early May and knew that if it was released, the game was up. Before turning the tapes over to Jaworski, Nixon had his aides show the June 23 transcript to some of his congressional supporters, including Trent Lott. Lott had been on a family vacation in Florida when he received a call from White House aide Gene Ainsworth, who said that he needed to share important information with Lott. Lott flew to Baltimore to meet with Ainsworth, who gave Lott a transcript of the June 23 conversation. Lott recognized the gravity of the situation and soon after began drafting a statement that he would vote for impeachment. With Lott gone, Nixon had no

³⁸ There were two independent members of the Senate, Harry Byrd, Jr. of Virginia, and James Buckley of Vermont. Byrd caucused with the Democrats; Buckley with the Republicans. <http://www.senate.gov/history/partydiv.htm>. Accessed June 3, 2015.

³⁹ In his memoirs, Nixon quotes the journalist Jack Germond, who wrote in early July 1974, “The smoking pistol has yet to be found in President Nixon’s hand.” Nixon, *RN*, 1042.

chance of survival.⁴⁰

The public release of the June 23, 1972, tape ended Nixon's presidency. The outcry was immediate, and Nixon had only two options—to stay in office and be impeached by the House of Representatives and then convicted in the Senate, or resign. By August 6, Nixon had chosen the latter course of action. On August 7, 1974, the night before he announced his resignation, Nixon gathered congressional leaders at the White House, including Speaker of the House Carl Albert and Senate Majority Leader Mike Mansfield. James Eastland was also there. The mood was somber, but Nixon later wrote, “Jim Eastland was the only one who seemed to really share my pain.” Eastland was still with Nixon, one of the few defenders on either side of the political aisle who remained with the President. Even John Stennis had decided to vote to convict Nixon.⁴¹

Faced with the prospect of impeachment and conviction, Nixon resigned. He had lost all support, including the Mississippi delegation. Less than two years earlier, Nixon had been reelected in a landslide of epic proportions and seemed poised to alter the nation's political landscape. He had succeeded in bringing in white southern voters into his fold and had achieved a striking electoral majority before Watergate engulfed his presidency and destroyed his political dreams.

What, then did Nixon achieve? Nixon won an overwhelming mandate in 1972, and his biggest triumphs were in the Deep South, with none larger than Mississippi. The problem for Nixon was that his victory in 1972 was a personal one. While Nixon talked about building a “new Republican majority,” he focused obsessively on getting reelected, which meant all but tossing aside the GOP. He raised enormous sums of cash for his reelection campaign and refused to share it with Republican congressional candidates. Nixon rarely campaigned for Republican candidates and even endorsed Democratic incumbent Alabama Senator John Sparkman over his former Postmaster General Winton Blount. Though winning control of the House or Senate was a long shot, given Nixon's popularity, coupled with public dissatisfaction with the Democratic candidate George McGovern, the GOP stood a chance of

⁴⁰ Lott, *Herdling Cats*, 62. Gene Ainsworth, a native Mississippian, had served as administrative assistant to Mississippi Congressman G. V. (Sonny) Montgomery for more than five years prior to his joining President Nixon's staff for congressional relations. Montgomery was one of the Southern Democrats who supported Nixon's Vietnam policies. *Jackson Daily News*, June 1, 1973, p. 1A.

⁴¹ Nixon, *RN*, 1081.

making clear inroads into the congressional Democratic majority. But Nixon's refusal to aid his own party damaged those chances, as the Republicans gained only two senate seats and eleven in the House.⁴²

The Republicans picked up two House seats in Mississippi, with Trent Lott and Thad Cochran both winning districts that had been Democratic fiefdoms for over a century. Though Nixon did not campaign in Mississippi, his coattails undoubtedly helped. Lott and Cochran were destined to become political institutions in Mississippi politics. Cochran ran successfully for the open senate seat when James Eastland retired in 1978. Ten years later Lott was elected to the Senate after John Stennis retired. It was the first time in Mississippi's history that the state's voters had elected Republicans to fill both seats in the Senate. Lott and Cochran began their political careers as Democrats, but both switched to the GOP, mirroring the political realignment in Mississippi and across the South.⁴³

The South was transforming, but in politics, as in life, nothing is inevitable. Whites in the South were not destined to leave for the Democratic Party, so it took the efforts of the GOP to encourage these disaffected Democrats to their side. Nixon helped the realignment, though his efforts were much more the result of ad hoc policies and not some grand design formulated by Nixon and his aides. Nixon's efforts testify to the uneven nature of his efforts to woo white southerners. He, more than any other president, ended school desegregation. But he did so in a manner calculated not to offend white southern voters. Nixon also helped create the affirmative action program, and he also pushed for aid to minority businesses. None of these measures could have in any way built up his support in the white South, yet Nixon supported them anyway.⁴⁴

Given all these measures—did Nixon have an organized plan to win over whites in the South? No, but he did make an effort to court whites in the South. Nixon appealed to southerners' patriotism and disdain for the liberal elites. Certainly race played a part in wooing white voters, but Nixon was not George Wallace. During his campaign for

⁴² For an analysis of Nixon, the Republican Party, and the 1972 election, see "Watergate and the Committee to Reelect the President," University of Wyoming, unpublished M.A. thesis (Laramie, Wyoming: 1998).

⁴³ Nash and Taggart, *Mississippi Politics*, 49-51.

⁴⁴ Gareth Davies, "Richard Nixon and the Desegregation of Public Schools," *Journal of Policy History*, Vol. 19 (4), 2007, 367-394.

the presidency in 1960, Nixon stopped in Greensboro, North Carolina, and “declared race a national issue, endorsed civil rights, and approved sit-ins.”⁴⁵ Nixon supported the 1964 Civil Rights Act, something that many of his fellow Republicans did not. As President, Nixon helped start affirmative action, created the Office of Minority Business Enterprise, an agency designed to help African American business owners, and expanded funding for federal civil rights agencies.⁴⁶

Could Nixon have reached out more to African Americans? Possibly, but Nixon certainly realized that blacks had been part of the Democratic coalition for decades and were unlikely to vote for him or other Republicans. Nixon knew where the votes were, and more importantly, where the votes were going. Whites in the South were a crucial part of the electorate, and on the face of it, there is nothing nefarious about courting blocs of voters. Many of those voters were still registered Democrats and although disgusted by the liberal turn of the party, they were by no means guaranteed to go for Nixon in 1972. So it made sense for Nixon to reach out to them. Nixon is also accused of using “code words” to appeal to whites. But Nixon’s tough on crime language was no different than that of many liberals. Crime rates in the late 1960s skyrocketed and many polls showed that crime was the single most important issue to voters during that time. Nixon was hardly alone in calling for a crackdown on crime, and to dismiss his appeals to “law and order” as simply racist is reductionist and misguided. Nixon undoubtedly had some racial prejudices, as the White House tapes show. Yet Nixon’s racial attitudes were not more malevolent than many white Americans of his time and the generation.⁴⁷

Nixon’s moves in his first term paid dividends as witnessed by his sweep of the South in his campaign for reelection, the first Republican ever to do so. As mentioned previously, he received almost 80 percent of the vote in Mississippi. It is important to note, however, that 1972 was

⁴⁵ W.J. Rorabaugh, *The Real Making of the President: Kennedy, Nixon, and the 1960 Election* (Lawrence: University Press of Kansas, 2009), 141.

⁴⁶ Wicker, *One of Us*, 566; Dean Kotlowski, “Civil Rights Policy,” in *A Companion to Richard M. Nixon*, Melvin Small, ed. (Chichester, UK: Wiley-Blackwell, 2011), 224.

⁴⁷ A Harris Poll taken in September 1968 “found that 81 percent of voters nationwide agreed that ‘law and order has broken down,’ and 84 percent thought a ‘strong president’ could ‘make a big difference in directly preserving law and order.’” Timothy N. Thurber, *Republicans and Race: The GOP’s Frayed Relationship with African Americans, 1945-1974* (Lawrence: The University Press of Kansas, 2013), 277.

not necessarily a harbinger of things to come, because four years later Mississippi and much of the South voted for the Democratic presidential candidate Jimmy Carter. At the time, Carter was a moderate Democrat who attracted support among many in the South who voted for Nixon four years earlier. But Carter is never accused of having waged a “Southern Strategy.”⁴⁸

Mississippi did not become solidly Republican until after Nixon left office. During the Ford and Carter years, social issues began to unite many Americans against the Democratic Party. Many citizens were evangelical or fundamentalist Christians, two groups who had traditionally shied away from political activism or directly aligning with political parties. However, the legalization of abortion, more permissive attitudes toward sex, and changing gender roles alienated social conservatives, who began to mobilize. Jerry Falwell, a Baptist minister from Virginia, created “The Moral Majority” organization in 1979 to combat the perceived threat to traditional American values. Initially “The Moral Majority” was decidedly non-partisan. Falwell did not care if candidates were Republican or Democrat, and his only concern was that they took stances on the aforementioned social issues that aligned with his views. In 1976, Jimmy Carter won a fair number of evangelical votes by stating that he was a “born again” Christian. Support for Carter among those Christians fell precipitously during his presidency, and by 1980 they were looking for someone who shared their conservative moral vision.⁴⁹

Ronald Reagan became their candidate. During the 1980 campaign, the former actor, a divorcee who rarely attended church, attracted the support of the growing evangelical vote, most of it centered in the South, including Mississippi. It was not by coincidence then that Reagan made his first major address following the Republican National Convention in Mississippi at the historic Neshoba County Fair. The scene carried heavy symbolism, for the fairgrounds are located near the site where sixteen years earlier three civil rights workers were murdered during Mississippi’s “Freedom Summer.” On August 3, 1980, Reagan spoke

⁴⁸ Following Carter’s election in 1976 the New York Times editorialized, “If President-elect Carter can turn his personal triumph in the South into a viable biracial coalition, the Republican Southern strategy will stay wrecked for a long time to come.” Quoted in Laura Kalman, *Right Star Rising, A New Politics, 1974-1980* (New York: W.W. Norton & Company, 2010), 180.

⁴⁹ Kalman, *Right Star Rising*, 253-256.

before an estimated 25,000. He told the crowd:

“I believe in state’s rights; I believe in people doing as much as they can for themselves at the community level and at the private level. And I believe that we’ve distorted the balance of our government today by giving powers that were never intended in the constitution to that federal establishment. And if I do get the job I’m looking for, I’m going to devote myself to trying to reorder those priorities and to restore to the states and local communities those functions which properly belong there.”⁵⁰

Reagan’s aides worried about the address and the message it might carry, with some urging that he cancel it. He refused and delivered the speech to an almost all-white audience.⁵¹ The phrase “states’ rights” was and remains a charged term. Critics condemned Reagan’s use of it, arguing the candidate was using code words to attract white southerners. For decades southerners had used states’ rights as a fig leaf for their defense of segregation. The fact that Reagan used the wording in such close proximity to the place where three civil rights workers were murdered added to the perception that he was making a racial appeal.⁵² As shrewd as any politician who ever sought the presidency, he knew as well as anyone the power of words. The “Great Communicator,” as he was dubbed, could not help but understand that his “states’ rights” language would resonate with whites who were unhappy with the course of the civil rights movement. In another speech that year, Reagan claimed the 1965 Voting Rights Act had caused “humiliation” for the South.⁵³ And over the next eight years, Reagan pursued policies that were more conservative on race than Nixon’s. For example, Nixon had helped initiate affirmative action, while Reagan tried to end it. Reagan opposed the creation of a holiday in honor of Martin Luther King, Jr.

⁵⁰ “Transcript of Ronald Reagan’s 1980 Neshoba County Fair speech,” *The Neshoba Democrat*, accessed May 27, 2014, <http://neshobademocrat.com/main.asp?SectionID=2&SubSectionID=297&ArticleID=15599>.

