ERASING THE COLOR LINE: THE RACIAL FORMATION OF CREOLES OF COLOR AND THE PUBLIC SCHOOL INTEGRATION MOVEMENT IN NEW ORLEANS, 1867-1880

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ABSTRACT

MISHIO YAMANAKA: Erasing the Color Line: The Racial Formation of Creoles of Color and the Public School Integration Movement in New Orleans, 1867-1880 (Under the direction of Heather A. Williams)

This thesis examines the public school racial integration movement of Creoles of color, a francophone interracial group in New Orleans, from 1867 to 1880. During Reconstruction, Creoles of color succeeded in desegregating about one-third of the city public schools. This thesis argues that the integration campaign of Creoles of color was an attempt to maintain their in-between identity—being neither fully whites nor fully blacks and being both Creoles and Americans—and an effort to erase the color line by improving the social status of black Americans to equal that of white Americans. Creoles of color forged desegregation by manipulating their ambiguous ethno-racial heritage and by negotiating with white radical Republicans, white New Orleanians and Anglophone blacks. Focusing on the political, legal and grass-root struggles of Creoles of color, this thesis reveals that they challenged segregation as it symbolized the emergence of biracial hierarchy in post-Civil War New Orleans.

TABLE OF CONTENTS

LIST OF MAP	v
INTRODUCTION	1
Section	
I. LEGALIZING INTEGRATION, 1867-68	8
II. ENFORCING INTEGRATION, 1868-1873	21
III. LOSING INTEGRATION, 1874-79	38
CONCLUSION	54
BIBLIOGRAPHY	57

LIST OF MAP

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Fig. 1. New Orleans City Map, 1873

22

ABBREVIATIONS

ARC The Amistad Research Center

CBRP Charles Barthelmy Roussève Papers

HNOC The Historic New Orleans Collection

LRC Louisiana Research Collection

LSC Louisiana and Special Collection

NRDP Nils R. Douglas Papers

SCLC Supreme Court of Louisiana Collection

TU Tulane University

UNO University of New Orleans

WORC William O. Rogers Collection

WRC Williams Research Collection

INTRODUCTION

On November 7, 1867, Creoles of color in New Orleans called for racial integration of public schools in their political organ, the New Orleans Tribune. In French, they questioned the injustice of racial segregation; "if every citizen is equal before the law, what reason can one give to exclude our children from public schools to relegate them as plague victims of the Middle Ages in separate places?" The article was written to press the state constitutional convention, which was to begin in sixteen days, to ensure racially integrated public schools. Creoles of color called it "a duty of the convention." The 1867-68 state constitutional convention was a testing ground to define the degree of post-bellum freedom, and public education was a particularly important topic. Creoles of color worked for desegregating public schools for social equality and envisioned a future in which children would learn in the same place regardless of their race with both black and white teachers educating pupils of either race. They achieved considerable success. Not only did they succeed in assuring black children their rights to public education, but also about one-third of the schools were desegregated from 1871 to 1877.³ Although the schools were re-segregated after Reconstruction, the achievement was significant as no other Southern

¹ New Orleans Tribune, "Les Droits de la Population de Couleur," November 7, 1867.

² Ibid.

³ Louis R. Harlan, "Desegregation in New Orleans Public Schools during Reconstruction," *The American Historical Review*, 67, no. 3 (1962): 666.

state accomplished integration to this degree. The convention thus marked the beginning of struggle for school racial integration. This thesis examines the reason why Creoles of color advocated for racial integration and the ways in which their movement influenced race relations in Reconstruction New Orleans.

The history of Creoles of color gained prominence in scholarly discussion of Creoles and Americanization in nineteenth-century New Orleans since the late 1980s.⁴ Situating the city as a contested ground of Creoles' "three-tiered Caribbean racial structure alongside with its two-tiered American counterpart," scholars rediscovered Creoles of color as distinct historical agents.⁵ They have defined Creoles of color as a group of "gens des couleurs libres," typically of mixed French, Spanish and African descent who tended to be racially classified as mulattos. The scholars have found that Creoles of color created a distinct class as free people of color in-between white masters and black slaves from the colonial to ante-bellum period.⁶ Creoles of color remained restricted but still had more

⁴ Creoles, in this case, mean the French-Spanish colonial culture, society, and people. Americanization means the changes caused by the influx of Anglo-Saxon Americans and Anglo-American culture that emerged after the Louisiana Purchase in New Orleans. In colonial Louisiana, Creole was used to differentiate the Louisiana-born population from European or African-born groups. The word gradually changed its meaning from place of birth to French-ness and heritage in the ante-bellum period. Creole did not originally have a racial connotation. See Virginia R. Dominguez, *White by Definition: Social Classification in Creole Louisiana* (New Brunswick: Rutgers University Press, 1986).

⁵ Arnold Hirsh and Joseph Logsdon, "Introduction" in *Creole New Orleans: Race and Americanization* (Baton Rouge: Louisiana State University, 1992), 189. Many scholars had recognized the distinctive cultural and interracial characters of Creoles of color since the early twentieth century; however, they had interpreted their works as part of the achievement of the black population. The conflict between Creoles of color and Anglophone blacks had been largely neglected. Alice Dunbar-Nelson, "People of Color in Louisiana: Part I," *The Journal of Negro History*, 1 no. 4 (1916): 361-76 and "People of Color in Louisiana: Part II," *The Journal of Negro History*, 2 no. 1 (1917): 51-78; Charles B. Roussève, *The Negro in Louisiana: Aspects of His History and His Literature* (New Orleans: The Xavier University Press, 1937). Revisionist scholars strengthened this tendency as the school emphasized the contribution of the black population in American history. John W. Blassingame, *Black New Orleans*, 1860-1880 (Chicago; The University of Chicago Press, 1973); Charles Vincent, *Black Legislators in Louisiana during Reconstruction* (Baton Rouge: Louisiana State University Press, 1976).

⁶ For the history of the formation of gens des couleur libres from the colonial to ante-bellum period, see

rights than free blacks in any other part of the South.⁷ They believed in Catholicism, spoke French and maintained the French colonial culture as free people of color as opposed to many black Americans who were Protestants, spoke English and mostly were enslaved. Scholars argued that the in-between-ness of Creoles of color reflected permeable race and ethnic relations in New Orleans. Assessing the distinctiveness of Creoles of color has become important in understanding the motivation behind their racial integration movement.

A major body of scholarship interpreted the racial integration movement of Creoles of color as a heroic and pioneering action for civil rights against the increased power of the dichotomous white and black American racial hierarchy. Scholars argued that Creoles of color attempted to fulfill the universal equality embedded in the French revolution slogan: "liberté, égalité, fraternité." In so doing, Creoles of color struggled along with Anglophone blacks to construct a sense of racial community with new rights and freedom. However, scholars determined that Creoles of color failed because Anglophone blacks preferred gradual improvement of race relations and emphasized self-autonomy. Creoles of color also had ethnic conflicts with Anglophone blacks. Scholars thus interpreted Creoles of color as victims of the American binary racial structure and racism. In addition, integration was understood as a forgotten opportunity that Anglophone blacks might have achieved

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Gwendolyn Midlo Hall, Africans in Colonial Louisiana: the Development of Afro-Creole Culture in the Eighteenth Century (Baton Rouge: Louisiana State University Press, 1992); Kimberly S. Hanger, Bounded Lives, Bounded Place: Free Black Society in Colonial New Orleans, 1769-1803 (Durham: Duke University Press, 1997); Judith Kelleher Schafer, Becoming Free, Remaining Free: Manumission and Enslavement in New Orleans (Baton Rouge: Louisiana State University Press, 2003); Shannon Lee Dawdy, Building the Devil's Empire: French Colonial New Orleans (Chicago: University of Chicago Press, 2009).

⁷ Paul A. Kunkel, "Modification in Louisiana Negro Legal Status Under Louisiana Constitutions, 1812-1957," *The Journal of Negro History*, 44, no. 1, (1959): 1-25.

with them.8

This framework, however, minimized the fact that Creoles of color influenced the racial discourses of New Orleans by identifying themselves concomitantly as Americans and Creoles. Cultural historian Shirley Elizabeth Thompson criticized scholars for considering Creoles as Americans' peculiar counterpart. Not only she found the interracial identity of Creoles of color, but she also discovered a dual consciousness of Creoles of color—being Creoles and Americans in an attempt to create a middle ground of race relations in New Orleans society throughout the nineteenth century. She argued that Creoles of color crossed multifaceted boundaries between class, race and ethnicities to maintain their group identity and even influenced American dichotomous racial discourse by emphasizing their interracial heritage. Her arguments suggested that the relationships that Creoles of color had with Anglophone blacks and the white population in New Orleans were far more intertwined and ambivalent than previous scholars recognized.⁹

Studies of public education in New Orleans have revealed that Creoles of color formed the most radical group in the fight for black Americans' civil rights. Historian Louis R. Harlan found that Creoles of color were the major contributors to the racial integration movement and determined that Republican radical politics sustained the success of the movement. Roger A. Fischer agreed with Harlan's point about Creoles of color. However, Fischer found that the Republican members had diverse ideas for

⁸ Caryn Cossé Bell, *Revolution, Romanticism, and the Afro-Creole Protest Tradition in Louisiana,* 1718-1868 (Baton Rouge: Louisiana State University Press, 1997); Joseph Logsdon and Caryn Cossé Bell, "The Americanization of Black New Orleans 1850-1900," in *Creole New Orleans*.

⁹ Shirley Elizabeth Thompson, *Exiles at Home: The Struggle to Become American in Creole New Orleans* (Cambridge, MA: Harvard University Press, 2009).

integration. Anglophone black Republicans showed ambivalent reactions toward integration, and some white Republicans clearly opposed the campaign. Importantly, Fischer also revealed that many white New Orleanians and the city school board supported racial segregation to maintain white supremacy. As Howard Rabinowitz argued, post-bellum city race relations made a transition from exclusion to segregation. Anglophone blacks and most white Republicans preferred segregation on the premise of separate but equal facilities for both whites and blacks, while white New Orleanians forged segregation to sustain racial hierarchy. The previous studies suggested that Creoles of color needed to negotiate among the groups with a range of opinions over the years. These scholars, however, focused less on what kind of discussion Creoles of color had with Anglophone blacks, white Republicans and white New Orleanians. They also did not question how the ethno-racial identity of Creoles of color influenced discussions about integration. The New Orleans public school racial integration movement has to be reconsidered from the viewpoint of Creoles of color. 10

Considering these historiographical debates, I argue that Creoles of color organized the racial integration movement to create a society in which they could achieve social equality while maintaining their in-between ethno-racial identity. Their racial in-between-ness—being neither fully whites nor blacks and being both Americans and Creoles—led them to envision a future in which race would no longer be a determinative factor for their educational opportunities.¹¹ In order to succeed in their campaign, they

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¹⁰ Harlan, "Desegregation in New Orleans Public Schools during Reconstruction"; Rogers A. Fischer, *The Segregation Struggle in Louisiana*, 1862-1879 (Urbana: University of Illinois Press, 1974); Howard N. Rabinowitz, *Race Relations in the Urban South*, 1865-1890 (Athens: The University of Georgia Press, 1996).

