

## BURNED IN EFFIGY: HOW THE LOST CAUSE ALLOWED FOR RECONCILIATION THROUGH CULTURAL PERFORMANCES OF SURROGATION

by Jesse Goldberg

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“So at the limits of transgressive performance, the effigy burns, and by its flickering light the villagers try to see if the center has held.” –Joseph Roach, *Cities of the Dead*

In the fifty years following the American Civil War, the very national and cultural identity of the United States was on the brink of deconstruction.<sup>1</sup> The white supremacist narratives on which the country’s cultural identity was built were being forcibly challenged or ruptured by the emancipation of millions of black people from slavery.<sup>2</sup> Metaphysically, emancipation was the literal categorical transformation of bodies from property incapable of agency and ownership and disavowed of subjecthood, to human beings with minds, agency, moral value, and perhaps claims to ownership and citizenship. Such a rupture, unless it is to be accepted by the narrative which it challenges, must by the nature of its own grandeur be systematically and violently suppressed by counter-narratives of the subjects whom the rupture most acutely threatens. The continuum of counter-narratives responding to emancipationist accounts of the war which emerged in post-Civil War America came to be collectively known as Lost Cause ideology.

The Lost Cause allowed its proponents to accomplish three goals. (1) Abstractly, the white supremacist narrative of America could remain intact and the nation’s cultural identity could be preserved. Of course, this goal was met in conjunction with the more concrete goal of the Lost Cause to (2) create sets of laws – named after the minstrelsy character Jim Crow – which defined blackness in such a way as to provide white Americans with an “other” against which they could define themselves. (3) This allowed the South to engage in multiple complex performances of surrogation in order to cope with the Confederacy’s defeat at the hands of the Union by constructing an identity narrative for white Southerners.

All three goals are not distinct but are instead intimately related and in fact inextricable from each other. Thus is the enormous effort it takes to construct the fiction of race in order to maintain the fictional community coherence which emerges out of systems of racial hegemony. The Lost Cause, in short, simultaneously kept caricatures of black people on the peripheries of white American society and made them central to the perpetuation of antebellum Southern culture through one of the most sinister forms of public performance of memory, the literal burning in effigy of the bodies of black people.

Such sinister performances are easy to demonize as inhumane but when one considers how much of identity, at its core, is made up of malleable ideas subject to both substantiation and assault by mere

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<sup>1</sup> This paper is primarily concerned with the first fifty years following the end of the Civil War. This time frame is not arbitrary, however, as it signifies an intermediate period in U.S. history between two major “turning points”: the Civil War and World War I.

<sup>2</sup> By “white supremacist,” I do not have in mind contemporary hate-groups such as the neo-Nazis but a more insidious and taken-for-granted set of assumptions about the superiority of white peoples over non-white peoples. The rest of this paper should make this meaning clear.

words and stories, one begins to see the complex nature of desires to engage in such performances. Throughout *Cities of the Dead: Circum-Atlantic Performance*, Joseph Roach meditates on the idea that “memory, performance, and substitution” contribute to the construction of a community’s collective memory in such a way as to help the community define itself. President Abraham Lincoln recognized this, as historian David Blight contends: “The United States was an idea, Lincoln argued [in his Gettysburg Address], a republic fated to open its doors, however unwillingly, by one of its founding creeds, the ‘proposition that all men are created equal.’ History had caught up with the contradictions to that creed and all but killed the idea.”<sup>3</sup> In recognizing the United States as an *idea*, Lincoln understood that once the war of bayonets and cannons was over, a war of ideas—stories and narratives—would begin in an attempt to shape the identity of the United States. As is the case with individuals, a culture is identified by historical continuity, and the people of a culture do tremendous work to preserve this continuity through narrative.<sup>4</sup>

