

Expert Report of Orville Vernon Burton

in *Community Success Initiative v. Moore*, No. 19-cv-15941 (N.C. Superior Court)

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I. Summary of Opinions

My name is Orville Vernon Burton. I teach at Clemson University in South Carolina and am the Judge Matthew J. Perry Distinguished Professor of History. I have been asked by attorneys for the plaintiffs in this litigation to assist the court in assessing the history and intent underlying the North Carolina constitutional provision and statutes disenfranchising persons convicted of crimes. Based on my more than 49 years of experience as a historian focused on the American South, and my review and research of this question for the purposes of this report, it is my opinion that:

- North Carolina’s authorization of felony disenfranchisement by constitutional amendment in 1875 was racially motivated, with the end goal being the total disenfranchisement of not just persons who had committed a felony, but of all African Americans.
- North Carolina’s 1877 statutory disenfranchisement of persons who had committed a felony was motivated by a desire to disenfranchise black voters and maintain white supremacy in post-bellum North Carolina. At least as early as 1866, white North Carolinians had disfranchised black North Carolinians by rendering them “infamous” through corporal punishment, and the codification of felony disfranchisement was a continuation of that tactic.
- The 1875 constitutional amendment and the 1877 statute were importantly different from the pre-civil war disfranchisement statute. These new post-bellum laws disenfranchised all people with felony convictions, not just those convicted of “infamous” crimes like treason. It is no coincidence that after Reconstruction, when felony disfranchisement turned into a tool to disenfranchise African Americans, it was used much more broadly than it was before the war when it just applied to whites. Not only did white Democrats

expand the categories of crimes that exposed North Carolinians to disenfranchisement, they added additional punishments for voting by those with felony convictions.

- The latest iterations of North Carolina’s felony disenfranchisement statutes (in 1971 and 1973) represent a compromise between the original aims of black legislators who hoped to make it easier for North Carolinians to regain the right to vote and countervailing interests invested in limiting African American’s access to the elective franchise. Furthermore, these statutes recapitulate the 1875 constitutional felony disenfranchisement and the 1876 statutory felony disenfranchisement, both of which were infected by racially discriminatory aims.
- Felony disenfranchisement in North Carolina mirrors and intersects with the disenfranchisement of black voters throughout the state’s history. As black political activism threatened the power of the white ruling elite, legislators turned not only to felony disenfranchisement, but also to segregation, suffrage restrictions, and other measures designed to break the political and economic power of black communities.
- While felony disenfranchisement was primarily used as a barrier to black political activism, it also served to restrict the citizenship rights of all economically disadvantaged North Carolinians. While the white ruling elite claimed to forge an alliance with less wealthy North Carolinians, felony disenfranchisement restricted the voting rights of economically disadvantaged North Carolinians, beginning in 1776 and continuing to the present. Reformers, from the 1870s to the 1970s, recognized that disenfranchising people who committed felonies would disproportionately impact working class North Carolinians, who could ill-afford the expense of having their citizenship rights restored.

These opinions are explained and supported in further detail in the discussion portion of this report.

BACKGROUND AND METHODOLOGY

II. Professional Background and Qualifications

I received my undergraduate degree from Furman University in 1969 and my Ph.D. in American History from Princeton University in 1976 and have been researching and teaching American History at universities since 1974. Currently I am a Professor of History, Pan-African Studies, Sociology and Anthropology, and Computer Science at Clemson University as well as the Director of the Clemson CyberInstitute. From 2008 to 2010, I was the Burroughs Distinguished Professor of Southern History and Culture at Coastal Carolina University. I am emeritus University Distinguished Teacher/Scholar, University Scholar, Professor of History, African American Studies, and Sociology at the University of Illinois. I am a Senior Research Scientist at the National Center for Supercomputing Applications (NCSA) where I was Associate Director for Humanities and Social Sciences (2004-2010). I was also the founding Director of the Institute for Computing in Humanities, Arts, and Social Science (I-CHASS) at the University of Illinois and currently chair the ICHASS Advisory Board.

I am the author or editor of more than twenty books and two hundred articles. I have received a number of academic awards and honors. I was selected nationwide as the 1999 U.S. Research and Doctoral University Professor of the Year (presented by the Carnegie Foundation for the Advancement of Teaching and by the Council for Advancement and Support of Education). My book *The Age of Lincoln*, published in 2007, won the *Chicago Tribune* Heartland Literary Award for Nonfiction and was selected for Book of the Month Club, History Book Club, and Military Book Club. One reviewer proclaimed, "If the Civil War era was America's 'Iliad,' then historian Orville Vernon Burton is our latest Homer." The book was featured at sessions of the annual meetings of African American History and Life Association,

the Social Science History Association, and the Southern Intellectual History Circle. Among the articles I have published are several related to the issues discussed in this report and at least two law review articles. I was one of ten historians selected to contribute to the *Presidential Inaugural Portfolio* (January 21, 2013) by the Joint Congressional Committee on Inaugural Ceremonies. I have been recognized by my peers and was elected president of the Southern Historical Association and of the Agricultural History Society and elected to the Society of American Historians. I edited two academic press series for the University of Virginia Press: *The American South Series* and the *A Nation Divided: Studies in the Civil War Era Series*. I was also elected by my university peers as president of the Faculty Senate at the University of Illinois. In 2007 the Illinois State legislature honored me with a special resolution for my contributions as a scholar, teacher, and citizen of Illinois, and in 2017, I received the Governor's Award for Lifetime Achievement in the Humanities from the South Carolina Humanities Council.

I have extensive experience in analyzing social and economic status, discrimination, and historical intent in voting rights cases, as well as group voting behavior. I have been qualified as an expert in the fields of districting, reapportionment, and racial voting patterns and behavior in elections in the United States. I have served as an expert witness and consultant in a number of voting rights cases beginning with *McCain v. Lybrand* (1984) and also as a consultant in state redistricting matters. My testimony has been accepted by federal courts on both statistical analysis of racially polarized voting and socioeconomic analysis of the population, as well as on the history of discrimination and the discriminatory intent of laws. My testimony and reports have been cited by the courts. For example, in 2012 my report was cited by the Justice Department as a reason for their objection to the in-person South Carolina Voter ID law. *See* Dkt. 118-1, *South Carolina v. United States*, No. 1:12-cv-00203-CKK-BMK-JDB (D.D.C. June

29, 2012). My testimony and my report were also cited in 2014 by the U.S. District Court for the Southern District of Texas in finding that the Texas in-person Voter ID Law was racially motivated and had a disparate effect on minorities. *Veasey v. Perry* (2:13-CV-193). I have been retained to serve as an expert witness and consultant in numerous voting rights cases by the Voting Section of the Civil Rights Division of the United States Department of Justice (DOJ), the Voting Rights Project of the Southern Regional Office of the American Civil Liberties Union, the Brennan Center, the NAACP, the Legal Defense Fund (LDF) of the NAACP, the Mexican American Legal Defense and Educational Fund, the California Rural Legal Association, the League of United Latin American Citizens, the Lawyers' Committee for Civil Rights Under Law, the Legal Services Corporation, the Southern Poverty Law Center, and other individuals and groups.

As a scholar, I have had a long-time relationship with North Carolina. I have researched and written about North Carolina, and I have researched in the archives of the State of North Carolina, at Duke University, and the University of North Carolina. I spent the 1994-95 school year at the National Humanities Center in Research Triangle and participated in seminars on Southern and North Carolina history with faculty at the University of North Carolina. I also keynoted the North Carolina Historical Annual meeting, and was a consultant for the University of North Carolina library on their Southern History collection as well as for their Mellon digital grant. I have been invited to present papers and talks and participate in seminars at a number of North Carolina colleges and universities including the University of North Carolina at Chapel Hill, at Greensboro, and at Charlotte, Duke University, and North Carolina State University, as well as the North Carolina Archives. I was one of two outside historians who were hired as consultants for the University of North Carolina at Greensboro to help develop their Ph.D. program. Following the

Shaw v. Reno North Carolina redistricting decision in 1993, Duke Historian John Hope Franklin and Judge Leon Higginbotham brought me from the University of Illinois for a workshop and to consult on how to apply the Voting Rights Act in light of the recent decision on redistricting and gerrymandering. I was invited to give the keynote for the new North Carolina museum for the Civil War and Reconstruction which was scheduled for April 21 and 22 in Fayetteville, but which is now being rescheduled.

I am being compensated at \$300 per hour for my work on this case. My compensation is not contingent on or affected by the substance of my opinions or the outcome of this case.

To the best of my knowledge and memory, in the last five or so years I have given testimony and/or depositions in the following cases: (i) *Perez v. Perry* (5:11-CV-00360, W.D. Tex.) (the first report and deposition was in 2011 and the case continued so that I presented a second report, deposed again, and testified in 2017); (ii) *South Carolina v. United States* (1:12-cv-00203, D.D.C.); and (iii) *Veasey v. Perry* (2:13-CV-193, S.D. Tex.). In addition, I testified on the VRA in a Congressional Briefing on Friday, Dec. 4, 2015. A curriculum vitae and bio are attached to this report.

III. Aims, Methodology, and Materials Reviewed

In this report, I have employed the standard methodology used by historians and other social scientists in investigating the intent underlying the adoption, operations, and maintenance of election laws. When analyzing political decision-making, historians examine the circumstantial evidence regarding the political, institutional, and social context in which a decision is made, as well as direct evidence of the reasons asserted for the decision. We examine relevant scholarly studies, newspaper coverage of events, reports of local, state or federal governments, relevant court decisions, and the record in court cases, including expert reports,

deposition and trial testimony, and statistical data. In writing this report, I have examined a wide range of sources. I have relied on primary and secondary sources available to me at the time of writing this report. This report makes extensive use of primary sources, especially contemporary newspapers, which record debates and speeches, and help to provide a barometer of public sentiment. Where possible, I have consulted newspaper accounts from multiple perspectives, and checked for accuracy. I have also read the records of both houses of the North Carolina General Assembly, the journals and debates of the constitutional conventions of 1835 and 1875, bill histories, and public statutes. I have also used oral histories and videos that have been recorded and preserved, and have reviewed a declaration from Rep. Henry M. Michaux, Jr. I have also consulted secondary works on politics and race relations in North Carolina, specifically, as well as in the South as a whole. This report features extensive footnotes to allow readers to assess the accuracy and credibility of my evidence and my conclusions.

FINDINGS

IV. Introduction: The Struggle for Voting Rights in North Carolina

When the Voting Rights Act of 1965 (VRA) was enacted, less than half of North Carolina's one hundred counties were covered. More African Americans (estimated at 46.8 percent of eligible voters) were registered to vote in North Carolina before 1965 than in any of the other six states covered under the VRA.¹ Yet, in spite of North Carolina's image for years as more progressive than other southern states, North Carolina "has been most effective in belittling

¹ William B. Keech and Michael P. Siström, "North Carolina," in *Quiet Revolution in the South: The Impact of the Voting Rights Act, 1965-1990* Edited by Chandler Davidson and Bernard Grofman (Princeton: Princeton University Press), 155.

the voting strength of a sizable black population.”² William B. Keech and Michael P. Siström, two scholars of North Carolina and the history of the Voting Right Act, suggest that for political leaders in the state, “projecting the progressive image was a less blatant and therefore more effective way to maintain a system of white supremacy.” In 1984, one of the most important and successful voting rights cases, the landmark *Thornburg v. Gingles*, “was a response to the fact that rates of black officeholding still lagged, state election law and local government were slow to reform, and racially polarized campaigns and voting” were still rampant in North Carolina nearly two decades after passage of the 1965 Voting Rights Act.³

Felony disfranchisement in North Carolina has to be understood in this context. This report chronicles the disfranchisement of people convicted of a felony as a tool used to restrict the political activism of minorities (particularly African Americans) and poor North Carolinians, beginning with pre-Civil War statutes that established a process to allow those who had been convicted to have their citizenship rights restored even as those leaders denied those same citizenship rights to free black North Carolinians. Then, in the 1870s, in the face of the Reconstruction Act of 1867, which enfranchised black men, and the 14th Amendment (ratified in 1868) and 15th Amendment (ratified in 1870), which protected the right of all men to vote, Conservative Democrats turned to felon disfranchisement to “legally” deny black North Carolinians the right to vote. The disfranchisement of people convicted of a felony began a decades-long campaign to disfranchise African-American voters, which included the felony disenfranchisement provision added in the 1875 constitutional amendments and culminated in

² Minion K. C. Morrison, *Black Political Mobilization: Leadership, Power, and Mass Behaviour* (Albany: State University of North Carolina Press, 1987), p. 83; Keech and Siström, “North Carolina,” pp. 155-56.

³ Keech and Siström, “North Carolina,” p.156.

the passage of the so-called “disfranchisement” amendment authorizing literacy tests and poll taxes in 1900.

The Civil Rights Movement came early to North Carolina, and Greensboro sit-ins in 1960 sparked student activists throughout the South.⁴ The 1970s were a crucial juncture in North Carolina’s history. Following the 1965 Voting Rights Act, the first African American in the twentieth century was elected to the state legislature and by 1973, black politicians in North Carolina sought to protect the right to vote for all North Carolinians by liberalizing the state’s felony disfranchisement statute. As North Carolina was beginning to fulfill the “promissory note” to which every American could lay claim - the guarantee of the inalienable rights of life, liberty, and the pursuit of happiness - the forces of conservatism (bolstered by the War on Drugs and an emphasis on law and order) blunted this revolution and left it unfinished. The changes in North Carolina’s disfranchisement of people convicted of felonies left significant hurdles in place from the original racially motivated 1875 statute that made it difficult for people formerly convicted of a felony, and particularly minorities and the economically disadvantaged, to have their rights restored even today.

V. Antebellum Felony Disfranchisement

In North Carolina, “[f]rom statehood (the American Revolution) to RECONSTRUCTION race and class lines deepened.”⁵ In the 1830s and 1840s, North Carolina’s legislators made it easier for people convicted of a felony to regain the right vote, even as they simultaneously disenfranchised black North Carolinians. Until 1835, North Carolina’s suffrage requirements

⁴ See especially William H. Chafe, *Civilities and Civil Rights: Greensboro, North Carolina, and the Black Struggle for Freedom* (New York: Oxford University Press, 1981) and Andrew Walker, *The Ghost of Jim Crow: How Southern Moderates Used Brown v. Board of Education to Stall Civil Rights* (New York: Oxford University Press, 2009), 49-84.

⁵ Raymond Gavins, “North Carolina,” in *Civil Rights in the United States*, Vol 2: p p. 566, Edited by Waldo E. Martin, Jr. and Patricia Sullivan (New York: MacMillian Reference, 2000).

were unclear in two respects. First, North Carolina’s original 1776 constitution had allowed “all freemen” older than twenty-one years old who met the residency, tax, and property ownership requirements to vote – this, of course, included free African Americans. Free people of color were allowed to vote in North Carolina until 1835, even while the General Assembly passed legislation (in 1827) prohibiting “free negroes and mulattoes” from immigrating to North Carolina.⁶ Second, the North Carolina General Assembly had neglected the question of whether or not “infamous persons” were stripped of their rights of citizenship, and, if so, how they could have those rights restored.⁷ As historian Pippa Holloway observes, before 1835 the North Carolina law regarding felony disenfranchisement was “complicated and unclear,” and until 1835 there is no mention of disenfranchising voters because of crimes.⁸ Infamy, as Holloway notes, “could result from the commission of an infamous crime,” such as treason, bribery, or perjury, “or from the receipt of an infamous punishment such as whipping,” which could be inflicted for crimes like petty larceny. Between 1789 and 1835, however, the General Assembly refranchised more than eighty North Carolinians by private legislative act – clearly, North Carolinians were being disfranchised after committing “infamous crimes,” even though there was no statewide statute that disfranchised citizens as a penalty for criminal offenses.⁹

As noted above, until 1835, North Carolina’s legislature answered the problem of how to restore citizenship rights to “infamous persons” by resorting to “one-off” private legislation. In the 1830s, however, North Carolinians came to the consensus that private legislation should be limited, not only because they viewed it as being undemocratic, but also because it wasted

⁶ “Captions of the Laws,” *The Elizabeth-City Star and North-Carolina Eastern Intelligencer* (Elizabeth City, NC), February 17, 1827.

⁷ See Pippa Holloway, *Living in Infamy: Felon Disfranchisement and the History of American Citizenship* (New York: Oxford University Press, 2013), 6, 34, 91.

⁸ Holloway, *Living in Infamy*, 20, n. 10.

⁹ “Report of the Commission on Public-Local and Private Legislation Authorized by the 1947 General Assembly,” *Popular Government*, February-March, 1949:3,5.

legislators' time and the state's money.¹⁰ Delegates at North Carolina's 1835 Constitutional Convention were fiercely critical of the undemocratic nature, expense, and inconvenience of private laws. Congressman William J. Gaston, who represented Craven County, argued that private acts were "needless and pernicious," and even went as far as to describe them as "trash."¹¹ For these reasons, the 1835 Constitutional Convention prohibited private legislation on a number of issues, including "the restoration of citizenship to persons convicted of infamous crimes."¹² Legislation to "restore the rights of citizenship to any person convicted of infamous crime" was one type of private legislation, and curtailing private acts created uncertainty about how those who were convicted of "infamous crime" could be refranchised.¹³

While the Constitutional Convention of 1835 only complicated the question of the citizenship rights of those convicted of felonies, it resolved with crushing finality the uncertainty about the suffrage rights of free black North Carolinians. Free black voters were explicitly disenfranchised legislatively during the 1835 North Carolina Constitutional Convention. Article I, section 3, subsection 3 of the 1835 North Carolina Constitution stated that "no free negro, free mulatto, or free person of mixed blood, descended from negro ancestors to the fourth generation inclusive" would be able to vote in state elections.¹⁴ White slaveholders, who dominated North Carolina's

¹⁰ In 1833, Hugh Welch, the editor of the *Yadkin and Catawba Journal*, argued that, by "favouring one person or ten persons . . . to the exclusion of one Hundred or one Thousand others," private legislation "is making an unrighteous and unconstitutional distinction between equals." See *The Yadkin and Catawba Journal* (Salisbury, NC), December 16, 1833; "State Convention," *The Fayetteville Weekly Observer* (Fayetteville, NC), July 21, 1835.

¹¹ Joseph Gales, ed., *Proceedings and Debates of the Convention of North Carolina, Called to Amend the Constitution of the State, Which Assembled at Raleigh, June 4, 1835, To which are Subjoined the Convention Act and the Amendments to the Constitution, Together with the Votes of the People* (Raleigh: Joseph Gales and Son, 1836), 176.

¹² William S. Powell, *North Carolina Through Four Centuries* (Chapel Hill, NC: The University of North Carolina Press, 1989), 280; Harold J. Counihan, "The North Carolina Constitutional Convention of 1835: A Study in Jacksonian Democracy," *The North Carolina Historical Review* 46, no. 4 (October 1969), 359.

¹³ *The Charlotte Journal* (Charlotte, NC), July 24, 1835.

¹⁴ North Carolina Constitutional Convention, *Journal of the Convention, Called by the Freemen of North-Carolina, to Amend the Constitution of the State, Which Assembled in the City of Raleigh, on the 4th of June, 1835, and Continued in Session Until the 11th Day of July Thereafter* (Raleigh: J. Gales and Son, 1835), 98.

legislature until the outbreak of the Civil War, were terrified about a potential violent slave rebellion, like Nat Turner's 1831 slave insurrection in Southampton County, Virginia (on North Carolina's northeastern border), and the actual threat of black political activism – particularly in eastern North Carolina – to white supremacy. In addition to disfranchising all black North Carolinians (free or enslaved), the General Assembly passed statutes that limited enslaved persons' economic independence and pathways to freedom. Laws prohibited slaves' ownership of domestic animals, hunting, buying and selling with either enslaved persons, free blacks, or white North Carolinians, and "hiring out" themselves. Laws also restricted African American potential political independence by banning enslaved persons preaching and making it illegal to teach enslaved people to read or write.¹⁵ Moreover, the law made a clear distinction by race in the punishment: for whites who might teach enslaved people to read or write, the court had "discretion" to imprison or fine a convicted white man or woman a minimum of a hundred dollars and not more than two hundred, but "a free person of colour shall be whipped . . . not exceeding thirty nine lashes nor less than twenty lashes."¹⁶

The outright disenfranchisement of all black voters was justified as a response to fears that, as articulated by an assembly of the citizens of New Bern in 1831, "when the slave sees him whom he regards as his associate and equal . . . respectfully treated by men of high character" it could lead to "the most calamitous of all contests, *a bellum servile*, a servile war."¹⁷ White North

¹⁵ As noted by Paul D. Escott, "In 1860 more than 85 percent of the members of the general assembly were slaveholders (the highest percentage in the South), and more than 36 percent owned at least twenty slaves (one of the highest percentages in the South)" (Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill, NC: University of North Carolina Press, 1985), 15); Joan R. Sherman, "Introduction," in *The Black Bard of North Carolina: George Moses Horton and His Poetry*, John R. Sherman, ed. (Chapel Hill, NC: University of North Carolina Press, 1997), 17-18. For more on Nat Turner's insurrection, see David F. Allmendinger, Jr., *Nat Turner and the Rising in Southampton County* (Baltimore: Johns Hopkins Press, 2014).

¹⁶ Legislative Papers, 1830–31 Session of the General Assembly see at <https://docsouth.unc.edu/nc/slavesfree/slavesfree.html>

¹⁷ *The Sentinel* (New Bern, NC), December 7, 1831.

Carolínians, in the aftermath of Nat Turner’s rebellion, claimed that allowing free black North Carolínians to vote would cause a slave rebellion. Some North Carolínians – like the pseudonymous “Citizen,” who wrote to New Bern’s *Spectator* – insisted that since the 1776 North Carolina Constitution stipulated that “all free men” were entitled to vote, and “free persons of colour certainly come under the denomination *free men*,” free African Americans were “entitled to this franchise.”¹⁸ It is unsurprising that resistance to free black voting – and objections to any attempt to disfranchise free blacks – emerged in New Bern. As John Hope Franklin observes, free African Americans were “active in politics” in New Bern, as well as other areas of eastern North Carolina.¹⁹

Historian Lacy K. Ford contends that the disfranchisement of free blacks in North Carolina was in part a reaction to the fact that “in eastern North Carolina . . . free black voting played a significant role in some local elections.”²⁰ The Convention delegates who gathered in June 1835 were unconvinced that free African Americans were truly “free men.” James Bryan, the representative from Carteret County, raised the specter of political corruption when he contended that enfranchising black North Carolínians would “make him the corrupt tool of the designing and ambitious demagogue, and subject him to a slavery *ten times* more ignominious than that of the disfranchised private citizen.”²¹ Jesse Wilson, of Perquimans County, argued that disfranchising free black voters was essential to maintain the barrier between black and white North Carolínians. During the Constitutional Convention, Wilson declared that “color is a

¹⁸ “Citizen,” “For the Spectator,” *The Spectator* (New Bern, NC), December 9, 1831.

¹⁹ John Hope Franklin, *The Free Negro in North Carolina* (Chapel Hill, NC: University of North Carolina Press, 1943), 106-107.

²⁰ Lacy K. Ford, *Deliver Us From Evil: The Slavery Question in the Old South* (New York: Oxford University Press, 2009), 421.

²¹ Joseph Gales, ed., *Proceedings and Debates of the Convention of North Carolina, Called to Amend the Constitution of the State, Which Assembled at Raleigh, June 4, 1835, To which are Subjoined the Convention Act and the Amendments to the Constitution, Together with the Votes of the People* (Raleigh: Joseph Gales and Son, 1836), 68

barrier,” and “if you make it your business to elevate the condition of the blacks, in the same proportion do you degrade that of the poorer whites,” with the ultimate outcome being “an *increase of mixed breeds* [emphasis in original].”²² Delegates from eastern North Carolina strongly supported disenfranchising free black voters, and, by only five votes, as historian Harold J. Counihan writes, “by a vote of sixty-six to sixty-one, the right of free Negroes to vote was abrogated in toto.”²³

With the disfranchisement of free black North Carolinians accomplished, North Carolina’s General Assembly eventually resolved the question of citizenship restoration. In the 1836-1837 legislative session of the North Carolina Assembly, the issue of “restoring to credit persons convicted of infamous crimes” was referred to the House of Commons Committee on the Judiciary.²⁴ This effort to pass legislation that would allow North Carolinians who had been disfranchised for “infamous crimes” culminated in the passage of a “Bill providing for restoring to the rights of citizenship persons convicted of infamous crimes” during the 1840-1841 legislative session. This legislation established a procedure whereby North Carolinians who had “forfeited their rights to citizenship” could have those rights restored by petitioning the Superior Court of Law.²⁵ This process for citizenship restoration made it possible for even those (white) North Carolinians to lose the taint of “infamy” and regain their rights as citizens. Ironically and

²² “State Convention,” *The Weekly Standard* (Raleigh, NC), June 19, 1835; Lacy K. Ford, “Making the ‘White Man’s Country’ White: Race, Slavery, and State-Building in the Jacksonian South,” *Journal of the Early Republic* (Winter 1999):732-734. This class argument is consistent with the argument about the origins of colonial slavery based on race, see Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal in Colonial Virginia* (New York: W. W. Norton, 1975) argued that class and class conflict led to slavery as the lifetime status for African Americans.

²³ Counihan, “The North Carolina Constitutional Convention of 1835: A Study in Jacksonian Democracy,” 347. For a more detailed discussion of the debate over free black disenfranchisement at the 1835 Constitutional Convention, see Franklin, *The Free Negro in North Carolina*, 109-116

²⁴ *The Weekly Standard* (Raleigh, NC), November 30, 1836.

²⁵ *The Raleigh Register* (Raleigh, NC), December 22, 1840; “Captions of the Laws,” *The Greensboro Patriot* (Greensboro, NC), January 19, 1841; Ch. 36, 1840 N.C. Sess. Laws 68.

notably, even as North Carolina’s legislators disenfranchised all free black men, they allowed white men convicted of “infamous crimes” to regain the right to vote.

VI. Post-Civil War Felony Disfranchisement

The Civil War changed America and ended slavery, and the Reconstruction Amendments that followed redefined personal freedom in the United States by assuring that it was protected by federal law against the states. The 13th Amendment, adopted in 1865, outlawed slavery, and was soon interpreted in the courts and understood generally to uproot the badges and incidents of slavery. The 14th Amendment, adopted in 1868, granted citizenship and, no less momentous, it also gave all persons sweeping federal protections against the states—privileges and immunities, due process, and equal protection. The 15th Amendment, adopted in 1870, granted the right to vote and prohibited the states from denying or abridging male citizens’ right to vote “on account of race, color or previous condition of servitude.”

To emphasize the force of the new provisions, all three new amendments added clauses specifying that “Congress *shall have power to enforce*” the new amendment. The alteration in the Constitution was revolutionary, a transformation of a core American belief in the need to limit federal governmental power, which the historian Eric Foner recently aptly proclaimed a “*Second Founding*.”²⁶ As a consequence of the 13th, 14th, and 15th amendments, as well as the Civil Rights Act of 1866, North Carolina could no longer rely on its pre-Civil War strategy of outright denying the vote to black citizens.

i. Presidential Reconstruction, Corporeal Punishment, and Black Codes, 1865 – 1867

As president during most of the Civil War, Abraham Lincoln espoused reconciliation along with resolve. Lincoln’s perspective evolved on issues of race, and at various times, he

²⁶ Eric Foner, *The Second Founding”: How the Civil War and Reconstruction Remade the Constitution* (New York: W. W, Norton, 2019).

supported the franchise for those African Americans who had fought for the Union, or “the most intelligent,” and sometimes even hinting more. By the time General Grant accepted Lee’s surrender, on April 9, 1865, the 13th Amendment had been ratified by 20 states (including four from the former Confederacy) of the 27 needed to make it part of the Constitution and radically change that venerable document of 1787. Lincoln delivered an impromptu speech from the White House balcony to the gathering crowd. He spoke about “some new announcement for the people of the South.” One listener at this speech, John Wilkes Booth, understood where Lincoln was leading the nation. He told his companion, “That means Nigger citizenship. Now, by God, I’ll put him through. That is the last speech he will ever make.” And it was. The course of history was changed by a single gunshot that killed Abraham Lincoln on April 15, 1865, six days after Lee’s surrender.²⁷

Lincoln’s successor was Andrew Johnson. Born in Raleigh, North Carolina, Johnson had been a Democratic Senator from Tennessee who had been added to the Republican ticket in 1864 as a “unity” measure. It proved a fateful choice. The two Presidents had very different views about the Nation, the South, African Americans, citizenship, liberty, and freedom, among others. Lincoln’s assassination and Johnson’s succession thus changed the nation’s direction. President Johnson quickly began reversing Lincoln’s policies. President Johnson set out the contours of his Reconstruction policies with his native state, North Carolina, the first state for which he oversaw readmittance to the Union. His terms for readmitting the rebel states to the Union were few: repeal the state’s secession ordinance, repudiate the state’s Confederate war debt, and

²⁷ Lincoln Speech from the Balcony, Last Public Address, April 11, 1865, Letter to Nathaniel P. Banks (Louisiana) on Reconstruction, Aug. 5, 1863 and Letter to Michael Hahn, March 13, 1864 in Orville Vernon Burton, *The Essential Lincoln*, pp. 171-77, 144-46, 162-63; Burton, *The Age of Lincoln* (Hill & Wang, 2007), pp.238-42, quote p. 240; ; James M. McPherson, *Battle Cry of Freedom*, p. 852. Lincoln lived to see ratification by 21 of the required 27 states ratify the 13th amendment, the other 6 came in under President Johnson’s “North Carolina plan.”

recognize the end of slavery by ratifying the 13th Amendment and amending their own state constitutions likewise.

