

Black Capitol: A History of Racial Stratification and Segregation in the U.S. Congressional Workforce

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Abstract

Much is known about the history of Congress, however, less explored are the racial dynamics that organize the institution. To this end, most scholars focus on the experiences of black members of Congress, rarely giving attention to the careers and work experiences of congressional black employees. Black employees have a long history of working in the Capitol; this includes slave laborers working to build the Capitol, black services employees who maintain the physical structure of Congress, and a growing number of black legislative staff who occupy positions of power and influence. This paper provides a chronology of black employees working in the Federal legislature and advances a sociological analysis that documents how race has acted as a systemic barrier. I examine historical events such as the informal ban on professional black staff, the presence of segregated facilities in the Capitol, and Congress' exemption from workplace discrimination laws that subsequently earned it the dubious nickname the "Last Plantation." In addition, this paper includes interviews with former black staff that worked in Congress following the Civil Rights movement in the 1970s and 1980s. This analysis presents a different portrait of the Congress; it illustrates the persistence of racial stratification and segregation within the congressional workforce. In addition, it provides a strong analytical foundation to understand contemporary racial dynamics in Congress and the continued underrepresentation of staffers of color. Most importantly, this study mandates an intervention into how we understand and conceptualize Congress, requiring further interrogations of race as an organizing force.

In this chapter, I provide a racial history of Congress from the perspective of African American employees, uncovering a missing history of early black professionals who worked in the Capitol and showing, from a historical perspective, how race has affected the career structures of legislative staff. In earlier days, black workers were confined primarily to menial jobs as service employees, as Congress unofficially supported de facto segregation. Indeed, black workers dominated services positions until the 1930s, when we began to witness the sustained emergence of black employees in a professional capacity. The growing presence of black professionals served as a challenge to racist policies that existed in the Congress, such as segregated dining facilities. The 1970s were a time when black professionals grew in number and were finally able to overcome obstacles to obtain senior staff positions. Despite these gains, black professionals are still a minority in Congress, especially in senior roles.

Year	Occupation	Status	Space
1789-1862	Laborers	Enslaved labor	Restricted Campus
1862-1929	Service employees	Tenuous gains, support by white Republicans	Segregated
1929-1950	Service employees and legislative staff	Emergence of black professional staff	Segregated
1950-Present	Service employees and legislative staff	Entry into senior staff positions, continued in junior staff and service occupations	Open campus, semi-segregated congressional offices

This chapter makes an important scholarly contribution by including in the discourse about Congress a corrective that shows how the institution participated in racial segregation. The way in which members of Congress organized each chamber and the racial relations that developed

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subsequently mirror legislative efforts to enshrine a system of white supremacy. Less explored is how Congress controlled its own territory and how the arrangements it made to preserve power describe its character and help to explain the behavior of the organization. While other race scholars focus on the role of black members of Congress, which is indeed vital to understanding how race and racism operate within the Capitol, I choose to highlight the history of congressional black employees, especially since their presence predates the election of the first black members of Congress by 80 years, and in periods where there were no African American members of Congress.

African Americans Construct the Capitol: 1789-1865

The Capitol building in Washington D.C. is an impressive sight. Situated on what was formerly known as Jenkins Hill, the Capitol is one of the tallest buildings in the city, and its white cast iron dome can be seen for miles around. Thomas Walter designed the Capitol dome in the 1850s, when the Capitol was expanded to accommodate the growing numbers of representatives. The *Statue of Freedom*, designed by Thomas Crawford, sits atop the dome, as a powerful symbol of our federal democracy. However, it is only thanks to the ingenuity of Philip A. Reid, a black slave, that the bronze monument exists as it does (Architect of the Capitol ; Walton 2005) . After a disagreement over payment with an Italian sculptor hired to reassemble the statue from its mold, Reid solved the mystery that had left others baffled and the statue in five disjointed sections. He gained manumission in 1862 and on December 2, 1863, over a year later, the statue was put in place on top of the Capitol(Allen 2005).

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While the story of Philip Reid is widely celebrated, this is not the only account of slave labor used in the construction of the Capitol. Records show that black laborers helped build the “Temple of Liberty” from its inception, hauling, cutting, and carving stone for the edifice and acting as carpenters inside, framing the floors and (Allen 2005). The irony is clear: enslaved laborers contributed to building a monument to freedom, when they themselves were not free.

The most extensive use of slave labor was during the 1790s and construction of the North wing of the Capitol. President George Washington had grand ambitions for an expansive capital city in what was then rural tidal Maryland. Unfortunately, the area lacked both the human and natural resources to build both the Capitol and the President’s House. Whereas buildings of the time were made of brick, Washington wanted the government buildings in the capital to be made of stone. Stone is one of the most durable building materials and it would add grandeur to these new national landmarks and signal the longevity of a nascent democracy.

Skilled labor was, however, in short supply, especially to meet the tight deadline for completion of 1800, when the federal government would officially move to Washington D.C. However, Virginia and Maryland had the largest concentration of slaves in the nation, a source of labor that would meet the demand to complete the construction on time.