By the time the United States was on the brink of Civil War, its identity had been established as one of white supremacy through the construction of its Constitution, Supreme Court decisions, and social hierarchy.<sup>5</sup> In order to establish a white supremacist identity, the culture had to be constructed by narratives of whiteness, which only exist insofar as they can be contrasted with narratives of blackness, especially when, as Howard Zinn claims in *A People’s History of the United States*, a society was being constructed in the North American colonies based on economic stratification. There were white servants of white masters at one point and according to Zinn (who was writing in the late twentieth century), “there is evidence that where whites and blacks found themselves with common problems, common work, common enemy in their master, they behaved towards each other as equals.”<sup>7</sup> In light of intra-racial social hierarchy, it became necessary, as Zinn describes, for white people in positions of political and economic power to find an “other” against which they could define white Americans as a cohesive group.<sup>8</sup> Roach meditates on these deep-seated roots of culture construction in his analysis of the ways in which communities work to maintain a fiction of coherence by setting themselves up in contrast with groups

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<sup>3</sup> David Blight. *Race and Reunion* (Cambridge, Mass.: Harvard University Press, 2001), 31.

<sup>4</sup> See John Locke’s chapter On Identity and Diversity in his *Essay Concerning Human Understanding* for an account of personal identity which relies on temporal continuity as a criterion for establishing identity. It is not difficult to imagine that such a continuity criterion for personal identity could also be applied to cultural identity, especially given Roach’s discussion of stories of origins on pages 42-47 of *Cities of the Dead* and James Snead’s observation concerning cultural identity on page 147 of “On Repetition in Black Culture”: “So the second way in which repetition enters the dimension of culture is in the necessity for every culture to maintain a sense of continuity about itself: Internal changes to the contrary, a basic self-identity must not be altered.”

<sup>5</sup> Which protected slavery from federal intervention for twenty years following its ratification, counted only three-fifths of the slave population in determining representation in the House of Representatives and laid strong protections for citizens’ property (which included slaves) from seizure in the fourth and fifth amendments.

<sup>6</sup> See *Dred Scott v. Sandford* (1857), a decision which saw the U.S. Supreme Court determine that people of African descent who were imported into the United States as slaves and their descendants, whether or not they were slaves, were not protected as citizens by the Constitution. The court also ruled that the U.S. Congress could not prohibit slavery in federal territories, that slaves, not being citizens, could not sue in court and that slaves, being private property, could not be taken away from their owners without due process. Also, see *United States v. Stanley* (1883), a decision which saw the U.S. Supreme Court hold, according to page 309 of Blight’s *Race and Reunion*, “that the equal protection clause of the Fourteenth Amendment applied only to states; a person wronged by racial discrimination, therefore, could look for redress only from state laws and courts.”

<sup>7</sup> Howard Zinn, *A People’s History of the United States* (New York: Harper Collins Publishers, 2003), 31.

<sup>8</sup> *Ibid.*, 38.

or individuals which are “socially peripheral” to the social core. This, he argues, makes these socially peripheral groups “symbolically central” to the core community in forming narratives of identity.<sup>9</sup> It is this “myth of coherence” which the image of the black African, slave or “free,” allows white Americans to maintain.

Indeed, Lost Cause narratives were manifestations of this observation: “The many myths and legends fashioned out of reconciliationist vision provided the superstructure of Civil War memory, but *its base was white supremacy in both its moderate and virulent forms.*”<sup>10</sup> In order to cope with the military loss in the Civil War, white southerners such as Mildred Lewis Rutherford, in what Roach would call a performance of surrogation, looked to claim a victory in the battle over the nation’s memory by “righting the wrongs of history” which painted ‘inaccurate’ pictures of the south. By “righting” these “wrongs,” white southerners could shape not only their own identity, but the identity of the nation itself. After all, Rutherford begins her 1914 speech titled “Wrongs of History Righted” by claiming that “The United States was a Republic of Sovereign States. We were not a nation until the surrender made it impossible for a state to secede.”<sup>11</sup>

Rutherford’s speech touches on two of the key themes of Lost Cause ideology (even six decades later): (1) the painting of a favorable portrait of slavery while absolving the South of responsibility for the institution and (2) the establishment of a defense of states’ rights as the cause of the Civil War, not slavery or race relations.<sup>12</sup> In a search for deep origins, Rutherford goes back to the nation’s founding days to establish the doctrine of states’ rights, especially its importance to the people of the south, by explaining that “The plantation life in the old South made every planter a law to himself, and it was this that has made Southern men ever so tenacious of their State rights.”<sup>13</sup> But among other things, racial slavery was an inherent part of southern plantation life. Thus is seen the subtle and insidious performance of surrogation at work in Lost Cause preoccupation with states’ rights: rather than explicitly deal with trying to defend slavery and establishing white supremacy, white southerners such as Rutherford could appeal to a surrogate – the doctrine of states’ rights.

