FRANKLIN D. ROOSEVELT AND THE NEGRO IN THE 1930's

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IN THE 1930's

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PREFACE

The purpose of Franklin D. Roosevelt and the Negro in the 1930's is to attempt to show the relationship between Roosevelt and the New Deal, on the one hand, and the Negro and his civil rights movement on the other. The time span 1930 to 1940 was chosen because it allows the inclusion of the effects of the Depression on the black man and his involvement in the campaign and election of 1932. Since the major New Deal programs and their immediate effects had been experienced by 1940, it was selected as the final date. Also, from 1940 until Roosevelt's death in 1945 the emphasis of the administration was by necessity placed on diplomatic and military rather than on domestic affairs.

During this period of concentrated domestic reform, the Negro built an important foundation in his civil rights movement for gains that are perhaps culminating in the late 1960's. Success came through court decisions in N.A.A.C.P.-sponsored cases, and through the attainment of political and legislative recognition, both as a by-product of specific New Deal programs and as a result of the unsettling of society that resulted from the Depression. Evidences of this success were clearest in the urban areas of the Northeast and in the South.

Roosevelt is largely the unknown factor to be considered. The President's sympathy far exceeded his limited personal involvement, he made no political commitment to the black minority's cause. Yet Mrs. Roosevelt worked actively to promote Negro civil rights. The black movement, however, was secondary to economic issues during the 1930's, and

Roosevelt needed the Congressional support of conservatives, especially the powerful Southern delegations. Therefore he avoided the race factor in order to prevent a damaging political division. Unfortunately for our purposes, Roosevelt's desire or empathy for civil rights cannot be easily measured; only a few messages and phrases imply that lack of involvement was a political necessity. Thus Roosevelt appeared evasive to the Negro. The President's lack of involvement can be credited to several themes. First, the still immature civil rights movement did not enjoy continued national publicity and attention. Second, the black's movement could not be expected to develop fully during a single decade. Finally, Roosevelt's presidential powers, although granted or implied by law, were severely limited in reality by the Southern Congressional representation.

The specific areas explored in this thesis include the Depression as experienced by the black American and the Negro's inclusion in and variant reactions to the economic formula of the New Deal. Another section is concerned with the political shift of the Negro from the Republican to the Democratic Party. Finally, the anti-lynching legislative debate is included since this issue achieved more continued public concern for the Negro than any other event during the 1930's.

Several acknowledgments are in order. I deeply appreciate the patient guidance and interest of my thesis adviser, Dr. Theodore L. Agnew. I should also like to acknowledge the critical assistance of Dr. Norbert Mahnken for expanding the perspective of my topic. I also want to thank the libraries of Oklahoma State University, especially the Inter-Library Loan Department, and the University of Oklahoma for their personal assistance and the use of their facilities. Other assistance for which I am grateful include that of my brother, James Kelly, who handled campus

arrangements while I was living in Oklahoma City; Mrs. Norma Mitchell, Social Studies Head at Midwest City High School, and Mrs. Ray Parr for proofreading. This thesis is dedicated to my husband, Mike, and my parents, Afton and Mary Kelly, whose faith, encouragement, and assistance made its completion a reality.

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CHAPTER I

AN ERA OF CHANGE

Introduction

Friction between Negro and white citizens of the United States has produced political repercussions from the years of Reconstruction to the present. In the middle decades of the nineteenth century, the race issue was prominent in domestic affairs, increasing political, economic, and social sectionalism within the nation; but political pressure for Negro equality gradually succumbed to apathy, fostering the rise of Jim Crowism. This enforced inequality determined the conduct of race relations through the 1930's, when new phases of the crusade for equality were launched and the race issue was revived. When the financial crisis of 1929 bequeathed the nation an era of depression, the "New Negro" and the modern civil rights movement evolved. Direct action based on the militancy of the National Association for the Advancement of Colored People (founded 1910) was the core of the new protest movement, replacing Booker T. Washington's traditional philosophy of accommodation and conciliation.

The source of the Negro's problems during the 1930's was encompassed in two words--white supremacy. In 1932 a Northern university professor lecturing in the South condoned the racist attitude, stating that "if white people of the South exercise their power of control wisely and justly, it can be perpetuated until the end of time without protest or

interference on the part of the country at large or indeed without serious opposition from the black race itself. The truth is there is hardly a man of note in the North today, who would take away the admitted rights of Southern States to restrict the elective franchise of such citizens as in their judgment are most fit and capable of exercising it for the public good."[1] This attitude was common in the North, and it permeated the social thought of the South, but during the administration of President Franklin D. Roosevelt portions of this attitude suffered attack and defeat.

The New Negro protest movement responsible for this change directed its appeal for justice to the national government and particularly to President Roosevelt. The Negro's plea, however, created difficulties for the national political parties. The Democrats were faced with the national economic crisis and the problem of having New Deal legislation enacted by a Congress strongly influenced by powerful Southern politicians. And both political parties recognized the increasing importance of the Negro's ballot and sought his support. The new leadership of the Negro had enhanced his race's political significance. Walter White, James Weldon Johnson, A. Philip Randolph, and many others were aware of the Negro's legal prerogatives and political potential and were determined to make them meaningful to the black man.[2]

Although his vote continued to carry little weight in the South, the concentration of the Negro in urban areas had made his ballot valuable, particularly in urban politics. Not since Reconstruction days had

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[1] New York Times, November 27, 1932, 6:2.

[2] Rayford Logan, "Menace of Racial Discrimination," World Tomorrow, XV (July, 1932), 205.

the Negro vote exercised such influence "in the national parties and in the politics of the northern states."[3] Although he was traditionally linked with the Republican party, the Negro now sought to create an independent voting bloc for bargaining purposes. But the social planning programs of the Democratic party soon won the Negro's support, and by 1940 he was considered to be an affiliate of this party. The political objectives of the black man, however, were in opposition to those of Southern Democrats, a fact which made harmony difficult to maintain in the party. Since the Negro issue could split both parties, particularly the Democrats, they tended to avoid the Negro question more avidly than they had the prohibition issue.[4]

The Negro's position among the domestic issues facing F.D.R. was noted by a contemporary who wrote, "The Civil War is the price that America paid for the fiction that a stable government can be erected on human bondage.... Today [1932] America is faced with similar friction."[5] The Negro radical, W.E.B. DuBois, felt the 1930's were critical to the Negro. The black man had been disfranchised, was politically ignored, and was made a victim of lynchings. In addition, the Negro also lost his traditional menial jobs through technological development and economic displacement to the more skilled white.[6]

The "revolution" of the American Negro was preceded by mass

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[3]Report of the President's Research Committee on Social Trends. Recent Social Trends in the United States (New York: Mc-Graw-Hill Book Company, Inc., 1933), 566. Hereinafter referred to as Recent Social Trends.

[4]Logan, "Menace of Racial Discrimination," 205.

[5]Ibid.

[6]W.E.B. DuBois, "A Negro Nation Within the Nation," Current History, XLII (June, 1935), 265.

migration to Northern urban centers during and after World War I to escape the discriminatory employment situation of the South. The Negro also sought personal security from the threat of lynching, and desired better educational opportunities. The black man's move to improve his predicament was called the "most spectacular movement of the population within the United States in recent years."[7] In 1910 only 780,000 out of the 9,827,763 Negroes in the United States did not reside in the South. By 1930, however, another million had made their homes in the North and the West. Two states showing a spectacular increase were Pennsylvania and Illinois. In 1910 Pennsylvania had 193,919 Negroes, but by 1930 this industrial state had 431,257 black residents. Illinois in 1910 had a Negro population of 109,049, but by 1930 this had increased to 328,972.[8]

The Negro in the 1930's

The Northern urban centers, however, viewed this migration with apprehension as black ghettos increasingly affected most major cities. The rank and file of labor organizations also feared the Negro and excluded the black man from membership. In theory, the American Federation of Labor opposed discrimination on the national level, but was unable to control individual members. Local and international unions were constitutionally free to make their own decisions regarding race relations,

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[7] Recent Social Trends, 566.

[8] U.S. Department of Commerce, Bureau of the Census, Population, 1910, General Report and Analysis, Vol. II, 126; Abstract of the Fourteenth Census of the United States, 1930, 80, 84. Recent Social Trends, 566.

and twenty-four internationals did not allow Negroes to become members.[9] The only major labor organization championing the Negro was the Congress of Industrial Organizations, founded in 1935. Since the Negro was so strongly opposed by organized labor, he was generally rejected by Northern industry and was forced to accept the lowest occupations. Admittedly, most Negroes were not trained for industrial technology, but Northern labor also refused to train them since it would increase competition for already scarce jobs.[10]

The complexity of the Negro's labor problems were increased by the Great Depression. The Negro, always the last to be hired, was the first to be fired. As a result, the black man was also among the first forced to accept relief.[11] The Negro living conditions were the most critical in the South, although food riots in the Harlem section of New York City manifested the difficulties in the North. In the South, Negro schools were closed first, and when federal relief was distributed, the unemployed black man was considered only after the unemployed white.[12]

The Southern Negro was dependent for a livelihood upon the cotton industry, one of the most depressed during the 1930's. The collapse of

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[9]DuBois, "A Negro Nation Within the Nation," 265-266. Recent Social Trends, 580.

[10]Recent Social Trends, 580. Frederick Lewis Allen, The Big Change; America Transforms Itself, 1900-1950 (New York: Harper and Brothers, 1952), 177-178. Hereinafter referred to as The Big Change.

[11]DuBois, "A Negro Nation Within the Nation," 265-266. John P. Davis, "What Price National Recovery?" Crisis, XL (December, 1933), 271. Harvey Wish, Society and Thought in Modern America: A Social and Intellectual History of the American People From 1865 (2nd ed., New York: David McKay Company, Inc., 1962), 514. Hereinafter referred to as Society and Thought in Modern America.

[12]DuBois, "A Negro Nation Within the Nation," 265-266; Allen, The Big Change, 177-178.

cotton production was a staggering blow to the Negro sharecropper, and Roosevelt's agricultural program gave the black man little assistance. Designed to raise and stabilize farm income by limiting acreages of cash crops, the policies of the Agricultural Adjustment Administration also inadvertently resulted in a reduced number of sharecroppers, most of whom were Negroes in the deep South.[13] Furthermore, most of the small percentage of Negro landowners were subsistence farmers, and the decreased allotments would not allow them to make a satisfactory income. These agricultural problems created another surge in the Negro's Northward migration.[14]

Poverty was king for the Negro in the North and the South. In 1931 the rate of unemployment for the Negro was twice as high as that for the white, and by 1935 over one-half of Northern Negro families were on relief.[15] Economic instability was also detrimental to the Negro's social organization. Lack of family unity was a consistent problem, with desertion, "the poor man's divorce," having a demoralizing effect on the Negro society.[16] This problem was amplified in urban areas such as New York City. Here the Charity Organization Society estimated in 1931 and 1932 that the number of desertions that occurred in families receiving aid was 14.8 percent.[17] The Negro's illegitimacy rate also increased; in 1917 the rate of illegitimate births was estimated at 120.1 per 1,000

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[13] Recent Social Trends, 569.

[14] Ibid., 566.

[15] Ibid., 583; Allen, The Big Change, 179; E. Franklin Frazier, The Negro in the United States (New York: The Macmillan Company, 1949), 599.

[16] Frazier, The Negro in the United States, 599.

[17] Ibid., 630-632.

Negro births, and by 1943 the rate had increased to 164.2 per 1,000.[18]

The formulation of racial barriers had prevented the Negro's entrance into white society, and the Negro's hostility toward segregation practices was augmented by the Depression. The birth of the New Negro, the introduction of new ideals, and the rise of new leaders mobilized a civil rights movement that developed in the ensuing three decades. The initial growth was plagued with adversity, however, and Negro publications expressed their malevolence in resentful writings.

One of the most vehement critics of the New Deal was W.E.B. DuBois, who claimed the program's national rehabilitation plans did not include the Negro. DuBois warned Negroes of his fear, stating "Americans know the facts of the Negro problem, but the masses remain for the most part indifferent and unmoved."[19] DuBois continued, stating that "the Negro's efficiency should be proved to be so valuable that white America's doubts of the black man's proficiency would be erased."[20] As a founder of the National Association for the Advancement of Colored People, DuBois also edited the organization's publication, The Crisis. DuBois' writings, angrily oriented toward Marxist ideology, advocated social justice for the working classes. The solution for the rejected Negro, according to DuBois, was to form a cooperative state within his own group.[21] DuBois reasoned that a separate state would unite all Negroes, for only through internal unity could integration ultimately be accomplished.[22] The

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[18]Ibid.

[19]DuBois, "A Negro Nation Within the Nation," 266.

[20]Ibid., 268.

[21]Ibid., 269-270.

[22]Ibid.

Negro, claimed DuBois, as predominantly a poor laborer, should have a vested interest in a planned economy where his labors would be rewarded according to "his reasonable need as a citizen and a sharer in civilization."[23]

Since the Negro was considered by many to be the Depression's most vulnerable victim, the black man was courted by the American Communist Party for political favor. Despite persistent efforts, however, the party was unable to win measurable support from Negroes. The black man represented a caste seeking integration within total society, not a proletarian class seeking to overthrow the existing economic system.[24] The Communist Party's strongest attraction for the Negro was the local headquarters, known as a "place where every Negro with a grievance can be sure of prompt action."[25] Aid, however, was seldom monetary; instead the party tapped wires for those who were unable to pay electric bills, and guarded the furniture of evicted persons.[26] The influence of the party exceeded its numerical membership, for there were actually few dues-paying Negro members. The party gained publicity by becoming involved in crises concerning Negroes, as exemplified by the Scottsboro case of 1931. The counsel for the defense of nine Negro youths accused of molesting two white women in Alabama was provided by the Communist Party. This case achieved notoriety by the number of retrials ordered by the Supreme Court. Since Negroes were barred from jury duty in Alabama, the

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[23]W.E.B. DuBois, "Postscript," Crisis, XV (March, 1933), 68.

[24]Allen, The Big Change, 180; Logan, "Menace of Racial Discrimination," 205.

[25]Stanley High, "Black Omens," The Saturday Evening Post, CCX (June 4, 1938), 38.

[26]Ibid.

Court decided that the Negro youths had not had an opportunity for a fair trial. Thus, in the Scottsboro Case, doubts were cast on the white jury system in the South although the practice continued for a long time.[27]

The Negro's battle for civil rights stemmed from the Supreme Court's failure, in the black man's opinion, to implement the Thirteenth, Fourteenth, and Fifteenth Amendments to solve racial problems. Southern states had established restrictive suffrage requirements with little fear of federal reprisal, and the courts treated Jim Crow cases apprehensively because they were "political questions."[28] The traditional fear of encroaching on states' rights exercised a powerful influence on the Supreme Court's interpretations, and perpetuation of this immunity was encouraged by Southern Senators and Congressmen. The Court was composed of what Roosevelt called the "Nine Old Men," because of their age and because they would not adjust their legal interpretations to the national crises. The Negro was particularly concerned with how the Court interpreted the Fourteenth Amendment since its concept of equal protection was crucial in civil rights cases. Interpretations of the amendment had given it a checkered history, and the Negro wanted to secure a definite pattern of positive civil rights decisions.[29]

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[27]Ibid.

[28]Ibid.

[29]Although the Fourteenth Amendment was originally directed toward protecting the Negro, in the late 1800's the term "persons" was extended to include business and corporations. Thus property achieved the shelter of due process and equal protection. This was expressed in the Santa Clara County v. Southern Pacific Railroad Company case in 1886, where corporations gained "equal protection"; and in the Minneapolis and St. Louis Railroad Company v. Beckwith in the 1890's where the "due process" clause was favorably applied to business. In 1938, in Connecticut General Life Insurance Company v. Johnson, Justice Hugo Black was the lone dissenter when he claimed that the word "person" should not include corporations. In 1949, Black was joined by Justice William O. Douglas in

The most important political issues to the Negro during this era were economic discrimination and the problem of lynching. The economic issues included fair employment, a just portion of unemployment compensation, a fair share of relief, and equal opportunities for access to the training programs of the New Deal. The most controversial issue involving the Negro, however, was lynching. Three major legislative debates on anti-lynching measures were held between 1932 and 1940. Though the bills failed in the Senate, national attention was focused on the problem, probably causing the sharp decline in the number of lynchings which had racial overtones.

The New Negro was impatient with the "fiction that lynching would continue because nothing can be done about it."[30] There was no guarantee of personal security in the South, and no certainty of punishment of members of lynching parties.[31] Traditional attitudes of the federal government toward lynching placed responsibility for the protection of lives on state officials. Lynchings had increased during the early 1930's, and it was feared that it might again approach the average of 84 per year of the 30 years before 1920.[32] A majority of these victims were Southern Negroes.

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the Wheeling Steel Corporation v. Glander case based on the same theory. The decisions from these cases and others paralleled Charles and Mary Beard's popularizing of the "conspiracy" thesis of the Fourteenth Amendment. The central theme was that business, not the Negro or civil rights, had become the chief beneficiary of the amendment. It must be mentioned, however, that this thesis has been contested by authorities in constitutional law and history. Paul Freund, Arthur E. Sutherland, Mark DeWolfe Howe, Ernest J. Brown, Constitutional Law Cases and Other Problems (Boston: Little, Brown and Company, 1967), 1589-1591.

[30]Logan, "Menace of Racial Discrimination," 205.

[31]Ibid.

[32]Recent Social Trends, 591; Logan, "Menace of Racial Discrimination," 205.

The desire for better education also stimulated the Negro's search for equality. Educational facilities were rarely equal for both races, particularly in the South.[33] The Negro's literacy rate, however, increased, and the cause for Negro education was strengthened by N.A.A.C.P. sponsored cases in the Supreme Court during the 1930's to eliminate racial barriers in education.[34] It was believed the black man's future depended on education which would make the Negro more demanding of his rights and complementary education which would enable whites to recognize and accept the black man's rights.[35]

Advent of Roosevelt, the President

By the 1930's neither the South nor the North had achieved much progress in the area of race relations, and it was claimed that "For every instance of progress there is an instance of retrogression."[36] Yet an era of change was instigated by the new civil rights drive during Franklin D. Roosevelt's administration. The problem is to determine Roosevelt's exact relationship with the civil rights movement.

Probably the most consistent characteristic of Roosevelt's position on the race problem was silence. Traditionally Roosevelt was a social reformer, and it would seem logical that a minority group that suffered discrimination would be an important beneficiary of his programs. Yet Roosevelt rarely expressed a public statement on issues that concerned

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[33]Logan, "Menace of Racial Discrimination," 205.

[34]"N.A.A.C.P. Wins Ninth Supreme Court Case," The Crisis, XLV (May, 1938), 159; ibid., (November, 1938), 367.

[35]Logan, "Menace of Racial Discrimination," 205.

[36]Ibid., 205-206.

the Negro. A shroud of mystery surrounds F.D.R.'s attitudes in this area.

The economic crisis motivated F.D.R.'s initiation of reform in all aspects of American society, and the Negro received diffused but not direct benefits. A direct relationship between Roosevelt and the assistance dispensed to the Negro was not evident. Herein lies the enigma. Dr. Ernest Lyons, former United Stated minister to Liberia and a Negro, considered Roosevelt above party politics. Without Roosevelt, claimed Lyons, the Negro's position would be more difficult than anyone could imagine; for F.D.R. had enabled the black man to receive "security, jobs, and renewed spirit."[37] A more excoriating attitude, however, was expressed by The Crisis, which exclaimed that Roosevelt was no improvement upon past presidents on the race issue. The Crisis stated, "He too is in the class of almost, nearly, well near, not quite and all but. He too, is just short of doing what he knows to be right and just."[38]

Roosevelt possessed an elusive personality, being a paradox of myth and reality never comprehended by those around him. Frances Perkins, Roosevelt's Secretary of Labor, summarized the opinions about F.D.R., claiming that "Franklin was not a simple man.... He was the most complicated human being I ever knew."[39] Roosevelt's son James reiterated this view, stating that F.D.R. rarely discussed personal feelings with others; "of what was inside him, of what really drove him, Father talked to no

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[37]"From the Press," Crisis, XLIII (October, 1936), 298. "From the Press" was a regular monthly feature in The Crisis which presented portions of articles and editorials pertinent to the Negro from newspapers across the nation.

[38]"From the Press," Crisis, XLII (December, 1935), 371.

[39]Frances Perkins, The Roosevelt I Knew (New York: The Viking Press, 1946), 3.

one."[40] These opinions are also reinforced by the Perkins' statement that history would treat Roosevelt inconsistently, "For no two people ever saw the same thing in him."[41]

Beliefs concerning Roosevelt's character vacillated. According to Secretary Perkins, the essence of F.D.R. was his ability to grow and live that "continued to his dying day."[42] Another Roosevelt attribute, according to his proponents, was sincerity. Louis Howe stated that upon first meeting F.D.R. it was "his sincerity and earnestness" that was most impressive.[43] To Howe, the one characteristic that insured Roosevelt success was his interest in people. Roosevelt, believed Howe, was concerned with "individuals as human beings, not as members of political parties.... Over and over again he has stressed the importance of the individual."[44]

Roosevelt's interest in people was also expressed through his philosophy of government. The New York Times once quoted him as saying "The main objective of modern statesmanship, is to make people happy."[45] Roosevelt's view as quoted by the Times was that "the purpose of government is not to see that the legitimate interests of the few are protected

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[40]James Roosevelt and Sidney Shalett, Affectionately, F.D.R., A Son's Story of a Lonely Man (New York: Harcourt, Brace and Company, 1959), 264. Hereinafter referred to as J. Roosevelt, Affectionately, F.D.R.

[41]Perkins, The Roosevelt I Knew, 3.

[42]Ibid.; New York Times, July 29, 1932, 12:8.

[43]Quoted in New York Times, July 29, 1932, 12:8; November 27, 1932, Pt. IV, 3:1.

[44]Quoted in New York Times, November 27, 1932, Pt. IV, 3:1; Eleanor Roosevelt, This I Remember (New York: Harper and Brothers, 1949), 201.

