

★ THE ACHIEVEMENT OF ★
AMERICAN LIBERALISM
THE NEW DEAL AND ITS LEGACIES



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EDITED BY WILLIAM H. CHAFE

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For William E. Leuchtenburg

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INTRODUCTION

William H. Chafe

In the late 1960s, the British journalist and historian Godfrey Hodgson described the “liberal consensus” that had emerged after World War II in America as the paradigm that framed American politics in the decades that followed. The consensus, as Hodgson outlined it, consisted of a series of intersecting axioms: (1) capitalism, not socialism, provided the best economic system in the world; (2) capitalism and democracy worked together hand in hand, each indispensable to the other; (3) there was nothing organically or structurally wrong with American society as it currently existed (hence, incremental reform rather than radical change offered the most effective modus operandi for political action); (4) the best way to bring about reform and greater equality of opportunity was through growing further an already vibrant economy, thereby providing a larger pie to be divided up; and (5) what united Americans in support of the liberal consensus was implacable opposition to communism, the worldwide system that represented totalitarianism, sterility, and economic stagnation.

Hodgson’s interpretive assessment crystallized the changes that had occurred in definitions of liberalism during the New Deal and World War II, and it suggested the degree to which these definitional changes shaped the politics of an era. Significantly, each axiom of the liberal consensus that Hodgson described had far-reaching import for what could or could not be considered an option within American political discourse; moreover, each axiom so thoroughly informed the others that none could be isolated or considered separately from the others. The anchor for everything was anticom-

munism, with implications for domestic as well as foreign policy. Thus, not only was it impossible for any American politician after 1948 to advocate striking a deal with Russia or pursuing a foreign policy that would accommodate socialist countries such as North Vietnam or Hungary lest he or she be labeled a communist sympathizer, but it also became impossible to advocate left-of-center domestic policies such as national health care or childcare services, inasmuch as these suggestions might be construed as “socialistic,” collectivist, and hence sympathetic to communist ideology. In short, the ground rules established by the paradigm clearly limited the terms of political discourse.

The liberal consensus, as Hodgson described it, also constrained the ways in which reformers could seek change on issues like race or poverty. Given the premise that the American system was organically healthy, with no fundamental flaws, change had to be put forward as incremental reform. Civil rights advocates focused, therefore, on remedial legislation to improve voting rights or on lawsuits that would refine and enhance the meaning of equal protection under the law. All of this occurred within the context of embracing the American Dream and seeking to make it more inclusive; the underlying soundness of the American Dream never came into question. Similarly, antipoverty warriors concentrated on making opportunities more available to poor people, not on promoting structural change in the economy through redistribution of income, because to do so would presume that there was something wrong with the existing system.

Yet it had not always been the case that liberalism was so defined. Nor would it necessarily remain so in the future. Indeed, the ways that liberalism has changed in meaning provide a critical prism through which to understand twentieth-century American politics. Although Hodgson applied his definition of the liberal consensus specifically to the period from 1948 to 1968, it by no means exhausts the way the term *liberal* has altered over time. If we presume a longer time frame, from the New Deal through the beginning of the twenty-first century, the shifting definitions of liberalism provide an ideal vehicle through which to understand what has and has not taken place in American society. In this larger framework, each change in the conception of liberalism potentially represents a pivotal variable in shaping America’s political history during this period.

Clearly, the New Deal constitutes the beginning point for any discussion of liberalism. The Great Depression had ushered in a period of unrelenting suffering for the American people. More than 25 percent of American workers were unemployed; factory wages had shrunk from \$12 billion to \$7 bil-

lion; more than five thousand banks had failed; nine million people had lost their life savings; and millions of mortgages were foreclosed. Whatever else the 1932 election accomplished, it signified frustration and dissatisfaction with a government that did nothing to respond to such suffering, and it mandated a new approach. Franklin D. Roosevelt's "New Deal," however embryonic and ambiguous it might have been in the rhetoric of the 1932 campaign, represented the starting point of a new kind of politics.

But what would liberalism mean? Was it antibusiness or probusiness? For agrarian reform and support of tenant farmers, or dedicated to the buttressing of big agriculture? In favor of government planning and state-owned enterprises, or devoted to private enterprise? For civil rights for minorities, or content with the persistence of white supremacy? A defender of civil liberties, or a foe? Committed to radically altering the existing distribution of wealth and income, or supportive of the status quo? Dedicated to using government as an agent to bring health, education, and security to average citizens, or committed more to individualism and self-determination?

The answer, it turned out, was all of the above. Like the multiple and contradictory themes of his 1932 campaign speeches, Roosevelt's administration represented a potpourri of policy initiatives, many of them seemingly unrelated to each other and at times in direct conflict. The National Industrial Recovery Act essentially represented a partnership of big government and big business, with the one colluding with the other in price-fixing and economic planning. The Agricultural Adjustment Administration did the same for big agriculture while displacing thousands of sharecroppers and tenant farmers—though the Tennessee Valley Authority foreshadowed what government ownership of utilities might mean.

Relief policies, on the other hand, brought money and jobs to millions of the unemployed while putting in place new schools, hospitals, roads, airports, and post offices that would benefit, at government expense, the society as a whole. Blacks found for the first time a reason to vote Democratic, largely because of Roosevelt's economic relief measures; yet Roosevelt would not support a federal antilynching bill, preferring to maintain his alliance with the white supremacist Democratic leadership of the South. Labor received new legitimacy and encouragement from the Wagner Act, which helped fuel the creation of mass industrial unions in auto, steel, rubber, and the electrical industry; yet Roosevelt came on board only at the end, when passage of the Wagner Act seemed a certainty. Social Security brought a measure of stability and support to millions of senior citizens, yet it was based on a regressive taxing system that in fact injured the economy. In short,

far from representing a coherent ideological statement of what liberalism meant and where it should lead, the New Deal expressed in tantalizing and confusing ways the multiple possibilities implicit in government's playing a new and critical role in the nation's economy.

There were, however, significant themes, themselves often contradictory, that emerged from the New Deal: recovery, relief, and reform. Of the three, only relief could be called a significant success. With millions of the unemployed given public-works jobs and welfare payments, and with myriad new welfare measures from Social Security to disability and unemployment insurance, a floor of government support for the basics of existence became a foundational pillar of liberalism. Recovery proved less attainable, not really occurring until the huge defense buildups that accompanied World War II. Even though by 1936 agriculture and industry had come back, the cutback in federal spending implemented by Roosevelt in 1937 precipitated a new recession that in many ways went back to the worst days of the 1930s.

The New Deal legacy is most confusing in the area of reform. Arguably, signals existed that portended a reshaping of American society. In addition to the Wagner Act, which helped send union membership soaring from two million members in 1930 to sixteen million by 1944, antitrust actions increased during the second Roosevelt administration, there was some talk about national health insurance, and modestly progressive changes occurred in tax policy. The New Deal political coalition of urban ethnics, minorities, union members, and farmers also held the potential of coming together around a variety of social welfare measures. Most suggestive of change, perhaps, was Roosevelt's political rhetoric in 1936 and 1937. Denouncing "economic royalists" and "malefactors of wealth," Roosevelt pledged in his second inaugural to focus on the "one third of a nation that is ill-housed, ill-clothed, and ill-fed." Such words suggested, potentially at least, a rallying cry for change more systemic than incremental.

Yet it was not to be. Roosevelt's plan to pack the Supreme Court in 1937 precipitated construction of a new conservative coalition in Congress that persistently frustrated his quest for further reform legislation. The failure of Roosevelt's effort to purge Congress of its most reactionary members in 1938 represented another critical setback. The onset of war in Europe and the growing national preoccupation with World War II put domestic reform on a back burner, culminating in Roosevelt's 1943 proclamation that Dr. Win-the-War had now taken precedence over Dr. New Deal. All of this led historian Alan Brinkley to conclude that the era of reform was over and that liberalism had moved from a focus on the potential restructuring of society and

from grappling with underlying social problems to an immersion in what he has called “administrative liberalism” and the construction of the modern social welfare state.

In the meantime other issues critical to the liberal agenda surged to the forefront. For the entire history of America, race has constituted the original sin staining the nation’s profession to be a democratic republic. The constitutional protections erected after the Civil War to provide equal treatment before the law became a victim of a new alliance between northern economic interests and southern Democrats, with the infamous era of Jim Crow installing a system of economic, political, and social segregation that deprived African Americans not only of the opportunity for economic well-being, but also of all political and social rights. Now, with the growth of industrial unions, at least some of them committed to greater racial equality, and with a government making war on Hitler’s racist regime, African Americans insisted that they would no longer be left out of the nation’s democratic equation. From World War II all the way through to the end of the century, nothing would affect the fate of liberalism, or its definition, more than the issue of how Americans should come to grips with their oldest problem.

Simultaneously, the terms of the liberal debate became hostage to developments in foreign policy, and specifically the Cold War. For a generation, anticommunism shaped the options perceived as possible within the liberal agenda, as well as how they might be pursued. Moreover, the predominance of a Cold War mentality, particularly vis-à-vis the war in Vietnam, created a new crisis for the viability of liberalism. Radicals from the 1960s raised new questions about the soundness of the nation’s social and economic system that had not been heard since the late 1930s. In a new era, shaped by the ideological values articulated by Richard Nixon and Ronald Reagan, older issues of the welfare state, minority group politics, and individual versus collective responses to social problems assumed a new and critical urgency. By 1988 the word “liberal” itself had become almost a smear, with confusion once again rampant within those political circles that remained part of the New Deal legacy.

In many respects the person who more than anyone else has framed our thinking about the New Deal and its legacy for liberalism is William E. Leuchtenburg. As author of the prizewinning classic *Franklin D. Roosevelt and the New Deal* (1964), Leuchtenburg set forth the parameters of all future discussions of the New Deal. A dedicated liberal in his own right—Leuchtenburg spent his first years after college working as a field agent for the Fair Employment Practices lobby and Americans for Democratic Action—he

carefully and precisely dissected the political and methodological tensions that shaped New Deal policies. It was Leuchtenburg who described the New Deal as a “broker state” characterized by political leadership that sought to balance interest group against interest group. As a result, Leuchtenburg pointed out, the New Deal became a “parallelogram of pressure groups”—a political construction that inevitably doomed any direct challenge to vested interests in the society. Roosevelt might seek to balance the political influence of business and labor, but to do so ignored the fundamental disparity of power from which the two began.

Leuchtenburg’s ultimate contribution to the liberal legacy of the New Deal was threefold. First, he showed with compelling insight that whatever its proponents and detractors said, the New Deal was at best a “half-way revolution.” It may have dramatically extended the power of the state and created an irreversible model for government involvement in the economy, but it did little to alter the balance of forces within society. Social Security, Leuchtenburg pointed out, was “astonishingly inept and conservative,” taking funds out of the economy, ignoring those most in need of help (farm laborers and domestic workers), and failing to deal with issues of health. Notwithstanding Roosevelt’s rhetoric about “economic royalists” and aiding the poorest third of the nation, tenant farmers received little if any assistance, the wealthiest 1 percent of the population increased its share of the nation’s resources, and only moderate steps were taken to address the underlying oppression of black Americans.

Second, Leuchtenburg provided the key answer to the question of where the New Deal had come from. In the midst of a sometimes interminable debate between those who traced part of Franklin D. Roosevelt’s legislative initiatives to the New Nationalism of Theodore Roosevelt and part to the New Freedom of Woodrow Wilson, Leuchtenburg came forward with the critical intervention that the major prototype for the New Deal, both in theory and in personnel, was the massive federal intervention in the economy that had occurred in World War I. The same dollar-a-year executives who had run wartime agencies in 1917–18 came back to Washington to manage the NRA and AAA, latter-day parallels of the War Industries Board and the War Food Board; the rhetoric of the war against depression drew heavily on the precedent of the sloganeering of World War I; and the image of a nonpartisan wartime coalition government, including the overarching symbol of the NRA’s “Blue Eagle,” pervaded Roosevelt’s approach to the national crisis. Leuchtenburg had found the critical ingredients—human as well as institutional—that more satisfactorily than anything else provided an explanation for where these ideas originated.

Third, Leuchtenburg has shaped a generation of scholarship on the New Deal and its legacies for liberalism by the students he has trained. Few American historians have so directly sculpted and trained successive generations of scholars. More than twenty of Leuchtenburg's students have published at least two books apiece. Many of these books have in turn defined the parameters of the political and social history of the last fifty years. A literary craftsman of exquisite taste, Leuchtenburg imparted to his students both the encouragement for each to find his or her own voice, and the insistence that, whichever voice was chosen, it must be expressed with clarity, conciseness, and elegance. "Writing," he has said, "is its own justification, the way a beautiful day is, or eating a peach. There is a feeling of joy when you have done something well."

As Leuchtenburg guided his students into the profession, he also empowered them to ask new questions about the liberal tradition. Although proud to be called a "political historian," even in an age when that label occasionally generated scorn rather than applause, Leuchtenburg pushed those he mentored to break new ground, studying such issues as gender, race, homosexuality, and the media. In his own scholarship, he incorporated some of these new insights, raising questions in such books as *A Troubled Feast* (1973) about the influence of economic prosperity and suburbanization on the liberal tradition, and noting the historical discontinuities in political history created by massive social movements led by women and blacks.

It is appropriate, therefore, that this set of inquiries into the legacy of the New Deal and American liberalism should come from those who have benefited most from William E. Leuchtenburg's mentorship. These essays deal with many aspects of liberalism's ever-changing definition. Alan Brinkley chronicles the experimental evolution of the New Deal, showing the powerful but competing pressures that made the New Deal into such a fascinating political potpourri. Alonzo Hamby traces the Democratic Party's evolving effort to incorporate the multiple traditions of the New Deal as it moved forward into the Cold War world. Richard Fried, in turn, assesses the impact of McCarthyism, one of the most important political realities for the liberal tradition, yet one that is not necessarily well comprehended. Richard Polenberg eloquently describes the impact of the liberal tradition, and its limitations, on the brilliant father of the atomic bomb, Robert Oppenheimer. And Mel Urofsky shows how the Roosevelt Court charted, in profound ways, the legal playing field on which the debate about the meaning of liberalism would be conducted. Significantly, four of the essays in this volume—by Harvard Sitkoff, William Chafe, Steven Lawson, and Cynthia Harrison—look at the

legacy of liberalism from the perspective of issues of race, gender, and, to a lesser degree, class. In the ongoing attempt to develop a liberal ideology that incorporates both the rights of individuals and the importance of collective identities on people's lives and fortunes, questions of race and gender have been the most nagging and troublesome, forcing a reassessment of how and whether the liberal tradition speaks to our most fundamental social divisions. And Otis Graham, in a provocative overview of liberalism from the New Deal to the New Millennium, brings together all of these themes, suggesting just where and when liberalism may have lost its anchor.

The purpose of these essays is not to answer all questions about liberalism, but to engage these questions in ways that may prove helpful to delineating key issues for future scholars. We dedicate this book to William E. Leuchtenburg in tribute to all he has done to make twentieth-century political and social history such a vibrant and vital field of inquiry, and in gratitude for the model he has presented to all of us of how to research tirelessly, argue fairly and tenaciously, and write gracefully and elegantly.

**THE ACHIEVEMENT OF
AMERICAN LIBERALISM**

1

THE NEW DEAL EXPERIMENTS

Alan Brinkley

Historians have expressed impatience with Franklin Roosevelt at times. He was, they have complained, a man without an ideological core and thus unable to exercise genuine leadership. He was a compromiser, a trimmer. He “was content in large measure to follow public opinion,” Richard Hofstadter once wrote, and thus charted no clear path. He allowed the existing political landscape to dictate his course, James MacGregor Burns lamented, instead of reshaping the Democratic Party to serve his own purposes. Such complaints were common among Roosevelt’s contemporaries as well, most of all among those who had invested the greatest hopes in him. There seemed to be something almost slippery about the man—with his eagerness to please everyone with whom he talked, with his ability to persuade people expressing two opposing views that he agreed with them both, with his tendency to allow seemingly contradictory initiatives to proceed simultaneously. “When I talk to him, he says ‘Fine! Fine! Fine!’” Huey Long once complained. “But Joe Robinson [one of Long’s ideological nemeses] goes to see him the next day and again he says ‘Fine! Fine! Fine!’ Maybe he says ‘Fine’ to everybody.” Henry Stimson, Roosevelt’s secretary of war from 1940 on, was constantly frustrated by this enigmatic man—so much so that not long after Roosevelt died, Stimson privately expressed relief that in Harry Truman, the new president, he finally had someone willing to make a clear-cut and unequivocal decision. Roosevelt’s fundamentally political nature—his rejection of all but a few fixed principles and his inclination to measure each decision against its likely popular reaction—may have been a significant weakness, as some of his

critics have claimed, or his greatest strength, as others insist. But it was the essence of the man.¹

So, too, was the New Deal a confusing amalgam of ideas and impulses—a program that seemed to have something in it to please everyone except those who sought a discernible ideological foundation. “Take a method and try it,” Roosevelt liked to say. “If it fails, admit it frankly and try another. But above all, try something.” Such statements have sometimes led critics and admirers alike to conclude that the New Deal reflected nothing but pragmatic responses to immediate problems; that it was, as Hofstadter described, little more than a “chaos of experimentation.” “To look upon these programs as the result of a unified plan,” Roosevelt’s erstwhile advisor Raymond Moley wrote in a sour memoir published after his falling out with the president, “was to believe that the accumulation of stuffed snakes, baseball pictures, school flags, old tennis shoes, carpenter’s tools, geometry books, and chemistry sets in a boy’s bedroom could have been put there by an interior decorator.” But it also reflected Roosevelt’s instinct for action—his belief in, if nothing else, the obligation of the leaders of government to work aggressively and affirmatively to deal with the nation’s problems.²

Roosevelt was no ideologue; but neither he himself nor the New Deal he created lived in an ideological vacuum. The blizzard of experiments that coexisted, and sometimes clashed, within the Roosevelt administration were the product not just of short-term, pragmatic efforts to solve immediate problems. They were the product too of the well of inherited ideologies that he and other New Dealers had derived from the reform battles of the first third of the century and from which they felt at liberty to pick and choose as they saw fit. The New Deal may have had no coherence, but it did have foundations—many of them.

Roosevelt entered office convinced that he faced three urgent tasks. He needed to devise policies to end the Great Depression. He needed to create programs to help the millions in distress weather hard times until prosperity returned. And he needed, most New Dealers believed, to frame lasting reforms that would prevent a similar crisis from occurring again. He made strenuous efforts to fulfill all of these tasks. And while he succeeded fully at none of them, he achieved a great deal in the trying.

Roosevelt’s first and most compelling task was to restore prosperity. But in truth the New Dealers had no idea how to end the Depression because they had only the vaguest idea of what had caused it. Some believed the Depression was a result of overproduction, which had driven down prices and

launched the spiraling deflation. Others sensed that it was a result of underconsumption, of the inadequate incomes of working people and hence the inadequate markets for industrial goods. Some believed the problem was the composition of the currency, others that it was a lack of “business confidence.” Few people in any of these groups (and in many others, with different diagnoses still) had any persuasive prescriptions for how to solve the problems they cited. Virtually no one yet understood the Keynesian economic ideas that would in later years inspire concerted, and at times effective, government efforts to fight recessions.

Just as the Federal Reserve Board in the first years of the Depression had raised interest rates at a time of massive deflation when rates should have gone down, Roosevelt entered office convinced that one of his most pressing tasks was to reduce federal spending to protect the government’s solvency at a time when the most effective response to the crisis would have been substantial deficits. His first week in office, he won passage of the Economy Act, which slashed the federal payroll and reduced veterans benefits. And while he never succeeded in actually balancing the budget, for more than five years he never stopped trying. In time-honored fashion, Roosevelt also tinkered with the currency. First he sabotaged an international economic conference that was meeting in London to stabilize world currencies. (He sent his adviser, Raymond Moley, to represent him there. Then he repudiated the agreements Moley was attempting to forge by releasing what became known as the “bombshell” message, in which Roosevelt informed the conference that the United States would not abide by its results whatever they might be. The meeting quickly dissolved in failure.) Then he loosened the dollar’s attachment to the gold standard. Later, he engaged in a fanciful program of buying gold on the international market in an effort to lower the value of the dollar and make American goods more attractive in world markets—an arcane panacea that may have done little harm but certainly did no good. Roosevelt did act effectively to stem the corrosive banking crisis that was his most immediate challenge on taking office. He declared a “bank holiday,” passed emergency bank legislation to give the government authority to review the financial health of banks before allowing them to reopen, and then later won passage of more substantial banking reform that created federal insurance of banking deposits and strengthened the Federal Reserve System. That stopped the financial panic and saved the banks. But to the larger crisis in the nation’s economy he had no effective solution.

Most historians and economists now agree that the best, perhaps the only, way to end the Great Depression quickly in 1933 would have been to increase

total spending rapidly and substantially. And because the private sector was trapped in a deflationary spiral that made such increases virtually impossible for businesses and individuals, the only agent for doing so was the government. But during its first five years, most New Dealers recognized the need for public spending only dimly—and constantly sought to balance that recognition against their lingering commitment to fiscal orthodoxy. Not until 1938, after a premature effort to balance the budget had helped trigger a severe recession, did Roosevelt openly endorse the idea of public spending as a stimulus to economic growth—validating the core of what would soon be known as Keynesian economics in the process. Even then, the fiscal stimulus was much smaller than economic conditions required.³ In the meantime, the New Deal had to content itself with a largely inadvertent contribution to purchasing power and total spending: its public works projects and its increasingly elaborate programs of relief to the distressed and the unemployed. Not until World War II did government spending increase dramatically enough to bring the Depression wholly to an end.

Perhaps Roosevelt's most important contribution to the nation's short-term economic fortunes was to dispel the broad sense of panic that was threatening to destroy not just the banking system, but the entire financial and industrial structure of the nation. He did so in part through the flurry of legislation he steered through a compliant Congress in his famous first "hundred days." But he did so as well by thrusting his own personality into the center of public life. His firm and confident inaugural address—with its ringing promise that "the only thing we have to fear is fear itself" and its stern warnings of quasi-military responses to the crisis if more conventional means did not work—established him as a leader determined to do whatever it took to avert disaster. His warm, comforting "fireside chats" over the radio, in which he patiently explained what the government was doing and what it meant to ordinary people, made him the first president whose voice and image became an ordinary part of everyday life. Soon portraits of Roosevelt were appearing in the living rooms and kitchens of farmers, working people, and others all over the country. Roosevelt did not end the Depression. But he challenged the despair that had gripped so many Americans in the last, lugubrious year of the Hoover presidency and helped them to believe that the government could do something about their problems.

In the absence of an effective program for ending the Depression, the New Deal's efforts to provide relief became all the more important. State, local, and private relief efforts were collapsing under the unprecedented demands

placed on them, and Roosevelt stepped into the void with a series of new programs. In his first months in office, he created the Civilian Conservation Corps, which took young, unemployed, urban men and gave them jobs working in national parks and forests. This was a plan the president (who retained a preference for rural life despite his many years in New York City and who voiced his cousin Theodore's faith in the value of the "strenuous life"—a life, of course, now barred to him) particularly liked. He created the Federal Emergency Relief Administration, which offered financial assistance to state relief agencies, and some months later the Civil Works Administration, a federally managed jobs program administered by the former social worker Harry Hopkins. The New Deal launched other programs as well, offering financial assistance to imperiled homeowners, farmers, and small businesses. Even taken together, these early relief programs were modest when measured against the gravity of the problems they were trying to address. For the people they helped, they were a godsend. For millions of others, they were simply an alluring but unattainable promise.

These early experiments in providing relief revealed both the extent and the limits of the New Deal commitment to social welfare. Roosevelt and those around him clearly rejected the rigid conservative views of those who considered any aid to the poor dangerous and improper. In 1931, as governor of New York, Roosevelt had challenged that orthodoxy. Government had a clear responsibility, he told the state legislature, "when widespread economic conditions render large numbers of men and women incapable of supporting either themselves or their families because of circumstances beyond their control which make it impossible for them to find remunerative labor. To these unfortunate citizens aid must be extended by government—not as a matter of charity but as a matter of social duty."⁴ As president, he continued to reject the conservative argument against social assistance.

But Roosevelt, Hopkins, and most of the other critical figures in shaping the New Deal welfare state also feared the debilitating effects of what was still widely known as "the dole." Harry Hopkins, looking at the effects of the FERA in 1933, said, "I don't think anybody can go on year after year, month after month accepting relief without affecting his character in some way unfavorably. It is probably going to undermine the independence of hundreds of thousands of families. . . . I look upon this as a great national disaster." The president himself proclaimed in 1934, "I do not want to think that it is the destiny of any American to remain permanently on the relief rolls."⁵ Instead, the New Deal turned to an approach with which it felt much more comfortable: work relief, providing the unemployed with jobs. "Give a man a dole,

and you save his body and destroy his spirit,” Hopkins said. “Give him a job . . . and you save both the body and the spirit. It saves his skill. It gives him a chance to do something socially useful.”⁶ Both the CCC and the CWA had been experiments in work relief. In 1935, with unemployment still a corrosive problem, the New Deal created a much larger experiment: the Works Progress Administration.

The mission of the WPA was to fund public works programs all over the country. Hopkins became its administrator; and while he hoped to provide useful and necessary work, his first priority was to provide immediate assistance to the unemployed. Hopkins spent the money allotted to him lavishly, rapidly, and with remarkable creativity. The WPA built hospitals, schools, airports, theaters, roads, hotels in national parks, monuments, post offices, and federal buildings all over the country. It created some of the most imaginative government projects in American history: the Federal Theater Project, which hired actors, directors, playwrights, and other unemployed theater people to write and produce plays, skits, and revues all across the country; the Federal Arts Project, which recruited unemployed artists, paid them a wage, and put them to work creating public art; the Federal Writers’ Project, which hired writers to produce state and city guidebooks and to collect oral histories from ordinary men and women (including former slaves). Most of all, the WPA pumped desperately needed money into the economy. In the process, it raised popular expectations of government and helped legitimize the idea of public assistance to the poor. But it did not become the model for a lasting federal role in social welfare. Congress abolished it in 1943, and federally funded jobs programs have been rare and generally modest in the years since.

What did become important and lasting parts of the American welfare state were two forms of public assistance created by the Social Security Act of 1935, the single most important piece of social legislation in American history. The first was public assistance, which the framers of the Act considered to be the less important of the two—a relatively small, limited commitment, they believed, to help certain, specified categories of people who clearly were unable to help themselves. It institutionalized, in effect, the longstanding distinction in American attitudes toward poverty between the deserving and undeserving poor, or (as the New Dealers themselves described them) between employables and unemployables. New Dealers had opposed generalized relief because they feared giving a dole to people who could and should work. But the Social Security Act identified groups of people who, its framers believed, could not and should not work. Specifically, it provided direct as-

sistance to the disabled (primarily the blind), to the elderly poor (people presumably too old to work), and most important (although no one realized at the time how important it would be) to dependent children. The Aid to Dependent Children program (later Aid to Families with Dependent Children) eventually achieved dimensions far beyond even the wildest imaginings of those who created it and struggled constantly for real legitimacy for over sixty years until finally succumbing to conservative opposition in 1996.

The Act also set up two important programs of social insurance: unemployment compensation and the old age pensions that we now associate most clearly with the name Social Security. Unlike ADC, these insurance programs had little difficulty achieving political legitimacy. Indeed, they remained through the end of the twentieth century among the most popular, even sacrosanct, of all the functions of the federal government. Unemployment insurance and old-age pensions were able to entrench themselves so successfully in part because they were universal—because virtually everyone who worked eventually stood to benefit from them. But they were also popular because they represented such a safe and conservative approach to welfare that many people (including many New Dealers) did not consider them welfare at all. They were, Americans came to believe, “insurance,” much like private-sector insurance and pension plans. They were funded not out of general revenues, but out of special, separate taxes on employers and workers, whose revenues into separate and presumably inviolable trust funds. (Social Security was not even included in the official federal budget until the late 1960s.) Recipients would, in theory, receive benefits they had earned and paid for (although in fact the program was more redistributive than its popular image suggested, and many people received either much more or much less in benefits than they had paid into it in contributions).

The Social Security Act, in other words, set up two forms of welfare—separate and highly unequal. Public assistance (most notably ADC) was the product of assumptions about the difference between the deserving and the undeserving, and it was both stingier in its benefits and much more vulnerable to public hostility than its social-insurance partner in birth. Social insurance, which rested on no such distinction, was more generous from the beginning and enjoyed much greater public support. It is no coincidence that one of these programs—public assistance—was a program whose benefits went disproportionately to women and that the other—social insurance—was a program whose benefits went, at least at first, principally to white men. That was not because the Social Security program was devised by men; many women were centrally involved in shaping these programs as well. It was be-

cause both the men and the women who devised these programs agreed that women should be treated differently; that public policy should assume that married women would be supported by their husbands and that only when a man was absent from the home should a woman be eligible for assistance. Women, unlike men, would need public assistance when left alone, particularly when left alone with children. This was a system (in both its public assistance and social insurance elements) that was designed to preserve the traditional family wage system. Unemployment insurance and old-age pensions provided a safety net for the wage earner or retiree (although not, at first, to all earners, since until the 1940s the program excluded large categories of working people—including agricultural workers, domestics, and other groups that were largely black or female or both). ADC provided assistance, somewhat grudgingly, primarily to those unfortunate women and children who found themselves outside the family wage system.⁷

The most ambitious effort of the first hundred days was a series of measures to reshape the American economy in more basic and lasting ways. The reform effort took several different shapes. Some reflected the belief in government regulation of concentrated power that New Dealers had derived from the progressive reform crusades of the early twentieth century and from their suspicion of what Louis Brandeis had once called the “curse of bigness.” Their inspiration was Woodrow Wilson’s New Freedom, or at least those elements of it (mostly rhetorical) that warned of the power of large corporate institutions and envisioned a more decentralized and competitive economy. At the instigation of such self-proclaimed Brandeisians as Felix Frankfurter, Thomas Corcoran, and Benjamin Cohen, and with the enthusiastic support of the inveterate antimonopolist Sam Rayburn in the House of Representatives, the New Deal created a new agency to regulate the stock and bond markets—the Securities and Exchange Commission, which set out to prevent the kind of reckless speculation and occasional fraud that had created such instability in the financial markets in 1929. It produced the Federal Communications Commission, the Civil Aeronautics Board, and other agencies to supervise sensitive areas of the economy. Later, the same forces helped inspire a controversial (and only partially successful) effort in 1935 to break the power of utilities monopolies: the Utilities Holding Company Act. Later still, they won passage of the Fair Labor Standards Act of 1938, which created a minimum wage, a forty-hour work week, and a ban on child labor; and they pressed for the creation of the Temporary National Economic Committee—a highly publicized inquiry into monopoly power run jointly by the White

House and Congress that ran from 1938 to 1943, produced mountains of data, but failed to inspire any concrete reforms.

Other New Dealers envisioned a much more forceful kind of national planning, rooted in the progressive-era faith in system, process, and expertise. Implicit in their efforts was an acceptance of large-scale organization as the basic feature of the modern economy and a belief in the need for some kind of centralized coordination and control. “The essential conditions of efficiency,” Herbert Croly had written early in the century, “is always concentration of responsibility.” Among the New Dealers who shared that belief was Rexford Tugwell. He was certain that new administrative structures could be created, new techniques of management and control devised, that would allow a modern society to achieve what Walter Lippmann had once called “mastery” over the forces that threatened to overwhelm it. Among his heroes was Theodore Roosevelt, who had begun in 1910 to articulate the ambitious vision of state supervision of the economy he called the “New Nationalism.” “We should,” the earlier Roosevelt had declared, “enter upon a course of supervision, control, and regulation of these great corporations—a regulation which we should not fear, if necessary to bring to the point of control of monopoly prices.”⁸

No effective, centralized planning mechanisms ever emerged out of the New Deal, to Tugwell’s lasting chagrin—despite the efforts of a series of committed but politically ineffective agencies charged with “planning” that survived within the government from 1933 to 1943. But the Roosevelt administration did launch some important, if limited, federal planning efforts. The most prominent of them was the Tennessee Valley Authority, a dramatic experiment in flood control and public power that was also for a time an ambitious effort to plan the future of an entire region.

The TVA’s most ambitious planning efforts ultimately came to naught. Its more lasting significance may have been as a spur to another New Deal approach to political economy: a wide-ranging experiment in what the historian Jordan Schwarz has called “state capitalism” and what in contemporary political discourse is known as “public investment.”⁹ The commitment to public investment was not new to the Roosevelt administration, as New Dealers were quick to point out in response to their critics. The federal government had invested in roads, waterways, railroads, universities, and other public projects throughout its history. It had built the Panama Canal. Herbert Hoover, whom New Dealers spent a generation demonizing as a reactionary, had created the Reconstruction Finance Corporation in 1932, which included among its many missions government investment in public works

and which remained under Franklin Roosevelt one of the government's most important economic instruments. But the New Deal went much further than any previous administration in making the state an instrument of capitalist development. It spent billions of dollars constructing highways and bridges, building dams and other hydroelectric projects, creating irrigation systems and other water projects in California and the Southwest. Its Rural Electrification Administration carried electrical power to millions of rural Americans.

Federally financed infrastructure projects provided short-term stimuli to the economy by creating jobs and markets for industrial goods. But they had an even more important long-term legacy. The New Deal's public works projects were concentrated disproportionately in the Southwest and the West, in part because men committed to the development of those regions played critical roles in allocating resources—among them Jesse Jones of Texas, chairman of the RFC. As a result (and by design), they laid the groundwork for the postwar transformation of the American Southwest from an arid, sparsely populated region with limited economic growth into a booming "Sunbelt."

But most New Dealers considered their most important initiatives to be their efforts to reform the two major segments of the modern economy: industry and agriculture. In that effort, the most powerful traditions were not the great progressive battles between Roosevelt and Wilson, between the New Nationalism and the New Freedom, but the more immediate and more resonant legacy of World War I.

The historian William Leuchtenburg was among the first to note the critical role the war played in shaping the New Deal's approach to the Depression. The war, he noted, became the Roosevelt administration's principal metaphor. In his inaugural address, the new president promised to treat the task of fighting the Depression "as we would treat the emergency of war," and he called on the "great army of the people" to embrace the effort "with a unity of duty hitherto invoked only in time of armed strife."¹⁰ But the war was not just a metaphor; it was a model. For the wartime experiments in economic mobilization had inspired bright dreams among many reformers of an "ordered economic world" that might be recreated in peacetime. The War Industries Board of 1918, many liberals fervently (and not entirely accurately) believed, had rationalized and coordinated industrial activity under the supervision of the "super-manager" Bernard Baruch. Surely, influential New Dealers argued (just as many aspiring reformers had argued through the

1920s), something similar could work comparable miracles now. The most important result of such beliefs was the National Industrial Recovery Act of June 1933.¹¹

The origins of the NIRA were inauspicious. It was drafted hastily and pushed through Congress suddenly—a response not just to longstanding visions of reform, although it was that, but also to several alternative industrial-recovery measures moving through Congress that the president did not like: a wages and hours bill, sponsored by Senator Hugo Black of Alabama, which proposed imposing a thirty-hour work week on industry as a way to spread work around and reduce unemployment; and a number of proposals for “vast public works programs,” programs much vaster than Roosevelt was willing to consider. The NIRA was, in part, an effort by Roosevelt to forestall these measures.

It was, many New Dealers believed, the most important piece of legislation in American history. And it was packed with provisions designed to placate the many warring factions who had a stake in reform. It created the Public Works Administration, to satisfy the many demands for new job-creation measures—a large and important program that built dams and other major infrastructure projects, but that proceeded so carefully and punctiliously under the directorship of Secretary of the Interior Harold Ickes that it failed to provide much in the way of short-term economic stimulus. The NIRA also tried to protect small businesses from monopoly power, but with regulations too weak to have any real impact. And it provided a legal guarantee of organized labor’s right to organize and bargain collectively with employers (Section 7a, the first such guarantee the government had ever provided, albeit one with no effective enforcement mechanisms). At its heart, however, was the effort to impose on the Depression economy the same kind of enlightened coordination that New Dealers liked to believe Baruch and his War Industries Board had imposed on the wartime economy. As such, it was a victory for an industry-led trade-association movement, led by Gerard Swope of General Electric, which had been arguing for two years that if businesses could be released from antitrust pressures and allowed to cooperate in setting production levels, prices, and wages, they could break the deflationary spiral and restore prosperity.¹²

The act created a new federal agency, the National Recovery Administration, with authority to work with representatives of business and labor to produce wage and price codes to stabilize various industries. Within each major industry, a new code authority would set floors below which no one could lower prices or wages; it would also set quotas for production; and it

would have the power to enforce compliance. Government administrators would play a role in the process, but the real authority would lie with the business leaders themselves. The NRA would, in effect, allow industries to operate as cartels. It has often been described, with considerable justification, as an effort to create an American form of corporatism. “Many good men voted this new charter with misgivings,” Roosevelt said in signing the bill. “I do not share their doubts. I had a part in the great cooperation of 1917 and 1918 and it is my faith that we can count on our industry once more to join in our general purpose to lift this new threat.”¹³

The NRA swung into action quickly and impressively. Within weeks, almost every major industry had drawn up a code and had agreed to abide by its provisions; and the agency’s energetic director—General Hugh Johnson, former director of the World War I draft—succeeded in whipping up broad popular excitement about the experiment and its iconography. The famous NRA Blue Eagle seemed to be everywhere—in shop windows, and on posters, emblazoned on banners carried in “Blue Eagle” parades (one of which, in New York, was the largest parade in the city’s history—larger than the great celebration that had greeted Charles Lindbergh on his return from Paris nearly a decade before). Thousands of school children in San Francisco celebrated the NRA by assembling on a playing field for photographers in the shape of an eagle. The owner of the Philadelphia professional football team renamed it the “Eagles” in honor of the NRA.

