The Morrill Land Grant Acts and the Roots of Higher Educational Opportunity for African-Americans

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Since 1837, Historically Black Colleges and Universities (HBCUs) have provided one of the most significant sources of higher educational opportunity in the United States, especially for African-Americans. Extending valuable educational opportunities to free blacks and newly freed slaves after the Civil War, HBCUs were an integral part of the nation's rebuilding efforts during the Reconstruction era. During the latter half of the nineteenth century, the federal government played a central role in the development of black colleges, and the creation of the Morrill Land Grant Acts of 1862 and 1890 was crucial to this development. Although the first Morrill Act of 1862 led to the establishment of higher educational institutions that disproportionately catered to white students, Black students would gain targeted support under the Morrill Land Grant Act of 1890. Under this policy, lawmakers provided funds to support the creation of nineteen land grant HBCUs and required states operating segregated college systems to offer equal institutional opportunities for white and black students, thereby generating additional growth in the number of colleges serving African-Americans. Given African-Americans' marginalized status in American politics and public policymaking institutions during the period, the extent to which the second Morrill Land Grant Act expanded educational opportunity for black Americans represents an interesting puzzle. Why did lawmakers create an empowering system of higher education for African-Americans in 1890—a post-Reconstruction political moment characterized by violently repressive backlash against black Americans, especially in the South? Using a combination of primary and secondary sources including the *Congressional Record*, memoirs, other historical documents, and the expansive literature on the politics of Reconstruction, this paper investigates the political development of the Morrill Land Grant Acts and the features of policy design that shaped their impact on educational opportunity for African-Americans. In analyzing the development of these path-breaking programs, this paper takes seriously the political factors shaping the government's role in establishing what would constitute the core of higher educational opportunity for African-Americans for nearly a century.

Since 1837, Historically Black Colleges and Universities (HBCUs) have provided one of the most significant sources of higher educational opportunity in the United States, especially for African-Americans. For more than a century after Quaker philanthropist Richard Humphreys founded the Institute for Colored Youth in Pennsylvania, HBCUs offered the primary pathway to higher learning for black Americans during an era when the majority of American colleges and universities routinely discriminated against them. HBCUs typically enrolled as many as 90 percent of African-American college students until the Civil Rights Act of 1964 prohibited race-based discrimination in college admissions, and thus established a new era of integrated public and private higher education. Today, HBCUs educate approximately 2 percent of all American college students and 9 percent of all African-American college students (National Center for Education Statistics 2016; Allen and Jewell 2002, 255; Gasman 2013, 5). Although the proportion of students attending these institutions has declined considerably since lawmakers passed the Civil Rights Act of 1964 prohibiting race-based discrimination in college admissions, they remain a vital provider of higher educational opportunity for low-income and first-generation students. Moreover, these institutions play an important role in American society, as their vast, multi-generational alumni base makes noteworthy contributions to social, economic, and political life. Consider, for example, the fact that a full 80 percent of African-American judges in the United States hold a degree from an HBCU. Historically black colleges are also credited with educating 40 percent of black members serving in the United States Congress, 50 percent of black lawyers, 50 percent of black professors teaching at predominately white colleges and universities, and 40 percent of black engineers (Thurgood Marshall College Fund 2016).

The long-standing contributions that HBCUs have made to the United States are noteworthy. By providing marginalized Americans with access to higher education and, as a

result, the citizenship-enhancing knowledge, skills, and inclinations that tend to accompany it, historically black colleges have played an important role in the nation's political development. HBCUs were an integral part of the nation's efforts to rebuild after the Civil War ended in 1865. Although the first Morrill Act of 1862 led to the establishment of higher educational institutions that disproportionately catered to white students, Black students would gain targeted support under the Morrill Land Grant Act of 1890. The Second Morrill Act made it necessary for states operating segregated college systems to offer equal institutional opportunities for white and black students. As a result, this program facilitated substantial growth in the number of colleges serving African-Americans.

Given the significance of black colleges to the progress that African-Americans have made since the mid-nineteenth century, it is striking that these institutions emerged during an era in which African-Americans were marginalized participants in American political life. In fact, the creation of the Second Morrill Land Grant Act, which targeted disproportionate support to black colleges, represents an interesting puzzle. Why did lawmakers create an empowering system of higher education for African-Americans in 1890—at a post-Reconstruction political moment characterized by violently repressive backlash against black Americans?

Using a combination of primary and secondary sources including the *Congressional Record*, memoirs, other historical documents, and the vast scholarly literature on Reconstruction era politics, this paper investigates the political development of the Morrill Land Grant Acts and the features of policy design that shaped their impact on educational opportunity for African-Americans. In analyzing the development of these path-breaking programs, this paper takes seriously the political factors shaping the government's role in establishing what would constitute the core of higher educational opportunity for African-Americans for nearly a century.

Democratizing Access to Higher Learning with the Gift of Land

During the mid-nineteenth century, as the United States grappled with serious questions about citizenship, equality, and the appropriate scope of government control, Americans grew increasingly aware of the value of educational opportunity and its significance for efforts to cultivate an informed citizenry. Moreover, economic changes also drew attention to education, as large-scale agriculture and manufacturing were rapidly taking the place of smaller, family farms, and policymakers recognized the need for educational programs that could educate the next generation of farmers (Parsons 1997, 29).