[45]New York Times, November 13, 1932, Pt. VIII, 1:1.

but that the welfare and the rights of the many are conserved.... As I see it, the object of government is the welfare of the people."[46]

Since Roosevelt was such a complex personality, it was difficult to define his political beliefs. Leland Rose, early biographer of F.D.R., claimed Roosevelt was "not anti-Tammany, but not Tammany. Not pro-Republican as far as New York City was concerned, but utterly without sympathy with corruption in government, whether among Republicans or Democrats."[47] Roosevelt himself once complained to Louis Howe that his mind extended "too many directions at one time to remain long at one job."[48] Specifying that the President was a Democrat, the New York Times continued that he adjusted to the political situation as loosely and informally as the "sack suits he wears on all possible occasions."[49] Roosevelt was judged as an individual and a leader who inspired hope and confidence, not as the politician's mouthpiece. F.D.R.'s independence was revealed by his enjoyment in departing from party traditions. Roosevelt's uniqueness had made him the "sign and symbol" of government.[50] The Presidency, as viewed by Roosevelt, was "not merely an administrative office.... It is more than an engineering job.... It is pre-eminently a place of moral leadership... a superb opportunity for reapplying, applying in new conditions the simple rules of human conduct to which we always go back."[51]

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[46]New York Times, February 16, 1932, Pt. VIII, 3:6, 11:1.

[47]Ibid., February 16, 1932, 19:8.

[48]Ibid., November 13, 1932, Pt. VIII, 1:1.

[49]Ibid., January 26, 1936, Pt. VII, 5:4.

[50]Ibid.; E. Roosevelt, This I Remember, 1.

[51]Quoted in New York Times, November 13, 1932, Pt. VIII, 1:4.

Roosevelt's complicated personality and distinct attitudes toward the chief executive's office subjected him to much criticism. The President's more disputatious characteristics and actions evolved from his versatility and his avoidance of controversy. Raymond Moley once accused Roosevelt of using half-baked schemes for programs and of being careless in their preparation. Also, the New York Times mentioned Roosevelt's conviction that the masses supported him, with his opposition being confined to the "autocrats."[52] As Moley stated, "In defeat there was the supreme confidence that 'the people are with me,' and the bitter determination to exterminate politically all who had committed the treason of disagreement."[53] It was also noted that Roosevelt intensely disliked being disagreeable. In an interview Roosevelt would often nod and say, "I see," if the proponent could present his views intelligently. This gesture was appreciation for the person's views, but it was often mistaken for agreement.[54] Telling ancedotes or changing the subject was another technique utilized by Roosevelt to avoid controversial political questions. Only those aware of these tactics could achieve results in interviews.[55]

If it is true that it was difficult to obtain a definite position from F.D.R. on controversial questions, then perhaps his association with the Negro civil rights movement stems from his wife's involvement. Being an "ardent exponent of Negro rights," Eleanor Roosevelt was known

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[52]Raymond Moley, After Seven Years (New York: Harper and Brothers, 1959), 362; New York Times, January 26, 1936, Pt. VII, 5:4.

[53]Moley, After Seven Years, 362.

[54]E. Roosevelt, This I Remember, 2.

[55]Ibid., 5; Walter White, A Man Called White, The Autobiography of Walter White (New York: The Viking Press, 1948), 170. Hereinafter referred to as White, A Man Called White.

as the "conscience of the administration." The role of the liaison was one of Mrs. Roosevelt's most significant contributions to the Negro movement of this era.[56] The influence of the First Lady on the President's opinions and actions, however, is questionable. Yet Eleanor stated that Roosevelt would often use her as a sounding board for other people's opinions since her social work brought her into contact with so many people. F.D.R. also encouraged her to travel and to make speaking tours from which she sampled public opinion to bring back to him at the White House. Likely these attitudes included those dealing with the problem of the Negro.[57]

The preceding has attempted to present three introductory aspects to be emphasized in this thesis. These are a survey of the Negro of the 1930's, discussion of the role of the Negro within the political party structure during this era, and comments on F.D.R.'s relationship with both. The writer has attempted to place the problem of race relations in the proper perspective within national affairs for this period. The economic problems were paramount, and were exemplified by the Negro's situation. There was also the promise of something new: the evolution of the "New Negro" and the modern civil rights movement. Progress was partially credited to the liberal administration of Roosevelt. Since the chief executive was instigating reforms for social justice, the Negro naturally received benefits, though no specific programs were proposed for the black man. This observation poses the question of

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[56]William E. Leuchtenburg, Franklin D. Roosevelt and the New Deal 1932-1940 (New York: Harper and Row, 1963), 192. Hereinafter referred to as F.D.R. and the New Deal.

[57]White, A Man Called White, 170; E. Roosevelt, This I Remember, 5.

defining precisely what was Roosevelt's role in the process of acquiring equal rights for Negroes.

CHAPTER II

THE NEGRO AND THE NEW DEAL

Introduction

The Depression which prompted the Negro to activism in politics also forced him to verbalize his economic needs. The possibility of attaining equality became a tantalizing vision. Yet the era was desperate for the Negro, since every economic setback suffered by white America was intensified for black America. Most Negroes despaired of recovery, scarcely dreaming of reform. To the Negro the New Deal work relief programs promised a minimal standard of living, but their execution painfully reminded the black man he had no immunity from discrimination. Therefore, the discrepancy between the real and the ideal often blinded the disillusioned Negro to his increased benefits. Although the New Deal was a social experiment plagued with glaring fallacies, the Negro would ultimately recognize and appreciate the rewards received from its effects.

Initially, the Negro was unable to cope with his immediate needs of food, housing, and work. Sensing the restlessness of their people, Negro leaders fought for the satisfaction of economic necessities as well as for permanent reform. As the Negro vied unsuccessfully with the white for jobs, the prejudice long endured silently, violently erupted. Picketing, strikes, and boycotts were used by Negroes in the Northern

ghettos, and the Southern Negro dared to include his protests.[1]

Since the Negro working force consisted mainly of unskilled domestic and agricultural labor, the black man's economic status depended heavily on others. In a depression the black laborer was the first to lose his job and the last to be rehired. Reactions of unemployed Negroes varied with the division among their leaders. Advocating the traditional role, some recommended that the Negro move back to the farm. Urban society had discriminated against the Negro by not allowing him to achieve a definite status in his adopted region. Government aid, in the opinion of this section of the leadership, should be used to return the Negro to his niche in the Southern economic structure. There the Negro could develop and preserve his culture.[2]

Other leaders held that the Negro had been rejected from American society, and thus that the black man must prepare for a new world of industrial workers. In such an association the Negro would become the leader when the new order occurred.[3] Another leadership element claimed the Negro's position as the Depression's most vulnerable victim merited special attention from relief and recovery programs. One phase of this policy included using the Depression to penetrate the previous solid wall of "legal" discrimination. No leader, however, possessed the solution to the Negro's problems, but their attempts gained publicity and some rewards of substance.

The Depression struck both the rural and the urban Negro. The rural

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[1]Archibald Rutledge, "The Negro and the New Deal," The South Atlantic Quarterly, XXXIX (July, 1940), 281.

[2]New York Times, October 22, 1933, 3:7; June 4, 1933, Pt. IV, 4:5.

[3]Ibid., May 14, 1933, 25:1.

Negro was particularly handicapped by the lack of agricultural education in areas such as farm management and the use of credit. Thus the rural black man was confined to tenant farming and enslaved to the "country store."[4] The urban Negro's education was also sketchy, and he generally was employed as unskilled labor. The ghetto Negro also encountered discrimination from labor unions who feared employment competition. Since this left, for the unemployed Negro, only charity and relief as an immediate solution, he developed an intense interest in New Deal programs. As a result, any discrimination that occurred in the administration of these relief and recovery programs was particularly irritating to the black man. In the South particularly the application of the programs proved to be controversial to black and white alike. Writings of Southern whites expressed traditional racial attitudes by their resentment of New Deal benefits bestowed on the Negro. And Negro literature bitterly complained of the discrimination incurred in the federal programs applied to this area.

The relationship between the Negro and the New Deal is best presented through the government programs that applied to the black man in both North and South. Evidence that the programs did not satisfy all Southern factions was reflected in Southern writings that endorsed traditional racial attitudes. Negro publications, however, bitterly complain of treatment in both the North and South. Since the race struggle held center stage for these groups, neither possessed perspective or objectivity. These qualities are, on the other hand, usually credited to Roosevelt since he considered the economic crisis as paramount.

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[4]Ibid., May 13, 1933, 3:5.

The Negro and New Deal Programs

A. In the Beginning

While Congress's solution for the banking crisis of 1933 essentially preserved capitalistic democracy, its attempts to alleviate massive unemployment altered the traditional American way of life. Since the States proved financially unable to meet this problem, relief efforts were organized on the national level. In the congressional debates concerning many relief and reform measures, the major discussion concerned where to obtain the funds for the programs and how they were to be distributed. In the Federal Emergency Relief Act, the solution was to allow each state government to appoint a board to administer funds without federal interference.[5] During discussion of this bill, Southern Congressional leaders successfully insured state political leaders control of the distribution of relief. This incident convinced the Negro that discrimination was involved. The fears of the black man were not unfounded, according to the Negro New Deal critic John Davis. Negroes, claimed Davis, found it more difficult to obtain work or work relief than white persons in certain sections of the South. The F.E.R.A. report of January of 1937 claimed that 35 percent of the white population in the "Eastern Cotton Belt" were receiving work relief, but only 18 percent of the black population were recipients. Whites supposedly received $13 per month while Negroes averaged $7 in relief.[6] Distribution on an equal

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[5]U.S., Congress, 72nd Congress, 2nd Session, Senate, February 20, 1933, Congressional Record, LXXVI, Pt. 4, 4478. Rexford Guy Tugwell, The Battle for Democracy (New York: Columbia University Press, 1935), 310-311.

[6]New York Times, January 15, 1937, 7:2.

basis, however, would have violated the South's social structure. Although Southern Congressmen were apprehensive of the potential benefits for the Negro, they were also fearful of the expansion of federal power.[7] The discrimination encountered by the Negro occurred on the local level where the personalization of the race issue made it paramount.

Since F.E.R.A. was a quick emergency measure providing temporary relief, Roosevelt realized that an extensive long-range program would have to be enacted. Negro leaders, holding that the F.E.R.A. would not provide sufficient recovery, requested specific aid in relief and recovery for their race. The National Urban League, being unable themselves to meet the Negro's needs, strongly campaigned for government assistance. Keeping up the morale of the Negro laborer in industrial centers had been the extent of the League's success in helping the black man.[8] Although these requests for specific aid on a racial basis were not fulfilled, the Negro received more benefits from F.D.R.'s ensuing relief and recovery measures, despite discrimination that occurred.

B. The Negro and the National Recovery Administration

One act, controversial to the Negro, created the National Recovery Administration. In its enactment and execution converged those persons involved in the race question and the diversified forces involved in creating Roosevelt's general program. The N.R.A.'s purpose was to restore prosperity to industry and stability to labor by allowing industry voluntarily to create codes for fair employment and just prices. If an

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[7]See Chapter IV, 101, for Senator Josiah Bailey's speech, April 25, 1935, regarding the fear of some Southerners of increasing federal power.

[8]New York Times, April 9, 1933, Pt. IV, 2:1.

industry should not voluntarily construct a code, the President was given the power to "encourage" the industry to cooperate.[9] Proponents hoped that the codes would raise wages and give the consumer purchasing power, restoring the cycles of supply and demand to normal.[10]

According to Rexford Tugwell, Roosevelt's administration of the N.R.A. damaged its effectiveness. In 1934, the N.R.A. narrowly avoided a Congressional investigation by disgruntled progressive members. At that point, Tugwell claims, the program was favoring big business by allowing them too much freedom in creating codes. He also criticized the "favoring of employers as against employees in spite of the writing of codes of rights of collective bargaining."[11] F.D.R., claimed Tugwell, "not only defended N.R.A. from criticism but gave the employers their way about bargaining with workers."[12] Tugwell's beliefs concerning the lack of strict administration and the abuse of labor under this act was also endorsed by the black man.

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[9]U.S. Congress, Senate, National Industrial Recovery Act, Senate Documents Miscellaneous, Senate Document 76, 43rd Congress, 1st Session, 1934, 6198. "The President may differentiate according to the experience and skill of the employees affected and according to the locality of employment; but no attempt shall be made to introduce any classification according to the nature of the work involved which might tend to set a maximum as well as a minimum wage." Rexford Guy Tugwell, The Democratic Roosevelt, A Biography of Franklin D. Roosevelt (New York: Doubleday and Company, Inc., 1957), 330. Hereinafter referred to as Democratic Roosevelt. Supposedly enough progressives were disillusioned with the N.R.A. that Roosevelt could "never again... expect Congress to pass any measure that did not have conservative appeal." This development would give the Southerners a tremendous legislative advantage.

[10]U.S. Congress, House, 72nd Congress, 2nd Session, February 27, 1933, Congressional Record, LXXVI, Pt. 5, 5153-5154.

[11]Tugwell, Democratic Roosevelt, 334.

[12]Ibid., 340.

To the Negro, however, it appeared that loopholes for creating and regulating codes had been allowed in the act.[13] Provisions contained in the act revealed that Southerners by their political longevity held powerful committee positions in Congress and leadership positions in the Democratic Party.[14] Also, since the N.R.A. was only one of many programs desired, and Roosevelt needed support of the Southern bloc to achieve the completion of the New Deal, he possibly ignored minor clauses in this early law that could allow discrimination. Attacking the nation's economic condition in its entirety was Roosevelt's concern, and the President believed the potential benefits of the plan were needed.

Frustrations evolving from discrimination encountered under the N.R.A. were soon expressed by many Negro spokesmen. Although Hugh S. Johnson, the program's administrator, claimed race was not a factor in the execution of the programs, John P. Davis, Negro journalist, contradicted Johnson, stating "There is a problem of vicious discrimination to be faced."[15] Theoretically the N.R.A. was integrated, but evidence soon appeared, claimed Davis, that an "economic Mason-Dixon line" had been drawn against the Negro.[16] Minimum wage guarantees as a result were not, in fact, guaranteed to the Negro. Moreover, claimed Davis, no Negro had been placed in a really responsible position in the National Recovery programs.[17] Negro protest eventually reached Washington, where

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[13]David H. Pierce, "Fascism and the Negro," Crisis, XLII (April, 1935), 107.

[14]New York Times, January 15, 1937, 7:2.

[15]John P. Davis, "What Price National Recovery?." Crisis, XL (December, 1933), 271.

[16]John P. Davis, "Blue Eagles and Black Workers," The New Republic, LXXXI (November 14, 1934), 7, 8.

[17]New York Times, March 1, 1934, 13:6.

administrators admonished the South, but to no avail.[18] Despite these constant scathing criticisms from Davis, he was considered to be an authority in this area, and several government agencies consulted him from time to time.

Southern industry, especially cotton textiles, protested the establishment of codes, claiming labor cost more in the North than in the South.[20] Yet the Negro's only hope for justice was in a fair labor code. More than 20 percent of the Southern Negro industrial workers were unemployed, and those retaining jobs lacked the legal tools to object to the long hours and low wages in either the North or the South.[21] Realizing this fact, the South devised ingenious methods of discrimination. One provision of the N.R.A. allowed adjustment of the codes to meet the economic criteria of a specific region. Congressional debates concerning wage differentiation revealed how flexible codes could be and showed how vague specifications were in some industries. Often there was a difference of one dollar a week between the Northern and Southern wage scales.[22] Southern industry was allowed to pay lower salaries in general and even less to occupations in textiles as "cleaners, outside crews, and yardmen". By this provision, ten thousand of the fourteen thousand Negroes working in Southern textile enterprises were excluded from the code. The black man believed, claimed Davis, that his omission

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[18]Ibid., September 24, 1933, Pt. IV, 1:3.

[19]Editorial, "Our Contributors," Crisis, XLII (October, 1935), 293.

[20]New York Times, September 24, 1933, Pt. IV, 1:3.

[21]Davis, "Blue Eagles and Black Workers," 7.

[22]New York Times, June 30, 1933, 4:2.

from the program was deliberate.[23]

Other measures used by the South to control the economic position of the Negro included what Davis called "economic grandfather clauses" that allowed wage rates in the codes to be based on the 1929 national wage scale. Since the Southern regional wage level was lower than the national, it was more difficult for the South to meet the minimum requirements of the 1929 scale. Thus the "grandfather clauses" allowed workers who had received in excess of a certain wage in 1929, 10 cents an hour more than laborers who had received less than the same figure. Davis claimed this parity assured Southern whites higher wages since Negroes were "certain to have received less than the standard wage in 1929."[24] At one point in September, 1933, the South was warned by Colonel H. N. White, Deputy Administrator of Public Works, that the minimum wage was to be paid to both races. Southern boards protested by claiming that Negro labor could be obtained more quickly and cheaply than white without paying the higher wages. Although these disadvantages incurred by the black man through the N.R.A. in the South were considered by some to be transitional and economic, it was difficult to convince N.A.A.C.P. leaders that the act was not being used for perpetuating racial differences in the South.[25]

Manipulating codes to permit Southern industry to pay a certain portion of employees 80 percent instead of the required 70 percent of the 1929 minimum wage was another practice that discriminated against

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[23]Davis, "What Price National Recovery," 271.

[24]Davis, "Blue Eagles and Black Workers," 8.

[25]New York Times, December 11, 1933, 16:3; September 24, 1933, Pt. IV, 1:3; March 4, 1934, 7:4; April 15, 1934, Pt. IX, 10:5; July 3, 1934, 13:5.

the Negro. Other codes established would allow workers to receive a wage increase over their 1933 pay, but the percentage was carefully arranged to benefit the white laborer. The Negro was aware of these discrepancies, but complaints to the local adjustment board usually meant an automatic discharge. A job with poor pay was better than no job.[26] The Negro's only major weapon was his press.

To the South, as the Norfolk, Virginia, Pilot stated, equal wages for the races would mean job displacement for the unskilled Negro as unemployed whites would be hired first under the existing social system. To the Negro, claimed the Pilot, "The Blue Eagle may be a predatory bird instead of a feathered messenger of happiness."[27] Therefore the President would better protect the Negro by allowing the wage differentials. Thus, despite admonition from the Negro, wage differentiation continued to prevail. The code debates and conflict over wage differentiation did concern Roosevelt, but he carefully avoided personal involvement. Once during his attempts to obtain a compromise in the conflict over the wage scales, Roosevelt confessed to an ex-classmate from Harvard that he was investigating the cotton problem, but was afraid of becoming a government dictator.[28]

The South prospered under New Deal programs, but the Negro felt benefits went mostly to the whites. The wage differential system,

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[26]New York Times, September 10, 1933, Pt. IV, 8:8; Davis, "Blue Eagles and Black Workers," 8.

[27]Editorial, "In Defense of the Humble," New York Times, August 19, 1933, 10:2.

[28]Elliott Roosevelt, ed., F.D.R., His Personal Letters, 1928-1945, II (New York: Duell, Sloan, and Pearce, 1950), 344.

according to the black man, often increased job displacement.[29] If Southern industry had to pay the minimum wages to fill the limited number of positions, the mores of the section would compel them to hire the white laborers before the black. At least this was the N.A.A.C.P.'s interpretation of job displacement under the N.R.A. As a result the Supreme Court decision which later declared the N.R.A. unconstitutional was hailed by some Negro leaders who had despised the discrimination it allowed.[30]

C. The Negro and New Deal Agriculture

Another New Deal program evoking criticism both from Negroes and from Southern whites concerned agriculture. The plight of national agriculture was severe enough, but the situation of Southern farming, especially for the Negro, was even worse. One unique problem to this section which specifically affected the Negro was the tenant farming system that had evolved following Reconstruction. Now a basic part of the Southern economic structure, the tenant farmers consisted of Negroes and poorer whites, the lower strata of society. Moreover, Southern agriculture was based on a one-crop system, so that failure of its staple product was detrimental to the total economy. Another economic characteristic of the South was the "country store" credit system which forced the uneducated Negro and white into a state of economic feudalism. For the Negro, the problem was intensified by race discrimination. Yet despite the disadvantages of the Negro in the Southern economy, the black

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[29] New York Times, March 4, 1934, 7:4.

[30] "From the Press of the Nation," Crisis, XLII (June, 1935), 211.

man filled an indispensable position.[31]

Federal acts passed pertaining to agricultural relief and recovery usually implied equal treatment. The Farm Credit Administration, for example, provided easy loans and credit for farmers. Henry Morgenthau, Jr., the program's director, attempted to include the black man by appointing H. A. Hunt, a Negro, to familiarize the Negro farmer with federal government credit facilities. The attempt to benefit the Negro was creditable, but Hunt singly was unable successfully to change the social forces of the South in which few Negroes owned land or were eligible for loans.[32]

Two other major farm programs included the Agricultural Adjustment Act and the Bankhead Cotton Act, both vehemently opposed by several Southern Congressmen in debates. Realizing the measures would be passed, however, loopholes were created in the bills that allowed the South to discriminate. In theory the bills were non-racial, but in reality they rarely helped the Negro farmer.

The A.A.A. limited production of several basic crops so that market prices would be forced to rise, and the Bankhead Cotton Act, with similar intent, concerned specifically cotton production. As white landowners were forced to limit crop acreages, they could no longer afford to maintain as many tenant farmers. Crop reduction regulations made it illegal to evict tenants, but it was sometimes not possible for owners also suffering from the depression to observe this rule.[33] Negroes who

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[31] Recent Social Trends, 567.

[32] New York Times, November 8, 1933, 19:2.

[33] John P. Davis, "A Black Inventory of the New Deal," Crisis, XLII (May, 1935), 141.

fought eviction found their protests rejected by local boards. The degree of discrimination in this program as in the others depended upon the degree of local control. By 1934 over a quarter of a million tenant farmers, the majority of whom were Negro in the Deep South, were unemployed.[34] The N.A.A.C.P. and critic Davis also claimed the Negro farm owner was victimized by local boards when allotments were determined and major crop reductions were directed toward the Negro when possible. Although these practices were not evident on the national level, the Negro leaders claimed the problem existed and that many Negroes were being forced to relinquish their farms and to assume a tenant status as a result.[35] Prejudice also prevailed in the institution of subsistance homestead projects. Negroes who participated in this program were either segregated or, as in the case of Arthurdale, West Virginia, not considered as applicants.[36]

In desperation the Negro used such unprecedented tactics as biracial tenant associations in an attempt to regain his rights. One example was the Southern Tenant Farmers Union of Arkansas. Often tenant farmers would sign government contracts for crop reduction, but control of the papers remained in the hands of the planter. The contracts, believed the tenant farmer, were then enforced so as to benefit the white farmer. Although the Tenant Union attempted to remedy this situation, its effectiveness was marred by criticism that it was socialistic or communistic.[37]

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[34] Ibid.

