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## **Ripples of Reconstruction in Memphis, TN: A Comparative Historical Analysis of Racial Capitalism from 1865-2024**

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**Ripples of Reconstruction in Memphis, TN: A Comparative Historical Analysis of Racial  
Capitalism from 1865-2024**

A Thesis

Presented for the Chancellor's Honors Program

at the

University of Tennessee - Knoxville

Under the Advisement of

Dr. Kyra Martinez

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## **Abstract**

The Reconstruction period, following the end of the Civil War, is often hailed as a time of great progress within America due to the passing of the 13th, 14th, and 15th amendments which provided freed Black people with the same rights offered to white Americans since the formation of the United States of America. My research will counter white-washed narratives through the use of the racial capitalism lens to expose the violence committed by white Memphians against Black Memphians in the 40 years following the Civil War, and the general failure of the 13th, 14th, and 15th amendments to create equity and stop racial injustice. The research then connects this discussion to our present moment by identifying continued injustices perpetrated along racial lines in the areas of housing, schooling, and policing.

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## **Introduction**

*“History is written by the victors.” - Winston Churchill...supposedly*

History is more important than many people realize; although, this should come as no surprise to anyone who has heard the quote above. And if indeed it is the victors who write history, then it is they who have control of the narrative, and it is they who also have the power to dictate what history is told and what is left untold. For this reason, the following sociological examination of racial disparities and inequities in Memphis, Tennessee will rely heavily on uncovering and critiquing the “victor’s” history. The “victor’s” history in America is controlled by the wealthy white upper class, who use it to warp history to tell narratives that support their continual domination over that of other classes and races. Through this process, the atrocities committed by the white supremacist, ie. the “victor”, is erased, and the success of resistance history by racial minorities is silenced. This research disrupts the white “victor’s” history by illuminating the violence that Black Memphians have suffered at the hands of white “victors” in order to resist the cycle of silencing and erasure that has become endemic within the system of American racial capitalism. I sought to explore critical junctures in Memphis following the passage of the 13th, 14th, and 15th amendments, to understand why these Reconstruction amendments failed to realize the equity they promised for Black Memphians, and to discuss key areas that racial injustice persists...and there’s no better place to start this exploration than from the beginning.

## Literature Review

### *Whose Democracy is it Anyway?*

Nearly 405 years ago, in 1619, the first enslaved Africans arrived in the British North American colonies of Jamestown (Jones, 2020: Ep.1). Just over 150 years later, during the Revolutionary War, Thomas Jefferson (1776) would pen some of the most famous words in American history, beginning the Declaration of Independence with “we hold these truths to be self-evident that all men are created equal.” However, this statement required a bit of hypocrisy on Jefferson’s behalf, not least because he himself was the enslaver of hundreds of African peoples at Monticello. Contrary to the equality his words promised, the racialized system of chattel slavery would continue unabated for 82 years following the Revolutionary War, only to be abolished in 1865 with passage of the 13th Amendment. Although this amendment formally abolished the system of *chattel* slavery as well as involuntary servitude, both of these practices legally endured under the caveat that they were allowable as “punishment for a crime whereof the party shall have been duly convicted” (Amendment XIII, 1865). The 13th Amendment held the power to make true Jefferson’s promises nearly 100 years prior, but reality was far more bleak for formerly enslaved peoples. In the wake of the amendment’s passage, a system of convict leasing emerged that would come to “be known as the Great Nadir, [or] the second slavery” (Jones 2020, Ep.1). Following passage of a set of discriminatory laws called the “Black Codes”, Southern states ensured that newly freed Black peoples could be criminalized for petty offenses, such as loitering, and then leased to private industries as laborers— equality was elusive (EIJ, 2018).

Although the Black Codes compelled passage of the 14th Amendment in 1868, which declared, “all persons born or naturalized in the United States, and subject to the jurisdiction

thereof, are citizens of the United States and of the State wherein they reside...[and] no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws,” it was ineffective in doing so (Amendment XIV, 1866). Despite passage of the 14th Amendment, many laws were subsequently authorized by Southern legislatures to the detriment of those racialized Black (Hadjor, 2007:157-162). Operating under the belief that the 14th Amendment had been passed to punish Southern states for the Civil War, many not only refused to ratify but passed subsequent legislation known as Jim Crow laws to directly challenge it (Digital History, 2007: 1). Louisiana, for example, passed a law which declared that while the state’s railroads would provide equal provisions for both white and Black passengers, these accommodations would be kept separate. Jim Crow laws institutionalized racial segregation as official policy, with Southern politicians exploiting white racial anxieties to garner support and maintain power. Although the 14th Amendment contained provisions which prevented Confederate leaders from recouping power within Southern states, the 15th Amendment, which sought to give all men the right to vote, was too highly contested. Passage of the 15th Amendment at the federal level was followed by a wellspring of state and local Jim Crow laws in the South which effectively undermined the amendment through a combination of discriminatory practices, such as literacy tests, grandfather clauses, and poll taxes, which aimed to disenfranchise Black voters (Codrington and Cohen, 2020). These constitutional amendments, taken together, were institutionalized during the post-Emancipation period known as Reconstruction in an effort to protect the rights of newly freed peoples, but each would unequivocally fail to do just that.

### ***Race: A Social Construct***

Before continuing our discussion, it is necessary to first address the ways in which race functions within American society. First and foremost, race is not a biological category. Research shows that there is not only no way to tell one's race from their genes, but that an individual is more likely to have genes in common with someone of a different skin tone or “race” than with someone with whom they share a similar skin tone or “race” (Jensen, 2005:14-16). Race can therefore be understood as a social construct, meaning that it is the racialization of people based on shared physical characteristics, culture, and perceived ancestry that gives it significance as a category of identification. This is why I use the phrase “an individual racialized as Black” throughout my writing: Because no person is born biologically Black or white. However, individuals are often socially born into race in a manner that has material implications in terms of their lived experience (Bonilla-Silva, 1997:1-12). To examine this concept one has only to consider the words used to talk about different races. Historically, white society has identified itself as synonymous with civilization, elite power, and normality while, on the other hand, constructing Blackness as synonymous with incivility, inferiority, and abnormality (Fields and Fields, 2012:10-15). These fictitious racial narratives have played an important role within American society, and they can be traced back to the very moment European colonizers arrived (Hadjor, 2007:41-58, Browne 2015:17) . The language may shift, but the motive and placement of racial narratives has been instrumental to ensuring systems of white supremacy and privilege are kept intact.

