PC
Murphy

—Revised Edition—

AN OPEN LETTER

ON SUFFRAGE RESTRICTION, AND AGAINST CERTAIN PROPOSALS OF THE PLATFORM OF THE STATE CONVENTION.

BY

EDGAR GARDNER MURPHY,

MONTGOMERY, ALABAMA.

ALA. DEPT. ARCHIVES & HISTORY
LIB

Box 19
Item 18

PUBLISHED BY

The Alabama Printing Company,

116 Dexter Avenue, Montgomery, Alabama

DEDICATED, IN COURTESY AND REGARD, TO THE MEMBERS OF THE CONSTITUTIONAL CONVENTION OF THE STATE OF ALABAMA, MAY 10, A. D. 1901.

ALA. DEPT. ARCHIVES & HISTORY LIB

THOSE WHO HAVE READ THE FIRST EDITION OF THIS LETTER ARE RESPECTFULLY REQUESTED TO READ THE ADDITIONS TO THE ARGUMENT ON PP. 16 TO 19, AS WELL AS ON PP. 1 TO 3.—E. G. M.

SUFFRAGE RESTRICTION.

OPEN LETTER ON THE SUBJECT, BY EDGAR GARDNER MURPHY, OF MONTGOMERY.

MAKES STRONG STATEMENTS AGAINST THE PLATFORM. WRITES FROM WHITE MAN'S STANDPOINT.

PREFACE TO REVISED EDITION.

Since this Letter was first published, the question of "Convention or No Convention" has been put before the people of Alabama. The result means that a Constitutional Convention will assemble in the City of Montgomery on May 21st, 1901, to take in hand the revision of the organic law of the state.

That is the technical result of the vote. Yet the essential facts are of strange and startling significance. More than twenty of the leading counties of the state have gone against the proposal. Among the counties that were carried by the very narrowest margin are those containing such stable and progressive communities as Birmingham and Mobile. The conditions in the city of Montgomery are indicated by the following interview, printed in the Montgomery Evening Journal for April 24th: "Here is a strange situation," said one of the gentlemen who has opposed the movement for a constitutional convention. "After a campaign which was backed up by all the power of our Democratic organization, by the vigorous support of the Democratic press of the state, and by the traditional sentiment of party loyalty, the convention movement has secured the endorsement of less than one-third of the Democratic voters of the state. On the face of the returns, the convention has secured a technical victory. But let us take the figures in this city, for example. More than two-thirds of the loyal Democrats of this city refused to give the convention their endorsement. The total Democratic vote for mayor in the city primaries just held, was 2,418. Montgomery's total vote for the convention was 752. That means that 1,666 of the loyal Democratic voters of this city declined to go to the polls and give the proposed convention their approval. That is more than two-thirds of the normal Democratic vote. It is too early to say what the returns from other sections of

ALA. DEPT. ARCHIVES & HISTORY LIB

the state will declare. The indications are that, even where the Convention has carried, the meaning of the figures will be about the same. There is something appalling in such a result. A convention is to assemble to reconstruct the organic law of the state and to frame an instrument which will determine the rights and liberties of all the people, but it will be acting under the specific authority of less than one-third of the Democratic voters of Alabama. The act of the legislature should have insisted, in my judgment, on the guarantee that the convention must proceed only after receiving the expressed approval of a majority of the qualified voters of the state."

If the results of the election mean anything they mean that the proposals of the platform of the State Convention were not of such a character as to command the moral enthusiasm or the civic interest of the people. The platform roused no sentiment of approval. The people cared not for it.

It is a dark day for Alabama when a campaign, involving not the precedence of parties nor the interests of law and order, but the gravest questions of constitutional welfare, is closed with the ancient and humiliating fiction that counties where the Negroes out-number the white people six to one have "nobly responded with overwhelming Democratic majorities"!!! Every intelligent man in Alabama knows what that means. Was it really necessary?? And can the patrons, advisers, and abettors of such a procedure be the men who are advocating the platform of the State Convention as a measure of political purification? Are these the steps that are going to "purify things?" Is this the movement that claims the right, in the terms of the pledges of the platform of the State Convention, to force the judgment and to bind the consciences of those honored representatives of Alabama to whom the people have intrusted the revision of our organic law?

FOR, THE PURPOSE OF THIS LETTER SHOULD NOT BE MISUNDERSTOOD. It was not intended as in any sense a reflection upon the members of the Constitutional Convention. That is evident on every page of it. It is a defence of the liberties of that Convention. Nor is the Letter an arraignment of the general movement for the revision of our organic law. With the essential purposes of that movement I have been in sympathy. The Letter is a frank criticism of the platform of the State Convention; and it is an effort to demonstrate that that platform is unauthorized,

ALA. DEPT. ARCHIVES & HISTORY LIB

impossible, and inexpedient; and, therefore, is not legally or morally binding upon the action of those who are intrusted by the people of Alabama with the grave and serious work of Constitutional revision. The modification or rejection of the demands of the platform will not mean the betrayal of the trust of the people. The people are fully protected by the provision of the act of legislature. Under that provision the completed Constitution is to be referred, for approval or disapproval, to the voters of the state. The instrument is to bear at last the seal of the people of Alabama.