[35] Ibid.

[36] Ibid., 142.

[37] Ward H. Rodgers, "Sharecroppers Drop Color Line," Crisis, XLII (June, 1935), 168.

In 1937 a legislative move attempted to aid the tenant farmer when the Bankhead-Jones Farm Tenancy Act established the Farm Security Administration formerly known as the Resettlement Administration. Through the government program, loans were made to tenants and sharecroppers so they could purchase or improve their farms. For the displaced, there were resettlement farms established by the government. Clubs were organized and meetings held at which the F.S.A. supervisors for that area would advise farmers and hold demonstrations. Demonstrations ranged from how to cook green beans to how correctly to butcher a calf. These demonstrations were held in "white homes for white clients, and in the colored homes for the colored clients," and were repeated as often as necessary or requested.[38]

The Negro was definitely included in this program. In Greene County, Georgia, one-third of the Rural Rehabilitation families of the F.S.A. in 1937 were black, and the benefits were fairly equitable throughout the South except where large plantations were extremely important to a community.[39] Millions of dollars were contributed to needy Negro farmers, and several projects were created especially for them on good land. An example of the black tenant and sharecroppers' feelings toward the F.S.A. was expressed by an elderly Negro who stated, "The government do for the colored folks what our white folks couldn't do."[40] And another who commented, "You know, President Roosevelt in Washington

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[38]Arthur F. Raper, Tenants of the Almighty (New York: The Macmillan Company, 1943), 258, 234, 251, 199, 208.

[39]Ibid., 197. Arthur Raper and Ira DeA. Reid, Sharecroppers All (Chapel Hill: University of North Carolina Press, 1941), 138.

[40]Raper, Tenants of the Almighty, 260.

must be aworkin' along with God, and the President must have had somebody who understood him to bring his plans down here to Greene County and work 'em out."[41]

Easing conditions for farmer loans and creating migratory worker camps, this agency was remarkably fair in its execution. In fact, "At the risk of its political life the F.S.A. was scrupulously fair in its treatment of Negroes."[42] But there could be no doubt of the powerful influence of the Southern Congressmen on this bill. It was, according to Rexford Tugwell, crippled when the conservatives reduced its appropriations in 1937 to half of what had been originally authorized. The debates on this act were, claimed Tugwell, a "striking illustration of Franklin's inability to achieve purposes not consented to by the conservatives."[43] The South would not allow its class structure to be disrupted by federal assistance. Tugwell reveals his discouragement concerning the Southern Congressmen's attitudes, stating that "The sharecroppers were abandoned to the ancient customs of the landlord system."[44] The F.S.A. came too late, and F.D.R.'s inability to overrule the conservatives did not allow the program to fulfill its demands adequately.[45]

Aware of the South's conflicts, but discreet in political involvement, F.D.R. believed that the assets of these programs outweighed the discrimination encountered in their execution. Roosevelt's political

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[41]Ibid., 269.

[42]Leuchtenburg, F.D.R. and the New Deal, 141.

[43]Tugwell, Democratic Roosevelt, 472.

[44]Ibid.

[45]Ibid.

prudence regarding potential results of race conflicts on agricultural programs was implied in a letter he wrote John Bankhead in 1934 concerning protests of enforced production cuts under the Bankhead Cotton Act. Leading the critics was the influential Senator, "Cotton Ed" Smith of South Carolina, who asked for a suspension of the prohibitive tax. Roosevelt's advice to Bankhead was "Use your discretion, but do not bring me into it."[46] F.D.R. wished to avoid a conference with Smith, who he declared "either orates or talks from all four directions at the same time."[47] Perhaps F.D.R. also wished to avoid a confrontation that might have revealed a race issue concerning the effect of the Bankhead Act on the Southern white and Negro. F.D.R. needed Smith's support for New Deal programs, so the race problem had to be avoided as much as possible.

In another memorandum F.D.R. claimed that the program was effective as it was, but admitted that he could not blame a Southern objector for his opposition. The South in particular, stated Roosevelt, had received benefits from the New Deal, since this section was unable to raise adequate funds through taxation. The South, he claimed, had gained faster than any other section mainly because it was "farther behind in its social development."[48] Although long interested in Southern progress, Roosevelt would not risk the loss of his programs by taking a definite stand on the racial issue. Perhaps F.D.R. felt that prosperity would propagate its own solution.

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[46] Elliott Roosevelt, ed., F.D.R., His Personal Letters, II, 421-422.

[47] Ibid.

[48] Ibid., 437.

D. The Negro and the T.V.A.

Another program criticized by the Negro was the Tennessee Valley Authority. This massive plan, initiated in part during previous administrations, achieved reality under F.D.R. With vitalization of the "backward" South as its goal, the economic development of the Valley area would be the first step. The T.V.A. also proposed opportunities for economic development through its fair employment policies, electrification to relieve the "drudgeries of the lives of the inhabitants, industrialization, flood-control, and the development of a recreation area."[49] Participation in "equal benefits" was desirable to the Negro, but the administration had omitted the guarantee. Since the project was located in the South and relied on Southern labor, the government was forced to abide by Southern white traditions. As Chester Morgan, one of T.V.A.'s administrators, told John P. Davis, slow integration was necessary to avoid alienating the white people of the Valley area. Morgan claimed resentment would foster a "more determined attack against Negro advancement under the T.V.A. program."[50]

The most obvious discrimination occurred in labor practices. Over 250,000 Negroes, who had been promised employment opportunities according to their proportion of the population, lived in the project area.[51] A fair percentage of Negroes were hired, but according to the black man, there was a racial discrepancy in the wages. It was estimated that

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[49]John P. Davis, "The Plight of the Negro in the Tennessee Valley," Crisis, XLII (October, 1935), 314.

[50]Ibid., 315.

[51]Ibid., 294.

blacks received only 9.5 percent of the payroll while constituting 11 percent of the employees. In other words, the "2,069 Negro employees then employed received only $86,032.80 of the $901,939 total payroll."[52]

Further evidence of discrimination was revealed in the Congressional investigation of T.V.A. in 1938. Although one T.V.A. authority discredited claims of discrimination by stating that "There is no distinction in the rates of pay, there is no distinction in the hours of work, and there is no distinction in the general job conditions," the investigation offered contradictory evidence.[53] By June 30, 1938, 11.5 percent of the T.V.A. work force was Negro, while the race's population in the area was only 10 percent. Numerical equality was achieved in employment, but was offset by maldistribution of wages. Since the Negro was employed mostly in the low wage, unskilled labor positions, his yield of the payroll was only 7 percent.[54] One investigator, Gordon Clapp, defended this fact by claiming the sentiment against the black man in this area was too strong to concede equal opportunity employment. Negroes were rarely considered for skilled jobs, and those who did hold the better positions were generally classified as unskilled labor and received unskilled pay.[55] These acusations were further substantiated by an N.A.A.C.P. official, Charles Houston, who claimed the Negro received 62½ cents per hour in cement work, while whites drew $1.25 per hour.

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[52]Ibid.

[53]U.S. Congress, Report of the Joint Committee on the Investigation of the Tennessee Valley Authority, Investigation of the Tennessee Valley Authority, 76th Congress, 1st Session, April 3, 1939, Doc. 56, Pt. 2, 81.

[54]Ibid.

[55]Editorial, "T.V.A. Investigates N.A.A.C.P. Charges," Crisis, XLV (October, 1938), 334.

The Negro was also intimidated from joining the unions and barred from the government-built town of Norris. T.V.A., stated Houston, "has increased the amount of segregation in the area instead of decreasing it."[56]

In 1934 John P. Davis had also protested the project's discrimination. Davis claimed Negroes in the personnel department who were responsible for hiring Negro labor were allowed to handle only unskilled work requisitions. At the Wheeler Dam site, according to Davis's estimate, there were 300 white carpenters but no Negroes in this occupation.[57] Mis-classification of Negroes was also exposed when Davis claimed Negro truck drivers would receive 45 cents an hour for a job that called for 75 cents. Also, a Negro who complained often became a Negro without a job.[58] Davis asserted Negroes were not admitted on a fair basis to the training and vocational schools established by the T.V.A. After much adversity nine were admitted to the Animal Husbandry school at Norris, but were not allowed to train for the position of foreman. Such practices, claimed Davis, would gradually eliminate the Negro from employment with T.V.A. because unskilled labor was needed mostly in the initial stages.[59] Housing provided another example of discrimination. Segregated Negro housing units were supposedly inferior to those of the whites, though T.V.A. officials protested that integrated housing would foment racial outbreaks. Davis rejected this defense,

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[56]Editorial, "Rank Jim Crow in T.V.A. Committee Told," Crisis, XLV (September, 1938), 303.

[57]Davis, "The Plight of the Negro in the Tennessee Valley," 294.

[58]Ibid.

[59]Ibid., 295.

stating that segregated housing was unconstitutional when Federal funds were used for this purpose.[60]

The official investigation of T.V.A. claimed the project's employment policies opposed discrimination in substance. Departure from equality, it was claimed, was "due to prevailing regional attitudes, which the Authority cannot disregard, rather than to failure on the part of the personnel department to support the policy of discrimination."[61] That the administrators recognized the significance of race relations in labor in the South was further exposed by Clapp, who stated "The Authority does not feel that it had any special responsibility for attempting to revise or reconstruct the attitude of that area with respect to the racial question."[62] Leslie White, former Civil Service Commissioner, recommended that T.V.A. adhere more strictly to the non-discrimination policy, such as trying to continue to provide "similar and equivalent housing and recreational facilities for Negroes."[63] The conclusion of the investigation was that segregation was regrettable, but accepted as inevitable.

The report also recommended that Negroes be trained and given more positions of responsibility. The T.V.A. was further encouraged to adopt Dr. Robert Weaver's suggestion that a Director of Negro Work be appointed. Although the Authority was to strive harder for non-discrimination, it was realized that this policy would arouse Southern antagonism

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[60] Ibid.

[61] U.S. Congress, Investigation of the Tennessee Valley Authority, 67.

[62] Ibid., 81.

[63] Ibid., 67.

that would threaten T.V.A.'s very existence.[64] As David Lilienthal, a T.V.A. director, stated, Southern Senators could use the race issue to destroy T.V.A. if Roosevelt made it an issue.[65]

Yet the Negro disaffection was also understandable, for Negroes while used to segregation and prejudice hoped that the goals and ideals of the New Deal would achieve a greater degree of non-discrimination.[66] T.V.A. benefits were also not exempt from racism. Although cost was greatly reduced, electricity "might as well be lightning in the sky" to the Negro.[67] Rates were still beyond the black man's finances, and few landlords found it advantageous to wire their Negro tenants' houses. Yet the proprietors were also victims of the depression.[68]

Roosevelt's non-involvement in the T.V.A. race problem again can be credited to the necessity of retaining vital Congressional support. In a conference with Lilienthal Roosevelt once discussed plans to visit T.V.A. Joking about Louis Howe's new plans to rebuild whole cities instead of sections only, F.D.R. suggested that this might be done with Nashville. "What kind of city is that?" he inquired of Lilienthal. Then, continuing, he stated, "Of course, you have the Negro conflict there, don't you."[69] Roosevelt was aware of the race problem, but

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[64]Ibid., 56-58.

[65]David E. Lilienthal, The Journals of David E. Lilienthal, I, The T.V.A. Years, 1939-1945 (New York: Harper and Row Publishers, 1964), 614-615. Hereinafter referred to as Lilienthal, The Journals of David E. Lilienthal.

[66]Davis, "The Plight of the Negro in the Tennessee Valley," 315.

[67]Ibid., 314.

[68]Ibid.

[69]Lilienthal, The Journals of David E. Lilienthal, 41.

determined not to sacrifice his program by too vigorously supporting either the Southern white or Negro.

E. Social Security Administration

Another New Deal program in which discrimination was protested by the Negro was the Wagner-Lewis Social Security Act, which excluded many black men in certain occupations from its benefits. Roosevelt called the act "sound, needed, and patriotic legislation," but it gave little hope to the Negro.[70] The bill reserved much authority to the states, with the most nationalized provisions pertaining to old age pensions. Although the other sections were to be approved and enacted by the states, there were no minimum or equal standards required for the states. Roosevelt in presenting his program stated "except in old age insurance, actual management should be left to the states subject to the standards by the federal government."[71] This provision meant the Negro would probably lose more than he gained from the Social Security Act.[72]

To the Negro, the Social Security Act's exclusion of agricultural and domestic workers from benefits was covertly related to race discrimination. Congressional debates on the bill implied that its main concern would be old age pensions. This impression was shaken, however, when Senator Huey L. Long of Louisiana admitted that those who most needed relief in Louisiana were obviously Negroes. But the Negro race exercised little voting and governing power in the state, so they could

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[70]David Epstein, "Social Security Act," Crisis, XLVII (November, 1935), 333.

[71]George Edmund Haynes, "Lily-White Social Security," Crisis, XLII (March, 1935), 85.

[72]Ibid.

not expect to receive relief. As Long stated, "I do not want a pension system that will be of help only to those who declare themselves paupers and prove themselves unable to earn a living and eligible to be put on the roll."[73] Long had implied in a Senate debate that the Negro, at least in his State, would probably not receive equal relief.

The Negro's greatest concern pertained to the fact that domestic and agricultural workers were excluded from the bill's benefits. Although defenders claimed that the act was directed toward the industrial worker, and stated that the Negro did not appreciate the administration's problems, the black man did not share this attitude. The Negro's despair regarding the situation was expressed in The Crisis:

> Just as Mr. Roosevelt threw the Negro textile workers to the wolves in order to get the Cotton Textile code adopted in July of 1933 by exempting them from its provisions, so he and his advisers are preparing to dump overboard the majority of Negro workers in his security legislation program by exempting from pensions and job insurance all farmers, domestics, and casual labor.[74]

Although the Negro continued to appeal for a change in this provision of the Social Security Act, he was not successful.[75] Roosevelt believed this reform would reach the forgotten man, which certainly included the Negro. Yet political and economic expediency made it necessary for Roosevelt to accept the bill as presented to him although it excluded the Negro's principal occupations. To the Negro the racial implications were the most obvious.

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[73]U.S. Congress, Senate, 75th Congress, 1st Session, June 14, 1935, LXXV, Pt. 9, 9267-9268, 9294.

[74]"Social Security--For White Folk," Crisis, XLII (March, 1935), 80.

[75]New York Times, January 15, 1937, 7:2.

F. The Negro and Housing

The Negro's greatest gain from a New Deal program was low rent housing, where his benefits surpassed those of any other ethnic group. The congestion of Negroes in Northern and Southern urban centers had intensified unhealthful slum conditions during the depression. Since white residents of these cities restricted Negro housing areas to prevent integration, the black man was forced into small living enclaves. Memphis and New Orleans both had their "Arks," which were two story structures housing sixteen or more Negro families on each floor with a common privy.[76] In Fort Lauderdale, moreover, there were only 500 dwelling units available for 700 families; and in Macon, Georgia, 90 percent of the Negro homes were deemed substandard.

Improving the housing situation was made more difficult by the subsistence income of ghetto residents. Over one-third of the Negro families in Northern cities made less than $1,000 per year, with 6.6 percent making less than $500. White families in the Northern cities had a median income of $1,720 and a mean income of $2,616 in 1938. In the same year it was estimated that the median income for a rural Southern white was $1,100, while for the Negro it was $480.[77] In 1940 Robert Weaver, using the Survey of Consumer Incomes in the United States by the National Resources Committee, estimated that more than one-half of Negro non-relief families in the rural South in 1935 and 1936 made less than $500 per year, while nine-tenths made under $1,000 per annum.[78] Therefore, it

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[76]John P. Murchison, "The Negro and Low-Rent Housing," Crisis, XLII (July, 1935), 199.

[77]Robert C. Weaver, "Negroes Need Housing," Crisis, XLVII (May, 1940), 138. New York Times, September 4, 1935, 2:5.

[78]Ibid.

was believed by many blacks that their low earning power was partly racially derived and a major obstacle to improving their living conditions.[79]

Low rent housing assisted slum dwellers unable to move from poverty housing by giving them an opportunity to have decent living conditions. Roosevelt's interest in this program was revealed by a private conference with Senator Robert F. Wagner in 1935 to decide how to obtain more permanent aspects of slum clearance.[80] In 1933, under Title II of the N.R.A., a P.W.A. Housing Division had been created for low cost and slum clearance housing. The more permanent aspect of this type of reform was later passed on September 1, 1937 and was known as the Wagner-Steagall Housing Act.[81] Thirty percent of the P.W.A. Housing Division funds went to the Negro as a result of this law.[82] The goal was to reduce the exorbitantly high rentals for the Negro's slovenly housing to approximately 25 percent of his yearly income instead of the usual 60 percent.[83] The Negroes also received an extra benefit since they were employed in the construction of the housing projects. Since municipal facilities such as sanitation and electricity were already located in the slum area, the low cost housing was to be built on the same sites. Progress was often hindered, however, by the high prices asked for the deteriorated property by proprietors who tried to take advantage of the

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[79]New York Times, June 19, 1935, 8:4.

[80]Elliott Roosevelt, ed., F.D.R., His Personal Papers, II, 513; Tugwell, Democratic Roosevelt, 435.

[81]Ibid.

[82]Murchison, "The Negro and Low-Rent Housing," 199.

[83]Ibid., 200.

government's program.[84] The Low Rent Housing projects of the Housing Division of the Public Works Administration were extensive. By December of 1937, 118 of 347 locally approved slum clearance contracts issued were to be in predominantly Negro areas.[85] Thus the Negro had gained much in housing.

While the cities moved forward, however, the rural Negro continued to suffer from shantyism. Not until the housing bill of 1940, which provided for the construction of low-income farm dwelling units, was the rural Negro included in these projects. Recipients of this program were to be judged solely by their income without racial considerations.[86] Thus the Negro received more specific attention and a fairer proportion of his housing demands.

The Negro and the Labor Organizations

The Negro's employment problem forced him to seek union protection, and these organizations were beleaguered by demands to integrate. The Negro represented a potential competitor for white laborers, but the black man's lack of education and trained skills had prevented this fear from being realized. Segregation in the labor organizations was further insured by white workers' fears that integration would lower their status and cripple their job opportunities. Another argument against Negro membership was that the black man did not make good union material because he would not strike. The Negro had been slow to protest these

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[84]Ibid., 210.

[85]Weaver, "Negroes Need Housing," 139.

[86]New York Times, March 16, 1940, 17:4; Editorial "Pass the Housing Bill," Crisis, XLVII (May, 1940), 145.

union practices, but now began to combat this economic discrimination.[87]

The leading Negro in the fight for acceptance in the labor unions was A. Philip Randolph, head of the Pullman Porters.[88] Randolph's consistent pressure for regocnition influenced the AF.of L. to create the Brotherhood of Sleeping Car Porters and grant it an international charter. The success of this Negro organization was soon followed by the grant of affiliation to the Brotherhood of Dining Car Employees. Both societies were the first Negro labor groups to become associated with the A.F. of L.[89] In the early 1930's some Negroes suggested the creation of a National Negro Labor Union, but leaders such as Walter White continued to stress integration, not segregation, as the solution. White believed labor unions would reject race discrimination because white labor could never be truly free while black labor was a victim of prejudice.[90]

Although the Brotherhoods of Sleeping Car Porters and Dining Car Employees succeeded in uniting with the A.F. of L., twenty-one national unions still discriminated against the Negro. The charters of the organizations often insured segregation. Some charters specified white membership while others placed Negroes in separate divisions under the jurisdiction of white locals. The Negro was also supposedly successful with the C.I.O. which encouraged the Negro labor movement among automobile and steel workers. According to one writer during the 1930's,

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[87]Alba M. Edwards, "The Negro as a Factor in the Nation's Labor Force," Journal of the American Statistical Association, XXXI (September, 1936), 539; Charles H. Wesley, "Organized Labor's Divided Front," Crisis, XLVI (July, 1939), 223.

[88]High, "Black Omens," 38.

[89]Wesley, "Organized Labor's Divided Front," 223.

[90]New York Times, October 4, 1933, 4:3.

the C.I.O. had no color bars. Endorsement by organized labor was slow, but some definite gains had been made in this era.[91]

Negro Restlessness

The tensions and trials of the depression Negro were vividly portrayed in New York's Harlem. In a city where nearly sixty-six out of every 1,000 inhabitants were reportedly on relief, Harlem claimed 129 per 1,000 residents were receiving aid. While only 8 percent of work relief workers consisted of Negroes, they formed 14½ percent of the employable relief population.[92] In one Harlem block alone 70 percent were unemployed, 18 percent were ill, and 60 percent were behind in their rent.[93] The Negro businessman also suffered devastating economic losses. Chain stores were gradually replacing the independent Negro retailer as the number of Negro-owned stores declined from 25,707 to 23,490; and sales decreased by nearly $50,000,000 in the 1930's. The estimated yearly loss for the average Negro food store was $3,000 in 1929, and $2,000 in 1935.[94]

While Negro businessmen were beset with problems, the Negro consumer also endured difficulties. Resentment against white owned and operated stores in Negro living areas fomented many "Don't buy where you can't work" campaigns, especially in Harlem and Chicago. A store was classified by the black man in relation to the percentage of Negroes

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[91]Wesley, "Organized Labor's Divided Front," 224.

[92]New York Times, June 19, 1935, 8:4.

[93]Ibid., May 19, 1935, Pt. VII, 4; September 4, 1938, 2:5.

[94]Albon L. Holsey, "Seventy-five Years of Negro Business," Crisis, XLV (July, 1938), 201.

hired.[95] Since most store owners realized their dependency on the Negro consumer, Negro picketing of white owned stores in their neighborhood was often effective. Such agitating tactics, however, did have one repercussion unfavorable to the Negro. When the owners of a shoe store in Harlem protested picketing in a case before the New York Supreme Court, it was ruled that picketing privileges were for labor and not racial conflicts. In this decree, racism had rebounded on the Negro.[96]

Discrimination during the depression provided an impetus for violence as Harlem experienced several riots. In January, 1933, a group of jobless Negroes rioted off 23rd Street in Harlem, and the Relief Bureau was stormed. Unemployed needle workers demanded more financial assistance for needy Negroes as 1,500 attacked the relief office. The crowd was driven back four times by 150 policemen. Led by Alexander Hoffman, the Negroes were finally granted an interview with the Bureau's assistant director, but the mob rushed the office again during the meeting. When Hoffman was not immediately granted his demands, he denounced the Bureau in a tirade. Police again dispersed the crowd only to have the Negroes regroup a few blocks away to listen to Hoffman deliver another sidewalk harangue that also condemned the police. The mob was finally scattered after the final exhortation.[97]

A rash of riots again struck Harlem in 1935 with most concerning alleged discrimination by the City Emergency Relief Bureau. The continued immigration of the rural Negro to a city which could not employ him provided the background for the disturbing riots of March 20th. The

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[95]High, "Black Omens," 37.