Rep. Justin Morrill, a member of Vermont's congressional delegation who was also one of the founders of the Republican Party, devised a proposal that would provide federal support to the states in the form of land-grants for the purpose of creating agricultural and mechanical colleges. Intense division over the appropriate scope of federal responsibility and the balance of activity undertaken by the national and state governments led to lawmakers' rejection of Morrill's proposal. Yet, the onset of Civil War between the North and the South in the spring of 1861 led to a crucial shift in the political dynamics shaping the creation of public policy over the next sixteen years. This was particularly important for improving the prospects for Morrill's land-grant proposal. With the secession of the Confederate States from the Union, many of the representatives who had objected to Morrill's proposal were no longer in the chamber (Parsons 1997). In addition to driving political changes that gave proposals for federal education support a fighting chance, the dramatic political shifts precipitated by the Civil War made it possible for lawmakers to use education policy to provide opportunity for the nation's most marginalized citizens.

The Morrill Land Grant Act of 1862

The first Morrill Land-Grant Act represents one of the most significant programs in the history of U.S. higher education policy because it not only marked the entry of the federal government into the area of higher education, it also established the federal government as a central player in efforts to expand individuals' access to higher learning. The legislation provided:

> *That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each state a quantity equal to thirty thousand acres for each senator and representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty….Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college…* (Morrill Act of 1862, P.L. 37-108).

The policy also clearly stated that the colleges receiving support must "teach such branches of learning as are related to agriculture and the mechanic arts" (Morrill Act of 1862, P.L. 37-108; see also, Abramson et al. 2014, 8). While states were expected to offer agricultural and mechanical education as a central requirement to benefit from federal support, they were free to also provide education in a range of other subjects including "other scientific and classic studies, including military tactics" (Morrill Act of 1862, P.L. 37-108; Abramson et al. 2014, 9; Morrill 1874). Establishing the first federal program to support higher education in the United States, Congress passed Morrill's land-grant proposal and President Abraham Lincoln signed it into law on July 2, 1862.

The Morrill Land Grant Act of 1890

By the 1880s, the Civil War had come to an end, and the nation was in the midst of a period of Reconstruction. Southern states were being readmitted to the Union after their defeat,

and as they began to reap the benefits of the Morrill Land-Grant Act, racial discrimination challenged the policy's capacity to achieve its original intent of democratizing access to higher education. Although a small number of southern colleges, such as the University of South Carolina, did not explicitly bar newly freed African-Americans from gaining admissions, the majority of the region's higher educational institutions limited access to white students. The Morrill Land-Grant Act of 1890 sought to address this disparity by using federal regulation. The statute stipulated that:

> *No money shall be paid out under this act to any State or Territory for the support and maintenance of a college where a distinction of race or color is made in the admission of students, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be in compliance with the provisions of this act if the funds received in such State or Territory be equitably divided…* (Morrill Act of 1890, P.L. 37-130)

By withholding funds from states that refused to offer educational opportunity to black citizens, the policy offered a "stick" to accompany the "carrot" of federal education support that was established by the 1862 land-grant legislation. The Second Morrill Act gave the states two options when it came to handling admissions at land-grant colleges: (1) they could either demonstrate a policy of race-blind admissions or (2) they could establish a separate higher educational institution to accommodate students of color. Either way, the states were required to provide black and white students with access to the higher education benefits provided by the first land-grant act. Reflecting the deep-rooted racial stratification in the region, the majority of the southern states opted to establish separate postsecondary institutions for African-American students. It was in this vein that the Second Morrill Act helped to establish many of the nation's earliest black colleges and universities.

Understanding the Emergence of Government Support for Black Colleges

Scholars have recognized the important role that historically black colleges and universities have played in empowering African-Americans since the nineteenth century. Studies of historically black colleges and universities have focused particularly on their role as a crucial part of the nation's educational infrastructure during the lengthy period of racial segregation in the United States (e.g., Allen and Jewell 2002; Allen et al. 2007; Brown and Davis 2001; Espino and Cheslock 2008; Gasman 2008; Gasman 2009; Gasman and Geiger 2012; Jackson and Nunn 2003; Lovett 2011; Williams and Ashley 2004). Some have noted, for example, that HBCUs acted as empowering centers that supported educational, social, political, and cultural advancement for citizens who were often excluded from mainstream institutions, especially those living in the southern region of the United States (see, e.g., Jackson and Nunn 2003, 3). HBCUs have even been described as representing a "social contract" between black Americans and the state—promoting full citizenship by way of educational opportunity as a way of correcting for the historical injustices and disparities wrought by slavery and segregation (Brown and Davis 2001, 33). For some, historically black colleges and universities represent the nearest thing to reparations provided in the wake of slavery (see, e.g., Arnett 2015, 13; Brown and Davis 2001).