But the initial enthusiasm could not disguise the fundamental problems at the heart of the experiment. And within a year, the entire effort was a shambles. There were many reasons for this. The codes served the needs of large economic organizations reasonably well. They allowed big industrial firms to keep their prices up without having to fear being undercut by competitors. But small businesses often could not compete with larger firms *unless* they undercut them in price; forcing small businesses to charge the same as large ones, which the codes tried to do, often meant robbing them of their only access to the market. Despite Section 7a, the code authorities permitted labor virtually no role at all in setting their guidelines. Workers organized, but companies continued to refuse to bargain with them. And the codes, therefore, became vehicles not just for keeping prices up, but for keeping wages down. Perhaps most damningly, the NRA catered to industry fears of overproduction; and it became a vehicle that helped manufacturers move in the direction of lower production, lower wages, and higher prices at a time when the economy needed just the opposite. Criticism mounted, and the government attempted to correct the problems; but its efforts to intervene more forcefully in the

process produced opposition from business leaders, who resented this government interference in their internal affairs and who were, in any case, becoming disillusioned with the codes, which didn't seem to be working as well as they had hoped. By the end of 1934, the NRA was in chaos. And in the spring of 1935, it was ruled unconstitutional by the Supreme Court and abolished. The administration made no attempt to replace it.

The NRA was a failure, but it was not without legacies. It had emerged out of the efforts of businessmen to achieve one of their most cherished goals (cartelization), and it did help create some longstanding cartels in a few particularly troubled sectors of the economy, including oil, lumber, and aviation. On the whole, however, the NRA ended up contributing to the development that many of its supporters from the corporate world had most feared: the creation of an organized movement of independent labor unions sanctioned and protected by the government. The one aspect of the NRA that Congress did move to revive after the 1935 Supreme Court decision was Section 7a—the provision guaranteeing collective bargaining rights to workers. In 1935, it passed the National Labor Relations Act (the Wagner Act)—along with Social Security one of the two most important pieces of New Deal legislation—which not only restored, but greatly strengthened that provision and added many others. It created the National Labor Relations Board to police labor-management relations and use federal authority to stop unfair labor practices. The framers of the NIRA had accepted the provisions that led to the mobilization of trade unions, assuming that within the harmonious economy they believed the NRA would create unions would work cooperatively with management. But once the NRA was gone, the unions remained—not as partners in an effort to coordinate the industrial economy, but as adversarial organizations challenging the prerogatives of business. The effort to create a cooperative economy had, inadvertently, contributed to creating a more competitive one: an economy increasingly characterized by the clash of powerful interest groups.

In May 1933, a month before Congress passed the NIRA, the administration won passage of legislation creating the Agricultural Adjustment Act. The agricultural economy had been in something like a depression since the mid-1920s. And in an age when agriculture played a much larger role in the nation's economy than it later would, and when farmers were a much more important political force than they would later become, the crisis of the agrarian economy seemed almost as urgent to New Dealers as the crisis of the industrial one. The principal problems facing farmers were excess production and falling prices. The AAA, therefore, was an effort to end the chronic

agricultural overproduction and lift inadequate prices by limiting production and subsidizing farmers. It embodied the demands of the so-called McNary-Haugenites—representatives of agricultural interests who had battled throughout the 1920s to create federal protection for farm prices. But it went in some ways much further than these earlier proposals had done.

The AAA paid farmers to take acreage out of production. In the meantime, the government would guarantee them an equitable price for the goods they did produce. Like the NRA, the AAA included provisions for protecting small producers (in this case family farmers, tenants, and sharecroppers); and it contained provisions for guarding against excessive concentration or monopoly. But also like the NRA, the AAA in practice largely ignored those provisions. Roosevelt had insisted that farmers themselves take the lead in designing and administering any effort at reform. And the AAA soon came to be dominated by the American Farm Bureau Federation, which represented larger farmers and whose leaders had, in fact, helped draft the bill. The Farm Bureau played a major role in administering the AAA, (much as trade associations had inspired and later dominated the NRA). The National Farmers Union, a rival organization representing mostly small producers, was largely shut out. Most landowners simply ignored the provisions requiring them to keep tenants on the land and to share AAA benefits with them. The program was particularly hard on African Americans, who formed a large proportion of the landless farmers in the South and who had even less political leverage than their white counterparts. The workings of the AAA became part of the process that drove many black farmers off the land and into towns and cities.

But in other respects the AAA was a striking success. It stabilized farm prices; it limited production; it won and retained the support of most commercial farmers. By 1936, farm prices had risen significantly for most major commodities, and American farmers had become a much better organized and more powerful interest group than ever before. The American Farm Bureau Federation, in particular, had expanded dramatically and was able to put great pressure on Congress on behalf of its demands. When the Supreme Court struck down the AAA as unconstitutional in 1935 (at about the same time it struck down the NIRA), farmers were able to get its major provisions re-enacted in slightly different form to meet the Court's objections. The essential AAA programs thus survive and became the basis for the system of federal subsidization of farming that continued into the 1990s.

The NRA and the AAA were efforts—very similar efforts in many ways—to introduce order, harmony, and coordination into the two major sectors of

the American economy. Both tried to stabilize unstable economies through restrictions on production and floors under prices. Both relied heavily on representatives of the private sector (the NRA on trade associations, the AAA on the Farm Bureau) to design and administer the programs. Both gave the government authority to enforce cooperation and punish violations. Both contained provisions to protect weaker members of the economy: workers and small businessmen in industry; tenant farmers and sharecroppers in agriculture. And both largely ignored those provisions.

And yet the results of these two experiments were dramatically different. The NRA utterly failed to stabilize industrial prices and production; its administrative structure dissolved in chaos; its legal authority was struck down by the Supreme Court and never revived; and the most important remnant of the experiment was the one element that businessmen had most opposed: the elevation of organized labor. The AAA, on the other hand, succeeded impressively in stabilizing farm prices and production; its administrative bodies worked reasonably effectively and attracted wide support; when the Court struck them down, they were quickly replaced; and the one area where the AAA did not live up to its original goals was the only area where the NRA did: the protection of the working class of the agricultural world, the sharecroppers and tenant farmers.

There are several reasons for this difference in results. Perhaps the most basic was that the agricultural and industrial economies were not at all alike. American industry was highly diverse, deeply fragmented, with large and perhaps irreconcilable divisions between the interests of large organizations and small ones, and between management and labor. No one element within the industrial economy was capable of dominating and bringing order to it; big business, small business, labor were all too powerful to be subordinated entirely to the others and too diverse and internally divided to be entirely dominant on their own. The agricultural economy was considerably more homogeneous. There were important competing factions within the agricultural economy to be sure—between large and small farmers, between landlords and tenants—but the large interests were relatively more powerful, and the smaller interests relatively weaker, than their counterparts in industry. The agricultural economy could work reasonably harmoniously on the basis of cooperation among its most powerful members; the industrial economy could not.

Another difference, as Theda Skocpol, Kenneth Finegold, and other scholars have argued, was in the administrative capacities of the two agencies. Both the NRA and the AAA required elaborate bureaucracies to supervise the

complex economic arrangements they envisioned. The NRA was established more or less from scratch, outside any existing department. There were no existing institutions, no experts, no reliable information on which those running the agency could rely. It really had no choice but to turn to the industries and their trade associations to run the program. But the industries were themselves so fragmented that they couldn't bring order to the economy either. Given the absence of administrative capacity within the government, it is difficult to imagine how the NRA could possibly have worked. The AAA, by contrast, was part of the Agriculture Department, and it benefited from the beginning from that department's elaborate institutional network of statisticians and administrators. Agriculture was the only sector of the American economy that had already developed a public-policy elite of government experts, schooled in agricultural economics, experts with long experience in various federal farm programs, some of which had been in existence for twenty or thirty years. There was a tradition of government involvement with agriculture, even if a limited one; and the AAA built on and profited from that tradition.¹⁴

In retrospect, the New Deal has often seemed as significant for its failures and omissions as for the things it achieved. It did not end the Great Depression and the massive unemployment that accompanied it; only the enormous public and private spending for World War II finally did that. It did not, the complaints of conservative critics notwithstanding, transform American capitalism in any genuinely profound way; except for relatively limited reforms in labor relations and the securities markets, corporate power remained nearly as free from government regulation or control in 1945 as it had been in 1933. The New Deal did not end poverty or produce any significant redistribution of wealth; there was a significant downward distribution of wealth and income between 1929 and 1945—the first in more than a century and, as of the 1990s at least, also the last. But virtually all of that shift occurred during (and as a result of) World War II. Many of the New Deal's most prominent and innovative efforts—its work-relief programs, its community and national planning initiatives, its community-building efforts, its public works agencies—did not survive the war.

Nor did the New Deal do very much to address some of the principal domestic challenges of the postwar era. Roosevelt was not unsympathetic to the problems of African Americans, and he made sure that his relief programs offered benefits (even if not always equal ones) to blacks as well as whites. But he was never willing to challenge the central institutions of racial oppression

in American life, fearful that to do so would damage the Democratic Party in the South and lose him the critical support of powerful southerners in Congress. Nor did the New Deal make any serious effort to address problems of gender inequality. Roosevelt appointed the first woman cabinet member, Secretary of Labor Frances Perkins, and he named more women to secondary positions in government than any president had ever done. Eleanor Roosevelt, through the prominent role she played in her husband's administration, helped serve as a symbol to many women of the possibilities of active public service. But New Deal programs (even those designed by New Deal women) continued mostly to reflect traditional assumptions about women's roles and made few gestures toward the aspirations of those women who sought economic independence and professional opportunities. The interest in individual and group rights that became so central to postwar liberalism—the source of both its greatest achievements and its greatest frustrations—was faint, and at times almost invisible, within the New Deal itself.

For all its limitations, however, the Roosevelt administration ranks among the most important of any presidency in American history. The New Deal created a series of new state institutions that greatly, and permanently, expanded the role of the federal government in American life. The government was now committed to providing at least minimal assistance to the poor, the unemployed, and the elderly; to protecting the rights of workers and unions; to stabilizing the banking system; to regulating the financial markets; to subsidizing agricultural production; and to doing many other things that had not previously been federal responsibilities. As a result of the New Deal, American political and economic life became much more competitive ever before, with workers, farmers, consumers, and others now able to press their demands upon the government in ways that in the past had been available only to the corporate world. (Hence the frequent description of the government the New Deal created as a “broker state,” a state brokering the competing claims of numerous groups.) The New Deal literally transformed much of the American landscape through its vast public works and infrastructure projects. It revolutionized economic policy (although not until near its end) with its commitment to massive public spending as an antidote to recession. And it created broad new expectations of government among the American people, expectations that would survive—and indeed grow—in the decades that followed.

The New Deal also produced a new political coalition that sustained the Democrats as the majority party in national politics for more than a generation after its own end. After the election of 1936, the Democratic Party could

claim the support of its traditional constituencies in the white South and the urban immigrant cities of the East and Midwest. It could also claim a much larger share than in the past of the working-class and farm votes, the vast majority of the African American vote in the North, and the overwhelming support of liberals and progressives of all stripes—many of whom had once found a home in the Republican Party.

And the Roosevelt administration generated or gave new life to a broad set of political ideas. Some of them faded from the New Deal even before Roosevelt's death and have played a relatively small role in American political life in the years since—but they resonate, if perhaps only faintly, with the impulses of many Americans in the early twenty-first century. There were experiments in fostering new forms of community—through the Tennessee Valley Authority, the Farm Security Administration, the Resettlement Administration, and other agencies, that sought to provide alternatives to the harsh, competitive individualism of the staggering capitalist economy of their day. There were innovative forms of social assistance, most notably the work relief programs of the Works Progress Association, which rested on a notion of the government as employer of last resort. And there was the continuing and at times impassioned effort to control the effects of monopoly—to keep the issue of concentrated economic power where it had been, at least intermittently, since the late nineteenth century and where it would not be again for at least a half century after Roosevelt's death: at the center of American political life. Roosevelt was the last president to talk openly about the power of the “money-changers in the temple,” the “economic royalists,” and the “new industrial dictatorship.” No leading political figure since has spoken so directly about the power of “organized money,” who were—he said in his extraordinary speech accepting the Democratic nomination in 1936—“unanimous in their hatred for me, and I welcome their hatred.” “I should like to have it said of my first Administration,” he continued, “that in it the forces of selfishness and lust for power met their match. . . . I should like to have it said of my second Administration that in it these forces met their master.”¹⁵

That language—a language only rarely dominant and more rarely decisive even within the New Deal itself—has since become almost entirely lost to American politics, even though the problems it attempted to address—the problems associated with highly concentrated economic power and widening disparities of wealth and income—have survived.

But the Roosevelt administration also produced other, more hardily enduring ideas—ideas known to later generations as New Deal liberalism, ideas that sketched a vision of a government that would compensate for rather

than challenge the limitations of capitalism, ideas that embraced Keynesian economics and a vision of a sturdy welfare state—that remained a source of inspiration and controversy for decades and that helped shape the next great experiments in liberal reform in the 1960s. Roosevelt may have had no coherent philosophy of his own. The New Deal may have been an amalgam of inconsistent and even contradictory measures. Its experiments may have seemed no more than what Rexford Tugwell once dismissively described as “pitiful patches” on an inadequate government, an exercise in “planting protective shrubbery on the slopes of a volcano.” But the cumulative effect of Roosevelt’s leadership and the New Deal’s achievements was a dramatically changed political world that continues, more than half a century later, to define our own.

NOTES

1. Richard Hofstadter, *The American Political Tradition and the Men Who Made It* (New York: Alfred A. Knopf, 1948), 316; James MacGregor Burns, *Roosevelt: The Lion and the Fox* (New York: Harcourt Brace Jovanovich, 1956), 287–288; Alan Brinkley, *Voices of Protest: Huey Long, Father Coughlin, and the Great Depression* (New York: Alfred A. Knopf, 1982), 58. 2. Hofstadter, *The Age of Reform: From Bryan to F.D.R.* (New York: Alfred A. Knopf, 1955), 307; Raymond Moley, *After Seven Years: A Political Analysis of the New Deal* (New York: Harper & Row, 1939), 369–370.

3. See Alan Brinkley, *The End of Reform: New Deal Liberalism in Recession and War* (New York: Alfred A. Knopf, 1995), chaps. 4–5.

4. Frank Freidel, *Franklin D. Roosevelt: The Triumph* (Boston: Little, Brown, 1956), 216.

5. Arthur M. Schlesinger Jr., *The Coming of the New Deal* (Boston: Houghton Mifflin, 1959), 267; Samuel I. Rosenman, ed., *Public Papers and Address of Franklin D. Roosevelt*, 13 vols. (New York: Random House, 1938), 3:420.

6. Anthony J. Badger, *The New Deal: The Depression Years, 1933–1940* (New York: Hill & Wang, 1989), 200–201.

7. Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge, Mass.: Harvard University Press, 1992), and Linda Gordon, *Pitied but Not Entitled: Single Mothers and the History of Welfare* (New York: Free Press, 1994), are the two most important studies of the gendered quality of the early welfare state. Skocpol’s study ends before the New Deal but describes the pre-1930s history of gendered social provision. Gordon’s study includes the creation of the Social Security Act itself.

8. Alan Brinkley, "The New Deal: Prelude," *Wilson Quarterly* 6 (1982): 50–61.

9. Jordan Schwarz, *The New Dealers: Power Politics in the Age of FDR* (New York: Alfred A. Knopf, 1993).

10. William E. Leuchtenburg, "The New Deal and the Analogue of War," originally appeared in 1964 and has been republished in Leuchtenburg, *The FDR Years: On Roosevelt and His Legacy* (New York: Columbia University Press, 1995), 35–75.

11. See Robert D. Cuff, *The War Industries Board: Business-Government Relations during World War I* (Baltimore: Johns Hopkins University Press, 1973), and David M. Kennedy, *Over Here: The First World War and American Society* (New York: Oxford University Press, 1980), 126–143, for descriptions of the War Industries Board and its legacy.

12. The best account of the origins, structure, and operations of the NRA is Ellis Hawley, *The New Deal and the Problem of Monopoly: A Study in Economic Ambivalence* (Princeton: Princeton University Press, 1967), especially 19–146.

13. Rosenman, ed., *Public Papers and Addresses*, 2:252.

14. Kenneth Finegold and Theda Skocpol, "State Capacity and Economic Intervention in the Early New Deal," *Political Science Quarterly* 97 (1982): 255–278; Kenneth Finegold and Theda Skocpol, *State and Party in America's New Deal* (Madison: University of Wisconsin Press, 1995).

15. Rosenman, ed., *Public Papers and Addresses*, 5:568–569.

2

HIGH TIDE: ROOSEVELT, TRUMAN, AND THE DEMOCRATIC PARTY, 1932–1952

Alonzo L. Hamby

The modern Democratic Party, observers agree with near unanimity, emerged from the trauma of the Great Depression. For a twenty-year moment in history, beginning with Franklin Roosevelt's landslide victory over Herbert Hoover in 1932, it dominated American politics and served as a vehicle for an enormous social transformation that was abetted by an unprecedented growth in the functions and institutional structure of the national government. What with the Depression, World War II, the onset of the Cold War, and the social restructuring that accompanied these phenomena, it seems natural enough to call these two decades a watershed in American history.¹

The Democratic high tide, however, might equally be considered a peak in which a long-established political party, with a polyglot constituency and an amorphous policy direction, displayed unexpected resources to lead the American nation through one of the most critical periods of its history. The special character of this era in Democratic history is illustrated by a telling statistic: in 1932, Roosevelt was the party's first candidate for president since Franklin Pierce (in 1852) to win more than 50 percent of the total popular vote. FDR would do it four times. Only two Democrats have managed it since—Lyndon Johnson in 1964 by an enormous margin and Jimmy Carter in 1976 by a scant half a percent. To an enormous degree, the Democratic success of the 1930s and 1940s was less a matter of national identity and organizational strength than the personal charisma and strong leadership of one president—who in the end valued policy achievement over party.

Begun in the 1790s as an alliance between southern agrarians and northern city politicians, the Democratic Party could locate both its greatest strength and greatest weakness in the diversity of its adherents. Its truly national base made it usually a force to be reckoned with in Congress but also caused it to appear frequently unfocused in presidential elections. Its diversity also contributed to a disjunction between presidential and congressional parties far more pronounced than among the more homogeneous Republicans. From Jefferson and Jackson on, the Democrats claimed one unifying theme—an identity as the party of “the people,” representing the majority in a society permeated by democratic values. The electoral appeal of that claim could at times be overwhelming. More often, however, this identity was lost in discord among the party’s disparate economic and ethnoreligious groups. Increasingly in the nineteenth century, the Democrats had difficulty mobilizing their purported majority in presidential contests precisely because of deep divisions. (When the party split in 1860, so, catastrophically, did the nation.) Without a charismatic president with a strong sense of direction (Jefferson, Jackson, Wilson), the party was less than the sum of its parts, lacking policy coherence and more devoted to forming firing squads in a circle than to attacking the presumed common enemy.

Franklin Roosevelt and the new liberalism to which he attached himself would initiate a moment of Democratic ascendancy in American politics until the generational change and new social-cultural values of the 1960s reshuffled American politics. The building of a new majority from diverse elements was briefly characterized by a group of unprecedented public policy innovations that we call the New Deal (a label that gives a misleading impression of unified coherence), a “transforming” or “realigning” election in 1936 that seemed to create an unbeatable coalition, then a reaction in which disunifying tendencies reasserted themselves. After Roosevelt, the Democrats would continue as the majority party in American politics, but more in congressional than presidential elections and at the cost of an internal gridlock that contained within itself elements of self-destruction.

THE DEMOCRATIC SPLIT PERSONALITY

In some respects, the Democratic Party of 1932 reflected the split personality that had resulted from the alliance between Jefferson and Burr 140 years earlier. Its most visible segment consisted of the predominantly rural-small town, white, Anglo-Saxon, Protestant South and West; it was here that,

first, William Jennings Bryan, then, Woodrow Wilson had drawn the bulk of their electoral votes in their runs for the presidency. Its most dynamic and fastest-growing segment, however, was among the ethnoreligious, working-class minorities of the northeastern quadrant of the country. As yet, they had delivered few electoral votes to Democratic presidential candidates, but Wilson's paper-thin 1916 success in Ohio and Al Smith's 1928 victories in Massachusetts and Rhode Island were harbingers of the future.

The prevailing outlook of the southern-western wing was "Jeffersonian," a term of almost infinite malleability² variously interpreted in one or more of the following senses: (1) small, frugal government and states rights (often tied in with white supremacy), (2) an agrarian fundamentalism that stressed the importance of the small, family farmer as an anchor of social stability, (3) a more broadly based faith in the small enterpriser as the linchpin of society, (4) an often bitter hostility toward the large corporations and enormous financial power centered in the Northeast, (5) a related belief in free trade and resentment of the protective tariff as special-interest legislation, and (6) a generalized devotion to democracy and the essential virtue of "the common people," often defined as the "producing classes."

In this multiplicity of meanings, one could find a rationale for a conservatism that stood for as few public services as possible and rejected any interference in such quaint local customs as slavery, lynching or child labor; one equally could find a basis for certain types of government activism, especially antitrustism, the regulation of big business and finance, or help for the farmer. In one way or another, however, Jeffersonians looked backward, hoping to recreate a fondly remembered, mythic past in which America was less urbanized, less spoiled, less complicated, and less centralized. Many of them envisioned that world as characterized by a high degree of ethnic and cultural homogeneity in which their own norms were dominant. In the 1920s, facing the challenge of the urban-immigrant world, they resorted to such instruments of social control as prohibition and immigration restriction. Not a few looked to the revived Ku Klux Klan as a tribune of Americanism. With cultural issues at the forefront of American politics, they found themselves more in conflict with the urban wing of their own party than with the Republicans.

The outlook of the northeastern urban Democrats was far less well defined but clearly different in style and content. Based primarily upon the experience of belonging to a working class that was economically and culturally marginalized, frequently reflecting a day-to-day existence at or near the bottom rung in hierarchical systems of industrial authority, it pos-

sessed a quasi-Marxian (not communist, not even socialist) sense of the distribution of power and privilege in American society. Motivated by feelings of class differences far more intense than those ordinarily found among the southern-western Jeffersonians, the northeastern Democrats tended vaguely toward social democracy, or, as some then and since have called it, “bread and butter liberalism.” They had far fewer qualms than many of the Jeffersonians about an activist state. Their politics was less about opportunity and support for the small enterpriser than about regulation of working conditions, wages, and hours; social welfare; and encouragement of labor unionism. If the Jeffersonians, in one fashion or another, put the free individual at the center of their philosophy, the northeasterners thought more in terms of the collective. The policy conceptualizers among them might have at least a foot in various ideological camps just to the left of the party structure, primarily in the democratic socialism of Norman Thomas, David Dubinsky, and Sidney Hillman. Stopping short of nationalization of industry, they tended to favor extensive government regulation and economic planning.

Throughout the 1920s, cultural conflicts fatally divided the party. The southern-western Democrats saw themselves as attempting to protect a traditional America against an alien attack; the northeastern Democrats perceived themselves as being under assault from bigots trying to force their ways upon people who wanted the freedom to continue their cultural traditions (whether the consumption of alcoholic beverages or the education of one’s child in a parochial school) and the right to get a job without discrimination. By 1928, many southern-western Democrats envisioned Herbert Hoover as less offensive than their own party’s candidate, Al Smith. In the Northeast, on the other hand, the scorn of traditional America drove Catholics and Jews, Irish and Italians, and numerous other ethnic and religious groups that previously had displayed little use for each other together behind Smith.

In truth, both sides to the Democratic conflict practiced what David Burner has called a “politics of provincialism”³ during the 1920s, their conflicting cultures reflecting a near-even demographic balance between city and country. This situation illustrated a general tendency in the history of American politics—during periods of prosperity, ethnocultural and “social” issues loom large in the political dialogue; during periods of economic distress, they tend to be displaced by distributive questions. It took the Great Depression to refocus the Democratic Party and bring unity to it.

THE GREAT DEPRESSION AND THE NEW DEAL

It is all but impossible for the contemporary generation to grasp the seriousness of the economic trauma the Great Depression inflicted on the entire world. An international phenomenon with origins in World War I and its aftermath, the Depression demanded an international solution. Instead, it fostered feelings of go-it-alone nationalism in virtually every developed country and set in motion forces that culminated in World War II. Beginning in the United States as a relatively moderate recession after the stock market crash of 1929, it accelerated downward after mid-1930, partly as a result of the Hawley-Smoot tariff (the most protectionist U.S. trade legislation of the twentieth century) and egregiously mistimed credit tightening by the Federal Reserve, partly as a result of numerous errors and catastrophes in other countries.⁴

By the end of 1932, the U.S. gross national product and per capita personal income had fallen to approximately 56 percent of the 1929 total. Unemployment, estimated at an average 3.2 percent in 1929, was at 23.6 percent. Farm income was approximately one-third the 1929 level. In the three years 1930–32, some five thousand banks failed with estimated losses to depositors of about \$800 million dollars (at least \$8 billion in today's terms).⁵ During the winter of 1932–33, thanks to the strong downward momentum already established and to widespread uncertainty about the direction of a new administration in Washington, things actually got worse. It would take volumes to describe the suffering summarized by such statistics.

However one wishes to apportion the blame, it is clear that the dominant Republicans, from President Herbert Hoover down, dealt with the economic crisis in a way that neither arrested its precipitous slide nor raised public morale. Hoover had begun as a vigorous activist, confident that presidential leadership could manage the economy into recovery, but despite some promising first steps he had been overwhelmed. His line-in-the-sand opposition to federal funding of individual relief payments or works projects had given him an unjustified appearance of indifference to the suffering of the unemployed. Shantytowns populated by the homeless began to spring up in one city after another, called, in time, "Hoovervilles." In 1932 the electorate swept Franklin D. Roosevelt and the Democrats into office in a landslide that was primarily a negative vote against Hoover and the Republicans.⁶

Roosevelt's inauguration on March 4, 1933, endures among the most compelling moments in American history. Tens of millions listened by radio; other millions saw highlights in the movie newsreels that were just beginning

to achieve a level of maturity. The voice and the film images conveyed a firm confidence and radiated the authority of a man born to the leadership class. The speech was electrifying: "This is a day of national consecration. . . . This great nation will endure as it has endured, will revive and will prosper. . . . The only thing we have to fear is fear itself." It promised "action, and action now." Democracy would prevail. The people had "asked for discipline and direction under leadership." The new president continued: "They have made me the present instrument of their wishes. In the spirit of the gift, I take it." The specifics of Roosevelt's agenda were at best fuzzy, but no one could doubt that he would be a strong leader who stood for change.⁷

FDR had put forth no clear, coherent program during the campaign. In part conscious strategy, this policy fuzziness also reflected the unprecedented character of the emergency and the divided mind of his party. Clearly, however, the new president had trumped Hoover by stating not simply a commitment to policies of economic recovery, but also to relief and reform. Whether from Jeffersonian or northeastern urban perspectives, the Democrats had been, on the whole, a party of reform in American life since Bryan and *the* party of reform since Theodore Roosevelt's failed Bull Moose campaign. Precisely what kind of reform, however, remained a question. For Bryan, then Wilson, reform had meant government aid to farmers and small enterprisers, low tariffs, regulation of big business, some social legislation, and tentative ties to organized labor. Wilson's 1916 campaign had been waged on policies that established a basis for the grand coalition of interest groups that would be solidified by Franklin Roosevelt. Still, no observer in 1932 would have identified the party unequivocally with northeastern, working-class social democracy.⁸

Never firmly aligned with the northeastern wing of the party, Roosevelt had many personal and emotional ties to the Wilson administration, which had been heavily southern-western in tone while reaching out to the northeastern Democrats. Throughout the 1920s, while struggling with polio, he had kept a foot in both camps. Although he was in his fourth year as governor of New York in 1932, the northeasterners predominantly supported Al Smith. FDR owed his nomination largely to the southern and western Jeffersonians, whom he repaid by naming as his vice president John Nance Garner of Texas. His major advisers included northeastern social welfarists and economic planners, Ivy League lawyers and economists, a few regional businessmen, and a couple of turncoat Republicans. His congressional leadership was primarily from the South and West. His policies over the next six years reflected that diversity.⁹

The New Deal began as a relatively coherent economic recovery program based on “corporatist” planning. A loose concept of state management in the interest of all classes and occupational groups, corporatism was in vogue in Europe, where it had roots stretching back into feudal conceptions of society and could make use of already strong state bureaucracies. Its American antecedents lay in the New Nationalism of Herbert Croly and Theodore Roosevelt; in the institutional economics of FDR’s “brains-trusters” Rexford Tugwell, Adolf A. Berle Jr., and Raymond Moley; and above all in the experience of World War I mobilization. Its closest working model was the political economy of Italy. Needless to say, Roosevelt did not envision himself as a Mussolini-style dictator. He and his advisors did hope that the guiding hand of government could coordinate business, labor, and agriculture in a way that would deliver benefits to all concerned and bring the nation out of the depression.

On paper, the blueprint seemed promising. A National Recovery Administration (NRA) would provide a mechanism by which industry could stabilize prices and production while labor received fair wages, hours, and working conditions. A separate Agricultural Adjustment Administration (AAA) would curtail the surplus of farm commodities and thereby put upward pressure on prices. In the meantime, limited relief payments and public works expenditures would combine with devaluation of the dollar and a large increase in the money supply to jump-start the economy.¹⁰

Alas, the history of the 1930s would demonstrate that a managed economy functioned much better under a totalitarian regime, whether Fascist, Nazi, or Communist, than under a democratic one. It was to the credit of the New Deal that compliance to NRA codes by businesses was in the beginning voluntary (although subject to the pressure of public opinion) and that labor unions retained the right to organize and to strike. These democratic safeguards, however, made implementation a slow and uneven process; the Ford Motor Company, for example, never signed on. The NRA soon made itself an unhappy example of imperial overstretch by trying to regulate everything from mom-and-pop grocery stores to the New York “burlesque industry.”¹¹ The green light for labor unionism, the wage and hour provisions, and the cumbersome bureaucratic character of most NRA codes engendered wide resentment among smaller businessmen. Labor unions soon discovered that the codes could not guarantee them organizing victories; a major drive built around the slogan, “President Roosevelt wants you to join the union,” failed badly during the NRA’s first year, a victim of management resistance, union ineptness, and worker indifference. In the end, the NRA was far more suc-

cessful at raising prices than increasing wages or giving the average consumer more purchasing power.

Public-works spending, moreover, got underway far too haltingly because of caution on the part of Secretary of the Interior Harold Ickes and because most states lacked the matching funds they were required to contribute. It was for this reason that, much to the disgust of many progressives, a large chunk of PWA money went into a major naval building program that produced the aircraft carriers *Enterprise* and *Yorktown*, four cruisers, and numerous other warships.

Only agriculture experienced a significant measure of recovery. Although controversial in its initial use of crop destruction, the AAA (primarily employing acreage allotments) pulled up prices for its desperate clients. Supplemental loan programs provided relief from mortgage foreclosures. Farmers, who liked to think of themselves as independent, individualistic enterprisers, protested not a whit. In fact, no other group had so long a history of seeking (and receiving) government support. Before 1933 most of what was called "progressivism" had consisted of agrarian initiatives; the New Deal agricultural programs represented a fulfillment. Ruled unconstitutional in January 1936, the AAA was quickly resurrected in the guise of a soil conservation program; in 1938, after the Supreme Court had been tamed, it was reinstated openly.

On the other hand, when the Supreme Court declared the NRA unconstitutional on May 27, 1935, the agency had become unpopular and was generally judged a failure. Special ad hoc legislation continued corporatist-style planning in a few industries, most notably coal, at the behest of both labor and management. Several enactments, moreover, brought comprehensive federal regulation to trucking, the airlines, and inland waterways in much the same fashion that it already existed in railroads, thereby establishing a de facto corporate state for transportation.

A great outburst of legislation in mid-1935 brought the country the National Labor Relations Act (Wagner Act), important banking regulation, and the path-breaking Social Security system. In general, however, after the demise of the NRA, the New Deal possessed no consciously administered recovery plan worthy of the name. Instead, driven by political opportunism, intellectual exhaustion, and sheer frustration, its economic policies featured big-business bashing, attacks on the rich, and an intermittent, inconsequential, antitrustism.

All the same, in 1936, prosperity seemed to be roaring back; industrial production moved up sharply, and unemployment threatened to fall into

single digits. In retrospect, this apparently strong recovery seems to have been in large measure the result of two developments: a greatly expanded relief program centered on the new Works Progress Administration (WPA), and congressional passage over FDR's veto of immediate payment of the World War I veterans bonus. Together, these measures, which many congressmen saw as reelection devices, injected enormous stimulus into the economy. The WPA reached into every county in the United States; its roads, buildings, and parks were useful additions to the national infrastructure. More often than not, its local operations were controlled by Democratic officials who employed it as a patronage device. It contributed enormously to Roosevelt's reelection.

In early 1937 the president, persuaded that the nation could no longer afford huge budget deficits, decided to cut back. He ordered draconian relief reductions for the fiscal year that began July 1. By then also, the one-time-only shot of the bonus payment had made its impact. Federal Reserve policy, as was the case throughout the thirties, did some inadvertent damage; fearing inflation, although unemployment was still at double-digit rates, the Fed pushed up interest rates. (Roosevelt's Federal Reserve chairman, Marriner Eccles, is usually remembered as a strong advocate of deficit spending; he was also a sound Mormon banker who spent much of his career fixated on the adverse consequences of loose monetary policies.)

The result was a recession that might fairly be styled a mini-depression. In a matter of months, unemployment rocketed toward 20 percent; as late as 1939, it averaged 17 percent.¹² Looking back, it appears that the Roosevelt administration almost inadvertently had set a recovery *process* in motion with no real *plan* for managing it. What could have been the crowning success of the New Deal became instead its most conspicuous failure.

THE PROBLEM OF ECONOMIC RECOVERY: WAS THERE AN UNTAKEN PATH?

In February 1938, as the "Roosevelt recession" was plumbing its depths, the president received a lengthy letter from the renowned English economist John Maynard Keynes. Stripped to its essentials, the communication had two central lines of advice: back off from unproductive fights with the business community and resume a program of strong government spending, especially in such socially desirable areas as working-class housing.¹³ Roosevelt answered with a friendly, noncommittal reply. Two months later, after an in-

tense debate among his advisers, FDR initiated a period of higher relief expenditures; the move halted the downward economic spiral. But the renewed spending was too little and too late to bring the country back to where it had been in 1936, much less to full recovery; and neither the administration nor Congress was prepared to go much farther.

A generation of scholars that had accepted Keynesian economics as a new orthodoxy came rather too easily and naturally to the conclusion that Roosevelt had needlessly prolonged the Depression because he did not understand the emerging Keynesian formula for restoring prosperity. Intimidated by Republican criticism of his “enormous” deficits, he failed to inject enough fiscal stimulus into the economy to bring it back.¹⁴ The argument is attractive when one considers that the economy waxed and waned during the 1930s in relatively direct proportion to the amount of federal spending. It is probable that the largely unconscious Keynesian policies of 1935–36 amounted to the right path. If WPA spending had tapered off more slowly over a period of a few years, the country might have pursued an orderly course to prosperity. As it was, the administration’s go-stop fiscal policy created a second, and more difficult, pit to climb out of. By the beginning of 1938, Germany had left the Depression behind for two years—even before Hitler’s massive military program had reached full development. Britain in many respects also had handled the Depression better than the United States. Despite enormous problems managing industrial decline at home and global interests abroad, its predominantly Conservative government managed to avoid the depths reached in Germany and the United States. It won enormous electoral victories in 1931 and 1935. As Roosevelt struggled with the economic collapse of 1937–38, the British were beginning rearmament in earnest and putting the Depression behind them. America, by contrast, remained mired in its economic meltdown until the unrestrained spending of World War II finally ended unemployment and laid the basis for postwar prosperity.¹⁵

Before then, however, massive federal spending on a scale beyond that of 1936, whether for dams and regional development authorities or for aircraft carriers and tanks, was never a live option. Keynes himself had published his major work, *The General Theory of Employment, Interest, and Money*, only in 1936. At best an influential policy gadfly in his own country, he had no wide following among either academics or policy intellectuals for fiscal prescriptions that struck most economists as the rankest heresy. Roosevelt’s moves to pump up relief spending in 1938 were a product of political calculation and social compassion, not economic strategy, and were limited by political realities. He had run enormous deficits all along when measured against any pre-

vious standard. In the first fiscal year (FY) of the New Deal (as well as the last two of the Hoover administration!), the budget deficit exceeded 50 percent of expenditures. Until FY 1938 deficits remained extraordinarily high, running from 33 to 46 percent of total outlays. The resumption of spending in FY 1939 brought the percentage back to 43 percent.¹⁶

Federal spending as a portion of the gross national product was, it is true, much smaller then than now, but in the climate of the Depression decade it seemed awesome. The pressure to cut back spending in 1937 was broadly based and widely felt. The political system likely would not have accommodated even greater “excess,” especially after the Republicans made a strong comeback in the 1938 elections. And even if hyperdeficits had been possible, it is far from clear that in peacetime they would have had the same effect as when incurred under the necessity of war. It is fair to say that the Keynesian alternative was never fully tried—so long as one also notes that it, for all practical purposes, did not exist.