Consciously or unconsciously, Rutherford balanced this by expending an enormous amount of effort to disavow the South of responsibility for slavery and to justify the institution as not as bad as the

<sup>9</sup> Joseph Roach, *Cities of the dead: Circum-Atlantic Performance* (New York: Columbia University Press, 1996), 39. It is worth quoting Roach at length: “This phenomenon [‘what is *socially* peripheral is so frequently *symbolically* central’] operates in many different ways, but one pattern tends to recur: a contradictory push and pull develops as communities construct themselves by both expanding their boundaries and working back in from them. They pull back by excluding or subordinating the peoples those larger boundaries ostensibly embrace. Such contradictory intentions remain tolerable because the myth of coherence at the center requires a constantly visible yet constantly receding perimeter of difference... [This perimeter’s] mythic and potentially bloody frontiers must be continuously negotiated and reinvented, even as its most alarmist defenders panic before the specter of its permeability.”

<sup>10</sup> Blight, 361 (my italics).

<sup>11</sup> Mildred Lewis Rutherford, “Wrongs of History Righted” in *Four Addresses* (Birmingham, Alabama: The Mildred Rutherford Historical Circle, 1916), 51.

<sup>12</sup> Blight establishes these as prominent themes of Lost Cause narratives in his chapter, “The Lost Cause and Causes Not Lost” in *Race and Reunion*. See Blight’s account of Jefferson Davis’ *Rise and Fall of the Confederate Government* on page 259: “The South’s action was merely to protect its natural rights against the “‘tremendous and sweeping usurpation,’ the ‘unlimited despotic power’ of the federal government... In language that became almost omnipresent in Lost Cause rhetoric, Davis insisted that slavery ‘was in no way the cause of the conflict,’ but only ‘an incident.’”

<sup>13</sup> Rutherford, 52.

“misrepresentation” in *Uncle Tom’s Cabin*.<sup>14</sup> In fact, throughout her speech she spends much of her time placing blame on the North and listing all the ways in which the South had actually legally abolished the slave trade before the North, much like Ben Cameron does in Thomas Dixon’s *The Clansman*, claiming that “had the vote been taken in 1860 there would have been more votes against the abolition of slavery in the North than in the South.”<sup>15</sup>,<sup>16</sup> Rutherford, like countless other southern whites cited by Blight in *Race and Reunion*, explicitly denied that the Civil War was fought over slavery.<sup>17</sup> She goes on to blame “Spain and England” as the entities who were responsible for slavery in the United States before moving to a discussion of how slavery had been good for Africans. She asserts that the institution lifted Africans from being “savage to the last degree” to “the happiest set of people on the face of the globe”.<sup>18</sup>,<sup>19</sup>,<sup>20</sup> But one is forced to ask, if slavery was the cause of this positive change in “the negro race,” so much so that “[they] should give thanks daily that they and their children are not today where their ancestors were before they came into bondage,” then why would the south want to displace responsibility for such an institution of progress?<sup>21</sup> And if the whole war wasn’t about slavery anyway, why all the effort to correct what Dixon called “the imagined horrors of slavery”?<sup>22</sup>

This effort was necessary because the Lost Cause narratives were what Joseph Roach calls “counter-narratives” in response to emancipationist accounts of the Civil War.<sup>23</sup> Emancipationist accounts threatened to rupture the identity narrative of whiteness that southern whites had constructed and thus had to be aggressively fought against. Whiteness was indeed an identity which southerners had, through narrative, constructed for the signifier “American,” as Blight demonstrates in his assertion that orator Pop Barrow “set the Lost Cause off as the protector of *the real Americans* now under threat. ‘The Southern people are the Americans of Americans,’ claimed Barrow.”<sup>24</sup> Being a white supremacist, by “people” Barrow certainly did not have anyone in mind who happened to be of African descent but this identity was going to be threatened by the injection of hundreds of thousands of freed black people into American society and new black freemen into the voting body of United States politics. Dixon communicated this sentiment in *The Clansman* through Dr. Cameron, in an argument with Austin Stoneman: “Our [white Americans] future *depends on the purity of this racial stock*. The grant of the ballot to these millions of semi-savages and the riot of debauchery which has followed are crimes against human progress.”<sup>25</sup> South Carolinian Ben Tillman, in 1899, provided the script for such an argument in “lump[ing] African

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<sup>14</sup> Ibid, 55-56.