⁵¹ Michael Schaller, *Reckoning with Reagan: America and its President in the 1980s* (New York: Oxford University Press, 1992), 28.

⁵² For an insightful overview of the debate about the meaning of Reagan’s speech, see David Greenfield, “Dog Whistling Dixie,” http://www.slate.com/articles/news_and_politics/history_lesson/2007/11/dogwhistling_dixie.html, accessed June 9, 2014.

⁵³ Thurber, *Republicans and Race*, 376-377.

and fought against the extension of the 1965 Voting Rights Act. If a southern strategy is based upon policy, then Reagan had one, while Nixon did not.⁵⁴

Reagan went on win Mississippi, and the Republicans have carried the state in every presidential election since 1980. Mississippi is a “red state” and will likely be so for the foreseeable future. That result owes more to Reagan and the social conservative movement than to Nixon. Nixon did help prepare the way, but to reduce his efforts to a base attempt to motivate white voters by appealing to their worst instincts ignores much of Nixon’s politics and policies. If Nixon does not deserve better, a correct interpretation of our nation’s political history is merited.

⁵⁴ Jules Tygiel, *Ronald Reagan and the Triumph of American Conservatism* (New York: Pearson, 2005), 187

Equity Law Consequences upon the Mississippi Married Women’s Property Act of 1839

by Cameron L. Fields

Pass the bill, and what will be the result? Where there should be union, there will be division. Confidence will be impaired – jealousy will arise – matrimonial quarrels will occur – domestic happiness will be lost. . .¹

State Representative Robert Josselyn
Lafayette County

In 1839, Mississippi state senator Thomas B. J. Hadley introduced a bill entitled “An Act for the Protection and Preservation of the Rights and Property of Married Women.”² The bill passed, becoming the first legislation in the nation allowing a woman under common law, to own property separate from that of her husband.³ However, women in Mississippi were already allowed to own property under a separate system of equity law adjudicated by chancery courts. Hadley’s bill actually set forth no new clauses that could not have been completed under equity law through wills, marriage contracts, or trusts. In analyzing the origins of the passage of the act, most historians have focused on social or economic interests. The only legal recognition they attribute to its

¹ “Rights of Women,” *Mississippian*, April 26, 1839, Mississippi Department of History and Archives, microfilm; Dunbar Rowland, *The Official and Statistical Register of the State of Mississippi Centennial Edition* (Madison, Wisconsin: Democrat Printing Company, 1917), 242; *Journal of the House of Representatives of the State of Mississippi* (Jackson: B. D. Howard, 1838), 4.

² *Journal of the Senate of the State of Mississippi* (January 21, 1839), 99-100. Mississippi Department of History and Archives, microfilm.

³ Alexander S. Gould, *A Digest of the Laws of Mississippi: Comprising all the Laws of a General Nature, Including the Acts of the Session of 1839* (1839), Chapter XXVI, 920-921. Mississippi State University, Mitchell Memorial Library, Special Collections.

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passage was the *Fisher v. Allen* court case of 1837. To fully understand the reasons behind the passage of the Married Women's Property Act, I will examine legal history and equity law in Mississippi and provide evidence through various court cases to verify that married women participated in property ownership before 1839. As Norma Basch has stated, women's legal history emphasizes "the relation between law and the social process."⁴ Some of these cases granted decisions favorable to the woman, while others did not. All, however, show that women had owned property in some form through marriage contracts, trusts, or wills. The importance of equity law in Mississippi has been overlooked with relation to the Married Women's Property Act of 1839. Equity law dispensed through both equity and common law jurisprudence sometimes gave women property rights before the passage of the Act.⁵ However, equity and common law systems had conflicting and varied opinions on married women's property rights. Where equity law could be a relief to married women; common law could be an obstruction to this relief. This divergence in the law ultimately helped facilitate an act bringing

⁴ Norma Basch, "The Emerging Legal History of Women in the United States: Property, Divorce, and the Constitution," *Signs* 12, no. 1 (1986), 97.

⁵ *D. Kenley v. P. Kenley*, 2 Howard 751 (Miss. Ct. App. 1838); *Hall v. Harriet Browder's Administrators*, 4 Howard 224 (Miss. Ct. App. 1839); *Whitehead v. Middleton*, 2 Howard 692 (Miss. Ct. App. 1838); *Lowry v. Houston*, 3 Howard 394 (Miss. Ct. App. 1839); *M. Kimball v. T. Kimball*, Howard 532 (Miss. Ct. App. 1837); *Magruder and Nichols v. Stewart's Administrators*, 4 Howard 204 (Miss. Ct. App. 1839), State Law Library, Jackson, MS. (I found these cases by looking at index words in the *Mississippi Digest* records such as "equity" (Volume 6b). The *Mississippi Digest* records cover cases from state and federal courts. I then searched cases between the years 1835 and 1839, which is around the time of *Fisher v. Allen* (1837) and before the 1839 Act (they are not in chronological order.) The cases that I found indexed in the *Mississippi Digest* were listed in Howard's *Mississippi Reports*, which gives decisions from the Mississippi High Court of Errors and Appeals. Other cases were found by searching index words in Howard's *Reports* such as "equity," "marriage contract," "feme covert," "trusts," or "wills." From there, I searched through cases involving these words and limited them to cases in which women and property were the focus. Since cases appealed to the Mississippi Court of Errors and Appeals are indexed in a more accessible and straightforward way to find particular types of cases than are chancery court records, the cases I will be analyzing were all appealed cases. Further study of court cases previous to 1832 when Mississippi adopted a separate court of chancery and even afterwards in the chancery records would be beneficial for a longer time period since the chancery records of the 18th and 19th century are not indexed according to subject. But, for the purpose of this study which is to add evidence of women and property ownership through a sample of court cases, these appealed cases served to be beneficial in that they provided both chancery court cases and circuit court cases which enhances the viewpoint that equity law was overflowing into common law courts.

consistency into the field of married women's property rights.

Elizabeth Gaspar Brown, Robert Gilmer, and Sandra Moncrief are the leading historians on the Mississippi Married Women's Property Act of 1839. All of these historians analyze either the social or economic motivations for the origins of the Act. The only legal aspect they attributed to the Act was the *Fisher v. Allen* case which directly gave a woman property ownership. Moncrief recognized Betsy Allen, the woman involved in the court case *Fisher v. Allen*, and Piety Smith Hadley, wife of Senator Thomas B. J. Hadley, as being monumental influences in helping pass the bill.⁶ Robert Gilmer focused on the Chickasaw tribal law that was the basis for the *Fisher v. Allen* decision and linked the Hadleys to the court case by suggesting ulterior motives for the passage of the bill. He also suggested it would have been easier for tribal lands to be sold to white settlers if not only Chickasaw and Choctaw men but also the women could sell property.⁷ Brown acknowledged that Mrs. Hadley may have had some influence over the passage of the bill, but she also recognized the *Fisher v. Allen* court case and Louisiana's civil law influence on Mississippi.⁸ Unlike other historians of the Mississippi Act, Donna Sedevie, however, accounted for the legal antecedents of the Mississippi Married Women's Property Act of 1839. She recognized that an analysis of "women's legal status in Mississippi before 1839" was missing in other historiography on the act.⁹ She stated, "in order to distinguish law from custom and practice, judges' actions in specific cases must be examined." Sedevie however, focused mostly on divorce cases and their relationship to women's liberalization of property ownership. Megan Benson largely discussed the role of the *Fisher v. Allen* court case upon the passage of the Woman's Law, but she also proposed that the importance of the case lay in the fact that common law court saw this case, whereas chancery courts normally considered cases involving women and property. There are a few historians who have recognized

⁶ Sandra Moncrief, "The Mississippi Married Women's Property Act of 1839," *Journal of Mississippi History* 47 (1985), 110-125.

⁷ Robert Gilmer, "Chickasaws, Tribal Laws, and the Mississippi Married Women's Property Act of 1839," *Journal of Mississippi History* 68 (2006), 131-148.

⁸ Elizabeth Gaspar Brown, "Husband and Wife: Memorandum on the Mississippi Woman's Law of 1839," *Michigan Law Review* 42 (1944), 1110-1121.

⁹ Donna Sedevie, "Women and the Law of Property in the Old Southwest: The Antecedents of the Mississippi Married Woman's Law, 1798-1839" (master's thesis, University of Southern Mississippi, 1996), 1-119.

the role that equity law played in helping facilitate other states' married women's property acts including Marilyn Salmon, Carole Shammass, Richard Chused, and Susan D. Lebsock. None of these historians, however, have specifically analyzed the role it played in the Mississippi Married Women's Property Act of 1839.¹⁰

Mississippi became a territory in 1798 and a state in 1817. During this time, the law of the land derived from the common law system of England.¹¹ Alongside the common law system in England stood the equity law system, which developed as a need grew for remedies other than the exact ones prescribed by common law. The common law system was rigid, which enabled predictability in the application of decisions. The strictness of common law did not allow for much leeway with regards to certain cases not covered under its scope. Equity, on the other hand, provided more flexibility and applied remedies on a case-by-case basis. If a particular case had no remedy under common law, it fell under the jurisdiction of equity law. This legal practice is why certain court cases involving areas that were not readily covered by the narrow scope of common law, such as trusts, generally fell under the jurisdiction of equity law. Whereas common law generally relied upon precedent, or previous court decisions by judges, equity law depended on the discretion of a chancellor (equity court judge) who was more able to give a flexible decision based on moral issues as well. One of the downfalls of equity law was that due to this flexibility, it grew to include "larger cases—and consequently, more parties, issues, and documents, more costs, and longer delays—than were customary with

¹⁰ Megan Benson, "Fisher v. Allen: The Southern Origins of the Married Women's Property Acts," *Journal of Southern Legal History* 97, (1998), 97-122. Two other cases I will examine involving women and property were also tried in common law courts: *Hall v. Harriet Browder's Administrators and Magruder and Nichols v. Stewart's Administrators*; and Suzanne D. Lebsock, "Radical Reconstruction and the Property Rights of Southern Women," *Journal of Southern History* 43, no. 2 (1977), 195-216; and Carole Shammass, "Re-Assessing the Married Women's Property Acts," *Journal of Women's History* 6 (1994), 9-30; Richard Chused, "Married Women's Property Law 1800-1850," *Georgetown Law Journal* 71, no. 5 (1983), 1359-1425; and Marylynn Salmon, "Women and Property in South Carolina: The Evidence from Marriage Settlements, 1730-1830," *William and Mary Quarterly* 39 (1982), 655-685; and Marylynn Salmon, *Women and the Law of Property in Early America* (Chapel Hill: University of North Carolina Press, 1986), 1-261; and Norma Basch, "The Emerging Legal History of Women in the United States: Property, Divorce, and the Constitution," *Signs* 12, no. 1 (1986), 97.

¹¹ V. A. Griffith, *Mississippi Chancery Practice* (Indianapolis: Bobbs-Merrill Company, Inc., 1950), 2:12, Mississippi State University, Mitchell Memorial Library, Reference.

common law practice.”¹² Even equity law in Mississippi included a vast array of types of cases that fell under its jurisprudence.¹³ This may be part of the reason that the married women’s property act developed—it was becoming too troublesome and expansive to keep seeing such varied cases on an individual basis.