¹¹ The term, racial in-between-ness, was used by scholars of labor history and whiteness studies James Barrett and David Roediger to delineate the interim process that European immigrants experienced before

sought cooperation from various political groups during Reconstruction by manipulating the wide range of ways in which others perceived them. Various racial terms that were used during Reconstruction demonstrate that Creoles of color caused racial confusion. Words such as "colored" were almost universally utilized for any sort of population of African descent, whereas "negro" and "blacks" were often associated with the notion of pure African descent. The words such as mulatto, octoroon and quadroon were frequently used to describe Creoles of color because these terms indicated their interracial heritage. However, Creoles of color were often called colored and negro, as well. The existence of Creoles of color influenced a discussion of whether segregation was practicable for the racially diverse New Orleans population. Each political group attempted to choose either integration or segregation to solve the problem of racial uncertainty and to improve the social status of the black population in New Orleans.

This thesis considers the integration campaign of Creoles of color during three periods while focusing on their relations with Anglophone blacks, white Republicans and white New Orleanians. 12 The first section studies the period of legalization struggle for racial integration, focusing on the 1867-68 state constitutional convention. I find that the

they internalized a white racial identity and transformed themselves into American working class people. In this thesis, however, I argue racial in-between-ness as an identity rather than a process. See, David Roediger and James Barrett, "Inbetween Peoples: Race, Nationality and the "New Immigrant" Working Class," Journal of American Ethnic History, 16, no. 3 (1997): 3-44.

¹² In this thesis, I define Creoles of color as a group whose status was gens des couleur libres and retained the socio-cultural affiliation with French Creole society of New Orleans. Historian Joseph G. Tregle, Jr. criticizes scholars' use of Creoles of color as it implies that Creoles exclusively mean whites. But I use the term to distinct their community and identity. Joseph G. Tregle, Jr. "Creoles and Americans," in Creole New Orleans, 133. I also use Anglophone blacks to indicate a group of black Americans who possessed socio-cultural ties to Anglo-Saxon society rather than that of Creoles, Blacks or black Americans indicate a general racial group of African descent including Creoles of color and Anglophone blacks unless otherwise specified. White New Orleanians, in this case, were the majority of people who opposed racial integration including both white Creoles and Anglo-Saxons. It is important to note that some white New Orleanians regardless of their ethnicities supported integration. I described them as white radical Republicans unless otherwise noted.

educational experiences of Creoles of color in the ante-bellum period became a foundation of their campaign for the state racial integration act. At the convention, Creoles of color comprised a radical faction along with white radical Republicans such as Thomas W. Conway. However, moderate and conservative whites, preferred a segregated public school system. Anglophone blacks, represented by Pinkney Benton Stuart Pinchback also supported segregation for fear of racial discrimination. I examine what circumstances enabled Creoles of color to change the moderates' vision to support racial integration. The second section explores the implication of the state racial integration act for the city schools and its success from 1868 to 1873. Creoles of color took political, legal and grass-roots actions to enforce the state act since the city school board ignored the state act. In addition to white radical Republicans led by Thomas W. Conway, Anglophone blacks including Pinchback shifted their policy and supported Creoles of color. I argue that white radicals chose integration as a solution to complicated New Orleans race relations, whereas Anglophone blacks found integration better than segregation for their educational opportunities. Anglophone blacks and white radicals became important allies for the success of integration. The third section examines the re-segregation backlash from 1874 to 1880. I argue that segregationists insisted that segregation offered equal facilities for whites and blacks. This justification strengthened legitimacy to re-segregate the public schools and include the interracial population into the category of blacks. Segregationists gained power along with the resurgence of Democrats. Creoles of color gradually lost support of radical whites due to violence and racial hatred. Anglophone blacks supported Creoles of color to file lawsuits against re-segregation. However, they abandoned integration when white Democrats proposed to establish Southern University, a state

university exclusively for blacks. The racial integration clause was erased from the state constitution in 1879. The division between Anglophone blacks and Creoles of color halted the integration movement.

I. LEGALIZING INTEGRATION, 1867-68

Before Creoles of color started the public school racial integration movement, 'colored schools' were a symbol of the social advancement of the black population in New Orleans. Colored schools were independent from the city's all-white public school system and satisfied the strong demand for education by freedpeople. As soon as the Union army occupied New Orleans in April 1862, white Northern private teachers founded colored schools "in response to the strong desire of the colored people for instruction." In January 1864, the American Missionary Association joined the movement and established its first school in the city. Soon, the Union army stepped into freedpeople's education to systematize it. In March 1864, General Nathaniel Banks established a Board of Education for freedpeople. The board rapidly expanded its system, and within nine months, it operated "95 schools, with 162 teachers and 9,571 pupils." Furthermore, in 1865, the Freedmen's Bureau took over the jurisdiction of these schools and expanded the system.

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¹³ Department of the Gulf, *Report of the Board of Education for Freedmen for the Year 1864* (New Orleans: The Office of the True Delta, 1865), 5. The Union army led by David G. Farragut attacked New Orleans in late April 1862, and General Benjamin Butler moved to New Orleans in May to control the city. Reconstruction had already started in New Orleans before the end of the Civil War.

¹⁴ Joe M. Richardson, "The American Missionary Association and Black Education in Louisiana, 1862-1878" in *Louisiana's Black Heritage*, eds. Robert R. Macdonald, John R. Kemp and Edward F. Hass (New Orleans: Louisiana State Museum, 1977), 148-49.

¹⁵ Department of the Gulf, *Report of the Board of Education for Freedmen for the Year 1864*, 6; John W. Blassingame, "The Union Army as an Educational Institution for Negroes, 1862-1865," *The Journal of Negro Education*, 34 no. 2 (1965), 152-59.

The majority of Anglophone blacks praised colored schools as a major advancement. The *Black Republican*, a weekly English and Baptist black newspaper, celebrated General Banks's school policy as "the blow that would stagger slavery." Reconstruction increased educational opportunities for the black population, but the city public schools were not essentially responsible for this new circumstance.

White New Orleanians considered education for freedpeople jarring because it symbolized the ascendancy of freedpeople but tolerable because they could maintain their white-only public school system. The city public schools, exclusively for whites since its first founding during the ante-bellum period, had experienced the color line as an ongoing problem. During the antebellum period, Creoles of color obtained "occasional admission to the white schools," due to their light-colored skin and mixed parentage. Chaotic social instability caused by the war and reconstruction increased the chance of racial passing. In 1862, the board of visitors in the French Quarter reported that a free black child was admitted to the Barracks School, located on Barracks street, in the Tréme neighborhood, north of the French Quarter. They found that the teacher named Miss Snyder passed as white and helped her relative to enroll in the school. They immediately expelled both the teacher and student. White New Orleanians needed to tighten the color line in order to keep the white-only public schools and their privilege. They expected colored schools to be a buffer zone against attempts to cross the color line.

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¹⁶ Black Republican, "General Banks's Labor and School Systems," May 13, 1865; Joseph Logsdon and Caryn Cossé Bell, "The Americanization of Black New Orleans," in *Creole New Orleans*, 239.

¹⁷ Department of the Gulf, Report of the Board of Education for Freedmen for the Year 1864, 3.

¹⁸ See Leon Beasley, "A History of Education in Louisiana during the Reconstruction Period," (Ph.D. Dissertation, Louisiana State University, 1957), 56; Fischer, *Segregation Struggle in Louisiana*, 110; Donald

Creoles of color, however, were not satisfied with this 'colored school' system.

While they had been excluded from the public school system since the ante-bellum period, they already had several other means to achieve education. First, it was very common for wealthy families of Creoles of color to send their children to France for their higher education. Moreover, Catholic churches and nuns ran parochial schools for educating Creoles of color. Private tutoring was popular as well. Most importantly, they had their own institution for education. In 1848, they established L'Institution Catholique des Orphelines Indigents, also known as the Couvent Institute, using funds provided through the will of Madame Couvent, a Creole woman of color. In spite of these educational opportunities, they saw their children's access to integrated public schools as a next step to improve their social situation. ¹⁹

The experience at the Couvent Institute united Creoles of color in developing their sense of community and their ideal of racial integration of public schools. Many community leaders and literati of Creoles of color ran the school as teachers, administrators and philanthropists. The principal, Armand Lanusse was known for never classifying students based on the color of their skin. Rodolphe Lucien Desdunes, historian of Creoles of color, wrote that "the question of color never arose among them to disturb the calm of their innocence" because of Lannusse's racial policy. ²⁰ Creoles of color knew the

E. Devore and Joseph Logsdon, *Crescent City Schools: Public Education in New Orleans*, 1841-1991 (Lafayette, LA: The Center for Louisiana Studies, 1991), 55.

¹⁹ Ibid., 41-43.

²⁰; Rodolphe Lucien Desdunes, *Our People and Our History: Fifty Creole Portraits*, trans., and ed. Sister Dorothea Olga McCants (Baton Rouge: Louisiana State University Press, 1973), 14. This book was originally published as *Nos Hommes et Notre Histoire* (Montreal: Arbor & Dupont, Imprimeurs-Editeurs, 1911).

advantage of whiteness through white-only New Orleans public schools. However, many of them nurtured the awareness that color did not determine the quality of human beings in their school. In order to extend their degree of freedom, they needed to advance a discussion of public education for integration.

Many members of the Couvent Institute drew public attention by using their pens. In 1862, Louis Charles Roudanez, with a financial aid of the Union army, began publishing *l'Union*, a French newspaper. Born to a French merchant and a free woman of color in 1823, Roudanez was a physician who gained a medical degree at Faculté de Médicine de Paris. In 1864, the *New Orleans Tribune*, a Republican official organ and a French-English bilingual newspaper, succeeded *l'Union*. Paul Trévigne, a teacher of the Couvent Institute, served as an editor for both newspapers. Born in New Orleans in 1825, Trévigne was a son of a veteran of the Battle of New Orleans. Although the details of his early life are murky, he was highly educated in both French and English literature and, as a linguist; he led a literary circle of Creoles of color. During and after the Civil War, he utilized his talent in writing to "defend the rights of man." The *New Orleans Tribune* became the focus of public attention through its bilingual and intelligent writing style.

By early 1865, the *New Orleans Tribune* had created the ideological backbone of the public school racial integration movement. As spokesmen for the black population, it emphasized the equality of races and the unity of Creoles of color with Anglophone blacks in order to criticize segregation. According to an article published in February 1865,

²¹ David Rankin, "Introduction," in Jean-Charles Houzeau, *My Passage at the New Orleans Tribune*, ed., David Rankin, trans., Gerald F. Denaut (Baton Rouge: Louisiana State University Press, 1984), 27.

²² Desdunes, Our People and Our History, 66.

segregation demonstrated "the aristocracy of color."²³ To illuminate their integration principles, Creoles of color welcomed Jean-Charles Houzeau, a white man originally from Belgium, to help publish the newspaper both in English and French. His presence was a symbol of white radicals who cooperated with their cause and their ideal of racial equality.²⁴ At the same time, Creoles of color sought an alliance with Anglophone blacks. In their opinion, the "colored population in Louisiana" was "one by blood as they are by political principle."²⁵ The *Tribune* criticized Reconstruction politics for "delaying salutary reform" and called for more direct and strong action against segregationists.²⁶ In 1867, the newspaper stressed the idea that "separation is not equality," while insisting on integrated schools.²⁷

The 1867-68 state constitutional convention was an opportunity for Creoles of color to directly institute an integration policy over city public schools by utilizing state power. The convention consisted of an equal number of white and black delegates and they were divided into multiple political factions. The white delegates were composed of Republican radicals, moderates and conservatives. Creoles of color participated in the convention as black delegates along with Anglophone blacks. While Creoles of color formed a radical faction, Anglophone blacks formulated a moderate group. Among Creoles

²³ New Orleans Tribune, "Public Schools," February 17, 1865.