Neither did another route that would seem imperative not many years later—the expansion of world trade. The world of the 1930s had become irretrievably autarkic; New Deal planners and Keynesians alike assumed realistically that a recovery had to be driven by internal consumption. Thus, Roosevelt abandoned a traditional Democratic doctrine. The Hawley-Smoot tariff stayed on the books, altered a bit by numerous bilateral trading deals negotiated under the reciprocal trade program. In truth, however, reciprocal trade was as much a smokescreen to conceal the basic pattern of protectionism that persisted through the 1930s as an effort to return piecemeal to the openness of the Underwood tariff. The best that could be said in defense of such a policy was that Hawley-Smoot had let the genie out of the bottle and that it was too late to reverse the trend of protectionism that gripped every major economic power. Post-World War II Democrats, believing they had learned from the past and able to impress their vision upon a prostrate world, would see interwar protectionism as a leading cause of World War II and promote an open international political economy.

With the possibilities for spending mishandled and imperfectly understood, with the expansion of international trade impossible, with a totalitarian alternative unthinkable, no clear road to prosperity existed after 1936. Political power, however, had given the Democrats opportunities to pursue long-held reform impulses. The 1930s thus became an age of reforms that, as often as not, got in the way of recovery.

In no area does this conclusion seem more obvious than tax policy.¹⁷ The Social Security payroll tax is usually cited as the primary example. It may, as

Roosevelt contended, have been a necessary method of institutionalizing the program. From the beginning it also had the peripheral function of providing a lot of forced savings to fund the public debt, thereby sucking money out of the private economy and discouraging a consumption-driven recovery. The processing tax that funded the original agricultural program effectively raised the prices of many ordinary consumer products and was likewise regressive.

The Wealth Tax Act of 1935 became emblematic of a New Deal commitment to income redistribution and “class warfare.” It raised marginal tax brackets on incomes of more than \$100,000 and increased taxes on gifts, inheritances, and the like, but in truth it was more symbol than substance. Proposed primarily to counter the “share the wealth” appeal of Huey Long, it was both a political ploy and an automatic expression of a traditional progressivism that equated soaking the rich with reform. By one estimate it raised taxes only for America’s richest man, John D. Rockefeller. Nevertheless, the atmosphere of class conflict that swirled around it surely decreased the confidence of the investing classes. Perhaps the worst considered of the New Deal taxes was the Undistributed Profits Tax of 1936, a 7–27 percent surtax on retained corporate profits, apparently passed in the belief that business was stashing cash hordes under mattresses and thereby retarding recovery. An extraordinarily effective way of discouraging capital formation, it elicited intense, and mostly justifiable, protests from business. It was repealed in 1938 with Roosevelt’s grudging assent.

The primary motive behind New Deal tax policy was an increasingly perceived need for revenues to fund new relief and social welfare programs. Here it ran up against the problem that all modern welfare states face: How much can be extracted from the haves in order to assist the have-nots, and by what methods, without damaging the engines of productivity that ultimately sustain any safety-net system? The issue is one of pragmatic judgment rather than fundamental morality, of finding ways to define and balance social responsibility with economic reality.

There was a strong secondary impulse, however. Partly cold political calculation but at least equally visceral emotion, it consisted of a desire to punish the rich and the business classes. And why not? “Business” (a term generally used to denote the large corporate interests and, by extension, the wealthy) had claimed credit for the prosperity of the 1920s, had been unable to cope with the Depression, and now bitterly criticized the New Deal as an assault on the American Way of Life. “Business” by the mid-1930s had become America’s favorite scapegoat, whether in Hollywood films or in Washington.

By then, corporate leaders who could not bear to hear Roosevelt's name called him "That Man," accused him of communistic tendencies, and semi-privately relished rumors that he was syphilitic. In the campaign of 1936, Roosevelt responded by attacking "economic royalists," "the forces of organized selfishness and of lust for power," and advocates of "a new industrial dictatorship."¹⁸ From the standpoint of political tactics, such rhetoric made a lot of sense. Roosevelt and his core constituencies, moreover, found it emotionally satisfying. Nonetheless, attacks on business did little to get the economy moving. Just as Roosevelt never understood Keynesian economics, neither did he follow another bit of advice he received from Keynes—to cultivate business leaders, treat their crankiness as that of household animals who had been badly trained, respond to it with kind words, ask for their advice, and elicit their support.¹⁹ It was wise counsel, but by the time Roosevelt received it in early 1938 too many bridges had been burned.

Roosevelt and many of the New Deal policy makers had feelings about commerce that ran from simple disinterest to positive revulsion. The president himself, the product of an old-money family, derived his income from inherited wealth and had been brought up in the tradition of a socially responsible gentry. The New Deal brain-trusters and administrators were heavily drawn from an emerging policy intelligentsia of academics and social activists who had to one degree or another consciously rejected business as a livelihood. Many of the southern and western "Jeffersonians" in the Democratic Party were neopopulists who thrived on the traditional Jeffersonian-Jacksonian hostility toward big finance. The rapidly growing forces of organized labor were in some places led at the local level by Communists and almost universally prone to a militancy and sense of class conflict that appeared as natural in the hard times of Depression America as it seems alien to a more prosperous society.

New Deal policies of maximum support to organized labor may have brought a healthy balance to the economy by contributing to the establishment of a society in which an affluent working class could indulge in mass consumption. In the short run, they got in the way of recovery. Strikes and labor militancy in 1937–38 disrupted the economy. Union wage settlements (undergirded to a small extent by the Fair Labor Standards Act) gave employed workers a better income than they otherwise might have enjoyed but also gave employers a greater incentive to minimize employment.²⁰

Neither Roosevelt nor those around him nor the Jeffersonians nor many of the labor leaders wanted to do away with capitalism; rather, they talked about humanizing it and finding a middle way. Still, one is forced to con-

clude, neither did they understand how it worked. There was a certain justice to the oft-repeated complaint that they were theorists who had never met a payroll. Alienated from commerce, they never found much common ground with the leaders of American business. They often proclaimed their sympathy for small business, saw it as a constructive force, and wanted to champion it. Few among them, however, understood that small businessmen as a group shared the worldview of big business leaders. Indeed they clung to it more tenaciously because they were usually entrepreneurs who had an investment of personal ego in their operations exceeding that of most corporate managers.²¹

Small enterprisers undoubtedly found the burdens of government regulation and the need to negotiate with labor unions harder to deal with than did large corporations. Nor did New Deal tax policy give them any relief. The Wealth Tax Act of 1935, according to William E. Leuchtenburg, “destroyed most of the Brandeisian distinction between big and small business,”²² whatever the intentions of the administration. The Social Security payroll tax provided a new federal requirement at a time when federal taxes were not generally withheld from paychecks.

In the tumultuous 1930s, some degree of hostility and misunderstanding between the Roosevelt administration and the business community was probably inevitable. The outlook of both sides was characterized by prejudices and blind spots that made it practically impossible to find common ground. Still, one may wish the effort had been made—and must observe that it was, during World War II, with considerable benefit to the nation and to all the concerned social groups. In the absence of an obvious formula for restoring prosperity and promoting economic growth, the Roosevelt administration and many Democrats in Congress turned to class conflict and redistributionism, rhetorical antitrustism, generous relief programs, and a rudimentary social welfare state. Not productive as an economic program, this agenda emerged because it was a logical outgrowth of the Democratic Party’s history.

In his 1938 letter to Roosevelt, Keynes had written, “I am terrified lest progressive causes in all the democratic countries should suffer injury, because you have taken too lightly the risk to their prestige which would result from a failure measured in terms of immediate prosperity.”²³ The remark implicitly recognized the leadership that both the United States and Roosevelt himself *had* to provide for what remained of the liberal-democratic world. One can assess with a fair degree of precision the consequences of the economic failure of 1937 for the United States in terms of increased unemployment

and unproduced GNP. It is not possible to gauge the impact on the wider world. One can imagine a United States as prosperous as Nazi Germany, able to look outward and present democracy rather than totalitarianism as the wave of the future. Just possibly, such a nation might have been able to provide leadership for demoralized European democracies at a time when the Nazi experiment might have been brought to a sudden halt. Instead, the New Deal was at best an ambiguous example to the rest of the world.

BUILDING A DEMOCRATIC MAJORITY: THE ROOSEVELT COALITION

If, then, the Democrats failed to solve the economic crisis they had been elected to meet, how did they emerge from the 1930s as a majority party?

A small part of the answer is that they were lucky in the opposition. The Republicans, shell-shocked by the Depression, produced no ideas, no vision, and no leadership. The emergence of Robert A. Taft as “Mr. Republican” and Thomas E. Dewey as Most Electable Candidate by the 1940s suggests a party not only in bankruptcy but also in a desperate search for a suitable receiver.

The parties of the left (Wisconsin Progressives, Minnesota Farmer-Laborites, La Guardia Fusionists, Socialists) never presented a significant challenge. They failed to develop a domestic program with mainstream appeal, were hopelessly split on foreign policy, and eventually were unable to resist the overwhelming gravitational pull of the Democrats.

Still, the shortcomings of the opposition provide only the beginning of an explanation. Politicians and parties become winners not just because they have some good breaks but because they know how to take advantage of them. Roosevelt and the Democrats did so superbly.

Roosevelt himself was the party’s greatest asset. Political scientists may quibble about whether he was the founder of “the modern presidency,” but he surely unlocked its potential. Above all, he demonstrated that a party of diversity requires strong, charismatic leadership to rise above its natural tendency to engage in interest-group squabbling. Evoking first the fight against the Depression, and then the struggle against fascism, he gave the Democratic Party and New Deal liberalism a vision of the national interest that legitimized it for a generation.

Influenced by the examples of his cousin Theodore and his old chief, Woodrow Wilson, FDR was a consummate master of the news media. He opened up the White House press conference, playing it like a virtuoso to get

his message across while maintaining a rapport with most of the journalists who covered him regularly. He appeared in newsreels radiating confidence and fortitude. Above all, he emerged as a technical master of the newest and most direct medium of communication—radio.

Possessing an authoritative Harvard-accented voice that appealed to the sensibility of the age, gifted with a remarkable talent for rhetorical pacing, able to project a sense of empathy with ordinary people out beyond the microphone, he was his nation's first great communicator of the electronic media age.²⁴ Words, Roosevelt understood, were no substitute for policy, but they could serve as a powerful adjunct to it, bringing the political support of people who were convinced that he cared about them in a direct, personal way and who felt connected to a grander, larger vision. Accepting the Democratic nomination in 1936, he declared, "This generation of Americans has a rendezvous with destiny." More than a nice rhetorical flourish, the sentence was a declaration of national mission that made a lasting impact on millions of people.

Roosevelt's style and talent facilitated the policies that recreated the Democratic Party as a majority coalition. If ultimately he and the Democrats failed at achieving economic recovery, they would appear throughout his first term to be marching toward it with double-digit gains in GNP and a steady reduction in the unemployment rate. (Richard Vedder and Lowell Gallaway estimate that unemployment in March 1933, when Roosevelt took office, peaked at 28.3 percent and that in November 1936, when he was elected for a second term, it was down to 13.9 percent.²⁵) Voters, moreover, benefited from numerous varieties of direct and immediate assistance.

The New Deal programs aimed at helping individuals in distress were so numerous as to defy a complete listing—home and farm mortgage refinancing, work relief, direct relief (also known as the dole and constituting a far greater proportion of the total relief effort than is usually recognized), regional development, rural resettlement, farm price supports, wage and hour legislation, and the Social Security system. At one level, as many Republicans charged, this amounted to buying votes by playing Santa Claus. At another, however, it was an effort by an activist government to meet genuine human needs. Unsurprisingly, the political and the humanitarian motives might get mixed up with each other.

The most far-reaching of the work programs, the WPA, for example, provided hundreds of thousands of jobs for desperate people and left behind tens of thousands of little monuments in the form of useful public works in almost every county in the United States. It also was, pure and simple, a source of patronage for many state and local political bosses. And, in the

manner of today's welfare programs, it fostered a sense of dependency among its long-term clients, especially those who lived in low-wage rural areas with little manufacturing or construction.²⁶

Yet while Republican criticism resonated with what was left of the comfortable middle class, it was less than devastating because the purposes of New Deal largesse were fundamentally conservative—to preserve a class of farm and home owners, to provide work for those who needed it, and to give hand-outs only to unemployables. Those who received benefits from the New Deal were generally intensely grateful, frequently reacting almost as if they were a personal gift from FDR himself. For millions of Americans the New Deal boiled down to two elements: Roosevelt and relief. All the rest was irrelevant.

Roosevelt's landslide victory of 1936 was a transforming event in American history, but a somewhat deceptive one. What we might call the "core Roosevelt coalition" lies within the 60 percent of the vote that FDR polled; it would be a dominant force in Democratic presidential politics but no more than a powerful minority in the larger electoral panorama. In taking forty-six of forty-eight states, Roosevelt carried virtually every significant group in America other than (for lack of a better term) "the business classes." He also carried in on his coat-tails the largest Democratic delegations ever in the House of Representatives (331) and the Senate (76). But much of this majority was produced by a surging economy and a weak, uninspiring Republican opponent. Like Ronald Reagan half a century later, the president could ask people if they were better off than four years earlier and get a happy response. The longer-term question as the economic upturn stalled in 1937 was just who would stay with him. A rough sorting-out of several overlapping categories follows:

OLD-STOCK, WHITE, ANGLO-SAXON PROTESTANTS. Roosevelt carried only a bare majority of this predominantly middle-class, traditionally Republican group. In the future it would go against him and other Democratic candidates.

URBAN ETHNORELIGIOUS MINORITIES. Roosevelt won the normally Democratic Catholic and Jewish votes by large majorities. He had actively sought both. Catholics, personified by Democratic National Chairman Jim Farley, Securities Exchange Commission Chairman Joe Kennedy, or young White House aide Tommy Corcoran, were a highly visible part of his administration. Catholic constituencies at the local level included many national backgrounds—Italian, Polish, German, Portuguese, Eastern European, French-Canadian. These groups might have little use for each other in the cauldron of melting-pot politics, but as they became more assimilated they

also became more class-conscious.²⁷ Moreover, they responded to a degree of attention they never had received from any previous president.

Jews who looked for representation in Washington would find, among others, Secretary of the Treasury Henry Morgenthau and Corcoran's good friend and White House colleague Benjamin V. Cohen. On the whole they were more likely than Catholics to be drawn to FDR by a liberal ideology. Despite some reluctance by New Deal administrators to take on too many Jews in visible positions, they were far more numerous, and more noticed, in the Roosevelt presidency than in any that had preceded it.²⁸ Mutterings from the far right that the New Deal was a Jew Deal were grossly exaggerated but were also motivated by an unprecedented Jewish presence at the highest levels of government.

In the future, both groups would remain important parts of the coalition. Catholic representation, however, would be eroded by upward economic mobility and by concerns that the party was too soft on communism. Jewish representation would be increased by World War II and by Harry Truman's postwar policies on immigration and Palestine.

AFRICAN AMERICANS. Economically devastated by the Depression, weary of a half-century of benign neglect by the Republican Party, blacks were ready for a political alternative. As early as 1932, dissatisfaction with Hoover and his party was palpable among the black elite. Robert Vann, publisher of the nation's most influential black newspaper, the Pittsburgh *Courier*, shocked many Republicans when he declared, "My friends, go turn Lincoln's picture to the wall. That debt has been paid in full." Although Hoover still managed to carry the black vote in 1932, Vann had seen the future. Over the next four years, no demographic group benefited so greatly from New Deal programs. In 1936, the black vote was 3-1 for Roosevelt. Vann, who had received an appointment in the Department of Justice, became a prominent member of an informal administration black advisory group known as the "black cabinet." He and others like him spoke to a constituency that cared more about the food Roosevelt had put on the table than about his lack of interest in civil rights legislation. The time for the latter would come after World War II.²⁹

LABOR. Organized labor, made a permanent part of the American political economy by the Wagner Act of 1935, emerged as a potent campaign force, a big contributor of money to the Democrats as well as a major source of organization and manpower. Its role would loom larger and larger as traditional urban machines decayed in one city after another over the next couple

of decades. From 1948 through 1968 Democratic presidential campaigns would start with the nominee speaking to large union rallies on Labor Day in Detroit's Cadillac Square. For a time it appeared that the Democrats were well along the path to becoming a de facto counterpart of the British Labor Party, a prospect welcomed not simply by the unions but also by an increasingly influential liberal policy intelligentsia.

THE CITIES. Ethnoreligious minorities, working classes, and organized labor were of course all centered in the cities, which supported Roosevelt overwhelmingly. "Labor" included heavy representations of the white minority groups listed above, but old-stock working-class Americans also voted heavily for FDR. Roosevelt carried not only ethnic manufacturing centers like Lowell, Massachusetts, and Flint, Michigan, but also Tulsa and Oklahoma City, not just Cleveland and Chicago but also Kansas City and Los Angeles. Of the 106 cities in the country with a population over 100,000, Roosevelt carried 104.

THE "LIBERAL INTELLECTUALS." From the beginning of his presidency, Roosevelt had enjoyed the support of an emergent group of policy-oriented intellectuals who had rejected the conservative, business-oriented Republican dominance of the 1920s but who, unlike those on the independent left, wanted to work within the Democratic Party. Political journalists, lawyers, social workers, academic social scientists, "intellectuals" by virtue of education, some were egalitarian ideologues motivated by a social-democratic vision, others pragmatists dedicated to the use of human intelligence in solving practical social problems, and not a few (after the example of the great philosopher-activist John Dewey) were both.

Most wanted a society characterized by a more equitable distribution of wealth. Many saw strong government management of the economy as a means both of achieving that goal and of smoothing out the business cycle. Increasingly, they identified themselves with the causes of (racial) civil rights and expanded civil liberties. Inside the New Deal, they provided much of the management and policy conceptualization. Outside the administration, they might be writers for such left-liberal magazines as the *New Republic*, *The Nation*, or *Common Sense*; a few might be found on Capitol Hill working for liberal Democratic legislators.

Like all participants in the political process, they doubtless found the idea of power for themselves and their "class" attractive; all the same, they were less self-interested in the conventional sense than almost any of the groups attracted to the New Deal. Most deplored Roosevelt's compromises and saw

the New Deal as only a very partial realization of their blueprints for a perfect society. At bottom, however, most of them loved him as they would no other politician. Numerically insignificant, they were important as idea people, publicists, and organizers. They would support FDR to the end, feel just mild about Harry Truman, find a close approximation of their ideal in Adlai Stevenson, be wary of John Kennedy, and reject Lyndon Johnson.

FARMERS. Perhaps the most volatile segment of the electorate, farmers constituted nearly a quarter of the population in the 1930s, and thus were an imposing voting bloc. (By 1960 they would be down to less than 9 percent.³⁰) Roosevelt carried farm areas easily in a vote that reflected widespread gratitude for the way in which the New Deal had saved rural America from liquidation. After that, however, the relationship would cool quickly. Farm prices fell in the late 1930s because of the recession of 1937–38 and surpluses that outpaced the government's ability to curtail them. Moreover, the administration's increasing identification with labor and the urban minorities made it less attractive to what was, after all, a culturally traditional segment of the population.

THE SOUTH. Still homogenous, overwhelmingly old-stock WASP, aggressively white supremacist, mainly rural and small-town, distrustful of labor unions and outsiders, the South (that is, the states of the Confederacy) had been reliably Democratic since Reconstruction, with the one exception of the Smith-Hoover campaign of 1928. The most impoverished region of the country, it had received a disproportionate amount of assistance from the New Deal. In 1936 and subsequent years it would be solidly for Roosevelt, but its ideological and cultural divergences from the overall trajectory of the party raised serious doubts about the future.

Stripped to its enduring essentials, the Democratic Party of 1936 looked a lot like the bargain that Jefferson and Madison had made with Aaron Burr in the 1790s, but now the order of power and influence was reversed. The center of gravity (intellectually as well as numerically) now lay not in the agrarian South but in the bustling cities of the industrial North. Roosevelt could not have been reelected in 1940 and 1944 without his overwhelming urban majorities; in both cases, he would have won without a single electoral vote from the South.

PRESIDENTIAL PARTY VS. CONGRESSIONAL PARTY. Yet what he had created was a presidential electoral coalition that bore only a tenuous relation-

ship to the realities of power in Congress. In the American constitutional system, presidential and congressional electoral systems are not designed to be in sync; from the late 1930s into the 1960s, the divergence would become especially pronounced among Democrats, sharply divided between presidential and congressional parties.

The different balance of power in Congress was partly attributable to the underrepresentation of urban America still common in the state legislatures that redrew congressional districts every decade. It also stemmed, however, from the undeniable fact that minorities (whether ethnic, religious, or racial) were less able to leverage their voting power in 531 House and Senate races than in a national presidential election. The labor/social-democratic nature of the worldview that had attached itself to their political emergence was a hard ideological sell.

Roosevelt, probably more pushed by the pressure of events than purposefully leading, had created a coalition that made the Democrats a majority party without ending the divisions among its factions. Within a year of his astounding victory in 1936, his power was waning and American politics was headed toward a deadlock of democracy.³¹

The immediate precipitants were:

THE COURT-PACKING PLAN. This was the move that began the sharp slide in FDR's authority. He had neither made the Supreme Court an issue in the 1936 campaign nor discussed legislation with his leaders in Congress. He much too slickly presented the bill as a method of dealing with tired blood on the Court rather than of getting his way in a dispute with it. The public and many congressmen perceived an attempt to subvert the Constitution. The president had only himself to blame for the disaster that followed. By the time it was over, he had shown that he could be successfully opposed on an important issue.

THE RECESSION OF 1937-38. Here, Capitol Hill had to share the blame with the White House. Many safely reelected moderate to conservative Democratic legislators saw no more need for the WPA and allied programs. New Deal tax policy and the generally poisonous relations with the business community surely contributed to the economic debacle.

THE UPSURGE OF LABOR MILITANCY. Strongly identified with the unions, Roosevelt could not escape a widespread reaction against the tough, angry, class conflict-oriented organizing campaigns that began shortly after his reelection. The sit-down strikes, which captured the attention of the nation,

were a special affront to the American middle-class ethic and drew a resolution of condemnation that nearly passed the Senate. Roosevelt's attempt to wash his hands of the issue by declaring "a plague on both your houses" satisfied almost no one.³²

THE FAILED PURGE OF 1938. Never mind that Roosevelt had every right—constitutional, legal, and moral—to campaign against Democratic congressmen who had opposed him; never mind that as party leader he may even have had a duty to do so. He affronted the sense of localism that has always been a distinguishing feature of American political parties. Worse yet, he also did it very badly, striking openly at opponents he could not topple. After the dust had cleared, he was a more diminished president than ever.

The pattern of American politics that emerged from these events was at the most visible level one in which a liberal president found himself checked by a loose, informal coalition of conservative Democrats (primarily from the South) and Republicans. Accompanying and facilitating this development was the reemergence in somewhat different form of the ideological and cultural differences that had split the party before the New Deal. The argument, to be sure, was no longer about prohibition, immigration restriction, the alleged menace of a Catholic president, or the depredations of the Ku Klux Klan. Now it was about antilynching legislation, labor unions, and, in broad terms, the New Deal's threat to the conservative interpretation of Jeffersonianism as small, frugal, locally centered government. Yet the sides to the debate were much the same as in the 1920s, and the reciprocal sense of cultural hostility was rarely suppressed. By 1938 the Democrats were two parties at odds with each other behind a common facade.

Strong Republican gains in the 1938 elections left Roosevelt all but checkmated on Capitol Hill. FDR spent much of his second term working to institutionalize established programs through the creation of a stronger presidency and a much-enlarged continuing executive bureaucracy, or "administrative state," with considerable independence from congressional and electoral control. The Executive Reorganization Act of 1939, although extensively compromised before its narrow final passage, was a significant victory. Creating the Executive Office of the President, it gave Roosevelt an institutional base unlike any enjoyed by his predecessors and allowed him considerable authority to initiate administrative changes. In 1940 he secured passage of the Ramspeck Act, which extended civil service protection to some 200,000 mid- and high-level positions in the executive bureaucracy, most of them held by administration appointees.

These developments, the political scientist Sidney Milkis has brilliantly argued, signaled that Roosevelt's commitment to his programmatic legacy was greater than his devotion to party leadership.³³ FDR continued, of course, to accept the role of party leader—indeed, at election time, most Democrats pressed it on him—but he had little interest in being a party unifier. He would make the point unmistakably in 1940 when, under threat of refusing a third presidential nomination, he literally forced the Democratic convention to nominate the New Dealer Henry A. Wallace as his running mate.

But what was Roosevelt institutionalizing? Alan Brinkley, the most important historian of the New Deal's later years, has argued that the political outcome of FDR's second term was "the end of reform." Early visions of a major social-economic restructuring gave way to a style of Keynesian liberalism more interested in promoting mass consumption and developing a half-formed welfare state than in undertaking a major changeover of America. The ultimate result, he argues, was a deferral of festering social problems that plague us today.³⁴ As a description of what happened in the late 1930s and was confirmed by World War II, Brinkley's account is surely accurate. Whether real alternatives existed, or whether they would have been preferable, must remain a matter of individual judgment.

WORLD WAR II

The argument over the New Deal and a complex of domestic issues created the political coalitions of the 1930s, but foreign policy and World War II also affected them.³⁵ World War I had been a disaster for the Democrats, wrecking the nascent "Wilson Coalition" of 1916, breaking the health of their charismatic president, and leaving them bitterly divided. The party would emerge from World War II intact and legitimized as the vehicle of national leadership in foreign policy, yet also weakened by the corrosive effects of a total war. Moreover, the prosperity that the war made possible after 1945 created a society less amenable to the messages of class division and social reform that had served the Democrats so well in the 1930s.

However halting and inconsistent Roosevelt's pre-1939 foreign policy leadership may seem, it was in fact prescient and at times risky. Privately convinced that America could not remain isolated from the rest of the world, he did about as much as possible to prepare the country—intellectually, morally, and militarily—for the gathering storms he correctly discerned in Europe and Asia. True enough, he acquiesced in the Neutrality Acts of 1935–37,

backed away from his 1937 “quarantine” speech after a strong backlash against it, and publicly praised the Munich agreement. These need to be understood, however, as Fabian tactics practiced by a leader who wanted to take the offensive but sensed that the correlation of forces was against him. Perhaps reaction would have been different if the quarantine speech (October 1937) had not taken place against the backdrop of a national economic slide and the Munich pact (September 1938) had not occurred with the unemployment rate hovering just below 20 percent. As it was, most Americans—whether conservative Republicans, militant independent progressives, or Democrats of any stripe—were isolationists, far more concerned with the continuing depression than with the follies of Europe.

The war came anyway in September 1939. After the collapse of France in mid-1940, Roosevelt took enormous chances to prevent a Nazi victory by funneling scarce American military resources to a shaky Britain. Although these actions were enormously controversial, the war’s political impact was to propel FDR to a third term. The conflict made him seem an indispensable man, boosted the economy, and galvanized his core support. In November, he defeated Republican Wendell Willkie handily, winning nearly 55 percent of the vote, but not appreciably changing the party balance in Congress. The less committed support of 1936 had fallen away; more than ever, the working-class minorities in the big cities *were* the Roosevelt coalition.

In 1941, Roosevelt pushed ahead with Lend-Lease, aid to the Soviet Union after it was invaded, and an undeclared naval war with Germany. Most stunningly, he met with British Prime Minister Winston Churchill on the United Kingdom’s newest battleship, *Prince of Wales*, off Argentia, Newfoundland, in August 1941. They issued a manifesto they called the Atlantic Charter, “a joint declaration of war aims” that declared their mutual allegiance to liberal and democratic values. Affirmations of good causes might lift British spirits, but it was beyond Roosevelt’s power to give Churchill what he really wanted—an American declaration of war against Germany. In fact, the administration barely secured legislation to extend the terms of newly trained draftees in the U.S. Army.

It is hardly surprising then that Roosevelt at times was disingenuous, even guilty of outright deception, as he attempted to cope with a self-deceptive public opinion unwilling to accept either the triumph of Nazism or full American participation in the fighting. To criticize such behavior as among the many abuses of the “imperial presidency” strikes one as far less meaningful than recognizing it as a defense of the national interest—and indeed of the ideals of liberalism and democracy. Pearl Harbor,³⁶ a consequence of

a policy toward Japan that got tougher as the Japanese allied themselves more closely to Nazi Germany and Fascist Italy, finally plunged the United States into a fight that Roosevelt correctly realized it could not avoid.

Roosevelt's World War II foreign policy, a presidential exercise that all but excluded Secretary of State Cordell Hull, is open to fair criticism.³⁷ It had serious contradictions that arose from his attempts to combine the approaches that had characterized the thinking of his two great political heroes—the power-driven realism of Theodore Roosevelt and the idealistic internationalism of Woodrow Wilson. The two themes were not wholly irreconcilable, but the tension was obvious and the practical difficulties of juggling them were great. Roosevelt was a magnificent rhetorical leader who justified the sacrifices of the war with visions of a worldwide democratic utopia—four freedoms (of speech, of religion, from want, from fear) “everywhere in the world.” He named the wartime alliance “the United Nations,” and consistently depicted it as a force fighting for democracy and the common man. Yet he also was capable of making deals with fascists and their sympathizers—especially if it would further such military gains as the capitulation of the French in North Africa or the surrender of Italy. Most glaringly, he accepted as senior partners in the alliance not only the broken-down, militaristic government of Chiang Kai-shek in China but also Stalin's Soviet Union, a totalitarian despotism capable of matching Nazi Germany evil for evil (and its ally for a critical twenty-two months at the beginning of the war).

Such inconsistencies were not the work of a flighty mind; they possessed the virtue of necessity. The Western democracies could not have won World War II without the Soviet alliance. Yet the difficulties of squaring sweeping idealistic objectives with the harder realities of power encouraged an ad hoc diplomacy that jumped nervously from issue to issue, postponed hard decisions about the postwar world, and placed excessive emphasis on friendly relations between the men at the top. Roosevelt mistakenly assumed the continued viability of Britain as a great power (even while pursuing an anticolonial policy that anticipated the dismemberment of the British empire) and never worked out a realistic scenario for postwar East Asia. Worried about American public opinion, he never engaged in the sort of frank realpolitik that alone might have established a satisfactory basis for dealing with Stalin and the USSR after the war. Despite his private understanding that balance and accord among the great powers would be the only basis for a postwar settlement, he found himself mortgaging American diplomacy to the establishment of a United Nations organization and the accompanying illusion that total war would bring in its wake total peace.

Nonetheless, FDR successfully mobilized the United States for total war, kept the Grand Alliance together, and protected American interests around the world. It was primarily geographical isolation and economic power that allowed the United States, alone among the major nations of World War II, to emerge with enhanced strength; but Roosevelt did much to establish the conditions for that development. When he died with ultimate victory in sight, a majority of Americans perceived him as a heroic leader who had brought the country through unprecedented ordeals with its ideals and institutions intact.

Yet, however much Roosevelt had established the Democrats as *the* party of leadership in crisis, the war also eroded the party's strength in significant ways. The casualty lists, high taxes (withheld from paychecks for the first time), and shortages of consumer goods—all affected about every American. The use of New Deal-style federal agencies to develop and enforce price control and rationing aroused considerable resentment among farmers and businessmen. Millions of ordinary Americans had episodic difficulty finding objects as mundane as razor blades, a new set of tires, or a decent cut of meat. Labor strikes, infrequent to be sure, aroused widespread popular outrage when they occurred, or even were threatened.

The congressional election of 1942 was a particularly grim experience for New Deal Democrats. The party barely maintained control of Congress. Roosevelt faced a hostile conservative majority on Capitol Hill and experienced a near-collapse of his personal leadership, even among many legislators who agreed with him on policy issues. In 1944, Alben Barkley dramatized the new situation by resigning as Senate majority leader in protest against FDR's veto of a tax bill. He was unanimously reelected by Democratic senators in a show of solidarity that amounted to a direct slap at the president, who had to respond with a conciliatory "Dear Alben" letter.

It is one of the ironies of World War II that the United States, which suffered less than any other major combatant and organized with supreme success to provide the wherewithal for victory, experienced the greatest backlash against big government and a powerful state. The classical liberal distrust of the state that permeated American history had much to do with the reaction. But so also did the American geographical isolation from the terrors of warfare. In nations under attack, whether Allied or Axis, the state was an all-powerful source of protection and sustenance, organizing defenses against the depredations of feared enemies, resettling the victims of bombings, overseeing the fair distribution of scarce rations, providing medical care for civilian and soldier alike, embodying the spirit of a national identity. In America, it was unnecessary for

the government to provide such services; instead to millions of its citizens, it became a nuisance, exacting from them one petty sacrifice after another and at times laying claim on the life or limb of a loved family member. However justified the war might seem as an abstract matter, the sacrifices remained irritants, leading increasing numbers of citizens to wonder if the New Deal state was not too big and too meddlesome.

In the presidential election year of 1944, the Democrats turned once again to Roosevelt. Whatever the political setbacks of the war, whatever the restiveness among dissidents, he clearly was the only candidate who could lead the party to victory. All the same, the president was weakened enough that he consented to the dumping of Vice President Wallace, who had been a model of ineptness in his congressional relations and was widely disliked by party conservatives and moderates. The new running mate was Senator Harry S. Truman, a New Deal supporter who enjoyed widespread popularity in both houses of Congress. The Roosevelt coalition, tattered about the edges, held firm despite FDR's own visibly worn health, the multitude of resentments he had accumulated over twelve years, and all the strains of the war. It was bolstered by an important mobilization of organized labor. The Congress of Industrial Organizations established the CIO Political Action Committee, which provided resources and organization that may have been decisive in some large industrial states. On Election Day, Roosevelt defeated Thomas Dewey, polling about 53.3 percent of the vote and once again finding his decisive majorities in the cities.

The Democrats gained twenty-four seats in the House but lost two in the Senate. The conservative coalition and the divergent congressional party remained intact. The 1940 elections had left the party with 66 senators and 268 representatives; the 1944 elections returned 56 Democratic senators and 242 representatives.

Franklin Roosevelt at the top of his form would have found it necessary to yield much of his program to such a Congress. The Roosevelt who began his fourth term was suffering from the effects of chronic hypertension, an affliction for which, in those days, there was no good treatment. Chronically fatigued, he was in truth not physically fit to continue as president. A horrified Truman told a friend that FDR "had the pallor of death on his face."³⁸ His last overseas trip, a crucial meeting with Stalin and Churchill at Yalta in the Soviet Crimea, exacted a fearsome toll. On March 1, 1945, he reported on the Yalta conference before a joint session of Congress. Worn in appearance, unable to stand, he delivered a rambling speech in a tired voice. The performance failed to satisfy his critics and confirmed the worst

fears of his friends. Six weeks later, April 12, 1945, he died suddenly at his Warm Springs, Georgia, retreat.

Roosevelt left behind not simply a record of victory in four presidential elections but also a transformed Democratic Party. What remained uncertain, however, was whether that party had an independent viability or whether it was, at bottom, a personal creation that would fly apart in his absence. Even if it could be held together, moreover, could any successor effect an ideological unification that would bring the Democratic congressional party back into line with the Democratic presidential party? It would be up to Harry S. Truman to provide the answers.

THE MAINTAINING PRESIDENCY OF HARRY S. TRUMAN

Truman's presidency demonstrated that a chief executive lacking the assets that had meant so much to Roosevelt—style, charm, media charisma—could make much of his office.³⁹ Truman assuredly deserves credit for the virtues that made him one of the most important twentieth-century American presidents—hard work, determination, shrewd political judgment, and gutsy decision-making. For all his differences in style and personality from FDR, he also showed that individuals make a difference. Consider what likely would have happened to the Democratic Party under President Henry A. Wallace.

The Truman presidency demonstrated that the Roosevelt coalition, and the fact of a presumptive Democratic majority, possessed a social and political basis that extended beyond Roosevelt—and that it could be rallied by a midwesterner with a considerably different cultural identity. A product of an urban political machine, Truman understood the New Deal coalition and its imperatives. A committed ideological progressive from his earliest years, he moved naturally to a liberal course. He also showed that the party required a strong man in the White House in order to hold it together, shape its identity, and give it the leadership necessary to win national elections. Finally, his years in office confirmed that the Democratic presidential-congressional split was an enduring fact of national life.