<sup>15</sup> Ibid, 56-64.

<sup>16</sup> Thomas Dixon jr., *The Clansman* (Lexington, Kentucky: The University Press of Kentucky, 1970), 124-125.

<sup>17</sup> Rutherford, 59-60.

<sup>18</sup> Ibid, 61.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid. 62.

<sup>21</sup> Ibid.

<sup>22</sup> Dixon, 274.

<sup>23</sup> In a sense, all narratives could hypothetically be called “counter-narratives” because of the seeming impossibility at times of distinguishing what came first—a kind of “chicken or the egg” question of narrative construction.

<sup>24</sup> Blight, 276.

<sup>25</sup> Dixon, 291 (my italics).

Americans, Polynesians, and Malays into one nonwhite group that ‘God Almighty made ... inferior and lacking in moral fiber.’ He resisted ‘injection into the body politic of the United States ... ten millions of the colored race, one half or more of whom are barbarians of the lowest type.’”<sup>26</sup>

This fear for the body politic of the United States informs a potential allegorical reading of a short story written by S. Weir Mitchell in 1866 titled “The Case of George Dedlow.” In the story, the protagonist, George Dedlow, a Union surgeon turned soldier winds up being wounded and losing both arms and both legs and experiencing various symptoms of phantom limb syndrome.<sup>27</sup> Weaved into this tale of physical injuries, though, is an essentially philosophical argument about substance dualism and metaphysical identity.<sup>28</sup> If one reads George Dedlow’s story allegorically as representing the foreseeable state of the American body politic, rather than just a particular northern man’s body, it becomes clear how these philosophical points connect to culture and historical narrative, which, as frequently aforementioned, is inextricably tied to identity. Culture and cultural identity are definitively metaphysical. So even when the physical make-up of the United States body politic changes dramatically due to the injection of new voters, the cultural identity, which as already argued was established as an essentially white supremacist one, remains in important ways unchanged, even if there is cognizant recognition of the change in the physical substance.<sup>29, 30</sup> This becomes specifically relevant to the Lost Cause at the end of the short story, when through the magic of a medium George Dedlow walks on the invisible ghosts of his legs for a few steps before again falling to the earth. There is no better fictional allegorical illustration of the Lost Cause as a construction to counter a rupture: it emerges as a conglomerate of fictional (magical) narratives about the South and the United States (invisible ghost legs) as a way to attempt to re-align the physical body of the state with the metaphysical, cultural body of the nation (the body walks as before).<sup>31</sup> But the body falls back to the earth because of the vulnerability of such fictional accounts, a vulnerability which must be “covered-up,” to borrow language from James Snead, by an enormous amount of effort from the Mildred Rutherfords of the country.

W.E.B. DuBois, in his 1903 work *The Souls of Black Folk*, recognized the violent tension created by emancipation as a rupture of white southern identity narratives about America. “The granting of the ballot to the black man,” wrote DuBois, “was a necessity, the very least a guilty nation could grant a wronged race, and the only method of compelling the South to accept the results of the war. *Thus Negro suffrage ended a civil war by beginning a race feud.*”<sup>32</sup> Throughout the chapter titled “Of the dawn of

<sup>26</sup> Blight, 354.

<sup>27</sup> S. Weir Mitchell, “The Case of George Dedlow” in *An Autobiography of a Quack and The Case of George Dedlow* (Reprint of 1905 New York Edition, Project Gutenberg, 2006).

<sup>28</sup> This is especially evident when George Dedlow contemplates his identity relation to his body and eventually states “a man is not his brain.” Multiple comparisons can be made to John Locke’s many writings on identity as well as Rene Descartes’ *Meditations on First Philosophy*.