Johnson's view on African American suffrage was made clear to the nation in his May 29, 1865 "Proclamation Establishing Government for North Carolina." Lincoln's cabinet had split on whether to provide African Americans the franchise, but in his call for North Carolina's reconstruction, President Johnson mandated that the only eligible voters should be those who were qualified "before the 20th day of May, A. D. 1861, the date of the so-called ordinance of secession," effectively instituting a racial grandfather clause. That told North Carolina, and the other former Confederate states, that African Americans, who of course were not able to vote in 1861, must not be granted the right to vote. In office just 45 days, President Johnson announced to the country that the government of the United States of America was committed to making freedom for African Americans mean as little as possible. Johnson's achievement and legacy were to encourage many Southerners to believe that they could change the outcome of the War, and to spark a determination among enough of them to use fraud and violence to do just that. In the eyes of Republican Congressional leaders (such as Massachusetts Senator Charles Sumner), President Johnson had, by limiting suffrage to whites, thrown away the prospect of the southern states creating a more equitable society. Where once the South had seemed ready "to accept the *rule of justice*," Sumner suggested to Treasury Secretary Hugh McCulloch, they now would recognize discrimination based on color.²⁸

²⁸ Proclamation Establishing Government for North Carolina, May 29, 1865, *The Papers of Andrew Johnson*, LeRoy P. Graf, Ralph W. Haskins, and Paul H. Bergeron, eds. (Knoxville: University of Tennessee Press, 1967-1999), 8: 4, 136-138; Charles Sumner to Hugh McCulloch, July 12, 1865, Hugh McCulloch to Charles Sumner, August 15, 1865, Hugh McCulloch Papers, Library of Congress; On Johnson, see Eric L. McKittrick, *Andrew Johnson and Reconstruction* (Chicago: University of Chicago Press, 1960), esp. pp. 216-18, and Hans L. Trefousse, *Andrew Johnson: A Biography* (New York: Norton, 1997, reprint of 1989 edition). See also, Dan T. Carter, *When the War Was Over: The Failure of Self-Reconstruction in the South, 1865-1867* (Baton Rouge: Louisiana State University Press, 1985), 25; Eric Foner, *Reconstruction*, 183-184; Perman, *Reunion Without Compromise*, 61-62.

After the Civil War, white Democrats, who were no longer able to use explicitly racial barriers to disfranchise black North Carolinians, turned pre-emptively to felony disfranchisement and “Black Codes” as tools to disqualify African-American voters and quash rising black political activism in North Carolina. In early December 1866, General Daniel Sickles, who took command of the newly-formed Department of the Carolinas in the spring of 1866, issued an order to North Carolina Governor Jonathan Worth, a Conservative and the state treasurer during the Civil War, that prohibited all corporeal punishment by North Carolina courts. Almost immediately, Worth appealed Sickles’s order to President Johnson.²⁹ The destruction of farms and disruption of commerce meant that hunger was a daily reality for many North Carolinians after the Civil War. A poem in the *Wilmington Daily Dispatch* in February 1866 opined that “the gaunt fiend of famine now prowls in the sun/To accomplish the ruin that war had begun;/And the moan of the starving, in unpitied pain,/Pray for mercy to God . . . in vain.”³⁰ For some, theft became the only alternative, especially during the fall and winter months. Corporeal punishment – the “crack of the lash” – was justified as an important deterrent for petty theft.³¹ Thirty-nine lashes, “the penalty prescribed by the Mosaic law,” was a common penalty for “the paltry crime of stealing” even food for survival.³²

Corporeal punishment also had a more insidious purpose – the disfranchisement of black North Carolinians. In 1866, Conservative Democrats in the General Assembly passed an “Act Concerning Negroes and Persons of Color,” colloquially known as the “black code,” which banned interracial marriages, imposed strict vagrancy laws and gave white sheriffs broad

²⁹ *The Wilmington Daily Dispatch* (Wilmington, NC), May 26, 1866; “Order from General Sickles to Governor Worth,” *The Wilmington Daily Dispatch* (Wilmington, NC), December 9, 1866; Mark L. Bradley, *Bluecoats and Tarheels: Soldiers and Civilians in Reconstruction North Carolina* (Lexington, KY: University Press of Kentucky, 2009), 137.

³⁰ “Results of War in the South,” *The Wilmington Daily Dispatch* (Wilmington, NC), February 14, 1866.

³¹ “A Raid on Poultry,” *The Weekly Progress* (Raleigh, NC), November 1, 1866.

³² “North Carolina Items,” *The Weekly Progress* (Raleigh, NC), April 14, 1866.

authority to prosecute freedman for vagrancy, and prohibited freedmen from voting.³³ Alongside North Carolina's black code, white North Carolinians turned to whipping to render freedmen "infamous" in the sight of the law. In the fall of 1866, reports began to come in from military headquarters in Charleston and Raleigh that "in all country towns the whipping of negroes is being carried on extensively," with "the real motive" being "to guard against their voting in the future, there being a law in North Carolina depriving those publicly whipped of the right to vote."³⁴

Americans – especially in the North – were incensed that white North Carolinians were attempting to reinstate another form of slavery. Disfranchisement for criminal offenses, as the *Boston Daily Advertiser* noted, "may set to work . . . to disqualify the freedmen generally, and still it may be hard to find a violation of the letter of the civil rights act [of 1866]."³⁵ In a speech before the United States House of Representatives on January 7, 1867, Thaddeus Stevens used the situation in North Carolina as an example to support his proposal to prohibit disfranchisement for any crime "other than for insurrection or treason." According to Stevens, officials from the Freedmen's Bureau reported that "in North Carolina . . . they are now whipping negroes for a thousand and one trivial offenses . . . and in one county . . . they had whipped every adult male negro," the purpose of which was "preventing these negroes from voting."³⁶ *Harper's Weekly*, in January 1867, reported that "every day during about a month, while the State court was recently sitting at Raleigh, there was a crowd of nearly five hundred people outside the court-house witnessing the public whipping of colored men" [emphasis in

³³ Roberta Sue Alexander, *North Carolina Faces the Freedmen: Race Relations During Presidential Reconstruction, 1865-67* (Durham, NC: Duke University Press, 1985), 39-51.

³⁴ *The National Anti-Slavery Standard* (New York, NY), January 5, 1867.

³⁵ *The Boston Daily Advertiser* (Boston, MA), December 28, 1866.

³⁶ *The Congressional Globe*, 39th Congress, 2nd Session, 324 (1867); "Congressional Proceedings," *The Charleston Daily Courier* (Charleston, SC), January 8, 1867.

original]. It noted that “this sentence of whipping operates in North Carolina as a civil disqualification,” meaning that, if African Americans were ever granted the right to vote, they would be “disqualified in advance.” “Thus,” *Harper’s Weekly* concluded, “the freedmen are still pursued and sacrificed by the ancient laws of Slavery.”³⁷ Contemporaries recognized the far-reaching consequences of this tactic. As the *Atlantic Monthly* noted in March 1867, “if equal suffrage should be imposed upon that State by the [eventual ratification of the] Constitutional Amendment . . . how much time it would require thus to disfranchise every negro in the State is a mere arithmetical problem for the consciences of slavery-loving and negro-hating juries.”³⁸

ii. *Disfranchisement Following the 14th Amendment and Congressional Military Reconstruction Acts of 1867*

In March 1867, the passage of the First Reconstruction Act began a new stage of Reconstruction in North Carolina. As part of the Second Military District (one of five military districts created by the Reconstruction Act), North Carolina was placed under a military government first led by Major General Sickles. Furthermore, the Reconstruction Act required that North Carolina write a new constitution which guaranteed universal manhood suffrage and ratify the 14th Amendment.³⁹ The scheme to disfranchise black voters through corporeal punishment appears to have been unimpeded by the Reconstruction Acts. In August 1867, in Murfreesboro, in Hertford County, “rebel sympathizers” insisted that “a man who had been whipped at the whipping post was disfranchised” and, even though these claims were “overruled by the Registrars,” it “deterred” many African Americans from registering to vote.⁴⁰

³⁷ “Whipping and Selling American Citizens,” *Harper’s Weekly*, January 12, 1867, 18. See also “Steven F. Miller, et al., “Between Emancipation and Enfranchisement: Law and the Political Mobilization of Black Southerners during Presidential Reconstruction, 1865-1867,” *Chicago-Kent Law Review* 70, issue 3 (1995):1059-1077.

³⁸ “The True Problem,” *The Atlantic Monthly*, March 1867, 374.

³⁹ Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863-1877* (New York: Harper and Row, 1988), 276.

⁴⁰ “Registration in North Carolina,” *The Weekly Standard* (Raleigh, NC), August 21, 1867.

Disfranchisement via the whipping-post was relatively short-lived. Even though President Johnson overruled Sickles and ordered him to rescind his order shortly after it was issued, Sickles issued a new order, General Orders No. 10, which reaffirmed that “the punishment of crimes and offences by whipping, maiming, branding, stocks, pillory, or other corporeal punishment” was prohibited.⁴¹ Nevertheless, disenfranchising for crimes proved to be a powerful tool to prevent black suffrage (even in the face of the Reconstruction Acts), and it provided a key tactic for white North Carolinians who sought to restore again the mastery of the white elite. As historian Pippa Holloway observes, “disenfranchisement for prior criminal convictions was among the first strategies employed to block African American suffrage in North Carolina,” since “white southerners already believed that African Americans were degraded and infamous” and “whipping *restored* them to this status.”⁴²

iii. *North Carolina’s 1868 Enfranchisement Constitution*

North Carolina’s 1868 Reconstruction-era Constitution did not contain a provision specifically authorizing felony disenfranchisement, and adopted expansive suffrage provisions and protections. The 1868 Constitutional Convention was dominated by white delegates (there is disagreement about how many of the delegates were African Americans, ranging from thirteen to sixteen, but at least fourteen of the 121 delegates have been identified with certainty as African American). Albion Tourgée, a white Republican originally from Ohio, played a crucial role in shaping the suffrage provisions of the new state constitution, to the extent that the convention would become known as “Judge Tourgée’s convention.”⁴³

⁴¹ “Official – The President Overrules General Sickles,” *The Richmond Dispatch* (Richmond, VA), December 21, 1866; “General Order No. 10,” *Wilmington Journal* (Wilmington, NC), April 19, 1867; Bradley, *Bluecoats and Tarheels*, 138.

⁴² Holloway, *Living in Infamy*, 34.

⁴³ Richard L. Hume and Jerry B. Gough, *Blacks, Carpetbaggers, and Scalawags: The Constitutional Conventions of Radical Reconstruction* (Baton Rouge, LA: Louisiana State University Press, 2008), 118; “Daniels Makes An Appeal for the Tax Amendments,” *The Greensboro Daily News* (Greensboro, NC), November 2, 1920.

Tourgée later became a nationally renowned white lawyer and writer, publishing in 1879 a best-selling novel, *A Fool's Errand*, sharply critical of white supremacy prevalent in the postwar South, and based on his experiences in North Carolina after the Civil War and during Reconstruction. The son of a devout Methodist farming family in Ohio, Tourgée had fought for the Union in the Civil War and was wounded at the first Battle of Bull Run. Since then, in addition to practicing law, Tourgée made unflinching admonitions against lynching, segregation, and disfranchisement. Tourgée ultimately went on to argue for the African American plaintiffs at the Supreme Court in the infamous *Plessy v. Ferguson* segregation case.⁴⁴

The leadership of black delegates – particularly James W. Hood, a preacher with the African Methodist Episcopal Zion denomination who had presided over the Freedman's Convention in Raleigh which called for the franchise for African Americans in 1865 – was also key in shaping the 1868 Constitution.⁴⁵ These African-American delegates, with the support of white Republicans like Tourgée and other native North Carolina whites in this display of early “fusion governance,” succeeded in making universal manhood suffrage part of the new constitution. Article VI of the 1868 Constitution guaranteed that “every male person born in the United States, and every male person who has been naturalized, twenty-one years old or upward”

⁴⁴ Mark Elliott, “Race, Color Blindness, and the Democratic Public: Albion W. Tourgée's Principles in *Plessy v. Ferguson*,” *The Journal of Southern History*, vol. 67, no. 2 (May 2001), pp. 289-90 and *Colorblind Justice: Albion Tourgée and the Quest for Racial Equality from The Civil War to Plessy v. Ferguson* (New York: Oxford University Press, 2006); Albion W. Tourgée, *A Fool's Errand: A Novel of the South during Reconstruction* (New York: Waveland Press, 1991; initially published in 1879 by Fords, Howard & Hulbert in New York). Quoted in Thomas Brook, *Plessy v. Ferguson: A Brief History with Documents* (Bedford: St. Martins, 1997), p. 128. Otto H. Olsen, *Carpetbagger's Crusade: The Life of Albion Winegar Tourgée* (Baltimore: The Johns Hopkins University Press, 1965) and “Albion W. Tourgée and Negro Militants of the 1890's: A Documentary Selection,” *Science and Society* 28:2 (1964): 183-208, and “Albion W. Tourgée: Carpetbagger,” *The North Carolina Historical Review*, vol. 40, no. 4 (October 1963), pp. 434-54; Sidney Kaplan, “Albion W. Tourgée: Attorney for the Segregated,” *The Journal of Negro History*, vol. 49, no. 2 (April 1964), pp. 128-33; John David Smith and Mark Elliott, *Undaunted Radical: The Selected Writings and Speeches of Albion W. Tourgée* (Baton Rouge: Louisiana State University Press, 2010)

⁴⁵ See Leonard Bernstein, “The Participation of Negro Delegates in the Constitutional Convention of 1868 in North Carolina,” *The Journal of Negro History*, Vol. 34, No. 4 (Oct., 1949): 391-409.

would be granted the right to vote.⁴⁶ As historian Mark Elliott notes in his biography of Tourgée, the convention’s decision to “adopt universal suffrage” was something of a compromise, as Tourgée had initially argued for the (temporary) disfranchisement of ex-Confederates.⁴⁷ As noted, significantly, the 1868 Constitution had no provisions for the disenfranchisement based on felony conviction.

iv. *Klan Violence, “Redemption,” and Adoption of Disenfranchisement Based on All Felony Convictions in North Carolina*

Almost as soon as the 1868 Constitution was ratified, however, Democrats began to agitate against the universal manhood suffrage established by Article VI. Democratic Conservatives were pejorative in their descriptions of the 1868 Convention, describing it as the “Gorilla Convention” and the “Unconstitutional Convention.”⁴⁸ An editorial in *The Watchman and Old North State* published in November 1868 observed that “among the many objectionable provisions which the new Constitution contains the one regulating suffrage seems to be attracting the most attention.” *The Watchman and Old North State* despaired that “as the Constitution now stands tens of thousands of persons will vote who have never paid, and never intend to pay, one cent of taxes for the support of the State government.”⁴⁹

The objections to universal suffrage were part of a broad, violent effort to disenfranchise African Americans in North Carolina. Alongside election fraud, Conservative Democrats and the Ku Klux Klan turned to vigilante violence to suppress Republican voters, particularly African Americans. As the famous North Carolina Republican Albion W. Tourgee memorably observed,

⁴⁶ NC Constitution of 1868, Article VI, Subsection 1.

⁴⁷ Mark Elliott, *Colorblind Justice: Albion Tourgée and the Quest for Racial Equality from The Civil War to Plessy v. Ferguson* (New York: Oxford University Press, 2006), 128; Richard L. Hume and Jerry B. Gough, *Blacks, Carpetbaggers, and Scalawags: The Constitutional Conventions of Radical Reconstruction* (Baton Rouge, LA: Louisiana State University Press, 2008), 126-127.

⁴⁸ “The Gorilla Convention,” *The Wilmington Morning Star* (Wilmington, NC), January 11, 1868.

⁴⁹ “The Future,” *Watchman and Old State* (Salisbury, NC), November 6, 1868.

“It is no crime for a white man to cut a colored man open in Alamance [County].”⁵⁰ In the spring of 1870, North Carolina erupted into outright civil war, known as the Kirk-Holden War, between Klansmen and the North Carolina militia. This war was a political disaster for Governor William W. Holden, who Conservatives successfully impeached, and in the elections in November 1870, the Democrats, using intimidation, violence, terrorism, and fraud, regained control of North Carolina’s General Assembly.⁵¹

They soon began a systematic campaign to end black political activism and reassert white supremacy in the Old North State that culminated in the disfranchisement amendment of 1900, which restricted voting rights through literacy tests and poll taxes. White Democrats, who according to Duke historian Ray Gavins, “defended the interests of planters and businessmen” in North Carolina, characterized their fight against “negro rule” as a campaign for the purity of the ballot box. Democrats began to fashion a false narrative attributing their own methods to regain political control to the integrated and progressive Republican party. According to white Democrats, Republican rule in North Carolina was only made possible by fraud and violence. In 1868, the *Wilmington Journal* argued that “the ballot-box” was “corrupted to defeat the popular will,” and that Republicans had only achieved power through “the most unblushing rascality.”⁵² Democrats claimed that the “Radicals” had taught “the negroes to perpetrate frauds upon the ballot box.”⁵³ In the mind of Conservatives in North Carolina, the “unconstitutional negro rule” was “backed by the sword” and “by fraud.”⁵⁴ An announcement from the Conservative

⁵⁰Quoted in Rachel Hampton, “The Ku Klux Klan in Reconstruction North Carolina: Methods of Madness in the Struggle for Southern Dominance,” available at <http://history.ncsu.edu/projects/cwnc/exhibits/show/kkk-methods> In Civil War Era NC, last accessed 5-1-2020

⁵¹ Jim D. Brisson, “‘Civil Government Was Crumbling Around Me’: The Kirk-Holden War of 1870,” *The North Carolina Historical Review* 88, no. 2 (April 2011), 123-124.

⁵² *The Wilmington Journal* (Wilmington, NC), November 6, 1868.

⁵³ *The Semi-Weekly Raleigh Sentinel* (Raleigh, NC), June 15, 1867.

⁵⁴ *The Wilmington Journal* (Wilmington, NC), July 3, 1868.

Democrats of Buncombe County for a mass meeting in Asheville on March 21, 1868 helps to explain what exactly Conservatives believed they would prevent by ending “fraud” and “purifying” the electoral process. The Conservatives of Buncombe county warned that “negro rule” would mean that the “DAUGHTERS of our poor white people” would be “forced into social equality with negro BOYS at School” and military service “under negro officers.”⁵⁵

Simply put, Conservatives’ calls to purify elections – including the disfranchisement of felons – served the ultimate goal of preventing racial equality and reestablishing and maintaining white supremacy in North Carolina.

In the reapportionment of 1872, Democrats packed black voters into eastern North Carolina’s Second Congressional District, the so-called “Black Second,” effectively quarantining black Republican voters into one district out of eight congressional districts. The Republican Governor Tod Caldwell condemned the Democrat gerrymander, describing the second district as “extraordinary, inconvenient and most grotesque,” and characterizing the map drawn by Democratic legislators as “absurd and ridiculous.”⁵⁶ In 1874, after the Democratic Conservatives captured seven out of eight of the state’s congressional seats, six of the eight seats on the North Carolina Supreme Court, and two-thirds of the membership of both Houses of the General Assembly, Democrats sought to overthrow the “unjust and oppressive” 1868 Constitution with a new constitutional convention. One of the chief provisions targeted by the Conservatives was Article VI, as Democrats decried the suffrage provision that allowed “felons” to “vote equally with the best and purest of the land.”⁵⁷

⁵⁵ “Mass Meeting,” *The Asheville News* (Asheville, NC), March 12, 1868.

⁵⁶ Eric Anderson, *Race and Politics in North Carolina, 1872-1901: The Black Second* (Baton Rouge, LA: Louisiana State Univ. Press, 1981); “Governor Caldwell on the ‘Conservative’ Gerrymander,” *The Daily Era* (Raleigh, NC), November 22, 1872; Gavin quote “North Carolina,” p. 566.

⁵⁷ “Let Us Have a Convention,” *The Daily Journal* (Wilmington, NC), August 22, 1874.

After the passage of the Fifteenth Amendment in 1870, it became more difficult to disfranchise African Americans outright. White supremacists instead turned to techniques that were not racially discriminatory on their face – namely, the criminal exemption of the 13th Amendment and felony disfranchisement. Conservative North Carolinians, like other white southerners, relied on the 13th Amendment’s exception allowing denial of the rights of citizenship “as a punishment for crime,” which was based on a similar provision in the Northwest Ordinance of 1787, and which still has consequences for the North Carolina felony disfranchisement law today.

In North Carolina’s neighbor to the South, an upcountry South Carolina delegate at the state’s provisional constitutional convention objected to the “except as a punishment for crime,” and explained “it will be easily possible for the Legislature, if so disposed, to re-establish the condition of slavery by a system of crimes and punishments impliedly authorized by that clause.”⁵⁸ Historian Eric Foner notes that the prisoner exemption clause of the 13th amendment “did not go unnoticed among white Southerners. In November 1865, former Confederate general John T. Morgan pointed out in a speech in Georgia that the Thirteenth Amendment did not prevent states from enacting laws that enabled ‘judicial authorities’ to consign to bondage blacks convicted of crime.” The former Confederate states immediately enacted Black Codes, and “involuntary black labor” justified by the criminal exemption of the 13th amendment “was central to these laws.”

The 15th amendment barred disenfranchisement on the basis of “race, color, or previous condition of servitude,” but it did not contain a provision on felony disenfranchisement. As Foner explained about the 15th amendment, “when the number of felons was quite small, no one

⁵⁸ Sidney Adreus, *The South Since the War* (Boston: Houghton Mifflin, 1971 [orig 1866]), p. 323-24, and for another quote on General Morgan in Georgia cited below, see p. 324.

would have anticipated the consequences of subsequent increases in incarceration.” He continued, “A truly positive Fifteenth Amendment (one that did not allow for the disenfranchisement of those convicted of crimes) might have prevented the manipulation of criminal laws after Reconstruction to disenfranchise blacks, not to mention the situation today in which millions of persons, half of them no longer in prison cannot vote because of state felony disenfranchisement laws.”⁵⁹

In North Carolina, Conservative Democrat David Coleman of Buncombe County introduced a constitutional amendment to disfranchise felons on September 22, 1875.⁶⁰ Colonel Coleman was a leader among Conservative Democrats in western North Carolina, and he had been given a mandate by the Conservatives of Buncombe County to lead a crusade against the “Radicals” at the 1875 Constitutional Convention. The Conservative Democratic Party of Buncombe County, which had unanimously nominated Coleman and his fellow representative, Thomas L. Clingman, hoped that their delegates would “make the radical civil rights office holder’s party tremble.”⁶¹ Even before the nominating convention, a letter to the editor of Asheville’s *North Carolina Citizen* predicted that Coleman would “move the mud-sills of radicalism.”⁶² Coleman, as a representative of the Committee on Suffrage and Eligibility to Office, offered an ordinance to disfranchise felons to the Convention. The amended suffrage requirements would require that voters “have resided . . . ninety days in the county in which he

⁵⁹ John Richard Dennett, *The South as It Is, 1865- 1866* , originally series of articles in *Nation* between July 8, 1865 and April 11, 1865 (Tuscaloosa: University of Alabama Press, reprint 2010); Foner, *Second Founding*, pp. 47-48, 110.

⁶⁰ Coleman served as colonel of the 39th North Carolina Infantry, Bruce S. Allardice, *Confederate Colonels: A Biographical Register* (Columbia, MO: University of Missouri Press, 2008), 105-106; *Journal of the Constitutional Convention of the State of North Carolina, Held in 1875* (Raleigh, NC: Josiah Turner, 1875), 112.

⁶¹ *The Greensboro Patriot* (Greensboro, NC), July 14, 1875; *The Carolina Watchman* (Salisbury, NC), July 8, 1875; *The North Carolina Citizen* (Asheville, NC), May 13, 1875; “Our County Nominating Convention!” *The North Carolina Citizen* (Asheville, NC), July 8, 1875.

⁶² “Copperhead,” “Convention Candidates,” *The North Carolina Citizen* (Asheville, NC), May 27, 1875.

offers to vote,” and prevent any otherwise eligible voter who had been “adjudged guilty of felony, or of any other crime infamous by the laws of this State” from participating in “any election . . . unless such person shall be restored to the rights of citizenship.”⁶³ As the *Wilmington Journal* observed, this ordinance “excludes felons and ex-penitentiary convicts from . . . voting unless restored to citizenship.”⁶⁴ Unlike the 1840 statute that had disfranchised those who had committed “infamous crimes,” this new restriction on suffrage extended to all North Carolinians who committed any felony. And it was coupled with a new system of incarceration of freedmen for such “crimes” as vagrancy and bad attitude.⁶⁵

Democrats praised the changes to suffrage requirements. As the *Cape Fear*, a short-lived Conservative Democratic newspaper, advocated, “this amendment offers a reward for honesty, and a punishment for crime, and it is calculated to check much of the stealing that is going on in the country.”⁶⁶ The *Tarborough Southerner* made the same argument.⁶⁷ Likewise, the Executive Democratic Central Committee claimed that “a purification of the ballot box” would be a consequence of felon disfranchisement.⁶⁸

Democrats did not dispute that the effects of the law would be to disfranchise African Americans, but particularly at this earlier stage of Reconstruction and before the Supreme Court had weighed in on what was permissible and what was not, Democrats used coded language like “purification” of the ballot box and “fraud.” Democrats were generally careful to use words like “fraud,” “criminal,” and “purification” as code words for racism in fear that it would otherwise

⁶³ “Constitutional Convention,” *The Wilmington Morning Star* (Wilmington, NC), October 8, 1875.

⁶⁴ “Ordinances of the Convention,” *The Wilmington Journal* (Wilmington, NC), October 22, 1875.

⁶⁵ Peter Wallenstein, “Slavery Under the Thirteenth Amendment: Race and the Law of Crime and Punishment in the Post-Civil War South,” *Louisiana Law Review*, Vol 77, 2016, see esp. p. 6

⁶⁶ “The Constitutional Amendments,” *The Cape Fear* (Wilmington, NC), October 18, 1876.

⁶⁷ “The Amendments,” *The Tarborough Southerner* (Tarboro, NC), November 24, 1876.

⁶⁸ “Address of the Executive Democratic Central Committee to the People of North Carolina,” *The Raleigh News* (Raleigh, NC), June 23, 1875.

be clear that they were acting in violation of the 13th, 14th, or 15th amendments of the Constitution and the Civil Rights Act of 1866, which explicitly gave rights of equality and protection of those rights to African Americans.

Implicit racial appeals, like those used by the Conservative Democrats in justifying broad felony-based disenfranchisement, communicate the same ideas as explicit racial appeals but do so without using racial nouns or adjectives. They obliquely reference race and allude to “racial stereotypes or a perceived threat” from racial or ethnic minorities. Political scientist Tali Mendelberg defines an implicit racial appeal as “one that contains a recognizable – if subtle – racial reference, most easily through visual references.”⁶⁹ Legal historian Ian Haney Lopez describes implicit racial appeals as a “*coded* racial appeal,” with “one core point of the code being to foster deniability.” One characteristic of implicit racial appeals is that they are usually most successful when their racial subtext goes undetected.⁷⁰ Implicit racial appeals make use of coded language to activate racial thinking.⁷¹ Racial cues, in the form of code words, such as “lazy,” “manipulated,” “criminal,” “bestial,” “taking advantage,” “corruption,” “poverty,” and “fraud” are racial code words that even when used in political campaigns today have their origins in and often refer directly back to the Reconstruction era when African Americans successfully asserted their citizenship rights and attained elected office, and prime racial attitudes in some white voters.⁷²

The white Democrats’ 1875 Constitutional Convention would also put other barriers to racial equality in place, including, as historian Mark L. Bradley notes, “amendments that

⁶⁹ Tali Mendelberg, *The Race Card: Campaign Strategy, Implicit Messages, and the Norm of Equality* (Princeton: Princeton University Press, 2001), 9, 11.