[96]New York Times, November 1, 1934, 12:5.

[97]Ibid., January 13, 1933, 10:5.

City Relief Bureau's director, Edward Corsi, revealed that over 60 percent of the relief clients in Harlem were Negroes. Corsi denied the discrimination charges, claiming he had offered to staff the Harlem relief office with 100 percent Negroes, but that the black man had refused.[98] Mayor La Guardia then established a Commission to investigate the conditions in Harlem. In its series of meetings the Negro's vehemence was exhibited by his catcalls, rude interruptions, and wild accusations. The Harlem police, charged the Negro, had abused the black man. Breaking into Harlem homes without a search warrant, beating up occupants, and officers being drunk on duty were some of the brutalities allegedly inflicted on the Negro. Negroes also insinuated that black witnesses for the court were intimidated by policemen in a disorderly outburst.[99] In another meeting, Corsi attempted to defend his department, but his testimony was received with jeers from the belligerent Negro audience.[100]

After the investigation a new director, General Hugh Johnson, was appointed for the Relief Bureau. Negroes resented Johnson's appointment, feeling he had ignored the black man's plight while administrator of the N.R.A. T. Arnold Hill, acting executive Secretary of the National Urban League, accused Johnson of not hiring Negroes for responsible positions, and of allowing differentiation of benefits of the N.R.A. by geographical areas.[101] According to the black man, there were

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[98]Ibid., April 9, 1935, 44:4; April 15, 1935, 20:3.

[99]Ibid., April 21, 1935, Pt. II, 4:4.

[100]Ibid., April 28, 1935, 23:1.

[101]Ibid., June 27, 1935, 7:3.

implications of racism in this move. Johnson, however, stated that relief would be distributed according to need, and that there would be no discrimination during his administration. Johnson also volunteered to appoint a Negro representative to serve on his staff.[102] The Negro's apprehension, however, was not eased by the slowness of Harlem's recovery. In 1937 the Negro still had a high rate of unemployment, with only 2.6 percent of the emergency relief cases being closed in Harlem and over 36,000 Negroes still on home relief.[103]

New Deal and Southern Politics and Politicians

To the white South, the New Deal was acceptable if white supremacy and states' rights were preserved. And the South's effect on the New Deal and the Negro was measured by the power and behavior of its national politicians. These included such men as Huey P. Long from Louisiana, who implied his support for white supremacy in the Senate debate on the Social Security Act. Also included were Pat Harrison from Mississippi, also an opponent of the Social Security Act, and Hugo Black from Alabama, who was later appointed Supreme Court Justice despite the protests of Negroes. Another influential member of the Southern Senators was "Cotton Ed" Smith of South Carolina, who expressed his state's traditional attitudes by walking out of the 1936 National Democratic Convention when a Negro minister gave the invocation. There was also Joseph T. (for "Terror", according to an N.A.A.C.P. pamphlet) Robinson from Arkansas; Theodore Bilbo from Mississippi, who revealed his racial attitudes

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[102]Ibid., July 3, 1935, 5:1.

[103]Ibid., February 14, 1935, Pt. II, 1:6.

in several Senate debates, and several other powerful cohorts.[104]

Usually the Southern Senators preserved dignity and tolerance on the floors of Congress, but sometimes their racial feelings would be boldly exposed. In a 1938 debate of the P.W.A. loan and grant fund, Senator Bilbo offered his solution to the unemployed problem. Bilbo proposed in a four hour speech, to use P.W.A. funds to ship the 12,000,000 American Negroes to Africa.[105] This, he claimed, was incidental to the "much more important" matter of preserving "racial purity."[106] The expression of attitudes such as this on the floor of the Senate in 1938 shows how discrimination could occur under New Deal programs in the South, although Bilbo himself might not have been an influential Senator.

Many in the South anticipated the end of New Deal programs so that the Negro could return to his "position of rustic security." Programs such as the A.A.A. had caused "these contented and happy and self-supporting people" to starve and neglect their "thrifty, independent" ways.[107] But other Southerners, realizing the problems facing their section, avoided racist actions. When Eugene Talmadge, governor of Georgia, was running for the Senatorial nomination against incumbent Richard Russell, for the 1936 election he charged the New Deal with

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[104]Ibid., April 19, 1936, 6:2; September 3, 1936, 10:6.

[105]Ibid., May 25, 1938, 112.

[106]Ibid.

[107]Rutledge, "The Negro and the New Deal," 286. New York Times, April 9, 1933, Pt. IV, 114. Once, when dining with a white Southern family, a New York Times reporter was urged not to read racially controversial books because of their false impressions. Race relations, claimed the hostess, were different from illusions created in these books because "Negroes and whites love each other in their place."

"flaunting social equality with the Negro in the faces of the people, and most anything can be expected now."[108] This attitude, however, was resented by many Georgians and had been attacked by the Atlanta Constitution publisher, Clark Howell, in April, 1935. Howell rebuked Talmadge, whom he had supported in previous elections, stating "No state more earnestly supported Roosevelt in the primary and general election of 1932, and Georgia will join with undiminished ardor in the universal party demand next year for his renomination."[109]

Roosevelt and the Negro in New Deal Programs

Roosevelt's personal position on these matters fluctuated, so it is difficult to identify a consistent public policy. If the criterion for evaluating Roosevelt's involvement is whether the Negro benefited, then the President must be considered successful. The advantages obtained by the Negro from housing, employment, and relief programs were significant in disrupting "status quo" policies.[110] Many statistics substantiate the Negro's material gain from the New Deal, although he did not always have equal access to the programs.[111]

Roosevelt's administrative policies toward the Negro, however, are not revealed by statistics. The President's National Emergency Council that presented a report on the problems of the South in 1938 might be regarded as a progressive step, but the Council consisted of leading

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[108] Ibid., July 12, 1936, Pt. IV, 7:6.

[109] Ibid., April 26, 1935, 7:5.

[110] Ibid., April 15, 1934, 20:3.

[111] U.S. Congress, House, 73rd Congress, 2nd Session, June 15, 1934, Congressional Record, LXXVIII, Pt. II, 11849.

white Southerners. Their attitudes were reflected by their lengthy report which glaringly omitted race problems. It was inconceivable that the Negro was not considered an inherent part of the Southern economy, but the only statement mentioning the Negro concerned job displacement through increased competition for employment.[112]

In another incident Roosevelt, after a conference with Governor Talmadge, called Harry Hopkins to Warm Springs to change the F.E.R.A. minimum wage of 30 cents an hour. F.E.R.A. would then allow wages to be adjusted "locally by the prevailing wage scale of the section."[113] Whether Talmadge influenced F.D.R.'s decision is not known, but some Negroes ominously coupled the two events. Differentiation of minimum wage by geography was believed by the black man to be a tool of Southern discrimination. To the white recipient, the wage difference probably represented geographical discrimination, but the Negro believed it to be also racial.

Yet there were times that Roosevelt did get personally involved. Once when governor of New York F.D.R. had signed a bill that made possible the election of two black lawyers to municipal judgeships. The only other such judgeship held by a Negro at that time was in the District of Columbia.[114] Immediately after assuming the Presidency, Roosevelt was approached for help by a Negro farmer, Sylvester Harris. Harris telephoned Roosevelt from Mississippi seeking to prevent foreclosure on his

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[112] New York Times, August 13, 1938, 1:6-8.

[113] Editorial, "U.S. Adopts the Georgia Plan," Crisis, XIII (January, 1935), 17.

[114] U.S. Congress, House, 73rd Congress, 2nd Session, June 18, 1934, Congressional Record, LXXVIII, Pt. 11, 12609.

farm. As a result, Harris obtained a loan that saved his land.[115] In another incident, an unemployed Negro woman preacher, Callis Fancy of Little Rock, Arkansas, appealed to Roosevelt for assistance. Although the F.E.R.A. had provided the necessities for living for Mrs. Fancy, she could not afford to purchase false teeth. Through intervention of the President's executive secretary Callis Fancy was employed as a dental assistant so she could pay for her teeth.[116]

Representative Arthur Mitchell, Illinois Democrat and a Negro, once claimed that "every instance of race discrimination that has been properly brought to the attention of the President has not only received immediate attention, but has been amazingly adjusted as far as the authority of the executive office could go."[117] Roosevelt's interest in the Negro was also expressed in his dedication of the new chemistry building at Howard University in October of 1936. In his address F.D.R. stated, "there should be no forgotten men and no forgotten races."[118] The founding of Howard, claimed Roosevelt, "typified America's faith in the ability of man to respond to opportunity regardless of race or creed or color."[119] Roosevelt apparently believed the South's position was improving, and perhaps the Negro was included in this upward trend. F.D.R.'s confidence in this section was again expressed in a letter stating that "This Southland has a smile on its face. Ten cent cotton

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[115] Ibid., LXXIX, Pt. 12, 12985.

[116] New York Times, June 24, 1935, 36:5.

[117] U.S. Congress, House, 73rd Congress, 2nd Session., June 18, 1934, Congressional Record, LXXVIII, Pt. 12, 12986.

[118] New York Times, October 27, 1936, 14:3.

[119] Ibid.

has stopped foreclosures, saved banks, and started people definitely on the upgrade."[120]

Roosevelt's interest in the Negro was also revealed in federal appointments. Most of the programs were represented by Negro appointees, as F.D.R. included more Negroes in highly responsible positions than had previous administrations.[121] Some of the appointees included William T. Tompkins, recorder of deeds in the District of Columbia; T.M. Campbell of Tuskegee and J.B. Price of Hampton Institute, employed in the Department of Agriculture; Robert L. Vann, a special Assistant Attorney General; Forest B. Washington, adviser to Harry Hopkins in the F.E.R.A.; and William A. Hastie, appointed as an attorney in the Department of the Interior under Harold Ickes.[122] These men held the more significant positions although many others served in lesser posts.

Other encouraging breakthroughs against discrimination during Roosevelt's terms included the dismissal of Dr. Illo Hern, supervisor of the Museum of Natural History in 1936, on charges of discriminating against Negroes in employment practices.[123] Moreover, the executive Secretary of the Urban League, E.K. Jones, was appointed by Secretary of Commerce Daniel C. Roper to study Negro problems.[124] And when Secretary of the Interior Ickes discovered discrimination in his Land Office, he announced in a staff conference that it would not be tolerated. Ickes

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[120]Elliott Roosevelt, F.D.R., His Personal Letters, II, 372.

[121]New York Times, June 22, 1936, 3:2.

[122]U.S. Congress, House, 73rd Congress, 2nd Session, June 15, 1934, Congressional Record, LXXVIII, Pt. 11, 11849.

[123]New York Times, February 8, 1936, 2:6.

[124]Ibid., October 19, 1933, 20:2.

claimed his department was to be a model for employment integration. If his workers, stated Ickes, presumed they could not work with the Negro, then they could resign.[125] Small actions such as these punctured traditional prejudices. Every degree of acceptance carried the potential for acquiring more opportunity and more equality for the black man.

Conclusion

Perspective is the issue when both the Negro and Roosevelt are associated through the New Deal. The Negro's economic position, as a result of the depression, was deplorable. As a minority group, Negroes discovered that the loss of national economic security only increased the discrimination by those opposing him, while it weakened his own fiscal ability to combat it. When the federal government initiated its programs of national relief, the Negro expected a just proportion of the benefits. Prejudice, the black man hoped, would not occur in the administration of the Congressional acts. This apprehension by the black man made him more sensitive to any opposition to profiting from the New Deal, whether in Congressional debates or in the execution of the programs. The Negro could view administrative programs only within the context of his own race, and thus his criticisms of both Roosevelt and the New Deal, though partially valid, may have had little conception of the total national situation.

To Roosevelt, however, priority was reserved for the restoration of the economy on a national scale; the Negro constituted only a small, secondary segment within the total framework. If commitment to a

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[125]Harold L. Ickes, The Secret Diary of Harold L. Ickes, III, The Lowering Clouds, 1939-1941 (New York: Simon and Schuster, 1954).

minority, though that minority had suffered discrimination, meant sacrificing programs that could benefit the majority, this Roosevelt would not do. Although Roosevelt was aware of the provisions that would allow discrimination, especially in the South, to him that seemed a small price to pay for national recovery. Prejudice could not be removed with an economic program, but the program might give the Negro, despite discrimination, an opportunity to combat this attitude more successfully.

CHAPTER III

THE NEGRO IN NEW DEAL POLITICS

Negro Political Affiliation, 1930-1932

Although by 1938 the distribution of the 12,000,000 Negroes between rural and urban areas was balanced about equally, residential segregation in Northern cities concentrated the Negro population into a significant voting bloc.[1] This concentration of Negro votes now forced political parties to consider the import of black politics. With new confidence, Northern Negro leaders claimed they now controlled votes for 152 Congressional districts.[2] The Negro, as James Weldon Johnson noted, was now a national political issue, not just a Southern one.[3] To the Negro, the idea of poll power became a bright hope for the future, but for politicians it proved to be a source of embarrassment.

Traditionally, suffrage laws of the South rendered the black man's ballot impotent in those states, while the Northern Negro's vote was politically committed to the Republican party of Abraham Lincoln.[4] The

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[1]"Negroes Swing; Experts Forecast Their Return to the Republican Fold in 1940," Newsweek, XIII (April 10, 1939), 15. Hereinafter referred to as "Negroes Swing."

[2]Ibid.

[3]James Weldon Johnson, "A Negro Looks At Politics," The American Mercury (September, 1929), 88; White, A Man Called White, 114-115.

[4]White, A Man Called White, 94; "Negroes Swing," 15.

consequence of Negro political awareness in the 1930's was manifested by his rejection of the old traditional politics for an allegiance to the Democratic Party.[5] The combination of the effects of the depression, Hoover's failure to restore prosperity, and Roosevelt's reform promises determined the Negro's decision to seek security with the Democrats.[6]

Considering the composition of the Democratic Party, the Negro's alliance must be considered unique. The power of the South within the Democratic Party restricted Roosevelt's relations with black constituents, and Negroes knew that influential Southern office holders would deliberately resist racial equality. The Negro had hoped the aura of social justice associated with F.D.R. would include the black man, but the President's efforts to implement social welfare were hindered by white Southern Democrats' convictions.[7] This situation necessitated F.D.R.'s remaining an enigma on issues involving race relations. The desire to solicit the Negro vote while retaining the support of the Democrats' conservative Southern branch created a precarious political plight for Roosevelt and his party.

The interest expressed in the Negro voter in the 1932 election is significant when compared to previous elections, but political parties had yet to sense the full political impact of the Negro bloc. Although the main issue of the 1932 campaign was economic, both parties at first had thought prohibition would receive primary attention. But the threat

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[5]"Negroes Swing," 15.

[6]Ibid.; White, A Man Called White, 94; High, "Black Omens," 14.

[7]David O. Walter, "Previous Attempts to Pass a Federal Anti-Lynching Law," The Congressional Digest, XIV (June, 1935), 169; Editorial, "Roosevelt's Opportunity," Crisis, XLIII (December, 1936), 369; see also Chapter Four of thesis.

of internal division led both parties to avoid this topic.[8] The Republicans claimed the Depression had been inevitable, and they were anticipating that the Democrats' nomination for Vice-President of John Garner, a leading member of the Southern bloc, would alienate voters.

The 1932 Election

To the Negro the issues of 1932 were relief and civil rights transition. Since the judicial system presented his best opportunity for winning these rights, the black man was also especially interested in the selection of Supreme Court justices.[9] When President Hoover had in 1930 appointed Southern conservative John J. Parker for the Supreme Court position vacated by the death of Edward Terry Sanford, the Negro leadership was further alienated from the Republican party.[10] For the first time in the twentieth century, Northern Congressmen felt the pressure of the Negro as a political group.[11] As the Senate debated the approval issue, there were reports of bribes, and Hoover made no attempt to ease the uncertain political position of the Republican Congressmen.[12] The incident was settled when the Senate rejected Parker's nomination by a vote of 41 to 39. The episode served to give the Negro political

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[8]"The National Campaign of 1932 Begins in Earnest," The Congressional Digest, XI (August-September, 1932), 193.

[9]Walter White, "The Negro and the Supreme Court," Harper's Monthly Magazine (January, 1931), 245.

[10]White, A Man Called White, 114-115; Richard L. Watson, Jr., "The Defeat of Judge Parker: A Study in Pressure Groups and Politics," The Mississippi Valley Historical Review, L (September, 1963), 213-234.

[11]White, "The Negro and the Supreme Court," 238-240.

[12]Ibid.

consciousness and cohesiveness he had previously lacked.[13]

The Republicans, threatened with the loss of their Negro voting bloc, made new appeals for the black man's vote. At the 1932 national convention Hoover's nomination was seconded by a Negro, Roscoe Conkling Simmons, and the black man's interests were included in the platform.[14] The declaration stated that the G.O.P. had been the friend of the Negro for seventy years, and the "vindication of the right of the Negro citizen to enjoy the full benefits of life... is traditional for the Republican Party, and our party stands pledged to maintain equal opportunity and rights for Negro citizens."[15] The Negro's criticism of this claim was revealed in a letter to the New York Times which asserted the Republican plank was "vague and blank" on the race issue. The black man was concerned with constitutional rights, not the friendship of the Republicans.[16]

In October, 1932, 110 Negro voters called on Hoover in Washington and demanded in an interview that the President take a stand on Negro rights. Hoover evasively replied that the Republican Party would continue its "traditional duty toward the American Negro."[17] But as spokesman for the group, Roscoe Conkling Simmons, who had seconded Hoover's nomination at the Republican National Convention, retorted that the black man now believed the Republicans had deserted his cause and asked

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[13]White, A Man Called White, 111; White, "The Negro and the Supreme Court," 238.

[14]New York Times, October 2, 1932, 32:1.

[15]Ibid., June 16, 1932, 15:7.

[16]Ibid., June 29, 1932, 20:6.

[17]Ibid., October 2, 1932, 12:1.

Hoover to refute this idea. Hoover noncommittally claimed that the Negro's progress was satisfactory and that the black man had proved to be a co-operative worker.[18]

Democrats also attempted to recognize the Negro's civil rights struggle in the platform. The chairman of the National Executive Committee, Jouett Shouse, Senator Robert Wagner, and Al Smith supported this move; while a Southerner, C.M. Chambers, mayor of San Antonio, was to present the resolution to the convention.[19] The plank would allow Negroes to vote in state party primaries. However, the final platform conceded to the Southern bloc by failing to mention the black man.[20]

Party competition for the Negro vote was reflected at the 1932 national convention of the N.A.A.C.P. Although President Hoover praised the Negro in a personal message, the political tone of the convention favored the Democrats.[21] On May 20, the second day of the conference, Professor John Dewey of Columbia University told conference delegates the Negro should join the laboring class and form a new party that would better represent his case.[22] The conference's concluding speaker was Republican Senator Robert La Follette, now carrying Roosevelt's standard, who also claimed the Republicans had betrayed the Negro.[23] Summarizing the black man's resentment against the Republicans, Walter White alleged

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[18]Ibid.

[19]Ibid., June 25, 1932, 5:4.

[20]Ibid., July 1, 1932, 15:1.

[21]Ibid., May 19, 1932, 23:4.

[22]Ibid., May 20, 1932, 2:1.

[23]Ibid., May 23, 1932, 33:1.

that Hoover's support of Judge Parker, Hoover's refusal to appoint Negroes to public positions, and his failure to relieve unemployed Negroes had estranged the black man from the Republican Party.[24] It was concluded that "the Negro vote would come into its own this year."[25]

Roosevelt, however, was also criticized. F.D.R. had been credited with authorship of the June 12, 1918, Haitian constitution written when the United States Marines were stationed there. American Negro spokesmen believed the "black" republic had been invaded and governed for the benefit of "American financial powers."[26] But the Negro's most valid apprehension was that Roosevelt would cater to the "second and third-rate politicians" who represented the South in Congress.[27]

The emergence of intense racial feelings in national politics in the 1930's made it difficult for the parties to maintain internal equilibrium. To satisfy Negro demands of the Democrats, F.D.R. would have had to appoint a Negro to the Cabinet, invite a proportional representation of Negroes to the White House in accordance with the number of white guests, and force Congress to enact an anti-lynching bill. Granting

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[24]Ibid.

[25]Ibid.

[26]Ibid., Elliott Roosevelt, ed., F.D.R., His Personal Letters, 1905-1928, 342. Roosevelt's brief tour and stay in Haiti during the restoration of order after U.S. military intervention in 1916 and his intense interest in the development of the Caribbean resulted in the news media claiming that F.D.R. stated that he wrote the Constitution of Haiti. Elliott, however, claims this was false and was denied by his father in his 1920 Vice Presidential campaign when it became an issue. H.P. Davis, Black Democracy, The Story of Haiti (New York: Dodge Publishing Company, 1936). Chapter IV discusses the creation and adoption of this Constitution, but stresses the influence of President Wilson on its content while no mention is made of F.D.R.'s being involved in its making.

[27]New York Times, May 23, 1932, 33:1; Walter White, "An Estimate of the 1936 Vote," Crisis, XLIII (February, 1936), 46.

these concessions would have forced F.D.R. to sacrifice support of the "Solid South". Since it was necessary that Roosevelt give special consideration to Southern Democrats during the earlier years of his administration, it was impossible for him to meet these demands.[28]

The incidents involving Huey Long are representative of the conflict between Roosevelt and the Southern Senators. The significance of Long's influence was measured by Elliott Roosevelt, who claimed there was a "time when administration leaders in the Senate were more afraid of the disruptive effects of Huey Long's filibusters than of the Republican opposition."[29] Long, a spokesman for the rednecks, according to James Farley, had to "be handled with gloves."[30] It was only with the greatest difficulty that he was retained in the Democratic camp. The New York Times asserted that Long had so much influence in Congress that "to get a vote before Senator Long's reappearance became a movement of vast magnitude."[31] Long's animosity continued during the first years of the Roosevelt administration when he attacked the executive by demanding an investigation of James Farley's party activities. Long's purpose supposedly was to further his 1936 presidential ambitions. Although Roosevelt realized that these charges were actually directed against him, not Farley, he refused to confront the Southern Senator in Farley's

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[28]New York Times, May 23, 1932, 33:1; "Black Game," Time, XXVIII (August 17, 1936), 10-11.