As Allen and his coauthors note, "[h]istorically Black colleges and universities exist at the intersection where the 'American Dream of unbridled possibilities' meets the 'American Nightmare' of persistent racial-ethnic subordination" (Allen et al. 2007, 275). From this perspective, gaining a clear sense of the contemporary value of HBCUs requires that we first achieve a deep understanding of their complex history. Scholars have grappled with the changing nature of HBCUs since lawmakers prohibited racial discrimination in college

admissions with the passage of the 1964 Civil Rights Act. As college president Arthur E. Thomas and professor Robert L. Green note, "[a]fter decades of painstaking efforts, sacrifice, and scrambling and scraping for only the minimal resources allotted to keep [HBCUs] viable and effective, after some 150 years of fighting against the rampant racism that was the cause for HBCUs to be established in the first place…Black colleges are now confronted by the injustice of proposals to phase them out of existence" (2003, 245). Thus, questions related to the value and effectiveness of HBCUs and inquiries as to the propriety of their continued existence loom large in scholarly investigations.

Studies have weighed the historical significance of HBCUs as primary avenues of equal opportunity for African-Americans alongside critiques of their arguably mixed record on institutional administration and student achievement since the mid-twentieth century (e.g., Brown and Davis 2001; Gasman 2013; Allen and Jewell 2002). The majority of studies emphasize HBCUs' rich legacy of providing higher educational opportunity to marginalized citizens, highlighting their tradition of offering an empowering, culturally-tailored, socially-inclusive educational climate for generations of students who were often marginalized in and disempowered by the broader society (see, e.g., Jackson and Nunn 2003, 3; Palmer 2010, 763). Research suggests that HBCUs have provided—and continue to provide—a cost-effective option for higher education that promotes significant expansions of educational opportunity for low-income and first-generation college students. Studies have also shown that African-Americans who attend HBCUs have been more likely to pursue graduate and professional degrees than their counterparts who are educated at predominantly white colleges and universities (Wenglinsky 1996).

Other scholars have focused on the challenges that HBCUs now face and point to significant weaknesses that threaten their legacy of expanding higher educational opportunity. In their controversial 1967 study, sociologists Christopher Jencks and David Riesman described them as "academic disaster areas," going on to characterize them as poorly funded, poorly staffed, and subpar imitations of predominantly white colleges and universities (Jencks and Riesman 1967, 64). Although HBCUs provide college access for students who might not otherwise gain entry to a postsecondary program, they often struggle with challenges like low graduation rates and insufficient facilities. HBCUs have also struggled with high rates of student loan default. In addition to considering the numerous challenges that historically black colleges face, researchers also acknowledge that these institutions have traditionally been charged with doing "more" with "less"—that is, educating students who may need more support than their counterparts in predominately white colleges and universities using a set of resources that often pales in comparison to those enjoyed by PWIs.

Although scholars have considered the legacy, effectiveness, and relevance of HBCUs, we have yet to fully examine the role that public policy has played in shaping the institutional development of HBCUs over time. In particular, our understanding of the history of government support for black colleges is limited—especially when it comes to the politics surrounding the creation of the Morrill Land Grant Act of 1890, which precipitated a wave of early black college creation. How do we explain federal lawmakers' decision to invest heavily in black colleges during the contentious era of post-Reconstruction politics? What features of policy design enabled lawmakers to successfully pass a program creating 16 black colleges in southern and border states at a time of intense racial stratification and battles over the redistribution of political power?

The scholarly literature on historical institutionalism offers valuable theoretical models that may help us to gain purchase on these questions. Political historians have recognized, for example, that existing policy precedents often play a central role in shaping the development of subsequent policies. As Paul Pierson (1993) notes, public policies, once created, facilitate the establishment of interests and modes of operation that make it increasingly difficult to deviate from that particular policy pathway. This type of "path dependence" tends to result in a locking-in of a particular type of policy, virtually invalidating previously viable alternatives. Based on this framework, it seems plausible that government support for land grant colleges and universities under the First Morrill Land-grant Act promoted continued support for this style of higher education policy, enabling lawmakers to enact a sweeping change in educational opportunity for African-Americans by way of familiar policy design.

In addition to appreciating how powerful policy precedents may have shaped the design and creation of the 1890 Morrill Land Grant Act, our understanding of how the government's relationship with HBCUs emerged could also benefit from the lessons provided by the literature on policy feedback effects. According to policy feedback scholars, public policies can act as important inputs into the political process, influencing citizens' capacity and inclination to participate in political activities and shaping what citizens come to expect from government. (see, e.g., Campbell 2002; Lowi 1964; Mettler and Soss 2004; Pierson 1993; Skocpol 1992). Theodore Lowi's policy typology represents a foundational contribution to this framework. Lowi noted that distinct types of public policy—for example, distributive, redistributive, or regulatory policy—generates a unique type of politics (Lowi 1964). From this perspective, we would recognize that the regulatory features of the Second Morrill Act may have been crucial to achieving the objective of ensuring broad-reaching access to college education, but that they also

invited contention from southern states and colleges that would likely have to adjust their practices to comply with the policy. In what follows, I will examine the political context from which the Second Morrill Act emerged and consider how the statute's framing shaped its movement through the political process.