⁷⁰ Lopez, *Dog Whistle Politics*, 130, 4.

⁷¹ Nicholas A. Valentino, Vincent L. Hutchings, and Ismail K. White. “Cues that Matter: How Political Ads Prime Racial Attitudes During Elections,” *American Political Science Review* 96 (2002), 75-90.

⁷² Valentino, Hutchings, and White, “Cues that Matter,” 87.

outlawed secret political organizations” – a blow to groups like the Union League and Equal Rights League that acted to organize black political activism – alongside prohibitions on racially integrated schools and interracial marriages.⁷³ Furthermore, amendments to the North Carolina Constitution in 1876 also legalized a system of convict-leasing, described by historian Douglas Blackmon as “slavery by another name.” All of these other amendments were also racially motivated, as was the decision to strip counties of the right to appoint judges. The judge-stripping provision meant that the rights restoration process still governed by the 1840 statute was unlikely to result in rights restoration for African Americans, since that process was discretionary and depended on the individual judges, which voting disfranchisement laws ensured would be white Democrats.⁷⁴

The suffrage requirements of the 1876 Constitution were asserted to be a way to protect “freedom of elections and the purity of the ballot box.”⁷⁵ *The Centennial* of Warrenton, North Carolina, also acknowledged that the new legislation would disproportionately impact black North Carolinians when it claimed that “the great majority of the criminals are negroes.” Nevertheless, *The Centennial* claimed, “the negro should vote for the ratification of the amendment, because its adoption will tend to restrain their race from crime.”⁷⁶ The Democratic press used the debate over felony disfranchisement to characterize so-called “Radical” Republicans as “unscrupulous” and criminal. The *Raleigh News* argued that “the debate on the proposition to disfranchise for felony . . . shows the little regard the radicals have for the purity

⁷³ Bradley, *Bluecoats and Tar Heels*, 260. For more information on black political organization during Reconstruction, see Steven Hahn, *A Nation Under Our Feet: Black Political Struggles in the Rural South From Slavery to the Great Migration* (Cambridge, MA: Belknap Press, 2003).

⁷⁴ John V. Orth, *The North Carolina State Constitution* (New York: Oxford University Press, 2011), 26, 1783, 1875 Amendments to the NC Constitution of 1868, Amend. XXV, XXVI, XXX; Douglas A. Blackmon, *Slavery By Another Name: The Re-Enslavement of Black People in America From the Civil War to World War II* (New York: Doubleday, 2008).

⁷⁵ “How to Prevent Fraud at the Ballot Box,” *The Daily Journal* (Wilmington, NC), August 4, 1876.

⁷⁶ *The Centennial* (Warrenton, NC), August 25, 1876.

of the ballot,” and the *Goldsboro Messenger* accused Republicans of “rallying to the defence of rogues and felons.”⁷⁷

It is clear that felon disfranchisement was designed to destroy the power of the “radical” Republicans in North Carolina, end “negro rule,” and reinstate white supremacy in the Old North State. Professor William Alexander Mabry, in his study of black activism in North Carolina, argues that these changes to suffrage requirements could “be used by the dominant party to disfranchise considerable numbers of Negroes and to render less effective those votes actually cast by the Negroes,” as they were “discriminations . . . against certain assumed characteristics of his race.” Felony disfranchisement could be an especially powerful weapon against black voters, since, as Mabry contends, “white registrars could be counted on to charge . . . that certain Negroes seeking to register had been guilty of a crime and hence were ineligible to vote.” In other words, the felonies selected were the felonies that white Democrats believed African Americans more than whites committed, thus giving the law what one historian when observing these same actions in South Carolina in 1895 called the “black squint of the law.”⁷⁸ And the white registrars and whites running the elections at the polling place provided the last step in disfranchising potential African American voters.

Republicans strenuously opposed Coleman’s amendment, filibustering and attempting to “clog the business of the Convention.”⁷⁹ African American members of the Convention – including James E. O’Hara, from Halifax in eastern North Carolina, John H. Smythe, from Wilmington, and John O. Crosby, from Warrenton - were outspoken in their opposition to the

⁷⁷*The Raleigh News* (Raleigh, NC), October 8, 1875; *The Goldsboro Messenger* (Goldsboro, NC), October 11, 1875.

⁷⁸ William Alexander Mabry, *The Negro in North Carolina Since Reconstruction* (Durham, NC: Duke University Press, 1940), 16-17; for “black squint,” see Orville Vernon Burton, “‘The Black Squint of the Law’: Racism in South Carolina,” pp. 161-185, in *The Meaning of South Carolina History: Essays in Honor of George C. Rogers, Jr.* Edited by David R. Chesnutt and Clyde N. Wilson. (Columbia: University of South Carolina Press, 1991).

⁷⁹ “Proceedings of the Convention,” *The Gleaner* (Graham, NC), October 12, 1875.

new restrictions. Black delegates to the Convention warned that these new restrictions would “operate against the poor people” and “work hardship to both whites and blacks.”⁸⁰ Smythe argued that “this measure was intended to disfranchise his people,” and condemned the amendment as “villainous,” a remark that led to him being “ruled down by the chair.”⁸¹ Oliver H. Dockery, a white Republican from Rockingham, North Carolina who had served in the Forty-first Congress as the chairman of the Committee on the Freeman’s Bureau, also condemned the suffrage amendment. During an address to the Third District’s Republican Convention in Troy in June 1876, he argued that “the amendment disfranchising felons is brutal and cruel,” since “the court house is the place to punish. After the criminal has suffered his punishment, for God’s sake give him some chance.”⁸²

North Carolina Republicans recognized that the new restrictions on suffrage – particularly felony disfranchisement – specifically targeted black voters. White southerners in the post-Civil War South “were convinced,” as historian Edward Ayers notes, of black criminality, and white political leaders argued that African Americans were responsible for “a rising tide of crime.”⁸³ Although there is a distinct difference in a truly held belief, this trope was part of the “othering” of African Americans by whites, and whites used and argued this stereotype for political gain.⁸⁴ In the years after the Civil War, white southerners claimed that “all negroes will steal.”⁸⁵ Even Daniel L. Russell, the Republican governor of North Carolina from 1897 to 1901,

⁸⁰ *The Newbern Weekly Journal of Commerce* (New Bern, NC), October 16, 1875.

⁸¹ “Constitutional Convention,” *The Wilmington Morning Star* (Wilmington, NC), October 8, 1875.

⁸² *The Randolph Regulator* (Asheboro, NC), June 21, 1876; George Presbury Rowell, ed., *George P. Rowell and Company’s American Newspaper Directory* (New York: George P. Rowell & Company, 1877), 235.

⁸³ Edward L. Ayers, *The Promise of the New South: Life After Reconstruction* (New York: Oxford University Press, 1992), 153.

⁸⁴ The literature on “othering” developed from Edward W. Said, *Orientalism* (New York: Random House, 1978; Vintage ed. New York, 1994).

⁸⁵ Theodore D. Bratton, “Race Cooperation in Church Work,” in *Battling for Social Betterment: Southern Sociological Congress, Memphis, Tennessee, May 6-10, 1914*, James E. McCulloch, ed. (Nashville, TN: Southern Sociological Congress, 1914), 152.

reportedly claimed that “all Negroes are natural born *thieves* [emphasis in original]” who would “steal six days in the week.”⁸⁶ This racial stereotype helped to prop up white supremacy in North Carolina and the South as a whole. Immediately after the end of the Civil War, white North Carolinians had increased the penalties for petty larceny, making even “the intent to steal” a crime, and prosecuting attempted theft as larceny.⁸⁷ As historian Leon Litwack contends, “by the late nineteenth century, the criminal justice system operated with particular efficiency in upholding the absolute power of white people to demand and obtain the submission . . . of black men and women.”⁸⁸

Republicans also opposed felony disfranchisement because they believed that it would discriminate against poor whites, since they lacked the resources to petition to have their citizenship rights restored. Frank Woodfin, a white Republican from Henderson County, argued that the suffrage amendment was “unjust and calculated to work harm to the poor people.”⁸⁹ At a meeting in Alexander County in May 1876, Republicans adopted a resolution stating their opposition to the “partizan [sic]” suffrage amendment, as it was “depriving many of the poor people of the State of that sacred right.”⁹⁰ White Democrats, meanwhile, supported felony disenfranchisement as a tool of wealth-based disenfranchisement, because a “coalition of lower-class white farmers and African Americans” were “posing a serious threat to the political power of white Democrats in the state.”⁹¹

Because they understood that the suffrage amendment would disproportionately impact African Americans and poor North Carolinians, Republican legislators overwhelmingly opposed

⁸⁶ “To The Colored People of New Hanover County,” *The Daily Review* (Wilmington, NC), August 17, 1888.

⁸⁷ Foner, *Reconstruction*, 202.

⁸⁸ Leon F. Litwack, *Trouble in Mind: Black Southerners in the Age of Jim Crow* (New York: A.A. Knopf, 1998), 248.

⁸⁹ “State Constitutional Convention,” *The Evening Review* (Wilmington, NC), October 8, 1875.

⁹⁰ “Public Meeting in Alexander,” *The Statesville American* (Statesville, NC), May 27, 1876.

⁹¹ Holloway, *Living in Infamy*, at 92.

the new suffrage limitations. As the *Goldsboro Messenger* noted, “the Republicans generally opposed the passage and spoke against it.”⁹² Indeed, the suffrage amendment was opposed by all but two Republicans in the 1875 Constitutional Convention. Notably, the two Republicans who voted for the amendment – Thomas J. Dula of Wilkesboro and B. R. Hinnant of Micro, North Carolina (in Johnston County) – were both white. Every African American representative voted against the felony disenfranchisement provision, as they were aware that, despite the protests of white Democrats, this provision was a calculated and deliberate attempt to disfranchise black voters in the face of the Fifteenth Amendment.⁹³

After the 1875 Amendments to the North Carolina Constitution were ratified on November 7, 1876, and as federal troops withdrew from North Carolina, the General Assembly got down to the business of enforcing these new restrictions on suffrage.⁹⁴ The Legislature of 1876-1877 passed “an act to regulate elections” in March 1877, which provided that “persons who . . . have been adjudged guilty of felony or other crime infamous by laws of this state” would “not be allowed to register to vote.”⁹⁵ White Democrat John S. Henderson, of Rowan, chaired the committee of the House of Representatives that prepared this legislation.⁹⁶ Henderson was an outspoken supporter of felony disenfranchisement. In January 1876, he had argued that “none but the most obstinate, hardened and inveterate felons and thieves ought to object to the denial of the privilege of voting to those, who shall . . . be adjudged guilty of felony or other infamous crime.”⁹⁷ Henderson was also deeply committed to maintaining the

⁹² “The Constitutional Convention,” *The Goldsboro Messenger* (Goldsboro, NC), October 11, 1875.

⁹³ “Republican Record on the Amendments,” *The People’s Press* (Salem, NC), October 19, 1876; “The Convention,” *The Newbern Journal of Commerce* (New Bern, NC), September 4, 1875.

⁹⁴ *The Observer* (Raleigh, NC), December 22, 1876.

⁹⁵ “The Legislature,” *The Wilmington Morning Star* (Wilmington, NC), March 9, 1877; “The Election Law,” *The Carolina Watchman* (Salisbury, NC), March 29, 1877.

⁹⁶ “Our Next Congressional Election,” *The Observer* (Raleigh, NC), November 8, 1877.

⁹⁷ John S. Henderson, “The Proposed Constitutional Amendments,” *The Carolina Watchman* (Salisbury, NC), January 6, 1876.

boundaries of Jim Crow. In 1906, he presided over the lynching of three African-American men accused of murdering the Lylerly family at Barber Junction, near Salisbury, North Carolina. On the evening of August 6, 1906, Nease Gillespie, John Gillespie, and Jack Dillingham were paraded down Main Street to the Henderson baseball ground, across the street from Henderson's house, and lynched before a "bloodthirsty" mob of more than two thousand white citizens.⁹⁸

Alongside the felon disfranchisement statute, Henderson and the General Assembly also imposed stricter penalties for North Carolinians who attempted to vote without having their citizenship rights restored. Chapter 275, Section 63 of the Public Laws of the State of North Carolina decreed that "if any person so convicted shall vote at any election, without having been legally restored to the rights of citizenship, he shall be deemed guilty of an infamous crime, and on conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or imprisonment at hard labor not exceeding two years, or both." This would have been an onerous penalty – in 1900, \$1000 had the same buying power as more than \$30,000 in 2020, and, in the South as a whole, the per capita income of blacks was \$40.01, and the per capita income of whites was \$65.43.⁹⁹

The 1875 constitutional amendment and the 1877 statute were different from the 1840 felony disfranchisement statute because these new postbellum laws disenfranchised all felons, not just those convicted of "infamous" crimes like treason. It is no coincidence that after Reconstruction, when felony disfranchisement turned into a tool to disenfranchise black people, it was used much more broadly than it was before the war when it just applied to whites. Not only did white Democrats expand the categories of crimes that exposed North Carolinians to

⁹⁸ "Three Are Lynched," *The Madison County Record* (Marshall, NC), August 10, 1906.

⁹⁹ *Laws and Resolutions of the State of North Carolina, Passed by the General Assembly at Its Session 1876-'77* (Raleigh, NC: The Raleigh News, 1877), 537; Kenneth Ng and Nancy Virts, "The Black-White Income Gap in 1880," *Agricultural History* 67, no. 1 (Winter 1993), 8.

disenfranchisement, they added the punishment for voting just described. During the pre-civil war period when felony disenfranchisement only applied to whites, because black people were disenfranchised in general, the laws did not provide for the same harsh punishments that were imposed when North Carolina started using felony disenfranchisement as a tool to disenfranchise blacks.¹⁰⁰

The 1875 Constitutional Convention marked the beginning of a decades-long process of the undermining of the democratic reforms of the interracial North Carolina legislature of Reconstruction in what some historians, borrowing the term coined by white southerners, call “Redemption,” but what is better understood not in the beautiful and symbolic language of religion, but as a counterrevolution by white Democrats to restore white supremacy and the old order in North Carolina, especially as they systematically sought to undermine voting rights for black North Carolinians. Felon disenfranchisement was just the beginning. As legal scholar Daniel S. Goldman notes, “felon voting restrictions were the first widespread set of legal disenfranchisement measures imposed on African Americans.”¹⁰¹ The calls that followed to build on these measures to further “purify the ballot box” were closely linked to white North Carolinians’ paranoia of “negro domination.”¹⁰²

v. *Emergence of Fusion Political Power, the Resurgence of White Supremacy, and the Disfranchisement Constitutional Amendment*

In the 1890s, white Populists, mostly aggrieved non-elite farmers, and black and white Republicans enjoyed a short-lived return to power in the form of a fusion coalition party. In 1892, raising issues with the Democratic Presidential nominee Grover Cleveland and the North

¹⁰⁰ *Laws and Resolutions of the State of North Carolina, Passed by the General Assembly at Its Session 1876-'77* (Raleigh, NC: The Raleigh News, 1877), 537

¹⁰¹ Daniel S. Goldman, “The Modern-Day Literacy Test?: Felon Disenfranchisement and Race Discrimination,” *Stanford Law Review* 57, no. 2 (Nov., 2004): 625.

¹⁰² “Benefits of the Amendment,” *The Semi-Weekly Messenger* (Wilmington, NC), June 8, 1900.

Carolina Democratic Party's refusal to allow votes on split tickets, Marion Butler, from a yeoman background, became president of the North Carolina Farmers Alliance and led some white Farmers Alliance members out of the North Carolina Democratic Party into the People's Party, or Populist Party. Working together, the Populists and Republican allies, despite suffrage restrictions, successfully took control of the 1895 General Assembly. They sent two white men, a Populist, Marion Butler, and a Republican, Jeter Pritchard, to the United States Senate; elected a Republican governor, Daniel L. Russell; and gained majorities on the supreme court and the superior courts.¹⁰³ Fifty-nine African Americans were in the North Carolina House and 18 in the Senate between 1876 and 1900, and from 1868 to 1901, four African Americans were elected to Congress from North Carolina's "Black Second," including George White, who was the last black representative from the American South until 1973.¹⁰⁴

Such success proved ephemeral. With a battle cry of "Negro Domination," a political debacle created by the Populist Party's endorsement of Democratic candidate William Jennings Bryan in the 1896 presidential campaign, and a terrorist campaign of white supremacy, the interracial alliance splintered. The Democratic message of white supremacy continued to gain political value while white violence, terrorism, and suppression removed African American political power. Ultimately, when George White lost his seat in 1901, he prophesized: "This, Mr. Chairman, is perhaps the Negro's temporary farewell to the American Congress, but let me say that, Phoenix-like, he will rise up and come again."¹⁰⁵

¹⁰³ Michael Perman, *Struggle for Mastery: Disfranchisement in the South, 1888-1908* (Chapel Hill, NC: University of North Carolina Press, 2001), 149.

¹⁰⁴ Keech and Siström, "North Carolina," p. 157.

¹⁰⁵ Congressional Record, 56th Cong., 2d session, vol. 34, pt. 2 (Washington D.C.: Government Printing Office, 1901), pp. 1635, 1636, 1638. Speech is online at University of Washington, An Online Reference Guide to African American History, blackpast.org at <http://www.blackpast.org/?q=1901-gorge-h-white-s-farewell-address-congress>

A series of Supreme Court decisions would help keep that phoenix from rising any time soon by encouraging further racist legislation to prevent African Americans from voting. The implicit stamp of approval from the federal government's own Justices eliminated any doubts about the viability of disfranchising schemes. North Carolina (1900), Louisiana (1898), Alabama (1901), Virginia (1902), and Georgia (1908) joined Mississippi (1890) and South Carolina (1896) in legally disenfranchising African Americans by adopting new disfranchising constitutions, adding disfranchising amendments to existing constitutions (as was done in North Carolina), or by adding statutes designed to eliminate black political activism. By the end of the 1880s, the United States Supreme Court's decisions effectively neutered the Reconstruction-era constitutional amendments and laws designed to protect the freed people.

In 1896 and in 1898, the Supreme Court sent a clear message to the former Confederate states when they blessed racial disfranchisement and racial apartheid, the twin pillars of white supremacy, in *Plessy v. Ferguson* (1896) and *Williams v. Mississippi* (1898). Following the Court's lead, racist rhetoric became even more blatant. From North Carolina's neighbor to the north, Carter Glass, a leader of the Virginia constitutional convention in 1902, used the words approved by the Supreme Court in *Williams v. Mississippi* ("permissible action under the limitations of the federal constitution") to explain how driving African Americans from the voting booth fit perfectly within the Supreme Court's conception of the 15th Amendment: "Discrimination! Why that is precisely what we propose, that, exactly, is what this convention was called for – to discriminate to the very extremity of permissible action under the limitations of the Federal Constitution." Glass stated the purpose was "the elimination of every Negro voter who can be gotten rid of legally without materially impairing the numerical strength of the white

electorate.”¹⁰⁶ By the word “legally,” he simply meant that it was with the Supreme Court’s approval. In Louisiana the leader of the state’s constitutional convention, Ernest B. Kruttschnitt, got to the bottom line in fewer words when he spoke about the literacy test: “What care I whether it be more or less ridiculous or not? Doesn’t it let the white man vote, and doesn’t it stop the negro from voting, and isn’t that what we came here for?”¹⁰⁷

In 1898 the leaders of North Carolina’s state Democratic Party – in particular, state chairman Furnifold Simmons – organized a campaign designed to destroy the alliance between Populists and Republicans and forever break the power of black political activism. As historian Michael Perman observes, “Simmons unleashed an election campaign of extraordinary belligerence and intensity,” where “race . . . was the essence of the Democrats’ attack.”¹⁰⁸ On the eve of the election in November 1898, Simmons, in an address to the voters of North Carolina, declared that “North Carolina is a White Man’s State, and White Men will rule it, and they will crush the party of negro domination beneath a majority so overwhelming that no other party will ever dare to attempt to establish negro rule here.”¹⁰⁹ The “white supremacy” campaign in 1898 was brought to a conclusion in an outrageous explosion of racial violence in Wilmington, North Carolina, where a black majority and an active “fusion” biracial coalition of Republicans and Populists had previously succeeded in rising to power in the municipal government, including the mayor’s office. White Democrats were determined to end “negro domination” in their city. Colonel Alfred M. Waddell, the leader of the white supremacy movement in Wilmington, declared that “we will not live under these intolerable conditions,” and announced their

¹⁰⁶ Paul Lewinson, *Race, Class, and Party: A History of Negro Suffrage and White Politics in the South* (New York: Oxford University Press, 1932), p. 86.

¹⁰⁷ Michael Perman, *Pursuit of Unity: A Political History of the American South* (Chapel Hill: University of North Carolina Press, 2010) p. 177.

¹⁰⁸ Perman, *Struggle for Mastery*, 158.

¹⁰⁹ “The Campaign In North Carolina,” *The Wilmington Morning Star* (Wilmington, NC), November 3, 1898.

intentions to “change it, if we have to choke the current of the Cape Fear river with carcasses.”¹¹⁰

Beginning on November 10, 1898, white supremacists in Wilmington went on a two-day rampage, murdering African Americans, ransacking their community, and destroying a prominent black newspaper. They installed themselves in the “elected” positions, and neither state nor federal forces intervened in this coup d’état.¹¹¹

In the wake of this massacre, in the election of 1898, the Democrats, determined to “rescue” North Carolina from “low-born scum and quondam slaves,” recaptured the General Assembly. When the new Democratic-controlled legislature convened in January 1899, one of its first orders of business was the disfranchisement of black voters. In February 1899, the General Assembly passed an amendment to the North Carolina Constitution that imposed literacy tests and poll taxes and introduced a “grandfather clause” exception for any voter “who was on January 1, 1866, or any time prior thereto, entitled to vote under the laws of any State in the United States wherein he then resided” or a “lineal descendant of any such person.”¹¹² (Very similar to President Andrew Johnson’s grandfather clause in his May 29, 1865 “Proclamation Establishing Government for North Carolina”). Democrats in North Carolina in 1898 -99 made no attempt to disguise the purpose of the suffrage amendment – its intent was “to secure white supremacy.”¹¹³

Even as they implemented broad suffrage restrictions, Democrats emphasized the need

¹¹⁰ Alfred M. Waddell, “The Story of the Wilmington, North Carolina, Race Riots,” *The Farmer and Mechanic* (Raleigh, NC), November 29, 1898.

¹¹¹ Orville Vernon Burton, *The Age of Lincoln* (New York: Hill & Wang, 2007), p. 358; David S. Cecelski and Timothy B. Tyson, eds., *Democracy Betrayed: The Wilmington Race Riot of 1898 and its Legacy* (Chapel Hill: University of North Carolina Press, 1998); H. Leon Prather, *We Have Taken a City: The Wilmington Racial Massacre and Coup of 1898* (Cranbury, NJ: Farleigh Dickson University Press, 1984); LeRae Silks Umfleet, *A Day of Blood: The 1898 Wilmington Race Riot* (Raleigh: North Carolina Office of Archives and History, 2009)

¹¹² “Some Verses for North Carolina,” *The Charlotte Observer* (Charlotte, NC), July 26, 1900; “The Suffrage Amendment,” *The County Union* (Dunn, NC), February 22, 1898.

¹¹³ “To Secure White Supremacy,” *The Smithfield Herald* (Smithfield, NC), April 14, 1899.

for “rigid safeguards” concerning the suffrage of “ex-convicts.” In their 1898 *Democratic Hand Book*, prepared by the State Democratic Executive Committee, they argued that “the Democratic registration laws required particularity” because the Republican Party had registered “ex-convicts and boys under twenty-one years of age.” The Democrats claimed that felon disfranchisement, along with other suffrage restrictions, was necessary “to suppress fraud and protect white suffrage” and prevent “the honest vote of a white man in North Carolina” from being “off-set by the vote of some negro.”¹¹⁴ In the general election of 1900, North Carolina approved the disfranchisement amendment by a 59% to 41% margin. The effort was successful - by 1910 “almost no blacks voted,” and white voting decreased “substantially.”¹¹⁵

With “white supremacy” all but guaranteed, Democrats in North Carolina began to take a more relaxed attitude towards the issue of felony disfranchisement. On Wednesday, January 18, 1899, William Houston Carroll, of Burlington (in Alamance County), introduced H.B. 349, “an act to . . . facilitate the restoration to the rights of citizenship in certain cases.” Less than two weeks before, on January 9, Francis D. Winston of Bertie County had introduced what would become North Carolina’s 1900 suffrage amendment.¹¹⁶ During the debate over H.B. 349, Carroll explained his justification for the legislation. In a story that Raleigh’s *Morning Post* described as “not unlike the reading of a good novel,” the representative from Alamance County related that, in 1897, Charles E. McLean, the mayor of Burlington, along with the board of commissioners, had disinterred the body of Nathaniel Small, who had been buried in a lot in the town cemetery,

¹¹⁴ State Democratic Executive Committee of North Carolina, *The Democratic Hand Book, 1898* (Raleigh: Edwards and Broughton, 1898), 84.

¹¹⁵ William R. Kreech and Michael P. Siström, “North Carolina,” in *Quiet Revolution in the South*, ed. Chandler Davidson and Bernard Groffman (Princeton, NJ: Princeton University Press, 1994), 158; J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910* (New Haven, CT: Yale University Press, 1974), 183-195.

¹¹⁶ *Journal of the House and Representatives of the General Assembly of North Carolina, Session 1899* (Raleigh, NC: Edwards and Broughton, and E.M. Uzzell, 1899), 32; 139;

after his next-of-kin had refused to pay for his plot, and reinterred Small's body into the free part of the cemetery reserved for indigent citizens. Small's family, who were (justifiably) outraged by the actions of McLean and the commissioners, "had them arrested and convicted of felony," thereby disfranchising almost the entire municipal government of Burlington. This conviction was upheld by the North Carolina Supreme Court, in *State v. McLean et al.*, though McLean and the six commissioners were pardoned by Governor Daniel L. Russell a month later, in December 1897. Carroll was quick to reassure his colleagues that this legislation was "to cover the Alamance case," rather than to apply to any other counties. Nevertheless, legislators from Swain, Lenoir, Wake, Mitchell, and Greene counties introduced amendments to exempt their counties from being covered by the statute. These amendments were rejected, and the House passed the bill on January 26.¹¹⁷ The Senate passed the legislation on February 1.¹¹⁸ H. B. 349 amended chapter 26, section 2941 of the Code of North Carolina, and stipulated that:

Section 1. That section two thousand nine hundred and forty- one of The Code be amended by adding thereto the following: *Provided.* That any person who may have been heretofore, or shall hereafter be convicted of any crime whereby the rights of citizenship are forfeited, and the judgment of the court pronounced does not include imprisonment anywhere, and pardon has been granted by the governor, such person may be restored to such forfeited rights of citizenship upon application, by petition, to the judge presiding at any term of the

¹¹⁷ *The Morning Post* (Raleigh, NC), January 27, 1899; "The State Supreme Court," *The Charlotte Observer* (Charlotte, NC), November 11, 1897; *The Southeastern Reporter*, vol. 28 (St. Paul, MN: West Publishing Co., 1898), 140-144; "Only Technically Guilty," *The News and Observer* (Raleigh, NC), December 17, 1897; *Journal of the House and Representatives of the General Assembly of North Carolina, Session 1899* (Raleigh, NC: Edwards and Broughton, and E.M. Uzzell, 1899), 240-241; "A Busy Day With Rather Small Bills," *The Morning Post* (Raleigh, NC), January 27, 1899.

¹¹⁸ *Journal of the Senate of the General Assembly of North Carolina, Session 1899* (Raleigh, NC: Edwards and Broughton, and E.M. Uzzell, 1899), 223.

superior court held for the county in which the conviction was had, one year after such conviction.

Sec. 2. The petition shall set out the nature of the crime committed, the time of conviction, the judgment of the court, and that pardon has been granted by the governor, and also, that said crime was committed without felonious intent, and shall be verified by the oath of the applicant and accompanied by the Verified by oath affidavits of ten reputable citizens of the county, who shall state that they are well acquainted with the applicant and that in their opinion the crime was committed without felonious intent.