If Truman demonstrated that there was life after Roosevelt for the Democrats, the roller-coaster ups and downs of his years in the White House equally displayed the party's continuing internal contradictions. By the end of 1946, Truman, pulled between one Democratic faction and another, seemingly inef-

fective in his management of the economy, looked like a failure. The Republicans especially capitalized on a failed attempt to control meat prices that had succeeded only driving supply off the market. Using the slogan “Had enough?” the GOP swept to victory in the mid-term elections, winning control of Congress for the first time since 1928. Once in power, they quickly realized their major objective, passing the antilabor Taft-Hartley Act over Truman’s veto. With near unanimity, pundits proclaimed the Democratic era at an end.

Remarkably, it was not. The Truman years, by and large, constituted a maintaining period rather than a transforming one. Just how did Truman manage to hold together a party that seemed to be on the verge of flying apart?

CENTRIST LIBERALISM. Truman picked up the heritage of the New Deal and added to it a series of his own programs (which he would call the Fair Deal in his second term) that seemed logical extensions. The broad public was not ready for most of them (national health insurance, federal aid to education, comprehensive civil rights legislation, repeal of the Taft-Hartley Act, the Brannan Plan for agriculture). The one item that did get through Congress, large-scale public housing in 1949, is widely adjudged a failure.

All the same Truman had defined an agenda for the next generation of liberal activism. His Fair Deal appealed to a substantial majority of nonsouthern Democrats who engaged themselves with policy issues; it maintained the allegiance of such critical constituencies as organized labor, African Americans, and the liberal intelligentsia. What made it distinctive and gave it enduring significance was the way in which it adjusted Democratic liberalism to the new and apparently permanent prosperity that had emerged from World War II.

Truman’s most momentous addition to the liberal agenda was civil rights.⁴⁰ His ideas about race—he thought in terms of “equal opportunity” rather than “social equality”—may seem primitive today, but in the immediate postwar years they were enlightened. Like Roosevelt before him, he preferred to dodge racial issues, but the end of the Depression made it impossible to satisfy African Americans with distributional politics. As fairness and constitutional rights became the primary objectives of blacks and their white liberal allies, Truman had no fundamental inhibitions about taking up their cause. He deserves more credit than he usually gets for his civil rights stand. Inevitably, however, it added considerably to the centrifugal forces within the Democratic coalition.

The first president to offer a comprehensive civil rights program, he was never able to get legislation past a southern filibuster in the Senate, but he

took major steps in other ways. His Justice department submitted a series of path-breaking *amicus curiae* briefs to the Supreme Court; they placed the executive branch squarely in favor of reversing *Plessy v. Ferguson* and thus set the stage for the *Brown* decision of 1954. Despite determined opposition from the military bureaucracy, Truman desegregated the armed forces, thereby creating an integrated world that touched the lives of millions of Americans before desegregation became a norm in the 1960s.

GROWTH ECONOMICS. After his election victory in 1948, Truman adjusted Democratic liberalism to postwar prosperity in one other critical way. Under the leadership of Leon Keyserling, the second chairman of the Council of Economic Advisers, the administration abandoned Depression-era assumptions about an economy of scarcity.⁴¹ Instead, it began to promote economic growth as a more fundamental objective of liberalism.

Because Truman's years in office were characterized by a full employment economy in every year save 1949, this change was more in the realm of rhetoric than of policy. Keyserling, an eclectic thinker who lacked a Ph.D. in economics, never developed an elegant theoretical formula. He simply asserted that the federal government should employ all the tools at its disposal to concentrate single-mindedly on enlarging the economy; other problems would take care of themselves. He understood that only economic growth could fund the major objective of Democratic liberalism—the steady development of a state with bigger and better social programs.

The “stagflation” of the Eisenhower years would give a special relevance to Keyserling's message and keep it at the top of the Democratic agenda. Walter Heller and other academic economists in the meantime developed a theoretical neo-Keynesian rationale for growth economics.⁴² John F. Kennedy and Lyndon Johnson would adopt their proposals in the 1960s and pursue what appeared a promising growth program, built around the tax cut of 1964, before Vietnam overheated the economy. Thereafter, partly because of mounting concern over the environmental consequences, partly because of the party's difficulties in controlling inflation, rapid growth would lose its salience on the Democratic economic agenda. Amazingly, in the 1980s the issue would be captured by the Republicans under Ronald Reagan, talking Kennedy-style tax cuts but devoted to private investment and consumption rather than social democracy.

ANTICOMMUNISM. Leaving aside their substantial merits, Truman's Cold War policies had the tactical advantage of disconnecting the party from what

had become an embarrassing alliance with the Soviet Union and American Communists. The Truman Doctrine and the Marshall Plan protected American interests in Europe and the Middle East while sustaining liberal democracy in such countries as France and Italy. The president's diplomacy also provided a focus for a debate on the left wing of the party that led to the expulsion of Communists and pro-Communist "Popular Fronters" from the organized liberal movement and leading labor unions. Henry Wallace and the 1948 Progressives probably did more good for Truman by running against him than by remaining a conspicuous pro-Soviet faction within the Democratic Party.

Truman's anticommunist policies were, to be sure, not perfect. His diplomacy was well crafted, thanks in no small part to a highly professional Department of State. Its domestic extensions, however, included an ill-conceived loyalty program for the entire federal civil service and the even worse decision to prosecute the leaders of the American Communist Party under the Smith Act. Truman himself came to realize that the loyalty program was a mistake, courageously (although unsuccessfully) vetoed the McCarran Internal Security Act of 1950, and emerged as a defender of civil liberties against the assaults of Senator Joseph McCarthy and others on the right.

In his diplomacy, as with his domestic reform program, Truman aligned himself with what Arthur Schlesinger Jr., characterized as Vital Center liberalism. Rejecting the totalitarianism of the left as well as that of the right, advocating civil liberties and democratic politics at home and abroad, renouncing full-scale socialism in favor of enhanced social welfarism, Vital Center liberalism could reach a wide audience within the Democratic Party, not least among them large ethnoreligious minorities that were bitterly anti-Soviet.

TRUMAN'S LEADERSHIP. In the end, it was Truman himself who defined what the Democratic Party meant in the immediate postwar years and then sold that definition to the American people in 1948. His foreign policy surely helped him. In his first term, by mutual understanding with the Republicans, it was bipartisan and not a matter of debate. During the campaign of 1948, Truman's authorization put U.S. military transports in the air around the clock to thwart the Soviet-imposed blockade of Berlin.

Another foreign policy issue had important political ramifications. The Arab-Jewish conflict in Palestine might seem a bit of a sideshow when contrasted to the U.S.-Soviet confrontation in Europe, but the electoral stakes were large. Here also there was no real difference between the two parties; leaders in both generally sympathized with the concept of some sort of Jew-

ish political entity in Palestine. But with the Jewish population overwhelmingly committed to the Democratic Party and Jewish leaders wielding substantial influence within it, Truman faced the toughest pressures.

As president, he struggled desperately with the issue of Palestine throughout his first term, striving to make decisions that would reconcile the national interest with his political interests. In May 1948, over the protests of the State Department, he ordered recognition of the newly proclaimed state of Israel. For the rest of the year he would acquiesce in the department's resistance to further concessions, but what he had done was enough to hold the bulk of the Jewish vote. During his second term, the U.S.-Israeli relationship became closer, establishing a pattern of support for the Jewish state that became a *sine qua non* of Democratic foreign policy thereafter.

The campaign of 1948 was largely about competing visions of domestic policy, which meant it was about liberalism. In itself that did not necessarily bode well for the Democrats. Truman was smart enough to realize that his initiatives had limited appeal. A Congress controlled by Democrats in 1945–46 had been about as unwilling to do anything with them as had the Republican Congress of 1947–48. The Taft-Hartley Act had been supported by a majority of the Democratic delegation in the House. The civil rights program he had sent up to Congress in early 1948 attracted little public enthusiasm in the North and was fearsomely unpopular in the South.

The president never repudiated anything in his own agenda, although he would have soft-pedaled civil rights in the Democratic platform; as it was, a floor revolt led by Hubert Humphrey, the dynamic young mayor of Minneapolis, obtained a full-scale commitment to every point in the civil rights program. "The time has come," Humphrey declared on the convention floor, "for the Democratic Party to get out of the shadow of states' rights and walk into the bright sunshine of human rights."⁴³ He and his liberal allies nailed the banner of civil rights to the Democratic Party for once and for all. They also precipitated a walkout of delegates from Alabama and Mississippi. Shortly afterward, a new States Rights Party would nominate Governor J. Strom Thurmond of South Carolina for president. The "Dixiecrats" had only one *raison d'être*—to deny the South, and the presidency, to Truman. Realizing that conciliation of the South was impossible, the president had quickly issued an executive order desegregating the armed forces. During the campaign he became the first chief executive ever to speak in Harlem. African American leaders, who understood they were in a contest with the white South to determine who held the balance of power in a presidential election, took note. But the election was not primarily about civil rights.

Truman waged a grueling, fiery campaign in which he established himself as a plain-talking leader fighting for the common people against a fat-cat opposition. Leaving Washington on his first big swing around the country, he told his running mate, Senator Alben Barkley, "I'll mow 'em down Alben, and I'll give 'em hell."⁴⁴ Over the next several weeks, he described the Republicans as "gluttons of privilege" aching to oppress farmers and workers. If at times his rhetoric was excessive, many voters found the persona of the fighting underdog appealing. His campaign train drew large and friendly crowds at one stop after another.

A solid strategy lay behind the tactics. Truman made the election into a referendum on Roosevelt's New Deal. Crisscrossing the country, making hundreds of speeches, he repeatedly accused the Republicans of wanting to repeal the New Deal and turn the clock back to the 1920s. In a feat of political jujitsu, he converted the Democratic defeat of 1946 into a stroke of good fortune. No one, after all, could expect him to have gotten anything from a Republican Congress—even if he had done so brilliantly on foreign policy issues—and the Republicans, especially those in the House, had managed to appear inflexibly negative. Truman's opponent, Thomas E. Dewey—governor of New York, cool personification of the organization man, a sure winner—never stooped to answer the president's charges.

It is overly simple, of course, to describe any presidential election as merely an ideological plebiscite. Truman's intensive campaigning no doubt heated up the blood of a lot of Democratic partisans whose loyalty to the party had little to do with programs and platforms. His fighting underdog role surely enhanced his personal appeal. Still, in the end, all explanations come back to Truman's defense of the New Deal. Roosevelt's achievements were established beyond recall. Truman polled 49.5 percent of the popular vote, Dewey 45 percent. Thurmond and Wallace received about 2.4 percent each; Thurmond carried Alabama, Louisiana, Mississippi, and South Carolina for thirty-nine electoral votes. Wallace pulled enough votes away from the Democrats to throw Maryland, Michigan, and New York to Dewey. The count was close enough that numerous groups could claim some credit for the victory—African Americans motivated by civil rights, farmers who resented cuts in the agricultural program, labor in support of Truman's Taft-Hartley veto. The important question, however, was just what sort of a mandate Truman had.

The answer, to put it simply, was "not much." The public had voted *against* a largely fanciful threat to established New Deal programs they had come to cherish, not *for* a lot of new legislation. The Democrats had regained control

of Congress, but by margins in the House almost the same as those of 1938, the election that had given birth to the conservative coalition; in the Senate, they had only a 54–42 edge. Truman would get some very significant enlargements of Social Security and other ornaments from the 1930s. However, aside from the Housing Act of 1949, the Fair Deal would run into a brick wall. What the president had done in 1948 was to arrest the disintegration of the party and just barely preserve the Roosevelt coalition, right down to maintaining its internal gridlock.

Perhaps most critically, the South emerged with more potential power within the party than in years, despite the apparent failure of the Thurmond candidacy. The South had been irrelevant to Roosevelt's four victories; Truman had won the election only because he had held on to most of it. If in addition to the four states he carried Thurmond had won Texas and any other two southern states, Truman would have failed to attain a majority in the Electoral College, leaving the contest to be decided by the House of Representatives.

If the Republicans could have laid claim to all those electoral votes, Dewey would have been elected. There already were plenty of stirrings of independence in Texas, where Governor Coke Stevenson had been friendly to the Dixiecrats and Houston publisher Jesse H. Jones, a leader of conservative Democrats in the Roosevelt years, had endorsed Dewey. The vision of a South, anti-civil rights and conservative in its broader outlook, voting Republican in presidential elections suddenly was by no means outlandish. It was probably the mathematics of his victory as much as anything that impelled Truman to avoid retaliation against the Dixiecrats and reject efforts to reduce southern influence in Congress after 1948.

Numerous developments cemented the gridlock—the fall of China, the Soviet A-bomb, the Hiss case, the Rosenberg case, and, above all, the Korean War. Truman faced the unexpected invasion of South Korea with decisiveness and fortitude. As soon as he was informed of North Korea's move across the thirty-eighth parallel, he told his secretary of state, Dean Acheson, "Dean, we've got to stop the sons of bitches no matter what."⁴⁵ The price was high—a stalled domestic program, a prolonged, stalemated war after China intervened, and a surge of hysterical anticommunism that engulfed the administration. By the end of 1950, McCarthyism had become a dominating force in American politics, the Democrats had given back some of their gains in Congress, and Truman was circling the wagons to defend his foreign policy. He had to unite the party behind a holding action in Korea, the dismissal of General Douglas MacArthur for insubordination, and a sharp military expansion to insure the defense of Europe. Revelations of small-bore corrup-

tion in the administration added to the damage. In 1952, a Republican strategist would describe the formula for his party's campaign as K-1, C-2: Korea, Communism, corruption.

Truman was by then a spent force politically, although feistier and more vehement than ever in his campaigning. The Republican candidate, Dwight D. Eisenhower, eclipsed Dewey in charisma and political savvy; significantly, he went out of his way to reassure the voters explicitly that he would pose no threat to the achievements of the Roosevelt era. This pledge, given with at least a degree of reluctance, underscored Truman's accomplishment. If he had been unable to achieve his Fair Deal program, he had demonstrated that a broad national consensus supported the New Deal. Republicans from Eisenhower on understood the lesson. Even the "Reagan Revolution" would be largely a reaction against the Great Society and the 1960s, not the New Deal.

Truman also had committed the Democratic Party to a foreign policy that both Republicans and Democrats would follow for a generation—active involvement in the world with the objective of establishing a liberal international order while containing expansionist totalitarianism in the form of the Soviet empire. Pursued with varying degrees of activism and passivity, skill and ineptness by his successors, frequently denounced by utopians of both the liberal left and the conservative right, containment nonetheless remained the guiding principle of American foreign policy until the collapse of the Soviet Union.

Roosevelt and Truman between them had created a new Democratic Party—one with nearly unlimited faith in activist government, social-democratic policies, and a commitment to the rights of minorities, even those with black skin; one that dedicated the United States to continuing international involvement against the menace of Communist totalitarianism; one that, whatever its internal contradictions, was the dominant majority in American politics at the level of Congress and the statehouses. In 1952, that achievement seemed about as enduring as anything could be in American politics.

Vietnam, the New Left, and the counterculture were less than a decade and a half away.

NOTES

This essay is a substantially revised and enlarged version of an article originally published in Peter B. Kovler, ed., *Democrats and the American Idea* (Washington, D.C.: Center for National Policy Press, 1992).

1. There is a significant, if rather dated, literature about the issue of change and continuity during this period, focusing on the New Deal and the Great Depression. See, for example, Richard Hofstadter, *The Age of Reform: Bryan to F.D.R.* (New York: Alfred A. Knopf, 1955), chap. 7, parts 3 and 4; Carl Degler, *Out of Our Past* (New York: Harper & Row, 1959), chap. 12; William E. Leuchtenburg, *Franklin D. Roosevelt and the New Deal* (New York: Harper & Row, 1963), chap. 14; Richard S. Kirkendall, "The Great Depression: Another Watershed in American History?" in John Braeman et al., *Change and Continuity in Twentieth-Century America* (Columbus: Ohio State University Press, 1964); and Otis L. Graham, *Encore for Reform: The Old Progressives and the New Deal* (New York: Oxford University Press, 1967). The question is protean and ultimately irresolvable; still, it is an important one that forces one to think through fundamental issues of twentieth-century American history.

2. To attempt to divine the "true" meaning of the term *Jeffersonian* would be to embark on an endless tangent. Suffice to say that all the meanings in the text had acquired some currency by the early twentieth century. Those who would like to delve further into the problem should consult Merrill Peterson, *The Jefferson Image in the American Mind* (New York: Oxford University Press, 1960); Merrill Peterson, *Thomas Jefferson and the New Nation* (New York: Oxford University Press, 1986); and Noble E. Cunningham Jr., *In Pursuit of Reason: The Life of Thomas Jefferson* (Baton Rouge: Louisiana State University Press, 1987).

3. David Burner, *The Politics of Provincialism: The Democratic Party in Transition, 1918–1932* (New York: Alfred A. Knopf, 1967), a book of considerable merit and after thirty-five years the best single volume on its subject. See also Alan Lichtman, *Prejudice and the Old Politics: The Presidential Election of 1928* (Chapel Hill: University of North Carolina Press, 1979). Two classic works on American politics and society in the 1920s are William E. Leuchtenburg, *The Perils of Prosperity, 1914–1932* (Chicago: University of Chicago Press, 1958), and John D. Hicks, *Republican Ascendancy* (New York: Harper & Row, 1960); both are written from a "progressive" perspective that has much in common with the classic worldview of the Democratic Party. Ellis W. Hawley, *The Great War and the Search for a Modern Order*, 2d ed. (New York: St. Martin's Press, 1992), deemphasizes standard partisan ideology in favor of an "organizational-managerial" interpretation that stresses the growth of public and private bureaucracies, the emergence of specialized professional expertise, and consequent redefinitions of the nature of the state.

4. Two classic works on the causes and character of the Great Depression are Charles Kindleberger, *The World in Depression, 1929–1939* (Berkeley: University of California Press, 1973); and John A. Garraty, *The Great Depression* (New York: Harcourt Brace Jovanovich, 1986). For an interesting, albeit to my mind unconvincing, revisionist interpretation of Hawley-Smoot, see Alfred E. Eckes, *Opening America's*

Markets: U.S. Foreign Trade Policy since 1776 (Chapel Hill: University of North Carolina Press, 1995), chap. 4. On Federal Reserve policy, see Milton Friedman and Anna Jacobson Schwartz, *A Monetary History of the United States, 1867–1960* (Princeton: Princeton University Press, 1963), chap. 7.

5. *Historical Statistics of the United States* (Washington, D.C.: U.S. Government Printing Office, 1975) 1:135, 224, 483; 2:1038.

6. Martin L. Fausold, *The Presidency of Herbert C. Hoover* (Lawrence: University Press of Kansas, 1985), provides a thorough and authoritative account of Hoover's efforts and failures.

7. See Samuel I. Rosenman, ed., *The Public Papers and Addresses of Franklin D. Roosevelt*, vol. 2, *The Year of Crisis, 1933* (New York: Random House, 1938), 11–16, for the formal prepared text. For description of the event and for the text as actually delivered, see *New York Times*, March 5, 1933.

8. See, for example, David Sarasohn, *The Party of Reform: Democrats in the Progressive Era* (Oxford: University of Mississippi Press, 1989); Robert Cherney, *Righteous Cause: The Life of William Jennings Bryan* (Boston: Little, Brown, 1985); Le Roy Ashby, *William Jennings Bryan: Champion of Democracy* (Boston: Twayne, 1987); Paolo E. Coletta, *William Jennings Bryan*, 3 vols. (Lincoln: University of Nebraska Press, 1964–69); Arthur S. Link, *Woodrow Wilson and the Progressive Era, 1910–1917* (New York: Harper & Row, 1954), *Wilson: The New Freedom* (Princeton: Princeton University Press, 1956), and *Wilson: Campaigns for Progressivism and Peace* (Princeton: Princeton University Press, 1965); John Milton Cooper, *The Warrior and the Priest* (Cambridge, Mass.: Harvard University Press, 1983), and Cooper, *Pivotal Decades: The United States, 1900–1920* (New York: W. W. Norton, 1990), chap. 9 (note especially the illustration on p. 250).

9. The scholarly literature on Roosevelt and the New Deal is vast. David Kennedy, *Freedom from Fear: The American People in Depression and War, 1929–1945* (New York: Oxford University Press, 1999), is now the standard single-volume work. William E. Leuchtenburg, *Franklin D. Roosevelt and the New Deal*, remains a classic interpretation. Other important interpretations include Anthony Badger, *The New Deal: The Depression Years* (New York: Hill & Wang, 1989); James MacGregor Burns, *Roosevelt: The Lion and the Fox* (New York: Harcourt, Brace & World, 1956), a thoughtful and provocative liberal critique; Frank Freidel, *Franklin D. Roosevelt: A Rendezvous with Destiny* (Boston: Little, Brown, 1990); Patrick Maney, *F.D.R.: The Roosevelt Presence* (New York: Twayne, 1992). Paul K. Conkin, *The New Deal*, 3d ed. (Arlington Heights, Ill.: Harlan Davidson, 1992) is a brief critique from the left in the pragmatic, social democratic tradition of John Dewey. Jordan Schwarz, *The New Dealers: Power Politics in the Age of Roosevelt* (New York: Alfred A. Knopf, 1993), examines the New Deal as a species of “state capitalism.” Colin Gordon, *New Deals:*

Business, Labor, and Politics in America, 1920–1935 (New York: Cambridge University Press, 1994), approaches the topic from a perspective that combines the “organizational-managerial” interpretation with what appears to be a loose neo-Marxism reminiscent of the early work of Gabriel Kolko. On the World War I experience, see especially William E. Leuchtenburg, “The New Deal and the Analogue of War,” in *The FDR Years: On Roosevelt and His Legacy* (New York: Columbia University Press, 1995), 35–75, an important pioneering essay. Arthur M. Schlesinger Jr., *The Age of Roosevelt*, 3 vols. (Boston: Houghton Mifflin, 1957–60), is a celebratory, scholarly, and near-definitive blending of history and biography covering the years 1929–36. John Braeman et al., eds., *The New Deal: The National Level* (Columbus: Ohio State University Press, 1975), is an important collection of original essays.

10. Among the many works on New Deal policy toward various sectors of the economy, the following are possibly the most useful: Ellis W. Hawley, *The New Deal and the Problem of Monopoly* (Princeton: Princeton University Press, 1966); Irving Bernstein, *Turbulent Years: The American Worker, 1929–1939* (Boston: Houghton Mifflin, 1969); and Theodore Saloutos, *The American Farmer and the New Deal* (Ames: Iowa State University Press, 1982).

11. Leuchtenburg, *Franklin D. Roosevelt and the New Deal*, 68.

12. *Historical Statistics* 1:135.

13. John Maynard Keynes to Franklin D. Roosevelt, February 1, 1938, reproduced in Howard Zinn, ed., *New Deal Thought* (Indianapolis: Bobbs-Merrill, 1966), 403–409.

14. For an early and very influential example, see Burns, *Roosevelt: The Lion and the Fox*, 328–336.

15. Garraty, *The Great Depression*, 197; R. J. Overy, *The Nazi Economic Recovery*, 2d ed. (Cambridge: Cambridge University Press, 1996).

16. *Historical Statistics* 2:1105.

17. On tax policy, the most comprehensive treatment is Mark Leff, *The Limits of Symbolic Reform: The New Deal and Taxation, 1933–1939* (New York: Cambridge University Press, 1984), a work that is, however, written from a social-democratic, redistributionist frame of reference quite different from my own.

18. Leuchtenburg, *Franklin D. Roosevelt and the New Deal*, 183–184.

19. Keynes to Roosevelt, February 1, 1938, in Zinn, ed., *New Deal Thought*, 403–409.

20. Richard Vedder and Lowell Gallaway, *Out of Work: Unemployment and Government in Twentieth-Century America* (New York: Holmes & Meier, 1993), especially chap. 7, is an important, although perhaps exaggerated, statement of the thesis that maximum employment occurs only when government lets the cost of labor fall to its natural market level. Along these lines, it is worth noting also that German full employment was achieved at the cost of lower worker real wages and living standards

than in the peak year of 1928. To be sure, part of this decline reflected Hitler's guns-over-butter decision to push military production at the expense of civilian goods after 1935, but it may be an irreducible fact that it is easier even (especially?) for a totalitarian regime to create many jobs with mediocre compensation than an equal number with good compensation. See Overy, *The Nazi Economic Recovery*, especially chap. 2.

21. On the administration incomprehension of small business, see, for example, Alan Brinkley, *The End of Reform: New Deal Liberalism in Recession and War* (New York: Alfred A. Knopf, 1995), 90–91.

22. Leuchtenburg, *Franklin D. Roosevelt and the New Deal*, 154.

23. Keynes to Roosevelt, February 1, 1938, in Zinn, ed., *New Deal Thought*, 403–409.

24. Roosevelt was perhaps foremost among a generation of political leaders that used the new media to great effect. Adolf Hitler in Germany is perhaps the most noted example, but Stanley Baldwin in Great Britain, who delivered his first radio address in 1924, was surely the pioneer and was far more formidable than generally remembered today. Each, it must be emphasized, was able to use the modern media as a vehicle of charisma because he spoke in the idiom of his own political culture, not only addressing its greatest concerns but also expressing its distinctive mood. See, for example, David Welch, *The Third Reich: Politics and Propaganda* (London: Routledge, 1993), 30–34, and Philip Williamson, *Stanley Baldwin: Conservative Leadership and National Values* (New York: Cambridge University Press, 1999), esp. 83–87.

25. Vedder and Gallaway, *Out of Work*, 77.

26. WPA workers often demonstrated and engaged in letter-writing campaigns in favor of continued appropriations for either their specific projects or for the agency in general. Occasionally they attempted to form labor unions. Sometimes they actually called strikes for better wages or working conditions; invariably these were put down with a decisiveness akin to that with which Ronald Reagan smashed the air-traffic controllers' walkout.

27. On this point see Lizabeth Cohen, *Making a New Deal: Industrial Workers in Chicago, 1919–1939* (New York: Cambridge University Press, 1990), a justly acclaimed melding of cultural and political history.

28. Schwarz, *The New Dealers*, discusses the issue of Jews in the New Deal at several points, esp. 146 and 181.

29. On African Americans and the New Deal, see Harvard Sitkoff, *A New Deal for Blacks* (New York: Oxford University Press, 1978); Raymond Wolters, *Negroes and the Great Depression* (Westport, Conn.: Greenwood, 1970); John B. Kirby, *Black Americans and the Roosevelt Era* (Knoxville: University of Tennessee Press, 1980); and Patricia Sullivan, *Days of Hope* (Chapel Hill: University of North Carolina Press, 1996).

30. *Historical Statistics* 1:457.

31. This phrase and the interpretive design are taken from James MacGregor Burns, *The Deadlock of Democracy* (Englewood Cliffs, N.J.: Prentice-Hall, 1963), a classic of popular political science.

32. Leuchtenburg, *Franklin D. Roosevelt and the New Deal*, 243.

33. Sidney M. Milkis, *The President and the Parties: The Transformation of the American Party System since the New Deal* (New York: Oxford University Press, 1993), vii–ix, chaps. 1–6.

34. Brinkley, *The End of Reform*, especially the introduction and epilogue.

35. The following surveys of American life in World War II are important general works: Richard Polenberg, *War and Society* (Philadelphia: Lippincott, 1972); Geoffrey Perrett, *Days of Sadness, Years of Triumph* (New York: Coward, McCann & Geoghegan, 1973); John M. Blum, *“V” Was for Victory* (New York: Harcourt Brace Jovanovich, 1976); William L. O’Neill, *A Democracy at War* (New York: Free Press, 1993); and John J. Jeffries, *Wartime America* (Chicago: Ivan Dee, 1996).

36. After sixty years one still sees new books and “documentaries” charging that Roosevelt knew of the Pearl Harbor attack plans and, for the sake of getting into the war, did nothing to stop them. Aside from the lack of convincing evidence for this thesis, it is inconceivable that Roosevelt, even if he wanted war, would have left the Pacific fleet exposed. Surely it is more likely that he would have deployed American air and naval power to beat off the attack and strike a surprise counterblow against the Japanese fleet. Such a stroke would have given him the war he *may* have wanted and would have started it with a U.S. victory.

37. Among the many works on Roosevelt as a diplomatist, Robert Dallek, *Franklin D. Roosevelt and American Foreign Policy, 1932–1945* (New York: Oxford University Press, 1979), remains standard. Other studies of considerable importance are James MacGregor Burns, *Roosevelt: The Soldier of Freedom* (New York: Harcourt Brace Jovanovich, 1970); John L. Gaddis, *The United States and the Origins of the Cold War* (New York: Columbia University Press, 1972); Waldo Heinrichs, *Threshold of War: Franklin D. Roosevelt and American Entry into World War II* (New York: Oxford University Press, 1988); Warren F. Kimball, *The Juggler: Franklin Roosevelt As Wartime Statesman* (Princeton: Princeton University Press, 1994); Frederick W. Marks III, *Wind over Sand* (Athens: University of Georgia Press, 1988).

38. Alonzo L. Hamby, *Man of the People: A Life of Harry S. Truman* (New York: Oxford University Press, 1995), 289.

39. The authoritative history of the Truman presidency is Robert Donovan’s two-volume survey *Conflict and Crisis* and *Tumultuous Years* (New York: W. W. Norton, 1977, 1982). Donald R. McCoy, *The Presidency of Harry S. Truman* (Lawrence: University Press of Kansas, 1984), is a more selective account by a distinguished historian.

Alonzo L. Hamby, *Beyond the New Deal: Harry S. Truman and American Liberalism* (New York: Columbia University Press, 1973), pursues themes that may be of special interest to the readers of this work. Three biographies that focus as much on the man as his presidency are Robert H. Ferrell, *Harry S. Truman: A Life* (Columbia: University of Missouri Press, 1994); Hamby, *Man of the People*; and David McCullough, *Truman* (New York: Simon & Schuster, 1992).

40. Among the many works on civil rights and the Truman administration, the fullest and most balanced is Donald R. McCoy and Richard T. Ruetten, *Quest and Response* (Lawrence: University Press of Kansas, 1973).

41. Hamby, *Beyond the New Deal*, 297–303.

42. Walter Heller, *New Dimensions of Political Economy* (Cambridge, Mass.: Harvard University Press, 1966), is an accessible introduction to the New Economics.

43. Hamby, *Man of the People*, 448.

44. Hamby, *Man of the People*, 462.

45. Hamby, *Man of the People*, 534.

3

THE ROOSEVELT COURT

Melvin I. Urofsky

On August 12, 1937, after nearly four and a half years in office, Franklin D. Roosevelt finally named his first appointee to the U.S. Supreme Court. In a move that shocked supporters and opponents alike, the president sent to the Senate the name of Hugo LaFayette Black, the senator from Alabama who had been a vociferous proponent of the New Deal and of Roosevelt's controversial court-packing plan. After Black came one opening after another, and, in the end, Roosevelt made nine appointments to the nation's high court, more than any other chief executive save George Washington.

Contemporaries saw the long list of Roosevelt nominees as proof that the president had won the bitter fight with the Court that had erupted into a constitutional crisis in the spring of 1937. Although there is some recent scholarship to suggest that the Court was not as ideologically opposed to New Deal reform as had previously been assumed,¹ at the time both conservatives and liberals saw the Court as standing athwart Roosevelt's efforts to implement New Deal programs.

The Court, after narrowly approving two state reform measures, a Minnesota mortgage moratorium² and a New York milk-pricing statute,³ seemingly turned against all efforts to deal with the economic crisis. First it invalidated a New York model minimum-wage law that even conservative newspapers and the Republican presidential candidate, Alf M. Landon, considered reasonable.⁴ When the Court began to hear cases involving federal legislation in December 1934, the administration not only faced a hostile

bench but also suffered the consequences of sloppy procedures, poor draftsmanship, and inadequate counsel.⁵

The pattern could be discerned in the first case the justices heard, *Panama Refining Company v. Ryan*, in which the Court exposed the administrative inadequacies of section 9(c) of the National Recovery Act, an effort to control so-called hot oil from being sold in interstate commerce.⁶ After narrowly and reluctantly approving the New Deal's cancellation of gold clauses,⁷ the conservative majority took a highly restrictive view of the interstate nature of railroads and voided the Railroad Retirement Act of 1934.⁸ Then on "Black Monday," May 27, 1935, the Court struck at the heart of the New Deal, invalidating the National Industrial Recovery Act and the Frazier-Lemke Mortgage Act and ruling that the president could not remove members of independent regulatory commissions.⁹ The following January the Court, by a 6–3 vote, struck down what nearly everyone considered a well-planned and well-administered program, the Agricultural Adjustment Act.¹⁰

Roosevelt believed that the conservatives on the Supreme Court (the so-called Four Horsemen of James C. McReynolds, George Sutherland, Pierce Butler, and Willis Van Devanter, often joined by Chief Justice Charles Evans Hughes and Owen J. Roberts) based their judicial opinions not on a fair reading of the Constitution but on their own cramped and outmoded economic views. In his proposal to expand the number of justices on the bench, Roosevelt suffered one of the few political defeats of his career. But as countless teachers have told their classes, he lost the battle and won the war. His appointees dominated the Court until the mid-1950s. One should bear in mind that five of the justices who heard and decided *Brown v. Board of Education* in 1954 had been appointed by Franklin Roosevelt, and two of them, Hugo Black and William O. Douglas, served on the high court into the 1970s.

To understand the Roosevelt legacy on the bench, we need to look briefly at the men he appointed and their judicial philosophies, because although they all agreed on the notion that courts should not second-guess the legislative and executive branches on matters of economic policy, they differed widely on other matters, especially the role of the judiciary in protecting individual liberties.

Hugo LaFayette Black of Alabama (1886–1971), Roosevelt's first appointee, joined the Court amid a cloud of controversy. At the time, many people believed Roosevelt had named Black to the Court for supporting the president's court-packing plan. Moreover, because the Senate would not turn down one of its own, Roosevelt in effect humiliated those in the Senate who had not backed the plan by foisting on them a man who apparently lacked

credentials for the bench and whose populist political views irritated conservatives. Robert Jackson later recalled: "I had been rather amused at the President's maneuver, which enabled him to get even with the court and with the Senate, which had beat his plan, at the same time. He knew well enough that the Senate could not reject the nomination because of senatorial courtesy. He knew perfectly well it would go against their grain to confirm it. He knew it would not be welcomed by the court."¹¹ Then shortly after he had been sworn in, it turned out that Black had once belonged to the Ku Klux Klan. All in all, it hardly made for an auspicious start of a judicial career.¹²

Black grew up in rural Alabama, graduated first in his University of Alabama Law School class, and then, after practicing in his native Ashland for a few years, moved to Birmingham in 1907. To supplement his income, Black also served part-time as a municipal court judge and then for three years full-time as Jefferson County prosecuting attorney. In his most famous case, he investigated and prosecuted several police officers for beating and forcing confessions from black defendants. The experience marked him for life and gave him something no other member of the Court had—litigation experience in criminal law—and as a result he brought a discernible passion to those cases.

In his private practice Black tried hundreds of cases and honed his already considerable talents as a debater and orator, skills that led to his election to the U.S. Senate in 1926. In 1932 Black won a second term and immediately became a staunch defender of Franklin D. Roosevelt's New Deal policies, a position that often put him at odds with his fellow southerners. Most important, both on the Senate floor and as head of several important special committees, Black espoused a view that the federal government had sufficient authority under the commerce clause to enact legislation to deal with the Depression, that in fact Congress could regulate any activity that directly or indirectly affected the national economy, and that the judiciary had no power to interfere with these decisions.

Black went onto the Court with a fairly well-developed judicial philosophy, one that included a clear reading of the constitutional text, limited judicial discretion, the protection of individual rights, and broad powers for the government to address a wide range of economic and social problems. Someone once commented that Black's lasting influence on the Court grew out of his willingness to "reinvent the wheel." Like his friend and ally William O. Douglas, Black had little use for precedent, especially if he thought the case erroneously decided. In his first year alone Black issued eight solo dissents, including an almost unprecedented dissent to a *per curiam* decision.

At the heart of Black's philosophy lay a populist belief in the Constitution as an infallible guide. He opposed judicial subjectivity; the Constitution did not empower judges to select from competing alternatives. He distrusted experts, and leaving either legislative or judicial decision-making in the hands of so-called experts smacked too much of elitism. He offered instead the imposition of absolutes through a literal reading of the Constitution. This narrowed the scope of judicial discretion, but it also helped to make the judiciary the prime vehicle for guaranteeing the values of those absolutes.¹³

Throughout his career Black searched the text of the Constitution for guidance. He understood that one could not always read the document literally, but he sought the meaning he believed had been intended by the Framers. Thus, despite his populist political views and his strong defense of civil liberties, in many ways Black's was an extremely conservative approach, and indeed he saw himself as a strict constructionist. Black became the jurisprudential leader of the liberal bloc on the Court, a group whose ideas would triumph in the 1960s.