Land Grants, Race Politics, and Education: Democratizing Higher Educational Access over Time

The passage of the Second Morrill Land Grant Act in 1890 and the resulting wave of black college creation were driven by a combination of forces, including the precedent established by the First Morrill Land Grant Act; a political context characterized by an intense struggle over the incorporation of African-Americans as citizens and dramatic shifts in their participation in governance at the mass- and elite-levels; prevailing attitudes regarding the educational opportunity for black citizens; and the dynamics of deliberations over the 1890 legislation by the senators and representatives serving in the 51st Congress. In what follows, I examine the politics shaping each of these forces to gain insight into the creation of the Second Morrill Act in 1890.

Path Dependency and the Enduring Politics of Precedent

The 1850s marked a perfect political moment for lawmakers to begin thinking seriously about options for supporting education in the growing nation. In light of industrial innovations that were rapidly shifting the United States from a small farm-driven agricultural economy to one fueled by large farms and manufacturing, it comes as little surprise that Congressman Justin Morrill turned his attention to providing educational opportunities for young people interested in studying agriculture and mechanics. A largely self-educated businessman who regretted that his

family had been unable to afford to send him to college, expanding higher educational access to include a broader cross-section of citizens seemed like an effective way to promote the economic interests of the United States. Describing his commitment to supporting the education of farmers across the nation Morrill said, "being myself the son of a hard-handed blacksmith…I could not overlook mechanics in any measure intended to aid the industrial classes I the procurement of an education that might exalt their usefulness" (Morrill 1874).

During the 1850s, members of Congress had begun considering the possibility of establishing a national university, but the idea failed to gain traction. In 1857, Morrill presented an innovative proposal to dedicate grants of federal land to support the establishment of at least one flagship university in each state that would provide broad-reaching instruction in agriculture and mechanics, as well as other subjects (Abramson, et al. 2014, 6; Parsons 1997, 29). He found support among farmers and others interested in directing federal resources to the agriculture industry. Opponents of the bill, however, took issue with the idea of the federal government venturing into the arena of education, which many felt was best reserved for the states. Although the House of Representatives and the Senate eventually passed Morrill's 1857 land grant proposal, President James Buchanan vetoed it for this reason. In light of strong opposition from President Buchanan and Southern Democrats in Congress, Morrill was unable to successfully reintroduce his measure for the next five years.

It was confluence of political factors that made it possible for Morrill to reintroduce his land-grant proposal to a more receptive audience. Southern secession, Republican lawmakers' interest in appealing to rural Americans, and the election of President Abraham Lincoln who was particularly interested in providing support to agricultural interests gave Morrill's land grant proposal a fighting chance (Abramson et al. 2014, 8; Parsons 1997, 30). Although the proposal

still met the criticism that it called for an inappropriate extension of federal power over the states, the fact that many of the lawmakers who had opposed Morrill's proposal in 1857 hailed from the South and were no longer in Congress. It was under these circumstances that congress passed the land grant bill, and President Lincoln signed it into law on July 2, 1862.

The passage of the First Morrill Land Grant Act represents the birth of federal policy that helped to expand higher educational opportunity in the U.S. As Christopher Loss notes, it "secured the government's role as a key supporter of public higher education" in the United States (Loss 2012, 3). In addition to the 1862 Morrill Act's significance for helping to democratize access to higher education in the United States, it also supported three black colleges in states with separate higher educational institutions for black citizens: Mississippi's Alcorn State University, Virginia's Hampton University, and South Carolina's Claflin University (Jackson and Nunn 2003, 14; Neyland 1990, 3, 16).

Although southern lawmakers had mounted some of the most vocal opposition against Morrill's initial proposal for federal land-grant support for higher education, the land-grant program represented a tremendous boon to southern states as they struggled to rebuild after gaining readmission to the Union once the Civil War came to an end in 1865. However, extending higher educational opportunity to African-Americans remained controversial throughout the region. Most southern states that had received Morrill Land Grant support for colleges failed to provide support for higher educational institutions that served African-Americans. In Tennessee, for example, lawmakers did not readily extend the benefits of the federal land grants to black Tennesseans, leading a group of fourteen black state legislators to actively demand that their state permit black citizens to also benefit from the land grants. As a result, the Tennessee state legislature provided a small number of Morrill scholarships for

African-Americans who could apply to attend the predominantly white University of Tennessee or historically black institutions like Fisk University (Lovett 2011, 25).

As Richardson and Harris note, the Morrill Acts "generated and then highlighted the need to create black colleges in order to secure a balance of federal support for African-American and White students in public higher educational institutions" (2004, 371; see also Brown and Davis 2001, 36). During this period, more than 200 HBCUs were established, many of them by state governments (Brown and Davis 2001, 33-34). According to Leedell Neyland, "[s]ince approximately 90 percent of the 4,000,000 blacks in America were in slavery, and since the approximately 250,000 "free Negroes" in southern states were highly circumscribed in their social interaction with whites, the early land-grant colleges became white bastions, barring blacks from admission by both custom and law" (1990, 2). While the federal and state governments played a central role in the creation of public black colleges and universities, they often failed to provide these schools with the same level of support that was allocated to public schools serving white students (Gasman 2009, 75; Jackson and Nunn 2003, 16; Redd 1998, 34-35). Nevertheless, in creating the 1862 Morrill Land Grant Act, lawmakers established a precedent that paved the way for subsequent attempts to make good on the promise of democratized access to higher education.