I am not a man lightly to advocate the invalidity of public professions. If I stand for anything in the community in which I live, I hope I stand for the simple fidelities of the promise-keeper. But there are some promises which no man has a right to make, and there are other promises which—if imposed without authority, if false in principle, impossible in terms, and morally iniquitous in result—no man has a right to keep. The members of the Constitutional Convention (the most august assembly which the people can create) are not the servants of the literal demagoguery of a partisan instrument, but the servants of the broad and permanent welfare of our honored and beloved State.

It is with that contention, that I would lay this argument courteously and respectfully in the hands of every member of the Constitutional Convention. The pledges of the state platform should not constrain you. That element of my appeal is still a living issue. A wise and righteous adjustment of the great problem of suffrage will mean an adjustment that will last. It will mean a permanent settlement of our difficulties. Peace, a prosperous peace, will follow. A false adjustment will be but temporary in nature, will invite ceaseless agitation, and will transform the contented and profitable labor of the State into a labor that is made impotent by vague anxieties, and unfruitful by the morbid tortures of political hysteria. I have tried to define what, in my judgment, is the common-sense of the situation. I have written from the standpoint of the white man.

The people of Alabama are a God-fearing and an order-loving people. They will reject an instrument that fails to secure their confidence. A Constitution that will appeal to their civic pride and that will command their moral enthusiasm, will meet their glad and immediate acceptance.

ALA. DEPT. ARCHIVES & HISTORY LIB

To Mr. John V. Smith, Chairman of the Campaign Committee of the Democratic and Conservative Party, Birmingham, Ala.:

Hon. and Dear Sir:—I have noted your courteous interview given to the daily press, requesting the clergymen of the State of Alabama to support the present movement in behalf of a Constitutional Convention, and I thank you for it.

I had already given serious consideration to the subject with which your announcement deals. I am not sure, however, that I should have given public expression to my conclusions, for our commonwealth represents a people who are particularly sensitive to ecclesiastical interference in the affairs of state. "Meddling in politics" is supposed to be a perversion of the ministerial function. Your words, however, make my duty clear. I agree with you that the issues at stake are deeper in their significance than the usual differences of faction and of party. With you, I think the questions that now engage the attention of our people must turn upon considerations so serious as to be, in truth, religious; and so essential to all the great popular interests of liberty, property and happiness as to be, in the most elementary and distinctive sense, questions of morality and of conscience. I am inclined, therefore, to agree with you that we are confronted with something graver than "politics," and that the Church may speak with propriety upon what you call "the greatest moral issue before the people of Alabama to-day." Had I entertained any doubt upon that aspect of the situation, your courteous word would have dispelled it. If, therefore, I venture to discuss this greatest of moral issues, I trust it will be remembered that my "interference" is not gratuitous. I speak because the subject has been frankly opened to the clergy of the state by the Chairman of the Campaign Committee of the Democratic party;—the party of my own allegiance. If I speak, it is because my attitude has been challenged and my expressions have been invited.

STATE PLATFORM EXCEEDS ITS AUTHORITY.

There are some considerations upon which we are all agreed. The first is, that present conditions in Alabama are most unhappy; the second is, that these unhappy conditions are largely due to the inadequacy of certain provisions in the organic law of the state; the third is, that the most disastrous among these unfortunate provisions is that which permits the peril of an unrestricted Negro suffrage. It was, therefore, with keen interest and with genuine enthusiasm that I noted the movement for the revision of our organic law, and that I voted for the men from Montgomery county who entered the recent Convention of the Democratic party.

Under the call for that gathering, men were chosen who should select the delegates to the Constitutional Convention. The members of the State Convention were not themselves selected to draft the future Constitution of Alabama. The voters of the party gave to this State Convention a mandate to determine the delegates; the State Convention possessed no mandate to determine either negatively or positively the nature of the Constitution. Yet, the platform of the party assumes the possession of such a mandate; and in clear and explicit declarations, it attempts to determine the nature of a work which the people of this state had solemnly committed and entrusted to their chosen delegates to the Constitutional Convention. Such an assumption is in my judgment, unwarranted and unauthorized. Had the platform been a statement of general principles and an appeal for party unity, I could understand its motive and I could appreciate its terms. But it is a direct attempt finally to determine the provisions of the Constitution of this State. The State Convention bore no such mandate from the people of Alabama. It was, I repeat, a convention called for the general endorsement of the movement for a new Constitution and for the selection of delegates. The provisions of the platform of the State Convention were in no case an issue before the primaries. The people in their primaries had no such platform before them, for acceptance or rejection. They had one question before them, and one only. That was the question of delegates. The platform of the State Convention is, therefore, a clear and gratuitous addition to the mandate issued by the primaries, is an unfortunate usurpation of authority, and does not represent or bind the voters in said primaries, the Democrats of this state, or the delegates to the proposed Constitutional Convention.