### ***Contradictions to the Promises of Freedom***

At no time in American history has there been more uncertainty about keeping systems of white supremacy and racial privilege intact than in the years following the emancipation of



millions of Black peoples at the end of the Civil War. Recently freed persons hoped to enjoy the same civil rights as white Americans, but such access to education, employment, suffrage, housing, healthcare, and capital, was not to be. Although passage of the 13th, 14th, and 15th amendments bestowed these rights upon recently freed populations, legislative policies and practices within the Southern states were used to directly undermine the civil liberties they protected (Oshinsky, 1996:11-29). Oshinsky notes, in the Southern state of Mississippi, many enslavers did not tell formerly enslaved peoples they were free in order to continue accruing capital from their labor for as long as possible. Fearful that these amendments put the systems of white supremacy and privilege which had enriched Southern enslavers at risk, propagandist techniques were utilized to make Black folks appear uncivil and “justify” denying them civil rights (Fields and Fields, 2012:185-210). This took a great deal of time and effort, yet this history often purposefully goes untold.

Three primary mechanisms were utilized to maintain a dominant social order rooted within white supremacy and Black subordination, specifically legislative policies, policing, and dispossession. These three mechanisms worked in conjunction to craft a system based on systemic and structural racism that can be traced back to the nation’s failures to uphold the rights guaranteed to Black peoples by the 13th, 14th, and 15th amendments during this period. The Black Codes are one example of legislative efforts that made it possible to criminalize Black peoples for “offenses,” such as vagrancy or unemployment, while not applying to white folks—especially wealthy whites (Alexander, 2010: 35-36). These laws were predatory and relied on both de jure and de facto policing for the roundup, incarceration, and killing of those racialized Black. The legal loop-hole in the 13th Amendment which allowed for their legal re-enslavement if a “crime” had been committed enabled Black individuals to be swept up into

the carceral state and sold into peonage systems. This history and these practices remain evident—and ever-present—in the decades-long growth of the prison industrial complex (PIC), which has culminated in a system of mass incarceration that scholars have designated “slavery by another name” (Pollard, Blackmon, and Fishburne, 2015). Legislation such as the Black Codes laid the legal foundation for the hyper-policing of people of color that not only remains intact today, but has resulted in the mass imprisonment of Black peoples, wherein one (1) in four (4) Black men as opposed to one (1) in twenty-three (23) white men can expect to go to prison within their lifetime (Bonzcar and Beck, 1997:2). The policing of Black lives was instrumental to upholding the idea of white life as civil and Black life as uncivil and thus undeserving of rights in the years following their emancipation insofar as these policies and practices yielded a free labor force in Southern states whose economies were decimated by the Civil War, enabling them to continue accumulating wealth through the dispossession of capital, land, and labor (Henricks and Seamster, 2017:1-8). Practices such as dispossession, hyper-policing and surveillance of Black life highlight the subtle yet resounding difference between being freed and being truly free in America.

### ***Racial Capitalism: A Continuing Injustice***

*“Injustice anywhere is a threat to justice everywhere.” - Doctor Martin Luther King Jr. (1963)*

Robinson (1983) coined the term racial capitalism to describe the intertwining history of race and capitalism in his work *Black Marxism*. The term highlights how capitalism has not only been intrinsically linked to labor exploitation along racial lines from its inception but relies on the reproduction of these inequities to thrive (Johnson, 2017). The advent of slavery parallels the advent of capitalism. With this in mind, the end to slavery posed legitimate problems to the capitalist system as well as white domination globally, considering both America and England’s

economies were entirely dependent on this system of enslavement (Jones, 2020: Ep. 2). The end of the Civil War saw the advent of laws and policies put into place that would go on to have seismic effects, resulting in shockwaves of violence and resistance in the years that followed—and which continue to shape the present. In order to understand the contemporary historical moment, careful examination of the past is necessary to unearth histories which have been purposefully erased and silenced for over a century and counting. The struggle for the rights promised by passage of the 13th, 14th, and 15th amendments continues, and this paper is committed to that struggle. In what follows, I seek to illuminate the importance of seeing color in modern America’s so-called “colorblind” society. It is only by seeing color—and understanding its social significance that we can illuminate the continual violences—structural, systemic, and institutional—daily perpetuated against Black and Brown peoples under racial capitalism in the interest of creating change.

## Methods

*“In simple terms: history matters.” - Emanuele Ferragina (n.d.)*

The primary function of this research is to examine how capitalism reproduces inequalities along racial lines. To exemplify the relationship between race and capitalism, this research employs comparative historical analysis. Using this particular approach allowed me to explore complex questions through the analysis of critical junctures, which Ferragina (n.d.) defines as key historical moments that catalyze remarkable changes with enduring effects. These critical junctures often disrupt old regimes and allow for the development of “new” social formations and discourses. This paper will pay particular attention to the critical juncture following the conclusion of the Civil War (in 1865), which resulted in passage of the 13th, 14th, and 15th amendments during the period known as Reconstruction. During this period, the federal government not only ratified these constitutional amendments but enacted new laws which sought to end racial disparities between those racialized Black and those racialized white. By making ratification of the 14th amendment a necessary prerequisite to reenter the Union, this law was an especially pivotal moment during this critical juncture. In an effort to better illuminate this landmark legislation and its resulting effects, I have chosen to use the city of Memphis, Tennessee as a case study. Memphis was largely selected due to the high population of Black peoples who took residence there following the conclusion of the Civil War, but it is also of importance to note that Tennessee was the first state to rejoin the Union. By engaging historical comparative analysis as a methodological framework and specifically employing a case study approach, my aim is to closely examine the emergence, process, relevance and adoption of the 13th, 14th, and 15th amendments on a micro-scale in Memphis, Tennessee during the Reconstruction period. This lens will enable me to trace the effects of this legislation across

space and time in relationship to the systemic and structural racial inequities and inequalities which abound within Memphis during the contemporary historical moment. Connecting these histories is of key importance to correcting and ending sustained racial violence in the name of capitalist endeavor.