Records show that, from 1795 to 1801, more than 385 payments were made for individual Negro hire. Enslaved black laborers earned \$60 per year, \$10 less than white laborers, and \$70 per year toward the end of construction and an approaching deadline (Allen 2005). Enslaved laborers were not congressional employees; slave-owners received payment for renting out their slaves to

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meet the labor shortage. Slaves would be paid directly for their work on Sundays and during holidays, such as Easter Monday, and could use the money they earned as a way to purchase their freedom. Although no records exist of the use of slave labor after 1801, that could be an indication of poor record keeping.

As stated earlier, slaves contributed most directly to the construction of the North wing of the Capitol, but they were involved in every aspect of construction. As architectural historian William Allen indicates, “they worked alongside of free blacks and whites in the areas of carpentry, masonry, carting, rafting, roofing, plastering, glazing, and painting” (Allen 2005:9). and made significant contributions as sawyers. Slaves labored in sweltering heat, tormented by mosquitoes, and to a grueling work schedule.

The status of African Americans in Washington D.C. was complicated during the first half of the 19th century, when both free and enslaved blacks lived in the city. Washington, as the capital, was a symbolic representative of the future of African Americans in the country. Members of Congress often intervened in municipal politics to preserve the institution of slavery. For instance, they objected to attempts to ban slavery in the city and secured the right for slaves to be traded there, although these transactions occurred only a short distance from the Capitol (Green 1967). Moreover, there were efforts to limit the increasing population of free blacks in the city, which highlighted their status at a time when the country was grappling with the future of slavery. In the 1820s, free blacks had to secure peace bonds with the city government to assure their freedom, and abided by nightly curfews (Green 1967).

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Records of African Americans working in the Capitol during the early 1800s are incomplete.

Beyond work as laborers, blacks may have worked in a service capacity, like Tobias Simpson, a Senate messenger.¹ However, there were few black faces in the Capitol prior to the Civil War, especially after Congress banned blacks from the its grounds in 1828, unless they were there on official business (Green 1967). The rights and freedoms of free blacks were limited, most drastically by banning them from the halls of the Capitol.

From 1789 to 1865, enslaved African Americans played a pivotal role in helping to construct the Capitol, contributing to nearly every facet of construction of a lasting monument to freedom.

Capitol and Jim Crow Congress: 1865-1929

The conclusion of the Civil War brought more African Americans to the Capitol, most noticeably as member of Congress. In 1870, Hiram Revels (R-MS) and Joseph Rainey (R-SC) became the first African Americans to serve in the U.S. Senate and House of Representatives, respectively. Additionally, there was an increase in the number of African American congressional employees, reflecting a shift in their status as citizens, although they were mostly concentrated in service positions. The 14th amendment, adopted in 1868, granted citizenship to all individuals born in the U.S., thereby reversing the 1857 Dred Scott decision by the U.S.

¹ In 1814, Tobias Simpson worked as a Senate messenger and contributed to saving records of the Senate when the British invaded and burned the Capitol. Without the valiant efforts of Simpson and Senate clerk Lewis Manchen, the executive records of the first 25 years of the Senate would be lost .

Supreme Court that declared that blacks were not and could not be citizens. As citizens, African Americans could now enjoy the patronage that previously had been the preserve of white Americans only. Members of Congress appointed African Americans to various positions in the Capitol, from bathroom attendants to Senate and House pages.² Despite African Americans' new status as citizens and Congress's valiant attempts immediately following the Civil War to promote racial equality, the congressional workplace was racially stratified. Black employees rarely held positions of authority. Nonetheless, congressional black employees used their positions as political insiders to personally lobby members of Congress about racial equality. As already noted, congressional employees are rarely included in the history of our legislative democracy, which tends instead to focus on the behaviors and actions of members of Congress to explain legislative outcomes and developments within the institution. However, the historical figures I highlight illuminate important dimensions of the informal aspects of Congress, namely how it operated as a workplace. Race undoubtedly acted as a systemic barrier for African Americans seeking employment in the federal legislature. Nonetheless, African Americans workers considered even menial service positions to be good jobs that provided a decent salary,

² Virginia Representative Charles Porter sponsored Alfred Q. Powell as the first page to serve in the House in 1871. 1871c. "Colored Page." *Chicago Tribune*, April 2, 1871b. "A Colored Page." *Detriot Free Press*, April 2, 1871a. "Continuation of the Ku-Klux Debate in the House-the Democrats Driven by a Colored Orator- Congress Expected to Adjourn About the Middle of the Month " *New York Tribune*, April 3, 1871d. "First Negro Page of the House." *The Atlanta Constitution* April 5.

an ideal work environment, and normal working hours. As such, many congressional black employees became part of a growing black elite; their positions afforded them the opportunity to participate in black civil society.