In February 1821, Governor George Poindexter, acting on authority granted by the General Assembly, undertook a “general revision and consolidation” of the laws of the state. His work resulted in the creation of the renowned Poindexter Code that was completed after his term as governor had ended. Poindexter’s Code, which was adopted by the General Assembly at a special session in June 1822, included provisions for a separate court of chancery.¹⁴ Reaffirming the provisions of Poindexter’s Code, the Mississippi Constitution of 1832 established the chancery court with full jurisdiction “in all matters of equity.” The circuit courts would have common law jurisdiction as well as equity jurisdiction where the equity matter did not amount to more than five hundred dollars. This provision made clear the separate chancery courts administering equity law and circuit courts administering common law (and sometimes equity law.)¹⁵ Because chancery courts were not as abundant as circuit courts, this provision also helped ease the burden of traveling long distances to have a case heard in chancery court by allowing circuit court to hear some equitable matters.¹⁶

This particular section of the constitution explained why from the beginning, chancery courts as well as circuit courts could administer decisions involving some types of equity cases. The range of cases that fell under equity law included matters of trusts, contracts, deeds, fraud, and bills of sale as well as many other subjects. Equity jurisdiction would provide a remedy in all matters of equity “. . . if there be no plain, ade-

¹² Stephen N. Subrin, “How Equity Conquered Common Law: The Federal Rules of Civil Procedure in Historical Perspective,” *University of Pennsylvania Law Review* 135 (1987), 4-6.

¹³ V. A. Griffith, *Mississippi Chancery Practice* (Indianapolis: Bobbs-Merrill Company, Inc., 1950), 2:26, Mississippi State University, Mitchell Memorial Library, Reference.

¹⁴ *Ibid.*, 2:12; Porter L. Fortune, Jr., “The Formative Period,” Richard Aubrey McLemore (ed.), *A History of Mississippi* (University & College Press of Mississippi: Hattiesburg, 1973), 1:254; Dunbar Rowland, ed., *Mississippi Comprising Sketches of Counties, Towns, Events, Institutions, and Persons, Arranged in Encyclopedic Form* (Atlanta: Southern Historical Publishing Association, 1907), II, 441; Rowland, *Mississippi*, I, 394.

¹⁵ *Ibid.*, 2:14.

¹⁶ *Ibid.*, 2:14-15.

quate, and complete remedy at law. . .”¹⁷ Since cases involving women and property generally fell under equity jurisprudence, this provision shows why some of these cases fell under the jurisdiction of circuit court and thus common law. A particular maxim of the equity procedure noted, “Equity follows the law.” This statement meant that if the common law explicitly offered a solution to a case, the equity court must follow that solution. But, if “some countervailing, dominant, and equally well established equitable principle intervenes” then the court of equity can do away with the common law solution and offer its own remedy.¹⁸ The chancery courts apparently saw women’s property ownership in some cases as an equity principle that could defy the common law in place at the time. A rule of court procedure stated that if a court did not have jurisdiction of a particular “subject matter” it could not hear that case.¹⁹ But, both the circuit courts and the equity courts saw cases involving the equitable matter of married women’s property rights. Therefore, both had jurisdiction over this matter, at least in practice. The common law offered a legal remedy for the property rights of married women through coverture (the legal status of a married woman); equity law at the same time offered different remedies that common law courts accepted.

Decisions in circuit court or in chancery court could be appealed to the High Court of Errors and Appeals, which was established by the Constitution of 1832, if one was unsatisfied with the justice rendered by the judge or chancellor. The appellate court only saw cases that had a “material error of law.” It would not review any cases upon error of fact unless the error of fact was so great that it became an error of law.²⁰

Common law defined a woman’s status through *coverture* as a *feme covert* when she became married, which meant that everything she had previously owned now became the property of her husband. Her husband would now own, manage, and receive earnings from anything that had once been hers.²¹ Common law, however, did recognize a difference regarding “ownership” of certain properties. “Real property” consisted of land and things attached to land, such as houses. “Personal property” consisted of money, stock, clothing, jewelry, and notably—slaves. Once

¹⁷ *Ibid.*, 2:26.

¹⁸ *Ibid.*, 2:42.

¹⁹ *Ibid.*, 2:21.

²⁰ *Ibid.*, 2:741.

²¹ Marylynn Salmon, “Women and Property in South Carolina: The Evidence from Marriage Settlements, 1730-1830,” *William and Mary Quarterly* 39 (1982), 655-656.

married, the husband held all ownership rights to the wife's personal property including the ability to sell her personal property. The husband could not, however, sell any of her real property. He only held managerial rights to it and controlled the rent and profit.²² Salmon explained that this legal principle might be the reason why most marriage settlements included slave property rather than land, since the husband could not sell his wife's land or real property without her consent, but he could sell her personal property. Salmon also stated, "Such a pattern may indicate that fathers gave land to their sons, while daughters received slaves or money."²³

Under common law, the *feme covert* could not execute contracts, sell or own property, or write a will. The woman's property, upon marriage, could even fall prey to her husband's creditors, since, once married, it was technically his property.²⁴ Under equity law, women owned property through marriage settlements (marriage contracts), wills, or trusts.²⁵ Sometimes these contracts allowed for married women to own and control property under "separate estates," or write wills, or basically do most things that she could not do under the common law. As Carole Shammas has noted, marriage contracts allowing for separate estates were a way for the woman to keep her property away from her husband and his creditors.²⁶

The problem with equity law was not what women could *theoretically* do, but rather what the courts allowed them to *actually* do. Any legal document that involved the transfer of property to a woman, especially a married woman, had to be precisely worded as to cause no doubt to the extent of the ownership.²⁷ A downfall of equity law was that the means by which women owned property had to be so well defined and explicitly stated that the court could find no fault with the document or interpret it in a way that would be unfavorable to the woman and in conflict with the original intent of the legal document. In the following

²² Ibid., 655.

²³ Ibid., 665.

²⁴ Megan Benson, "Fisher v. Allen: The Southern Origins of the Married Women's Property Acts," *Journal of Southern Legal History* 97, (1998), 98.

²⁵ Suzanne D. Lebock, "Radical Reconstruction and the Property Rights of Southern Women," *Journal of Southern History* 43, no.2 (1977), 199.

²⁶ Carole Shammas, "Re-Assessing the Married Women's Property Acts," *Journal of Women's History* 6 (1994), 10.

²⁷ Suzanne D. Lebock, "Radical Reconstruction and the Property Rights of Southern Women," *Journal of Southern History* 43, no.2 (1977), 199.

three cases, *Kenley v. Kenley*, *Whitehead v. Middleton*, and *Kimball v. Kimball*, Justices William L. Sharkey or Cotesworth Pinckney Smith of the High Court of Errors and Appeals rendered each decision. Each case imposed a different type of judgment involving women and property ownership, thus showing the variations in the sphere of equity law.

For example, in *Kenley v. Kenley*, which was appealed from chancery court, the ruling of the judge decided in favor of the husband. In 1832, Phoebe Sims had entered a marriage contract with her fiancé Mr. Kenley. Phoebe, recently widowed, possessed property that she may have acquired through her deceased husband, thus the need of a marriage contract to keep safe her property from her new husband. The provisions of the contract included Mr. Kenley's promising "to relinquish all right. . . after marriage, of the liability of said property being taken for any debt which I now owe; neither do I wish or pretend to hold any claim to said property. . ."

The new Mrs. Kenley had marriage trouble with her husband. She asserted that he became "cross and ill natured" and used "ill treatment and abusive language." She left their house and tried in chancery court to remove her husband's name from the marriage contract and to have her property placed in her name alone. Why would she need to remove his name from a contract that basically stated that he had no claim to her property? At this time, if husband and wife entered a marriage contract without an official administrator, then the husband became the trustee of the property.

The court stated that the only justification of a woman to leave her husband would be that he caused her bodily harm, and that it was the duty of the wife "to disarm such a disposition in the husband by the weapon of kindness." Thus the court decided that she could not remove her husband as trustee stating, "We take it to be settled law that when no trustee is named in a marriage contract, the husband is by operation of law constituted the trustee, and as such is entitled to the possession of the trust property."²⁸ Thus, the marriage contract in this case did not serve to fully protect the woman's property from her husband, since the court would not accept his removal as a trustee. Even though in the marriage contract Kinley had explicitly surrendered his rights to Phoebe Sims's property after marriage, as Salmon noted, "What powers

²⁸ *D. Kenley v. P. Kenley*, 2 Howard 751 (Miss. Ct. App. 1838), State Law Library, Jackson, MS.

a woman held over her separate estate and what rights her husband or trustee retained needed clear delineation.”²⁹

On the other hand, in the case of *Whitehead v. Middleton*, appealed from probate court (another type of equity court), the judge ruled favorably for the widow and overturned the decision of the lower court. This case predominantly shows inconsistency between the lower court and the High Court of Errors and Appeals. Lydia, widow of William Whitehead, filed a petition for a right to dower in one-half of the personal and real property of her deceased husband. Under common law, dower was the widow’s right to at least one-third of the husband’s estate.³⁰ Sometimes a marriage settlement before marriage or similar contract during marriage could specifically give the wife title to more than a one-third share. In such a case it would be in the wife’s best interest to accept whichever devise afforded her the most property, which in this case would be the contract right as opposed to the dower right.³¹

The probate court tried to use a marriage contract devised between Lydia Whitehead and her husband to Lydia’s disadvantage. The marriage contract made no specific statutes and made vague statements with the only mention of property being “. . . that it is our desire to enjoy our property together, until death. . .” The probate court claimed the marriage contract was a “bar to the claim of dower.” This meant that since Lydia entered a marriage contract concerning property, she “barred” or refused her right to dower. Chief Justice Sharkey of the High Court of Errors and Appeals delivered the answer that “there can be no just ground for refusing her claim. . .” The court also questioned if the widow had right to dower in a mortgaged tract of land. The court ruled favorably again, stating “the widow must be entitled to dower.” Justice Sharkey therefore reversed and remanded the decision of the

²⁹ Marylynn Salmon, *Women and the Law of Property in Early America* (Chapel Hill: University of North Carolina Press, 1986), 101.

³⁰ Donna Sedevie, “Women and the Law of Property in the Old Southwest: The Antecedents of the Mississippi Married Woman’s Law, 1798-1839” (master’s thesis, University of Southern Mississippi, 1996), 22-23; and Marylynn Salmon, *Women and the Law of Property in Early America* (Chapel Hill: University of North Carolina Press, 1986), 16.

³¹ Donna Sedevie, “Women and the Law of Property in the Old Southwest: The Antecedents of the Mississippi Married Woman’s Law, 1798-1839” (master’s thesis, University of Southern Mississippi, 1996), 22; and Marylynn Salmon, *Women and the Law of Property in Early America* (Chapel Hill: University of North Carolina Press, 1986), 143-144.

lower court.³²

In the case of *M. Kimball v. T. Kimball*, appealed from chancery court, yet another different decision was rendered involving the extensiveness of opinions on marriage contracts. M. Kimball entered a marriage contract with her husband, T. Kimball, which said that he could not have any “access” to her property, meaning it could not be taken for his debts, and he could not sell it. Furthermore, M. Kimball had the right to distribute the property as she wanted. Margaret filed a suit against her husband to “recover possession of two slaves, and the proceeds of a note for six hundred dollars, which she claimed in right of a marriage contract.” Before the finish of the legal proceedings, Margaret died. The question now came into play regarding who would now own the property described in the contract.³³

Alfred King, the administrator of the marriage contract, claimed the property in the name of the deceased wife stating that the marriage contract she had made secured that property to “Mrs. Kimball and her heirs.” Heirs could mean children, maybe even by a previous marriage, or family members. Under common law, if the husband died, the woman was only guaranteed one-third of the property and the rest would cover debts or descend to his heirs only. On the other hand, if the wife died, and they had children, then the husband would receive a “life estate” in all the widow’s property. The only benefit he could not enjoy in a life estate would be selling the property, but he could receive all the profits from the land or rent for his lifetime. The court would give the life estate to the husband, claiming his right as “tenant by the curtesy” or guardians of the children. If the woman died, and there were no children, then the husband did not receive her property, but rather the property went to the heirs of the wife, such as her family or children.³⁴ As administrator of the marriage contract, King, therefore, defended the property of Mrs. Kimball on behalf of her heirs. The fact that the court gave the husband his deceased wife’s property, but did not name him “tenant of the curtesy” suggested that the couple had no children. Thus the husband had no real claim to the wife’s property,

³² *Whitehead v. Middleton*, 2 Howard 692 (Miss. Ct. App. 1838), State Law Library, Jackson, MS.