I realize that this interpretation of the state platform is in direct opposition to the decisions and instructions of the State Committee. I know that you have insisted that every nominee of the party must yield his allegiance, not only to the spirit, but to the letter of that platform. Yet, if this interpretation of

the situation be the true one, some strange implications come to light. Your conclusion implies, that a State Convention, called to pass upon delegates, can rightly pass for the party upon grave questions of organic law, never at issue before the people; it implies that twenty members of a committee on platform in said convention can attempt in advance to pass, for the whole party, upon certain of the gravest questions to come before the Constitutional Convention; it implies that the candidates of the party—the wisest and strongest men of this state—cannot be trusted to perform for the people the very work which the people have committed unreservedly to their hands; it implies, practically, that, so far as the party is concerned, the Constitution—in some of its most important particulars—has already been written; it implies that, inasmuch as the gravest questions at issue have already been decided, without discussion before the people and without consultation with their chosen delegates (many of whom were not members of the State Convention) the important gathering which is to frame and prepare a new Constitution is really to meet, not to propose, but to ratify. I respectfully submit that if precise restrictions as to the way in which the Constitution must be framed (on the subject of suffrage, for example) were not in issue before the primaries and were not even suggested in the act of legislature providing for a Constitutional Convention, then, such restrictions cannot be attempted, with authority, by a State Convention of the party called solely for the selection of delegates. Those delegates may be elected by the Democratic party; but they will sit, to draft the Constitution of the State, as representatives of the whole people. Moreover, it must logically follow that if the platform of the State Convention can bind the delegates to the Constitutional Convention in one particular, it can bind them in all. If it can assume to dictate, in detail, the nature of one provision of the Constitution of the State, it may dictate the nature of all. Why, then, hold a Constitutional Convention? Why not issue a new Constitution, simply as a platform of the party, assembled in State Convention? Why spend $50,000 for a Constitutional Convention if the work can be done by a one day's gathering of the representatives of the party; and why did we all labor to put into the Constitutional Convention the ripest learning, the best judgment and the most signal ability of the state (as we have done) if, upon the most important issues which are involved, we are to send

their representatives to the Convention already gagged and bound?

Believe me, I speak in no discourtesy to you—for whom I have sincere esteem; nor do I speak in arrogant arraignment of the platform committee of our State Convention—for in its membership was one of the wisest, noblest and truest friends of my life. I speak not in arraignment, but in regret, regret at a situation which I must regard as needlessly unfortunate. I should gladly and confidently have voted for the Convention upon the understanding that the chosen delegates of the people of Alabama were to be left free to draft a Constitution for the state. They are men who have been true to Alabama in war and in peace. They would have had to hold their own liberties and properties under the instrument of their creation. They would have had to live under the Constitution they might propose. They, from day to day, would have had to face among us the consequences of their counsels and their labors. Patriotism could have given no higher hostages to discretion. Men, in such a situation, may well have the genuine and unmeasured confidence of their fellows. All Alabama would have trusted these men. But you have now removed them from the position to which they were promoted by the people. The people made them free, and you, without warrant, have taken their freedom from them. They cannot do their best. Their incentive has been compromised and their initiative has been destroyed. The platform of the State Convention, if they are constrained to obey it, has relieved them of all responsibility for failure, and it has denied them all possible credit for success. Under conditions so unfortunate, I am reluctantly constrained, after long and serious consideration, to refuse my assent to your courteous request, and I shall vote directly against the present proposal for a Constitutional Convention. If we are to have a revision of our organic law which will meet the needs of our complex and difficult situation, we must have all the initiative, sagacity, integrity, and wisdom that Alabama can command. These qualities of our statesmanship have little opportunity, if we must assume that in certain essential particulars the Constitution of Alabama has already been written in the platform of the State Convention.

PLATFORM DEMANDS THE IMPOSSIBLE.

There are objections still more serious. Not only does the platform make demands upon the Constitu-

tional Convention which are without authority; it makes demands which are impossible of fulfillment. The fourth clause in the platform of the State Convention has declared that "we pledge our faith to the people of Alabama not to deprive any white man of the right to vote, except for conviction of infamous crime." Yet, the second clause of this platform has previously stated that the Constitutional Convention "shall regulate all questions of suffrage so as not to conflict with the Constitution of the United States." Now, the Fifteenth Amendment to the Constitution of the United States reads as follows: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." That is a provision of the organic law of the nation. In so far as it represents the principle of federal jurisdiction, I, in season and out of season, both North and South, have pleaded for its modification. But there it stands. It is the law. The makers of the state platform bind the Constitutional Convention to observe its terms. They then proceed to pledge the faith of the party to the declaration that no matter what the nature of the restriction of the franchise, no white man shall be deprived of the right to vote "except for conviction of infamous crime." The reconciliation of those contradictory demands I leave to those who imagine that any fiat of party can steer the ship of suffrage between the Charybdis of the Constitution and the Scylla of our wilful and deliberate illiteracy. Would that those who have been so insistent in demands had been more prolific in the suggestions for their fulfillment. That there can be a restrictive suffrage, that there can be conformity to the Fifteenth Amendment to the Constitution, and yet that there shall be no disfranchisement of any WHITE man (save for infamous crime), is a triplicate dilemma set in a corruscation of contradictions which I have never seen surpassed among the most brilliant of the jewels of nonsense. Such a thing was never imagined in Louisiana or North Carolina, or even in Mississippi; much less bound as a condition of party fealty upon a great and honored body like the gentlemen who may form the Constitutional Convention of Alabama. The capacity to conceive of such an adjustment of our difficulties would represent a mental confusion of which I at once acquit them. The platform demands the impossible. So far from presenting a great moral issue, it does not even present a coherent intellectual conception.