Kate Brown began working in Congress, first as a laundress, in 1861 and then secured a job as the attendant in the Senate ladies' retiring room (Masur 2013). Brown was more than just a service employee in the Capitol; she had close relationships with senators and was influential in the political circles of the black elite in Washington D.C. In 1868, she protested against segregated practices on a train from Alexandria to D.C. As she was returning to D.C. after visiting a sick family member, train officials refused to let Brown sit in the ladies' car. The altercation ended with Brown being violently beaten and thrown off the train and on to the platform. Hospitalized for several months and unable to return to work, Brown sued the railroad company for damages she suffered and for violating its congressional charter by discriminatory practices. The incident sparked a congressional investigation in the Senate (Committee on the District of Columbia 1868). Upon her return to the Capitol, Brown's experience was the spur for legislation that would make racial segregation in public transportation illegal. Brown was so well regarded that senators made a specific appropriation for her salary so that she would have job security. Unfortunately, when Southern Democrats gained control of the Senate in 1878, they eliminated Brown's name from the appropriations bill and fired her in the next session (Masur 2013).

The highest-ranking African American employee in Congress during this period was probably

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William H. Smith, who served as the House librarian during the 47th Congress (1881-1883)³. A native of the District of Columbia, Smith began working in Congress in 1864 as a messenger, with assistance from Massachusetts Senator Charles Sumner. He stayed in this position until Clerk of the House, Edward McPherson, promoted him in 1881. This promotion proved controversial. Southern Republicans tried to demote Smith, but there was bipartisan support for him among members of Congress, who called him “the ablest man possible to place in charge of the library” and “an authority on the questions of reference”.⁴ The New York Times noted “his memory of speeches, and points made by different public men in debate, was remarkable”.⁵ Thanks to his activity in the D.C. political arena, President Grant appointed him to the board of Police commissioners, and he stood with Frederick Douglass to oppose segregated schools within the city.

Early black congressional employees are also historically important for the work they did outside of the Capitol. George Downing was the first African American manager of the members’ dining room in the House of Representatives (U.S. House of Representatives). Downing was a notable restaurateur, known for his elegance in service and for his oysters, and led the House restaurant from 1868 to 1876. He used his position in Congress to advance racial equality and even

³ 1883. "The Avalanche of Bills in the House." *The Atlanta Constitution* December 12, 1883, 1892a. "Personals " *Chicago Daily Tribune*, October 12, 1892, 1903b. "William H. Smith Dead." *The Washington Post*, November 17, 1903.

⁴ 1892b. "Monday Congress." *The Washington Post*, February 21, 1892.

⁵ 1903a. "Noted Negro Is Dead." *The New York Times*, November 17, 1903.

persuaded Sen. Sumner to address equal railroad access on the Senate Floor. In his adopted home state of Rhode Island, Downing fought to desegregate the public schools and to promote equal protection for black and white people.

Informal rules governed employment practices in Congress; there was no explicit ban on hiring African Americans in professional positions. Instead, a patronage system operated, in which members of Congress sponsored or appointed employees, even in service positions (Masur 2013).

The ability of African Americans to secure patronage positions reflects how members of Congress saw them as an important voting constituency that they needed to support, especially after the Civil War. However, gains in employment often depended on who controlled Congress (King 2007). Southern Democrats often reversed appointments made by radical Republicans, as evidenced by Kate Brown. Most frequently, it was through informal networks that black workers gained employment in Congress. Family connections were especially important; Kate Brown obtained her position through her husband, Jacob, who first worked as a laborer in the Capitol, and she later used her relationships with senators to secure jobs for family and friends (Masur 2013). In addition, same-race contacts were important and congressional black employees maintained close relations with other black Capitol workers. House restaurateur Downing visited Kate Brown after her brutal attack in Virginia that left her bedridden in a hospital.

Yet, the most enduring impression of African Americans in the Capitol is how the situation resembled that of work opportunities for blacks in the South. Even after the conclusion of the Civil War and some African Americans had become members of Congress, work remained

racially stratified in Congress, with black workers at the bottom. During Reconstruction, when members of Congress had the courage to and did promote equality opportunity for African Americans, blacks were still primarily concentrated in service positions. Desmond King (2007) documents how, in 1876, after the Reconstruction Era, Southern Democrats imposed racial segregation on the federal workforce by implementing discriminatory mechanisms in hiring and by exercising close oversight over race relations in federal departments and agencies. Members of Congress ensured that the federal workforce, including Congress, operated as a two-tier system that afforded mobility and prestige in professional positions to white workers and secondary employment for African Americans.

Post Reconstruction

When Rep. George White left Congress in 1901 as the last black member of his time, it ended a remarkable 32-year period when African Americans served alongside white lawmakers. Not until 1928, when Oscar De Priest was elected from a newly created majority black district in Chicago, was there another black member of Congress. Between those dates, the only African Americans seen regularly in the Capitol would have been service employees.

African Americans worked as attendants, cooks, waiters, messengers, and chauffeurs.