³³ *M. Kimball v. T. Kimball*, Howard 532 (Miss. Ct. App. 1837), State Law Library, Jackson, MS.

³⁴ Marylynn Salmon, *Women and the Law of Property in Early America* (Chapel Hill: University of North Carolina Press, 1986), 142-144.

and the court should have awarded the property to the “heirs of Mrs. Kimball” according to common law.

Chief Justice Sharkey studied the wording of the contract and commented on the phrase “no access to the said Margaret Ragan’s property either personal or real” stating that “if these terms could even be construed as vesting the property in her alone, the subsequent explanation is abundantly sufficient to show the true interpretation.” The only “true interpretation” this marriage contract accomplished, according to Sharkey, was “a suspension of the marital right of the husband over the property during coverture.” He said that since the woman died and the contract did not stipulate to whom the property would belong in case of her death that the property would belong to her husband. Sharkey noted that there was no clause in the contract that stipulated transference of the property in case she died, and “she did not exercise the power of appointment.” Therefore, the property belonged solely to her husband now.³⁵

This case showed that marriage contracts had to be extremely precise in order for the woman’s reasons and purpose for making the contract in the first place to be fulfilled. The words of the original contract in this case made it absolutely clear that Margaret Kimball did not want her husband to own her separate property. She took him to court and sued him for possession of her slaves and a six hundred dollar note “which she claimed in right of a marriage contract.” Also, she owned the property *before* she married. All of which made it evident that Margaret did not want her property in the hands of her husband. The ruling ultimately favored the husband simply because it ruled in favor of coverture which made all the woman’s property become the husband’s property, even though a contract had been explicitly made which granted absolute ownership to the wife. In other words, this decision ignored the contract that had previously been made and enforced coverture. Justice Sharkey also noted that even if Margaret had intended to provide for her children, because they were not specifically named in the contract, “they could not claim that property.”

The previous cases were all appealed from the courts of equity. In each case, the application of law depended upon the judge’s opinion. Such opinions inconsistently brought justice. The definitions and pre-

³⁵ *M. Kimball v. T. Kimball*, Howard 532 (Miss. Ct. App. 1837), State Law Library, Jackson, MS.

cision of devices such as marriage contracts and the legal implications attached to them show how judges' and chancellors' rulings had more discretion in a system of equity as opposed to common law, which offered a standardization for decisions. The following cases involve women and marriage contracts, but they were appealed to the High Court of Errors and Appeals from the circuit courts. The circuit court in these cases still accepted these marriage contracts as facts and evidence. Even though the circuit courts represented the common law that prohibited women from owning property, they still accepted marriage contracts, wills, and trusts. These matters were under jurisdiction of equity law that did allow women to own property, and the circuit court had to recognize the jurisdiction of equity law.

In *Magruder and Nichols v. Stewart's Administrators*, appealed from the circuit court, the entire court case referenced equitable matters and accepted them as fact to render a decision. A father made a will in which he bequeathed to his daughter, Ann, leaving her a life estate in certain slaves. Ann died; her descendants were the wives of Magruder and Nichols. The husbands officially went to court to sue in the name of their wives for the slaves that had been passed down to their wives. The court granted the husbands these slaves in right of their wives. Although the women could not officially go to court to sue for the slaves themselves, the whole basis of the court's decision rested upon the premise that it was indeed the wife's property first, which in turn gave the husband his right to it through coverture.³⁶

In *Hall v. Harriet Browder's Administrators*, appealed from the circuit court in 1835, the court clearly shows evidence of a marriage contract between husband and wife throughout the decision. Both the husband (Mr. Browder) and wife (Harriet Browder) died before the decision reached the High Court of Errors and Appeals, but the ownership rights were disputed for their administrators. The entire case is flooded with terminology deciding the intent and allowance of the contract. Although the original decision of the circuit court ruled that the marriage contract was sufficient to deny the husband's right to the property, the decision by the appellate court under Justice Smith ruled in favor of the husband's right to the property, despite the marriage contract.

Justice Smith ultimately ruled in favor of the husband's right to the

³⁶ *Magruder and Nichols v. Stewart's Administrators*, 4 Howard 204 (Miss. Ct. App. 1839), State Law Library, Jackson, MS.

property based on the marriage contract proviso of the husband's entitlement to "annual income or profits" of the land. But, Smith expressly stated throughout the decision that the marriage contract did in fact make the husband's "marital rights" or coverture rights null due to the wording of the contract. Therefore, at the same time he ruled in favor of the husband, Justice Smith upheld a small portion of the property ownership of the wife by acknowledging that the "marriage agreement prevented the marital rights of Browder from attaching to his wife's property. . ."³⁷

The case that historians talk about most when discussing the origins of the Woman's Law of 1839 is *Fisher v. Allen*. The noteworthy aspect of the decision ruled that a slave was the separate property of the wife. This decision directly gave property ownership to the wife. This, along with the case being tried in 1837, close to the time of the passage of the Married Women's Property Act, have made it convenient to link the two events together. Other cases as I have shown did in fact give women property or at least acknowledge their property ownership, just not as explicitly as *Fisher v. Allen*. The circuit court, not the chancery court tried this case, just as it did with *Magruder and Nichols v. Stewart's Administrators* and *Hall v. Harriet Browder's Administrators*. Evidentially, such matters of equity were overflowing into the common law sphere of circuit courts.

The *Fisher v. Allen* court case began in the Monroe County Circuit Court in 1830. A quick summary behind this case is that a Chickasaw woman, Elizabeth Allen, had deeded a slave to her daughter Susan around 1829. Elizabeth's husband, James Allen had become indebted to a man named John Fisher. Fisher took Allen to court, and the judge granted authority to John Fisher, along with the Monroe County sheriff, to collect James Allen's property in payment for his debt. Among the property taken was the slave, Toney, whom Elizabeth Allen had deeded to her daughter. Next, "James's son George Allen filed suit against Fisher on behalf of his minor sister Susan Allen, claiming that the slave Toney was in fact her property and not that of her father." The judge at the Monroe County Court ruled in favor of Susan Allen in *John Fisher v. Inter Susan Allen*, stating that ". . . the defendant go hence and recover of the plaintiff the cost in this cause expended. . ." Therefore this

³⁷ *Hall v. Harriet Browder's Administrators*, 4 Howard 224 (Miss. Ct. App. 1839), State Law Library, Jackson, MS.

case actually began in the circuit court, and the judge granted property ownership to the woman. Fisher then appealed to the Mississippi High Court of Errors and Appeals.³⁸

Justices Sharkey and Smith affirmed the decision of the Monroe Circuit Court. They accepted that Susan had a rightful claim to the property “under donation by deed, executed on the 14th day of November 1829. . . by Betsy Love, who was the mother of the donor. . .” The court asked whether or not Allen was subject to common law. Under coverture the slave would belong to Allen, making Fisher eligible to collect the slave to pay for Allen’s debt. As shown through an analysis of other court cases, the ruling of this case could be based off the deed. As with marriage contracts giving women separate property ownership, Allen contractually deeded to her daughter a slave named Toney. Therefore, like these other cases, the circuit court had reason to uphold the deed and separate right to the slave in accordance with equity law.

The High Court of Errors and Appeals decided that Chickasaw tribal custom granted the husband no right to the property of the wife. “It remained to her separate use and subject alone to her disposition and constraint.” According to Chickasaw tribal law, the wife “had a right to own separate property, to dispose of it at pleasure, to create debts and in most things act as a feme sole.”³⁹

This difference allowed the slave Toney not to be confiscated for James Allen’s debts. Betsy Allen was not married under common law, which would have given her the name “feme covert,” (which would have given her property to her husband upon marriage.) The court gave preference to tribal law over common law (in this particular case) just as it had been giving preference to equity law in some cases.

Henry Ingersoll, writing in the *Yale Law Journal*, in 1911, noted in states such as Mississippi that have a chancery court separate from common law court, that the “powers and jurisdictions” of both the chancery court and the common law court have been extended, “with the result that there is a broader zone of concurrent jurisdiction . . . and the lines of jurisdiction are not so sharply drawn. . .”⁴⁰ With the jurisdiction of

³⁸ Robert Gilmer, “Chickasaws, Tribal Laws, and the Mississippi Married Women’s Property Act of 1839,” *Journal of Mississippi History* 68 (2006), 131-148.

³⁹ *Fisher v. Allen*, 2 Howard (Miss.) 611 (1837), State Law Library, Jackson, MS.

⁴⁰ Henry H. Ingersoll, “Confusion of Law and Equity,” *Yale Law Journal* 21, no. 1 (1911), 63.

these separate courts sometimes overlapping, naturally these courts would have seen cases that involved the same subject matters—such as women and property rights.

As seen in the cases discussed above, the various interpretations of equity law allowed judges to render particular decisions for each case. While sometimes this practice proved to be beneficial to the married woman, other times it did not. Judges used their own discretion in cases involving women and property ownership, since a uniform standard under common law – with one statute to refer – did not exist. Common law at first allowed married women no separate property rights. Equity law eased this disadvantage by providing loopholes. These loopholes proved to make the interpretation of law convoluted and dense to the point that it was simply easier for common law to allow married women separate property rights. As Salmon explains, while equity represented variation and diversity in the law, the Mississippi Married Women's Property Act served as a standardization of the law.⁴¹

While the *Fisher v. Allen* case, which occurred in 1837, can be seen as a decision that partially led to the passage of the Married Women's Property Act of 1839, it cannot be identified as a sole factor. Some historians have looked conveniently at the *Fisher v. Allen* case, because it occurred before the Woman's Law, and its decision gave a married woman separate property under Chickasaw tribal law. But, they have failed to realize this court case's prominence among a larger composition of equity cases. It belonged to a whole movement of court cases that slowly gave women ownership of property and represented a gradual change in giving women more property rights. Griffith's *Chancery Practice* also hinted that the chancery courts heard cases each with the "same state of facts." Such cases required a consistent remedy, ". . . the law courts later began to include some of the same features as remediable at law."⁴² Cases dealing with property rights of women became frequent to the point of needing a new law or statute to provide adequate justice. As Salmon noted, ". . . legal discussions of the contracts that did make their way into court forced jurists to confront the contradictions in the

⁴¹ Marylynn Salmon, *Women and the Law of Property in Early America* (Chapel Hill: University of North Carolina Press, 1986), 1-13.

⁴² V. A. Griffith, *Mississippi Chancery Practice* (Indianapolis: Bobbs-Merrill Company, Inc., 1950), 2:24.

laws on women and property.”⁴³

The inconsistencies in the previous court cases mentioned can also be attributed to the social hierarchy in place during the early nineteenth century. Equity law simply made it easier for the judge to use his discretion to keep those traditions in place. Patriarchal authority ensured that the social hierarchy would be upheld.⁴⁴ White males held power over their female counterparts, their heirs, and, of course, their slaves. If a woman did not overstep her marital boundaries, then the courts sometimes granted her property ownership, (more liberally if it was slave property.) Tradition and social structure among females represented a sort of hierarchy as well. Married women, widows, and divorcees each held a different status in the eyes of the nineteenth century patriarchal society.

