

its inhibition with the consequent infringement of rights long freely enjoyed. We are constrained to conclude that the statute as applied is arbitrary and without reasonable relation to any end within the competency of the state. As the statute undertakes to interfere only with teaching which involves a modern language, leaving complete freedom as to other matters, there seems no adequate foundation for the suggestion that the purpose was to protect the child's health by limiting his mental activities. It is well known that proficiency in a foreign language seldom comes to one not instructed at an early age, and experience shows that this is not injurious to the health, morals or understanding of the ordinary child....

Questions

1. In what ways did the Supreme Court of Nebraska justify the English-only law?
2. Why does the U.S. Supreme Court see the law as an unreasonable infringement on liberty?

133. Alain Locke, *The New Negro* (1925)

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The migration of blacks from South to North, begun in large numbers during World War I, continued during the 1920s. New York's Harlem became famous for "slumming," as groups of whites visited its dance halls, jazz clubs, and speakeasies in search of exotic adventure. The Harlem of the

white imagination was a place of primitive passions, free from the puritanical restraints of mainstream American culture. The real Harlem was a community of widespread poverty. But it was also the center of rising racial self-consciousness, a growing awareness of the interconnections between black Americans and persons of African descent elsewhere in the world, and a vibrant black cultural community that established links with New York's artistic mainstream. The term "New Negro," associated in politics with pan-Africanism and the militancy of the Garvey movement, in art meant the rejection of established stereotypes and a search for black values to put in their place. *The New Negro*, a book of essays and literary works edited by Alain Locke, came to symbolize the "Harlem Renaissance."

IN THE LAST decade something beyond the watch and guard of statistics has happened in the life of the American Negro and the three norms who have traditionally presided over the Negro problem have a changing in their laps: The Sociologist, the Philanthropist, the Race-leader are not unaware of the New Negro, but they are at a loss to account for him. He simply cannot be swathed in their formulae. For the younger generation is vibrant with a new psychology; the new spirit is awake in the masses, and under the very eyes of the professional observers is transforming what has been a perennial problem into the progressive phases of contemporary Negro life.

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With this renewed self-respect and self-dependence, the life of the Negro community is bound to enter a new dynamic phase, the buoyancy from within compensating for whatever pressure there may be of conditions from without. The migrant masses, shifting from countryside to city, hurdle several generations of experience at a leap, but more important, the same thing happens spiritually in the life-attitudes and self-expression of the Young Negro, in his poetry, his art, his education and his new outlook, with the additional advantage, of course, of the poise and greater certainty of

knowing what it is all about. From this comes the promise and warrant of a new leadership. As one of them has discerningly put it:

We have tomorrow
Bright before us
Like a flame.
Yesterday, a night-gone thing
A sun-down name.
And dawn today
Broad arch above the road we came.
We march!

The day of "aunties," "uncles" and "mammies" is equally gone. Uncle Tom and Sambo have passed on, and even the "Colonel" and "George" play barnstorm roles from which they escape with relief when the public spotlight is off. The popular melodrama has about played itself out, and it is time to scrap the fictions, garret the bogeys and settle down to a realistic facing of facts.

First we must observe some of the changes which since the traditional lines of opinion were drawn have rendered these quite obsolete. A main change has been, of course, that shifting of the Negro population which has made the Negro problem no longer exclusively or even predominantly Southern.

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Here in Manhattan is not merely the largest Negro community in the world, but the first concentration in history of so many diverse elements of Negro life. It has attracted the African, the West Indian, the Negro American; has brought together the Negro of the North and the Negro of the South; the man from the city and the man from the town and village; the peasant, the student, the business man, the professional man, artist, poet, musician, adventurer and worker, preacher and criminal, exploiter and social outcast. Each group has come with its own separate motives and for its own spe-

cial ends, but their greatest experience has been the finding of one another. Proscription and prejudice have thrown these dissimilar elements into a common area of contact and interaction. Within this area, race sympathy and unity have determined a further fusing of sentiment and experience. So what began in terms of segregation becomes more and more, as its elements mix and react, the laboratory of a great race-welding. Hitherto, it must be admitted that American Negroes have been a race more in name than in fact, or to be exact, more in sentiment than in experience. The chief bond between them has been that of a common condition rather than a common consciousness; a problem in common rather than a life in common. In Harlem, Negro life is seizing upon its first chances for group expression and self-determination. It is—or promises at least to be—a race capital. That is why our comparison is taken with those nascent centers of folk-expression and self-determination which are playing a creative part in the world to-day. Without pretense to their political significance, Harlem has the same role to play for the New Negro as Dublin has had for the New Ireland or Prague for the New Czechoslovakia.