²⁴ Houzeau, My Passage at the New Orleans Tribune, 80.

²⁵ New Orleans Tribune, "Newman on the Situation, Creoles and Freedmen," May 21, 1867.

²⁶ New Orleans Tribune, "Power versus Prejudices," March 26, 1865.

²⁷ New Orleans Tribune, "Star Schools," May 12, 1867.

of color, for instance, Arnold Bertonneau, a wine merchant, director of the Couvent Institute, and a former captain of the Louisiana Native Guards in the Union army, was elected from the third District of New Orleans. ²⁸ As a representative of the Anglophone black community, P. B. S. Pinchback became a prominent delegate. A light-skinned mulatto born in Mississippi, he was educated as a freedman in Cincinnati. He joined the Union army and moved to New Orleans when the Civil War ended.²⁹

Creoles of color saw radical white Republicans as their allies for school integration. On June 5, 1867, Thomas W. Conway expressed his support for racial integration, stating, "all children shall be admitted and instructed, regardless of color." On June 18, the radical Republican platform declared that it would pursue "perfect equality under the law to all men without distinction of race or color," and proposed to open "all schools...to all children."31 Most of the radical whites were Northerners like Conway. Nonetheless, some white Louisiana natives, such as George M. Wickliffe and Benjamin Flanders, joined the radical group.

Moderate white Republicans countered that desegregation was too dangerous for the situation in Louisiana. The increasing power of the freed population had already

²⁸ Vincent, Black Legislators in Louisiana during Reconstruction, 55. Board of Directors, History of the Catholic Indigent Orphan Institute (New Orleans: Board of Directors, 1917), 8, Folder 20, CRP, ARC, TU.

²⁹ James Haskins, *The Black Governor: Pinkney Benton Stewart Pinchback* (New York: Macmillan, 1973).

³⁰ New Orleans Tribune, "Mr. Conway at Vicksburg, Immense Meeting at the Courthouse. Bishop Campbell's Speech—Republicans Organizing and Working," June 5, 1867. Thomas W. Conway arrived in Louisiana as a chaplain and served as the assistant commissioner of the Freedmen's Bureau in 1866. See Beasley, "A History of Education in Louisiana during the Reconstruction Period," 128-29.

³¹ New Orleans Tribune, "Radical Republican Convention. Reports of the Committee on Platform. Majority Report," June 18, 1867.

antagonized many whites, culminating in a riot called the Mechanics' Hall Massacre in 1866, the city's largest race riot during Reconstruction. The moderates supported public education of blacks but proposed the maintenance of segregated schools. The *New Orleans Tribune* criticized their action by calling them "timid Republicans." The outstanding figure of this group was Henry C. Warmoth, a so-called carpetbagger and lawyer from Illinois. In response to the criticism made by Creoles of color, Warmoth described them as "a class of colored people in Louisiana who really hoped and believed that the change in affairs would result in the Africanization of the State." He feared that the political power of blacks, including Creoles of color might surpass that of whites. Overall, the moderate faction maintained the paternalistic view that whites should guide the mass of freedpeople. Therefore gradual improvement of race relations and continued maintenance of segregated schools was consonant with the principles.

While Creoles of color consistently supported radicals, a large part of the
Anglophone black population in New Orleans rallied behind the moderates. Many of them
harbored concerns for their autonomy and feared racial hatred. Some teachers at colored
schools reported that children and their parents opposed integration of their schools. A
black principal named Bowie of a Congregational school held in St. Paul Methodist
Church explained; "it is the best interest of the colored child" to have public schools but
"separate schools should be established for white and colored children" in order to prevent

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³² New Orleans Tribune, "The Schools," October 24, 1867.

³³ Henry C. Warmoth, *War, Politics and Reconstruction: Stormy Days in Louisiana* (New York: The Macmillan Company, 1930), 57.

racial discrimination.³⁴ Their political leader P. B. S. Pinchback agreed that forced integration might worsen race relations. He believed that "social equality, like water, must be left to find its own levels, and no legislation can affect it."³⁵ He judged that integration was too radical for race relation in New Orleans. The choice of separation enabled the large portion of the black population to support the moderates as their political allies.

The all-Southern white city school board members supported the moderate Republican group as well. They essentially did not intend to have a public education system for blacks. However, expecting that the radical group would insist on racial integration, they compromised to establish 'a colored school board,' a separate public school system for the black children before the convention commenced. They refused integration reasoning that the white schools did not have enough room for welcoming black students. Instead, the city school board suggested that it would take over the schools managed by the Freedmen's Bureau. On November 7, the *Daily Picayune*, New Orleans' major newspaper reported "all the colored school are now under the control and direction of the Board of Public School Directors." The New Orleans public school board created a fait accompli of segregated public school system before the constitutional convention began in order to demonstrate its resistance and thus aided the moderates so that the convention delegates could not enact any sort of desegregation act.

³⁴ *Daily Picayune*, "The City: Board of School Directors," September 17, 1867.

³⁵ *Daily Picayune*, September 29, 1868, quoted in *John Rose Ficklen, Reconstruction in Louisiana (through 1868)* (Baltimore: The Johns Hopkins Press, 1910), 208.

³⁶ Daily Picayune, "The School Board, The School Funds and Universal Education," August 12, 1867.

³⁷ Daily Picayune, "untitled," November 7, 1867.

The debate over public education started on November 30, a week after the convention began at the Mechanics' Institute in New Orleans. On this day, a white radical Republican George Wickliffe proposed eleven ordinances on public education. The first and second proposed articles were particularly related to racial integration. The first article mandated that "all children...shall be admitted to the public schools...without distinction of race, color, or previous condition." It further ordered that "there shall be no separate schools established for any race." The second proposed article stipulated that "no municipal corporation shall make any rules or regulations contrary to the spirit and intention of this Constitution." His proposal was sent to the Committee on Public Education, which was specially created for this convention. 38

The committee consisted of the eleven members, whose decisions over Wickliffe's proposal radically split into two factions: radicals and conservatives. While radicals became the majority and supported Wickliffe, conservative members rejected the idea of public education for blacks as the minority group of the committee. There were seven radical members in the committee. Among them, Ovide C. Blandin and H. Bonseigneur were Creoles of color who represented the Orleans Parish. P. G. Deslonde was also a Creole man of color. He was born and grew up in New Orleans yet represented the Iberville Parish, located close to Baton Rouge. A. J. Demarest and D. Douglass were whites. William Butler and Dennis Burrell were Anglophone black delegates. The minorities who opposed Wickliffe's proposal were John Lynch, John L. Barret, G. Snyder and Peter Harper,

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³⁸ Official Journal of the Proceedings of the Convention, for Framing a Constitution for the State of Louisiana (New Orleans: J. B. Roudanez & Co., Printers to the Convention, 1867-1868), 17.

³⁹ Vincent, Black Legislators in Louisiana during Reconstruction, 226-227.

all of whom were white conservative representatives. They submitted a modified proposal that omitted any reference to racial integration. Instead, it mostly concentrated on the financial management of public schools.⁴⁰ The committee opinions were divided into two, and the convention members argued whether to have integrated schools or ignore an opportunity for the education of black Americans.

The controversy over public education resulted in a victory for Creoles of color. Anglophone blacks and moderate whites shifted their support in favor of enacting a racial integration act. The moderate faction which consisted of Anglophone blacks and moderate whites saw no possibility to support the minority report, since it did not even acknowledge any guarantee of public education for blacks. The committee submitted the final proposal based on Wickliffe's proposal on February 4, 1868. It gained sixty-one ayes and twelve nays, and was adopted. Every Anglophone black delegate including Pinchback voted for the public education clause. They also succeeded in gaining twenty-two whites votes. The integration clause was enacted as Article 135, and New Orleans public schools were included as targets of integration.⁴¹

Creoles of color, however, faced backlash from moderates during the gubernatorial election in 1868. Despite the result of the racial integration act, radicals and moderates did not cooperate. Radical Republicans, including Creoles of color, proposed that Major Francis E. Dumas campaign for the governorship. He was a Creole man of color and a legendary hero of the Civil War. Moderate Republicans chose Henry Warmoth as a rival candidate. Dumas lost by only two votes in the primary, and Warmoth immediately offered

⁴⁰ Official Journal of the Proceedings of the Convention, 60-61.

⁴¹ Ibid., 306.

him a position of lieutenant governor, however, Dumas rejected it. Instead, Warmoth allied with Oscar J. Dunn, an ex-slave from New Orleans. While the majority of Anglophone blacks supported the Warmoth and Dunn ticket, Creoles of color could not support Warmoth due to his reluctance to ensure racial integration. In the end, though, Warmoth won the election. Creoles of color had succeeded at the state convention, but subsequently had lost the gubernatorial election. 42

The election controversy strengthened the social perception of Creoles of color as dangerously radical black elites. The *New Orleans Tribune* lost confidence in New Orleans society and state politics for not supporting the Warmoth-Dunn coalition and it quickly lost its official status as a Republican organ. Many whites, including conservatives and moderate white Republicans, interpreted the action of Creoles of color as an unrealistic attempt to overturn white supremacy. In his autobiography, Warmoth remembered Creoles of color as a distinct radical black faction as "San Domingo Negroes...who urged the Negroes of Louisiana to assert themselves and follow Hayti, San Domingo and Liberia." The criticism toward Creoles of color came even from their radical allies. Jean-Charles Houzeau quit a position at the *New Orleans Tribune*. He criticized his fellow Creoles of color for not supporting Dunn, stating that "the old aristocratic spirit of the mulatto has reawakened." The *New Orleans Tribune* suspended operation for eight months after the gubernatorial election. It restarted circulation in 1869 but it only continued for two months.

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 $^{^{42}}$ Logsdon and Bell, "The Americanization of Black New Orleans 1850-1900," in *Creole New Orleans*, 248-50.

⁴³ Warmoth, War, Politics and Reconstruction, 51.

⁴⁴ Houzeau to his parents, May 9, 1868, *Lettres*, quoted in Thompson, *Exiles at Home*, 258.

Although Creoles of color succeeded in enacting the public school integration clause, the controversy of the gubernatorial election of 1868 paralyzed their political activism in state politics.

While Reconstruction improved educational opportunities for the black population through private and federally supported schooling, Creoles of color particularly envisioned public school racial integration. They had nurtured the idea for integration through their ante-bellum educational experiences. The fragile color line made it easy for some of them to pass as white. However, many Creoles of color represented themselves as blacks to preserve their interracial community and to project the unity and equality of races through desegregation. At the constitutional convention, Creoles of color actively campaigned for racial integration and cooperated with radical whites. Nonetheless, moderate white Republicans supported a separate public school system. Anglophone blacks and the city school board sided with the moderates. Creoles of color succeeded in enacting a racial integration law due to the conservative group's attempt to eliminate altogether the possibility of public education for blacks. However, the new law did not mean that radicals and moderates reconciled. Creoles of color lost a considerable power due to the gubernatorial election.

Even after the loss at the gubernatorial election, Creoles of color were still ardent supporters of racial integration. Some of them remained in state politics as members of the State Senate and House of Representatives. Radical whites kept their position for racial integration as well. Most importantly, Thomas W. Conway, a white radical, was elected as the state superintendent of public education. After the constitutional convention and

gubernatorial election, Creoles of color shifted their focus to the reformation of the city school system. For this city-level struggle, Anglophone black politicians began supporting integration, and became an indispensable force to implement racial integration.

