W. E. B. Du Bois on Crime and Justice
Laying the Foundations of Sociological Criminology

Shaun L. Gabbidon
Interdisciplinary Research Series in Ethnic, Gender and Class Relations

Series Editor: Biko Agozino, Cheyney University of Pennsylvania, USA

This series brings together research from a range of disciplines including criminology, cultural studies and applied social studies, focusing on experiences of ethnic, gender and class relations. In particular, the series examines the treatment of marginalized groups within the social systems for criminal justice, education, health, employment and welfare.

Also published in this series

Democratic Policing in Transitional and Developing Countries
Edited by Nathan Pino and Michael D. Wiatrowski
ISBN 0 7546 4719 6

Modernization and the Crisis of Development in Africa
The Nigerian Experience
Jeremiah I. Dibua
ISBN 0 7546 4228 3
Contents

Foreword vii
Series Editor’s Preface ix
Preface xi
Acknowledgements xv

1 Biographical Sketch of W. E. B. Du Bois 1
2 Early Statements on Crime and Justice 7
3 The Atlanta School of Social Scientific Research 21
4 Later Statements on Crime and Justice 37
5 W. E. B. Du Bois and the Criminal Justice System 53
6 Du Bois’s Place in American Criminology 59
7 W. E. B. Du Bois on Crime and Justice: A Modern Day Application 71

Conclusion 77

Bibliography 81
Appendix 1 The Study of the Negro Problems (1898) 93
Appendix 2 Maps from The Philadelphia Negro (1899) 107
Appendix 3 The Negro and Crime (1899) 113
Appendix 4 The Spawn of Slavery: The Convict-lease System in the South (1901) 117
Appendix 5 The Laboratory in Sociology at Atlanta University 125

Index 129
About the Author 133
For my three sons
Jini, Jalen and Julian
The function of a foreword has become rather blurred in recent decades. They are often omitted and such preliminary comments are absorbed into a preface or introduction. Yet, forewords can serve to provide a cursory, even if non-scholarly glimpse generally by an outsider to the project of what is to follow. As such, the foreword is apt to be a personal note written by one who sees the book and author in a larger context, and perhaps possessing some individual awareness or relationship to the author.

Dr. Gabbidon first came to my attention while a doctoral student in criminology at Indiana University of Pennsylvania. At that time, I was the coordinator of the Ph.D. program, and although he managed to stay clear of my classes, I became aware of him as an enterprising and aspiring scholar. Dr. Gabbidon still remains most notable around the halls where he was once a graduate student, not just because of his scholarship, but clearly because of his dogged determination to complete the Ph.D. He lived in Baltimore during his doctoral student days and commuted the four hour trip to southwest Pennsylvania by automobile, not an easy task in winter months.

For some time now, he has held a passion for unraveling in novel directions the long and complex life of Du Bois. Du Boisian scholars have dotted the academic map, yet few of the writers have recognized his potential relevance and linkages to the still developing discipline of criminology. W. E. B. Du Bois, recognized and awarded for decades as a Renaissance man by serious thinkers, has not been clearly and adequately scrutinized as a criminologist, even if after his death at the age of ninety-five in 1963. For much of Du Bois’s career, criminology had barely made it to the curricula of even a small number of major universities in the United States. What was discussed in regards to crime and justice was from the perspective of anthropology, economics, political science, history, and sociology, among other overlapping social sciences. As an inexhaustible writer, it was in such multiple disciplines as these that Du Bois excelled, even if often from behind the scenes as a black writer and researcher in a predominately black college.

Historical analysis is not everyone’s cup of tea. But, it is a necessary and an illuminating way to retrospectively push further the academic horizons. By better understanding how early scholars perceived of their world, and how they reacted to their own set of problems, allows contemporary thinkers to better gauge the present. Scrutinizing the writings of Du Bois provides an opportunity to assess the trials and tribulations of one of the nation’s most accomplished writers and social activists in
light of some of the same issues and dilemmas addressed today by modern theoretical criminologists.

In part, because Du Bois happened to be African-American, his life work which spans from the re-construction period following the Civil War to the 1960s provides a fertile collection of publications which are of direct relevance to the slippery issues of crime and justice. Furthermore, his life and writings furnish a perspective of one who understood the plight of the victim during the first half of the 20th century. Focusing on the works of Du Bois allows for a rather rare comparative view of criminological issues. First, often overlooked is the fact that Du Bois offers a unique historical or temporal perspective of sociology and criminology. That is, as an individual scholar, with near century-long societal observations, we see his visions of socio-cultural change over many decades. Du Bois was in a position to witness firsthand accounts of the plight of minorities to include African Americans, women, and immigrants during the development of social science in the United States. Second, because of his wide-ranging travels, he developed a trans-national perspective not always held by writers of his era. Also, Du Bois was without question acutely aware of the contrast between informal and formal social control. He provides extensive reports of the pros and cons of official and governmental social control, contrasted to unofficial and community-based controls, which can also be seen from varying vantage points of either the victim or the offender.

Throughout this important work, Dr. Gabbidon discusses how W. E. B. Du Bois indirectly, and sometimes unknowingly before criminology became an acceptable science provided pioneering analyses and insights into early justice related theory. How a better understanding of Du Bois’s scholarship enhances our understanding of modern-day issues of crime and justice is carefully outlined in this book.

Timothy Austin
Series Editor’s Preface

The Interdisciplinary Research Series in Ethnic, Gender and Class Relations was launched with my book, *Black Women and the Criminal Justice System: Towards the Decolonisation of Victimisation* in 1997. The series was designed to carve out a niche for cutting-edge scholarly works that transgress disciplinary boundaries and are therefore difficult to place within conventional publication lists. With more than two dozen books and nearly ten years down the road, the series has since demonstrated the value of interdisciplinarity to the development of knowledge.

The addition of a book on the contributions of Du Bois to criminology is an honour to the series and an eloquent testimony on the need to continue the kind of interdisciplinary research that the renaissance scholar, Du Bois, attempted in an encyclopedic fashion. Ever since I heard of the manuscript, I have been chasing Shaun to offer it to this series and I am delighted that he has offered us this rare publication.

The lucid foreword to the book by Tim Austin sets the tone by reminding the readers what risks the author of the book took. As a graduate student, he chose to dwell on a marginalized genius in a field of study where historical research, though crucial to any social science, is not regarded as ‘everyone’s cup of tea.’ This hint at the intersections of biography and public issues in the work of Shaun Gabbidon reflects his chosen subject matter – the articulation of the biography of Du Bois with the history of criminology. This is an approach that C.W. Mills would have approved as exemplifying *The Sociological Imagination* in contrast to what he dismissed as poor scholarship characterized by disjointed empiricism and abstract grand theory.

Du Bois was publishing classics like *The Philadelphia Negro* at about the same time that Émile Durkheim was publishing *Suicide* and Lombroso was publishing *The Delinquent Man* but while these intellectuals dwarfed by Du Bois continue to be celebrated as the Founding Fathers of Criminology, Du Bois is ignored by scholars despite the enormity of his contributions. The point that Shaun Gabbidon makes is similar to that of Martin Luther King Jr. and Frantz Fanon alike, that social exclusion hurts not only the excluded but also the perpetrators. By neglecting the contributions of the great Du Bois for so long, the discipline managed to delay the discovery of new theoretical perspectives like social disorganization, strain, and critical perspectives in criminology that he first outlined at the end of the 19th century and continued to explore until his death more than six decades into the 20th century.

The rallying cry of Du Bois was that we need to pay attention to minority perspectives not just for what we may contribute to the ending of oppression but also for what the experience of the struggles against oppression may contribute to
our discipline. More than a century after he first sounded this prophetic clarion, criminology still wallows in ethnocentrism especially by excluding or marginalizing minority perspectives. The official admission that the police investigation of the racist murder of Stephen Lawrence in London demonstrated the existence of institutional racism in 1998 was a point that Du Bois would have made over 100 years ago! Even that admission watered down the seriousness of the issue by claiming that this type of racism was unconscious (institutional rather than institutionalized) whereas Kwame Toure suggested in the 1960s that it was also a deliberate policy in societies that are structured according to racial dominance.

This book is published at a good time to remind us of the examples from Du Bois that there are more effective alternatives to war-mongering. For instance, when he was caught stealing grapes from a wealthy white man’s orchid in Great Barrington, Massachusetts, the judge wanted to sentence him to detention in line with the zero tolerance policies of today but under the guise of welfarist intentions to teach him how to put his hands to good use. His High School principal offered to supervise him in the community and guarantee that he would be well-behaved, fully appreciating his intellectual capability. This may be the root of his advocacy of higher education rather than going along with Booker T. Washington’s preference for training in crafts as a way to uplift the race from slavery. However, when Du Bois was charged with treason for founding a peace organization in America, it was the craftsmen who rallied in his support and raised the funds for his successful defense while the black bourgeoisie and the highly educated talented tenth that he saw as potential leaders were too cowardly to come out in his support. This forced him to revise his theory of the talented tenth and made him recognize the talented 100 per cent which implies that everyone has a contribution to make to leadership.

The policy implication here is that the excessive punitiveness that has come to characterize the criminal justice system in many parts of the world but especially in the US, UK, South Africa and Russia is contributing to the exacerbation of the problem rather than to its amelioration. Granted that Du Bois admitted swiping the grapes and given that he was raised by a single mother just as Nelson Mandela was, the world would have been much less enlightened if penal policies of today had been applied to detain them in young offenders institutions, denying them the opportunity to develop their exemplary intellects. Later in life, Du Bois opposed war and founded a peace organization but such an act today could have landed him in Guantanamo Bay. Similarly, the fascist regime of apartheid incarcerated Mandela for nearly three decades at the cost of many innocent lives and many missed opportunities to advance South Africa to greatness. Mandela was even called a terrorist by leaders of America and Britain under what they called a policy of constructive engagement with what was clearly to most people the terrorist regime of apartheid.

Biko Agozino,
The University of the West Indies, Trinidad and Tobago
Preface

Throughout the history of the United States, African American scholars have often lacked recognition. Various reasons may account for this lack of appreciation and acknowledgment. In many instances, however, race discrimination has been identified as a likely explanation. Often due to discriminatory practices in the 19th and 20th centuries, early writings by some African American scholars arguably went without proper recognition. As with most academic disciplines, criminology is also guilty of overlooking the pioneering works of early African American scholars (Gabbidon, Taylor Greene, and Wilder, 2004; Gabbidon, Taylor Greene, and Young, 2002; Taylor Greene and Gabbidon, 2000; Young and Sultan, 1991; Young and Taylor Greene, 1995).

Like many early white scholars who wrote about crime and justice, early African American writers and academics conducted their research under the umbrella of sociology (Taylor Greene and Gabbidon, 2000). One of the first African American scholars to write extensively on crime and justice, particularly African American crime, was Dr. William Edward Burghardt Du Bois. While Du Bois received his degree in history (in 1895), he is generally recognized as the first African American sociologist (Janowitz and Blackwell, 1974, p. xii). He is also recognized as a notable contributor to several other disciplines including philosophy (Holmes, 1970), economics (Boston, 1991), African history (Hansberry, 1970), urban ethnography (Brueggemann, 1997), Anthropology (Harrison, 1992), and research methods (Wright, 2005).

It is only within the past decade or so that Du Bois’s work has been seriously explored by scholars in the areas of criminology and criminal justice (see for examples, Hawkins, 1995; Gabbidon, 1996; Taylor Greene and Gabbidon, 2000; Young and Taylor Greene, 1995). Notably, these recent references provide some insight into Du Bois’s writings on crime, but they do not provide an exhaustive overview of his contributions to American criminology. Such an overview is essential if pioneering African American writers such as Du Bois are to enter the mainstream of criminological literature. So, just as one is exposed to the development and writings of Edwin Sutherland (Gaylord and Galliher, 1988), Eric Fromm (Anderson and Quinney, 2000), or Travis Hirschi (Hirschi and Laub, 2002), the same should be done for a pioneer such as Du Bois.

The main objectives of this book are to: 1) conduct an in-depth exploration and critical examination of Du Bois’s criminological thinking, and to 2) show his contribution to the development of American criminology. More specifically, this publication investigates the following questions. First, how did Du Bois explain
the issue of crime causation? Second, what theoretical paradigm(s) provide the best
fit for orienting and clarifying Du Bois’s scholarship on crime and justice? Third,
where does Du Bois stand among the pioneers of American criminology? Fourth,
how does Du Bois’s early research program at Atlanta University compare to the one
developed at the University of Chicago in the 1920s and 1930s? And finally, does an
analysis of Du Bois’s publications provide insights into solutions for contemporary
crime problems in the African American community?

Data Sources

This research relies heavily on the collected works of Du Bois that have been
meticulously organized and edited by noted historian Dr. Herbert Aptheker. In 1946,
Professor Aptheker, a long time friend of Du Bois, took on the task (at the request of
Du Bois) of organizing and editing his letters, papers, and published works (Aptheker,
1973). As a result of assorted delays, Aptheker did not complete the project until the
1980s. His systematic presentation of Du Bois’s work has been used by researchers of
various disciplines to study and characterize the work of Du Bois (see, for example,
Marble, 1986). After a few years of reviewing Du Bois’s work in these volumes, his
numerous books, and other relevant materials from assorted archives and libraries
at Atlanta University, Fisk University, Harvard University, Howard University, and
the University of Massachusetts at Amherst, I realized the importance of Du Bois’s
writings to American criminology. In doing this research I wondered why Du Bois
might have had such a deep interest in the subject of crime and justice. Some of my
insights regarding this question are presented below.

Du Bois’s Early Interest in Crime and Justice Issues

It was surprising to find that Du Bois’s interest in the subject of crime and justice
began early in his life. Even as a teenager, Du Bois began to examine these issues.
For instance, in his first publication as correspondent for the New York Globe, Du
Bois (then just 15 years old) describing the significant events in his hometown of
Great Barrington, Massachusetts, wrote, ‘The Citizens of the town are forming a
Law and Order Society to enforce the laws against liquor selling which have been
sadly neglected for the past year or two. It would be a good plan if some of the
colored men should join it’ (Du Bois, 1883/1986, p. 1). This passage tells us two
things. First, Du Bois was aware at this young age of the importance of this planned
organization to handle the problem of alcohol, which apparently was having an ill
effect on the Great Barrington community. In addition, it shows that he observed the
need for African Americans to be active in such an association. These ideas resonate
throughout Du Bois’s life.

Another early experience that may have encouraged Du Bois’s interest in crime
and justice also occurred during his high school years. During this period, Du Bois,
along with several other town youth, was caught stealing grapes from the orchards
of a prominent Great Barrington citizen. According to Lewis (1993, p. 34), because of this theft, county Judge Justin Dewey, likely felt ‘A poor, spirited black boy would be much improved learning a trade under lock and key.’ If it were not for Frank Hosmer, Du Bois’s high school principal and early mentor, he would likely have landed in the state reform school. Although Du Bois devoted only one paragraph to the incident in his autobiography, it is clear from his writing that it had a profound effect on him.

Noting the severity of the punishment in relation to the crime committed, Du Bois (1968) wrote, ‘During my ten years of boyhood life there was in the county one murder; once the bank was robbed of a small sum; there were minor cases of stealing and trespass and some drunkenness which called for arrest’ (p. 91). He clearly felt that the punishment (being sent to a reform school) did not fit the crime (stealing grapes). Furthermore, he understood the importance of the victim in this case, having stated ‘...taking fruit had never been regarded by us as more than the right of town boys and we knew all the best orchards. But in this case we filched some choice and carefully tended grapes from a prominent citizen’ (Du Bois, 1968, p. 91).

At this early age Du Bois personally experienced how the justice system often operated on the basis of certain contextual characteristics. In his case, the social status of the victim nearly resulted in his being sent to reform school. It seems reasonable to believe that this incident might have also initiated his interest in crime and justice; many present-day criminologists would undoubtedly suggest that it was injustices such as the one nearly encountered by Du Bois that got them interested themselves in studying crime and justice. This episode probably served as an epiphanic event in Du Bois’s life. In fact, it was around this same period that he began to meticulously collect and annotate his personal papers (Broderick, 1959, p. 4). And presumably around the same time, Du Bois initiated his daily ritual of rising to begin work at 6:00 a.m. and retiring at 10:00 p.m. (Du Bois, 1938/1976, p. 168). This event, and his subsequent actions, might have been an indication that his life’s purpose, fighting to uplift African Americans, began to crystallize. Whatever the reason for his interest in the issues of crime and justice, he produced a notable body of literature which is reviewed in the following chapters.

**Book Outline**

Since there are already numerous biographies on Du Bois, including David Levering Lewis’s two-volume Pulitzer Prize (each one earned the award – a first) winning one (Lewis, 1993; 2001), Chapter 1 includes a brief biographical sketch of Du Bois. Chapter 2 reviews Du Bois’s earliest writings on crime and justice. This review includes an enlarged analysis of Du Bois’s seminal work, *The Philadelphia Negro: A Social Study* (1899). Chapter 3 critically reviews Du Bois’s tenure at Atlanta University, where, in addition to teaching, he directed an ambitious social scientific research program. In Chapter 4 Du Bois’s later thoughts (from 1905 up to his death in 1963) on crime and justice are assessed. Chapter 5 discusses Du Bois’s personal
involvement with the criminal justice system during the height of McCarthyism and reviews his FBI files. Chapter 6 takes stock of Du Bois’s contributions to American criminology. The usefulness of Du Bois’s writings in addressing crime in the 21st century is presented in Chapter 7. The appendices include reprints of hard to find relevant articles by Du Bois.
Acknowledgements

During my lifetime, I have been fortunate to have had many wonderful teachers and mentors beginning at P.S. 241 in the Crown Heights section of Brooklyn, New York, right up to graduate school at both the University of Baltimore and Indiana University of Pennsylvania, where I was privileged to have studied under numerous dedicated and inspiring professors. Several, such as Drs. Timothy Austin, Derral Cheatwood, Diana Fishbein, Imogene Moyer, Robert Mutchnick, and Jeffery Senese, continue to serve as valued mentors.

My current intellectual home, the School of Public Affairs at Penn State Harrisburg, under the directorship of Dr. Steven Peterson, has also been extremely supportive of my research not only with financial support but also with continued encouragement. I thank my graduate assistant, Ms. Kathleen O’Shea, who did much of the tedious work required to complete this book (especially copying Du Bois’s lengthy FBI file).


For permission to reprint the articles and maps included in the appendices I thank the University of Pennsylvania Press and the American Academy of Political and Social Sciences. Special thanks are reserved for Ms. Mary Savigar, commissioning editor at Ashgate Publishing, and Biko Agozino, series editor of the Interdisciplinary Research Series in Ethnic, Gender and Class Relations, for valuing this project. The
anonymous reviewers of this text and the earlier articles are also acknowledged for their important criticisms and suggestions.

Several family members and friends continue to serve as inspiration for my research and writing. I am fortunate to have friends such as Kurt Samuels, Drs. Helen Taylor Greene, Everette Penn and Ronald Jackson who continually inspire me in one way or another. Many thanks to my parents, Daphne and Patrick Gabbidon, who continue to encourage me in my academic pursuits. I also thank my brother Ian for a lifetime of love and encouragement. My wife Monica and our three sons, Jini, Jalen, and Julian continue to provide the daily inspiration that keeps my creative juices flowing.

Finally, these acknowledgments would not be complete without thanking the creator for producing the ‘prophet,’ a.k.a W. E. B. Du Bois, without whom this work would obviously have not been possible.
Chapter 1

Biographical Sketch of W. E. B. Du Bois

William Edward Burghardt Du Bois was born February 23, 1868, in Great Barrington, Massachusetts. His parents, Mary Burghardt and Alfred Du Bois, were of French Huguenot, Dutch, and West African ancestry (Du Bois, 1968). During his youth, Du Bois’s parents became estranged and later separated, with Du Bois remaining in Great Barrington with his mother.

As a child Du Bois enjoyed reading which as Lewis (1993) points out resulted in his frequenting a bookstore where the owner, Johnny Morgan, allowed the youngster to read books before they were available to customers. Another early sign of Du Bois’s love of reading was illustrated during his sophomore year in high school. Du Bois (1968, p. 87) tells the story of how he passed a bookstore where he saw a ‘gorgeous edition of Macauley’s History of England, in five volumes.’ Du Bois wanted it ‘fiercely’ and worked out a payment plan with the store owner to pay in installments of 25 cents a week. By the end of the year, Du Bois completed payment on the series (Du Bois, 1968, p. 88). With the encouragement of Frank Hosmer, his high school principal, and Johnny Morgan, Du Bois pursued his other serious interest, writing. Du Bois expressed his early thoughts in the New York Globe newspaper, where he originally was a news carrier; in 1883, he became a regular contributor to the paper. From April 1883 to May 1885, Lewis (1993, p. 39) notes that Du Bois contributed no less than twenty-four articles and notes to the paper. In 1884, again with the encouragement of Morgan, Du Bois applied and later became a contributing writer to the influential Springfield Republican. Du Bois was also an occasional correspondent to the Greater Barrington newspaper (Lewis, 1993, p. 39).

It appears that Du Bois’s interest in reading and writing affected his high school performance. Lewis (1993, p. 50) states, ‘The memories of Du Bois’ academic rage to succeed persist even today among some townspeople.’ He graduated on June 27, 1884, with six other boys and six girls. At the ceremony Du Bois gave a speech on Wendell Phillips, the New England abolitionist. Of the speech, a local newspaper, The Berkshire Courier, wrote, ‘A William E. Du Bois, a colored lad who has good standing, gave an excellent oration and provoked repeated applause’ (Lewis, 1993, p. 50).

After high school there was mention of Du Bois attending Williams College, in Massachusetts, but Du Bois had his hopes set on Harvard. Du Bois’s college plans were, however, unexpectedly delayed when his mother fell ill. She died of
an epileptic stroke in 1885. Unable to afford Harvard’s tuition, Du Bois managed to raise enough money to attend Fisk University in Nashville, Tennessee, instead, where his academic training in Massachusetts enabled him to enter as a sophomore. While attending Fisk, Du Bois taught summer school at a high school in Wilson County, Tennessee. This experience exposed him to some of the most dire conditions in the South.

Du Bois graduated Cum Laude from Fisk in 1888, in a class of six other students. At the graduation exercises Du Bois was once again called upon to deliver a commencement speech. This time he selected Bismarck, the first chancellor of Germany, as his subject, and again received praise for his oratorical prowess. After graduating from Fisk, Du Bois applied to and was accepted at Harvard. However, because he had attended Fisk, whose standing at the time was considered inferior to Harvard’s, he was required to enter Harvard as a junior.

In the fall of 1888 Du Bois began his tenure as an undergraduate at Harvard. While there, he consistently had financial difficulties, but by winning various contests and working odd jobs he raised the necessary funds to continue his studies. As a result, Du Bois was able to study under several highly acclaimed scholars, including psychologist William James, historian Albert Hart, and economist Frank Taussig.\(^1\) Of these individuals, Du Bois wrote:

William James guided me out of the sterilities of scholastic philosophy to realist pragmatism ... I turned to Albert Bushnell Hart to study history with documentary research; and from Taussig with his reactionary British economics of the Ricardo school, I approached what was later to become sociology (Du Bois, 1968, p. 133).

He graduated Cum Laude with a degree in philosophy and was selected as one of six commencement speakers. On this occasion, Du Bois chose Jefferson Davis, the former president of the Confederacy, as the focus of his speech. The speech was lauded by all in attendance including the press. One writer from the *Boston Herald* wrote:

When at the last commencement of Harvard University, I saw a young colored man appear ... and heard his brilliant and eloquent address, I said to myself: “Here is what an historic race can do if they have a clear field, a high purpose, and a resolute will” (Du Bois, 1968, p. 147).

Du Bois immediately entered graduate studies at Harvard and received a fellowship to continue his studies under the historian Albert Hart. Du Bois received his M.A. degree in 1892 and petitioned Harvard for entry into the Ph.D. program, to which he was accepted and remained under the tutelage of Hart. As Du Bois continued his

\(^1\) In fact, it was probably William James who had the biggest influence on Du Bois while he was at Harvard, as evidenced by the following quote by Du Bois: ‘I was repeatedly a guest in the house of William James; he was my friend and guide to clear thinking ...’ (Du Bois, 1940, p. 581).
Biographical Sketch of W. E. B. Du Bois

studies, he still yearned for more academic training and felt a need to study overseas. Of this decision, he recalled:

[I] had made up my mind that what I needed was further training in Europe. The German Universities were at the top of their reputation. Any American scholar who wanted preferment went to Germany for study. The faculties of John Hopkins, and the new University of Chicago, were beginning to be filled with German Ph.D’s...I wanted then to study in Germany. I was determined that any failure on my part to become a recognized American scholar must not be based on any lack of modern training (Du Bois, 1968, p. 150).

However, Du Bois needed money to study overseas. In response to a speech by ex-president Rutherford B. Hayes, Du Bois requested funding from the Slater Foundation, for his studies in Germany. His first request was declined, but the following year he received the funds he needed. In July 1892, Du Bois received the Slater Fund scholarship and headed for Germany, and in October he enrolled in the Department of Political Economy at the University of Berlin. There he completed course work under Gustav Von Schmoller, Adolf Wagner, Heinrich von Treitschke, and Max Weber. Du Bois was determined to attain a German Ph.D., as he put it, ‘for the sake of his race’ (Lewis, 1993, p. 143).

During his two years at the University of Berlin, Gustav von Schmoller (under whom he eventually prepared his thesis) Max Weber, and Adolph Wagner were the developers of the Historical School of Economics, which used the inductive, interdisciplinary approach to conducting research. Summarizing this approach, Boston (1991) suggested that the school made use of ‘detailed historical analysis of descriptive material supplemented by a variety of statistical investigations. The method also emphasized the interdependence of economics and other aspects of social life’ (pp. 304–305).

In regard to Schmoller’s influence on Du Bois, Rudwick (1974, p. 27) has stated that, ‘[probably more than any other professor under whom Du Bois had studied, Schmoller stressed the value of a hard-nosed empiricism and the faith that a systematic body of knowledge could be used to shape national policy.’ Du Bois’s training in Germany obviously played a key role in his future research program. Broderick (1958b, p. 36) has suggested that Du Bois went to Europe a historian, but returned a sociologist. Boston (1991, p. 305), while examining Du Bois’s contributions to the discipline of economics, supports this statement, observing that, during the early part of the 20th century when the Historical School declined, its adherents were generally considered economic historians or sociologists.

After receiving Slater Fund monies for one year, Du Bois re-applied and was again granted funds for a second year. He decided to write his doctoral thesis on agricultural economics in the American South. Unfortunately, Du Bois was unable to complete his doctorate in Germany for two reasons. First, a professor of chemistry objected to Du Bois’s not meeting the required semester residency. Second, the Slater Foundation would not renew his fellowship yet again. According to Lewis (1993, p. 146), it appears that the foundation was concerned with his interest in economics. As
they put it, ‘How useful to the education of a people one generation removed from slavery could a University of Berlin-minted teacher be, after all?’ (Lewis, 1993, p. 146). It was suggested that he return to the United States and continue his studies at Harvard.

When Du Bois returned to the United States, he immediately applied for a variety of teaching jobs. Unfortunately, like most African American scholars of the era, Du Bois was unable to locate a permanent position at any white school, so he accepted a position as Classics Chair at Wilberforce University, a historically black university in Ohio. In 1895, Du Bois completed his dissertation, ‘The Suppression of the Slave Trade to the United States of America 1638–1870.’ Upon completion, he became the first African American to receive a Ph.D. at Harvard (Huggins, 1986, p. 1286). His dissertation was the first published under the prestigious Harvard Historical Publications Series.

As a faculty member at Wilberforce, Du Bois grew discontent with his position and sought other opportunities. In 1896 he married Nina Gomer, and weeks later received a telegram from the University of Pennsylvania offering him a temporary one year ‘investigator’ appointment. This position called for the preparation of a sociological study of the Philadelphia African American population. According to Du Bois, his experience at the University of Pennsylvania was an unpleasant one. Du Bois was particularly upset regarding his title of ‘Assistant in Sociology,’ which included no office or teaching responsibilities. In fact, Du Bois recalled bitterly that his name was eventually omitted from the catalogue, and he had almost no contact with students and very little with faculty (Du Bois, 1968, p. 194).

During his work on The Philadelphia Negro, Du Bois was solicited to conduct a study for the U.S. Bureau of Labor. This study was completed during the summer months of 1897 and published in 1898 as ‘The Negroes of Farmville, Virginia: A Social Study.’ Du Bois published several other studies under the auspices of the Bureau of Labor (see Du Bois, 1899; 1901b). Near the completion of The Philadelphia Negro, Du Bois searched for permanent employment. In 1897, a meeting with Horace Bumstead, the president of Atlanta University, resulted in a faculty appointment at Atlanta University. That same year Du Bois addressed the American Academy of Political and Social Sciences in Philadelphia, where he called for the extensive scientific study of African Americans through the collaboration of Southern Black colleges and major white universities (i.e., Harvard, Columbia, John Hopkins, etc.) (Huggins, 1986, p. 1287).

Following the completion of The Philadelphia Negro, Du Bois, along with his wife and newborn, moved to Atlanta, where he held the position of professor of history and economics. There he not only taught, but also headed, the annual conferences on African American problems organized by Atlanta University. Unlike the Hampton and Tuskeege conferences, the Atlanta conferences focused on the conditions of the urban (rather than rural) African Americans. Some of the conference topics orchestrated under Du Bois’s leadership included ‘Negro Mortality,’ ‘The College Bred Negro,’ and ‘Negro Crime.’
In 1903, Du Bois published what would become his most heralded publication, *The Souls of Black Folk*. It combined previously published, as well as revised and even new essays. During Du Bois’s era the book was often referred to as the most important work regarding African Americans since Harriet Beecher Stowe’s *Uncle Tom’s Cabin* (Lewis, 1993, p. 294).

The book clearly disagreed with the approach of the leading African American spokesperson of the period, Booker T. Washington. Washington was an advocate of African Americans using industrial training to learn trades. At the time, southern whites were willing to invest monies to fund these types of educational pursuits. Even at the cost of sacrificing basic rights, Washington felt this was the best way to approach the ‘Negro Question.’ However, Du Bois believed the uplifting of African Americans was tied to their increased enrolment in broad training in the liberal arts. Only through this training could appropriate leaders be developed. So while he was not opposed to industrial training per se, Du Bois clearly felt that diversity of educational training was essential to strengthening the status of African Americans. From this thinking emerged his concept of the ‘talented tenth,’ which suggested that all societies have risen up largely based on the ideas of their greatest thinkers. African Americans were no different, and in Du Bois’s eyes, this part of the populace had a responsibility to the masses.

Following this monumental publication, Du Bois and several other African Americans, in direct opposition to the philosophy of Washington, initiated the Niagara Movement in 1905. With Du Bois as its leader, the group met at Niagara Falls, Canada in June, 1905. Their aim was to aggressively pursue full citizenship for African Americans. Specifically, their program ‘...demanded freedom of speech and criticism, manhood suffrage, the abolition of all distinctions based on race, the recognition of the basic principles of human brotherhood, and respect for the working man’ (Franklin, 1980, p. 318).

When the Niagara Movement declined, a significant number of the members participated in the founding of the National Association for the Advancement of Colored People (NAACP). Immediately after the organization’s founding, Du Bois became its director of publications and research. It was here that Du Bois founded and edited *The Crisis*, the NAACP’s monthly magazine. Du Bois remained at the NAACP until 1934, when he resigned as both editor and as a member of the board (Du Bois, 1968, p. 326).

After his resignation, Du Bois headed back to Atlanta University, where he served as chairman of the department of sociology. Du Bois immediately proposed the establishment of a social science program to study Southern Blacks. Although the plan was adopted in 1942, a year later Du Bois was informed by the Board of Trustees that he would be forced to retire due to the mandatory retirement age. Soon after this action, his ideas dissipated and only a few conferences were held (Huggins, 1986, p. 1300).

In 1944 Du Bois returned to the NAACP as its director of special research. Four years later, he was dismissed due no doubt to his continuing criticism of American foreign policy and his support for communism. From 1948–1950 Du Bois traveled
and published widely in support of international peace efforts. In 1950 he founded the Peace Information Center (PIC), an organization that provided information about the international peace movement, and initiated a petition in support of the Stockholm Appeal to abolish the atom bomb. In that same year, the organization disbanded when it was notified by the Department of Justice that it must register as an ‘agent of a foreign principal.’ While the organization and its members were told that disbanding would protect them from further legal pressure, in 1951 Du Bois and four other former members were indicted under the Foreign Agents Registration Act of 1938 (Du Bois, 1968, p. 367). During the trial the U.S. government alleged that the Peace Information Center acted as an unregistered agent of the Soviet Union. Du Bois and his co-defendants were quickly acquitted in November, 1951.

