

Black Codes ^[1]

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by William C. Harris, 2006

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Soon after the [Civil War](#) ^[3], southern states governed by Presidential Reconstruction (1865-67) adopted racially discriminatory laws, called "black codes," to maintain close control over the newly freed slaves, thereby retaining as much of the elements of slavery as possible. North Carolina's black code was arguably not as stringent as those of states with larger black populations, but that would have made little practical difference to the state's newly emancipated black citizens, who were refused most privileges of citizenship. Approved in 1866 after a vigorous debate in the General Assembly, the North Carolina code-actually a series of laws-denied blacks the right to vote, serve on juries, and testify against whites in court; provided for the apprenticing of young blacks to their former owners; established capital punishment for blacks convicted of raping white women; attempted to restrict their movement into and out of the state; and prohibited them from owning or carrying firearms or other weapons unless they obtained a license one year before the purchase. The black code also prohibited interracial marriages, and it applied the same criminal and civil laws, including those relating to the ownership of property, to the former slaves as to whites. The code was enforced by loosely organized (and generally unrestrained) county militias.

Strong northern and black opposition to the southern black codes contributed to the termination of Presidential Reconstruction in 1867 and the imposition of Congressional, or Military, Reconstruction in the former Confederate states, including North Carolina. The new political order nullified the black codes and attempted to institute civil and political equality for African Americans, but it did little to address the underlying social and economic inequities. After [Reconstruction](#) ^[4] ended in 1877, southern white politicians returned to practices that disfranchised blacks and perpetuated their status as second-class citizens. In fact, many [Jim Crow laws](#) ^[5] of the early twentieth century found their origins in the black codes.

References:

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Subjects:

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[Encyclopedia of North Carolina, University of North Carolina Press.](#)^[9]

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