Reconstruction and the Politics of Race

The period of Reconstruction that occupied American government in the years immediately following the end of the Civil War in 1865 marked an era of sweeping political change and intense division among Republicans—who enjoyed control of the House and the Senate through much of the era—and Democrats. In the South, Republicans were associated

with "carpetbaggers, scalawags, and blacks," much to the disdain of many white citizens (Marszalek 2006, 5-6). On the issue of race, Republicans prioritized strong federal leadership over efforts to rebuild the war-torn nation and felt that the national government was best suited to oversee the integration of newly freed black Americans into their roles as citizens. Democrats, on the other hand, advocated for minimal federal intervention in the affairs of the states and states' rights to structure the racial order that they saw fit.

The Reconstruction era also saw attempts to establish voting rights for African-Americans and marked a period of unprecedented participation by African-Americans in U.S. governing institutions. President Abraham Lincoln, whose leadership had been critical to the trajectory of the Civil War and the emancipation of millions of enslaved blacks, signaled his support for voting rights for African-Americans during his final speech in 1865. After Lincoln's assassination, however, President Andrew Johnson proved hostile to black voting rights and did little to support them (Valelly 2004, 2). As Richard Valelly notes, in 1867, nearly 81 percent of black men were eligible to vote, compared to under 1 percent the previous year, largely due to increases in southern states. These numbers were also enhanced by the passage of the Fourteenth and Fifteenth amendments to the U.S. Constitution (2004, 2-3). By the 1870s, African-Americans became a vocal interest group on the political landscape. During an era of widespread apartheid in the South, blacks demanded that lawmakers outlaw segregation (Foner and Mahoney 1995, 108). Foner and Mahoney note the striking change that occurred in the region:

> "[I]n the Deep South, where blacks made up the vast majority of the Republican voting population, laws were enacted making it illegal for railroads, hotels, and other institutions to discriminate on the basis of race. Enforcement of these laws varied considerably from

> locality to locality, but Reconstruction established for the first time at the state level a standard of equal citizenship and a recognition of blacks' right to a share of public services" (Foner and Mahoney 1995, 108).

With increasing political participation among black Americans at the mass-level came greater attention toward the interests of African-American citizens.

After the end of the Civil War, African-Americans began to take active roles in local, state, and national governance. Over the course of Reconstruction, more than 1,500 black Americans served in political offices, and they were particularly active in the former Confederate states (Foner and Mahoney 1995, 93). For example, approximately 50 percent of members serving in the South Carolina state house during the Reconstruction era were black (Valelly 2004, 3). In 1876, 162 African-Americans held political office in the United States (52). As Foner and Mahoney note, "[t]he presence of black officeholders and their white allies made a real difference in Southern life, ensuring that those accused of crimes would be tried before juries of their peers, and enforcing fairness in such prosaic aspects of local government as road repair, tax assessment, and poor relief" (1995, 94-95).

The ascent of black Americans to positions of political power during Reconstruction proved shocking to many white Americans. As John Marszalek notes about white South Carolinians at the time, they "refused to accept the idea of an equal black participation in politics and life, so they labeled everything the Reconstruction governments did as corrupt" (Marszalek 2006, 5). At the national level, congressional deliberations included numerous references to the changing racial dynamics of political power. For example as the Senate debated proposals for civil rights legislation and proposals for integrated schools, Sen. Samuel Cox (D-NY) suggested that these measures would be the first steps down a slippery slope of unreasonable demands that

could generate racial unrest. If Congress passed civil rights legislation but stopped short of providing for integrated schools, he said, "the colored members here, and colored voters elsewhere, will not be satisfied." He went on to predict that:

> The battle will rage again. You may give them the freedom of the inn, the railroad, and the theater; you may bury them side by side with the white in the cemetery; you may go further, and provide that we shall all rise together out of the same mold in the resurrection, irrespective of race, or color, or previous condition; but the broad-voweled Africanese tongue will talk, and the elegant elocution of the successor of John C. Calhoun will still make its music of agitation. Gentlemen of white persuasion may tender the forty acres, but the inquiry still will be, "Where's your mule?" (*Congressional Rec*ord 13 January 1874, 616).

Despite such sentiments, black Americans used their newfound political power to advocate for meaningful change. For example, a number of black delegates who participated in their states' Reconstruction Era constitutional conventions advocated for integrated education in their states. South Carolina's Robert Smith played an active role in bringing about free, state-supported compulsory education that would reach all citizens in South Carolina (Dray 2008, 46-47). Other African-American delegates focused on fighting efforts by Southern Democrats to ensure racial segregation in the region (see, e.g., Fitzgerald 2007).

Many white southerners disapproved of the dramatic shifts in the racial order of society that Reconstruction generated. As Foner and Mahoney note,

> "most white southerners could not accept the idea of former slaves voting, holding office, and enjoying equality before the law. They had always regarded blacks as an inferior race whose proper place was as dependent laborers. Reconstruction, they believed, had

to be overthrown in order to restore white supremacy in Southern government, and to ensure planters a disciplined, reliable labor force" (Foner and Mahoney 1995, 114).