By 1952 Du Bois had decided that he would continue his advocacy for left-wing principles. Because of his support for liberal reform, Du Bois was refused a passport by the State Department, which declared that his foreign travel would not be in the best interest of the United States. Du Bois was denied a passport until 1958 (his 90th birthday), when the Supreme Court overturned a questionable political affidavit requirement.

And finally after receiving his passport, Du Bois embarked on a year-long world tour which included trips to England, France, Belgium, Holland, Czechoslovakia, East Germany, and the Soviet Union (Huggins, 1986, p. 1304). Following the tour (in 1961) Du Bois joined the Communist Party of the United States. In the same year, Du Bois moved to Ghana, Africa, at the invitation of its president, Kwame Nkrumah. Early in 1963 Du Bois became a citizen of Ghana, but died later that year at the age of 95. Du Bois received countless awards and honorary degrees throughout his life. Presently, numerous awards, endowed faculty positions, fellowships, and more recently, the library of a major university (University of Massachusetts, Amherst) bear the name of W. E. B. Du Bois.
There can be no doubt that one of the most serious factors in crime statistics is found in the condition of the freedmen of African decent, both North and South. The causes are complex. The primary factor is racial inheritance, physical, mental inferiority, barbarism and slave ancestry and culture ...

(Charles R. Henderson 1904, p. 247).

Student and Scholar (1891–1899)

Preparing to take on the Criminal Anthropological School

One can confidently assume that as Du Bois immersed himself in the study of social science, both here and in Europe, his thoughts were on acquiring the skills required to challenge the various doctrines being espoused regarding the inferiority of African people. There was no shortage of literature on this subject in the late 19th century and he likely knew his scholastic journey would require him to engage purveyors of these doctrines. So when the science of criminology formally emerged in the United States in the early 1890s, and the criminal anthropological school began to produce a body of literature that primarily attributed African American criminality to their ‘racial stock’ (see generally, Boies, 1893; Henderson, 1893; MacDonald, 1893), Du Bois began to research and formulate his ideas on crime and justice. These early writings represent those that would shape his thinking for much of his life. This period found Du Bois examining crime and justice in both urban and rural areas.

Du Bois’s thoughts on urban crime culminated in his treatise, The Philadelphia Negro, The Black North in 1901, and a number of other publications. Du Bois’s discussions on crime by rural African Americans are highlighted by several publications for the federal government and his 1901 publication on the convict-lease system (reviewed in detail in chapter 6). Throughout this period, as well as for the rest of his life, Du Bois had much to say on criminal justice issues, particularly concerning African Americans and crime. Yet, Du Bois’s first crime-related publication focused on the crimes of whites. By making use of numerous archival resources, he investigated the enforcement, or lack thereof, of the slave-trade laws during the slave era.
W. E. B. Du Bois on Crime and Justice

Crime and Justice Scholarship: 1891–1899

Under the direction of his Harvard mentor, Albert Bushnell Hart, Du Bois began work on an analysis of the laws which were enacted to suppress the slave trade to the United States (see Du Bois, 1896/1986, p. 246). At the encouragement of Hart, Du Bois presented a paper at the annual American Historical Association meeting in 1891, which was later published by the association as ‘The Enforcement of the Slave Trade Laws.’ It also served as a precursor to what would later emerge as Du Bois’s published dissertation (see Du Bois, 1896/1986). Du Bois’s aim in this publication was to examine the impact of the 1803 statute enacted to suppress the slave trade. In answering the question, how was this law enforced? Du Bois wrote, ‘I will not say it was not enforced at all, nor yet that it was poorly enforced – a statement between the two would be nearer the truth’ (Du Bois, 1891/1982, p. 21).

Of the lax enforcement by domestic and international governments, Du Bois commented, ‘Not only was this negligence on the part of the government apparent abroad, but officials appeared to have been either careless or criminal at home. In spite of many convictions and numerous trials there are strangely few cases of severe punishment, and I never have found a record of the actual hanging of a slave trader for piracy’ (Du Bois, 1891/1982, p. 25). This observation led Du Bois to conclude that, ‘Northern greed joined to Southern credulity was a combination calculated to circumvent any law, human or divine’ (Du Bois, 1891/1982, p. 27). This analysis of the slave trade laws and the reasons for their lack of enforcement provide the foundation through which some of his later analyses on the convict-lease system may have emerged.

After this early publication, Du Bois continued to formulate his ideas in several publications in the late 1890s which, while not explicitly related to crime, address several areas of criminal justice including discrimination (Du Bois, 1897a), recreation/crime prevention (Du Bois, 1897b), criminal classes (Du Bois, 1898; 1899a). He would soon expound on these ideas in a series of important publications. The first of these publications was one of his first articles exclusively devoted to crime. In the article, Du Bois outlined several potential instigators of African American criminality. He wrote:

[i]he development of a Negro Criminal class after emancipation was to be expected. It is impossible for such a social revolution to take place without giving rise to a class of men, who, in the new stress of life, under new responsibilities, would lack the will and power to make a way, and would consequently sink into vagrancy, poverty and crime (Du Bois, 1899b/1982, p. 57).

Du Bois continued with this reasoning, alluding to the fact that there probably should have been more problems among African Americans after emancipation. On this point, he commented, ‘[i]ndeed it is astounding that a body of people whose family life had been so nearly destroyed, whose women had been forced into concubinage, whose labor had been enslaved and then sent adrift penniless, that such a nation
should in a single generation be able to point to so many pure homes, so many property-holders, so many striving law abiding citizens’ (Du Bois, 1899b/1982, p. 57). Du Bois noted that in addition to the economic effects of emancipation, there were four main causes for the criminality among African Americans in the South: 1) convict-lease system; 2) attitude of the courts; 3) lawlessness and barbarity of the mobs; and 4) segregation.

Du Bois (1899b/1982, p. 58) pointed out that the convict-lease system was used by states as a source of revenue. He felt this led to the misuse of the law to ‘widen-the-net’ (with mostly blacks) to serve as workers in this system. This was accomplished because the system allowed states to lease out convicts to the public. Since emancipation had recently occurred, land owners were in need of labor and he recognized that, because of this labor shortage, ‘... an ignorant little black boy who steals a chicken or handful of peanuts ... ’ could be added to the chain gang (Du Bois, 1899b/1982, p. 58).

Along with the convict-lease system, Du Bois identified the courts as another source of injustice. According to his assessment, two flaws existed with the ‘justice’ distributed by the Southern courts. First, the leniency of punishments administered to white criminals. He expanded upon this thought by mentioning that leniency led the public (primarily African American citizens) to lose faith in the justice system. Conversely, African American crimes were treated with such severity that ‘the lesson of punishment is lost through pity for the punished persons’ (Du Bois, 1899b/1982, p. 58). From these assertions, he cautioned all students of Southern penal institution populations not to use the inmate population figures as a determinant of the lawlessness of the African American population (Du Bois, 1899b/1982, p. 58).

Du Bois also felt that the increasing mob violence was another origin of African American criminality. He stated:

... let a Negro be simply accused of any crime from barn-burning to rape and he is liable to be seized by a mob, given no chance to defend himself, given neither trial, judge nor jury, and killed. Passing over the acknowledged fact that many innocent Negroes have thus been murdered, the point that is of greater gravity is that lawlessness is a direct encouragement to crime. It shatters the faith of the mass of Negroes in justice; it makes race hatred fiercer; it discourages honest effort; it transforms horror at crime into sympathy for the tortured victim; and it binds the hands and lessens the influence of those race leaders who are striving to preach forbearance and patience and honest endeavor to their people. It teaches eight million wronged people to despise a civilization which is not civilized (Du Bois. 1899b/1982, p. 50).

Du Bois believed that the final cause of African American criminality was segregation. It was his thought that this practice was an exaggerated and unnatural separation of the races. He further emphasized that, ‘the drawing of the color line is not only silly but dangerous’ (Du Bois, 1899a/1982, p. 59). Essentially, Du Bois expressed the belief that by drawing the color line false assumptions by members of both races stymies any progress towards seriously addressing the underlying causes of African American criminality.
In 1899 Du Bois also published *The Philadelphia Negro* which was monumental not only for its criminological contributions, but also for its overall findings and methodological rigor. With the publication’s 100th anniversary, it experienced somewhat of a renaissance within the social sciences (see, for example, Katz and Sugrue, 1998). The remainder of this chapter provides a detailed overview of its criminal justice-related findings.

### The Philadelphia Negro and Crime

After being hired in 1896 by the University of Pennsylvania to conduct a one-year study of the African American residents in the Seventh Ward of Philadelphia, Du Bois set out to determine what problems, if any, they were encountering, and to suggest potential solutions to any problems uncovered. Du Bois conducted the research from August 1, 1896, to December 31, 1897. The product of this research was *The Philadelphia Negro*.

Du Bois’s work in Philadelphia is important for a number of reasons. First, it exposed many people to his scholarly abilities. Second, it was the first scientific study of an urban African American community. Third, it served as a precursor to his Atlanta University research program. Finally, it served as a serious challenge to the emerging criminal anthropological school.

In the first chapter of *The Philadelphia Negro* (1899), Du Bois discussed his ‘methods of inquiry’ and ‘the credibility of results’ (see Du Bois, 1899c/1973, pp. 1–4). In this chapter he discussed his various research techniques: survey schedules, statistical analyses, historical analyses, general observation, and participant observation.

Du Bois used six different survey schedules to gather data on various aspects of African American life in the Seventh Ward. The family schedule was designed to obtain general demographic information on the families Du Bois met. He used an individual schedule to gain more detailed information on each family member. A home schedule was constructed to record information on characteristics of the home, such as the number of rooms, the rent, and the number of non-family members living there. If a residence included live-in housekeepers, Du Bois used a separate schedule. The two remaining schedules were a street schedule that recorded environmental elements of the neighborhood (such as an alley or other physical characteristics) and the institutional schedule was used to elicit information on various institutions and organizations in the Seventh Ward. Aptheker (1973b, pp. 17–18) suggests that Du Bois spent approximately 835 hours interviewing approximately 2,500 residents during his three months of field research in 1896. Lewis (1993, p. 191) states, ‘As he tabulated some 15,000 household schedules, he had before him life histories of the entire black population of the Seventh Ward – nearly ten thousand men, women, and children.’

In addition to his extensive use of survey instruments, Du Bois also relied on other data sources: ‘Throughout the study ... official statistics and historical matters
as seemed reliable were used, and experienced persons, both white and colored, were freely consulted’ (Du Bois, 1899c/1973, p. 2). He also employed both general observation and participant observation, as evidenced by his living in the ward and interacting with the residents throughout the study.

In his autobiography, Du Bois discussed his experience as a resident of Philadelphia’s Seventh Ward:

With my bride I settled in one room in the city over a cafeteria run by a College Settlement, in the worst part of the Seventh Ward. We lived there a year in the midst of an atmosphere of dirt, drunkenness, poverty, and crime ... in the night when the pistols popped, you didn’t get up lest you find you couldn’t (Du Bois, 1968, p. 195).

Although Du Bois employed the best research methods available during his era, he was quick to inform the readers of the limitations of those methods. In discussing his use of multiple techniques, Du Bois suggested that, ‘... the use of ... these methods which has been attempted in this study may have corrected to some extent the errors of each’ (Du Bois, 1899a/1973, p. 3). Du Bois was apparently alluding to what researchers now refer to as ‘triangulation’ or the use of multiple methodologies to reduce the level of error in his findings (see Berg, 2004, pp. 4–6). Finally, Du Bois’s discussion of the alley and the urban environment in The Philadelphia Negro is reminiscent of the neighborhood ecology found later at the University of Chicago (see maps in Du Bois, 1899c/1973). Green and Driver (1976, p. 322) also acknowledge Du Bois’s use of the ecological method.

The final product is presented in four parts: the history of African American people in the city, their present condition as individuals, their condition as an organized social group, and their physical and social environment (Du Bois, 1899c/1973, p. 8). Although Du Bois only devotes two chapters (13 and 14) to crime, throughout the remainder of the book there are insightful comments on the issue as well. This chapter provides a discussion of his crime-related thoughts throughout the book.

Du Bois’s first mention of crime in the monograph involves the migration of free African Americans to Philadelphia and the ensuing riots; here Du Bois commented that, ‘[t]hese riots were occasioned by various incidents, but the underlying cause was the same: the simultaneous influx of freedmen, fugitives and foreigners into a large city, and the resulting prejudice, lawlessness, crime and poverty’ (Du Bois, 1899c/1973, p. 27).

Another early discussion on crime in the study takes place in Du Bois’s chapter on the ‘City.’ Here Du Bois expressed concern about the influx of immigrants into the city and mixing of the ‘good and bad elements’ in a single geographic area. Discussing this situation, Du Bois commented:

To-day they [immigrants] are to be found partly in the slums and partly in those small streets with old houses, where the dangerous intermingling of good and bad elements fatal to growing children and unwholesome for adults ... this mingling swells the apparent size of many slum districts, and at the same time screens the real criminals. Investigators are often surprised in the worst districts to see red-handed criminals and good-hearted,
hard-working, honest people living side by side in apparent harmony. Even when the new immigrants seek better districts, their low standard of living and careless appearance make them unwelcome to the better class of blacks and to the great mass of whites. Thus they find themselves hemmed in between the slums and the decent sections, and they easily drift into the happy-go-lucky life of the lowest classes and rear young criminals for our jails (Du Bois, 1899c/1973, pp. 81–82).

Du Bois also made two other criminal justice-related observations here. First, he noted the presence of about sixty African American police officers on the force and their deployment in the African American community. He also recognized that none of these officers had been promoted through the ranks. Second, Du Bois, as he had done in publications prior to *The Philadelphia Negro*, reiterated his concern about the lack of recreation for youth and its potential ramifications:

> ... there is in the city a grave and dangerous lack of proper places of amusement and recreation for young men. To fill this need a properly conducted Young Men’s Christian Association, with books and newspapers, baths, bowling alleys and billiard tables, conversation rooms and short interesting religious services is demanded; it would cost far less than it now costs the courts to punish the petty misdemeanors of young men who do not know how to amuse themselves (Du Bois, 1899c/1973, p. 232).

Du Bois had enough vision to propose what most crime prevention specialists of today realize; it is cheaper to invest in preventive measures then to wait until youth enter the criminal justice system, and then have to expend large sums of money to deal with them. These insightful analyses by Du Bois continue throughout the book; however, it is in chapters 13 and 14 that Du Bois develops much of his crime-related ideas.

*Social Disorganization, Discriminatory Law Enforcement, and the Philadelphia Negro*

In Du Bois’s only chapter devoted exclusively to crime, he wasted no time in providing his primary explanation for crime among African Americans in Philadelphia. On the first page of the chapter, he wrote:

> Crime is a phenomenon of organized social life, and is the open rebellion of an individual against his social environment. Naturally then, if men are suddenly transported from one environment to another; the result is lack of harmony with the new conditions; lack of harmony with the new physical surroundings leading to disease and death or modification of physique; lack of harmony with social surroundings leading to crime (Du Bois, 1899c/1973, p. 235).

To support his analysis, Du Bois pointed to several occurrences which provided examples of the disorganization among African Americans due to their presence in a foreign land. He cited several ordinances and pieces of legislation enacted to quell disturbances by African Americans in Philadelphia and throughout the
colonies. After a lull in activity following the enactment of legislation, Du Bois wrote, ‘Little special mention of Negro crime is again met until the freedmen under the act of 1780 began to congregate in the city and other free immigrants joined them’ (Du Bois, 1899c/1973, p. 237). This resulted in thievery and many assaults. He noted that after Nat Turner’s infamous insurrection in 1831, and the migration of some black fugitives from the South to Pennsylvania, the Pennsylvania legislature disenfranchised African Americans in 1837, which resulted in subsequent riots. Several observers of Du Bois’s analysis have commented on its similarity to the turmoil generated by social disorganization (see Frazier, 1949; Gabbidon, 1996; Young and Greene, 1995).

Later in the chapter, Du Bois provided a longitudinal analysis of crime statistics. After acknowledging a dramatic increase in crime among African Americans from 1830 to 1850, he examined the available population and crime figures and noted that ‘... less than one-fourteenth of the population was responsible for nearly a third of the serious crimes committed’ (Du Bois, 1899c/1973, p. 238). Du Bois apparently had a grasp of the now often-used concept of disproportionality (for an interesting discussion of this concept as it relates to African Americans, see Young, 1994).

Du Bois continued this discussion by examining the racial composition of a specific institution, Moyamensing prison: ‘[I]n 1896 the Negroes forming 4 per cent of the population furnish 9 per cent of the arrests, but in 1850 being 5 per cent of the population they furnished 32 per cent of the prisoners received at the county prison’ (Du Bois, 1899c/1973, p. 239). In seeking an explanation for this disproportionality during the years, 1836 to 1855, he wrote,

\[
\text{It must be remembered that the discrimination against the Negro was much greater then than now: he was arrested for less cause and given longer sentences than whites. Great numbers of those arrested and committed for trial were never brought to trial so that their guilt could be proven or disproven ... ' (Du Bois, 1899c/1973, p. 239).}
\]

Finally, Du Bois pointed out that, ‘[the] average length of sentences for whites in Eastern Penitentiary during [the past] nineteen years, [was] 2 years, 8 months, 2 days; for Negroes, [it was] 3 years, 3 months 14 days’ (Du Bois, 1899c/1973, p. 239). Here, before the turn of the century, Du Bois made the important connection between the differential justice administered to whites and African Americans and the subsequent overrepresentation of African Americans in the prison population statistics.

As for African American criminality after the Civil War, Du Bois argued that crime had generally increased throughout the country. He attributed this rise to the ‘increased complexity of life, in industrial competition, and the rush of great numbers to large cities’ (Du Bois, 1899c/1973, p. 240). Noting that African Americans headed to the cities after 1880, the current increase of African American criminality in cities was, to Du Bois, similar to the phenomenon that whites had experienced two to three decades earlier (Du Bois, 1899c/1973, pp. 240–241). Therefore, Du Bois asserted that, ‘... in the case of the Negro there were special causes for the prevalence of crime: he had lately been freed from serfdom, he was
the object of stinging oppression and ridicule, and the paths of advancement open
to many were closed to him. Consequently the class of the shiftless, aimless, idle,
discouraged and disappointed was proportionately larger [for African Americans’]
(Du Bois, 1899c/1973, p. 240). So while Du Bois readily acknowledged that his
thesis on African American crime was applicable to whites as well, he recognized
that because of their previous status within society, their acceptance within newly
developed cities was much more problematic than it had been for other groups.

Du Bois then pointed to the arrest figures in Philadelphia from 1864 to 1896, though
minimizing their use, due to ‘... the varying efficiency and diligence of the police, by
discrimination in the administration of law, and by unwarranted arrests’ (Du Bois,
1899c/1973, p. 242). Next, he turned to the 541 African Americans criminals who
were convicted of serious offenses. Of the disproportionate representation of African
Americans in institutions as a result of committing serious crimes, he stated:

This of course assumes that the convicts in the penitentiary represent with a fair degree
of accuracy the crime committed. The assumption is not wholly true; in convictions by
human courts the rich always are favored somewhat at the expense of the poor, the upper
classes at the expense of the unfortunate classes, and whites at the expense of Negroes. We
know for instance that certain crimes are not punished in Philadelphia because the public
opinion is lenient, as for instance embezzlement, forgery, and certain sorts of stealing;
on the other hand a commercial community is apt to punish with severity petty thieving,
breaches of the peace, and personal assault or burglary (Du Bois, 1899c/1973, p. 249).

According to Green (1973, p. 374) and Gabbidon (1996, p. 101), this passage shows
that Du Bois was close to conceptualizing crimes that are now referred to as ‘white-
collar crimes.’ At the very least, Du Bois was aware of the differential handling of
‘street crimes’ and so-called white-collar offenses (e.g., embezzlement).

From a further analysis of the statistics on criminals in Philadelphia, Du Bois
addressed several other issues: gender and age breakdown of criminals, birthplace
of criminals, illiteracy of criminals, women and crime, and repeat offenders. First, he
observed that, ‘the mass of criminals are ... young single men under thirty’ (Du Bois,
1899c/1973, p. 252). Second, Du Bois observed that most of the convicts were born in
the South, which supported his thesis on the etiology of crime (Du Bois, 1899c/1973,
Based upon his review of the statistics, Du Bois made the following comment, ‘... as
the general intelligence of a community increases, the general intelligence of its
criminals increases, though seldom in the same proportion, showing that some crime
may justly be attributed to pure ignorance. The number of criminals able to read
and write has increased from 50 per cent in 1885 to 79 per cent in 1895’ (Du Bois,

After reporting this finding, Du Bois compared the illiteracy of the criminal
population with that of the general population as a means to show ‘... how little
increased intelligence alone avails to stop crime in the face of other powerful forces’
(Du Bois, 1899c/1973, p. 254). He continued on this topic and wrote, ‘[c]rime comes
either in spite of intelligence or as a result of misdirected intelligence under severe
economic and moral strain. Thus we find here, as is apparently true in France, Italy and Germany, increasing crime and decreasing illiteracy as concurrent phenomena rather than as cause and effect’ (Du Bois, 1899c/1973, p. 254). The inclusion of these figures probably indicates that Du Bois was responding to present-day studies linking crime, intelligence, and heredity (see generally, Dugdale, 1877).

From the increased intelligence of criminals, Du Bois surmised two things; first, that a large number of African Americans, because of their environment, find it easier to be ‘rogues than honest men’; second, this increased intelligence led to more dangerous crimes from ‘a trained criminal class’ (Du Bois, 1899c/1973, p. 255). Turning to the crimes of women, Du Bois used a chart to show that most of the crimes committed by women were stealing and fighting. He also recognized that most of these women were prostitutes from the worst slums (Du Bois, 1899c/1973, p. 255).

Returning to his analysis of the 541 serious offenders, Du Bois decided to investigate how many of them were ‘in the hands of the law before’ (Du Bois, 1899c/1973, p. 257). It would seem here that Du Bois was concerned with recidivism rates. However, he recognized the difficulty in ascertaining accurate figures because, ‘... in many, if not the majority of cases, the word of the prisoner must be taken’ (Du Bois, 1899c/1973, p. 257). Du Bois found that 226 (42%) of the offenders could be considered ‘habitual criminals’, because as he noted, many of them were second and third time offenders. These were the offenders who Du Bois felt constituted the African American criminal class (Du Bois, 1899c/1973, p. 257).

At the close of chapter 13, Du Bois summed up his general findings with the following statement:

From this study we may conclude that young men are the perpetrators of the serious crime among Negroes; that this crime mainly consists of stealing and assault; that ignorance, and immigration to the temptations of city life, are responsible for much of this crime but not for all; that deep social causes underlie this prevalence of crime and they have so worked as to form among the Negroes since 1864 a distinct class of habitual criminals; that to this criminal class and not to the great mass of Negroes the bulk of the serious crime perpetrated by this race should be charged (Du Bois, 1899c/1973, p. 259).

Du Bois apparently felt that it was unjust to disenfranchise the whole race for the crimes of a few ‘habitual criminals.’ His concluding statement was followed by several crime-related passages excerpted from newspapers, which Du Bois felt were illustrative of the crimes committed by African Americans (Du Bois, 1899c/1973, pp. 259–268).

Pauperism, Alcoholism, Crime, and the Philadelphia Negro

In Chapter 14, ‘Pauperism and Alcoholism,’ Du Bois embarks upon several additional crime-related discussions. Du Bois (1899c/1973) thought these topics were highly associated and made the following thesis statement regarding pauperism and African Americans:
Emancipation and pauperism must ever go hand in hand; when a group of persons have been for generations prohibited from self-support, and self-initiative in any line, there is bound to be a large number of them who, when thrown upon their own resources, will be found incapable of competing in the race of life (p. 269).

Here Du Bois remains consistent with his belief regarding the negative causes of slavery and the later emancipation, which occurred without providing African Americans the proper means to be competitive in society.

Under a subsection entitled, ‘The Causes of Crime and Poverty,’ Du Bois continued to emphasize the effects of slavery and emancipation by briefly mentioning the positives and negatives of slavery and emancipation. He wrote:

That their [Negroes] emancipation has raised them economically and morally is proven by their increase of wealth and co-operation, and the decrease of poverty and crime between the period before the war and the period since; nevertheless, this was manifestly no simple process: the first effect of emancipation was that of any social revolution: a strain upon the strength and resources of the Negro, moral, economic and physical, which drove many to the wall (Du Bois, 1899c/1973, p. 283).

Throughout the remainder of the chapter, Du Bois provided analyses which noted the strong influence of social environment in the etiology of the African American criminality (Du Bois, 1899c/1973 pp. 285–287). Du Bois concluded this chapter by stating that in order to get to the real causes of crime and away from the symptoms you must look at the environment of African Americans, to which he devoted a portion of chapter 15 which is reviewed in the following paragraphs.

**The Environment and Crime**

Under the subsection, ‘Houses and Rent,’ Du Bois discusses the dangers of the alley, which were rampant throughout African American neighborhoods: ‘[t]he inhabitants of the alley are at the mercy of its worst tenants ... prostitutes ply their trade, and criminals hide’ (Du Bois, 1899c/1973, p. 294). Within the subsection, ‘Social Classes and Amusements,’ Du Bois expands upon his previously stated concept of the African American ‘criminal classes.’ During data collection Du Bois placed families into one of four grades. Those in the fourth grade constituted Du Bois’s criminal class. He described the persons in this class as, ‘[t]he lowest class of criminals, prostitutes and loafers; the ‘submerged tenth’ ‘ (Du Bois, 1899c/1973, p. 311). Du Bois felt that this class had arisen since 1840 and that these persons were typically involved in ‘shrewd laziness, shameless lewdness, cunning crime’ (Du Bois, 1899c/1973, pp. 311–312). Speaking about loafers, a group included in the criminal class, Du Bois opined:

[...] their nucleus consists of a class of professional criminals, who do not work ... and migrate here and there ... these are a set of gamblers and sharpers who seldom are caught in serious crime, but who nevertheless live from its proceeds and aid and abet it. The headquarters are usually the political clubs and pool rooms; they stand ready to entrap the unwary and tempt the weak. Their organization, tacit or recognized, is very effective, and
no one can long watch their actions without seeing that they keep in close touch with the authorities in some way (Du Bois, 1899c/1973, p. 312).

He concludes his review of the criminal class with a discussion of the primary group of female members in this class, prostitutes. Again, Du Bois admitted the difficulty of ascertaining accurate data on this subject. However, he did manage to attain sufficient data to make some cursory observations. In the Seventh Ward Du Bois’s research revealed 53 African American prostitutes. Du Bois found that there were 14 bawdy houses, ten of which were private dwellings where prostitutes resided and were not well kept; while four others described by Du Bois were elaborately decorated (Du Bois, 1899c/1973, p. 314).

In addition to these prostitutes, Du Bois noted the existence of streetwalkers who serviced African Americans, Italians, and Americans (Du Bois, 1899c/1973, p. 314). Du Bois concludes this discussion alluding to the presence of pimps, ‘they [prostitutes] usually have male associates whom they support and join them in ‘badger thieving’” (Du Bois, 1899c/1973, p. 314).

**Race Prejudice and Crime**

The next observation of significance to Du Bois’s view on crime can be found in chapter 16, ‘The Contact of the Races.’ Within this chapter, Du Bois embarks upon an examination of color prejudice. He cautions persons against the assertion that all African American criminality is the result of prejudice; however, he does insist that it does play a part in the emergence of some African American criminality (Du Bois, 1899c/1973, pp. 350–351). On this issue, Du Bois wrote, ‘Certainly a great amount of crime can be without doubt traced to the discrimination against Negro boys and girls in the matter of employment’ (Du Bois, 1899c/1973, p. 351). Du Bois continues his thoughts on the topic with the following statement:

> The connection of crime and prejudice is, on the other hand, neither simple nor direct. The boy who is refused promotion in his job as porter does not go out and snatch somebody’s pocketbook. Conversely the loafers ... and the thugs in the county prison are not usually graduates of high schools who have been refused work. The connections are much more subtle and dangerous; it is the atmosphere of rebellion and discontent that unrewarded merit and reasonable but unsatisfied ambition make. The social environment of excuse, listless despair, careless indulgence and lack of inspiration to work is the growing force that turns black boys and girls into gamblers, prostitutes and rascals (Du Bois, 1899c/1973, p. 351).

Du Bois clearly felt that the prejudice encountered by lower class African Americans ‘encouraged’ crime (Du Bois, 1899c/1973, p. 352). He would continue to return to this theme in later publications.

---

1 Badger thieving is, “[a] type of extortion in which a victim is lured into a room by a woman and is there discovered in a compromising situation by a man who represents himself as the husband” (Sutherland, 1937, p. 235).
Another important discussion by Du Bois relating to crime in the Ward relates to the political and organized crime he found during his study. He devoted a chapter to ‘Negro Suffrage’ in an attempt to see how, if at all, the 15th amendment (the right for all races to vote), which had been recently ratified in 1870, affected African Americans in Philadelphia.

Under the subheading, ‘Some Bad Results of Negro Suffrage,’ Du Bois discusses political crimes such as bribery. He observed that, with the arrival of African American suffrage, the African American vote was for sale. He suggested that political clubs dictated elections:

[A] political club is a band of eight or twelve men who rent a club house with money furnished them by the boss, and support themselves partially in the same way ... [t]he club is often named after some politician ... and the business of the club is to see that its precinct is carried for the proper candidate, to get ‘jobs’ for some of its ‘boys,’ to keep others from arrest and to secure bail and discharge for those arrested (Du Bois, 1899c/1973, pp. 378–9).

Du Bois also found that the leader of the club was the ‘boss of his district.’ In fact, the leaders were well known to the police, who, ‘so long as the loafers and gamblers under [them] do not arouse the public too much [the boss leaders see to it that] they are not molested’ (Du Bois, 1899c/1973, p. 379). Du Bois was quick to point out that it wasn’t only lower-class African Americans who were involved in bribery; ‘[t]here is of course a difference in the various clubs; some are of higher class than others and receive offices as bribes; others are openly devoted to gambling and receive protection as a bribe ...’ (Du Bois, 1899c/1973, p. 379).

In addition to these findings, Du Bois indicated that two other means were used to secure African American votes: ‘(1) contributions to various objects in which voters were interested; and (2) appointment to public office or to work of any kind for the city’ (Du Bois, 1899c/1973, p. 380). According to Du Bois, the latter method of securing votes was a direct result of the lack of opportunities afforded to African Americans: ‘One class of well-paid positions, the city civil-service, was once closed to them [African Americans], and only one road was open to them to secure these positions and that was unquestioning obedience to the “machine”’ (Du Bois, 1899c/1973, p. 380). In closing this chapter, he suggested that, if African Americans were to advance away from crime, the link between gambling, crime and city authorities must be broken (Du Bois, 1899c/1973, p. 384). Through Du Bois’s use of participant observation, he received rich data on criminal organizations. Furthermore, he saw clearly the ‘link’ between organized crime and political corruption.

In the final chapter of The Philadelphia Negro, Du Bois makes some poignant closing remarks worth reviewing here. He suggests that African Americans should build schools, reformatories, and other preventative agencies against crime and other social ills facing African Americans (Du Bois, 1899c/1973, pp. 389–390). Du Bois felt that in order to reduce crime, African Americans must first address the home
setting, where idleness, extravagance and other problems emerge. Finally, Du Bois called upon whites to fairly treat blacks in employment opportunities, because if there was not fair treatment (e.g., absence of discrimination) regarding employment, African Americans may lose interest in work and ‘drift into idleness and crime’ (Du Bois, 1899c/1973, p. 395).

According to Lewis (1993), although it is debatable if ‘The Philadelphia Negro was the first study of its kind, ... [i]ts place as the first scientific urban study of African Americans is ... secure ...’ (p. 190). In a similar vein, Bulmer (1991) has suggested that the study was ‘... a pioneering social survey which studied that black population comprehensively and systematically. It was unique in its intensity of study, and there was nothing comparable being produced at the time from Columbia under Giddings or Chicago under Small. It was one of the first sociological urban community studies, employing a conception of social structure and addressing a wide range of sociological issues both descriptively and analytically’ (p. 181). As suggested before, this publication established Du Bois as one of the leading scholars of his day. As a result of the praise his work in Philadelphia received, Du Bois was approached by Horace Bumstead regarding employment at Atlanta University. Bumstead, president of Atlanta University, offered Du Bois the opportunity to spearhead annual conferences on problems relating to urban African Americans. Du Bois accepted the position in 1897, finished The Philadelphia Negro, and began working at Atlanta University in the spring of 1898.

The next chapter explores Du Bois’s tenure in Atlanta. During this period Du Bois established one of the first ‘Schools’ of social scientific research in the United States and engaged in an ambitious research program that resulted in both national and international acclaim. Along with a discussion of his pioneering social science research program, the chapter highlights some of his crime-related research conducted during the period.
This page intentionally left blank
Chapter 3
The Atlanta School of Social Scientific Research

I wish to state ... that the most important sociological scholar anywhere in the Southern States in America, with whom no scholar can compare, is a Negro – Burghardt (sic) Du Bois.