This research seeks to understand

- 1) How policies and practices rooted in racial capitalism affected the development of Memphis following the closure of the Civil War
- 2) Which critical junctures exemplify the intertwining racial history of capitalism, injustice and inequity in Memphis,
- 3) Why the Reconstruction amendments failed to realize the equity they promised to Black Memphians, and
- 4) How the legacy of racial inequity and injustice continues to advantage white Memphians and disadvantage Black Memphians

In order to understand how policies and practices rooted in racial capitalism have guided the development of Memphis since the end of the Civil War, I began by creating an archive of materials which explored several primary and secondary sources that cataloged written histories of Memphis. While reading these written histories to examine Memphis's past, I coded for key themes that were continually represented within the works, which helped to illuminate that the development of Memphis as a large metropolitan area cannot be divorced from larger histories and processes of racial capitalism. I continually noted themes such as racial violence, racial inequity, and racial injustice in regards to policing, housing, employment, life expectancy, representation and enfranchisement, as well as education within these written histories. While the

abolition of slavery following the Civil War was in and of itself a critical juncture, I also looked for historical events following emancipation, specifically between the years of 1865-1905, to gather additional insight into what other unique incidents acted as critical junctures within Memphis during this timeframe. Four events were chosen to be representative of critical junctures in Memphis for their significance in altering its history and the lives of its inhabitants. These events were then examined in relation to federal, state and local laws and policies passed during this timeframe.

The research found that many of the local and state laws and policies instituted and practiced in Memphis were in direct opposition to federal laws prohibiting racial disparity as outlined in the 14th amendment. Building this archive of materials prompted me to explore contemporary laws and policies that institutionalize and exacerbate racial inequalities and disparities in Memphis further. In the final phase of this research, I therefore explored current records in order to reveal the lasting legacy of racist policies on the contemporary development and trajectory of Memphis. This research highlights the compounding effect of continuous racial structural and systemic inequities and inequalities over time, illuminating how certain policies and practices advantage those racialized white to the disadvantage of those racialized Black. Through a synthesis of secondary sources, such as written histories of Memphis, as well as primary sources, such as legal records; and current data on Memphis and Memphians alike, I was able to trace the lineage of these critical junctures into the present.

This body of work therefore relies heavily on the theoretical discourses I discussed within the literature review to tie past histories of Memphis to a discussion of present-day racial capitalism. The intent of this work is to call into question the formalized policies and informal practices that create and sustain racialized violence on Black life from the end of the Civil War to

our contemporary moment in order to dismantle false narratives that only serve to maintain systems of white supremacy and privilege which perpetuate harm—and exert a deathly force—on the everyday lives of Black Americans.

## **Discussion**

As noted above, the purpose of this research is to examine how and to what extent policies and procedures implemented during the forty years after the Civil War continue to reproduce racial inequity in Memphis, Tennessee. Although the 13th, 14th, and 15th amendments were passed and ratified to protect the rights of newly freed Black peoples following the Civil War, the impact of these laws diverged meaningfully from their intent within Southern states, such as Tennessee. Prior to the war, Memphis, like many other major cities in the South, was economically dependent on enslaved labor. Given this, white southerners fought tirelessly against the emancipation of enslaved peoples, perceiving their freedom as tantamount to economic uncertainties that would perhaps occasion the collapse of capitalism altogether.

Those racialized as white stood to lose the most economically following the abolition of slavery, and thus engaged forms of de jure and de facto policing in an attempt to maintain their positions of power and privilege over those racialized as Black. The consequences of these acts are readily apparent in Memphis today, with the city often being cited as one of the US' most dangerous and impoverished cities. Throughout this discussion, I will call into question the racial stereotypes that abound within Memphis to maintain systems of white supremacy and privilege through an exploration of not just the city's growth and decline across time but the critical junctures that altered its trajectory. The history of Memphis during the forty years following the Civil War is best understood through an examination of racial capitalism due to the intricate connection between the two in shaping current racial inequality and inequity in Memphis today. This research therefore serves a vital role in unearthing suppressed histories for the purpose of reckoning with the mistakes of preceding generations and ending the vicious cycle of racial violence that shapes its present.



### ***Memphis and the Mississippi River***

The city of Memphis is the seat of Shelby County, which is situated in the southwesternmost corner of the state of Tennessee (The Editors of Encyclopaedia Britannica, 2024). The Mississippi River forms the city's western border, which flows down to New Orleans where it meets the Atlantic ocean. Along this journey, the river leaves behind rich deposits, creating ideal soil conditions for the cultivation of crops, such as cotton and tobacco. Preceding the Civil War, white plantation owners found that they could grow exceptionally wealthy from the production of these crops combined with the use of enslaved labor. The same river that made the land fertile was therefore also used to transport enslaved peoples, whose labor would be exploited to cultivate the land. Through the use of enslaved labor, Memphis flourished as a hub for not only the buying and selling of cotton, but the buying and selling of Black men, women, and children (n.d., "Early Memphis"). Given this history, the growth of Memphis cannot be decoupled from the histories and stories of enslavement by which the city grew into the largest inland market for both the buying and selling of both cotton...and peoples.

### ***Memphis and the Freedmen's Bureau***

Where the southern border of Memphis meets the northwestern border of Mississippi is of equal importance to its western border, especially with regards to the development of the character of Memphis and the growth of its Black population. The year before the Civil War began, in 1860, the population of Black Memphians was listed as just approaching 4,000, or approximately 17% of the total population, and by the time the Civil War ended, in 1865, this number had grown to more than 16,000—with freedmen, women, and children now accounting for roughly 39% of the city's total population (n.d., "Civil War and Reconstruction"). The astronomical increase in the Black population during the Civil War was spurred on by two major political shifts. Whereas

Memphis had been under Confederate occupation at the onset of the Civil War, the city came under Union occupation after an 1862 battle, and would remain so until its end. When President Abraham Lincoln's (1863) "Emancipation Proclamation" decreed that the more than three million enslaved peoples within the Confederate States were freed six months later, Black men were encouraged to join Union soldiers on the battlefield in states where they had previously been enslaved. Black men from Tennessee and the surrounding states, primarily Mississippi to the south and Arkansas to the west made their way to Memphis in order to join the ranks of the Union army. Yet, despite the fall of the confederacy at the war's end, freedom remained a fleeting hope for Black peoples in the South. The 13th Amendment had abolished chattel slavery and involuntary servitude, but the caveat that it could remain a legal form of criminal punishment enabled white Southerners to keep systems of white supremacy and privilege intact through the creation and enforcement of laws that disproportionately penalized Black peoples (Ellis & Kuhn, 2022).