Remarkably, black workers stayed in these positions for long periods, even outlasting some members of Congress.⁶ There are numerous references in the *Congressional Record* to members

⁶ 1946. "Ben Jones-Extension of Remarks of Hon. Dean M. Gillespie of Colorado." Pp. A2306-A2307, *Congressional Record*. Washington D.C.: Government Printing Office, 1949. "Harry

paying tribute to black workers with whom they developed special relationships during their decades-long acquaintance. In some cases, when a black worker retired, a family member would replace him or her in the Capitol. However, by the end of the 1920s, African Americans were finally able to gain professional employment in Congress.

The emergence of black legislative staff 1929-Present

Professional employees assist members of Congress in almost all facets of their legislative responsibilities and play a vital role as the duties of Congress continue to expand, from acting as a watchdog over new agencies and departments to regulating a steadily growing and complex society. The appointment of professional staff for members of Congress and committees is, however, a relatively recently development in legislative history (Fox and Hammond 1977; Malbin 1980). Official records from the House of Representatives and Senate show expenditure for legislative staff did not begin until 1840s. Even then, access to personal staff was rare and reserved for the most senior members, and it was not until the late 1920s that African Americans began to serve in that capacity.

The entry of African Americans into the professional workforce in Congress has had profound implications for race relations in the Capitol and the work that is done in there. Although black employees were initially confined to entry-level positions, such as secretaries and clerks, they

Williams, Senate Waiter over 50 Years, Retires at 75." *The Washington Star*, , 1960b. "Vernon Talbert, 69, Honored by Senate for 50 Year Service." *Roll Call*, May 18, 1983. "Chauffeur to a Generation of Senators." *The New York Times*, March 23.

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challenged racially segregated practices and organized together to increase their numbers. Finally, African American staffers not only served their members of congress but also acted as race representatives in legislative discussions, when there were no African American members of Congress present. Historical materials and in-depth interviews with former black staffers show how they were powerful agents of change within the Capitol, fighting to make the Congress a more inclusive space and considering the perspectives and concerns of black Americans in policymaking discussions. African American staff have not only served as aides to powerful policymakers, but are also political leaders in their own right, who have championed and fought for racial equality that resonates throughout the Capitol and beyond.

From the late 1920s and 1930s, African Americans began to occupy professional staff positions, working for both white and black members of Congress, although until the 1960s there were only one or two African American members serving at any one time. Robert H. Ogle, a Cornell graduate, was probably the first African American to work in Congress as a member of the professional staff. Senator Francis Warren appointed Ogle to the appropriations committee in 1929-1930. Black members during this time, including Reps. Oscar De Priest (R-IL), Arthur Mitchell (D-IL), and William Dawson (D-IL), all had black staff. In 1937, Jesse Nichols became a document clerk to the Committee on Finance. Along with Ogle, Nichols was one of the first African Americans to serve in top clerical positions in the Senate (Senate Historical Office 1994). Christine Ray Davis became the first African American chief clerk of a House committee in 1949, when William Dawson of Illinois became the chairman of the House Committee on

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Expenditures in the Executive Department.⁷ This powerful position elevated Davis to become the highest paid African American woman in the federal government and afforded her full access to the House Floor (Dunnigan 1949). It should be remembered that the vast majority of African Americans working in Congress in the early 20th century were still in service positions. In her 1949 article in *Service*, Alice Dunnigan found that one-third of the 1,500 persons employed by the office of the Architect of the Capitol were African Americans.

Segregated Spaces

For most of the history of Congress, its workforce remained, with some exceptions, racially segregated. African American workers typically occupied more lowly positions than whites.

Racial segregation in the congressional workplace was never codified, only informally enforced.

De facto segregation was not only the rule in regard to occupations, but it also governed the physical organization of space in the Capitol.

On January 23, 1934, Morris Lewis, the private secretary to Rep. Oscar De Priest, was denied service in the public House restaurant.⁸ Morris, who was with his son at the time, was informed

⁷ 1951. "Christine Davis Off on World Inspection Tour." *The Chicago Defender*, October 27, 1950b. "From Sunday School to Capital Hill Was Brief Trek to Christine Davis." *Afro-American*, October 14, Spraggs, Venice T. 1951. "The Girls Who Work on Capitol Hill." *The Chicago Defender*, February 10, 1960a. "Mrs. Christine Ray Davis to Work with Democratic Women's Groups." *Atlanta Daily World* August 26, 1950a. "Mrs. Davis Appointed to Top Job." *New York Amsterdamm News*, Septemeber 3.

⁸ During this time, a private secretary was the highest-ranking aide to a member of Congress, essentially acting as what we presently call a chief of staff.

that the restaurant did not serve “negroes”, and was asked to leave. Incensed, Lewis asked to speak to the manager, P. H. Johnson, who informed him that the order came directly from Rep. Lindsay Warren. Warren was chairman of the Accounts Committee and had direct control over the House dining facilities. Having unsuccessfully searched for Rep. Warren on the House Floor and in his personal office, he informed Rep. De Priest about the unfortunate incident. The story spread across the Capitol and received attention in the national press the following day.⁹ De Priest took to the House Floor to express his outrage.