ARCHIVES & HISTORY LIB

PLATFORM DEMANDS WHAT IS UNNECESSARY.

What the platform demands is not only impossible; it is unnecessary. I am not in favor of permitting the peril of Negro domination within any county of our state. WHITE SUPREMACY, IN THE PRESENT STAGE OF THE DEVELOPMENT OF THE SOUTH, MEANS THE SUPREMACY OF INTELLIGENCE, ADMINISTRATIVE CAPACITY, AND PUBLIC ORDER. IT MEANS THE PERPETUATION OF THOSE ECONOMIC AND CIVIC CONDITIONS UPON WHICH THE PROGRESS OF THE NEGRO IS ITSELF DEPENDENT. It is securely established throughout every section of this state. So far as I know, there is not an elective office held by a Negro anywhere in Alabama. White supremacy is universal among us, and surely if it is universal to-day, there is nothing in the marvellous industrial and commercial development of the South that suggests the possibility of its subversion in the future. The Negro is making progress. But the white man is making vaster progress; and there is not an interest of white supremacy that is not strengthened by every dollar invested in the South, by every white man who moves to the South to live (whatever may be his notions before he comes), by every mile of railways, telegraphs, and telephones, and by every dollar expended for popular education. Negro domination, in this day, is the merest "bogie." It was never possible except under the imposition of military force. That force has been withdrawn. It will never enter the South again. The whole country has so willed it; and if it should come again, our intelligent and conservative Negroes would be the first to suspect its motive and to repudiate its odious compulsion. They got nothing from it but a change of masters; and as between his masters, the Negro prefers the one whose interest is in the soil upon which he himself must live. Among all the absurdities of conjecture, and among all the ridiculous imaginations of theoretic horror, there is no phantom so spectral in substance or so pitiably trivial in its proportions as this "bogie" of Negro domination. It is making cowards of those who should be men. White supremacy is here, and it is here to stay. In order to maintain it, it is altogether unnecessary to declare that we must be so afraid of the Negro and so far conciliatory of the irresponsible and illiterate elements of our white population that we must pledge our faith to the people of Alabama that "no white man shall be deprived of the right to vote except upon conviction of infamous crime." The declarations of the platform are unnecessary.

ARCHIVES & HISTORY LIB

PLATFORM IS INEXPEDIENT.

And they are inexpedient. They are opposed to a sound and wholesome public policy. Is it to the interest of the State of Alabama that chronic vagrancy shall vote?—That, just because it wears a white skin, wilful idleness shall wield those powers and dignities of suffrage which are to involve the properties and liberties of the decent hard-working people of Alabama? Are the white people of the state so weak in their control of the situation that from fear of the Negro we must crown the deliberate drone? I earnestly resent the imputation! Will the policy that would enfranchise the wanton vagrancy of the state do anybody any good? Must we make the ballot in the hands of our own boys as cheap as that? And yet, that is the demand of the platform of the State Convention of the Democratic party. For wilful vagrancy is not "an infamous crime," and no fair interpretation of the plain words of the English language can make it so.

What shall we say of the giving and taking of bribes? I read in the Standard Dictionary that "an infamous crime" is "any offense subject to an infamous punishment, such as death or imprisonment in a state prison, as treason or felony." I see no way by which a fair mind can get the giver or taker of an election bribe under this description. The present Constitution of the state makes general bribery a ground of disfranchisement, but the Code of Alabama does not make election bribery a felony. The term "infamous crime," in the platform of the State Convention, must refer not to crime which may be classed as "infamous" hereafter, but to crime classed as infamous at the time the party pledge was written and given to the people. The new Constitution cannot rise, therefore, even to the level of the old, if the exact terms of the state platform are fulfilled; for the giver or taker of an election bribe, under the actual working code of the state, cannot now be convicted of "infamous crime." That is the frank, direct inference from the precise wording of the platform. Must we continue our surrender to the purchasers and venders of the suffrage? Such odious lawbreakers are to be exempt, therefore, under the explicit pledge of this extraordinary instrument, from even the remotest peril of disfranchisement. Can such a thing be possible? Are we so fearful of the power of our Negroes that we must pay the cost of our fear by the enfranchisement of those dishonored creatures who are apostate to the elementary compact of society, false to the civic fidelities upon which governments are founded, and who are putting manhood—as an article of barter—into the open competitions of the market? Are such proposals going to bring good to anybody? Is this the platform that comes with the appeal of "purity in politics"? Is this the presentation of "a great moral issue"? If there is one thing more than another demanded by the exigencies of our political life, it is the resolute and perpetual disfranchisement of any creature who will buy or sell a vote; it is the rigorous enforcement of the lesson that the ballot is not a commodity for barter, but a trust, a trust to be sacredly administered by the individual in the interest of the whole community of his fellows.

