Notes on Writing the History of the Ku Klux Klan

David Chalmers

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Notes on Writing the History of the Ku Klux Klan
Also by David Chalmers

_Hooded Americanism: The History of the Ku Klux Klan_ (1965, 1987)


_Backfire: How the Ku Klux Klan Helped the Civil Rights Movement_ (2003)
Notes on Writing the History of the Ku Klux Klan

Victory over Reconstruction in the South; Glory Days in the 1920s; Depression-Era Futility in the 1930s; Post World War II: Fragmented but Dangerous; Challenging the Civil Rights Movement in the Southern Streets in the 1960s; and the Long Wait for Justice in Mississippi

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In 1965, under the editorship of Sam Vaughan, Doubleday & Company published *Hooded Americanism*, my history of the First Century of the Ku Klux Klan. Duke University Press has been its publisher since 1987. It has never been out of print. For those who still find it a good read, I offer this free electronic supplemental text and bibliographical essay.

These *Notes* are a report on my research and thinking about the Klan and what the historians have added to our knowledge and understanding of that story over the past 50 years. They bring up-to-date that account of the counter-revolution against Reconstruction in the post-Civil War South, of the Klan’s glory days in the 1920s, its survival during the Great Depression, its wars against blacks and unions, and its policing of fellow whites in the southeastern United States, particularly Georgia, Alabama, and Florida, up through the U.S. Supreme Court school desegregation decisions of the 1950s.

In the 1960s, the Klan challenged the civil rights movement in the southern streets—and lost. I have added this story and an account of the long wait for justice in Mississippi.

David Chalmers
Nearly a hundred years after the end of the Civil War and the Reconstruction, the academic professions in the South were as segregated as the school systems. The decision of the Mississippi Valley Historical Association (which was to become the Organization of American Historians) to desegregate its meetings meant that Lexington, Kentucky, was the furthest South it could go. The Southern Political Science Association turned to federal land for a non-discriminatory site, and in the 1950s met each year in the Great Smoky Mountains National Park resort town of Gatlinburg, population 1,700. The Southern Historical Association’s own integration struggles, within its membership, with state segregation laws, and with the convention hotels merited a “Fifty-Year Commemoration” in 2004, featuring Fred A. Bailey’s paper “The Southern Historical Association and the Quest for Racial Justice, 1954–1963,” *Journal of Southern History*, LXXI (November 2005). In 1949, it had taken a conspiracy for John Hope Franklin to give a paper in Williamsburg, Virginia. Such efforts faced the problems of where black scholars could stay and eat, and the impropriety of a black person seated at a raised head table looking down on white members. In 1955, after much maneuvering, Memphis’s Peabody Hotel permitted Dr. Benjamin Mays, the distinguished president of Atlanta’s Morehouse University, to dine, although he could not stay at the hotel.

As Professor Franklin, who was to become the President of the Southern Historical Association, related in his autobiography, when he went to New York’s Brooklyn College as the first African American history chair of a major university, his experience with New York realtors was similarly difficult.

In 1963, Brown University’s distinguished historian of America’s colonial cities, Carl Bridenbaugh, used his presidential address to the American Historical Association, “The Great Mutation,” for a plaint that would have pleased the 1920 Klan’s Imperial Wizard Hiram Wesley Evans. In what was generally believed to be a criticism of his Jewish colleagues, Bridenbaugh lamented that the profession was being infiltrated by “outsiders of our past,” urban-bred historians “of lower middle-class or foreign origins” who did not understand people raised in the countryside or in small towns.”

As with the history of slavery, a new generation of historians has rewritten the history of Reconstruction. In a 1959 article in the *Journal of Southern History* XXV (November 1959), Bernard Weisberger summed up the disagreements among

The 13 volumes of the U.S. Congress’ Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States (D.C., 1872) are the mother lode for Klan historians. Allen Trelease carefully mined it along with all other imaginable sources to produce his magisterial history of the Klan. Probably most historians will favor Eric Foner’s Reconstruction as the best starting place for an overall view.


In 1905, one of the Klan’s founders, J. C. Lester joined with D.L. Wilson in The Ku Klux Klan, Its Origin, Growth, and Disbandment, W.L. Fleming, ed. in contributing to the confusion as to just when the Klan began. “The Klan has almost as many birthdays as historians,” Allen Trelease wrote in the first footnote to the first chapter of White Terror [p. 430], best establishing the date as June 1866. “The Klan held a first anniversary parade in Pulaski on June 5, 1867,” Trelease reported.

Albion W. Tourgee, who fought the Klan as a North Carolina judge, told his story both in fiction and fact in A Fool’s Errant and its accompanying The Invisible Empire (1880). An historian’s account is Otto Olsen’s 1965 biography of Tourgee Carpetbagger’s Crusade. Jack Hurst’s Nathan Bedford Forrest (1994) is the most recent biography of the Klan’s first supreme leader, which should be read along with Court Carney, “The Contested Image of Nathan Bedford Forrest,” Journal of
Notes on the History of Reconstruction

The first Klan came into being in the summer of 1866. After four long years of destruction and death, the Civil War was over. It had taken more than six hundred thousand lives—North and South. After 250 years of slavery, three and a half million former black slaves were now free. Mostly without land, resources, or education, they began the effort to take part in the civil life of the South. Black people numbered more than a third of the South’s population, a majority in South Carolina, Mississippi, and Louisiana. Combined with southern whites who had opposed secession and resisted planter dominance, they became the Republican Party in an under-policed, semi-militarized region, much of it devastated and impoverished, the labor system overturned, and a white population that believed that blacks were inferior and feared them as lustful and dangerous.

The conditions of the occupation were not greatly onerous. By 1870, there were no more than 7,000 soldiers in the former Confederate states. Except for brief periods of martial law, civil government and the court systems functioned, though seldom in the interests of the Negro. There was no muzzling of a highly partisan press. To the white southerner, the Ku Klux Klan was a law-and-order movement because it was directed at the restoration of the proper order. Elections were held, and more people were voting than ever before. What was new was that a bi-racial society was awkwardly struggling to be born, and the Republican Party was its uneasy midwife.

Freeing the slaves was itself a social revolution, but after the initial efforts of some of its leaders, the national Republican Party was not willing to go much beyond giving black men the right to vote. On the whole, the Republican regimes did not govern badly. There was mismanagement and corruption, not unknown in the North’s “gilded age” as well, but the record of the “restored” conservative governments after Reconstruction was much worse. Only in the lower House of the South Carolina legislature was there a black majority. Although they held a disproportionately few offices, freedmen and former free blacks served as legislators, councilmen, aldermen, justice of the peace, magistrates, policemen, county supervisors, tax collectors, and postmasters. In many plantation counties, they held the powerful office of sheriff. In four states, black men were state superintendents of education, and a black man sat on South Carolina's Supreme Court. Sixteen black men, nine of them born slaves, served in the United States Congress and two in the Senate.
This was not an age of good government, but Reconstruction established the South’s first free public school system, albeit not an integrated one. Black people eagerly sought schooling and the Fiske, Berea, Tougaloo, and Hampton teacher training colleges, encouraged by Freedmen’s Bureau, added southern black teachers to volunteers from the North. The Reconstruction governments created or expanded health and welfare facilities, increased women’s legal rights, undertook debtor relief, and proscribed discrimination in transportation and places serving the public. Most of these efforts meant more taxes in a desperately poor land, which helped fuel opposition from white property owners.

Few of the people in the North who had fought the Civil War were thinking about constitutional or social revolution. The war was for the conservative purpose of saving, not changing the Union. Freeing the slaves became a moral, not a social cause. Only a few Radical leaders like Massachusetts Senator Charles Sumner and Pennsylvania Congressman Thaddeus Stevens saw the need for anything more. To the bitter disappointment of the former slaves, deserted and confiscated land was soon returned to its former owners.

The Thirteenth Amendment to the United States Constitution (1865) ended slavery. The Fourteenth and Fifteen Amendments to the Constitution sought to protect the civil rights of the freedmen. The Fourteenth (1868) established their citizenship and promised the “equal protection” of the laws and the guarantee of their rights as citizens of the United States. The Fifteenth (1870) promised to protect their right to vote. Slavery was gone, but few people were ready for the permanently enlarged role of the national government, which would have been necessary to really enforce the equal rights of citizenship. That revolution in the relation of the national government to the states would wait for a hundred years until the civil rights revolution of the 1960s, which many people came to call the “Second Reconstruction.”

For several years, the Freedman’s Bureau was the arm of an interventionist state, but its powers were limited and its existence temporary. Klan terrorism eventually pushed the Congress into passing Enforcement Acts in 1870 and 1871, promising that the national government would protect civil rights, particularly voting. At the request of the Union’s victorious Civil War Commanding General Ulysses Grant, now President, Congress passed a Ku Klux Klan Act spelling out the powers of the national government to take action. President Grant suspended habeas corpus and imposed martial law in nine South Carolina counties, using private detectives, the army, and federal prosecutors and juries. Under the strong personal direction of the United States Attorney General, Amos Akerman,
Klansmen were also indicted in, Alabama, Georgia, North Carolina, and, particularly, in Mississippi.

At the same time that it was passing the Ku Klux Klan Act, the Congress created a Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States. Its Report, and the 12 large volumes of hearings (1872), which included Imperial Wizard Nathan Bedford Forrest’s testimony, documented the Klan’s reign of terror and has been a prime source for historians of the Reconstruction Klan.

With the forceful role of the federal government, there were several thousand indictments, often by heavily black federal grand juries, and arrests, including a Klansman who was hustled back from Canada. Hundreds, perhaps thousands, fled to other states, often to Texas. Many confessed in return for suspended sentences, which quieted their interest in further night riding. An overwhelmed federal court system was unable to handle such a burden of cases. It mainly sought to try leaders, who were defended in drawn-out cases by the cream of the Southern constitutional bar. Eventually, several score were sent north to federal prison in Albany, New York, and others spent time in southern prisons. With pardons, practically all were out of prison by 1875.

At least to the historians, there is no indication that the trials changed how white southerners saw things, certainly not the press. Nineteenth century newspapers were the instruments of their editors’ opinions and prejudices, with no tradition of neutrality or balance. In his 1971 history of the Klan, White Terror, Allen Trelease described the overwhelmingly Democrat press as a “massive conspiracy to stifle the truth....When the subject [of the Klan] could no longer be avoided,” he continued, “they denied most of the reported atrocities and excused or palliated the remainder.” Writing on “Southern Editors and Reconstruction Propaganda” in the November 2006 Journal of Southern History, Virginia Commonwealth Professor Tom Tunnel concluded that the white press “guarded the Klan’s exposed flank, minimizing the violence or blaming it on the victims. Even more important,” he went on, “it created a structure of beliefs that justified the Klan’s actions.”

Professor Trelease showed how the Anglo-Saxon justice system failed in the South. In Reconstruction: America’s Unfinished Revolution (1988), Eric Foner concluded that the federal government’s belated use of its powers in 1871 “broke the Klan’s back,” but left the message that “rule of law” for black people in the South needed force from outside.

Many Republicans in the North, as well as Democrats, were weary of the Reconstruction effort. While the Civil War had meant an active national state, few
could imagine its permanent role in peace time. The national government might fight wars and sponsor a transcontinental railroad, but it lacked the size, fiscal resources, experience, popular support, and constitutional will to protect civil rights.

In a series of decisions (U.S. v. Cruikshank, 1876; U.S. v. Harris, 1883; and the Civil Rights Cases, 1883), the United States Supreme Court declared that under the U.S. Constitution, they could be protected only against state action, not private individuals. In its landmark Louisiana case decision about railroad segregation (Plessy v. Ferguson, 1896), Court said its last rites for the Fourteenth Amendment’s promise of “equal protection.” Accepting “separate but equal,” it promptly forgot about equal.

It would not be until the 1920s, that the Supreme Court would begin thinking seriously about the protection of civil rights. The New Deal response to the depression, and the following war years, grew a new role and powers for the national government. With the 1954 school desegregation decision (Brown v. Topeka et. al.), a civil rights revolution would begin. The hesitantly interventionist federal government would undertake to keep the promise of the Reconstruction Era’s Fourteenth, and Fifteenth Amendments. Faced with the black civil rights movement out in the streets and violence from a revived Ku Klux Klan, the national government, with Supreme Court approval, would find a use for the Reconstruction Era’s long forgotten Enforcement Laws.

For a hundred years the memory of the Klan, and sometime its behavior, lingered on. Its saga as the hero and great folk legend of the white South stemmed partly from the fact that the night riders appealed to a sense of excitement, adventure, mystery, and violence. The Klansmen were aristocrats, they were heroes, and they were a hell of a bunch of fellows. The high estate of the memory of the Reconstruction Klan also stemmed from the fact that it was the action of white southerners who believed that the color of the South was and had to be white. The resulting view of the Klan as a regulating force for protection in lawless times captured the hearts of those who rode and later generations of southerners—as well as many northerners.
Notes on Thomas Dixon and “The Birth of a Nation”

There is a large and on-going scholarship on “The Birth of a Nation.” In the world of film studies, most university programs have copies of “The Birth of a Nation,” which can also be purchased on DVD from Amazon.com and Barnes & Noble.com. D.W. Griffith can be researched from David B. Pearson’s site at the University of New Orleans and in Richard Schickel, D.W. Griffith: An American Life (1984).

Writing the History of the 1920s Klan

Imperial Wizard William J. Simmons’ first public announcement of the revived 20th century Ku Klux Klan appeared in the Atlanta Journal, December 7, 1915, next to an advertisement for “The Birth of a Nation.”

For more than thirty years, the only serious academic studies of the Klan were the perceptive but much too rural-minded Mississippi-born sociologist John M. Mecklin’s *The Ku Klux Klan: A Study of the American Mind* (1924) and Emerson H. Loucks’ highly informative *The Ku Klux Klan in Pennsylvania* (1936), both contemporary accounts.

By the 1960s, Klanmen were still around, but the 1920s Klan had lived a whole accelerated lifetime and made enough history for the historians to go to work. In 1965, Doubleday published my *Hooded Americanism* and the University of Kentucky published Charles Alexander’s *The Ku Klux Klan in the Southwest*. Despite the absence of internal Klan sources or papers, Alexander’s is the best published regional history of 1920s Klandom. Norman Weaver’s excellent University of Wisconsin dissertation, “The Knights of the Ku Klux Klan in Wisconsin, Indiana, Ohio, and Michigan,” never received the publication it deserved. In 1967, Oxford produced Kenneth Jackson’s *The Ku Klux Klan in the City, 1915–1930*, in which he used intrepid archival searching to weave fragments into an urban analysis, based on Atlanta, Memphis, Knoxville, Dallas, Chicago, Detroit, Indianapolis, Portland, and Denver.


In his outstanding interpretive synthesis, *One Hundred Percent American: The Rebirth and Decline of the Ku Klux Klan in the 1920s* (2011), Thomas Pegram has studied the sources and literature to craft an analysis topically organized on community, white supremacy, anti-Catholicism, education, prohibition, violence, and politics. Rory McVeigh, *The Rise of the Ku Klux Klan: Right-Wing Movements and National Politics* (2009), considers sociological interpretations of the Klan in favor of a “power devolution model,” which seeks to explain the Klan as a national
response to a changing society.


As extensive as the women’s role was in the 1920s Klan, it has had but a single published scholar, who, fortunately, has been Kathleen Blee, author of *Women of the Klan in the 1920s: Racism and Gender in the 1920s* (1991), and a student of women in hate movements. Prior to Professor Blee, there was only Emerson H. Loucks’ 1936 *The Ku Klux Klan in Pennsylvania*, which did provide a near contemporary history of the women’s order. Nancy MacLean offered the most gendered analysis of the Klan and its origins in her prize-winning “The Leo Frank Case Reconsidered: Gender and Sexual Politics in the Making of Reactionary Populism,” *Journal of American History* (December 1991) and *Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan* (1994), about which there is disagreement with her application of European class analysis.