H. B. 349 allowed for a more speedy restoration of citizenship rights in certain cases, as before 1899 persons convicted of felonies or infamous crimes were required to wait for four years after being convicted before submitting a petition to the Superior Court to have their citizenship rights restored.¹¹⁹ The legislation proposed by Carroll could potentially help to expedite the restoration of citizenship rights to former convicts, but, as noted above, his intention was merely to solve a specific political conundrum relating to white politicians, and certainly not to enfranchise African Americans. In fact, in 1900 Carroll, who was the chairman of the Democratic Party in Alamance County, was praised for leading “the good white people of Alamance” in defeating “the possibility of a return to negro domination” and succeeding in “the elimination of the great bulk of the negro vote from politics.”¹²⁰

The next change to the process by which former convicts could have their citizenship rights restored came in 1905, when Walter C. Feimster, an attorney from Newton who

¹¹⁹ *Public Laws and Resolutions of the State of North Carolina Passed By the General Assembly At Its Session of 1899, Begun and Held in the City of Raleigh on Wednesday, the Fourth Day of January, A.D. 1899* (Raleigh, NC: Edwards and Broughton and E.M. Uzzell, 1899), 139-141; *The Code of North Carolina, Enacted March 2, 1883*, vol. II (New York: Banks and Brothers Law Publishers, 1883), 271.

¹²⁰ “A Glorious Victory!,” *The Alamance Gleaner* (Graham, NC), August 9, 1900.

represented Catawba County in the House as a Democrat, proposed a bill, H.B. 1764, designed to allow citizens to reclaim their citizenship rights if the court suspended judgment. Feimster's legislation, proposed on February 28, passed by the House on March 3 and by the Senate on March 6, seems to have seen little debate – no discussion of the bill was recorded in either the *Raleigh News and Observer* or *Morning Post*'s daily legislative summaries, and no amendments were offered to the legislation in either the House or the Senate.¹²¹ It is significant that, as white Democrats' "white supremacy" campaign came to fruition, those same Democrats evidenced a willingness to make it easier for some people with felony convictions to vote. With "the elimination of the great bulk of the negro vote from politics," felony disenfranchisement was no longer the essential bulwark of democracy in North Carolina.¹²² Instead, the disenfranchisement of felons was a recipe for inconvenient situations (as *State v. McLean, et al.* illustrates) where the ruling class could lose their suffrage rights. Simply put, white Democrats were concerned about felony disenfranchisement when it was an important part of their toolkit to keep black North Carolinians from voting, and once Democrats were able to reassert white supremacy in North Carolina (beginning in 1898) they made the process of restoring citizenship rights more easily achievable (especially for white North Carolinians who had the clout in their communities to secure ten witnesses who could testify that their crime had been committed without felonious intent or the connections to acquire a pardon from the governor).

¹²¹ "The County Democratic Ticket," *The Newton Enterprise* (Newton, NC), September 9, 1904; "Representative W.C. Feimster," *The Newton Enterprise* (Newton, NC), March 10, 1905; "House Passed Ward Bill By Vote of 74 to 35," *The Morning Post* (Raleigh, NC), March 1, 1905; "Legislature Has Ended Its Work," *The News and Observer* (Raleigh, NC), March 7, 1905; *Journal of the House and Representatives of the General Assembly of North Carolina, Session 1905* (Raleigh, NC: E.M. Uzzell & Co., 1905), 1042, 1226; *Journal of the Senate of the General Assembly of North Carolina, Session 1905* (Raleigh, NC: E.M. Uzzell, 1905), 967; *Public Laws and Resolutions of the State of North Carolina Passed By the General Assembly At Its Session of 1905, Begun and Held in the City of Raleigh on Wednesday, the Fourth Day of January, A.D. 1905* (Raleigh, NC: E.M. Uzzell & Co., 1905), 139-141.

¹²² "A Glorious Victory!," *The Alamance Gleaner* (Graham, NC), August 9, 1900.

VII. Felony Disfranchisement in the Twentieth Century

Between 1905 and 1971, statutory felony disfranchisement remained virtually untouched. At the same time, though largely disfranchised, African Americans continued to fight the twin pillars of Jim Crow, disfranchisement and segregation. In 1917, there were three branches of the National Association for the Advancement of Colored People (NAACP), by 1955 there were 12,000 members in 83 branches in North Carolina. The NAACP in *Horcutt v. Wilson* (1933) challenged *Plessy v. Ferguson* (1896) separate but equal, but lost at the North Carolina Superior Court which upheld the denial of the admission of Thomas R. Horcutt, an African American, to the University of North Carolina Pharmacy School. But in 1953 the NAACP prevailed at the U.S. Court of Appeals for the Fourth Circuit where Floyd B. McKissick (future executive director of the Congress of Racial Equality --CORE) sued for admission to the University of North Carolina Law school. In 1942 the NAACP supported the "Durham Manifesto," denouncing segregation. In 1947, the NAACP assisted CORE's "The Journey of Reconciliation," their first freedom ride where 16 black and white riders of the bus were jailed. During the volatile years of the 1960s and 70s, following *Brown v. Board of Education* (1954), black North Carolinians protested through the sit-in movement, most famously in Greensboro in February 1960, and began to achieve greater access to their rights as citizens. The achievements of this period included the momentous passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965. But it was also a time of great peril to African Americans asserting their rights, a time which saw the revitalization of the Klan in North Carolina, the assassination of Martin Luther King, Jr. in 1968, the rise of the Black Power Movement, and the escalation of the War in Vietnam. The Klan was particularly virulent in North Carolina, where more progressive governors, like Terry Sanford, allowed the Klan, which became the largest and most powerful

KKK in the era, to claim that they, not the state government, were the only “authorities” who could be depended on to defend white supremacy. In 1958, a Klan rally near Maxton, North Carolina in Robeson County was broken up by local Lumbee Indians, and in Monroe, North Carolina, civil rights leader Robert F. Williams and other members of the Monroe NAACP were forced to arm themselves to repel the Klan.¹²³ In 1972, national attention was drawn to North Carolina by accusations of “politically charged” convictions of the “Wilmington Ten,” including the Rev. Benjamin Chavis, and the “Charlotte Three.” When *Swann v. Charlotte-Mecklenberg County* (1971) allowed busing to end segregated schools, the segregationist Alabama Governor George Wallace won the 1972 North Carolina Democratic Presidential Primary, and there was a decided shift towards the Republican Party among white voters.¹²⁴

As African Americans began to eliminate other barriers to voting, the United States Congress passed legislation protecting all Americans’ civil rights and the United States Supreme Court struck down discriminatory laws, felon disfranchisement came again to be used as a tool to prevent African Americans and poor North Carolinians from exercising their citizenship rights. By 1970, in North Carolina the constitutional provisions disfranchising felons, as well as the statutory restrictions on felons’ citizenship rights, had been largely unchanged for almost a century. In part, this reflects the fact that, as legal scholar John L. Sanders argues, “with the passage of time and amendments, the attitude towards the Constitution of 1868 had changed

¹²³ David Cunningham, *Klansville, U.S.A.* (New York: Oxford University Press, 2012), ix; “Bad Medicine for the Klan,” *LIFE*, January 27, 1958; Timothy B. Tyson, *Radio Free Dixie: Robert F. Williams and the Roots of Black Power* (Chapel Hill, NC: The University of North Carolina Press, 2009).

¹²⁴ Gavins, “North Carolina,” pp. 567-68.

from resentment to a reverence so great that until the second third of the twentieth century, amendments were very difficult to obtain.”¹²⁵

By the 1950s, felon disfranchisement was regarded by many North Carolinians as an often ignored and seldom enforced legislative oddity. A 1957 article in the *Charlotte Observer* claimed that “despite the fact that felony convictions roll monthly from Superior Courts all over the state, it’s nobody’s job to tell the local election boards about it.” Mecklenburg County’s Election Board’s secretary, Mrs. R. O. Fortenbery, remarked that “no one connected with the courts ever sends the board a list of convictions.” R.C. Maxwell, the chairman of the State Board of Elections, asserted that “there’s no administration set up . . . because there aren’t enough convictions to justify it.” Instead, Maxwell said, “it’s handled mainly on the basis of handling the individual voter.” Furthermore, according to Superior Court Judge (and future governor) Dan K. Moore, relatively few convicted felons petitioned to have their citizenship restored. Moore claimed that “usually they just go on and vote, and nobody knows the difference.”¹²⁶ While this suggests that this statute may have been seldom enforced (at least in Mecklenburg County), it also makes it clear that it was enforced arbitrarily, at the whim of local election officials. In 1940, just 5 percent of eligible African Americans were registered to vote, but by 1956, 20 percent were registered, and by 1960 a third. But it is also in the 1950s that “the state legislature mounted a more concentrated effort to dilute black votes,” when “the threat of the black vote loomed larger and the national legal campaign disfranchisement gained momentum.”¹²⁷

¹²⁵ John L. Sanders, “A Brief History of the Constitutions of North Carolina,” in *North Carolina Government, 1585-1979: A Narrative and Statistical History*, John L. Cheney, Jr., ed. (Raleigh, NC: North Carolina Department of the Secretary of State, 1981), 798.

¹²⁶ Loye Miller, “Extra Penalty For Felons: They Lose the Right to Vote,” *The Charlotte Observer* (Charlotte, NC), January 13, 1957.

¹²⁷ Kreech and Sistrom, “North Carolina,” p. 159.

Disenfranchising people convicted of felonies mainly served two purposes in North Carolina in the 1950s and 1960s – as a threat for would-be offenders, and as a justification for the state’s resistance to voting rights legislation. An editorial in the *Daily Times-News* of Burlington, North Carolina warned young people that if they were convicted of a felony they would “have no voice in public affairs,” and that it would “be humiliating” to petition to have their citizenship rights reinstated.¹²⁸ Obviously some North Carolinians saw the risk of disfranchisement as a deterrent from committing felonies. But as national attention turned to the South, with national legislation attacking vote disfranchisement and segregation in the South, with the end of the white primary in *Smith v. Alright* in 1944, and then the landmark case on public school desegregation *Brown v. Board* in 1954, many white southern Democratic party leaders clung to felony disfranchisement as a pretext for southern states’ control of the elective franchise.

Democrats and white supremacists normalized disenfranchising people convicted of felonies and built support for resistance to voting rights legislation by twisting the past into a mirror image of reality. The histories taught in the North Carolina public schools derived from the distorted story white Democrats had told of the horrors of the integrated Republican party emphasized the “tragedy of Reconstruction” as part of the “lost cause ideology” that dominated white southern culture and still resonates among many. Naming Reconstruction the “tragic era” solidified that interpretation in the historiography. A Democratic Party apparatchik dubbed Reconstruction the “tragic era” following the 1928 election because Democrats feared losing the South in future elections.¹²⁹ History written after the overthrow of Reconstruction and during the time of Jim Crow continued this particularly noxious and wrong-headed interpretation of

¹²⁸ “Judge’s Remarks to Two Youths,” *The Daily Times-News* (Burlington, NC), June 17, 1969.

¹²⁹ Charles Bowers, *Tragic Era: The Revolution after Lincoln* (New York: Houghton Mifflin, 1929).

Reconstruction where supposedly northern “carpetbaggers” (derisively called so because they supposedly carried all their earthly belongings in those cheap bags as they came South to exploit fallen Confederates), turncoat poor white “scalawags,” and ignorant former slaves, who were manipulated by their white partners in crime, all made a mockery out of “honest government”.

This interpretation was wrong—both morally and intellectually—but public schools of the former Confederacy taught this narrative well into the 1980s.¹³⁰ Thus, schooled in this “tragic era” propaganda, the argument – that voting rights legislation would allow “unqualified” citizens to vote – was popular among opponents to the Civil Rights Movement. Senator Herman Talmadge of the neighboring state of Georgia was an advocate of “states’ rights” who helped to formulate the strategy of interposition and who, while serving as governor of Georgia, declared that “as long as I am your Governor, Negroes will not be admitted to white schools,” resorted to this argument.¹³¹ Talmadge insisted that erasing literacy tests and other limits on suffrage “would even permit people who were lunatics and idiots and imbeciles and convicted felons to vote.”¹³² White Democrats in North Carolina also found this *reductio ad absurdum* argument convincing, since it allowed them to claim that even “unconfined idiots and unconfined felons” would be allowed to vote if voting rights legislation passed.¹³³ This argument about felon voting persisted, even after the passage of the Voting Rights Act in 1965. J. Brian Scott, a moderate Democrat

¹³⁰ David Earl Morgan, “The Treatment of the Reconstruction Period in United States History as Reflected in American High School History Textbooks, 1890-1983.” Dissertation. Loyola University Chicago, 1985 Available from https://ecommons.luc.edu/luc_diss; Thomas B. Bailey, “Historical Interpretation of the Reconstruction Era in United States History As Reflected in Southern State Required Secondary School Level Textbooks of State Histories.” Dissertation. University of New Mexico, 1967; John David Smith and J. Vincent Lowery, eds., *The Dunning School: Historians, Race, and the Meaning of Reconstruction* (Lexington: The University of Kentucky Press, 2013).

¹³¹ Aucoin, “The Southern Manifesto and Southern Opposition to Desegregation,” 179; M.L. St. John, “Segregation to Remain – Talmadge,” *The Atlanta Constitution* (Atlanta, GA), June 6, 1950.

¹³² 86th Cong., 2nd Session, *Congressional Record* 106, pt. 5: 6722 (1960).

¹³³ “Proposed Amendment Is Unwise,” *The Asheville Citizen-Times* (Asheville, NC), October 1, 1959; Brent J. Aucoin, “The Southern Manifesto and Southern Opposition to Desegregation,” *The Arkansas Historical Association* 55, no. 2 (Summer 1996): 173-193.

from Rocky Mount who was a local chairman for Robert W. Scott's gubernatorial campaign in 1968 (and who in turn was appointed as the chairman of the North Carolina Board of Elections by Scott in 1969), complained in 1970 that amendments to the Voting Rights Act "abolished all prerequisites for voting as we know them," and warned that while "right now felons are not allowed to vote, but under the new act this prerequisite may well be abolished."¹³⁴

With passage of the Voting Rights Act of 1965, Henry Frye, a Democrat from Guilford County, was elected to the state House of Representatives in 1968, becoming the first African American elected to the state legislature in the twentieth century (and later Chief Justice of the state Supreme Court from 1999-2001).¹³⁵ Frye tells a telling and compelling story about being denied voter registration due to the state's literacy test as recently as 1956, although he was a college graduate and a Korean War veteran of the U.S. Air Force.¹³⁶ In 1970, North Carolina voters rejected a proposal, sponsored by Henry Frye, to repeal the literacy test. In a referendum held on November 3, 1970, voters defeated the proposal by margin of 44% for and 56% against.¹³⁷

In 1971, the suffrage requirements of the North Carolina Constitution were amended, but the provision for felony disenfranchisement first added in 1875 remained. The revised Article VI states that:

"No person adjudged guilty of a felony against this State or the United States, or adjudged guilty of a felony in another state that also would be a felony if it had been

¹³⁴ "Mrs. Scott Will Attend Headquarters Opening," *The Rocky Mount Telegram* (Rocky Mount, NC), April 3, 1968; "Scott Names to NC Election Board," *The Rocky Mount Telegram* (Rocky Mount, NC), November 19, 1969; "Elections Chief Flays Voting Act," *The Charlotte Observer* (Charlotte, NC), September 12, 1970.

¹³⁵ Keech and Sistro, "North Carolina," 166.

¹³⁶ Howard Covington, *Henry Frye: North Carolina's First African American Chief Justice* (McFarland, 2013), 50. See the Southern Oral History Project, UNC, interview, <https://dc.lib.unc.edu/cdm/compoundobject/collection/sohp/id/7856/rec/4>

¹³⁷ "Literacy Test Proposal Loses," *The News and Observer* (Raleigh, NC), November 5, 1970; Rob Christensen, *The Paradox of Tar Heel Politics: The Personalities, Elections, and Events that Shaped Modern North Carolina* (Chapel Hill, NC: University of North Carolina Press, 2010), 264.

committed in this State, shall be permitted to vote unless that person shall be first restored to the rights of citizenship in the manner prescribed by law.”¹³⁸

The amended Article VI was substantively similar to the North Carolina constitution’s felony disenfranchisement provisions from the Jim Crow era.¹³⁹

Felony disenfranchisement became a controversial issue in North Carolina in the 1970s, in part because of increased policing of illicit drug possession. John R. Friday, a judge in the North Carolina Superior Court for Gaston County (and the brother of William C. Friday, the president of the University of North Carolina system from 1956 to 1986), viewed the disenfranchisement of felons – particularly of young people – as “tragic.” Friday deliberately asked “young drug offenders” if they were aware that, by committing a felony, they had forfeited their citizenship rights under North Carolina law. In North Carolina, state law made possession of more than five grams of marijuana, and the possession of any amount of heroin, a felony. Even though Friday insisted that “it breaks my heart to see them in court knowing they’re ruining their lives,” he still believed that “the law about citizenship loss is a good one,” since “it is a deterrent to further crime.” Friday argued that, since “felonies are serious crimes and possession of drugs is serious,” it was fitting for former convicts to have to go through the arduous and emotional process of having their citizenship rights restored.¹⁴⁰ It is key to note, however, that Friday’s views were not held by all of North Carolina’s public officials. John A. Faircloth, the chief of the Greensboro Police Department, argued that, “to give our children a second chance, the first offense possession of marijuana should be a misdemeanor, not a felony.” He believed that it was

¹³⁸ N.C. Const., Art. VI, § 2, cl. 3.

¹³⁹ “The Suffrage Amendment,” *The County Union* (Dunn, NC), February 22, 1899; 1875 Amendments to the N.C. Constitution of 1868, Amend. XXIV.

¹⁴⁰ “Drug Violators Lose Citizenship,” *The Charlotte Observer* (Charlotte, NC), October 28, 1972; “Citizenship Loss Hit By Attorney,” *The Charlotte News* (Charlotte, NC), November 22, 1972.

not fair that “the 16 or 17-year-old who tried one marijuana cigarette . . . could . . . lose his right to vote . . . all because he smoked on marijuana cigarette.”¹⁴¹ North Carolina Attorney General Robert Morgan recommended to the Governor’s Committee on Drug Abuse in 1970 that “the committee consider the merits of legislation which would expunge the record of a young first offender.”¹⁴² It is unsurprising that white public officials would have comfort calling for the selective decriminalization of marijuana, since, as historian Matthew D. Lassiter points out, beginning in the 1950s a “cultural and political script of racialized pushers and white middle-class victims” shaped the policing of marijuana use, possession, and distribution, leading to more lenient attitudes towards victimized (white) marijuana users and harsher penalties for “urban and foreign ‘pushers.’”¹⁴³

Perhaps because of the bureaucratic and legal hurdles in the way of regaining full citizenship, relatively few North Carolinians seemed to have been able to have their rights restored. For example, in 1971 an official at the Gaston County superior court observed that “a half dozen or less” had petitioned for the restoration of their citizenship rights in the past twenty years.¹⁴⁴ On February 23, 1971, Representative Joy Johnson from Robeson County (who at the time was one of two black representatives in the General Assembly) introduced H.B. 285, titled “an act to amend chapter 13 of the General Statutes to Require the Automatic Restoration of Citizenship To Any Person Who Has Forfeited Such Citizenship Due to Committing a Crime and Has Either Been Pardoned Or Completed His Sentence.”¹⁴⁵ *The Rocky Mountain Telegram*

¹⁴¹ “Official Asks Review of Marijuana Laws,” *The Asheville Citizen* (Asheville, NC), June 23, 1969.

¹⁴² “N.C. Official Proposes Bill To Regulate Drug Delivery,” *The Charlotte Observer* (Charlotte, NC), August 22, 1970.

¹⁴³ Matthew D. Lassiter, “Impossible Criminals: The Suburban Imperatives of America’s War on Drugs,” *The Journal of American History* 102, 1 (June 2015): 128.

¹⁴⁴ “Convicted Felon Can Regain Citizenship,” *The Gastonia Gazette* (Gastonia, NC), July 4, 1971.

¹⁴⁵ *Journal of the House of Representatives of the General Assembly of the State of North Carolina, Session 1971* (Winston-Salem, NC: Winston Printing Company, 1971), 169.

described Johnson as “an apostle for equality and open participation in citizenship without regard to race, creed, or sex.”¹⁴⁶ *The Robesonian* of Lumberton, North Carolina, characterized Johnson’s proposal as “a humanitarian gesture” to “make former felons feel more welcome as restored citizens.”¹⁴⁷ Johnson introduced the legislation “when he became acquainted with instances in which persons were released from prison, lived law-abiding lives, yet had to go through expensive, embarrassing, and lengthy court procedures to regain citizenships.”¹⁴⁸ Johnson’s bill would ensure that “the citizenship rights of a convicted felon would be automatically restored when he had served his sentence or when he had received an unconditional pardon.”¹⁴⁹ H.B. 285, as introduced by Johnson, stipulated that “any person convicted of an infamous crime, whereby the rights of citizenship are forfeited, shall have such rights automatically restored to him upon full completion of his sentence or upon receiving an unconditional pardon.”¹⁵⁰

After being referred to the Committee on Judiciary, the bill was reported unfavorably by the committee, and the committee instead offered a substitute bill on July 2.¹⁵¹ The Committee Substitute was authored by Jim Ramsey, a Democrat from Person County and the Chair of the House Judiciary Committee, and made several significant changes to Johnson’s original legislation. First, the Committee Substitute removed any automatic or immediate restoration of citizenship upon release from prison. Instead, felons would have their citizenship rights “restored to him upon the full completion of his sentence *including* [emphasis added] any period of

¹⁴⁶ “This Afternoon in North Carolina,” *The Rocky Mount Telegram* (Rocky Mount, NC), May 2, 1973.

¹⁴⁷ “Restoring Citizens,” *The Robesonian* (Lumberton, NC), July 22, 1971.

¹⁴⁸ “Rep. Johnson Zeroes In On State Social Issues,” *The Robesonian* (Lumberton, NC), April 8, 1975.

¹⁴⁹ “Bill Offered to Raise Pay of Lt. Governor,” *The Asheville Citizen-Times* (Asheville, NC), February 24, 1971; “Citizenship Bill,” *The Robesonian* (Lumberton, NC), February 26, 1971.

¹⁵⁰ 1971 Bill

¹⁵¹ *Journal of the House of Representatives of the General Assembly of the State of North Carolina, Session 1971* (Winston-Salem, NC: Winston Printing Company, 1971), 1216.

probation or parole or upon receiving an unconditional pardon.”¹⁵² Second, the Committee Substitute inserted that ex-convicts had to take an oath before the Clerk of the Superior Court “or any judge of the General Court of Justice . . . in the county where he resides or in which he was last convicted.” This oath required the petitioner to swear that he had “fully completed any and all sentences,” that he was “not now under any court for any criminal offense” (including, presumably, misdemeanors), that “he desires to have his citizenship restored,” and, finally, “that he will support and abide by the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith.”¹⁵³ The Committee Substitute for H. B. 285 was considered by the House on July 7.

Representative Mary Odom, a white Democrat from Scotland County who, along with Joy Johnson, was part of the delegation from the 24th North Carolina State House District (which comprised Hoke, Robeson, and Scotland Counties) offered an amendment which “provided that a person could get his citizenship restored on taking an oath of allegiance if (1) restoration was recommended by the State Department of Corrections at the time the prisoner was released from prison, or if (2) he had gone for two years after release without violating a state or federal law, or if (3) he had received full pardon.” This amendment was perhaps an attempt to rescue some aspects of Johnson’s original bill, which clearly had the intent to make the restoration of citizenship automatic. Odom’s amendment provided more routes to the restoration of voting rights than the Committee Substitute for H.B. 285, including allowing former convicts to have their citizenship restored upon recommendation of the Department of Corrections, which would help to expedite the process of re-enfranchising these voters.¹⁵⁴ But Odom’s amendment, unlike

¹⁵² 1971 Bill

¹⁵³ 1971 Bill

¹⁵⁴ 1971 Bill

Johnson's original bill, still conditioned automatic re-enfranchisement upon completion of the terms of probation and parole, rather than simply release from prison.

Representative Henry Frye recognized that the bill ultimately passed by the General Assembly was a far cry from Johnson's original bill. Frye noted that he "favored the bill's original provisions which called for automatic restoration of citizenship when a felon had served his prison sentence."¹⁵⁵ But Odom's amendment was adopted, and the General Assembly passed the legislation in July 1971.¹⁵⁶ The revised statute allowed citizenship rights (including the right to vote) to be restored if either A) "the Department of Correction . . . recommends restoration of citizenship; B) "two years have elapsed since release by the Department of Correction, including probation or parole"; or, (C) the ex-felon was granted "an unconditional pardon."¹⁵⁷ While, in some ways, this statute is an example of, as social scientists Angela Behrens, Christopher Uggen, and Jeff Manza suggest, "relative liberalization," the fact remains that, even after individuals had been released from incarceration, they still were denied the rights of citizenship.¹⁵⁸

¹⁵⁵ "Legislative Wrapup," *The Charlotte Observer* (Charlotte, NC), July 15, 1971; "State Briefs," *The Rocky Mount Telegram* (Rocky Mount, NC), March 25, 1971; "House Passes Ex-Con Citizenship Measure," *The Charlotte Observer* (Charlotte, NC), July 8, 1971; "Felon Citizenship Bill Gets House Approval," *The News and Observer* (Raleigh, NC), July 8, 1971. *Journal of the House of Representatives of the General Assembly of the State of North Carolina*, Session 1971 (Winston-Salem, NC: Winston Printing Company, 1971), 6. Odom, newly elected to the House of Representatives in 1971, was opposed to "the unfair practice of requiring an ex-offender to hire a lawyer and legally reclaim his citizenship after his release from prison" and believed that "we've still got a great deal more to do." (Pat Borden, *The Charlotte Observer* (Charlotte, NC), January 23, 1971; "Legislators, Grand Jury Take Look at Prison Camp," *The Robesonian* (Lumberton, NC), November 17, 1970.

¹⁵⁶ *Journal of the House of Representatives of the General Assembly of the State of North Carolina*, Session 1971 (Winston-Salem, NC: Winston Printing Company, 1971), 1272; *Journal of the Senate of the General Assembly of the State of North Carolina*, Session 1971 (Winston-Salem, NC: Winston Printing Company, 1971), 837; *Journal of the House of Representatives of the General Assembly of the State of North Carolina*, Session 1971 (Winston-Salem, NC: Winston Printing Company, 1971), 1407

¹⁵⁷ <http://ncleg.net/enactedlegislation/sessionlaws/pdf/1971-1972/sl1971-902.pdf>

¹⁵⁸ Angela Behrens, Christopher Uggen, and Jeff Manza, "Ballot Manipulation and the 'Menace of Negro Domination': Racial Threat and Felon Disfranchisement in the United States, 1850-2002," *The American Journal of Sociology* 109, no. 3 (November 2003): 591.

Even as Johnson and his allies in the North Carolina General Assembly sought to make it easier for citizens convicted of a felony to regain their voting rights, North Carolina experienced a Republican party resurgence grounded on fiscal conservatism, opposition to integration (particularly busing), and a growing demand among white suburbanites for “law and order.” The rallying cry of “law and order” became a racist dog whistle for many North Carolinians. As the *Charlotte Observer* argued in 1968, “to many North Carolinians, law and order means ‘keep the niggers in their place.’”¹⁵⁹ The leader of the Republicans in the late 1960s and early 1970s was James E. Holshouser, Jr., a young legislator from Boone, North Carolina, who chaired the North Carolina Republican Party from 1966 to 1972. Holshouser summed up the Republican agenda in a 1970 interview, noting that “the people are really gripped off about taxes,” and “concerned about education in general and desegregation in particular.” Finally, he asserted that “people are alarmed about crime in the streets.”¹⁶⁰ By adopting “law and order” as part of the platform of the North Carolina Republican Party, Holshouser was following the leadership of Richard Nixon and the Republican National Committee. As historian Matthew D. Lassiter observes, “the law-and-order platform at the center of Nixon’s suburban strategy tapped into Middle American resentment toward antiwar demonstrators and black militants but consciously employed a color-blind discourse that deflected charges of racial demagoguery.”¹⁶¹ John Ehrlichman, President Nixon’s domestic policy advisor, admitted in 1994 that the war on drugs – a key part of law-and-order campaigns – had an ulterior motive. He observed that “the Nixon campaign in 1968, and the Nixon White House after that, had two enemies: the antiwar left and black people.” While the

¹⁵⁹ J.A.C Dunn, “Law and Order Depends . . .,” *The Charlotte Observer* (Charlotte, NC), October 27, 1968/

¹⁶⁰ “Republican Chairman Attacks State’s Surplus,” *The Statesville Record and Landmark* (Statesville, NC), October 7, 1970.

¹⁶¹ Matthew D. Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton, NJ: Princeton University Press, 2006), 234.