There is, also, the problem of illiteracy in Alabama. Illiteracy is not a crime, but literacy is a duty. It is a duty of the individual to himself, and not only to himself, but to the state. I should not ask for erudition, for "book-learning," for an advanced and unpractical "scholarship." But it is for the welfare of all that every man should be able to read the legal papers which he signs and the laws which he is expected to obey. No man should vote who cannot read the ballot which he casts. The man who has fought in the armies of the state should be exempt. He should be excepted, either by specific declaration, or by a general provision postponing the period at which the new Constitution shall become effective. After a period of two years within which to prepare himself, practically every white voter in the state could be ready to read and to understand simple sentences in the English language. If necessary, put the time at three years, or at four. I am not in favor, even though the individual be not entitled to exemption on the ground of military service—I AM NOT IN FAVOR OF SURPRISING ANY MAN INTO THE FORFEITURE OF HIS BALLOT. The state should be reasonable, she should be compassionate and generous; but she should also be wise in relation to her own good and the welfare of her people. Alabama's percentage of illiteracy puts her, in that category, almost at the foot of the list of states. Shall she remain so? I am not now impugning the voting capacity of the illiterate white man; he is usually a better voter than the illiterate Negro; and he is sometimes a better voter than some of the white men who can read and write. But I am arguing for the welfare of the white man, and I am speaking in his interest. Our Negroes are going to get some kind of an education, whether we give

it to them or not. They are eager, they are ambitious. There is no danger that they will pass our white people in their general progress. But do we want them to pass our white people in any respect? Will it minister to peace and the public welfare to have our white people, in any quarter of this state, at the rear of the Negro population? Do our white people not need the incentive of a slight educational test? Will they value the ballot as they should, if we continue to make it as cheap in their hands as ignorance itself? Is it statesmanlike to declare, as the state platform has declared, that the Constitutional Convention —chosen by the people of Alabama for the consideration of this whole question—shall be denied the right even to consider so elementary and so conservative a proposal? I do not now urge, in any sense, the imposition of a property test, but I venture here to recur to a speech which I made last year in the city of Philadelphia. It states the principle involved in any limitation of the franchise. The address was delivered under invitation of the American Academy of Political and Social Science, the American Society for the Extension of University Teaching, and the Civic Club of Philadelphia. Leading up to a vigorous criticism, not only of the Fifteenth Amendment to the Constitution of the United States, but of the whole principle of Federal interference, I said:

"Southern sentiment will not approve the disfranchisement of the illiterate Confederate soldier. In any civilization, there is a deep and rightful regard for the man who has fought in the armies of the state. But, with that exception, the state must eventually protect itself, and protect the interests of both races, by the just application of the suffrage-test to the whites and the blacks alike. The South must, of course, secure the supremacy of intelligence and property. This we shall not secure, however, if we begin with the bald declaration that the Negro is to be refused the suffrage although he have both intelligence and property, and that the illiterate white man is to be accorded the suffrage although he have neither. Such a policy would, upon its face, sustain the charge that we are not really interested in the supremacy of intelligence and property, but solely in the selfish and oppressive supremacy of a particular race. Such a course, through its depressing influence upon the educational and industrial ambitions of the Negro, would but increase his idleness and his lawlessness, and work injustice to the Negro and to the State. Take out of

his life all incentive to citizenship, and you will partly destroy his interest in the acquisition of knowledge and of property, because no people will, in the long run, accept as a working principle of life the theory of taxation without representation. I do not think the Negro will riot or rebel, but I do think he will be discouraged in the task of acquiring something for the state to tax. It is not merely a question of justice to the Negro. It is a question of enlightened self-interest. No state can live and thrive under the incubus of an unambitious, uneducated, unindustrious, and non-property holding population. Put the rights of citizenship among the prizes of legitimate ambition, and you have blessed both the Negro and the state.

"If, on the other hand, we accept the administration of an educational and property test which is to enfranchise the Negro on his acceptance of its provisions, and is to enfranchise the white man whether he accepts them or not, we shall have adopted a measure which will be an injustice and an insult to the white citizenship of the South. It will be an injustice to the white man for the reason that it places for the Negro a premium upon knowledge and property—makes for him an incentive for the acquisition of an education and a home, leaves the white boy without such incentive, makes the ballot as cheap in his hands as ignorance and idleness, and through indifference to the God-given relation between fitness and reward, tempts the race which is supreme to base its supremacy more and more upon force rather than upon merit. To the white boy such a provision is an insult, as well as an injustice, for the reason that it assumes his need of an adventitious advantage over the Negro. For us to ask the Negro boy to submit to a test which we are unwilling to apply to our own sons, would be, in my judgment, a humiliation to the white manhood of the South. The policy which metes out a test to the Negro which we are unwilling to apply to the white man, suggests a reflection upon the capacity of our white population; and our people, wherever it may be attempted by the politician of the hour, will come to so regard it. The absolute supremacy of intelligence and property, secured through a suffrage test that shall be evenly and equally applicable in theory and in fact to white and black—this will be the ultimate solution of the South for the whole vexed problem of political privilege." —Let me now dwell upon the consequences of the course proposed by the platform of the State Convention.