De Priest offered a House Resolution to investigate the incident and discriminatory policies in place at the House restaurant. He gathered the signatures of 145 members of Congress to bring the petition to the House Floor for a vote. The resolution passed by a vote of 236 to 114 and created a committee to investigate the incident. Democratic House Speaker Henry Rainey appointed three Democrats and two Republicans to the panel. Serving on the panel were John Miller (D-AR), chairman, Francis Walter (D-PA), Compton White (D-ID), Louis McFadden (R-PA), and P.H. Moynihan (R-IL). The panel found that no discrimination had taken place and the House restaurant, not being a public facility, could operate as it wished. Minority members dissented, arguing that discrimination did in fact occur and the House restaurant was a public resource, as visitors and constituents frequented the facility.

Themes of citizenship and democracy, private versus public space, and racial equality permeate

⁹ 1934c. "De Priest to Force Vote on Color Line." *The New York Times*, January 23, 1934a.
"Depriest to Act in Cafe Fight." *The Washington Post*, April 23.

the testimony in these congressional hearings. Discussions of the status and rights of African Americans in Congress were a metaphor for larger discussions of rights for blacks more generally. What makes this case so compelling and important was that the right to secure freedom for African Americans across the nation depended on first securing basic equal rights for African Americans in Congress. As De Priest stated, “If we allow segregation and the denial of constitutional rights under the Dome of the Capitol, where in God’s name will we get them?”

In 1921, the House passed H. Res. 254, which gave the House Accounts Committee control over the management and operations of the House restaurant. Whereas it previously operated as a concession, the new authority was supposed to increase the quality and service of dining in the House for members, staff, and visitors. Dining facilities in the Capitol consisted of the members’ dining room (reserved for members and their guests), the main dining room (for members, staff, and visitors), and the grill (an informal dining area on a lower level).

Representative Warren testified that there were separate dining facilities for black and white employees in the House .

Mr. Warren: When the restaurant was first established, there was a room set aside—and it is still set aside—for, and is continuously patronized by, colored people.

Chairman: Where is that room?

Mr. Warren: That room is on the first floor. The same service, the same food, the same waiters, the same cleanly surroundings, everything being identical except, as it is so near the kitchens, we make slightly reduced prices because the overhead is not as great.

Chairman: When you say the first floor, do you mean the same floor as the other restaurants are on?

Mr. Warren: Underneath.

Although African American employees on occasion ate at the public House restaurant, the informal rule was for black and whites to eat separately in the Capitol. The racial hierarchy of Congress literally placed African Americans on the bottom, as their dining facility was underneath the dining area reserved for whites.

Former chairmen of the Accounts Committee, Representative Charles Underhill (R-MA), provided more detail about the segregated dining rooms and even elaborated on the racial dynamics of the members' dining room.

Mr. Underhill: Most of the patrons down there were colored people. No change was made in the arrangement, and no criticism was ever offered while I was chairman of the committee. When Mr. De Priest was elected, many Members asked me what would be the attitude of the committee, and I told them that I could not tell, that as far as I was concerned Mr. De Priest was a Member of the House and entitled to all the rights and privileges of any other Member, and would be accorded them as far as I could see to it that he got them. That did not meet the approval of the entire membership, and many of the Members went over the Senate restaurant and took their meals there. But Mr. De Priest was always served, given the same that anyone else was given.

However, as Rep. Underhill testified, there were constraints placed upon Rep. De Priest on whom he could bring with him to the dining room.

Mr. Underhill: The only incident that occurred while I was chairman of the committee that was embarrassing in any degree was one time when Mr. De Priest brought in as some guests some white people, which created a great deal of criticism. Through a very intimate friend of Mr. De Priest, it was suggested that none of the other members would think of bringing in a mixed group to the dining room. I suppose that message was communicated to Mr. De Priest. It never occurred again.

Despite his support for De Priest to eat and entertain in the members' dining room, Rep. Underhill approved of racially separate dining facilities for employees.

Mr. Underhill: I have no comment to make upon the controversy which led to this hearing. That is another problem. It was never my problem. But I will say the arrangements which have been made downstairs for guests or the

entertainment of guests, for the serving of guests, have been perfectly satisfactory. The room is scrupulously clean and neat, the service is prompt, the food is exactly the same as is served in the main dining room, the prices are, as I say, slightly lower.

When asked by Rep. McFadden if, during his administration of the restaurant, was there any discrimination against African Americans, Underhill replied no and added that blacks supported segregation.

Mr. Underhill: We might just as well speak plainly. I think as a rule that the colored group prefer to attend their own churches and to attend their own schools. They are not seeking the society or the company of any other group. They are sufficient unto themselves. My experience has always been that they are very happy in their attitude.

However, the testimony of Morris Lewis contradicts the beliefs of Rep. Underhill. Lewis expressed the view that, as a black American, he had the right to eat in the public dining room.

Mr. White: Is it your understanding that the House restaurant is run for the membership and their guests?