[29]Elliott Roosevelt, ed., F.D.R., His Personal Letters, 1928-1945, II, 461.

[30]James A. Farley, Jim Farley's Story, The Roosevelt Years (New York: McGraw-Hill Book Company, 1948), 15.

[31]Elliott Roosevelt, ed., F.D.R., His Personal Letters, 1928-1945, II, 461.

defense.[32]

In the 1932 national convention the Roosevelt forces clashed with the Southern branch by attempting to abrogate the two-thirds majority rule used to select the party's presidential and vice-presidential candidates. This rule made the support of the Southern bloc crucial to any successful candidate. Since Roosevelt's proposal would have destroyed the South's power, Bourbon delegates defeated Roosevelt's endeavor.[33] By 1936, however, the firmly entrenched Roosevelt succeeded in having the Convention change the two-thirds rule to require only a simple majority. Thus Southern Democratic control over the national Democratic party, which had been out of proportion to its population, was broken.[34]

The 1932 election was the political turning point for the twentieth century Negro. The black man's stagnant alliance with the Republican party was forsaken for the bright promises of economic and social reform from the Democrats. The black man hoped the campaign promises of F.D.R. would assist him in the fight for racial equality that had been renewed by the Depression. What Roosevelt represented attracted the Negro vote for the Democratic party during his era.

The 1936 Election

The election of 1936 was crucial because it reflected the Negro's opinion of the value of the Roosevelt reforms to his race. The Congressional elections of 1934 had reflected a continuation of the Negro alliance with the Democratic party, and the Democrats hoped to guarantee

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[32]Farley, Jim Farley's Story, The Roosevelt Years, 50.

[33]Ibid., 15.

[34]"From the Press of the Nation," Crisis, XLIII (August, 1936), 149.

Negro support in the next campaign.[35] The Republicans hoped to entice the Negro back to the party fold, since the Democrats were still plagued with internal conflicts between the Negro element and Southern white party members. Because Roosevelt did not react directly to the conflicting demands of either group, he managed to retain the support of both.

Ironically, the greatest opposition to the administration's programs occurred in the South, which also received the greatest assistance from the government. Roosevelt determined to make Southern living standards comparable to those of the rest of the nation, yet Southern statesmen consistently contravened F.D.R.'s objectives when it appeared that the Negro might receive a greater proportion of benefits than whites.[36]

Prior to the 1930's, a Negro's vote for a Democrat, according to Newsweek, was equated to a Jew voting for Hitler.[37] The Republicans, by the spirit of Lincoln and the use of spoils, hoped to keep most Negroes firmly in the party. Democrats, however, had adopted and improved on these tactics by 1936, and the Negro was no longer as receptive to Republican enticements.[38] The Democrats penetrated the Republicans' Negro territory through city organizations such as the Pendergast machine in Kansas City, Missouri, and Tammany Hall in New York. The local party hierarchy made certain Negroes were given a cut in the bosses' profits

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[35]Paul Ward, "Wooing the Negro Vote," The Nation, CXLIII (July, 1936), 119-120.

[36]Editorial, "The Crisis," Crisis, XLV (October, 1938), 331.

[37]"Negroes; Jesse Owens Dashes to G.O.P. in Colored Vote Race," Newsweek, VIII (September 12, 1936), 19. Hereinafter referred to as "Negroes; Jesse Owens Dashes to G.O.P."

[38]"A Negro to Negroes on Voting," The Literary Digest, CIX (April 25, 1931), 24; The Secret Diary of Harold L. Ickes, II, 363.

and spoils.[39] By 1935 the Democrats controlled 70 percent of the votes in Harlem; and in Chicago Mayor Kelly won the support of the South Side Negroes. Chicago's black section in 1934 replaced Negro Republican Congressman Oscar DePriest with Arthur Mitchell, a Negro Democrat.[40] In other Northern states with an urban concentration of Negroes, blacks also cast a much heavier vote in the Democratic primaries as well as in the general election.[41]

The reason there was such a political interest in the Negro at this time can be illustrated statistically. Nine non-Southern states with a large bloc of Negro votes were no longer secure for either party.[42] If 60 percent of the crucially distributed Negro vote of approximately 7,000,000 would ballot, then the Negro would become an important electoral element. Although this estimate did not consider the effect of discriminatory laws on the Southern black man's ability to vote, it was predicted that an influential portion of Negroes eligible to vote would participate in the election.[43] Five states, usually Republican, with 1,500,000 Negro voters concentrated in their urban areas, could have had their electoral votes determined by black bloc voting. These included New York, Michigan, Pennsylvania, Illinois, and Ohio, whose black populations had generally endorsed F.D.R. in 1932, but which were not

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[39]"Negroes; Jesse Owens Dashes to G.O.P.," 19.

[40]Ibid., 19; Farley, Jim Farley's Story, The Roosevelt Years, 49-50; Ward, "Wooing the Negro Vote," 119; Henry Lee Moon, "Negro Vote in a Close Election," New York Times, October 18, 1936, 7:3.

[41]New York Times, October 18, 1936, 7:3.

[42]"Black Game," 10-11.

[43]Luther A. Huston, "Biggest Election Day May Bring Out 45,000,000," New York Times, November 1, 1936, 4:2.

considered to be Democratic states.[44] For example, in 1932 Pennsylvania had been carried by Hoover by 157,000 votes. A change of 79,000 of these would have given F.D.R. thirty-six electoral votes. Pennsylvania had 285,000 Negroes of voting age for the 1936 election, just in the offing. Other states traditionally Republican who had endorsed F.D.R. in the 1932 election included Indiana, Missouri, and Kentucky. In these, as well as the previously mentioned states, the Congressional elections of 1934 had revealed the continuing shift of the Negro vote to the Democratic Party. In Louisville, a Republican city, a Democrat was elected mayor and another Congressman. And in Chicago Arthur Mitchell, Democrat, replaced Arthur DePriest, a Republican. According to the editor of the Pittsburgh Courier, 1932 was the initial turning point for the Negro ballot. Over 1,000,000 Negroes had voted Democratic in the election and in Detroit, 54 percent of Negroes were believed to be Democratic by 1936, whereas only 25 percent had been before 1932.[45]

Although it was predicted the Negro would go Democratic in 1936, other interest groups had also shifted their allegiance. F.D.R. faced the possible loss of business support and traditional Democrats who feared the New Deal had become socialistic.[46] There was, at the same time, a split between the A.F. of L. and the C.I.O. John L. Lewis was trying to unionize workers of the American Steel and Iron Institute on an industrial, not craft basis. It was Lewis' belief that the best way to organize workers in a monolithic 5,000,000 dollar industry was through

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[44]Ward, "Wooing the Negro Vote," 119; Moon, "Negro Vote in a Close Election," 7:3.

[45]New York Times, October 18, 1936, 7:3; Ward, "Wooing the Negro Vote," 119

[46]"The National Campaign of 1932 Begins in Earnest," 193.

monolithic unionism, not craft separation. This incident had created tension between the A.F. of L. and the C.I.O. The Social Security Act assured Roosevelt of labor's support although he encountered some resentment from the leaders at his success at winning the common workers' loyalty. Yet in 1936 the major unions avoided a split partly to help Roosevelt. John L. Lewis strongly endorsed and supported Roosevelt and the platform, although during the latter part of the 1930's Lewis, disillusioned with Roosevelt's second term New Deal policies, deserted the Democrats. Roosevelt's popularity with the rank and file, however, was so secure at this point that they did not join Lewis in his political rejection of the President. But in 1936 organized labor and unskilled labor, which constituted the majority of Negro employed, was supposedly aligned with Roosevelt.[47] Some opposition to the administration was also expected from persons working on government projects who wanted to be in private work.[48]

The key political issues of 1936 for conservatives were government spending and taxation, but for the Negro lynching, relief, and employment were most significant. One of the most publicized and controversial debates of the previous Senate session had been the Wagner-Costigan anti-lynching bill. The increase in lynchings in the early depression years made this crime a national issue.[49] The Wagner-Costigan bill had

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[47] Ibid.; Tugwell, Democratic Roosevelt, 336; Benjamin Stolberg, "John L. Lewis, Portrait of a Realist," The Nation, CXLIII (August 1, 1936), 121-122; New York Times, June 23, 1936, 12:5; June 26, 1936, 15:3.

[48] Tugwell, Democratic Roosevelt, 336.

[49] U.S. Congress, House, 74th Congress, 1st Session, August 13, 1935, Congressional Record, LXXIX, 12986-12987; ibid., Senate, April 25, 1935, 6370-6371.

been strangled by a Southern Democratic filibuster, and lynching threatened to divide the Democratic party if it became a major issue.

The anti-lynching bill had been proposed by New Deal Democrats, and both Roosevelt and Alfred Landon, the Republican nominee, had denounced lynching. Both, however, avoided controversy when they "sidestepped committing themselves to a federal law" for its prevention.[50] The President's silence on this issue was defended by other members of his administration including Harold Ickes, Secretary of the Interior. Ickes stated that "The President of the United States has put the weight of his voice and the prestige of his high office against these evil manifestations.... I am happy to tell you that the present administration is conscious of its responsibility in this regard also."[51] Southern opposition was reflected by the Baltimore Sun, which claimed "If the Roosevelt control is tightened by the elections, first there will be an open administration drive to put through the anti-lynching bill. This will be followed by legislation... to put an end to the disfranchisement of the Negroes in the South...."[52]

Democrats were so confident of the Negro vote that Tammany Hall expected a Roosevelt victory in Harlem, where relief check recipients constituted 21 percent of the city's welfare list, although the area contained less than 4 percent of the population. It was estimated that the majority of the 84,000 eligible Harlem Negroes going to the polls

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[50]Editorial,"The Campaign," Crisis, XLV (October, 1938), 337; Harold L. Ickes, "The Negro as a Citizen," Crisis, XLIII (August, 1936), 12.

[51]Ibid.

[52]"Races, Delicate Aspect," Time, XXIX (September 19, 1938), 12.

had benefited from relief in some manner.[53] This situation was repeated in Chicago, where 40 percent of the Negroes received relief, and in St. Louis, where 50 percent of the black population was on relief.[54] The Democrats made sure the urban Negro was receiving his full share of relief, especially prior to the election. Democrats successfully enhanced their political advantage by telling Negroes that a vote for Landon was a vote against relief. Republicans countered by claiming they would relieve Negroes from relief, but to no avail.[55]

Although relief organizations had been established on a national level, local administration of this aid made some racial discrimination unavoidable. Since they did not erase acts of prejudice, the programs were criticized by the Negro. Landon criticized the New Deal programs for their government control and proposed that a system of state relief with assistance from the federal government be established. This suggestion made the Southern Negro especially apprehensive. The black man felt a Republican administration could hardly end embedded Democratic discrimination in the South, particularly if local control were increased.[56]

In their campaign the Democrats stressed Roosevelt the humanitarian. F.D.R., claimed the party, was concerned with a man's security regardless of his color. Ickes stated that F.D.R. had given the Negro the "chance to which he is entitled" and had made the black man important in

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[53]New York Times, October 28, 1936, 15:2.

[54]Logan, "Menace of Racial Discrimination," 204-206; "Black Game," 10-11.

[55]New York Times, October 28, 1936, 15:2.

[56]Editorial, "The Campaign," 337.

national government.[57] Democratic programs that encouraged the Negro to support the Democratic ticket included the P.W.A. Although tainted with prejudice, the Housing Division of the program provided the low-income workers a decent and inexpensive place to live. It was said to be actually more beneficial to the Negro than to the white.[58] The P.W.A. also required a certain percentage, usually in proportion to the total population of the area, of the labor to be Negro on their projects.[59]

The Negro also benefited from the National Youth Administration, which enabled 30,000 formerly illiterate Negroes to learn how to read and write. Thus of the 290,017 students who received N.Y.A. aid for added education, more than 10 percent were Negro.[60] The black man was also included in the Civilian Conservation Corps, which employed 150,000 young Negro men during its first three years. The government, it was estimated, spent over $30,000,000 on Negroes in these camps.[61]

Yet the Democrats' achievements must be viewed realistically. These programs were directed for general relief, not for specific minority groups. The gains for the Negro were a matter of course, for these programs were supported by Southern Democrats who were aware that the Negro would benefit. These men often included sections in the bills which allowed Southern states greater freedom in administration.[62] Yet

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[57]"Negroes; Jesse Owens Dashes to G.O.P.," 19; Ickes, "The Negro as a Citizen," 12.

[58]"From the Press of the Nation," Crisis, XLIII (October, 1936), 299.

[59]Ibid.

[60]Ibid.

[61]Ibid.

[62]See Chapter II for discussion of New Deal programs.

the Negro politically decided that the programs' benefits outweighed Southern racism.

For reaching the Northern Negro voter, the Democratic Party depended upon the Colored Committee of the Good Neighbor League.[63] In October, the Committee staged the Negro's largest political rally, when 16,000 gathered in Madison Square Garden for a nationally broadcast program. At the climax there was unveiled a painting of Roosevelt some twenty feet high in a scene that resembled Abraham Lincoln freeing the slaves. In fact, Abraham Lincoln was included in the background, as "was fitting and proper in a Democratic Rally."[64] Yet Roosevelt did not attend the meeting, nor did the message he sent reflect any commitments.[65] At the rally Senator Robert Wagner, who had sponsored the anti-lynching bill in Congress, made an unexpected appearance. In an extemporaneous speech, Wagner promised that the next Congress would pass an anti-lynching bill, and encouraged continued support for Roosevelt's administration.[66] This Committee was credited with winning 70 percent of the Negro vote for F.D.R. in 1936, but they never obtained an audience with the President.[67] Perhaps Roosevelt felt that personal contact would breed a political split within the party, whereas silence might bring criticism, but not a loss of support.

Another Democratic asset was Mrs. Roosevelt, whose sympathy for the Negro civil rights movement was well known. She expressed her interest

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[63]High, "Black Omens," 14.

[64]Ibid., 85.

[65]New York Times, September 22, 1936, 4:2.

[66]Ibid.

[67]High, "Black Omens," 14, 86.

by inviting Negro groups such as the members of the National Industrial Training School for Girls to White House outings.[68] Negro organizations such as the Good Neighbor League in the Harlem Y.M.C.A. were included on her speaking itinerary.[69] Mrs. Roosevelt encouraged F.D.R. to appoint outstanding Negro leaders to government positions and to use them on campaign speaking tours. In one memorandum to F.D.R. during the 1936 campaign, Mrs. Roosevelt noted that "it would be well to ask some Negro speakers, like Mrs. Bethune to speak at church meetings and that type of Negro organization."[70] But in no instance did Mrs. Roosevelt politically commit the President to the Negro's cause. Yet the First Lady won respect from the black man, and this was an asset for President Roosevelt.

Both parties also used Negro leaders and idols to gain black support. The Republicans won Jesse Owens, Olympic Gold medal winner in 1936, although his criticism of Roosevelt was mild. F.D.R. was "just perfectly swell,"[71] claimed the track star, and "had done something but not enough to benefit the people of the colored race."[72] Owens' vague statement endorsing Landon was: "Governor Landon does not promise much, but what promises he makes I think he will keep."[73] In 1940 the Republicans lost Owens to the Democrats but gained prize fighter Joe Lewis. Though Lewis' speaking was described as "halting and embarrassed," he

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[68]Ward, "Wooing the Negro Vote," 119.

[69]New York Times, September 3, 1936, 10:5.

[70]Elliott Roosevelt, ed., F.D.R., His Personal Letters, 1938-1945, II, 600.

[71]"Negroes; Jesse Owens Dashes to G.O.P.," 18, 19.

[72]New York Times, September 3, 1936, 10:7.

[73]Ibid.

was adamant in his dislike of F.D.R. and never failed to rouse enthusiasm from his Negro audiences.[74] Louis felt Roosevelt had not kept the promise to have Congress pass an anti-lynching bill. "Mr. Roosevelt," claimed Louis, "was making a lot of lazy people out of our people.... They sit around waiting for the $15 a week."[75]

Colonel J.E. Spingarn, president of the N.A.A.C.P. and a life-long Republican, supported Roosevelt in his first endorsement of a presidential candidate since Theodore Roosevelt.[76] Spingarn stated: "From personal knowledge I say that there is no man in America who is more free of race prejudice than Franklin D. Roosevelt... we must not think of the Democratic party, but of Franklin Roosevelt."[77] Under F.D.R. Spingarn believed the Negro had been treated with unprecedented fairness. This attitude was also reflected in The Crisis, which stated that the Negro had voted for Roosevelt, not because he was a Democrat, but in spite of it. While discussing parties' attitudes on the race issues, The Crisis asserted that "President Roosevelt had indicated on numerous occasions his personal differences with the traditional attitudes of his party so far as the Negro is concerned."[78] To many Negroes Roosevelt and the Democratic party were two separate entities on the race question. The black man felt F.D.R. could change the traditional racial concepts of his party.

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[74]Ibid., November 1, 1940, 20:3.

[75]Ibid., November 5, 1940, 21:3.

[76]Ibid., October 19, 1936, 2:3.

[77]Ibid.

[78]Editorial, "Roosevelt's Opportunity," 369.

Another Negro leader who endorsed Roosevelt was Democratic Congressman Arthur Mitchell. In a House speech which received a standing ovation from some Democrats and silence from the Republicans, Mitchell condemned the Republican party for its years of empty promises. The Negro, claimed Mitchell, was now "politically emancipated" from the party that for years had taken them for granted.[79] Mitchell believed the President shared his opinion on the racial issue that "we are approaching the day when these things will be settled and settled right."[80] "Mr. Roosevelt," according to Mitchell, "has appointed more Negroes to responsible government positions than the last three Republican administrations taken together."[81] These statements definitely added to the Democratic Negro campaign.

The Democrats also included the black man in the nominating Presidential convention. The Reverend Marshall Shepard of Pennsylvania, a Negro, gave the invocation at one session, and Congressman Mitchell seconded Roosevelt's nomination.[82] This Negro participation prompted Senator "Cotton Ed" Smith of South Carolina to walk out of the convention. The 1936 convention also recognized and seated some Negro delegates, though their reception by Southern representatives was somewhat cool.[83] This, however, differed from the 1928 Houston convention, where Negro alternates had been separated from the other members of the

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[79]New York Times, April 23, 1936, 2:5.

[80]Ibid.

[81]Ibid.

[82]Ward, "Wooing the Negro Vote," 119.

[83]Ibid.; High, "Black Omens," 14, 86.

convention by chicken wire.[84]

The Republicans tried a new approach for the Negro ballot since they were trying to regain the black man's support.[85] The Republicans ignored Landon's stand for the anti-lynching bill and capitalized on Roosevelt's "silence on racial and civil liberties issues" and his failure to pressure a Democratic Congress to pass the Wagner-Costigan anti-lynching bill.[86] These two points were the main advantages of Republicans. The party also criticized Roosevelt's failure to eradicate discrimination that had occurred in New Deal programs. In the Republican campaign, the Colored Womanhood of New York State Republicans adopted resolutions condemning Roosevelt for the discrimination that had occurred under the W.P.A. and in the execution of the Social Security Act.[87] The Social Security Act was especially susceptible because it excluded agricultural, domestic, and "casual" workers from benefits under its old age security provisions. This element of labor constituted a majority of the Negro working force, and over 70 percent of the women of this organization were included.[88]

At a state conference of Negro Republicans in New York the charges were reiterated, as the administration was accused also of discrimination against domestic and agricultural workers under the A.A.A. and the N.R.A. It was also claimed that Negro homes were blacklisted from receiving

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[84]Ibid.

[85]Moon, "Negro Vote in a Close Election," 7:8.

[86]Ward, "Wooing the Negro Vote," 119.

[87]New York Times, October 11, 1936, 40:2.

[88]Ibid.

mortgage relief from the Home Owners Loan and Mortgage Corporation.[89] To publicize their charges against the administration's programs and leaders to the Negro masses, the Republicans issued pamphlets. One attacked Senator Joe T. ("Terror" to The Crisis) Robinson of Arkansas, claiming he had not attempted to help the sharecropper of the South. The A.A.A. cotton program, claimed the pamphlet, had forced the Southern Negro into a more binding economic slavery.[90]

Landon appealed to Negro voters by publicly declaring his desire for a federal anti-lynching bill.[91] One phase of Landon's campaigning was sending messages to meetings such as the one for Negro leaders held in Chicago in September. This message stressed the nominee's promise to practice equal rights when elected President. Yet these communications were vague and almost unfailingly lacked specific promises to the black man.[92]

The Democrats of 1936 still lacked internal harmony. Although Ickes once stated that the Roosevelt administration had not tried to desegregate the South, many Southerners did not agree.[93] The platform remained silent on the race issue although Negro delegates were present. It was also noted that "the President had not made any direct public appeal for the Negro vote."[94] And as late as 1938 Jim Farley denied trying to

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[89]Ibid., April 19, 1936, 6:2.

[90]Ibid.

[91]Ibid., September 3, 1936, 10:6. The pamphlet claimed that the "T" in Senator Robinson's name stood for Terror.

[92]Ibid.

[93]Ickes, The Secret Diary of Harold L. Ickes, 115.

[94]Moon, "Negro Vote in a Close Election," 7:3.

influence a Mississippi Democratic Senator by letter to bring Negroes into the state party, saying "No, I never wrote such a fool letter."[95] Thus the Southern influence, though dented, was not broken.

Earlier in 1936 the South's resentment toward Roosevelt and his New Deal had been expressed at a grassroots Democratic convention of about 3,500 representatives from seventeen Southern states at Macon, Georgia.[96] The delegates claimed F.D.R.'s programs were "subversive to the interests of the free white voters of the South."[97] These representatives believed Communists were imposing collectivist programs on America and wanted them driven from Washington. The programs also made the states financially dependent on the federal government. The New Deal, in their opinion, was also wasteful since some people starved while the farmers destroyed crops and livestock to meet the A.A.A. reduction requirements.[98]

Yet Roosevelt had issued no political commitments on race issues during the campaign. A Presidential statement revealing this fact was the message that opened the new Agricultural Building at Tuskegee Institute. This address claimed the success of Southern agriculture, in large part, depended upon its Negro farmers and commended the South for erecting the structure.[99] Roosevelt also stated he considered himself an

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[95]Editorial, "Mr. Farley Denies," Crisis, XLV (September, 1938), 300.