PLATFORM WILL BE UNFORTUNATE IN RESULTS.

Why should we drive our Negroes into restlessness and discontent? I have written from the standpoint not of the Negro, but of the white man. That, throughout this discussion, shall be my distinctive standpoint. No one shall justly accuse me of wanting to put the Negro over the white man. If anything could bring about that impossible result, it would be the imposition of a suffrage test for the Negro without the application of the same test to the white man. Such action will give the Negro the incentive to an education, to industry, and to good behaviour; and leave the white man without the spur of those incentives. Whatever such a course may be, in relation to the humbler classes of our white people, it is not statesmanship. NO ONE IS A TRUE FRIEND TO OUR WHITE PEOPLE WHO INCREASES FOR THE NEGRO THE ENCOURAGEMENTS AND ATTRACTIONS OF PROGRESS AND REFUSES THOSE INCENTIVES AND ENCOURAGEMENTS TO THE CHILDREN OF THE WHITE MAN. Why is it that the South-haters at the North have taken with such indulgent composure the recent franchise legislation of the South? Is it because they are done with their ancient animosities? Or, is it because they see us doing with fatuous readiness just what they would have us do? They see that the putting of suffrage tests upon the Negro, they see that asking of him—as a condition of the franchise—a slight educational requirement, or exacting of him the elementary conditions of good behaviour, will but waken his ambitions, quicken his activity, and make the ballot more than ever, in his eyes, a prize of dignity and power. You propose to make the ballot, in the hands of our white people, as cheap as vagrancy, idleness, and ignorance. The Negro has nothing to fear from the ultimate results of such a course. Of that, his partizans are aware.

And yet, the very proposal of racial discrimination in our suffrage tests will, at first, confuse and unsettle the Negroes of the state. The creation, among them, of restlessness and discontent can bring no good to our white people. THE LABOR UPON OUR FARMS WILL BECOME UNSETTLED. IF THE WORK OF THE NEGRO IS NOW UNSATISFACTORY, WHAT WILL IT BECOME UNDER A REGIME OF INCREASED ANXIETY AND SUSPICION? If the Negroes of Alabama are not a productive people under our present conditions, what will be their industrial value to the state under those conditions of persistent criticism and of disturbing

agitation which will be inaugurated through a campaign dominated by the spirit of the platform of the State Convention? Will such conditions help anybody's business? Our Negroes are not an ideal population. But they are suited to the industrial needs of the South. Most of them are going quietly about their work. A POLICY OF ALARM WILL NOT BE A POLICY OF PROFIT. IT WILL NOT INCREASE THE VALUE OF THE NEGRO TO ALABAMA. ANXIETY, RESTLESSNESS, AND DISCONTENT BRING THE PARALYSIS OF EFFICIENT LABOR. Political agitation is economic foolishness. Contented, steady, continuous work is the most productive work in the world. The farmer and planter know that they can get more corn and more cotton out of a contented labor than out of the labor that is frightened by the beating of the political tom tom, and disturbed and unsettled by the crude animosities of the political hustings. It is all unnecessary. In what respect are our Negroes inferior, as voters, to the unlettered Italians, Hungarians and Poles of the mining sections of this state? Our Negroes, as a whole, are not bothering anybody. They may not work as hard as the Chinamen at the West, or as the lower classes of the foreign population at the East, but they are the only general working class that we have, and they spend their money where they live. They do not export it and they do not horde it. It all gets into the channels of trade. It all helps everybody. WHATEVER STRIKES AT THE INDUSTRIAL CONTENTMENT AND THE PRODUCTIVE POWER OF THE NEGRO, STRIKES AT THE WEALTH OF THE SOUTH AND INVOLVES THE INCOME OF EVERY MAN WHO SHARES AN INVESTMENT, WHO GETS A SALARY, OR WHO EARNS A WAGE.

Prosperity is brooding over the South to-day. It waits for its gracious and final visitation solely upon the general peace of all our people. Election difficulties and the evidences of race hatred (whether the fault be that of Republicans or Democrats, of white men or Negroes) are directly opposed not only to our peace and happiness, but to our material welfare. The South needs capital, and I believe she offers the most productive field—when we take into view not only her resources, but her proximity to the markets of the world—that is to-day open to the investor. The capital, however, which the South desires is not merely that of the man with millions, but the more needed and more effective capital of the man with his small

personal savings who wishes to go into a new country with his little family and settle down to the task of making him a home. This is the capital which the South chiefly wants. This is the capital that constitutes the real wealth of a country. But it is the very capital which is frightened away by the "scare head" article on "Negro Persecution" or the "Race Riot" in the sensational newspapers of the land. The conflict of arms is over. The man who, with an eye single to the truth, is working for justice, order, and peace is the true patriot of the South to-day, the patriot not only of principle, but of commerce, welfare, and happiness.