However, other landmark legislation, including the Freedmen's Bureau Act of 1865, which assisted recently freed people by providing resources to them such as access to education, employment, and protection, drew large populations of Black families to Memphis during this period (Bond and Sherman, 2003: 53-59). Within the span of four years, the country had fought a war over slavery, transforming Memphis from the largest inland market for the buying and selling of enslaved labor to one of the largest destinations for southern Black people seeking the promises "of life, liberty, and the pursuit of happiness" (Declaration of Independence, 1776). These promises were formally protected on April 9th, 1866 by the federal government with passage of the Civil Rights Act, which acknowledged that all people born within the United States were citizens entitled to a set of inalienable rights, but while the city of Memphis offered

many protections to its growing Black communities—much of this “progress” was illusory. Indeed, the Memphis Massacre, which broke out merely weeks following the passage of the Civil Rights Act exemplifies that this was a mirage of progress. The massacre would illuminate the need for further federal legislation designed to specifically protect recently freed peoples and it would act as the catalyst for the second Reconstruction Amendment, the 14th amendment.

### ***The Birth of Free Black Communities***

Due to the influx of Black residents in Memphis both throughout and following the Civil War, there was a great need for additional housing. Unfortunately, this lack of infrastructure did not readily translate into the creation of housing for Black Memphians, who faced no shortage of obstacles in attempting to secure this basic necessity, among other basic necessities. The effect of housing shortages in Memphis led to the formation of Black communities on the outskirts of the city, mostly in the southern part of Shelby County (Davis and Donaldson, 1975:116-117). One of the primary examples of this was the formation of Boxtown, which was founded as early as 1863 by formerly enslaved and free Black people following the Emancipation Proclamation. The name of Boxtown is itself representative of the resourcefulness of those who resided there insofar as they reused panels from old train cars to construct their homes (Broken Ground, 2022). However, the resourcefulness of Boxtown residents was forged out of necessity not choice, due largely to the lack of resources newly freed Black peoples had access to. The draw of the Freedmen’s Bureau’s resources, including its promise of legal protection and access to employment and educational opportunities, led to the formation of a Black community near its headquarters in 1865. The office of the Freedmen's Bureau headquarters, located within Memphis city limits, was not far from Fort Pickering, where many Black soldiers had served in the months before the Civil War’s end. Due to support from the Freedmen’s Bureau, this community was doing quite

well until it fell victim to a great massacre that, in just over a year's time, would ravage this community (Lanum, 2011).

Contrary to the communities mentioned above, the establishment of the community of Orange Mound did not form until quite a bit later, in 1890, but it is nevertheless of significance to note. The reason for this delay is tied to Orange Mound's unique and unprecedented founding as one of the first "planned developments" for Black people in the Mid-South (Williams, 2013:13-36). The creation of Orange Mound exemplified the 14th amendment's guarantee of a right to citizenship and, thereby, to land and homeownership. However, the land that Orange Mound was—and remains—situated atop was once the Deadrick plantation. The formation of Orange Mound was therefore highly contested given that the Deadrick family had sold the land under the condition that the new owner would not sell it to Black people (Williams, 2013: 13-15). The community of Orange Mound, alongside Boxtown, stands as a stark reminder that despite outward appearances of progress, racial discrimination can—and very often does—remain at the heart of such initiatives. Although each of these communities was forged separately, the fact that Memphis' historically Black communities were erected through practices and policies of de jure and de facto segregation which continue to endure 150 years later compels action.

### ***Critical Junctures***

#### *The Massacre of 1866*

Following the Civil War, Memphis was inhabited by many soldiers of the United States Colored Artillery. Given that white residents who had sided with the confederacy objected to seeing men of color in uniforms, many of the soldiers from the United States Colored Artillery were charged with patrolling and protecting the lives of the formerly enslaved residents of Memphis. The problem was that these men were not the only ones in uniform. The city had also

implemented a police force which was predominantly made up of white Irishmen that openly resented the recently freed persons of color. Out of the 180 officers, 163 of the officers were Irish (Wright, 2000:14-17). Not surprisingly due to the racial tensions that plagued the Reconstruction era, on the first of May 1866 a “riot” broke out. According to the “Report of the Select Committee on the Memphis Riots and Massacres” (Washburne, [1866] 1970:6-7) this event was precipitated by Irish police officers beating a Black man who had tripped without recourse.

On May 1, 1866, officers responding to complaints of several Black men allegedly drunken and shooting pistols into the air, began openly shooting into the crowd of Black citizens—setting off the “riots.” For the next four days, these “riots” would continue, primarily within Black neighborhoods, leading to severe damage. By their end, there was an estimated \$130,000 worth of property damage, 48 deaths (46 Black and 2 white), 75 other injuries, 5 rapes of black women, 10 assaults, 100 robberies, 91 incidents of arson, and the destruction of all the schools for Black children as well as 4 churches. While the story was twisted by white media news outlets to portray the event as largely the fault of Black peoples, a report by the “Select Committee on the Memphis Riots and Massacres” (Washburne, [1866] 1970:5) indicates that the massacre and destruction can be largely attributed to the actions of white Memphians and police.