Led by John Higham’s *Strangers in the Land: Patterns of American Nativism, 1860–1925* (1955), there has been a general consensus among historians that the 1920s Klan was driven by a white, Protestant, Anglo-Saxon nativism—sometimes summed up as “white, Protestant nationalism.” Controversy has presently focused on its Victorian component—most gracefully set forth in Stanley Coben, *Rebellion Against Victorianism: The Impetus for Cultural Change in 1920s America* (1991)—on Nancy MacLean’s sex and gender themes, and on rural-urban conflict, violence, anti-Catholicism, and populism.

The long favored “hayseed” dismissal by H.L. Mencken cosmopolites, has yielded to the recognition of the urban nature of the Klan (in which the first edition of *Hooded Americanism* in 1965 played a part) most cogently set forth by Kenneth Jackson, *The Ku Klux Klan in the City, 1915–1930* (1967), on his way to becoming the nation’s leading urban historian. *Hooded Americanism’s* study of the Klan in each of the 48 states, and Canada, found anti-Catholicism a ubiquitous pillar. Although Klan violence was particularly characteristic of the South and Southwest,
and northern Klansmen were more likely to be the victims rather than the attackers, the aura of violence was an inherent part of the Klan’s appeal. Throughout the Klan’s history, when you put on your robes, you were a warrior.


The results of community studies, based on the close study of recovered membership lists has resulted in a picture of Klansmen as a mainstream cross-section of middle class white Protestant culture and society. The wealthy, managerial and business elites, and entrenched political power holders did not belong. Community historians, led by Leonard Moore, with the working of his exceptional Indiana data, *Citizen Klansmen: The Ku Klux Klan in Indiana, 1921–1928* (1991), and Shawn Lay, ed. *The Invisible Empire in the West: Toward a New Historical Appraisal, of the Ku Klux Klan in the 1920s* (1992) found the Klansmen generally moved by civic concerns, usually contending with local political power holders over issues of graft, crime, the enforcement of prohibition, and access to office. Leonard Moore’s 1992 Southern Historical Association paper, “New Insights into the Klan Movement of the 1920’s,” is the best statement of the populist interpretation.

The examination of the Klan story state-by-state across the whole nation, however, seldom revealed a challenge to the economic managers and power holders. Where it did occur, it was over local concerns such as roads and school funding. With the exception of Alabama, it was not concerned with the banks, railroads, and corporate monopoly, and did not seek national economic or political reform. The hostility toward the Eastern cities was more concerned with the power of the Pope in Rome than J.P. Morgan in Wall Street. Measured by the traditional use of the concept of “populism,” as basic reform, or revolutionary movements by the tillers and toilers, or the protest of the outsiders against the distant centralized holders of power, the Klan of the 1920s does not broadly fit.

In 1965, under the title of “Kleagles and Cash,” Charles Alexander wrote about the Klan as a Business Organization in *The Harvard Business Review*. The five year number-crunching study by University of Chicago economist Steven Levitt and Harvard economist Roland Fryer and their assistants, “Hatred and Profits:
Getting Under the Hood of the Ku Klux Klan” NBER Paper Wi3417, September 2007 (SSRN), found the Klan as “more successful at making money than influencing politics.” Recruiting mainly from the middle classes and feeding off of existing nativist sentiment, they wrote, “the Klan was able to bundle hatred with fraternity and make a real sell of it.”

For the second Ku Klux Klan, which lasted from 1915 until its official disbandment with American entry into World War II, enrolling more than four million members in the 1920s and extending into all forty-eight states, under the national leadership of Imperial Wizards William J. Simmons, Hiram Wesley Evans, and James Colescott, there are no surviving national files or archives. Klan leaders produced no diaries, journals, or autobiographical writings, did not unburden themselves to sympathetic reporters, and did not find contemporary or subsequent biographers, except for two journal articles on Col. Simmons: Charles Jackson “William Simmons: A Career in Ku Kluxism,” Georgia Historical Society (1966) and Charlton Moseley, “William Joseph Simmons: The Unknown Wizard,” Atlanta History (Spring, 1993). Membership lists, for the most part, have remained unavailable except for the remarkable finds in Colorado and Indiana, local Klavern papers, which occasionally pop up in people’s attics, and partial lists legally seized, or stolen, and published by Klan opponents.

Christopher Waldrep, “National Policing, Lynching, and Constitutional Change,” Journal of Southern History (August, 2008), guided the author to FBI Record Group 65, Classification 44 National Archives, College Park, Md., which contains the Bureau of Investigation’s 1922 correspondence about the Klan. Director William J. Burns and J. Edgar Hoover condemned the Klan and regretted the lack of federal authority over it. They did have federal agents compile state lists of federally employed Klan members. The lists are filed by state in 65:44.

The one treasure trove for historians is the collection of testimonies gathered by a group of dissent Pennsylvania Klaverns in their defense against the suit by the national Klan to reclaim property and treasuries in Equity Case No. 1897. U.S. District Court for Western Pennsylvania (1927). My account of the midnight coup against Imperial Wizard Simmons in Hooded Americanism is based on his testimony in this case.

The Klan’s National Kourier, Fiery Cross, and Dawn, like most business in-house journals report on organizational activity. They and other Klan journals are useful for filling in, but offer no substantive information on policy and strategy, although the Fellowship Forum is valuable for showing the degree of Klan anti-Catholicism in the 1928 presidential election.

The Klan was the subject of Congressional hearings and Supreme Court
cases. The U.S. Congress House Committee on Rules Ku Klux Klan Hearings, October 11–13, 1921, 67th Congress, First Session (Washington, 1921), mainly served to publicize the Klan. U.S. Senate, Senator from Texas, Hearings before a Subcommittee on Privileges and Elections, 68th Congress, 1st and 2nd sessions (1924) considered the seating of a Klan Senator, Jerry W. Mayfield, from Texas, is not greatly enlightening. U.S. Supreme Court cases dealt with the right of the Klan to do business in Kansas (State of Kansas ex. re., Charles B. Griffith, Attorney-General plaintiff v. The Knights of the Ku Klux Klan et. al. (1924), prohibition of private schools in Oregon (Pierce, Governor of Oregon, et. al. v. The Society of the Sisters of the Holy Name, 268 U.S. 510 [1925]), and public registration of New York membership lists (The People Ex. Rel. Bryant v. Zimmerman, 278 U.S. 63 [1928]).

Lacking anything from the Klan itself, the New York Times is the closest approximation of a Klan central file and justifies its claim to be the newspaper of record. It is to be researched using the Times index. This should be joined by the invaluable Literary Digest and Readers Guide to Periodical Literature. New York Times and Literary Digest stories can indicate where the local press should be consulted. Articles in The Nation, New Republic, Independent, and Survey are indexed in the Readers Guide, as are R.L. Duffus’ first rate political reporting in his 1923 World’s Work series. Two valuable search engines are William H. Fisher, The Invisible Empire: A bibliography of the Ku Klux Klan (1980), and Michael & Judy Ann Newton, The Ku Klux Klan: An Encyclopedia (1991), a remarkable accumulation of information.

Because of the absence of archives, interviews, and, for most states, serious historical study, the stories of the Klans in individual states, with the notable exceptions of Colorado, Indiana, Georgia, and Alabama, have been dependent on the accumulation of fragments, primarily supplied by the contemporary press.

The New York World’s front page coverage of Klan violence, studied by John Kneebone, in his December 1986 Southern Historical Association paper “Publicity and Prejudice: The New York World Exposes the Ku Klux Klan, 1921,” did much to make the Klan. In Southern Liberal Journalists and the Issue of Race (1985) he describes their difficulties in dealing with the world of their grandfathers and fathers.

Newspapers that received Pulitzer Prizes for their Klan converge were The (Tennessee) Commercial Appeal (1923), The Columbus (Georgia) Enquirer-Sun (1925), Montgomery (Alabama) Advertiser (1927), Indianapolis (Indiana) Times (1927). In later years the Pittsburgh (Pennsylvania) Post-Gazette (1937) and two small North Carolina newspapers the Tabor City Tribune and Whiteville News Reporter (1953), were awarded Pulitzer Prizes for their Klan coverage.
Notes on a New History of the 1920s Klan

In the years after the Civil War, America earned its reputation as a nation of joiners. The Masons and Odd Fellows were older copies from England, but America’s filiopatriotic Dames, Daughters, and Sons commemorated descent from Puritans, and Revolutionary and Civil War soldiers. Surviving veterans from the Confederate and Union Armies and newly made veterans of the recent war in Europe held conventions and paraded. Home grown too were the business community’s Rotarians, Kiwanians, Moose, Elks, and Eagles, and the be-robed and turbaned Shriners, and fraternal benefit insurance societies. Many, like the Phi Beta Kappa honorary society and other college fraternities, had their secrets, signs, and handshakes. Lodges were for adult males, but many had women’s and young people’s auxiliaries, such as the Masons’ Eastern Star ladies, DeMolay for younger males and Job’s Daughters for the girls. There were Jewish and Black Masons, but generally they preferred their own societies. Roman Catholics had the Knights of Columbus.

Among the some six hundred societies, the newly birthed Ku Klux Klan outdistanced them all. For a brief, intense period in the 1920s, the Ku Klux Klan was the great social lodge of the old stock, white, native-born, Protestant middle classes of America’s towns and many of its rapidly growing cities.

What were the reasons for its appeal? Why did the Invisible Empire spread so quickly outside of the South into areas that had never enshrined the legend of the first Klan? Like the other lodges, the Klan offered recreation and a sense of belonging, and it had something more. It had a message and an awesome image. It wasn’t that the Klan began with an ideology and a program. Initially, Colonel Simmons was thinking locally. He had founded it as a Southern enterprise, to which he could sell membership and insurance, but the combination of its inheritance, the times, and a powerful national sales campaign shaped the Klan’s nature and history. The Klan carried with it a mystique of a valiant race of white night riding warriors who had restored order in the unsettled times after the Civil War. When the New York World’s front page story of Klan violence had been syndicated across the country, people knew that the Klan was no sissy affair. When you put on your robes and mask, you too were a warrior. Klan violence took place mostly in the South during the early years, but its aura added a thrill wherever Klansmen gathered.

In individual communities there might be the real problem of a corrupt
political ring or the need of more money for schools or improving the roads, but what sold best were the rituals of race, religion, and the defense of America and its values under attack.

In already a pluralistic nation, nativism in America has usually been a low burner affair, with the possibility of being turned up into a high level flame by political pyromaniacs in times of social confusion. The colonial colony of Maryland came into being by grant to the Catholic Calvert family, and Florida’s first U.S. Senator, David Yulee, was a Jew. Florida’s Roman Catholic “Rebel Bishop” Augustin Virot supported the Confederacy, and the Jewish lawyer Judah P. Benjamin was the Confederacy’s Secretary of State. Jews and Catholics served in the Confederate armies and presumably in the Ku Klux Klan during Reconstruction. In the early 20th century, there were Jewish governors of Utah and New Mexico. The police chief of Emporia, Kansas, the chief justice of Nebraska, mayors of Birmingham and Montgomery, Alabama, as well as Buffalo, Detroit, and Ft, Wayne were Roman Catholics, and school systems often had Catholic and Jewish school principals and teachers.

As the Klan was being reborn, there were warnings that the flame might be turned up. The Georgia’s Populist leader, Tom Watson, embittered by election losses, filled his widely circulated Jeffersonian Magazine with scabrous denunciations of Blacks, Jews, and Catholics. The 1913 trial, conviction, and subsequent commutation, kidnapping, and lynching of the probably innocent Jewish factory owner in Atlanta, Leo Frank, for the rape-murder of teen age employee Mary Phagan, heated anti-Semitic rhetoric. Watson called for lynch law and a rebirth of the Klan, and rode his fiery oratory to a Georgia seat in the U.S. Senate (from which he just as fiercely denounced American participation in the European War and President Wilson). When Florida’s Democratic Executive Committee condemned religious prejudice, former minister and fraternal life insurance salesman Sidney J. Catts angrily campaigned on the platform of saving public education and “the little red schoolhouse” from the Roman Catholic Church, and was elected Governor of Florida.

The old-stock Americans were the nation’s dominant majority, but they had a profound persecution complex. Their prestige and social power were not directly challenged by the immigrant influx, but now for almost a generation the new settlers who flocked to the shores of America had belonged to different ethnic and religious groups. The old fires of nativism had already been rekindled. To a highly fragmented, disorganized Protestant America, the Catholic constituted a tightly organized, disciplined, well-financed fighting force. The diverse legions of Protestantism saw themselves as being under attack, and this meant America in
danger. Dominant though they were, they developed a defensive stance.

Where the Klan could convince them of, or seize upon, this sense of being an embattled minority, the membership rolls soared. Colonel Simmons had sounded the tocsin. “What were the dangers which the white men saw threatening to crush and overwhelm Anglo-Saxon civilization?” he asked rhetorically. “The dangers were in the tremendous influx of foreign immigration, tutored in alien dogmas and alien creeds, flowing in from all climes and slowly pushing the native-born white American population into the center of the country, there to be ultimately overwhelmed and smothered.”

Hiram Wesley Evans wrested control of the Klan from Simmons, but the warning remained the same. At his first Annual Meeting of Grand Dragons in 1923, Evans warned about the threat to the nation’s free institutions from the “vast hordes” of Catholic and Jewish immigrants. “For the Roman Catholic hierarchy,” he continued, “...we have an antipathy bred into us from the loins of our forefathers.”

Three years later, in 1926, the Klan’s Imperial Wizard was invited to explain the Klan in The North American Review, the prime journal of New England’s intellectual elite. Evans’ eleven thousand word response was the best position paper to have ever come from the Klan. He was now using the patrician’s language, and “Nordic,” for the first time, replaced “Anglo-Saxon.”

Although there is no documentary evidence, Evans’ guiding light clearly was Madison Grant, founder and chairman of the New York Zoological Society and author in 1916 of The Passing of the Great Race. Jonathan Spiro titled his excellent 2008 study of Madison Grant Defending the Master Race. Although Madison Grant’s correspondence no longer exists, Professor Spiro agreed that Evans was clearly “quite familiar” with Grant’s writing. John Higham, the leading immigration historian, called Madison Grant recent American history’s “most important nativist,” in whom “all of the trends in race thinking converged.” Evans was now talking about breeding and heredity. The “melting pot” had failed, Evans explained, leading to “mongrelization,” and the Nordic American was “a stranger in large parts of the land his fathers gave him.” The core enemy for the Klan’s Imperial Wizard was still the autocratic Roman Church, which controlled the inassimilable alien “other.”

For the most part, the intellectuals, the urban sophisticates reading H.L. Mencken in The Smart Set, the elites, skeptics, social critics, and later historians looked down on the Klansmen, not only for their prejudices, but for the culture that they represented. It was all very well to scorn middle classes for their lack of sophistication, but the social elites shared many of their prejudices and concerns. Immigration restriction based on national origins won wide approval. The 1924
Johnson-Reed law was not only supported by the Klan, the American Federation of Labor, the American Legion, the National Grange, and both the Sons and the Daughters of the American Revolution, but also by Senator Henry Cabot Lodge and the patrician leadership of New England. President Calvin Coolidge summed up majority feeling when he told Congress that “America must be kept American.”

Across the country, the Klan was middle-class America. It was not a hick or hayseed movement or a hangover populist attack on the railroads and big corporations. It did not appeal to business and social elites, and it did not draw its main strength from blue collar working people. Although national membership lists have never been found, historians have gathered information from contemporary newspaper stories, from local Klavern records that occasionally turn up from people’s attics, from stolen membership lists in Chicago and Buffalo, from new histories of the Klan in Georgia and in Alabama, and from closely working the bonanza finds of the entire states of Colorado and Indiana, and the records of Athens, Georgia, Klan No. 5.