II. ENFORCING INTEGRATION, 1868-1873

Although Creoles of color succeeded in including a racial integration clause in the state constitution, they faced a new problem: how to implement integration in the city schools. In 1868, the New Orleans city school board had jurisdiction over fifty-five public schools scattered around the city. Among them sixteen schools were for blacks. ⁴⁵ The city school board showed indifference toward the state constitution. The directors of the board insisted that the state law had no authority to ban their segregation doctrine of city schools. In order to change the situation, Creoles of color returned to the state legislature and court for further action. They also directly negotiated with white schools to open doors to their children. Meanwhile, Thomas W. Conway, state superintendent of public education, sought a way to mandate segregation. Anglophone blacks also began promoting the integration movement as they saw that integration offered higher-level educational opportunities.

Creoles of color drove the expansion of integrated public schools from 1868 to 1873 with the support of white radicals and Anglophone blacks.

Geography is important to trace the integration struggle of Creoles of color. An ethnic line characterized the New Orleans' residential pattern. The areas northeast from Canal Street were predominantly francophone neighborhoods while to the west were Anglophone areas. Many Creoles of color lived in the francophone residential areas such as the Faubourg Tremé and Faubourg Marigny. These districts held the white Creole

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⁴⁵ Report of the State Superintendent of Public Education for 1867 and 1868, Session of 1869 (New Orleans: A. L. Lee State Printer, 1869), 27.

population as well. Anglophone blacks lived in the "back-of-town" neighborhoods such as present-day Central City, the area southwest of Canal Street and a couple blocks north to St. Charles Avenue. 46 They tended to live in separate spaces from Anglophone whites.

Although Creoles of color and Anglophone blacks interacted politically, there were social and geographical distances between them. The location of the public schools helps to explain who committed to the racial integration movement.

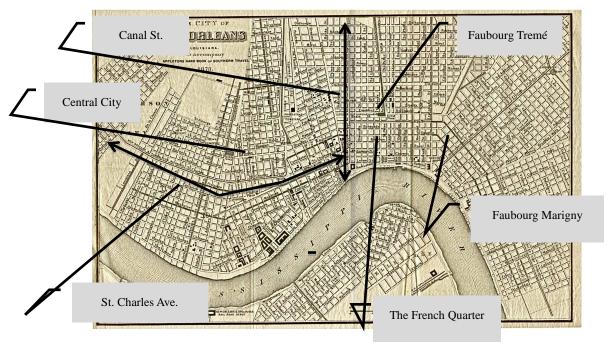


Fig. 1. New Orleans City Map, 1873 47

Despite the state constitutional convention, the city school board worked hard to maintain a color line. The *New Orleans Republican* reported in February 1868 that one "colored" father attempted to send his child to the De Soto School, a white school in

⁴⁶ Richard Campanella, *Geographies of New Orleans: Urban Fabrics Before the Storm* (Lafayette, LA: Center for Louisiana Studies, 2006), 300.

⁴⁷ Charles H. Jones, ed. and complied, *Appleton's Hand-Book of American Travel, Southern Tour*, 1873, the University of Texas Libraries, http://www.lib.utexas.edu/maps/historical/new_orleans_1873.jpg. (Accessed November 10, 2012)

Faubourg Tremé. Although the newspaper did not report his name, he was possibly a Creole man of color as he chose the school in the predominantly Creole neighborhood. He insisted that he was not a "contraband." The city school board, however, instantly rejected his petition. In April 1868, William O. Rogers, city superintendent of public schools, received a report of "the rumor that colored children have [been] admitted" to the Bayou Road School, another white school in Tremé. On May 7, Rogers requested the details of the situation from Madam S. Bigot, principal of the school. On May 21, Bigot submitted a list of twenty-eight girls, who were possibly not whites. In response, the board ordered that "all children of color, who may be found in any of the white schools of the City, shall be immediately furnished with a written transfer to the school to which they properly belong." The city school board insisted on adhering to a segregated racial order.

The Bayou Road School incident illustrates the difficulty of drawing a color line against Creoles of color. Many of the girls in the schools were daughters of Creoles of color and their physical appearances were similar to white Creoles.⁵¹ Sisters Alice and Anais Meilleur, for instance, were the daughters of Eugene G. Meilleur, a mulatto and free Creole man of color who worked as a constable during Reconstruction.⁵² Emma Gondales was a

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⁴⁸ New Orleans Republican, "Monthly School Board Meeting," February 6, 1868.

⁴⁹ Letter, William O. Rogers to S. Bigot, May 7, 1868; Letter, S. Bigot to William O. Rogers, May 21, 1867, reprinted in the Orleans Parish School Board Minutes, August 29, 1865 to June 2, 1869, 322-23, LSC, UNO.

⁵⁰ Minutes, August 29, 1865-June 2, 1869, 327-28, LSC, UNO.

⁵¹ New Orleans Republican, "Public School Examination, Second District," June 24, 1868.

⁵² Year: 1860; Census Place: New Orleans Ward 5, Orleans, Louisiana; Roll: M653_418; Page: 728; image: 178; Family History Library Film: 803418, Ancestry.com, 1860 United States Federal Census (Provo, UT: Ancestry.com Operations, Inc., 2009); New Orleans, Louisiana, City Directory, 1869, Ancestry.com. U.S.

niece of Charles. S. Sauvinet, an alderman and prominent Creole man of color. Sauvinet was classified as mulatto in the census, and filed a lawsuit against a coffee house that refused to serve him on account of his race in 1875.⁵³ Madame Bigot reported that Olivia Edmunds, another girl under suspicion, was even "admitted upon a certificate of white birth."⁵⁴ The *Daily Picayune* reported that among the girls, "two are said to be quite dark, while the others are lighter complexion."⁵⁵ Eventually, six children submitted proof that they were white, while six other children refused to explain their racial background. The remaining students acknowledged that they were not whites. ⁵⁶ The board determined to send all the children who could not prove their white racial status to the Rampart Girls' School, the neighboring school for black girls.

In response to the action of the city school board, Creoles of color returned to state politics to strengthen state control over the city school system. Among them, Henry Louis Rey became chairman of the committee on education in the House of Representatives in 1868. He was a "bright mulatto" born in New Orleans in 1831 to a wealthy and prestigious

City Directories, 1821-1989 (Beta), (2011); David Rankin, "The Origin of Negro Leadership in New Orleans during Reconstruction," in Southern Black Leaders of the Reconstruction Era, Howard N. Rabinowitz ed., (Urbana: University of Illinois Press, 1982), 185.

⁵³ Year: 1870; Census Place: New Orleans Ward 7, Orleans, Louisiana; Roll: M593_522; Page: 583B; Image: 714; Family History Library Film: 552021, Ancestry.com, 1870 United States Federal Census [database online] (2009); C. S. Sauvinet v. Joseph A. Walker, 27 La. Ann. 14, (1875); Roger A. Fischer, Segregation Struggle in Louisiana, 1862-1877 (Urbana: University of Illinois Press. 1974), 111.

⁵⁴ Letter, Bigot to Rogers, May 21, 1867, Minutes, 323, LSC, UNO.

⁵⁵ *Daily Picayune*, "The Board of Public School Directors-Colored Children in the White Schools," May 22, 1868.

⁵⁶ New Orleans Republican, "Board of School Directors," May 28, 1868.

family of Creoles of color of Haitian origin.⁵⁷ He started working for the Couvent Institute in the antebellum period and entered politics after serving as a captain of the Native Guard in the Confederate Army and later the Union Army during the Civil War.⁵⁸ In August 1868, he made a first attempt to ensure school integration through proposing an additional state law. He proposed to grant the governor, at the time, Henry C. Warmoth, authority to appoint ten members of the city school board with the consent of the state senate.⁵⁹ The act passed the House of Representatives, however, the Senate hampered it. There were two opinions among the opponents in the Senate. Democrats like A. J. Bacon opposed the bill in favor of maintaining school segregation in New Orleans. Republicans feared to increase the power of the governor. P. B. S. Pinchback, one of black senators at the time, voted against the act because he refused to give the governor authority to control public education.⁶⁰

In January 1869, at the state legislature, Rey presented another act to abolish the city school board and give the state board of education authority over the management of a new city school board. Although the act granted Governor Warmoth the power to appoint five board members, Thomas W. Conway, an integrationist, was the head of the state board.

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⁵⁷ U.S. Pension Record no. 1127637, Department of the Interior, Bureau of Pensions, quoted in Melissa Daggett, "Henry Louis Rey, Spiritualism, and Creoles of Color in Nineteenth-Century New Orleans," (M.A. Thesis, University of New Orleans, 2009), 33n.

⁵⁸ Desdunes, *Our People and Our History*, 114-19. Many Creoles of color joined the Confederate Louisiana Native Guards before the Union occupation. Mary F. Berry, "Negro Troops in Blue and Gray: The Louisiana Native Guards, 1861-1863," *Louisiana History*, 8, no. 2, (1967): 165-90.

⁵⁹ The city school board was under jurisdiction of the city at that time. City council chose the members of the city board.

⁶⁰ Daily Picayune, "The City Schools in the Senate," and "The City Schools in the Legislature," September 22, 1868.

If the law passed, Conway could increase his power over the city school board. Rey's law was enacted as Act no. 121, with the general agreement of the state legislature that every school should be under the consolidated state school system by March 10, 1869.⁶¹ The law divided the state into six divisions; each division consisted of a school board and superintendent under the supervision of the state board. New Orleans was classified as the First Division in 1869 and later became the Sixth Division in 1870.⁶²

The different reactions between the city school board and state superintendent Thomas W. Conway to the Act 135 of the Louisiana state constitution demonstrate that the core problem for integration was the racially in-between population. The city school board decided to classify every both Anglophone black and Creoles of color as a target of segregation and disregarded racial complexities. On April 9, 1869, city superintendent William O. Rogers issued an order to city school principals that "whenever a reasonable doubt may be entertained by them touching the Status [sic], in point of color, of any pupils," they were not allowed to admit these children to the white schools. Thomas W. Conway attempted to address the problem by uniting all the racial groups under the same education policy and within the same school buildings. Answering a protest from an anti-integration teacher from New Orleans, Conway stated in May 1870;

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⁶¹ In order to maintain segregation, the New Orleans public education system functioned independently from the state education system. State legislatures did not only concern the implementation of the state law but also saw the city school board's independent action problematic. Vincent, *Black Legislatures in Louisiana*, 89.

⁶² New Orleans Tribune, "The School Bill," January 13, 1869.

⁶³ Letter, William O. Rogers to the Principals of the City Schools, April 9, 1869, WORC, Scrapbook, 1868-1878, LRC, TU.

At least one-third of the "blacks" are already mixed, with "white" and "black" in the veins of the same individuals, so that if a "black" should be excluded from school, it would be difficult to determine whether we were not excluding more white than black: Second, because many who are considered "black" are as white as Queen Victoria, and it would be impossible to detect any trace whatever of any other than "white blood" in them, so that it would be quite impossible to apply a rule making the distinction practicable. 64

Conway recognized the significance of the group that was neither completely white nor black racial status in New Orleans. His solution was to diminish the color line between white and black.

Conway's idea of race enabled Creoles of color to ally with him. In 1870, they proposed to further increase the authority of the state superintendent so that Conway could directly organize the city school board and appoint members. The strongest advocate for integration that year was Robert H. Isabelle. He lived in New Orleans while moving freely between the communities of Creoles of color and Anglophone blacks. His father, George Baptiste was a white French immigrant who married Nancy Willis of Virginia, a mulatto woman. Despite his French background, Isabelle had opened one of the few English-language Protestant schools for black children in 1862. At the 1870 state legislature, Isabelle stressed that "I want to see the children of the state educated together. I want to see them play together; to be amalgamated...and when they grow up to be men they will love each other, and be ready, if any force comes against the flag of the United

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⁶⁴ Tri-Weekly Advocate, "Mixed Schools," May 4, 1870.