### *Analysis*

The animosity between the Irish police force and the formerly enslaved Union soldiers point to the racial stratification in the United States following the Civil War. The social hierarchy prior to the Civil War placed white Anglo-Saxons at the top and Irishmen below them. Following the war, recently freed people of color occupied a similar social strata to that of Irishmen. The white Anglo-Saxon upper class instilled fear in the Irish over job and resource loss due to recently freed persons competing for resources under the capitalist system, which led the Irish to

resent this new class of Black workers. The “new” social formations and discourses that emerged in the wake of the Civil War were a direct cause of the violence that ensued during the 1866 massacre given that white Southerners saw the formerly enslaved as a threat to their employment opportunities and job security. In the years after the Civil War, the Irish would experience social mobility as they were absorbed into the growing racial class denoted as white Americans. They would primarily gain this power within the South through the creation of a predominantly Irish police force.

Although several federal branches would investigate the events of the massacre in May of 1866, no formalized action was taken against those who had participated in the destruction in spite of the Civil Rights Act, which guaranteed Black peoples the right to security of both person and property. The predominant reason for this being that the act “did not require compensation if local authorities failed to provide safety (Wright, 2000:15-16),” thereby not only legitimizing racialized violence but in effect sanctioning it under law through the institutionalization of an Irish police force tasked with both surveilling Black peoples and quelling protests of injustice from within their communities.

#### *Yellow Fever Epidemics of the 1870s*

Despite the Massacre of 1866, the population of Memphis continued to grow due to the migration of both white and Black persons. Many freed Black men continued to do similar work to what they had done pre-Civil War because they were not given opportunities for employment otherwise. More than ever the Mississippi River continued to play a key role in the city's economy. New arrivals to town came from the river to enjoy downtown, steamboats carrying cotton docked on Beale Street, and one other uninvited guest came too: mosquitos, and they went everywhere. They were more than just a pest, they would lead to a full blown epidemic that

would change the history of Memphis forever. In 1878 alone, the population of Memphis would drop from 50,000 to 20,000 people (Lauterbach, 2015: 47-50). Of the 20,000 people that remained, 14,000 of them were Black persons (Bond, 2003:62-63). The death toll was only part of the population decline; the other half is attributed to the number of people who fled seeking safety from the virus. Several sources point to the conclusion that if one could leave they did; however, those that left were primarily white because they had the generational wealth to do so.

More than ever this swung the city's population to be primarily people of color (Rushing, 2009:13-17). In fact, those individuals racialized as Black would take care of the dead and dying. For instance, Black officers protected the dead from looting when white officers had either left or refused to work, and most of the 3,000 nurses that attended to the dying were Black women. Despite this the city of Memphis loses its charter due to the great debt incurred and the population loss (Lauterbach, 2015: 47-50). Citizens such as Robert Church Senior, America's first Black millionaire, would help restore confidence among those who had doubts about the future of Memphis by purchasing the very first municipal bond in order to help rebuild the city (Hutchins, 1965:100-101). Despite being wealthy enough to leave Memphis during the yellow fever epidemic, Church stayed and continued operating his business, a billiards hall. He would also buy much of the land left behind by white property owners fleeing the city, such as John Overton Jr., and redevelop it into affordable housing for Black residents who faced housing instability due to the ridiculously high renting rates of white landlords and the deadly yellow fever epidemic (Lauterbach, 2015: 49-51).

### *Analysis*

The yellow fever more than ever highlighted the racial wealth gap in Memphis that was built off of generational wealth accumulation by white landowners and enslavers that had been

denied to people of color during the years of slavery in America. In the case of yellow fever, the difference between those who had the ability to accumulate wealth and those who could not meant life or death. These divisions were very much delineated along racial lines. After the passing of the fevers and concentrated efforts to clean up the city of Memphis, the population began to grow again leading to the immigration of affluent white families back into Memphis. Upon returning, this affluent class blamed Black citizens who had remained for the city's growing debt despite the fact that much of the debt was due to the white flight in response to the epidemic. Throughout the nation, narratives would form calling Memphians lazy and ignorant because they did not keep their city clean enough to avoid the fever when in actuality this was due more to insufficient funds than anything else (Rushing, 2009:13-17).

The formation of the Tax District of Shelby County, Tennessee, formally Memphis, would lead to new election boundaries that would structurally concentrate power into the white upper-class while simultaneously limiting the power of all other minority voters (Rushing, 2009:15). While the upper-class was primarily made up of white landowners, there were some people of color who retained high levels of land, such as Robert Church who bought land from white property owners fleeing the city when the fever hit. His fortune was first and foremost made from his saloon and brothel. There were extremely limited avenues to riches as a Black man in the late 1800s, Church did what none had done before him by accumulating a fortune of a million dollars. His business was undoubtedly risky for a person of color and was therefore done at grave personal risk to himself. Church limited his own risk by becoming a philanthropist to the city, so while many frowned upon his work, one could not deny his stake in the community's overall success. Church's buying of the first municipal bond to rebuild the city is indicative of this and to a greater extent the unwillingness of the primarily white upper class to invest back



into Memphis, the city they had left behind. White bond buyers were only willing to buy the bonds in order to not be outdone by a Black man (Hutchinson, 1965:100-101).

*“Pappy” Hadden and the Taxing District of Shelby County, Tennessee*

Due to Memphis losing its charter, its fiscal management would be taken over to become the Taxing District of Shelby County, Tennessee (Rushing, 2009:14). The President of the taxing district was known as “Pappy” Hadden, he was a well to do white man, who is eulogized as rebuilding the city of Memphis and restoring its charter. While there is truth to this, that is not the full story. “Pappy” Hadden allowed businesses along downtown to become an entertainment district despite this being illegal in the state of Tennessee. The area was lined with saloons and brothels which were frequented by white and Black men who had excesses of money to spend. The money brought into the city by these businesses helped to get Memphis back on its feet in more ways than one. On one hand businesses that paid their property taxes and maintained a license were helping to fund projects for restoring Memphis’; on the other hand, businesses that did not pay, “helped” in their own way too. Primarily this was done through sending Black men to court where “Pappy” Hadden resided as a judge. He would dismiss charges if paid well enough, or if found guilty, the arrestee would pay heavy fines to the city, either way the city received money to complete the work. If one could not pay their fines, they were jailed which benefited the city through Hadden’s eyes because he would force them to do the work of rebuilding the city, like adding new sidewalks to Beale or sold into peonage systems, where they were often never seen again. Memphis would regain its charter in 1893, heavily due to the exploitation of Black Americans who paid the way in their money, labor, and lives (Lauterbach, 2015: 75-78).