(Max Weber in 1910 as quoted in Lyman, 1992, p. 9)

Laying the Foundations for a School

Based on his belief that nearing the end of the 19th century few scientific studies of significance had been conducted on African Americans, Du Bois, at the 1897 annual meeting of the American Academy of Political and Social Sciences, discussed plans for a program of research to study African American problems (see Appendix 1 for the full plan). The subsequent publication, ‘The Study of Negro Programs (Du Bois, 1898/1982),’ focused on five areas: the historical development of African American problems, the necessity for a careful study of African Americans, a review of scientific studies of African Americans up to 1897, the scope and the methods that should be used to study African American problems, and who should conduct the work (Du Bois, 1898/1982, pp. 40–41).

In regard to the historical development of African American problems, Du Bois, in keeping with his lifelong practice, provided historical context for African Americans’ current state by reviewing the impact of slavery on their condition. He discussed the use of the legal system, with the enactment of restrictive legislation such as the slave codes and the black codes, to secure African American labor during and after slavery (Du Bois, 1898/1982, p. 42). In his review of current African American problems, Du Bois argued that African Americans were segregated from the ‘group life’ of the nation. In his view (Du Bois, 1898/1982), this segregation was imposed because it was believed that African Americans lacked high culture and because ‘there has always existed in America a conviction – varying in intensity, but always widespread – that people of Negro blood should not be admitted into the group life of the nation no matter what their condition might be’ (p. 43). Although Du Bois readily admitted the need for African Americans to improve their economic condition, mental training, and social efficacy before they could achieve national social standards, he also recognized the nation’s attempts to retard the progress of African Americans (Du Bois, 1898/1982, p. 43–44).
On the necessity of carefully studying problems among African Americans, Du Bois, while addressing social scientists in general, and members of the biological school in particular, wrote:

[T]he American Negro deserves study for the great end of advancing the cause of science in general. No such opportunity to watch and measure the history and development of a great race of men ever presented itself to the scholars of modern nation. If they miss this opportunity – if they do the work in a slip-shod, unsystematic manner – if they dally with the truth to humor the whims of the day, they do far more than hurt the good name of the American people; they hurt the cause of scientific truth the world over, they voluntarily decrease human knowledge of a universe of which we are ignorant enough, and they degrade the high end of truth-seeking in a day when they need more and more to dwell upon its sanctity (Du Bois, 1898/1982, p. 45).

In the next section of the plan, Du Bois listed some of the works already completed on African Americans, but noted that many could be criticized for their lack of detail, their unsystematic approach, and their uncritical quality (p. 46).

In an attempt to address the weaknesses of the prevailing literature on African Americans, Du Bois proposed a program that involved historical study, statistical investigation, anthropological measurement, and sociological interpretation. This approach drew on all Du Bois’s social science training and represented a wide interdisciplinary focus. He believed that historical study was the obvious starting point of any major scientific investigation. Similarly, a thorough knowledge of the vital statistics of a group under study was mandatory for a full picture of their condition. As for anthropological measurement, a standard tool of the racist biological school (see Gould, 1981/1995), Du Bois acknowledged that there were physical differences between the races, but also recognized that the prevailing theories used to explain these differences ‘rest[ed] on the flimsiest basis of scientific fact’ (Du Bois, 1898/1982, p. 50).

Finally, Du Bois made suggestions as to who should conduct his research program on African American problems. He considered the Census Bureau an important agency for providing statistical data on African Americans, but believed that government participation should be limited primarily to the collection of statistical data. Next, he discussed the role of Southern historically black colleges and universities such as Hampton, Tuskegee, and Atlanta, where efforts to address African American problems were already underway.

Then Du Bois made one of his many bold, far-sighted statements by calling for cooperation between historically black colleges and white universities such as Johns Hopkins, Harvard, Columbia, and the University of Pennsylvania (Du Bois, 1898/1982, p. 52). At a time when he could not secure a permanent faculty appointment at one of these universities, despite his outstanding qualifications, he recognized the potential benefits of such collaboration.

So, soon after arriving at Atlanta University, Du Bois embarked on an ambitious program that included a 100-year research plan that involved the replication of studies
on different aspects of African Americans life every 10 years.\(^1\) From 1897–1913, Du Bois enacted his plan with the use of students who conducted the research on an annual topic. The fruits of the research were generally a conference and a publication on the selected topic. When one reads Du Bois’s thoughts about his work in Atlanta, it becomes clear that his ideas were similar to those of Robert Park, who later became the leader of the highly acclaimed Chicago School of Sociology. Park, like Du Bois, viewed the city as a laboratory for sociological research.\(^2\) For instance, Du Bois’s article on his research program at Atlanta University is entitled, ‘The Laboratory in Sociology at Atlanta University’ (see full article in Appendix 5). The article begins with Du Bois discussing the location of Atlanta University, noting that it was ‘a few miles [from] the geographical centre of the Negro population of the Nation’ (Du Bois, 1903a/1982, p. 158); therefore it was the ideal place to investigate the ‘Negro Problem’ while teaching students about situations they might soon encounter. Moreover, Du Bois was quick to point out that this could not be accomplished in a history or ethics course, but in a sociology course (Du Bois, 1903a/1982, p. 158).

With his appointment at Atlanta and his direction of the Atlanta University studies, Du Bois’s contribution to criminology and criminal justice includes his being a pioneering methodologist who engaged in one of the earliest systematic social scientific research programs in the United States. It appears that, not until the development of the Chicago School some twenty or more years later, did any model approach Du Bois’s work in Atlanta. To investigate this further, I first discuss the significance of Du Bois’s effort to establish a systematic social scientific research program, which is followed by a comparison of Du Bois’s program to that of the Chicago School using Bulmer’s 1985 model which describes the essential elements of a ‘School.’ The chapter closes with an overview of the praise and criticism leveled at Du Bois’s work in Atlanta.

**The Significance of Creating a Social Scientific Research Program**

With the creation of scientific racism by Thomas Malthus in his well-known work, *An Essay on the Principle of Population* (1798), he and his followers (most notably the founding father of eugenics, Sir Francis Galton), legitimized the use of the natural and emerging behavioral sciences to support the inferiority of those not in the upper classes of society (i.e., lower-class citizens) (Chase, 1976). These doctrines told of the futility of social programs aimed at improving the conditions of

---

1 In 1904, Du Bois addressed the issue of crime among African Americans. Max Weber, one of Du Bois’s professors at the University of Berlin, attended this conference and was thoroughly impressed with Du Bois’s research program at Atlanta (Lewis, 1993, p. 225).

2 This is likely tied to their common intellectual heritage. Their intellectual heritages are remarkably similar in that both studied at Harvard under William James and both went to German universities (where cities were viewed as sociological laboratories) in pursuit of the Ph.D. As noted earlier, Du Bois studied at the University of Berlin, while Park graduated from the University of Heidelberg in 1904 after a brief stint as a student at the University of Berlin (Martin, Mutchnick, and Austin, 1990, p. 96).
these ‘lower’ groups since their failure was imminent because of the genetics of the targeted populations. And while these ideas were initially espoused largely because of economic concerns by the upper classes (since they were the ones who had to pay for these programs), they initiated what later emerged as an enormous body of psuedo-scientific literature.

While studying abroad some hundred years later, Du Bois must have recognized the use of the scientific method in creating and spreading racial inferiority doctrines, so he likely set out to learn the methods and create a program to investigate and, if founded, counter false scientific generalizations being leveled at African Americans. Essentially, if he could show that racial inferiority was a myth, society would take the necessary actions to ensure the enactment of appropriate societal changes. In the case of crime, Du Bois was fully aware of the common belief that this was an inherent trait in the African American population. And as he drafted his program for the study of ‘Negro Problems,’ he astutely noted: ‘It is extremely doubtful if any satisfactory study of Negro crime and lynching can be made for a generation or more, in the present condition of the public mind, which renders it almost impossible to get at the facts and real conditions’ (Du Bois, 1898/1982, p. 48). Since crime was one of the things foremost on the minds of the public and scholarly community, particularly within the emerging cities in the North, Du Bois was quick to point out that there were little ‘scientific’ materials on the subject as it pertained to African Americans. In his view, this would be the main purpose of his program – to investigate issues, such as crime, which had received little to no serious ‘scientific’ investigation.

Atlanta and Chicago: Two of the Same?

In a 1985 article, ‘The Chicago School of Sociology: What Made it a “School”?,’ Chicago School biographer Martin Bulmer provides nine features he believes made the University of Chicago’s sociology department a ‘School.’ Using Bulmer’s model, Du Bois’s program in Atlanta is examined to show the similarity and significance of Du Bois’s ‘School’ at Atlanta University to that of the well-known Chicago School. For the purposes of this comparison, Bulmer’s nine features are summarized and then followed by commentary on whether or not Du Bois’s program included that feature.

1. ‘A school requires a central figure around whom it is organized’ (Bulmer, 1985, p. 63).

Du Bois was the central figure at Atlanta University during his tenure, which spanned the period from 1898 to 1910. Du Bois’s research in Philadelphia, which resulted in the publication of *The Philadelphia Negro*, had legitimimized him as a serious and competent

---

3 Du Bois clearly overlooked the pioneering work of Ida B. Wells-Barnett in the area of lynching (see Taylor Greene and Gabbidon, 2000, pp. 9–18).

4 Although Du Bois accepted a position with the NAACP in 1910, he assisted with the research through 1913.
The Atlanta School of Social Scientific Research

2. ‘Schools of Sociology are phenomena of the academic world. They exist in universities and require students as a necessary and integral part of their activity’ (Bulmer, 1985, p. 64).

As noted previously, Du Bois’s program was based at Atlanta University. During this era, Atlanta University was one of the few historically black institutions (HBIs) that actually offered college-level training in the liberal arts and was recognized as one of the best schools in the South (Du Bois, 1968, p. 223). Atlanta University was also the fourth university in the United States to establish a sociology department, following Chicago, Columbia, and Pennsylvania (Green and Driver, 1976, p. 329). It was a school not without controversy considering that, unlike other schools in the South at the time, African Americans and whites shared the same dormitories and dining halls (Rudwick, 1957). Du Bois might have also been drawn to this ‘radicalism,’ which resulted in the Georgia Legislature withholding all funds from the university.

Soon after arriving on campus, Du Bois engaged juniors and seniors in sociological work, while postgraduates worked on the research conducted for the Atlanta University conferences (Du Bois, 1903a/1982, p. 158). Concerning the undergraduate curriculum, Du Bois stated that ‘the undergraduate courses in sociology are simply an attempt to study systematically conditions of living right around the university ... For this purpose ... two years is taken up principally with a course in economics ... Here the methods of study are largely inductive, going from fieldwork and personal knowledge to the establishment of the main principles’ (Du Bois, 1903a/1982, pp. 158–159).

Since Du Bois’s program also required the use of statistics, he ensured that students were adequately trained in statistical methods; furthermore, students were required to know vital statistics on Negroes (Du Bois, 1903a/1982, p. 159). Understanding the importance of students in a successful research program, Du Bois not only used students to assist with the research at Atlanta, he also designed a curriculum that was appropriate to train students in social scientific methodology.

3. Bulmer points to the important connection between the university and the community. ‘The University [of Chicago] was not isolated from the city in which it was located. Members of the University staff were heavily involved in local affairs from the beginning, providing an orientation and a set of connections which helped stimulate local research’ (Bulmer, 1985, p. 64).

In Atlanta, Du Bois was a frequent lecturer in the community, and the results of his research often benefited the community. Reflecting on his experience in Atlanta, Du
Bois wrote, ‘As time passed, it happens that many uplift efforts were ... based on our studies: the kindergarten system of the city of Atlanta, white as well as black; the Negro Business League, and various projects to better health and combat crime’ (Du Bois, 1968, p. 214). Because of these results, it is clear why Du Bois probably had little difficulty in securing cooperation for his research projects involving city and state institutions. The proceeding discussion reviews two of Du Bois’s efforts to assist both the Atlanta community and the state of Georgia by assessing the level of African American criminality throughout the state and also gauging African American views of fairness in the justice system. The statewide effort involved a survey to African American and white county citizens and officials and also to African American youth. And the Atlanta project involved a survey administered to public school youth.

For the 1904 Atlanta University conference, Du Bois supplemented a detailed review and critique of the Georgia prison commission report with a survey to every chief of police in the state, various public officials, and other citizens (Du Bois, 1904). From the survey he garnered about 100 responses that indicated whether crime was increasing, decreasing or the same in the jurisdiction (qualitative responses were also solicited). It is interesting that Du Bois sought to validate the provided data by surveying both African American and white citizens. The white respondents were largely public officials who generally reported that crime among African Americans was decreasing and most of their crimes were petty offenses. Predictably almost all of these officials thought that African Americans were treated fairly by the justice system. The African American respondents were described by Du Bois as men of above average intelligence and reliability (Du Bois, 1904, p. 40).

Based on these reports, Du Bois found that in 10 Georgia counties crime was increasing, while in 56 counties crime was decreasing. His qualitative data from the survey led him to conclude that, while there was little crime among whites and African Americans, ‘It ... [was] the counties where the races meet on something like numerical equality and in economic competition that the maximum of crime is charged against Negroes’ (Du Bois, 1904, p. 48).

In 1903 or early 1904, the Atlanta public school system probably allowed Du Bois to survey more than 1,500 students (ages 9–15) because they felt that their participation could lead, at some point, to reform that might have reduced crime among Atlanta youth. The survey, which was conducted for the 1904 Atlanta University conference, and elicited responses under the categories of laws, courts, police, reasons for the exceedingly high number of African American in the justice system, and suggestions for the remedy of African American criminality, is likely one of the first, if not the first, crime poll conducted in America. Du Bois also surveyed more than 500 older students from throughout the state of Georgia. The results from these two surveys are reviewed below.

Among the 1,500 Atlanta youth surveyed, a substantial number of the respondents (N=583) felt that the laws were made for protection, while a good number (N=315) felt that they were made to keep the peace or order, and the remaining respondents (N=135) felt laws were devised to govern or rule people (Du Bois, 1904, p. 54).
Under the category of courts, Du Bois felt the youth were primarily on target with the following responses, ‘to determine guilt or innocence’ (N=398); ‘to see that the laws are obeyed’ (N=222); and ‘for bad people’ (N=69) (Du Bois, 1904, p. 54).

The survey responses regarding the police revealed that a large number (N=522) believed that the primary purpose of the police was to arrest people, while fewer than 350 felt the purpose of the police was to protect them (Du Bois, 1904, p. 54). Du Bois also inquired about their treatment by the police officers they encountered. While the majority of the respondents indicated that the police were kind to them (N=618), an appreciable number felt just the opposite and viewed their treatment as unkind (N=459). The remaining (N=204) reported that their interactions with the police were variable. In addition to the raw data, Du Bois provided some qualitative responses from the students. The responses ranged from the belief that people were sent to the chain gang for some violation of the law while others believed ‘people are sent to the chain gang because they can’t pay their fines.’ Another respondent suggested that both good and bad people were sent to the chain gang and they are sent there because they were convicted (Du Bois, 1904, p. 54).

The older children and young adults surveyed by Du Bois were similarly asked questions about the justice system. Unlike the younger group, this group, as stated earlier, was from throughout the state of Georgia. As with the first group, Du Bois queried students about their experience with the police. Of the 534 students, 408 reported that they had never been helped or mistreated by the police. As for the courts, Du Bois asked whether respondents had witnessed a court in session. Almost a quarter of the respondents (N=134) had witnessed court in session. Of these respondents, 71 believed the judge and the jurors acted appropriately in the case witnessed, while 41 believed they did not (Du Bois, 1904, p. 54).

Next, Du Bois turned to the respondents’ feelings regarding prisoners being sent to the chain gang. His findings revealed that 164 of the respondents felt that the people were ‘bad or unfortunate,’ while 54 felt that the prisoners deserved the punishment ‘if guilty.’ Another 46 doubted that many of these prisoners were guilty, while 25 felt sorry for those persons sent to the chain gang. Of the remaining respondents, 25 suggested that the punishment made them worse, and 28 considered those assigned to the chain gang a disgrace to their race (Du Bois, 1904, p. 55).

Du Bois then asked respondents why they felt so many young African Americans were ‘under the clutches of the law?’ To this the respondents replied, ‘indolence and laziness’ (N=152), ‘lack of home training’ (N=69), ‘not attending to their own business’ (N=62), ‘disobedience’ (N=57), ‘bad company’ (N=40), ‘ignorance’ (N=39), ‘race prejudice’ (N=19) (Du Bois, 1904, p. 55). The final question posed to the respondents inquired about their suggested remedies for crime among African-Americans. Respondents suggested the following remedies: ‘better employment’ (N=118), ‘education’ (N=112), ‘teach them right’ (N=77), ‘home training’ (N=35), ‘establish reformatories’ (N=24), and close places of evil and vice (N=10) (Du Bois, 1904, p. 55).

The significance of this survey is twofold. First, Du Bois was no doubt interested in the perceptions African Americans had of the criminal justice system. Second,
and more important, Du Bois was apparently attempting to empirically investigate some of his ideas on crime through the use of a public opinion survey. Most of the questions posed reflected themes and issues related to crime that Du Bois had presented up to that point (see Chapter 2).

Thus, Du Bois obviously saw the importance of the collaboration between the university and the community. Du Bois’s research program clearly viewed the community as an ideal sociological laboratory to investigate issues concerning African Americans. In this instance, he used a statewide survey and public opinion poll to gauge how state officials and citizens (African American & white) perceived crime trends and related justice issues.

4. The fourth feature of a school is ‘... the dominating personality of its key figure.’ This figure is expected to ‘inspire’ and ‘arouse’ the curiosity of his students (Bulmer, 1985, p. 65).

Throughout Du Bois’s life, he remained a dominant figure with a dominating personality. This, at times, rubbed people the wrong way. Some felt this ‘air’ about Du Bois was based on the belief that he was superior to others (Yancy, 1978). Most students tended to be in awe of Du Bois: ‘He was a man of distinction; the way he walked, settled his shoulders, and his voice ... You had to pay attention to him’ (Lewis, 1993, p. 216). Lewis (1993) provides a few other comments from Du Bois’s students:

Bessie Taylor remembered going daily “with such pride into this sacred class [on Civic Government]” She ... considered it a privilege to study with the demanding, brilliant young professor, as did Edward B. Thompson, who recalled Du Bois’s skill of trying to make you think ... and pulled on your intellectual powers with broad reading and open discussion (p. 217).

Based upon the productivity of his students (several of the research papers conducted by Du Bois’s students were published in government and other scholarly outlets), and the fact that, as documented before, most of the research for Du Bois’s annual conferences was carried out by Du Bois’s students, it appears safe to conclude that Du Bois adequately ‘inspired’ and ‘aroused’ the curiosity of his students.5

5. ‘The most important characteristic of the leader or leaders of a school is that they should possess a clear intellectual vision and missionary drive ... A school requires a coherent and distinguishable intellectual framework at its core, which

---

may be provided by a new theory or theories, and/or new methods of research and/or a strong commitment to a particular type of inquiry.

Du Bois had both a vision and a missionary drive. His intellectual vision was for his social scientific research to serve as a precursor to social policy. Du Bois’s missionary drive was his belief that, in affecting social policy (through his research), he would be contributing to the uplifting of his people. Beginning with his research in Philadelphia, and up until he left Atlanta, Du Bois was convinced that, once the facts (his research results) were presented to policymakers, the dismal plight of many African Americans could not be ignored any longer.

Although Du Bois did suggest several perspectives as to why African Americans engaged in criminal activity, they were never translated into any rigorous theoretical models. However, his views were eventually supported primarily through his repeated investigations and similar subsequent findings. For example, soon after he completed his research in Philadelphia, Du Bois embarked upon research in two additional northern cities, New York and Boston. In regards to crime, Du Bois found support for his views, particularly in New York, where he estimated Negroes (many of them migrants from the South) furnished 100 prisoners to the penitentiary for every 10,000 Negroes in the population (Du Bois, 1901/1969). This finding, to some extent, supports Du Bois’s theory discussed earlier from *The Philadelphia Negro*.

As for the methods he employed, Du Bois was primarily committed to the use of historical research, survey methods, statistical analyses and observation. He was known for sending out thousands of surveys and compiling volumes of data. Du Bois typically presented the findings from the surveys using descriptive analyses.

6. Bulmer provides two components to meet the criteria for the sixth feature of a school: a) First among the three criteria is ‘... the gravity, seriousness and intensity of the intellectual exchanges between the leader and other members of the group, whether these are colleagues or graduate students’ (Bulmer, 1985, p. 67).

This feature is questionable in the case of Du Bois’s program at Atlanta. Du Bois primarily formulated his ideas (what he referred to as main principles) based on his findings from the Atlanta studies. Over the years, Du Bois’s research on Negro crime led to several articles on the subject; however, Du Bois never stated any theoretical perspective that he later tested. Moreover, there is seldom any discussion of any other prominent figures that may have collaborated with Du Bois during his first tenure at Atlanta. Under his leadership, Du Bois primarily relied upon postgraduates to conduct the research for the Atlanta studies. It is, however, possible that Du Bois may have been influenced by his students and/or the distinguished scholars who participated in his annual conferences.

b) ‘Publication of the work of the school is the other means by which intense intellectual interchange is achieved.’ Bulmer suggests that the role publication plays is twofold. ‘First, it provides a focus for guidance on the completion of work, and,
second, guaranteeing its dissemination to a wider scholarly audience’ (Bulmer, 1985, p. 70).

Atlanta, like the University of Chicago, maintained a press, and each year published the results from Du Bois’s research and subsequent conferences. Moreover, while at Atlanta, Du Bois founded and edited two scholarly periodicals, *The Moon Illustrated Weekly* (1905–1907) and *The Horizon: A Journal of the Color Line* (1907–1910). Du Bois fully understood the need to disseminate the results of his work. Furthermore, Du Bois understood the power of having an outlet to voice his opinions on central issues of the day.

Besides these local scholarly outlets, Du Bois also published in widely circulated publications and proceedings such as *Harper’s Weekly*, *Charities, Annals of the American Academy of Political and Social Sciences, Publications of American Economic Association, The Independent, American Journal of Sociology*, and others. Also, by inviting notable figures to the annual conferences, Du Bois skillfully made use of the conferences to highlight the work in Atlanta. Some of the participants included: Jane Addams, Frances Kellor, Booker T. Washington, Mary Church Terrell, Franz Boaz, Mary White Ovington, Walter Wilcox and Max Weber.

7) Bulmer (1985, p. 71) suggests that the availability of outside financial support is critical for the development of a school.

This is another area in which Du Bois’s program in Atlanta has difficulty measuring up to Bulmer’s model. Du Bois had only $5,000 a year to complete his studies (this included his $1,200 annual salary). Ironically, Bulmer (1985, p. 71) mentions Du Bois’s financial woes in Atlanta, asserting that ‘lack of support could clearly be a decisive obstacle, as Du Bois’ earlier attempts at Atlanta to initiate serious research on black Americans showed.’ Du Bois consistently pleaded for financial assistance to conduct his research but few responded to his pleas. One observer of the lack of funds afforded Du Bois’s program, but generously sent elsewhere, commented, ‘I groan in spirit every time I read of a legacy or gift of $50,000 and $100,000 or $500,000 going to Harvard or Yale, or Columbia, or Chicago, when a fraction of those sums to a deserving Atlanta University could make a life-or-death difference’ (Francis Jackson Garrison as quoted in Lewis, 1993, pp. 223–224). Yet a generation later philanthropic support to the University of Chicago soared to even higher levels, which contributed to the eminence of the Chicago School in the 1920s and 1930s (Bulmer, 1984).

8) ‘Schools do not last beyond the generation of their founders’ (Bulmer, 1985, p. 71).

Although Du Bois left Atlanta for the NAACP in 1910, one of his brightest students, Augustus G. Dill, took over much of the work at Atlanta University. Du Bois remained affiliated with the conferences and publications until 1914. No conferences
were conducted again until Du Bois’s second tenure at Atlanta from 1934 until 1944. Du Bois was rehired in 1934 as professor and head of the Graduate Department of Sociology and Anthropology. Upon his return to Atlanta University in 1934, Du Bois attempted to revive the studies on the Negro; however, Du Bois again had monetary problems and attempted to collaborate with other HBIs to complete the studies. Although Du Bois’s efforts resulted in the resurrection of conferences in 1943 and 1945, his attempt to rebuild what was in Atlanta from 1897–1913 failed. This chronology suggests that the program in Atlanta could not survive the 20-year absence of its leader.

9) ‘A final characteristic of schools of social science ... is their openness to ideas and influences from other disciplines’ (Bulmer, 1985, p. 72).

Du Bois was clearly a learned man in the historical sense of knowledge in several disciplines. His formal education included extensive study in philosophy, history, political economy, and the social sciences. Ironically, as previously discussed, during the 1897 meeting of the American Academy of Political and Social Sciences, Du Bois made a plea for the interdisciplinary study of African American problems through ‘historical study,’ ‘statistical investigation,’ ‘anthropological measurement’ and ‘sociological interpretation’ (Du Bois, 1898/1982). Du Bois was obviously receptive to an interdisciplinary approach.

Du Bois’s research program at Atlanta University meets in broad outline all nine of Bulmer’s features which made the research program in the sociology department at the University of Chicago during the 1920s and 1930s a ‘School.’ Only points A under feature six and feature seven of Bulmer’s model come close to challenging this assessment. Although Du Bois’s program at Atlanta meets Bulmer’s criteria for a ‘School,’ there has been both praise and criticism of his program. We review some of these below.

**Evaluating Du Bois’s ‘Atlanta School’**

While the praise for Du Bois’s work flowed at the beginning of the 20th century, there have also been a number of criticisms. We examine both of these beginning with the praise for the Atlanta School. Much of the praise for Du Bois’s program came from a variety of sources. The *School Review*, a publication of the Department of Education, wrote: ‘The investigation into the actual conditions in the Negro schools

---

6 Atlanta University began to confer graduate degrees in 1929 (Du Bois, 1968).

7 Although Du Bois failed to revive a program similar to the one he established during his first tenure in Atlanta, Conyers (1986) points to other contributions Du Bois made during his second tenure at Atlanta University: ‘Atlanta University was one of the largest producers, black or white, of M. A.’s in sociology, and the largest producer of blacks who subsequently obtained the Ph.D. in sociology ... over thirty. In 1939–1940, Du Bois founded and served as editor of *Phylon*, the first scholarly periodical in the world devoted to an analysis of race and race relations’ (p. 80).
Table 3.1  Du Bois’s sociological ethnography of African Americans: 1896–1915*

Environment/Demography

*Health and Physique of the Negro American* (1906)
  ‘The Negro in Large Cities’ (1907)
  ‘The Negro Race in the United States of America’ (1911)
  ‘The Rural South’ (1912)

*History*

*The Suppression of the African Slave Trade* (1896)
  ‘The Beginning of Slavery’ (1905)
  ‘The Social Evolution of the Black South’ (1911)

*The Negro* (1915)

*Economic Organization*

*The Negro in Business* (1899)
  ‘The Negro Landholder of Georgia’ (1901)

*The Negro Artisan* (1902)
  ‘The Negro Farmer’ (1904)
  ‘The Economic Future of the Negro’ (1906)

*Economic Cooperation Among Negro Americans* (1907)
  ‘The Economics of Negro Emancipation in the United States’ (1911)

*The Negro American Artisan* (1912)

*Social Organization and Stratification*

*Some Efforts of Negroes for Social Betterment* (1898)

*The College-Bred Negro* (1900)

*The Negro Common School* (1901)

*The Negro American Family* (1908)

*Efforts for Social Betterment Among Negro Americans* (1909)

*The College-Bred Negro American* (1910)
  ‘The Marrying of Black Folk’ (1910)

*The Common School of Negro Americans* (1911)
  ‘Interrmarriage’ (1913)
  ‘The Social Effects of Emancipation’ (1913)

*Political Organization*

  ‘To the Nations of the World’ (1900)
  ‘The Training of Negroes for Social Power’ (1904)
  ‘The Black Vote for Philadelphia’ (1905)
The Atlanta School of Social Scientific Research has been carried on in a through and systematic manner ...’ (as cited in Rudwick, 1957, p. 472). Another reviewer from the Southern Historical Association suggested that: ‘The work done under the direction of the Atlanta Conference is entitled to the respectful and thoughtful consideration of every man interested in any aspect of the life of the American Negro. The guiding spirit behind this work is Dr. Du Bois, and he is entitled to the utmost credit for what has been accomplished in the face of the many obstacles confronting his undertaking’ (as cited in Rudwick, 1957, p. 472).

‘The Niagara Movement’ (1906)

**Ideology/Values**

‘Strivings of the Negro People’ (1897)
‘The Conservation of the Races’ (1897)

*The Negro Church* (1903)

*Morals and Manners Among Negro Americans* (1914)

**Art/Literature**

*Souls of Black Folk* (1903)
‘Litany of Atlanta’ (1906)

*Prayers for Dark People* (1909)

*Quest for the Silver Fleece* (1911)

*The Star of Ethiopia* (1913)

**Social Problems**

‘The Problem of Amusement’ (1897)
‘The Negro and Crime’ (1899)
‘The Problem of Negro Crime’ (1900)
‘The Problem of Housing the Negro’ (1901)
‘The Spawn of Slavery: The Convict-Lease System in the South’ (1901)
‘Crime and Our Colored Population’ (1902)

*Some Notes On Negro Crime, Particularly in Georgia* (1904)
‘Race Friction Between Black and White’ (1908)

**Community Case Studies**

*The Negroes of Farmville, Virginia: A Social Study* (1898)

*The Negro in the Black Belt: Some Social Sketches* (1899)

*The Philadelphia Negro* (1899)

*The Negroes of Dougherty County, Georgia* (1901)
‘Some Notes on Negroes in New York City’ (1903)

*The Black North in 1901: A Social Study* (1903)

This table is adapted from Lange (1983). *For a complete listing of Du Bois’s publications, see Aptheker (1973a)."
Even the *American Journal of Sociology*, the influential publication edited by Albion Small of the University of Chicago Sociology Department, had to comment on Du Bois’s 1902 work, the *Negro Artisan*, referring to the publication as ‘... [the] most exhaustive study thus far made of the economic aspects of the problem’ (as cited in Lewis, 1993, p. 224).

In 1905, the *New York Evening Post* also carried high praise of the Atlanta program declaring, ‘The only scientific studies of the Negro question being made today are those carried on by Atlanta University.’ Internationally, Du Bois’s work also received praise as evidenced by the following quote from the London *Spectator* who suggested that the work being done at Atlanta University is being conducted ‘... with much intelligence, discrimination, and assiduity ...’ (as cited in Lewis, 1993, p. 224). Some of the biggest praise for Du Bois’s program came from an unlikely source, a reviewer from the *Outlook*, which was a big supporter of Booker T. Washington’s program at Tuskegee (Lewis, 1993, p. 224). Nevertheless, they declared in 1903 that: ‘No student of the race problem, no person who would either think or speak upon it intelligently, can afford to be ignorant of the facts brought out in the Atlanta Series of sociological studies of the conditions and the progress of the negro ... .The hand of the skilled thorough investigator is conspicuous throughout.’ (as cited in Rudwick, 1957, p. 472). In recent years, Du Bois’s early research program has continued to receive praise. Wright (2002a, 2002b, 2002c, 2005), for example, provides a detailed analysis of Du Bois’s program and concurs that Du Bois founded one of the first schools of social scientific research in America.

There have been, however, several persistent criticisms of Du Bois’s program in Atlanta. In some of the early reviews of his program, criticisms came in articles that also included praise as evidenced by the following comments found in the early pages of the *Yale Review* ‘... it contains a great deal that is miscellaneous, scrappy, unimportant and dubious; but it contains also not a few facts and suggestions of interest and value’ (as cited in Rudwick, 1957, p. 472). In a review of one of Du Bois’s publications, the *Negro Church*, the following year in *Political Science Quarterly*, the editors noted, ‘Mr. Du Bois’s theories and opinions may be correct; they are worthy of attention; but they are not well supported by any known facts, nor by the mass of valuable materials here collected by himself and his fellow workers. Indeed the effect of the intermingling of facts and theories in this monograph is somewhat confusing and contradictory’ (as cited in Rudwick, 1957, p. 473).