In Robert Goldberg’s *Hooded Empire* (1981), Colorado Klansmen did not belong to the elite clubs. They were Elks, Lions, Woodmen of the World, and Masons. The early leaders were “primarily business and professional men,” sober, respectable, civic involved, middle-aged, with families—mature, stable. They included managers, ministers, small businessmen, lawyers, doctors, salesmen, and clerks. Leonard Moore’s Indiana *Citizen Klansmen* (1991) broadly represented the state’s population, town and country, drawing widely in rural areas, slightly best among owners of medium (40 to 200 acres) size farms, somewhat less among blue collar workers, and not among the elites. Moore’s skilled study of his archival treasure from what was perhaps the Klan’s best organized state realm revealed success across the Protestant spectrum, including Lutherans and Quakers (from Indiana’s more conservative programmed meetings), as well as Presbyterians, Baptists, Disciples, and Methodists. They came, Moore wrote “from the mainstream of white Protestant society.” They represented in significant numbers every region of the state, every type of community, and virtually the entire socio-economic spectrum. Evangelical Protestants naturally joined the Klan with great frequency, but so did liturgical churches and those who did not belong to any church. Fundamentalists, such as the Nazarenes who sought to withdraw from the world, not change it, did not join.

Although the Indiana Klan was politically Republican, many Democrats also joined. As in other realms, the social standing of the leadership was highest in the earlier years, but did not include the most powerful bankers and business leaders—the Kiwanians but not the Rotarians. In *Behind the Mask of Chivalry* (1994), Nancy
MacLean’s Georgia Klansmen stood between capital and unskilled labor. They were, she wrote, mainly “lower white-collar employees, petty proprietors, managers and officials, and skilled tradesmen.”

Probably the greatest strength of the Invisible Empire lay not in its creed or politics, but in its excitement and its in-group fraternalism. The lodge nature of the Klavern appealed to the joiner. It provided recreation and a sense of belonging. Its masks and robes, and mass initiations, and midnight cross-burnings were the Klan’s special signature, but the parades, and drill teams, and picnics, barbecues, and Klan Day at the county fair were social rituals learned in the lodge and church worlds.

In these, the women of the Klan played a vital part. Women joined by the tens of thousands to be incorporated as the ladies auxiliaries of the great fraternal lodge of white Protestant, native-born America. They organized its family picnics and youth activities; took part in it county fair days, ceremonials, weddings, baptisms, and church visitations; sang in its glee clubs; and marched with the men in well-drilled units down Pennsylvania Avenue in the great Klan parades in Washington, D.C., attired in their neatly tailored robes, capes and pointed hoods. Half a century later, survivors told the sociologist Kathleen Blee, as she reported in Women of the Klan: Racism and Gender in the 1920s (1991), how good spirited and community building it had all been.

Klanswomen also played a role in the Klan’s dark side. Helping to act out its prejudices, they formed whispering squads, gossip networks, and “TWK” (Trade with a Klansman) boycotts of Jews and Roman Catholics. They sought to have Roman Catholic teachers fired and campaigned for daily classroom readings from the King James Bible. Klan campaigns against vice, bootleggers, and corrupt city political machines and for better school funding as well as Protestantization of the classroom attracted women from social lodges and church and civic groups, Prohibitionists, and other activists. Prohibition was an important Klan issue. During the flush early days, the Klan meant the protection of home and family. The involvement of thousands of women and young people in Klan auxiliary organizations, Professor Blee concluded, had helped normalize the Klan as “a part of ordinary white Protestant life.”
Notes on Restarting the Klan

Notes on National Politics

No rumor or story about a President of the United States ever dies. Klansmen claimed that President Warren Harding was a member. Harding’s Attorney General Harry Daugherty wrote reassuringly to his U.S. Attorneys that neither he nor the President were Klansmen. His Bureau of Investigations Director, William J. Burns, reported that “Certain misrepresentations have been made by organizers and others that the President and certain Cabinet members were affiliated with the organization. This has been publicly and officially denied and stamped as one of the many misrepresentations used by the organization in its schemes for procuring members.” Burns repeatedly expressed strong regret that there were no grounds for federal action and asked all Justice Department Agents to compile lists of federal employees who were Klan members. Postmasters, he suggested would be a good source of information.

Responding in September 1922 to a Little Rock, Arkansas, letter to President Harding, Burns wrote:

“We have given the Ku Klux Klan considerable time and attention... but unfortunately the Department of Justice has not the authority to take the action which you suggest. The Supreme Court, in several cases, has firmly established the principle that a citizen...must rely absolutely upon the state authorities for his personal protection. Were it not so, you may rest assured that the government would have taken positive against the Klan a long time ago, for it is our firm conviction, based upon the great mass of information obtained from all sections of the country affected, that the Ku Klux Klan is a gigantic fraud...and a distinct menace to decent government...[that] the Klan has actually fostered and participated in acts of lawlessness against non-members and protected members, some of whom are representatives of the most undesirable elements in any community. The government has done everything consistent with the law and its powers to bring this matter forcibly to the attention of proper state and local officials, as well as to the American public generally, but apparently without much success....we will have to let the communities learn at their own expense, and hope that common sense, and civic self-respect will soon overcome the narrowness and un-American tactic, exemplified by the Ku Klux Klan under the grossly misleading phrase “One hundred percent Americanism.” FBI Record Group 65:44 National Archives.

In addressing a Shriners’ convention, President Harding attacked “misguided zeal and unreasoning malice” but drew a line between “secret fraternity” and “secret
conspiracy.” Yet, rumors about President Harding have hung on.

The historian and social activist Stetson Kennedy, who had once been a spy inside the Klan in the 1940s, told the story of President Harding’s reputed initiation into the Klan. Kennedy related taping the deathbed statement of Alton Young who had been the Klan’s national chaplain in the early 1920s. According to Young, the Klansmen had forgotten to bring a Bible, so the White House had to search for one. Harding had improperly leaned his elbow on his desk as he knelt to take the oath, but since he was the President, they had not admonished him. “It was these touches which made me know that the story was true,” Kennedy told me, when I talked with him about it at a meeting of the Southern Historical Association. Kennedy’s story is set down in his autobiography, *The Klan Unmasked* (1990) originally published as *I Rode with the Ku Klux Klan* (1954), and in a letter footnoted in Wyn Craig Wade’s *The Fiery Cross* (1987). For further information on Stetson Kennedy, read Note 37: “Klan Revival after World War II.”

The Stone Mountain carver Gutzon Borglum, who made friends with “Colonel” Simmons, E.Y. Clark, and, most closely, with D.C. Stephenson, was unsuccessful in getting President Harding to visit Stone Mountain during a southern trip. Klan recruiter E.Y. Clark failed to produce promised Klan financial support for the memorial. Boxes 62 & 83 of the Borglum papers (D.C. Library of Congress) contain records of his attempt to arrange a Washington, D.C., meeting between Klan Imperial Wizard and President Warrant Harding.
Notes on Texas

The Klan was both like and different from the Masons, Shriners, Woodmen, Odd Fellows, and other fraternal lodges in which it recruited its members. In addition to the appeal of fraternal belonging and sociability and the traditional anti-papist suspicions that burned deep in the heart of the lodges, the Klan’s mystic was the call to action. As their fathers and grandfathers had ridden out to save the South during the Reconstruction, now Klansmen put on robes and masks to fight for home, family, and civic morality. Klan recruiters were told to focus on local problems, and they found crime, corrupt local officials, and moral laxness all around them. In *Crusade for Conformity: The Ku Klux Klan in Texas, 1920–1930* (1962), Charles Alexander, the historian of the Ku Klux Klan in the Southwest, described its concern as not so much racism and nativism as it was “moral authoritarianism.”

Professor Alexander carefully reported the violence that marked Texas and the Klans of the Southwest, and Texas may have been the most violent. The FBI Files (National Archives 65:44, Box 17) contain an offer from Colonel Simmons’ attorney, Capt W.S. Colburn, seeking immunity from prosecution, to testify on 36 cases of tar & feathering and 16 castrations in Texas.

The southwest corner of the state had its own story to tell. In El Paso, on the Mexican border, a working-class population, mainly of Mexican origin, provided the votes for an Irish Catholic political machine in a religiously tolerant city. In his history of the El Paso Klan, *War, Revolution, and the Ku Klux Klan: A Study of Intolerance in a Border City* (1985) and “Imperial Outpost on the Border: El Paso’s Frontier Klan No. 100,” in *The Invisible Empire in the West: Toward a New Historical Appraisal of the Ku Klux Klan in the 1920s* (1992), Shawn Lay told of how it was organized by more newly arrived evangelical Protestants from East Texas and the South. With the support of their ministers, they focused on the issues of law and order and the overcrowded and under-financed public schools. Using an El Paso Good Government League front, they elected a majority to the school Board where they voted more funding and school construction, and fired three school principals who were Roman Catholics. There was no vigilante violence in El Paso, but the Klan issue bitterly divided the school board and the community. Many women voters had come out to support the Good Government League over the schools, but now the Klan brought division in the League of Women Voters, and in the American Legion, the Bar Association, and among the Shriners. With support from all three daily newspapers, the business community organized against the Klan. The secrecy
of its membership was compromised; it lost control of the school board, and began its decline.

On May 21, 1921, rumor and a front page editorial in the Tulsa Tribune (since cut out of all surviving records) announced a forthcoming lynching and helped produce an old-style race riot. Until the 1940s, a classic race riot would often be touched off by incendiary newspaper headline as was the case in 1906 in Atlanta, Georgia. A black show of defensive resistance would produce armed mobs, usually with police support, which would attack and burn the Negro district. In Tulsa, James Hirsch’s Riot and Remembrance: The Tulsa Race War and Its Legacy (2002) recaptured the history of how the prosperous north side Greenwood community was burned to the ground and perhaps as many as several hundred people were killed. As with Rosewood, Florida, two years later, there are still rumors of hidden burial pits and Klan involvement. Although there has been no evidence of direct Klan involvement in Tulsa, this was an atmosphere in which the Klan could work.

The Enid, Oklahoma, story was perhaps not untypical. Having received reports of threats, beatings, and racial cleansing, the American Civil Liberties Union complained to Enid’s mayor. His response was that since Enid had 10 policemen and 1,500 Klansmen, there was no point in making an investigation. Besides, he told the ACLU, people were satisfied.


In his history of the Louisiana Klan, *The Ku Klux Klan in Louisiana, 1920–1930* (1966), Professor Kenneth Harrell wrote that “a preponderance of evidence conclusively demonstrates that the most attractive features of the Klan in Louisiana was its potential as a law enforcement agency, its campaign against Catholics, and its promise as a fraternal organization.”

According to the historian Neil McMillen, Senator Percy feared black out-migration from Mississippi. In his *Dark Journey: Black Mississippians in the Age of Jim Crow* (1990), McMillen wrote that Percy publicly opposed the Klan “as a matter of conscience and because he believed that its presence would result in ‘idle cotton fields’ and abandoned lumber mills.”

The reproduced Bureau of Investigation Files letter from Senator John Sharp Williams to Attorney General Harry Daugherty, and the Klan warning that he enclosed, show what the Klan meant in Mississippi, and patrician opposition to it.
United States Senate,
COMMITTEE ON THE LIBRARY.

September 28, 1921.

Hon. Harry M. Daugherty,
Attorney General of the United States,
Washington, D. C.

My dear Mr. Daugherty:

I enclose you a letter from I. W. Richardson, Secretary and Treasurer of the Southern Planing Mill, Meridian, Mississippi, which explains itself; and I enclose you also the envelope and the notice which was sent to the negro employee of the Company.

Many things of this sort have been taking place of late. I can not believe that Mr. Richardson was correctly informed when he said that this notice constituted no violation of the law. Sending threats of death through the mail must be a violation of the law. I believe that if the Department of Justice were to send somebody down that would not be affected by local intimidation and look into this case and other cases like it and, if possible, to make an example of some of the men who are indulging in this sort of thing, that it would result in what my friend, John Allen, used to call, "A great wave of caution."

Of course, it would be very difficult to find the man
who wrote this threat of death, but the very fact of his knowing that somebody was trying to find him would have an effect upon him and men like him; and maybe he might be found. If he was found guilty of a Federal offense and arrested for it, then he could be prosecuted under the State laws for a threat to commit murder.

Very truly yours,

3 encls.  

John Sharp

9/12/21

[Handwritten date]
Rankin County.
10/16/21.

Redmond the druggist. This is to warn you that unless you and a few other niggers leave town at once you are going to tarred and feathered, now we mean business and you are certainly going to get a good dose, this as a fair warning and you had better take heed and leave.

You niggers are getting too much of a foot hold in Jackson and we propose to put a stop to it, you have entirely too many niggers hanging around your store and they are a regular nuisance, you are too near Capitol St. for your own good, now you had better leave at once for we intend to tar and feather you and if you do not leave then you will give you a dose of a stone around your neck and some Pearl River bottom.

You had better not laugh at this but pull up and leave.

KU KLUX KLAN.
For more than three-quarters of a century, Georgia’s Stone Mountain and the Klan would be more than neighbors. Sam Venable, whose granite company owned it, and his son Jimmy, had been at the rebirth of the Klan on that cold 1915 November night on top of Stone Mountain. Among those taking part were the Speaker of the Georgia legislature, and one of Leo Frank’s lynchers. Identified by the historian Steve Oney in “And the dead shall rise again: The murder of Mary Phagan and the lynching of Leo Frank (2004), John A. Wood went on to the legislature, became a judge, a Congressman, and chaired the House UnAmerican Activities Committee, from which Richard Nixon rose to fame.

As told by Gutzon Borglun’s 1985 biographers Howard & Audrey Shaff, Mrs. Helen C. Plane, Civil War widow, and a founder of the United Daughters of the Confederacy and Honorary Life President of the Atlanta Chapter, brought the sculptor Gutzon Borglum in to carve a Confederate memorial on Stone Mountain. Behind the equestrian statues of General Robert E. Lee and others generals, Mrs. Plame suggested that Borglum include a small group of Klansmen, “in their nightly uniform, as recognition for having saved us from Negro domination and carpet-bag rule.” The Klansmen never made it onto the carving, but they held their rallies in the pasture that Jimmy Venable kept when Stone Mountain passed into the hands of the state. At 13, Jimmy Venable had been the youngest Klansman. After World War II, he ran his own little Klan business. When he died at the end of the twentieth century, he had been a Klansman longer anyone else in Klan history, and Stone Mountain had a black mayor.

The historian of the Georgia Klan, Edward Akin, compared names against the 1920 census reports and concluded that Klavern leaders were typically married men in their late 30s with school age children. They were mainly lower middle class and workingmen, many skilled but often not, with some doctors, lawyers, and small businessmen, but overwhelmingly employed by somebody else in Georgia’s towns and cities. More town than country, they crowded into the working class districts of Southside Atlanta and East Macon and other Georgia cities. Depression had followed World War I prosperity. They worried about getting by, crime and corruption, and the schooling of their children. Their world was the home, the job, the church, and the lodge hall. Like the overwhelming majority of Georgians, they were Baptists and Methodists.
One out of three Georgians was black, mainly tenants and sharecroppers in the countryside and separate in the cities, from the shack towns to the vibrant black business world of Atlanta’s Auburn Avenue and the elite colleges of Atlanta University. Jobs in the textile mills were for whites only. Italians, Greeks, and Eastern European Jews began arriving, but of the small proportion of Roman Catholics were old Southern families as were the handful of Jewish merchant families scattered through Georgia and the South. White supremacy was a given, reinforced by a half century of lynch law, disfranchisement, segregation, the 1906 Atlanta riot, and Senator Tom Watson’s fiery race politics.