Part of Black's effectiveness derived from the considerable political skills he already possessed and had honed in the Senate. More than any other justice of his time, Black proselytized, "working" the other justices as he had once worked his senatorial colleagues in order to gain a majority. The columnist Irving Brant, an admirer of Black's, reported a story Black told that explained a good deal of his effectiveness. Black would talk about an unnamed senator who said that when he wanted to accomplish something he would introduce two bills—the one he wanted passed and another that made the first one seem conservative. Robert Jackson somewhat disdainfully noted that while these methods were appropriate in a legislative body where one dealt with adversaries, he considered them unsuited to a court where the members were supposed to be colleagues. Stone, according to Jackson, found Black's methods very unsettling, and they caused the chief justice "a great deal of discomfort and dissatisfaction."¹⁴

In January 1938 Roosevelt made his second appointment to the high court, Stanley Forman Reed of Kentucky (1884–1980). A genial man who lived to be ninety-five years old, he told Potter Stewart that he would not want to live his life over again, inasmuch as "it could not possibly be as good the second time." After graduating from Yale Law School, Reed had built a thriving law practice in Maysville, Kentucky, dabbled in state politics, and helped manage his friend Fred Vinson's congressional campaigns. Then in 1929 he moved to Washington when Herbert Hoover named him counsel to the Federal Farm Board, a position he retained in the Roosevelt administra-

tion. Reed's geniality as well as his passionate belief in the desirability of the federal government's playing a major role in the nation's social and economic life soon caught the attention of the president, who named Reed solicitor general. He performed that role in, at best, a lackluster manner, but in early 1938 Roosevelt named Reed to replace George Sutherland, the second of the Four Horsemen to retire.¹⁵

Once on the Court, Reed tended to defer to Congress, and a determination of what Congress had intended often proved dispositive for him, whether the issue concerned constitutional, administrative, or statutory interpretation. As with the other Roosevelt appointees, Reed could be considered liberal in that he believed the Court had no right to deny Congress full use of its commerce powers. He had less faith in state and local powers however, and seemed to have had little interest in the protection of individual liberties. One area did arouse his concern, and during his tenure Reed voted often but not in every case to broaden religious rights under the First Amendment. On the whole, his record is marked primarily by inconsistency, a not unfamiliar characteristic of many New Dealers.¹⁶

Roosevelt's third appointee, Felix Frankfurter (1882–1965), had been named to succeed Benjamin Nathan Cardozo in January 1939 amid high hopes that he would become the intellectual leader of the Court. Solicitor General Robert H. Jackson, in a sentiment echoed by Harlan Stone, claimed that only Frankfurter had the legal resources "to face Chief Justice Hughes in conference and hold his own in discussion." Upon news of his nomination, New Dealers had gathered in the office of Secretary of the Interior Harold Ickes to celebrate, and all those present heartily agreed with Ickes' judgment of the nomination as "the most significant and worthwhile thing the President has done."¹⁷ There is, unfortunately, no way one can predict whether an appointee will be great or mediocre once on the bench, and Frankfurter ranks as one of the great disappointments in modern times.

Born in Vienna, Frankfurter had emigrated to the United States as a child, and his innate brilliance had shone first at the City College of New York and then at the Harvard Law School. Upon graduation he had briefly joined a Wall Street firm, but he soon fled to work with U.S. Attorney Henry L. Stimson; he then followed Stimson into the Roosevelt and Taft administrations. Short, exuberant, a brilliant conversationalist and an inveterate idol-worshipper, Frankfurter soon became the center of a group of young bureaucrats and writers who shared quarters on Nineteenth Street, a place they dubbed the "House of Truth." There Gutzom Borgum sketched his proposed presidential monument, Herbert Croly and Walter Lippmann

expounded on contemporary problems, and Oliver Wendell Holmes and Louis Brandeis dropped by often.

Frankfurter and Holmes fell under each other's spell; the younger man adored Holmes, who reciprocated the sentiment. When Frankfurter accepted a position at the Harvard Law School after World War I, he took responsibility for choosing Holmes's clerks. Holmes appealed to Frankfurter for a number of reasons, but from a jurisprudential point of view, Holmes held high the banner of judicial restraint, a banner that Frankfurter in his own time would also carry.

In many ways, however, the relationship with Brandeis proved more decisive. Brandeis found in Frankfurter a surrogate to carry on his reform work; he urged Frankfurter to take the professorship at Harvard, and he provided a financial subsidy to enable Frankfurter, who lacked an independent income, to devote himself to reform efforts.¹⁸ During the 1920s Frankfurter, through his defense of Sacco and Vanzetti and his writings for *The New Republic*, became a leading reformer in his own right, a man Brandeis called "the most useful lawyer in the United States."

His students also spread Frankfurter's influence. A brilliant teacher, he trained a whole generation of lawyers in administrative law, and when the Depression came and government burgeoned under the New Deal, Frankfurter became a one-man placement agency, staffing one federal office after another with his former students.¹⁹ He also exerted a quiet but effective influence on several New Deal policies through his many contacts not only with leading administration figures but also with President Roosevelt. The two men had known each other since World War I, and during the 1930s Frankfurter became a frequent guest at the White House.²⁰

Frankfurter, like Black, went onto the Court with a well-developed judicial philosophy, but one far different from the Alabamans'. Both men believed in judicial restraint, but Frankfurter took what Black considered a much too subjective approach, leaving too great a power in the hands of judges to "interpret" constitutional injunctions. Most importantly, however, Black drew a sharp distinction between economic legislation and restrictions on individual liberties, with judges carrying a special obligation to protect the latter; Frankfurter considered all legislation equal, and demanded that judges defer to the legislative will unless they found a clear-cut constitutional prohibition. The debate between these two views would define much of constitutional history in the last half of the twentieth century.²¹

One week after Frankfurter took his seat, Louis D. Brandeis retired, and to replace him Roosevelt named William Orville Douglas (1898–1980). A true

product of the Pacific Northwest, Douglas had grown up in Yakima, Washington, where he contracted infantile paralysis as a child. Gradually he regained limited use of his legs, but he was still a sickly child at the time of his father's death. He later wrote that in the middle of the funeral he stopped crying only after he looked up and saw Mount Adams in the distance. "Adams stood cool and calm, unperturbed. . . . Adams suddenly seemed to be a friend. Adams subtly became a force for me to tie to, a symbol of stability of strength."²² Between the strong will of his mother and his own self-determination, Douglas overcame his physical disabilities. He started to hike in the mountains, an experience that not only built up his strength but also turned into a lifelong devotion to the environment. The drive to build himself physically carried over into other areas of his life. The Yakima High School yearbook of 1916 noted that its valedictorian that year had been "born for success."

After graduation from Whitman College, Douglas headed east in the summer of 1922 with \$75 in his pocket to attend Columbia Law School. Douglas entered Columbia at a time when its faculty had just begun to explore new areas of legal research that would eventually lead to the "Legal Realism" movement. The Realists believed that in order to understand the law and the behavior of legal institutions, one had to look at individual behavior and use the social sciences to find the real causes of particular actions. Douglas became a devoted adherent to this new philosophy, and after a miserable two years working in a Wall Street law firm, he returned to Columbia as a teacher in 1927. Within a year, however, he resigned to accept a position at the Yale Law School, which, under the leadership of its brilliant young dean Robert M. Hutchins, quickly became the center of Legal Realism, and Douglas one of its star exponents.²³

His tenure at Yale may have been the most peaceful in his life, but beneath a surface tranquility he remained restless, especially when he looked to Washington and saw the dynamic activities going on under the New Deal umbrella. In 1934 Douglas accepted an assignment from the newly created Securities and Exchange Commission to study protective committees, the agency stockholders use during bankruptcy reorganization to protect their interests. He began commuting between New Haven and Washington, and soon came to the attention of the SEC chair, Joseph P. Kennedy, who arranged for the thirty-seven-year-old Douglas to be named to the commission in 1935. Two years later President Roosevelt named Douglas chair of the SEC.²⁴

During these years in Washington, Douglas became part of Franklin D. Roosevelt's inner circle, often joining the weekly poker games at the White

House. Many people speculated that the bright, handsome westerner might have a future in politics. In fact, Douglas had already tired of the game and wanted to return to Yale. When a messenger interrupted a golf game on March 19, 1939, to tell Douglas that the president wanted to see him at the White House, Douglas almost did not go, for he fully expected that Roosevelt was going to ask him to take over the troubled Federal Communications Commission. But after teasing him for a few minutes, Roosevelt offered Douglas the seat on the Supreme Court vacated by Brandeis a month earlier. Roosevelt naturally wanted to make sure that his appointees would support his program, and in Douglas he had a confirmed New Deal liberal, someone who could mix it up with the conservatives, a quick mind, a westerner, and a loyal personal friend.

Douglas, the youngest person ever appointed to the Supreme Court, would establish a record of longevity for service before illness forced him to retire in late 1975. Moreover, no other justice ever engaged in so extensive and public a nonjudicial life. Douglas always claimed that the work of the Court never took more than three or four days a week; he read petitions rapidly, rarely agonized over decisions, could get to the heart of an issue instantly, and wrote his opinions quickly. This left him time for other activities, such as travel, lecturing, writing, climbing mountains, and, as some critics claimed, getting into trouble.

Douglas and Frankfurter had been friends, and friendly rivals, from their days as law school professors, and the younger Douglas had often looked to the more established Frankfurter for advice. Jurisprudentially, the two seemed to share the same basic values, but the shifting agenda of the Court soon highlighted the fact that on the crucial issues to confront the judiciary in the 1940s and 1950s they differed significantly. During his first years on the bench Douglas allied himself with Black, but he eventually proved far more willing and activist than his friend. Douglas, however, provided an able second to Black in the battles shaping up over which direction the Court should take.²⁵

Roosevelt made his next appointment to the Court in early 1940, when he named Francis William Murphy (1890–1949) to replace Pierce Butler, and with that appointment sealed the constitutional revolution triggered by the New Deal. After more than two decades of conservative domination, the Court now had a majority committed to the idea that the political branches should determine economic policy, and that courts had no right to pass judgment on the wisdom of those policies. Roosevelt, of course, wanted men on the bench who would endorse New Deal policies, but as the Court's

agenda changed in the later 1940s, several of his appointees seemed to grow more conservative. With Frank Murphy, however, Roosevelt got a thoroughgoing liberal, one who had little use for technical questions and believed that the objectives of law should be justice and human dignity. Even more than Douglas and Black, Murphy cared little for precedents and openly relied on what one commentator has called “visceral jurisprudence.” The law knows no finer hour, Murphy wrote, “than when it cuts through formal concepts and transitory emotions to protect unpopular citizens against discrimination and persecution.”²⁶

Murphy inherited his radical politics from his father, who had been jailed in his youth for Fenian sympathies, and his devout Catholicism from his mother. From the beginning, he had seen law and politics as intertwined, with law the avenue to political success. In 1923 he won election as a criminal court judge in Detroit, and reformed an antiquated system. Labor and minority groups propelled him into the mayor’s office in 1930, and he set about creating a welfare system to help those thrown out of work by the Depression. Roosevelt named Murphy, one of his early backers, as governor-general of the Philippines, but although Murphy proved popular and effective in that job, he saw it as a detour on the way to the White House.

Murphy returned to the country to run for and win the Michigan gubernatorial race in 1936, and shortly after he took office the auto workers began the sit-down strikes of 1937. Company officials immediately went to court to seek injunctions against the strikers, but Murphy refused to enforce the orders. He called out the national guard to maintain peace while he worked behind the scenes to avert outright bloodshed. He succeeded, but both sides accused him of favoring the other, and he lost his reelection bid in 1938. Roosevelt owed Murphy for taking the heat off Washington during the strikes, and so named him attorney general in 1939. Murphy was in that office less than a year, but during his tenure he set up a civil liberties unit that for the first time employed the power of the federal government to protect individual rights. This activity did not sit well with many people, especially southerners, and to some extent Roosevelt kicked Murphy upstairs to the Court. Murphy recognized this and did not really want to go. He still had his sights set on the presidency, and no one had ever gone from the bench to the Oval Office. Murphy also thought he would be on the sidelines, away from the real action. “I fear that my work will be mediocre up there while on the firing line where I have been trained to action I could do much better.”²⁷

Even Murphy’s admirers make no claim that he had special talents as a jurist, and he recognized his own limitations. He felt inferior in the company

of Stone and Black, Douglas and Frankfurter; he knew little constitutional law, and his prior judicial experience had been on a municipal criminal bench. But he learned, and relied on bright clerks to draft his opinions.

Murphy, however, did develop a jurisprudence, one based on the notion that restrictions on individual liberties required strict scrutiny by the courts, and he also adopted Hugo Black's notion that the liberties protected by the First Amendment held a "preferred position" in the constitutional firmament. Murphy's first opinion indicated the path he would take. New justices may pick their first opinion, and Murphy chose a case overturning a state law that banned virtually all picketing by union members. Although Brandeis had earlier suggested that picketing might be a form of protected speech, this notion did not become law until Murphy's opinion in *Thornhill v. Alabama* (1940). There the new justice extended First Amendment protection to peaceful picketing, and forcefully cited the *Carolene Products* footnote to justify the judiciary's overturning of a law that invaded civil liberties. In 1969 Justice Tom Clark wrote that the opinion was "the bedrock upon which many of the Court's civil rights pronouncements rest."²⁸ Although Murphy initially appeared willing to follow Frankfurter's lead and joined him in the first flag salute case, he soon gravitated to his natural moorings on the liberal side of the Court, and along with Black and Douglas consistently fought for greater protection of the individual.

On June 2, 1941, Chief Justice Charles Evans Hughes informed Roosevelt of his decision to retire, and, for a number of reasons, Roosevelt had to act quickly in filling not only the Court's center chair but also the seat vacated by James C. McReynolds a few months earlier. Speculation on Hughes's successor had quickly focused on Associate Justice Harlan Fiske Stone and on Attorney General Robert H. Jackson. Roosevelt had in fact promised the next vacancy on the Court to Jackson, one of the most widely respected members of the administration and a member of the president's inner circle of poker friends and advisors. But he had not expected that vacancy to be the center chair, and in the summer of 1941 sound political reasons supported the elevation of Stone, who had first been named to the Court in 1925.

Harlan Fiske Stone (1872–1946), after a brief stint in private practice, had served for many years as dean of the Columbia Law School. In 1923 he returned to private practice with a prestigious Wall Street firm, but a year later an old college friend, Calvin Coolidge, named Stone as attorney general and gave him a mandate to clean out the corruption in the Justice Department left from the tenure of Harding's crony, Harry M. Daugherty. Stone won plaudits for his work and according to some sources, his very success led

to his being kicked upstairs to the Supreme Court in 1925. Stone was the first nominee to the high court to appear in person before a Senate committee to answer questions. Liberal senators objected that Stone was too probusiness and that he had been J. P. Morgan's lawyer (Sullivan & Cromwell did count the House of Morgan among its clients). But Stone handled the questions easily, and the Senate confirmed the appointment by a vote of 71–6.

Despite the fears of progressives, Stone soon aligned himself with the liberals on the bench, Holmes and Brandeis in the 1920s, and then with Cardozo when he took Holmes's seat. In the 1920s Stone tended to let Holmes and Brandeis write the stinging dissents against the judicial activism of the Taft Court, but he believed just as passionately as they did in judicial restraint, the idea that courts should not try to second-guess the wisdom of the legislature and that legislation should not be struck down unless it violated a clear constitutional prohibition.

With the retirement of Holmes and the aging of Brandeis, Stone took a more vocal position in the 1930s, and by the time Hughes retired Stone had emerged as the chief opponent of judicial conservatism. During the constitutional struggles over New Deal legislation, Stone had consistently defended the administration's efforts to deal with the Depression, and his views on the proper role of the judiciary and the necessity for judges to practice self-restraint can be found in his dissenting opinion in *United States v. Butler* (1936). There Stone objected to the majority's striking down the Agricultural Adjustment Act, and in his dissent claimed that "the power of courts to declare a statute unconstitutional is subject to two guiding principles of decision which ought never to be absent from judicial consciousness. One is that courts are concerned only with the power to enact statutes, not with their wisdom. The other is that while unconstitutional exercise of power by the executive and legislative branches is subject to judicial restraint, the only check upon our own exercise of power is our own sense of self-restraint. For the removal of unwise laws from the statute books appeal lies not to the courts but to the ballot and to the processes of democratic government."²⁹

Following the constitutional crisis of 1937 (in which Stone opposed Roosevelt's court-packing plan), the fight over economic legislation began to diminish, to be replaced by a concern for civil liberties. One of Stone's great contributions to American constitutional jurisprudence came in what appeared to be a minor case, *United States v. Carolene Products Co.* (1938). A federal law prohibited interstate transportation of "filled milk," skimmed milk mixed with animal fats. The Court had no trouble sustaining the legislation, but in his opinion for the majority Stone wrote what has since become

the most famous footnote in the Court's history. In that note Stone erected the foundation for separate criteria in which to evaluate legislation embodying economic policy and laws that affected civil liberties. The latter restrictions, he declared, are to "be subjected to more exacting judicial scrutiny under the general prohibitions of the 14th Amendment than are most other types of legislation." Moreover, "statutes directed at particular religious . . . or national . . . or racial minorities" as well as "prejudice against discrete and insular minorities may be a special condition . . . which may call for a correspondingly more searching judicial inquiry."³⁰

Stone's footnote, which has been cited in hundreds of cases ever since, ratified the change that had taken place following the Court-packing plan; economic legislation would henceforth receive a minimal level of scrutiny, with the justices relying on what came to be known as a rational basis test. As long as the legislature had the power and a reasonable justification for its use, courts would not question the wisdom of that legislation. But when statutes impinged on personal rights, there would be a much higher standard of review. With the *Carolene Products* footnote, the Court underwent a major sea change that would climax with the due process revolution and the civil rights decisions of the Warren Court in the 1950s and 1960s.³¹

While his jurisprudence appealed to the Democrats, Stone's opposition to the court-packing plan and his support of the Supreme Court's prerogatives won approval from conservatives. Newspapers across the political spectrum called for Stone's elevation to the center chair. Then over lunch at the White House, Felix Frankfurter urged his friend the president to name Stone, and to do so at once rather than wait until the fall when the Court convened. Frankfurter had a number of practical Court-related reasons, but his strongest argument concerned not matters of jurisprudence but of politics and international affairs. "It doesn't require prophetic powers," Frankfurter argued, "to be sure that we shall, sooner or later, be in war—I think sooner. It is most important that when war does come, the country should feel that you are a national, the Nation's president, and not a partisan President. Few things would contribute as much to confidence in you as a national and not a partisan President than for you to name a Republican, who has the profession's confidence, as Chief Justice."³²

Confronted on all sides by this demand, Roosevelt sent Stone's name to the Senate on June 12 and was immediately rewarded with a wave of public approval. *Time* magazine caught the country's mood when it noted: "Last week the U.S. realized how much it liked the idea of a solid man as Chief Justice to follow Charles Evans Hughes. And solid is the word for Chief Justice Stone—

200 lb., with heavy, good-natured features and a benign judicial air. . . . [He] is almost as impressive as a figure of justice as were Taft and Hughes before him.”³³ When the nomination came before the Senate on June 27, it received unanimous approval. The redoubtable George W. Norris of Nebraska, who had led the fight against Stone in 1925, now in 1941 made the only speech before the Senate’s confirmation of Stone as chief justice. Noting that he had opposed Stone’s original appointment to Court, Norris said, “I am now about to perform the one of the most pleasant duties that has ever come to me in my official life when I cast a vote in favor of his elevation to the highest judicial office in our land. . . . It is a great satisfaction to me to rectify, in a very small degree, the wrong I did him years ago.”³⁴

On the same day that Roosevelt sent Stone’s nomination to the Senate, he named two other men to the high court, Robert Houghwout Jackson (1892–1954) to replace Stone as an associate justice, and James Francis Byrnes (1879–1972) to take the seat vacated by the last of the Four Horsemen, James C. McReynolds.

Jackson is, in some ways, one of the least known members of the Court, even though he had a notable career and a facile pen and helped create the modern doctrinal rules for judicial review of economic regulation. Although Jackson did not share the First Amendment views of Black and Douglas, he wrote one of the outstanding defenses of the First Amendment right to free exercise of religion.³⁵ Jackson was also among the better stylists on the Court in this century. Following one of his early opinions, Judge Jerome Frank, himself a brilliant writer, told Jackson: “I’ve never admired you as much as now. . . . And I am tickled silly that you spoke in good plain American, just as you did before you became a judge. Ordinary folks like me can understand you.”³⁶

Born on a western Pennsylvania farm, Robert Jackson was self-educated; he briefly attended Albany Law School, but then qualified for the bar by reading law as an apprentice in a lawyer’s office, the last Supreme Court justice to do so. He set up a thriving and varied practice in western New York, and as a fourth-generation Democrat became active in state politics and an advisor to Governor Franklin Roosevelt. After Roosevelt entered the White House in 1933, he brought Jackson to Washington, where the New York lawyer advanced from general counsel at the Bureau of Internal Revenue to solicitor general and then attorney general. Jackson later described his tenure as solicitor general as the happiest part of his life, and he won high marks for his role as the government’s chief litigator; Louis Brandeis once commented that Jackson should have been named solicitor general for life.

Many people considered Jackson a possible presidential candidate, and his name was frequently mentioned for the 1940 Democratic nomination until Roosevelt decided to run for a third term. The president had promised Jackson a seat on the Supreme Court when he asked him to head the Justice Department; the next vacancy, however, arose with the resignation of Charles Evans Hughes and Roosevelt felt he had to name Stone to the center chair. A loyal supporter of the president, Jackson agreed, but it appears that Roosevelt may have also assured Jackson that he would elevate him to be chief upon Stone's departure from the Court. Both men assumed that the sixty-nine-year-old Stone would probably not stay on the Court more than five or six years, and that would leave Jackson, then only fifty, a fair amount of time to lead the high court.

Had Jackson been chief justice, he might have been happier on the Court, but his activist nature chafed at the restrictions of judicial propriety. During the war he felt cut off from the great events going on around him, and remarked that the Monday after Pearl Harbor the Court heard arguments about the taxability of greens fees. Although he, like Frankfurter and Douglas, continued secretly to advise Roosevelt,³⁷ he wanted to do more. Thus he leaped at the opportunity when President Harry S. Truman asked him to head the American prosecutorial team at the Nuremberg trial of Nazi war criminals.

Although Jackson tended to join Frankfurter on many issues, he could not be considered a predictable vote for the conservatives. He parted from Frankfurter, for example, in the second flag salute case; his decision in *Wickard v. Filburn* (1942) is a ringing endorsement of an all-encompassing congressional power over commerce,³⁸ yet he took a far more restricted view of presidential power during the Korean conflict.³⁹ Some of his opinions seem quirky, such as his dissent in *Beauharnais v. Illinois* (1952), in which he endorsed the idea of treating racist speech as group libel yet argued that the defendant had a right to a jury trial to prove the truth of the libel.⁴⁰

Jimmy Byrnes sat on the Court for only one term, then resigned to become the so-called assistant president, Roosevelt's special aide during the war. Born in Charleston, South Carolina, Byrnes had little formal schooling, and, like Jackson, had learned his law by reading as an apprentice. Byrnes loved politics; he served in the House of Representatives from 1910 to 1925 and then in the Senate from 1931 to 1941. While in the Senate he became a trusted ally and adviser of the president and was one of the few southern senators besides Black to be fully committed to the New Deal. He also earned Roosevelt's gratitude for working out a face-saving compromise in the after-

math of the court-packing debacle. He urged Roosevelt not to push the bill, especially after Willis Van Devanter resigned. "Why run for a train after you caught it?" he asked.

Byrnes's main contribution to the Court appears to have been social; he regularly had the justices over to his house for dinner and then led them in postprandial songs. He wrote only one major opinion, *Edwards v. California* (1941),⁴¹ and fifteen other minor rulings, with no dissents or concurrences, thus leaving a virtually uncharted jurisprudence. Byrnes, like other members of the Stone Court, felt isolated from the great events happening around them. The Court's slow and deliberative pace frustrated him, and he declared, "I don't think I can stand the abstractions of jurisprudence at a time like this." When Roosevelt intimated that he needed Byrnes off the bench, the South Carolinian jumped at the chance.

To replace Byrnes, Roosevelt named his ninth and last appointment to the Court, Wiley Blount Rutledge Jr. (1894–1949). Born in Kentucky, Blount made his home in the Midwest, taught law, and served as dean first at Washington University in St. Louis and then at the University of Iowa. While at Washington in the early 1930s, he solved a tense racial situation at a conference of white and black lawyers. Because Missouri enforced segregation, the African American lawyers could not sit at the same tables as the white participants; Rutledge invited all the minority members to join him at the dean's table. A few years later he gained national attention as being one of the few law school deans to support Roosevelt's court-packing plan, a position that won him more than a little notoriety in conservative Iowa.

Rutledge's name had figured prominently in 1938 and 1939 when vacancies opened on the Supreme Court, but Roosevelt used those opportunities to name Frankfurter and Douglas. However, the president did name Rutledge to the prestigious Court of Appeals for the District of Columbia, which heard many of the cases arising under the National Labor Relations Act. There Rutledge consistently voted on the pro-labor side and also endorsed other New Deal measures. When Byrnes stepped down, Rutledge was a natural choice as his successor.

Unfortunately, Rutledge died of a cerebral hemorrhage at the age of fifty-five after serving on the Court for only six years. During that time he carved out a consistently liberal position, one that took its cue from the double standard enunciated in Stone's *Carolene Products* footnote. Joining Stone, Black, Douglas and Murphy, Rutledge provided the fifth vote necessary to begin the expansion of protected freedoms under the First Amendment. Moreover, he was willing to go beyond Black's position regarding the meaning of the Four-

teenth Amendment's due-process clause. Where Black believed the clause encompassed only the protections enunciated in the Bill of Rights, Rutledge tended to agree with Murphy and Douglas in arguing that it included at least those protections and possibly more. The area in which he had the most impact involved the religion clauses of the First Amendment, and Rutledge played a key role in the several Jehovah's Witnesses cases the Court heard during the early 1940s.

At his death in 1949, just a few months after that of Frank Murphy, articles appeared in the law reviews in a quantity one would associate with a justice with far longer service on the bench. Part of this resulted from Rutledge's friendly and open character; he treated his law clerks well and debated them as democratic equals, and he invited a friend, a Republican who owned a small Jewish delicatessen, to sit with the justices at Harry Truman's inauguration. But another part grew out of the belief that had Rutledge lived longer, he would have been a great justice. As two of his former clerks put it, "Death met him . . . after he had completed his apprenticeship but before he had proceeded far in a master's work."⁴² Certainly Rutledge and the other Roosevelt appointees strike one as of a higher level of competence and craftsmanship than those appointed by Harry Truman to take their place.

Jurisprudentially, two things need to be noted about the so-called Roosevelt Court. First, it expanded the reach of the federal commerce power and repudiated any judicial role in economic policy making. Second, and more important, it started the Court on the road to expanding the definition of constitutionally protected rights, and it established the Court not only as the chief interpreter of the Constitution but also as the primary guarantor of individual liberties.

Nearly everyone assumed that the Roosevelt appointees would share his philosophy of government and interpret the Constitution broadly to give Congress and the president, as well as state legislatures, adequate power to meet the nation's needs. In this they did not disappoint the president and his followers. Perhaps the best example of the Roosevelt Court's broad view of the commerce clause is its sustaining the New Deal's agricultural program.

No case had better exemplified the antagonism of the Court conservatives against the New Deal than *United States v. Butler*,⁴³ in which the majority had struck down the popular agriculture act of 1933. In the act, Congress had intended to do away with the large crop surpluses that depressed farm prices by placing limits on how much individual farmers could grow. In return for their participation in the scheme, farmers would receive a subsidy financed

through a tax on the first processor. In his opinion for the majority Justice Roberts had taken an extremely narrow view of both the commerce and the taxing powers.

Congress “cured” the tax problem in the second AAA by financing the plan through general rather than particular taxes, and following the Court fight in 1937, the new Court had little problem in sustaining the act in *Mulford v. Smith* (1939).⁴⁴ In the next few years the Court continued to sustain New Deal legislation, and in 1941, in *United States v. Darby*, Justice Stone effectively killed off the idea of “dual federalism,” by which the conservatives had created a no-man’s land in which neither the states nor the federal government could act.⁴⁵ The question remained, however, whether the states themselves retained any control over local commerce, and the answer appeared to be no.

Roscoe Filburn ran a small chicken farm in Ohio, and each year he planted a few acres of wheat to feed his poultry and livestock. Under the Agricultural Marketing Agreement Act of 1937 (which had been sustained by the Court in 1942), Filburn had signed an allotment agreement allowing him 11.1 acres of wheat, but he actually planted 23 acres and grew 239 bushels beyond his assigned quota. The Agriculture Department invoked the penalty provisions of the law and brought suit to collect the fines.

Filburn defended himself on the grounds that the regulations exceeded the federal powers granted by the commerce clause because the excess wheat had not gone into interstate commerce, but had been grown for and used by his chickens. This argument caused some doubt among at least five justices—Jackson, Murphy, Roberts, Byrnes, and Frankfurter—who were also dissatisfied with the presentations of both the government and Filburn’s attorneys. Three members of the Court saw no problem, but for different reasons. Black and Douglas took an extremely expansive view of the commerce power, claiming it had no limitations except those explicitly mentioned in the Constitution. Stone, while agreeing that the constitutional arguments had not been well presented, nonetheless believed that sufficient precedent existed to sustain the law.⁴⁶ Interestingly, Robert Jackson, who would eventually write the opinion in the case, disagreed, and, in language that Stone’s biographer terms “reminiscent of the Old Guard,” complained that he did not see it as a simple matter. “The Constitution drew a line between state and federal power,” Jackson wrote, “and here the Congress wants to cross that line admittedly.”⁴⁷

After rehearing that fall, Stone assigned the case to Jackson, who proceeded to write one of the Court’s strongest opinions upholding the federal com-

merce power. Even though Farmer Filburn's wheat had been intended for his own chickens, "such wheat overhangs the market and if induced by rising prices tends to flow into the market and check price increases. Even if it never did enter the market, it supplies a need of the man who grew it which would otherwise be reflected by purchases in the open market. Home-grown wheat in this sense competes with wheat in commerce."⁴⁸

Jackson, despite his earlier doubts, did have precedent on which to rely. Charles Evans Hughes, in his first tenure on the bench, had written in the *Shreveport Cases* that Congress could regulate intrastate rates of railroads if these rates had a substantial effect upon interstate rates.⁴⁹ Later, using a similar argument, Chief Justice Taft—whom no one would accuse of being overly sympathetic to federal regulation—had upheld congressional control over the Chicago Board of Trade, since its activities had an impact on interstate commerce.⁵⁰ But Jackson's opinion went further, since in the earlier cases Hughes and Taft had required some evidence that the intrastate activities did in fact have an interstate effect, other than that Congress merely said so. "If we are to be brutally frank," Jackson wrote shortly after the opinion came down, "I suspect what we would say is that in any case where Congress thinks there is an effect on interstate commerce, the Court will accept that judgment. All of the efforts to set up formulae to confine the commerce power have failed. When we admit that it is an economic matter, we pretty nearly admit that it is not a matter which courts may judge."⁵¹

In fact, the notion of an expansive commerce power was hardly new; it had been put forward by Chief Justice John Marshall in the early days of the Republic. But as Paul Murphy points out, in an era of minimal government Marshall had used a broad interpretation of the commerce clause to block out state interference without assuming that the federal government necessarily would act; the New Deal Court, on the other hand, intended to clear the path of state regulation so Congress could legislate far-reaching programs. Nonetheless, when Justice Frank Murphy declared that the government's regulatory power under the commerce clause "was as broad as the economic needs of the nation," commentators praised the statement as being particularly "Marshallian."⁵²

But did the states have anything left to control, or had the Court really put an end to the whole notion of federalism? The answer came in the same term, and involved a challenge to California's Agricultural Prorate Act. California farmers grew nearly all of the raisins consumed in the United States, and about 90 percent of the crop entered interstate commerce. The Prorate Act created a state-sponsored monopoly for the marketing of raisins, and all

growers had to comply with its provisions. Each grower could market only 30 percent of his crop in the open market and had to turn over the remainder to a central committee, which controlled the amount of raisins let into the market so as to stabilize prices.

The challenge to the Prorate Act raised three questions for the Court: Did the measure violate the Sherman Antitrust Act? Did it run afoul of the 1937 Agricultural Marketing Agreement Act? Did it transgress the commerce clause? In an opinion for a unanimous Court, Chief Justice Stone upheld the California statute, and in doing so completed the work he had begun in the *Darby* case the previous term. The Sherman Act had no applicability because it applied only to private companies, not to the states. In a federal system, Stone warned, courts should not infer applicability of federal legislation to the states in the absence of an explicit congressional directive. The law also did not interfere with the federal statute; Congress had not totally preempted the field, and the Secretary of Agriculture had testified that the federal and state plans worked harmoniously together.

The key question of course, was whether California's plan crossed into terrain reserved for Congress by the commerce clause. Stone noted that the state plan dealt primarily with regulation of raisins before shipment into interstate commerce and could legitimately be described as a local activity. But that would have been a mechanistic reading of the Constitution and the situation, since the scheme clearly affected interstate commerce. The courts, Stone declared, had to take a realistic view of the facts:⁵³

When Congress has not exerted its power under the commerce clause, and state regulation of matters of local concern is so related to interstate commerce that it also operates as a regulation of that commerce, the reconciliation of the power thus granted with that reserved to the state is to be attained by the accommodation of the competing demands of the state and national interests involved.

Such regulations by the state are to be sustained, not because they are "indirect" rather than "direct" . . . not because they control interstate activities in such a manner as only to affect the commerce rather than to command its operations. But they are to be upheld because upon a consideration of all the relevant facts and circumstances it appears that the matter is one which may appropriately be regulated in the interest of the safety, health, and well-being of local communities, and which, because of its local character and the practical difficulties involved, may never be adequately dealt with by Congress.

In some ways, Stone resurrected a “dual federalism” with this opinion, but one quite different from that used by conservatives in the 1920s and 1930s to strike down both state and federal measures. The conservatives had defined an area of activities that had both a local and an interstate character that in essence could be regulated by neither the states nor the federal government. Stone had put an end to that version of dual federalism in *Darby*, which had given the federal government the power to regulate goods made in local business and then shipped in interstate commerce.

Under Stone’s version, the no-man’s land became neutral territory, subject to regulation by either the state or federal government. Obviously, and especially after *Wickard v. Filburn*, federal control took precedence, but until Congress acted, the states remained free to establish whatever measures they saw fit. In many ways, Stone did little more than to return to the common sense rule of the nineteenth century, which the Court had enunciated in *Coley v. Board of Wardens of the Port of Philadelphia* (1851).⁵⁴ That case made the Tenth Amendment what the Framers had intended it to be, a statement of the partnership between the states and the federal government, not a means to paralyze both.

In fact, in only two nonunanimous opinions during the Stone years did the Roosevelt Court invalidate state regulation of commerce as impinging on federal authority. In *Southern Pacific Railroad v. Arizona* (1945) the majority voided a state law limiting the size of trains operating within Arizona borders to no more than fourteen passenger cars or seventy freight cars in length. Evidence indicated that the railway unions backing the proposal saw it as a means of increasing jobs, but the official justification emphasized safety concerns, with the hazards to trainmen allegedly greater on overly long trains. The majority deemed the safety rationale slight and dubious, and outweighed by a “national interest in keeping interstate commerce free from interferences which seriously impede it and subject it to local regulation which does not have a uniform effect on the interstate train journeys which it interrupts.” If there were to be limits on train size, the Court concluded, they would have to come from Congress.⁵⁵ The opinion elicited a strong dissent from Justice Black, joined by Douglas, who condemned the majority for attempting to evaluate the probable dangers to trainmen, a task that properly belonged to the state legislature.⁵⁶

For the most part, the Court did not denigrate the role of the states, and in its role as umpire of the federal system, paid more deference to state prerogatives than some critics thought it would.⁵⁷ The only area in which the Court seemed to go too far involved insurance, which since 1869 had been

held to be a matter of state regulation.⁵⁸ Then in 1942 the Justice Department secured antitrust indictments against the 196 members of the South-Eastern Underwriters Association, charging them with conspiracies to fix rates. The district court that heard the initial case felt constrained by precedent and dismissed the case, ruling that since insurance fell under state regulation it could not be prosecuted under a federal law. The government brought suit.

Despite internal dissension as to whether the Court should be bound by the 1869 precedent, it seems clear that of the seven members who heard the case, nearly all did in fact consider insurance as part of interstate commerce, and in the end Hugo Black managed to eke out a 4–3 majority to that effect. Rather than look at decisions regarding state power, under which *Paul v. Virginia* would have controlled, Black looked at the record in determining federal authority, and over the years the Court had consistently expanded that power. Black concluded that “no commercial enterprise of any kind which conducts its activities across state lines has been held to be wholly beyond the regulatory power of the Congress under the Commerce Clause. We cannot make an exception to the business of insurance.”⁵⁹

The decision triggered a chorus of protest, not so much at Black’s rationale but at the chaos many people believed would follow. The expected turmoil, however, did not materialize. Congress declined to make insurance regulation a federal function, and in the McCarran Act permitted the states to continue regulation and taxation of the insurance business despite its interstate character. In addition, the act exempted the industry from any federal statute not specifically covering insurance, with the exception of the Sherman Antitrust Act and three other laws. In 1946 the Court unanimously upheld the McCarran Act’s premise that insurance, even though interstate in nature, could be jointly governed by the states and the federal government.⁶⁰

As a final note on the ending of the old economic regime, while the Roosevelt Court certainly expanded the meaning of interstate commerce and found that Congress had a wide-ranging authority in this area, it also sustained state regulatory legislation of the type that under the old Court would have been voided through the imposition of dual federalism. The Roosevelt appointees took very seriously the notion of judicial restraint and believed that unless a specific constitutional prohibition existed, Congress and the state legislatures should be free to act. The courts should defer to the wisdom of the legislative choice and not impose their own views; should the legislature be wrong, recourse lay with the people acting through the ballot.