Contemporary scholars have also taken a stab at Du Bois’s program and noted some additional shortcomings. Most notably, Rudwick (1957, p. 469) has presented several important criticisms including his sampling procedure, the lack of training for his interviewers, and Du Bois’s inconsistency in discussing the methods used to check the reliability and validity of the data presented in some of his studies. Additionally, Rudwick has noted that Du Bois’s studies were lacking in systematic theory and, as noted earlier, his conclusions and recommendations stretched, and, at times, went beyond the data presented. In a recent article by Wright (2006), though, many of Rudwick’s criticisms have been seriously challenged. One additional criticism could include Du Bois’s naivete in thinking that he could use the ‘Master’s’
tools (social scientific research) to remedy the problems faced by African Americans (see Wright, 2002a). Even with these criticisms, Du Bois was able to produce an enviable body of social scientific and other literature on African Americans (see Table 3.1). And according to David Levering Lewis, ‘Du Bois’s professional achievements placed him at the vanguard of social-science scholarship in America’ (Lewis, 1993, p. 225).

This chapter expostulated Du Bois’s research program during his tenure at Atlanta University (1897–1913). It was concluded that Du Bois’s research model in Atlanta did constitute the founding of a ‘School.’ Under Du Bois’s direction, the ‘Atlanta School’ included several components. First, Du Bois’s model included the use of postgraduates to conduct research for his Atlanta University studies. Second, the ‘Atlanta School’ made use of several research methods including survey research, statistical analyses, historical research and observation. After the results from the research (each year had a different focus) were tallied, an annual conference to highlight the findings was held at Atlanta University. This annual event was generally attended by preeminent scholars of the day who also contributed to conference proceedings. The research findings and conference proceedings were later published by Atlanta University Press.

While Du Bois’s work has not been without criticism, he nevertheless provided significant contributions to the development of American social science. Therefore, Du Bois’s development of a ‘School’ is as important as his criminological writings. In fact, when one reads textbooks that review the works of Chicago scholars, the development of the Chicago School and its methodological contributions is a central theme (see, for example, Martin, Mutchnick and Austin, 1990; Williams and McC Shae, 2004).

The next chapter examines Du Bois’s scholarship following his resignation from Atlanta University. Once Du Bois finally realized that sociological research was not immediately going to change the plight of African Americans, he decided to leave academia and move into the world of social activism. The National Association of Colored People (NAACP) allowed Du Bois to get even closer to the problem by actively participating in events that were coordinated to assist African Americans in achieving their full civil rights as American citizens. Du Bois did not, however, totally leave behind his social scientific roots. As founding editor of the Crisis magazine, Du Bois was able to reach an even larger audience considering the circulation of the monthly publication peaked at 150,000. His scholarship naturally became more broad in focus paying more attention to social justice issues (particularly lynching), while also being directed not only to the scholarly community, but to the general public as well.
This page intentionally left blank
We want the laws enforced against rich as well as poor; against Capitalist as well as Laborer; against white as well as black. We are not more lawless than the white race, we are more often arrested, convicted and mobbed. We want justice even for criminals and outlaws.

W. E. B. Du Bois (1906)

...[t]he Southern Negro today does not expect justice in the courts. He seeks not protection by policemen, but protection from policemen. He does not depend upon the law because he knows the law is arranged to cheat him. He has no faith in judges and juries, and thus shows good sense.

W. E. B. Du Bois (1926)

Making the Move From Academe to Social Activism

When Du Bois moved south to Atlanta University he was somewhat aware, because of his earlier years as a student at Fisk University in Nashville, Tennessee, of the indignities and harsh conditions he was destined to encounter. However, he was unprepared for the overt brutality taking place in the Deep South. As a result, at some point he realized that his future lay not solely within the walls of the ivory tower. Recollecting this period in his autobiography, Du Bois (1968) wrote:

Two considerations ... broke up my work [in Atlanta] and eventually disrupted it: first, one could not be a cool, and detached scientist while Negroes were lynched, murdered and starved, and secondly, there was no such definite demand for scientific work of the sort that I was doing, as I had confidently assumed would be easily forthcoming. I regarded it as axiomatic that the world wanted to learn the truth and if the truth were sought with even approximate accuracy and painstaking devotion, the world would gladly support the effort. This was, of course, but a young man’s idealism, not by any means false, but also never universally true (p. 222).

During this period, Du Bois ventured out into social activism through his founding of the Niagara Movement. As noted in Chapter 1, this radical movement was the beginning of what later became the NAACP. One sees a connection between the research Du Bois was doing and the resolutions he drafted for the Movement. For example, the opening quote from 1906 bears the mark of Du Bois’s earlier statements on crime. Even though he eased his way into social activism, Du Bois remained committed to his research, having founded and edited three journals successively:
The Moon, The Horizon, and The Crisis. The latter two of these journals were attached to the Niagara Movement and NAACP respectively. He also participated in several Atlanta University studies and conferences after he moved to New York to join the NAACP.

Before Du Bois completely severed his ties with Atlanta University, he completed an enlarged discussion on African American criminality in the 18th Annual Conference for the Study of Negro Problems held in 1913 at Atlanta University. He edited this final publication with one of his brightest students, Augustus Dill. A review of this publication is followed by an analysis of Du Bois’s writings as editor of the NAACP’s journal, The Crisis.

Morals and Manners Among Negro Americans

In 1913 Du Bois served as co-editor of the 18th Annual Conference for the Study of Negro Problems, which produced the publication, Morals and Manners Among Negro Americans (1913), in which Du Bois continued his insightful commentaries on crime. He began his analysis criticizing the methodology used to measure crime. Du Bois was particularly disturbed that, by using the figures from the counting of prisoners on a particular day, one would make erroneous conclusions, which was the case with African American crime. He explained his rationale with the following example:

[i]f in communities A and B five men a year are arrested but B punishes her men by twice as long terms as A, by the method of enumeration of prison population on a certain day community B appears on a given day with twice as many criminals as community A, when as a matter of fact there is no difference in the number of crimes committed. The better method is to count the number of [crimes] committed within a certain time period (Du Bois and Dill, 1913a, pp. 37–38).

Following this example, Du Bois pointed to the census figures from 1890 and 1904, which indicated that by using the suggested technique, African Americans accounted for 15.8 percent of the commitments as opposed to better than 33 percent if the old methods were used (Du Bois and Dill, 1913a). Expounding on this remarkable difference, Du Bois found it more acceptable, considering African American history in America, that one-eighth of the population furnished one-sixth of the crime.

Du Bois and Dill then asked the question, ‘Why is it that Negroes formed so much a smaller proportion of the commitments than of the prison population?’ To this they attributed the longer prison sentences awarded African Americans. Here they observed that the average sentence for whites was three and a half years, while for African Americans it was almost five years. In stressing their point even further, Du Bois and Dill provided a chart which summarized sentences in the categories of: life, 15yrs and over, and under 1 year. Under the category of life the total number was 640 and African Americans constituted 343 (53.5%) of these sentences. For the 15yrs and over category, the total number was 808 and African Americans amounted
Later Statements on Crime and Justice

39
to 408 (50.5%) of these sentences. In the last category under 1yr, African Americans only accounted for 7,363 (6.3%) out of 116,129 persons receiving such sentences (Du Bois and Dill, 1913a, p. 39).

After illustrating the obvious sentencing disparities, Du Bois and Dill (1913) noted the Census Bureau’s explanation as to why African Americans were more severely punished than whites, which was based on the frequently used argument that, ‘...a part of the cause is that the Negro is guilty of the more aggravated forms of crime’ (p. 39). Of this explanation, Du Bois and Dill (1913) pointed to two primary faults: First, ‘length of sentence to some extent determines the classification into graver minor offenses; and second, ‘Negroes are indicted often for the graver of two possible offenses’ To strike a white woman is for a white man ‘assault’; for a Negro it may be ‘Attempted Rape’ (Du Bois and Dill, 1913a, p. 39). Because of this dual classification and subsequent sentencing scheme, Du Bois and Dill felt this was the main reason why 45.3% of African American offenses were classified as major (Du Bois and Dill, 1913a, p. 40).

Furthermore, Du Bois and Dill provide a chart summarizing the distribution of major offenses in the United States and illustrate that most of the major offenses take place in the South. In summarizing the results of the chart, they point to three reminders for the readers: 1. Southern whites are not arrested and punished for small misdemeanors; 2. the number of foreigners in the South is very small; and 3. African Americans suffer race discrimination (Du Bois and Dill, 1913a, p. 41).

In addressing the issue of racial discrimination against African Americans, Du Bois makes the first and apparently the only self-identification as a criminologist. Du Bois, making reference to Dill and himself, stated:

[t]he criminologist passes no judgement on the right or wrong of this discrimination. He simply recognizes it as a fact, but he knows: (a) That many economic forces of the South depend largely on the courts for a supply of labor. (b) That public opinion in the South exaggerates the guilt of Negroes in certain crimes and enforces itself thru police, jury, magistrate and judge. (c) That Southern public opinion over-looks and unduly minimizes certain other Negro misdemeanors, which lead to immorality and crime (Du Bois and Dill, 1913a, p. 41).

Du Bois and Dill then provided summaries of the various types of offenses. First, they observed that with crimes against society (unchastity, perjury, and violation of U.S. laws) African Americans were committed less frequently than whites; they attributed this to the fact that typically crimes against chastity, when against other African Americans, were rarely handled properly in the South (Du Bois, 1913, p. 41). Du Bois and Dill then turned to crimes against property, which they attributed to, ‘his [African-Americans] past economic history’ (Du Bois and Dill, 1913a, p. 41).

In regard to figures on crimes against the person, Du Bois and Dill attributed these figures to several things, summarized in the following passage, ‘[h]is [African Americans] proportion of crimes against the person are greatest because right here, in his personal contact with his fellows, prejudice and discrimination, exasperation and
revolt show themselves most frequently; and also because his masses are reaching the brawling stage of self-assertion’ (Du Bois and Dill, 1913a, p. 41).

Du Bois and Dill, reviewing African American involvement in assaults and homicides, admitted the difficulty in interpreting the acute figures. ‘[H]ow much of these are aggressions on whites, repelling of white aggression on Negroes, and brawling among Negroes themselves?’ (Du Bois and Dill, 1913a, p. 42). Though Du Bois and Dill recognized that the majority of the cases involved brawls among African Americans themselves, they also recognized that an increasing amount of them can be attributed to the race problem (Du Bois and Dill, 1913a, p. 42).

Du Bois and Dill returned to the issue of sentencing disparity by noting the presence of rampant discrimination in the justice system, pointing out that:

any Negro tried for perjury, assault, robbery, rape, homicide, arson, burglary, larceny or fraud is going to get a severer penalty in the south than a white man similarly charged. This the white community judges to be necessary and its decisions are carried out by police forces, police magistrates and juries drawn from the white classes whose racial prejudice is the strongest (Du Bois and Dill, 1913a, p. 42).

Du Bois and Dill attribute some of these actions to the need to provide labor in the South for road-building, mining, brick making, lumbering, and agriculture (Du Bois and Dill, 1913a, p. 42). In fact, Du Bois and Dill felt that law enforcement officials, particularly in the South, were encouraged to find black criminals in, as they stated, ‘suitable quantities’ (Du Bois and Dill, 1913a, p. 43).

After spending so much time discussing crime by African Americans in the South, Du Bois and Dill recognized that some would ask, what is the cause of crime in the North? They felt that crime by African Americans in the North was of a different character and cause. They attributed crime by African Americans in the North to primarily three things: (a) a sudden change from country to city life; (b) segregation in the slums; and (c) difficulty in obtaining employment (Du Bois and Dill, 1913a, p. 43). To illustrate their point for the first cause, they used figures on white criminals and noted that: ‘Massachusetts and Iowa are of similar grade of culture, yet Massachusetts, a state of towns and cities, has 846 annual commitments per 100,000 of population while Iowa, a state of Farms, has 402’ (Du Bois and Dill, 1913a, p. 43).

Du Bois and Dill recognized that although prejudice and economic demand can account for a large portion of the crime among African Americans, they also felt that ignorance played a part in some African American crime. Here they pointed to the figures on the illiteracy of criminals noting:

of native white criminals ninety-three per cent could read and write; of foreigners seventy-eight percent; of Negroes only sixty-two per cent. This minimum of education it is the duty of the state to furnish; and since this is not done, the Negro, more than any
According to Du Bois and Dill, another contributing factor to the amount of crime by African Americans was the neglect of the young. They point out that although there were numerous juvenile offenders, there were limited facilities for them, and most of those were in prisons with the adult offenders. This was particularly disturbing to Du Bois and Dill because, as they noted, ‘Negro crime is peculiarly the crime of the young’ (Du Bois and Dill, 1913a, p. 43).

As for the causes of crime among African American youth, they indicated the following factors: (1) difficulty of adjusting the young to a caste system; (2) poor home training; (3) demand for strong young convict labor (Du Bois and Dill, 1913a, p. 44). Following the presentation of these figures, they noted that there were other causes of crime that were not reflected in mere figures: (1) poverty; (2) discouragement arising from lawless treatment and withdrawal of civil and political rights; (3) lack of self-respect under a caste system (Du Bois and Dill, 1913a, p. 44).

Du Bois and Dill provided several potential remedies to crime among African Americans:

1. More fair justice in Southern courts; more proportionate numbers of Negroes on the police force and in the jury box;
2. Abolition of the economic demand for criminals in the South;
3. Better housing and free chance to work in the North;
4. National aid to Negro education;
5. Better wages;
6. Full civil and political rights for Negroes, on the same basis as they are granted to whites (Du Bois and Dill, 1913a, p. 44).

The authors conclude this segment of the publication responding to the recurring charge that African Americans were ‘especially guilty of crimes against white women’ (Du Bois and Dill, 1913a, p. 44). Here they not only referred readers to the figures which did not support this claim, but they also invoked a comparative analysis that showed that, in the West Indies where there were numerous whites and blacks coexisting, these types of crimes were unknown (Du Bois and Dill, 1913a, p. 44).

Additionally, the authors recognized that lynching had historically been excused because some felt only through this means could these ‘offenses’ be minimized. Again, the authors resort to a review of figures which showed that out of the 2855 lynch law murders (from 1885–1913), the accusation of assault only accounted for

---

1 One reviewer from an earlier work asked the question, if Du Bois and Dill felt that ignorance explained a portion of African American criminality, how then would they have explained the criminality of white criminals who were highly literate? This is an obvious weakness of Du Bois’s work. His focus was primarily on the etiology of crime among African Americans and he generally overlooks the crimes of whites except as they relate to the participation of African Americans in the criminal justice system.
706 or 24.4 percent, which out of this figure, they surmised that probably only a few of these persons were actually guilty (Du Bois and Dill, 1913a, pp. 44–45). In closing they provide some newspaper accounts of situations in which African Americans were often severely treated because of their interactions with white women (see Du Bois and Dill, 1913a, pp. 45–50).

While he completed this final Atlanta University publication, Du Bois had already began to present his ideas on crime and social justice within the pages of *The Crisis*. Specifically, from its inaugural volume, Du Bois used *The Crisis* to investigate and speak out against the hate crime of lynching. Following the work of Ida B. Wells-Barnett (see Taylor Greene and Gabbidon, 2000, pp. 9–18), Du Bois became a leading commentator on this subject. In addition to his scholarship on crime and justice issues, Du Bois also became the epitome of a scholar activist. He not only repeatedly wrote on the subject of lynching, but he also became active in the movement to eradicate the practice. Furthermore, as one observer has astutely noted, ‘[Du Bois]...used *The Crisis* to assail lynchings, police brutality, the rise of the Ku Klux Klan, and pogroms against African Americans’ (Monteiro, 1994). The following section reviews some of his important thoughts on crime and various social justice concerns as editor of *The Crisis*.

**Crime, Social Justice, and *The Crisis***

Throughout his career with the NAACP Du Bois used *The Crisis* as a pulpit to both champion African American concerns and respond to false commentaries directed at African Americans. Until he left the NAACP in 1934 to return to Atlanta University, Du Bois’s voice was heard through the pages of *The Crisis*. Moreover, for much of his early tenure at the NAACP, Du Bois’s stature as a spokesperson for African Americans was almost unparalleled, except for the short-lived rise of the great Pan-Africanist and Black nationalist Marcus Garvey and his Universal Negro Improvement Association (UNIA) whose membership was rumored to be in the millions between 1916 and 1923 during the height of the movement (Franklin, 1980).

In his first few years at the NAACP, Du Bois encountered many of the same crime-related issues he had investigated at Atlanta University. There were claims that the convict-lease system was no longer in existence and that lynching was on the decline. In each of these cases, Du Bois presented the appropriate facts to challenge these claims (see Du Bois, 1913b/1983; 1914/1983). In 1915, he devoted a number of editorials to similar topics and described how in one Kentucky town the police were directed to arrest all unemployed African Americans to secure labor for the state (Du Bois, 1915/1983). Another important article came in a May editorial where Du Bois recognized the potential of the recently released movie, ‘The Birth of a Nation,’ to incite violence against African Americans. In essence, Du Bois felt this would be the case because ‘the Negro [was] represented [in the movie] as an ignorant fool, a vicious racist, a venal and unscrupulous politician or a faithful but doddering
idiot’ (Du Bois, 1915d/1983, p. 98). Du Bois and the NAACPs concerns regarding this movie were justified considering it served as a springboard for an increase in the membership of the Ku Klux Klan and subsequent violence against African Americans (for an extended discussion of this, see Katz, 1987).2 In addition, this movie has had longstanding effects on the way African Americans are perceived even today (Hutchinson, 1994; Gabbidon, 1994; Morrison, 1992). Moreover, Toni Morrison, Pulitzer prize-winning author, has suggested that the novel upon which the movie was based, The Clansman (1905), and two other novels by the same author, Thomas Dixon,3 played a significant role in shaping what she calls ‘American Africanism,’ [which represents] ‘the demonizing and reifying of African and African Americans in order to promote white hegemony’ (as cited in Oliver, 1998, p. 133). Furthermore, at the time, the movie led to heightened fears of African American males by white females. Du Bois addressed this point in the following commentary from a 1917 editorial that spoke to why some African Americans were not completely receptive to woman’s suffrage ‘...the American Negro is particularly bitter at the attitude of many white women: at the naive assumption that the height of his ambition is to marry them, at their artificially inspired fear of every dark face, which leads to frightful accusations and suspicions, and at their sometimes insulting behavior towards him in public places’ (Du Bois, 1917/1963, p. 95). These fears led to false accusations in the United States and overseas. For example, during World War I, Du Bois saw fit to investigate the claim by certain American officials that African American soldiers stationed in France were engaging in numerous rapes. In addressing this issue, Du Bois first took a historical look at the charge of rape against African Americans by stating:

[t]he charge of rape against Colored Americans was invented by the white South after Reconstruction to excuse mob violence...After the war, when murder and mob violence was the recognized method of re-enslaving blacks, it was discovered that it was only necessary to add the charge of rape to justify before the North and Europe and treatment of Negroes (Du Bois, 1919/1983, p. 193).

In an effort to rebut these overseas concerns, Du Bois returned to his social science roots and sent surveys to twenty-one of the Mayors in towns throughout France, where African Americans were stationed, to determine whether the accusations were justified. From this survey, Du Bois provided several comments to the readers from the respondents and indicated that there had been only one rape and two attempted rapes in all of the areas he surveyed (Du Bois, 1919/1983, p. 194). On his findings, Du Bois sarcastically commented, ‘[w]hat was the real animus of this wholesale

---

2 In 1925 Du Bois and several other persons were arrested during a protest over the re-release of the film.

3 An interesting note is that in his last novel before his death in 1946, The Flaming Sword (1939), Dixon includes Du Bois as a character who is deemed one of the most dangerous black radicals (Oliver, 1998, p. 139).
W. E. B. Du Bois on Crime and Justice

44

accusation? It is the fact that many Americans would rather have lost the war than to see a black soldier talking to a white woman’ (Du Bois, 1919/1983, p. 194).

These heightened racial tensions culminated in what has been referred to as the ‘Red Summer.’ During 1919 there were approximately 25 race riots of varying magnitudes (Franklin, 1980). Of the riots, Du Bois pointed to the following instigators:

[i]he real underlying cause [of the riots] is the fact that too many Negroes are forging beyond the place in which the community thinks they ought to stay; they are evidencing too much prosperity; they are showing new independence in manner and expression; they are accumulating property...time and time again throughout the South...riots [have] been deliberately staged in order to show Negroes that they must not advance too far or too quickly (Du Bois, 1919/1983, p. 134).

Following the ‘Red Summer,’ Du Bois, concerned about the increasing racial violence cautioned whites against stigmatizing all African Americans as criminals, because not only were these claims untrue, they could also contribute to the initiation of a race war (Du Bois, 1920a, p. 172). Moreover, Du Bois addressed the charge that ‘law-abiding Negroes like, encourage, and sympathized with Negro crime and often defended Negro criminals’ (Du Bois, 1920a, p. 172). Du Bois vehemently denied the charge and noted that, in most cases, law-abiding African Americans were not assured that if they did turn in African American criminals that they would get a ‘fair trial’ and ‘just punishment’ (Du Bois, 1920a, p.173).

He continued on this topic, writing ‘the criminal is not the only one guilty; you and I share the guilt if we have not given him as a child an education, furnished him with a place to play, and seen that his body was nourished; we are guilty if as a man he was not allowed to do honest work, did not receive a living wage, and did not have the proper social environment’ (Du Bois, 1920a, p. 173).

Finally, Du Bois, obviously drawing upon his training in philosophy, described the ‘social responsibility’ that society has when dealing with crime and criminals

The social responsibility for crime is so widely recognized that when the criminal is arrested, the first desire of decent modern society is to reform him, and not to avenge itself on him. Penal servitude is being recognized only as it protects society and improves the criminal, and not because it makes him suffer as his victim suffered (Du Bois, 1920a, p. 173).

Du Bois was evidently stating his adherence to the rehabilitation model vis-à-vis the retribution model. However, Du Bois, while expressing his support for the rehabilitation model recognized that retribution was not the purpose of the correctional system. As with the rehabilitation model, Du Bois’s conception of the retribution model is in line with current overview of the model: ‘Retribution means that those who commit a particular crime should be punished alike, in proportion to the gravity of the offense or to the extent to which others have been made to suffer’ (Cole and Smith, 2005, p. 222; see also Shichor, 2006, pp. 26–30).
Following a brief article on the issue of extradition, where Du Bois supported the refusal of Northern Governors to extradite African American criminals back to Southern states because of the unlikelihood of their receiving a fair trial (Du Bois, 1920b/1983), Du Bois turned his attention to the frequently used term ‘Negro crime.’ He condemned the current use of the term by noting ‘...there is no ‘Negro crime.’ There is crime committed by Negroes and by white men; by Southerners and Northerners; by yellow and red, Englishmen, Frenchmen, Germans and Russians...’ (Du Bois, 1921, p. 57). The persistent use of the term bothered him because of the stigma attached with its use. Du Bois was concerned that by using this term people would associate African Americans with certain sorts of crimes. Du Bois denounced this practice and recognized that all types of people were committing crimes and there was no need to make reference to so-called ‘Negro crime’ (Du Bois, 1921, p. 57).

In addition to devoting time to research and scholarship, Du Bois was active in the community (during his time at the NAACP, Du Bois resided in Harlem). This is evidenced by his correspondence with the Police Commissioner of New York, Richard E. Enright. The correspondence is a response to the resolutions from a recently held conference; Enright wrote Du Bois, stating:

...in accordance with an agreement reached at the conference recently held at the Office of the Police Commissioner, at which were present a number of representative gentlemen from the colored district in Harlem and the West Side, I have appointed the following committee to cooperate with this department for the mutual interest of all concerned...[at this point several names are listed including Du Bois’s]...This committee will be known as the FairPlay League, and it will be their privilege to visit the station houses in the localities referred to and see for themselves how colored prisoners are treated (R.E. Enright, personal communication, June 2, 1922 in Aptheker, 1973, pp. 257–258).

It is apparent here that Du Bois felt a need not only to discuss the conditions of African American prisoners, but also to be active in the prevention of their inhumane treatment.

In the following year, Du Bois again corresponded with the New York City Police Department. On this occasion, Du Bois expressed his concern about a park in Harlem which he felt both the Police Department and Parks Department had neglected. He noted that he lived across the street and rarely saw any police presence. He recommended the placing of one police officer in the area to secure the ‘looks and decency of the park’ (W.E.B. Du Bois, personal communication, April 3, 1923, in Aptheker, 1973, p. 264).

Noting his frustration with both agencies, Du Bois engaged in a dialogue that eerily might be applicable even today:

When I complained to the Police Department about the park they blamed the Park Department. When I complained to the Park Department they blamed the police. But

\[4 \text{ In recent years, Bing (1992) and Wilson (2005) have presented similar arguments regarding the current use of the term black-on-black crime.}\]
whosever fault it is, it is nothing less than a crying shame and it is due as it seems to me, simply to the fact that colored people have moved into the neighborhood and the city government with rare unanimity is proceeding to make a whole neighborhood as ugly and unpleasant as possible. I am writing to you to ask your good offices to save this park (W.E.B. Du Bois, personal communication, April 3, 1923, in Du Bois, 1973, p. 264).

As suggested earlier, one of the aims of Du Bois during his tenure at the NAACP was to monitor the activities of organizations such as the Ku Klux Klan that became more widely accepted during the second and third decades of the 20th century. In 1926, Du Bois published an article in the *North American Review* on the Ku Klux Klan entitled, ‘The Shape of Fear,’ in which he provided a general overview of its recent rise in popularity. He recognized that this trend was the result of several fears on the part of Ku Klux Klan members, most notable among these, African American participation in Congress, entrance into the business world, and potential marriage to white women (Du Bois, 1926/1983, p. 283).

Du Bois makes the argument that the Klan’s strategy is to use fear to cast out their collective fear of African Americans (Du Bois, 1926/1983, p. 284). He continues with this discussion, by noting that there are three things one can do to handle the Klan. First, he recommends seeking to prove that the fears are false, ill-grounded and unnecessary; second, if the fear is justified, attack with organized police power or prepare for a civil war; third, adopt secret practices similar to those employed by the Ku Klux Klan (Du Bois, 1926/1983, p. 284). Du Bois continues this discussion throughout the article and concludes by making this final assessment of the Klan and its actions:

[i]t makes no difference what the Ku Klux Klan is fighting for or against. Its method is wrong and dangerous and uncivilized, and those who oppose it, whether they be its victims like the Jews, Catholics and Negroes, or those who are lauded as its moral sponsors like the white Southerners, the American Legion and the ‘Anglo-Saxons,’ it is the duty of all these people to join together in solemn phalanx against the method which is an eternal menace to human culture (Du Bois, 1926/1983, p. 290).

In 1927, Du Bois again devoted more space in *The Crisis* to the issue of African American criminality. Again, he depended upon official records (census reports) to make his assessment; he did, however, acknowledge the shortcoming of this practice by stating, ‘[t]he Census report of prisoners for 1923 gives us some chance, albeit a narrow one, of judging crime among American Negroes’ (Du Bois, 1927a/1983, p. 105). Du Bois’s discussion affirms his belief that crime is not a racial or characteristic of any certain group of people (Du Bois, 1927a/1983, p. 105). He continues by noting that, ‘[c]rime is one of the best indices of social condition’ (Du Bois, 1927a/1983, p. 105). And, discussing the disproportionality of African Americans in jails and prisons, Du Bois again reminds his readers ‘this teaches us two things: first, that Negroes are more easily convicted of crime than whites, and secondly, that, allowing for this, nevertheless our poverty, our search for work, our crowded city population
and our growing resentment at color caste leads to a large amount of law-breaking’ (Du Bois, 1927a/1983, p. 105).

It is obvious that Du Bois maintained his original thesis on African American criminality. However, in looking at the particular offenses committed by African Americans, Du Bois recognized that about one-fifth of them were ‘disorderly conduct’ charges, which Du Bois felt were not only frivolous but included things ranging from, ‘...fighting to ‘sassing’ a white man or glancing at his wife’ (Du Bois, 1927a/1983, p. 105). In addition, Du Bois recognized that African Americans constituted almost 18 percent of the commitments for rape and 42 percent of the commitments for homicide and about half of the commitments for carrying concealed weapons. Du Bois attributed the high commitments for concealed weapons to the desire of whites to ‘disarm black men’ (Du Bois, 1927a/1983, p. 105).

Later that year, Du Bois devoted an article to ‘Mob Tactics’ (Du Bois, 1927b/1983). This article describes the actual technique of how mob violence occurs. Du Bois noted that, commonly, a crime is committed and the police proceed to accuse an African American. In addition, Du Bois asserted that this is often accepted because whites believe in ‘Negro’ crime. Subsequently, an African American is arrested for the crime and lynched; if it so happens that the person was innocent, the persons involved in the lynching were almost always not found (Du Bois, 1927b/1983, p. 474).

Du Bois recognized that in many cases, if lynchings were delayed, the mobs would loot and steal from African American districts. If African Americans were brave enough to fight back, Du Bois acknowledged that the police or the militia were called in and disarmed the African Americans. Next, there would often be multiple arrests of African Americans not whites. If any whites were arrested, they were promptly discharged; only African American participants were consistently charged in these incidents (Du Bois, 1927a/1983, p. 474). Du Bois recognized that these tactics were used to intimidate African Americans and keep them docile. Du Bois closed by stating, ‘...aggression against the Negro [is] an exciting form of sport for the lower order of white folk, in which they have nothing to lose and little to fear...[t]he only solution to this kind of problem is not simply to permit but to encourage Negroes to keep and use arms in defense against lynchers and mobs’ (Du Bois, 1927a/1983, p. 474).

By the 1920s mainstream criminology began to emerge and, in 1931, Du Bois made, to the author’s knowledge, his only reference to a highly celebrated mainstream

---

5 Du Bois was apparently convinced that many of the legal violations were frivolous and merely constituted a breaking of the ‘etiquette’ that developed during the slave era in the United states. In the book, The Etiquette of Race Relations in the South: A Study in Social Control (1937), Bertram Doyle provides one of the best discussions of this phenomena.

6 Another interesting point is that one could easily argue that what happens when riots have broken out in major cities in the last forty years seems to be an imitation of this practice. Now the tables have turned and during riots African Americans loot and tend to target whites for attacks.
W. E. B. Du Bois on Crime and Justice

48

criminologist, Thorsten Sellin. In responding to an author whose book he had just reviewed, Du Bois wrote:

[i]n the matter of Negro crime, I have usually made the same statements that you are making. But the reading of one article has led me lately to modify that. Please glance at the book ‘The American Negro,’ published by the American Academy of Political and Social Sciences, November, 1928. It has on page 52 a note on the Negro criminal by Sellin which is illuminating (W.E.B. Du Bois, personal communication, May 12, 1931 in Du Bois, 1973a, p. 439).

Sellin’s now classic statement on African American criminality is almost identical to Du Bois’s writings on subject to that point (Taylor Greene and Gabbidon, 2000). This will be more fully explored in the final chapter.

Two years later, Du Bois published an article entitled, ‘Our Class Struggle.’ Du Bois wrote of the emerging classes among African Americans. He was particularly concerned about this because, as he noted in the past, certain African Americans in the rising classes were unconcerned about African American criminals and paupers (Du Bois, 1933/1983, p. 712). Du Bois continued on this subject, citing Thorsten Sellin’s 1928 publication, ‘The Negro Criminal: A Statistical Note,’ as support for the belief that a large portion of African American criminals were unfairly brought into the courts and prisons; therefore, the rising classes should be more sympathetic to their cause (Du Bois, 1933/1983, p. 712). Du Bois concluded the article with a poignant question to the reader, ‘[t]he real question, then, in the Negro race, is how far the group can and should assume responsibility for its delinquents and dependents, and cultivate sympathy and help for these unfortunates... ’ (Du Bois, 1933/1983, p. 713). This article represents the last one reviewed during Du Bois’s first tenure at the NAACP.

The following section will review a period of Du Bois’s life, 1935–1952, when he had recently resigned from the NAACP (May 1934), and returned to Atlanta University. He would later be involuntarily retired because of his advanced age by the Atlanta University Board of Trustees. And by the end of this nine-year period, Du Bois had come full circle and ended up back at the NAACP. Following his second and final departure from the NAACP, Du Bois pursued global interests, most notably in the area of world peace. And as usual, Du Bois continued to publish statements on crime, some of which are reviewed below.

The Final Years

After his departure from the NAACP, Du Bois channeled much of his writing into other media, such as newspapers, where he became a regular contributor to several African American newspapers. Most of his remaining insights on crime were located in these outlets. Once he completed his first stint at the NAACP, Du Bois continued to focus on social justice issues; however, he began to become even more global in his thinking. This new focus led him to see socialism as a potential resolution to the
‘Negro Question.’ Some earlier publications on the utility of Marxism to the plight of African Americans became precursors to one of his most controversial books, *Black Reconstruction in America* (1935). His Marxist analysis of the Reconstruction Era cemented his change in philosophy for the remainder of his life.

In line with this change, Du Bois wrote a column devoted to the issue of socialized law in 1936. Du Bois noted that in the highly celebrated Scottsboro cases, public attention assisted in ensuring the defendants’ counsel (see *Powell v. Alabama* (287 U.S. 45 [1932]) and *Norris v. Alabama*, 295 U.S. 587 [1935]).\(^7\) However, in 1932, official records showed 14,613 African American prisoners incarcerated and numerous others unrecorded, who, in some instances, if they had counsel, probably would not have been incarcerated (Du Bois, 1936/1986, p. 62).