<sup>29</sup> It is by no means a joke that this allegorical reading makes use of a pun. The mind-body dualism suggested by the short story strongly parallels the relationship between cultures and members of a culture and that culture’s “productions” – things like tangible art, written literature, and recorded music.

<sup>30</sup> A change in physical composition which is at least just as radical as a body living without its limbs.

<sup>31</sup> This re-alignment is also realized in the United States, as will be argued in this paper later, by the way of Jim Crow laws which re-established the body politic of the South to the shape it was in prior to emancipation.

<sup>32</sup> W.E.B. DuBois, “Of the Dawn of Freedom” in *The Souls of Black Folk* (Reprint of 1903 Chicago edition, Project Gutenberg, 2008), my italics.

Freedom,” DuBois discusses the role of the Freedmen’s Bureau, the ultimate symbolic and real institution of black intrusion into the country’s body politic in the years following the Civil War. In this chapter, DuBois touches on another fear of southerners concerning black emancipation and a rupture of American narratives of property and citizenship rights: “It had long been the more or less definitively expressed theory of the North that all the chief problems of Emancipation might be settled by establishing the slaves on the forfeited lands of their masters.”<sup>33</sup> This fear is echoed in the supposed-to-be-despised character (caricature) of Austin Stoneman in *The Clansman*, in the sentence, “The one thing on which the success of my plan [radical Reconstruction] absolutely depends is the confiscation of the millions of acres of land owned by the white people of the South and its division among the Negroes and those who fought and suffered in this war.”<sup>34</sup>

But here’s the rub: when people like former U.S. district court judge George Clark argue that the federal government has no right to encroach on white southerners’ claims to the “fruits of their labor,” they are appealing to the Lockean principles of private property on which the country was founded.<sup>35</sup> These principles include the idea that when an agent adds his or her labor to something – including land – that agent has a right to claim ownership of that something but the question must be asked, “Whose labor went into that land?” The enormous rupture should be clear by way of simple *modus ponens*: If agents have the right to claim as property anything to which they add their own labor (without unlawfully acquiring the thing to which they added their labor) and African slaves added substantial portions of their labor to the land of the United States, then African slaves had the right to claim that land as property. This is a severely violent rupture of white southern ideas about who gets to own property in America, a rupture which required elaborate performances of surrogation and violent suppressions to cover up.

Frederick Douglass, in his 1889 address titled “The Nation’s Problem,” recognized one of these “crafty substitution[s] of a false issue for a true one.”<sup>36</sup> He recognized that the enormous attention being paid to black folks by white folks in public and political discourse was in fact a performance of surrogation: “the real question” of “whether American justice, American liberty, American civilization, American law, and American Christianity can be made to include and protect alike and forever all American citizens in the rights which, in a generous moment in the nation’s life, have been guaranteed to them by the organic and fundamental law of the land” had been replaced by the idea to “regard [the Negro] and struggle with him as a great and terrible problem, one that requires almost divine wisdom to solve.”<sup>37</sup> According to this fiction produced by a performance of real people in the real world, white American culture is absolved of moral responsibility and black peoples are cast as only and exclusively a

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33 Ibid.

34 Dixon, 98.

35 Blight, 276.

36 Frederick Douglass, “The Nation’s Problem.”

37 Ibid.

singular problem.<sup>38,39</sup> Within this narrative, “the Negro race” becomes a disease to be treated by the white man (and his invasive, combative medicine), to borrow Douglass’ own analogy that “any member of the human body is in a healthy condition when it gives no occasion to think of it.”<sup>40</sup>

There are two other similar performances of surrogation which are central to the success of the Lost Cause in dominating American memory of the Civil War in the fifty or so years following its end: the replacement of northern soldiers as the enemies of the South during armed combat with black people and white abolitionists during and after Reconstruction and the insistence that it was not slavery, but a concern for states’ rights which caused the Civil War.<sup>41</sup>