The men and women who filled the Klan ranks were the plain people of Georgia’s towns and cities, not displaced rustics, pathological ruffians, or social misfits. They were drawn to the Klan as a new, more exciting fraternal lodge, with an appeal that buttoned up their belief in Protestant Christianity and Anglo-Saxon racism into a militant American nationalism. Klan salesmen were told to build on whatever troubled the local community. As a result the Klan was born as local reform, dealing with real problems. Crime and corruption threatened the enforcement of prohibition. The tax system was unfair. The public schools needed money, patriotic teachers, sound moral instruction, and free textbooks. Family morality needed protection.

The Atlanta Klan supported an outside study of the schools, school bonds, and the national Sterling-Towner bill for federal aid and a cabinet level education department. It fought bitter school board elections over Bible reading in the schools and the discharge of Roman Catholic principals and teachers.

From study of the correspondence of the Athens Klavern, the historians Edward Akin and Nancy MacLean explained much of the Klan’s violence as moral policing. Responding to internal report and outside requests, including letters regularly forwarded from state headquarters, the Athens Klan spent much time investigating complaints about drunkenness, adultery, domestic violence and other moral shortcomings, which it often rode out on dark nights to correct.

Although the needs and class resentment lingerer, and the promise of free textbooks was to remain unfulfilled until Klansman E.D. Rivers became governor in the 1930s, the Klan was not continuation of populism. It was not a gathering from farm and mill of “wool hats” and “lint heads.” Conflict with local business communities was not a continuation of the old struggle with the banks, railroads and national corporations. Apart from education and help for farmers in selling their crops abroad, the Klan did not seek an interventionist national government. The main role of the individual Klaverns was their lodge function.

Notes on Alabama

The Alabama Klan was as violent as anywhere in the nation, and long after it had died elsewhere, Alabama Klansmen continued their terrorist ways. In the mid-1920s, the Klan was a momentary player in a victory over Alabama’s entrenched conservative oligarchy. It helped elect a remarkable United States Senator and a Governor with a wide-ranging reform agenda, but the Klan itself was not a social reformer. Over the following half-century, Alabama Klansmen battled social change and the civil rights revolution with whips, baseball bats, bullets and bombs.

One out of every five Alabamians lived in Birmingham, and forty per cent of them were black. With its large Roman Catholic population, its coal mines, its iron and steel mills, and its bi-racial unions, Birmingham was an oddity among Southern cities. Its high crime rate, strikes, capital-labor violence, the anti-union use of the state militia, and a tradition of vigilantism, had given Birmingham a long history of violence.

Alabama’s economy and politics had been dominated by an extremely conservative coalition of Black Belt planters and Birmingham’s industrialists, bankers, railroad interests, and corporate lawyers, all of whom Senator Underwood represented in Washington. This oligarchy attracted capital and made its profits from cheap labor, low taxes, no governmental regulation, and minimal spending on education, health, social services, prisons, and roads. A convict-labor lease system, worse than slavery, had been the making of big mine-owners such as the politically prominent Bankhead family.

Against a history of populist and progressive struggles against the oligarchy, a shrewd war hero Klansman and prohibitionist politician named Bibb Graves won election governor in 1926. Joining his coalition of small farmers from the northern hill country and eastern counties were World War I veterans, teachers, women, evangelical Protestant prohibitionists, and organized laborers. Thus, Bibb Graves’ fellow Klansmen and women helped narrowly carry him into office. The historian Mills Thornton quotes the Montgomery Advertiser in pointing out that it was hard to tell where the Anti-Saloon League ended and Klan began. The rural hill counties, with their hatred of the oligarchy were the center of both. The Klan was not an open issue in the election, but it was there. Alabama’s particular first-and-second-choice primary law enabled Graves to emerge with victory from a crowded field without a run-off.
The record does not indicate particular Klan involvement in Governor Graves’ broad social reform program. The Klan’s focus was on the protection of white Protestant morality from Roman Catholics, Jews, and alcohol, and on the pleasures of political power. A previous tolerance in which Jewish Alabamians had held fraternal office, and Roman Catholics, who were prominent in the life of Mobile, had also sat in the mayoralty chairs of Birmingham and Montgomery, was swept away.

The Klan’s behavior as well as its power alarmed the conservative newspaper allies of the oligarchy, and the Hall family papers in Dothan, Alexander City, Anniston, and Montgomery joined the attack on the Klan. As described in *Hooded Americanism*, a clever defense defeated Klan libel suits, and a press “muzzling bill” narrowly lost in the legislature. Some forty years later during the civil rights struggles of the 1960s, it would take the U.S. Supreme Court in *New York Times v. Sullivan* (1964) to safely protect the right of the press to criticize public officials in Alabama.

With the growth of its connection and power in the state, Klan night riding had assumed alarming proportions by early 1927. In his 1999 study of *Politics, Society and the Klan in Alabama, 1915–1949*, Glenn Feldman wrote that “Bibb Graves marked a radical departure from the stultifying conservatism of Alabama’s entrenched planter/industrial regime, but the violence and terror that came with the Klan ascendance was the high price of reform in Alabama: official tolerance of intolerance, ethnic bigotry, moral authoritarianism, racial repression, misogyny, religious proscription, anti-labor vigilantism…” He went on to say that The Klan’s “better men” were powerless to control a violent element that may well have been a minority. “The actual number of people who conduct terrorism is small, almost of necessity….A question more important than size is whether the few reflect the views or acquiescence of other members of the broader society. In Alabama the few clearly did so.”

The civic reaction to Klan violence had grown so strong that even when the Democrats picked Al Smith as their presidential candidate in 1928, it didn’t bring a Klan revival. Smith was everything the Klansmen feared. He was a “wet,” a Roman Catholic, and a New Yorker. It should have been a wonderful opportunity for the Klan. The Klan’s most powerful statesman, Birmingham judge Horace Wilkinson, organized the rebellious anti-Smith Democrats. Alabama’s fiercely anti-Roman Catholic Tom Heflin was its loudest voice. The other Senator, Hugo Black, and Governor Graves cautiously supported the National Democratic Party’s candidate, and the state went narrowly for Smith by eight thousand votes. Two years later, the State Democratic Party cast Heflin and the other bolters out of the party. Running
as Jeffersonian Democrats, Heflin and Klansman Hugh Locke, an influential Birmingham judge and Methodist layman, were defeated, Helfin for reelection and Locke for governor.

While Birmingham lawyer and local Elks leader G. D. Esdale was the titular head of the of the Alabama Klan until he was replaced in a coup by Birmingham garage man Bert Thomas in 1931, the real power was Horace Wilkinson. Returning from World War I, Wilkinson successfully prosecuted the members of a lynch mob and initially stood with reform Governors Thomas Kilby and Bibb Graves against Alabama’s powerful “Big Mule/Black Belt” industrialist-planter oligarchy. As local leader, he fashioned the Klan takeover of Birmingham city government, handled the defense of Klan floggers, persuaded the Alabama Supreme Court to overturn convictions, and ran the state campaigns against the Roman Catholic Al Smith and for Klansmen who would be governor or U.S. Senator. By 1948, he had joined the oligarchy and organized the Strum Thurman’s Dixiecrat Party as he had led the revolt against Al Smith twenty years before.

Students of the Klan will find that Alabama has been favored by the ability of her historians, particularly notably Dan Carter, Glenn Eskew, Glenn Feldman, Wayne Flynt, Virginia Van der Veer Hamilton, Jeff Norrell, William Snell, J. Mills Thornton, Steve Suits, and Diane McWhorter.

Notes on Oregon

In his history of the Klan in Eugene, Oregon, Eckert Toy told of its opposition to the Catholic Newman Club receiving the same campus privileges at the University of Oregon as the Protestant YMCA and YWCA. Although the chairman of the Latin Department was Exalted Cyclops of the local Klavern, to which the football coach also belonged, Klan-University relations were not friendly. The Klan had more luck in its campaign to dismiss Roman Catholic public school teachers and defeated the reelection of a board member who defended them.

In 1925 the Oregon Compulsory Education Law was finally laid to rest. In argument before the U.S. Supreme Court in Pierce v. Society of Sisters (268 US 510), the law’s supporters argued that it prevented subversive teaching and increased patriotism and that the mingling together of children in the public schools was necessary for community solidarity. Not so, the Sisters’ lawyers responded. The “true purpose” of the act was the destruction of private, preparatory, and parochial schools.

The resulting injury was very real. In addition to the destruction of business and the value of the school property, the law, they argued, “unreasonably interferes with the liberty of parents and guardians to direct the upbringing and education of children.” The Supreme Court agreed with the district court ruling that the law was unconstitutional.

Seeking to reverse the Klan’s decline, an organizer from Atlanta made false claims of a revival in the Columbia River Valley. However, in the 1926 senatorial elections, the Klan helped its favored candidate, Frederick Steiwer, win the Republican primary by spreading the word that it was supporting his opponent.

Reduced to fractions of their former numbers in Portland and smaller communities, Klansmen continued to meet at mostly blue collar fraternal lodges into the 1930s.

Notes on California

For the most part, the story of the Ku Klux Klan was local history. In Anaheim, members of a newer middle class believed that the older commercial elites were undemocratic and corrupt. A conflict over the financing of a new city hall and law enforcement, particularly for prohibition, had already built up heat when the Klan came to town. The Klan recruited the dissidents. An eloquent new minister, Pastor Leon Myers of Anaheim’s First Christian Church, who wanted to evangelize the community became the Exalted Cyclops, and the conflict took on a religious cast. Although both sides were white and Protestant, Myers projected the conflict onto old devils. His opposition, he proclaimed, was “Rome controlled and liquor soused.”

The Klan elected a city council majority and replaced city employees and police with Klansman, some of whom patrolled in Klan regalia. A large rally, which drew Klansman from all over southern California, helped frighten opponents into action. A well-organized campaign attacking “secret and undemocratic government” took back control of the council. In 1925, Reverend Myers left for a church in Kansas, but the Klan remained a political force through the end of the decade and held office in smaller Orange County towns.

In 1924, however, the state passed an anti-mask law, and the Klan’s political influence continued on the decline. When the Imperial Wizard made his grand postelection tour of his western provinces, he found his welcome a weak one. San Francisco was particularly disappointing, the National Kourier complained, primarily because a hostile press refused him publicity and advertising room. Happily, however, the Klan journal commented, Oakland was friendlier and the small towns around Los Angeles remained active Klan areas.

Klan leader Burton Becker was elected Sheriff of Oakland’s Alameda County and his Klan under-sheriff became Oakland’s street commissioner. Both were soon objects of concern for Alameda County’s District Attorney, Earl Warren. Elected on the promise of strict “law enforcement,” Sheriff Becker boldly accepted payoffs from bootlegging, prostitution, and slot machine and Chinese lottery interests. Street Commissioner Parker organized his payoffs from a powerful combine of Oakland’s paving contractors. In dogged pursuit, District Attorney Warren first sent Commissioner Parker and the combine leader and then Sheriff Becker and his graft collector to jail.

The center of Klan activity, however, had shifted to Tulare County, in the Jaoquin Valley, between Bakersfield and Fresno. It was there in the county seat of
Visalia, where the ranchers had once fought against the corrupt outside world represented by the railroads, that the Invisible Empire kept up the good fight for “100% Americanism.” On the decline by 1926, the Klan gained the use of the municipal auditorium for a rally after promising that it would say nothing “defaming Catholics, Jews, Negroes or foreign-born.”

The Klan remained active in California into the middle thirties, meeting in Visalia, San Diego, Long Beach, and a score of other towns, attending sunrise services, parades, picnics, and entertaining the visiting Imperial Wizard in the early thirties. The Klan was occasionally made welcome by mayors and city councils, but it was as a member of the lodge rather than as a member of the political world of California.

Notes on Colorado

More is known about the Colorado Klan than about that of any other state but Indiana. The Klan treasured its secrecy, and only in those two states have later historians found extensive membership lists with which to work. In his *Hooded Empire: The Ku Klux Klan in Colorado*, the industrious historian Robert Goldberg tracked down biographies to learn who the Klansmen and their leaders were. Drawing from all but the elites and the unskilled workers, the Colorado Klansmen were for the most part a cross section of white Protestant society. Recruited through the fraternal lodges and churches, they were mature family men, over thirty, mainly not war veterans, and had originally come to Colorado from the farms and small towns of the Midwest. Later joiners were more recent arrivals and were less prosperous.

Denver had been a major center for the anti-Catholic American Protective Association in the 1890s, and prejudice ran deep in fraternal lodges such as the Masons and the Woodmen of the World, and many Protestant churches and the Klan made the most of it. However, beneath the anti-Catholic campaign, with its stories of papal intrigues and priestly sins, its trade boycotts, and its campaigns against Catholic office holders and public school teachers, Professor Goldberg found that Klan growth came over “real community tensions and problems.” In Denver and Puebla it was bootlegging, prostitution, drugs, and rising crime rates. In Canon City, the conservative elites had opposed taxes and bond issues needed for new sewers, paving the streets, and improving the schools. In Colorado Springs, a more responsive elite organized a successful opposition to the Klan, but when the Klan moved across the mountains to Grand Junction, the elite leadership there took over the Klan and kept it status quo, fraternal, and quiet. The eloquence, organizational skills, and charisma of leaders Galen Locke in Denver and the young Baptist minister Fred Arnold in Canon City were important to early successes. Later, opposition from organized elites and skilled legislative leaders, combined with the Klan’s own missteps and weaknesses, led to its decline.

In *The White House Looks South: Franklin D. Roosevelt, Harry S. Truman, Lyndon B. Johnson* (2005), William Leuchtenburg reported the story that the Klan recruiter had told Truman: “When you get in the Klan, Harry, you can’t do any favors for any Catholics or Jews.” Truman reportedly said that his World War Battery D was mostly Catholic boys and his partner was a Jew and that he was going to do whatever he could for them. The recruiter then gave him his money back.

The heart of the Klan’s cornhusker appeal was fraternal. As Michael Schuyler relates in his 1985 *Nebraska History* account, for most people Klandom meant parades, floats, pageants, bands, drum and bugle corps, drill team competitions, baseball games, talent shows, a Klan wedding, picnic tables at the state fair, Klanswomen auxiliaries, Tri-K’s, and Junior Klansmen and Klanswomen. The Klan did not suddenly create this rich world of social participation. Rather, as elsewhere, it tapped into the existing community rituals of the state’s cities, towns, and villages.

Klan organizers and revivalists preached about “Americanism,” the battle against crime and radicalism, and the danger coming from foreigners and the Roman Catholic Church. Although he reports no incidents of Klan night riding, the historian Michael Schuyler found that the 1919 riot in Omaha—a lynching followed by mob looting—and IWW connections among the migratory wheat harvesters created a law and order concern which helped Klan recruiting.

The Klan and the state of Nebraska were largely Republican in the mid-1920s, but after an anti-mask law failed in the state senate, politicians of both parties generally tried to avoid making the Klan an issue. Along with the Catholic and black press, the Omaha *World-Herald* resolutely opposed the Klan, and in the early days, the mayor of Omaha forbade its public parades. In 1926, Klan support was a factor in the reelection of Governor Adam McMullen. Klan support was an issue in Omaha elections and anti-Catholicism played a part in the defeat of the state superintendent of public instruction and the chief justice of the state supreme court. In that same year, Schuyler recorded the election of two black men to the Nebraska legislature.