As a result, state legislatures now had a much broader range of authority than they had enjoyed before, and how little the justices saw review of this

authority as within their responsibility can be witnessed in a 1955 opinion by William O. Douglas. The Court by then had indicated it would no longer apply due-process criteria to economic issues. In *Williamson v. Lee Optical Co.* Douglas announced what remains as the judicial standard for review of regulatory legislation. If the legislature had any “rational basis” to warrant the controls, and if the statute did not violate a specific constitutional prohibition, the courts would not intervene.⁶¹ With this case, it could be said that Franklin Roosevelt had completely triumphed over the Four Horsemen.

The Roosevelt Court proved to be one of the most contentious in history, marked by intense personality conflicts⁶² as well as by a major jurisprudential dispute. By the time Hugo Black took his seat on the bench a majority of the Court had agreed that the due-process clause of the Fourteenth Amendment “incorporated” at least some of the guarantees in the Bill of Rights and applied them to the states. In *Palko v. Connecticut*, Justice Benjamin N. Cardozo had articulated a philosophy of limited or “selective” incorporation, in which only those rights most important to a scheme of “ordered liberty” would be enforced against the states.⁶³ Black originally accepted the *Palko* doctrine but gradually came to believe that all of the rights enumerated in the first eight amendments should be incorporated; moreover, he believed that the First Amendment, protecting freedom of expression, held a “preferred” position.

Black objected to the Cardozo position, which Frankfurter championed, because it smacked of natural law and relied too much on the justices’ sense of fairness and decency. In criminal cases Frankfurter would ask whether the police conduct “shocked the conscience.” Black wanted to know “whose conscience?” and charged that Frankfurter’s approach left too much discretion in the hands of the courts to expand or contract rights belonging to the people. Frankfurter, on the other hand, objected to Black’s position as historically as well as logically flawed. Much of the language in the Bill of Rights could not be interpreted in a strictly objective manner. What, for example, constituted an “unreasonable” search? Judges had to interpret these words, and such interpretation was a proper judicial function.⁶⁴

Black and Douglas also began developing a new jurisprudence that put First Amendment rights in a “preferred” position, and argued for an “absolutist” interpretation of the prohibition against the abridgment of speech. The First Amendment, in their view, barred all forms of governmental restriction on speech; any other interpretation, they claimed, “can be used to justify the punishment of advocacy.” Frankfurter believed that individual lib-

erty and social order had to be balanced in First Amendment cases, and the yardstick would be the Holmes rule of “clear and present danger.” Black, on the other hand, saw that doctrine as “the most dangerous of the tests developed by the justices of the Court.”⁶⁵

For Frankfurter, the evaluation and balancing implicit in the clear and present danger test fit perfectly with his conception of the judicial function. By rigorously applying the tools of logical analysis, judges would be able to determine when such a danger existed and thus justified state intervention, and when it did not. In this view, explicating First Amendment issues differed not at all from any other constitutional question. In a letter to Stanley Reed, Frankfurter asked, “When one talks about ‘preferred,’ or ‘preferred position,’ one means preference of one thing over another. Please tell me what kind of sense it makes that one provision of the Constitution is to be ‘preferred’ over another. . . . The correlative of ‘preference’ is ‘subordination,’ and I know of no calculus to determine when one provision of the Constitution must yield to another, nor do I know of any reason for doing so.”⁶⁶

These debates, between selective and total incorporation and between a preferred and nonpreferred reading of the First Amendment, would split the bench throughout the 1940s and 1950s. During the last two decades of the nineteenth century and the first four of the twentieth, the Court had confronted primarily economic issues; starting in the late 1930s, more and more cases involving individual liberties and civil rights appeared on the docket. Although in general the Roosevelt appointees favored such rights, they differed significantly over how the Bill of Rights should be interpreted, which provisions should apply to the states, and how far the Court should be involved in the emerging civil rights struggle.

In 1938, in his famous footnote 4 in the *Carolene Products* case, Justice Stone had suggested that while the courts should defer to the legislature in economic matters, it should impose higher standards of review in cases involving individual liberties and rights. With the significant exception of the Japanese relocation cases, in which the justices blindly deferred to the military,⁶⁷ the Court began to implement Stone’s test in World War II.

In terms of economic regulation, the justices easily found constitutional justification for every federal measure brought before it, including price controls, rent controls, and restrictions on profiteering.⁶⁸ As the Court noted in the *Willingham* case, “A nation which can demand the lives of its men and women in the waging of a war is under no constitutional necessity of providing a system of price controls on the domestic front which will assure each landlord a ‘fair return’ on his property.”⁶⁹ Justices willing to sustain strong

governmental power in peacetime could hardly have been expected to rein even stronger policies in the midst of total war.

But what about individual liberties? How would the protection of civil liberties fare with the nation at war? Many people remembered the excesses of the Wilson administration and the willingness of the Court to acquiesce in severe limitations of free speech and press. Fortunately, so did the justices, and two of them, Frank Murphy and Robert Jackson, had taken steps during their terms as attorney general to ensure that such excesses would not be repeated if the United States entered a new war.⁷⁰ At the same time, the justices also recognized the government's legitimate need to protect itself.

Nonetheless, with the exception of the Japanese cases, the Court proved extremely reluctant to bless federal measures that impinged on individual rights. It struck down efforts at denaturalization,⁷¹ upheld the rights of pacifists to become citizens,⁷² prevented the states from establishing alien control laws,⁷³ and supported freedom of speech, even by communists and fascists.⁷⁴ But when it came to real and not alleged threats, such as the Nazi saboteurs, the justices had no trouble finding sufficient executive authority for a secret military trial.⁷⁵

The Court also began the expansion of religious freedom with the several Jehovah's Witnesses cases, and in a landmark decision the Court reversed itself and found that a mandatory flag salute violated the First Amendment. Justice Jackson, who normally sided with the government on most issues, wrote one of the most ringing declarations of freedom ever penned in the Court: "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion or force citizens to confess by word or act their faith therein."⁷⁶

And during the war the Court took a few more steps, begun in the late 1930s, to reject the racist practices that had been condoned since the 1880s. In 1935 the Court had apparently validated black exclusion from primaries,⁷⁷ but the new appointees reversed this decision. In *United States v. Classic* (1941), the justices held that Congress could regulate a primary where it constituted part of the overall machinery for selecting federal officials.⁷⁸ *Classic* had been decided on narrow grounds and looked more like a voting fraud case than a civil rights decision. But Thurgood Marshall, the head of the NAACP Legal Defense Fund, gambled that with the more liberal makeup of the Roosevelt Court, he could use it as a weapon against the white primary itself, and the gamble paid off. In 1944 all the justices save Owen Roberts voted to overturn the 1935 *Grovey* decision and to invalidate southern laws preventing blacks from voting in the primaries.⁷⁹

The most notorious civil rights decision involved the activities of Sheriff Claude Screws of Baker County, Georgia, who, with two of his deputies, had taken Robert Hall into custody, handcuffed him, and then beat him to death. Frank Murphy, then attorney general, had been unable to get Georgia authorities to prosecute under state law, so the Justice Department went into court and secured convictions that “under color of law” Screws and his deputies had deprived Hall of rights guaranteed to him by the Fourteenth Amendment.

The case split the Court, not because the justices approved of Screws’s behavior, but rather because the underlying legal foundation rested on Reconstruction-era statutes, some of which had been narrowly interpreted by the Court in the 1880s, and even later interpretations had not given the government the scope of authority it claimed in this case.⁸⁰ Roberts, Frankfurter, and Jackson, although clearly shocked by the killing and having considered Screws guilty of murder, nonetheless thought the statute unconstitutionally vague; to permit its use would open a Pandora’s box of federal interference in matters clearly within the jurisdiction of states. Stone thought the statute so vague as to “incorporate a law library” into it. Only Murphy seemed fully convinced of the statute’s constitutionality.⁸¹

Stone assigned the case to Douglas, who wrote a careful and limiting opinion. The old law could be upheld as constitutional, but only if applied to state officials acting “under color of law.” To save the statute from vagueness grounds, Stone suggested that they center the case on the question of whether Screws had acted “willfully.” Douglas agreed, and in his opinion held that the law could be applied but he sent the case back for a new trial under clearer criteria of whether the sheriff had acted “willfully” and under “color of law.”⁸²

Because the Court had not struck the statute down as unconstitutionally vague, it remained alive and on the books for use by the government in later years. Congress corrected many of the defects in the 1964 and 1965 civil rights acts. Scholars have differed on the meaning of the case, with some heralding it as a distinct victory for civil rights and others claiming that it set up significant barriers to racial progress. Years later Thurgood Marshall, by then a member of the high court, said that much as he admired William O. Douglas, he could never forgive him for the *Screws* decision.⁸³

Opinions on the Court and its protection of civil liberties during the war vary. While conceding that wartime often abridges individual liberty, Alpheus Mason declared, “Even in the time of greatest stress, the Justices upheld the

citizen's liberty to think, speak, and act to an extent that the nation at peace has sometimes felt it could ill afford to maintain. In this realm Stone's Court almost brought a miracle to pass."⁸⁴ At the other end of the spectrum, John Frank claimed that the "dominant lesson of our history in the relation of the judiciary to repression is that the courts love liberty most when it is under pressure least."⁸⁵

The truth may lie somewhere between these poles, but in terms of the Roosevelt Court, we can better understand the war record as part of the changing agenda from economic to individual liberties. All of the president's appointees cared fervently about rights, although they disagreed on how far the Constitution intended the Court to protect those rights or expand their meaning. In the years after the war, that tension continued to play itself out until well into the Warren years.

Initially, the pendulum swung to the Frankfurter side of limited judicial involvement and a restrictive view on incorporation. What had been a conservative bloc of Frankfurter, Reed, and Jackson found itself strengthened by the Truman appointees, Fred Vinson (as chief justice), Harold Burton, Tom Clark, and Sherman Minton—all decent men but intellectually and jurisprudentially far inferior to the Roosevelt appointees. From 1946 until illness forced his retirement in 1962, Frankfurter was able to impose his views of judicial restraint and limited expansion of individual rights on the Court. It was Frankfurter who wrote the 4–3 opinion in 1946 that put off reapportionment of state legislatures for nearly a generation. It was Vinson, supported by Frankfurter, who wrote the speech-restrictive decision in the landmark Cold War case *Dennis v. United States*. And after the generally pro-labor attitude of the New Deal and the Court in the early 1940s, the conservatives began imposing limits on labor, taking their cue from the 1946 Taft-Hartley bill.

But the story is far from one-sided, and in the postwar era one of the great jurisprudential battles of modern times played out as Frankfurter battled Black and Douglas for what they all recognized as the soul of the Court. It is this debate, and its continuing impact, that is the greatest legacy of the Roosevelt Court.

Ever since they had come onto the Court, Hugo Black and Felix Frankfurter had carried on a debate on the meaning of the Fourteenth Amendment's due-process clause. Both men started from the same place—their opposition to the use of substantive due process by earlier courts to strike down reform legislation. For Frankfurter, the answer to this abuse of power lay in judicial restraint and appropriate deference to the policy decisions of

the political branches. But the due-process clause obviously meant something, and as interpreters of the Constitution, judges had to define what this “something” meant.

Black had just gone onto the Court when the *Palko* decision came down and at first subscribed to it. But he grew increasingly uncomfortable with the philosophy and method of selective incorporation and the great power it lodged in the courts. The heart of Black’s differences with Frankfurter centered on the great discretion the Frankfurter-Cardozo approach vested in the judiciary. If judges could strike down state laws that failed to meet “civilized standards,” then the courts had reverted to a “natural law concept whereby the supreme constitutional law becomes this Court’s view of ‘civilization’ at a given moment.” This philosophy, he declared, made everything else in the Constitution “mere surplusage,” and allowed the Court to reject all of the provisions of the Bill of Rights and substitute its own idea for what legislatures could or could not do.⁸⁶ Black, however, still had difficulty articulating the standards he would apply.

The answer for Black came in a California murder case. Admiral Dewey Adamson, a poor, illiterate black, had twice served time for robbery. He had, however, been out of prison for seventeen years when police arrested him for the murder of an elderly white widow. The only evidence linking Adamson to the crime consisted of six fingerprints on a door leading to the garbage container in the woman’s kitchen, which police identified as his. On the advice of his attorney, a veteran of the Los Angeles criminal courts, Adamson did not take the stand in his own defense. Had he done so, the prosecutor could have brought up Adamson’s previous record and that would have resulted in a sure conviction. But the prosecutor, as he was allowed to do under California law, pointed out to the jury Adamson’s failure to testify, and claimed that this surely proved his guilt. If he had been innocent, the prosecutor declared, it would have taken fifty horses to keep him off the stand. The jury convicted Adamson, and his lawyer on appeal challenged the California statute as violating the Fourteenth Amendment. Allowing comment on the failure to testify was equivalent to forcing a defendant to take the stand; both violated due process.⁸⁷

In conference Frankfurter convinced a majority of his colleagues that the issue had already been decided, and correctly. In *Twining v. New Jersey* (1908) the Court had ruled that a state law permitting comment on a defendant’s refusal to testify did not violate procedural fairness.⁸⁸ Justice Reed, assigned the opinion, conceded that such behavior by the prosecutor in a federal proceeding would be unacceptable and a violation of the Fifth Amendment. But

it was “settled law” that the self-incrimination law did not apply to the states; it was not “a right of national citizenship, or . . . a personal privilege or immunity secured by the Federal Constitution as one of the rights of man that are listed in the Bill of Rights.” In short, it was not one of the fundamental principles inherent in “the concept of ordered liberty” test of *Palko*. “For a state to require testimony from an accused,” Reed concluded, “is not necessarily a breach of a state’s obligation to give a fair trial.”⁸⁹

Black dissented and set forth his belief in the “total incorporation” of the first eight amendments by the Fourteenth. He would consider it the most important opinion of his career. “There I laid it all out. . . . I didn’t write until I came to the complete conclusion that I was reasonably sure of myself and my research. It was my work from beginning to end.”⁹⁰ Just as the Bill of Rights applied objective standards to the behavior of the federal government, so the application of the first eight amendments to the states would provide equally ascertainable criteria by which to judge state action. In a lengthy appendix he presented the historical evidence he had assembled to support this position, an essay most scholars find less than convincing. As might be expected from a former senator, Black relied entirely on the congressional history of the Fourteenth Amendment, the account of what Congress did in drafting it. But amending the Constitution requires ratification by the states, and Black neglected to look at the debates there; neither did he look at the abolitionist antecedents of the amendment.

What is most interesting in Black’s rationale is that in many ways it resembled Frankfurter’s own views on limiting judicial power. Black rejected Cardozo’s criteria as too vague, in that phrases such as “civilized decency” and “fundamental liberty and justice” could be interpreted by judges to mean many things. This “natural law” theory of the Constitution “degrade[s] the constitutional safeguards of the Bill of Rights and simultaneously appropriate[s] for this Court a broad power which we are not authorized by the Constitution to exercise.” The only way to avoid this abuse of judicial power would be to carry out the original intent of the framers of the Fourteenth Amendment, and apply all the protections of the Bill of Rights to the states.⁹¹

Douglas joined Black’s opinion, but Murphy filed a separate dissent in which he attempted to combine elements of both the Frankfurter and Black approaches. He had found Black’s essay “exciting reading,” but added, “I think you go out of your way—as you always do—to strike down natural law.” Murphy wanted to incorporate all of the Bill of Rights, as Black proposed, but he objected to what he saw as the rigidity in Black’s approach. There were times when one had to be flexible, when a strict reading of the

first eight amendments would not suffice to provide justice. In those instances Frankfurter's use of due process would allow judges to secure justice. Murphy's reading of Black's opinion was not that wrong. Although Black would later adopt some of Frankfurter's views regarding due process as fundamental fairness, at the time of the *Adamson* case he told a group of clerks with whom he was having lunch that the due-process clauses of the Fifth and Fourteenth Amendments had "no meaning, except that of emphasis."⁹²

Relying on his own historical research, Frankfurter denied that the framers of the Fourteenth Amendment had intended to subsume all of the Bill of Rights.⁹³ Frankfurter also responded to what he took as the most serious of Black's charges, that the vague criteria of *Palko* left judges too much discretion and protection of rights relied on the mercy of individual subjectivity.⁹⁴ He portrayed judging as a process removed from the fray of daily pressures. Protected in their sanctum, justices may engage in that process of discovery that will yield the right answer—not an objective, eternally fixed answer, but the right answer for the time.

Frankfurter did not espouse a moral relativism, but believed that judges in their decisions should reflect the advances that society has made, so that the due-process clause does not mean fairness in terms of 1868, but fairness today. Courts thus help keep the Constitution contemporary, but they must do so cautiously, always following strict intellectual processes and always deferring to those who are in the thick of the battle—the state courts and legislatures—who must in turn be left free to reform their procedures according to their standards of fairness. As Frankfurter noted in another case: "Due process of law requires an evaluation based on a disinterested inquiry pursued in the spirit of science, on a balanced order of facts exactly and fairly stated, on the detached consideration of conflicting claims, on a judgment not ad hoc and episodic but duly mindful of reconciling the needs both of continuity and change in a progressive society."⁹⁵ Thus if the judge adheres to certain methods and standards, it does not matter what the result will be in a particular case, because the process will assure ultimate fairness across the spectrum of cases. "Whatever shortcut to relief may be had in a particular case," Frankfurter wrote a year after *Adamson*, "it is calculated to beget misunderstanding and friction and to that extent detracts from those imponderables which are the ultimate reliance of a civilized system of law."⁹⁶ The process and not a particular result is the desideratum of judging.

The great appeal of process jurisprudence is that it attempts to remove idiosyncrasy and individuality from judicial decision-making and replace them with objectivity and consistency. Public faith in the judicial process is

enhanced if the public believes the judges are acting fairly and adhering to a common set of methods and principles in all cases, regardless of the results in specific instances.

Yet can judging ever be quite this impersonal? Would scientific analysis really produce the right results? Oliver Wendell Holmes had declared that the prejudices of judges had as much if not more to do with determining the law than the logic of the syllogism. As Black asked, how did one objectively determine the “canons of decency and fairness” that everyone accepted? Moreover, although one might say that due process is meaningful over a whole gamut of cases, individuals are on trial; individuals must cope with the criminal justice system; individuals must pay the penalties if found guilty; individuals suffer if deprived of their rights.

For Black, total incorporation provided at least a partial answer, in that judges would no longer subjectively determine what rights met the “canons of decency and fairness.” There were still questions to answer. Even if one applied the Fourth Amendment to the states, for example, one still had to determine what constituted an “unreasonable search.” But the basic rights, the ones enshrined in the Constitution, would be in force and not dependent on whether a handful of judges determined that they met the canon.

Neither approach is without merit, and neither is without flaw. If Frankfurter’s method refused to face up to the fact that process jurisprudence involved subjective evaluation, it did have the virtue of recognizing an acceptable diversity in a federal system, and acknowledging that one could have more than one model of a fair and workable system. Its open-ended approach to fairness also permitted judges, always exercising caution, to help keep basic constitutional guarantees current with the times.

Black’s approach did do away with some but not all subjectivity, and debates over the reach of the exclusionary rule and expectations of privacy show that interpreting the “canons of decency and fairness” is an ongoing judicial function. Moreover, in many ways Black’s rigid adherence to the text led to a cramped view of individual liberty. He would take an uncompromising stand that the First Amendment permitted no abridgement of speech, but because he could find no mention of privacy in the Constitution, he could not support the judicial claim that such a right existed.⁹⁷

In the end Frank Murphy’s approach, almost ignored in the battle between Black and Frankfurter, prevailed, and it came into effect in the landmark 1965 case of *Griswold v. Connecticut*, which established a right to privacy that eventually came to be embedded in due process. Although the Court adopted the Cardozo-Frankfurter approach of selective incorporation,

during the Warren years nearly all of the first eight amendment guaranties were applied to the states. But Black's approach proved too rigid, as Murphy had argued, and Frankfurter's notion of due process as fundamental fairness became a useful tool for judges confronting new and unusual situations in the Warren, Burger, and Rehnquist eras.

Adamson did not resolve the issue, but merely raised the curtain on what would be an ongoing debate within the Court. While the debate raged, the Roosevelt appointees, who still constituted a majority of the Court until 1955, had to deal with a variety of issues. In the late 1940s and early 1950s they decided a series of cases that began the dismantling of legally sanctioned race discrimination, and which culminated in the landmark decision in 1954 of *Brown v. Board of Education*. During the Cold War, with the exception of Hugo Black and William O. Douglas, the Court proved less than protective of free speech rights, and in the Dennis case it handed down one of the most speech-restrictive decisions of the century. But even as they debated the meaning of incorporation, the Roosevelt Court expanded the meaning of the First Amendment in other areas, notably religion, and laid the basis for the rights explosion of the 1960s and 1970s.⁹⁸

The great steps to protect civil rights and civil liberties would not have been possible without the Frankfurter-Black debate and without the decisions handed down by the Roosevelt appointees. Although it may not have been quite the judicial legacy that Franklin Roosevelt envisioned when he made his choices, it is hard to think of any other group of presidential nominees to the high court that has had such an enduring impact.

NOTES

1. Barry Cushman, *Rethinking the New Deal Court: The Structure of a Constitutional Revolution* (New York: Oxford University Press, 1998).

2. *Home Building and Loan Association v. Blaisdell*, 290 U.S. 398 (1934).

3. *Nebbia v. New York*, 291 U.S. 502 (1934).

4. *Morehead v. New York ex rel. Tipaldo*, 298 U.S. 587 (1936).

5. On the matter of poor counsel and draftsmanship, see Peter H. Irons, *The New Deal Lawyers* (Princeton: Princeton University Press, 1982).

6. U.S. 388 (1935).

7. *Norman v. Baltimore & Ohio R.R. Co.*, *Perry v. United States*, 294 U.S. 330 (1935).

8. *Retirement Board v. Alton Railroad Company*, 295 U.S. 330 (1935).
9. *Schechter v. United States*, 295 U.S. 495 (1935); *Louisville Joint Stock Land Bank v. Radford*, 295 U.S. 555 (1935); *Humphrey's Executor v. United States*, 295 U.S. 602 (1935).
10. *United States v. Butler*, 297 U.S. 1 (1936).
11. Robert H. Jackson Memoir, Columbia Oral History Collection, Columbia University Library.
12. William E. Leuchtenburg, "A Klansman Joins the Court," in *The Supreme Court Reborn* (New York: Oxford University Press, 1995), chap. 7; Roger K. Newman, *Hugo Black: A Biography* (New York: Pantheon, 1944), chaps. 6 and 17.
13. For an excellent discussion of Black's judicial philosophy, see Mark Silverstein, *Constitutional Faiths: Felix Frankfurter, Hugo Black, and the Process of Judicial Decision Making* (Ithaca, N.Y.: Cornell University Press, 1984), especially chap. 4. See also Black's *A Constitutional Faith* (New York: Alfred A. Knopf, 1968).
14. Robert H. Jackson Memoir.
15. Daniel L. Breen, "Stanley Forman Reed," in Melvin I. Urofsky, ed., *The Supreme Court Justices: A Biographical Dictionary* (New York: Garland, 1994), 367. The only full-scale biography, John D. Fassett, *New Deal Justice: The Life of Stanley Reed of Kentucky* (New York: Vantage, 1994), is by a former clerk and is completely uncritical.
16. See William O. Brien, *Justice Reed and the First Amendment: The Religion Clauses* (Washington, D.C.: Georgetown University Press, 1958), and an unpublished dissertation by Mark J. Fitzgerald, "Justice Reed: A Study of a Center Judge" (University of Chicago, 1950).
17. Eugene Gerhart, *America's Advocate: Robert H. Jackson* (Indianapolis: Bobbs-Merrill, 1958), 166; Alpheus T. Mason, *Harlan Fiske Stone: Pillar of the Law* (New York: Viking Press, 1956), 482; Harold L. Ickes, *The Secret Diaries of Harold L. Ickes*, 3 vols. (New York: Simon & Schuster, 1954), 2:552.
18. There has been a great deal made of this relationship, especially by Bruce Murphy in *The Brandeis/Frankfurter Connection* (New York: Oxford University Press, 1982). A somewhat different picture emerges from the correspondence contained in Melvin I. Urofsky and David W. Levy, eds., "*Half Brother, Half Son*": *The Letters of Louis D. Brandeis to Felix Frankfurter* (Norman: University of Oklahoma Press, 1991).
19. G. Edward White, "Felix Frankfurter, the Old Boy Network, and the New Deal: The Placement of Elite Lawyers in Public Service in the 1930s," *Arkansas Law Review* 39 (1986): 631.
20. Their friendship and interaction can be seen in Max Freedman, ed., *Roosevelt & Frankfurter: Their Correspondence, 1928–1945* (Boston: Atlantic/Little, Brown, 1967).
21. For Frankfurter's pre-Court career and the influences that would shape his jurisprudence, see Michael Parrish, *Felix Frankfurter and His Times: The Reform Years*

(New York: Free Press, 1982); for the Court years, see Melvin I. Urofsky, *Felix Frankfurter, Judicial Restraint and Individual Liberties* (New York: Twayne, 1991).

22. William O. Douglas, *Of Men and Mountains* (New York: Harper & Row, 1950), 29.

23. Laura Kalman, *Legal Realism at Yale, 1927–1960* (Chapel Hill: University of North Carolina Press, 1986), especially chaps. 3 and 4.

24. For Douglas's tenure at the SEC, see Michael E. Parrish, *Securities Regulation and the New Deal* (New Haven: Yale University Press, 1970).

25. Douglas wrote what amounted to a three-volume autobiography, consisting of *Of Men and Mountains*; *Go East, Young Man: The Early Years* (New York: Random House, 1974); and *The Court Years: 1939–1975* (New York: Random House, 1980). The best biography is James F. Simon, *Independent Journey: The Life of William O. Douglas* (New York: Harper & Row, 1980).

26. Quoted in Peter Irons, "Frank Murphy," in Urofsky, *Supreme Court Justices*, 331.

27. Frank Murphy to Bishop William Murphy, 8 January 1940, in Sidney Fine, *Frank Murphy: The Washington Years* (Ann Arbor: University of Michigan Press, 1984), 133.

28. *Thornhill v. Alabama*, 310 U.S. 88 (1940); the Brandeis suggestion is in *Senn v. Tile Layers Protective Union*, 301 U.S. 468, 478 (1937). The *Thornhill* opinion proved to be both influential and enduring; it has been cited in more than three hundred subsequent opinions.

29. U.S. 1, 78–79 (1936).

30. U.S. 144, 152–53 (1938).

31. According to Daniel P. Currie, in his twenty years on the bench Stone "had done more perhaps than any other justice to bring constitutional law into the twentieth century. We are indebted to him for one of the most effective protests against the old order [his *Butler* dissent] and for the authoritative program of the new." *The Constitution in the Supreme Court: The Second Century, 1888–1986* (Chicago: University of Chicago Press, 1990), 334.

32. Felix Frankfurter, memorandum on the chief justiceship cited in Mason, *Stone*, 566–567; see also Frankfurter to Stone, 3 July 1941, Harlan Fiske Stone Papers, Manuscript Division, Library of Congress, Washington, D.C.

33. *Time*, 23 June 1941; for a sampling of the overwhelming approval that met the nomination, see Mason, *Stone*, 568–573.

34. *Congressional Record*, 77th Cong., 1st Sess. (27 June 1941), 5618.

35. *West Virginia State Board of Education v. Barnette*, 319 U.S. 624 (1943).

36. Frank to Jackson, 27 November 1941, Robert H. Jackson Papers, Manuscript Division, Library of Congress, Washington, D.C. See also the appraisal by Arthur Krock in his column in the *New York Times*, 15 June 1943. For an example of Jack-

son's style and wit, see his apology for a previous error in *McGrath v. Kristensen*, 340 U.S. 162, 177–178 (1950).

37. For the extrajudicial activities of Jackson and other justices during the war, see Melvin I. Urofsky, “*Inter Arma Silent Leges*: Extrajudicial Activity, Patriotism and the Rule of Law,” in Daniel R. Ernst and Victor Jew, eds., *Total War and the Law: New Perspectives on World War II* (East Lansing: Michigan State University Press, in press).

38. U.S. 111 (1942).

39. *Youngstown Sheet & Tube Co. et al. v. Sawyer*, 343 U.S. 579 (1952).

40. U.S. 250 (1952).

41. U.S. 160 (1941), upholding as fundamental the right to travel within the country.

42. Victory Brudney and Richard F. Wolfson, “Mr. Justice Rutledge: Law Clerks’ Reflections,” *Indiana Law Journal* 25 (1950): 455.

43. U.S. 1 (1936).

44. U.S. 38 (1939). Roberts, in fact, wrote the opinion in this case, another example of his reversing prior positions. He later noted, “Looking back, it is difficult to see how the Court could have resisted the popular urge for uniform standards throughout the country—for what in effect was a unified economy.” Owen J. Roberts, *The Court and the Constitution* (Cambridge, Mass.: Harvard University Press, 1951), 61.

45. U.S. 100 (1941)

46. Stone, Memorandum to the Court, 25 May 1942, Jackson Papers; Reed took no part in the discussion or decision of this case.

47. Mason, *Stone*, 594; Jackson to Stone, 25 May 1942, Stone Papers. Douglas believed there were sufficient precedents to uphold the law. Douglas to Jackson, 25 May 1942, William O. Douglas Papers, Manuscript Division, Library of Congress, Washington, D.C.

48. *Wickard v. Filburn*, 317 U.S. 111, 128 (1942).

49. U.S. 342 (1914).

50. *Chicago Board of Trade v. Olsen*, 262 U.S. 1 (1923).

51. Jackson to Sherman Minton, 21 December 1942, Jackson Papers. Stone evinced a similar sentiment; see Stone to Sterling Carr, 11 January 1943, Stone Papers.

52. Paul L. Murphy, *The Constitution in Crisis Times, 1918–1969* (New York: Harper & Row, 1972), 168; *American Power & Light Co. v. S.E.C.*, 328 U.S. 90, 141 (1946).

53. *Parker v. Brown*, 317 U.S. 341, 362–363 (1942).

54. How. 299 (1851).

55. U.S. 761, 776 (1945).

56. *Id.* at 784 (Black dissenting).

57. See Melvin I. Urofsky, *Division and Discord: The Supreme Court under Stone and Vinson, 1941–1953* (Columbia: University of South Carolina Press, 1997), chap. 4.

58. *Paul v. Virginia*, 8 Wall. 168 (1869).
59. *United States v. South-Eastern Underwriters Association*, 322 U.S. 533, 553 (1944); Reed and Roberts took no part in the decision.
60. *Prudential Insurance Co. v. Benjamin*, 328 U.S. 408 (1946); *Robertson v. California*, 328 U.S. 440 (1946).
61. U.S. 483 (1955).
62. See Urofsky, *Division and Discord*, 33–46.
63. U.S. 319 (1937).
64. For a fuller discussion of the debate and of Frankfurter's views, see Melvin I. Urofsky, *Felix Frankfurter: Judicial Restraint and Individual Liberties* (New York: Twayne, 1991), especially chap. 6.
65. Black, *Constitutional Faith*, 50, 52.
66. Frankfurter to Reed, 7 February 1956, Felix Frankfurter Papers, Manuscript Division, Library of Congress, Washington, D.C.
67. The classic work on the Japanese cases is Peter H. Irons, *Justice at War* (New York: Oxford University Press, 1983). See also the U.S. Commission on Wartime Relocation, *Personal Justice Denied* (Washington, D.C.: U.S. Government Printing Office, 1983), and for a less hostile approach, Page Smith, *Democracy on Trial: The Japanese-American Evacuation and Relocation in World War II* (New York: Simon & Schuster, 1995).
68. *Yakus v. United States*, 321 U.S. 414 (1944); *Steuart and Co. v. Bowles*, 322 U.S. 398 (1944); *Bowles v. Willingham*, 321 U.S. 503 (1944); *Lichter v. United States*, 334 U.S. 742 (1948).
69. U.S. at 518.
70. Murphy, *Constitution in Crisis Times*, 176–178; Frank Murphy's tenure as attorney general is detailed in Fine, *Murphy*, chaps. 1–7.
71. *Schneiderman v. United States*, 320 U.S. 119 (1943); *Baumgartner v. United States*, 322 U.S. 665 (1944); *Bridges v. Wixon*, 326 U.S. 135 (1945).
72. *Girouard v. United States*, 328 U.S. 61 (1946).
73. *Hines v. Davidowitz*, 312 U.S. 52 (1941).
74. *Hartzel v. United States*, 322 U.S. 680 (1944); *Viereck v. United States*, 318 U.S. 236 (1943); *Keegan v. United States*, 325 U.S. 478 (1945).
75. *Ex parte Quirin*, 317 U.S. 1 (1942).
76. *West Virginia Board of Education v. Barnette*, 319 U.S. 624, 642 (1943). For an analysis of the various Witness cases, see Edward F. Waite, "The Debt of Constitutional Law to Jehovah's Witnesses," *Minnesota Law Review* 28 (1944): 209.
77. *Grovey v. Townsend*, 295 U.S. 45 (1935).
78. U.S. 299 (1941).
79. *Smith v. Allwright*, 321 U.S. 649 (1944).

80. *Civil Rights Cases*, 109 U.S. 3 (1893); *Logan v. United States*, 144 U.S. 263 (1892); *United States v. Powell*, 212 U.S. 564 (1909).

81. Conference notes, 4 November 1944, Jackson MSS; Frankfurter to Stone, 30 November 1944, Frankfurter MSS, Harvard Law School; Fine, *Murphy*, 396–403.

82. Stone to Douglas, 25 November 1944, Stone MSS; *Screws v. United States*, 325 U.S. 91 (1945). The federal government was unsuccessful in its second attempt to convict Screws, who had in the meantime become something of a local hero. He later won election to the state senate.

83. Robert Carr, *Federal Protection of Civil Liberties* (Ithaca, N.Y.: Cornell University Press, 1947), 114; Herman Belz et al., *The American Constitution*, 7th ed. (New York: W. W. Norton, 1991), 597; author's interview with Justice Marshall, 17 May 1988.

84. Mason, *Stone*, 698. Paul Murphy joins in this judgment (*Constitution in Crisis Times*, 247) but adds the caveat that this was the most popular war in the nation's history; thus the type of civil liberties challenges present in the Civil War, World War I, and Vietnam were absent.

85. John P. Frank, "Review and Basic Liberties," in Edmond Cahn, ed., *Supreme Court and Supreme Law* (Bloomington: Indiana University Press, 1954), 114.

86. Black to Conference, 23 March 1945, Felix Frankfurter Papers, Harvard Law School.

87. *Adamson v. California*, 332 U.S. 46 (1947).

88. U.S. 78 (1908).

89. U.S. at 50–51, 54.

90. Roger K. Newman, *Hugo Black: A Biography* (New York: Pantheon, 1994), 3552.

91. U.S. at 68, 70.

92. Fine, *Murphy*, 503–504; the Murphy dissent is at 332 U.S. at 123.

93. For a brilliant exposition of the argument that the men who drafted the Fourteenth Amendment did, in fact, mean to incorporate all of the Bill of Rights, see Akhil Reed Amar, *The Bill of Rights: Creation and Reconstruction* (New Haven: Yale University Press, 1998).

94. U.S. at 67–68.

95. *Rochin v. California*, 342 U.S. 165, 172 (1952).

96. *Uveges v. Pennsylvania*, 335 U.S. 437, 449–450 (1948).

97. See Black's dissent in *Griswold v. Connecticut*, 381 U.S. 479, 507 (1965).

98. Urofsky, *Division and Discord*, chaps. 6–9.

4

VOTING AGAINST THE HAMMER AND SICKLE: COMMUNISM AS AN ISSUE IN AMERICAN POLITICS

Richard M. Fried

Since the Bolshevik Revolution, there has seldom been a time when some American politician has not accused another of loyalty to or softness on communism. Yet while the specter of communism has haunted U.S. politics since 1917 (and even before), it never prowled full-time. The issue of communist influence in American life became a core political issue only when a perceived threat of communism from abroad converged with a conservative reaction against liberal initiatives at home. These conditions existed most palpably through stretches of the period 1938–1954.