Mr. Lewis: Yes. We are guests of the membership and guests of the Nation too, if you please.

Mr. White: Under that interpretation, and under the rule of the restaurant, if you were to go there as a guest of a Congressman, there is no bar against you?

Mr. Lewis: That is true.

Mr. White: Then is there anything in your complaint?

Mr. Lewis: Yes. My point is that, as an American citizen entitled to the facilities that are afforded to a citizen of the United States of America, I have the right to go into any public facility that is provided by the Nation.

Mr. White: You just stated as a guest of a Congressman you have that right.

Mr. Lewis: As a guest of a Congressman, but I am talking about my own right as an American citizen.

The debate between Morris Lewis and Rep. White centered on whether the House restaurant was a public facility. If the House restaurant was a public facility, then equal access should have been accorded to all patrons. However, Chairman Warren argued that, although outside visitors

patronized the dining facilities, it was organized for members of Congress.

Mr. Moynihan: But the fact still remains that the restaurant is patronized by white people, is open to the public, and there is no question as to who may be served when they come in there.

Mr. Warren: It is not generally open to the public.

Mr. Moynihan: In effect, it is.

Mr. Warren: It has been more or less of a sufferance, because it has been absolutely impossible always to know, we have limited force there.

Mr. Moynihan: But there is never any question about who comes in there if they are not colored?

Mr. Warren: Oh, yes; they have been questioned many times; many times people have been told they could not be served.

Mr. Moynihan: That is, if it was crowded?

Mr. Warren: Yes, if it was crowded.

Mr. Moynihan: But, in ordinary procedure they walk in and out, whether they have any connection with Members of Congress or not?

Mr. Warren: As I have stated, that has been a permissive arrangement, under sufferance, more or less.

However, Rep. Underhill, who had previously controlled the House dining facilities, said, "It should be run only for the membership of the House; but as a concession to the employees and to the general public, who find it a great convenience, we have enlarged the capacity and the function of the restaurant."

The report produced by this special congressional committee reflected a split along party lines.

Republicans voted to uphold racial segregation in the House restaurant, while Democrats contended that the dining facilities were a public space and equal access should be granted to patrons. Years before sit-ins at lunch counters throughout the South, the congressional cafeteria was a site of political protest. Howard University faculty and students, including Professors

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Ralph Bunche and Kenneth Clark, all protested the discriminatory policies and even went to the Capitol to eat at the public restaurant, in fact testing the segregated practices (Rudwick 1966).

Professor Bunche ate at the House restaurant, although he was met with frowns and scowls from employees; however, there was a sign outside the restaurant stating “For Members Only,” denying access to Professor Clark and his university students.

Although African Americans were able to eat in the white cafeteria on occasion, the unofficial ban remained intact until the early 1950s. In addition, Christine McCreary, a secretary for Senator Symington, challenged segregation in the Senate lunchroom, with the support of her member (Senate Historical Office 1998). These examples show how racial discrimination operated in the Capitol, denying access to equal employment and use of facilities to African Americans in Congress. Such examples of discrimination also challenge how we view this democratic institution. Black staff made claims as citizens to the right to equal access to resources that whites freely enjoyed. They made specific reference to their constitutional rights, asked how, if they were unable to secure those rights in the Capitol, Congress was supposed to support and advance the rights of African Americans more broadly.

From Protest to Politics

During the 1960s and 1970s, more African Americans entered the congressional workforce, increasingly obtaining senior staff positions. Numerous factors explain the increasing presence of African American professionals on Capitol Hill.

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First, shifting racial views made it more acceptable for white liberals and progressive members to hire African Americans in a professional capacity. The Civil Rights Act of 1964 stands out as a particularly important moment that raised awareness among members of Congress about workplace barriers for African Americans, even though Congress exempted itself from the effects of the law (citation- *Washington Post* Article 74). This exemption prompted Sen. John Glenn (D-OH) to deem Congress “The Last Plantation,” one of the last places where racial discrimination in the workplace could exist. Members of Congress argued that including Congress in the Civil Rights Act would violate the separation of powers between the legislative and executive branch, as it would allow the Executive branch to interfere with congressional operations.

Second, the increasing number of black members in the House of Representatives also meant an increase in the number of black staff, as they were likely to hire African Americans. In the context of an unprecedented number of black members and white liberals and moderates, professional black staff became more numerous, even in senior positions, in the 1970s.

Nevertheless, even as African Americans entered into positions of power and influence, these appointments were still too few. According to the *Washington Post*, in 1974, African Americans accounted for only 28 of 900 professional positions in the Senate, approximately 3 percent.¹⁰ The

¹⁰ Rich, Spencer. 1974 "28 Blacks Have Top Senate Jobs " *The Washington Post* March 31.