On one level, The Lost Cause’s replacement of the armed conflict of the Civil War with the fight against blacks and their abolitionist allies during Reconstruction served to protect the southern pride and self-assurance which was at stake as the country moved from conflict to reunion. This substitution is the groundwork for the portrait of Stoneman, Lydia, Silas Lynch, and Gus in *The Clansman*. Ben and Elsie and Phil and Margaret perform the re-marriage of North and South while the aforementioned characters are all characterized as subhuman through animalistic imagery and unreasonable by juxtaposition with supposedly more reasonable opponents like Ben and his father. The novel does not begin with guns but with wounded soldiers in a hospital; it is not the war which sets the backdrop, for that would be a backdrop of disunity among whites but instead, it is the image of a young, white northern woman taking care of a wounded southern man, whom her own brother literally caught in his arms on the battlefield. Thus, it is not the gun-carrying northern soldier who is the enemy of the southern white person but the physically deformed radical Republican with his huge scorpion-like jaws, Austin Stoneman, and the black half-savages with their huge lips, sinister “ape-like” eyes, and feet that made tracks that no white man’s foot could ever make. Dixon expends immeasurable volumes of language painting these characters as animalistic, closer to instinct and nature, than their rational white peers.<sup>42,43</sup>

The result is a successful substitution which Blight identifies: “In such language [which described Reconstruction as ‘the second war’], Lost Cause advocates found a victory narrative. They had won the

**38** This is a kind of cultural “magic” frequently performed by white culture, even as it strives to define whiteness in terms of modern science and against conceptions of mysticism and magic, which are frequently mapped as pre-scientific and primitive. Cf. Rutherford’s and Dixon’s references throughout their works cited here to African faith traditions as “fetishes.”

**39** Blight also claims this on page 364: “When Americans spoke of the ‘Negro Problem’ or ‘Race Problem,’ many referred to blacks as the obstacle to national progress, as a people to be reformed or eliminated, as a social crisis demanding solutions”

**40** Douglass.

**41** That is in no way a claim that other (counter)-narratives did not exist simultaneously as Lost Cause memories, but simply a claim, supported by Blight (page 397: “Reconciliation joined arms with white supremacy in Civil War memory at the semicentennial in an unsteady triumph.”), that in the first fifty years after the war, the most prevalent memories of it were constructed by Lost Cause narratives. There were certainly strains of emancipationist memories surviving in the American cognitive landscape but these memories were largely relegated to the margins in these five decades.

**42** This is not a new model by any means, just a repetition of a very old characterization of “savage man” present in the writings of Georg Hegel (quoted in Snead, page 148) and Jean-Jacques Rousseau (Cf. *Discourse on the Origins of Inequality*).

**43** A blatant example of defining whiteness in terms of an “other”—negative blackness. Of course, Stoneman is white, not black, but he is not a “real” member of the race like Phil is, and as such, is described with the same kind of animalistic imagery as the black characters (caricatures) in the novel.

second war over Reconstruction; they had thrown off ‘Negro rule’ and redeemed their states.”<sup>44</sup> This successful substitution mattered for real people because it set the stage for reunion. After all, “the myth of coherence at the center [of a community] requires a constantly visible yet constantly receding perimeter of difference.”<sup>45</sup> Thus, this successful substitution which set up a hyper-visible but constantly receding “perimeter of difference” allowed for the blue and the grey to reconcile their differences by creating and maintaining a fictional internal cohesiveness.<sup>46</sup> In turn, this allowed for the construction of a narrative of common identity set in contrast with ever present “others.” Indeed, this was acknowledged in Lost Cause literature in the early 1900s. “Unfortunately,” Rutherford recounted in her speech, “the Democratic party split, having three candidates in the field — *a warning that we must hereafter heed...*”<sup>47</sup> Blight even discusses personal hatred between Union and Confederate Civil War veterans, especially in regard to war prisons: “Deep at the heart of bloody shirt rhetoric on both sides was a layer of real hatred rooted in the vast casualty lists of those who died wretched deaths at Andersonville in Georgia, Camp Douglass in Illinois, and dozens of other places.”<sup>48</sup> This disunity is contrasted by Dixon’s account of arguably the most “useful” aspect of the Ku Klux Klan to white southern culture: “The moral, mental, and physical earthquake which followed the first assault on one of their daughters *revealed the unity of the racial life of the people.*”<sup>49</sup>