Notes on Iowa and the Dakotas


Notes on Kansas

As Charles Sloan Jr. wrote approvingly in the autumn 1974 *Kansas Historical Quarterly*, Kansas was the first state to go to court to oust the Klan. Although successful in denying the Klan corporate status, the victory had not been able to tie the Klan itself to the wrongdoings of its members. Sixty years after the Kansas Supreme Court ruling, with another Klan in a later time, an Alabama lawyer, Morris Dees, and the Southern Poverty Law Center would be successful in establishing corporate responsibility for the violence done by its representatives and make Klans and others pay the penalty.

Notes on Indiana

Behind the headlines and the maneuverings of Indiana’s opportunistic leaders were the more than 200,000 ordinary people who belonged to the Klan. In case of Indiana, we know who they were. In a rare piece of luck for historians, Indiana historical societies have most of the membership lists. In the best study of the 1920s Klan, Citizen Klansmen: The Ku Klux Klan in Indiana, 1921–1928 (1991), the historian Leonard Moore’s skilled research has turned the names into a profile of Indiana Klandom. One out of every four native-born white Protestant men and many women donned the robes of the Klan. Except for the top and bottom of society—business elites and unskilled workers—just about everybody else joined. The Klan drew a cross section of middle-class Indiana, city, town, and countryside. They were Methodists, Baptists, Disciples, Presbyterians, Lutherans and United Brethren coming from all of the Protestant churches but rarely Episcopalians or Nazarenes and other fundamentalists. The appeal of the Klan, here as elsewhere, was social: the excitement of belonging to the biggest, most dynamic fraternal lodge in town.

The issues that most concerned them were prohibition and law and order. On the local level it meant a feeling of community and a chance to do something about local needs and unresponsive or corrupt politicians. Sharing common values that the historian Moore describes as “white Protestant nationalism,” they found it easy to want to defend their world from the corrupting intrusion of outsiders.

Notes on Ohio

In 1923, a Chicago-based anti-Klan organization named the American Unity League published a stolen membership list of the Youngstown, Ohio, Klan. A copy in the Ohio Historical Society enabled William Jenkins to look inside the Klan and tell its story in his 1990 history, Steel Valley Klan, The Ku Klux Klan in Ohio’s Mahoning Valley. “Although Protestant moral reform coupled with a law enforcement campaign were the prime cause of Klan political success” he wrote, “there is no doubt that concerns, fears, and prejudices regarding Catholics were among the major causes of support for such a campaign.”

During the 1920s, the Ku Klux Klan fought two wars in Illinois, one in Chicago and the other down in the southern part of the state, whooping it up more peacefully in the suburbs, cities, and towns.

Almost half a century later, a young historian named Kenneth Jackson began his path to becoming the nation’s leading urban historian with a carefully detailed study of *The Ku Klux Klan in the City, 1915–1930* (1967). The clash between Klan and anti-Klan in Chicago was primarily ethnic. Having pointed out that Chicago’s population was made up of more than a million Catholics and more than 200,000 Jews and Negroes, Jackson found that the Chicago Klan “drew its primary support from lower echelon white-collar workers, small businessmen, and semi-skilled laborers, many of whom resented the economic, social, and political pressure of the city’s Catholics and second generation immigrants, and were equally alarmed by the rapid influx of Negroes into an ever expanding ghetto.” Anti-Catholicism, he concluded, “was probably the single most important factor in Chicago Klan growth.”

In the heated 1923 spring election for mayor of Chicago in which black voters deserted the party of Abraham Lincoln, the anti-Klan democrat William Dever was elected by a large majority, and Klan-supported aldermen were swept from office.

Despite success elsewhere in the state, the fight for control of the national Klan in Atlanta ripped it apart in Chicago. Both the Klan’s deposed founder Col. William Simmons and the new Imperial Wizard Hiram Evans arrived to battle for control, and Evans suspended major Klaverns which supported Simmons. The story is told that during a big Klan rally in Aurora, Klansmen had to change their hoods for aviators’ helmets when two pro-Evans planes went aloft to block a third aircraft that was dropping pro-Simmons leaflets.

The next year, in 1924, things only got worse when, amid charges of corruption, Illinois Grand Dragon Charles G. Palmer expelled thousands of Klansmen who opposed his imperious rule, and internal warfare similarly ravaged the membership of the women’s orders. Palmer and one of the Klan’s Grand Titans came to blows over the selection of a candidate for Springfield’s legislative seat. When the local unit demanded a state convention to decide, Palmer suspended the Klavern and went to court for possession of its treasury. The eventual replacement of Palmer as Grand Dragon settled some of the lawsuits but failed to restore the harmony and prestige of the Invisible Empire. Although the legislature turned down a law which would have made secret society membership lists public, the
victory had not been the Klan’s doing, and the decline of its prestige and membership continued.

Notes on Michigan

In the always turbulent motor city of Detroit, with the population passing the million mark, the flood of new inhabitants roiled the civic waters. In *The Ku Klux Klan in the City, 1915–1930* (1967), the historian Kenneth Jackson describes the accelerated pace of neighborhood transition as “moving white to Negro, Protestant to Catholic, and German to Italian.” Leading Methodists and the city’s newspapers opposed the Klan, which continued to do well.

Notes on Utah

In Utah, the Klan faced a most unusual and difficult problem. The population was overwhelmingly native-born, white, Anglo-Saxon, and socially conservative, but it was neither Protestant nor Roman Catholic. More than three-quarters of Utahans were Mormons, members of the powerful Church of the Latter Day Saints, whose doctrines looked negatively on other people’s secret societies. Under strong attack from Mormon leaders and their influential Deseret News, the Utah Klan was unwilling to tackle the overwhelming Mormon numbers and power. For the most part, it did not become overtly involved in the political struggles between the “Saints” and non-Mormon “gentiles” in Salt Lake City, which held a quarter of the state’s population and most of its gentiles.

As elsewhere, the Klan talked about law and order, public morality, patriotism, and Americanism. Crime, drunkenness, and prostitution were blamed on Irishmen, Italians, Slavs, and Greeks, who mostly worked in Utah’s mines and mills. If the Utah Klansmen were cautious about openly confronting the Mormon Church, there was no reason to hold back on the Roman Catholicism and Greek and Eastern Orthodoxy of the recent immigrants.

The Klan’s first organizing efforts in the early 1920s, which drew mainly from Salt Lake City’s non-Mormon business community, were not lasting. A renewed effort in 1924–25 was more successful, gaining some Mormon members despite opposition from the church, and caused a big struggle within the Masonic order. Klan membership of men and women—mainly middle-aged and middle class—in the state peaked at an estimated 5,000 members, half in Salt Lake City.

Notes on Nevada

That there were very few people in Nevada, widely separated in the distant corners of the state, created a problem for organizers, and it was not until mid-decade that the Klan got going. Of the state’s approximately 75,000 citizens, only 20 percent lived close enough together to be organized. Generally it was the social life of the Klavern and concern about crime that drew joiners in. A pair of traveling Klan lecturers attempted to heat up nativist passions. Reno’s substantial Japanese population lived quietly and the Klan left them alone. In the northwest communities of Ely and Elko, Klan aggressiveness and threats brought opposition and divided communities.

The Klan was most active in Las Vegas in the south. Concerned about a rising crime rate, the Klavern members were disappointed by their defeat in the bitter 1925 city commission election. Reportedly, Klansmen then took the law into their own hands with threats, secret trials, and beatings of law violators and moral misbehaviors. In neighboring Caliente, it was the Klansmen who were on the receiving end. Warned by the sheriff that Klan intimidators were on the way, Italian workers from the Pioche mines attacked the Klansmen in the streets and drove them away.

Florida was a dangerous state for both races. During Reconstruction, the Klan played a vital role in turning Florida government over to the white “redeemer” Democratic Party. The disputed 1876 election returns from the corrupt and Klan-violent states of South Carolina, Florida, and Louisiana made Rutherford B. Hayes president of the United States in return for the removal of the last federal troops from the South. The new 1885 state constitution’s poll tax helped make voting difficult, and for the blacks there was always the threat of violence. African Americans armed for self-defense, struck for better working conditions, boycotted streetcar segregation in Jacksonville and Pensacola, and, after World War I, organized a voter movement which stirred a violent Klan attack in the 1920 presidential election.

By 1920, Florida had almost a million citizens, and a third of them were African Americans. In *Emancipation Betrayed: The Hidden History of Black Organizing and White Violence from Reconstruction to the Bloody Election of 1920* (2005), the historian Paul Ortiz tells how an impressive voter movement was organized in Florida’s black churches, union halls, civic organizations, and fraternal lodges. Led by the Knights of Pythias, the NAACP, and Mary McLeod Bethune’s women’s clubs, thousands paid their poll taxes and rallied for the unappreciative Harding-Coolidge Republican ticket.

This acted as a stimulus for Klan growth. Across the state, Klansmen marched and threatened. Thousands of black voters were purged or turned away from the polls (for what was not to be the last time). Buildings were bombed in Miami and Knights of Pythias lodge halls were set on fire in Gadsden and the rural counties along the Georgia border. Local leaders were kidnapped, beaten, and murdered.

On Election Day in Orange County, armed white mobs attacked black voters and burned down the black community of Ocoee. Walter White, a blue eyed, fair-skinned, blond African American observer sent down from New York, reported that Klansmen were involved everywhere. Of the dead alone, the NAACP estimated that the election day had cost more than thirty lives.

With the black voter movement beaten back for a generation, Florida Klansmen could now turn their attention to social Klandom and, when thought necessary, correcting the behavior of fellow white Floridians. A Gainesville man was
severely beaten for neglecting his wife and children to chase after another woman. When the mayor and his chief of police father-in-law declared the punishment to be a “kindness to the man and his family” and “a blessing to the city of Gainesville,” this brought protest from the former mayor and the local newspaper, who demanded that they resign.

The violent role of the mayor and police chief was not over. Alachua Klan 46 was disturbed by the presence of a Roman Catholic priest at the University of Florida. Father John Conoley had raised the funds to build a student center across from the University and organized a successful drama society, the “Masqueraders,” on campus. Father Conoley had a friendly relationship with the University president and spoke on campus and to the local Kiwanis Club, of which he was a charter member.

Perhaps he was getting too much favorable attention. In the face of a Klan leaflet and a persistent letter-writing campaign, Gainesville and Pensacola papers who had praised him fell silent. Father Conoley’s connection with the drama society was ended. President Murphree asserted that the state university was “Protestant from center to circumference” and gave assurance that as long as he was president, no Roman Catholic would teach on the faculty. The State Board of Control banned Roman Catholic priests from all state-supported campuses.

Rumors accused Father Conoley of homosexual activity. One night in 1924, three hooded Klansmen, two of them later identified as the mayor of Gainesville and his police chief father-in-law, kidnapped, beat, and castrated Father Conoley, depositing him on the steps of a Catholic Church forty miles away in Palatka. After a long hospitalization and recovery, Father Conoley took up a parish in Maine. No charges were ever lodged, and the attack on Father Conoley was not made public until almost seventy years later when a tenacious graduate student, William Prescott, traced down the story for a 1992 Florida Historical Quarterly article “White Robes and Crosses: Father John Conoley and the University of Florida.” “An intelligent, educated, articulate member of a suspect religion,” Prescott wrote, “who was well known in the community and well liked by the students of the University was more than the Alachua Klan No. 46, Knights of the Ku Klux Klan, could stand.”

Ninety years later, in a public ceremony, the library of Father Conoley’s university parish church in Gainesville was dedicated in his name.

In Florida, as across the nation in the 1920s, targets of Klan violence were more often white than black. Klansmen acted primarily as moral reformers and enforcers and as protectors of a native-born Protestant America. After the post-World War I outburst of race riots, black America seemed docile and unthreatening, but there was always the likelihood of violence if a black man got out of line. Until
the ghetto eruptions of the 1960s, black self-protection or a show of resistance brought the old-style race riot.

Although individual Klansmen were surely part of the Ocoee mob and the destruction of the black town of Rosewood in 1923, there is no evidence that these were Klan-planned undertakings. White trainmen helped the survivors of Rosewood escape. Seventy years later, in a different civil rights time, a spate of books, a motion picture, and the black caucus in the Florida legislature produced a financial indemnity to the families of Rosewood survivors, justified by the State’s failure to have provided protection.

FLORIDIANS, TAKE YOUR STAND.

Citizens of Gainesville, Wake Up! Citizens of Florida, Shall We Always Be Indifferent?

The Rev. John Conoley, Roman Catholic priest of Gainesville, member of the Kiwanis Club, rose to his feet at a dinner of the club and in a wonderful display of oratory, with which he is gifted, according to The Gainesville Sun, warned Gainesville that it is likely to lose the University of Florida, an institution second to none in the South, upon which hundreds of thousands of dollars has already been spent, in which yearly are instructed many hundreds of the youth of our state, who are by a vast majority Protestants, and who in the future are to guide the destinies of our state, giving as his reason for his statements that Gainesville is not taking sufficient interest in those students.

The Gainesville Sun of September 13, 1923 in its regular news items, in which it reports this Kiwanis dinner, states: “Gainesville Kiwanians Wednesday were warned by Father Conoley, principal speaker at their weekly luncheon, to look to the laurels of Gainesville, the home of the Florida University, lest lack of interest on the part of Gainesville in the college and its students result in an unexpected removal of the University from the city. Father Conoley is pastor of the local Catholic church and a Kiwanian.”

In an editorial of September, 15, 1923, The Gainesville Sun, the owner of which repeatedly and openly states his admiration for Father Conoley, and whose pro-Catholic declarations, although a Protestant and against whom Roman Catholic sympathies have been charged and never denied by him Father Conoley’s works at this Kiwanis meeting are lauded, to be copied by other papers scattered broadly over our state to the detriment of Gainesville and to the praise of this Roman Catholic priest.

Did the fair-minded citizens of the state ever hear such “rot” proclaimed. Has anyone anywhere in our broad country ever known of a Roman Catholic priest who is really and truly interested in the welfare and prosperity of our public schools and our free institutions of learning? When you hear a Catholic priest or one of his henchmen, making statements that he is interested and deeply concerned about such a matter, you know straightway that “somebody is lying.” Will the citizens of Gainesville and Florida stand for it?

In the outburst of this Roman Catholic priest, the thinking people of Florida, who have been watching the trend of Roman Catholic activities as practiced by this priest, the hand of Rome is plainly seen. We have watched the pernicious clutch of Catholicism closing about our boys, sent here by protestant parents. Father Conoley is aware that his designs have become apparent to Protestant Florida and he knows that the Protestant citizenry is about to rise up and protest; so reaching out for an excuse to continue his activities among the Protestant students of our non-sectarian University, with which to hoodwink the people and camouflagge his motives, he publicly breaks forth in eloquence casting a blare upon the University City and is backed up by his friend, the Gainesville Sun.

Gainesville knows Conoley’s record: we know why he was sent to Gainesville, the home of the University of Florida: we know why he is spoken of as “the $10,000.00 priest in a $2,000.00 job.” We know why he has inveigled him-

(Over)
self into the good graces of the University authorities and had himself made director of the “Masqueraders,” Florida’s Dramatic club—that he may spend days and nights with our boys, sleeping with them, eating with them, carrying them about on extensive tours with the Masqueraders and quartering them under Catholic roofs. We know why Crane Hall, to all intents and purposes, a beautiful club house and dormitory, but in reality a Roman Catholic church, with its altar, its candles, its holy water and its confessional was built by Father Conoley, we have listened to Father Conoley’s “liberal” invitation to Protestant students to make Crane Hall their headquarters and abiding place. We have seen Protestant boys come here free from the taint of Romanism, the joy of their protestant parents, leave Gainesville shouting the praises of Rome. We know that now the Rev. Father Conoley is about to begin a course of lectures at Crane Hall, covering principally “theology,” supposed for Catholic students but to which Protestant students are “cordially” invited; and it has come to us that the Board of Control has been asked to grant credits for these Catholic lectures.