In this context, advocating for racial equality often proved dangerous, and some black leaders took pains to reassure their white colleagues that they had no desire for racial equality. For example, William H. Gray, a freeborn black delegate to Arkansas's constitutional convention, reassured his colleagues that he "wanted this a white man's government" and that he was content to allow them to "do the legislating as they had the intelligent and wealth" (Fitzgerald 2007, 86).

The end of Reconstruction in the 1870s marked a substantial decline of the intense federal oversight over the activities of the southern states that had characterized previous decades. A number of state governments began to use states' rights arguments to pass "separate but equal" legislation that segregated blacks and whites throughout society and its institutions. By 1890, the strides that black citizens had made in the 28 years following the end of slavery gave way to intensive backlash characterized by racially motivated violence and southern Democrats' active efforts to suppress black citizens' voting rights and to relieve them of the rights that they had gained during Reconstruction. In South Carolina, for example, although 60 percent of the state's citizens in 1890 were black, they cast only 17 percent of votes in 1888—compared to the 50 percent of all votes that they cast in 1876 (Marszalek 2006, 26).

Commenting on efforts to suppress black votes, South Carolina's governor Ben "Pitchfork" Tillman said, "We have done our level best we have scratched our heads to find out how we could eliminate the last one of them. We stuffed the ballot boxes. We shot them. WE ARE NOT ASHAMED OF IT." (Neyland 1990, 19; emphasis in original). Some southern states enacted miscegenation laws and required segregation in educational institutions (Valelly 2004, 53). The gains of Reconstruction for black Americans also contributed to a wave of violence

that included brutal lynching across the South (Foner and Mahoney 1995, 119; Marszalek 2006, 8-9; Valelly 2004, 144). As Foner and Mahoney note, "In wide areas of the South, Reconstruction's opponents resorted to terror to secure their aim of restoring Democratic rule and white supremacy. Secret societies sprang up whose purpose was to prevent blacks fro voting, and to destroy the infrastructure of the Republican party by assassinating local leaders and public officials" (Foner and Mahoney 1995, 119).

The decline of Reconstruction had important implications for African-Americans' access to higher education. Once the federal government withdrew from monitoring southern states to ensure that they were complying with laws established to ensure equal treatment for black citizens, African-Americans and their educational institutions lost an important source of protection. In one example of how a renewed commitment to racial segregation in the south affected educational opportunities for African-Americans in the region, consider that black colleges ran the risk of losing government support if their egalitarian admissions policies were found to be in violation of Jim Crow laws. In 1887 when inspectors found that Atlanta University enrolled the students of white faculty and staff members, the predominantly black college lost its state funding.

Moreover, as southern lawmakers gained power in federal and state governments, black colleges that promoted vocational training were more likely to receive support than those that provided training that focused on the liberal arts (Williams and Ashley 2004, 76-77). As Williams and Ashley note, "[w]hen the federal government abandoned Reconstruction, it removed the buffer that had been erected between hostile southern legislatures and black citizens" (2004, 77). While the federal government had extended substantial support to black colleges and universities during the late nineteenth century, the end of Reconstruction saw the

rise of tension between the federal and state postures toward institutions that provided African-Americans access to higher learning.

Education as a Pathway to Progress

In the wake of slavery, newly freed African-Americans exhibited a keen association between education and the improvement of life chances. Many of them immediately embraced new opportunities to gain education for themselves and their children. The Freedmen's Bureau opened a number of schools after the end of the Civil War, and black Americans eagerly enrolled (Dray 2008, 46-47). Some states devoted substantial resources to educating their citizens—white and black—during Reconstruction. In South Carolina, which boasted a considerable number of African-American state legislators during the Reconstruction era, lawmakers made free education a right guaranteed by the state's constitution. Although these provisions were structured to benefit both black and white students, and even though most states allocated more resources to educating white students than black students, many white southerners resented the expenses involved in providing education to African-Americans (Marszalek 2006, 4). Thus, the perceived redistributive nature of education support represented an important aspect of the politics surrounding support for early education policies, especially in the South.

For some of the benefactors who supported the first black colleges, sincere desire to help African-Americans adjust to a new life after brutal years of forced servitude fueled their support.[1] The 1837 founding of Cheyney University marked the birth of black colleges in the United States. Soon thereafter, the African Methodist Episcopal (AME) Church founded Ohio

[1] For others, a desire to tame the supposedly "menacing" nature of the newly freed slaves drove their support (Gasman 2009, 74).

[2] As was the case with many higher educational institutions established during the seventeenth, eighteenth, and nineteenth centuries, Lincoln College and other black postsecondary institutions did not admit women until the mid-

African University—later known as Wilberforce University—in 1843, and the Presbyterian Church established Lincoln University in Pennsylvania in 1854.[2] As Jackson and Nunn note, HBCUs were established "as a response to two realities in the United States,"–one the result of formal laws and the other resulting from social norms—which severely limited African-Americans' access to the nation's predominately white colleges and universities (2003, 3-4). The bulk of the remaining HBCUs were founded during Reconstruction. It was during this period that lawmakers founded Shaw University (1865), Howard University (1867), and other prominent black colleges.