Modern history has sometimes recognized the Mississippi Married Women’s Property Act of 1839 as a revolutionary act purposefully giving women more freedom. Some have misleadingly suggested that Betsy Allen led the fight for women’s property rights.⁴⁵ The bill did not greatly enhance women’s rights with regards to owning property in a manner that could not have been handled under equity law, but the act standardized into statute that a married woman could own her own property. Therefore, later bills such as the Mississippi Act of 1846 and Mississippi Act of 1857 could build upon this act to in fact grant women more rights with concern to property such as the ability to control and manage their property and to receive earnings from that property.⁴⁶ This act was in no way a progressive move for feminine equality, but it would help diminish the social structure in place, for white women at least. The bill granted women property ownership despite their individual

⁴³ Marylynn Salmon, *Women and the Law of Property in Early America* (Chapel Hill: University of North Carolina Press, 1986), 83-84.

⁴⁴ Christopher Morris, *Becoming Southern: The Evolution of a Way of Life, Warren County and Vicksburg, Mississippi, 1770-1860* (New York, Oxford: Oxford University Press, 1995), 91-96.

⁴⁵ “Love Local History,” *Commercial Appeal*, November 12, 1933; and “Mississippi Women Owe Debt to Property Fight in 1800s,” *Clarion Ledger*, November 5, 1989; and Thompson, Ray M. “Another Mississippi First-The Protected Rights of Married Women,” *Daily Herald*, Biloxi and Gulfport, November 6, 1961; Mississippi State University, Mitchell Memorial Library, Special Collections; and “Mississippi Legislature Adjourned Session: Speech of Mr. Boyd,” *Tri-Weekly Mississippian*, February 16, 1839; Mississippi State University, Mitchell Memorial Library, microfilm.

⁴⁶ *Biographical and Historical Memoirs of Mississippi*, Vol. 1 (Chicago: The Goodspeed Publishing Company, 1891), 123.

status with their husband, signifying more freedom from coverture.⁴⁷

⁴⁷ Alexander S. Gould, *A Digest of the Laws of Mississippi: Comprising all the Laws of a General Nature, Including the Acts of the Session of 1839* (1839): Chapter XXVI, 920-921. Mississippi State University, Mitchell Memorial Library, Special Collections.

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Compiled by Jennifer Ford

Recently published books and articles that should be of interest to readers of the *Journal of Mississippi History* include the following:

Allen, Michael. "Just a Half a Mile from the Mississippi Bridge': The Mississippi River Valley Origins of Rock and Roll." *Southern Quarterly* 52, no. 3 (Spring 2015): 99-120.

Annis, Lee, Jr. *Big Jim Eastland: The Godfather of Mississippi*. Jackson: University Press of Mississippi, 2016.

Atkinson, Ted. "Faulkner on the Mississippi: Popular Currents of Realism in *If I Forget Thee, Jerusalem*." *Southern Quarterly* 52, no. 3 (Spring 2015): 46-62.

Berrey, Stephen A. *The Jim Crow Routine: Everyday Performances of Race, Civil Rights, and Segregation in Mississippi*. Chapel Hill: The University of North Carolina Press, 2015.

Blackwell, Michael D. "The Art & Ignominy of Compromise: M.L. King, Jr. and the MFDP." *Western Journal of Black Studies* 28, no.3 (Fall 2014): 195-201.

Boyett, Patricia Michelle. *Right to Revolt: The Crusade for Racial Justice in Mississippi's Central Piney Woods*. Jackson: University Press of Mississippi, 2015.

Broussard, Joyce Linda. *Stepping Lively in Place: The Not-Married, Free Women of Civil War Era Natchez*. Athens: The University of Georgia Press, 2016.

Carter, Hodding II. *So the Heffners Left McComb*. Jackson: University Press of Mississippi, 2016.

Croom, Ed. *The Land of Rowan Oak: An Exploration of Faulkner's Natural World*. Jackson: University Press of Mississippi, 2016.

D'Alessandro, Michael. "Childless 'Fathers,' Native Sons: Mississippi Tribal Histories and Performing the Indian in Faulkner's *Go Down, Moses*." *Mississippi Quarterly* 67, no. 3 (Summer 2014): 375-401.

Draper, Alan. "Class and Politics in the Mississippi Movement: An Analysis of the Mississippi Freedom Democratic Party Delegation." *Journal of Southern History* 82, no. 2 (May 2016): 269-304.

George, Carol V.R. *One Mississippi, Two Mississippi: Methodists, Murder and the Struggle for Racial Justice in Neshoba County*. Oxford: Oxford University Press, 2015.

Gillespie, Deanna M. "First-Class' Citizenship Education in the Mississippi Delta, 1961-1965." *Journal of Southern History* 80, no. 1 (February 2014): 109-142.

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Harwell, Debbie Z. *Wednesdays in Mississippi: Proper Ladies Working for Radical Change, Freedom Summer 1964*. Jackson: University Press of Mississippi, 2014.

Horn, Teena F, Alan Huffman, and John Griffin Jones, eds. *Lines Were Drawn: Remembering Court-Ordered Integration at a Mississippi High School*. Jackson: University Press of Mississippi, 2016.

Kahrl, Andrew W. "The Power to Destroy: Discriminatory Property Assessments and the Struggle for Tax Justice in Mississippi." *Journal of Southern History* 82, no. 3 (August 2016): 579-616.

King, Ed and Trent Brown. *Ed King's Mississippi: Behind the Scenes of Freedom Summer*. Jackson: University Press of Mississippi, 2014.

Kyriakoudes, Louis M. and Hayden Noel McDaniel. "Listening to Freedom's Voices: Forty-Four Years of Documenting the Mississippi Civil Rights Movement." *Southern Quarterly* 52, no. 1 (Fall 2014): 64-78.

McDaniel, Hayden Noel. "Growing Up Civil Rights: Youth Voices from Mississippi's Freedom Summer." *Southern Quarterly* 53, no. 2 (Winter 2016): 94-107.

McHaney, Pearl Amelia. "Eudora Welty's Mississippi River: A View from the Shore." *Southern Quarterly* 52, no.3 (Spring 2015): 63-80.

Mitchell, Dennis. *A New History of Mississippi*. Jackson: University Press of Mississippi, 2014.

Mizelle, Richard M. *Backwater Blues: The Mississippi Flood of 1927 in the African American Imagination*. Minneapolis: University of Minnesota Press, 2014.

Moore-Clemons, Kristal. "I've Got Sanders, Crystal R. 'Money Talks': The Elementary and Secondary Education Act of 1965 and the African-American Freedom Struggle in Mississippi." *History of Education Quarterly* 56, no. 2 (May 2016): 361-367.

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BOOK REVIEWS

William F. Winter and the New Mississippi: A Biography.

By Charles C. Bolton

Jackson: University Press of Mississippi, 2013. Pp. vii, 368.

Illustrations, map, acknowledgements, notes, index.

\$35.00 cloth. ISBN: 9781617037870.

William F. Winter is what happens when a Mississippi politician is concerned with more than just preserving segregation and a racial caste system. Charles C. Bolton pens the first substantive biography of the former governor of the Magnolia State in his book, *William F. Winter and the New Mississippi*. In this work, Bolton offers a thorough, well-researched history of Winter from his birth in 1923, to his continuing public service efforts in the 2000s. In doing so he presents the surprising portrait of a man ahead of his time yet still a part of it.

Today, the William F. Winter Institute for Racial Reconciliation at the University of Mississippi stands as a tribute to Winter's brave and forward-looking stance on race relations in a state infamous for its bigotry. But, as the grandson of a

Confederate soldier and the son of a farmer in Grenada, Mississippi, William Winter seemed unlikely to shrug off the racism embedded in the culture.

Bolton presents two main reasons for Winter's relative

open-mindedness when it comes to racial issues. First, is his upbringing. Like many other whites at the time, Winter grew up playing with black children. They were the children of the sharecroppers who worked the Winter farmland. As he began attending school, though, the bus Winter rode often passed his childhood friends

who walked two miles to a one-room schoolhouse. In these moments, Winter began to realize the unfairness of segregation and the inherent impossibility of "separate but equal."

The second reason for William



WILLIAM F. WINTER *and the New Mississippi*

— *A Biography* —

Charles C. Bolton

Winter's foresight about race was his experience in the military. After basic training in 1943, Winter enrolled in Officer Training School and gained his first experience of full-integration by living with the small number of blacks in the program. He was then assigned to command one of two all-black platoons at Fort McClellan. "Army officials likely picked Winter for this assignment because they believed southern white officers would better know how to deal with black soldiers" (49). Even though Winter displayed paternalism toward his soldiers, he was generally fair and had few troubles with them. Winter's childhood exposure to blacks and his close interaction with them in the military profoundly affected his later stance on civil rights.

Throughout the book, Bolton shows Winter as more reasonable about race than many other politicians and southerners but still captive to the culture of white supremacy that defined the region. Winter often chose political viability over the certain ostracism that accompanied overt alignment with the civil rights movement. In one of his campaigns, he drafted the "Winter Plan for Home Rule and State's Rights" that touted his credentials as a fifth-generation southerner and connections to segregationist senators James Eastland and John Stennis. But, in his first two campaigns for governor, Winter was still seen as too liberal on race for most Mississippians.

One aspect about William Winter's life that deserves more attention in the book is his ambi-

tion. Although a scion of the South, Winter's background did not destine him to become governor of the state, nor did he attain his office by accident. Winter, in fact, had the temerity to run for governor two times before he was finally elected on his third attempt. Bolton ably demonstrates that Winter had the bridge-building skills the greatest politicians possess, but he included little information about the steely ambition necessary to persevere in politics over multiple decades and ascend to the highest public service office in the state.

Bolton's work, in fact, leaves much unsaid, but, rather than being a deficit, it is a positive by-product of assiduous research. This biography exposes numerous threads for future historians to pull in examining the life of William Winter. For example, although Bolton mentions Winter's Presbyterian background and his involvement in the church, he leaves the opportunity for others to probe the role his faith played in forming his convictions about race and other public issues. A strength of the book, then, is providing a broad survey of Winter's life that can lead to further areas of study.

William F. Winter and the New Mississippi serves as a requisite and helpful baseline biography of a central figure in modern political history. Any further extended works about William Winter will inevitably access and build upon the data Charles Bolton has compiled.

JEMAR TISBY
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Born of Conviction: White Methodists and Mississippi's Closed Society. By Joseph T. Reiff. (New York: Oxford University Press, 2016. Acknowledgements, illustrations, map, notes, index. Pp. xxi, 384. \$35 Hardcover. ISBN: 9780190246815).

On a warm October day in 1962, four Mississippi Methodist ministers gathered in a fishing cabin and drafted a 565-word statement on Christianity and race relations. This Born of Conviction Statement, as it would become known, was eventually signed by twenty-eight mostly young Methodist ministers. In *Born of Conviction*, Joe Reiff tells the largely forgotten story of the statement and its signers, the Twenty-Eight. Employing rich archival sources, local newspapers, letters, sermons, and even remembrances, Reiff thoroughly documents the context and controversies surrounding the Born of Conviction Statement, arguing that it (and its signers) comprised an “alternative witness” to the white supremacy so entrenched in Mississippi and her churches (xvii). The document was written as a theological proclamation but was, of course, a political one; thus, *Born of Conviction* is both “a Mississippi story and a Methodist story” (3).

The Mississippi story is well known. The response of white Mississippians to the black freedom struggle is usually depicted as monolithic in its commitment to the “Closed Society.” But, Reiff argues that the Twenty-Eight offer a significant counterpoint to the prevailing narrative. He maintains that, while activists could be easily dismissed as

radicals and outside agitators, white Mississippians could not so easily dismiss their own, particularly their pastors. Through close biographical research, Reiff details the effects signing the Born of Conviction Statement had on the signers and their families. While Reiff argues against the notion that white moderates who advocated some racial inclusion were forced out after they spoke out, finding “more complexity” and even “a crack in the united front of white resistance,” the stories of these exceptional men serve in many ways to prove the rule (155, 233). The signers and their families endured harassment, death threats, telephone lectures on white supremacy, burned crosses on their lawns. An armed churchgoer confronted one minister at his parsonage while another’s wife was threatened as she lay in a hospital bed. In the end, twenty of the twenty-eight signers left, while almost all considered leaving at some point. No doubt, the Born of Conviction Statement stands as a significant counterpoint to the dominant Mississippi narrative. And yet, the persecution and exodus of the signers affirms their radicalism in the context of white Mississippi in the 1960s. It also demonstrates the statement’s prophetic nature while revealing the limits of its pastoral effect.