⁶⁵ Year: 1900; Census Place: New Orleans Ward 3, Orleans, Louisiana; Roll: 570; Page: 12 A; Enumeration District: 0020; FHL microfilm: 1240570, Ancestry.com. 1900 United States Federal Census (2004); New Orleans, Louisiana Birth Records Index, 1790-1899; vol. 30; Page #: 248, Ancestry.com, (2002).

⁶⁶ Devore and Logsdon, Crescent City School, 54.

States, to take up arms and defend it together."⁶⁷ The speech appealed to the state legislature for further actions to implement desegregation.

Anglophone black members of the state legislature supported Isabelle. In the House, George Washington and Denis Burrell particularly assisted him. Washington feared that the rural areas of Louisiana would not offer public schools for black children without strong state authority. He stressed that "we will have no schools, or next to none," unless further action was taken. To attract the votes of white representatives, Burrell emphasized that the modification of the state law would increase educational opportunities for both poor white and black children. In the senate, P. B. S. Pinchback altered his position on integration and even agreed with Isabelle that black schools were unequal to those of whites. With the support of Anglophone blacks, Isabelle's proposition was adopted and Conway gained the authority to organize a new school board. He established the ward school board system to replace the city school board.

In addition to political debate, Creoles of color with the aid of Anglophone blacks and white radicals commenced direct negotiation with individual white public schools for admission of their children. In the background, the city school board insisted on its valid jurisdiction over New Orleans public schools even after the establishment of the ward school board. Creoles of color sought an alternative way to implement the racial

⁶⁷ Debates of the House of Representatives of the State of Louisiana, Session of 1870 (New Orleans: Republican Office, 1870), 149.

⁶⁹ Vincent, Black Legislators in Louisiana During Reconstruction, 90-95.

⁶⁸ Ibid., 184

⁷⁰ Fischer, *The Segregation Struggle in Louisiana*, 113-14.

integration of public schools. On May 16, 1870, Creoles of color cooperated with white radical and Anglophone black Republican members, formed the Radical Republican Club and targeted the Fisk and Bienville Boys' Schools, both white schools, to demand the admission of their children. Robert H. Isabelle was one of the members. He took his seven-year old son, William, to the Fisk School, with two other children and four members of the Radical Republican Clubs. The school was located at the corner of Franklin and Perdido streets in a predominantly Anglo-Saxon neighborhood and was the closest school to Isabelle's residence.⁷¹

The action of the Radical Republican Club provoked the turmoil among New Orleans citizens. Isabelle, along with his fellow club members, had a meeting with T. W. Dyer, principal of the Fisk School, to request admission of their children. Dyer immediately refused their demand reasoning that he had no such authority from the city superintendent. He took advantage of the dual school board systems in order to refuse the admission of the children. Next, the club members moved to the Bienville School, located at the corner of Bienville and Robertson Streets in the Tremé neighborhood. The club members discussed the issue with the school principal, but to no avail. During the negotiation, both schools became madhouses. The *Daily Picayune* reported that many Fisk School students "seized their books and slates and rushed out into the yard," and eventually returned home for fear of racial mixing. It also reported that a "large crowd of whites and blacks collected in the streets" and surrounded the school building soon after the negotiation started. Furthermore, it stated that there was even a rumor that "several pistol

⁷¹ Daily Picayune, "Attempt at Mixing the Public Schools," May 17, 1870. The other members of the club were R. T. Kramer, A. H. Pemberton, Theodore Lepshut?, and C. H. Ladd; Report of the Secretary of the Board of Directors for Public Schools of the City of New Orleans, December 1871 (New Orleans, 1871), 392. When Isabelle took this action, he served as an inspector in a customhouse and was also a treasurer of the third ward board of public school.

shots had been fired by the crowd" at the Bienville School.⁷² The article illustrates the impact that the club's direct action to schools had on white New Orleanians. White segregationists no longer had legal backing from the state legislature to maintain segregation. Only the city school board, whose validity was already in question due to Conway, sustained the segregated public school system.

Eventually, integrationists solved the problem of public schools through legal cases. The chance of winning was high as some judges were radical white Republicans. Soon after his failed negotiations with the Fisk and Bienville Schools, Isabelle filed a lawsuit to terminate the dual city school system. On June 30, 1870, the *Daily Picayune* reported that Isabelle's petition was filed at the Eighth District Court of New Orleans, demanding 1) the court guaranteed a right to send his child to any school that his family preferred based on the state law, and 2) replacement of the current school board with Conway's ward school board system. Henry C. Dibble, a judge who was originally from Indiana and had been a member of the Republican Party since 1865, issued a writ of mandamus to the school board to implement integration on the basis of the state constitution. Meanwhile the city school board asked the court to stop Conway's attempt to use state funds in the city schools without permission of the city school board. In November 1870, Dibble issued a judgment in favor of Conway. The decision was a final blow for the city school board, which was

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⁷² Daily Picayune, "Attempt at Mixing the Public Schools," May 17, 1870.

⁷³ *Daily Picayune*, "The Court," June 30, 1870. The Eighth District Court had an exclusive right to issue a writ of mandamus and to deal with all the proceedings regarding the right of any office over other courts in New Orleans. For the biography of Dibble, I refer to Charles McClain, "California Carpetbagger: The Career of Henry Dibble," *Quinnipiac Law Review*, 28 no. 4 (2009), 890.

⁷⁴ Daily Picayune, "The Public School Matter," November 13, 1870 and "The Courts," November 21, 1870.

officially abolished in January 1871 by the Board of Alderman. 75

Conway's ward school board welcomed Creoles of color, Anglophone blacks and radical white Republicans as directors of the board. The board divided the city into five districts and eleven smaller representative districts. Each representative district had one director and two other support members. Creoles of color and Anglophone blacks shared jurisdiction over the French Quarter and Tremé, where many Creoles of color lived side by side with white Creoles. Among Creoles of color, Blanc F. Joubert was appointed as a director of the sixth representative ward, which covered the area from St. Philip Street to Esplanade Avenue, the eastern part of French Quarter and Tremé. John Racquet Clay, an exchange broker, served as a director of the fifth representative district, the central part of the same neighborhoods. As a representative of Anglophone blacks, P. B. S. Pinchback became director of the fourth representative district from Canal Street to St. Louis Street, the western part of the two neighborhoods. In addition, the new board welcomed Henry C. Dibble as the president as well as the director of the second representative district. The new city school board consisted of integrationists and the appointment of directors for the Creole neighborhood demonstrated the smooth relationship between Creoles of color and Anglophone blacks.⁷⁶

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⁷⁵ Fischer, *Segregation Struggle in Louisiana*, 114; *Daily Picayune*, "The Public School Question," January 27, 1870.

⁷⁶ Daily Picayune, "Meeting of the New School Board," March 11, 1871; Weekly Louisianian, "The City School Board," April 27, 1871; Joubert was born in 1816 to a French immigrant and a light-skinned woman of color. He stayed in Paris from 1859 to 1864. See, *Testimony Taken by the Select Committee to Investigate the Condition of Affairs in the State of Louisiana* (Washington DC: GPO, 1872), 453-62; Houzeau, My Passage at the New Orleans Tribune, 74n. John Racquet Clay was born in New Orleans in 1829 as a free man of color. He possessed the property worth about 10,100 dollars in 1860. See Rankin, "The Origin of Negro Leadership in New Orleans during Reconstruction," in Southern Black Leaders of the Reconstruction Era, 183.

Once Conway's school board started legally exercising its power, racial integration of the public schools was rapidly implemented. Many students of both Anglophone blacks and Creoles of color attended the former white schools. On January 12, 1871, the Daily Picayune reported that three children of the Anglophone black Lieutenant Governor, Oscar J. Dunn entered the Magnolia Girls' School, located on Carondelet Street between Jackson and Philip Streets, one of the closest white schools to residential areas of Anglophone blacks. On the same day, another newspaper reported that Madison School, located at the corner of Prieur and Palmyra Streets, a few blocks west of Canal Street, had admitted some children of African descent. Some white schools in the Creole neighborhoods became desegregated as well. The Bienville School accepted six children and the St. Philip School admitted "a negro boy" with the support of Thomas W. Conway in early 1871.⁷⁷

Integration drew mixed reactions from the local white population. First, it caused the massive withdrawal of white pupils from public schools. The Bienville School, for instance, lost an estimated half of its white students and teachers after integration. The Claiborne Boys' School in Tremé lost about one-fourth of its students as well, and similar reports were made for the Pontchartrain School, located in Milneburg, a suburb of New Orleans. Rischer found the number of private schools rapidly increased once the 1868 state constitution went into effect.⁷⁹

⁷⁷ Daily Picayune, "Mixed Schools," January 12, 1871; Weekly Louisianian, "Mixed Schools," January 12, 1871.

⁷⁸ Report of the Secretary of the Board of Directors for Public Schools of the City of New Orleans, 374-75; Daily Picayune, "Our Public Schools," June 23, 1871.

⁷⁹ Fischer, Segregation Struggle in Louisiana, 115.

Some schools, however, admitted black children without any problems or turbulence. The Robertson Girls' School, located beside the Bienville School, for instance, reported that "the colored mixture has been forced in though not with the same ill effect as in the boys' school next door." Still, despite the severe initial reaction, the Bienville school gradually recovered the enrollment of white students. Principal E. Warren Smith remarked in the annual report for 1871; "two-thirds of the pupils are white and one-third colored. It is but seldom that the usual peace and good order of the school are disturbed by any exhibitions of prejudice on account of race or color." The Pontchartrain School also reported that the white children were returning. In a speech on June 2, 1871, Conway stated, "there are some colored children in the schools attended by the whites, and it is a matter of pleasure for me to say that they are not treated with incivility or unkindness."

Creoles of color enthusiastically took advantage of the new educational opportunity.

R. L. Desdunes recalled that the Couvent Institute decreased its enrollment. He recorded that "most of the children of color attended the public free schools along with the white children. The Couvent Institute therefore became almost deserted." It symbolized how favorably the school system was changed for Creoles of color. Many of the integrated schools were located in the Creole neighborhoods where Creoles of color lived. The 1962

⁸⁰ Daily Picayune, "Our Public Schools," June 23, 1871.

⁸¹ Report of the Secretary of the Board of Directors for Public Schools of the City of New Orleans, 375.

⁸² Ibid., 389.

⁸³ Weekly Louisianian, "Superintendent Conway's Address," June 11, 1871.

⁸⁴ Desdunes, Our People and Our History, 107.

and 1974 surveys by the scholars Louis R. Harlan and Roger A. Fischer estimated around one-third of the public schools were integrated from 1871 to 1877. Among the 27 integrated schools that they listed, fifteen schools were in the predominantly Creole residential areas, particularly the neighborhoods such as Faubourg Tremé and Faubourg Marigny. Most of Creoles of color lived in these neighborhoods. On the contrary, nine schools were located west of Canal Street, where most of the Anglophone blacks lived. The admission of black students to formerly white schools was based on their requests thus the action of black Americans was necessary. Creoles of color actively chose racially integrated schools.