Nixon campaign “couldn’t make it illegal to be either against the war or black,” they knew that, “by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities.”¹⁶²

The “problem of law and order” was a chief concern of both Democrats and Republicans in the 1970s in North Carolina. In 1970, the Democratic Attorney General of North Carolina, Robert Morgan, declared that Democrat leaders in North Carolina “are doing something about the problem of law and order.” He argued that “while the Republicans have been dragging their feet, Democrats have been doing something about law and order in North Carolina” before rattling off a list of the Democrats’ accomplishments, including “prevention of destructive disorder on college campuses, improvement and enlargement of the State Bureau of Investigation, and state assistance to upgrade local law enforcement.”¹⁶³ Pulitzer Prize-winning journalist Robert S. Boyd observed that, in the early 1970s, “Democrats were able to minimize the ‘social issue by pinning on a law and order badge of their own.”¹⁶⁴

Ramsey, the chair of the North Carolina House Judiciary Committee who added more stringent requirements to Joy Johnson’s citizenship restoration bill in 1971, seems to have been willing to wear the “law and order badge.” Before he graduated from the University of North Carolina Law School in 1958, he served as the president of the Law School Association. Ramsey served as a recorder’s court judge, and he was a member of the North Carolina State bar, the North Carolina Bar Association, and the Person County Bar Association, and he served a term as the president of the Person County Bar.¹⁶⁵ Ramsey was fundamentally a moderate. When he ran

¹⁶² Dan Baum, “Legalize It All,” *Harper’s* (April 2016).

¹⁶³ ‘At Nash Democratic Rally – Morgan Pushes Law-Order Theme,’ *The Rocky Mount Telegram* (Rocky Mount, NC), October 27, 1970.

¹⁶⁴ John S. Knight, “The Voters Are More Sophisticated,” *The Charlotte Observer* (Charlotte, NC), November 8, 1970.

¹⁶⁵ “James E. Ramsey Speaks at (COFC) Annual Dinner,” *The News-Journal* (Raeford, NC), May 17, 1973; “Heck Lecture Series to Present Winbourne,” *The Daily Tar Heel* (Chapel Hill, NC), September 20, 1957

as a candidate in the Democratic primary for North Carolina's Fourth Congressional District, he emphasized that he was for "more jobs and more job opportunities to make our people independent economically and less dependent on government stipends," unlike his rival African American "Mickey" Michaux, who he accused of being "for more government spending and more grants."¹⁶⁶ In 1969, Ramsey introduced legislation to "eliminate the mercy provisions" in North Carolina's capital punishment provisions which prevented second-degree murder from being a capital offense. He also introduced legislation that would raise the penalty for second-degree murder, rape, arson, and burglary from a thirty-year prison sentence to life imprisonment.¹⁶⁷

For North Carolina Democrats, however, the "law and order badge" could not prevent the state from going "red" in 1972. In a tidal change in North Carolina politics, in 1972, Holshouser defeated the Democratic gubernatorial nominee, Hargrove Bowles, Jr., to become the first Republican governor of North Carolina since 1901. Holshouser's victory was part of a "Republican sweep" that also led to the election of political commentator Jesse Helms to the United States Senate, as well as a Republican majority in the General Assembly.¹⁶⁸

In March 1973, the House passed legislation, H.B. 33, that amended the 1971 re-enfranchisement legislation in certain respects, but retained the requirement that those convicted of felons complete all conditions of parole, probation, or other supervised release before obtaining automatic restoration. Again, it was Representative Joy Johnson, who had introduced H.B. 285 in the last legislative session, who sponsored the legislation, since he believed that "if

¹⁶⁶ "Jim Ramsey Hopes to Increase Job Opportunities," *The Rocky Mount Telegram* (Rocky Mount, NC), June 24, 1982.

¹⁶⁷ Tom Eamon, *The Making of a Southern Democracy: North Carolina Politics From Kerr Scott to Pat McCrory* (Chapel Hill, NC: University of North Carolina Press, 2014), 195-196; "Law Vague," *The Charlotte Observer* (Charlotte, NC), March 17, 1969

¹⁶⁸ Bryan Haislip, "Holshouser: Mountaineer, Lawyer, and Stubborn Political Fighter," *The Robesonian* (Lumberton, NC), November 13, 1972.

rights are taken away from felons automatically upon conviction, they should be restored automatically upon release.”¹⁶⁹ Johnson’s legislation, as noted by the *Robesonian* of Lumberton, “removes the financial hardship involved with reclaiming this right.”¹⁷⁰ H.B. 33 was also co-sponsored by two other African-American legislators, Henry Frye and Henry M. “Mickey” Michaux, of Durham County. Michaux, Frye, and Johnson were the first three African Americans elected to the General Assembly and were derisively described as “smart Negroes.” In response to this racial harassment, Michaux, Frye, and Johnson formed the first black caucus of the General Assembly.¹⁷¹ H.B. 33, like H.B. 285 in the last legislative session, was intended to allow the automatic restoration of citizenship rights. H.B. 285 was again amended by the Committee; as passed on April 19, 1973, it provided that:

“§ 13-1. Restoration of citizenship.—Any person convicted of a crime, whereby the rights of citizenship are forfeited, shall have such rights restored upon the occurrence of any one of the following conditions: (1) The unconditional discharge of an inmate by the State Department of Correction or the North Carolina Board of Juvenile Correction, of a probationer by the State Probation Commission, or of a parolee by the Board of Paroles; or of a defendant under a suspended sentence by the Court. (2) The unconditional pardon

¹⁶⁹ “Baby Animals, Felon Citizenship, Restoration Bill Are Discussed,” *The Robesonian* (Lumberton, NC), March 28, 1973.

¹⁷⁰ Toni Goodyear, “Sickle Cell Anemia Detection Center Proposal Tops New Bills By Johnson,” *The Robesonian* (Lumberton, NC), January 17, 1973.

¹⁷¹ Will Doran and Dawn Baumgartner Vaughan, “Durham Politician, Civil Rights Leader Mickey Michaux to Retire From General Assembly,” *The Herald-Sun* (Durham, NC), February 8, 2018 <<https://www.heraldsun.com/news/local/counties/durham-county/article199194364.html>> (accessed April 17, 2020). On Michaux, see his interview for the Southern History Oral History Project at the University of North Carolina Library, here: <https://dc.lib.unc.edu/cdm/compoundobject/collection/sohp/id/21384/rec/1>; he was more recently interviewed for a Duke University Oral History project, - <http://livinghistory.sanford.duke.edu/interviews/henry-m-mickey-michaux-jr/>.

of the offender. (3) The satisfaction by the offender of all conditions of a conditional pardon.¹⁷²

As one of the leaders of the reform efforts, African American representative Henry Michaux, explains, Michaux, Johnson, and Frye worked with the NAACP throughout this period to try to obtain automatic restoration of the rights of citizenship upon release from incarceration. But they were ultimately unsuccessful in eliminating conditions that targeted African Americans and economically disadvantaged people, including the condition of an unconditional discharge from parole or probation. They believed that they were unable to fully purge the original felony disenfranchisement provisions of their racist intent and effects.¹⁷³

The following August, the North Carolina Court of Appeals ruled that the new law “must be applied retroactively.”¹⁷⁴ Even as Johnson sought to “liberalize” felon disenfranchisement, however, the United States Supreme Court “upheld a North Carolina statute which denies felons the right to vote.”¹⁷⁵ Fred Fincher, who had been prohibited from voting by the Scotland County, North Carolina election board, argued that his disenfranchisement was a violation of the Equal Protection Clause of the Fourteenth Amendment.¹⁷⁶ The U.S. Supreme Court affirmed the decision of the US District Court for the Middle District of North Carolina in *Fincher v. Scott*, which found that “the states are not constitutionally required” to “give felons the right to vote.”¹⁷⁷

VIII. Conclusion

Felony disenfranchisement was one part of a systematic campaign to deny minorities and poor North Carolinians the right to vote in North Carolina. In many ways, it is a kind of

¹⁷² <https://www.ncleg.gov/EnactedLegislation/SessionLaws/PDF/1973-1974/SL1973-251.pdf>

¹⁷³ Affidavit of Henry M. Michaux, Jr. (May 7, 2020).

¹⁷⁴ “Charlotte Record Firm Loses Suit,” *The Charlotte News* (Charlotte, NC), August 23, 1973.

¹⁷⁵ “No Voting Rights For Felons Upheld,” *The Gastonia Gazette* (Gastonia, NC), May 9, 1973; “Felon Voting Bill Upheld,” *The Daily Times-News* (Burlington, NC), May 8, 1973.

¹⁷⁶ “Felon Voting Bill Upheld,” *The Daily Times-News* (Burlington, NC), May 8, 1973.

¹⁷⁷ *Fincher v. Scott*, 352 F. Supp. 117 - Dist. Court 1972

legislative “living fossil” – a fact recognized by North Carolinians from the 1950s onward. Unlike white-only primaries, literacy tests, and poll taxes, felon disfranchisement has yet to be repudiated, despite its obvious intent of disfranchising black voters. Black North Carolinians during Reconstruction recognized that felony disfranchisement could be a powerful tool in the hands of a white ruling class - who both wrote and enforced the law, and who, as John Dennett, a traveling correspondent for the *Nation*, noted, “unaffectedly and heartily hate the negroes” - and steadfastly opposed stripping convicts of their citizenship rights.¹⁷⁸

Felony disfranchisement represented one of many ways that the ruling party – the Democrats, in the nineteenth century – sought to maintain their power and disfranchise minorities and poor voters. Gerrymandering, literacy tests, poll taxes, the white-only primary, and even electoral fraud, voter intimidation and outright violence were all tools used by the state of North Carolina after the Civil War to prevent minority and poor voters from exercising the rights guaranteed to them by the Fifteenth Amendment. Even after the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, felony disfranchisement was an important tool for preventing North Carolinians from exercising their right to vote – in addition to its immediate effect on black voting strength, it was used to discredit civil rights legislation and as a weapon in the campaign for “law and order” and the War on Drugs.

Finally, when black leaders – most notably, African American state representatives in the early 1970s, Joy Johnson, Henry Frye, and Henry M. “Mickey” Michaux – sought to liberalize the felony disfranchisement statute because they recognized that it erected barriers to prevent African Americans and poor North Carolinians from exercising their right to vote, moderates and conservatives blunted the full impact of this reform effort. In short, the current North Carolina

¹⁷⁸ John Richard Dennett, *The South As It Is*, ed. Henry M. Christman (New York, 1965), 119.

disfranchising law was adopted with racial animus following the white Democratic party's overthrow of Reconstruction, and though modified over the years, it still maintains its origins in racial discrimination and still disproportionately negatively affects African Americans in North Carolina.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

This 8th day of May, 2020.


Dr. Orville Vernon Burton

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yburton@clemson.edu <https://ageoflincoln.app.clemson.edu>

Education: 1976, Ph.D. Princeton University Ph.D. dissertation: "Ungrateful Servants?
Edgefield's Black Reconstruction: Part I of the Total History of Edgefield County, South
Carolina." Advisors Sheldon Hackney and James McPherson
1969, B.A. Furman University, magnum cum laude

Military Service: active service 1969, 1974 U.S. Army, Honorably Discharged as Captain, 1977

Academic Positions:

Clemson University, 2010-

The Judge Matthew J. Perry, Jr. Distinguished Professor of History

Professor Sociology and Anthropology, Clemson University, 2014-

Creativity Chair of Humanities, Clemson University, 2013-15

Professor Pan-African Studies, 2012-

Professor Computer Science, Clemson University, 2011-

Director Clemson CyberInstitute, 2010-

Associate Director Humanities, Arts, and Social Sciences, Clemson CyberInstitute, 2010

Professor of History, Clemson University, 2010-

Burroughs Distinguished Prof. Southern Hist. & Culture, Coastal Carolina University, 2008-10

University of Illinois at Urbana-Champaign (UIUC), 1974-2008

2009- Chair, Advisory Board for Institute for Computing in Humanities, Arts, and
Social Science (I-CHASS)

2008-11, Consultant for Humanities to Chancellor's and Provost's Office

2004-09, Founding Director I-CHASS

2008 - Emeritus University Distinguished Teacher/Scholar, University Scholar, and
Professor History, African American Studies, and Sociology

2006-08, Professor African American Studies

1989-2008, Professor History

1989-2008, Professor Sociology

1988-2008, Graduate College Statistics Faculty

1986-2008, Campus Honors Program

1985-2006, Faculty Affiliate, African American Studies and Research Program

1982-1989, Associate Professor, History

1976-1982, Assistant Professor History

1974-1976, Instructor

National Center for Supercomputing Applications (NCSA)

2002-10, Associate Director, Humanities and Social Sciences

1993-2002, Head, Initiative for Social Sciences and Humanities

1986- Senior Research Scientist

Princeton University

1972-74, Assistant Master, Woodrow Wilson Residential College

1971-72, Instructor, Mercer County Community College, NJ

College of Charleston

2001-, Executive Director, Program in the Carolina Lowcountry and the Atlantic World (CLAW) <http://claw.cofc.edu>

1987, Professor of History, Governor's School of South Carolina

Selected Honors, Fellowships, Awards

U.S. Professor of the Year, Outstanding Research and Doctoral Universities Professor (Council for Advancement and Support of Education and Carnegie Foundation for the Advancement of Teaching), 1999

American Historical Association Eugene Asher Distinguished Teaching Prize, 2004

Chicago *Tribune's* Heartland 2007 Literary award for nonfiction for *The Age of Lincoln*

Illinois House Resolution of Congratulations, HR 0711, 2007. The Illinois State legislature passed a special resolution acknowledging my contributions as a scholar, teacher, and citizen of Illinois.

South Carolina Governor's Award for Lifetime Achievement in the Humanities, presented by the SC Humanities Council, 2017 (selected 2016)

Society of American Historians, Elected 2012

Fellow, National Humanities Center (NEH Senior Scholar Award), 1994-95

Fellow, Woodrow Wilson International Center for Scholars, 1988-89

Fellow, Pew Foundation, 1996

National Fellowship Program for Carnegie Scholars, 2000-2001

Rockefeller Humanities Fellowship, 1978

Earl and Edna Stice Lectureship in the Social Sciences at the University of Washington, 2005

Strickland Visiting Scholar, Department of History, Middle Tennessee State University, 2006

Pew-Lilly Foundation Graduate Professor, Notre Dame University, 2001

Mark W. Clark Distinguished Chair of History, The Citadel, 2000-01

Elected to honorary life membership in BrANCH (British American Nineteenth-Century Historians)

Organization of American Historians Distinguished Lecturer, 2004-

Choice Outstanding Academic Book for *The Age of Lincoln*, 2008

Choice Outstanding Academic Title for *Slavery and Anti-Slavery: Transnational Archive*, 2009

Booklist's Editors' Choice Title for *Slavery and Anti-Slavery: A Transnational Archive*, 2009

Choice Outstanding Academic Book for *Computing in the Social Sciences and Humanities*, 2003

Richard F. Fenno Prize, Legislative Studies Section, American Political Science Association, for *Quiet Revolution*, 1995

President Southern Historical Association, 2011-12

President Agricultural History Society, 2001-02

Elected to the South Carolina Academy of Authors, 2015, inducted 2016.

Certificate of Excellence from the Carnegie Academy for the Scholarship of Teaching and Learning for Work that Advances the Practice and Profession of Teaching In Support of Significant Student Learning, 2001

H-Net received the James Harvey Robinson Prize for teaching from the American Historical Association, 1997 (I was one of the founders, and the first treasurer).

Award of Distinction in the Film/Video-History/Biography category from the International Academy of the Visual Arts, 16th Annual Communicator Awards, for "People: A Lincoln Portrait" television interstitial series (The Communicator Awards is the leading international awards program honoring creative excellence for communications professionals), 2010 (part of program I put together for Lincoln commemoration at

UIUC).

SC African American Heritage Commission's 2009 "Preserving Our Places in History" Project Award for Claw's (Executive Director, College of Charleston Carolina Lowcountry and Atlantic World) work in commemorating the banning of the international slave trade
Florida Historical Society, Medallion Lecture, 2002
Auburn University, Eminence in the Arts and Humanities Fellows Lectures Medallion, "awarded to persons of distinguished achievement in the arts and humanities: writers, artists or renowned scholars in one or more of the liberal arts disciplines," 2012
Senior Research Fellow, Southern Studies, University of South Carolina, 1988
Phi Beta Kappa, Furman University, 1986
Princeton University Scholar Award, 1969
National Defense Educational Award Title IV Fellowship, 1971 (Princeton University)
Clark Foundation Scholarship, 1966-69 (Furman University)
Wicker Award for Outstanding Student (sophomore), Furman University, 1967
Endel History Award, Furman, 1969
Bradshaw-Feaster General Excellence Award (Furman's highest honor for the graduating senior selected by faculty), 1969

Honors Clemson University and Recognition

College of Architecture, Art, and Humanities (CAAH), Dean's Award for "Outstanding Service," 2019

Inaugural Class 2018 University Research Scholarship and Artistic Achievement Award

Inaugural Judge Matthew J. Perry Distinguished Chair of History, 2017-

CAAH, Dean's Award for "Excellence in Research," 2016

CAAH, Creativity Professor Humanities, 2013-15

Featured Clemson Homepage 2017, "Meet a Tiger," <http://newsstand.clemson.edu/meet-a-tiger-vernon-burton/>

UIUC Honors and Teaching Awards and Recognition

Inaugural University "Distinguished Teacher/Scholar," 1999-2008

University Scholar, 1988 – 2008

Campus Award for Excellence in Public Engagement, 2006

Graduate College Outstanding Mentoring award, 2001-02

Fellow, Center for Advanced Study, 1982, Associate, 1994

Burlington Northern Faculty Achievement Award (UIUC), 1986

Study in a Second Discipline, Statistics and Demography, 1984

All-Campus Award for Excellence in Undergraduate Teaching, 1999

LAS Dean's Award for Excellence in Undergraduate Teaching, 1999

LAS Award for Distinguished Teaching, 1986

School of Humanities Teaching Award, 1986

George and Gladys Queen Excellence in Teaching Award in History, 1986

Undergraduate Instructional Award (UIUC), 1984

Every semester and for every undergraduate course that I taught at the University of Illinois (excluding large survey classes of between 300-750 students), I was deemed excellent in the UIUC "Incomplete List of Excellent Teachers." I was noted on the list for more than twenty different courses. I was noted as "outstanding" from 1979 as long as they used that designation.

Recognized by the Pan-Hellenic Council at as an "outstanding staff member for furthering scholastic achievement"

Selected by History Department as the “one instructor whom you believe best at creating intellectual excitement in students” for an educational study of teaching practices of college teachers, 1978

Received the Resident Hall Association Award for the Best Educational Program for lectures/discussion on *Gone With the Wind* and *Jubilee* for Black History Month, 1996

The Honor Society of Phi Kappa Phi, UIUC, Vice President, 2002-03; President, 2003-04

Ronald E. McNair Scholars Program Dedicated Service Award for Minority Students, 1996

Associate Vice Chancellor Academic Affairs award for contributions to the Student Research Opportunities Program and work with minority students (1995, 2006)

Publications:

Books:

Penn Center: A History Preserved. Athens: University of Georgia Press, 2014; paperback edition, 2017.

The Age of Lincoln. NY: Hill and Wang, 2007. (Audio: Blackstone Audio Books). Paperback edition 2008. Selection for Book of the Month Club, History Book Club, Military Book Club. *The Age of Lincoln* was nominated by Farrar, Straus, and Giroux for the Pulitzer Prize. Three historical associations featured sessions on the book, Association for the Study of African American Life and History, 2008; Social Science History Association, 2008; The Southern Intellectual History Circle, 2009.

(with Judy McArthur) “A Gentleman and an Officer”: *A Military and Social History of James B. Griffin's Civil War*. NY: Oxford University Press, 1996; second printing 1999.

In My Father's House Are Many Mansions: Family and Community in Edgefield, South Carolina. Chapel Hill: University of North Carolina Press, 1985. Paperback edition 1987; 5th printing 1998. *In My Father's House* was nominated by the University of North Carolina Press for the Pulitzer Prize. Two Historical Associations featured this book in sessions at their annual meetings: Social Science History Association, 1986; Southern Historical Association, 1987.

(with Armand Derfner) “Justice the Guardian of Liberty”: *Race and the Supreme Court*. Cambridge: Harvard University Press, expected 2021.

Air Conditioning and the Voting Rights Act: The Voting Rights Act of 1965 in Historical Perspective. Stice Lectures University of Washington. Seattle: University of Washington Press, (withdrawn from press to include recent challenges to Section 5, Voter Id controversies, and partisan redistricting challenges), expected 2022.

Lincoln and the South Revisited. (Carbondale: University of Southern Illinois Press, expected 2021).

The South as Other: The Southerner as Stranger—The Contradictions of Southern Identity. Columbia: University of South Carolina Press, expected 2021.

(edited with Brent Morris) *Reconstruction at 150: Reassessing the Revolutionary "New Birth of Freedom"*. Charlottesville: University of Virginia Press, expected 2020.

(edited with Peter Eisenstadt) *Lincoln's Unfinished Work* (expected 2021)

Editor, *Becoming Southern Writers: Essays in Honor of Charles Joyner*. Columbia: University of South Carolina Press, 2016.

(edited with Ray Arsenault) *Dixie Redux: Essays in Honor of F. Sheldon Hackney*. Montgomery, AL: New South Books, 2013.

(edited with Jerald Podair and Jennifer L. Weber) *The Struggle for Equality: Essays on Sectional Conflict, the Civil War, and the Long Reconstruction in Honor of James M. McPherson*. Charlottesville: University of Virginia Press, 2011.

Editor, *The Essential Lincoln*. NY: Hill and Wang, 2009.

- (edited with David O'Brien) *Remembering Brown at Fifty: The University of Illinois Commemorates Brown v. Board of Education*. Urbana: University of Illinois Press, 2009.
- (edited with Winfred B. Moore, Jr.) "*Toward the Meeting of the Waters*": *Currents in the Civil Rights Movement in South Carolina during the Twentieth Century*. Columbia: The University of South Carolina Press, 2008. Paperback 2011.
- Editor, *Slavery in America: Gale Library of Daily Life*, 2 vols. NY, Detroit: Gale Cengage Learning, 2008.
- (edited and annotated with Georganne B. Burton, introduction pp. 1-48) "*The Free Flag of Cuba*": *The Lost Novel of Lucy Pickens* [orig. pub. 1854] in the Library of Southern Civilization series, edited by Lewis P. Simpson. Baton Rouge: Louisiana State University Press, 2002. Paperback 2003.
- Editor, *Computing in the Social Sciences and Humanities*. Urbana: University of Illinois Press, 2002.
- (edited with David Herr and Terence Finnegan) *Wayfarer: Charting Advances in Social Science and Humanities Computing*. Urbana: University of Illinois Press, 2002. This CD-ROM contains more than 65 essays and research and teaching applications, including illustrative interactive multimedia materials.
- (with et al.) *Documents Collection America's History*, vol. 1, to accompany James Henretta, et al., *America's History*, 2nd ed. NY: Worth Publishers, 1993.
- (edited with Robert C. McMath, Jr.) *Class, Conflict, and Consensus: Antebellum Southern Community Studies*. Westport, Conn: Greenwood Press, 1982.
- (edited with Robert C. McMath, Jr.) *Toward a New South? Studies in Post-Civil War Southern Communities*. Westport, Conn: Greenwood Press, 1982.
- (with Beatrice Burton and Megan Shockley) *An Administrative History of Fort Sumter and Fort Moultrie* (Washington, DC: The National Park Service, expected July 2019)

Plays:

- (with Georganne Burton) "Abraham Lincoln's Beardstown Trial: The Play" Premiered Sept. 29, 2009, Beardstown, IL. (Endorsed by the Congressional Abraham Lincoln Bicentennial Commission, November 2009; Play available upon request);
<http://www.lincolnbicentennial.gov/calendar/beardstown-trial-11-10-09.aspx>;
<http://www.civilwar.org/aboutus/events/grand-review/2009/almanac-trial.html>

Editor, Book Series, *A Nation Divided: Studies in the Civil War Era Series*, University of Virginia Press, 2011-

Editor, Book Series, *The American South Series*, University of Virginia Press, 2013-

Introductions and Forewords to Books:

- "Foreword," pp. ix-liv to *Born to Rebel: An Autobiography* by Benjamin Elijah Mays. Athens: University of Georgia Press Thrasher edition, 1987, also in paperback edition (book without foreword originally published by Charles Scribner's Sons, 1971). Revd. Foreword 2003.
- "Introduction," pp. 9-11 to *Roll the Union On: Southern Tenant Farmers Union*. As told by its Co-founder, H.L. Mitchell. Chicago: Charles H. Kerr Publishing Company, 1987.
- "Introduction," pp. xiii-xviii to *Soldiering with Sherman: The Civil War Letters of George F. Cram*. Jennifer Cain Bohrnstedt, ed., DeKalb: Northern Illinois University Press, 2000.
- "Introduction," pp. x-xxxiv to *Pitchfork Ben Tillman: South Carolinian* by Francis Butler Simkins, for the reprint edition of the Southern Classics Series of the Institute for

- Southern Studies. Columbia: University of South Carolina Press, 2002 (book without Introduction originally published by Louisiana State University Press, 1944).
- (with James Barrett) "Foreword," pp. xi-xxv to paperback edition of *Cause at Heart: A Former Communist Remembers* by Junius Irving Scales with Richard Nickson. Athens: University of Georgia Press, 2005 (book without Foreword originally published 1987).
- "Foreword," pp. vii-xi to *Recovering the Piedmont Past: Unexplored Moments in Nineteenth-Century Upcountry South Carolina History*, edited by Timothy P. Grady and Melissa Walker. Columbia: University of South Carolina Press, 2013.
- "Foreword," pp. vii-xiii to *Our Ancestors – Our Stories: The Memory Keepers*, edited by Harris Bailey, et al. Suwanee, Georgia: The Write Image, 2014.
- "Foreword," pp. iv-xiv, to Kevin M. Cherry, *Virtue of Cain, Biography of Lawrence Cain* Washington: *From Slave to Senator*: Takoma Park, MD: Rocky Pond Press, 2019.

Journals Edited:

- Special issue on the Digital South, *Southern Quarterly*, expected 2021.
- "Three Articles from a Century of Excellence: The Best of *The South Carolina Historical Magazine*," pp. 182-89 for *South Carolina History Magazine* 101: 3 (July 2000).
- "Introduction," pp. 161-65 for *Social Science Computer Review* 12:2 (Summer 1994).
- Co-editor, "Technology and Education," *International Journal of Social Education* 5:1 (Spring 1990).

History Articles, Chapters, and Essays:

- "The South as Other, The Southerner as Stranger," Presidential address for the Southern Historical Association, *The Journal of Southern History* LXXIX:1 (February 2013): 7-50.
- "Reaping What We Sow: Community and Rural History," Presidential address for the Agricultural History Society in *Agricultural History* (Fall 2002): 631-58.
- "Building the Transcontinental Railroad," *Presidential Inaugural Portfolio*, Joint Congressional Committee on Inaugural Ceremonies, January 21, 2013.
- "The Creation and Destruction of the Fourteenth Amendment During the Long Civil War," *Louisiana Law Review*, Vol. 79 (Fall 2018): 189-239.
- Review essay of Edward L. Ayers, *The Thin Light of Freedom: The Civil War and Emancipation in the Heart of America*, *The Journal of the Civil War Era*, Vol 9, no. 3, September 2019, pp. 493-496.
- "Mystery and Contradiction: My Story of Ninety Six," in *State of the Heart: South Carolina Writers on the Places They Love*, Vol. 3, pp. 18-27. Edited by Aida Rogers (Columbia: University of South Carolina Press, 2018)
- "Reconstructing South Carolina's Reconstruction," keynote South Carolina Historical Association, 2017 (Columbia: Proceedings of the South Carolina Historical Association, 2018), pp 7-40.
- "The Birth of a Nation: A Roundtable," (Roundtable Discussion of film on 1831 Nat Turner Insurrection), edited Ryan Keating in *Civil War History* 64 (March 2018), pp. 56-91.
- (with Anderson R. Rouse) "Southern Identity," pp. 40-53, in *The Routledge History of the American South*. Edited by Maggi M. Morehouse (New York: Routledge, 2018).
- (with Anderson R. Rouse) "Religious Practices," pp. 111-26, in *The Routledge History of the American South*. Edited by Magi Morehouse (New York: Routledge, 2018).
- "Reconstructing South Carolina's History Through the South Caroliniana Library, 80th Annual Meeting Address by Dr. Orville Vernon Burton," The University South Caroliniana Society 81st Annual Meeting, 22 April 2017, pp. 2-32.