While *Born of Conviction* is an important Mississippi story, it is, by Reiff’s own admission, “a thoroughly Methodist story” (xviii). Reiff painstakingly details the congregations, conferences, and confessions involved, noting a generational shift between younger ministers

trained in elite seminaries and older denominational leaders less inclined to support racial equality. The minutiae regarding conferences, ordinations, appointments, and church elections may bog down some readers, though religious historians will certainly appreciate the ecclesiastical attention and careful research. But, *Born of Conviction* not only provides interesting information about Mississippi Methodism, it complicates the story of Christianity in civil rights-era Mississippi, a conversation begun by Peter Slade, Jane Dailey, David Chappell, Carolyn Dupont, Joseph Crespino, and Charles Marsh.

The strength of *Born of Conviction* is its close reading of the context and controversy surrounding the Born of Conviction episode. The denominational research and biographical detail constitute valuable resources for all those intrigued by “institutional and regional drama”(xviii). However, the focus on the particulars can, at moments, obscure some broader questions. How did the Methodist response differ from other Protestant denominations? Did other denominations have similar statements and controversies? Was the response to similar Methodist statements in other states similar to or different from Mississippi’s? What about women’s voices? Reiff mentions that in the month following the statement’s publication in the Mississippi newspapers, only two letters of support appeared, both penned by Mississippi women. What are their stories? How did the statement and its controversy affect the wives of

the signers? Perhaps most significantly, what about black Methodists? Aside from brief mentions of support from L. Scott Allen and Victoria Gray, there is an absence of black voices. Was there a response in black churches or from civil rights activists?

Indeed, it is the sign of a good book to provoke such questions. *Born of Conviction* is a good and necessary book, a work marked by serious scholarship and a dedication to examining the complexity of Mississippi’s racial and religious history.

ANSLEY L. QUIROS

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In Katrina’s Wake: The U.S. Coast Guard and the Gulf Coast Hurricanes of 2005. By Donald L. Canney. (Gainesville: University Press of Florida, 2010. Foreword, notes, index. Pp. xv, 228. \$27.50 cloth.)

In Katrina’s Wake explores the efforts of the United States Coast Guard in its response to the 2005 hurricanes Katrina and Rita. Author Donald L. Canney has a long affiliation with the Coast Guard as both a historian and former registrar for the United States Coast Guard Museum, and the work benefits from his knowledge. Through an intensive investigation of official interviews, medal citations, and news service accounts, Canney examines how effective the Coast Guard was in its relief efforts following one of the largest natural

disasters in American history. He ultimately concludes that, because of its decentralized organization and institutional emphasis on individual decision-making, the United States Coast Guard is one of the few government agencies that can point proudly to its actions on the Gulf Coast.

Canney's analysis of Coast Guard efforts is quite extensive and makes use of materials that provide a glimpse of the entire service's efforts. From individual rescue divers breaking their way into flooded attics, to Coast Guard admirals ordering aviation units from across the country to the aid of the Gulf Coast, Canney recounts it all. He also does an excellent job balancing his work by not only exploring the dramatic airborne rescues over the city of New Orleans, but also the Coast Guard's role in containing the environmental impact and the damage to navigation aids across the region.

In Katrina's Wake begins its analysis with the initial rescues made off the coast of Florida and the dispersal of Coast Guard assets on the Gulf Coast outside the region of projected impact. Canney then deftly covers the scope of damage done by the storm, effectively illustrating just how monumental the task ahead of the Coast Guard was. He subsequently highlights the individual efforts of Coast Guard personnel to survey the damage, provide a communications network, and save as many lives as possible. Just as importantly, he pays close attention to the unique legal situation confronted by federal military

responders to a civilian catastrophe and all the *Posse Comitatus* Act issues involved. The result is a balanced examination of what the Coast Guard could do, could not do, and where its members went above and beyond the call of duty.

While Canney's work is an excellent study of the Coast Guard's efforts on the Gulf Coast it does suffer from an over-familiarity with the topic at times. A reader not knowledgeable of some of the service's jargon or the geography of the region could get confused, and a map would have been quite helpful considering the importance certain topographical features play in the study. In addition, while not essential, this reviewer would have liked to see a better incorporation of this work into the existing historiography. Certainly, much of the literature on the Gulf hurricanes could be called popular history at best, but some stronger works like Canney's have been published. Examining the historical studies done by the other branches of the military would have only reinforced Canney's thesis. Despite these issues, *In Katrina's Wake* is an important contribution to the budding literature on Hurricanes Katrina and Rita.

JOSEPH F. STOLTZ III
Texas Christian University

Slavery, Race and Conquest in the Tropic: Lincoln, Douglas and the Future of America. By Robert E. May. (New York: Cambridge University Press, 2013. Acknowledgements, illustrations, maps, notes, index. Pp. xi, 296. \$80 cloth, \$26.99 paper, \$22 e-book. ISBN: 9780521132527.)

Robert May has produced a well-researched and well-written book on how the United States attempted to extend slavery from mainly the southern United States to Cuba, Mexico, and Central America, which is about half of modern Latin America. The author skillfully uses the well-known Abraham Lincoln–Stephen Douglas debates to demonstrate the complexity of retaining slavery in the southern United States as well as extending this institution to upper Latin America. More impressive is May's ability to examine and analyze the United States' opposing domestic politics in relation to international events such as the Monroe Doctrine, the Clayton-Bulwer Treaty, the annexation of Cuba, William Walker's invasion of Nicaragua, and Lincoln's colonization scheme of African Americans outside the United States, amongst others.

The argument is not that the United States could not expand and control upper Latin America. The United States had already claimed Florida, Louisiana, parts of Mexico and Texas in the name of Manifest Destiny. Moreover, the newly independent Latin American nations, largely weakened by the costly wars of independence against Spain,

made the region susceptible to the United States' growing supremacy and dominance in the Western Hemisphere. Rather, the argument centers on whether the United States would receive support if it acquired territories where slavery still existed or whether slavery in the South might be threatened. Nonetheless, southern slave states were ambivalent about the United States' position towards Latin America. On one hand, they realized that if the nations of the Caribbean and Central America were brought into the United States, southern power on the issue of slavery would be enhanced (175). On the other hand, they pointed to political instability and economic decline in the post-emancipation Caribbean, something that could happen to the South if slavery was abolished.

Lincoln is presented as pro-slavery and Douglas as anti-slavery. Lincoln is a gradualist while Douglas is a revolutionary on the issue of slavery. Lincoln is a compromiser while Douglas is an opportunist. Lincoln is against United States' expansionist ideology, and Douglas is more aggressive and militaristic in acquiring territories. However, both individuals believe in applying the Monroe Doctrine against European powers and extending trade in Latin America (3). What is interesting about these polarized positions is that they determined who would get nominations for political offices and even who would win the presidency. In this regard, May contributes significantly to the study of the literature on nineteenth century United States–Latin American relations

by showing how the United States foreign policies of Lincoln and Douglas shaped domestic events such as secession and slavery. These concepts have not been analyzed before. Most books on nineteenth century United States-Latin American relations tend to focus on broad events.

The book, however, does have some questionable analyses. May assumes that the Caribbean, in particular, would accept the United States' system of slavery if the United States annexed the region. No other place in the world has experienced as many slave insurrections as the Caribbean. Arguably, this revolutionary zeal would have been difficult to suppress. Moreover, the history of continuous slave insurrections in the Caribbean might have inspired slaves in the southern United States to challenge the imposition of slavery on them. This might have led to an earlier emancipation of slaves in the United States and even the avoidance of the Civil War. These thoughts are not well-developed in the text.

May also dedicates more space to Douglas than Lincoln, especially in the middle section of the book, perhaps because Douglas is more radical and sensational than the compromising Lincoln. May provides a vivid account of Lincoln's colonization scheme of Africans outside the United States, mainly in Liberia, Haiti, and the British West Indies. But, he did not really take a position on this issue, even though the colonization scheme is one sore point in the highly admired career of Lincoln. Lastly, some of the background information on Lincoln and

Douglas and their relations with various persons, political affiliations, and communities, in particular, are long-winded and distract from the book's main focus.

Nonetheless, the book makes a significant contribution to the study of nineteenth century United States-Latin American relations with regard to Lincoln's duality. May uses an abundance of sources to produce a clearly written and compelling book on internal political discussions in the United States as well as the debates and discourse between Lincoln and Douglas to show how the United States came very close to invading Latin America and extending slavery. Students, professors, and researchers will find this book useful in understanding a relatively unexplored aspect of United States domestic policy towards its southern neighbors in the age of geo-politics, economic expansion, hegemony, colonization, slave resistance, emancipation, and secession. Robert May must be commended for bringing his rich research to the public.

LOMARSH ROOPNARINE
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Rivers of Sand: Creek Indian Emigration, Relocation, and Ethnic Cleansing in the American South. By Christopher D.

Haveman. (Nebraska: University of Nebraska Press, 2016. Illustrations, preface, acknowledgments, notes on terminology, index. Pp. ix, 414.

Many excellent books about the Creek Indians have been written. Among the best include works by Michael Green, Claudio Saunt, and Andrew Frank. Christopher Haveman's book *Rivers of Sand* is comparable to other seminal works on the topic. Foremost, he desires to tell the most detailed account of Creek removal possible. By setting a lofty goal, arguably, Haveman succeeds in presenting the most complete, detailed history of Creek removal to date. The author also examines Creek removal through the lens of ethnic cleansing and takes a modern approach to the term by portraying the process of removal as a form of cultural displacement by white Americans. Finally, he argues that Creeks survived in the West by preserving religious and ceremonial practices that served as a foundation for their ethnic identity.

It is easy for a reader to get lost in Haveman's stories about Creeks who were removed and suffered through such a catastrophic event in Native history. Getting lost as such represents a strength of the work. Too often, historians focus on overarching themes to a degree that readers lose perspective of the humanity, or lack thereof, regarding events. For Haveman, the extreme detail included in the stories of

individuals keeps the reader hooked, making the book pertinent for scholars and non-academics alike and providing a personal view of the removal experience. To tell these stories, Haveman successfully employs a diverse selection of source materials in his analyses. While the two primary foci of the book are religion and ceremonialism, this reviewer most enjoyed the wealth of cartographic evidence used. The author relies on both modern and historical maps to study routes taken, Federal ineptitude and corruption in the removal process, and even weather problems faced on the journey to Arkansas. Although maps are included in most works about Natives, Haveman digs deeper into cartography and property charts to discover emigrant patterns and better understand individual groups' experiences over the course of different removal campaigns. Further, Haveman explores the meaning of the land in Indian Territory, particularly Arkansas, and how that land symbolized a region of despair for Creeks. In these discussions, the reader is reminded of Jewish stories from Auschwitz and Dachau, genocide and ethnocide committed in sub-Saharan Africa, and ethnic cleansing in eastern Europe. Although Haveman does not discuss these non-Native examples, the reader notices important parallels regarding man's inhumanity to man.

Scholars searching for information about corrupt treaty negotiations will find plenty in Haveman's analysis of William McIntosh's role in the Treaty of Indian Springs.