We want to know this—HOW FAR WILL FATHER CONOLEY BE PERMITTED TO GO, AND WHERE WILL HE END? We ask the protestants of this state “Do you believe that Father Conoley’s activities are prompted by a desire to protect the fair name of the University City and keep the State from moving the South’s greatest University to another location?

FLORIDIANS, IT IS THE INDIFFERENCE OF PROTESTANTS THAT IS ROME’S GREATEST ASSET IN THE POPE’S FIGHT ON AMERICA AND AMERICAN INSTITUTIONS.

WAKE UP! Catholicism should be permitted no more privileges in our State University or among our students, than Protestants. John Conoley’s activities among boys of his own church is all right. America grants religious freedom to all; but John Conoley, Roman Catholic priest, should have no official recognition from the University, neither should Father Conoley, Romanist be permitted to spread Roman Catholic propaganda among Protestant men at a non-sectarian University.

THE REMEDY IS THIS—THE PEOPLE OF FLORIDA SHOULD RISE UP AND DEMAND THE SEVERANCE OF JOHN CONOLEY’S ASSOCIATION WITH THE MASQUERADERS AND ANY AND ALL RECOGNITION BY THE UNIVERSITY AND ITS STUDENTS ACTIVITIES, EXCEPT AS SPIRITUAL ADVISOR OF ROMAN CATHOLIC STUDENTS.

AMERICANS ATTENTION!

America’s Public schools and Free Institutions of learning are the Foundation of America.

ROME HATES PUBLIC SCHOOLS.

Read the following Roman Catholic statements;

“Education must be controlled by Catholic authorities, even to war and bloodshed”—The Catholic World.

“Education outside the Catholic Church is damnable heresy.”—Pope Pius IX.

“We must take part in the elections, move in solid mass in every state against the party pledged to sustain the integrity of the public schools.”—Cardinal McClosky.

“The public schools have produced nothing but a Godless generation of thieves and blackguards.”—Father Shaner.

“The common schools of this country are sinks of moral pollution and nurseries of hell.”—The Chicago Tablet.

“I frankly confess that the Catholics stand before the country as the enemies of the public schools.”—Father Phelan.

ALACHUA KLAN NO. 46.

Knights of the Ku Klux Klan

P. O. Box 597, Gainesville, Fla.
Notes on Virginia

Rejection of the Klan did not mean any weakening of commitment to white supremacy. In his 2002 Journal of Southern History account of “The Campaign for Racial Purity and the Erosion of Paternalism in Virginia,” J. Douglas Smith tells of how upper class Virginians joined Anglo-Saxon Clubs and supported the passage of a new Racial Integrity Law. According to existing state law, the blood of a black great grandparent made one a Negro, but this was not enough for race-minded eugenicists. Alarmed by college students taking part in interracial discussions, they sought to make white purity absolute. This created a problem for those white elites who proudly traced their heritage back to John Rolfe and the Indian maid Pocahontas. For them, the “Pocahontas exception” was written into the otherwise absolutist 1924 Racial Integrity Law, whose prohibition of intermarriage was to last until the U.S. Supreme Court’s 1967 Loving v. Virginia decision overturned this and similar laws remaining in the South.

Leading Richmond citizens initially joined the Klan, Smith relates, “determined that the Klan was run by ‘bad characters’ whose primary concern was making money and switched to the local Anglo-Saxon Club.”

From its first appearance in Virginia, the new editor of Norfolk’s Virginian Pilot, Louis Jaffe, had denounced it with sarcasm and verve. Through the decade of the 1920s, he editorialized against intolerance and “one hundred per centers” and demanded passage of an anti-mask law. In 1929, a series of anti-lynching editorials brought him the Pulitzer Prize. In 1960, another Virginian Pilot editor, Lenoir Chambers, would win a Pulitzer Prize, this time for an editorial campaign against Virginia’s “massive resistance” to public school integration.

Notes on Pennsylvania

In the industrial and mining towns of New Kensington, Homestead, Mount Pleasant, Johnstown, Altoona, Indiana, and Connellsville, the steel companies played native against immigrant steel workers and brought in black workers to break the great 1919 strike. By mid-decade, there were some ninety-nine Klaverns in the Pittsburgh area with a membership of over 500 each and some with more than a thousand Klansmen.

Historians’ knowledge of the Pennsylvania Klan rests primarily on three unusual treasure troves. In 1927, a group of secessionist western Pennsylvania Klaverns sought to ward off a legal suit by the national Klan by gathering evidence of its imperial misbehavior. Then, in 1936, E. H. Loucks published his impressive Columbia University doctoral dissertation, The Ku Klux Klan in Pennsylvania, based on these records and extensive interviewing of former Klansmen. Fifty years later in 1997, another historian, Philip Jenkins, in Hoods and Shirts: The Extreme Right in Pennsylvania, 1925–1950, used Klan archives that had been stolen and turned over to the State Police to place the Klans of the 1920s and 30s in the tangled history of ongoing nativist intolerance.

The Klan’s lifeblood was a fraternalism fed by a religious and ethnic conflict that that reached back to the transplanting of the Protestant Reformation to America. Native Protestants and Roman Catholic Irishman clashing in bloody riots in the streets of Philadelphia in the 1830s inaugurated a century of nativist conflict. By the 1920s, one out of every five Pennsylvanians was foreign-born, mainly of Irish, Italian, Polish, and Slovakian origin. There was a substantial Jewish population, and a large black migration from the South was underway. Jenkins writes that unease about rapid social change and moral decline was displaced onto “hostility to Catholics, immigrants, and blacks,” opening the door to Klan recruitment. Anti-Semitism was to come later.

Notes on New York and New England


The Canadian Klan did best in the West. In British Columbia, the target was the Oriental. As in California, racial prejudice against Chinese workers, who had been imported to help build the transcontinental railroads and used as miners and strike-breakers, led to exclusionary laws against the Chinese and a “voluntary” agreement to halt Japanese immigration. Restriction was heightened in the 1920s, children were segregated in the public schools, and there was pressure against Asian employment, landholding, and voting. Although the ruling Canadian Liberal party shared the prejudice, the Conservatives saw this as a chance to outbid it. Entering British Columbia in the mid-1920s, Klan salesmen from Oregon recruited under the slogan of excluding all Asiatics, drawing support from newspapers and ministers, and splitting the labor movement.

As the Klan was in decline south of the border in the later 1920s, it expanded in Western Canada. In Alberta, Klan recruiters used the threat to the British heritage from the large numbers of Eastern Europeans brought into the province by the railroads and the mine and lumber companies. Criticism of special school language rights for the minority French speakers and boycotts of Catholic-owned businesses brought support from the Orange Lodges. The Klan and Conservative politicians helped each other, and in one Edmonton constituency the Klan celebrated a Tory victory with a cross burning.

The strongest opposition to the Klan came from labor. The United Mine Workers Union was no friend to the Klan on either side of the border, and in Alberta its militants combined with Communist miners to battle the Klan-supported mine owners. The depression years of the 1930s were not good for either unions or the Klan, which hung on with diminished ranks despite the all-too-familiar story of dishonest leadership and the looting of the Klan treasury.

Even allowing for the Klan’s habit of publicly overestimating its secret membership, it was clearly doing well. The Klan and conservative politicians worked together, and in 1930 it helped unseat liberal control in the province and send Klan members to the National Parliament in Ottawa.

Notes on Decline

Although the Klan never spelled out a national program, there were issues of concern. Advancing the interests of white Protestant nationalism usually involved defending it against the Roman Catholic Church. The most important issues were immigration restriction and the public schools, and they meant joining campaigns already under way. Opposition to the flood of over-breeding, Papal dominated, southern Europeans drew together a number of the Klan’s major obsessions. The Klan supported the enactment of the restrictive 1924 National Origins Law, which saved its welcome and its quotas for Protestant northern Europeans, but apart from letter writing it had little to do with its passage. Klansmen and women were more involved with school issues. On the local level this often meant putting the proper people on the school board and in the classroom. The distinguished sociologist W. E. B. DuBois reported going to Akron, Ohio, to give a speech and learning that not only were the mayor and the head of the YWCA Klansmen or sympathizers, but that the Klan president of the school board was busy getting a Jewish employee fired. There is no way to tell how many times similar episodes took place elsewhere, but they were not rare.

When Klan parents were not fighting with local government for better school financing, the object of the Klan’s public school concern was the Catholic Church. The Klan did not like Catholic private schools or clerical teachers in the public ones. Battles over public tax support of parochial schools and whose Bible daily reading would come from were more than half a century old.

Oregon’s compulsory public school bill had been originated by the Scottish Rite Masons. In a dazzling campaign sweep, the Klan took over the campaign and the state government, and the legislature outlawed Oregon’s private schools. Oregon was the Klan’s great but brief triumph. The Klan joined similar, unsuccessful campaigns in Washington State and Michigan. A broad coalition including Catholics, Lutherans (also major private schoolers), Jews, and the ACLU joined the Oregon battle. In *Sisters of the Holy Names v. Pierce et al.* (1925), the U.S. Supreme Court upheld a lower federal court in striking down the Oregon School Law.

Concerned about education, Americanization, and the Roman Catholic danger, the Klan had joined the Masons and other patriotic organizations with the professional educators of the National Education Association in supporting a national cabinet-level Department of Education. The World War draft testing had
revealed shocking physical ill-health and low literacy levels. The proposed Smith-Towner Bill, introduced in 1919, would set standards and provide supplementary funds for improving literacy, health, physical education, teachers’ salaries, rural education, and English, civics, and Americanization. It was opposed by the Catholic organizations and by a political majority which did not want a federal intrusion into the realms of state and individual rights. Although the Klan did somewhat favor it, there is no indication of a major Klan effort for the unsuccessful Smith-Towner Bill, the Sheppard-Towner Maternity and Infancy Act, or the Child Labor Amendment. While the Klan could fuse its anti-Catholicism with prohibition, immigration restriction, and, occasionally, school issues, it was not a reformer. It was never able, and was not around long enough, to rally its fleeting millions of members into a coherent political movement.

Women contributed to the brief success of the Klan, and their history mirrored its downfall as well. Klanswomen were disillusioned by corruption and immorality within the Klan. As with the men’s organizations, power struggle between the national Klan and state and local organizations helped destroy the women’s Klans in almost every state. The Klan had appealed to many women who had been active in their communities. Some of them had fought in the great Prohibition and women’s suffrage campaigns, and others wanted to go further with a women’s Equal Rights Amendment. The Klan drew political activists, particularly from the Republican Party. Never again would the Klan be able to reach into such a talented civic-minded, middle-class constituency.

Since the Klan saw itself in mortal conflict with powerful enemies, it was not surprising that it helped to create them. The mayors of New York, Cleveland, Boston, Buffalo, Detroit, and Memphis and the police chief of Chicago did what they could to prevent the Klan from operating in their cities. Numerous communities passed anti-mask ordinances. Louisiana, Kansas, and New York passed laws requiring that their Klans put the membership lists on the record. The Los Angeles district attorney made public the membership lists he took in a raid. The American Unity League, under its Irish Catholic leader, Patrick O’Donnell, published stolen lists of Illinois, Michigan, Indiana, and Ohio Klansmen.

The publication of stolen lists in Buffalo and other cities produced counter-boycotts against Klan merchants. Political candidates and office holders whom the Klan opposed had little alternative but to resist it. Among the powerful leaders who openly campaigned against Klan in their states were governors Dan Moody of Texas, John W. Parker of Louisiana, Ben Olcott of Oregon, Henry Allen of Kansas, Floyd B. Olson of Minnesota, and Maryland’s A. C. Ritchie. Senate opponents included Mississippi’s Le Roy Percy, Alabama’s Oscar W. Underwood, and
Wisconsin’s Robert M. La Follett.

Writing about the Klan’s experience, the Imperial Wizard Hiram Evans realized something of the problem was born into the Klan’s very nature. In his 1926 North American Review article, he looked back thoughtfully at the Klan’s twentieth century beginnings:

The chief idea of the founders, had been merely to start a new fraternal society, based on sentiments of brotherhood among white Americans, and of loyalty to the nation and to Protestantism. There was also a sentimental reverence for the Klan of the Sixties which led to revival of the old name and some of the ritual. There was finally the basic idea of white supremacy, but this was also a mere sentiment, except as it applied to some Negro unrest.

But along with these ideas there shortly appeared others far from laudable....the possibility of profit, both in cash and in power, was seen and soon resulted in a “selling plan” based partly on Southern affection for the old Klan, partly on social conditions in the South, but chiefly on the possibility of inflaming prejudices. They began to “sell hate at $10 a package.”

The “hate and invisible ideas” gave the Klan its first great growth and badly damaged its reputation. Under his leadership, Evans said, the Klan had now reformed itself and moved away from violence, invisible government, high-pressure salesmanship, and mass recruitment. Now, the Klan had “come to speak for the great mass of Americans of the old pioneer stock,” the Nordic Americans. Unfortunately for dreams of a new rebirth, the very dynamics of the Klan dictated violence, and the Imperial Wizard could not separate himself and the Klan from his obsession with the Roman Catholic Church.

What kind of leadership would a reformed Klan have needed and where would it find it? Evans saw some of the problem. “We are a movement of the plan people,” he continued, “very weak in the matter of culture, intellectual support, and trained leadership.” This laid the Klan open to the charge of being “hicks” and “rubes” and “drivers of second hand Fords.” “We admit it,” he said. “Far worse, it makes it hard for us to state our case and advocate our crusade in the most effective way, for most of us lack skill in language. Worst of all, the needs of trained leaders constantly hampers our progress and leads to serious blunders and internal troubles. If the Klan should ever fail it would be from this cause.” The Klan was still young, Evans wrote. Important reforms were being made, and the “fundamental rightness” of the cause would win out.

At least on the problem of Klan leadership, the Imperial Wizard was correct. It was terrible. Apart from a certain skill in merchandising, the leadership was as uninspiring as its program. The leaders were out for money even more than power, and they ruled irrationally and dictatorially in its pursuit. The fight over spoils plus
the undemocratic exploitative nature of the Invisible Empire wrecked it in nearly every state and practically every community. Individual Klans everywhere were almost always in revolt against the higher leadership. Some members just quit, while others seceded to form short-lived local organizations copied after the Klan. Discontented Klansmen could seldom gain satisfaction, or even a hearing, within the Invisible Empire. Almost invariably, internal disputes brought a flurry of charges and counter charges in the press and in the courts. Not only was it harmful to the Klan to have its dirty linen always being washed in public, but the spectacle of a secret organization settling its internal problems in court was not one to inspire fear or respect.

Notes on 1928

The 1928 election had been decided on party tradition and image rather than on issues. A majority of the voters did not relate to the new-stock immigrant, big city, wet, Roman Catholic Smith. Although these were the ethnic and cultural dangers against which the Klan warned, its failure to regain strength showed the degree to which its great moment had passed.

Despite what the new President Hoover called the “permanent high plateau of prosperity” and Republican destiny, unremarked changes were taking place. The sons and daughters of the new immigration were registering and casting their ballots, and in 1928 the large cities were moving into the Democratic column. Northern black leadership was feeling neglected. After the depression hit, black voters in the northern cities were the New Deal’s most dependable support.

In 1960, John Kennedy’s narrow Presidential victory would depend on their turnout. When Kennedy helped extricate Martin Luther King, Jr., from a Georgia prison camp, King’s Republican father, minister of Atlanta’s prestigious Ebenezer Baptist Church, publicly declared that he would vote for the Democrat Kennedy. More than forty years later, in 2004, in a Vatican audience in Rome, the evangelical Protestant American President George W. Bush lobbied the Roman Pontiff for reelection support. When American Roman Catholic bishops denied communion to the Democratic candidate, John Kerry, who was a Roman Catholic, over the abortion question, there was no comment from 2004’s various Klan fragments.