- “From Clarendon County to the Supreme Court,” pp. 84-88 and “Eating with Harvey Gantt and Mathew Perry: Myth and Realities of “Integration with Dignity,” pp.139-40 accompanying Cecil Williams’ photographs of South Carolina’s Civil Rights Movement in Cecil Williams, *Unforgettable, Life Hope Bravery, 1950-1970: Celebrating a Time of Bravery* (Orangeburg: Cecil J. Williams Photography/Publishing, 2017).
- “Localism and Confederate Nationalism: The Transformation of Values from Community to Nation in Edgefield, South Carolina,” pp. 107-123, 233-39 in Robert H. Brinkmeyer, Jr., ed., *Citizen Scholar: Essays in Honor of Walter B. Edgar* (Columbia: University of South Carolina Press, 2016).
- “Lincoln, Secession, and Emancipation,” pp. 81-104 in Paul Finkelman and Donald R. Kennon, eds., *Lincoln, Congress, and Emancipation*, for the U.S. Capitol Historical Society (Athens: Ohio University Press, 2016).
- “Stranger Redux,” pp. 38-49 in Orville Vernon Burton, Editor, *Becoming Southern Writers: Essays in Honor of Charles Joyner* (Columbia: University of South Carolina Press, 2016)
- “Tempering Society’s Looking Glass: Correcting Misconceptions About the Voting Rights Act of 1965 and Securing American Democracy” *Louisiana Law Review* Lead article for Vol. 76:1 (2015): 1-42.
- “Perceptions and Meaning of the Confederate Flag,” *The Proclamation* (President Lincoln’s Cottage), XXVIII (Summer 2015): 8- 14 (longer unedited version on-line at: <http://www.lincolncottage.org/perceptions-and-meaning-of-the-confederate-flag-an-interview-with-two-scholars/> and with Edna Medford)
- “Revisiting the Myth of the Black Matriarchy,” pp. 119-65 in Orville Vernon Burton and Ray Arsenault, eds., *Dixie Redux: Essays in Honor of F. Sheldon Hackney* (Montgomery, AL: New South Books, 2013).
- “The Passage of Lincoln’s Republic: Providence in Progress,” pp. 13-36 in Stephen Engle, ed. *The War Worth Fighting: Abraham Lincoln's Presidency and Civil War America* (Gainesville: University of Florida Press, 2015).
- "Bertram Wyatt-Brown: An Honorable Man and a Man of Grace," *Georgia Historical Quarterly* XCIX, No. 3(Fall, 2015): 2013-18.
(with Michael LeMahieu), “Civil War Memory in the Civil Rights Movement and Contemporary Commemoration,” *Journal of American Studies* (with American Studies International, *AMSJ*) 53:4 (2014): 107-18.
- Remembering the Civil War,” pp. 278-85 in *The Civil War as Global Conflict*. Edited by Simon Lewis and David Gleeson (Columbia: University of South Carolina, 2014).
- “The Gettysburg Address Revisited.” In *1863: Lincoln’s Pivotal Year*. Edited by Harold Holzer and Sara Vaughn Gabbard (Carbondale: Southern Illinois University Press, 2013), pp. 137-55.
(with Ian Binnington) “And Bid Him Bear A Patriot's Part”: National and Local Perspectives on Confederate Nationalism in *Deconstructing Dixie*, pp 126-155. Edited by Jason Kyle Phillips (Athens: University of Georgia Press, 2013).
- “The Silence of a Slaveholder: The Civil War Letters of James B. Griffin,” in *The Battlefield and Beyond: Essays on the American Civil War*. Edited by Clayton E. Jewett (Baton Rouge: Louisiana State University Press, 2013), pp. 13-27.
- “Abraham Lincoln,” in *The Oxford Encyclopedia of American Political and Legal History*. Edited by Donald T. Chritchlow and Philip R. VanderMeer, 1:560-64. 2 vols. (NY: Oxford University Press, 2012).
- (with Lewie Reece) “Abraham Lincoln,” Essential Civil War Curriculum, <http://www.essentialcivilwarcurriculum.com/>. Edited by William C. Davis and James I. Robertson, Sesquicentennial Project of the Virginia Center for Civil War Studies and the

- History Department of Virginia Polytechnic Institute and State University (Virginia Tech, 2013).
- “Family,” in *Enslaved Women in America: An Encyclopedia*. Edited by Daina R. Berry and Deleso Alford Washington (Santa Barbara & Westport, CN: Greenwood Press, 2012), pp. 83-87.
- “Lincoln at Two Hundred: Have We Finally Reached Randall's Point of Exhaustion?” In *The Living Lincoln: Essays from the Harvard Lincoln Bicentennial Symposium*, pp. 204-25. Edited by Thomas A. Horrocks, Harold Holzer, and Frank J. Williams (Carbondale: Southern Illinois University Press, 2011), pp. 204-25.
- (with Nick Gaffney) “South Carolina,” Vol. 2: pp. 745-764 in *Black America: A State by State Encyclopedia*. Edited by Alton Hornsby (Westport, CN: Greenwood Press, 2011).
- “Mays, Benjamin” in *The New Encyclopedia of Southern Culture*. Vol. 19 *Education*, Edited by Clarence Mohr. (Chapel Hill: University of North Carolina Press, 2012), pp. 254-255.
- “The Age of Lincoln: Then and Now,” Keynote for the South Carolina Historical Association Annual Meeting, *The Proceedings of the South Carolina Historical Association*, 2010, pp. 7-22. Edited by Robert Figueira and Stephen Lowe (Columbia: South Carolina Department of Archives and History, 2010). Reprinted pp 11- 26 in Michael Bonner and Fritz Hamer (eds.) *South Carolina in the Civil War and Reconstruction Eras: Essays from the Proceedings of the South Carolina Historical Association* (Columbia: University of South Carolina Press, 2016).
- (with Larry McDonnell and Troy D. Smith) “Slavery and Anti-Slavery: A Transnational Archive,” pp. 121-26 in *L'abolition de l'esclavage au Royaume-Uni 1787-1840 : débats et dissensions The abolition of slavery in Britain 1787-1840 : debate and dissension.* Edited by Susan Finding (Paris: ArmandColin, November 2009).
- “Abraham Lincoln at Two Hundred,” *OAH* (Organization of American Historians) *Newsletter*, 37:4 (November 2009), pp. 1, 8, 12.
- “Author’s Response to the Southern Intellectual History Circle Forum on *The Age of Lincoln.*” *The Journal of the Historical Society* IX:3 (September 2009): 355-72.
- (with Georganne Burton) “Lucy Holcombe Pickens: Belle, Political Novelist, and Southern Lady,” in *South Carolina Women: Their Lives and Times*, Vol 1. Edited by Marjorie Julian Spruill, Valinda W. Littlefield, and Joan Marie Johnson (Athens: University of Georgia Press, 2009), pp.273-98.
- Three essays in the *International Encyclopedia of Revolution and Protest: 1500 to the Present*. Edited by Immanuel Ness. (Oxford: Wiley-Blackwell, 2009).
- “Radical Reconstruction, United States, Promise and Failure of” VI: 2798-2801
<http://www.revolutionprotestencyclopedia.com/public/tocnode?query=burton%2C+vernon&widen=1&result_number=3&from=search&id=g9781405184649_chunk_g97814051846491238&type=std&fuzzy=0&slop=1>;
- (with Beatrice Burton) “American Civil War and Slavery,” I: 70-72
http://www.revolutionprotestencyclopedia.com/public/tocnode?query=burton%2C+vernon&widen=1&result_number=1&from=search&id=g9781405184649_chunk_g978140518464940&type=std&fuzzy=0&slop=1;
- (with Beatrice Burton) “Lincoln, Abraham (1809-1865) and African Americans,” Volume V: 2121-2123”
<http://www.revolutionprotestencyclopedia.com/public/tocnode?query=burton%2C+vernon&widen=1&result_number=2&from=search&id=g9781405184649_chunk_g9781405184649925&type=std&fuzzy=0&slop=1>;
- “Imagine Another Ending: Tweaking History to Shape an Alternative World,” pp. 48-50 in *A New Birth of Freedom, 1809*2009: Abraham Lincoln’s Bicentennial*. Edited by Don Wycliff (Washington, D.C.: The Lincoln Bicentennial Commission, 2009).

- (with Simon Appleford and Beatrice Burton) "Seeds in Unlikely Soil: The *Briggs v. Elliott* School Segregation Case," pp 176-200 in *Toward the Meeting of the Waters: Currents in the Civil Rights Movement of South Carolina during the Twentieth Century*. Edited by Orville Vernon Burton and Winfred B. Moore, Jr. (Columbia: The University of South Carolina Press, 2008).
- (with Lewie Reece) "Palmetto Revolution: The Coming of Desegregation in South Carolina," pp. 59-91, 283-94 in *With All Deliberate Speed: Implementing Brown v. Board of Education*. Edited by Brian Daugherty and Charles Bolton. (Fayetteville: University of Arkansas Press, 2008).
- "Civil Rights Movement in South Carolina," pp. 178-80; "Benjamin Mays," pp. 601-02; (with Beatrice Burton) "Francis Butler Simkins," 866; (with Beatrice Burton) "Lucy Pickens"; (with Beatrice Burton) "Sharecropping/ Tenantry," pp. 952-54 in *The South Carolina Encyclopedia* [A project of the South Carolina Humanities Council]. Edited by Walter Edgar. (Columbia: University of South Carolina Press, 2006).
- "African Americans," pp. 245-248 in *The Encyclopedia of the Midwest* [a project of the Institute for Collaborative Research and Public Humanities at The Ohio State University]. Edited by Richard Sisson, et al. (print version. Bloomington: Indiana University Press, 2007).
- "The Voting Rights Act," pp. 1134-1136 in Vol. 4: *Postwar America: An Encyclopedia of Social, Political, Cultural, and Economic History*. Edited by James Ciment. (M.E. Sharpe, 2006).
- "Emancipation," pp. 237-42, "Sharecropping," pp. 563-67, "South Carolina," pp. 584-593, "Suffrage," pp. 614-20, "Wade Hampton, III," pp. 306-08, in *Encyclopedia of the Reconstruction Era*. Edited by Richard Zuczek. (Westport, CN: Greenwood Press, 2006).
- (with David Herr) "Religious Tolerance and the Growth of the Evangelical Ethos in South Carolina," pp. 146-64 in *The Dawn of Religious Freedom in South Carolina*, Edited by James Lowell Underwood and W. Lewis Burke. (Columbia: University of South Carolina Press, 2006).
- (with Beatrice Burton) "Jefferson Davis," pp. 43-44 in *The Frederick Douglass Encyclopedia*. Edited by Julius E. Thompson, James L. Conyers, Jr., and Nancy J. Dawson. (Westport, CN: Greenwood Press, 2010).
- "The 1965 Voting Rights Act in the South," in *History* Vol. 3 (2007) *The Encyclopedia of Southern Culture*, 2nd revised ed. Edited by Charles Reagan Wilson. (Chapel Hill: University of North Carolina Press, 2007); and revised in James W. Ely, Jr. and Bradley G. Bond, eds., *Law and Politics* Vol. 10 of *The New Encyclopedia of Southern Culture*, pp. 399-401 (2008); and revised in Thomas C. Holt and Laurie B. Green, eds., *Race* Vol. 24, pp. 265-68 of *The New Encyclopedia of Southern Culture* (2013).
- "Problems and Methods in Family History Research," *Journal of Humanities* (National Central University at Chuhgli/Taoyuen), 2006.
- (with David Herr) "Defining Reconstruction," pp. 299-322 in *The Blackwell Companion to the Civil War and Reconstruction*. Edited by Lacy Ford. (Boston: Blackwell Publishers, 2005).
- "John H. McCray," pp. 125-27 in the *Dictionary of Twentieth Century Black Leaders*. Edited by Alton Hornsby, Jr. Montgomery. (AL: E-Book Time, LLC, 2005).
- "Stranger in a Strange Land: Crossing Boundaries," pp. 256-283 in *Shapers of Southern History: Autobiographical Essays by Fifteen Historians*. Edited by John Boles. (Athens: University of Georgia Press, 2004).
- "Dining with Harvey Gantt: Myth and Realities of 'Integration with Dignity,'" pp. 183-220 in *Matthew J. Perry: The Man, His Times and His Legacy*. Edited by W. Lewis Burke and Belinda F. Gergel. (Columbia: University of South Carolina Press, 2004).

- “‘Tis True that Our Southern Ladies have Done and are Still Acting a Conspicuous Part in this War’: Women on the Confederate Home Front in Edgefield, South Carolina,” pp. 95-108 in *“Lives Full of Struggle and Triumph”: Southern Women, Their Institutions, and Their Communities*. Edited by Bruce L. Clayton and John A. Salmond. (Gainesville: University of Florida Press, 2003).
- (with Georganne Burton) “Lucy Holcombe Pickens and *The Free Flag of Cuba*,” *South Carolina History Magazine* 103:4 (October 2002): 296-324.
- (with Ian Binnington) “Civil War: The Homefront in the South,” *Encyclopedia of the United States in the Nineteenth Century*, vol. 1, pp. 256-59. Edited by Paul Finkelman. (New York: Charles Scribner’s Sons, 2001).
- “Civil War and Reconstruction,” pp. 47-60 in *A Companion to Nineteenth Century America*. Edited by William L. Barney. (Oxford, UK: Blackwell Publishers, 2001, paperback 2006).
- “South Carolina” and “South Carolina Democratic Party (PDP),” vol. 2: pp. 692-94 in *Civil Rights in the United States*. Edited by Waldo E. Martin and Patricia Sullivan. (NY: Macmillan, 2000).
- “A Monumental Labor,” Review Essay of Walter Edgar’s *South Carolina: A History*,” *South Carolina Historical Magazine* 100:3 (July 1999): 262-268.
- “Bosket Family,” pp. 166-68 in vol. 1, *Violence in America: An Encyclopedia*. Edited by Ronald Gottesman. (NY: Charles Scribner's Sons, 1999).
- “Butler, Andrew Pickens,” 4:88-90; “Gary, Martin Witherspoon,” 8:775-77; “Mays, Benjamin Elijah,” 14: 795-97; “Mitchell, Harry Leland,” 15: 602-3; “Owsley, Frank Lawrence,” 16: 870-72; “Simkins, Francis Butler,” 19: 942-44; and “Tillman, Benjamin Ryan,” 21: 672-75, in *American National Biography*. Edited by John A. Garraty and Mark C. Carnes, 24 vols. (NY: Oxford University Press, 1999).
- “Legislative and Congressional Redistricting in South Carolina,” pp. 290-314 in *Race and Redistricting in the 1990s*. Edited by Bernard Grofman. (NY: Agathon Press, 1998).
- “Race Relations in the Rural South Since 1945,” pp. 28-58 in *The Rural South Since World War II*. Edited by R. Douglas Hurt. (Baton Rouge: Louisiana State University Press, 1998).
- “Benjamin E. Mays: Born to Rebel,” pp. 21-75 in *Walking Integrity: Benjamin Elijah Mays: Mentor to Generations*. Edited by Lawrence E. Carter, Sr. (Atlanta: Scholars Press of Emory University, 1996; paperback, Mercer University Press, 1998).
- “Edgefield, South Carolina: Home to Dave the Potter,” pp. 38-52 in *I Made This Jar: The Life and Works of the Enslaved African-American Potter, Dave*. Edited by Jill Beute Koverman. (Columbia: McKissick Museum University of South Carolina, 1998).
- “African American Status and Identity in a Postbellum Community: An Analysis of the Manuscript Census Returns,” *Agricultural History* 72:2 (Spring 1998): 213-240.
- “Confederate States of America: Homefront,” pp. 163-64 in *Reader's Guide to American History*. Edited by Peter Parrish. (London: Fitzroy Dearborn, 1997).
- “The ‘New’ South in a Postmodern Academy: A Review Essay,” *Journal of Southern History*, LXII:4 (Nov. 1996):767-786.
- “The Ninety Six Story,” pp. 4-7 in *Historic Ninety Six, South Carolina* in 9/6/96 Special Issue.
- “South Carolina” in *Encyclopedia of African-American Culture and History*, vol 5: 2529-2533. Edited by Jack Salzman, et al. (NY: Macmillan, 1996, rev. ed. and CD-ROM 2000).
- “Farm Protest\Populism,” pp. 265-267, and “Tenancy,” pp. 747-749, in *Encyclopedia of Social History*. Edited by Peter N. Stearns. (NY: Garland Publishing, Inc., 1994).
- NSF investigator and principal author (with Terrence R. Finnegan, Peyton McCrary, and James W. Loewen) “South Carolina” chap. 7, pp. 191-232, 420-432, in *The Quiet Revolution in the South: The Impact of the Voting Rights Act, 1965-1990*. Edited by Chandler Davidson and Bernard Grofman. (Princeton: Princeton University Press, 1994). Winner

- of the 1995 Richard F. Fenno Prize, Legislative Studies Section, American Political Science Association.
- “Society,” 4:1483-1493, “Family Life,” 2:562-565, “Cotton” (with Patricia Bonnin), 1:416-420, and “Tobacco” (with Henry Kamerling), 4:1597-1599, in *Encyclopedia of the Confederacy*. Edited by Richard N. Current. (NY: Simon and Schuster, 1993).
- “Large Questions in Small Places: Why Study Mount Pleasant's Institutions,” pp. 37-48, in *Mount Pleasant's Institutions: Proceedings of the Third Forum of the History of Mount Pleasant*. Edited by Amy Thompson McCandless. (Mount Pleasant, September 1993).
- “Sectional Conflict, Civil War, and Reconstruction,” pp. 131-157, in *Encyclopedia of American Social History*, vol. 1. Edited by Mary Kupiec Cayton, Elliott J. Gorn, and Peter W. Williams. (NY: Charles Scribner's Sons, 1993; with revisions on CD-ROM 1998).
- “The Burden of Southern Historiography: W J. Cash and the Old South,” pp. 59-79, in *The Mind of the South Fifty Years Later*. Edited by Charles W. Eagles. (Oxford: University Press of Mississippi, 1992).
- “‘The Black Squint of the Law’: Racism in South Carolina,” pp. 161-185, in *The Meaning of South Carolina History: Essays in Honor of George C. Rogers, Jr.* Edited by David R. Chesnutt and Clyde N. Wilson. (Columbia: University of South Carolina Press, 1991).
- “Reconstruction,” review essay of Eric Foner's *Reconstruction* in *South Carolina Historical Magazine* 91:3 (July 1990): 217-220.
- “Howard Kester,” pp. 401-03 (414-15 2nd rev); “Edward Britt McKinney,” pp. 462-63 (489-90 rev. 2nd); “Henry Leland Mitchell,” pp. 475-76 (502 rev. 2nd); Modjeska Monteith Simkins, pp. 700-01 (747-48 rev. 2nd) in *The Encyclopedia of the American Left*. Edited by Mari Jo Buhle, Paul Buhle, and Dan Georgakas. (NY: Garland Publishing, 1990, University of Illinois Press paperback, 1992 [rev. 2nd ed. Oxford University Press, 1998]).
- “Whence Cometh Rural Black Reconstruction Leadership: Edgefield County, South Carolina,” *The Proceedings of the South Carolina Historical Association, 1988-1989*. Aiken: The South Carolina Historical Association, 1989, pp 27-38. Reprinted as “Edgefield Reconstruction Political Black Leaders, pp. 161- 172, in Michael Bonner and Fritz Hamer (eds.) *South Carolina in the Civil War and Reconstruction Eras: Essays from the Proceedings of the South Carolina Historical Association* (Columbia: University of South Carolina Press, 2016).
- “Fatherhood,” pp. 1106-07; “Motherhood,” pp. 1111-13; “Family, Modernization of,” pp. 1540-41 in *Encyclopedia of Southern Culture*. Edited by Charles Reagan Wilson and William Ferris. (Chapel Hill: The University of North Carolina Press, 1989; paperback 1991; rev. ed.) “Motherhood” and “Fatherhood” in *Myth, Manners, and Memory* vol 4 (2007) and also in *Gender* vol. 13 (2009).
- “Hiring Out,” pp. 320-26, in the *Dictionary of Afro-American Slavery*. Edited by Randall M. Miller and John David Smith. (Westport, Conn.: Greenwood Press, 1988 [rev. 2nd. ed. 1997]).
- “In My Father's House Are Many Leaders: Can the Extreme Be Typical?” *The Proceedings of the South Carolina Historical Association, 1987*. (Aiken: The South Carolina Historical Association, 1988), pp 23-32.
- “The Development of the Tenant Farm System in the Postbellum South,” *Tar Hill Junior Historian* 27, #1 (Fall 1987): 16-18.
- “The Effects of the Civil War and Reconstruction on the Coming of Age of Southern Males, Edgefield County, South Carolina,” pp. 204-223 in *The Web of Southern Relations: Women, Family and Education*. Edited by Walter J. Fraser, Jr., R. Frank Saunders, Jr., and Jon L. Wakelyn. (Athens: University of Georgia Press, 1985, paperback ed. 1987).

- “Economics as Postbellum Southern History.” A Review Essay of *Old South, New South: Revolutions in the Southern Economy Since the Civil War* by Gavin Wright. (NY: Basic Books, 1986) in *Reviews in American History* 16:2 (June 1988): 233-40.
- “Anatomy of an Antebellum Rural Free Black Community: Social Structure and Social Interaction in Edgefield District, South Carolina,” *Southern Studies: Interdisciplinary Journal of the South* 21 (Fall 1982): 294-325. Special editor, Ira Berlin.
- “The Rise and Fall of Afro-American Town Life: Town and Country in Reconstruction Edgefield County, South Carolina,” pp. 152-92 in *Toward a New South? Studies in Post-Civil War Southern Communities*, Edited by Orville Vernon Burton and Robert C. McMath, Jr. (Westport, Conn: Greenwood Press, 1982). .
- Review essay of Elizabeth H. Pleck, *Black Migration and Poverty: Boston, 1865-1900*, in *Social Science History*, vol. 5 (Fall 1981): 483-88.
- “The Development of Tenantry and the Post-Bellum Afro-American Social Structure in Edgefield County, South Carolina.” In *Presentations Paysannes, Dimes, Rente fonciere et Mouvement de la Production Agricole a l'epoque Preindustrielle: Actes du Colloque preparatoire* (30 juin-let et 2 juillet 1977) au VIIe Congres international d'Histoire economique Section A3. Edimbourg 13-19 aout 1978, Vol. 2: 762-78. Edited by E. LeRoy Ladurie and J. Goy. Paris: Editions De L'Ecole des Hautes Etudes En Sciences Sociales, 1982. Reprinted pp.19-35 in *From Slavery to Sharecropping: White Land and Black Labor in the Rural South, 1865-1900*, vol. 3 of *African American Life in the Post-Emancipation South 1861-1900*. Edited by Donald G. Nieman. (Hamden, CT: Garland Publishing, 1994).
- “Race and Reconstruction: Edgefield County, South Carolina,” *Journal of Social History* 12 (Fall 1978): 31-56. Referenced and summarized in *Sociological Abstracts* 12, #1 (April 1978): 45. Reprinted in *The Southern Common People: Studies in Nineteenth Century Social History*. Edited by Edward Magdol and Jon L. Wakelyn, pp. 221-37. (Westport, Conn: Greenwood Press, 1980). Reprinted pp. 87-112 in *The Politics of Freedom: African Americans and the Political Process During Reconstruction*, vol. 5 of *African American Life in the Post-Emancipation South 1861-1900*. Edited by Donald G. Nieman. (Hamden, CT: Garland Publishing, 1994).
- “The Antebellum Free Black Community: Edgefield's Rehearsal for Reconstruction,” *The Furman Review* 5 (Spring 1974): 18-26.
- Selected Review Essays:
- "A Nation without Borders: The United States and its World in An Age of Civil Wars, 1830-1910 by Steven Hahn (NY: Viking Press, 2016) In the Penguin History of the United States, Eric Foner, Series Editor, H-South Reviews, 2019.
- “*The Thin Light of Freedom: The Civil War and Emancipation in the Heart of America* (NY: Norton, 2017) in *Journal of the Civil War Era*, expected September, 2019

Accepted and in Press:

- “The Origins of the 14th Amendment” in *Reconstructing the Constitution, Remaking Citizenship, and Reconsidering a Presidential Succession* for the U.S. Capitol Historical Society (Athens: Ohio University Press, expected 2020).
- “Lincoln and His Faith,” *Fides et Historia*, expected 2020.
- “Religion and the Academy,” *Books and Culture* 17:3 (May/June), 2020.
- “Datamining for the South: A Digital History Case Study.” Commissioned by Editor of the *American Historical Review*, expected 2021.
- “Picturing Lincoln in the 1850s,” *Journal of the Abraham Lincoln Association*, expected 2021.

- “Lincoln’s Gettysburg Address in Context of the Emancipation Proclamation and 13th and 14th Amendment,” *Lincoln Lore*, expected Fall 2021.
- “Revisiting Edgefield, South Carolina: Home to Dave Drake, the African American Potter,” in *I Made This Jar: The Life and Works of the Enslaved African-American Potter, Dave*. Revised edition, edited Jane Przybysz. Original essay, “Dave and Edgefield County,” pp. 38-52 in book edited by Jill Beute Koverman. (Columbia: McKissick Museum University of South Carolina, 1998), expected 2021.
- “Lincoln and the South,” in *Blackwell Companion to Abraham Lincoln*. Edited by Michael Green, expected 2020.
- “A Paradigm for American Race Relations Growing out of Slavery and Reconstruction” in *Reconstruction at 150: Reassessing the Revolutionary "New Birth of Freedom"*, eds Orville Vernon Burton and Brent Morris (Charlottesville: University of Virginia Press, expected 2020).
- “Reconsidering Reconstruction,” Peter Parish keynote Lecture, British American Nineteenth Century Historians: BRANCH *American Nineteenth Century History*, Vol 20 (2020) issue 4

Articles on Digital History, Statistics, Computing, and Scholarship of Teaching and Learning (SoTL):

- (with Simon Appleford) “Cyberinfrastructure for the Humanities, Arts, and Social Sciences,” in *ECAR (Educause Center for Applied Research) Bulletin* 9: 1 (January 13, 2009): 2-11.
- (with James Onderdonk and Simon Appleford) “History: The Role of Technology in the Democratization of Learning,” pp. 197-205 in *Ubiquitous Learning*. Edited by Bill Cope and Mary Kalantzis. (Urbana: University of Illinois Press, 2009).
- “Teaching Race and Citizenship,” pp. 229-35 in *America on the World Stage: A Global Approach to U.S. History*. Edited by Ted Dickinson and Gary Reichard. Published for the Organization of American Historians by University of Illinois Press, 2008.
- (with Simon Appleford) “Digital History: Using New Technologies to Enhance Teaching and Research,” Web Site Reviews in *The Journal of American History* 99 (March 2008): 1329-31.
- (with James Onderdonk and Simon Appleford) “A Question of Centers: One Approach to Establishing a Cyberinfrastructure for the Humanities, Arts, and Social Sciences,” *Cyberinfrastructure Technology Watch Quarterly* 3:2 (May 2007) –CTWatch, <http://www.ctwarch.org>.
- Chapter 3, U.S. History Survey Syllabus (annotated), Teaching Philosophy, and examples, pp. 94-107 in *AP US History Teacher’s Guide*. Edited by Nancy Schick and Warren Hierl (with Marc Singer, Assessment Specialist). (Princeton: College Board Advanced Placement of the Educational Testing Service, 2007). Also available at (http://apcentral.collegeboard.com/apc/public/courses/teachers_corner/3501.html).
- “American Digital History,” *Social Science Computer Review* 23: 2 (Summer 2005): 206-220, reprinted in “Essays on History and New Media,” Roy Rosenzweig Center for History and New Media, at <http://chnm.gmu.edu/essays-on-his-new-media/essays/?essayid=30>. published in a Turkish translation, “AMERİKAN DİJİTAL TARİHİ,” *Tuhed* (Turkish History Educational Journal) [Year 2018, Volume 7, Issue 2](http://dergipark.gov.tr/tuhed/issue/39129/448606), Pages 697 – 719 (<http://dergipark.gov.tr/tuhed/issue/39129/448606>).
- “Creating a Sense of Community in the Classroom,” pp. 131-35 in *The Art of College Teaching: 28 Takes*. Edited by Marilyn Kallet and April Morgan. (Knoxville, University of Tennessee Press, 2005).