Red-baiting has produced casualties aplenty in state and national politics, as well as a number of beneficiaries, but its use did not always guarantee political success for the long—and sometimes not even the short—term. Of all who strove to harness it, only one, Richard M. Nixon, rode it to the White House. Even he was a rather different figure in 1968, when he achieved his ambition, than in 1948–1954, the peak of his anticommunist prowess. Still, his career also embodied the persistence of the communist issue in the American political culture.¹

Other anticommunists enjoyed electoral advantage or earned livelihoods by lecturing, writing, and testifying before investigative bodies. Yet their triumphs were mostly brief. Over the *longue durée*, anticommunism has occasionally operated as a dominant, but more often as a secondary, theme, sometimes little more than a rasping hum backgrounding other political tones. That conclusion depends on whether we stress the brevity of the moments of glory enjoyed by each exploiter of the issue or the recurrent fre-

quency of these brief life cycles. Nor should a minimalist assessment overlook the fact that anticommunism expressed itself in many forms. It operated on at least three different levels: in claims that specific individuals followed communist discipline; in charges that political opponents pursued economic policies that would lead toward communism or socialism; and in cultural expressions of anticommunism. Lenin had hardly won power before American politicians sensed that anticommunism might yield a profit. Mitchell Palmer, Woodrow Wilson's attorney general and instigator of the Palmer Raids, hoped to parlay antiradical vigilance into a presidential nomination in 1920. He had the second-highest delegate total on the first ballot at the Democratic convention, but, stymied, had to release his delegates. Similarly, Ole Hanson had as mayor of Seattle helped break a 1919 general strike led by radicals, after which he launched a lucrative lecture tour, his topic the Red Menace. The anticommunists' excesses produced a counterreaction. Palmer had clearly overplayed his hand. No less than Warren G. Harding, the candidate of "normalcy" in 1920, declared that "too much has been said about Bolshevism in America."²

In 1924 Republicans, fearing damage from Robert M. La Follette's third-party presidential candidacy, labeled him a radical and all but ignored the Democrats. The senator's proposal to curb the Supreme Court's jurisdiction made him vulnerable, and his opposition to entering the world war raised doubts about his loyalty. Though he disavowed the communists, and they him, he was still red-baited.³ One Republican activist proposed neutralizing La Follette with "a patriotic appeal against the Reds and Socialists." Charles Gates Dawes, President Calvin Coolidge's ebullient running mate, termed the third party "a heterogeneous combination, the largest portion of which are the Socialists, opposing the existing order of things and flying the red flag." Republicans warned that if the La Follette vote threw the decision to the House of Representatives, a deadlock there might enable Senate Democrats to pick Charles Bryan, William Jennings Bryan's younger brother, as vice president—and, in effect, president. The options were "Coolidge or Chaos." GOP orators claimed that communists were aiding La Follette; one even asserted that the Soviets had funded his campaign. However, Dawes expounded the more common theme, a choice between "Coolidge, who stands for the rock of the Constitution, or the shifting sand of socialism."⁴ Republicans overrated La Follette's potential. His own party's organizational weaknesses and limited appeal, a divided Democratic Party, and prosperous times begat a Coolidge landslide. In the 1920s anticommunism had limited electoral use but some purchase when mobilized against particular policies. Conservatives discred-

ited reform through red-baiting. Progressive senators fighting to expose the Teapot Dome scandals were linked with Bolshevism. So were feminism and social-welfare causes such as the Sheppard-Towner Act, which funded a program to improve the health of infants and expectant mothers. The metaphors of anticommunism were developing. Thus, the “spiderweb network” by which a set of prominent reformers might be associated, through common memberships or other ties, could be used to imply a sinister link between them and some Soviet leader. Efforts to end the policy of diplomatic non-recognition of the Soviet Union also attracted insinuations of procommunism, the labor movement was vulnerable to red-baiting, and so were such causes dear to an increasingly weak and fragmented Progressive movement as settlement houses and campaigns to improve the lot of workers.⁵

In 1932, despite the desperate throes in which capitalism found itself, the communist issue barely surfaced. In July, World War I veterans petitioning Congress for early payment of their service bonus had been routed out of Washington. General Douglas MacArthur, the Army Chief of Staff, and Secretary of War Patrick J. Hurley justified setting troops upon the ex-doughboys on grounds that Reds had won influence among them and revolution impended. Although he knew better, President Herbert Hoover endorsed MacArthur’s rationale—and further discredited his candidacy. At campaign’s end a spent, beaten Hoover exclaimed, “Thank God, you have a government in Washington that knows how to deal with a mob.” He charged that Franklin D. Roosevelt championed “the same philosophy of government which has poisoned all of Europe” and urged voters to avoid “the fumes of the witch’s caldron which boiled in Russia.” This blast was an exception; more typically Republicans said FDR had *no* views at all—offering, as one put it, only “glittering generality” and “slickness.”⁶ The New Deal’s fast-breeding alphabet agencies, emphasis on planning, and growing control over the economy soon alienated conservatives, some of whom insinuated that FDR was in cahoots with or dominated by communists. Postwar investigations and trials would indicate that communists had found a first point of entry into the New Deal via the Agricultural Adjustment Administration, but in the 1930s suspicions of Red infiltration remained undocumented and were expressed in quarters so identified with diehard antagonism to the New Deal, then at its greatest popularity, that they were discounted. In 1934 the first investigation of charges that communists were at work in the administration owed its motivation to a critic of the New Deal’s proposal to regulate the stock exchanges. Testifying against the measure, he claimed that one William A. Wirt had knowledge of a scheme by New Dealers to drive the country toward com-

munism. Summoned before a House committee, Wirt testified so outlandishly as to discredit such charges.⁷

Other charges of procommunism emanated from spokesmen for the ultra-right American Liberty League, including some conservative Democrats displaced when FDR took over the party. The aggrieved Al Smith made a furious attack on the New Deal before a Liberty League audience. Democrat and Liberty Leaguer Joseph B. Ely charged that Roosevelt's viewpoints "constitute a great stride toward actual communism." Al Smith declared that Roosevelt was "neither a Communist nor a Socialist . . . but something has taken place in this country—there is some certain kind of foreign 'ism' crawling over this country," and FDR was oblivious to it. In 1936 Republican campaigners, conservative Democrats, and the president's sometime ally, the radio priest Father Charles E. Coughlin, warned of the New Deal's red coloration. Vice-presidential nominee Frank Knox and John D. M. Hamilton, chairman of the Republican National Committee, charged that the New Deal was careening toward communism. The RNC also declared that some of Roosevelt's closest advisors had "calmly discussed the amount of 'blood that ought to be shed' " in the coming revolution. Later, that body labeled FDR "the Kerensky of the American revolutionary movement"; although "the poor lamb" did not know where his disastrous policies led, Communist backers such as Earl Browder and Joseph Stalin did. Bainbridge Colby, a former secretary of state and now a disaffected Democrat, charged that Roosevelt had deserted "the time-honored doctrines of the Democratic Party" and was receiving Communist support that might prove decisive in New York and so determine "the character of government which we will have for the future." Al Smith accused his former protégé of leading an administration in which "even a Communist with wire whiskers and a torch in his hands is welcome."⁸

The White House felt the sting of such barbs. It preemptively denounced an attack in William Randolph Hearst's papers naming FDR "the real candidate—the unofficial candidate of the Comintern." In a major speech, Roosevelt rejected support from adherents of "communism or of any other alien 'ism,'" decried contrary imputations as a "red herring," and argued that while the Republicans had created conditions that nourished radicalism, his program had starved it. Thus, *he* was "the true conservative." In a radio talk sponsored by the Democratic National Committee, Monsignor John A. Ryan disavowed charges of communism against the New Deal and suggested that their purveyors had suspended the eighth commandment's strictures against bearing false witness. In the 1936 landslide, no accusations by FDR's foes won much traction.⁹

Charges of communism also greeted third-party and other radical movements such as Philip and Robert M. La Follette Jr.'s Wisconsin Progressives, the Minnesota Farmer Labor Party, and Upton Sinclair's End Poverty in California Movement. Sinclair's 1934 gubernatorial campaign stirred massive opposition from business interests and led a frightened Hollywood to create fanciful "documentary" short subjects suggesting that his program had lured a flood of hoboes into the state. All his critics in both major parties warned that he would usher the Golden State toward communism. Similarly, the La Follettes were red-baited within the Republican Party and again after they launched a third party. One Republican accused their newspaper of spreading "communist propaganda" just as did the *Daily Worker*.¹⁰ That many attacks on the New Deal and movements to its left originated with Democrats initially muddled anticommunism's partisan implications. The first sustained charges that the New Deal gave refuge to communists issued from Congressman Martin Dies, the Texas Democrat who in 1938 launched a special investigation of un-American activities. (The Dies Committee was precursor to the House Un-American Activities Committee, or HUAC, formally constituted in 1945 through the efforts of Congressman John Rankin, also a Democrat.) Dies infused his anticommunism with a nativist viewpoint along with a growing distaste for the New Deal and the labor activism of CIO unions.¹¹

Though he had once been a New Deal enthusiast, by the fall of 1938 Dies was allowing committee witnesses to suggest that several candidates, but especially Governor Frank Murphy of Michigan, furthered communist aims, in his case by coddling sit-down strikers the year before, as Murphy's Republican opponents were arguing. Dies also heard criticisms of Elmer Benson, Minnesota's Farmer-Labor governor, and Culbert L. Olson, the Democratic gubernatorial candidate in California. In New York, both Governor Herbert H. Lehman and his Republican challenger Thomas E. Dewey pledged to ban communists from state jobs. In Montana, the topic punctuated the effort (joined by the Democratic Party establishment as well as the Republicans) to unseat the left-wing Democratic Congressman Jerry O'Connell. A flyer supporting O'Connell's challenger enjoined Montanans to "Crush Communism."¹²

Charges of communism also echoed through New York's Sixteenth Congressional District. The incumbent, John J. O'Connor, a target of FDR's effort to "purge" the Democratic Party of conservatives, faced a primary challenge from his former campaign manager James H. Fay. He identified Fay's backers as the Communist Party, which did in fact oppose O'Connor; the left-wing Workers Alliance, which sought to corral the votes of WPA workers; and

meddling New Dealers. He warned that success for FDR's purge would mean "one-man dictatorship" followed by communism. Fay denounced the charges and shunned Red support; his campaign manager accused the O'Connor forces of spreading bogus circulars purporting to show communist support for Fay. O'Connor lost the Democratic primary. Running as the Republican and "Andrew Jackson" Democratic candidate, he was defeated again in November.¹³ Republicans scored broad gains in the U.S. House and Senate. The results probably owed most to an increasingly conservative electorate's fatigue with the New Deal, the 1937–38 recession, voter discontent with local political corruption, and low farm prices. Although off-year election losses are normal for the party in power, these were a sharp rebuff to the New Deal. Columnist Arthur Krock noted presciently that a bipartisan conservative "Congressional coalition" might well "prevent any further advance of New Deal programs."¹⁴

Yet beyond simple conservatism lay more corrosive, nasty electioneering. Some campaigns aggravated religious and ethnic divisions. Ominous events abroad bred a sense of crisis that led many Americans to fear for their security and to question the loyalty of others. In his pre-election appeal, FDR called for recovery "without attempting to commit the nation to any ism or ideology except democracy, humanity and the civil liberties which form their foundations" or paying the price imposed for economic growth by "dictators." Not everyone absorbed the civics lesson. In New York, foes of incumbent governor Herbert Lehman called on voters to "Save Our State for Americans" and tacked up posters urging: "Keep the American Way." (His challenger Thomas E. Dewey repudiated such devices.) Anticommunism's cultural dimension sometimes dovetailed with nativism, anti-Semitism, and other symptoms of social dislocation.¹⁵

Amid fears of foreign threats, electoral red-baiting heated up in 1940. The term "fifth column," coined in Spain's civil war, entered the political vocabulary, as did the phrase "Trojan horse." Politicians applied them to Nazi and Communist threats, a convergence suggested by the tactics of Hitler's allies in countries he menaced and the Nazi-Soviet Pact, which made the Soviets and their American allies at least temporary bedmates of the Nazis. Republicans and Democrats gleefully slung this coinage at each other, the right using it against the left and the Roosevelt administration against its isolationist foes.¹⁶ GOP standard-bearer Wendell Willkie less often decried communism than warned that a third term for FDR would bring "dictatorship" closer. The Republican platform condemned the New Deal's "encouragement" of those seeking extra-constitutional change and the access of "such un-American groups" to high federal posts. Governor Harold E. Stassen

charged that the weak and divisive New Dealers “just smiled and reached over and patted the flanks of the Trojan Horse.” FDR riposted that “something evil is happening in this country” when “organizations that make no secret of their admiration” for dictatorship circulated Republican campaign materials and when a GOP ad appeared, “of all places,” in the Communist *Daily Worker*. His running mate Henry A. Wallace charged that “appeasers” opposed Roosevelt, in whose defeat Hitler would “rejoice.” He claimed “Nazi agents” and “friends of the totalitarian powers” aided the Republicans.¹⁷ Such tit-for-tat tainting of the opposition’s loyalties marked politics throughout the 1940s and may have helped sharpen the bitterness of electoral McCarthyism in its mature phase.

Anticommunist rhetoric mushroomed in 1944. The fourth-term issue prompted more cries of “dictatorship,” and the wartime alliance with the USSR and tolerance of domestic communists irked conservatives. When FDR pardoned Communist Party leader Earl Browder, then in jail for passport fraud, and expressed hope that the action would “promote national unity,” he stirred suspicion and anger. A “shocked” Catholic cleric passed on the comment that “Washington is growing to be a ‘little Moscow.’” The worrisome future of the Eastern European lands in the Red Army’s path troubled Catholics and ethnic groups and gave further poignancy to concerns about communist influences.¹⁸

Republicans belabored the CIO Political Action Committee’s vigorous support for FDR. Heading the CIO’s political arm was Sidney Hillman, a foreign-born Jew who could be yoked to the Communists felt to be potent in the CIO. When FDR told aides to “clear it with Sidney” whether Senator Harry S. Truman was an acceptable vice-presidential nominee, he gave enemies a brickbat and anticommunists (and anti-Semites and nativists) a mantra. A Cleveland paper editorialized that “the complacency of the Roosevelt administration toward the communism-statism sympathizers within the government, and the cooperativeness of Hillman and the CIO fourth-term campaign committee toward the U.S. Communist leaders” had created a “Communist issue.”¹⁹

From governors Thomas E. Dewey and John W. Bricker on the national ticket down through the ranks, Republicans rushed to seize the Browder and Hillman corollaries. Bricker speculated that Browder had been freed to electioneer for Roosevelt, who was now the Reds’ “political prisoner.” Dewey contrasted normal Soviet Communists with their sinister U.S. brethren. “In Russia, a communist is a man who supports his Government. In America a communist supports the fourth term so our form of government may more

easily be changed.” Dewey termed FDR “indispensable” to New Deal hangers-on, corrupt city machines, Hillman and the CIO-PAC, and “Earl Browder, the ex-convict and pardoned Communist leader.” A GOP handbill in rural Illinois declared that voters looked to Dewey and Bricker to “drive Communism from Government.”²⁰

Such charges nettled the Democrats. Their adversaries were all “isolationists,” doing the Fascists’ work by Hitlerian methods, sowing dissent among ethnic groups, imperiling U.S.-Soviet relations. Tart-tongued Secretary of the Interior Harold Ickes termed it “better to be a foreign born American” like Hillman than “an American born foreigner” like the pro-Dewey isolationists. Author John Gunther exclaimed that “the Nazi radio actually came out for Dewey . . . saying flatly that his election would be providential for the Germans.” Dewey and company were trying to “drag in such completely extraneous issues as the Communist bogey” and to “stir up the ugliest possible passions on a racist level.” Actor Orson Welles recalled that “the Nazis rose to power” with lies about communism. He wondered if “the Deweyites might even attempt their own equivalent of the Reichstag fire.” (Some FDR backers did fret that Republicans might spring a last-minute “Zinoviev letter” ploy, referring to a forgery allegedly written by a Soviet leader that, published on the eve of the 1924 election, shattered the British Labor Party’s chances.) On another radio show, comedian Jimmie Durante mockingly warbled, “That man in the White House is Moscow Joe, it’s regimentation from the top to the middle, it’s totalitariorriorism for each individdle.” Roosevelt disavowed any communist aid. Citing Republican mailings warning of a “Red Specter of Communism,” he stated that such “fear propaganda is now new among rabble-rousers and fomenters of class hatred” and had been used by Mussolini, Hitler “and others on the lunatic fringe.”²¹

The communist issue had bite in 1944. Certainly spokesmen for both parties thought so. October soundings by pollster Elmo Roper identified three factors explaining defections from FDR. One was worry over his “‘close tie-up’ to Communism.” Political scientist and one-time Roosevelt advisor Charles E. Merriam warned that some Americans held intense feeling against Blacks, Jews, labor, foreigners “inflamed by what they call radicalism, socialism, communism. Hillman makes their ideal target.” Responding to such sentiments, FDR declared that he “never sought the support of any person or group which would undermine the American system of government.” (Why then, asked one hostile newspaper, did he free Browder?²²)

The 1946 campaign promised still more salience for anticommunism. Relations with the USSR had grown prickly. Truman’s dismissal of Secretary of

Commerce Henry A. Wallace for criticizing his anti-Soviet policies created disarray on the left and a target for the right. The postwar strike wave and fears of the expanded power of labor unions suggested a reprise for pertinent motifs from 1944. Republicans rushed to rescue America from “statism,” “socialism,” and Red influences. Their national chairman, Congressman B. Carroll Reece, labeled Democrats an unlovely coupling of descendants of slaveocrats and sovietizers. “The basic political issue before this nation is that of liberalism versus State absolutism”—or “communism and republicanism.” House Minority Leader Joe Martin pledged that his party would give priority to “cleaning out the Communists, their fellow travelers and parlor pinks from high positions in our Government.” Republicans gleefully played up a Soviet radio commentator’s advice that voters support “progressive,” CIO-PAC-backed candidates and oppose the GOP. To John W. Bricker it proved that the CIO-PAC campaign “is being directed from communistic Russia.” A Wisconsin candidate for Congress declared that Republicans wanted no “Russia Firsters, the pinkos, the fellow travelers, the Red [Sen. Claude D.] Peppers and the Two World Wallaces.” In California, Richard M. Nixon charged that Congressman Jerry Voorhis had been endorsed by the Political Action Committee. The CIO-PAC had not embraced the liberal Democratic incumbent, but a local chapter of its cousin, the National Citizens Political Action Committee, had. Though anticommunist himself, Voorhis never got off the defensive against this charge. Just before the election, a phone bank of anonymous callers intimated to constituents that Voorhis was a Communist.²³

In Wisconsin, Judge Joseph R. McCarthy ran for the U.S. Senate as an anti-New Deal yet “modern” internationalist Republican. In the primary he taxed incumbent Robert M. La Follette Jr.: “By your failure to do anything to promote peace you are playing into the hands of the Communists.” Seeking to reenter the Republican Party, La Follette stressed his opposition by Communists in the state’s CIO (he had condemned Soviet policy in East Europe) and by Tom “Boss” Coleman, leader of the conservative Republicans; he rejected both extremes of “colemanism” and “communism.” In the general election, McCarthy called his Democratic opponent “communistically inclined.”²⁴ As the election neared, more mundane issues crowded forward. The turmoil of postwar reconversion brought on a meat shortage. When beef reappeared in stores a week before the elections, harassed shoppers were too busy queuing up for now-scarce sugar. Blessed with such issues, Republicans found their best slogan to be “Had Enough?” Their smashing victory drew on so many discontents that it is impossible to disaggregate the weight of the communist issue. Nixon’s victory, columnist Tom Wicker suggests, owed less to red-baiting than

to a changing electorate, the host of enemies rallied by Voorhis's liberal stands over ten years, the Congressman's inept campaign and the fact that his previous foes had been pushovers. A broader array of concerns than communism also elected McCarthy and many other Republicans. Nevertheless, the anti-communist speechifying prompted Speaker of the House Sam Rayburn to exclaim in a nationally broadcast radio talk: "if I were the kind of Moscow follower the Republicans are talking about, I would be cheering for the Republicans on Nov. 5." The 1946 elections suggested that there was mileage in the issue.²⁵

Trends suggested a bull market for anticommunism in 1948. Great Power relations had further soured. The Iron Curtain was a fact of life. The doubts thus raised promised a harvest of Republican votes. The Democrats scrambled to defend their record on communism. Initially, that seemed to entail red-baiting the Progressive Party—"Henry Wallace and his Communists," as Truman labeled them on St. Patrick's Day. But as the Progressives foundered, Truman paid them less heed. He now stated that a vote for Wallace would only help the Republicans, and the latter, if returned to power, would foster communism through the hard times and isolationism that would ensue. This was an embellishment, not the main Democratic election theme.²⁶

Whittaker Chambers's testimony implicating New Deal bureaucrats—most notably Alger Hiss—in pro-Soviet conniving prefaced the fall campaign. Both the FBI and the Central Intelligence Agency were keen to stir the pot, to provide grist for the Republicans, and the loyalty issue appeared to portend trouble. A White House staffer deemed the "spy" issue "the Administration's weakest link." Truman and his aides responded with an emphatic speech in Oklahoma City on September 28 in defense of his administration's vigilance. Some southern Democrats, alienated by the party's liberalism, notably its embrace of the civil-rights issue, also toyed with anticommunism. Thus, Texas Governor Beauford H. Jester listed among threats to the South "communistic agitators and a shallow-minded fringe of Henry Wallace liberals," and Truman's agitation of civil rights. While the Truman Doctrine helped people abroad to "preserve their institutions from being subverted by outside influences," apparently this credo was "too good for the Southern States."²⁷

His 1944 apprenticeship had given candidate Dewey a solid grounding in the communist issue. A group of anticommunist activists backing him met in the summer of 1948 to canvass "the 'Communist Problem'" and its relation to the campaign. They labeled their project "Operation Polecat," reflecting Dewey's hope "to make communism as popular as a polecat." Members

were businessman (and “China Lobby” leader) Alfred Kohlberg, publisher William Loeb, journalists Frederick Woltman, George Schuyler, Isaac Don Levine, Robert Humphreys, and, notably, Whittaker Chambers, who had just testified before HUAC. The group believed that Dewey could assail Democratic failures on that score and oust communists, yet preserve civil liberties and raise the issue “from the mire of rumor-mongering, smear-ladling, abuse and counter abuse” by promising to appoint a long-term presidential commission to “make an exhaustive study.”²⁸

However, Dewey did not embrace Operation Polecat. Urged to stress the communist issue, he said he would “fleck it lightly.” He had already taken a moderate stance in debate with rival Harold Stassen in the Oregon primary, when he opposed outlawing the Communist Party; though Stassen claimed that policy would “coddle” the Reds, Dewey had won the primary. He regretted his dalliance with the issue in 1944. Dewey and his running mate Governor Earl Warren did raise the topic, but not as a primary theme. His reticence may have spawned an unhappy irony. More stress on the issue might have averted defeat, one that, according to some observers, so embittered many Republicans as to lead them to tolerate, if not encourage, McCarthy’s excesses for their potential for partisan gain. Perhaps an inoculation with a light case of red-baiting in 1948 might have prevented the epidemic that arrived in 1950.²⁹

If indeed 1948’s frustrations led to 1950’s full-blown electoral McCarthyism, the 1949 special U.S. Senate race in New York between John Foster Dulles and Herbert H. Lehman provided a preview. Dulles asserted that all the Reds were backing Lehman. Dewey, who had appointed Dulles to the Senate, stumped for him—and echoed the anticommunist emphasis. Lehman in turn accused Dulles of anti-Semitism for his remark upstate that “if you could see the kind of people in New York City making up this bloc that is voting for [Lehman] . . . I know that you would be out, every last man and woman of you on election day.” Dulles insisted that the “bloc” he meant was “Communist American Labor Party voters” and rejected the “ugly charge of bigotry.” Lehman proposed that the Communists attacked him harder than his foe, aware that only Democratic policies could prevent “the economic crash which Marshall Stalin so anxiously awaits.” Lehman won.³⁰

The year 1950 opened red-baiting’s golden age. Joe McCarthy had captured newspaper headlines since February, convincing many Americans that his charges of communism in the State Department had not been fairly reviewed. The Cold War had grown more menacing, with China’s “loss” in 1949, Alger Hiss’s trials and conviction, the Soviet A-bomb, arrests and con-

fessions of “atom spies,” and then the Korean War. Even before Korea, these developments made South Dakota Republican Senator Karl Mundt optimistic about campaign prospects. “Certainly, the Communist issue is in the front as it has never been before.”³¹ The autumn began on an upnote for Democrats as UN forces drove the North Korean armies up the peninsula, but then China’s intervention darkened the atmosphere as Americans went to the polls.

Since spring, the communist issue appeared to rack up victims. Southern liberal Senators Claude D. Pepper of Florida and Frank P. Graham of North Carolina lost to Democratic primary foes who termed them soft on communism (as well as shaky on the race question). Senatorial primary rivals plied the communist issue against other Democrats on the party’s left wing, notably Senator Glen Taylor of Idaho and Congresswoman Helen Gahagan Douglas of California. Taylor lost to a conservative; Douglas survived, but the communist issue was now teed up for her Republican foe, Richard M. Nixon, who, in light of the conviction of Alger Hiss and other events, would in any case have exploited it.³²

Communism saturated the 1950 campaign. Republicans had a field day, but Democrats too, strove to flex their muscles. Congressman A. S. “Mike” Monroney held that his rival in Oklahoma’s Senate race, by “making a political football out of the Korean war to win an election, and blaming our elected leaders for war guilt” parroted the Communist Party line. Candidates melded the topic deftly with collateral issues. Colorado Republican Senator Eugene Millikin used it to flavor a disparagement of Truman administration bungling: “The background music against which these clowns play their parts is too often ‘The Internationale’ rather than ‘The Star Spangled Banner.’” It also meshed with the emergent issue of organized crime. Thus, Bob Con-sidine, who often devoted his newspaper column to these topics, found them linked. A “subtle black stain of hoodlum super-government, well protected politically,” was spreading in American cities. Like communism, “it is superbly concealed, well organized.”³³

The communist issue tinted Senate contests in Utah, Colorado, Oklahoma, Pennsylvania, Idaho, Iowa, and Ohio, governor’s races in Pennsylvania, Michigan, and Wisconsin, and a spectrum of House campaigns. Informed that the topic was harvesting votes, Senator Mundt advised candidates like Nixon and Everett McKinley Dirksen to press it hard. The Mundt-Nixon bill, calling for the registration of communist groups, came up for debate in the tense weeks of late summer and passed by lopsided majorities in the harsher version offered by Senator Pat McCarran. If Truman

vetoed it (as he did), Mundt predicted it would be “the best political issue in more than a decade.”³⁴

McCarthy starred in the campaign, speaking in some fifteen states. He aimed especially at senators Scott Lucas of Illinois, the majority leader; Brien McMahon of Connecticut, a critic of his assault on the State Department; and Millard Tydings of Maryland, the hostile chairman of the panel that investigated his charges. Lucas lost to ex-congressman Dirksen, whose campaign featured anticommunist rhetoric. Tydings, who had survived FDR’s 1938 purge attempt, suffered a stunning defeat. These and other results prompted observers to credit McCarthy and his anticommunist barnstorming with striking influence on voters and his colleagues, drawing similar conclusions, to give the Wisconsinite a wide and fearful berth.³⁵

Yet journalists and politicians overrated McCarthy’s grassroots appeal. As an Administration spokesman, Lucas may have been vulnerable to the charges leveled at it, including softness on communism, but he was more grievously wounded by a local crime scandal involving Chicago’s Democratic machine. Tydings, McCarthy’s most prominent victim, may have been weakened by insinuations of having “whitewashed” McCarthy’s charges. However, he had plural vulnerabilities: Maryland Democrats were in disarray; his ticket mate the governor was deeply unpopular; black voters were responsive to Republican appeals; Tydings had grown distant from his constituents; and a long-term Republican trend was operating in Maryland. At the time, however, the 1950 election induced a sense among political elites that a powerful anticommunism had settled firmly upon the electorate. Previously, McCarthy seemed to survive by nimble-footed evasiveness; it now appeared that his politics carried a heavy punch.³⁶

In 1952, with the Korean War stalemated, Truman weakened on other fronts, and McCarthy a fixture in public life, anticommunism again loomed as an electoral catalyst. Republicans endorsed that surmise by naming Richard Nixon as General Dwight D. Eisenhower’s running mate, and soon after the convention, the Republican National Committee proposed to Ike a campaign that would italicize the communist issue.³⁷ The fact that the Democratic nominee, Adlai E. Stevenson, had once served as a character witness for Alger Hiss gave further promise that the subject would get a full airing. Nixon credentialed the Illinois governor with a “Ph.D. from [Secretary of State] Dean Acheson’s cowardly college of Communist containment.” Senator William Jenner, a McCarthy ally, predicted: “If Adlai gets into the White House, Alger gets out of the jail house.” Aside from one nationally televised speech, McCarthy played a secondary role in the national campaign, but he

intervened on behalf of fellow-Republicans in thirteen states and seemed still to be an important political force.³⁸ The talk in 1952 suggested the importance of anticommunism, but politicians' rhetoric is not always an accurate guide to voting behavior. In most public opinion samplings, communism did not rank as a top concern. A May 1952 Roper poll found 27 percent of Americans preoccupied with the issue of government spending and taxes, 24 percent with inflation and the cost of living, 13 percent with "corruption and dishonesty," and 8 percent with allegations of communism and socialism. In September Gallup asked respondents to list reasons to vote Republican: the number citing communism was too small to be itemized. In 1952 as in 1950 there was a disconnect between the grounds on which politicians urged citizens to make their decision and the voters' actual reasons. Such a disjunction makes it hard for political elites to function. They find it easier to merge an election's rhetoric with its outcome. This temptation had much to do with a central fact of the age: the tendency of fellow politicians and the media to exaggerate McCarthy's political clout. In part the "McCarthy era" lasted as long as it did because of this conflation of appearances and reality.³⁹

In 1954 many observers anticipated new excesses of political roughhousing. Democratic Party Chair Stephen A. Mitchell expected Republicans to "use the President to smile and McCarthy to smear." The nonpartisan Fair Campaign Practices Committee feared that campaigns would "descend to new and distressingly low levels." However, Republicans had now come to perceive McCarthy as a liability and isolated him from the campaign, a move whose wisdom the polls confirmed. In Illinois, for example, 16 percent of respondents would favor a McCarthy-backed candidate, but 35 percent would oppose him.⁴⁰ It is impossible to measure the extent to which his decline in status was linked to the distribution among political leaders of *Influences in the 1954 Mid-Term Elections*, a pamphlet by the statistician and political prognosticator Louis Bean. Subsidized by foes of McCarthy, the booklet claimed that Democrats against whom he had campaigned in 1950 and 1952 had not suffered damage and had even (in 1952) run ahead of Democrats he had ignored. Possibly this knowledge made some Democrats less timid and some Republicans less eager to rely on McCarthy or his campaign style. His censure was under consideration by a select committee, whose report, issued during the campaign, would be acted upon after the election. Democrats in Congress still fretted about the communist issue, as their support for the Communist Control Act, passed late in the session, made apparent. Two months later, according to veteran reporter William S. White, on the campaign trail "the 'Communist issue'—indeed, any kind of reference to com-

munism—is vastly less on the people’s lips than it was two years and four years ago.”⁴¹

That situation would soon alter, especially in the West, as the worried GOP revisited the communist issue, albeit without McCarthy. Periodically the Eisenhower administration had trumpeted the ever-growing numbers of security risks it had ousted from federal jobs. In October 1954 the Civil Service Commission reported dismissing 6,926 security risks in roughly a year. (Earlier, when a reporter asked Ev Dirksen if some such new total could be expected at this opportune date, the Illinois senator broke into a “broad grin.”) Ohio GOP Senate candidate George Bender asserted that “the Communists know that they can count on a far more favorable atmosphere under Democrats than under Republicans.”⁴²

Nixon bore the main burden of the 1954 Republican campaign. Slightly less stridently than in 1952, he thrust at Democratic laxity. Under Ike, “the threat of communism within our walls is no longer pooh-poohed and brushed off as a ‘red herring.’” “We have driven Communists, the fellow travelers and the security risks out of the Government by the thousands.” Nixon redoubled emphasis on the Democrats’ economic radicalism. If they won, “left wingers” would control their party and the nation would veer back to a “socialist tradition.” Republicans, he claimed, had found in government files a “blueprint for socializing America.” He tethered Democrats to the ADA again, picturing the latter group as blasé about communism and keen for socialism.⁴³

Democrats, even southerners, responded in irritation and, presumably, some confidence. South Carolina Senator Olin D. Johnson charged the vice president with leading a “fascist-type attack” utilizing “the big lie,” noting that while Nixon spoke of thousands of ousted Communists, the chairman of the Civil Service Commission had confessed “he knew of no single Government employee who had been fired because he was a Communist” or “fellow traveler.” In Wisconsin, Adlai Stevenson accused the campaigning Nixon of purveying “McCarthyism in a white collar.”⁴⁴

Insinuations of procommunism still materialized, particularly in western-state senate races. In Colorado, handbills asked, “How Red is John Carroll?” Pamphlets warned of “Senator [James] Murray and the Red Network over Congress,” depicting the Montanan as a red spider. In Illinois, Paul Douglas was termed “Mr. Capital ‘S’ of Socialism.” Some charges retained a sting, but a number seemed on the fringe. In a futile Texas primary challenge to Senator Lyndon B. Johnson, Dudley T. Dougherty advocated an exit from the UN, ending diplomatic ties with all communist nations, aggressive congressional

investigation of Reds, and outlawing the Communist Party. With ample conservative support, Johnson lost little sleep over Dougherty.⁴⁵

Narrowly the Democrats recaptured the House and Senate, but off-year electoral gains by the party out of power were normal, and these were slight. Economic issues cut for the Democrats. Polling evidence suggested that a more visible McCarthy would have harmed his party's prospects and that Republican devotion to expelling Reds from the federal bureaucracy was a theme that appealed to but 3 percent of one sample. Did Nixon's combative campaigning also cost votes? Not according to the savvy analyst Louis Bean, who reportedly concluded that Nixon's and Eisenhower's exertions may have saved their party twenty House seats.⁴⁶ The 1956 election revealed how passé McCarthy and his style had become. The senator was persona non grata in his party's activities, reportedly once even hustled from the stage when Nixon spoke in Milwaukee. (Nixon's office denied any repudiation, noting that McCarthy accompanied him around the state and once called him "one of the great men in America."⁴⁷) There was some talk of Hiss and red jobholders, but ex-president Truman triggered much of it with an eruption against Nixon for having in 1952 labeled him a "traitor." (Nixon actually called Truman, Acheson, and Stevenson "traitors to the high principles in which many of the nation's Democrats believe.") Truman also commented that he did not think Hiss had been a Communist or spy. To Republicans the outburst became fair game. They challenged Stevenson to respond. When he reavowed his view of Hiss's guilt, Nixon applauded, implying that the issue was no longer germane. His hint that his party would stress positive themes may have been a response to Stevenson's gibe that he and other Republicans were "back on the same low road" they pursued in 1954. Stevenson also listed among Ike's leadership failures the phase when McCarthy "conducted, unhampered, his career as a national bully." These exchanges measured how far the nation had traveled in two years.⁴⁸

In 1958 the theme was radicalism, not softness on communism. Again his party's featured orator, Nixon warned that Democratic gains in Congress would empower the party's "radical wing," or, as party chair Meade Alcorn put it, the "left-wing extremists." After a conference at the White House, a group of Republican leaders warned that "nationalization and socialization of industry" would follow a Democratic win. The Fair Campaign Practices Committee received reports of fourteen cases around the country of "imputations of softness on communism or shallow patriotism." The most bizarre instance may have been an anonymous Arizona handbill on which a leering Stalin (then dead five years) asked: "Why Not Vote for Goldwater?"⁴⁹

By 1958, amid spreading discourse on the national purpose, the Democrats called for closing the missile gap and regaining lost momentum in the face of the Soviet challenge. Senator John F. Kennedy, seeking reelection and eyeing a presidential race, so embroidered these themes that RNC chair Alcorn urged him to “discard your all-is-lost, Russia-is-the-best speech,” which might provoke the communists into “the most dangerous of miscalculations.” The communist threat continued to punctuate political rhetoric, but it increasingly moved offshore. Thus, while J. Edgar Hoover told Nixon that the latter’s riot-torn South American trip “made anti-Communism respectable again in the United States,” there too the stimulus was an event abroad.⁵⁰

By 1960, the communist threat as a personnel matter was dead. (There had been spy arrests under Eisenhower, and in 1960 two cryptanalysts defected to the USSR, but Democrats rarely addressed the topic.) Hard-nosed anticommunism was coming to be identified with a new political genus, the “extremists” or “ultra-right.” One might still ask which party could more effectively resist the Soviet juggernaut. Indeed, the Democrats increasingly resorted to such attacks in Ike’s second term, holding Republicans responsible for losing the race to orbit a satellite, for the missile gap and bomber gap, for the waning of U.S. prestige abroad and other evidence of “second-class” status, and, delicious irony, for the “loss” of Cuba to Castro.⁵¹

At a cultural level, hard-shell anticommunists still found reason to castigate Senator John F. Kennedy, the Democratic standard-bearer. Extremist anticommunism and anti-Catholicism could even fuse. One ill-wisher, warning that under JFK “the White House would turn into a nunnery,” endorsed a Protestant evangelist’s handbill titled “The Pink, Punk, Pro-Red Record of Senator Jack Kennedy.” That preacher found Kennedy soft on communism and prematurely counter-cultural in how he “sneered” at the loyalty oath, “shaking his head so violently, after the fashion of Elvis Presley doing his version of St. Vitus dance, that his shaggy, uncut, uncombed hair spilled down into his eyes.” On the other hand, some Democrats still feared Nixon would “lick Kennedy by use of the Communist issue. A leopard never changes its spots.”⁵²

Yet domestic communism was a nonstarter in 1960. After years of prosecutions, FBI infiltration, Khrushchev’s disillusioning 1956 de-Stalinization speech and other blows, real Reds were scarce. Nixon did not wish to be cast solely as the man who got Hiss, and surely not as a red-baiting hatchet man. The communist threat had assumed an increasingly foreign aspect—in far-flung trouble spots and in a broad competition for prestige and supremacy. Nixon’s “positives” stemmed from his foreign-policy expertise and experi-

ence, and from “standing up” to Khrushchev in the 1959 Kitchen Debate. An advisor cited a public mood of “no appeasement” to explain why Nixon got “a good crowd response with the line that no President should ever apologize to the Russians [as Kennedy had proposed after the Soviets downed a U-2 spy plane in May].”⁵³

Republicans argued that Democratic laments of second-place status furthered Soviet ends, and this worried some Democratic strategists: “So long as the Republicans are unethical enough to play on the ‘disloyalty’ theme, foreign affairs will have a built-in disadvantage for the Democrats.” A GOP congressman blamed partisan detractors for the riots in Japan protesting Ike’s projected visit, labeling them “America second-class powerists” and “crawl on our bellies to Moscowwites.” However, charges that they were “running down” America enabled Democrats to respond, as did Senator Henry M. Jackson, chairman of their national committee, that Nixon sought to “deny the American people even a part of what Mr. Khrushchev knows already through his vast spy network.” Voters “are not going to allow Mr. Nixon to hide the Republican record behind Nikita Khrushchev’s baggy pants.”⁵⁴

Though “McCarthyism” had been exorcized from public life, both sides shot occasional cautionary glances at the past. “Now that the scourge of McCarthyism has become simply an embarrassing national memory, and the ‘New Nixon’ is professedly driving only on the center of the high road,” red-baiting was apparently passé, but the Democratic National Committee warned of ongoing “tired distortions” of Roosevelt-Truman foreign policies.⁵⁵ Some Republicans expected Democrats to assail Nixon’s campaigns against Voorhis and Douglas.⁵⁶ Nixon reproved his New Hampshire campaign chairman for calling JFK soft on communism. He differentiated his “constructive conservatism” from Democratic radicalism largely in economic terms. He warned of features of the Democratic platform “that would lead to socializing or nationalizing basic institutions” and highlighted Kennedy’s as “the most radical program ever advocated by a Presidential candidate.” He charged that JFK’s farm program called for controls “which even Henry Wallace has said are as severe as those imposed in many Communist countries.” He labored to ensure that news stories did not convey lines such as “Nixon hints Kennedy soft on Communism.” There was little of the raw meat his fans had once enjoyed. Columnist Westbrook Pegler warned that he was repeating Dewey’s error. “Communism is your dish.”⁵⁷

Kennedy had an analogous problem: convincing liberals that *he* had distanced himself from McCarthyism. He had claimed credit for having a Communist witness cited for contempt a year before Nixon confronted Alger Hiss.