Notes on the Depression Years

For the 1930s and 40s, the best general reading is George B. Tindall, *The Emergence of the New South, 1913–1945* (1967); John Egerton, *Speak Now Against the Day: The Generation Before the Civil Rights Movement in the South* (1994).
For thirty-five years, 1937–1971, Hugo Black sat on the Supreme Court of the United States and earned a record as an historic champion of civil rights and First Amendment freedoms. Scholars continue to search for clues and argue over the paradox of an Alabama Klansman who became an outstanding civil libertarian.

Black married into the socially prominent Foster family, lived in a fashionable section of Birmingham, and enjoyed country club life. His law practice was a continuous education about the harsh side of corporate power. Black was the son of an alcoholic father, and the death of his favorite brother in a drunken accident entrenched his hatred of drink. He successfully prosecuted major whiskey rung cases across the state. The Klan shares a prohibitionist militancy and much of its membership with Alabama’s powerful Anti-Saloon League.

As a Klansman, Hugo Black was a user, not a leader or true believer, and the Klan was of much use to him in court and in his 1926 senatorial election. Although Black told a friend that he could help keep the Klan out of bad hands, there is no indication that he tried to shape its course and turn it away from nativism and violence. While he fought for his black clients, he was just as willing to appeal to race prejudice on behalf of white ones. He was an aggressive, out-to-win individualist who wore no man’s collar. In his Alabama years, his concern was legal and political.

In later years, when he had established his reputation in the Supreme Court, the story was passed around that Hugo Black had worn white robes to terrorize black people and then replaced them with his black robes to terrorize the whites.

Supreme Court Justice Hugo Black’s staunchest support, under fire, turned out to be organized labor, with John L. Lewis and the CIO in the fore. The Klan was no friend to labor in the mid-thirties. Nationally, Klan political power had drained away. The Twenty-First Amendment to the Constitution ended national prohibition. In the rest of the country, the scattered remaining Klaverns turned nostalgically inward, mainly as social lodges. In the southeastern part of the realm, however, Klans exploded into a violence more like that of the post-Civil War Reconstruction.

The hard times and often desperation in the fields, mines, and mills brought the possibility of a working class rising which the economic power holders were not incorrect in seeing as revolutionary. If there was the possibility of a populist revolt, it was not in the 1920s but in the 1930s. The Klan’s leadership in the 1920s had always been too middle class and uninspired. Now it had nothing to offer in a time of depression, including leadership.

When the struggle for change emerged in the South, the Klan was against it. In Georgia, Florida, and Alabama, Klansmen fought a violent battle on behalf of big business and the status quo. Klan rank and file, trapped by a particular Southern individualism and by race issues and hostility to outsiders, joined the vigilantes, police, sheriffs’ deputies, company guards, and National Guardsmen as the violent agents of the mill, mine, plantation, and packinghouse owners. This was the response to the Communist Party when it set up its southern headquarters in Birmingham and to union attempts to organize the rural tenant farmers in Alabama’s Black Belt and the workers at such facilities as the Goodyear and Firestone rubber plants in Gadsden, Alabama, U.S. Steel’s Tennessee Coal & Iron, De Bardelebon Coal, Alabama Fuel & Iron, the Avondale Mills in Birmingham, the Huntsville cotton mills, Atlanta’s Scottsdale cotton mills, and the groves and packinghouses of Central Florida.

Although the Klan operated primarily as a social organization in Florida, there were some topics which stirred the hooded knights into action. One of them was organized labor. “The CIO is a subversive, radical, Red organization,” a Bartow lawyer-Klansman asserted, “and we’ll fight fire with fire.” And fight the unions with fire they did. In the citrus counties, many people considered the Klan to be a protector of the societal and economic well-being. “Citrus growing is a hundred-million-dollar industry,” people would point out, which could not afford to
pay higher wages. Union organization had to be prevented, by force if necessary.

The most extensive anti-union violence was in Alabama, where the Black Belt planters combined with Birmingham’s industrial oligarchs to dominate state politics. With its reserves of both coal and iron and with a quarter of Alabama’s people, Birmingham was the South’s major industrial city. With legal support from the New Deal NRA and Wagner collective bargaining laws, the CIO’s “Operation Dixie” sought to unionize the miners and steel, rubber, and textile workers, as well as other industrial unions including the UCAPAWA’s United Cannery, Agricultural, Packing, and Allied Workers Union. Communist Party membership reached 8,000 and was mainly black; radicals, white and black, were dedicated and skillful union organizers. Unlike the hostile, all-white American Federation of Labor craft unions, the industrial unions drew no racial lines. Of the more than fifty thousand members of Alabama’s coal, steel and iron working unions, some two-thirds were black, and some of the unions, such as the Mine, Mill, and Smelters, were communist led. Race and radicalism were divisive questions for southern working people and were explosive for many Alabamians and the Ku Klux Klan.

Glenn Feldman, the historian of Politics, Society, and the Klan in Alabama, 1915–1949 (1999), wrote that “hooded activity revolved around a handful of basic themes: the Scottsboro cases, repression of urban radicals, subjugation of insurgent Black Belt croppers, the squashing of organized labor, and the Hugo Black cause célèbre.” New Klan chapters were formed, and, Feldman wrote, “in the war against the Left, the Klan contribution blended so thoroughly with police, state, and corporate violence that it is now impossible to separate them completely.”

In a letter to the author, Steve Suitts, Hugo Black’s biographer and long-time Southern Regional Council executive director, wrote that “by 1935 the Birmingham Klan had become thugs for the industrialists’ fight against New Deal and social reformers.”

The role of the New York Jewish lawyers whom the communist International Labor Defense sent to defend nine young black men accused of the railroad box car rape of two white women stirred the Klan’s, and the region’s, anti-Semitic outcry. The world protest over the Scottsboro case and death sentences along with other violence, usually associated with the Klan, created problems for the Alabama elites who feared that it would hinder Northern investment and aid the passage of a national anti-lynching law. The Costigan-Wagner Bill, which had twice been approved by the House of Representatives, was filibustered to death in the Senate. In 1950 the last of the Scottsboro boys emerged from Alabama prison.

As the Alabama historian Robert Norrell wrote in the May 1991 Journal of Southern History, the fear of radicalism was an effective political force. “Around
here,” an Alabama farmer told John Dos Passos in the early 1940s, “communism’s anything we don’t like. Isn’t it the way everywhere else?” With concerted use by the Big Mules after 1936, Norrell related, “red-baiting took its toll on organized labor and other liberal elements.”

The organizer of the post-war Association of Georgia Klans was an Atlanta obstetrician, Doctor Samuel Green. Doc. Green had joined in the early 1920s and worked his way up through the reigns of Col. Simmons, Hiram Evans, and Jimmy Colescott. Now he was Grand Dragon. Facing him was Georgia’s Governor Ellis Arnall, who was resolved to dethrone him.

Georgia was the heart of Klandom in the twentieth century. The reborn Klan of the 1920s had sent out its missionaries from Georgia and attempted to rule its national realm from its Peachtree Street Imperial Palace in Atlanta. Even when the Klan languished elsewhere in the 1930s, Georgia developed the habit of continuing to elect Klan and Klan-friendly governors and senators. Despite a rigged voting system which greatly favored his rural supporters and three times elected him Governor, Eugene Talmadge’s meddling with the State University helped young Ellis Arnall deny him a fourth term in 1942.

In four years as Governor, Arnall’s record included prison reform, lowering the voting age to 18, restoring academic freedom at the University of Georgia, revising the state constitution, paying off the state debt, and leading the fight against the national railroad freight rate system which discriminated against the South. Although no office holder in the South dared come out against racial segregation, Arnall got the legislature to abolish the poll tax and cautiously supported the court decision to end of the “whites only” primary system. The journalist and historian Gerald W. Johnson wrote, not quite correctly, that he did it “without ever using the word ‘nigger’ and without denouncing the Pope, the Elders of Zion, Stalin, or the reptile press.”

With Ellis Arnall not eligible to run for reelection in 1946, Gene Talmadge made a comeback. Aided by the Ku Klux Klan and the county unit system of voting, Talmadge was elected in 1946 for what would have been his fourth term as governor. Old Gene died of cancer before taking office, and after a confused struggle over who was entitled to be governor, Old Gene’s son Herman was elected two years later on his father’s “White Supremacy” platform. Under conditions reminiscent of the Reconstruction era election of 1868, Ku Klux Klan terrorism played an important role in his narrow victory. One hundred and twenty thousand registered
Negro voters, the largest number in the deep South, represented almost fifteen percent of the electorate, but an intensive Klan intimidation campaign did much to keep Negroes from the polls and secure the triumph of young “Hummin” Talmadge as governor.

STETSON KENNEDY

Klan cross-burnings, kidnappings, and floggings continued, but the result was an increase in civic opposition. The secret life of their Invisible Empire was becoming something of juicy public scandal. Mainly through the efforts of Stetson Kennedy, the Klan seemed to have no secrets from newspaper and radio columnists Drew Pearson and Walter Winchell and from Ralph McGill’s Atlanta Constitution.

Growing up in Jacksonville, Florida, Kennedy was only in his early twenties when he went to work for the New Deal’s WPA’s Federal Writers Project. He was a natural writer with curiosity, energy, a retentive memory, a social conscience, and a way of getting along with ordinary people. His Writers’ Project book, Palmetto Country, in Erskine Caldwell’s series, remains the best account of rural Florida folkways. In 1946, Doubleday published Southern Exposure, his angry, wide-ranging account of economic and racial oppression in the South. In it, he had a lot to say about the Ku Klux Klan and its fascist friends. Probably only Georgia’s Grand Dragon, Dr. Green, knew more about the reemerging Klan than Stetson Kennedy did.

Years later, most recently by a pair of economists who caught public fancy with what they called “freakonomics,” there were suggestions that Stetson Kennedy’s media revelations prevented a major Klan revival. There was nothing that looked like that in the late 1940s. The Klan did not have the message and the appeal of the great days of the 1920s. There was no waiting middle class constituency. The leadership, if that were possible, was even less promising. In each Klan era, its social class declined. During Reconstruction the leadership had been the gentry. During the 1920s, it was the religious middle class folk and their ministers. Now, in a small group of Southeastern states, it was mainly poor white, always with a sprinkling of sheriffs, deputies, policemen, and local politicians.

Georgia Assistant Attorney General Daniel Duke, who successfully fought chartering the Klan, gave credit to flogging convictions and newspaper publicity for changing people’s minds about the Klan. For this, Duke particularly praised Atlanta Constitution editor Ralph McGill, who “poured it on heavy.” Actual Klan membership had little general appeal to respectable people. Daniel Duke told the
story of the police chief of Atlanta’s Fulton County finding himself standing next to an accused robber in a Klan meeting. The chief never resigned, never paid dues, Duke said, and never went back. Duke described “good people” as saying that while they didn’t agree with the Klan, it was good to have some organization that would keep black people in their place.

The Klan was not going anywhere, but it was there, and Klansmen continued to meet and to talk like Klansmen. Helped with information from another Klan insider, Stetson Kennedy reported regularly on the meetings of Atlanta’s Nathan Bedford Forrest Klan to the Non-Sectarian Anti-Nazi League. The League let me read its file of detailed reports and I published one report in *Hooded Americanism*. How long, detailed transcriptions could be made without recording equipment, pad, or pencil in the middle of a large hostile crowd defies imagination. Over almost half a century, no reader has suggested that the meetings were not accurately reported.

Beth Sherouse, “Stompin’ Out the Hell Fire; Stetson Kennedy and the Ku Klux Klan, 1944–1948,” in the possession of David Chalmers. Steven Weisenberger, “The Columbians, Inc.: A Chapter of Racial Hatred from the Post World War II South,” *Journal of Southern History* LXIX (November 2000). Rick Bowers, in *Superman Versus the Ku Klux Klan* (2012), identifies Kennedy’s “inside the Klan” source. Stetson Kennedy Files, Georgia State University, Atlanta, and in the Schomberg Center for Research in Black History, New York City Public Library, Harlem. In their New York Times Magazine article “Hoodwinked?” (January 8, 2006), Steven Levitt and Stephen Dubner backtracked on some of their praise of Stetson Kennedy’s undercover role in their bestselling book *Freakonomics*. Their subsequent study of archives and an interview with Kennedy brought an acknowledgement that he had “romanticized” his own role. A January 29, 2006, Florida Times-Union article by Charles Patton also pointed out Kennedy’s “embellishments,” as have Assistant Georgia State Attorney General Daniel Duke (Georgia State University, Atlanta) and Ben Green in *Before His Time* (1999). Rick Bowers, in *Superman Versus the Ku Klux Klan* (2012), identifies Kennedy’s “inside the Klan” source. None deny the importance of his role in convicting the Columbians and of his more than fifty-year public battle against racism in America and the Klan.

Living in Paris in the 1950s, Kennedy involved himself in the struggles in Algeria and Communist Eastern Europe. He told his existentialist friends about American conditions, and Jean-Paul Sartre helped the publication of his book *I Rode With the Ku Klux Klan*. Active until his death in 2011, he remained a favorite radical hero to many college students.

Stetson Kennedy died on August 27, 2011. His biography will be a prize-

**HARRY MOORE**

On Christmas Eve, 1951, a dynamite bomb beneath the bedroom of their little house in Mims, near Cape Kennedy, killed the state NAACP leader, Harry Moore, and his wife. He had been a schoolteacher, a principal, and, beginning in the 1930s, he had fought to equalize black teacher salaries and against the mistreatment of black people in the criminal justice system. To the displeasure of the national NAACP, he seemed more interested in registering voters than recruiting members.

Teams of FBI men quickly arrived on the scene and conducted an intensive and far-reaching investigation. It revealed much about the Klan in central Florida but did not find hard evidence as to who had actually planted the bomb. Two leading suspects died shortly after of illness and another, believed to be the organizer, committed suicide after being interviewed. A federal grand jury in Miami revealed that the membership of Klan’s violent Orlando, Winter Park, and Apopka Klaverns included elected officials, a city manager, a police chief and other law officers, as well as business and professional men. Although it reported a series of floggings in Orange County and a Klan discussion of the floor plan of Harry Moore’s house, the best it could do was indictments for perjury. “You are not under obligation to testify,” their lawyer had told the Klansmen, but “don’t lie.” With no federal issue involved, their judge ruled that the court lacked jurisdiction.

It was 1952, and national attention was soon to be shifted and broadened elsewhere on the South’s civil rights front, but the FBI hung around for a while, and over the next half century there would be four more serious investigations. Years later, an intrepid Orlando *Sentinel* reporter named Jim Clark finally got lucky and got his hands on an unedited copy of the FBI report. Stetson Kennedy, with his moral indignity, restless energy, gift for publicity, and belief in new vital witnesses, assaulted all the media outlets and pressed Florida Governor Lawton Chiles. In 1991, Governor Chiles ordered yet another investigation. Half a century after his death, Harry Moore and his wife are memorialized by a multicultural center at Brevard Community College, a new courthouse named for them, a memorial park
and museum, and by pilgrimages by the NAACP.

In 1954, five years after the death of Dr. Green had collapsed the Klan world into free enterprise chaos and three years after the murder of Harry Moore, an event took place that would change the history of the United States and of the Klan. On May 17, 1954, in the case of Brown v. Topeka, the U.S. Supreme Court declared public school segregation to be unconstitutional. The next year the Court ordered that the desegregation of all public schools be undertaken, with an undefined “all deliberate speed,” under the supervision of the federal judiciary.

In a growing hysteria, the political leadership of the “white South” cried, “Never!” The President of the United States, Dwight David Eisenhower, thought that the decision was a mistake. Exultantly but initially timorously, the civil rights campaign moved out into the streets of the South in what the leading historian of the South, C. Vann Woodward, would call a “Second Reconstruction.” The Klan burst into confused but deadly action. It would be a time of opportunity and danger for Klansmen and the Klan.