Although there were fewer integrated schools in Anglo-Saxon neighborhoods of New Orleans, Anglophone blacks upheld integration from 1871. Many leaders of the Anglophone black community favored integration. They found advantages to integrated schools as many were classified as Grammar A schools, which were advanced schools whose graduates often went to high schools. The *Louisianian*, a black Republican weekly newspaper, included a school integration policy in its prospectus. ⁸⁶ The publisher William G. Brown was born in Trenton, New Jersey as a free man of color in 1832. He spent some

Harlan listed Barracks, Bayou Bridge, Bayou Road, Beauregard, Bienville, Central Boy's High, Claiborne, Fillmore, Fisk, Franklin, Keller, Lower Girls' High, Madison, Paulding, Pontchartrain, Rampart, Robertson, St. Anne, St. Philip, Spain, Webster, as desegregated schools and Cut-off Road, Dunn, Gentilly, McDonoughville were possibly desegregated as well. Fischer added that Clio, Hospital and Jefferson Schools might have been racially integrated. I included the Magnolia School to the list based on the report made in the article of *Daily Picayune*, entitled "Mixed Schools," issued on January 12, 1871, and investigated the location of these schools. Harlan, "Desegregation in New Orleans Public Schools during Reconstruction," 666; Fischer, *The Segregation Struggle in Louisiana*, 119-20. Among the list, Bayou Bridge, Beauregard, Bienville, Central Boys' High, Claiborne, Fillmore, Gentilly, Hospital, Lower Girls' High, Pontchartrain, Rampart, Robertson, St. Ann, and St. Philip were located in the east from Canal St. The other schools except for Cut-off, McDonoughville and Dunn in Algiers, were scattered in the area west of Canal Street. In order to locate the schools, I used *Report of the Secretary of the Board of Directors for Public Schools of the City of New Orleans*, 392-94.

⁸⁶ Weekly Louisianian, "Prospectus of the Louisianian," December 18, 1871.

years in the British West Indies during his childhood. The year he moved to Louisiana is unknown; however, he participated in the 1867-68 state constitutional convention. He was particularly interested in public education as the "chief reliance of American liberty." He succeeded Thomas W. Conway and became state superintendent of public education in December 1872 as a keen supporter of integration. Even P. B. S. Pinchback showed strong support for racial integration. In an interview in 1872 with the *New Orleans Times*, a conservative Democrats newspaper, he remarked; "I believe in mixed schools." He had once objected to integration during the 1867-68 state constitutional convention as a strategy to secure the black population from racial hatred. But he hoped to improve and increase their educational opportunities this time. His support was valuable as he served as the governor of Louisiana during the interregnum caused by the impeachment of Governor Warmoth in 1872.

During the years of integration, the color line was erased in educational records.

The annual report of the state superintendent of public education did not record the number of black students who enrolled in the city public schools. The information about the enrollment of white students was also unavailable since all the pupils were simply

⁸⁷ Weekly Louisianian, "A Friendly Critic," December 18, 1870; Peter J. Breaux, "William G. Brown and the Development of Education: A Retrospective on the Career of a State Superintendent of Public Education of African Descent in Louisiana," (Ph.D. Dissertation, The Florida State University, 2006), 1-3.

⁸⁸ Weekly Louisianian, "Pinchback Interviewed," March 14, 1872.

⁸⁹ Annual Report of the State Superintendent of Public Education, Thomas W. Conway to the General Assembly of Louisiana; for the Year 1871, Session of 1872 (New Orleans: The Republican Office, 1872); Annual Report of the State Superintendent of Public Education, William G. Brown, to the General Assembly of Louisiana, for the Year 1872, Session of 1873 (New Orleans: The Republican Office, 1873); Annual Report of the State Superintendent of Public Education, William G. Brown to the General Assembly of Louisiana, for the Year 1873, Session of 1874 (New Orleans: The Republican Office, 1874); Annual Report of the State Superintendent of Public Education, William G. Brown to the General Assembly of Louisiana, for the Year 1874, Session of 1875 (New Orleans: The Republican Office, 1875).

classified as students. Historian Louis R. Harlan explained that it was impossible for surveyors to distinguish between "so many very light colored persons and swarthy white ones." However, the reports illustrate the intention of the integrationists. In reflecting Conway's work, on November 14, 1874, the *Louisianian* stated; "in considering the practicability of the [public school] project...it would be no easy matter to draw the line between colors." This belief motivated Conway to send all the children into the same schools without distinction of race or color. In that way he believed that all children of various skin colors would have taken the equal educational opportunity. Creoles of color shared a similar opinion. They were part of a racially diverse black population with Anglophone blacks and aware of the impracticability of the dichotomous color line.

To summarize, Creoles of color in the early 1870s succeeded in desegregating public schools. First, they disbanded the city public school board since it intended to maintain segregation. Creoles of color were particularly troublesome because they complicated the racial hierarchy. They deployed political and legal action in addition to direct negotiations with public schools to admit black students. Creoles of color allied with white radicals to end the segregationists' rule over the public schools. In the meantime, Anglophone blacks shifted their focus from having a segregated public school system to favoring integration. Although they hesitated to campaign for racial integration at the time of the state constitutional convention, they found that integration increased their educational opportunities during the 1870s. Creoles of color pushed integration forward

⁹⁰ Harlan, "Desegregation in New Orleans Public Schools during Reconstruction," 666.

⁹¹ Weekly Louisianian, "Theory and Practice," November 14, 1874.

with the contribution of white radicals and Anglophone blacks to the point that in the early 1870s, among the citizens of New Orleans, racial makeup no longer made a difference for educational opportunities. In the late 1870s, Creoles of color attempted to maintain racially integrated schools against the backlash to redraw the color line.

III. LOSING INTEGRATION, 1874-79

Although Creoles of color succeeded in desegregating public schools, racial hatred still continued and even increased in New Orleans. By 1874, the Republican Party was weakened by intensified factionalism and fraud, and threatened by the resurgence of the Democrats. On September 14, 1874, the White League, pro-Democrats who believed in white supremacy, organized a mass meeting on Canal Street and attacked the Republican Metropolitan Police in which many black Republicans served. The Battle of Liberty Place, as this incident subsequently became known, symbolized the turning point of race relations in New Orleans. 92 Many whites, including children, parents and Democrats hampered the public school racial integration campaign from late 1874 to 1880. During that period, Creoles of color persisted with integration policy while their allies, radical whites and Anglophone blacks, gradually abandoned it. Creoles of color negotiated with the city school board, appealed to state officials and deployed legal actions against the champions of re-segregation. Segregationists justified re-segregation by insisting that they offered equal facilities for both whites and blacks. At the same time, the impact of interracial mixture became less significant to courts and in the final blow, Creoles of color failed at halting the establishment of Southern University in 1880, a black state university, proposed by white Democrats at the 1879 state constitutional convention. While Democrats intended

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⁹² Stuart Omer Landry, *The Battle of Liberty Place* (New Orleans: Pelican Publishing Company, 1955); James K. Hogue, *Uncivil War: Five New Orleans Street Battles and the Rise and Fall of Radical Reconstruction* (Baton Rouge: Louisiana State University Press, 2006).

to establish a black state university to spread segregation, Anglophone blacks shifted their policy and supported the proposal. The state constitutional convention was fatal to the racial integration campaign of Creoles of color because it erased Article 135 in return to include an act of Southern University. Creoles of color were forced to end the school integration campaign at the end of the 1870s.

The first major segregation backlash began in December 1874 in high schools.

There were three high schools in New Orleans at this time: the Boys' Central, Lower Girls' and Upper Girls' High Schools. The Boys' Central was located in Tremé and Lower Girls' School in the French Quarter, both Creole neighborhoods. The Upper Girls' School was in uptown New Orleans, a predominantly white Anglo neighborhood. Among them, only the Lower Girls' School was integrated by 1874. The number of black children who enrolled in primary schools was increasing year by year; therefore the demand for secondary education was growing as well. Admission to all the high schools in New Orleans became an important matter by this time. 93

The reaction to high school integration was formidable. On December 14, 1874, groups of black children visited the girls' high schools to gain admission. The *Daily Picayune* reported that the group that visited the Upper Girls' High School consisted of "ten gingerbread and one coal black negress," accompanied by a black teacher. ⁹⁴ They

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⁹³ Annual Report of the State Superintendent of Public Education for the Year 1874, Session of 1875, 169. The enrollment of black children in 1869 were 2,975. In 1878, 5460 black children were enrolled in city schools. See, Annual Report of the State Superintendent of Public Education for 1869, 78; Annual Reports of the State Superintendent of Public Education for Louisiana, and of the Chief Superintendent of Public Schools of the City of New Orleans, for the Year 1878 (New Orleans: The Democrat Publishing Company, 1879), 14.

⁹⁴ Daily Picayune, "School Imbroglio," December 15, 1874.

were students of the Coliseum School, located near Carrollton. The principal of the high school, M. E. McDonald immediately refused to accept them. Additionally, the senior students reacted quickly and wrote a resolution to refuse receiving diplomas until they were assured that their school would maintain segregation. Along with the seniors, the first and junior year white students submitted statements threatening the school administration with boycotting the school unless it secured segregation. 95 On the same day, the Lower Girls' School had similar trouble. The New Orleans Bulletin, an ultra-conservative newspaper, reported that "even a larger" group of girls whose skins ranged from "very dark" to "a subdued coffee color" went to the Lower Girls' School requesting admission. 96 Their request was deemed problematic due to the intensity of the action at the Upper Girls' School. Although the Lower Girls' School had been integrated before then, many white students nevertheless opposed integration. The senior class of the Lower Girls' High School adopted a similar strategy as the Upper High School students, and insisted that; "the colored girls of this school must leave or we must decline the honor of graduating."97 The New Orleans Bulletin advocated; "this is the time to strike for separate schools." 98

The controversy at the girls' high schools soon spread to the Boys' Central High School. On December 17, several black boys appeared at the high school to take the

⁹⁵ Ibid.; Fischer, Segregation Struggle in Louisiana, 123.

⁹⁶ New Orleans Bulletin, "The Race Issue in the Schools," December 16, 1874.

⁹⁷ New Orleans Bulletin, "The Race Issue in the Schools. The Girls of the Lower High School In Line," December 18, 1874.

⁹⁸ Ibid.

entrance examination. The white pupils decided to interfere with the examinees and threatened them to leave the school. The black children called the police for protection but in the end, were forced to withdraw from the school. ⁹⁹ For two days after this incident, some white students of the Boys' Central High School marched around the city to enforce school segregation, visiting the racially integrated schools such as the Webster, Jefferson, St. Philip, Fillmore, and Beauregard Schools. ¹⁰⁰ They also visited the Lower Girls' High School and expelled "three colored children who were admitted to the school." The next day, the raid continued and the boys came back to the girls' high to oust the six additional black students whom they missed on the first day. ¹⁰² Even worse, the high school boys caused a riot with black students at the Keller School and the adjacent market, and one man called Eugene Ducloslange, possibly a Creole man of color gazed on his surname, was killed. Despite the violence, The *New Orleans Bulletin* praised the action of the high school students by calling them "the high-spirited boys." ¹⁰³ The white students' antagonistic behavior reflected the tension between white and blacks in the city.

The rigid and violent opposition of white New Orleanians to racial integration

⁹⁹ *Daily Picayune*, "School Imbroglio. Progress of the "Mixture" Enterprise. Negroes Invade the Boys' High School and Are Ejected," December 18, 1874. Many black Republicans served the New Orleans

Metropolitan Police. It is possible to estimate that the children asked for their help to solve the problem.

¹⁰⁰ Daily Picayune, "School Difficulty," December 18, 1874. The New Orleans Bulletin reported that they also went to the Franklin and Washington Schools as well, See New Orleans Bulletin, "On a Raid," December 18, 1874.