Du Bois also recognized the severe shortage of African American lawyers and felt this was because they did not receive the same compensation as white lawyers. Du Bois pointed to the ‘fabulous salaries’ white criminal lawyers were often given. In the case of African American criminal lawyers, Du Bois noted that, ‘[they] ha[d] to eke out a living by methods which do not appeal to self-respecting men’ (Du Bois, 1936/1986, p. 62).

Du Bois closes the discussion, suggesting the incorporation of a system similar to the programs enacted after landmark cases in the 1960s and 1970s. These landmark cases ensured counsel to indigents in felony (*Gideon v. Wainwright*, 372 U.S. 335 [1963]) and misdemeanor cases (*Argersinger v. Hamlin*, 407 U.S. 25 [1972]) (i.e. public defender programs, assigned counsel attorneys, and contract systems). Du Bois’s comments on this topic are worth quoting in full:

> If, now, the Negro group was so organized that it could offer young men just admitted to the bar a living wage to act as defenders of the colored folk arrested, and if beyond this a considerable number of other lawyers of ability could be retained for the more important cases, we could curb Negro crime in the United States at its foundation head; namely, in the wretched jails and penitentiaries where innocent Negroes are confined by the thousands (Du Bois, 1936, p. 62).

The idea of having an organization to defend African American criminals was something that Du Bois addressed again in 1940 in his book *Dusk of Dawn*, where he suggested ‘...what we ought to do is to cover the Negro group with the services of legal defense organizations in order to counteract the injustice of the police and of the magistrate courts...’ (Du Bois, 1940/1986, p. 703).

From these past two discussions, it is apparent that Du Bois felt a pressing need to provide African Americans with the best legal defense available. He felt this was essential because of the widespread discrimination in the justice system. By recognizing the disparities in the compensation between African American and white attorneys, he alludes to the belief that this discouraged African Americans

\(^7\) It was actually the Communist Party who took interest in the case and hired prominent attorneys to argue the appeals for the case leading up to the landmark Supreme Court decision (Cole, 1999, p. 67).
from partaking in the profession. By doing this, Du Bois believed that the white power structure expected African Americans to employ inferior legal counsel, which would result in higher conviction rates for African American defendants.

In 1941, Du Bois published an article on organized crime. Du Bois expressed the belief that African Americans needed to understand the difference between legitimate and illegitimate business, and profit making and social welfare (Du Bois, 1941/1986, p. 360). After briefly discussing a current case involving an African American involved in organized crime, Du Bois noted that the convicted individual profited through illegal means and was in no way concerned about the social welfare of other African Americans.

Du Bois was particularly upset with the African American press, because it was not condemning organized crime in the African American community. More specifically, Du Bois made the following statement lambasting the African American press, which alludes to his disagreement with the practice now referred to as ‘laundering’:

> [f]ar from this [organized crime] eliciting any criticism or feelings of disgrace from and wrong on the part of most commentators of the Negro press, it is defended on the ground that these men hold government bonds worth a half million, industrial stocks and bonds worth a quarter of a million and real estate worth three-hundred thousand. They also operate tailor shops and other businesses together with a department store employing two hundred persons! The fallacy which we are trying to conceal here under the cloak of apparent success is that systematic stealing from debauching and deceiving of thousands of upon thousands of poor, ignorant, ill-nourished Negroes justifies a smart gang of crooks in organized gambling, graft and bribery. It does not. Not ten department stores nor millions of dollars in bonds and real estate can undo the evil of organized crime among Negroes especially in large cities, aided and abetted and often financed by the white underworld (Du Bois, 1941/1986, p. 360).

Du Bois closed by arguing that business enterprises should not be measured by profit alone, but by their contribution to social welfare and human uplift (Du Bois, 1941/1986, p. 360). This brief article discusses a phenomenon that never really became of serious scholarly interest until Ianni’s 1974 publication, *The Black Mafia: Ethnic Succession in Organized Crime*.  

Throughout 1942 and 1943, Du Bois addressed the issues of crime and riots (see Du Bois, 1942/1986, 1943/1986, 1943a/1986, 1943b/1986, 1943c/1986); of particular interest to this chapter is an article that discusses the riots which had recently occurred in Detroit and New York. Du Bois began his critique by returning to his lifelong concern about the African American criminal class, which he felt was a result of bad social conditions and services (i.e. medical care) (Du Bois, 1943/1986, p. 546). In handling the criminal class, Du Bois endorsed the tactic of

---

8 Schatzberg and Kelly (1996) and Griffin (2003, 2005) have recently made notable contributions in this area.
Later Statements on Crime and Justice

crime prevention, but recognized that active criminals would resort to whatever means to keep programs from being effective.

Therefore, along with programs already in place, Du Bois suggested an alternative approach. First, he recognized that there were two primary problems. The first problem centered around the class of criminals and semi-criminals in Harlem; Du Bois noted that these criminals mostly preyed upon African Americans and because of this, these African American victims, were reluctant to appear, ‘disloyal to a burdened people,’ by turning in the offenders. Du Bois was particularly concerned because he was convinced if these elements were not taken out of the community the effects upon the community youth, as he put it, could be ‘fatal’ (Du Bois, 1943/1986, p. 546).

Second, Du Bois recognized how big a task it was to prevent the rise and development of more dangerous criminals. Discussing the strategy for combating the two problems, he wrote:

Both of these problems must be attacked simultaneously. If in an attempt to prevent the growth of criminals, we neglect, gloss over the depredation of criminals today, one crime, one riot, will kill a hundred remedial efforts. If we simply punish and stop present crime, the same conditions which spawned it, will be at work to replace every murderer we kill and every thief we jail (Du Bois, 1943/1986, p. 547).

Du Bois believed that by just treating the symptom of the problem, and not the conditions which led to the crime, the level of crime would not be decreased. He discussed two sets of remedies for the two problems he noted; first, ‘we must put down public hoodlumism in Harlem; we must jail robbers, electrocute murderers and put juvenile delinquents under reformatory restraint. We must do this strictly, justly, and without maudlin sympathy’ (Du Bois, 1943/1986, p. 547). It is important to note that on this rare occasion Du Bois advocated the use of capital punishment when handling African American murderers. Up to this point, Du Bois had always been hesitant to endorse such punishments because African American offenders were often so unfairly treated by the justice system. However, even with this endorsement of the death penalty, he was sure to mention that it should be enacted fairly and justly. In addition, Du Bois returned to his previous calls for the ministry and African American leaders to take a more active part in the prevention of African American criminality (Du Bois, 1943/1986, p. 547).

Finally, Du Bois called upon the nation to provide the following in order to reduce crime among the 13 million African Americans: opportunities for work at a livable wage, abolishment of African American illiteracy by 1980, medical care for all people, establishment of old-age security and abolishment of unemployment (Du Bois, 1943/1986, p. 547). Du Bois’s final publication on crime and justice came when he was in his eighties.

During this period, Du Bois was indicted by the federal government and witnessed firsthand how the justice system can be manipulated to accommodate those in power (see Chapter 5). And in 1951 Du Bois was also among those who participated in the historic petition to the United Nations charging the United States with genocide.
against African Americans, which was in violation of the Charter of the United Nations, specifically its Convention on the Prevention and Punishment of the Crime of Genocide that was ratified on January 14, 1951 (see Patterson, 1951/1970).

Not long after being involved in the petition, Du Bois published one of his last crime-related publications on the legal violations of corporations (which, Du Bois believed ran the country). Nearly twelve years after Edwin Sutherland’s pioneering statement on ‘white-collar criminality,’ and after spending the better part of his life researching African Americans and the criminal justice system, Du Bois published an article which discussed the power of corporations in America and their apparent immunity to criminal prosecution. Having recognized the limited laws regulating corporations, Du Bois noted, ‘[a] corporation cannot be treated nor regulated like an individual. It is an artificial body created by law. It has no moral responsibility. It cannot be punished or educated’ (Du Bois, 1952a/1982, p. 181).

Du Bois also recognized the consequences of these limitations and noted that as individuals the heads of corporations were morally responsible, but as a part of the corporation, Du Bois noted:

> these men who would not personally lie, steal nor murder, who head our churches and charities, stand at the head of corporations which commit every crime on the calendar. They cheat, steal; they enslave and degrade; they starve and rape; they degrade men, women and children. They cannot be treated as individuals because they are not individuals; but individuals conduct them; and yet we can not hold these owners and managers responsible for a new kind of crime which our laws do not yet recognize (Du Bois, 1952a/1982, p. 181).

Du Bois recognized that there were no adequate laws yet to effectively handle corporate offenses and that often, ‘[w]e have difficulty in changing our law and fitting it to a new kind of crime because corporations largely control our legislatures, influence our courts, and own a great mass of our property’ (Du Bois, 1952a/1982, p. 182). Du Bois closed this insightful article discussing how corporations were taking over numerous functions of the state, and continued, with a hint of suspicion, discussing the presence of lobbies for major businesses that employed high-paid lobbyists (Du Bois, 1952a/1982, p. 182). Although Du Bois made later statements on crime, his analyses up to this point represent his most substantive. During this period, Du Bois’s views on social justice issues caused him to become the focus of governmental scrutiny. The following chapter reviews his experience not as a commentator on criminal justice issues, but as an object of criminal justice attention.

---

9 It is possible that Du Bois was influenced by Sutherland’s pioneering research on the subject that was published three years earlier (see Sutherland, 1949).
Chapter 5

W. E. B. Du Bois and the Criminal Justice System

‘Subject favors equality between the white and colored races’...that was all the reason Hoover’s men needed to place Du Bois on a Custodial Detention list of persons to be detained in the event of a national emergency and to solicit the assistance of the CIA, State Department, U. S. Information Agency, and virtually every other intelligence community branch to keep pace as Du Bois traveled the world.


More than a decade before the Federal Bureau of Investigation’s Counterintelligence Program (COINTLEPRO) was instituted in the mid-1950s to engage in subversive activities and harassment against American Communists, and later against civil rights leaders, Du Bois was under the scrutiny of the FBI and, as noted in the opening quote, an array of other intelligence agencies. This chapter provides a brief look at how Du Bois’s radical thinking led him to be the target of continued governmental surveillance for much of the last twenty-one years of his life. Following a review of his surveillance, Du Bois’s 1951 formal encounter with the criminal justice system is reviewed.

Early FBI Surveillance

The surveillance of Du Bois began on May 2, 1942 and lasted, with few interruptions, until his death in Accra, Ghana, at the age of 95. Besides its concerns about his ‘radical stance’ on civil rights issues, the FBI was also quite concerned about Du Bois’s apparent socialist leanings, which crystalized in the 1920s and 1930s when Du Bois visited several Communist countries. By the 1930s he had adopted a Marxist philosophy, which was clearly evident in a 1933 article published in The Crisis. In the article, he posed the question ‘...what shall we say of the Marxian philosophy and of its relation to the American Negro?’ of which he replied: ‘...the Marxian philosophy is a true diagnosis of the situation in Europe in the middle 19th Century despite some of its logical difficulties. But it must be modified in the United States of America and especially so far as the Negro is concerned. The Negro is exploited to a degree that means poverty, crime, delinquency and indigence. And that exploitation comes not from a black capitalist class but from the white capitalists and equally from the white proletariat.’ (Du Bois, 1933b/1996, p. 151). So, albeit with some modification, he felt that Marxism spoke to the ‘Negro Question.’
Therefore, upon his return to Atlanta University in 1934, Du Bois’s teaching began to reflect this philosophy. And the following year, he published what he referred to as his *Magnus Opus, Black Reconstruction in America, 1863–1880* (1935). In a historical sense, it was likely the worst time for Du Bois to begin to explore his interest in Communism, considering the formation of the House Un-American Activities Committee (HUAC) a few years later in 1938. While the original aim of the HUAC was to concentrate its efforts on the alleged Communist influence in the labor movement and New Deal agencies (Schrecker, 1994), the net widened as the concerns regarding Communism deepened. Under the leadership of Senator Joseph McCarthy, and the enthusiastic assistance of FBI Director J. Edgar Hoover, there were few Communist sympathizers who escaped the government’s scrutiny. A succession of other measures aimed at controlling the ‘Red Menace’ started with the enactment of the Hatch Act in 1939 barring Communists, Nazis, and other totalitarians from government employment, followed by the 1940 Voorhis Act, which required groups with foreign affiliations to register with the government, and culminated in the 1940 Smith act, which, according to Schrecker (1994, p. 15) ‘[was]...the first peacetime sedition act in American history, [and] authorized the government to crack down on speech as well as action by making it illegal to ‘teach or advocate’ the overthrow of the government or join any organization that did.’

So immediately following Du Bois’s conversion in philosophy, he became a likely candidate for governmental observation. A review of his FBI file (file # 100-99729) shows that from 1942 to 1943 Du Bois’s entire life was being monitored. Some files indicate that neighbors and coworkers were repeatedly queried about his activities. Other files include content analyses of Du Bois’s publications where selective excerpts have been noted that suggest his affinity for communism. Yet a year after it was opened, his file was closed. But in August of 1948 it was reopened because of a speech Du Bois gave that was deemed to have a Communist slant. After numerous insignificant entries in the file, in 1950, Du Bois was listed as one of several ‘concealed Communists’ who were believed to be undocumented members of the Communist Party (Du Bois was believed to have been a member since 1944).

Professionally, during this period, Du Bois had left Atlanta and returned to the NAACP, where he was dismissed in 1948 for allegedly sending a statement to the media contrary to the opinion of the NAACP, a charge Du Bois vehemently denied. This dismissal led Du Bois to accept a position as honorary vice-chairman of the Council on African Affairs. The Council was listed as a subversive organization and its members came under the scrutiny of the FBI. So during a period when Du Bois’s Communistic ideals led him to devote increasing time to his longstanding efforts toward world peace (Marble, 1983), others saw these activities as efforts simply showing support for the Soviet Union.

In 1950 before attending an international peace conference in Paris, Du Bois and several colleagues formed the Peace Information Center, which was organized to ‘...tell the people of the United States what other nations were doing and thinking about war’ (Du Bois, 1968, p. 357). Less than six months after it was formed, the Center was criticized by then Secretary of State Dean Acheson who wrote in the *New York*
Times, ‘I am sure that the American people will not be fooled by the so-called “world peace appeal” or “Stockholm resolution” now being circulated in this country for signatures. It should be recognized for what it is – a propaganda trick in the spurious “peace offensive” of the Soviet Union...’ (as quoted in Du Bois, 1952b, p. 37). Two days later, Du Bois replied:

The main burden of your opposition to this Appeal and to our efforts lies in the charge that we are part of a ‘spurious peace offensive’ of the Soviet Union. It is our strategy that when the Soviet Union asks for peace, we insist on war? Must any proposals for averting atomic catastrophe be sanctified by Soviet opposition? Have we come to the tragic pass where, by declaration of our own Secretary of State, there is no possibility of mediating our differences with the Soviet Union? Does it not occur to you, Sir, that there are honest Americans who, regardless of their differences on other questions, hate and fear war and are determined to do something to avert it? (Du Bois, 1952b, p. 39).

One can only agree with Manning Marble’s assessment that this response resulted in the ‘political assassination’ of Du Bois (Marble, 1983). Because a month after his response, the Department of Justice concluded that the Center was an agent of a foreign government, requiring it to register a statement to that effect under the 1938 Foreign Agents Registration Act. While Du Bois and the other members of the Center openly denied the charge, on the recommendation of the Center’s board of advisers, they decided to disband the organization in October 1950. Yet in February of 1951, Du Bois and his colleagues were indicted on the charge by a federal grand jury. The case is reviewed below.

Somebody in Washington wants to put Dr. Du Bois in jail. Somebody in France wanted to put Voltaire in jail. Somebody in Franco’s Spain sent Lorca, their greatest poet, to death before a firing squad. Somebody in Germany under Hitler burned the books, drove Thomas Mann into exile, and led their leading Jewish scholars to the gas chamber. Somebody in Greece long ago gave Socrates the hemlock to drink...No one remembers their names. Langston Hughes (1951)

Taking on the Department of Justice

Du Bois’s indictment was a surprise to many in the United States and abroad who immediately rallied to his defense. Never before as an adult had Du Bois been accused of a crime. In his memoir devoted to the trial, he noted that only on two occasions had he previously come in contact with criminal justice officials. Of the first, he wrote, ‘Once in Atlanta I was unfairly threatened with arrest for ‘trespass’ by a policeman. He desisted when I suggested paying a ‘fine’ to him; he accepted ten dollars’ (Du Bois, 1952b, p. 69). His second encounter with the criminal justice system landed him in court for the first time. Of this second experience, he wrote,

It was not until 1918 when I was 50 years old that I ever personally came in contact with the courts. I had bought my first automobile and was driving quite happily back
from Coney Island to Manhattan, when I was ordered to the side of the road by a bicycle policeman; I was told that I was exceeding the speed limit of New York State, which at the time was 20 miles and hour. I was given a summons and eventually fined $25, after having been strongly advised by the arresting policeman to make no defense. He assured me that this would make the matter much easier, and take less time. He was right. I paid my fine philosophically, and drove more carefully thereafter (Du Bois, 1952b, pp. 69–70).

So these two early encounters paled in comparison to what he faced in his 83rd year of life. The charges Du Bois and his co-defendants faced carried the potential for a five-year prison sentence and a $10,000 fine. During the arraignment he was fingerprinted, searched and handcuffed as any common criminal would have been (Du Bois, 1952b, p. 71). After being released on $1,000 bail, the case, after several delays, eventually began in November of 1951. In the interim however, Du Bois and his second wife, Shirley Graham Du Bois, traveled the country raising funds for the case. The lack of support from the ‘talented tenth’ that had been such an integral part of Du Bois’s vision of black America caused him to re-analyze their place in his program. This in part was also a result of his philosophical change. And the fact that he was supported more by the working class African Americans, led him to the following observation:

...most of my educated and well-to-do Negro friends—although by no means all—were scared...and went quickly for cover, an increasing mass of the Negro working class, especially the members of the so-called left-wing unions, rallied to my side with faith and money. This gave me a new outlook on social stratification within this group, which I once hoped would never develop. My faith hitherto had been in what I once denominated the ‘Talented Tenth.’ I now realize that the ability within a people does not automatically work for its highest salvation. On the contrary, in an era like this, and in the United States, many of the educated and gifted young black folk will be as selfish and immoral as whites who surround them and to whom Negroes have been taught to look at as ideals. Naturally, out of the mass of the working classes, who know life and its bitter struggle, will continually rise the real, unselfish and clear-sighted leadership. This will not be automatic or continuous, but the hope of the future of the Negro race in America and the world lies far more among its workers than among its college graduates, until the time that our higher training is rescued from its sycophantic and cowardly leadership of today, almost wholly dependent as it is on Big Business either in politics or philanthropy (Du Bois, 1952b, pp. 76–77).

Fortunately for Du Bois and his co-defendants, the support he received was enough to assemble a strong defense team.

The crux of the case was that the government felt the Peace Information Center was an agent of the Soviet Union, which required them to register as such with the

---

1 Du Bois bought this vehicle primarily to travel in the South because he refused to ride in Jim Crow cars on trains. He frequently drove alone throughout the South to attend various speaking engagements. He had regular stops where friends provided him with the necessary accommodations. Although he admitted that he encountered some ‘tight places,’ he became an adept mechanic and carried replacement parts for his automobile so he wouldn’t have to seek assistance from the police or hostile white service station owners (Graham Du Bois, 1971, pp. 45–46).
Department of Justice. Their case rested heavily on the testimony of John Rogge, an early organizer of the Center, who, it was later revealed, was working on behalf of Yugoslavia, but needed to come up with some information to save himself from prosecution. The trial lasted three weeks, at which time a motion for acquittal was accepted by the judge because of the weak, and, at times, embarrassing testimony of several prosecution witnesses, including an F. B. I. agent and a medical student who was employed by the F. B. I. to spy on the Center. The student also revealed that he was directed to turn over any materials received at the Center to one of the primary investigators for the House Committee on Un-American Activities (Du Bois, 1952b, pp. 134–135).

In the end, Du Bois saw this experience as more of the same. A black man being ‘railroaded’ by the American criminal justice system. He summarized this belief with the following passage:

What turns me cold in all this experience is the certainty that thousands of innocent victims are in jail today because they had neither money, experience nor friends to help them. The eyes of the world were on our trial despite the desperate efforts of the press and radio to suppress the facts and cloud the real issues; the courage and money of friends and strangers who dared stand for a principle freed me; but God only knows how many who were as innocent as I and my colleagues are today in hell. They daily stagger out of prison doors embittered, vengeful, hopeless, ruined. And of this army wronged, the proportion of Negroes is frightful. We protect and defend sensational cases where Negroes are involved. But the great mass of arrested or accused black folk have no defense. There is desperate need of nation-wide organizations to oppose this national racket of railroading to jails and chain-gangs the poor, friendless and black (Du Bois, 1952b, p. 153).

So, not even an intellectual such as Du Bois, who had written about the use of the criminal justice system as a tool of the government, could escape the clutches of those in high places. In fact, they were undeterred by this failed effort to get Du Bois for his outspokenness. Subsequently, for the next several years, the federal government denied him a passport to travel abroad because they suggested that his travel overseas ‘...would be contrary to the best interests of the United States’ (Du Bois, 1952b, p. 192). And during this period, the F. B. I. continued to monitor him, and an entry in his file dated June 6, 1956, suggests they were contemplating prosecuting him for perjury before the Subversive Activities Control Board, but again the evidence was too weak and Hoover decided against prosecution. By the time he was approved for a passport in 1958, Du Bois’s bitterness of being held ‘prisoner’ in the United States was too much. So in 1961, he joined the American Communist Party, relinquished his American citizenship, and moved to Accra, Ghana, where he died two years later.

Even with this failed attempt to discredit and ruin Du Bois, his contributions are many. As Lemert (1994) has aptly noted, ‘Du Bois’s accomplishments in any one (emphasis in original) of his many endeavors were more by a considerable degree than others achieve in all’ (p. 383). In chapter 6 we explore his specific contributions to American criminology.
This page intentionally left blank
Chapter 6

Du Bois’s Place in American Criminology

And of course the prime victim of [academic] exclusion and prejudice was W. E. B. Du Bois who, as long as he lived, was recognized as a ‘Negro Leader,’ a ‘Negro activist,’ and begrudgingly, as a competent ‘Negro intellectual.’ Only twenty years after his death does the academic establishment begin – and I emphasize begin – to recognize his contributions as a leading American intellectual of the twentieth century.

Anthony Platt (1990)

African-American scholars have made and continue to make valuable contributions to the field of criminology. Our contributions must be acknowledged. Our voices must be heard.

Vernetta Young and Anne Sulton (1991)

Clearly, throughout Du Bois’s life he had much to say about issues related to criminology and criminal justice. And as shown by the preceding chapters, much of Du Bois’s crime-related perspectives are similar to theories later formulated by the ‘pioneers’ of American criminology (see generally, Martin, Mutchnick, and Austin, 1990). Since many of Du Bois’s staple theoretical publications were written early in his career, we return to some of these publications to provide an overview of his main contributions to American criminology. By doing this, we attempt to lay the groundwork for Du Bois’s inclusion in mainstream criminology and criminal justice texts. Du Bois’s first major contribution came in *The Philadelphia Negro*. This classic urban study saw Du Bois theorizing on the etiology of crime among African Americans in an emerging northern metropolis. And as noted in Chapter 2, he gleaned many insights on urban crime from his study.

**Du Bois and Social Disorganization/Strain Theory**

It should be remembered that in Du Bois’s writings leading up to *The Philadelphia Negro*, and many of his subsequent publications, he employed the concepts of social disorganization and strain to explain crime among African Americans in Northern cities (see Du Bois, 1901b/1969; 1899a/1982; 1899b/1973). For example, in *The Philadelphia Negro*, as noted in chapter 2, Du Bois wrote, ‘Crime is a phenomenon of organized social life, and is the open rebellion of an individual against its social environment.’ He follows this statement by indicating that when a group is placed...
in an unfamiliar environment (for example, rural African Americans attempting to adapt to city life) one of the results will be crime. Additionally, Du Bois felt that emancipation not only resulted in social disorganization because of the influx of African Americans into city life, but when the opportunities they believed awaited them were nonexistent, the result was ‘...a strain upon the strength and resources of the Negro, moral, economic and physical, which drove them to the wall’ (Du Bois, 1899b/1973, p. 283).

Du Bois’s analysis suggests that both social disorganization and strain were important in explaining African American involvement in crime in northern cities. Du Bois’s views were in line with the following conception of strain theory (also referred to as anomie theory). Discussing anomie theory, Mc Shane and Williams (1994), write:

Because of social disorganization, the approved means to reach the success goals are not readily available to certain groups in society, even though the goals are said to apply equally to all. Certain groups of people, the lower social class and minorities...may be at a disadvantage in gaining business positions that would allow them to pursue the goal of financial success. When this inequality exists because of the way society is structured, Merton viewed the social structure as anomic...The individuals caught in these anomic conditions(largely the lower classes) are then faced with the strain of being unable to reconcile their aspirations with their limited opportunities (p. 91).

In the case of African Americans, Du Bois recognized that they had aspirations of succeeding by migrating from the South to the North, however, the social conditions, racism, and other unexpected situations they encountered upon arrival in this foreign environment brought on a ‘strain’ which often resulted in crime. Du Bois’s perspective shows his early incorporation of racism into explaining crime in the African American community (Taylor Greene and Gabbidon, 2000).

As for crime in the South, as noted in Chapter 2, Du Bois (1899) attributed crime among African Americans primarily to four sources:

1) the convict-lease system;
2) attitude of the courts;
3) lawlessness and barbarity of the mob;
4) segregation.

A more in-depth look at these factors clearly delineates another one of Du Bois’s theoretical orientations. Shortly after this publication outlining his four explanations for African American crime in the South, Du Bois expanded his analysis of the role of the convict-lease system in criminalizing African Americans. This analysis links Du Bois to conflict theory.
Du Bois as a Conflict Criminologist

By 1901 Du Bois had, on numerous occasions, suggested the role the convict-lease system had played on African American life. He further sought to show the impact of the convict-lease system on Southern African Americans through an analysis of revenue data and other materials pertaining to the system. The result is an analysis that secures Du Bois’s place as an early American conflict theorist.1

Of the system, Du Bois declared, ‘[t]he convict-lease system is the slavery in private hands of persons convicted of crimes and misdemeanors in the courts’ (Du Bois, 1901/1982, p. 110). He prefaced an enlarged discussion of the system with a historical analysis of the punishment of criminals before and after the Civil War. From this analysis, he concluded that before the Civil War the punishments in the South were the same as in the North. He added that in the South, however, crime was less prevalent.2 In his view, this was a direct result of the system of slavery, primarily because slaves could not be criminals under the law and the master was often the police, judge, and jury (Du Bois, 1901/1982, p. 10).

In addition, Du Bois reported that during the slave era there was often cooperation among masters to control the slaves. Fear among slave masters was heightened because of the potential for insurrections, such as the ones by Cato, Gabriel, Vesey, Turner, and Toussaint (Du Bois, 1901/1982, p. 110). According to Du Bois, ‘the result [of these fears] was a system of rural police, mounted and on duty chiefly at night, whose work it was to stop the nocturnal wandering and meeting of slaves. It was usually an effective organization, which all white men belonged, and were liable to active detailed duty at regular intervals’(Du Bois, 1901/1982, pp. 110–111).

After emancipation, Du Bois believed that the South was determined to retain slave labor by enacting ‘[e]laborate and ingenious apprentice and vagrancy laws... passed, designed to make the freedmen and their children work for their former masters at practically no wages’ (Du Bois, 1901/1982, p. 111).3 While this practice gradually slowed after the development of the Freedman’s Bureau and other government interventions, Du Bois observed that the ‘careless and untrained Negroes’ still received severe sentences (Du Bois, 1901/1982, p. 111). Of this difficult period, Du Bois wrote ‘[t]he courts and jails became filled with the careless

1 While Du Bois was presenting his conflict oriented perspectives in America, Willem Bonger’s Economics and Criminality was being translated to English, but didn’t arrive in America until 1916.

2 Du Bois generally argues that crime among African Americans was diminished because of the brutal practices during American slavery. Here he no doubt overlooked the disproportionate representation of free African Americans in the crime figures before emancipation, because of vagrancy laws similar to the ones devised to feed the convict-lease system. This phenomenon is discussed at length by McIntyre (1993), who presents the thesis that whites believed free African Americans threatened the system of slavery; therefore, they needed to be controlled, which in many cases resulted in their arrest, conviction, and resale back into slavery (see specifically, McIntyre, 1993, pp. 167–188).

3 These vagrancy laws were known as the Black Codes.
and ignorant, with those who sought to emphasize their new-found freedom, and too often with innocent victims of oppression. The testimony of a Negro counted for nothing in court, while the accusation of white witnesses was usually decisive’ (Du Bois, 1901/1982, p. 111).

Since the increase in the prison population exceeded the space allocated to maintain criminals, Du Bois argued that the state had no intention of housing these offenders. As evidence of this, Du Bois pointed to the Southern states’ strategically passing laws that authorized the lease of convict labor to the highest bidder (Du Bois, 1901/1982, p. 112). The lessee then worked the convict, with little or no intervention from the state. With the emergence of the convict-lease system, Du Bois declared, ‘...a new slavery and slave-trade was established’ (Du Bois, 1901/1982, p. 112).

Once established, Du Bois tells how innocent, guilty, and ‘depraved’ men, women, and children were turned over to irresponsible men who were out to make as much as possible (Du Bois, 1901/1982, p. 112). Because of this system, Du Bois believed that ‘the innocent were made bad, the bad worse; women were outraged and children tainted; whipping and torture were in vogue, and the death-rate from cruelty, exposure, and overwork rose to larger percentages’ (Du Bois, 1901/1982, p. 112).

Additionally, Du Bois noted that there was such limited shelter that in one case sixty-one men slept in one room. Du Bois felt that because of the government involvement in this system, ‘the state became a dealer in crime, profited by it so as to derive a net annual income for her prisoners. The lessees of the convicts made large profits also’ (Du Bois, 1901/1982, p. 112). Du Bois was most concerned with the chain-gangs because he felt they were ‘schools of crime’ which led to the advent of the serious African American criminal (Du Bois, 1901/1982, p. 113). Du Bois pointed to the irony of the development of this African American criminal because whites had long used the criminal courts to put African Americans to work by conviction of petty thieving and other minor crimes; however, they were not ready for the more bold and violent crimes (Du Bois, 1901/1982, p. 113). Du Bois recognized that there had been improvements in the conditions of the system, but the system was kept intact through tighter state control. This simply meant that the prison labor was still leased, under heavier state regulation, by contractors or to conduct work for the state (Du Bois, 1901/1982, p. 114).

Du Bois agreed with the principle of having prisoners work, but for different reasons – ‘[t]he correct theory is that the work is for the benefit of the criminal – for his correction, if possible. At the same time, his work should not be allowed to come into unfair competition with that of honest laborers, and it should never be an object of traffic for pure financial gain’ (Du Bois, 1901/1982, pp. 114–5). The context in which Du Bois discusses the convict-lease system underscores one of his earliest identifiers as a conflict criminologist.

A close examination of Du Bois’s analysis of the convict-lease system reveals a similarity with that of Chambliss’s 1964 analysis of the law of vagrancy in 14th-century England. Chambliss, discussing the transformation of vagrancy laws, noted that, during 1274, there was an existing law of vagrancy which was ‘solely
designed to provide the religious houses with some financial relief from the burden of providing food and shelter to travelers’ (Chambliss, 1964/1969, p. 52). However, this law was changed in 1349, which ‘made it a crime to give alms to any who were unemployed while being of sound body and mind’ (Chambliss, 1964/1969, p. 52).

Chambliss noted that the change in the law was a strategic one. The plague in 1348 had recently decimated England, and as Chambliss notes, ‘...the vast mortality that ensued destroyed that reserve of labour...’ (Chambliss, 1964/1969, p. 54). Because of this circumstance, there was an immense need for labor and subsequently free laborers increased their wage demands; however, the serf was not able to benefit from the situation. Being fully aware of his circumstance, the serf knew that his best chance of better living would be to travel to another area which had potential.

This movement now had its risks with the passage of the new vagrancy laws, as evidenced by the following:

The anti-migratory policy behind vagrancy legislation began as an essential component of the wage stabilization legislation which accompanied the breakup of feudalism and the depopulation caused by the Black Death. By the statute of Labourers in 1349–1351, every able bodied person without other means of support was required to work for wages fixed at the level preceding the Black Death; it was unlawful to accept more, or to refuse an offer to work, or to flee from one county to another to avoid offers of work or to seek higher wages, or go give alms to able-bodied beggars who refused to work (Caleb Foote as quoted in Chambliss, 1964/1969, p. 54).