### *Analysis*

The 13th amendment to the United States Constitution banned the act of slavery in all forms unless as a punishment for a crime. This legislation appeared to close the door on slavery, but the caveat of slavery as a punishment left the door open for what is known today as the prison industrial complex. In this system, those convicted of a crime were no longer free and could be submitted to the same involuntary labor systems of pre-Civil War (DuVernay, 2016). The example of Judge Hadden exemplifies how Southern cities continued to use slavery as a means to build their city by effectively profiting off of unpaid labor. While they were no longer called slaves, they were referred to as prisoners, their work looked strikingly similar. Hadden commonly drove around the taxing district during harvest season arresting young Black men whose hands he perceived as too “smooth.” These Black men were arrested on vagrancy charges, and sent to pick cotton if they could not pay their fines. These fines were an exploitative measure that fed off of generational systems of injustice and inequity in order to control and exploit those racialized as Black. The prison industrial system highlights how capitalistic society evolves to utilize racialized violence to continue to prosper and grow.

### *The Deaths of Tom Moss, Calvin McDowell, & Will Stewart*

As Memphis grew, the city became a national testament to the ability for there to be integrated communities and social mobility for those racialized as Black or white. The *Free Speech*, a Black-owned newspaper is one example. Ida B. Wells was the paper's editor, and the office of her paper was located in the Black community's 1st Baptist Church on Beale Street. Wells spoke fiercely for social mobility of Black persons and spoke out against racial inequities that she saw throughout the Mississippi delta. Her adamant writings led her to be tolerated while generally disliked among the white community, and avidly read in the Black community. White

populations disliked her commentary, especially when she wrote a groundbreaking piece calling for the people of the Black community to stand up and fight back against lynchings. Wells' writing was inflammatory; her very own church congregation asked that the piece be pulled from the *Free Speech*. Black Memphians speculated that her candor endangered their lives. Unfortunately, they were right (Lauterbach, 2015:95-100).

Tom Moss was a friend to Wells, a former informant to the *Free Speech*, and owner of the People's Grocery, a Black co-op. In March of 1892, his store would be raided by police officers while he was not present, those who were present would fire shots at the officers and wound several of them. Tom Moss, Calvin McDowell, and Will Stewart would be arrested in the county jail for this incident, but would never face trial. Early on the morning of March 9, 1892, 75 masked white men would surround the jail, tie up the officers on duty, steal their keys, and take all three men across town to be shot, and then lynched (Hutchins, 1965:36-41). When news of the event happened, no one was charged, the police never even looked. The event spurred on a great migration of Black individuals out of Memphis. Many went West in hopes of forming Black communities apart from a greater white society that did not value their lives. At the time of the event, Wells was not in Memphis, she was traveling around the South gathering information about instances of Black men being lynched. When she arrived back in Memphis, she shared her findings that most lynchings where rape of a white woman was claimed to have occurred was almost always a cover for a romance between a white woman and a Black man (Rushing 2009:45-46). Imagining the effect that the piece would have, Ida left Memphis that same day. Her intuition was right for the next day Ida's press room was ransacked and a note was left saying that if she returned in the next 20 years they would kill her too. (Lauterbach 2015:101-106).

### *Analysis*

Tom Moss' mutual aid co-op, the People's Grocery, serves as an example as an alternative model to racial capitalism. The events following the raiding of the People's Grocery outline how a capitalist majority system does not allow for alternative models. Under the system of racial capitalism, racial violence will continue to evolve to meet the needs of the system at large unless a different system is enacted in its place. Ida B. Wells and Tom Moss both understood the importance of uncovering the racial inequities that they faced for all to see. They refused to pretend to live in a colorblind world and sought to educate people across the nation about the structural violence that was legitimized by the state and the white majority when it came to the daily life of Black southerners. Ida B. Wells would spend the rest of her life denouncing the injustices she saw in an American system and speaking up for systematic change which mitigated the effects of racial capitalism.

### ***Memphis: The Home of the Blues***

While Memphis is predominantly known for its music and entertainment value today, the city did not start out that way. When remembering the histories of the development of Memphis, one must wrestle with the systematic violence that occurred and what gave the city its nomenclature as the "Home of the Blues". The events discussed above, outline the key circumstances that would lead to the birth of the Blues, a form of music that highlights the racial and structural injustices and inequalities endemic in a racial capitalist system. Those songwriters lived through the moments described above which undoubtedly had an effect on their understanding of the continual devaluation of their lives as a racial minority within a dominant white majority. The work to change these recurring cycles of abuse requires systematic change,

beginning with understanding how these systems were built and how they play out today to better understand how to dismantle them to build a brighter future.

### ***Ripples of Racial Capitalism Leading to Racial Disparity***

The events that unfolded in Memphis and the surrounding Shelby county area between the years of 1865 and 1900 should not and cannot be viewed as isolated events. The gravity of each of these incidents led to the disruption of old social formations and discourses, both positive and negative, with the ability to enact different social outcomes that have had sustained effects on the area with both positive and negative results. The primary areas of housing, schooling, policing, and wellbeing continue to see substantive challenges that are rooted in the inequities and injustices that took place in Memphis over 150 years ago. Throughout the next four sections the research will highlight the continuing effect of racial capitalism within Memphis and the greater Shelby County area to draw attention to the disparities that a racial capitalistic system perpetuates in order to sustain itself at the privilege to white people and the detriment of Black people.

#### *Housing*

For the 2023-2024 year, Memphis took the number one spot once again for the most dangerous place to live in the United States. (n.d., “Most Dangerous Places in the U.S. in 2023-2024”) Rankings like the one above have created an image of Memphis in the public eye which is negative while also gratuitously overlooking the circumstances surrounding Memphis accruing such a title. One motivating factor has been historical disinvestment, which has plagued the city since the Yellow Fever epidemic that resulted in Memphis losing its charter to become the Taxing District of Shelby County, TN. This disinvestment did not occur evenly throughout the whole of Shelby County or Memphis, but rather along racial lines, hitting communities of

color hardest. The formation of early Black communities in southern Memphis, such as Boxtown, Orange Mound, and areas close to the Freedmen's Bureau in Southwest Memphis have faced obstacles related to disinvestment codified through the practices of redlining and segregation. The result of these blatant violations of the fourteenth amendment meant that these areas have not had access to capital like other communities throughout Memphis and Shelby County.