¹⁰¹ New Orleans Times, "The Educational Problem," December 18, 1874.

¹⁰² New Orleans Bulletin, "More Trouble Apprehended." December 19, 1874.

¹⁰³ Orleans Death Indices, 1804-1876; vol. 62, 573. Ancestry.com, New Orleans, Louisiana, Death Records Index, 1804-1949 (2002); New Orleans Bulletin, "The Lower Girls' High School," December 18, 1874.

changed the minds of many radical whites. White New Orleans citizens criticized the school board for the turbulence. When Charles W. Boothby, a white Republican and the city superintendent of the public schools, arrived at the Upper Girls' High School for an investigation, a mob of angry whites surrounded him and almost lynched him. 104 Boothby was forced to affirm that he "opposed the admixture of races in the schools." The white members of the school board were afraid that they needed to shut down all the public schools due to the resistance of white New Orleanians. White high school students expressed their readiness to boycott the schools. In addition, major newspapers repeatedly urged whites not to attend the high schools. The New Orleans Bulletin, for instance, stated "it was far better that the schools should be temporarily broken up than that they should be continued."106 Considering the opposition of white New Orleanians, Henry C. Dibble, once an ardent supporter of integration, even admitted that he was aware that the racial integration policy caused "danger to the whole public school system." After the high school incidents, the white radicals softened their discourse on public school racial integration to maintain the city public school system.

Another contentious episode occurred in September 1875. The city school board appointed E. J. Edmunds, a math teacher and a Creole man of color to the Boys' Central High School. Born in New Orleans and educated at the Polytechnic Institute in Paris, he

¹⁰⁴ New Orleans Bulletin, "Mrs. Wood," December 15, 1874.

Daily Picayune, "The School Imbroglio, Continued Excitement on the Subject of Mixing the Schools," December 16, 1874

¹⁰⁶ New Orleans Bulletin, "The Race Issue in the Schools," December 15, 1874.

¹⁰⁷ New Orleans Times, "Mixed Schools," December 17, 1874.

was a "nearly white" renowned mathematician and the principal of the Sumner School for black children, before this job offer was made. The *New Orleans Bulletin* ignited the resentment of the white population by reporting that a white female teacher was fired due to the appointment of Edmunds. Upon news of this decision, some students left the school. John Mathews, the white pastor of the Carondelet St. Methodist Church, observed the restlessness in the air around the school and wrote in his diary; there was a "considerable excitement-how it will end, no one can tell." As a consequence of this incident, white "Democratic and Conservative people of the State" organized a mass protest meeting on September 29 at Lafayette Square, located in the city's administrative district."

This incident weakened the support for integration by the Anglophone black members of the city school board. The major New Orleans newspapers pinpointed P. B. S. Pinchback as "a leader of the colored members of the School Board," and criticized him for his responsibility in the appointment of Edmunds. Pinchback stated the appointment of Edmunds was a decision of the whole school board, and had not been made solely directed

¹⁰⁸ Desdunes, *Our People and Our History*, 72-73; *Weekly Louisianian*, "The City Board of School Directors," September 18, 1875; *Daily Picayune*, "Public School Teacher," September 11, 1875; *Daily Picayune*, "The Mass Meeting," September 29, 1875; *New Orleans Bulletin*, "The School Board. Speeches by Pinchback and McCarthy," September 16, 1875.

¹⁰⁹ Ibid.

¹¹⁰ John Mathews' Journal, September 16, 1875, 81. WRC, HNOC.

Daily Picayune, "The School Board, Letter of the Committee to Brown," October 13, 1875.

¹¹² New Orleans Bulletin, "The Public School Shame," September 15, 1875.

by him or the other black members.¹¹³ After this initial remark, he asserted that the appointment was "to test the sincerity of the Southern people in their oft-repeated assertion from the pulpit the rostrum and through the press, that they accepted the political and civil equality of all men before the law."¹¹⁴ The *Daily Picayune*, nevertheless, severely criticized him stating; "Mr. Pinchback…has seen fit to abuse his trust."¹¹⁵ In addition, the participants in the mass meeting insisted on the removal of radical Republican members of the board, including Pinchback. ¹¹⁶ While Pinchback and Anglophone black members of the city board still encouraged integration, the increased racial hatred gradually limited their activities.

The gubernatorial election and resurrection of the Democrats dealt a fatal blow to the movement for integrated public schools. In 1876, Democrat Francis T. Nicholls was elected governor. Robert M. Lusher was appointed as the state superintendent in the following year. Originally from Charleston, South Carolina, Lusher served as the state superintendent of Louisiana in 1856. As a Democrat and segregationist, he reconstructed the city school board in favor of segregation. In 1877, William O. Rogers was once again appointed to be a superintendent of public schools in New Orleans. In addition, the school board members were replaced by the Democrats in 1877 and many Republicans as well as black members left their jobs. Henry Louis Rey and Paul Trévigne were school directors

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¹¹³ Daily Picayune, "City School Board. Special Meeting Yesterday," September 16, 1875.

¹¹⁴ Daily Picayune, "The School Board Question," September 19, 1875.

¹¹⁵ Daily Picayune, "The Mass Meeting," September 29, 1875.

¹¹⁶ Daily Picayune, "The School Board, Letter of the Committee to Brown," October 13, 1875.

that year, but both of them quit their positions when the Democrats became the majority.

The Democrat school board soon began to prepare for re-segregating public schools in the city. 117

Creoles of color remained the most active opponents of re-segregation. On June 26, 1877, they formed the "colored committee on mixed schools" and visited Governor Nicholls to protest re-segregation of the city public schools. The leader was Aristide Mary, a wealthy real estate broker and a philanthropist who donated financial aid to the Couvent Institute. He had never held an office but was regarded as one of the prominent political leaders of Creoles of color. Side by side with Mary, Caesar C. Antoine, Louis A. Martinet, George T. Ruby, Henry Louis Rey, Paul Trévigne and Charles L. Roudanez met with the governor. Born in New Orleans in 1836, Antoine was an ex-senate representative from the Caddo Parish and lieutenant governor from 1872 to 1876. Louis A. Martinet was a young lawyer and new social leader of Creoles of color. He was born to a Belgian father and Marie Benoit, a New Orleans free woman of color, in St. Martinville, Louisiana in 1849. Like Antoine, Martinet entered politics and served as a member of the House of Representatives from 1872-1875. He became a member of the city school board in 1877 and repeatedly petitioned against segregation. Unlike the others, George T. Ruby was

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¹¹⁷ Devore and Logsdon, Crescent City Schools, 82-89.

¹¹⁸ Daily Picayune, "Mixed Schools. A Colored Committee Wait on the Governor," June 27, 1877.

Mary retained the assessment worth 30,000 in 1860. See, Rankin, "The Origin of Negro Leadership in New Orleans during Reconstruction," in *Southern Black Leaders of the Reconstruction Era*, 185; Board of Directors, *History of the Catholic Indigent Orphan Institute*, 7, Folder 20, CRP, ARC, TU.

¹²⁰ New Orleans Notarial Archives, Louis A. Martinet Records: Biographical Sketch, http://www.notarialarchives.org/martinet.htm (Accessed November 10, 2012); Nils R. Douglas, "Who Was Louis A. Martinet," Typescript Essay, undated, in NRDP, ARC, TU; *Daily Picayune*, "School Board, July 4,

not a Creole of color but participated in Reconstruction activism with them. Born in New York in 1841, he moved to Haiti to work as a correspondent for an abolitionist newspaper. He settled in New Orleans in 1864 and worked as a black teacher and correspondent to the *New Orleans Tribune*. 121

The *Daily Picayune* detailed the arguments that Creoles of color made against re-segregation. They primarily insisted on the unconstitutionality of segregation. Mary protested that the city school board's attempt to racially separate city schools was against the rights of black citizens that were assured by the state constitution. At this time, the state constitution still maintained Act 135, thus he used it as a substantial reason to oppose re-segregation. Roudanez bolstered Mary's argument by claiming that separation deprived black children of educational opportunities. He criticized Nicholls' opposition to their agitation stating; "because you are of a race different to ours, and because of your position, shall your children have greater educational advantages than ours? If so, it is a gross injustice." To answer these criticisms, Governor Nicholls justified segregation using a separate but equal doctrine. "Our aim," he said, "is to give equal facilities all through, both in teachers, building and books." He also encouraged the committee members to file a lawsuit if they were not satisfied with the city school board's decision. 122

^{1877;} New Orleans Times, "Divided School. The School Board Has Finally Settled the Question of Color," September 6, 1877.

Merline Pitre, *Through Many Dangers, Toils and Snares: The Black Leadership of Texas, 1869-1900* (Austin: Eakin Press, 1997); Barry A. Crouch, "Black Education in Civil War and Reconstruction Louisiana: George T. Ruby, the Army, and the Freedmen's Bureau," *Louisiana History*, 38, no. 3 (1997). He was also a travelling agent of the Freedmen's Bureau to open schools for black children in country areas of Louisiana in 1866. He moved to Galveston, Texas after serving the position, before returning to New Orleans in the 1870s.

¹²² Daily Picayune, "Mixed Schools. A Colored Committee Wait on the Governor," June 27, 1877.

Committee members also stressed the arbitrariness of drawing a color line between the state's population. While they emphasized that they claimed their rights as a black group, they also used their in-between-ness as a reminder of Louisiana's interracial history. Ruby stated; "I believe it dangerous in a community like this—of doubtful ancestry—to push this matter further." In addition, he stated "we have those facts in our possession which it would be unpleasant to some in high circles were we to use them, which we must do in the event of separate schools." Ruby implied that racial segregation would not only hinder the progress of the black population, but also it was a means to conceal the doubtful racial purity of the white population in New Orleans. The delegates stressed that there was no means to distinguish the Louisiana population between whites and blacks. They insisted that race should not determine their social status. 123

White New Orleanians created a counter discourse to manipulate the ambiguous racial status of Creoles of color. Although they regarded Creoles of color as blacks, whites played on their interracial status to foster a divide between them and Anglophone blacks, particularly those who were less educated and not interracial. The *New Orleans Times* regarded Creoles of color as "educated octoroon," and stated; "usually between the pure negro and the white man there is no desire for social intercourse." It further argued that "there is greater antagonism between the educated octoroon and the pure negro than between white and black." In a segregationist discourse, it was a logical solution to categorize Creoles of color as blacks; however, local whites took advantage of the difference among the black population to divide them so that they could not have a unified

¹²³ Ibid.

¹²⁴ New Orleans Times, "Shall Schools be Mixed?" June 28, 1877.

power.

After the school board adopted a resolution to re-segregate the city public schools in September 1877, Creoles of color moved on to once again pursue legal redress by insisting on the unconstitutionality of the city school board action. Paul Trévigne, former editor of the New Orleans Tribune, brought the first lawsuit against the city school board and superintendent in the Sixth District Court on September 26, 1877. He demanded a temporary injunction against school re-segregation. During the case, Trévigne emphasized that he was a well-established "colored man of African descent and origin," married and a taxpayer in New Orleans in order to prove his performance of a civic duty. 125 He explained that the city school decision was against the Fourteenth Amendment of the U.S. Constitution as well as Act 135 of the 1868 Louisiana state constitution. Trévigne had a fifteen-year old son and reasoned in the lawsuit that he was deprived of an equal right to education due to the city school board decision on segregation. The Sixth District Court, however, dismissed the case. Judge N. H. Rightor, a Democrat, refused to issue an injunction, reasoning that the petition was made too late for reversing the decision of the school board, and Trévigne proved "no injury and no cause of action." Rightor evaded addressing the issue of the unconstitutionality of segregated schools.