28 black staffers identified by the *Washington Post* worked for white senators of both parties.¹¹

Interviews with former black congressional staff from the 1960s, 1970s, and 1980s provide a rare glimpse into their daily work experiences and reveal how race relations unfolded. Again, these accounts build a strong foundation for understanding how race operates in modern-day Congress and how it has arrived at this point. Furthermore, these data show how African American legislative employees see their role in Congress, as experts and advocates for their member's legislative agenda, but also as de facto representatives of the black community. Additionally, the role of social networks was and continues to be an important source of social support, information sharing, and strategic planning. The small numbers of African American staff, particularly in the Senate, meant that black employees knew one another and that differences such as party affiliation were insignificant. The political climate in Congress during that period was drastically different from today's; political parties were not as polarized, and there was more cooperation across the aisle between members of Congress.

I interviewed black senior staff who worked in the Senate; they occupied prestigious and powerful positions, such as chief of staff, staff director, legislative counsel, and legislative assistant.¹² As the *Washington Post* indicated, the number of African Americans working in the

¹¹ There was one black member of the Senate at the time, Edward Brooke (R-MA). According to the *Post*, he did not have a black employee at the time their study was done, but records show he did employ African Americans during his tenure in Congress.

¹² Interviews were conducted confidentially, and names have been altered to protect the identity of staffers.

Senate was particularly low during this period. The respondents I talked to were trailblazers; they were often the only African American in their office and sometimes the first ever in their position. The Senate remains an institution with few African Americans members. During the period when these respondents were working (1970-2000), there were only two black senators.¹³

Following many of the successes of the Civil Rights movement, principally with legislation action by Congress, there was a shift in the tactics to agitate the American political system by African Americans. As activist Bayard Rustin (1965) articulated in his classic essay “From Protest to Politics”, black Americans would go from protesting to demand change to working directly with political actors and within political institutions to advance racial equality. Although each respondent had a different story about how he or she got to the Hill, the former black staff I interviewed shared common work experiences and aspirations about trying to promote racial equality and diversity within the workplace. The congressional workplace now represents a new site in which black politicians can work to advance racial inequality, particularly as influential senior staffers. Several of the respondents spoke about being politically involved during the Civil Rights movement and identifying Congress as a location for them to enact political change.

Ramsey, a senior African American Senate staffer, who worked for a powerful southern Democrat, discussed his interest in politics and how he wanted to work within political

¹³ Edward Brooke (R-MA) was the first popularly elected African American senator and served from 1967 to 1979. Carol Moseley Braun (D-IL) was the first African American female senator, serving one term (1992-1998).

institutions, although he had no idea he would find a post in Congress.

We had gotten the Voting Rights Act passed and people were going from marching in the streets to getting elected for the first time to mayors and stuff like that. Back at that period, I met and spent time with a young Jesse Jackson, who was 29 at time when I was in college, with Joe Lowery, with Hosea Williams, with Ralph Abernathy. All those folks were around and about. And also, Shirley Chisholm was running for president of the United States and I had the opportunity to interact with her, even though I did not work in her campaign. And I realized that, in order to make change, you need to be involved in the process. I determined that I always wanted to be involved in the process. I never had an idea that I'd actually be working on Capitol Hill, though.

Ramsey said he was interested in working in Congress because there were few people of color working on the Hill. However, in the absence of a black senator, he highlighted the important role of black staff.

Once Senator Brooke got defeated, people who were trying to get inside information understanding how the Congress worked, particularly in the African American community, came to the black staffers. The black staffers were actually fairly powerful because they had knowledge. They could help folks on the outside understand the system. They could help them strategize as long as they didn't get crossed wires with their particular bosses. There were a number of people who worked in the Senate at that time who were part of this group but they were members in secret because they did not want their bosses to know that they were going to a separate meeting. So we would meet with all the national leaders at the time. They would come by. They would speak. Black, white leaders just talking to us, getting our opinions.

Ramsey highlights how African Americans in staff position often differ from their white counterparts. Traditionally staffers work to represent the views of their member of Congress and advance their boss's legislative agenda. However, African American staff take on a dual role, acting also as race representatives and advocates for racial equality for black Americans. Ramsey

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goes on to mention how this dual role sometimes created a conflict for black staffers and the repercussions of acting as a race representative.

I think for some—some folks thought they might lose their job because they thought the senator may think they were double timing them in terms of, if you were sitting there having a meeting with Clarence Mitchell who was the head of the NAACP's office here and dubbed the "101st Senator" because he was a NAACP lobbyist. Or you're meeting with Reverend Jackson, who later on may be protesting something that you told him in a meeting. Senators were just not that comfortable. Back in the time I was there, there probably were less than 25 senators who had any blacks on their staff. It was just a getting to know you. They just weren't all that comfortable. I think they would also let their imagination run away as to what you were really doing in those meetings. Maybe you're getting ready to form a protest or something. I don't know what they're thinking.

