

Primary Source

Congressman James T. Rapier's Speech in Support of the Civil Rights Act, February 1875



Guiding Question: To what extent did Founding principles of liberty, equality, and justice become a reality for African Americans from Reconstruction to the end of the nineteenth century?

- ☐ I can interpret primary sources related to Founding principles of liberty, equality, and justice from the colonial era to the outbreak of the Civil War.
- ☐ I can explain how laws and policy, courts, and individuals and groups contributed to or pushed back against the quest to end slavery.
- ☐ I can create an argument using evidence from primary sources.
- ☐ I can analyze issues in history to help find solutions to present-day challenges.

Essential Vocabulary

Privileges and immunities	Wording in the first clause of the Fourteenth Amendment that bans states from violating the rights of any citizen
---------------------------	---

Building Context

Like Congressman Robert B. Elliott before him, Congressman James T. Rapier of Alabama also spoke eloquently in favor of the Civil Rights Act. Rapier earned a reputation as a diplomatic legislator and outstanding orator in the 43rd Congress, where he focused his attention on the passage of the civil rights bill. His work for equal rights for African Americans earned him repeated death threats from the Ku Klux Klan.

Congressman James T. Rapier's Speech in Support of the Civil Rights Act, February 1875

Source: <https://www.blackpast.org/african-american-history/1875-james-t-rapier-half-free-half-slave/>

... Either I am a man or I am not a man. If one, I am entitled to all the rights, **privileges and immunities** [bans states from violating rights of a citizen] common to any other class in this country; if not a man, I have no right to vote, no right to a seat here; if no right to vote, then 20 percent of the members on this floor have no right here, but, on the contrary, hold their seats in violation of the law. If the Negro has no right to vote, then one eighth of your Senate consists of members who have no shadow of a claim to the places they occupy; and if no right to vote, a halfdozen governors in the South figure as usurpers.

This is the legitimate conclusion of the argument, that the Negro is not a man and is not entitled to all the public rights common to other men, and you cannot escape it. But when I press my claims I am asked, "Is it good policy?" My answer is, "Policy is out of the question; it has nothing to do with it; that you can have no policy in dealing with your citizens; that there must be one law for all; that in this case justice is the only standard to be used, and you can no more divide justice than you can divide Deity."

Notes

Comprehension and Analysis Questions

1. How does Rapier argue for the passage of the Civil Rights Act?

--

2. Explain the final lines of this excerpt (italicized) in your own words. Do you think this is an effective technique for arguing Rapier's point? Explain.