Although de jure segregation is no longer in place, the act of de facto segregation very much is. Despite the racially diverse population of Memphis, the city still remains one of the most segregated cities in America. Based on information recorded by the U.S Census Bureau American Community Survey between 2015-2019, Memphis has 17 neighborhoods that have a demographic makeup of at least 98% Black residents and five neighborhoods are 90% or more white residents (Steimer, 2021). Despite continuing annexation by the city of Memphis in order to expand its tax base, the city has experienced significant emigration, only furthering the de facto segregation spurred on by white residents participating in white flight to "escape" to the suburbs of Shelby County rather than participate in integration (Bellow, 2023). The lasting impact of racist housing policies is intergenerational poverty in which Memphis was ranked fifth overall most impoverished city in the US in 2021 (Delavega and Blumenthal, 2022:11).

Corporations in conjunction with the city target these economically depressed, predominantly Black areas believing them to be "the path of least resistance" to their capital gains, like in the case of the Byhalia crude oil pipeline that would have gone right through the underground aquifer that served the community of Boxtown ("Unfair Share", 2021). Crude oil pipelines are known to leak and when, not if, they leak, benzene, a cancer causing chemical, floods the water supply (Broken Ground, 2022).

This is not the first time that Boxtown or Southwest Memphis has been a target for environmental injustice, the community is home to a dozen polluting factories that are slowly killing residents. The evidence is clear. Southwest Memphians are four times more likely to develop cancer, and experience significantly shorter life expectancies compared to that of the national average. Racial segregation has lasting effects on Memphians today that benefit predominantly white neighborhoods through better life outcomes in regards to education, employment, income, wealth, and wellbeing, often at the detriment to Black communities who experience reduced life outcomes from dispossession and disinvestment from such resources.

### *Schooling*

By 1870, Tennessee passed its first statute, after the abolition of slavery, declaring that white children and Black children were legally barred from attending the same school, codifying the practice of racial educational segregation into law (Blackpast, 2011). In 1886, Ida B Wells, not only an early Civil Rights advocate but a teacher in Memphis, spoke out about the inequity she saw between the racially segregated schools (n.d, “Life Story: Ida B. Wells”). While this does not seem all that surprising, an 1873 statute governed that schools should be “under the same general regulations as to management, usefulness, and efficiency” meaning that Memphis schools were in contradiction to the law (Blackpast, 2011). Ida was promptly fired for speaking truth to injustice, but she found her foothold once again as a writer and editor for the *Memphis Free Speech and Headlight* where she continued to denounce injustices and inequities sustained through the de jure and de facto policing of Black life in Memphis (n.d, “Life Story: Ida B. Wells”). One such instance of de facto policing was perpetrated by the all white police department in Memphis during the 1866 Memphis massacre where they burned all schools for Black children to the ground. The education of Black students was a direct threat to white

Memphians following the end of the Civil War, who saw the ability that education could have on the social mobility of Black communities. The fear and prejudice surrounding this threat is evident in the actions of white Memphians then and now. In 1869, Memphis City Schools(MCS) was established to serve students within Memphis, while Shelby County Schools(SCS) would serve children outside the Memphis city limit (Meckler and Rabinowitz, 2019).

The push for public schools by Black communities ultimately benefited lower and middle class white children the most in the long run considering that school funding is largely determined by property taxes. Through the practice of redlining in the 1930s and 1940s, the land that Black communities lived on was devalued resulting in less educational funding for communities of color (Bradley, 2019). Inversely, the land that white communities lived on was overvalued, resulting in more educational funding due to higher property taxes in those areas. The supreme court ruling on *Brown v. Board of Education of Topeka, Kansas* in 1954 found that school segregation was a violation of the fourteenth amendment right, and the process of desegregating schools across the US began. White Memphians opposed integration of their schools and blatantly disregarded the 1954 ruling up until the 1970s when a formalized plan was enacted to bus children, no matter their race to the same schools (Duke, 2005). The effect was the migration of white Memphians to the suburbs, often known as white flight, in order to evade school integration. This exodus pooled capital into the suburbs of Shelby County and out of Memphis, for which there was only a matter of time before the collapse of MCS in 2013 due to economic deprivation and resource strain (Meckler and Rabinowitz, 2019). The merger of MCS and SCS to create Memphis Shelby County Schools (MSCS) is thought to be the largest school system merger in the US to date and had the ability to break down racial education barriers, but this was not the result.



Over the next six years, suburban communities, including Bartlett, Collierville, Germantown, Lakeland, Milington, and Arlington, which had been zoned as SCS prior to the merger broke off— creating separate municipalities in order to funnel more money into their schools instead of sharing their wealth to serve their own children and the predominantly Black population of children, formerly housed within MCS (Kebede, 2018). The culmination of this event has left Shelby County children more segregated than ever before despite the absence of de jure school segregation, yet de facto segregation continues as the norm through calculated actions taken to change laws that formally barred the creation of such municipalities.

### *Policing*

The city of Memphis has earned a reputation as being one of the most dangerous cities in the United States, as reported by US News and World Report in their 2023-2024 ranking (n.d). The rankings were determined by the murder and property crime rates per 100,000 people, according to FBI crime reports. This ranking views crime as a statistic, but in reality, crime happens between individuals, and oftentimes context is extremely important. The statistics fail to consider the effect that the over policing of Black communities has on this data. The city of Memphis ranked 18th in 2021 for police officers per 1,000 people (Stebbins, 2022). The history of this practice of hyper-policing individuals racialized as Black dates back to the yellow fever epidemics of the 1870s where the population of Memphis so dramatically decreased due to a mass exodus to evade the illness and the deaths of those who could not escape led to the loss of Memphis' charter and the beginning of the taxing district of Shelby County, TN. In order to hasten the regainment of the city's charter, "Pappy" Hadden, the president of the taxing district, relied heavily on de jure policing which allowed ample labor and capital to aid in regaining Memphis' charter. Even prior to this event, the Memphis massacre of 1866 exemplifies the

legacy of violence within Memphis, when the all white Memphis police force with help from other white Memphians participated in the destruction of the Black community surrounding the Freedmen's Bureau where the burning of all churches and schools within that community took place, as well as the killing of 46 Black individuals, and the raping of five Black women.