McIntosh's political maneuvering resulted in a body of individuals, who held little political power and were unrepresentative of the majority of Creeks, signing the agreement. A mob of Creeks exiled McIntosh and his supporters, but such resistance did little to preserve Creek sovereignty in the South. Haveman's chapter entitled "Perseverance, 1837-82" provides links between the pre- and post-removal period and explains how, despite the tragedy of the journey west, Creeks used traditionalism to rebuild and promote communal unity. Haveman seems to show that the amount of acculturation the Creeks experienced following their relocation appears to be less than that of other removed groups, specifically the Cherokee and Choctaw. Further explicit comparison of Creek cultural change and persistence to other removed Native groups would portray better the uniqueness of the Creek experience.

Haveman's *Rivers of Sand* is an excellent book, detailed beyond measure and expressing a unique perspective about Indian removal through the lens of ethnic cleansing. His discussion of removal from the perspective of Jackson's supporters versus Creeks provides new insights into the relocation of Indians of the South to Indian Territory. The book would make a strong addition to a course about southern Natives. Similarly, individual chapters would work well in the context of studying personal stories about corruption, turmoil, and government abuse of Natives. Haveman's extensive use of cartographic data would serve

as a good tool in teaching historiographic methods. *Rivers* is an excellent first monograph that proves there is much more to be said about the five most prominent southern Native groups.

GARY C. CHEEK, JR.
Spartanburg Methodist College

Trouble in Goshen: Plain Folk, Roosevelt, Jesus, and Marx in the Great Depression. By Fred C. Smith (Jackson: University Press of Mississippi, 2014. Acknowledgments, illustrations, map notes, index. Pp. xi, 214. \$60.00 cloth. ISBN: 9781617039560.)

Fred C. Smith invokes the biblical story of the Hebrews living in the land called Goshen, Egypt's eastern Delta, to illuminate the experiences of "plain folk" living in three experimental communities in the cotton South during the 1930s. Smith's deeply researched book traces two New Deal cooperative communities—the Tupelo Homesteads in Tupelo, Mississippi, and the Dyess Colony in Dyess, Arkansas—as well as the Delta Cooperative Farm in Hillhouse, Mississippi, founded by Christian socialists.

Except for those families at Delta Cooperative Farm who had been evicted from a plantation near Earle, Arkansas, most people chosen for the cooperative farms did not come from the area's most desperate. Smith informs the reader early in the book that he believes the South's "plain folk"—meaning white folk—indeed found themselves at

their “lowest reservoir of resources, self-esteem and hope.” They, however, ultimately “refused to sacrifice dignity for security, lofty aspirations for mere competence, and free association for regimentations” (3).

The earliest of these three farms, the Tupelo Homesteads, opened its first twenty-five homes in October 1934, in what Smith describes as the “emphatically” New Deal city of Tupelo (28). Tupelo, for example, was the first city to receive electricity from the newly created Tennessee Valley Authority. Tupelo Homesteads was founded on the idea that Southern plain folk should combine a part-time job with owning a cow, hog, and chickens and raising their vegetables. The homes provided electricity, telephones, modern plumbing, and a septic tank.

From the beginning, Tupelo Homesteads was a “solution in search of a problem” (46). With its two-year probationary period and the building boom in Tupelo created by the tornado in 1936, the homesteader could see no advantage in signing a thirty-year mortgage for a house less appealing than those on the market. Furthermore, the homesteaders held fulltime jobs and, like most north Mississippians, grew their own food. Ultimately, Tupelo Homesteads served as a haven for middle-class families to recover from economic upheaval.

Dyess Colony, covering over 16,000 acres in eastern Arkansas, was the largest of the agrarian communities and also one of the most contentious. In what Smith describes as an “instant city” of over 3,000 people, Dyess offered plots of

twenty, thirty, and forty acres depending on family size. It included a hospital, a cannery, a community center, a grocery store, and eventually schools. Houses varied from three to five rooms with adjacent privies, water pumps, chicken coops, and barns. Designed with roads stretching out from the community center like a hub and spokes, Dyess reached its peak in the early summer of 1936.

William Dyess, the first head of the Dyess Colony, hoped the colony would become successful enough to enable individual residents to buy the houses and land. Few did. Donald Holley in *Uncle Sam’s Farmers: The New Deal Communities in the Lower Mississippi Valley* (1975) attributes the colony’s demise to vicious infighting among Arkansas politicians. Smith thinks otherwise. Although he addresses the political climate in the state, Smith insists the more direct cause was “the suffocating weight of government oversight and the restriction of aspirations” (62). Ultimately, most of the Dyess colonists voted with their feet to pursue their own version of the American dream.

Created in the wake of massive evictions in eastern Arkansas, the Delta Cooperative Farm in Hillhouse, Mississippi (also called Rochdale)—the only one of the three farms to include African Americans—began with nineteen black and twelve white families. Rochdale’s planning committee placed the two races’ homes across the road from each other. They built a sawmill, a dairy, and a local store as well as a community center that

included a library and eventually a medical clinic. The cooperative had a five-member council with no more than three from the same race that assigned work and made rules for the community. Resident director Sam Franklin, a student and protégé of theologian Reinhold Niebuhr, had the power to veto the council.

In an early 1938 meeting, the residents, especially African Americans, expressed profound discontent, having found the management insensitive and tyrannical. In addition, Rochdale trustee William R. Amberson, a physiologist at the University of Tennessee Medical School, accused the minister-trustees—Niebuhr, Sherwood Eddy, Episcopal Bishop William Scarlett, along with former minister and Socialist presidential contender Norman Thomas—of dishonesty in fundraising, a charge the ministers disputed.

According to Smith, the Delta Cooperative Farm and Providence, the spin-off farm eighty miles southeast of Rochdale, were by far “the most radical, romantic, and rational,” but they had become “examples of the very institution they hated” (139). Not good businessmen, the ministers focused primarily on spiritual and emotional needs. Rochdale offered a library, health clinic, and engaging speakers, but it always relied on charitable contributions for its sustenance.

Smith admirably mined the available resources, covering substantial ground. He writes well and with clarity. There is, however, a breakdown with Smith’s analogy of

the communities to the land of Goshen at the end. The Hebrews left Goshen as a people headed to create a nation in the Promised Land, guided by a pillar of cloud during the day and a pillar of fire at night. In contrast, the families at the Tupelo Homesteads, Dyess Colony, and Delta Cooperative Farm drifted off one by one pursuing their individual versions of the American dream.

ELIZABETH PAYNE

University of Mississippi

Builders of a New South: Merchants, Capital, and the Remaking of Natchez, 1865-1914. By Aaron D. Anderson (Jackson: University Press of Mississippi, 2013. Acknowledgments, illustrations, photographs, notes, graphics, index. Pp. 279. \$40 cloth. ISBN: 978-1-61703-667-5.)

An editor once said, “Don’t bury your story in the details.” However, in *Builders of a New South: Merchants, Capital, and the Remaking of Natchez, 1865-1914* by author Aaron D. Anderson, the story is in the details. Anderson’s telling of a slice of American history, expertly weaves the extraordinary influence that Natchez, a small city in southwest Mississippi, had on this country’s economic, political, and social strata. As a resident, I know how Natchez and its citizens believe their 300-year-old city has been overlooked in the annals of American history. Anderson brings to life with amazing detail how Natchez should take its rightful place in

the shaping and reshaping of the American economy before and after the Civil War and into the footsteps of the twentieth century.

Those who thirst for a scholarly tome developed by an intense researcher will find joy in Anderson's book. Those who thirst for knowledge of southern growth and dominance in the economic world will find riches in Anderson's book. Those who seek to understand southern culture and survival will be rewarded in Anderson's book. In his cover notes, noted historian and author Ronald L. F. Davis states: "Aaron Anderson has written a nuanced and detailed study of how the postbellum merchant system originated, operated, and impacted the peoples of the Natchez District in the lower Mississippi River Valley. Based on thousands of sharecropping contracts and a massive array of public and private records, Anderson brings to life the Natchez District's mercantile community in vividly written chapters, including its black farmers, townspeople, and their families." Not a page goes by without Anderson's interlocking his extraordinary research with an anecdote about individuals who affected or were affected by that data.

Seventeen pages of historic photographs enhance Anderson's work by depicting people, places, and things that figure prominently in his illuminating book. One of the outstanding qualities of *Builders of a New South* is Anderson's "following the money" technique as a page-by-page illustration of the repeated rise and fall of the Natchez District fortunes and, thus, the fortunes of

the South and nation. On a more personal note, I live in and among the notable names and places he so expertly describes. I walk the streets where the nabobs, their underlings, and even slaves once lived. Even so, I gained an immense knowledge of this community I call home.

What I appreciate is that Anderson is not an apologist for the Confederacy; he does not excoriate the southern wealth class, nor does he attempt to supply the reader with a compass to "how" the reader is to feel about the economic and social order. Anderson instead presents a rich tapestry of people, places, and things, along with a healthy order of substantiation from credible sources. True, Anderson's work is not a novel competing with *Gone with the Wind* for conversation at the dinner table. It is an in-depth body of work about a place—Natchez, Mississippi—and a time—1865-1914—when wealth, like the Mississippi river itself, wound its way to and fro through our nation. And, like the river's backwaters, floods, and power, Anderson presents the heights, depths, and consequences of the Natchez District, an amazing place, an important place, a storied place in American history and economics.

G. MARK LAFRANCIS
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Adventurism and Empire: The Struggle for Mastery in the Louisiana-Florida Borderlands 1762-1803. By David Narrett. (Chapel Hill: The University of North Carolina Press, 2015. Acknowledgements, illustrations, notes, index. Pp. xi, 365. \$45 cloth, \$44.99 e-book. ISBN: 978-1-4696-1833-3.)

Adventurism and Empire reveals political and economic dominance not by an empire but by the adventurer. Narrett examines West and East Florida territories, from the beginning of the Seven Years War through the American Revolution up to the Louisiana Purchase, when he believes “intrigue” dictated colonial relationships and events. Similar to other imperial borderlands, the region was a political mess; the British, Spanish, and then the United States vied for imperial dominance, and various groups, whether Native American or European, never had complete control. He argues adventurism paved the way for settlement and commerce. Whether colonial official, freebooter or entrepreneur, it was self-interested adventurers who preyed on imperial confusion and controlled the region by building relationships with competing empires or groups.

Divided into two parts, Narrett writes the history in a chronological format. In Part I, which spans the period of 1763 through 1787, he studies British-Spanish rivalry and American interests to control the Mississippi Gulf region. Considering various events such as the American Revolution, Mississippi and Gulf Coast history are seldom

understood apart from U.S. history or a greater North American historical narrative. In Part II, Narrett begins with the replacement of the Articles of Confederation with the U.S. Constitution up to the Louisiana Purchase, which contains the most convincing evidence. As James Wilkinson and William Augustus Bowles replaced rogue politicians, such as George Rogers Clark and Thomas Green, Wilkinson, like many other adventurers, would pledge loyalty to one nation ahead of the other if it meant financial profit. Narrett argues Wilkinson had the foresight to imagine other more profitable arrangements. For every other adventurer who followed, self-interest and enlightenment philosophy validated their exploits.

Adventurism and Empire is relevant to the study of Mississippi and a necessary addition to the field of borderlands history. Narrett’s work fits well with Dennis Mitchell’s *A New History of Mississippi* (University Press of Mississippi, 2014). Narrett helps us see Mississippi and the greater Gulf South as parts of a dynamic and more complex process. Previous histories have forgotten that Mississippi was a borderland, and evidence exists today of a borderlands people there. Mississippians stood at the nexus of British, Spanish, African, and indigenous histories. Narrett’s book complicates our understanding of a borderlands historical tradition that over-emphasizes a particular time and place, *por lo tanto, las fronteras del sudeste desaparece*. Narrett’s study expands upon our understanding of a group of characters, who

apparently commanded a region.