The early curriculum taught in these institutions consisted of both liberal arts and industrial training in areas such as manual labor for men and household skills for women, many of whom would go into domestic occupations. These institutions also provided training for the substantial proportion of African-American men and women who would pursue jobs as teachers in segregated schools (Gasman 2009, 74). Given the vast disparities between black and white primary education during the nineteenth century, black colleges typically had the task of providing remedial academic training for their students (Jackson and Nunn 2003, 2-3; 7-8). In addition to serving a crucial function in helping African-Americans to gain knowledge and skills that would help them to achieve socioeconomic mobility, black colleges also provided important social benefits to African-Americans, especially in the context of intense southern backlash against black progress in the South. As Frank Hale notes, black colleges and universities provided "an island of freedom in a sea of racial tyranny and imperialism" in the Old South (Hale 2006, 8). Thus, black colleges made critical investments in the nation's most marginalized

[2] As was the case with many higher educational institutions established during the seventeenth, eighteenth, and nineteenth centuries, Lincoln College and other black postsecondary institutions did not admit women until the mid-twentieth century (see, e.g., Jackson and Nunn 2003, 2).

people as they struggled to become full citizens in the midst of stunning social, economic, and political change.

The Reconstruction era saw significant government support for the establishment and cultivation of black colleges and universities. In 1865, the federal government created the Bureau of Refugees, Freedmen, and Abandoned Lands—also known as the Freedmen's Bureau—to extend medical, social, and educational services to more than 4 million newly freed African-Americans. The Bureau would prove central to the establishment of higher educational opportunities for blacks. The creation of Howard University provides another interesting example of government support for emerging HBCUs. Although a private institution, Howard was founded through a U.S. congressional act in 1867 due to the fact that it was established in the District of Columbia (Jackson and Nunn 2003, 7-8; Williams and Ashley 2004, 72).[3]

Although the post-Reconstruction backlash against the progress that African-Americans had made since the emancipation of slaves marked significant setbacks in the provision of opportunities for blacks, there remained strong support for education for African-Americans within the black and white communities (Neyland 1990, 19). This support was crucial to the passage of the Second Morrill Land Grant Act and its design, which featured targeted educational support for blacks.

Promises to Keep: The Second Morrill Land Grant Act and Support for Black Colleges

Although creation of the First Morrill Land Grant Act was revolutionary because it helped to democratize access to higher education and it ushered the federal government into the arena of higher education, the policy fell short of fully resolving the challenges that limited

[3] President Andrew Johnson, who had consistently blocked liberal Republicans' efforts to extend civil rights to blacks, opposed the charter that would establish Howard University in the nation's capitol. Nevertheless, Congress approved its charter in March of 1867 (Williams and Ashley 2004, 72).

access to higher learning in the United States. In the years following its creation, many of the land grant colleges that had been created under the 1962 Act struggled under the weight of financial difficulty (Carleton 2002, 53). Moreover, the policy fell short in achieving its promise of providing educational opportunity for all, especially when it came to providing opportunity for African-Americans. Although the first Morrill Act did not explicitly exclude African-Americans, the fact that the policy charged the states with implementing the policy resulted in the overwhelming exclusion of black citizens from its benefits. In passing the Second Morrill Land Grant Act in 1890, lawmakers revisited the land grant approach to expanding higher educational access.

In proposing the Second Morrill Land Grant Act, Justin Morrill—who had by then become a member of the United States Senate—worked to correct the shortcomings of the 1862 legislation. Morrill presented his first proposal for a second land-grant program in 1872. This time, Morrill sought to venture beyond the one-time land grants that lawmakers provided to states in 1862 to offer annual grants that would support the maintenance of these programs over time (Carleton 2002, 54). Although Morrill's proposal gained the support of his colleagues in the Senate, the bill failed to clear the House of Representatives, which was more concerned with the issue of providing funds to support the education of children in common schools (Carleton 2002, 54-56). Over the next 18 years, Morrill would introduce revised versions of the new land-grant bill in hopes of adding the support of the House of Representatives to the support that he enjoyed in the Senate.

Throughout that time, debate over whether the government should renew its investment in higher education included discussion of the impact that such investment could have on African-Americans. In 1884, as the U.S. Senate debated over proposals for government support

for education, Senator James George (D-MS) argued that "there is a burden thrown upon the white people of Mississippi, who are not rich, not only of educating their own children but all the children of the colored people, who number 175,000 more than the whites, and…[blacks] pay very little of this burden…" (*Congressional Record* 25 March 1884, 2244). Then-Senator, and future U.S. President, Benjamin Harrison (R-IN) responded, noting the significance of proposed education legislation for black citizens saying:

> I am not familiar with the present condition of the colored people in any of the States except my own, but I have more than once in the course of my life had opportunity to notice the hunger of the black man for education ….I have seen old men old men past the meridian of life, yes, well on toward its end, after a hard day's work in the company's kitchen, lying prone upon the ground before the camp fire with spelling-books in their hands painfully trying to fasten in their memories the names and outlines of the letters of the alphabet. Every philanthropist must sympathize with the blind thus groping toward the light (*Congressional Record* 25 March 1884, 2244).