Effectively, the Memphis massacre led to the decimation of an entire Black community for which no repercussions were enacted despite the formal investigation by the federal government that found the Memphis police force at fault. The incident only furthered distrust among Black Memphians who remembered police patrols' primary function prior to the abolition of slavery was that of the slave patrol (2014, Whitehouse). Communities of color have rightfully been historically distrustful of police officers who have never been in place to protect or serve them, but have more often than not perpetuated violence in their communities through the growth of the police and prison industrial complex, an evolution of the de facto policing practice of lynchings; like in the case of Tom Moss, Calvin McDowell, and Will Stewart; which continue to harm communities of color (Echols, 2024) . Police misconduct in recent years has disproportionately resulted in the killing of men, women, and children of color at the hands of all too often white officers. In response to the public's outcry against racist policing, many departments across the nation responded by diversifying their police force, but this pseudo-solution was proved unacceptable on the night of January 7, 2023.

#### *The Case of Tyre Nichols*

A Black man by the name of Tyre Nichols was pulled from his vehicle after being stopped for reckless driving in South Memphis, one of the historically Black neighborhoods which has faced disinvestment and dispossession over the 150 years since the passing of the 13th amendment (Orlando, 2024). The officers that beat Nichols to death belonged to a unit of the

city's now disbanded SCORPION unit which targeted high-crime areas through the use of "zero-tolerance and proactive policing" (Perrusquia, 2023). The SCORPION unit was just another form of over-policing through continual surveillance by the police on Black populations. The case of Tyre Nichols is unique compared to other police killings in regards to the officers committing the violence were not white, but were predominantly Black officers (Franklin and Wamsley, 2023). The distinctiveness of this finding illuminates that diversification of police departments is not the solution to ending police violence. The solution to ending police violence is not hiring more officers so that the officers look racially similar to the communities being policed, but rather to break the cycle of disinvestment and dispossession in Black neighborhoods through investment into community building and social services (Vitale, 2020). The funds for this investment should not be taken from other necessary public departments, such as education, but rather should come directly from funds relinquished from the police department through a process known as defunding the police.

### ***Resistance***

To paint a picture of Memphis' history of racial inequity without acknowledging resistance histories would be a great disservice to the city and the generations of people, both Black and white who have fought against inequality and inequity at every juncture. The practices of resistance take many forms; therefore, there is no one size fits all approach to defining what is and is not a resistance tactic, but for the purposes of this examination, any action taken to forestall inequity and injustice will be recognized as a form of resistance. The earliest form of resistance recognized in this research is the migration of 12,000 free Black men, women, and children converging on Union occupied Memphis to earn access to rights and resources. The influx of Black populations in conjunction with the establishment of the Freedmen's Bureau

established Memphis as a center for Black migration due to opportunities for safety, education and employment, not offered to Black Southerners in the surrounding areas.

In spite of the horrors enacted on Black communities during the Memphis massacre, Black Memphians rebuilt the schools and churches that had been burned and consistently participated in elections in order to receive representation as a way to resist racial injustices. Even when the yellow fever epidemics of the 1870s devastated Memphis resulting in the loss of its charter, the community came together to bury the dead and nurse the sick, defying the racial stereotypes that circulated nationally which were enacted to refuse aid to these citizens. As Memphis recovered from the yellow fever epidemics, a new kind of resistance was emerging. Her name was Ida B. Wells, and she wrote relentlessly about the injustices that she saw throughout the Mid-South, including Memphis. She resisted through speaking truth to the injustices that she saw in her everyday life, but she was not alone, many Memphians supported her in this effort, including informant Tom Moss who also ran People's Grocery, a mutual aid co-op in support of Black Memphians.

Throughout the century and a half following the abolition of slavery, there have been and continue to be many injustices enacted on Black communities despite the promises of the Reconstruction amendments, but at every juncture, including our present moment Memphians continue to fight and resist these inequities and injustices despite the prevalence of racist policies and practices. The legacy of Wells' form of resistance writing for the *Free Speech and Headlight* remains particularly strong in Memphis through contemporary journalism, such as *High Ground*, *MLK 50*, *Chalkbeat - Tennessee*, *Institute for Public Service Reporting - Memphis*, and *Southern Environmental Law Center* which have all aided in this research.

## **Conclusion**

Despite the powerful history of resistance in Memphis, injustice and inequity remain. This is largely due to the deeply embedded roots of racial capitalism, which continues to evolve to the advantage of those racialized as white and the disadvantage of those racialized as Black. Although passage of the Reconstruction amendments codified into law that recently freed peoples would no longer suffer the injustices of chattel slavery, these laws also failed to protect their rights. As the case of Memphis highlights, this struggle for racial equity remains today, including in housing, wellbeing, schooling, and policing. Through identification and analysis of critical junctures from the post-Civil War period, this research examines the paradoxical relationship between legislation that promised equity to Black citizens and the grave injustices experienced by Black Americans for over 150 years.

The research finds that racial capitalism remains due to the permeation of racist ideology in the form of white supremacy which allows for a continual disregard for Black life in spite of legislative efforts. Through the examination of critical junctures, such as the Memphis massacre, the yellow fever epidemics, the taxing district of Shelby County, TN, and the deaths of Tom Moss, Calvin McDowell, and Will Stewart, there is no doubt that the Reconstruction amendments failed to create equity for Black Americans. Given the continual perseverance of such injustices, they remain. Therefore, in order to truly dismantle the systems of white supremacy and privilege ingrained within American society, legislation is not enough. Solutions outside of the legal system must be sought, such as grassroots organizing and mutual aid programs, which not only offer alternative ways of organizing society but the hope of truly being able to disrupt and dismantle this destructive system.

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