Chambliss noted that the change in the vagrancy law was a direct result of the change in social setting in England (Chambliss, 1964/1969, p. 55). Of this change, Chambliss wrote:

The innovation in the law...was a direct result of the changes which had occurred in the social setting. In this case these changes were located for the most part in the economic institution of the society. The vagrancy laws were designed to alleviate a condition defined by the lawmakers as undesirable. The solution was to attempt to force a reversal, as it were, of a social process which was well underway; that is, to curtail mobility of laborers in such a way that labor would not become a commodity for which the landowners would have to compete (Chambliss, 1964/1969, p. 55).

Du Bois, writing about a similar massive loss of potential laborers (African Americans) because of emancipation, noted the enactment of the Black Codes and the subsequent convict-lease system by the Southern oligarchy to compensate for the lost labor and expectant profits. Du Bois, discussing this phenomenon, stated:

The South believed in slave labor, and was thoroughly convinced that free Negroes would not work steadily or effectively. The whites were determined after the war, therefore, to restore slavery in everything but in name. Elaborate and ingenious apprentice and vagrancy laws were passed, designed to make the freedmen and their children work for their former masters at practically no wage. Some justification for these was found in the inevitable tendency of many of the ex-slaves to loaf when the fear of the lash was taken away. The new laws, however, went far beyond such justification, totally ignoring
that large class of freedmen eager to work and own property on their own... (Du Bois, 1901/1982, p. 111).

Because of the severe need for laborers, Du Bois also noted the court’s involvement in providing laborers through its discriminatory decisions. This discussion is directly linked to another of Du Bois’s explanations for crime among African Americans, which was the attitude of the courts. Commenting on this issue, Du Bois wrote:

As the regular state courts gradually regained power, it was necessary for them to fix by their decisions the new status of the freedmen. It was perhaps as natural as it was unfortunate that amid this chaos the courts sought to do by judicial decisions what the legislatures had formally sought to do by specific law –namely, reduce the freedmen to serfdom. As a result, the small peccadillos of careless, untrained classes were made the excuse for severe sentences (Du Bois, 1901/1982, p. 111).

Du Bois felt the courts meted out two forms of justice—one for whites and one for blacks who received a different sentence for the same violations of the law. As noted before, this publication represents one of Du Bois’s most theoretically relevant writings. These writings directly link Du Bois to the present classification as a conflict theorist. Lilly et al. (1995) provide a current definition of conflict theory:

Theories that focus attention on struggles between individuals and/or groups in terms of power differentials fall into the category of conflict theory...Some conflict theories try to search for the sources of the apparent conflicts. Some seek to elucidate the basic principles by which conflict evolves. Others try to develop a theoretical foundation for eliminating the conflict. Some try to do all this and more (pp. 132–3).

It is clear that Du Bois fits modern descriptors of a conflict theorist. Du Bois recognized that a labor conflict followed emancipation, leading to the timely passage of legislation to provide African American labor at minimal cost to landholders through the crop-lien and convict-lease systems.4 Both systems often provided the means through which African Americans were criminalized to secure the necessary labor for the aristocracy. This approach puts Du Bois at the forefront of the development of a macro-level sociological approach in criminology.

Du Bois as a Founder of Both American Criminology and ‘Black Criminology’

As noted by Rafter (1992/1997), American criminology began with the late nineteenth century writings of criminal anthropologists such as Arthur MacDonald, Henry Boies, Charles Henderson and others who believed that ‘...the worst criminals (‘born,’ ‘congenital,’ ‘incorrigible,’ or ‘instinctive’) deviate from ethical

4 In some of his later writings, Du Bois continued his discussion of the labor conflicts that arose when African Americans competed for jobs with whites in factories and other unionized jobs. In fact, on numerous occasions, Du Bois discussed this race conflict which followed and resulted in riots.
and biological normality because they are atavisms, reversions to a more primitive evolutionary state' (p. 78). Owing much to the work of Cesare Lombroso (1876), who is often referred to as the ‘Father of Criminology,’ these writers initiated what would emerge as the development of scientific criminology in America.

It is here where Du Bois’s work is excluded. For example, Henry and Eintadter (1997), in their review of the development of American criminology, suggest that following the development of the criminal anthropological school, the psychoanalytical personality school of delinquency arose, which was subsequently, in the mid 1940s, succeeded by the sociological approach of the Chicago School. With his publication of *The Philadelphia Negro* in the last year of the nineteenth century, Du Bois was obviously one of the founders of the sociological approach in criminology. From 1897 until 1913, Du Bois’s criminological writings primarily centered on the sociological approach. And while some have argued that Du Bois himself was somewhat sympathetic to the biological school of thinking (see Reed, 1997), it is clear from his 1897 presentation at the Academy of Political and Social Sciences meeting that he viewed the biological approach (anthropological measurement) as a part of the overall social scientific method of investigating African American problems including criminality, but his primary approach and explanations were sociologically grounded.

During a period when the biological approach and the eugenics movement were picking up strength (Gould, 1981/1996), Du Bois was leading the way with an alternative view that, along with its sociological underpinnings, invoked the role of prejudice and race discrimination in explaining the social problems of African Americans. While he was unsure of the magnitude of the influence of prejudice and race discrimination on crime, he recognized its role in the plight of African Americans. In the case of crime, on two occasions around the turn of the century, he felt a need to state firmly that crime among African Americans was not normal. In 1901, for example, Du Bois, obviously speaking to the biological school theorists, wrote:

> Above all, we must remember that crime is not normal; that the appearance of crime among Southern Negroes is a symptom of wrong social conditions – of a stress of life greater than a large part of the community can bear. The Negro is not naturally criminal; he is usually patient and law-abiding. If slavery, the convict-lease system, the traffic in criminal labor, the lack of juvenile reformatories, together with the unfortunate discrimination and prejudice in other walks of life, have led to that sort of social protest and revolt which we call crime, then we must look for remedy in the sane reform of these wrong social

---

5 It should be noted here that Adolph Quetelet, the Belgian statistician and astronomer, has been credited with the development of positivist sociological criminology (Bierne, 1987). However, as criminology began to make its way to the shores of the United States in the last quarter of the 19th century, its approach was dominated by biological determinism based on the work of Italian criminologist Cesare Lombroso. As the close of the 19th century arrived, Du Bois was one of the few American scholars to investigate and explain criminality from a sociological perspective.
conditions, and not in intimidation, savagery, or the legalized slavery of men (Du Bois, 1901/1982, p. 116).

In addition to the preceding statement, Du Bois made a similar comment later that year in a publication focusing on the condition of African Americans in Northern cities (Du Bois, 1901/1969, p. 37). Du Bois’s comments also address another hallmark concept in criminology, the normalcy of crime. Though Du Bois never elaborated on his ideas beyond the previous quote, it is clear he plainly disagreed with Durkheim’s (1938/1895) classic argument on the normalcy of crime. Besides being considered a founder of American criminology, Du Bois can also be considered the founder of what Russell (1992) describes as Black criminology.

**Founding Black Criminology**

In 1992, Katheryn Russell published an article calling for the development of a sub-field of criminology called black criminology (Russell, 1992; for an updated look at this perspective, see Onwudiwe and Lynch, 2000; Penn, 2003). In her view, this was needed because of the failure of criminology to ‘provide a well-developed, vibrant and cohesive sub field that seeks to explain crime committed by blacks’ (p. 667). She continues on the need for this sub field by arguing that:

The manifest reason for the development of a black criminology is that it will enable the discipline to go beyond the simple observation of a phenomenon–that blacks are disproportionately involved in crime–and will encourage the testing of new paradigms to explain the race-crime relationship. This subfield could increase policy options available to address the problem (Russell, 1992, pp. 667–68).

Based on Russell’s conception of black criminology, it would include the reformulation of existing theories and the development of new theories to explain black criminality. Furthermore, she believes that, while black criminology might begin as a sub field of criminology, it would eventually emerge as part of mainstream criminology. Finally, Russell (1992) suggests that another major advantage of the development of black criminology would be curriculum diversity and increasing scholarship on multicultural criminology (p. 675).

At the time of her writing, Russell, like others before and after her, clearly overlooked the work of Du Bois and a number of other early African American scholars (see Taylor Greene and Gabbidon, 2000; Gabbidon, Taylor Greene, and Young, 2002; Gabbidon, Taylor Greene, and Wilder, 2004). As an African-American scholar, Du Bois’s ideas particularly in *The Philadelphia Negro*, and his years at Atlanta University, paved the way for the research conducted later at the University of Chicago.6 Du Bois’s formulation of social disorganization, for example, as noted

---

6 Du Bois in fact viewed his research program at Atlanta University as a forerunner to the program and research conducted at the University of Chicago. For instance, during a review of the book, *The Negro Family in the United States* (1939), written by noted African
earlier, was in direct opposition to the racist biological doctrines being espoused during the late 19th and early 20th centuries. With the development of the Chicago School almost thirty years later, Du Bois’s ideas were brought into the mainstream albeit with little credit given to him. And his other theoretical orientation now referred to as conflict theory, remains one of the primary approaches used by many white and African American criminologists to explain African American criminality (Hawkins, 1987).

In the case of both theoretical approaches, as Russell alluded to earlier, black criminology did start out with little recognition, but now both approaches used by Du Bois (the founder of black criminology) are considered mainstream theoretical approaches. An interesting note in regard to the role of black criminologists in curriculum diversification is that Du Bois is considered by some to be one of the founders of Afrocentrism and multiculturalism (Dunn, 1993). While this view of Du Bois is broader than the criminology curriculum, one can surmise that Du Bois’s courses that included discussions on crime likely had an element of diversity not found in the courses of many of his contemporaries. One final important contribution to American criminology was Du Bois’s crime poll discussed in Chapter 3. A product of his pioneering social scientific program at Atlanta University, the poll investigated similar questions and issues presented in a national crime opinion poll conducted over ninety years later. This connection is discussed in the next section.

1904 Atlanta University Crime Poll

Du Bois not only anticipated theoretical perspectives in American criminology, he also foresaw the importance of soliciting opinions from the public in the area of crime. In doing so, he conducted a statewide survey that includes themes that closely resembles those included in the 1995 National Opinion Survey on Crime and Justice (NOSCJ). A review of the NOSCJ survey instrument shows that several of the questions directly coincide with Du Bois’s earlier work. For example, one question, ‘In the past year do you feel that the crime rate in your neighborhood has increased, decreased or stayed the same?’, is similar to the question Du Bois posed to the police chiefs and citizens in Georgia regarding the level of crime in their communities. As for questions related to the police, the NOSCJ also asked questions that addressed the friendliness of the police (‘What about the friendliness of the police?’), the fairness of the police in dealing with people (‘How would you rate the fairness of the police in dealing with people?’), and first-hand experiences with the police (‘Have you had any contact with the police during the past two years?’ and would you say you were very satisfied, somewhat satisfied, neither satisfied nor dissatisfied, somewhat dissatisfied or very dissatisfied?’). The NOSCJ also inquired

American sociologist and University of Chicago graduate, E. Franklin Frazier, Du Bois wrote, ‘It is particularly interesting for me to realize how those pioneering attempts to study the American Negro which were begun in Atlanta University in 1896 and carried on for eighteen years were not altogether sterile weeds’ (Du Bois, 1940/1977, p. 182).
about citizen perceptions of the courts. Here the instrument specifically asked for the respondents’ opinions regarding the treatment of minorities in court, while another question (‘Thinking now about the court cases you have personally followed, do they usually come out the way you think they should or not?’) asked respondents had they followed any recent court cases and their outcomes (presumably to determine if appropriate justice was exacted). Another area of similarity was the NOSCJ’s focus on the purposes of punishment (Flanagan and Longmire, 1996, pp. 189–190), where respondents were queried on both the purpose of punishment and the appropriateness of various punishments (i.e., ‘Please tell me which of these four purposes do you think should be the most important in sentencing adults?’).

Much like today, Du Bois wanted to contrast official statistics with public opinion to obtain a more rounded picture of crime in the African American community. Ironically, little has changed in regard to African American and white perceptions of fairness in the criminal justice system, considering that most whites in Du Bois’s poll suggested that the system was fair, while most African American respondents thought otherwise. These longstanding views are also seen in recent figures which suggest that there is a 20 point difference between black (67 percent) and white (87 percent) perceived level of fairness by the police (Huang and Vaughn, 1996). These stark differences are also seen in regard to perceptions of fairness in the court system, where today African Americans continue to see the courts as a place where they receive little or no justice, with 72 percent – compared to 35 percent of white respondents – seeing a problem with equality and fairness in the courts (Myers, 1996).

When asked ‘why were there so many African Americans under the clutches of the law?’, the responses might seem surprising considering that nearly 35 percent said that this can be attributed to ‘indolence and laziness.’ However, given the historical context when the survey was distributed, many of the respondents might have internalized this prevailing stereotype of African Americans. As for reducing African American involvement in the criminal justice system, one would be hard pressed to find many African Americans today who would not agree with Du Bois’s older respondents. The pertinence of employment, education, teaching African Americans right (morals), and the need for better home training would surely receive high consideration for tackling this issue even today.

While Du Bois’s survey was not monumental in its scope (largely in part to the minimal funds made available to him), and certainly not without limitations, most notably, his sparse discussion of his response rates and the lack of information on the demographics of his samples, much like researchers of today, he felt a need to move beyond the simple analysis of official statistics in his study of crime. Furthermore, he recognized the value of the views of citizens who were often first-hand observers of the system. In his view, their insights would assist in the remediation of crime in the community. And again, much like today, African Americans viewed the criminal justice system as one of the first places in need of serious changes. This crime poll is yet another illustration of the breadth of Du Bois’s contribution to the early development of American criminology and related social sciences.
In sum, while a preeminent observer of American criminology has suggested that American criminology did not begin until after World War I (Radzinowitz, 1961), a careful review of the work of Du Bois may have led him to conclude otherwise. In fact, while it may be true that American criminology was in its ‘imitative phase,’ the results of research conducted by Du Bois were charting new ground in the development of American sociological criminology. While charting this new ground, Du Bois developed a body of literature that is among the ‘classics of criminology,’ most notably, in the area of race and crime. The next chapter examines the social policy recommendations presented by Du Bois more than 100 years ago to determine their usefulness in addressing the challenges facing the African American community in the 21st century.
This page intentionally left blank
Chapter 7

W. E. B. Du Bois on Crime and Justice: A Modern Day Application

Our preachers and leaders must take periodically a day off from their preaching of the sins of white folk, and devote a few hours to saying plainly to Negroes: ‘Thou shalt not steal; thou shalt not commit adultery; thou shalt not kill.’

W. E. B. Du Bois (1943)

As a student in Berlin in the latter part of the 19th century, Du Bois engaged the minds of the leading scholars of the period. One of those scholars, Gustav von Schmoller, etched in his mind the value of obtaining facts first on which to base social policy (see Broderick, 1958a; 1958b). On the issue of crime, Du Bois presented numerous social policy suggestions. Before we discuss them, it is important to point out that, while the state of African American involvement has improved in some respects, African Americans remain over-represented throughout the criminal justice system (Gabbidon and Taylor Greene, 2005; Russell-Brown, 2004; Walker, Spohn and De Lone, 2007). Therefore, one wonders if Du Bois’s 100-year old ideas can inform crime policy today.

During the height of his research on crime in the African American community, Du Bois proposed several potential remedies, which he presented in the form of those responsibilities of African Americans and those responsibilities of whites. That is, he believed that with most social problems related to African Americans, there were actions that needed to be taken by both whites and African Americans to successfully remedy them. Tackling crime in the African American community was no different. Drawing on his previously discussed publications on crime, some of his suggested remedies for both groups are presented first, which is followed by a discussion of their relevancy for addressing crime in the African American community today.

Suggestions for African Americans:

Proper home training Du Bois’s investigations led him to conclude that, in too many instances, African Americans were not being appropriately taught at home the virtues of truth, chastity, and self-respect, all of which led to serious problems in the community, including crime.
Accept employment over crime  Another concern Du Bois expressed was that some African Americans viewed certain employment opportunities in low regard and chose crime over these ‘menial’ jobs.

Co-operative economics  Du Bois was also convinced that, through the pooling of African American resources, sufficient employment could be created to reduce economic-related offenses.

Recreational activities  On numerous occasions, Du Bois expressed the belief that recreation was an important crime prevention measure. In his view, it was less expensive to invest in recreation than to have the courts deal with delinquent youth after the fact.

Assorted crime prevention measures  Some of these included keeping young girls off the street at night; removing African Americans from crowded and ‘tainted’ neighborhoods, giving lectures on health and habits, and discussing the dangers of gambling, alcoholism and other illicit activities.

Thriftiness in spending  Du Bois observed that African Americans wasted enormous amounts of money on excesses (i.e., expensive clothes, furniture, etc.). He felt this money could be more wisely spent in efforts aimed at creating employment for the masses.

Better class responsibility  As a prelude to his concept of the ‘talented tenth,’ he clearly believed that the ‘better classes’ should have a hand in addressing crime in the African American community.

Temperament  While understandable to some extent, Du Bois readily recognized that African Americans needed to be more patient and calm with their fellow citizens.

Condemn both crime and criminals  Du Bois was not an apologist for crime in the African American community or for those African Americans engaged in crime. He felt that both severely inhibited the progress of African Americans.

The church  Du Bois felt the church should play a central role in the prevention and reform of criminals.

Juvenile institutions  Throughout his writings, Du Bois called for the special treatment of juveniles. The use of reformatories was important in that Du Bois felt that misdirected youth needed training and he did not want to see them get tainted in facilities housing adult offenders.

Good schools  Even though it was clear to Du Bois that whites played a role in the dismal school systems in some African American communities, he recognized that
it was primarily up to African Americans to create viable schools to uplift African Americans, thereby reducing the likelihood that they would turn to crime.

Suggestions for Whites:

End discrimination in employment Because whites composed the bulk of employers in most major communities, Du Bois felt that discrimination in employment directly led to discouragement among African Americans who, in some instances, turned to crime. Furthermore, Du Bois’s plea was for merit to dictate who was given an available job opening.

Work with better classes of African Americans Du Bois foresaw that if whites worked with the better class of African Americans to resolve problems, significant progress could be made through such a coalition.

Treat African Americans with dignity and respect This was, to Du Bois, the most basic of expectations from whites. To do otherwise would lead to race conflicts, ultimately leading to riots.

Creation of fair laws With the use of the Black Codes after emancipation to criminalize African Americans, Du Bois was well aware of the potential impact of unjust laws.

Fairness in the courts Du Bois’s research repeatedly confirmed that the courts created a ‘double system of justice’ in which African Americans received little to no justice.

Elimination of the convict-lease system Du Bois was clear in his belief regarding the evil created when states leased the labor of convicts to private persons. He not only felt it was the creation of another form of slavery, but he also felt that free labor should never be displaced by convict labor.

Elimination of chain gangs With his call for more intelligent methods of punishment, Du Bois repeatedly urged the elimination of dehumanizing chain gangs.

More African American police By hiring more African American police officers, Du Bois felt that police brutality and other abuses would be minimized.

More African Americans on juries With more African Americans on juries, Du Bois felt that there was an increased likelihood that African Americans would get fairer justice in the court system.

Elimination of lynching Du Bois recognized the importance of the elimination of this practice, which often resulted in the death of innocent African Americans.
A review of Du Bois’s potential remedies for addressing crime in the African American community suggest that they have stood the test of time and still remain applicable. Among African Americans today, one would find little argument that there are still issues concerning home training that need to be addressed. And there are recurring expressions of the need for cooperative economics (considering the billions of dollars spent a year by African Americans outside their community) to address some of the employment needs of African Americans, particularly in inner city communities where unemployment is the highest. Furthermore, the spending habits and materialism within the African American community remains a point of concern. This materialism has led some who are unwilling to work in those jobs that are perceived as below them to live ‘large’ through participation in various illicit activities.

On the role of crime prevention, criminologists continue to argue that monies spent on recreation and preventive programs in the long run will not only reduce crime but also be more cost effective. As for the role of active churches and good schools, Du Bois is again on the mark. Many churches continue to work with offenders in the areas of drug rehabilitation and skill development. But in some minds, there is still the belief that churches have not done enough. The question of school is one that permeates the juvenile justice literature. Bad schools create disinterested students who drop out and, having few choices, end up engaging in crime. The value of education has increased even more since Du Bois’s time. More people are college educated than ever before, and this requires appropriate primary and secondary schooling. Du Bois was also adamant about not protecting African American criminals. That is because he recognized the detrimental impact that crime had on the African American community, he felt it should never be excused.

With regard to the responsibility of whites, Du Bois’s views point to actions related to position of whites in society. Ending discrimination in employment, for example, represents something that clearly was in the hands of whites. In his view, if whites continued with blatant discrimination in employment, they also chose to accept the likelihood of African American criminality. Even though there are laws in place to challenge this concern today, the prevalence of employment discrimination is still alive and well (Sniffen, 2000). Du Bois’s call for whites to create fairer laws and fairer courts, to put more African Americans on juries, and to eliminate the convict-lease system again speaks to current concerns. Research has consistently shown that there is discrimination, of varying levels, throughout the criminal justice system. Furthermore, with the rise of the ‘prison-industrial complex’ (see Davis, 2003; Sudbury, 2005; Hallett, 2006), Du Bois’s concerns remain valid. Today, many would argue that the questionable laws come in the form of drug laws (i.e., crack cocaine vs. powder cocaine sentencing) the sole purpose of which, in the eyes of many, is to provide the bodies needed to keep said ‘prison-industrial complex’ going.

As for African Americans employed as criminal justice professionals, Du Bois would have been pleased with the appreciable number of African Americans now employed as criminal justice professionals (largely aided by programs such as
affirmative action), but he almost certainly could not have foreseen that, in some instances, the adherence to police culture would dictate the behavior of African American officers more so than race solidarity. As for the most controversial crime policy, the death penalty, Du Bois, much like many African Americans today (Arthur, 1998; Bobo and Johnson, 2004), was in favor of its use for murderers (see Du Bois, 1943c/1986). Even with his apprehensions regarding the American criminal justice system, Du Bois expressed the belief that justly convicted murderers should receive the ultimate punishment.

In sum, many of Du Bois’s remedies for addressing crime in the African American community remain relevant 100 years after he proposed them. Although much has changed in the African American community, little has changed in respect to the causes of crime; as a result, many of Du Bois’s ideas also remain valid.
This page intentionally left blank
Conclusion

Although it cannot be said that Du Bois founded American criminology, it can be said that he was among the early pioneers of the discipline. His research paved the way for sociological criminology. With this approach, Du Bois produced some of the first scientific literature on race and crime. Specifically, he recognized the impact that emancipation had on African Americans in regard to crime in both the South and the North. He also recognized the central role that race discrimination played in relation to crime in the African American community, particularly in law enforcement, the courts, and wherever the color line was rigorously drawn. These ideas were precursors to the currently recognized social disorganization and conflict paradigms. Furthermore, throughout his life he wrote about and agitated against the hate crime of lynching. Du Bois’s use of crime polls to gauge public opinion about crime and fairness in the criminal justice system represents another pioneering effort in criminology. Finally, as a testament to the thoroughness of his research and the foresight in his thinking, many of his potential remedies for crime in the African American community remain applicable even today.

Based largely on the recent scholarship highlighting Du Bois’s crime-related contributions, the discipline of criminology has begun the process of recognizing his pioneering contributions, in 1999, when the Western Society of Criminology created the W. E. B. Du Bois Award to be given to a criminologist from the West Coast who has made outstanding contributions to the study of race, crime, and ethnicity. In the same year, the National Institute of Justice, the research arm of the Department of Justice, initiated the W. E. B. Du Bois Fellowship Program for young scholars interested in conducting research related to crime, violence, and the administration of justice in diverse cultural contexts. One sees a certain irony in the creation of the latter award, considering the failed attempt by the same Department of Justice, in the early 1950s, to convict Du Bois, because of his controversial views, on baseless charges. And although their attempt may have failed, it effectively diminished his legacy in scholarly circles until the Black Studies movement of the late 1960s and early 1970s.

As one reviews Du Bois’s contributions, it seems appropriate to consider the magnitude of his influence on others during his life. This is a daunting task considering few white scholars would have openly acknowledged an intellectual debt to Du Bois. However, Du Bois’s efforts likely served as a springboard for both African-American and white scholars. For example, while Chapter 3 compared Du Bois’s research program to that of the University of Chicago, one cannot overlook the obvious similarities between Du Bois’s Atlanta School of the late 1800s to early
1900s and the Chicago School of the 1920s and 1930s. Du Bois’s influence on African American scholars, in general, has been well documented (see, for example Janowitz and Blackwell, 1974); however, when attempting to ascertain his influence on a specific portion of his writings the task is made exceedingly more difficult. Having said that, it is certainly not impossible to make some reasoned assertions on this topic as the author will attempt to do here.

Probably, one of the first African Americans Du Bois may have had an influence on was Monroe Work. Work was a contemporary of Du Bois and frequently wrote on crime (see Taylor Greene and Gabbidon, 2000; Gabbidon, Taylor Greene, and Young, 2002). In fact, Work was a contributor to the 1904 Atlanta University conference which centered on Negro crime. Work, however, like so many of the African American scholars following Du Bois was educated at the University of Chicago (Young and Taylor Greene, 1995, pp. 89–90).

Scholars such as E. Franklin Frazier (see Taylor Greene and Gabbidon, 2000; Gabbidon, Taylor Greene, and Young, 2002), who ironically dedicated his 1949 book, *The Negro in the United States*, to Du Bois and Park, two people who undoubtedly had a large influence on him, and Earl Moses (see Moses, 1933, 1936) employed the ecological approach in their writings (Young and Greene, 1995, pp. 93–95). However, Frazier reviewing the literature on Negro crime, and referring to Du Bois’s pioneering work, wrote ‘In [another] study, Du Bois analyzed the high criminal rate among Negroes in terms of the social disorganization following emancipation and the degradation of Negro Labor which resulted from an attempt on the part of the South to maintain the Negro in a servile position’ (Frazier, 1949, p. 639).

Here Frazier recognized that, Du Bois, prior to the development of the Chicago School, viewed crime among Negroes in terms of social disorganization. Another African American Du Bois may have influenced is Ira De A. Reid. A close colleague of Du Bois’s (see Du Bois, 1940, p. 791), Reid on several occasions dealt with the issue of the involvement of Negroes in the justice system (see Reid, 1925; 1931; 1932; 1957). He, like numerous other African American scholars, may have been responding to Du Bois’s persistent plea for African American scholars and others to get involved in the issue of crime in the African American community.

Oddly enough, Du Bois’s influence on African American scholars may have also come through the writings of the white scholars who were influenced by Du Bois. Based upon my researching into this question, the primary white criminologist that Du Bois likely had an influence on was Thorsten Sellin. However, there is some evidence to suggest that he may have had some influence on Edwin Sutherland as well. Du Bois’s influence upon Thorsten Sellin is first evidenced by his reference to Du Bois (and others) in his 1928 classic publication, ‘The Negro Criminal’ (see Sellin, 1928, p. 52). This publication, as suggested before, was noticeably similar to earlier writings by Du Bois on Negro crime. This would certainly explain why Du Bois himself found Sellin’s work so ‘illuminating.’ Simms and Myers (1988) speaking about the minimization of the works of several early African-American scholars, noted, ‘[u]nfortunately, few modern economic or criminological writers, even those like Thorsten Sellin (an admirer of Du Bois) have given more than a
passing recognition to the pioneering contributions of these Black scholars’ (p. 7). Obviously race played some role in Du Bois’s exclusion from mainstream recognition (not to mention the lack of consideration for an appointment at a major university), but the fact that he moved in and out of academe may have also contributed to his lack of recognition. Furthermore, his radical views may have also played a role.

Nevertheless, by influencing Sellin, Du Bois, as suggested before, may have influenced later scholarship by African Americans. For example, prior to Sellin’s 1928 publication on the Negro criminal, both white and African American writers looked to Du Bois as an authority on crime in the African American community. For instance, Sutherland (1924, pp. 102–106), writing about Negro crime, utilized Du Bois’s *The Philadelphia Negro* (1899) to make his point about Negroes and crime. Notably, in the first edition of Sutherland’s ‘classic’ text *Criminology* (1924), he did not cite Sellin at all. However, in his last edition of this book (see Sutherland, 1947), published shortly before his death in 1950, he, like many others, turned to Sellin – not Du Bois – as an authority on crime in the African American community (see Sutherland, 1947, pp. 122, 130). A noticeable exception to this trend was the Swedish scholar Gunnar Myrdal who wrote the classic publication, *An American Dilemma: The Negro Problem and Modern Democracy* (1944). He personally consulted with Du Bois and also heavily cited his crime-related publication (see Myrdal, 1944, pp. 524–569). Yet he also felt a need to reference Sellin’s work (see Myrdal, 1944, pp. 1432–1433).

Certainly the aforementioned comments are at best speculative; however, they certainly could lead one to surmise two things: first, that Du Bois had some influence, admittedly of varying magnitude, on both white and African American scholars during and proceeding his life. And more importantly, his activities provided those who came after him with both a proven model of social scientific research and an impressive body of race and crime literature to build upon, as many later scholars in fact did.
This page intentionally left blank
Bibliography


Bibliography


Appendix 1

The Study of the Negro Problems (1898)\textsuperscript{1}

The present period in the development of sociological study is a trying one; it is the period of observation, research and comparison – work always wearisome, often aimless, without well-settled principles and guiding lines, and subject ever to the pertinent criticism: What, after all, has been accomplished? To this the one positive answer which years of research and speculation have been able to return is that the phenomena of society are worth the most careful and systematic study, and whether or not this study may eventually lead to a systematic body of knowledge deserving the name of science, it cannot in any case fail to give the world a mass of truth worth the knowing.

Being then in a period of observation and comparison, we must confess to ourselves that the sociologists of few nations have so good an opportunity for observing the growth and evolution of society as those of the United States. The rapid rise of a young country, the vast social changes, the wonderful economic development, the bold political experiments, and the contact of varying moral standards – all these make for American students crucial tests of social action, microcosmic reproductions of long centuries of world history, and rapid – even violent – repetitions of great social problems. Here is a field for the sociologists – a field rich, but little worked, and full of great possibilities. European scholars envy our opportunities and it must be said to our credit that great interest in the observation of social phenomena has been aroused in the last decade – an interest of which much is ephemeral and superficial, but which opens the way for broad scholarship and scientific effort.

In one field however, – and a field perhaps larger than any other single domain of social phenomena, there does not seem to have been awakened as yet a fitting realization of the opportunities for scientific inquiry. This is the group of social phenomena arising from the presence in this land of eight million persons of African descent.

It is my purpose in this paper to discuss certain considerations concerning the study of the social problems affecting American Negroes; first, as to the historical development of these problems; then as to the necessity for their careful systematic study at the present time; thirdly, as to the result of scientific study of the Negro up to

this time; fourthly, as to the scope and method which future scientific inquiry should take, and lastly, regarding the agencies by which this work can best be carried out.

1. Development of the Negro Problems

A social problem is the failure of an organized social group to realize its group ideals, through the inability to adapt a certain desired line of action to given conditions of life. If, for instance, a government founded on universal manhood suffrage has a portion of its population so ignorant as to be unable to vote intelligently, such ignorance becomes a menacing social problem. The impossibility of economic and social development in a community where a large per cent of the population refuse to abide by the social rules of order, makes a problem of crime and lawlessness. Prostitution becomes a social problem when the demands of luxurious home life conflict with marriage customs.

Thus a social problem is ever a relation between conditions and action, and as conditions and actions vary and change from group to group from time to time and from place to place, so social problems change, develop and grow. Consequently, though we ordinarily speak of the Negro problem as though it were one unchanged question, students must recognize the obvious facts that this problem, like others, has had a long historical development, has changed with the growth and evolution of the nation; moreover, that it is not one problem, but rather a plexus of social problems, some new, some old, some simple, some complex; and these problems have their one bond of unity in the act that they group themselves about those Africans whom two centuries of slave-trading brought into the land.

In the latter part of the seventeenth and early in the eighteenth centuries, the central and all-absorbing economic need of America was the creation of a proper labor supply to develop American wealth. This question had been answered in the West Indies by enslaving Indians and Negroes. In the colonies of the mainland it was answered by the importation of Negroes and indentured servants. Immediately then there arose the question of the legal status of these slaves and servants; and dozens of enactments, from Massachusetts to Georgia, were made ‘for the proper regulation of slaves and servants.’ Such statutes sought to solve problems of labor and not of race or color. Two circumstances, however, soon began to differentiate in the problem of labor, problems which concerned slaves for life from those which concerned servants for limited periods; and these circumstances were the economic superiority of the slave system, and the fact that the slaves were neither of the same race, language nor religion as the servants and their masters. In laboring classes thus widely separated there naturally arose a difference in legal and social standing. Colonial statutes soon ceased to embrace the regulations applying to slaves and servants in one chapter, and laws were passed for servants on the one hand and for Negro slaves on the other.