Have we considered the bearing of the proposals of the platform, upon the political power of the South? Says the New York Press, one of the most partisan of Republican journals, "There can be no concealment of this platform, which is of course equivalent to a renunciation of the representation based upon the Negro vote. When the papers in the case are laid before Congress, this call will be laid upon the top of the heap." But most of the organs of the North have regarded this movement in the South with a co-operative complacency. We may well suspect the motive of their indifference. Part of it may be due to a growing indifference to the Negro. Most of it may be due to an increasing solicitude for the perpetual establishment of the preponderance of political power in the hands of the Republican party. In China the government winks while an amiable official sends to the foe of the State a bottle of poison and a ready-made noose. It is but a gentle hint. In this land of ours the politician of the North simply turns his back, while our party Convention, by its platform, extends to the State of Alabama an invitation to political suicide.

We have been asking the North to "let us alone." Now we may rest assured that its politicians are going to do it — — — for the present! They see us reducing the number of the voters of the State, and thereby reducing the basis of our representation in Congress. They see us REDUCING OUR REPRESENTATION IN THE ELECTORAL COLLEGE, making it increasingly difficult for the South ever to elect a Democratic President. They see us making our representation thus dependent not upon the secure warrant of the Constitution, but upon the indifference or the charity of the Republican party. Such a course is a humiliation to our party and to the South. To put the political influence of a great people, or of a great section, upon such a basis is

MAYNARD ARCHIVES LIB

not only to place it upon a foundation of peril; it is to force the South to ask as alms what she has legally and honorably claimed under the Constitution of the land. The enemies of the South see her placing her political future, beyond the protection of the Constitution, in the uncertain balance of the whim and sentiment of the vast popular majorities of the North and West. They see us cutting the ground from under the future political power of the Southern States, so that those States will hold their future political influence solely at the temporary discretion of the Congress. For, believe me, this toleration will be but temporary. The tempers and the fanaticisms of section are as inevitable as the sequence of the tides. The sobering and broadening powers of education, of religion, of travel, of personal and intersectional friendships, will have their influence in a growing Americanism that shall destroy, in many, the harsh enmities of the past. We may well thank God for that! But, upon great masses of the people, both North and South, the passions of sectionalism are the perennial opportunity of the demagogue. The most intolerant sectionalism is not political but industrial. Those were economic rivalries that fought to the death around the issue of slavery. The great elemental struggles of the future, like those of the past, will be called forth by the necessities and the vicissitudes of industrial competition. The South is alive to-day. The opening of the inter-oceanic canal will make her at last a province of surpassing wealth. The values of American products will be determined at her ports and within her markets. In what a case will she then find herself if she must sit helpless in the Congress of the United States, shorn, by her own sons, of the power to protect her local policies and to determine the fullness of her destiny?

The familiar tolerance of the average politician of the North will last no longer than his self-interest. Let the North once really feel the commercial and industrial rivalry of the South, let the characteristic policies of the South once cross those of the North, and the political power of the South will be stretched ruthlessly upon the Procrustean bed of the Fourteenth Amendment to the Constitution. Her representation in Congress and in the Electoral College will be cut down to the basis of her voting population. Her national representation, which is her power of self-protection, will be sacrificed to the demands of competing producers, competing markets and competing

MAYNARD ARCHIVES LIB

ports. Some suffrage restriction is absolutely necessary to Alabama. Let us place that restriction, without considerations of race, upon the idle and the vicious, and the Federal Constitution will never be invoked against us. Most of the states of the Union would be, with us, beneficiaries of the same immunity. We shall deserve, and we may receive with self-respect, what others share. We shall be protected by those universal assumptions of common sense which precede the letter and determine the interpretation of constitutional instruments. But, if we base our restrictions and claim our immunities upon the ground of discriminations common to no other section of our land, we must then assume an attitude of dependence on the indifference or the indulgence of others which is neither consistent with the self-respect of a proud and exalted statehood, nor consonant with the essential interests of our political influence. That will be half a policy of mendicancy and half a policy of peril. It will invite contempt and deserve disaster. It is not the course of sagacity, for an individual or for a state, voluntarily to hold opportunities and powers at the pleasure of a competitor. This is an appeal, not to prejudice, but to a reasonable prudence. Such an abandonment of the great cause of sectional self-interest would represent what I may characterize in the phrase of George Eliot as "the step from ineptitude to iniquity."

ALABAMA DEPT. ARCHIVES & HISTORY LIB

PLATFORM CANNOT MAKE FOR PURITY.