In *Backfire: How the Ku Klux Klan Helped the Civil Rights Movement* (Roman & Littlefield, 2003), I have told four stories:

The first, set against the rise and decline but not disappearance of the Klan, is how Klan violence forced the national and, belatedly, state governments into action. It tells the story of Birmingham, Montgomery, and St. Augustine, Florida, and of the murders of Mickey Schwerner, James Chaney, and Andrew Goodman in Philadelphia, Mississippi; Viola Liuzzo on the road to Selma, Alabama; Colonel Lemuel Penn on the highway outside Athens, Georgia; and Vernon Dahmer in Hattiesburg, Mississippi. It also tells the story of the Mississippi Klan, the campaign against the Jews of Jackson and Meredian, and the path through the courts of Alabama, Georgia, Mississippi, and the Supreme Court of the United States in Washington, D.C.

The second story is the four-decades struggle to punish the Klan murderers. . . . [These include the] Birmingham Church bombers. . . .

The third story is Imperial Wizard Robert Shelton’s struggle to the top of the Klan world and his eventual downfall . . . at the hands of Morris Dees and the Southern Poverty Law Center.

. . . [T]he fourth . . . takes American history on “the road to Armageddon’s” violent racist emergence at the end of the twentieth century in which the Klan has lost its role as America’s prime terrorist conspiracy.
In the middle of the 1960s, nothing seemed quite as bad for civil rights as Mississippi, and less likely to change. The state had the largest share of black people and the fewest black voters. Its racial history had been written by the James K. Vardamans, Theodore Bilbos, and John Rankins, now replaced by the likes of Sen. “Big Jim” Eastland and Gov. Ross Barnett. It was the home of the Citizens Councils and the Mississippi State Sovereignty Commission, the *Jackson Clarion-Ledger*, Parchman Prison, and the White Knights of the Ku Klux Klan. The killers of Emmet Till, Medgar Evers, Mickey Schwerner, James Chaney, Andrew Goodman, Vernon Dahmer, and others less known to history, still walked free. Bill Minor, who told what went on in Mississippi for the *New Orleans Times-Picayune*, called himself “a war correspondent behind the lines.”

In a 1961 letter from the jail in Magnolia, Miss., where a group of young civil rights activists were imprisoned for “disturbing the peace,” [SNCC field activity leader] Robert Moses wrote that they were “a tremor in the middle of the iceberg from a stone that the builder rejected.” Their “Mississippi Freedom Summer” in 1964, with students working with the local people, focused a national attention that helped passage of the new civil rights law. With their registration soaring to 70% of the eligible, black voters became a political factor.

In 1989, newsman Minor and a younger reporter, Jerry Mitchell, and two ex-FBI men watched the motion picture “Mississippi Burning,” the Hollywood version of the 1960s and how the FBI solved the Neshoba County murders. The title had come from the FBI case-file’s “MIBURN.” Activists have criticized it as an FBI “buddy film,” which showed black people only as passive sufferers, but it fascinated Mitchell and launched him on a career as Mississippi journalism’s investigative historian of the 1960s.

The dramatized images of the Klan violence gripped him. “I am a Southerner and I knew zero about the civil rights movement back then. . . . I just didn’t notice the things happening around me,” he later commented.

In the 1960s, the Hederman family-owned *Jackson Clarion-Ledger* censored the news and acted as a cheerleader for white supremacy. The *Columbia Journalism Review* concluded that the *Clarion-Ledger* and its sister *Jackson Daily*
News were “possibly the worst metropolitan newspapers in the United States.” Now, a new Hederman family generation has turned around the Clarion-Ledger, which has become part of a national newspaper chain, while Mitchell came on board in 1986 as a court reporter.

As his friend Minor described it, Mitchell “peeled back years of neglect of the civil rights murders. He uncovered forgotten testimony, misplaced key pieces of evidence, unknown witnesses, and lost transcripts from failed attempts decades earlier to convict major suspects in the murders.” Mitchell explains, “You never know. There might be a witness who would come forward and tell what they saw.”

He found material from the secret files of the Sovereignty Commission, which mistakenly had been placed in open court records. An unidentified friend brought him more files showing that the Commission had spied on the civil rights workers killed by the Klan in Neshoba County and had assisted Byron de la Beckwith’s defense in his trial for murdering Evers, the state’s NAACP leader. Mitchell obtained a copy of a sealed State Archives interview of Sam Bowers, the White Knights leader who had ordered the killing of the Schwerner, Chaney, Goodman, and Dahmer. His stories began filling the front pages. People, including Klansmen, talked with him. “I am not confrontational,” he explains. “I am a white Southerner, a person of faith. I pass their quiz.”

He went to Tennessee to interview Beckwith, who was living on Signal Mountain outside of Chattanooga. Afterward, Beckwith walked him to his car and told him, “If you write positive things about white Caucasian Christians, God will bless you. If you write negative things about white Caucasian Christians, God will punish you. If God does not punish you directly, several individuals will do it for him.”

For three decades, Myrlie Evers, Rita Schwerner, and Ellie Dahmer had campaigned for punishment of their husbands’ killers. Mitchell’s reports again led them to press for reopening the cases. William Walker, later to be governor of Mississippi, had twice tried Beckwith for the ambush murder of Evers. All of the jurors were white, and most of them voted to convict, but there were holdouts and the juries deadlocked. Now, in 1994, 30 years after Evers’ death, Bobby DeLaughter, a young prosecutor searched out the old records and evidence to try Beckwith again. With additional testimony, part of which the FBI had kept secret, and Mitchell’s research, the jury found Beckwith guilty. “Ghosts of Mississippi,” in which Mitchell played a small role, told of the struggles of the white prosecutor, DeLaughter, rather than the life of Evers.

Bowers, Imperial Wizard of Mississippi’s White Knights, spent six years in prison for the Federal crime of violating the rights of the three civil rights workers
murdered in Neshoba County. He had been tried in state and Federal court for planning the murder of Dahmer, the storekeeper who was spearheading the voter registration campaign in Forrest County. As with the early trials of Beckwith, the jurors were white and most of them voted for conviction, but holdouts deadlocked the juries. This time, as with Beckwith, there was a committed young prosecutor, an integrated jury, material now made available by the FBI and from the now-defunct Sovereignty Commission, and Klan witnesses, as well as a changed racial environment.

Klansmen testified that Beckwith and Bowers each had boasted of what they had done. “Don’t worry,” Bowers had said. “No jury in the state of Mississippi is going to convict a white man for killing a nigger.” Now, in 1998, Bowers was not so confident, commenting that he did not have the influence he once had. On his conviction, the judge gave him a life sentence; he died in prison nine years later.

The same year, South Carolina executed a white man who had murdered a black woman and carved “KKK” into her body. The year before, the state of Alabama had executed Klansman Henry Francis Hays for the murder of Michael Douglas. It was the first time in 84 years that Alabama had executed a white man for killing a black man. In a changing South, with strong black political clout, a new, young white generation of law officers and prosecutors, and a more open and often aggressive press, old racial murders from the 1960s were being reexamined.

To Mitchell’s surprise, the accused bomber of Birmingham’s 16th Street Baptist Church, Bobby Frank Cherry, asked him to come interview him and repeated the story he had told the police. “I didn’t have anything to do with the bombing,” Cherry told him. “I left the sign shop at quarter to ten because I had to get home and watch wrestling.” Mitchell checked the television listings; there was no wrestling.

Mitchell dug into other 1960s killings. Searchers for the missing civil rights workers had pulled the battered bodies of Charles Eddie Moore and Henry Hezekiah Dee, tied to a jeep engine block, from the Mississippi River. As a scheme to draw Martin Luther King Jr. into an ambush, Klansmen had kidnapped Ben Chester White, an elderly black sharecropper, and then blown off his head with a shotgun. Mitchell discovered that both killings had taken place on Federal land, making it possible to reopen the cases for Federal court trials. “If I were you, Jerry,” a sheriff told him, “I’d go home a different way each night.”

For 15 years after the film “Mississippi Burning” started him off, Mitchell continued his interviews and research on the murder of Mickey Schwerner, Ben Chaney, and Andy Goodman. In a supposedly sealed interview, which had been show to Mitchell, Bowers had said that he was glad that the Klansman who had
organized the killing had gotten off. Mitchell called Preacher Edgar Ray Killen for an interview. Killen was too busy at his sawmill during the day and invited Mitchell to come to his home at night. Mitchell suggested a catfish diner at a public place instead.

No one had been tried for the murders of Schwerner, Chaney, and Goodman. After the Supreme Court cleared the way in its 1966 *U.S. v. Price* decision, seven Klansmen, including Neshoba county Deputy Sheriff Cecil Price, were found guilty in Federal court of depriving them of their civil rights. The maximum possible penalty was 10 years in prison. All were out in six. “They killed one nigger, one Jew, and a white man,” the Federal judge Harold Cox later commented, “I gave them all what I thought they deserved.”

The vote on Exalted Cyclops Killen, who had organized the murder and then gone into town to establish an alibi, was 11 to one for conviction. The holdout juror said that she could not vote to convict a preacher. For 40 years, Killen walked free.

People in Neshoba County did not talk publicly about what happened. Most of the Klansmen and their families were neighbors. Killen pastored at local Baptist churches, and had conducted the funerals of both parents of circuit judge Marcus Gordon, who would preside over his trial for murder. The year 1989 was something of a turning moment: “Mississippi Burning” was released and there was a memorial service on the 25th anniversary of the murders. It was held at the rebuilt Longview Mt. Zion United Methodist Church, which the Klan had burned in the attempt to draw Schwerner into an ambush. Mississippi Secretary of State Dick Mulpus made an emotional public apology to the Schwerner, Chaney, and Goodman families. Mulpus was a local boy, but when he unsuccessfully ran for governor six years later, he did not carry Neshoba County. However, people now were talking openly about the murders. The editor of the weekly *Neshoba Democrat* was one of a group of prominent local people calling themselves the “Philadelphia Coalition,” who pushed for a new trial of the Klansmen.

The Mississippi attorney general asked the FBI for its case files. In 2004, there was another memorial service, this time attended by Gov. Haley Barbour, who had been chair of the National Republican Party; ex-Gov. William Forrest Winter; two congressmen, one white and one black; the black chair of the Neshoba County Commission; and a representative from the Mississippi Band of Choctaw Indians (owners of two enormous gambling casinos on the outskirts of Philadelphia).

The grand jury considered all of the eight living Klansmen involved, and indicted Killen. In 2005, Killen went on trial in state court for murder. In the 1960s, it had not been possible to get the case into court. Now, the new Mississippi attorney general, Jim Hood, assisted the district attorney. Everyone knew Killen.
The prosecution’s first task was to make the jury care about the Schwerner, Chaney, and Goodman as human beings. For this, they called upon Schwerner’s wife Rita and Chaney’s and Goodman’s mothers to testify. The success of the prosecution lay in making “the dead come to life,” Mitchell explained. After that, there was little new, and the prosecution depended on the records of the 1967 Federal civil rights trial. Under Mississippi law, the transcripts were admissible since the witness had been cross-examined in the earlier trial. Killen’s family spoke on his behalf, and a former mayor of Philadelphia testified that the Ku Klux Klan was “a peaceful organization” that “did a lot of good.” Killen’s defense attorney echoed the sentiment of Mississippians who had opposed all of the new retrials, asking if there was any sense in bringing up this “old business”?

It took the nine white and three black jurors only a few hours to find Killen guilty. The families of the victims were disappointed that the jury had not come in with a murder conviction but, since he had not been present at the actual killing, the jury agreed on the manslaughter verdict. Judge Gordon then sentenced the 79-year-old Killen to 60 years in prison, which was upheld on appeal.

After each conviction, people talked of closure and the press announced that it was the final case, but it was not. With Mitchell’s discovery that all-but-forgotten killings had taken place on Federal land; the fact that old, crippled, unrepentant Klansmen had talked too much; and that there were Federal agents as well as repentant Klansmen to testify, there remained more trials to resolve. Juries, both state and Federal, were well mixed, black and white, men and women.

MORE TRIALS

In 2003, Klansman Ernest Avants was convicted in Federal court for the shotgun killing of White. After the state convicted Killen, the Federal government brought another 1960s killing into court. Dee had been up North, and Klansmen believed that he knew about a rumored Black Muslim gun shipment. They kidnapped Dee and his friend Moore, tied them to a tree in the Homochitto National Forest, and beat them unconscious. Then Dee and Moore were taken across the state line into Louisiana. There they were chained, alive, to heavy scrap metal and dumped into the river to drown. The state had evidence, but no one had been tried. That was in 1964. Overshadowed by the higher profile cases, their deaths seemed forgotten, but it did not turn out that way. Like the families of Evers, the three Neshoba County civil rights workers, and Dahmer, Moore’s older brother would not let it go.

In 2005, a team of young Jackson Free Press journalists, working with a Canadian CBC network documentary filmmaker, covered Thomas Moore’s return to
Mississippi seeking justice for his brother's murder. From a story in the press, they believed that the Klan leader James Ford Seale was dead. To their surprise, there he was living just down the road. MSNBC picked up the CBC documentary and the *Jackson Free Press*, the media, and the bloggers were all over the story.

Changes had taken place since the 1960s. Although the courtroom was in the Federal Building in Jackson named for Mississippi's arch-segregationist, Sen. James C. Eastland, the presiding judge, Henry Wingate, was an African-American. A probing Federal questionnaire and two days of oral examination produced a jury with its own experiences of domestic and sexual abuse, violent crime, and racial conflict. The prosecution was led by a woman, Paige Fitzgerald, the young blonde graduate from the University of Virginia who had helped convict Avants. The defense's public defender also was a woman, Kathy Nestor.

The crucial prosecution witness was an immunized Klansman who had taken part in the beatings. What remained in the spectators'—and presumably the jurors' minds—was the testimony of an exchange between Seale and the arresting FBI special agent. "We know you did it," the agent had said, "and you know you did it; the Lord above knows you did it." Responded Seale, "Yes, but I am not going to admit it; you are going to have to prove it."

In closing, attorney Dunn Lampton re-created the last moments of each of the victims. He described the physical experience of drowning, first for Dee and then for Moore, who listened to his friend's death, knowing that he was next. On June 14, 2007, after two hours of deliberation, the jury brought in a verdict of guilty. Judge Wingate sentenced Seale to three life terms in prison.

Four days after the decision, the House of Representatives passed its "cold case bill," the "Emmett Till Civil Rights Crime Act." Supported by the Bush Administration, it provided the Justice Department with $13,500,000 a year for investigation of still unpunished 1960s murders. It then passed easily in the Senate, with the support of leading Republicans and Democrats, including then-Sens. Joe Biden (D.-Del.) and Barack Obama (D.-Ill.).

The path to justice was not out of twists. In 1932, the kidnap murder of the young son of the aviator hero Charles Lindbergh had led Congress to make kidnapping across state lines a Federal crime. A 1972 Federal code revision repealed the death penalty for kidnapping and set a five-year limit for prosecution. There was no such restriction for murder, but Seale had not been tried for murder. His three life sentences were for kidnapping and conspiracy, and a three-judge Federal appeals panel now ruled that his trial had come 30 years too late.

However, the court system was not finished with him. While prosecutors prepared an appeal, Seale remained in his Terre Haute, Ind., prison, being treated
for cancer. “Hardly a flight risk,” his public defender attorney complained. In June 2009, the full appeals court held that the 1972 law was not retroactive and did not reach back into the crimes of the 1960s. The Supreme Court refused to hear his appeal, and what life the cancer-ridden 70-year-old Seale had left would be spent in Federal prison.

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