As slave labor, under the peculiar conditions of colonial life, increased in value and efficiency, the importations of Africans increased, while those of indentured servants decreased; this gave rise to new social problems, namely, those of protecting
a feeble civilization against an influx of barbarism and heathenism. Between 1750 and 1800 an increasing number of laws began to form a peculiar and systematic slave code based on a distinct idea of social caste. Even as this slave code was developing, new social conditions changed the aspect of the problems. The laws hitherto had been made to fit a class distinguished by its condition more than by its race or color. There arose now, however, a class of English-speaking Negroes born on American soil, and members of Christian churches; there sprang from illicit intercourse and considerable intermarriage with indentured servants, a number of persons of mixed blood; there was also created by emancipation and the birth of black sons of white women a new class of free Negroes: all these developments led to a distinct beginning of group life among Negroes. Repeated attempts at organized insurrection were made; wholesale running away, like that which established the exiles in Florida, was resorted to; and a class of black landholders and voters arose. Such social movements brought the colonists face to face with new and serious problems; which they sought at first to settle in curious ways, denying the rite of baptism, establishing the legal presumption that all Negroes and mulattoes were slaves, and finally changing the Slave Code into a Black Code, replacing a caste of condition by a caste of race, harshly stopping legal sexual intercourse, and seeking to prevent further complications by restricting and even suppressing the slave-trade.

This concerted and determined action again changed the character of the Negro problems, but they did not cease to be grave. The inability of the Negro to escape from a servile caste into political freedom turned the problems of the group into problems of family life. On the separated plantations and in households the Negro became a constituent member of the family, speaking its language, worshiping in its churches, sharing its tradition, bearing its name, and sometimes sharing its blood; the talented slaves found large freedom in the intimate intercourse with the family which they enjoyed; they lost many traditions of their fatherland, and their ideals blended with the ideals of their new country. Some men began to see in this development a physical, economic and moral danger to the land, and they busied themselves with questions as to how they might provide for the development of white and black without demoralizing the one or amalgamating with the other. The solution of these difficulties was sought in a widespread attempt to eliminate the Negro from the family as he had formerly been eliminated from the state, by a process of emancipation that made him and his sons not even half-free, with the indefinite notion of colonizing the anomalous serfs thus created. This policy was carried out until one-half the land the one-sixth of the Negroes were quasi-freemen (sic).

Just as the nation was on the point of realizing the futility of colonization, one of those strange incalculable world movements began to be felt throughout civilized states – a movement so vast that we call it the economic revolution of the nineteenth century. A world demand for crops peculiarly suited to the South, substituted in Europe the factory system for the house industry, and in America the large plantation slave system for the family patriarchy; slavery became an industrial system and not a training school for serfdom; the Black Codes underwent a sudden transformation which hardened the lot of the slave, facilitated the slave trade, hindered further
emancipation and rendered the condition of the free Negro unbearable. The question
of race and color in America assumed a new and peculiar importance which it thus
lay at the basis of some of the world’s greatest industries.

The change in industrial conditions, however, not only affected the demands of a
world market, but so increased the efficiency of labor, that a labor system, which in
1750 was eminently successful, soon became under the altered conditions of 1850
not only an economic monstrosity, but a political menace, and so rapidly did the crisis
develop that the whole evolution of the nation came to a standstill, and the settlement
of our social problems had to be left to the clumsy method of brute force.

So far as the Negro race is concerned, the Civil War simply left us face to face
with the same sort of problems of social condition and caste which were beginning
to face the nation a century ago. It is these problems that we are to-day somewhat
helplessly – not to say carelessly – facing, forgetful that they are living, growing
social questions whose progeny will survive to curse the nation, unless we grapple
with them manfully and intelligently.

2. The Present Negro Problems

Such are some of the changes of condition and social movement which have, since
1619, altered and broadened the social problems grouped about the American Negro.
In this development of successive questions about one centre, there is nothing
peculiar to American history. Given any fixed condition or fact – a river Nile, a
range of Alps, an alien race, or a national idea – and problems of society will at every
stage of advance group themselves about it. All social growth means a succession
of social problems – they constitute growth, they denote that laborious and often
baffling adjustment of action and condition which is the essence of progress, and
while a particular fact or circumstance may serve in one country as a rallying point
of many intricate questions of adjustment, the absence of that particular fact would
not mean the absence of all social problems. Questions of labor, caste, ignorance
and race were bound to arise in America; they were simply complicated here and
intensified there by the presence of the Negro.

Turning now from this brief summary of the varied phases of these questions,
let us inquire somewhat more carefully into the form under which the Negro
problems present themselves to-day after 275 years of evolution. Their existence is
plainly manifested by the fact that a definitely segregated mass of eight millions of
Americans do not wholly share the national life of the people; are not an integral part
of the social body. The points at which they fail to be incorporated into this group life
constitute the particular Negro problems, which can be divided into two distinct but
correlated parts, depending on two facts.

First – Negroes do not share the full national life because as a mass they have not
reached a sufficiently high grade of culture.

Secondly – They do not share the full national life because there has always
existed in America a conviction – varying in intensity, but always widespread – that
people of Negro blood should not be admitted into the group life of the nation no matter what their condition might be.

Considering the problems arising from the backward development of Negroes, we may say that the mass of this race does not reach the social standards of the nation with respect to

(a) Economic condition.
(b) Mental training.
(c) Social efficiency.

Even if special legislation and organized relief intervene, freedmen always start life under an economic disadvantage which generations, perhaps centuries, cannot overcome. Again, of all the important constituent parts of our nation, the Negro is by far the most ignorant; nearly half of the race are absolutely illiterate, only a minority of the other half have thorough common school training, and but a remnant are liberally educated. The great deficiency of the Negro, however, is his small knowledge of the art of organized social life – that last expression of human culture. His development in group life was abruptly broken off by the slave ship, directed into abnormal channels and dwarfed by the Black Codes, and suddenly wrenched anew by the Emancipation Proclamation. He finds himself, therefore, peculiarly weak in that nice adaptation of individual life to the life of the group which is the essence of civilization. This is shown in the grosser forms of sexual immorality, disease and crime, and also in the difficulty of race organization for common ends in economic or in intellectual lines.

For these reasons the Negro would fall behind any average modern nation, and he is unusually handicapped in the midst of a nation which excels in its extraordinary economic development, its average of popular intelligence and in the boldness of its experiments in organized social life.

These problems of poverty, ignorance and social degradation differ from similar problems the world over in one important particular, and that is the fact that they are complicated by a peculiar environment. This constitutes the second class of Negro problems, and they rest, as has been said, on the widespread conviction among Americans that no persons of Negro descent should become constituent members of the social body. This feeling gives rise to economic problems, to educational problems, and nice questions of social morality; it makes it more difficult for black men to earn a living or spend their earnings as they will; it gives them poorer school facilities and restricted contact with cultured classes; and it becomes, throughout the land, a cause and excuse for discontent, lawlessness, laziness and injustice.

3. The Necessity of Carefully Studying These Problems

Such, barely stated, are the elements of the present Negro problems. It is to little purpose however to name the elements of a problem unless we can also say accurately
to what extent each element enters into the final result: whether, for instance, the present difficulties arise more largely from ignorance than from prejudice, or *vice versa*. This we do not know, and here it is that every intelligent discussion of the American Negro comes to a standstill. Nearly a hundred years ago Thomas Jefferson complained that the nation had never studied the real condition of the slaves and that, therefore, all general conclusions about them were extremely hazardous. We of another age can scarcely say that we have made material progress in this study. Yet these problems, so vast and intricate, demanding trained research and expert analysis, touching questions that affect the very foundation of the republic and of human progress, increasing and multiplying year by year, would seem to urge the nation with increasing force to measure and trace and understand thoroughly the underlying elements of this example of human evolution.

Now first we should study the Negro problems in order to distinguish between the different and distinct problems affecting this race. Nothing makes intelligent discussion of the Negro’s position so fruitless as the repeated failure to discriminate between the different questions that concern him. If a Negro discusses the question, he is apt to discuss simply the problem of race prejudice; if a Southern white man writes on the subject he is apt to discuss problems of ignorance, crime and social degradation; and yet each calls the problem he discusses *the* Negro problem, leaving in the dark background the really crucial question as to the relative importance of the many problems involved. Before we can begin to study the Negro intelligently, we must realize definitely that not only is he affected by all the varying social forces that act on any nation at his stage of advancement, but that in addition to these there is reacting upon him the mighty power of a peculiar and unusual social environment which affects to some extent every other social force.

In the second place we should seek to know and measure carefully all the forces and conditions that go to make up these different problems, to trace the historical development of these conditions, and discover as far as possible the probable trend of further development. Without doubt this would be difficult work, and it can with much truth be objected that we cannot ascertain, by the methods of sociological research known to us, all such facts thoroughly and accurately. To this objection it is only necessary to answer that however difficult it may be to know all about the Negro, it is certain that we can know vastly more than we do, and that we can have our knowledge in more systematic and intelligible form. As things are, our opinions upon the Negro are more matters of faith than of knowledge. Every schoolboy is ready to discuss the matter, and there are few men that have not settled convictions. Such a situation is dangerous. Whenever any nation allows impulse, whim or hasty conjecture to usurp the place of conscious, normative, intelligent action, it is in grave danger. The sole aim of any society is to settle its problems in accordance with its highest ideals, and the only rational method of accomplishing this is to study those problems in the light of the best scientific research.

Finally, the American Negro deserves study for the great end of advancing the cause of science in general. No such opportunity to watch and measure the history and development of a great race of men every presented itself to the scholars of a
modern nation. If they miss this opportunity — if they do the work in a slip-shod, unsystematic manner — if they dally with the truth to humor the whims of the day, they do far more than hurt the good name of the American people; they hurt the cause of scientific truth the world over, they voluntarily decrease human knowledge of a universe of which we are ignorant enough, and they degrade the high end of truth-seeking in a day when they need more and more to dwell upon its sanctity.

4. The Work Already Accomplished

It may be said that it is not altogether correct to assert that few attempts have been made to study these problems or to put the nation in possession of a body of truth in accordance with which it might act intelligently. It is far from my purpose to disparage in any way the work already done by students of these questions; much valuable effort has without doubt been put upon the field, and yet a careful survey of the field seems but to emphasize the fact that the work done bears but small proportion to the work still to be done.

Moreover the studies made hitherto can as a whole be justly criticized in three particulars: (1) They have not been based on a thorough knowledge of details; (2) they have been unsystematical; (3) they have been uncritical.

In few subjects have historians been more content to go on indefinitely repeating current traditions and uninvestigated facts. We are still gravely told that the slave trade ceased in 1808, that the docility of Africans made slave insurrections almost unknown, and that the Negro never developed in this country a self-conscious group life before 1860. In the hasty endeavor to cover a broad subject when the details were unknown, much superficial work has been current, like that, for instance, of a newspaper reported who spent ‘the odd intervals of leisure in active newspaper work’ for ‘nearly eighteen months,’ in the District of Columbia, and forthwith published a study of 80,000 Negroes, with observations on their institutions and development.

Again, the work done has been lamentably unsystematic and fragmentary. Scientific work must be subdivided, but conclusions which affect the whole subject must be based on a study of the whole. One cannot study the Negro in freedom and come to general conclusions about his destiny without knowing his history in slavery. A vast set of problems having a common centre must, too, be studied according to some general plan, if the work of different students is to be compared or to go toward building a unified body of knowledge. A plan once begun must be carried out, and not like that of our erratic census reports, after allowing us to follow the size of farms in the South for three decades, suddenly leave us wondering as to the relation of farms and farm families. Students of black codes should not stop suddenly with 1863, and travelers and observers whose testimony would be of great value if arranged with some system and reasonably limited in time and space, must not ramble on without definite plan or purpose and render their whole work of doubtful value.

Most unfortunate of all, however, is the fact that so much of the work done on the Negro question is notoriously uncritical; uncritical from lack of discrimination in the
selection and weighing of evidence; uncritical in choosing the proper point of view from which to study these problems, and finally, uncritical from the distinct bias in the minds of so many writers. To illustrate, the layman who does not pretend to first hand knowledge of the subject and who would learn of students is to-day woefully puzzled by absolutely contradictory evidence. One student declares that Negroes are advancing in knowledge and ability; that they are working, establishing homes, and going into business, and that the problem will soon be one of the past. Another student of equal learning declares that the Negro is degenerating – sinking into crime and social immorality, receiving little help from education, still in the main a menial servant, and destined in a short time to settle the problem by dying entirely out. Such and many other contradictory conclusions arise from the uncritical use of material. A visitor to a great Negro school in the South catches the inspiration of youth, studies the work of graduates, and imbibes the hopes of teachers and immediately infers from the situation of a few hundred the general condition of a population numbering twice that of Holland. A college graduate sees the slums of a Southern city, looks at the plantation field hands, and has some experience with Negro servants, and from the laziness, crime and disease which he finds, draws conclusions as to eight millions of people, stretched from Maine to Texas and from Florida to Washington. We continually judge the whole from the part we are familiar with; we continually assume the material we have at hand to be typical; we reverently receive a column of figures without asking who collected them, how they were arranged, how far they are valid and what chances of error they contain; we receive the testimony of men without asking whether they were trained or ignorant, careful or careless, truthful or given to exaggeration, and, above all, whether they are giving facts or opinions. It is so easy for a man who has already formed his conclusions to receive any and all testimony in their favor without carefully weighing and testing it, that we sometimes find in serious scientific studies very curious proof of broad conclusions. To cite an extreme case, in a recently published study of the Negro, a part of the argument as to the physical condition of all these millions, is made to rest on the measurement of fifteen black boys in a New York reformatory.

The widespread habit of studying the Negro from one point of view only, that of his influence on the white inhabitants, is also responsible for much uncritical work. The slaves are generally treated as one inert changeless mass, and most studies of slavery apparently have no conception of a social evolution and development among them. The slave code of a state is given, the progress of anti-slavery sentiment, the economic results of the system and the general influence of man on master are studied, but of the slave himself, of his group life and social institutions, of remaining traces of his African tribal life, of his amusements, his conversion to Christianity, his acquiring of the English tongue – in fine, of his whole reaction against his environment, of all this we hear little or nothing, and would apparently be expected to believe that the Negro arose from the dead in 1863. Yet all the testimony of law and custom, of tradition and present social condition, shows us that the Negro at the time of emancipation had passed through a social evolution which far separated him from his savage ancestors.
The most baneful cause of uncritical study of the Negro is the manifest and far-reaching bias of writers. Americans are born in many cases with deep, fierce convictions on the Negro questions, and in other cases imbibe them from their environment. When such men come to write on the subject, without technical training, without breadth of view, and in some cases without a deep sense of the sanctity of scientific truth, their testimony, however interesting as opinion, must of necessity be worthless as science. Thus too often the testimony of Negroes and their friends has to be thrown out of court on account of the manifest prejudice of the writers; on the other hand, the testimony of many other writers in the North and especially in the South has to be received with reserve on account of too evident bias.

Such facts make the path of students and foreign observers peculiarly thorny. The foreigner’s views, if he be not exceptionally astute, will depend largely on his letters of introduction; the home student’s views, on his birthplace and parentage. All students are apt to fail to recognize the magnitude and importance of these problems, and to succumb to the vulgar temptation of basing on any little contribution they make to the study of these problems, general conclusions as to the origin and destiny of the Negro people in time and eternity. Thus we possess endless final judgments as to the American Negro emanating from men of influence and learning, in the very face of the fact known to every accurate student, that there exists to-day no sufficient material of proven reliability, upon which any scientist can base definite and final conclusions as to the present condition and tendencies of the eight million American Negroes; and that any person or publication purporting to give such conclusions simply makes statements which go beyond the reasonably proven evidence.

5. A Program of Future Study

If we admit the deep importance of the Negro problems, the necessity of studying them, and certain shortcomings in work done up to this time, it would seem to be the clear duty of the American people, in the interests of scientific knowledge and social reform, to begin a broad and systematic study of the history and condition of the American Negroes. The scope and method of this study, however, needs to be generally agreed upon beforehand in its main outlines, not to hinder the freedom of individual students, but to systematize and unify effort so as to cover the wide field of investigation.

The scope of any social study is first of all limited by the general attitude of public opinion toward truth and truth-seeking. If in regard to any social problem there is for any reason a persistent refusal on the part of the people to allow the truth to be known, then manifestly that problem cannot be studied. Undoubtedly much of the unsatisfactory work already done with regard to the Negro is due to this cause; the intense feeling that preceded and followed the war made a calm balanced research next to impossible. Even to-day there are certain phases of this question which we cannot hope to be allowed to study dispassionately and thoroughly, and these phases, too, are naturally those uppermost in the public mind. For instance, it
is extremely doubtful if any satisfactory study of Negro crime and lynching can be made for a generation or more, in the present condition of the public mind, which renders it almost impossible to get at the facts and real conditions. On the other hand, public opinion has in the last decade become sufficiently liberal to open a broad field of investigation to students, and here lies the chance for effective work.

The right to enter this field undisturbed and untrammeled will depend largely on the attitude of science itself. Students must be careful to insist that science as such – be it physics, chemistry, psychology, or sociology – has but one simple aim: the discovery of truth. Its results lie open for the use of all men – merchants, physicians, men of letters, and philanthropists, but the aim of science itself is simple truth. Any attempt to give it a double aim, to make social reform the immediate instead of the mediate object of a search for truth, will inevitably tend to defeat both objects. The frequent alliance of sociological research with various panaceas and particular schemes of reform, has resulted in closely connecting social investigation with a good deal of groundless assumption and humbug in the popular mind. There will be at first some difficulty in bringing the South people, both black and white, to conceive of an earnest, careful study of the Negro problem which has not back of it some scheme of race amalgamation, political jobbery, or deportation to Africa. The new study of the American Negro must avoid such misapprehensions from the outset, but insisting that historical and statistical research has but one object, the ascertainment of the facts as to the social forces and conditions of one-eighth of the inhabitants of the land. Only by such rigid adherence to the true object of the scholar, can statesmen and philanthropists of all shades of belief be put into possession of a reliable body of truth which may guide their efforts to the best and largest success.

In the next place, a study of the Negro, like the study of any subject, must start out with certain generally admitted postulates. We must admit, for instance, that the field of study is large and varying, and that what is true of the Negro in Massachusetts is not necessarily true of the Negro in Louisiana; that what was true of the Negro in 1850 was not necessarily true in 1750; and that there are many distinct social problems affecting the Negro. Finally, if we would rally to this common ground of scientific inquiry all partisans and advocates, we must explicitly admit what all implicitly postulate – namely, that the Negro is a member of the human race, and as one who, in the light of history and experience, is capable to a degree of improvement and culture, is entitled to have his interests considered according to his numbers in all conclusions as to the common weal.

With these preliminary considerations we may say that the study of the Negro falls naturally into two categories, which though difficult to separate in practice, must for the sake of logical clearness, be kept distinct. They are (a) the study of the Negro as a social group, (b) the study of his peculiar social environment.

The study of the Negro as a social group may be, for convenience, divided into four not exactly logical but seemingly most practicable divisions, viz:
1. Historical study,
2. Statistical investigation,
3. Anthropological measurement,

The material at hand for historical research is rich and abundant; there are the colonial statutes and records, the partially accessible archives of Great Britain, France and Spain, the collections of historical societies, the vast number of executive and congressional reports and documents, the state statutes, reports and publications, the reports of institutions and societies, the personal narratives and opinions of various observers and the periodical press covering nearly three centuries. From these sources can be gathered much new information upon the economic and social development of the Negro, upon the rise and decline of the slave-trade, the character, distribution and state of culture of the Africans, the evolution of the slave codes as expressing the life of the South, the rise of such peculiar expressions of Negro social history, as the Negro church, the economics of plantation life, the possession of private property by slaves, and the history of the oft-forgotten class of free Negroes. Such historical research must be subdivided in space and limited in time by the nature of the subject, the history of the different colonies and groups being followed and compared, the different periods of development receiving special study, and the whole subject being reviewed from different aspects.

The collection of statistics should be carried on with increased care and thoroughness. It is no credit to a great modern nation that so much well-grounded doubt can be thrown on our present knowledge of the simple matters of number, age, sex and conjugal condition in regard to our Negro population. General statistical investigations should avoid seeking to tabulate more intricate social conditions than the ones indicated. The concrete social status of the Negro can only be ascertained by intensive studies carried on in definitely limited localities, by competent investigators, in accordance with one general plan. Statistical study by groups is apt to be more accurately done and more easily accomplished, and able to secure more competent and responsible agents than any general census. General averages in so complicated a subject are apt to be dangerously misleading. This study should seek to ascertain by the most approved methods of social measurement the size and condition of families, the occupations and wages, the illiteracy of adults and education of children, the standard of living, the character of the dwellings, the property owned and rents paid, and the character of the organized group life. Such investigations should be extended until they cover the typical group life of Negroes in all sections of the land and should be so repeated from time to time in the same localities and with the same methods, as to be a measure of social development.

The third division of study is anthropological measurement, and it includes a scientific study of the Negro body. The most obvious peculiarity of the Negro – a peculiarity which is a large element in many of the problems affecting him – is his physical unlikeness to the people with whom he has been brought into contact. This difference is so striking that it has become the basis of a mass of theory, assumption
and suggestion which is deep-rooted and yet rests on the flimsiest basis of scientific fact. That there are differences between the white and black races is certain, but just what those differences are is known to none with an approach to accuracy. Yet here in America is the most remarkable opportunity ever offered of studying these differences, of noting influences of climate and physical environment, and particularly of studying the effect of amalgamating two of the most diverse races in the world – another subject which rests under a cloud of ignorance.

The fourth division of this investigation is sociological interpretation; it should include the arrangement and interpretation of historical and statistical matter in the light of the experience of other nations and other ages; it should aim to study those finer manifestations of social life which history can but mention and which statistics cannot count, such as the expression of Negro life as found in their hundred newspapers, their considerable literature, their music and folklore and their germ of esthetic life – in fine, in all the movements and customs among them that manifest the existence of a distinct social mind.

The second category of studies of the Negro has to do with his peculiar social environment. It will be difficult, as has been intimated, to separate a study of the group from a study of the environment, and yet the group action and the reaction of the surroundings must be kept clearly distinct if we expect to comprehend the Negro problems. The study of the environment may be carried on at the same time with a study of the group, only the two sets of forces must receive distinct measurement.

In such a field of inquiry it will be found difficult to do more than subdivide inquiry in time and space. The attempt should be made to isolate and study the tangible phenomena of Negro prejudice in all possible cases; its effect on the Negro’s physical development, on his mental acquisitiveness, on his moral and social condition, as manifested in economic life, in legal sanctions and in crime and lawlessness. So, too, the influence of that same prejudice on American life and character would explain the otherwise inexplicable changes through which Negro prejudice has passed.

The plan of study thus sketched is, without doubt, long, difficult and costly, and yet is not more than commensurable with the size and importance of the subject with which it is to deal. It will take years and decades to carry out such a plan, with the barest measure of success, and yet there can be no doubt but that this plan or something similar to it, points to the quickest path toward the ultimate solution of the present difficulties.

6. The Proper Agents for This Work

In conclusion it will not be out of place to suggest the agencies which seem best fitted to carry out a work of this magnitude. There will, without doubt, always be room for the individual working alone as he wills; if, however, we wish to cover the field systematically, and in reasonable time, only organized and concerted efforts will
avail; and the requisite means, skill and preparation for such work can be furnished by two agencies alone: the government and the university.

For simple, definite inquiries carried out periodically on a broad scale we should depend on the national and state governments. The decennial census properly organized under civil service rules should be the greatest single agency for collecting general information as to the Negro. If, however, the present Congress cannot be induced to organize a census bureau under proper Civil Service rules, and in accordance with the best expert advice, we must continue for many years more to depend on clumsy and ignorant methods of measurement in matters demanding accuracy and trained technique. It is possible also for the different national bureaus and for the state governments to study certain aspects of the Negro question over wide areas. A conspicuous example of this is the valuable educational statistics collected by Commissioner Harris, and the series of economic studies just instituted by the Bureau of Labor.

On the whole it may be laid down as axiomatic that government activity in the study of this problem should confine itself mainly to the ascertainment of simple facts covering a broad field. For the study of these social problems in their more complicated aspects, where the desideratum is intensive study, by trained minds, according to the best methods, the only competent agency in the university. Indeed, in no better way could the American university repay the unusual munificence of its benefactors than by placing before the nation a body of scientific truth in the light of which they could solve some of their most vexing social problems.

It is to the credit of the University of Pennsylvania that she has been the first to recognize her duty in this respect, and in so far as restricted means and opportunity allowed, has attempted to study the Negro problems in a single definite locality. This work needs to be extended to other groups, and carried out with larger system; and here it would seem is the opportunity of the Southern Negro college. We hear much of higher Negro education, and yet all candid people know there does not exist today in the centre of Negro population a single first-class fully equipped institution devoted to the higher education of Negroes; not more than three Negro institutions in the South deserve the name of college at all; and yet what is a Negro college but a vast college settlement for the study of a particular set of peculiarly baffling problems? What more effective or suitable agency could be found in which to focus the scientific efforts of the great universities of the North and East, than an institution situated in the very heart of these social problems, and made the centre of careful historical and statistical research? Without doubt the first effective step toward the solving of the Negro question will be the endowment of a Negro college which is not merely a teaching body, but a centre of sociological research, in close connection and co-operation with Harvard, Columbia, Johns Hopkins and the University of Pennsylvania.

In this direction the Negro conferences of Tuskegee and Hampton are tending; and there is already inaugurated an actual beginning of work at Atlanta University. In 1896 this university brought into correspondence about one hundred Southern college-bred men and laid before them a plan of systematic investigation into
certain problems of Negro city life, as, for instance, family conditions, dwellings, rents, ownership of homes, occupations, earnings, disease and death-rates. Each investigator took one or more small groups to study, and in this way fifty-nine groups, aggregating 5000 people in various parts of the country, were studied, and the results have been published by the United States Bureau of Labor. Such purely scientific work, done with an eye single to ascertaining true conditions, marks an era in our conception of the place of Negro college, and it is certainly to be desired that Atlanta University may be enabled to continue this work as she proposed to do.

Finally the necessity must again be emphasized of keeping clearly before students the object of all science, amid the turmoil and intense feeling that clouds the discussion of a burning social question. We live in a day when in spite of the brilliant accomplishments of a remarkable century, there is current much flippant criticism of scientific work; when the truth-seeker is too often pictured as devoid of human sympathy, and careless of human ideals. We are still prone in spite of all our culture to sneer at the heroism of the laboratory while we cheer the swagger of the street broil. At such a time true lovers of humanity can only hold higher the pure ideals of science, and continue to insist that if we would solve a problem we must study it, and that there is but one coward on earth, and that is the coward that dare not know.

Note

A bibliography of the American Negro is a much needed undertaking. The existing literature may be summarized briefly as follows: In the line of historical research there are such general studies of the Negro as Williams’ ‘History of the Negro Race in America.’ Wilson’s, Goodell’s, Blake’s, Copley’s, Greeley’s and Cobb’s studies of slavery, and the treatment of the subject in the general histories of Bancroft, Von Holst and others. We have, too brief special histories of the institution of slavery in Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, The District of Columbia, Maryland and North Carolina. The slave trade has been studied by Clarkson, Buxton, Benezet, Carey and others; Miss McDougall has written a monograph on fugitive slaves; the Slave Codes have been digested by Hurd, Stroud, Wheeler, Goodell and Cobb; the economic aspects of the slave system were brilliantly outlined by Cairues, and a great amount of material is available, showing the development of anti-slavery opinion. Of statistical and sociological material the United States Government has collected much in its census and bureau reports; and congressional investigations, and state governments and societies have added something to this. Moreover, we have the statistical studies of DeBow, Helper, Gannett and Hoffman, the observations of Olmsted and Kemble, and the studies and interpretations by Chambers, Otken, Bruce, Cable, Fortune, Brackett, Ingle and Tourgee; foreign students from De Tocqueville and Martineau to Halle and Bryce, have studied the subject; something has been done in collecting folklore and music, and in studying dialect, and some anthropological material has been collected. Beside this, there is a mass of periodical literature, of all degrees of value, teeming with opinions, observations, personal experiences and discussions.
Appendix 2

Maps from *The Philadelphia Negro* (1899)$^1$

---

$^1$ Reprinted by permission of the University of Pennsylvania Press.
Grade 4: Vicious and Criminal Classes.

Grade 3: The Poor.

Grade 2: The Working People — Fair to Comfortable.
Grade 1: The "Middle Classes" and those above.

Residences of Whites, Stores, Public Buildings, etc.
Grade 4: Vicious and Criminal Classes.
Grade 3: The Poor.
Grade 2: The Working People—Fair to Comfortable.
Grade 1: The "Middle Classes" and those above.

Residences of Whites, Stores, Public Buildings, etc.
This page intentionally left blank
Appendix 3

The Negro and Crime (1899)\(^1\)

The development of a Negro criminal class after emancipation was to be expected. It is impossible for such a social revolution to take place without giving rise to a class of men, who in the new stress of life, under new responsibilities, would lack the will and power to make a way, and would consequently sink into vagrancy, poverty and crime. Indeed it is astounding that a body of people whose family life had been so nearly destroyed, whose women had been forced into concubinage, whose labor had been enslaved and then set adrift penniless, that such a nation should in a single generation be able to point to so many pure homes, so many property-holders, so many striving law abiding citizens. ‘The vast majority of the colored people,’ says The Atlanta Constitution, ‘would no more commit heinous crime than would the corresponding white class,’ and the Rev. Dr. Hoss declares in the Nashville Christian Advocate, of which he is editor:

The negroes on the whole have done astonishingly well. Their record since the war has been almost as honorable as the one they made while the conflict was raging. To hold the entire race responsible for the outrages committed by a few thousands, or a few score thousands of its members, is not just or right.

In the town of Palmetto, where the recent disturbance began, it was only last December that a Methodist conference declared:

We observe with gratitude the sympathetic and cordial relations between the white and colored people of this village and community, and the mutual cooperation between them in Christian work and civil life.

If one thing is certain then it is that the Negro criminal in no Southern community represents the mass of the race, or can rightly be mistaken for it. Even in the matter of sexual crime the most prominent paper in the South declared editorially that ‘ninety-five per cent’ of the Negro men ‘are as respectful toward white women as any people on earth.’ And whenever the terrible crime of rape has been beyond reasonable doubt proven upon a Negro he has been found to be among the most ignorant and degraded of his people. The sexual looseness among the Negroes themselves, which the nation that taught them now taunts them with, is slowly but surely disappearing. The rate of illegitimacy among them is probably less than in Austria or Italy, and it would be still small if law and public opinion in the South gave the defenseless black girl half the protection it throws about the white girl.

\(^1\) From Independent (New York), 51 (May 18, 1899), 1355–1357
Granting then, as every fair-minded man must, that ‘in almost all the elements of civilization the race, as a whole, has made distinct and gratifying progress,’ to quote Dr. W.W. Landrum, Pastor First [white] Baptist Church of Atlanta, Ga., the question then comes – and this is the crucial question – What is chiefly responsible for crime among Southern Negroes, outside the economic effects of emancipation?

The first and greatest cause of Negro crime in the South is the convict-lease system. States which use their criminals, as sources of revenue in the hands of irresponsible speculators, who herd girls, boys, men and women promiscuously together without distinction or protection, who parade chained convicts in public, guarded by staves and pistols, and then plunge into this abyss of degradation the ignorant little black boy who steals a chicken or a handful of peanuts – what can such States expect but a harvest of criminals and prostitutes? Does it not seem natural that the State which produced Sam Hose is guilty, as The Atlanta Constitution declared March 22, of ‘the burning shame of converting our penal establishments into schools for crime’? and we are prepared to hear, notwithstanding the awful revelations of Governor William Y. Atkinson’s prison commission:

Georgia has not even made a beginning yet in the right direction. The provision of our new penal law will prove the veriest sham. We must get at the issue straight and separate juvenility from crime.

The next greatest cause of Negro crime in the South is the attitude of the courts. The Southern courts have erred in two ways: One, in treating the crime of whites so leniently that red-handed murderers walk scot-free and the public has lost faith in methods of justice. The other, in treating the crimes and misdemeanors of Negroes with such severity that the lesson of punishment is lost through pity for the punished. When, therefore, the number of Negroes in Southern penal institutions is cited as evidence of their lawlessness, students must not forget this double standard of justice, which can best be illustrated by the following clippings from The Atlanta Constitution of January 22d:

Egbert Jackson [colored], aged thirteen, was given a sentence of $50, or ten months in the chain gang for larceny from the house...The most affecting scene of all was the sentencing of Joe Redding, a white man, for the killing of his brother, John Redding...Judge is a most tender-hearted man, and heard the prayers and saw the tears, and tempered justice with moderation, and gave the modern Cain two years in the penitentiary.