[96]New York Times, January 30, 1936, 1:1.

[97]Ibid.

[98]Ibid., January 30, 1936, 8:2.

[99]Samuel I. Rosenman, ed., The Public Papers and Addresses of Franklin D. Roosevelt, IV (New York: Random House, 1938), 500.

"adopted citizen of the South, and that as such he had faith in Tuskegee."[100] The message of empathy with the Negro hope in the South, needless to say, was not a political pledge.

In a letter in December of the same year commemorating the Emancipation Proclamation, Roosevelt stated that "we are profoundly impressed by the steady progress which the Negro race has made since January 1, 1863."[101] This type of address was typical of those made to Negroes by politicians during this era, and Roosevelt was no exception. F.D.R. managed for twelve years to remain remarkably non-committal, yet politically unscathed, using these same tactics. Thus it is difficult to discover Roosevelt's personal views, and conclusions must be relative and based on statements by his family, coworkers, and contemporaries. F.D.R. appears to have been incredibly close-mouthed in this area.

Despite the conflicts that arose during the 1936 campaign, the Southern Democrats did not bolt the party, but the incidents predicted dissention for future elections. The South retained strong influence, and Roosevelt, being a wise politician, continued to consider this fact during campaigns and when making policies. This approach enabled him to maintain Southern support while not losing Negro blocs. To the Negro the Democratic Party would remain a Southern party, but Roosevelt's relief and reform had won their vote.

It was estimated that Negroes could determine the electoral votes in several important states in the 1936 election as previously discussed. In the election returns more than 700,000 of the potential 1,500,000 black votes in these states would shift from the Republican to the

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[100] Ibid.

[101] Ibid., 507.

Democratic Party in 1936. In 1932 the margins of victory and defeat were so narrow that a solid Negro bloc could have determined the returns of these states. Although the election of 1936 proved to be an overwhelming victory for Roosevelt, the Democrats could not be sure of this beforehand. Therefore the numerical value of the Negro ballot was not as influential as it might have been, but the Democrats regarded the continued allegiance of the Negro to their party as high on their inventory of gains from the election.[102]

The 1940 Election

By 1940 many expected that the Negro would return to the Republican Party in that year's election. As one Negro leader stated, "Our people are growing sour on the New Deal. It's an everlastin' botheration and it gets us nowhere."[103] Negro dissatisfaction was blamed on the Democrats' failure to erase discrimination occurring under New Deal programs, and to alleviate violations of Negro constitutional rights. Programs heavily criticized were the Social Security Act, the F.H.A., the U.S.H.A., and the T.V.A.[104] The latter three had not eliminated segregation on federal work projects. The A.A.A., which had taken some 15,000,000 acres out of cotton production, also hurt the Negro farmer, both in income and loss of employment.[105] The recession in 1938 had shaken confidence in Roosevelt's New Deal, and the Negro was a part of

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[102]High, "Black Omens," 14, 86.

[103]Lawrence Sullivan, "The Negro Vote," The Atlantic Monthly, LIX (October, 1940), 480.

[104]Ibid., 481.

[105]Ibid.

the "general tide against the economic merry-go-round of New Dealism."[106] The Negro supposedly now believed that relief was just a "palliative," and that voting for those who gave out the relief was merely endorsing a "new form of enslavement."[107] This attitude implied that the Negro was becoming politically vulnerable, and Republicans believed the Negro would reaffiliate with their party.[108]

Another Republican asset was the defeat of the Democrats' attempt to pass the third anti-lynching bill in five years, and to win the right to vote for the Negro in the South, and to eliminate white primaries. To the Negro Roosevelt's record was doubly tainted since the President had not endorsed the anti-lynching bill and Southern Democrats still wielded too much power. Despite Negro leaders' sympathy with Roosevelt because of problems with Southern Senators, they still claimed that the President "has said not a mumbling word" on the bill, even when public opinion appeared to support it.[109]

Roosevelt's problems with the Democratic Party and the National Convention were expressed in a letter he wrote Senator George Norris in which he claimed that the "old line conservative element" had "obtained a much larger share in the control of the temporary organization of the Convention than it had any right to have from the point of view of public sentiment." Roosevelt also claimed that a "Hater's Club" had been added to the conservative camp which included such "strange bed-fellows like Wheeler and McCarran and Tydings and Glass and John J.

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[106] Ibid.

[107] Ibid., 482.

[108] Ibid., 479.

[109] Editorial, "Roosevelt's Opportunity," 369.

O'Connor and some of the wild Irishmen from Boston, et cetera." The political recession of 1938 haunted Roosevelt as he stated that these conservatives "were greatly heartened by the 1938 elections and thought that this would give them a fighting chance to put the control of the Democratic Party back where it was in 1922, 1924, and 1928."[110] Since the conservatives were defeated overwhelmingly on the third-term issue they attempted to embarrass Roosevelt on the Vice Presidential nomination.[111]

As Roosevelt claimed,

> On the nomination of Wallace they made their final stand. They were sure to be beaten, even by a fairly small margin, but their stupidity in making a violent issue out of Wallace will cost the ticket a great many votes this Autumn.
>
> Wallace is a true liberal--far more so than any of the others suggested for Vice President with the possible exception of Bill Douglas who would have been harder to get nominated than Wallace.[112]

Many Southern Democrats advocated the nomination of South Carolina's Senator James Byrnes for Vice President. Byrnes had helped insure passage of New Deal legislation by opposing measures affecting Negros such as the anti-lynching bill.[113] But Walter White, Secretary of the N.A.A.C.P., stated that if the Democrats nominated a Southerner for this position, they "could kiss the Negro vote good-bye."[114] It is possible that this opposition of the Negroes to Byrnes's nomination and an

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[110]Tugwell, Democratic Roosevelt, 476. In the general election of 1938, the House Republicans had increased their seats from 88 to 170. This is a good illustration of F.D.R.'s increased Congressional problems.

[111]Elliott Roosevelt, ed., F.D.R., His Personal Letters, 1048.

[112]Ibid., Chapter 22 of Tugwell, Democratic Roosevelt, substantiates this.

[113]White, A Man Called White, 246.

[114]Ibid., 268.

appreciation of the Northern voting strength helped Byrnes decide to withdraw his candidancy.[115]

The Democrats' best weapon was F.D.R.'s continued interest in the Negro as exemplified by his statement that there would be no forgotten races in his administration.[116] One Negro summarized his support for F.D.R. by stating, "No influences can get it away, our people believe implicitly in the President and his policies and he has done much for us."[117] F.D.R.'s ambiguity had many interpretations, but it was successful, for the Negro did remain with the President's party.

The Democrats' 1940 campaign for the Negro vote repeated 1936 tactics except that the Negroes now made bolder demands of their adopted party. The black man now insisted that the rights of the Northern Negro be extended to his Southern brother.[118] When the Democrats prepared their platform Negro leaders Walter White and Henry Johnson proposed the black man's planks. The proposals called for the end of discrimination in the armed forces, endorsed the Wagner-Van Nuys-Gavagan Anti-Lynching Bill, demanded that poll taxes be abolished, and would outlaw discrimination against the Negro worker in industry.[119] The Negroes, however, won only a generalized endorsement in the final platform:

> Our Negro citizens have participated actively in the economic and social advances launched by this administration including fair labor standards.... We have aided more than half a million Negro youth in vocational training,

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[115]Ibid.

[116]"Negroes Swing," 15.

[117]New York Times, October 11, 1940, 26:4.

[118]Ibid., February 13, 1940, 1:8.

[119]Ibid., July 14, 1940, 1:8.

> education, and employment.... We shall continue to strive for complete legislative safeguards against the discrimination in government services and benefits, and in the national defense forces. We pledge to uphold the process and equal protection of the law for every citizen regardless of race, creed, or color.[120]

Although it was the Democrats' most extensive race plank to date, the Negro's specific demands were ignored. Southern Democrats had influenced the platform statements.

The Republican candidate in 1940 was Wendell Willkie, whose political philosophy was in many ways similar to F.D.R.'s. In fact, Willkie was the only potential Republican opponent whom Roosevelt really respected.[121] Willkie was as non-committal as F.D.R. regarding the Negro issue, although the Republican gained some support by stating that anyone working in his campaign who discriminated against Negroes would be asked to cease his active campaigning. But one statement had a reverse effect. Willkie had claimed that the tradition of voting Democratic in the South was different because it was necessary; ordinarily it was not wise to adhere strictly to the party line. The Negroes, however, believed the purpose of traditional Democratic voting by the Southern whites was to keep the usually Republican Negro out of Southern politics.[122] Since Southern Democrats continually denied the black man the right to vote, the Negro believed that supporting the party only reinforced these practices.

Ralph Bunche, Negro statesman, assisted the 1940 Republican campaign by surveying Negro voting trends. Bunche's survey contradicted George

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[120]Ibid., July 18, 1940, 14:7; ibid., September 17, 1940, 25:6.

[121]James Roosevelt, Affectionately F.D.R., 324; Editorial, "The Willkie Speeches," Crisis, XLVII (October, 1940), 11.

[122]Editorial, "The Willkie Speeches," Crisis, XLVII (October, 1940), 11.

Gallup's by predicting that the Negro would return to the Republicans, because the administration had not given the Negro promised federal employment. Negroes appointed to government positions, Bunche believed, were "front line" only.[123] Bunche's poll also claimed that F.D.R.'s failure to support the anti-lynching bill had disillusioned Negro supporters.[124] One Negro leader the Republicans failed to win was Walter White, who was courted by Republican manufacturers. The effect of the Southern wing on the Democratic Party did not alter White's confidence in Roosevelt's sincerity and belief in the common man. White was apprehensive of "Mr. Willkie or any other candidate who could obtain the nomination of a party so committed to the interest of big business."[125]

The Republicans also appealed to the Negro in their platform:

> The Negro is to be given a square deal in the economic and political life of the nation. Discrimination in the civil service, the army and Navy and all other branches of government must cease... universal suffrage must be made effective for the Negro citizens. Mob violence shocks the conscience of the nation and legislation to curb this evil should be enacted.[126]

The Republican platform must be considered more representative of the Negro's demands than that of the Democrats, but both were disappointing to Negro leaders. The black man could either vote for the Republican party which he felt had never done anything for the Negro, or for the Democratic party whose Southern wing was determined that the Negro would not attain equality. The Republicans said little for the Negro, while

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[123]"Negroes Swing," 15.

[124]Ibid.

[125]White, A Man Called White, 198-199; New York Times, June 30, 1940, 21:3.

[126]New York Times, October 12, 1940, 1:2.

the Democrats said nothing.

Three events occurred in the 1940 campaign for the Negro vote that distinguish that election from the two previous. First was an attempt to arouse racial prejudice regarding Wendell Willkie's German ancestry. Secondly, the Negro was vocal concerning segregation in the armed forces. Finally, Roosevelt's press secretary, Stephen Early, kicked a Negro policeman at a railway station immediately preceding the election.

On October 12, 1940, the New York Times revealed the existence of a pamphlet issued by the Democratic National Committee which cited Willkie's German ancestry and attempted to equate his political career to that of Hitler. The article also blamed the racist attitude in Willkie's hometown, Elwood, Indiana, on his "German" father. The statements infuriated the Republicans, and Willkie blasted it as a "whisper campaign."[127] As the Democrats were bombarded with unfavorable publicity, Edward Flynn, National Democratic Chairman, attempted to repudiate the pamphlet. Flynn first claimed he had not seen the article, but later admitted knowledge of its distribution. As a rebuttal, Flynn attacked the New York Times, claiming that it had distorted news stories about Roosevelt in deference to big business interests.[128] The Times defended its position by claiming that the Willkie smear was a page one story because it attacked the man personally. Most articles, claimed the paper, did not defame Roosevelt in the same manner. The Times then published a statement that the Willkie pamphlet had been stolen from the Democrats' office and unofficially released.[129]

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[127]Ibid., October 17, 1940, 21:2; October 19, 1940, 25:1.

[128]Ibid., October 17, 1940, 21:2.

[129]Ibid., October 15, 1940, 14:3; October 19, 1940, 25:1.

By October 19 the culprit was exposed as Charles Ray, a Tammany worker. Both parties condemned the low campaign tactic, especially the Republicans. Francis Rivers, director of the Colored Division of the Republican National Committee, believed using the Negro and the race issue in this manner was an "insult to the Negro race," and the Republicans quickly noted that "the President himself had made no attempt to condemn such tactics."[130] This is yet another example of Roosevelt's remaining aloof from party organizational politics, especially when it involved the controversial race issue.

By 1940 America's curtain of neutrality could not hide the nation's gradual military involvement in the European conflict. Congress now passed the first peace-time draft law, which included Senator Wagner's amendment that Negroes would have equal rights for enlistment. Southern statesmen protested, stating that this clause was unnecessary.[131] Previous to the bill's passage, the Negro's role in the armed forces had been limited mainly to menial positions behind the lines. With the introduction of the Burke-Wadsworth bill, Negro leaders sought assurance of non-discrimination. The Negro, believed the leaders, should have the opportunity to train in all "phases of combat service" according to their proportion of the population.[132] Despite the draft law, however, some segregation practices remained, a fact which made the Negro impatient and critical. On one speaking tour Mrs. Roosevelt was asked how the

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[130]Ibid.

[131]See Appendix A, page 126, which gives the sections of the conscription act as presented in the Statutes at Large that most concerned the Negro.

[132]Editorial, "Conscription Bill Gets Amendments on Jim Crow," Crisis, XLVII (October, 1940), 324; New York Times, August 4, 1940, 5:3.

Negro could remain loyal if the forces were not integrated. The precarious political position of the First Lady was revealed by her statement that the "danger or disorders" of immediate integration would be worse than segregation itself. As far as loyalty was concerned, Mrs. Roosevelt stated that it was difficult to explain, but Negroes did have it.[133] The Negro wanted promises that Negroes would really be treated equally with the whites under the Burke-Wadsworth Act.

As the election date approached, it became necessary for Roosevelt to make a personal statement clarifying his position concerning the Negro in the armed forces. Otherwise the Negro vote might be lost. One of the few Negro commissioned officers, Colonel B.O. Davis, was appointed by F.D.R. as the first member of his race to become a Brigadier General.[134] Roosevelt also supported the non-discrimination clause of the conscription law by stating, "The plan as I understand it... is that Negroes will be put into all branches of the service, combatant as well as supply.... Negroes will be given the same opportunity to qualify for officer's commissions as will be given to others.... You may rest assured that further developments of policy will be forthcoming to insure that Negroes are given fair treatment on a nondiscriminatory basis."[135]

F.D.R. then directed Secretary of War Henry L. Stimson to place Negroes in various units according to their proportion of the population. The black man was not to be restricted to "labor regiments."[136] To

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[133]Ibid., October 26, 1940, 4:5.

[134]Ickes, The Secret Diary of Harold L. Ickes, 323.

[135]Ibid.

[136]New York Times, October 30, 1940, 16:6; Ickes, The Secret Diary of Harold L. Ickes, 361-362.

smooth the road of armed forces integration, and incidentally ease relations between the Negro civil rights agitators and the administration, F.D.R. then appointed Major Campbell C. Johnson as the Negro assistant to the Selective Service Director. A practical political gesture, this act could also have been motivated by F.D.R.'s desire to see the Negro treated justly. This incident represented a milestone for Roosevelt, since for the first time the President publicly committed himself on a racial issue.

In the third issue of 1940 Roosevelt remained detached because it again involved organizational politics. As F.D.R.'s train prepared to leave a New York speaking engagement in the closing days of the campaign, the pressing crowd forced his campaign party to become separated. Stephen Early, Roosevelt's press secretary, was one of the laggards. When halted in his attempt to board the train by two or three policemen who did not realize that Early was a member of the official party, Early "gave the knee" to a Negro policeman named Sloan who had blocked his way. The Republicans wasted little time in exploiting the racial implications as they published many detailed discussions of the injured policeman which were accompanied by descriptions of Early's vicious callousness. The Republicans then sent Joe Louis to visit the wronged policeman. "The visit was arranged with full publicity," according to the New York Times, but the purpose was defeated when Sloan told Louis that he would still support Roosevelt in the election.[137] Policeman Sloan then issued a statement that he did not like being a "political football." The Republicans now questioned whether Sloan's statement was issued voluntarily.[138]

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[137] New York Times, October 30, 1940, 16:6.

[138] Ibid.

Walter White used the incident for the Negro when the Democrats attempted to mitigate the event. When consulted by party leaders, White stated that either Early could apologize or the President could fire him.[139] White then demanded that discrimination in the armed forces and industry be ended, and immediately Judge William Hastie was appointed as Civilian Aide to the Secretary of War. It also was at this time that Davis received his appointment as Brigadier General and Johnson was appointed as a Special Aide to the Director of Selective Service.[140] It appeared that White was successful in applying pressure. Again, the degree of involvement by Roosevelt was obscure. Whether the appointments reflected political expediency or the President's civil rights attitude could not be determined.

The Republicans had obtained maximum publicity for these events in their attempt to regain the Negro vote, and they had been encouraged by the recession of Negro support for Democrats in the 1938 Congressional election, when Republican victories in the key states of Pennsylvania and Ohio showed Negro votes were a deciding factor. Also in Cleveland in 1938 Republican Negroes won two alderman positions and a membership on the Board of Education.[141] The Republican efforts, however, were futile, for the Negro tended to remain Democratic. Although the Negro vote was sought more intensely by both parties in the 1930's than it had been previously, it was questionable whether the black man's vote was the decisive factor in determining the election results of any single state. The strength of the Negro vote lay in the possibility that he

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[139]White, A Man Called White, 188.

[140]Ibid.

[141]Sullivan, "Negro Vote," 481.

might determine the results of several pivotal states, such as Pennsylvania, which had 330,000 Negro voters in 1940, and Illinois, which had 475,000.[142] Their political power was increased by their concentration.

The vote of the Negro was not really a "toss-up" in 1940. The black man was supposedly disillusioned with the discrimination that had occurred in New Deal programs. Irritation had been increased by the vocational rehabilitation programs. Although they were not a major part of the New Deal, they had assisted only 273 Negroes in seventeen states that had 31.5 percent Negroes in their population. Further, regarding farm tenancy, there was not one Negro on any Southern state or county Advisory Board, which had the power to curb discrimination.[143] Yet these programs remained more beneficial to the Negro than those enacted under previous administrations. Thus the vote of 1940 patterned itself after those of 1932 and 1936, and the Negro again aligned himself with the Democratic Party.

Conclusion

Politically the 1930's were a period of incipient development for the Negro. The political changes for the black man were profound when compared to his advances since Emancipation. Among these changes was the recognition by Democrats and Republicans of the political existence of the Negro. This recognition, of course, was enforced by the physical concentration of the Negro vote. Each political party, however, combated prejudice within the party and from the public when it sought the

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[142] New York Times, June 23, 1944, 18:5; Sullivan, "Negro Vote," 478.

[143] Ibid., 480.

Negro's support. Politicians entered the unfamiliar realm of wooing the Negro vote uneasily.

As parties became aware of the Negro, the black man became cognizant of his ballot powers. As a political neophyte, the Negro was exploited by the parties until he gained experience. The utilization of his votes increased with each election during this era. Although the New Deal and the Depression influenced the Negro's alliance with the Democratic Party, his leaders sought an independent political identity. After 1932 the Negro abandoned the Republicans for the Democrats. In every election thereafter the Democrats solidified the black man's support, but both parties became more openly competitive for the "black ballot." By 1940 the Negro was accepted as a part of the Democratic Party, but the black man's leaders were learning how to use the party competition for his votes to the advantage of his race. The political evolution of the Negro in the 1930's contained the seeds of the militant civil rights politics of the 1960's.

CHAPTER IV

THE LYNCHING ISSUE

Through legal processes the Negro fought for civil rights during Franklin Roosevelt's administration. Several successfully conducted judicial battles in this era established much of the successful pattern of winning civil rights of the 1950's and 1960's, but legislatively the Negro failed to be influential. Control of committees and the use of the filibuster multiplied the powers of the Southern Senators and Representatives and overwhelmed advocates of racial equality. The issue which best illustrates these factors is the anti-lynching question, which was prominent in nearly every Congressional session during the 1930's.

The significance of the lynching issue was not legislative but emotional. This crime was the focal point for the N.A.A.C.P. battles for the Negro during the decade. In fact the organization was criticized for neglecting other important approaches to integration for the lynching issue. But the issue to the N.A.A.C.P. was a symbol of the inequalities imposed upon the Negro race throughout the country.[1] Even The Crisis admitted the fight over the anti-lynching bill was more important than the measure itself. To the Negro the proposed legislation represented an important step toward reaching full citizenship, and the black man's talents and resources were directed toward a cause that

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[1] New York Times, February 12, 1938, 32:5.

became a crusade.[2] Preoccupation with this issue, however, made it difficult for the Negro to understand why Roosevelt did not act immediately to end this injustice. The black man had sacrificed long-range perspective for a current concern of his minority group.[3]

N.A.A.C.P. efforts to have Congress pass the anti-lynching bill reaped only intangible rewards. Anger, unity, publicity, and a greater determination to fight resulted. As The Crisis editorial at the end of a 47-day filibuster that had killed the 1938 anti-lynching bill stated: "We Lose, But We Win." The Southern Senators' acceptance of lynching for maintaining a "way of life," together with their distorted conception of democracy, had been exposed.[4]

Although anti-lynching bills were historically associated with the Negro, the crime really became a national issue in the 1930's when two whites were hanged by a mob in San Jose, California, for a confessed kidnapping-murder charge. Following this demonstration of violence, lynching retained a position of public controversy for the decade. The complexities of the issue consistently placed Roosevelt in an untenable position. Although F.D.R.'s lack of commitment denoted weakness to some, to others it demonstrated the superiority of his political maneuverings. Neutrality was perhaps the politician's most difficult position, for many interest groups pressured Roosevelt to exert the influence of his office in behalf of the Negro. The President generally succeeded in

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[2]"From the Press of the Nation," Crisis XIV (February, 1938), 49.

[3]See Appendix B, page 128. This presents statistics on the number of lynchings in the United States over a period of years. These statistics were presented in the Congressional Record. The increase of lynchings in the early 1930's that caused so much concern in the N.A.A.C.P. is adequately represented.

[4]Editorial, "We Lose, But We Win," "From the Press of the Nation," Crisis, XLV (March, 1938).

retaining their support, while never committing himself, which was no easy task, especially as the vehemence of the debate intensified over the bills of 1935, 1938, and 1940. For Congressmen, however, the issue was safer. Assuming that the bill could never become law over the South's entrenched opposition, legislators could take an advanced position on the bills without having to sacrifice the endorsement of the electorate.