JESSICA DEJOHN BERGEN
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Empty Sleeves: Amputation in the Civil War South. By Brian Craig Miller. (Athens: University of Georgia Press, 2015. Illustrations, acknowledgments, appendix, notes, index. Pp. xvi, 257. \$79.95 cloth, \$29.95 paper. ISBN: 0820343327.)

In this new work, Miller adds to the growing literature on Civil War medicine and fills in a major gap by using gender as the focus of the analysis. While many recent works focus on various aspects of Civil War medical history, from intellectual history to the roles of women and medical care for United States Colored Troops, none use gender, and particularly masculinity, as the main focus of the analysis. Furthermore, Miller focuses on Confederate medical care, while most works on Civil War medicine devote much of the analysis to medicine in the Union Army. The work, therefore, makes a significant contribution to the literature on the Civil War.

Miller describes the impact of amputation on surgeons, patients, female caregivers, and state governments during both the Civil War and the post-War era. In particular, he argues that the high rates of amputation created a “permanent class of disabled and dependent men” that relied on women and eventually state governments for support (4). And, amputees initially feared that they had sacrificed their manhood, since the white male physique

formed a key aspect of masculinity prior to the War. Dependency and Confederate defeat also undermined established ideas of masculinity, and both amputees and southern society struggled to reconcile the reality of amputation with accepted gender roles. Eventually, both amputees and society accepted amputation as part of a new definition of manhood, and gender roles began to shift as women assumed the role of caregiver and provider for dependent men. Finally, Miller argues, state governments slowly began to accept their obligation to provide for amputees, which resulted in many “succumbing to poverty” before they received any aid from the state (172).

The work is well-written, clearly organized, and includes a wide-ranging evidentiary base, which is especially impressive given the dearth of surviving records related to Confederate medical care, and the book’s narrative effectively defends the major arguments, as Miller includes ample evidence for every aspect of his thesis. In addition, despite discussing the intricacies of amputation and other medical procedures, the work is free of technical or medical jargon, making it accessible to readers with no knowledge of Civil War medicine, and the introduction lays out the argument in a way that makes it easy to understand and follow.

The work does have a couple weaknesses. It could include more material on the role of slaves and, after the War, of freedmen in caring for amputees and whether their role as caregivers did anything to change

racism in the South. It could also include more on the role of amputees in Confederate memory during the twentieth century, particularly during the 1960s centennial commemorations and whether amputation and changing ideas of manhood played any role in Confederate or Lost Cause memory after the veterans passed away.

Despite these weaknesses, the work makes a crucial intervention in the historiographies of Civil War medicine, masculinity and manhood, gender roles during and after the War, the Confederacy, and early Civil War memory. Focused on the Confederacy as a whole, the work also includes ample material on Mississippi soldiers and their experiences in a state that enacted one of the most wide-ranging prosthetic limb programs in the former Confederacy. The work, therefore, is useful for anyone, including both scholars and general readers, seeking to understand the importance of amputation to gender, memory, and medical care in the Confederacy, and is essential for understanding the impact of medical care on the South not only during the Civil War, but for the late-nineteenth century as a whole.

KRISTIN BOULDIN
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Signposts: New Directions in Southern Legal History. By Sally E. Hadden and Patricia Hagler Minter, eds. (Athens and London: The University of Georgia Press, 2013. Acknowledgements, illustrations, index. Pp. xi, 480. \$69.95 cloth, \$26.95 paper, \$26.95 ebook. ISBN: 978-0-8203-4499-7.)

Over the course of its history, the American South has been a region of great disquietude. In terms of its culture, ideology, politics, and sociology, the region seems to turn to its past as both metaphor for the present and the prism through which it sees its future as past and prologue. Hadden and Minter's anthology of southern legal history reveals a jurisprudence wrapped and tangled within the web of all the old and persistent problems of genocidal native removal, racial domination, genderized patriarchy, and class structure as it continually shaped, defined, and redefined the contours of human and social relations. Surely the region's current onslaught against voting rights, immigration rights, and workers' rights is unmistakably aimed at overturning legal precedents and case law that have helped to make the region a place of new possibilities for nearly fifty years. *Signposts* is both apt and accurate for the title of Hadden and Minter's edited volume on "new directions in southern legal history."

The volume is a collection of seventeen essays that provides a kaleidoscopic tour through an American South trembling and jerking through the fits and starts of a history ever constrained by

parochialism and a countenance of a conflicted mass personality. Hadden and Minter approached the task of assembling and editing the volume with the understanding that the region is at once embracing and denying its history. The American South recognizes that it has changed in some very important ways, yet it denies that the change is the result of any internal reckoning. Even with these essays on southern legal history, that which can be identified as southern is caught in an identity crisis and a crisis of self-concept as the region fails to realize its ideology has come to nationalize it in the rest of the country. *Signposts* may be one medium by which the American South can take a Janus look at its twenty-first century face, not just about whether and why the old problems are so persistently new, but whether scholarship—legal history and otherwise—is new enough and critically focused enough to reorient scholarly attention to how change was actually made in the South over the last one hundred and fifty years.

With their poetic suggestiveness and the bluntness of their subject matters, the essays in this volume are an invitation into the framework that Hadden and Minter organized into three parts. Although Hadden and Minter do not provide an introductory statement to each part, they have organized the essays to reflect the evolution of change in southern legal history. In Part I, “Colonial and Early National Legal Regimes,” we learn that the laws in the early Spanish South—particularly Florida and Louisiana—represented the

rather broad cultural differences that shaped adjudication. We also learn culture was at play in eighteenth century South Carolina and Virginia, but with far more rigidity. In the nineteenth century, the body politic is unsettled by issues ranging from the removal of native peoples, free white women’s claims to property rights, lynching, secession, Reconstruction, and homestead exemption.

Southern legal regimes had to confront evolving, protracted popular demands for adjustment and change in human and social relations. Although these issues were couched in arguments over constitutionalism, federalism, sovereignty, and citizenship, they reflected a South steeped in slavery, racial domination, white male privilege, and the ideology of whiteness. Southern law supported slavery as well as lynching and upheld de facto practices that forbade the violation of the codes of racial etiquette on both sides of the color line. The essays in Part II, “Law and Society in the Long Nineteenth Century,” make clear that the southern legal system was supported and sustained by an economic and social life proffered by slavery and the Protestant ethic. When the American South evolved into the twentieth century, as the essays illustrate in Part III, “Constitutionalism, Civil Rights, and Civil Liberties,” the old problems that framed the region in the eighteenth and nineteenth centuries reached a new nadir in their persistence and ossification. The precarious status of free white women, racial spatial rationalization,

segregated public education, the misuse of political reapportionment, and the often violent challenge to the civil rights movement were ever present in southern legal discourse on change, racial adjustment, resistance, and reconciliation.

Hadden and Minter are quite timely in editing this volume. The June 2013 U.S. Supreme Court decision in *Shelby County v. Holder* found Section 4 (the coverage formula) and Section 5 (the preclearance requirement) of the Voting Rights Act of 1965 to be unconstitutional, thereby giving southern states new reign in reinstating old practices and procedures of voter discrimination. Along with their contributors, Hadden and Minter have provided us with an understanding of the continuity in southern legal history. They inform where to focus efforts to understand why the South's cultural, economic, political, and social problems are so intractable and why case law is still unsettled on such matters. An introductory statement at the beginning of each part of the volume would have been quite instructive and a summary conclusion would have provided a sorting of the dominant historical issues shaping southern legal history. Nevertheless, Hadden and Minter have provided a volume that should be used in the study of southern politics, Black politics, women politics, and southern history. The essays in *Signposts* lay forth a substantive historical groundwork and give "new directions" to future research on how southern legal history should be studied.

RICKEY HILL
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The Color of Christ: The Son of God and the Saga of Race in America. By Edward J. Blum and Paul Harvey. (Chapel Hill: University of North Carolina Press, 2012. Pp. 325. \$32.50 Cloth. ISBN: 9780807835722.)

In this book, historians Edward J. Blum and Paul Harvey have mined more than three hundred years of history to produce a sweeping narrative that demonstrates the ubiquity of religion and race in American society. Illuminating the prevalence of religion and race throughout the history of the United States is only a small part of the book's interpretive purpose and perhaps an unintended one at that. Indeed, Blum and Harvey have much grander ambitions for their book than simply cataloging historical episodes where race and religion have been conjoined. In fact, the two historians argue, it is, in examining those instances when race and religion have operated simultaneously, that the inextricable ties between the ideas are clearly revealed. According to Blum and Harvey, in the American setting race has always contained spiritualized elements, and religion has always been racialized. To study one of these ideas in isolation from the other is to short-change them both; only by considering religion and race in concert can we fully appreciate the depths of either.

If these claims appear bold,

they are matched by the vehicle Blum and Harvey have chosen to substantiate them: the purported Son of God himself. Blum and Harvey construct their thesis about the nature of race and religion in the United States by culling together an extensive collection of visual representations of Jesus that have spanned almost the entirety of American history. These myriad Jesus images are central to Blum and Harvey's analysis because "showing how Americans imagined and depicted Jesus Christ's body, skin tone, eye color, brow shape, and hairstyle, reveals...the power and malleability of race in our history" (7). Questions of power—who holds it and how it is wielded—constitute the heart of Blum and Harvey's analysis. By focusing on images of Jesus, the two historians ably and convincingly bring to light "the creation and exercise of racial and religious power," while simultaneously revealing "how that power has been experienced by everyday people" over time (13).

In many respects, *The Color of Christ* follows the chronological contours of traditional American history with the book's nine chapters covering such standard periods as the colonial era, the early Republic, the Civil War and Reconstruction, and so on. Blum and Harvey persuasively demonstrate that throughout these various periods of history, different racial images of Jesus were employed by different racial groups to different ends. In methodical fashion Blum and Harvey show—most often with words but also in

nearly two dozen illustrations—that over time in America, Jesus has been physically represented in various shades of red, black, and white. The two historians argue that ultimately, "the race of Jesus. . . had little, if anything to do with what he actually looked like" (203). Instead, at stake in these competing images of the Son of God are issues of authority and agency, supremacy, and survival. Blum and Harvey suggest that by imagining Jesus in their own (colored) image, different racial groups have simultaneously asserted and undermined power. According to Blum and Harvey, it is in these contestations over the bodily representation of Jesus that we can begin to see the spiritualized nature of race and the racialized nature of religion in the United States. While they thoroughly document how racial minority groups have challenged white supremacy by embodying Jesus in their particular skin tone, Blum and Harvey provocatively conclude that "Jesus will probably remain white for most Americans, because that Christ is but a symbol and symptom of racial power yet to be put fully to death" (277).

While the chronological periodization in Blum and Harvey's synthesis follows the conventional standards, the groups included for analysis during each period is strikingly new. Indeed, a signal contribution of this book is Blum and Harvey's inclusion of Native American and Mormon voices throughout their work, which pushes the boundaries beyond the traditional

black-white-Protestant Christian-frame most often employed in American religious histories. By including Native American and Mormon visions of Jesus—and extending them throughout the whole of the book—Blum and Harvey add layers of complexity to the history of the United States, both religious and otherwise.

Although *The Color of Christ* was published by an academic press, the book was clearly written with the general reader in mind. Blum and Harvey are especially adept wordsmiths and maintain an almost breakneck pace throughout, a predictable consequence of trying to capture more than three hundred years of history in less than three hundred pages of text. At times, however, the book's fast pace works to its detriment. Blum and Harvey include so many examples in their narrative that they sometimes fail to adequately analyze them. This is but a minor mark against an otherwise outstanding book that should be read by anyone with an interest in the tangled history of religion and race in America.

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The Chicago Manual of Style (latest edition) should be followed, with some exceptions (primarily dates: the *Journal* prefers “December 1, 1866,” to Chicago’s “1 December 1866”).

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