In a 1989 Senate hearing about whether to apply the Civil Rights Act to Congress, Jackie Parker, then Chair of the Senate Black Legislative Staff Caucus, addressed the lack of senior black staff and the role that black staff play in the legislative process, saying:

With no Black members in the United States Senate, our caucus serves as a voice of Black America in the Senate on matters of national importance. It is not a role we choose, and it is not a position we cherish. We are not here as a result of any popular votes. Instead, we are a policy voice of Black America in the U.S. Senate by default. We represent the descendants of people who did not come here by choice. We have walked a delicate balance. On the one hand, serving as political and policy advisors in a capacity identical to our non-Black staff colleagues. But at the same time, we have the responsibility to assure that the Senators we serve are acutely aware of the impact of their decision on the Black community—even in instances where those members are not significantly influenced by a Black voting population.

What came across most clearly in interviews with former black staffers was that they saw the political environment in which they worked as a unique moment of bipartisanship, in comparison

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to the politics and gridlock that plagued the current Congress. As numerous scholars note (Jacobson 2000; Layman, Carsey, and Horowitz 2006; Theriault 2008), members of Congress have become increasingly partisan in recent decades, which has important implications for the careers and work experiences of black staffers. After the Civil Rights movement, African Americans worked in both Democratic and Republican offices. Benjamin worked as a high-ranking staffer and spoke about accepting his position in the office of a moderate Republican.

At the time I was a registered Democrat. He's a Republican. But he was very much plopped right in the middle. There were others that were far more to the right that, you know, politically, philosophically, that didn't fit for me. So I—I always explain it to my—my friends and to my family, I wouldn't go work for just any ole Republican, if you would, if you believe the perception that there were far more that were staunchly conservative. Keep in mind, also at that time, compared to today, there were far more moderate Republicans up there. And there were a fair—a fair amount of moderate Democrats up there. And things got done. But that—that's another story.

Ramsey discussed the misperception that Democrats from the South were racist. Ramsey worked for Senator Ernest Hollings (D-SC), who had one of the most diverse offices on Capitol Hill.

The assumption was that Democrats from the South were racist. They were more conservative, particularly on social issues, some on fiscal issues. I did not agree with every vote that Senator Hollings took but we would talk and argue about them. I think, I don't know whether he would say this when we talk about the worst vote that he ever took or a vote that he took that he regretted the most. And I think he would say that was his vote against Thurgood Marshall. He voted against Thurgood Marshall being a member of the Supreme Court. And that probably had a lot to do with racial politics at the time in trying to determine, making sure you can get re-elected by your base.

As I argued earlier in the chapter, during the period of the Reconstruction Era, the gains of

African Americans often depended on support by members of Congress. Similarly, after the Civil Rights movement, when African Americans gained more elite staff positions, their employment was predicated on support from members of Congress. Of course, African Americans staffers benefited from the increasing numbers of black members of Congress, but they also found employment with white members of Congress. Interestingly, black staffers worked in offices on both sides of the aisle and for members who represented both the North and the South. Congressional staff are supposed to support the legislative agendas of their members of Congress; however, African American staff also take on an additional role representing the voices of African Americans. Black staffers not only add to the policymaking by discussing their personal experiences as persons of color, but they have also made valiant attempts to democratize Congress. Congressional black staff have fought to remove the segregated practices that exist in the Capitol and to diversify its workforce.

Conclusion

This chapter serves as a foundation for understanding the contemporary racial dynamics of the congressional workforce. In the forthcoming chapters, I will examine the processes that produced and reproduce racial stratification and segregation in the congressional workforce. However, here I have shown that there is a long history of racial segregation and stratification in Congress. This chapter makes two important contributions that challenge previous views of Congress as a democratic institution.

Although the Congress stands as the symbol of our legislative democracy, imbued with the

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powers to protect the rights of all Americans, it has, since its inception, perpetuated a racial hierarchy that has limited the career opportunities of African American employees and denied them equal rights. The racial history of Congress begins first with African Americans working as enslaved laborers to build the Capitol, working throughout the year, in extreme conditions, with few breaks, and their remuneration paid not to themselves but to their owners. While Congress has made attempts to recognize the contributions of enslaved labors in building the Capitol, it has yet to acknowledge how race has organized and continues to organize work in the Congress. Following the Reconstruction Era, Southern Democrats tried to eliminate African Americans in high status positions and maintained rigid racial boundaries in employment, limiting blacks to employment in menial service jobs.

I have highlighted the presence of segregated dining facilities and the efforts of members of Congress to uphold de facto segregation. Congress has existed as a space that both advances racial equality but that also put limits on the rights of African Americans. After considering the racial history of Congress, it would be appropriate for future scholars to consider Congress as a racialized political institution. Often discussions about race in legislative studies focus on the laws that Congress passes but neglect to consider the politics that organize its workplace.

This chapter has also highlighted the contributions of African American congressional staff to the democratization of Congress and their advocacy for an agenda of racial equality. Although for much of the history of Congress, African Americans have occupied only service positions, they have maintained close relationships with members of Congress and used them to promote

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racial equality. When African Americans were finally able to obtain professional positions, they used their status to challenge segregated practices and advocate on behalf of African Americans in Congress and beyond. In light of the historical absence of black members from the House and the Senate, congressional black employees have been important voices in policymaking and in championing the rights of African Americans wherever they live or work.

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