While this performance was occurring within Lost Cause narratives, another was taking hold as a foundation for building a future based on memory by way of palimpsest. In the years following the Civil War, there were claims in the North and the South that the war was fought over slavery. Against such claims Lost Cause voices like Rutherford’s insisted that “No, the war was not fought to hold slaves,” and replaced the hypothesis that slavery was the cause of the Civil War with the presumed fact, backed by historical legal documents such as the U.S. Constitution, that the war was caused by a disagreement over states’ rights.<sup>50</sup> Jefferson Davis himself, the former President of the Confederacy, wrote that “The South’s action was merely to protect its natural rights against the ‘tremendous and sweeping usurpation,’ the ‘unlimited despotic power’ of the federal government.”<sup>51</sup> As aforementioned, the question arises as to *why* this performance of surrogation took place. Why was there so much concentration on states’ rights?

“The South is still the South,” answered Frederick Douglass in 1889, “and *under the doctrine of local self-government* it shelters the vicious idea that it can defy the Constitution and the Laws of the United States, especially those laws which respect the enfranchisement of the colored citizens.”<sup>52</sup> Douglass’ insight here is poignant beyond measure, as in this statement he recognized the most insidious work done by Lost Cause narratives in how they set the groundwork for truly violent repressions of the aforementioned ruptures to American whiteness in the form of both legal code and extra-legal activity.

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<sup>44</sup> Blight, 264.

<sup>45</sup> Roach, 39.

<sup>46</sup> Receding insofar as the number of Radical Republicans was decreasing.

<sup>47</sup> Rutherford, 57 (my italics).

<sup>48</sup> Blight, 152.

<sup>49</sup> Dixon, 341 (my italics).

<sup>50</sup> Rutherford, 53.

<sup>51</sup> Blight, 259.

<sup>52</sup> Douglass (my italics).

“Imagined communities perpetuate themselves through the transmission of their prohibitions and entitlements,” or laws.<sup>53</sup> Legally, then, the Lost Cause served as the stage on which Jim Crow could do his dance, for without the foundation of states’ rights narratives, the individual state laws passed which came to be known as Jim Crow laws could not have survived.<sup>54</sup> Douglass preceded his poignant observation with an account of the ways in which state laws maintained the racial hegemony of the South:

Now, when you remember that the Negro is taught to believe that the government may be against him; when it is remembered that he is denied the power to keep and bear arms; and that he has not recovered from his enforced ignorance of two hundred years; that no adequate means of education has been provided for him; that his vote avails him nothing; that emigration is impossible; that there is neither religion nor conscience in the South to take his part; that he, of all men, is easiest convicted of crime; that he does not see or receive a dollar in payment of wages; that, labor as he will, he is brought in debt to the landed proprietor at the end of the year; that he can lay up nothing for a rainy day; that by the opinion of the Supreme Court of the United States the Fourteenth Amendment affords him no protection against individuals of the state — I say, when you remember all this, you may realize something of the perilous condition of the Negro citizens of the South.<sup>55</sup>

But as Douglass himself recognized, the performance of surrogation which saw the substitution of the examination of American justice with the labeling of the black freeperson as a “problem” completely disavowed white Americans from the responsibility of remembering and instead granted them the *privilege* of forgetting.

Of course, Jim Crow was not only a child of the south. The Supreme Court itself paved the way for Jim Crow in *The Civil Rights Cases (1883)*. According to Blight, “the decision meant that the discriminatory acts of private persons were beyond the safeguards of the Fourteenth Amendment and federal jurisdiction... The door was now open for the eventual passage of Jim Crow laws across the South.”<sup>56</sup> In fact, the entire North, on one level, could be implicated in this project of institutionalizing a form of legal slavery. “In the name of reconciliation,” writes Blight, “Grant’s lenient terms at Appomattox had transfigured in forty years into a slow surrender of a different kind. The age of Jim Crow was not only the creation of aggressive Southern legislatures, but the result of the North’s long retreat from the racial legacies of the war.”<sup>57</sup> This was the tremendous loss connected with this palimpsest over the racial causes of the Civil War. Not only was the abstract memory of the war at stake but the real freedom and real quality of life for real black people in the United States was hanging in the balance following the Civil War and rather than bring that freedom and the quality of life down on solid ground, the black freeperson was literally hanged higher as a reminder to the social core of what it was not in order to establish what it was as a unified whole, thus allowing for reunion among previously antagonistic groups of white people.