Trévigne's case demonstrated that Anglophone blacks still supported racial integration despite the pressure of the conservative newspapers. Both Creoles of color and Anglophone blacks sustained his appeal. On the day Trévigne filed his petition, they had a

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¹²⁵ Daily Picayune, "A Suit Against the School Board," September 28, 1877; Paul Trévigne v. School Board and W. O. Rogers., 31 La. Ann. 0105, (1879), SCLC, UNO

¹²⁶ Daily Picayune, "Dissolved," October 24, 1877.

meeting at the Free Mission Baptist Church. In addition to Trévigne himself, P. B. S. Pinchback and George Ruby, and black clergymen such as H. C. Astwood and John Vance made speeches protesting against the city school board action. During the meeting, they decided to officially and financially support the lawsuit. The *Daily Picayune* and *New Orleans Times* attempted to divide them by emphasizing a stark ethno-racial difference between Trévigne and Pinchback, assuming that the latter did not expect to secure mixed schools. The *Louisianian* severely criticized such action. The newspaper supported their collaboration as an action to prevent the perpetration of a great wrong upon us.

Although Trévigne could not stop segregation in the lower court, he created a model lawsuit against segregation. On November 1877, Arnold Bertenneau filed another lawsuit in the United States Circuit Court against the city school board. Like Trévigne, Bertenneau claimed that he was an established citizen and taxpayer, and took legal action on behalf of his children who were refused admission to the Fillmore School in the Faubourg Marigny neighborhood. He insisted that the city school board violated the Fourteenth Amendment and Act 135 of the state constitution. Following January 1878, Ursin Dellande filed another lawsuit at the Sixth District Court of New Orleans. Like Trévigne and Bertenneau, Dellande was also a Creole man of color. He was a cigar manufacturer who lived in the Marigny neighborhood. He reported that his two children,

Daily Picayune, "Trévigne's Suit," September 28, 1877.

¹²⁸ Daily Picayune, "White and Colored Schools, New Orleans Times," October 3, 1877.

¹²⁹ Weekly Louisianian, "White and Colored Schools," October 6, 1877.

¹³⁰ Daily Picayune, "Carrying the War into Africa," November 29, 1877.

Arnold and Clement were expelled from the Fillmore School on account of race in October 1877, and insisted that they had a right to attend the school that they chose.

In addition to the emphasis on his status as an accomplished New Orleans citizen and his appeal to state and federal constitutions, Dellande also stressed the physical appearance of his children. He stated that he and his children were colored but were as "white in color as anybody." His action did not mean that the family attempted to pass as white. Rather, the intention was to demonstrate the impracticability of creating a color line. In May 1878, when Judge Rightor made a decision, he needed to prove that they were blacks to be segregated. He utilized the word, "American traditions and the language of common parlance," to determine Dellande could "be classified as a negro." In so doing, he dismissed the case based on a separate but equal policy and the fact that the Fillmore School was assigned as a white school, and "the schools for colored children are managed and supported in the same manner." Here, Dellande's racial in-between-ness was minimized in favor of the fact that he was understood as a target of segregation based on American racial binary.

The final decisions for Trévigne and Bertenneau's cases were made in 1879. Both of them lost because the judges favored the lower case decision and segregation. In January 1879, the state Supreme Court made a decision in Trévigne's case. Judge J. Deblanc, followed the decision of the District Court reasoning; "it would be as vain as unreasonable

¹³¹ State of Louisiana ex. Rel. Ursin Dellande v. City School Board, no. 9784, (1878), Sixth District Court, Orleans Parish, State of Louisiana, SCLC, UNO, 13.

¹³² Daily Picayune, "Mixed Schools," May 22, 1878.

¹³³ State of Louisiana ex. Rel. Ursin Dellande v. City School Board, no. 9784, SCLC, UNO, 7.

to attempt to restrain the execution of an act which—it is judicially admitted—has already been executed."¹³⁴ Bertenneau's case was judged on February 19, 1879. Judge W. B. Woods made a decision in favor of the city school board. He reported that there was no evidence that Bertenneau's children were excluded from public education itself. In addition, schools for black children were not inferior to those for whites. In Wood's words, "Both races are treated precisely alike. White children and colored children are compelled to attend different schools. That is all."¹³⁵ The *Daily Picayune*, eagerly received the decision justifying segregation stating; "Simply to say that separate schools are a discrimination against colored children is to assume what is not true…the discrimination applies to both races. It puts them on a plane of equality."¹³⁶ Segregation was justified with the separate but equal doctrine.

Finally, the establishment of Southern University, a state university exclusively for the use of blacks, terminated the Reconstruction school integration movement.

Anglophone blacks and Creoles of color confronted whether to have a black-only state university. At the 1879 state constitutional convention, white Democrats proposed a higher educational institution for blacks to forge re-segregation of public schools. As a member of the committee for public education organized for the constitutional convention, Pinchback consented to segregation in return for establishing a black university. The constitutional convention eliminated Act 135 and added an article creating a "State University for the

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¹³⁴ Trévigne v. School Board and W. O. Rogers.

¹³⁵ Bertenneau v. Board of Directors of City Schools et al., 3 Woods, 177 (1878). Case no. 1361.

¹³⁶ Daily Picayune, "The Schools," February 20, 1879.

education of persons of color."¹³⁷ As a Creole of color leader, Aristide Mary explicitly opposed the act for fear of extending racial segregation to higher education. Pinchback, however, saw the benefit of having an institution of higher education open to blacks as preferable to further controversy about integration. Anglophone blacks had no ideological obstacle to this policy as their racial identity as blacks would not be affected by it. In contrast, Creoles of color saw racial integration as necessary to maintain their ethno-racial identity in public. The Mary and Pinchback factions severely criticized each other. The Pinchback group said of Mary that his "wealth and culture labors under the blighting effect of civil proscription should teach him to see the need of accepting the best available means extorted from the whites for the education of our people as the quickest method of attaining our complete freedom." ¹³⁸ In return, Mary blamed him as "the man who had said that 'this government is a government of whites' in order to justify his conduct on this occasion." ¹³⁹ Creoles of color led by Mary no longer had the support of Anglophone blacks in halting re-segregation. White radicals had already lost their seats in state politics since 1877. Thus, Southern University was founded. The end of Reconstruction Republican politics, differing identities and visions for education between Creoles of color and Anglophone blacks ceased the long struggle for racial integration of public schools.

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Official Journal of the Proceedings of the Constitutional Convention of the State of Louisiana, Held in New Orleans, Monday April 21, 1879 (New Orleans: J. H. Cosgrove, 1879), 242.

Weekly Louisianian, "Practice v. Sentiment," July 26, 1879.

Rodolphe Lucien Desdunes, *Hommage rendu à la mémoire de Alexandre Aristide Mary* (New Orleans, 1893), 5-9, quoted in Bell and Logsdon, "The Americanization of Black New Orleans," 253.

Creoles of color experienced backlash in the late 1870s. The rise of the segregationists represented by Democrats, school riots and mass meetings demonstrated the antagonism, which many white New Orleanians harbored against racial integration. Creoles of color attempted to maintain integration, however, the massive resistance of white locals weakened the support of many white radical Republicans. Despite the difficulty, Creoles of color adhered to the racial integration policy with Anglophone blacks. In response to the Democrats' takeover of the city school board and the decision to re-segregate the schools, Creoles of color negotiated with the governor and filed lawsuits to overturn it. Although they lost the cases, they emphasized the unconstitutionality of segregation and highlighted the impracticability of classifying citizens into binary racial categories. Finally, the racial integration movement ended due to the establishment of Southern University. While Creoles of color opposed the idea as it might cause further segregation of schools, Anglophone blacks took a new opportunity of a black higher educational institution. Being isolated, Creoles of color could not maintain their campaign for integration.

CONCLUSION

From 1867 to 1880, Creoles of color led the public school racial integration movement in New Orleans. Their unique perspective on race questioned the post-bellum black and white binary racial scheme for New Orleans public schools. Their experience at the Couvent Institute, and their in-between identity bolstered the ideological backbone of their integration campaign. They attempted to eliminate the color line so that every citizen could exercise their rights while not being questioned about their ambiguous and diverse racial statuses. Their seemingly contradictory political stance—advocating racial integration as a black political group while highlighting their interracial mixture—reflected their struggle to overcome the conflict between American dichotomous race relations and Creoles' three-tiered race hierarchy. They were simply not victims of dichotomous racial integration but consistently contributed to formulate the racial discourse of New Orleans during Reconstruction by insisting on racial integration.

The vision of racial unity and equality of Creoles of color enabled them to cooperate with various ethno-racial political groups. Their light skin tone and extensive interracial background raised questions about the validity of the dichotomous color line. Whites bifurcated their opinions. White radical Republicans attempted to erase the color line upon admission of children to public schools. Local white groups adhered to segregation to preserve white supremacy and racial purity. For the Anglophone black population, integration was a means to improve their educational opportunities, however,

not a way to maintain their racial identity. They opposed integration when it might cause disadvantage for them but supported when they saw the chance to improve their situation. Creoles of color changed their allies over the years to continue their racial integration activism during Reconstruction.

The public school racial integration campaign can be classified into three characteristic phases. During the first period of 1867 and 1868, Creoles of color succeeded in including racial integration into the state constitution. They collaborated with a radical white faction and formulated an ultra radical political group to implement integration as state law. Creoles of color collected votes of the moderate white Republicans and Anglophone blacks; however, they conflicted with them at the gubernatorial election. During the second phase between 1868 and 1873, Creoles of color desegregated public schools. While the city school board represented by white New Orleanians attempted to protect a color line, Creoles of color took political, legal and grass root actions. The movement was bolstered by support from Anglophone blacks and radical white Republicans. Overall, by flexibly expanding their partnerships, Creoles of color desegregated public schools. During the third period from 1874 to 1880, however, Creoles of color struggled to maintain integration against the resurgence of segregationists. Local whites justified segregation with a doctrine of separate but equal. The significance of the interracial heritage of Creoles of color was minimized as well. When segregationists increased their power, Creoles of color were no longer able to sustain the partnership with white radicals. Creoles of color finally lost the cause because Anglophone blacks favored the establishment of Southern University and could not gain their support for integration. They also lost Article 135, a racial integration clause of the state constitution in 1879. By

this time, the three-layered racial hierarchy was abandoned and the black-white dichotomous color line was drawn over the public schools as a distinct post-bellum racial hierarchy in New Orleans.

Creoles of color, however, still hoped for integration and retained their in-between ethno-racial identity. They learned various tactics to advocate for their beliefs through the school integration movement during Reconstruction. In the 1890s, in response to the first state act to mandate segregation of railroad transportation, Aristide Mary called for organizing the Citizens Committee, and they filed the landmark court case known as *Plessy* v. *Ferguson*. Many members of the committee had participated in school desegregation activism. Homer Plessy, a Creole man of color, volunteered to be a test case for questioning the constitutionality of railroad segregation. Meanwhile, Louis A. Martinet started publishing a newspaper, the *Crusader*. Paul Trévigne served as an editor to support the Citizens' Committee. The experiences that Creoles of color gained through public school activism constructed a prototype for their long racial integration movement that continued into the Jim Crow era. While in some ways exceptional to New Orleans, Creoles of color not only questioned the post-Civil War racial formation of their city and eventually challenged the post-bellum race relations of the entire United States.

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