Of course Jackson could pay no such fine and went to the chain gang.

The third cause of crime is the increasing lawlessness and barbarity of mobs. Let a Negro be simply accused of any crime from barn-burning to rape and he is liable to be seized by a mob, given no chance to defend himself, given neither trial, judge nor jury, and killed. Passing over the acknowledged fact that many innocent Negroes have thus been murdered, the point that is of greater gravity is that lawlessness is a direct encouragement to crime. It shatters the faith of the mass of Negroes in justice; it leads them to shield criminals; it makes race hatred fiercer; it discourages honest
effort; it transforms horror at crime into sympathy for the tortured victim; and it binds the hands and lessens the influence of those race leaders who are striving to preach forbearance and patience and honest endeavor to their people. It teaches eight million wronged people to despise a civilization which is not civilized.

Finally, the last cause of Negro crime is the exaggerated and unnatural separation in the South of the best classes of whites and blacks. A drawing of the color line, that extends to street-cars, elevators and cemeteries, which leaves no common ground of meeting, no medium of communication, no ties of sympathy between two races who live together, and whose interests are at bottom one – such a discrimination is more than silly, it is dangerous. It makes it possible for the mass of whites to misinterpret the aims and aspiration of the Negroes, to mistake self-reliance for insolence, and condemnation of lynch-law for sympathy with crime. It makes it possible for the Negroes to believe that the best people of the South hate and despise them, and express their antipathy in proscribing them, taunting them and crucifying them. Such terrible misapprehensions are false, and the sooner some way is made by which the best elements of both races can sympathize with each other’s struggles and in a calm Christian spirit discuss them together – the sooner such conferences can take place all over the South the sooner the lynch-law will disappear and crime be abated.
This page intentionally left blank
The Spawn of Slavery: The Convict-lease System in the South (1901)

Two systems of controlling human labor which still flourish in the South are the direct children of slavery, and to all intents and purposes are slavery itself. These are the crop-lien system and the convict-lease system. The crop-lien system is an arrangement of chattel mortgages so fixed that the housing, labor, kind of agriculture and, to some extent, the personal liberty of the free black laborer is put into the hands of the landowner and merchant. It is absentee landlordism and the “company-store” systems united and carried out to the furthest possible degree. The convict-lease system is the slavery in private hands of persons convicted of crimes and misdemeanors in the courts. The object of the present paper is to study the rise and development of the convict-lease system, and the efforts to modify and abolish it.

Before the Civil War the system of punishment for criminals was practically the same as in the North. Except in a few cities, however, crime was less prevalent than in the North, and the system of slavery naturally modified the situation. The slaves could become criminals in the eyes of the law only in exceptional cases. The punishment and trial of nearly all ordinary misdemeanors and crimes lay in the hands of the masters. Consequently, so far as the state was concerned, there was no crime of any consequence among Negroes. The system of criminal jurisprudence had to do, therefore, with whites almost exclusively, and as is usual in a land of scattered population and aristocratic tendencies, the law was lenient in theory and lax in execution.

On the other hand, the private well-ordering and control of slaves called for careful cooperation among masters. The fear of insurrection was ever before the South, and the ominous uprising of Cato, Gabriel, Vesey, Turner, and Toussaint made this fear an ever-present nightmare. The result was a system of rural police, mounted and on duty chiefly at night, whose work it was to stop the nocturnal wandering and meeting of slaves. It was usually an effective organization, which terrorized the
slaves, and to which all white men belonged, and were liable to active detailed duty
at regular intervals.

Upon this system war and emancipation struck like a thunderbolt. Law and
order among the whites, already loosely enforced, became still weaker through the
inevitable influence of conflict and social revolution. The freedman was especially in
an anomalous situation. The power of the slave police supplemented and depended
upon that of the private masters. When the masters’ power was broken the patrol was
easily transmuted into a lawless and illegal mob known to history as the Ku Klux Klan.
Then came the first, and probably the most disastrous, of that succession of political
expedients by which the South sought to evade the consequences of emancipation.
It will always be a nice question of ethics as to how far a conquered people can be
expected to submit to the dictates of a victorious foe. Certainly the world must to
a degree sympathize with resistance under such circumstances. The mistake of the
South, however, was to adopt a kind of resistance which in the long run weakened
her moral fiber, destroyed respect for law and order, and enabled gradually her worst
elements to secure an unfortunate ascendency. The South believed in slave labor, and
was thoroughly convinced that free Negroes would not work steadily or effectively.
The whites were determined after the war, therefore, to restore slavery in everything
but in name. Elaborate and ingenious apprentice and vagrancy laws were passed,
designed to make the freedmen and their children work for their former masters at
practically no wages. Some justification for these laws was found in the inevitable
tendency of many of the ex-slaves to loaf when the fear of the lash was taken away.
The new laws, however, went far beyond such justification, totally ignoring that
large class of freedmen eager to work and earn property of their own, stopping all
competition between employers, and confiscating the labor and liberty of children.
In fact, the new laws of this period recognized the Emancipation Proclamation and
the Thirteenth Amendment simply as abolishing the slave-trade.

The interference of Congress in the plans for reconstruction stopped the full
carrying out of these schemes, and the Freedmen’s Bureau consolidated and sought
to develop the various plans for employing and guiding the freedmen already
adopted in different places under the protection of the Union army. This government
guardianship established a free wage system of labor by the help of the army, the
striving of the best of the blacks, and the cooperation of some of the whites. In the
matter of adjusting legal relationships, however, the Bureau failed. It had, to be sure,
Bureau courts, with one representative of the ex-master, one of the freedman, and
one of the Bureau itself, but they never gained the confidence of the community.
As the regular state courts gradually regained power, it was necessary for them to
fix by their decisions the new status of the freedmen. It was perhaps as natural as it
was unfortunate that amid this chaos the courts sought to do by judicial decisions
what the legislatures had formerly sought to do by specific law – namely, reduce
the freedmen to serfdom. As a result, the small peccadillos of a careless, untrained
class were made the excuse for severe sentences. The courts and jails became filled
with the careless and ignorant, with those who sought to emphasize their new-found
freedom, and too often with innocent victims of oppression. The testimony of a
Negro counted for little or nothing in court, while the accusation of white witnesses was usually decisive. The result of this was a sudden large increase in the apparent criminal population of the Southern states – an increase so large that there was no way for the state to house it or watch it even had the state wished to. And the state did not wish to. Throughout the South laws were immediately passed authorizing public officials to lease the labor of convicts to the highest bidder. The lessee then took charge of the convicts – worked them as he wished under the nominal control of the state. Thus a new slavery and slave-trade was established.

The Evil Influences

The abuses of this system have often been dwelt upon. It had the worst aspects of slavery without any of its redeeming features. The innocent, the guilty, and the depraved were herded together, children and adults, men and women, given into the complete control of practically irresponsible men, whose sole object was to make the most money possible. The innocent were made bad, the bad worse; women were outraged and children tainted; whipping and torture were in vogue, and the death-rate from cruelty, exposure, and overwork rose to large percentages. The actual bosses over such leased prisoners were usually selected from the lowest classes of whites, and the camps were often far from settlements or public roads. The prisoners often had scarcely any clothing, they were fed on a scanty diet of corn bread and fat meat, and worked twelve or more hours a day. After work each must do his own cooking. There was insufficient shelter; in one Georgia camp, as late as 1895, sixty-one men slept in one room, seventeen by nineteen feet, and seven feet high. Sanitary conditions were wretched, there was little or no medical attendance, and almost no care of the sick. Women were mingled indiscriminately with the men, both in working and sleeping, and dressed often in men’s clothes. A young girl at Camp Hardmont, Georgia, in 1895, was repeatedly outraged by several of her guards, and finally died in childbirth while in camp.

Such facts illustrate the system at its worst – as it used to exist in nearly every Southern state, and as it still exists in parts of Georgia, Mississippi, Louisiana, and other states. It is difficult to say whether the effect of such a system is worse on the whites or on the Negroes. So far as the whites are concerned, the convict-lease system lowered the respect for courts, increased lawlessness, and put the states into the clutches of penitentiary “rings.” The courts were brought into politics, judgships became elective for shorter and shorter terms, and there grew up a public sentiment which would not consent to considering the desert of a criminal apart from his color. If the criminal were white, public opinion refused to permit him to enter the chain-gang save in the most extreme cases. The result is that even to-day it is very difficult to enforce the laws in the South against whites, and red-handed criminals go scot-free. On the other hand, so customary had to become to convict any Negro upon a mere accusation, that public opinion was loathe to allow a fair trial to black suspects, and was too often tempted to take the law into their own
hands. Finally the state became a dealer in crime, profited by it so as to derive a new annual income for her prisoners. The lessees of the convicts made large profits also. Under such circumstances, it was almost impossible to remove the clutches of this vicious system from the state. Even as late as 1890 the Southern states were the only section of the Union where the income from prisons and reformatories exceeded the expense. Moreover, these figures do not include the county gangs where the lease system is to-day most prevalent and the net income largest.

### Income and Expense of State Prisons and Reformatories, 1890

<table>
<thead>
<tr>
<th>Region</th>
<th>Earnings</th>
<th>Expense</th>
<th>Profit</th>
</tr>
</thead>
<tbody>
<tr>
<td>New England</td>
<td>$299,735</td>
<td>$1,204,029</td>
<td>–</td>
</tr>
<tr>
<td>Middle States</td>
<td>71,252</td>
<td>1,850,452</td>
<td>–</td>
</tr>
<tr>
<td>Border States</td>
<td>597,898</td>
<td>962,442</td>
<td>–</td>
</tr>
<tr>
<td>Southern States*</td>
<td>938,406</td>
<td>890,452</td>
<td>$47,974</td>
</tr>
<tr>
<td>Central States</td>
<td>624,161</td>
<td>1,971,795</td>
<td>–</td>
</tr>
<tr>
<td>Western States</td>
<td>378,036</td>
<td>1,572,316</td>
<td>–</td>
</tr>
</tbody>
</table>

*South Carolina, Georgia, Alabama, Mississippi, Louisiana, Texas and Arkansas

The effect of the convict-lease system on the Negroes was deplorable. First it linked crime and slavery indissolubly in their minds as simply forms of the white man’s oppression. Punishment, consequently, lost the most effective of its deterrent effects, and the criminal gained pity instead of disdain. The Negroes lost faith in the integrity of courts and the fairness of juries. Worse than all, the chain-gangs became schools of crime which hastened the appearance of the confirmed Negro criminal upon the scene. That some crime and vagrancy should follow emancipation was inevitable. A nation can not systematically degrade labor without in some degree debauching the laborer. But there can be no doubt but that the indiscriminate careless and unjust method by which Southern courts dealt with the freedmen after the war increased crime and vagabondage to an enormous extent. There are no reliable statistics to which one can safely appeal to measure exactly the growth of crime among the emancipated slaves. About seventy per cent of all prisoners in the South are black; this, however, is in part explained by the fact that accused Negroes are still easily convicted and get long sentences, while whites still continue to escape the penalty of many crimes even among themselves. And yet allowing for all this, there can be no reasonable doubt but that there has arisen in the South since the war a class of black criminals, loafers, and ne’er-do-wells who are a menace to their fellows, both black and white.

---

2 Bulletin No. 8, Library of State of New York. All figures in this article are from this source.
The appearance of the real Negro criminal stirred the South deeply. The whites, despite their long use of the criminal court for putting Negroes to work, were used to little more than petty thieving and loafing on their part, and not to crimes of boldness, violence, or cunning. When, after periods of stress or financial depression, as in 1892, such crimes increased in frequency, the wrath of a people unschooled in the modern methods of dealing with crime broke all bounds and reached strange depths of barbaric vengeance and torture. Such acts, instead of drawing the best opinion of these states and of the nation toward a consideration of Negro crime and criminals, discouraged and alienated the best classes of Negroes, horrified the civilized world, and made the best white Southerners ashamed of their land.

What Has Been Done

Nevertheless, in the midst of all this a leaven of better things had been working and the bad effects of the epidemic of lynching quickened it. The great difficulty to be overcome in the South was the false theory of work and of punishment of wrong-doers inherited from slavery. The inevitable result of a slave system is for a master class to consider that the slave exists for his benefit alone— that the slave has no rights which the master is bound to respect. Inevitably this idea persisted after emancipation. The black workman existed for the comfort and profit of white people, and the interests of white people were the only ones to be seriously considered. Consequently, for a lessee to work convicts for his profit was a most natural thing. Then, too, these convicts were to be punished, and the slave theory of punishment was pain and intimidation. Given these ideas, and the convict-lease system was inevitable. But other ideas were also prevalent in the South; there were in slave times plantations where the well-being of the slaves was considered, and where punishment meant the correction of the fault rather than brute discomfort. After the chaos of war and reconstruction passed, there came from the better conscience of the South a growing demand for reform in the treatment of crime. The worst horrors of the convict-lease system were attacked persistently in nearly every Southern state. Back in the eighties George W. Cable, a Southern man, published a strong attack on the system. The following decade Governor Atkinson, of Georgia, instituted a searching investigation, which startled the state by its revelation of existing conditions. Still more recently Florida, Arkansas, and other states have had reports and agitation for reform. The result has been marked improvement in conditions during the last decade. This is shown in part by the statistics of 1895; in that year the prisons and reformatories of the far South costs the states $204,483 more than they earned, while before this they had nearly always yielded an income. This is still the smallest expenditure of any section, and looks strangely small beside New England’s $1,190,564. At the same time, a movement in the right direction is clear. The laws are being framed more and more so as to prevent the placing of convicts altogether in private control. They are not, to be sure, always enforced, Georgia having several hundreds of convicts so controlled.
in 1895 despite the law. In nearly all the Gulf states the convict-lease system still has a strong hold, still debauches public sentiment and breeds criminals.

The next step after the lease system was to keep the prisoners under state control, or, at least, regular state inspection, but to lease their labor to contractors, or to employ it in some remunerative labor for the state. It is this stage that the South is slowly reaching to-day so far as the criminals are concerned who are dealt with directly by the states. Those whom the state still unfortunately leaves in the hands of county officials are usually leased to irresponsible parties. Without doubt, work, and work worth the doing – \textit{i.e.}, profitable work – is best for prisoners. Yet there lurks in this system a dangerous temptation. The correct theory is that the work is for the benefit of the criminal – for his correction, if possible. At the same time, his work should not be allowed to come into unfair competition with that of honest laborers, and it should never be an object of traffic for pure financial gain. Whenever the profit derived from the work becomes the object of employing prisoners, then evil must result. In the South to-day it is natural that in the slow turning from the totally indefensible private lease system, some of its wrong ideas should persist. Prominent among these persisting ideas is this: that the most successful dealing with criminals is that which costs the state least in actual outlay. This idea still dominates most of the Southern states. Georgia spent \$2.38 per capita on her 2,938 prisoners in 1890, while Massachusetts spent \$62.96 per capita on her 5,227 prisoners. Moreover, by selling the labor of her prisoners to the highest bidders, Georgia not only got all her money back, but made a total clear profit of \$6.12 on each prisoner, Massachusetts spent about \$100,000 more than was returned to her by prisoners’ labor. Now it is extremely difficult, under such circumstances, to prove to a state that Georgia is making a worse business investment than Massachusetts. It will take another generation to prove to the South that an apparently profitable traffic in crime is very dangerous business for a state; that prevention of crime and the reformation of criminals is the one legitimate object of all dealing with depraved natures, and that apparent profit arising from other methods is in the end worse than dead loss. Bad public schools and profit from crime explain much of the Southern social problem. Georgia, Florida, and Louisiana, as late as 1895, were spending annually only \$20,799 on their state prisoners, and receiving \$80,493 from the hire of their labor.

Moreover, in the desire to make the labor of criminals pay, little heed is taken of the competition of convict and free laborers, unless the free laborers are white and have a vote. Black laborers are continually displaced in such industries as brick-making, mining, road-building, grading, quarrying, and the like, by convicts hired at \$3, or thereabouts, a month.

The second mischievous idea that survives from slavery and the convict-lease system is the lack of all intelligent discrimination in dealing with prisoners. The most conspicuous and fatal example of this is the indiscriminate herding of juvenile and adult criminals. It need hardly be said that such methods manufacture criminals more quickly than all other methods can reform them. In 1890, of all the Southern states, only Texas, Tennessee, Kentucky, Maryland, and West Virginia made any state
appropriations for juvenile reformatories. In 1895 Delaware was added to these, but Kentucky was missing. We have, therefore:

<table>
<thead>
<tr>
<th></th>
<th>1890</th>
<th>1895</th>
</tr>
</thead>
<tbody>
<tr>
<td>New England</td>
<td>$632,634</td>
<td>$854,581</td>
</tr>
<tr>
<td>Border States</td>
<td>233,020</td>
<td>174,781</td>
</tr>
<tr>
<td>Southern States</td>
<td>10,498</td>
<td>33,910</td>
</tr>
</tbody>
</table>

And this in face of the fact that the South had in 1980 over four thousand prisoners under twenty years of age. In some of the Southern states – notably, Virginia – there are private associations for juvenile reform, acting in cooperation with the state. These have, in some cases, recently received state aid, I believe. In other states, like Georgia, there is permissive legislation for the establishment of local reformatories. Little has resulted as yet from this legislation, but it is promising.

I have sought in this paper to trace roughly the attitude of the South toward crime. There is in that attitude much to condemn, but also something to praise. The tendencies are to-day certainly in the right direction, but there is a long battle to be fought with prejudice and inertia before the South will realize that a black criminal is a human being, to be punished firmly but humanely, with the sole object of making him a safe member of society, and that a white criminal at large is a menace and a danger. The greatest difficulty to-day in the way of reform is this race question. The movement for juvenile reformatories in Georgia would have succeeded some years ago, in all probability, had not the argument been used: it is chiefly for the benefit of Negroes. Until the public opinion of the ruling masses of the South can see that the prevention of crime among Negroes is just as necessary, just as profitable, for the whites themselves, as prevention among whites, all true betterment in courts and prisons will be hindered. Above all, we must remember that crime is not normal; that the appearance of crime among Southern Negroes is a symptom of wrong social conditions – of a stress of life greater than a large part of the community can bear. The Negro is not naturally criminal; he is usually patient and law-abiding. If slavery, the convict-lease system, the traffic in criminal labor, the lack of juvenile reformatories, together with the unfortunate discrimination and prejudice in other walks of life, have led to that sort of social protest and revolt which we call crime, then we must look for remedy in the sane reform of these wrong social conditions, and not in intimidation, savagery, or the legalized slavery of men.
This page intentionally left blank
Appendix 5

The Laboratory in Sociology at Atlanta University

There is some ground for suspicion when a small institution of learning offers courses in sociology. Very often such work means simply prolonged discussions of society and social units, which degenerate into bad metaphysics and false psychology, or it may take a statistical turn and the student become so immersed in mere figures as to forget, or be entirely unacquainted with, the concrete facts standing back of the counting.

On the other hand every one feels how necessary social study is, – how widespread in modern times is our ignorance of social facts and processes. In such matters we still linger in a Middle Age of credulity and superstition. We print in the opening chapters of our children’s histories theories of the origin and destiny of races over which the gravest of us must smile; we assume, for instance, elaborate theories of an “Aryan” type of political institution, and then discover in the pits of the South African Basutos as perfect an agora or tungemot as ever existed among Greeks or Germans. At the same time all of us feel the rhythm in human action; we are sure that the element of chance is at least not supreme, and no generation has taken to the study of social phenomena more energetically or successfully than ours. Have we, however, accomplished enough or settled the matter of scope and method sufficiently to introduce the subject of sociology successfully into the small college or the high school?

I am not sure that our experience at Atlanta University contributes much toward answering this question, for our position is somewhat exceptional, and yet I think it throws light on it. Atlanta University is situated within a few miles of the geographical centre of the Negro population of the nation, and is, therefore, near the centre of that congeries of human problems which cluster round the black American. This institution, which forms in itself a ‘Negro problem,’ and which prepares students whose lives must of necessity be further factors in this same problem, cannot logically except the study and teaching of some things connected with that mass of social questions. Nor can these things all be reduced to history and ethics – the mass of them fall logically under sociology.

We have arranged, therefore, what amounts to about two years of sociological work for the junior and senior college students, and we carry on in our conferences

postgraduate work in original research. The undergraduate courses in sociology are simply an attempt to study systematically conditions of living right around the university and to compare these conditions with conditions elsewhere about which we are able to learn. For this purpose one of the two years is taken up principally with a course in economics. Here the methods of study are largely inductive, going from field work and personal knowledge to the establishment of the main principles. There is no text-book, but a class-room reference library with from five to ten duplicate copies of well-known works.

In the next year the study comes nearer what is understood by sociology. Here again after much experiment, we have discarded the text-book, not because a book of a certain sort would not be valuable in the hands of students, but rather because available text-books are distinctly and glaringly unsuitable. The book most constantly referred to is Mayo-Smith’s ‘Statistics and Sociology,’ and after that the United States censuses. Our main object in this year of work is to find out what characteristics of human life can be known, classified and compared. Students are expected to know what the average death-rate of American Negroes is, how it varies, and what it means when compared with the death-rates of other peoples and classes. When they learn by search in the census and their own mathematical calculations that 30 per cent of the Negroes of New York City are twenty to thirty years of age, they immediately set to work to explain this anomaly, and so on. A large part of their work consists of special reports, in which the results of first-hand study of some locality or some characteristic of Negro life are compared with general conditions in the United States and Europe. Thus in a way we measure the Negro problem.

Sometimes these studies are of real scientific value: the class of ’99 furnished local studies, which, after some rearrangement, were published in No. 22 of the Bulletin of the United States Department of Labor; the work of another class was used in a series of articles on the housing of the Negro in the Southern Workman, and a great deal of the work of other classes has been used in the reports of the Atlanta Conferences. Our main object in the undergraduate work, however, is human training and not the collection of material, and in this we have been fairly successful. The classes are enthusiastic and of average intelligence, and the knowledge of life and of the meaning of life in the modern world is certainly much greater among these students than it would be without such a course of study.

Our postgraduate work in sociology was inaugurated with the thought that a university is primarily a seat of learning, and that Atlanta University, being in the midst of the Negro problems, ought to become a centre of such a systematic and thoroughgoing study of those problems as would gradually raise many of the questions above the realm of opinion and guess into that of scientific knowledge. It goes without saying that our ideals in this respect are far from being realized. Although our researches have cost less than $500 a year, yet we find it difficult and sometimes impossible to raise that meager sum. We lack proper appliances for statistical work and proper clerical aid; notwithstanding this, something has been done. The plan of work is this: a subject is chosen; it is always a definite, limited subject covering some phase of the general Negro problem; schedules are then
Appendix 5

prepared, and these with letters are sent to the voluntary correspondents, mostly graduates of this and other Negro institutions of higher training. They, by means of local inquiry, fill out and return the schedules; then other sources of information, depending on the question under discussion, are tried, until after six or eight months’ work a body of material is gathered. Then a local meeting is held, at which speakers, who are specially acquainted with the subject studied, discuss it. Finally, about a year after the beginning of the study, a printed report is issued, with full results of the study, digested and tabulated and enlarged by the addition of historical and other material. In this way the following reports have been issued:

(Out of print.)
No. 2 – Social and Physical Conditions of Negroes in Cities.  
86 pp. 1897. 50 cents.
No. 3 – Some Efforts of Negroes for Social Betterment.  
66 pp. 1898. 50 cents.
No. 4 – The Negro in Business. 78 pp. 1899. 50 cents.
No. 6 – The Negro Common School. 118 pp. 1901. 25 cents.
No. 7 – The Negro Artisan. 200 pp. 1902. 50 cents.
No. 8 – The Negro Church. (To be published in 1903.)

Of the effect of this sociological work it is difficult for us who are largely responsible for it to judge. Certain it is that there is a call for scientific study of the American Negro, and it is also clear that no agency is doing anything in this line except Atlanta University, the United States Census Bureau and the United States Department of Labor. In general our reports have been well received, both in this country and in England, and their material has been widely used. In fact they have not received as much criticism as they deserved, which is perhaps one discouraging feature.

Upon the school, the community and the Negro race, the emphasis put on this sort of study has undoubtedly exerted a wholesome influence. It has directed thought and discussion into definite and many times unnoticed channels; it has led to various efforts at social betterment, such as the formation of the National Negro Business League, and it has stimulated healthy self-criticism based on accurate knowledge.
This page intentionally left blank
Index

Acheson, Dean 54
Addams, Jane 30, 82
Agozino, Biko ii, x, xv
American Historical Association 8, 82
American Journal of Sociology 30, 34, 81, 87, 90, 91
Aptheker, Herbert xii, 10, 33, 45, 81, 82, 83, 84, 85, 86
Atlanta, Georgia 91
Atlanta School v, xv, 27, 31, 35, 77
Atlanta University v, xii, 4, 5, 10, 19, 22, 23, 25, 26, 28, 30, 31, 34, 35, 37, 4, 42, 48, 54, 66, 67, 78
Austin, Timothy viii, ix, xv, 23, 35, 59, 89
Bing, Robert 45, 81
Black Codes 21, 61, 63, 73, 95, 97, 99
Blackwell James xi, 78, 81, 88, 90
Boaz, Franz 30
Bobo, Lawrence 75, 81
Boies, Henry 7, 64, 81
Bonger, Willem 61, 81
Boston, Thomas xi, 81
Broderick, Francis xiii, 3, 71, 81
Brooklyn xv
Bulmer, Martin 19, 23, 24, 25, 28, 29, 30, 31, 81, 82
Bumstead, Horace 4, 19, 25
Chambliss, William 62, 63, 82
Chase, Allan 23, 82
Chicago School of Sociology 23, 24, 81, 82
Columbia University 4, 19, 22, 25, 30, 105
Communism 5, 54
Conyers, James 31, 82
Conflict Theory 60, 64, 67
Convict-Lease System v, 9, 33, 42, 61, 62, 63, 64, 65, 73, 74, 83, 114, 117, 119, 120, 121, 122, 123
Council on African Affairs 54
Crime Polls xv, 26, 67, 68, 77
Crown Heights xv

Davis, Jefferson 2
Death Penalty 51, 75
DeLone, Miriam 71, 91
Dill, Augustus 30, 38, 39, 40, 41, 42, 84
Dixon, Thomas 43, 89
Doyle, Bertram 47, 82
Du Bois, Alfred 1
Du Bois, Mary Burghardt 1
Du Bois, Shirley Graham 56
Durkheim, Emile ix, 66, 86
Ecological Approach 78
Emancipation 8, 9, 16, 32, 60, 61, 63, 64, 73, 77, 78, 95, 96, 97, 100, 113, 114, 118, 120, 121
Enright, Richard E. 45, 85
Federal Bureau of Investigation 53
Counterintelligence program (COINTELPRO) 53
Flanagan, Timothy 68, 86, 87, 88, 89
Foote, Caleb 63
Foreign Agents Registration Act 6, 55
Franklin, John Hope 87
Frazier, E. Franklin 67, 78, 89
Gabbidon, Daphne xvi
Gabbidon, Ian xvi
Gabbidon, Jalen xvi
Gabbidon, Julian xvi
Gabbidon, Monica xvi
Gabbidon, Patrick xvi
Gabbidon, Shaun 129
Galliher, John xi, 87
Galton, Sir Francis 23
Garvey, Marcus 42, 85
Gaylord, Mark xii, 87
Gomer, Nina 4
Gould, Stephen Jay 22, 65, 87
Green, Dansforth xi, 13, 42, 48, 60, 66, 71, 78, 82, 87, 91, 92
W. E. B. Du Bois on Crime and Justice

Harlem 45, 51, 87
Harrison, Faye xi, 88
Hart, Albert Bushnell 15, 28
Hatch Act 54
Harvard University xii, 2, 89, 129
Hawkins, Darnell xi, 67, 88
Hayes, Rutherford B. 3
Henderson, Charles 7, 64, 88
Henry, Stuart 64, 65, 88, 90
Historically Black Institutions (HBIs) 25
Historical School of Economics 3, 81
Hoover, Edgar J. 53, 54, 57
Hosmer, Frank xiii, 1
House Un-American Activities Committee 54
Hughes, Langston 55
Hutchinson, Earl Ofari 43, 88

Indiana University of Pennsylvania vii, xv, 129

Jack, Ronald xvi, 30, 114
James, William 2, 23, 89
Janowitz, Morris xi, 78, 81, 88, 90
Johnson, Devon 75, 81
Katz, Michael 10, 88
Katz, William Loren 43, 88
Kellor, Frances 30
Lange, Werner 33, 88
Lewis, David Levering xiii, 4, 5, 10, 13, 19, 23, 28, 30, 34, 35, 88
Lombroso, Cesare ix, 65, 89
Longmire, Dennis 68, 86, 87, 88, 89
Lyman, Stanford 68, 86, 87, 88, 89
Macdonald, Arthur 7, 64, 89
Malthus, Thomas 23, 82
Mandela, Nelson x
Marble, Manning xii, 54, 55, 89
Martin, Randy 23, 24, 59, 89, 90, 106
Marxism 48, 53, 85
McCarthyism xiv, 90
McIntyre, Charisse 61, 89
McKay, Henry 90
McShane, Marilyn 35, 60, 91
Merton, Robert 60
Montiero, Tony 89

Morgan, Johnny 1
Morrison, Toni 43, 89
Moses, Earl 78, 89
Moyer, Imogene xv
Mutchnick, Robert xv, 23, 35, 59, 89
Myers, Laura 68, 78, 89, 91
Myrdal, Gunnar 79, 89

NAACP 42, 48
Negro Suffrage 18
New Deal 54
Niagara Movement 54
Nkrumah, Kwame 6

Oliver, Lawrence 43, 89
Ovington, Mary White 30

Park, Robert E. 23, 78, 89
Patterson, William 52
Penn, Everett, xvi 66, 89, 90
Platt, Anthony 59, 89
Prison Industrial Complex 74, 91
P.S. 241 xv,

Radzinowitz, Sir Leon 69, 89
Rafter, Nicole 64, 90
Reconstruction 43, 49, 54, 86, 118, 121
Reed, Adolph 65, 90
Reid, Ira de A. 78, 90
Rudwick, Elliott 3, 25, 33, 34, 90
Russell, Katheryn 66, 67, 71, 90

Samuels, Kurt xvi
Schmoller, Gustav 3, 71
Sellin, Thorsten 47, 48, 78, 79, 90
Seventh Ward 10, 11, 17
Shaw, Clifford 90
Simms, Margaret 78, 91
Small, Albion 34
Smith Act 54
Social disorganization ix, 12, 13, 59, 60, 66, 77, 78
Socialism 48
Soviet Union 6, 54, 55, 56
Spohn, Cassia 71, 91
Stowe, Harriet Beecher 5
Sugrue, Thomas 10, 88
Sulton, Anne xii, 92
Sutherland, Edwin, xi 17, 52, 78, 79, 87, 91
Index

Taussig, Frank 2
Taylor, Bessie 28
Taylor Greene, Helen xi, 24, 47, 48, 60, 66, 71, 78, 91
Terrell, Mary Church 30,
Thompson, Edward 28
Treitschke, Heinrich 3

University of Baltimore xv
University of Berlin 3, 4, 23
University of Chicago xii, 3, 11, 24, 30, 31, 34, 66, 67, 77, 78, 81, 87, 88, 89, 90, 91
University of Massachusetts at Amherst xii
University of Pennsylvania ii, vii, xv, 4, 10, 22, 88, 105, 129

Vaughn, Michael 68, 88
Walker, Samuel 71, 91
Washington, Booker T. x, 5, 30, 34
Weber, Max 3, 21, 23, 30
Wells-Barnett Ida, 40
Wilberforce University 4
Wilcox, Walter 30
Wilder, Kideste xi, 66, 87
Williams, Frank P. 1, 35, 60, 91, 106
Wilson, William Julius 2, 45, 91, 106
Work, Monroe 78, 91
Wright, Earl xi, 34, 35, 91, 92,

Young, Vernetta xi, 13, 59, 66, 78, 87, 92
This page intentionally left blank
About the Author

Shaun L. Gabbidon is Associate Professor of Criminal Justice in the School of Public Affairs at Penn State Harrisburg. He earned his PhD. in Criminology from Indiana University of Pennsylvania. Dr. Gabbidon has also served as a fellow at Harvard University’s W. E. B. Du Bois Institute for Afro-American Research. In addition to authoring numerous scholarly journal articles, essays, and book chapters, Dr. Gabbidon is also co-author of *African American Criminological Thought* (2000) and *Race and Crime* (2005). His most recent book is *Criminological Perspectives on Race and Crime* (2007). He has also co-edited three books *African American Classics in Criminology and Criminal Justice* (2002), *Race, Crime, and Justice: A Reader* (2005), and *Race and Juvenile Justice* (2006). In 2005, he became the editor of Routledge’s Criminology and Justice Studies Series.