- (with Ian Binnington and David Herr) "What Difference Do Computers Make? History, Historians, and Computer-Mediated Learning Environments," *History Computer Review* 19 (Spring 2003): 98-103.
- (with Ian Binnington and David Herr) "Computer Mediated Learning Environments: How Useful Are They?" *AHR Perspectives: Newsmagazine of the American Historical Association* 41:1 (January 2003): 14, 22 (More detailed Carnegie Report as "Historians Face the E-Future: Findings from the Carnegie Scholar Survey on Computer Mediated Learning Environments," at AHA Website www.theaha.org/perspectives/issues/2003/0301/0301not3.cfm).
- (with Terence Finnegan and Beatrice Burton) "The Census Workbench: A Distributed Computing U.S. Census Database Linkage System," in *Wayfarer: Charting Advances in Social Science and Humanities Computing*. Edited by Orville Vernon Burton, David Herr, and Terence R. Finnegan. (Urbana: University of Illinois Press, 2002).
- (with David Herr and Beatrice Burton) "RiverWeb: History and Culture of the Mississippi River Basin American Bottom," in *Wayfarer: Charting Advances in Social Science and Humanities Computing*. Edited by Orville Vernon Burton, David Herr, and Terence R. Finnegan. (Urbana: University of Illinois Press, 2002).
- "Interviews with Exemplary Teachers: Orville Vernon Burton," *The History Teacher* 35 (February 2002): 237-251.
- "A Special Kind of Community," *Furman Magazine* 44, no. 1 (Spring 2001), 16-19.
- "Why Care About Teaching? An interview with an Accomplished Scholar and National Teaching Award Winner," *The Real Issue* (January/February 2000): 2-5.
- "The Use of Historical and Statistical Data in Voting Rights Cases and Redistricting: Intent and Totality of Circumstances Since the Shaw Cases," "Understanding Ecological Regression Techniques for Determining Racial Bloc Voting: An Emphasis on Multiple Ecological Regression," and "Report on South Carolina Legislative Delegation System for *Vander Linden v. South Carolina*, Civ. Non. 2-91-3635-1, December 1995," in *Conference Workbook*. Lawyer's Committee for Civil Rights Under Law Voting Rights Project, American University Washington College of Law, Voting Rights Conference, November 19-20, 1999, Washington D.C.
- "Presenting Expert Testimony in Voting Rights Cases" and "Understanding Ecological Regression Techniques for Determining Racial Bloc Voting," in *Conference Proceedings*. CLE/NAACP Annual Meeting, Indianapolis, IN, 1993.
- (with James W. Loewen, Terence Finnegan, Robert Brischetto) "It Ain't Broke, So Don't Fix It: The Legal and Factual Importance of Recent Attacks on Methods Used in Vote Dilution Litigation," lead article in *The University of San Francisco Law Review* 27:4 (Summer 1993): 737-780.
- "Teaching Historians with Databases," *History Microcomputer Review* 9:1 (Spring 1993): 7, 9-17.
- (with Terence Finnegan), "Two Societies at War, 1861-1865," pp. 273-90 in *Documents Collection America's History*, vol. 1. Edited by Orville Vernon Burton, et al., to accompany James Henretta, et al., *America's History*, 2nd ed. (NY: Worth Publishers, 1993).
- "Populism," pp. E7-E11, in *Instructor's Resource Manual America's History*, 2nd ed., vol. 2 to accompany James Henretta, et al., *America's History* (NY: Worth Publishing, 1993).
- "Quantitative Methods for Historians: A Review Essay," *Historical Methods* 25:4 (Fall 1992): 181-88.
- "Computers, History, and Historians: Historians and Converging Cultures?" *History Microcomputer Review* 7:2 (Fall 1991): 11-23.
- (with Terence Finnegan) "Historians, Supercomputers, and the U.S. Manuscript Census," in *Proceedings of the Advanced Computing for the Social Sciences Conference*. Edited by

- Bruce Tonn and Robert Hammond. Washington, D.C.: GPO (U.S. Department of Commerce Bureau of the Census), 1990. Revised edition published in *Social Science Computer Review* 9:1 (Spring 1991), 1-12.
- (with Terence Finnegan) "Developing Computer Assisted Instructional (CAI) Materials in the American History Surveys," *The History Teacher* 24:1 (Nov. 1990): 1-12.
- (with Terence Finnegan) "Teaching Historians to Use Technology: Databases and Computers," *International Journal of Social Education* 5:1 (Spring 1990): 23-35.
- "Complementary Processing: A Supercomputer/Personal Computer U.S. Census Database Project" in *Supercomputing* 88, vol. 2 *Science and Applications*. Edited by Joanne L. Martin and Stephen Lundstrom. Washington, D.C.: IEEE Computer Society Press, 1990, pp. 167-177.
- "History's Electric Future" in *OAH* (Organization of American Historians) *Newsletter* 17: #4 (November 1989): 12-13.
- "New Tools for 'New' History: Computers and the Teaching of Quantitative Historical Methods" in *Proceedings of the 1988 IBM Academic Information Systems University AEP Conference, "Tools for Learning,"* Dallas/Ft. Worth, Texas, June 1988. Edited by Frederick D. Dwyer. Abstract in *Agenda*, pp. 73-74. An expanded and significantly different version with Terence Finnegan as coauthor appears in *History Microcomputer Review* 5:1 (Spring 1989): 3, 13-18.
- (with Robert Blomeyer, Atsushi Fukada, and Steven J. White) "Historical Research Techniques: Teaching with Database Exercises on the Microcomputer," *Social Science History* 11:4 (Winter 1987): 433-448.
- The United States in the Twentieth Century* (History 262). Champaign: University of Illinois Guided Individual Study, Continuing Education and Public Service, 1986.
- "The South in American History" in *American History: Survey and Chronological Courses, Selected Reading Lists and Course Outlines from American Colleges and Universities*, Edited by Warren Susman and John Chambers, vol. 1: 121-27. (NY: Marcus Wiener Publishing, Inc., 1983, rev. 2nd ed. 1987, rev. 3rd ed. 1991).
- "Using the Computer and the Federal Manuscript Census Returns to Teach an Interdisciplinary American Social History Course," *The History Teacher* 12 (November 1979): 71-88. Reprinted with a few changes in *Indiana Social Studies Quarterly* 33 (Winter 1980-81): 21-37.
- Collaborative Research With Dermatologists--Medical doctors and Computer Scientists
- With Urso, B, Updyke KM, Domozych R, Solomon JA, Brooks I, Dellavalle RP, MD, PhD. Acne Treatment: Analysis of Acne-Related Social Media Posts and the Impact on Patient Care." 2018 *Cutis*102(1): 41-43.
- With Updyke KM, Urso B, Ali H, Brooks I, Dellavalle RP, Solomon JA." "Following Autoimmune Diseases Through Patient Interactive Diaries: Continuous Quality Improvement." *Practical Dermatology* 2017; 14 (12) 48-54.
- With Updyke KM, Urso B, Solomon JA, Brooks I, Dellavalle RP. "Identifying the most influential social media networks utilized by different populations of patients with autoimmune diseases." Oral poster presentation, 2017 Society for Investigative Dermatology Annual Meeting, Portland, OR. April 2017
- With Updyke KM, Urso B, Solomon JA, Brooks I, Dellavalle RP. "An overview of social media posts related to psoriasis patients' perspectives towards Humira." Oral poster presentation, 2017 Society for Investigative Dermatology Annual Meeting, Portland, OR. April 2017
- With Urso B, Updyke KM, Domozych R, Solomon JA, Brooks I, Dellavalle RP. "Acne treatment utilization among patients on social media platforms." Oral poster

presentation, 2017 Society for Investigative Dermatology Annual Meeting, Portland, OR. April 2017

With Urso B, Updyke KM, Domozych R, Solomon JA, Brooks I, Dellavalle R. Acne treatment utilization among patients on social media platforms (abstract). *J Invest Dermatol.*;137(5):s66, 2017

With Updyke KM, Urso B, Solomon JA, Brooks I, Dellavalle RP. An overview of social media posts related to psoriasis patients' perspectives towards Humira (abstract). *J Invest Dermatol.*;137(5):s13, 2017

Interviews, Reports, and Other Publications:

"A Brief Conversation with James M. McPherson," in *The Struggle for Equality: Essays on Sectional Conflict, the Civil War, and the Long Reconstruction in Honor of James M. McPherson*. Edited by Burton et al., pp. 288-92 (Charlottesville: University of Virginia Press, 2011).

"We must learn not to hide from our racist past," *Greenville News* December 27, 2014.

"Dr. Lacy K. Ford Jr.," *Caroliniana Columns: University of South Caroliniana Society Newsletter*, Issue 35 (Spring, 2014), pp. 3-4.

"A Few Words about Allen Stokes as He Retires as Director of the South Caroliniana Library," *Caroliniana Columns: University of South Caroliniana Society Newsletter*, Spring 2013, pp. 1, 4-5.

"UI Earns Right to be Mr. Lincoln's University: Excerpted from remarks by Prof. Vernon Burton, April 1, 2010 keynote address at the UI College of Law," *The News Gazette* (Champaign, Illinois) May 23, 2010, pp. C-1 and C-4.

"Learning from the Bicentennial: Lincoln's Legacy Gives Americans Something for which to Strive," *The News Gazette* (Champaign, Illinois) February 12, 2010, pp. C-1 and C-4.

"Life of Lincoln Resonates Today," *The Atlanta Journal-Constitution*, Opinion, Dec. 9, 2009, A19.

"Colbert History," *Pan-African Studies*, Fall 2009, p. 3.

"Remarks by Professor Orville Vernon Burton at the October 10, 2009 Celebration of Abraham Lincoln's September 30, 1959 Speech," Delivered at the Milwaukee War Memorial Center at the Invitation of the Wisconsin Lincoln Bicentennial Commission, Appendix pages 166-177 in *Final Report and Appendix of the Wisconsin Lincoln Bicentennial Commission*, To: The Governor of the State of Wisconsin, Jim Doyle, Responsive to: Executive Order #245, Date: February 12, 2010.

"Max Bachmann's Bust of Abraham Lincoln, Circa 1915," pp. 88-89 in *Lincoln in Illinois*, Ron Schramm, Photographer and Richard E. Hart, Compiler and Editor (Springfield: published by the Abraham Lincoln Association, 2009.

"Is There Anything Left to Be Said about Abraham Lincoln?" *Historically Speaking* 9:7 (September/October 2008): 6-8.

"An Interview with Vernon Burton" *Lincoln Lore*, no. 1894 (Fall 2008), pp. 18-24.

"Lincoln's Generation also Faced Crisis Involving Religion and Terrorism," in *History Network Newsletter*, February 25, 2008.

"Abraham Lincoln, Southern Conservative: An Interview with Orville Vernon Burton" (2 Parts), posted by Allen Barra, October 2, 2007.

http://www.americanheritage.com/blog/200710_2_1259.shtml and

http://www.americanheritage.com/blog/200710_2_1260.shtml

Interview by Roy A. Rosenzweig, 2001, "Secrets of Great History Teachers," *History Matters*, at <http://historymatters.gmu.edu/browse/secrets/>.

"Keeping Up With the e-joneses: Information Technology and the Teaching of History," *Proceedings for First Annual Charleston Connections: Innovations in Higher Education*

- Conference. Learning from Each Other: The Citadel, The College of Charleston, The Medical University of South Carolina, Charleston Southern University and Trident Technical College.* June 1 and 2, 2001, The Citadel, Charleston, South Carolina, p. 63. (with Terence Finnegan and Barbara Mihalas) “Developing a Distributed Computing U.S. Census Database Linkage System,” Technical Report 027 (December 1994). National Center for Supercomputing Applications, UIUC.
- “On the Study of Race and Politics,” *Clio: Newsletter of Politics & History, An Organized Section of the American Political Science Association* 3:1 (Fall & Winter, 1992/1993): 6.
- “Benjamin Mays of Greenwood County: Schoolmaster of the Civil Rights Movement,” *South Carolina Historical Society News Service*, published in various newspapers, 1990.
- “Quantitative Historical U.S. Census Data Base” in *Science: The State of Knowing*. National Center for Supercomputing Applications, Annual Report to the National Science Foundation 1987, p. 29.
- “Computer-Assisted Instructional Database Programs for History Curricula” *Project EXCEL*. 1986-87 Annual Report. Office of the Chancellor, UI at Urbana-Champaign, pp. 41-42.
- “Postmodern Academy,” *The Octopus*, January 24, 1997, p. 6.
- (with David Herr and Ian Binnington) “Providing Lessons in Mississippi River Basin Culture and History: riverweb.ncsa.uiuc.edu,” in *Touch the Future: EOT-PACI*, 1997, p. 43.
- “The Coming of Age of Southern Males During Reconstruction: Edgefield County, South Carolina,” Working Papers in Population Studies, School of Social Sciences, University of Illinois at Urbana-Champaign, 1984.
- In Memorial – Essays for Charles Joyner, F. Sheldon Hackney, Bertram Wyatt-Brown in the American Historical Association (AHA) *Perspectives*; Thomas Krueger and Philip Paladin in Organization of American Historians *OAH Newsletter*, and F. Sheldon Hackney JSH LXXXI:2 (May 2015), pp. 350-52, and Ernest L. “Whitey” Lander, in *Journal of Southern History*.
- “Creating a Major Research Archive on Southern History,” *Caralogue: The Journal of the South Carolina Historical Society*, June, 2015.
- A number of brief essays about the Clemson CyberInstitute, for example, “Clemson’s CyberInstitute encourages Collaboration,” <http://features.clemson.edu/inside-clemson/inside-news/clemson%E2%80%99s-cyberinstitute-encourages-collaboration/>
- In addition, I have written a number of reports as expert witness for minority plaintiffs in voting rights and discrimination cases.

Accepted and In Press:

“Liberty,” in the Fetzer Institute's *Booklet of Notable Lincoln Quotations*, expected 2018.

Digital Publications and Projects:

Editor in Chief, *The Long Civil War: A Digital Research and Teaching Resource*, Alexander Street Publishers, 2013-

Editor in Chief, *Slavery and Anti-Slavery: A Transnational Archive*. The Largest Digital Archive on the History of Slavery. Farmington Hills, MI: Thompson-Gale, 2007--14.

<http://www.galetrials.com/default.aspx?TrialID=16394;ContactID=15613>. Advisory Board: Ira

Berlin, Laurent Dubois, James O. Horton, Charles Joyner, Wilma King, Dan Littlefield, Cassandra Pybus, John Thornton, Chris Waldrep.

Part I: Debates Over Slavery and Abolition, 2009

Part II: Slave Trade in the Atlantic World, 2011

Part III: Institution of Slavery, 2012

Part IV: Age of Emancipation, 2014

- Webmaster for the Abraham Lincoln Bicentennial Commission Website, 2007-10, now maintained by the ALB Foundation. <http://www.lincolnbicentennial.gov/>
- "Does Southern Exceptionalism Exist," Inside Clemson, May 14, 2014
<http://newsstand.clemson.edu/does-southern-exceptionalism-exist/>
- Lincoln Remembered: Nine essays – "Lincoln and the Founding of Democracy's Colleges," "Lincoln: America's "First and Only Choice," "Picturing Lincoln," "Putting His Politics on Paper," "Belief in the Rule of Law," "Taking a Stand Against Slavery," "The Movement Toward Civil Rights," "Political Brilliance on the Path to the Emancipation Proclamation," "Lincoln's Last Speech," commemorating the bicentennial of Lincoln's birth, February 2009 to February 2010. A monthly blog for the Illinois LAS On-line Newsletter; available at <http://www.las.illinois.edu/news/lincoln/>.
- Writing the South in Fact, Fiction and Poetry: A Conference Honoring Charles Joyner. Thursday and Friday Sessions. DVD produced of Conference I organized at Coastal Carolina University, Conway, SC, Feb. 17-19, 2011. Produced CD Aug. 2011.
- Editor, "Slavery in America in Sources in U.S. History Online." Farmington Hills, MI: Thompson Gale, 2007.
- "The Mississippi River in American History," for *Mark Twain's Mississippi*, including essays with Simon Appleford and Troy Smith, on "Economic Development, 1851–1900," "Politics, 1851–1900," "African Americans in the Mississippi River Valley, 1851–1900," "Native Americans in the Mississippi River Valley, 1851–1900," "Religion and Culture, 1851–1900," and "Women in the Trans-Mississippi West, 1851–1900." Edited by Drew E. Vandecreek, Institute of Museum and Library Services (IMSL) Project (2007). Online Resource: <http://dig.lib.niu.edu/twain/>.
- RiverWeb: An interdisciplinary, multimedia, collaborative exploration of the Mississippi River's interaction with people over time (now redone as Cultural Explorer). CD-ROM and Website <http://riverweb.ncsa.uiuc.edu/>.
- The Illinois RiverBottom Explorer (IBEX). Part of the East Saint Louis Action Research Project (ESLARP) where Faculty and East St. Louis neighborhood groups and local churches work on tangible and visible projects that address the immediate and long-term needs of some of the city's poorest communities. (More is available at <http://www.eslarp.uiuc.edu/>). IBEX serves as a resource for historical documents, primary and secondary sources, and oral history interviews. Website: <http://www.eslarp.uiuc.edu/ibex/archive/default.htm>.
- Text96. A collection of primary source electronic texts for teaching American History. Website <http://www.history.uiuc.edu/uitext96/uitexttoc.html>.
- "Database Exercises and Quantitative Techniques: Exercise I: Colonial America." Madison, WI: Wiscware, 1987. (for IBM and compatible computers, 1 disk, Instructional Workbook, and Teacher's Instructional Sheet).
- "Lessons in the History of the United States." Wentworth, NH: COMPRESS, 1987 (1989 with QUEUE, Fairfield, CT). For IBM color monitor; originally 50 computer exercise modules on 25 computer disks + instructor's manual. An interactive electronic textbook of U.S. history.
- Automated linkage and statistical systems Unix Matchmaker, AutoLoad, RuleMatch, DisplayMatch, ViewCreate (Urbana: UI NCSA, 2000).
Website <http://www.granger.uiuc.edu/aitg/maps/1870/htm/default.htm>
- "Illinois Windows Dataentry System for U.S. Census." University of Illinois, 1988 (for IBM PS2 and compatible computers with Windows applications, 1 disk, Instructional Sheet)
- The Age of Lincoln* website at <https://ageoflincoln.app.clemson.edu>.
- Current Digital Projects include Social Media Learning Center Studies of Elections, Redistricting, Minorities, and Discussions of the American South, Race, and the Civil

War. Also text and data analytics (mining) – developing techniques using the HathiTrust, Internet Archive II Digital Book Collection, and Library of Congress Chronicling America U.S. newspaper archive to study “DNA” of writings of Abraham Lincoln, changing views of American South over time, interpretations of Civil War and development of “Lost Cause Mythology.”

In addition, I continue to use Edgefield County, South Carolina to investigate, “large questions in small places.” I have accumulated a quantitative database that includes every person and farm recorded in the U.S. manuscript census returns linked from 1850 to 1880 for old Edgefield District, South Carolina (a region now comprising five different counties). With this unique database I (and my students) can study, test, and suggest themes in American History with details and specificity related to the lives of ordinary folks.

Selected Grants:

National Science Foundation (NSF), GK-12: Ed Grid Graduate Teaching Fellows Program, 2003-09 (\$4,990,015)

NSF, EAGER: Prototype Tool for Visualizing Online Polarization (co-Pi), 2012-14 (\$262,654)

NSF CISE/IRIS Division Award, Grant No. ASC 89-02829, Automated Record Linkage, 1991

NSF Grant No. CDA-92-11139, “Historical U.S. Census Database with High Performance Computing,” 1992

NSF, EPIC Grant, 2006-08 (\$20,000)

NSF Catalyst Grant for Social Science Learning Center (with MATRIX, Michigan State University), 2006-09 (\$175K)

NSF, Senior Investigator on the MRI award, Award #1228312 MRI: Acquisition of High Performance Computing Instrument for Collaborative Data-Enabled Science (\$1,009,160) See:

http://nsf.gov/awardsearch/showAward?AWD_ID=1228312&HistoricalAwards=false

Abraham Lincoln Bicentennial Foundation, Lincoln’s “Unfinished Work”: Conference on The South and Race,” 2012-2018 (\$27,000)

National Parks Service, “*Administrative Histories of Fort Sumter National Monument and Charles Pinckney National Historic Site*,” \$110,000.00

Clemson University, “Tracking Themes Across Time and Space,” 2012 (\$10,000)

National Endowment for the Humanities (NEH) Challenge Grant for Institute for Computing in Humanities, Arts, and Social Science, 2008-11 (\$750,000, 3 mil. Total with challenge matches)

NEH Educational Technologies Grant, ED-20758, 1997-99

NEH Humanities High Performance Computing Advance Research and Technology (HpC): Coordinating High Performance Computing Institutes and the Digital, 2008-09

(\$249,997). To support a total of nine institutes and one joint conference for humanities scholars, to be hosted by three different high-performance computer centers: the National Center for Supercomputing Applications, the Pittsburgh Supercomputing Center, and the San Diego Supercomputer Center.

NEH, NSF, and the Joint Information Systems Committee, “Digging Into Image Data to Answer Authorship Related Questions,” 2009-11 (\$100,000).

(with Max Edelson) NEH, The Cartography of American Colonization Database Project, To support the development of a database of 1000 historical maps illustrating the trajectory of colonization in the Americas. The database will provide a searchable introduction to the mapping of the western hemisphere in the era of European expansion, ca. 1500-1800. 2008-09 (\$24,997)

NEH Conference Grant (with R. C. McMath, Jr., History and Social Sciences, Georgia Institute of Technology), 1978
NEH Summer Research Fellowship, 1983
American Council of Learned Societies (ACLS) Travel grant, 1977
American Council of Learned Societies (ACLS) Grant- to Recent Recipients of the Ph.D., 1977
PT3/Technology Across Learning Environments for New Teachers grant, U.S. Department of Education, 2002-03, 2003-04
Academy of Academic Entrepreneurship, 2006-08
National Archives Record Administration grant for digital records, 2003-05
IBM Shared University Research Grant, 1994
IBM Innovations grant, Educational Technologies Board, 1992
IBM Technology Transfer IBM grant, 1988
IBM EXCEL II, History Database Teaching Project, 1987
IBM EXCEL Project, History Database Teaching Project, 1986
Partnership Illinois Award, 1998 (with Brian Orland, Pennsylvania State University Landscape Architecture, East St. Louis Research Project), RiverWeb 2002-03, 2003-04
East Saint Louis Action Research Program Grant, 2005-06, 06-07, 07-08
Andrew Carnegie Foundation 3-year Baccalaureate Study Grant, 1976
Sloan Center for Asynchronous Learning Environment Grant, 1998
South Carolina Humanities Grant for Lincoln's Unfinished Work, \$7,000, 2018-19
The Humanities Council (South Carolina) Outright Grant (\$8,000), THC grant #10-1363-1 (Writing the South in Fact, Fiction, and Poetry), 2011
South Carolina Humanities Council Conference Grant (with Tricia Glenn), 2005
South Carolina Humanities Council Conference Grant (with Winfred Moore), 2002-03
South Carolina Humanities Council Conference Grant (with Bettis Rainsford), 2000-01 (with Ian Brooks, University of Illinois) "Improving patient outcomes by listening to their social media communications," **H**omecare **E**ducation **A**nd **R**esource **T**eam **S**upport (**H/E/A/R/T/S**), \$15,000, 2017-
Grant for Conference on "Lincoln's Unfinished Work," Thomas Watson Brown Foundation, \$17,560, 2017- 18
Self Family Foundation, \$6,000 for Lincoln's Unfinished Work, 2018-19

Selected Grants from University of Illinois

Office of Continuing Education Grant, 2005-06, 06-07
Chancellor, Provost, and Vice Chancellor Research, RiverWeb Grant, 2004-05 (\$30K)
Advanced Information Technologies Group Research Award, 1994, 96, 97, 2000
Applications of Learning Technologies in Higher Education grant for UI--Text96 Project, 1995--2000 (co-principal investigator with Richard Jensen of UIC campus)
Educational Technologies Board Grant for RiverWeb 1998
Guided Individual Study Grant for RiverWeb, 1997-98
Program for the Study of Cultural Values and Ethics, Course Development Award, 1993
Arnold O. Beckman Research Grant Award, UIUC Research Board, 1989, 1992
Language Laboratory Computer Assisted Instruction Award, 1988
Research Board Humanities Faculty Research Grant, 1986
Graduate Research Board, support for various projects, 1976-08

Selected Grants from Clemson University

2011/2012 University Research Grant Committee (URGC) Program (\$10,000)
2013-14 CAAH & Library Digital Humanities Grant (\$4000)

2018- Clemson Humanities Hub Short Term Visiting Humanities Fellowship, a grant to help fund the Conference on Lincoln's Unfinished Work (\$5,000)

Selected Professional Activities and Service:

Officer Congressional Abraham Lincoln Bicentennial Commission Foundation, 2008-2010;
Board of Directors, Abraham Lincoln Bicentennial Foundation, interim President, 2010,
vice-chair 2010-

Southern Historical Association, President 2011-12, President Elect, 2011, Vice President Elect,
2010, Executive Council, 2005-08, 09-15; Program Committee 1989, 1998; 2005 (Chair);
Membership Committee, 1986-87, 1991-92; 1995-98; 2002; Committee on Women,
1992-95, Nominating Committee, 1999-2000, Chair H.L. Mitchell Book Award
Committee, 2000-02

Agricultural History Society, President 2001-02, Vice President 2000-01, Executive Committee,
1997-2006; Committee to Review and Revise Constitution and By-Laws, 2004-05;
Nominating Committee, 1991-94, chair 1993-94; Committee to Select first Group of
Fellows for Society, 1995; Committee to select new Secretary/Treasurer, 2009-10

Organization of American Historians, Included in the Organization of American Historians Race
Relations Expert Guide, 2015-, OAH/ALBC (Abraham Lincoln Bicentennial
Commission) Abraham Lincoln Higher Education Awards Committee, 2007-09; ABC-
CLIO "America: History and Life" Award Committee, 1997-99; Membership
Committee, 1990-94, nominated for executive board 1989.

Social Science History Association, Executive Committee 2000-03; Nominating Committee
1990-91; Program Committee 1989, 1993; Community History Network Convener,
1976-79; Rural History Network Convener, 1988-90, 1993-94

Social Science Computing Association, Executive Council, 1993-2002; Organizing Committee
Chairperson for Annual Conference, 1993, Conference on Computing for the Social
Sciences (CSS93); program committee 1993-95, 2001

American Historical Association, Nominated for Vice President for Teaching, 2009

Southern Association for Women Historians, Membership Committee, 1996-99

The Society of Civil War Historians, Chair Thomas Watson Brown Book Award for the best
book published on the causes, conduct, conduct, and effects, broadly defined, of the Civil
War, 2017-18.

South Carolina Historical Association, Executive Board, 2009-12

H-Net, founding member of H-Net, Treasurer and Executive Committee, 1993-99; Chair,
committee to evaluate multimedia NEH grant; Editor H-South (book review editor 1997-
2000); Editorial Board of H-Rural, H-Slavery, and H-CivWar.