The anti-lynching crusade was initiated near the end of Roosevelt's first year in office as a result of the San Jose incident after the lynch mob had been publicly condoned by California Governor James Rolph, Jr. The national news media exploded, with Rolph vigorously condemned by the New York Times.[5] Political groups such as the Socialist Party pressed Roosevelt to make a "public appeal against lawlessness and mob lynching in an effort to stem the 'lynching wave.'"[6] Roosevelt responded with one of the two public statements he would make concerning lynching during the 1930's. The President's nationally broadcast speech was prompted not by racial matters but by the approval of the violent disruption of law and order by such an important official as a state governor.[7] In this, his most explicit statement made during the decade, F.D.R. said:

> This new generation, for example, is not content with preachings against that vile form of collective murder - lynch law - which has broken out in our midst anew. We know that it is murder and a deliberate and definite disobedience of the commandment 'Thou shalt not kill.'

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[5]George Copeland, "Lynching Is Again a National Issue," New York Times, December 3, 1933, Pt. VIII, 2:1.

[6]New York Times, December 1, 1933, 4:4.

[7]Ibid., December 7, 1933, 1:8.

> We do not excuse those in the high places or the low who condone lynch law.
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> But a thinking America goes further. It seeks a government of its own that will be sufficiently strong to protect the prisoner and at the same time to crystallize a public opinion so clear that government of all kinds will be compelled to practice a more certain justice. The judicial function of government is the protection of the individual and of the community through quick and certain justice. That function in many places has fallen into a sad state of disrepair. It must be part of our program to re-establish it.[8]

This statement was followed by a rash of proposed anti-lynching laws.[9] Roosevelt's speech also revealed the problem of unity within the Democratic Party, since the proposed anti-lynching bills, as racial issues, became stumbling blocks to F.D.R.'s legislative program. Thus from 1934 this was the chief executive's main concern with the lynching issue. Although passage of the bill may have been important to the President personally, politically it would have split the Democratic Party. Loss of the Southern bloc could have had disastrous consequences on Roosevelt's legislative and reelection efforts.

The Democratic Party platform continually neglected even to mention anti-lynching bills. Within Congress the party was faced with division threats, as sectionalism several times appeared to prevail over the national party. More than once House and Senate Democrats used the caucus to try to resolve the differences between Northern and Southern representatives, but the caucuses repeatedly failed. Northern supporters of the bill could never obtain the quorum necessary to force the Senate to vote on the issue; while the Southern Democrats, aside from filibustering

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[8] New York Times, December 7, 1933, 2:3; White, A Man Called White, 166; Edward P. Costigan, "Open and Boastful Anarchy," Crisis, XLV (March, 1935), 77, 78; The Congressional Digest, XIV (June-July, 1935), 165.

[9] See Appendix C, page 131. The text of the 1935 anti-lynching bill is representative of the measures introduced against this crime in the 1930's.

against the bills, could never gain enough support to pass an adjournment motion which would have terminated the debate on the bill.[10] Still other conservative Senators who were generally opposed to the increased power of the federal government began to advocate the passage of the bill to embarrass the President. To force Roosevelt to commit himself on the measure, many Senators believed, the President would lose the intense popularity that he enjoyed in the Democratic South, and this would halt the move toward centralization.[11]

The sponsors as well as the chief opponents of the anti-lynching measures were good Democrats. The dividing point was geographical, being most evident in the Senate. The most consistent proponent was Robert F. Wagner from Roosevelt's state of New York. A German immigrant and the product of the rough-and-tumble political machine age, Wagner earned his position through party service. Throughout his career he tended to associate his interests with the labor class and "underdog" causes. By the time Roosevelt captured national attention as a Presidential candidate, Wagner had been recognized as a power in the Senate. Thus Roosevelt had to respect Wagner's demands to gain his support for the New Deal. It was Wagner who introduced or strongly assisted N.I.R.A. and other important measures through Congress. Therefore, although Roosevelt might not agree with Wagner on some bills, he would rarely oppose them because he was politically dependent on the Senator.[12]

Wagner's motives for proposing an anti-lynch bill were probably

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[10]New York Times, May 22, 1936, 4:6; ibid., May 23, 1936, 27:4.

[11]Ibid., November 15, 1937, 1:8.

[12]U.S. Congress, Biographical Directory of the American Congress, 1774-1961 (Washington, D.C.: Government Printing Office, 1961), 1761.

only in part idealistic. There was an increasingly large Negro element in New York, especially in Harlem, and Wagner wanted to insure the support of his constituents. Also, the anti-lynching bills were strongly endorsed by the C.I.O. and other labor organizations, and labor was the core of Wagner's political support. Not the least of his considerations was that the introduction of the bill would probably help hold the Negro element to the Democratic Party nationally.[13]

Yet Wagner's consistent support for the anti-lynching cause was not as intense as that of one of his co-sponsors, Senator Edward Costigan from Colorado. Senator Costigan was described by the New York Times as a tenacious bull-headed progressive, who when endorsing a cause became so obsessed with its righteousness that he often neglected to heed political consequences.[14] Not a man to compromise on his principles, Costigan supported the anti-lynching bill so thoroughly as to lead to the deterioration of his health. While under doctor's orders to be in bed, Costigan persisted in debating the bill and opposing the filibuster.[15] As a result, the Colorado Senator served only the one term in the Senate, being forced to retire for health reasons; he died shortly thereafter.[16] Costigan's relationship to F.D.R. appears to have been no closer than that of an average Senator.

The opposition was represented by such renowned Southern Senators as Huey Long, who told Roy Wilkins in an interview that he could not

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[13]Ibid., 1761.

[14]New York Times, April 17, 1935, 22:5.

[15]Louis T. Wright, "The 26th Year of the N.A.A.C.P.," Crisis, XLIII (August, 1936), 244.

[16]U.S. Congress, Biographical Directory of the American Congress, 1774-1961, 741, 934, 1748.

support anti-lynching legislation, because it would harm, not benefit, the Negro. Long's opposition was significant since he was at the zenith of his political influence in 1934 and 1935. Also opposed were Senators Pat Harrison of Mississippi and Ellison Smith of South Carolina; they fought the bill as a threat to white civilization, Southern womanhood, and the Democratic Party.[17] Senators Carter Glass of Virginia, John H. Bankhead of Alabama, Josiah W. Bailey of North Carolina, and Theodore Bilbo of Mississippi also irascibly rejected the anti-lynching remedy.[18] A rebel Republican antagonistic towards the bill was Senator William E. Borah of Idaho, who claimed that this bill and most of the programs of the administration were unconstitutional. In a statement analyzing Borah's hostility towards anti-lynching bills, The Crisis stated that "as usual he cloaked his opposition in veneration for the Constitution."[19] At no period did those opposing the bill equal the number of the protagonists, but the political pressure of the former was superior because of their longer tenure and higher position.

In 1934 and 1935 Roosevelt himself brought the lynching issue into the national spotlight, although he did not fully realize the political problems that would evolve. In his annual message to Congress in January, 1935, the President included this statement: "Crimes of organized banditry, cold-blooded shooting, lynching, and kidnapping have threatened

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[17]"Filibuster Continues on Anti-Lynch Bill," Crisis, XLII (July, 1935), 205; "The Fight Has Just Begun," Crisis, XLII (June, 1935), 175.

[18]"From the Press of the Nation," Crisis, XLV (March, 1938), 38; ibid., (May, 1938), 147; "Filibuster Continues on Anti-Lynch Bill," 53, 56.

[19]Louis L. Redding, "Borah - What Does He Stand For?" Crisis, XLIII (March, 1936), 70; "Filibuster Continues on Anti-Lynch Bill," 53, 56; Marian McKenna, Borah (Ann Arbor: University of Michigan Press, 1961), 325.

our security."[20] The crimes, believed Roosevelt, called for an immediate aroused public opinion and for suppression.[21] Again, in December, 1935, Roosevelt, speaking at the Attorney General's Crime Conference, stressed the importance of controlling interstate crime. Until the people were aware of the national implications of their responsibility, proclaimed F.D.R., then certain types of crime might persist.[22] The Crime Conference had been called partially in response to the anti-lynching movement.

Furthermore Attorney General Homer S. Cummings had been heavily criticized for not preventing the widely publicized Claude Neal lynching on October 28, 1934. On the previous day a New York Times news story claimed that a Negro, Claude Neal, who was being held in Georgia for murdering a white girl, was going to be lynched. The following day Neal was taken from jail and slaughtered across the border in Florida. Pleas for the invoking of the Lindbergh Kidnapping Law against the lynchers besieged the Attorney General's office. Although the lynching incident was technically an interstate crime, Cummings attempted to escape involvement, claiming the Lindbergh Law could not be applied unless it specifically mentioned lynching. Cummings and the executive office avoided commitment in this manner, but were subjected to much criticism.[23]

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[20]U.S. Congress, (Presidential message to joint session), 74th Congress, 1st Session, January, 1935, Congressional Record, LXXXIX, 6023; "Congress Considers the Costigan-Wagner Anti-Lynching Bill," 165.

[21]"Congress Considers the Costigan-Wagner Anti-Lynching Bill," 165.

[22]New York Times, January 1, 1935, 31:2; "Congress Considers the Costigan-Wagner Anti-Lynching Bill," 165.

[23]New York Times, October 27, 1934, 32:2; ibid., October 28, 1934, 1:5; Editorial, "Mobs Are Rougher Than Women," Crisis, XLII (January, 1935), 16; Editorial, "Still Unfinished," Crisis, XLIII (June, 1936), 177; U.S. Congress, Presidential message to joint session, 74th Congress, 1st Session, January, 1935, Congressional Record, LXXIX, 6025.

An example of public concern was the protest from the Writers League Against Lynching, telegraphed to the President in January, 1935. Citing the lynch murder of Jerome Wilson of Louisiana, the writers urged Roosevelt to support the anti-lynching bill to insure the federal government's ability to enforce the law. Such eminent authors as Stephen Vincent Benet, Sinclair Lewis, Edna St. Vincent Millay, Upton Sinclair, Alfred Knopf, and Erskine Caldwell were among the 150 signers.[24]

With this background, Congress in late April, 1935, began to consider what was to be the best-known anti-lynching bill of the era, the Wagner-Costigan Bill.[25] Subsequent Congressional consideration of the lynching issue would concern variations on this bill. Ironically, lynchings in the later 1930's decreased, partially as a result of the furor over this bill. But the problem had received much attention from Congress, had aroused the public's interest, and was a key issue for the N.A.A.C.P.; thus bills concerning the issue continued to be introduced later.[26]

From April through May, 1935, the Senate debated the Wagner-Costigan Anti-Lynching Bill in what was clearly a filibuster. As a result, bills in the President's program were delayed, as the Senate's legislative work reached a stalemate. The anti-lynching proposal, stated New York Times editorialist Arthur Krock, "hangs over the calendar and the President's program like a poised avalanche with destruction its promise."[27]

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[24] New York Times, July 13, 1935, 33:6.

[25] U.S. Congress, Senate, An Act to Assure to Persons Within the Jurisdiction of Every State the Equal Protection of the Laws, and to Punish the Crime of Lynching, S.R. 24, 74th Congress, 1st Session, 1935, Congressional Record, Index, 347.

[26] See Appendix C, page 131.

[27] New York Times, April 17, 1935, 22:5.

The bill's chief proponent and sponsor, Senator Wagner, presented the issue as racial, claiming that this particular crime was directed against a single race. The bill would be constitutional, he held, because it would simply make the Fourteenth Amendment effective in providing equal rights to the Negro.[28]

The debates became heated. Bailey of North Carolina expressed his resentment that Costigan and Wagner should imply his state was unable to execute "justice with righteousness."[29] North Carolina, claimed Bailey, did have a law against lynching, while the states of the bill's sponsors did not.[30] Bailey also significantly revealed growing distrust of the concentration of power in the federal government under Roosevelt:

> This matter transcends race and it transcends section.... It divides in terms that I could almost welcome, the course which has been more or less of a mystery character here of late. We will either preserve the rights of the States, or we will go ahead and extend the Federal power, as has been sought... until we have a Federal supervisor over every civil activity in America.[31]

This fear of centralization, along with Southern determination to maintain white supremacy, remained the crux of the opposition to every anti-lynching bill proposed during the 1930's.

The Senate realized that the introduction of the anti-lynching bill would arouse animosity, and thus several bills such as the Bankhead Farm Tenancy Bill were used to postpone Costigan's introduction of his measure. The effort, however, was abortive, and the bill came before the

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[28]U.S. Congress, Senate, 74th Congress, 1st Session, April 29, 1935, Congressional Record, LXXIX, Pt. 6, 6352.

[29]Ibid., 6369.

[30]Ibid.

[31]Ibid.

chamber. Once Costigan obstinately moved for a vote on the bill, Southern Senators announced their plans for a filibuster. The Senate's leadership and Southerners again attempted to sidetrack the anti-lynching measure by moving for adjournment, but the motion failed by one vote. Majority leader Joseph T. Robinson of Arkansas was so angry with the delay that he called Saturday meetings. Senator Harrison of Mississippi discouraged belligerency among Southern members because he wanted to present a soldier's bonus bill to Congress.[32]

By April 29th a filibuster had begun and F.D.R., irritated with the delay, called for greater speed on his legislative program. Both the revised N.R.A. bill and a Social Security proposal were blocked from legislative action. While the leadership of Congress promised to cooperate, die-hard Southern Senators prepared to conduct the filibuster indefinitely. One who was particularly adamant in his opposition was Hugo Black of Alabama, who claimed that the act should be called a "Bill to Increase the Crime of Lynching."[33]

On May 1, 1935, Roosevelt held a White House Conference for the Senate Leadership at which he expressed his displeasure at the delays and threatened to hold the session into the summer to get his program enacted. F.D.R. chided Wagner, Borah, and Gerald Nye of North Dakota for their part in the delay and for criticizing his actions. The conference was effective, since the Senate voted for adjournment the next day, automatically removing the bill from the floor, and replacing it with Senator Harrison's compromise soldier's bonus bill.[34] Wagner's

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[32] New York Times, April 24, 1935, 2:3; April 25, 1935, 1:5; April 27, 1935, 2:1.

[33] Ibid., April 29, 1935, 1:5; April 30, 1935, 1:6.

[34] Ibid., May 1, 1935, 2:5; May 2, 1935, 1:6.

willingness to accept adjournment is not too surprising, since some felt he was asking too much special class legislation, and the Senator did not want to risk Presidential disapproval.[35]

Because Roosevelt never issued a statement on the anti-lynching bill, his actions were criticized by prominent Negroes. During the debate on the 1935 bill, Walter White of the N.A.A.C.P., with the assistance of Mrs. Roosevelt, had obtained an interview with F.D.R. White noted that Roosevelt resorted to anecdotes to avoid discussing the topic until White forced it into the open. Roosevelt presented White with all the negative arguments, but Mrs. Roosevelt had forewarned White of this tactic, and he had come prepared. When F.D.R. realized the situation and saw that his wife and mother were siding with White, he "roared with laughter and confessed defeat."[36] White then records Roosevelt's reasons for not backing the bill:

> 'I did not choose the tools with which I must work,' he told me. 'Had I been permitted to choose them I would have selected quite different ones. But I've got to get legislation passed by Congress to save America. The Southerners by reason of the seniority rule in Congress are chairmen or occupy strategic places on most of the Senate and House committees. If I come out for the anti-lynching bill now, they will block every bill I ask Congress to pass to keep America from collapsing. I just can't take that risk.'[37]

White protested against the President's silence by resigning from the Advisory Council to the Government of the Virgin Islands later the same month.[38]

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[35]Ibid., May 2, 1935, 20:5; April 17, 1935, 22:5.

[36]White, A Man Called White, 165.

[37]Ibid., 169.

[38]"The Flight Has Just Begun," 175.

Many Negroes could not accept the President's explanation. They felt that Roosevelt's failure to speak was especially noticeable since Southern votes were not numerically necessary to pass the measure. The Crisis reflected Negro resentment by claiming that Roosevelt was willing to "spend billions to keep people from relief rolls, but is unwilling to say one word to prevent his fellowmen from being murdered by mobs."[39] F.D.R., in the minds of many black men, was "afraid" of Southern Congressmen.[40]

In the 1930's a curious relationship was noted - a decrease of lynchings while an anti-lynching law was on the calendar or was being debated, followed by an increase in lynchings with the disposal of the issue. As early as June, 1935, The Crisis noted renewed activity "at the rate of more than one lynching a week,"[41] after an anti-lynching bill had been defeated in Congress. In November, 1935, a Texas lynching of a Negro found county officials approving the action. Appalled, much public interest continued to be keen.[42]

The issue promised to affect the election of 1936, for Senate discussions occurred intermittently from January through October. Democratic Party officials and Roosevelt attempted to preserve unity by ignoring the issue. Other candidates, however, were not in F.D.R.'s

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[39]Editorial, "Public Enemy Number One," Crisis, XLII (January, 1935), 6; "From the Press of the Nation," Crisis, XLII (June, 1935), 149; Editorial, "No Check on Mobs," Crisis, XLIII (May, 1936), 145; "The Flight Has Just Begun," 175; Editorial, "The Best of the Anti-Lynching Fights," Crisis, XLII (June, 1935), 177; "Congress Considers the Costigan-Wagner Anti-Lynching Bill," 165.

[40]Editorial, "Public Enemy Number One," 6; "From the Press of the Nation," 149; New York Times, August 4, 1935, 2:5.

[41]Editorial, "Public Enemy Number One," 6.

[42]New York Times, November 14, 1935, 3:6; November 15, 1935, 22:2.

vulnerable position and could therefore afford to comment, increasing Roosevelt's embarrassment. Alfred M. Landon, the Kansas governor and the eventual Republican nominee, condemned lynching crimes and announced his firm support for the anti-lynching bill pending before Congress. As the New York Times noted, there had been no comment from the President on the issue.[43] The question was also particularly adaptable to an independent candidate such as Senator William E. Borah. Yet when asked on what platform he would run for President, Borah rejected the proposed law as an unconstitutional invasion of state's rights.[44] Again, F.D.R. said nothing.

This silence prompted resentful action by some Negroes. In October, prior to the election, several Negro women demonstrated their condemnation of F.D.R.'s non-involvement by picketing National Democratic Headquarters in New York City. Thus F.D.R.'s silence reflected not only on him, but on his political party also.[45]

Following the 1936 election the disputation issue receded in prominence for a year until it was revived for the Congressional election year of 1938. In November, 1937, Representative Hamilton Fish, a Republican from New York, requested that Negro ministers demand from their pulpits that Roosevelt support the anti-lynching bill. This measure, claimed Fish, would pass if the President would endorse it.[46] By the middle of November, 1937, the Senate had a short-lived filibuster

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[43]Ibid., October 6, 1936, 1:5.

[44]Ibid., March 1, 1936, 1:4.

[45]Ibid., October 27, 1936, 12:6.

[46]Ibid., November 8, 1937, 3:3.

over the anti-lynching bill. The move was led by Texas's Senator Tom T. Connally. The filibuster was temporarily ended when Southern Democrats compromised in order to consider the farm bill, but the threat still plagued the Senate at the end of the year.[47]

As Congress convened in January, 1938, Wagner expressed his determination to obtain a vote on the anti-lynching proposal.[48] Connally, in turn, informed the public that the South was prepared to "protest" its passage. The situation was complicated by Roosevelt's pressure for an immediate build-up of the Navy, although the enabling legislation was below the anti-lynching measure on the calendar.[49] As the Senate began its filibuster, a showdown between the Democratic leadership and Southern members became apparent as the majority leader, Alben W. Barkley of Kentucky, threatened to impose speaking rules to speed action on the bill. Filibuster topics ranged from tours of Mexico and Peru to armaments, and sometimes completely omitted the issue at hand.[50]

By January 12 the filibuster was a week old, and Southern Senators expressed their fear that the issue would split the Democratic Party. Senator James F. Byrnes of South Carolina claimed that the South was a political outcast and that the purpose of the anti-lynching bill was only to arouse racist feelings. Senators Richard Russell of Georgia and

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[47]Ibid., November 17, 1937, 1:8; November 23, 1937; 52.

[48]U.S. Congress, Senate, An Act to Assure to Persons Within the Jurisdiction of Every State the Equal Protection of the Laws, and to Punish the Crime of Lynching (Anti-Lynch Bill, H.R. 1507. As Passed by the House and The Bill As Amended in The Senate), 75th Congress, 3rd Session, 1938, Appendix to the Congressional Record, 528.

[49]New York Times, January 4, 1938, 1:5.

[50]Ibid., January 9, 1938, 1:5; U.S. Congress, Senate, 75th Congress, 3rd Session, January 6, 1938, Congressional Record, LXXXIII, Pt. 1, 77-97.

Josiah Bailey of North Carolina also cited the murder-conviction ratio in Chicago to support Southern arguments. In Chicago, the Senators claimed, there were 380 murders between 1923 and 1928 with only one conviction. Therefore the South's record, the Senators believed, was comparatively good. Bailey attempted to reinforce his stand by using a Roosevelt speech made while the President was still governor of New York. The President, as quoted by Bailey, stated that in regard to states' rights, "indeed Washington must never be encouraged to interfere." This phrase was used now to support Southern beliefs concerning states' rights.[51]

The threat to Democratic Party unity was evident in Bailey's statement that "if you come down to North Carolina and try to impose your will on us, so help me God you'll get a lesson no political party will ever forget."[52] At the same time New Deal advisors were urging Roosevelt to read the South out of the party. F.D.R. attempted to ameliorate the opposing factions by emphasizing national over sectional aspects. "The party," stated the President, "should stand for the general welfare instead of weighing social-economic proposals on geographic scales."[53] Roosevelt's position, according to New York Times columnist Arthur Krock, was vulnerable at this moment because the President was

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[51] New York Times, January 12, 1938, 2:5; January 13, 1938, 8:5. Perhaps Bailey's claim becomes more plausible when the letter written to William I. Serovich from F.D.R. in 1928 is studied. In it F.D.R. states "I know that you will agree with me in believing that we face in this country not only the danger of communism, but the equal danger of the concentration of all power, economic and political, in the hands of what the ancient Greeks would have called an Oligarchy." Roosevelt, ed., F.D.R., His Personal Letters, I, 119.