As these statements reveal, the redistributive features of proposed support for higher education played a central role in the politics surrounding lawmakers' consideration of them.

In the fall of 1890, Morrill's proposal managed to finally clear the House as well as the Senate. He accomplished this feat by crafting the bill's language so as to emphasize its support for the study of agriculture and mechanics, thereby allaying the concerns of lawmakers representing agricultural interests who saw the original proposal as failing to effectively target resources to the most important beneficiaries. Morrill's efforts to provide additional support to land grant colleges were also strengthened by active lobbying by representatives from the colleges that received support under the 1862 Act who had a major stake in a renewal of that

support (Carleton 2002, 57). Nearly three decades after his first land grant legislation was passed, Morrill saw the creation of the Second Morrill Land Grant Act on August 30, 1890.

The role that this policy would play in expanding higher educational opportunity for African-Americans represents perhaps the most significant outcome of its passage. The Second Morrill Act is especially noteworthy because it required that states operating segregated colleges provide equal institutional opportunities for white and black students. In enacting this policy, lawmakers invoked the state's regulatory power to ensure that all states benefiting from land-grant benefits extend a share of those benefits to all students. Moreover, they enabled a significant growth in the higher educational opportunities provided to black students, while inadvertently further entrenched segregation within educational institutions, especially in the South.

Conclusion: Political Development and the Roots of Higher Educational Opportunity for African-Americans

Taking seriously the politics surrounding the creation of the Second Morrill Land Grant Act offers valuable lessons that help us gain insight into why lawmakers passed such a path breaking program in 1890 and, more broadly, insight into the nature of the longstanding relationship between the government and historically black colleges and universities. The decision to frame the Second Morrill Land Grant Act as an extension of the Morrill Land Grant Act of 1862 was a valuable political strategy that contributed to its success.

By framing the Second Morrill Act as a continuation of the first—emphasizing that it targeted federal benefits in a universal fashion that reached all states, rather than highlighting its strong regulatory element that would mean that benefits could be targeted particularly toward educating black citizens—lawmakers successfully drew upon what Theda Skocpol (1991)

describes as "targeting within universalism." This perspective notes that although social policies that target benefits narrowly to the neediest citizens tend to represent the most efficient use of public resources, such policies often fall short of the broad-reaching political support necessary to sustain them over time. While broad reaching, universal policies may extend benefits in a less efficient manner, they tend to elicit higher levels of political support by virtue of their extended reach. What is particularly interesting about the 1890 Morrill Land Grant Act is that, throughout congressional deliberations, proponents largely characterized it as a continuation of the first Act and emphasized that it would provide additional funds to schools already benefiting from federal support. Nevertheless, once it came to implementation, the strong force of segregation in the South necessitated that institutions providing higher education to African-American students become the targeted beneficiaries of its benefits.

On the other hand, in the context of intense racial inequality and segregation during the post-Reconstruction period, government support for HBCUs could potentially be characterized as having something akin to 'universal' reach. Although the Second Morrill Act facilitated the creation of colleges that would offer higher educational opportunity for African-American students, lawmakers' support for this policy would enable the continued operation of a dual, racially divided system of higher education in the United States. This was particularly true for the South where many white citizens actively sought to maintain strict divides between black and white citizens. In facilitating the creation of a segregated system of higher education, the Morrill Land Grant Act of 1890 reached beyond black colleges and their students to also affect the educational experience of white students in predominantly white higher educational institutions. Either way, historical analysis suggests that lawmakers provided extensive support to black colleges and universities when such support was perceived as yielding broad-reaching, politically

valuable benefits.

In addition to the significance of targeting in explaining why lawmakers expanded African-Americans' access to college education with the Morrill Land Grant Act of 1890, historical analysis also reveals the important role that policy design played in facilitating this outcome. According to Lowi's (1964) typology, the First Morrill Act represents a powerful example of distributive policy. These programs, which were often employed as mechanisms for state building during the eighteenth and twentieth centuries, used public resources to support the provision of resources that would benefit the entire country. Because these programs were structured as entitlements to the states, rather than limited benefits that would require competition among them, they tended to elicit widespread support other positive political outcomes. Yet, as the history of U.S. social policy has revealed, provisions of government benefits often require the introduction of government regulation to ensure that those benefits are allocated in accordance with original legislative intent. This was also the case, for example, with the higher education policies enacted during the mid-twentieth century that were intended to expand access to colleges and universities. Although the federal government offered need-based financial aid to make college affordable, institutional discrimination against women and racial minorities limited higher educational access. As a result, lawmakers followed up on financial aid programs with regulatory policies that would ensure that all students enjoyed access to colleges and universities benefiting from federal funding. By incorporating the regulatory element into the Second Morrill Act requiring that states offer equitable educational opportunities for black and white students, lawmakers attached a powerful "stick" to accompany the "carrot" of federal support for higher education that the First Morrill Act produced.

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