Finally, let me say that I have carefully weighed the suggestion that, with whatever mistakes, the present movement for a Constitutional Convention gives the promise of purer political conditions. That, at the first, was my own hope. It was in that hope that I gladly followed this movement to the very hour of the adoption of the platform of the State Convention. There and then, my faith in this movement was defeated and destroyed. After we had all worked to secure the best men of Alabama for a task of such importance, the pledges of the platform have put the best representatives of the life and thought of the State at the mercy of the narrower and weaker men in the proposed Constitutional Convention. Our largest legal experience, our soundest minds and our broadest constitutional learning, by the unauthorized, unreasonable, impossible, and inexpedient declarations of the State Convention, are delivered to the mercy of the incompetent. If the Constitutional Convention had been left free to do its own thinking, the people could have been safe-guarded from peril not only by the general character of its membership, but by the pledge to refer the completed instrument to the voters of the State. I should have gladly supported any measure that such a Convention might propose. But the pledges of the platform, if literally fulfilled, must result in a Constitution which the ablest members of the Convention cannot approve in their own consciences and cannot proudly defend before the people. The political situation in this State is not a happy one; the movement for a Convention was full of promise; but the specific methods imposed may postpone or defeat the essential end.

That end is the maintenance of white supremacy in Alabama, under purer political conditions. It is an end with which I have been in earnest and positive sympathy. I know some of the men who have proposed the declarations of the platform as a means toward that end, and I respect their sincerity of motive and their integrity of purpose as much as I hope they will respect my own. But this result can not be gained nor our common hope fulfilled, by a specific and literal conformity to the pledges of the State Convention. I, too, wish to improve the methods by which white supremacy may be maintained. I, too, desire the change from lawlessness to law. But in order to secure that change, I do not believe it to be necessary to put into the law itself the injustice that is done outside the law, and I do not think it well to demoralize our white population by forever yielding the ballot to all the white vagrancy and bribery that the State contains. So long as the ballot is in the hands of such men, we shall have the purchasable element in politics. So long as that purchasable element is in politics, it will hold the balance of power; and so long as the balance of power in this State is in the hands of men who regard the ballot as a commodity for barter, our political conditions will remain practically as they are to-day. The remedy suggested by the State Convention promises to be as bad as the disease.

ALABAMA DEPT. ARCHIVES & HISTORY LIB

My words are not the product of the moment. They are the result of the interest and the thought of years. I ask of every reader that he will judge them squarely and frankly in their own light, and not in the light of foolish rumors and street-corner misquotations. I claim no authority to bind the will of any man, or to assert over any conscience the odious coercion of the

ecclesiastical demagogue. I gladly yield to every man the utter liberty of thought and speech. Do I, then, ask too much if, outside of my pulpit, I claim the same liberty, as a citizen of our loved and honored State? I care little for any influence that is based upon the assumption that conscience, judgment, knowledge and conviction, must be hushed in the presence of popular disfavor and sacrificed to the bidding of public clamor. By that course has not come the bettering of the world.

YOU WILL SEE THAT I AM IN FAVOR OF DISFRANCHISING EVERY ILLITERATE OR WORTHLESS NEGRO IN THIS STATE. BUT I AM ALSO IN FAVOR OF DISFRANCHISING, AFTER DUE NOTICE GIVEN, SOME OF THE ELEMENTS OF OUR WHITE POPULATION. THIS COULD NOT AFFECT ENOUGH OF THE WHITE VOTERS IN THE STATE TO DISTURB WHAT I HAVE DEFINED AS "WHITE SUPREMACY," IN ANY COUNTY OF ALABAMA.

I have written this letter with the keenest personal regret. It represents a ground of serious difference between myself and some of my truest friends. But under the appeal from the State Committee, I cannot yield to what might be interpreted as the complicity of silence. The clergyman does not abdicate as a citizen when he becomes a minister. I shall not take this subject into my pulpit, but I must speak through such other channels as may be open to this discussion. I earnestly but respectfully contend that the rejection of the platform is the best hope of the Constitution. Whatever the cost of my expressions, I must be ready to bear it. I have written frankly, earnestly, and with all the intensity of sincere conviction. But I have written no word of personal or rancorous abuse. My words have represented not the intolerant criticism of men, but the rejection of a formal policy and of a public measure. I have tried to write without the conceit of opinion or the pride of quarrel, and solely in the interest of this Southern land, this land of our birth, our choice, and our homes. If the service of Alabama means the free thought, the honest expression, the loyal pride and the impassioned interest of her people, then I have served her. With sincere and cordial regard, I am,

Respectfully yours,

EDGAR GARDNER MURPHY.

Montgomery, Ala., April 12th, A. D. 1901.

ALA. DEPT. ARCHIVES & HISTORY LIB

ADDITIONAL COPIES OF THIS LETTER MAY BE HAD FREE OF CHARGE, IF POSTAGE IS ENCLOSED, ON APPLICATION TO THE ALABAMA PRINTING COMPANY, 116 DEXTER AVENUE, MONTGOMERY, ALABAMA.

ALA. DEPT. ARCHIVES & HISTORY LIB

ALABAMA ARCHIVES
0000019296

ALA. DEPT. ARCHIVES & HISTORY
LIB