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[Two new] interests are racial but in a new and enlarged way. One is the consciousness of acting as the advance-guard of the African peoples in their contact with Twentieth Century civilization; the other, the sense of a mission of rehabilitating the race in world esteem from that loss of prestige for which the fate and conditions of slavery have so largely been responsible. Harlem, as we shall see, is the center of both these movements; she is the home of the Negro's "Zionism." The pulse of the Negro world has begun to beat in Harlem. A Negro Newspaper carrying news material in English, French and Spanish, gathered from all quarters of America, the West Indies and Africa has maintained itself in Harlem for over five years. Two important magazines, both edited from New York, maintain their news and circulation consistently on a cosmopolitan scale. Under American auspices and backing, three pan-African congresses have

been held abroad for the discussion of common interests, colonial questions and the future cooperative development of Africa. In terms of the race question as a world problem, the Negro mind has leapt, so to speak, upon the parapets of prejudice and extended its cramped horizons. In so doing it has linked up with the growing group consciousness of the dark peoples and is gradually learning their common interests. As one of our writers has recently put it: "It is imperative that we understand the white world in its relations to the non-white world." As with the Jew, persecution is making the Negro international.

As a world phenomenon this wider race consciousness is a different thing from the much asserted rising tide of color. Its inevitable causes are not of our making. The consequences are not necessarily damaging to the best interests of civilization. Whether it actually brings into being new Armadas of conflict or argosies of cultural exchange and enlightenment can only be decided by the attitude of the dominant races in an era of critical change. With the American Negro, his new internationalism is primarily an effort to recapture contact with the scattered peoples of African derivation. Garveyism may be a transient, if spectacular, phenomenon, but the possible role of the American Negro in the future development of Africa is one of the most constructive and universally helpful missions that any modern people can lay claim to.

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Questions

1. What does Locke mean when he writes, "the day of 'aunties,' 'uncles,' and 'mammites'" is gone?
2. Why does Locke consider Harlem a true "race capital" for blacks?

134. Elsie Hill and Florence Kelley Debate the Equal Rights Amendment (1922)

Source: *The Nation*, April 12, 1922, p. 421.

With the ratification of the constitutional amendment barring states from discriminating in voting qualifications because of sex, the women's movement faced a crossroads. The National Woman's Party, whose militant protests during World War I had helped secure passage of the Nineteenth Amendment, now called for a new Equal Rights Amendment (ERA) prohibiting all legal distinctions between the sexes. Only in this way, its leaders insisted, could women gain full access to the economic, educational, and other opportunities of American society. But many veterans of the movement to protect women workers feared that the ERA would wipe away their hard-won gains as well as deny women alimony and child support in the event of divorce. The result was a bitter split among feminists, illustrated in a debate in the pages of the liberal magazine, *The Nation*, in 1922. Elsie Hill, the daughter of a Connecticut congressman who had been arrested for picketing at the White House during Woodrow Wilson's presidency, represented the Woman's Party; Florence Kelley, the head of the National Consumers' League and an architect of legislation limiting the hours of work for women, offered the traditional view that women needed special protection by the government. The ERA failed, and the debate would be repeated in the 1970s when it once again entered national politics.

HILL: THE REMOVAL of all forms of the subjection of women is the purpose to which the National Woman's Party is dedicated. Its present campaign to remove the discriminations against women in the laws of the United States is but the beginning of its determined effort to secure the freedom of women, an integral part of the struggle for human liberty for which women are first of all responsible. Its interest lies in the final release of women from the class of a