It is in this way that lynchings, burnings, and other executions of black members of the social periphery by either spontaneous mobs of white people or organized groups such the Ku Klux Klan were

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<sup>53</sup> Roach, 55.

<sup>54</sup> Or to use Blight’s words on page 258: “Especially in racial terms, the cause that was *not* lost, as Johnson insisted in 1896, reverberated as part of the very heartbeat of the Jim Crow South.”

<sup>55</sup> Douglass.

<sup>56</sup> Blight, 309.

<sup>57</sup> *Ibid*, 356.

performances of violence which held great symbolic meaning in constructing whiteness, the central unifying substratum of American identity which allowed for reconciliation between the North and South. When Dr. Cameron finds the dead body of Marion and concludes that she was raped, he declares, in an assumption that the perpetrator was black, “Find the fiend who did this crime — and then we will hang him on a gallows so high that *all men from the rivers to the ends of the earth shall see and feel and know the might of an unconquerable race of men.*”<sup>58</sup> This is a clear illustration of Snead’s assertion that “in certain cases, culture, in projecting an image *for others*, claims a radical difference *from others*, often further defined qualitatively as *superiority.*”<sup>59</sup> A lynching, then, can be seen as the ultimate performance of surrogation and violence. The body of an individual from an otherized group replaces internal discord as disagreement accumulates. Such accumulation, Roach argues, almost inevitably leads to performances of violence, which are “never senseless but always meaningful, ... excessive, because to be fully demonstrative, to make its point, it must *spend* things — material objects, blood, environments — in acts of Bataillian ‘unproductive expenditure,’ and ... performative, for the simple reason that it must have an audience — even if that audience is only the victim, even if that audience is only God.”<sup>60</sup> Indeed, Wisconsin Civil War Veteran G.W. Burnell declared in 1891 that there was a “superabundance” of war memories.<sup>61</sup> Blight recounts throughout his chapter “The Lost Cause and Causes Not Lost” that different crafters of Lost Cause narratives disagreed and spun multiple stories of the Civil War and so it is not difficult to see the logical progression to a “superabundance” of memory which had to be managed by the “unproductive expenditure” of an effigy: unite the divergent stories against the black man.<sup>62</sup>

But the real genius, the real insidiousness, of the Lost Cause, was its establishment of a national narrative which prevented intervention against such extra-legal performances of violence. Blight recounts an open letter to President McKinley written by Archibald H. Grimke, a former slave turned prominent lawyer, following the hanging and burning of a black man named Sam Hose in Atlanta which admonished the President for his silence in the face of such open performances of racial violence which went outside the bounds of lawful action. “Grimke’s letter condemned the President’s failure to react with anything except his infamous claim that the Southern outrages had ‘no federal aspect.’”<sup>63</sup> The President of the United States would not intervene in such blatant abuses of human beings because he believed that such outrages “had no federal aspect.” This is a direct manifestation of the logical conclusions of building a memory of the Civil War which grounds itself in the fiction that the war was fought exclusively over issues of states’ rights and forgets the racial motivations of the war — namely, slavery.

What was at stake in the contested memories of the Civil War in the fifty years which followed Lee’s surrender was the very identity of the country as a whole, both its past and its future. On a more concrete level, this meant that the construction of American identity in terms of whiteness was in a moment of potential breakdown, as was the construction of blackness as wholly other and wholly sub-human. There was a moment in history when black freed people could have been welcomed into the social identity of the

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<sup>58</sup> Dixon, 312 (my italics).

<sup>59</sup> Snead, 147.

<sup>60</sup> Roach, 41.

<sup>61</sup> Blight, 173.

<sup>62</sup> Especially in pages 258-264

<sup>63</sup> Blight 351-352.

United States but this would have been a huge rupture of already pre-existing narratives of identity. Thus, through multiple series of complex cultural performances of segregation, laws built on the foundation of states' rights and performances of domestic terrorism did tremendous work on the backs of orators like Mildred Rutherford in order to re-establish and maintain the threatened white supremacist account of American identity. The black former slave was burned in effigy so that the white master could embrace his white former enemy.

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