[52] Ibid., January 13, 1938, 8:5.

[53] Arthur Krock, "The Political Problem of the South," New York Times, January 14, 1938, 22:5.

aware that his political popularity had waned considerably. It was Krock's opinion that the chief executive would not press for the passage of a divisive bill, but would achieve a workable compromise. The solution was for the South to grant concessions on the labor standards bill, while the North would relinquish its position on the anti-lynching bill.[54]

By February 8, 1939, the Wagner-Van Nuys Anti-Lynching Bill had been filibustered for a month. Again Roosevelt had become impatient with delay. As early as January 24 the President expressed his displeasure to the Senate leaders. After a conference with the chief executive, majority leader Barkley revealed the effect of Roosevelt's influence when he announced that the Senate would consider the conference reports on the housing and crop control bills the following week.[55] At the end of three weeks several Northern Democrats attempted to impose the cloture rule on the debate, but it was rejected.[56] Thus the issue continued to dominate Senate sessions until February 21, when the Senate voted to lay it aside for other measures. Although F.D.R. was irritated with the delay, he appreciated the political ramifications of the issue and hoped for a better relationship with Congress at the conclusion of the debates on the bill. The columnist Krock, believing that Roosevelt was reluctant to impose federal authority while statistics reflected a steady decline in the annual number of lynchings, held that the South

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[54]Ibid.

[55]New York Times, January 29, 1938, 3:6; February 8, 1938, 9:2; January 24, 1938, 1:8.

[56]Ibid., January 27, 1938, 6:6; January 28, 1938, 6:3.

was itself disposing of the stigma of "Judge Lynch."[57]

Roosevelt, who had been silent during the debate, now found it politically expedient to make a second public statement. Late in March of 1938 the President proposed that some type of machinery be established to investigate lynchings, although "he would not insist on passage by Congress of the pending Anti-Lynching Bill."[58] F.D.R. proposed two alternatives: first, that the Attorney General investigate lynchings and reveal the facts to the public; second, if the first proposal was ineffective, that Congress establish a committee to study the problem.[59] Yet Roosevelt's statement was vague and non-committal, and he was again subjected to criticism by Negroes. The President, claimed The Crisis, had issued a declaration but had not proposed or supported legislation to put it into effect. In fact, Roosevelt had taken no action whatever concerning the anti-lynching measure.[60] In May, Roosevelt conferred briefly with a delegation of Negroes who expressed their disappointment at the anti-lynching bill's failure. F.D.R. reportedly encouraged the black man to continue the fight, although he made no public stand.[61]

Rexford Tugwell summarized Roosevelt's political position at this time, claiming that the South's benefits from the New Deal had not changed its stand on the race issue. On Roosevelt's actions Tugwell commented that

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[57]Ibid., February 8, 1938, 1:8; January 28, 1938, 20:5.

[58]Ibid., March 23, 1938, 4:2.

[59]New York Times, March 23, 1938, 4:2; Editorial, "President Would Send G-Men After Lynchers," Crisis, XLV (April, 1938), 118.

[60]Editorial, "No Action Yet," Crisis, XLV (May, 1938), 145.

[61]Editorial, "President Roosevelt Sees Anti-Lynch Delegation," Crisis, XLV (May, 1938), 149.

> Franklin had watched the fight, but had not intervened. He had been urged again and again to exert his leadership, but he had turned his back. More than anything else this had emphasized for his supporters his essential helplessness vis-a-vis the Southerners. It was from then on that the conservative veto over all measures had been recognized as nearly complete. And even the wages-and-hours legislation had been compromised to their satisfaction.[62]

Roosevelt was entrapped in a political web from which he could not escape. The 1938 lynching bill was probably a victim of this political situation.

The filibuster of 1938 eventually succeeded, ending because the Senate desired to study the wages and hour bill. But hopes of reintroducing the anti-lynching measure persisted; The Crisis reported that the July lynchings perpetuated the Senate's interest. Also, Attorney General Cummings emphasized his inability to act without a federal law concerning this crime.[63]

As the election year of 1940 approached, lynching again became a national issue. Since the Democrats were worried about retaining the Negro vote, Vice-President John Garner of Texas suggested to Roosevelt that an enacted anti-lynching bill would insure success. Roosevelt, however, replied "But down in your state and elsewhere in the South they say that the anti-lynching bill is unconstitutional," and gave Garner only a comment, not an answer.[64] The polemic pattern of the 1940 bill

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[62]Tugwell, Democratic Roosevelt.

[63]Editorial, "Revived Demand for Federal Anti-Lynch Bill," Crisis, XLV (September, 1938), 302; Editorial, "Bluffers," Crisis, XLV (July, 1938), 221.

[64]Harold Ickes, The Secret Diary of Harold L. Ickes, II, The Inside Struggle, 1936-1939 (New York: Simon and Schuster, 1954), 107.

repeated previous debates.[65] The bill, sponsored in the House by Representative Joseph Gavagan, Democrat from New York, passed that body by 252 votes to 131 in January. The measure was also endorsed by the C.I.O. and by 148 Congressmen who had written the N.A.A.C.P. pledging their support of the bill.[66] Mrs. Roosevelt also indicated her endorsement.

Senator Connally again threatened to conduct the Senate filibuster, claiming that the states could manage the lynching problem without any interference from the federal government. The Crisis, however, claimed that in 99.2 percent of the lynching cases, no action was taken by the state.[67] Majority leader Barkley was also heavily criticized by the Negro publication for bringing pressure to remove the anti-lynching bill from the calendar. Barkley was accused of calling the lynching bill a "dead horse." Since the President was promoting enlarged national defense appropriations in the increasingly critical international atmosphere, the lynching bill was considered to be second-rate legislation. Senator W. Warren Barbour, Republican of New Jersey, rebuked this attitude by claiming that lynching legislation had been passed over "obviously too often and altogether too long, and should have consideration."[68]

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[65]U.S. Congress, Senate, An Act to Assure to Persons Within the Jurisdiction of Every State the Equal Protection of the Laws, and to Punish the Crime of Lynching, S.R. 517, 76th Congress, 3rd Session, 1940, Congressional Record, Index, 660.

[66]Editorial, "Anti-Lynching Bill Passes House 252-131,"; "Senate Hearing Set for February 6," Crisis, XLVII (February, 1940), 55; "Along the N.A.A.C.P. Battlefront," Crisis, XLVII (January, 1940), 20.

[67]Editorial, "The Best Chance to Check Lynching," Crisis, XLVII (February, 1940), 49.

[68]Editorial, "Barkley Sounds Death of Anti-Lynching Bill," Crisis, XLVII (November, 1940), 358; Editorial, "Barkley Denies Deal to Kill Anti-Lynch Bill," Crisis, XLVII (October, 1940), 324; Editorial, "Still Dodging on Anti-Lynching Bill," Crisis, XLVII (September, 1940), 279.

This rebuke, however, was not heeded, and the final proposed anti-lynching bill for the 1930-1940 era was never formally considered because of the filibuster threat to Senate business. Yet interest in the issue remained intense in the Senate and with the Negroes. Roosevelt again remained aloof from the conflict among the Senators concerning the anti-lynching bill.

It appears that as a whole, the Senate was luke-warm towards the lynching question. Passage of the anti-lynching bill seemed irrelevant when compared to more pressing issues. To one powerful minority the bill posed a significant threat. The anti-lynching bill thus became an irritant, the focus of delay, the hindrance to congressional transactions. Therefore, the Senate was not concerned enough; the filubusterers always succeeded, not for their effective arguments but because of the more important issues to be considered.

In analyzing the position of the chief executive, there was little deviation from his previous non-involvement activities. The further truth is that publicly F.D.R. was not concerned enough with the Negro. Equality and civil rights were minor issues when compared to other problems he faced. Yet a degree of respect for the political potency of the entrenched Senators was apparent in Roosevelt's public neutrality regarding racial legislation. The President could indeed have been antagonistic to such laws. Yet the American public never really knew where Roosevelt stood on race issues.

CHAPTER V

CONCLUSIONS

Franklin D. Roosevelt's involvement with the Negro civil rights movement while he was President was probably determined by his relations with Southern Democratic Congressmen. These representatives provided the most obvious deterrent to Roosevelt's political endorsement of the black man's cause. The influence of these Congressmen was determined not by their numerical strength, but by their role as a major segment of the Democratic party, and by the seniority they possessed in Congress. Roosevelt did not know to what extent he had to depend on the votes of this bloc to enact his program from year to year; therefore, he sought some political security for his New Deal by avoiding open confrontations with these men. As he followed this policy Roosevelt had to make small compromises or disregard "ambiguous" sections of bills that might otherwise threaten these Congressmen. The white South, although it desperately needed New Deal programs and probably derived the greatest proportional benefit from them, refused to compromise its traditional attitude toward the Negro.

Roosevelt's dependence on the Southern delegation vacillated during the 1930's. In 1932 the two-thirds rule for nominating the Democratic Presidential candidate had made Roosevelt's selection dependent on Southerners. Yet in 1936 Roosevelt's followers successfully abrogated the rule, supposedly breaking the power of the Southern section over the party. But by 1940, Roosevelt's political position in the party was

again precarious, as conservatives from other geographical sections united with the Southerners to contest the third term. Thus the decade appears to have had a political cycle whereby Roosevelt gained some independence of Southern Democrats, then evolved to a more dependent stage again. If Roosevelt had alienated these Southern representatives over the race issue during the 1930's, it might have cost the President his re-election and caused an irreparable split in the Party. And the defeat of F.D.R. would have also meant the loss of New Deal benefits derived by the Negro.

One question concerning Roosevelt's political dependency on the Southern Congressmen, however, was raised by his administrative aide, Rexford Tugwell. According to Tugwell, F.D.R. in the early years of his administration could have wielded greater executive power. But the President compromised on the administration of such acts as the N.R.A. because he did not realize the extent of his power and popularity. When the conservatives discovered this fact, they so solidified their strength that by the late 1930's, F.D.R. was not able to have Congress enact major legislation without their support.[1] This criticism was expressed by several of Roosevelt's New Deal advisors, but they perhaps were not as involved in the political delicacy of the situation as was the President.

Yet Franklin Roosevelt's lack of involvement may not have been completely determined by Southern Congressmen. Since Roosevelt was a master of avoiding controversial commitments, the personal factor must remain an enigma. Nevertheless Roosevelt's wife and many of his colleagues

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[1] Tugwell, Democratic Roosevelt, 476.

such as Harold Ickes were advocates of Negro civil rights. Roosevelt, however, remained detached. The major concern of the President was alleviating the problems of the Depression. If the Negro benefited as a result of the national programs the advantage was his, but Roosevelt did not specify direct legislation for the black man's cause.

The Negro's view of Roosevelt produced divergent attitudes concerning his benefits to the Negro. Some blacks, regardless of F.D.R.'s lack of involvement, would endorse him, while others condemned the President for the same reasons. Generally, however, the Negro tended to be impatient with Roosevelt's seemingly slow involvement in seeking solutions for racial problems. The perspective that could come from a complete understanding of the problems that confronted the President during his administration was rarely considered as an acceptable answer by the Negro for his own situation.

While Roosevelt's primary goal in the 1930's was to restore a stable economy, the Negro's central concern was expressed elsewhere. Survival and increased opportunities for the black man were his paramount desires, and sometimes these ideals would conflict with the President's. More specific interests of the black man included the solving of his unemployment problem, the development of his political maturity and influence through the parties, and the protection of his rights and person by legal means such as the proposed anti-lynching bills. In these areas the N.A.A.C.P., probably the most effective instrument for the Negro during the 1930's, directed its activities. But not all rewards were tangible; in some battles, such as the attempt to pass an anti-lynching law, the victory was the Negro's successful acquisition of national publicity, not the passage of legislation.

For the Negro to expect complete achievement of his goals in the

1930's was unrealistic. Although traditional racial attitudes had weakened, the full effect of the social changes wrought by the Depression would not be realized in that decade. The race issue, in contrast to today, was of minor interest to the public. Little national attention or publicity was given to the black man or his problems. Moreover, the consideration of the Negro as a voting bloc was important to the black man, but his political involvement received infrequent and minor news coverage. The Negro simply was not in a political or economic position in the 1930's to demand specialized major recovery legislation.

Negro gains, however, were tremendous. The problem was not whether progress was being made, but whether it had come soon enough and was occurring at a pace acceptable to the black. Impatience and frustration resulted from delay, and the Negro was extremely critical of any shortcomings that happened as the idealistic New Deal programs were realistically applied. The Negro as a particularly vulnerable victim of the Depression was hypersensitive concerning his involvement with the government, and this attitude was reflected in his publications such as The Crisis.

On his list of gains from the New Deal era the black man could include the evolution of a new educated leadership with a lobbying approach toward improving civil rights. In addition, publicity for the Negro, although scarce, was more favorable and more frequent than it had been in the decades since 1900. The Negro also gained more newspaper coverage for his protests than previously. But the black man was unable to win a political commitment from Franklin D. Roosevelt. At no period during the 1930's was the Depression removed as an imminent threat to the national administration. To handle this situation F.D.R. was forced to meet certain political obligations that prevented his becoming

personally involved in the civil rights movement. The Negro benefited from the programs created by F.D.R., but it was only as a part of the mass of common men in America. F.D.R. might receive credit for these gains, but as the creator of the national program, not as a benefactor to Negro civil rights.

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A P P E N D I C E S

APPENDIX A

SENATE 4164 -- SELECTIVE TRAINING AND SERVICE ACT OF 1940[1]

SEC. 3(a) Except as otherwise provided in this Act, every male citizen of the United States, and every male alien residing in the United States, and every male alien residing in the United States who has declared his intention to become such a citizen, between the ages of twenty-one and thirty-six at the time fixed for his registration, shall be liable for training and service in the land or naval forces of the United States. The President is authorized from time to time, whether or not a state of war exists, to select and induct into the land and naval forces of the United States for training and service, in the manner provided in this Act, such number of men as in his judgment is required for such forces in the national interest: Provided, That within the limits of the quota determined under section 4(b) for the subdivision in which he resides, any person, regardless of race or color, between the ages of eighteen and thirty-six, shall be afforded an opportunity to volunteer for induction into the land or naval forces of the United States for the training and service prescribed in subsection (b), but no person who so volunteers shall be inducted for such training and service so long as he is deferred after classification: Provided further, That no man shall be inducted for training and service under this Act

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[1]U.S. Congress. Statutes at Large. 76th Congress, 3rd Session, LIV, Pt. 1, September 16, 1940, 885,887.

unless and until he is acceptable to the land or naval forces for such training and service and his physical and mental fitness for such training and service has been satisfactorily determined: Provided further, That no men shall be inducted for such training and service until adequate provision shall have been made for such shelter, sanitary facilities, water supplies, heating and lighting arrangements, medical care, and hospital accommodations, for such men, as may be determined by the Secretary of War or the Secretary of the Navy, as the case may be, to be essential to public and personal health: Provided further, That except in time of war there shall not be in active training or service in the land forces of the United States at any time under subsection (b) more than nine hundred thousand men inducted under the provisions of this Act. The men inducted into the land or naval forces for training and service under this Act shall be assigned to camps or units of such forces.

SEC. 3(d) With respect to the men inducted for training and service under this Act there shall be paid, allowed, and extended the same pay, allowances, pensions, disability and death compensation, and other benefits as are provided by law in the case of other enlisted men of like grades and length of service of that component of the land or naval forces to which they are assigned, and after transfer to a reserve component of the land or naval forces as provided in subsection (c) there shall be paid, allowed, and extended with respect to them the same benefits as are provided by law in like cases with respect to other members of such reserve component. Men in such training and service and men who have been so transferred to reserve components shall have an opportunity to qualify for promotion.

APPENDIX B

LYNCHINGS, WHITES AND NEGROES, 1882-1934
(Revised report, January 7, 1935)[1]

Year	Whites	Negroes	Total
1882	64	49	113
1883	77	53	130
1884	160	51	211
1885	110	74	184
1886	64	74	138
1887	50	70	120
1888	68	69	137
1889	76	94	170
1890	11	85	96
1891	72	113	185
1892	69	162	231
1893	34	117	151
1894	58	134	192
1895	66	113	179
1896	45	78	123
1897	35	123	158
1898	19	101	120

[1]U.S. Congress, Senate, 74th Congress, 2nd Session, April, 1936, Congressional Record, LXXXIX, Pt. 19, 6370.

Appendix B Continued

Year	Whites	Negroes	Total
1899	21	85	106
1900	9	106	115
1901	25	105	130
1902	7	85	92
1903	15	84	99
1904	7	76	83
1905	5	57	62
1906	3	62	65
1907	2	58	60
1908	8	89	97
1909	13	69	82
1910	9	67	76
1911	7	60	67
1912	2	61	63
1913	1	51	52
1914	3	44	47
1915	18	57	75
1916	5	49	54
1917	3	36	39
1918	4	60	64
1919	6	74	80
1920	7	53	60
1921	4	58	62
1922	6	51	57
1923	4	29	33

Appendix B Continued

Year	Whites	Negroes	Total
1924	0	16	16
1925	0	17	17
1926	7	23	30
1927	0	16	16
1928	1	10	11
1929	3	7	10
1930	1	20	21
1931	1	12	13
1932	2	6	8
1933	4	24	28
1934	0	15	15
Total	1,291	3,352	4,643

APPENDIX C

WAGNER-COSTIGAN ANTI-LYNCHING BILL AS PRESENTED TO THE SENATE IN 1935[1]

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That the phrase "mob or riotous assemblage", when used in this Act, shall mean an assemblage composed of three or more persons acting in concert, without authority of law, for the purpose of killing or injuring any person in the custody of any peace officer or suspected of, charged with, or convicted of the commission of any crime, with the purpose or consequence of preventing the apprehension and/or trial and/or punishment by law of such person or otherwise of depriving such person of due process of law or the equal protection of the laws.

SEC. 2. If any State or governmental subdivision thereof fails, neglects, or refuses to provide and maintain protection to the life or person of any individual within its jurisdiction against a mob or riotous assemblage, whether by way of preventing or punishing the acts thereof, such State shall by reason of such failure, neglect, or refusal be deemed to have denied to such person due process of law and the equal protection of the laws of the State, and to the end that the protection guaranteed to persons within the jurisdiction of the several States, or

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[1]U.S. Congress, Senate Reports, Vol. I, Anti-Lynching, Report 340 on Senate 24, 24th Congress, 1st Session, March (calendar day, March 18, 1935), 1-3.

to the citizens of the United States, by the Constitution of the United States, may be secured, the provisions of this Act are enacted.

SEC. 3. (a) Any officer or employee of any State or governmental subdivision thereof who is charged with the duty or who possesses the power or authority as such officer or employee to protect the life or person of any individual injured or put to death by any mob or riotous assemblage or any officer or employee of any State or governmental subdivision thereof having any such individual in his custody, who fails, neglects, or refuses to make all diligent efforts to protect such individual from being so injured or being put to death or any officer or employee of any State or governmental subdivision thereof charged with the duty of apprehending, keeping in custody, or prosecuting any person participating in such mob or riotous assemblage who fails, neglects, or refuses to make all diligent efforts to perform his duty in apprehending, keeping in custody, or prosecuting to final judgment under the laws of such State all persons so participating, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding $5,000 or by imprisonment not exceeding five years, or by both such fine and imprisonment.

(b) Any officer or employee of any State or governmental subdivision thereof, acting as such officer or employee under authority of State law, having in his custody or control a prisoner, who shall conspire, combine, or confederate with any person to suffer such prisoner to be taken or obtained from his custody or control to be injured or put to death by a mob or riotous assemblage shall be guilty of a felony, and those who so conspire, combine, or confederate with such officer or employee shall likewise be guilty of a felony. On conviction the parties participating therein shall be punished by imprisonment of not less than

five years nor more than twenty-five years.

SEC. 4. The District Court of the United States judicial district wherein the person is injured or put to death by a mob or riotous assemblage shall have jurisdiction to try and to punish, in accordance with the laws of the State where the injury is inflicted or the homicide is committed, any and all persons who participate therein: Provided, That it is first made to appear to such court (1) that the officers of the State charged with the duty of apprehending, prosecuting, and punishing such offenders under the laws of the State shall have failed, neglected or refused to apprehend, prosecute, or punish such offenders; or (2) that the jurors obtainable for service in the State court having jurisdiction of the offense are so strongly opposed to such punishment that there is probability that those guilty of the offense will not be punished in such State court. A failure for more than thirty days after the commission of such an offense to apprehend or to indict the persons guilty thereof, or a failure diligently to prosecute such persons, shall be sufficient to constitute prima facie evidence of the failure, neglect, or refusal described in the above proviso.

SEC. 5. Any county in which a person is seriously injured or put to death by a mob or riotous assemblage by reason of the fact that the officers of the State charged with the duty of apprehending, prosecuting, and punishing offenders under the laws of the State shall have failed, neglected, or refused to perform the duties prescribed in Section 3 of this Act shall be liable to the injured person or the legal representatives of such persons, or the estate of such deceased person for a sum of not less than $2,000 nor more than $10,000 as liquidated damages, which sum may be recovered in a civil action against such county in the United States District Court of the judicial district

wherein such person is put to the injury or death. Such action shall be brought and prosecuted by the United States district attorney of the district in the United States District Court for such district. If such amount awarded be not paid upon recovery of a judgment therefor, such court shall have jurisdiction to enforce payment thereof by levy of execution upon any property of the county, or may otherwise compel payment thereof by mandamus or other appropriate process; and any officer of such county or other person who disobeys or fails to comply with any lawful order of the court in the premises shall be liable to punishment as for contempt and to any other penalty provided by law therefor. The amount recovered shall be exempt from all claims by creditors of such injured or deceased person, or the legal representatives of such injured person or of the estate of such deceased person. The amount recovered upon such judgment shall be paid to the injured person, or where death resulted, distributed in accordance with the laws governing the distribution of an intestate decedent's assets then in effect in the State therein such death occurred.

SEC. 6. In the event that any person so injured or put to death shall have been transported by such mob or riotous assemblage from one county to another county or counties during the time intervening between his seizure and injury or putting to death, the county in which he is seized and the county in which he is injured or put to death shall be jointly and severally liable to pay the forfeiture herein provided, and action shall be brought and prosecuted by the United States district attorney of any district wherein any such county is located. Any district judge of the United States District Court of the judicial district wherein any suit or prosecution is instituted under the provisions of

this Act may by order direct that such suit or prosecution be tried in any place in such district as he may designate in such order.

VITA 2

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