Scholarly Advisory Group, President Lincoln's Cottage at the Soldier's Home, 2012-
Executive Council, The University South Caroliniana Society, 2011-15

University of South Carolina, Search Committee for Director South Caroliniana Library, 2012

Executive Board South Carolina Jubilee Project, 2012-14

Member South Carolina Abraham Lincoln Bicentennial Commission, 2008-2010

Member Champaign County, Illinois, Abraham Lincoln Bicentennial Commission, 2006-10

Council, U.S. Civil War Sesquicentennial Commission, 2009-15

Historical Advisory Committee to the "Fort Sumter/Fort Moultrie Trust," charged with
organizing Sesquicentennial Activities in Charleston and South Carolina Lowcountry,
2010-15

The Illinois Humanities Council Scholar, 2004-05

Presented to President's Information Technology Advisory Commission (PITAC), 9-16-2004

Invited to NEH Digital Humanities Initiative Mini-Conference, March 2006 and Digital
Humanities Summit, April 2011, December 2007

Digital Library Federation Scholars' Advisory Panel, 2004-7
University of Tennessee Knoxville Horizon Project Steering Committee, 2014-
Peer Reviewer, ACH/ALLC/SDH-SEMI Joint Digital Humanities Conferences, 2007-13
E-Docs, (one of 3 founding members) Editorial Board, 1998-2005
Mentor for Southern Regional Council Minority Scholars Program, 1992-96
UIUC Representative to Lincoln Presidential Library Committee: Educational Activities
Committee, 2001; Fellowship Committee, 2002
Faculty Associate, Council for International Exchange of Scholars, 2002-03
Evaluator/Referee (one of two for history) for the Pew Foundation Faculty Research
Fellowships, 1997-98, 1998-99; 2001 (for graduate students for summer seminar)
Evaluator and Referee for American Council of Learned Societies Grants, 2005-08
National Endowment Humanities, Review Panels: Scholarly Editions Program, 2007-08, for
Digital Humanities Grants, 2010, NEH Division of Public Programs Panel, "America's
Historical and Cultural Organizations" (AHCO) grant initiative, 2013; Humanities
Connections, 2016
National Science Foundation Review Panel for Knowledge and Distributed Intelligence grants,
1998, 1999
Humanities, Arts, Science, and Technology Advanced Collaboratory (HASTAC), Steering
Committee and Planning Committee, 2003-04, Program Committee, 2009, 2010, 2013-14
Advisory Committee, American Studies Program, Bureau of Educational and Cultural Affairs,
U.S. Information Agency, 1989-93
Delegate to the Mexican/American Commission on Cultural Cooperation, Mexico City, June
1990; Chairperson of United States delegation (Co-Chairperson with Mexican
counterpart), U.S. Studies Working Group
Advisor for "Crossroads of Clay": NEH Alkaline Glazed Stoneware Exhibition and Catalog,
McKissick Museum, University of South Carolina, 1987-90
Advisory Committee Film Project for Historic Southern Tenant Farmers Union, 1986-90
Consultant, Commercial film, "Roll the Union On" about H.L. Mitchell and the Southern Tenant
Farmers Union
Consultant on the Renewal of the 1965 Voting Rights Act, 1981-82, 2004-07, including
consultation for an NBC TV Special.
Consultant for Documentary, "Behind the Veil," 1995-2005
Board of Directors of the Abraham Lincoln Historical Digitization Project, 1997-
Advisory Council for the Lincoln Prize at Gettysburg College, 1997-
Prize Committee for the Technology and History Award, The Gilder Lehrman Institute of
American History, 2000-01
International Committee on Historic Black Colleges and Universities, 2001-
Consultant, Belle Meade and The Hermitage and Vanderbilt University. Presentations of
slavery.
Consultant, Morven Park, 2010-12
Consultant, for Matt Burrows, documentary "The Assassination of N.G. Gonzales by James H.
Tillman," 2010-
Consultant, for Chris Vallilo musical performance, "This Land is Your Land: Woody Guthrie
and the Meaning of America," 2010-
Organizing and Founding Committee International Society for the Scholarship of Teaching and
Learning (IS-SOTL), 2003-7. Drafted initial mission statement for Society.
Furman University Alumni Council Board, 2010-16
International African American Museum (IAAM) Program Subcommittee (Charleston, SC),
2016-

IAAM, Content team for an exhibit wall located in the Carolina Gold gallery entitled Built on Slavery, 2018-

Dr. Benjamin E. Mays Historical Preservation Site Foundation Board, 2015-

Editorial Boards:

Associate Editor for History, *Social Science Computer Review*, 2012-16

Editorial Board, [International Journal of Humanities and Social Science Research](#), 2015-

Editorial Board, Digital Humanities Series, University of Illinois Press, 2005-

Editorial Board, *Change and Continuity*, 1995-

Editorial Board *Fides et Historia*, 2010-

Editorial Board *Proceedings of the South Carolina Historical Association*, 2009-14

Editorial Board, *History Computer Review*, 1990-2003

Editorial Board, *Locus: An Historical Journal of Regional Perspectives on National Topics*, 1994-96

Editorial Advisory Board, *The South Carolina Encyclopedia*, gen. editor Walter Edgar, 2000-06

Advisory Boards:

Advisory Board for *International Journal of Social Education*, 1986-2000

Advisory Reviewer for *The Journal of Negro History* (since 2002, *The Journal of African American History*), 1992-

Advisory board for the online *South Carolina Encyclopedia*. Southern Studies Institute, University of South Carolina, 2015-

Advisory Board, Digital Library on American Slavery, University of North Carolina, Greensboro, 2004-10

Advisory Board, Biographies: The Atlantic Slaves Data Network (ASDN), 2010-

Advisory Board, Simms Initiatives of the Library at the University of South Carolina, 2009-14

Advisory Board, American Insight, 2013- (www.AmericanINSIGHT.org)

Strategic Advisory Council for MATRIX: The Center for Humane Arts, Letters and Social Sciences On-line at Michigan State University, 2004-

Advisory board, of the Michigan State University MATRIX online project, "Mapping Civil War Politics"

External Advisory Board (EAB) of proposed Center of Data for the Public Good, University of North Carolina, Chapel Hill

Advisory Board, The Virtual Archives for Land-Grant History Project, Association of Public-Land Grant Universities, 2012-

External Advisory Board, National Historic Preservation Research Commission (NHPRC) "Effective User-Centered Access For Heterogeneous Electronic Archives" project, Illinois Institute of Technology, 2003-05

Advisory Board, *Postwar America: An Encyclopedia of Social, Political, Cultural, and Economic History*

External Advisory Board (EAB) of the proposed NSF Center for Data Science and Engineering, University of North Carolina, Chapel Hill, 2014-

National Advisory Board to Alan Lomax's Global Jukebox: 1993-2015

The Civil Rights Project at University of California, Berkeley, Advisory Board for "The Decade Ahead: Reauthorization of the Voting Rights Act and the Future of Democratic Participation," 2004-07

Advance Research and Technology Collaboratory for the Americas (ARTCA) –Organization of American States, Advisory Board Chair, 2008-

Gullah-Geechee Corridor Board, 2019-

Service - University of Illinois (three campus system – Urbana, Chicago, Springfield)
UI Senate Conferences (elected), all three campuses of the University of Illinois, 2006-09,
Presiding officer (chair) 2007-08
Lincoln Bicentennial Commission, 2006-09
Academic Affairs Management Team, 2007-08
Task Force for Global Campus, 2006-07
External Relations Management Team, 2006-09
Strategic Plan Committee, 2005-06

Service (selected) University of Illinois at Urbana-Champaign
Faculty Senate (elected), 1999-2001, 2002-03; 2005-06, 2006-07, Presiding Officer (Chair,
Senate Executive Committee), 2005-06, 2006-07 (was Senate Council) elected 2000-01,
2003-04; 2005-06; 2006-07; Chair, Education Policy Committee, 2002-03, Chair 2003-
04; Budget and Priorities Committee, 1999-01, Chair 2000-01
As Chair Faculty Senate Executive Committee, 2005-07 represented faculty at Board of Trustee
meetings, and CIC meetings. Led in developing ideas of shared governance, helped in
the drafting and implementing of a strategic plan for both the University of Illinois and
the Urbana-Champaign campus. Oversaw establishment of the Illinois Informatics
Institute (I3) and the School of Earth, Society, and Environment. Dealt with issues of
multi-year contracts for research faculty and staff policy, rehiring of retirees, Global
Campus, and led study of Academic effects of Chief Illini and diversity issues.

Organizer and Chair, Planning Committee for the Lincoln Bicentennial, 2006-09
Task Force for Diversity and Freedom of Speech, 2007-08
Convocation address, August 21, 2000
Search Committee for Chancellor, vice-chair, 2004-5
Association of American Colleges and Universities campus representative and Assoc., 2004-05
Martin Luther King, Jr., Week Planning Committee, co-chair, 2002-03, 03-04, 04-05, 05-06
Strategic Plan Committee, 2005-06
Chancellor's Task Force ("Kitchen Cabinet") for the Humanities, 2002-04
Provost's ad hoc Committee on Evaluating Public Service for Promotion and Tenure, 2003-04
Brown Jubilee Planning Committee, Diversity Initiative, 2002-04
Law-Education *Brown* Jubilee Conference Program Committee, 2002-04
East St. Louis Action Research Projects (ESLARP) Campus Advisory Committee, 2004-9
University Planning Council, 2000-01
Selection Committee for University Scholars, 1999 -- 2000, Chair Subcommittee for Social
Sciences, Humanities, FAA, Communications, Education, Law 2000
UI President's Distinguished Speakers Program, 2000-02, 2006-08
University of Illinois Press Board, 1995-2000, Chair 1998-2000
Search Committee for Director University of Illinois Press, 1998-99
Committee on University Publishing, 1997-98
Graduate College Executive Committee, 1998-2000; Committee to Evaluate Dean of Graduate
College, Committee to Review and Implement Graduate Program Revisions, Graduate
Student Grievance Policy Committee
Graduate College Office of Minority Affairs Strategic Planning Committee, 1999-2000
University Administration Budget and Benefits Study Committee, 2000-02
Budget Strategies Committee, 1993-94, Subcommittee for Library. Subcommittee for Faculty
Productivity and Teaching Models
Illinois Program for Research in the Humanities (IPRH) Advisory Committee, 2001-03
Center for Democracy in a Multicultural Society, Advisory Committee, 2002-08
Center for Advanced Study George A. Miller Committee, 2000-03

African American Studies and Research Program (AASRP), later Department of African American Studies, Advisory Council, 1982-86; Curriculum Development & Faculty Recruitment Committee, 2002-2003; Research and Course Competition Committee, 1991-94, Chair 93-94; Electronic Networking Committee, 1996-2000, Chair 1997-98; Library Advisory Committee, 1997-2003

UI-Integrate Faculty Advisory Committee, 2003-04

Graduate College Area Subcommittee for the Humanities and Creative Arts, 1996-98

Campus-wide Advisory Committee for the Center for Writing Studies, 2000-01

Committee on Institutional Cooperation (CIC), Selection Committee for CIC Research Grants in the Humanities, 1993-94

Chancellor's Task Force for Minority Graduate Students, 1989-92

Chair, Subcommittee for Summer Program for Minority Graduate Students, 1990

Computer Resources Development Committee, Program for the Study of Cultural Values and Ethics, 1991-93

High Performance Computing Committee for the Social Sciences, 1989-95

Rural History Workshop Convener, 1989-94 (with Sonya Salamon)

Faculty Fellow, 1990-2003

Graduate College Fellowship Committee, 1988

Selection Committee for Lily Fellows, 1987

Social Studies Committee for the Preparation of Teachers, Council on Teacher Education, 1986

Chair, Search Committee for African-American Scholar, 1986-87

Search Committee, Director for AASRP, 1985-86, Chair 87-88

Graduate College Appeals Committee, 1984

Chancellor's Allerton Conference, 1988; Chancellor's Beckman Conference, 2001-06; Chancellor's Conference on Diversity, 2002, faculty facilitator

Combating Discrimination and Prejudice Workshop, 1988

Krannert Art Museum, Committee on The Black Woman as Artist, 1992

H. W. Wilson Faculty Panel, 1993

Advanced Information and Technology Committee, 1992-97, Advisory Committee, 1993-94

Honors Symposium for UI recruitment of High School Seniors, 1993

Search Committee for Archivist, UIUC Computing and Communications Service Office, 1993

Search Committee for Research Librarian, UIUC Library, 1997; Undergraduate Library Advisory Committee, 2002-9

Member Human Dimensions of Environmental Systems Group, 1997-2017

Faculty Learning Circle for 2003-04

Illini Days Speaker, 1999, 2000, 2002

Public Interest Fund of Illinois Representative, 1996- 08

Facilitator for Interinstitutional Faculty Summer Institute on Learning Technologies, UIUC, 2000, 2002

Board Advisors, Collaborative for Cultural Heritage and Museum Practices (CHAMP), 2005-08

Faculty Mentor for Campus Honors Program, 1980-2008

Service - College of Liberal Arts and Science UI:

Lecturer at Pedagogy 2000: Teaching, Learning and Technology, Annual UIUC Retreat on Active Learning (2000)

Keynote Address at LAS Awards Banquet, 2000 and Keynote at UIUC Campus Awards Banquet, 2000

Dean's Committee to Evaluate Chair of History Department (1 of 3 elected by History Department), 1996

Oversight Committee Computing for the Social Sciences, 1993-95

Committee to select nominees for election to College Executive Committee, 1992
Academic Standards Committee, 1983-85, Chair 1984-85
School of Humanities Scholarship and Honors, 1986-88, Chair 1987-88
Social Sciences and Humanities Respondent to the Joint Task Force on Admission Requirements and Learning Outcomes, 1988
Advisory Committee, Social Sciences Quantitative Laboratory, 1987-88, 1989-93
Alumni Association Annual Speaker, 1990
General Education Committee, 1990-91
Awards Committee, Chair, 1991-92
Race & Ethnicity, Class & Community Area Committee of Sociology Graduate Program, 1993-2009
LAS Alumni Association Speaker, 2000
Cohn Scholars Honors Mentoring Program (choosing the 10 best Humanities first-year students), 1986-88, 1989-90, 1992-93, 1995-96, 1998-99, 2002 -05
Faculty Mentor, Committee of Institutional Cooperation Summer Research Opportunities Program for Minority Students, 1987, 1991-95, 1997-2000, 2002, 2003
Faculty Mentor, McNair Minority Scholars, 1993-94, 1996-97
Summer Orientation and Advance Enrollment Program, Faculty Leader, 1991-93, 2000, 2002, 2004
Gender Inclusivity Seminar, 1992
The African-American Experience: A Framework for Integrating American History: An Institute for High School Teachers of History, instructor 1992, 1994
Faculty Advisor for UIUC Law School Humanities Teaching Program, 1998-99
Senior Faculty Mentor, LAS Teaching Academy, 1999-2008

Service - Department of History UI:

Lincoln Bicentennial Committee, Chair, 2005-06, co-Chair 2006-08
Department Distance Learning and Global Campus committee, 2007-08
Carnegie Initiative on the Doctorate, 2003-05
Ethical Conduct Liaison, 2004-05
Phi Alpha Theta Faculty Advisor, 2005-06
Graduate Placement Officer, 1990, 1991-94, 1997-99
Graduate Admissions Officer, 1990-91
Graduate Committee, 1990-93
Organizer of OAH Breakfast Meeting, 1989-90, 1993-94
Computer Resources, 1976-88, 1989-91, 1995-99, Chair 1976-85, 1997-99
Teaching Awards, 1986-88, 1992-93, 1997-98, 1999-2000, Chair, 1987-88, 1997-98, 1999-2000
T.A. Evaluation, 1975-76, 1978-82, 1984-88, 1990-91, 1995, 1998-99, 2002, 2005-06
Speakers and Colloquia, 1981-82
Grants and Funding, 1981-82
Capricious Grading, 1985-86, 2002-03
Social Science History Committee, 1980
Advisor, History Undergraduate Club, 1976-78
Swain Publication Prize Essay Committee, 1991
Proposal-Writing Workshop, 1991-92, 2002
Teaching Workshop, 1993
Chair Library Committee, 1996-97
Faculty Advisor for Phi Alpha Theta, 2005-06
American History Search Committee, 1991-92
Chair, American History Search Committee, 1993-94

James G. Randall Distinguished Chair Search Committee, 1999-2000

Service Coastal Carolina University:

Search committee for Archaeologist, 2008-09

Selection Committee for Clark Chair of History, 2010

Third Year Assistant Professor Faculty Review Committee, 2010

Service Clemson University:

Chair, Search committee for Dean of the Library, 2017-18

Search Committee for Dean of CAAH, 2019-20

Provost's Research Strategy Committee, 2014-16

Martin Luther King, Jr. program planning committee, 2013-

Pan-African Advisory Committee, 2014-17; Steering Committee, 2017-, Chair Speaker's committee, 2018-19

History Department Graduate Committee, 2017-18

History Department Civil War Sesquicentennial Committee, 2010-15

History Department Digital MA, then Digital Ph.D. committee, 2011-

Clemson Center for Geospatial Technologies Advisory Committee, 2017-

GIS Steering Committee, 2012-

Clemson University Computational Advisory Team (CU-CAT), 2010-

University Academic Technology Council, 2010-

Ex-officio Steering Committee, Clemson CyberInstitute, 2010-

University Committee to commemorate the 50th Anniversary of the Integration of Clemson, 2011-13

Outstanding Staff Employee Award, Academic Affairs Selection Committee, 2011

University Morrill Act Anniversary Celebration, 2011-13

Ben Robertson Society (BRS) Foundation Advisory Board, 2013-

Chair, Clemson University Humanities Grid committee, 2012-14

Chair, CAAH Digital Humanities Computing committee, 2013-15

CAAH, Digital Humanities Ph.D. taskforce, 2014-16

CAAH taskforce on undergraduate "Creativity Certificate"

History Department committee to review university signage of historical significance, 2015-

First Faculty in Residence (Norris Hall), 2011-13

Workshop on Diversity and Inclusion, 2013

A more complete list of Service and Public Engagement is available upon request.

Conferences Organized (selected list):

In 1978, I (with Robert C. McMath, Jr.) organized and chaired a National Endowment for the Humanities Conference on Southern Communities at the Newberry Library. In 1993, I organized, hosted, and chaired the annual meeting of the Conference on Computing for the Social Sciences at the National Center for Supercomputing Applications. In 1999, I organized and hosted the 12th Annual Meeting of the Southern Intellectual History Circle (SIHC) in Edgefield and Ninety Six, S.C., and again hosted SIHC for its 16th Annual meeting in 2004 at the College of Charleston, and the 2013 meeting in Edgefield. In 2001, I organized a workshop and conference on diversity and racism in the classroom with Carnegie Scholars at The Citadel in Charleston, S.C. In 2001, I organized a South Carolina Humanities Council Edgefield Summit

History Conference. In January 2003, I organized a Workshop on Diversity and Racism and a Conference on the Scholarship of Teaching and Learning, both at the University of Illinois. In March 2003 I organized The Citadel Conference on the South: "The Citadel Symposium on the Civil Rights Movement in South Carolina." I organized the Humanities, Arts, Science, and Technology Advanced Collaboratory (HASTAC) meeting in January 2004 in Washington, D.C. I organized and hosted a Humanities Computing Summit in August 2004 at NCSA and UIUC. In 2005, I planned and hosted the British American Nineteenth Century History (BrANCH) Conference in Edgefield, South Carolina and a symposium honoring Jim McPherson's retirement in April 2005 in Princeton. As program chair I helped organize the Southern Historical Annual meeting in Atlanta in November 2005. In 2011, I organized a conference in honor of Charles Joyner, *Writing the South in Fact, Fiction, and Poetry*, at Coastal Carolina University. In 2013, I organized a conference honoring F. Sheldon Hackney at Martha's Vineyard. On Nov. 28-Dec 1, 2018, I organized and hosted an international conference on "Lincoln's Unfinished Work," and on the afternoon of Dec. 2 lead a workshop for teachers on how to teach about the history of race in South Carolina k-12 schools. As Director of I-CHASS, I regularly organized conferences and workshops, at least two major conferences a year such as "Computing in Humanities, Arts, and Social Sciences" (2005), "Spatial Thinking in the Social Sciences and Humanities" (2006), and the "e-Science for Arts and Humanities Research: Early Adopters Forum" (2007). In 2007 we hosted the annual international meeting of The Alliance of Digital Humanities Organizations including The Association for Computers and the Humanities. As Director of the Clemson CyberInstitute, I regularly organized workshops, brownbags, conferences, and meetings. And as Executive Director of the College of Charleston Atlantic World and Lowcountry (CLAW) Program, I regularly work with others to organize conferences and meetings.

Reviews:

I have reviewed books for numerous journals and book manuscripts for numerous presses. In addition, I have refereed article manuscripts for numerous journals. I have also reviewed proposals for various granting agencies. I have also reviewed and written outside letters of recommendation for promotion, tenure, and endowed chair decisions for more than a hundred cases at various colleges and universities. Lists of these reviews, presses, journals, universities, and granting agencies are available upon request.

Invited lectures and conference participation available upon request. Recently, selected invited lectures include those at Harvard University, University of Pennsylvania, Black Congressional Caucus on Lincoln (2009), Printers Row Book Fair, Society of Civil War Historians, Society of Historians of Early America, Abraham Lincoln Bicentennial Commission (ALBC), Atlanta Town Hall meeting on Race at Morehouse College and at Jimmy Carter Presidential Library Center, the Crown Forum Martin Luther King, Jr. lecture at Morehouse College, Western Illinois University, Drake University, University of Illinois Law School, Union League Club of Chicago, Association of Archivists and Librarians, CASC, University of Georgia, Lawrence University, Wisconsin Lincoln Bicentennial, University of Wisconsin at Milwaukee, University of Wisconsin at Madison, University of Wisconsin at Eau Claire, University of Kansas, Samford University, Talladega University, ALBC Morrill Act Conference, Arkansas State University, San Francisco State University, Lewis University, Notre Dame, University of Oklahoma, University of Florida, University of Southern Florida, Florida State University, University of South Carolina, South Carolina State University, North Greenville University, Anderson University, Augusta State University, Auburn University, Mercer University, American Historical Association, Organization of American Historians, Southern Historical Association, Agricultural History Society, Wheaton College, University of Illinois, Florida Atlantic University, Lincoln

College, Claflin University, Francis Marion University, Policy Studies Association, Southern Studies Association Meeting (regional affiliate of American Studies Association), Association for the Study of African American Life and History (ASALH), Penn Center, Coastal Carolina University, Virginia Polytechnic Institute and State University (Virginia Tech), South Carolina Historical Society, South Carolina Department of Archives and History Civil War Symposium, Supercomputing11 (Seattle), History Miami, William Patterson University, USC Upstate, University of Hawaii, University of North Carolina at Charlotte, University of North Carolina at Chapel Hill, The Lincoln Forum, Abraham Lincoln Presidential Library and Museum, Furman University, Berry College, High Noon series at S.C. Upstate Museum, Erskine College, Mississippi State University, University of Manchester, Cambridge University, Edinburg University, University of London, Oxford University.

Samples of recognition given to me or my work:

The Chronicle of Higher Education, Vol. L: 2 (September 5, 2003), cover page, A37-38. Online at <http://chronicle.com/prm/weekly/v50/i02/02a03701.htm>

C. Vann Woodward, "District of Devils," *New York Review of Books*, xxxii #15: 30-31
Chicago Tribune, October 13, 2007, cover of the Book Review Section, "Orville Vernon Burton's Heartland Prize-winning *The Age of Lincoln*." Catherine Clinton, "Lincoln and His Complex Times," pp. 4-5; Cover page 1988 on *In My Father's House*

Washington Post, Hannah Natanson, "Lincoln's forgotten legacy as America's first 'green president'" in *the Washington Post* on Feb. 16, 2020

[\(https://www.washingtonpost.com/.../lincoln-green-president-e.../\)](https://www.washingtonpost.com/.../lincoln-green-president-e.../)

USA Today, February 25, 2010, Larry Bleiberg, 10 Civil Rights Sites You Should See before Black History Month Comes to a Close,"

<https://www.usatoday.com/story/travel/destinations/10greatplaces/2020/02/25/black-history-month-10-civil-rights-sites-you-should-check-out/4832666002/>

Featured as example of "Faculty Excellence" on UIUC Homepage:

<http://www.uiuc.edu/overview/explore/>

Call out in Sonia Sotomayor, *My Beloved World* (NY: Alfred A. Knopf, 2013), p. 132, and her Commencement Address at the University of South Carolina, 2011 (on C-Span) and "Supreme Court Justice Sonia Sotomayor uses vivid examples from two key figures in her life—her mother and South Carolina native and historian [Vernon Burton](#)"; Wayne Washington, "You Learn Values from Your Family, Supreme Court Justice Tells Grads," *The Columbia State*, May 9, 2011;

<http://www.thestate.com/2011/05/07/1808978/sotomayor-parents-are-key.html#storylink=misearch#ixzz1NljBBgHA> and

<http://dailygamecock.com/news/item/1422-sonya-sotomayor-delivers-personal-inspiring-message-at-university-of-south-carolina-graduation>; and at Clemson 2017 with Supreme Court Justice Sonia Sotomayor, <https://www.youtube.com/watch?v=Sn3GbXen58c>;

<https://www.youtube.com/watch?v=zq1LAQmHhOI> (4 April 1992 on history and high performance computing);

The South Carolina Encyclopedia Guide to South Carolina Writers. Edited by Tom Mack (Columbia: University of South Carolina Press, 2014), pp. 33-35 (SC Humanities)

In last few years, numerous international, national and local television, radio interviewed me (especially about the murders at Mother Emanuel in Charleston and the removal of the Confederate battle flag from the statehouse grounds). A number of interviews about the Voting Rights Act (VRA) or Voter ID, for example, Congressional Briefing on the Voting Rights Act (2015), [Voting Rights Act 1965, Dec 4 2015 | Video | C-SPAN.org](#) and [Historians Expert Witnesses Civil Rights, Jan 7 2017 | C-SPAN.org](#), NPR—for example, June 27, 2013, "On Point" discussing the Supreme

Court Ruling on VRA, Sections 4 and 5-- <http://onpoint.wbur.org/2013/06/27/scotus-voting-rights>; and <http://wbur.fm/138DoIQ>, and NPR and BBC, see for example recently, Jorge Valenca, Feb. 26, 2020, “The Abroad Primary,” ([For overseas voters, a primary of their own](http://www.pri.org/stories/overseas-voters-primary-their-o...) [www.pri.org > stories > overseas-voters-primary-their-o...](http://www.pri.org/stories/overseas-voters-primary-their-o...)) and commercial, and other media interviews and programs, including several C-SPAN Book TV (for example, “President Lincoln and Secession,” <http://www.c-spanvideo.org/program/293631-3>) and a two-hour Clemson University lecture on Southern Identity at “Lectures in History,” <http://www.c-span.org/History/> – downloaded 492,791 times in first year after it debuted October 25, 2012. Numerous appearances on SC ETV for documentaries. In Feb., the Clemson Area Pledge to End Racism (CAPER) began using a training video featuring Vernon Burton speaking on racism (Video on youtube at ([CAPER Burton Video](#))). (more complete list available upon request).



Orville Vernon Burton is the inaugural Judge Matthew J. Perry Distinguished Chair of History and Professor of Pan-African Studies, Sociology and Anthropology, and Computer Science at Clemson University, and the Director of the Clemson CyberInstitute. From 2013-2015 he was Creativity Professor of Humanities; in 2016 Burton received the College of Architecture, Art, and Humanities (CAAH) Dean's Award for "Excellence in Research" and in 2019 the College's award for "Outstanding Achievement in Service." In 2018, he received the initial University Research, Scholarship and Artistic Achievement Award. From 2008-2010, he was the Burroughs Distinguished Professor of Southern History and Culture at Coastal Carolina University. He was the founding Director of the Institute for Computing in Humanities, Arts, and Social Science (I-CHASS) at the University of Illinois, where he is emeritus University Distinguished Teacher/Scholar, University Scholar, and Professor of History, African American Studies, and Sociology. At the University of Illinois, he continues to chair the I-CHASS advisory board and is also a Senior Research Scientist at the National Center for Supercomputing Applications (NCSA) where he served as Associate Director for Humanities and Social Sciences from 2002-2010. He serves as Executive Director of the College of Charleston's Low Country and Atlantic World Program (CLAW). Burton served as vice-chair of the Board of Directors of the Congressional National Abraham Lincoln Bicentennial Foundation, 2009-2017. In 2007 the Illinois State legislature honored him with a special resolution for his contributions as a scholar, teacher, and citizen of Illinois. A recognized expert on race relations and the American South, and a leader in Digital Humanities, Burton is often invited to present lectures, conduct workshops, and consult with colleges, universities, and granting agencies.

Burton is a prolific author and scholar (twenty authored or edited books and more than two hundred articles); and author or director of numerous digital humanities projects. *The Age of Lincoln* (2007) won the *Chicago Tribune* Heartland Literary Award for Nonfiction and was selected for Book of the Month Club, History Book Club, and Military Book Club. One reviewer proclaimed, "If the Civil War era was America's 'Iliad,' then historian Orville Vernon Burton is our latest Homer." The book was featured at sessions of the annual meetings of African American History and Life Association, the Social Science History Association, the Southern Intellectual History Circle, and the latter was the basis for a forum published in *The Journal of the Historical Society*. His *In My Father's House Are Many Mansions: Family and Community in Edgefield, South Carolina* (1985) was featured at sessions of the Southern Historical Association and the Social Science History Association annual meetings. *The Age of Lincoln* and *In My Father's House* were nominated for Pulitzers. His most recent book, is *Penn Center: A History Preserved* (2014)

Recognized for his teaching, Burton was selected nationwide as the 1999 U.S. Research and Doctoral University Professor of the Year (presented by the Carnegie Foundation for the Advancement of Teaching and by the Council for Advancement and Support of Education). In 2004 he received the American Historical Association's Eugene Asher Distinguished Teaching Prize. At the University of Illinois, he won teaching awards at the department, school, college, and campus levels. He was the recipient of the 2001-2002 Graduate College Outstanding Mentor Award and received the 2006 Campus Award for Excellence in Public Engagement. He was appointed an Organization of American Historians Distinguished Lecturer for 2004-20.

Burton's research and teaching interests are American history, with a particular focus on the American South, including race relations and community, and the intersection of humanities and social science. He has served as president of the Southern Historical Association and of the Agricultural History Society. He was elected to honorary life membership in BRANCH (British American Nineteenth-Century Historians).

Among his honors are fellowships and grants from the Rockefeller Foundation, the National Endowment for the Humanities, the Pew Foundation, the National Science Foundation, the American Council of Learned Societies, the Woodrow Wilson International Center for Scholars, the National Humanities Center, the U.S. Department of Education, National Park Service, and the Carnegie Foundation. He was a Pew National Fellow Carnegie Scholar for 2000-2001. He was elected to the Society of American Historians and was one of ten historians selected to contribute to the *Presidential Inaugural Portfolio* (January 21, 2013) by the Joint Congressional Committee on Inaugural Ceremonies. Burton was elected into the S.C. Academy of Authors in 2015 and in 2017 received the Governor's Award for Lifetime Achievement in the Humanities from the South Carolina Humanities Council.