



## Pastoral letter on the Civil Rights Cases Henry McNeal Turner (1884)

*In 1875, Congress passed a civil rights law that barred businesses from discriminating on the basis of race when providing access to facilities such as transportation, hotels, and theaters. The constitutionality of the Civil Rights Act of 1875 was challenged in a set of appeals, dubbed the Civil Rights Cases, that the Supreme Court heard in 1883. In an 8-1 ruling, the Supreme Court held that the Constitution did not permit Congress to bar racial discrimination by private businesses, only by states. This ruling was an early step in the process of legally authorizing systematic racial segregation, a process that would culminate in the infamous Plessy v. Ferguson decision of 1896.*

*Henry McNeal Turner was a freeborn African American, originally from South Carolina, who became a minister in the African Methodist Episcopal (AME) Church. He became also, after the Civil War, one of the first African Americans elected to the Georgia state legislature. When the Supreme Court ruled on the Civil Rights Cases, Turner was serving as an AME bishop, overseeing congregations in Mississippi, Arkansas, and the Indian Territory (where thousands of African Americans had settled). The following excerpts come from a letter that Turner wrote to the congregations in his charge in the wake of the Supreme Court's ruling. In later years, Turner's frustration with anti-black racism in the United States would make him an advocate of colonization—that is, of African Americans emigrating to Africa.*

A terrible crisis is upon us; heaven is insulted, our civilization is disgraced! The Supreme Court of the United States has decided that the Civil Rights Act is unconstitutional. To the negro in this country (excepting a few simpletons, ingrates, and government pap-suckers), this decision is known to be a fearful blow, a civil shame, an inhuman outlaw, upon more than seven millions of American citizens—citizens, too, who have freely shed their blood in every battle the nation has fought for its maintenance since its incipiency.

This is not a political question. It involves existence, fundamental rights upon which hinge respect, honor, happiness, and all that life is worth. Born in the bitterness of prejudice, fostered in the venom of caste, and strengthened by the dangerous stimulants of state rights, that decision hurls out fearful blows, which strike the negro through in the very armor of his citizenship. The assault, too, was unprovoked; yet such has been its force, that it will materially curtail the growth of race respect and drive us into the thorns and briars of incessant discontent or recognized inferiority to the most degraded of all other races, the very thought of which is revolting. That decision beggars the future hopes of the negro, destroys his confidence in his own country, and makes him an alien in the land of his birth—a land which he has enriched by his labor and defended with his life. [...]

This decision reverses the wheels of civilization. [...] The evil one has his will, and the members of the Supreme Court will receive the curses of millions. The nation has been transformed into a mob, with Judge Bradley<sup>a</sup> as its leader, and tens of thousands of its faithful defenders have been

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<sup>a</sup> Joseph P. Bradley was the justice who wrote the Supreme Court's decision in the Civil Rights Cases.

handed over to its vengeance and fury. The sainted President Lincoln and the illustrious Sumner<sup>b</sup> have been alarmed in their peaceful tombs, while the heavenly quiet of Chief Justice Chase<sup>c</sup> has been broken by the distorted wails of tens of thousands whose groans have reached the skies. The father of secession and state sovereignty is holding a banquet of rejoicing in the regions of the invisible, while fate sounds the reveille of coming dissolution; for that decision, despite the finespun theories of judicial jargon, will, in the near future, be made the criterion to rend this nation in twain.

Now, before the God of nations and civilized man, we hold that the action of the Supreme Court is nothing less than a public outrage and an invitation to murder all colored persons who possess the elements of true manhood—a decision far more abominable and more at variance with the true status of affairs than the Dred Scott decision, and as such should be singled out before heaven and earth.

Therefore, believing it to be my duty as a consecrated officer of the church of God, who has been placed in the most elevated position in the gift of the church, to advise the people of my care in times of trouble and lamentation; and having been moved upon to do the same, I trust, by the Spirit of God, I recommend—

1. That our condition be made the subject of prayer and great meditation, that we may be able to learn what lessons Providence designs to teach us, if any.
2. That the God of all mercies be invoked, upon bended knees, to reorganize the Supreme Court, and that the same be made a subject of fasting and prayer.
3. That, in the meantime, meetings be called by the thousands and petitions be made to Congress for the passage of another bill which will give us protection before the country, as well as a recognized status in the land.
4. That grateful mention be made before God and man of Justice Harlan, President Arthur, Senators Edmunds and Wilson,<sup>d</sup> and such other friends of humanity as are trying to aid us in this, our dark hour and fearful trial.

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<sup>b</sup> Charles Sumner was a US senator who, prior to the Civil War, had been a particularly famous opponent of slavery. He helped draft and introduce the bill that became the Civil Rights Act of 1875. He died in 1874, before the law's passage.

<sup>c</sup> Salmon Chase served as chief justice of the Supreme Court from 1864 until his death in 1873. Prior to the Civil War, he was active in the anti-slavery cause.

<sup>d</sup> John Harlan was the one justice who dissented from the Supreme Court's decision in the Civil Rights Cases. US president Chester Arthur responded to the Supreme Court's decision by urging Congress to pass new legislation to protect African Americans' civil rights. US senators George Edmunds and James F. Wilson each tried unsuccessfully to counter the effect of the Supreme Court's ruling: Edmunds tried to pass a law that would transfer all cases involving civil rights or race from state courts to the federal courts, while Wilson tried to pass a new amendment to the Constitution.

**Source:** H. M. Turner, “Eighth Episcopal District, AME Church,” *Christian Recorder*, January 17, 1884, [1], [https://archive.org/details/christianrecordephil\\_4/page/n105/](https://archive.org/details/christianrecordephil_4/page/n105/). Text is public domain in the United States because published in the United States before 1923.

Excerpts edited and annotated by John-Charles Duffy. A subject-verb agreement error corrected. Punctuation emended in line with modern conventions. Small caps omitted where used in the source to emphasize a word for unclear reasons. Ordinals in a numbered list converted to cardinals, and items in the list indented. For the sake of modernization, the word *state* converted to lowercase although capitalized in the source publication. *Church* converted to lowercase because not used as part of a denomination’s name. The source’s usages *Civil Rights act* and *spirit of God* upcased to *Civil Rights Act* and *Spirit of God*; however, the usage *Evil one* downcased to *evil one* for consistency with the source’s lowercasing of the satanic epithet *father of secession*. The use of lowercase for the word *negro* replicates the source; so too the use of lowercase for *heaven* and *fate* and the capitalizing of *Providence*.

These edited excerpts from Turner’s pastoral letter are intended for **teaching** purposes only. For **research** purposes, you should consult, quote, and cite the source publication listed above.

**See also:** The AME Church reprinted Turner’s pastoral letter for wider distribution, first in the denomination’s newspaper, the *Christian Recorder* (cited above), then as part of the following pamphlet: H. M. Turner, *Civil Rights: The Outrage of the Supreme Court of the United States upon the Black Man* (Philadelphia: Publication Department, AME Church, [1889]), 14-15; digital transcript available from Documenting the American South, University Library, University of North Carolina at Chapel Hill, <https://docsouth.unc.edu/church/turnercivil/turner.html>.



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