He passed Nixon a contribution from his father for the campaign against Helen Douglas. Liberals had never heard him rebuke McCarthy; indeed, the two were friendly. Ill during the censure fight, JFK later peddled a speech that would have urged censure at an early stage of the battle, and he reiterated that stand to peevish liberals. His subsequent fight against the loyalty oath required of applicants for loans under the National Defense Education Act served to buff his liberal credentials. As he geared up to run for president, Eleanor Roosevelt stated her qualms about his silence in the McCarthy era. Boosters of his rival Senator Hubert H. Humphrey noted that much of Kennedy's Wisconsin presidential primary vote came from places that once "provided huge majorities for Joe McCarthy."⁵⁸ Thus, political circumstances prompted both candidates, but especially Nixon, to finesse the communist issue.⁵⁹

When used, the old formula seemed quaint. A right-wing pamphlet exposed Lyndon Johnson's "left-wing voting record" and the praise he won from "extreme left-wingers" (namely the *Washington Post*). An Arizona congressman asserted that the Democrats' platform came "straight out of Marx's manifesto." Congressman Alvin Bentley, a Michigan Republican long enamored of the communist issue, charged Democratic Senator J. William Fulbright with blocking a bill "to stop the flow of Communist agents . . . by tightening passport laws." Frederic W. Airy assailed New Mexico's Democratic Senator Clinton P. Anderson for having "consistently voted with the 'soft-on-Communism' bloc." Airy did not survive even the Republican primary. As Anderson suggested to a home-state publisher, he had just spoken at the launching of the *Patrick Henry* and had been styled "Godfather" of this weapons system, so "surely the Navy would not have asked me to commission its newest submarine had this Administration felt I was soft on communism."⁶⁰

A slight uptick in anticommunism accented the 1962 campaign. Running against Governor Edmund G. "Pat" Brown, Nixon declared "fighting Communism within California" a key problem. A bumper sticker asked: "Is Brown Pink?" Others were nastier. The campaign showed how anticommunism had moved rightward. Conservative senate candidate Howard Jarvis attacked the ex-Democrat Ronald Reagan, leagued with one of his Republican rivals, for using "so many procommunist people on his General Electric show." Canvassing for Nixon, Reagan himself described mainstream liberals as "more dangerous than outright Communists." Dewey—the 1944, not the 1948, model—consoled the defeated Nixon that "you had the undying enmity of the Communists and their allies." In his famous "last" press conference, Nixon pointed to press hostility "ever since the Hiss case."⁶¹ In Florida, the far right resuscitated the Red issue by circulating a pamphlet entitled (as in

1950) "The Red Record of Senator Claude Pepper," but Pepper won a congressional seat even so.⁶² Nixon's defeat suggested that his advisors and he were out of touch with the political culture.

Identification with "extremism" limited anticommunism's electoral utility. Barry Goldwater seemed to sense this early in his 1964 presidential campaign, when he let down a conservative audience by saying he was "not overly concerned" about communists in government, though he feared the "fuzzy-wuzzy" minds of their sympathizers and those who did not "understand Communists." But in the fall his running mate William Miller and he struck themes evocative of a decade back. Congressman Miller scored Democratic vice-presidential nominee Hubert Humphrey's voting record as "clearly one of the most radical in Congress." Goldwater termed the Johnson administration "soft on Communism"; he said Humphrey wanted "to drag our nation into the swampland of collectivism." "Well, shades of Nixon," Humphrey riposted, recalling the "witch-hunting days of McCarthyism." Though Nixon denied counseling Goldwater on the matter and declared LBJ's anticommunism above reproach, Goldwater reiterated the charge. The Democratic landslide suggested that intimations of softness on communism carried scant weight outside the circle of true believers.⁶³

The last noisy gasp of election anticommunism arose as dissent over the war in Vietnam began to stir. New Jersey Republicans nominated Wayne Dumont Jr. for governor in 1965. He was given little chance to beat popular incumbent Richard J. Hughes. His chief issue was his zeal to fire Rutgers University historian Eugene D. Genovese for declaring at an antiwar teach-in that he welcomed "the impending Vietcong victory in Vietnam." Hughes dismissed the idea, upheld academic freedom, and said that Dumont's advocacy of a measure to make the Pledge of Allegiance mandatory "smacks of the McCarthy syndrome." He accused Dumont of seeking political profit from the deaths of American boys in Vietnam and of opening "a Pandora's box for the extremists." Bumper stickers appeared emblazoned "Rid Rutgers of Reds." A pro-Dumont handbill juxtaposed Genovese's remark, Hughes's position, and a depiction of tank-led Vietcong troops defiling a row of crosses over American graves. Several GOP leaders stumped for Dumont, but only Nixon endorsed his call to oust the professor. Hughes's easy victory convinced his party's state chairman "that elections can't be won by exploiting the unsubstantiated issue of soft on Communism."⁶⁴

The jolts of the late 1960s triggered a conservative reaction, but anti-communist politics did not revive. That genre was now so discredited that occasional breaches of the new consensus were promptly punished. In 1968

Governor Spiro Agnew termed the deeply anticommunist Democratic presidential candidate Hubert Humphrey “squishy soft on communism.” Hostile editorial reaction compelled the Republican vice-presidential nominee to regret and withdraw his crack. In 1972, Senator Henry M. Jackson charged that the “left-wing extremism” of Senator George S. McGovern, the front-runner for the Democratic presidential nomination, would lead to an ignominious defeat. He criticized McGovern’s support for Henry A. Wallace in 1948. Americans for Democratic Action, liberal foes of Wallace in 1948, nevertheless blasted this “smear.” A Democratic congressman insinuated that Jackson thought to salvage his sinking candidacy “by becoming the Democratic Party’s Spiro Agnew.”⁶⁵ McGovern was nominated anyway—and whipped by Nixon.

By 1972, with scattered exceptions, the Red Menace had outlived its electoral usefulness by nearly twenty years. It never elected a president. Though it eroded FDR’s support in 1944 and generated bombast in 1952, it proved decisive in neither year. Perhaps its greatest influence came, backhandedly, in 1948, when it was the dog that didn’t bark. It may have been more pivotal in off-year contests—certainly in particular races, and in 1938, 1946, and 1950. Though anticommunism gave Republicans a way to nationalize the rhetoric of these clusters of local campaigns, in no instance was it a controlling national issue. Still, for what it lacked in weight it compensated in noise.

Several factors explained the issue’s rise and decline. It blended snugly with conservative politics in either major party—it gave point to onslaughts against bureaucrats, excessive and remote central authority, and “socialistic” programs. It could be used to attack any reform cause, from labor and feminism to civil rights to fluoridation of water. It served to validate objections to change—offering a shorthand means to oppose such trends as the shift from a rural and small-town to an urban society, from a nation governed near at hand to one run from Washington, from an existence ruled by tradition to a life bent by stressful change.⁶⁶ The New Deal made conservatives fear that traditional American values of localism, individualism, and limited government were crumbling; it was natural for many to ascribe such changes to un-American influences around Roosevelt.

To be salient, however, the communist issue required a convergence of circumstances. First, a plausible Soviet threat was required. The brief first Red Scare collapsed in 1920 as the menace failed to meet Attorney General Palmer’s dire predictions. In the late 1930s, notably during the Nazi-Soviet Pact, the totalitarian danger underpinned a new drive against subversives of the left and the right. The machinery of later anticommunist activism—the

Smith Act and the earliest federal loyalty program, for example—originated in this era. The Cold War naturally prompted further anticommunist disquiet, and the Hiss case, the Rosenberg trial, and other episodes suggested that there was a basis for concern. It was no happenstance that the peak of anti-communist activism occurred in the period of most sustained East-West tension, that McCarthy's run in the national spotlight coincided with the Korean War and that his political demise came soon after the Korean armistice. In its long turn on the national stage, anticommunism bulked up conservative attacks against the New Deal and liberalism generally. It combined well with other oppositional themes in an age of growing state power, urbanization, and societal complexity. Small-town legislators often saw Reds as a big-city, "eastern" phenomenon. Assuredly simple and genuine countryside ways clashed with urban sophistication. Thus, the conservative *Indianapolis Star* identified the "shrillest criticism of Nixon" in 1952 as originating among "the 'liberal' martini sipping set in New York, Washington and Hollywood."⁶⁷ These cultural connections with anticommunism were always relevant, but, save when reinforced by the presence of a sense of crisis engendered by the dangers of the late 1930s and the first decade of the Cold War, they lacked force to dominate American politics.

NOTES

1. Another leader, J. Edgar Hoover, though never elected to office, plied the communist issue so astutely as to secure preferred status for the Federal Bureau of Investigation and himself. See Athan G. Theoharis and John Stuart Cox, *The Boss: J. Edgar Hoover and the Great American Inquisition* (Philadelphia: Temple University Press, 1988); and Richard Gid Powers, *Secrecy and Power: The Life of J. Edgar Hoover* (New York: Free Press, 1987).

2. Stanley Coben, *A. Mitchell Palmer: Politician* (New York: Columbia University Press, 1963), 261–262; Robert K. Murray, *Red Scare: A Study in National Hysteria* (Minneapolis: University of Minnesota Press, 1964 [1955]), 66; M. J. Heale, *American Anticommunism: Combating the Enemy Within, 1839–1970* (Baltimore: Johns Hopkins University Press, 1990), 76.

3. The Conference for Progressive Political Action, the organizational vehicle for La Follette's candidacy, refused at a 1922 meeting to seat delegates from the Workers Party, which stood for an "un-American" political tendency. Kenneth Campbell MacKay, *The Progressive Movement of 1924* (New York: Columbia University Press, 1947), 80, 87–88.

4. E. C. Stokes to Dwight Morrow, September 13, 1924, Morrow MSS, Robert Frost Library, Amherst College; *New York Times*, September 12, 1924, p. 1, September 19, 1924, p. 4, September 24, 1924, p. 4; MacKay, *Progressive Movement*, 164, 166.

5. On red-baiting in the Teapot Dome controversy, see Richard Gid Powers, *Not Without Honor: The History of American Anticommunism* (New York: Simon & Schuster, 1995), 70–72; of feminists, see J. Stanley Lemons, *The Woman Citizen: Social Feminism in the 1920s* (Urbana: University of Illinois Press, 1973), chap. 8 and passim; of settlement houses, see Heale, *American Anticommunism*, 90.

6. *New York Times*, November 6, 1932, pp. 25, 30; Donald J. Lisio, *The President and Protest: Hoover, Conspiracy, and the Bonus Riot* (Columbia: University of Missouri Press, 1974), 56–59, 197–199, 218–219, 229–230, 234.

7. Philip L. Cantelon, “In Defense of America: Congressional Investigations of Communism in the United States, 1919–1935” (Ph.D. diss., Indiana University, 1971), 264–280. On ’30s anticommunism see Powers, *Not Without Honor*, 129–132.

8. George Wolfskill, *The Revolt of the Conservatives: A History of the American Liberty League, 1934–1940* (Boston: Little, Brown, 1962), 208, 209; *New York Times*, September 20, 1936, p. 26, September 22, 1936, p. 11, October 7, 1936, p. 7, October 2, 1936, p. 5, October 16, 1936, p. 18. Cf. Arthur M. Schlesinger Jr., *The Politics of Upheaval* (Boston: Little, Brown, 1960), 622–625.

9. *New York Times*, September 20, 1936, pp. 1, 29, September 30, 1936, p. 17, October 9, 1936, p. 1; Max Lerner, “Roosevelt and His Fellow-Travelers,” *Nation* 143 (October 24, 1936): 471. For newspaper claims of Soviet support for FDR, see W. Cameron Meyers, “The Chicago Newspaper Hoax in the ’36 Election Campaign,” *Journalism Quarterly* 37 (Summer 1960): 356–364.

10. George H. Mayer, *The Political Career of Floyd B. Olson* (Minneapolis: University of Minnesota Press, 1951), 177, 240, 243, 250; Greg Mitchell, *Campaign of the Century: Upton Sinclair’s Race for Governor and the Birth of Media Politics* (New York: Random House, 1992); John B. Chapple to Daniel W. Hoan, April 4, 1936, 1936 General Folder, Hoan MSS, Milwaukee County Historical Society.

11. The crusade against radicalism always had a strong nativist streak (though less so in the hands of Joe McCarthy). An early probe of communism led by Rep. Hamilton Fish (R., N.Y.) defined the threat largely as of foreign origin. The 1931 inquiry took place as the Depression deepened and energized those who wanted to tighten an already restrictive immigration policy. See Cantelon, “In Defense of America.”

12. *New York Times*, November 5, 1938, pp. 4, 7; November 6, 1938, pp. 4, 10; Sidney Fine, *Frank Murphy: The New Deal Years* (Chicago: University of Chicago Press, 1979), 502–516; Robert E. Burke, *Olson’s New Deal for California* (Berkeley: University of California Press, 1953), 29–31; *Nation* 147 (November 26, 1938): 464–465.

13. *New York Times*, September 1, 1938, p. 4, September 10, 1938, p. 2, September 13, 1938, p. 9, September 21, 1938, p. 20, November 9, 1938, p. 13.

14. Krock later advised critics of this coalition that FDR's following had once itself been a union of "former Republicans, former Socialists, Farmer-Laborites, descendants of the Populists and Free Silverites . . . and roving labor and intelligentsia groups" and occasional "Communists and fellow travelers." *New Republic* 97 (November 23, 1938): 57; *New York Times*, November 10, 1938, p. 1; March 10, 1946, p. 4.

15. *New York Times*, November 5, 1938, p. 5, November 6, 1938, p. 8; *Nation*, 147 (November 19, 1938): 525. Similar charges sometimes roiled intraparty battles. In a race for the Wisconsin Progressive Party nomination for the U.S. Senate, the more centrist Herman Ekern charged that the economic planning system proposed in Congressman Thomas R. Amlie's industrial expansion bill resembled a Soviet Five-Year Plan. John E. Miller, *Governor Philip F. La Follette, the Wisconsin Progressives, and the New Deal* (Columbia: University of Missouri Press, 1982), 152.

16. On the habit of terming foreign-policy foes a fifth column, see Wayne S. Cole, *Roosevelt and the Isolationists, 1932-1945* (Lincoln: University of Nebraska Press, 1983), 397-411, 456; Richard W. Steele, "Franklin D. Roosevelt and His Foreign Policy Critics," *Political Science Quarterly* 94 (Spring 1979): 15-35.

17. *New York Times*, June 25, 1940, p. 17, August 30, 1940, p. 1, October 26, 1940, p. 1, November 1, 1940, p. 1, November 2, 1940, p. 8; Samuel I. Rosenman, ed., *The Public Papers and Addresses of Franklin D. Roosevelt* (New York: Random House, 1938), 8:532.

18. Press release, May 16, 1942, Official File (OF) 3997, Franklin D. Roosevelt Library (FDRL); Rev. Joseph F. Scannel to [Stephen Early], May 17, 1942, *ibid*; Father J. Hamel to FDR, October 23, 1944, OF 299, FDRL; William D. Hassett to Hamel, October 31, 1944, *ibid*. See generally George Sirgiovanni, *An Undercurrent of Suspicion: Anti-Communism in America during World War II* (New Brunswick, N.J.: Rutgers University Press, 1990).

19. Clipping, *Cleveland News*, September 27, 1944, OF 3997, FDRL.

20. *New York Times*, September 26, 1944, October 8, 1944, p. 1, October 26, 1944, p. 15; handbill, "Dewey . . . Bricker for Victory Peace Unity," Box 7, OF 4070, FDRL.

21. Ickes speech, September 24, 1944, Box 1163, Democratic National Committee Papers; "Address of Hon. Oscar R. Ewing," October 27, 1944, Box 1159, *ibid*.; Publicity Bureau press release, Blue Network, NBC, Nov 1, 1944, Box 1163, *ibid*.; DNC radio script, CBS, November 6, 1944, Box 33, Stephen T. Early Papers, all FDRL; *New York Times*, October 6, 1944, p. 14. On the "Zinoviev Letter," see "Notes on Republican National Committee October strategy," n.d., with Robert E. Hannegan to Hopkins and Rosenman, September 30, 1944, Box 138, Harry H. Hopkins Papers, FDRL;

clipping, Robert G. Spivack, "Look for Last-Ditch Blast by G.O.P. to Scare Voters," *New York Post*, October 17, 1944, Box 6, Rosenman Papers, *ibid*.

22. Unsigned note, n.d. [October 1944] from Roper, attached to "Bill" [Hassett] to "Grace" [Tully], filed October 27, 1944, President's Secretary's File (PSF): Public Opinion Polls; Merriam to Hopkins, October 30, 1944, Box 211, Hopkins Papers, FDRL; clipping, "Repudiation?" *New York Daily Mirror*, October 7, 1944, Box 25, Samuel N. Rosenman Papers, FDRL; cf. Richard Polenberg, *War and Society: The United States, 1941–1945* (Philadelphia: J. B. Lippincott, 1972), 208–209.

23. *New York Times*, April 12, 1946, p. 17, May 29, 1946, p. 2, September 22, 1946, p. 53, October 21, 1946, p. 1, October 22, 1946, p. 2; *Milwaukee Journal*, October 2, 1946, p. 20; Roger Morris, *Richard Milhous Nixon: The Rise of an American Politician* (New York: Henry Holt, 1990), chaps. 10–11.

24. *Milwaukee Journal*, August 7, 1946, August 8, 1946, p. B2, October 17, 1946, p. B1; Patrick J. Maney, "Young Bob" *La Follette: A Biography of Robert M. La Follette, Jr., 1895–1953* (Columbia: University of Missouri Press, 1978), 298 and *passim*.

25. *New York Times*, October 13, 1946, p. D6, November 1, 1946, p. 1; Tom Wick-er, *One of Us: Richard Nixon and the American Dream* (New York: Random House, 1991), 41, 48. Patrick Maney notes that during the fall ex-candidate La Follette spent more energy on the communist issue (in his writings) than did candidate McCarthy. "Young Bob," 303. On the campaign generally, see James Boylan, *The New Deal Coalition and the Election of 1946* (New York: Garland, 1981).

26. Richard M. Fried, *Nightmare in Red: The McCarthy Era in Perspective* (New York: Oxford University Press, 1990), 81–82; but cf. Ken Hechler, *Working with Truman: A Personal Memoir of the White House Years* (Columbia: University of Missouri Press, 1982), 96.

27. Hechler, *Working with Truman*, 97; unsigned memorandum [George M. Elsey], "Random Thoughts 26 August [1948]," Internal Security—Congressional Loyalty Investigations, Subject File, Elsey Papers, Harry S. Truman Library, Independence, MO; address by Beauford H. Jester, Texas Democratic Barbeque, April 20, 1948, Box 5, Famous Names File, Lyndon Baines Johnson Archive, LBJ Library, Austin, Texas. Two years later, South Carolina Governor Strom Thurmond, the States' Rights presidential candidate of 1948, attacked Truman's program as "un-American, Communistic and anti-Southern." *Milwaukee Sentinel*, February 14, 1950, p. 2.

28. Memorandum, Robert Humphreys et al., n.d. [1948], Box 7, Humphreys Papers, Dwight D. Eisenhower Library; William Loeb to Dewey, August 26, 1948, Box 1, *ibid*.; Charles D. Breitell to Loeb, September 7, 1948, Box 3, *ibid*. Truman's Justice Department also pondered referring the issue of "Soviet espionage in the Federal Government" to a high-level bipartisan commission. George M. Elsey, memorandum for

Clark M. Clifford, August 16, 1948, Subject File, Internal Security— Congressional Loyalty Investigations, Elsey Papers, Harry S. Truman Library.

29. Richard Norton Smith, *Thomas E. Dewey and His Times* (New York: Simon & Schuster, 1982), 492–494, 507–508, 515; George S. Schuyler, *Black and Conservative* (New Rochelle, N.Y.: Arlington House, 1966), 311–312; Richard M. Fried, *Men against McCarthy* (New York: Columbia University Press, 1976), 15–17; Irwin Ross, *The Loneliest Campaign: The Truman Victory of 1948* (New York: New American Library, 1968), 54–57, 187–188; Earl Latham, *The Communist Controversy in Washington from the New Deal to McCarthy* (Cambridge, Mass.: Harvard University Press, 1966), 396.

30. Dulles to Lehman, October 30, 1949, Special File, Lehman MSS, Columbia University; Independent Citizen's Committee for Election of Herbert H. Lehman as U.S. Senator, "Sample Three-Minute Speech for Sound Truck," October 22, 1949, *ibid.*; Lehman speech, September 22, 1949, "Elections—New York—1949" folder, *ibid.* Dulles thought Lehman's charge of anti-Semitism pivoted on his need, in the prevailing balance of New York ethnic politics, to "get, to all intents and purposes 100% of the Jewish vote." Dulles to Richard Stone, February 13, 1952, Folder 1, Box II (Correspondence, 1952–1054), Dulles MSS, Princeton University.

31. Mundt to Raymond Hieb, May 29, 1950, Political Campaigns DB 5, U.S. Senate 1950, Mundt MSS, Dakota State College.

32. Fried, *Men against McCarthy*, 95–101; Morris, *Nixon*, 555, 560, 580.

33. *Daily Oklahoman*, October 21, 1950, p. 1; *Denver Post*, October 7, 1950, p. 2; *Milwaukee Sentinel*, February 15, 1950, p. 1. Considine praised two senators "jabbing" at the octopus—Estes Kefauver and Joe McCarthy.

34. Mundt to Nixon, May 8, 1950; to Dirksen, August 4, September 13, 1950; to John M. Butler, September 30, 1950, all in "Political Campaigns US Senate 1950," Mundt MSS.

35. Robert W. Griffith, *The Politics of Fear: Joseph R. McCarthy and the Senate* (Lexington: University Press of Kentucky, 1970), 124–127, 131; Fried, *Men against McCarthy*, chaps. 4–5. A Truman aide noted that the Democrats' loss of five Senate and twenty-eight House seats was "far less than the usual mid-term trend throughout history." Kenneth Heckler memorandum, "The 1950 Elections," November 15, 1950, George Elsey Papers, HSTL.

36. Griffith, *Politics of Fear*, 126, 129–131; Fried, *Men Against McCarthy*, 118–121, 136–140; Caroline H. Keith, "For Hell and a Brown Mule": *The Biography of Senator Millard E. Tydings* (Lanham: University Press of America, 1991), chap. 2.

37. How firmly Eisenhower committed himself to this strategy is unclear. Jeff Broadwater, *Eisenhower and the Anti-Communist Crusade* (Chapel Hill: University of North Carolina Press, 1992), 38–39.

38. Fried, *Men against McCarthy*, 233–234; *Indianapolis Star*, September 7, 1952, p. 16.

39. “What the Opinion Surveys Said in May, 1952,” Folder 3, Box 6, Hugh B. Mitchell MSS, University of Washington; *Indianapolis Star*, September 20, 1952, p. 4; Fried, *Men against McCarthy*, 232–234, 240; Griffith, *Politics of Fear*, 195. On the slight salience of the communist issue, also see Broadwater, *Eisenhower*, 44, 51–52.

40. Harry Louis Selden (Fair Campaign Practices Committee) to Bruce Barton, Box 20, Barton MSS, State Historical Society of Wisconsin; *New York Times*, June 28, 1954, p. 13, September 19, 1954, p. 7, October 3, 1954, p. 7; International Research Associates, Inc., State Poll, 11954, Illinois, Misc. Box 2, Paul Douglas MSS, Chicago Historical Society (CHS).

41. Louis H. Bean, *Influences in the 1954 Mid-Term Elections* (Washington, D.C.: Public Affairs Institute, 1954), 18–32; Griffith, *Politics of Fear*, 241–242; *New York Times*, October 10, 1954, IV, 5.

42. *New York Times*, October 12, 1954, pp. 1, 21, October 25, 1954, p. 18, October 27, 1954, p. 19.

43. *New York Times*, June 27, 1954, p. 37, September 18, 1954, p. 11, September 29, 1954, p. 19, October 2, 1954, p. 9, October 14, 1954, p. 26, October 21, 1954, p. 22.

44. *New York Times*, October 1, 1954, p. 13, October 23, 1954, p. 1.

45. Fried, *Men against McCarthy*, 303; Joseph T. Meek, speech, Republican State Convention, June 12, 1954, Box 1, Meek MSS, CHS; Willis Ballinger, “The Texas Story,” Committee for Constitutional Government, *Spotlight for the Nation*, No. D-269 [1954]; Herman Brown to Committee for Constitutional Government, June 2, 1954, both Box 13, Selected Names File, LBJ Archive, Lyndon Baines Johnson Library. Carroll lost; Murray was reelected.

46. CIO poll, “1954 Opinion Survey,” n.d., Paul H. Douglas MSS, CHS; Angus Campbell and Homer Cooper, *Group Differences in Attitudes and Votes* (Ann Arbor: University of Michigan Press, 1956), 66; Leonard W. Hall to Nixon, Dec. 13, 1954, Box 313, Gen. Corres., Nixon Papers, National Archives and Records Administration—Laguna Niguel. Cf. Broadwater, *Eisenhower*, 163.

47. Robert L. King to Edward F. Mahon, October 22, 1956; King to Kermit W. Lueck, October 30, 1956; clipping, *Minneapolis Star*, “Nixon Snubs Sen. McCarthy,” n.d., all Box 490, Gen. Corres., Nixon Papers, NARA—Laguna Niguel.

48. *New York Times*, September 4, 1956, pp. 1, 18, September 5, 1956, p. 20, September 13, 1956, p. 1, September 15, 1956, p. 8, September 18, 1956, pp. 1, 20, September 19, 1956, p. 1, September 27, 1956, p. 28.

49. *New York Times*, October 9, 1958, p. 31, October 11, 1958, p. 14, October 12, 1958, p. 71, October 13, 1958, p. 17; Fair Campaign Practices Committee, Inc., “Report: The State-by-State Study of Smear: 1958” (September 1959), “Political Ques-

tions" folder, Box 24, Civic Interests, Papers of John D. Rockefeller Jr., Rockefeller Archives Center, Pocantico Hills, N.Y.; Rice R. Rice, "The 1958 Election in Arizona," *Western Political Quarterly* 12 (March 1959): 271.

50. Meade Alcorn, press release, September 25, 1958, Box 25, Gen. Corres., Nixon Papers; Nixon to Murray Chotiner, June 23, 1958, Box 119, *ibid.*

51. Mary C. Brennan, *Turning Right in the Sixties: The Conservative Capture of the GOP* (Chapel Hill: University of North Carolina Press, 1995), 50–51; Powers, *Not Without Honor*, chap. 10; Kent M. Beck, "Necessary Lies, Hidden Truths: Cuba in the 1960 Campaign," *Diplomatic History* VIII (Winter 1984): 44–55.

52. ——— to Lyndon Baines Johnson, June 2, 1960, Box 76, Senate Political File, LBJL; Dan Gilbert, "Inside Election Report—No. 1," (Upland, Calif., 1960), *ibid.*; Clarence C. Dill to Sen. Henry M. Jackson, August 22, 1960, Folder 15, Box 249, Jackson MSS, Accession No. 3560-3, University of Washington.

53. Claude Robinson to Nixon, September 1, 1960, Box 646, Gen. Corres., Nixon Papers. For Nixon's "self-education" during his vice presidency, see Anthony R. Maravillas, "Nixon in the Fifties" (Ph.D. diss., University of Illinois at Chicago, 2001).

54. Unsigned memorandum, "Foreign Affairs as a Campaign Issue," n.d. [1960], Folder 26, Box 247, Jackson MSS; Rep. William G. Bray, press release, June 18, 1960, Box 99, Gen. Corres., Nixon papers; Jackson speech, Clarksburg, W.Va., October 1, 1960, Folder 11, Box 23, Jackson MSS.

55. Democratic National Committee, "FACTS for Victory in 1960," (August 1960), Box I-42, Wayne Morse MSS, University of Oregon.

56. Poll data, revealing how few voters knew of these episodes, discouraged such a step. Unsigned memorandum, n.d. [1960], "The Nixon Imagery," Folder 26, Box 247, Jackson MSS; Warren E. Miller to "George" [Belknap?], January 22, 1960, Box 30, Charles S. Murphy Papers, HSTL. For one attempt to raise the subject, see party chair Paul Butler in transcript, CBS "Face the Nation," January 3, 1960, Box 2, Famous Names File, LBJ Archive, LBJL.

57. *New York Times*, March 8, 1960, pp. 1, 25; memorandum, Neil Cotter to Robert H. Finch, "Campaign Tactics," January 6, 1960, Box 183, Gen. Corres., Nixon Papers; Nixon to Claude Robinson, April 9, 1960, Box 1, 1960 Campaign Series, Nixon Papers; Nixon speech copy, Tampa, Florida, October 18, 1960, Box 2, *ibid.*; memorandum, Nixon to Fred Seaton, September 21, 1960, Box 1, *ibid.*; Pegler to Nixon, October 4, 1960, Box 585, Gen. Corres., *ibid.*

58. Christopher Matthews, *Kennedy & Nixon: The Rivalry That Shaped Postwar America* (New York: Simon & Schuster, 1996), 70, 88, 108–109; *New York Times*, March 31, 1958, p. 11; JFK to Frank Altschul, May 20, 1960, Folder 450b, Herbert H. Lehman MSS; Orville L. Freeman to Sen. Mike Mansfield, April 22, 1960, XIV/48, Folder 1, Mansfield MSS, University of Montana.

59. Economist John Kenneth Galbraith rightly predicted that Nixon would not revisit old haunts. "We must assume that he has learned better." Some more fearful Democrats found comfort that "Johnson on the ticket ha[d] taken away from the GOP the charge of 'radicalism.'" Galbraith memorandum, "Campaign Strategy, 1960," n.d. [July, 1960], Box 996, John F. Kennedy Pre-Presidential File, JFKL; unsigned "Memorandum for the Press," n.d. [1960], Reference File, 1960 Campaign, LBJ Archive, LBJL.

60. Handbill, "How Can the South Support Lyndon Johnson for President? Senator Johnson's Left-Wing Voting Record," *The Independent American* [n.p., 1960], Box 16, VIP File, Nixon Papers; clipping, *Phoenix Gazette*, August 8, 1960, Box 76, Senate Political File, LBJL; RNC Press Release, October 31, 1960, Box 77, Gen. Corres., Nixon Papers; Airy press release, April 7, 1960, Box 421, Clinton P. Anderson MSS, Library of Congress; clipping, *Albuquerque Tribune*, April 4, 1960, *ibid.*; Anderson to Floyd B. Rigdon, April 12, 1960, *ibid.*

61. Nixon said Brown was anticommunist, but ineffectual. Stephen E. Ambrose, *Nixon: The Education of a Politician, 1913–1962* (New York: Simon & Schuster, 1987), 656, 658–661, 665, 670–671; "Murray Chotiner telephone call to rmw [Rosemary Wood], April 17, 1962, Box 147, Gen. Corres., Nixon Papers; Dewey to Nixon, Box 214, *ibid.* Dewey also noted public outrage over the fact that Alger Hiss was invited to offer televised comment on Nixon's political demise.

62. "Art" [H. Courshon] to Hubert H. Humphrey, April 23, 1962, Box 593, Humphrey MSS, Minnesota Historical Society; Harry LaFontaine to Claude D. Pepper, April 17, 1962, *ibid.*

63. *New York Times*, February 15, 1964, p. 11, September 6, 1964, pp. 1, 44, September 30, 1964, pp. 1, 22, October 1, 1964, p. 22, October 3, 1964, p. 14, October 9, 1964, p. 26, October 27, 1964, p. 21.

64. *New York Times*, July 30, 1965, p. 29, July 31, 1965, p. 18, October 13, 1965, p. 60, October 17, 1965, p. 84, October 25, 1965, pp. 1, 31, November 1, 1965, p. 46, November 3, 1965, p. 1.

65. Clipping, *Washington Daily News*, April 27, 1972, Folder 4, Box 4, Sterling Munro MSS, University of Washington; telegram, Joseph L. Rauh Jr. to Jackson, May 2, 1972, *ibid.*; Herman Badillo to Jackson, May 2, 1972, *ibid.*

66. For suggestive discussion of some of these connections, see David A. Horowitz, *Beyond Left & Right: Insurgency and the Establishment* (Urbana: University of Illinois Press, 1997).

67. *Indianapolis Star*, September 22, 1952, p. 14.

5

THE ETHICAL RESPONSIBILITIES OF THE SCIENTIST: THE CASE OF J. ROBERT OPPENHEIMER

Richard Polenberg

In the spring of 1946, J. Robert Oppenheimer delivered a series of six lectures on atomic energy at Cornell University. He was a guest of the physics department, among whose members he counted several friends, veterans of the wartime Manhattan Project he had directed. For his efforts in developing the atomic bomb, Oppenheimer had recently been awarded the United States Medal for Merit, the highest honor the government can bestow on a civilian. Within the year he would accept a prestigious position as director of the Institute for Advanced Study at Princeton. When he visited Cornell, Oppenheimer was at the very pinnacle of his career.

Despite this public esteem, Oppenheimer's whereabouts were profoundly interesting to the Federal Bureau of Investigation. So much so, in fact, that the FBI obtained a detailed report on his comings and goings during the two weeks he spent at Cornell. The FBI learned how he spent his time on campus, how much he was paid for giving the lectures, what he said in them, how large an audience he had, who he met at various social functions, where he was housed, and to whom he made long distance telephone calls. The report concluded with assurances that Oppenheimer was "not contacted by any radical individuals" or "by any faculty members who were regarded as leftists," and that, fortunately, there were no "active . . . Soviet agents in the vicinity of Ithaca."¹

This information was provided by "Confidential Informant T-1," who was identified only "as an official of Cornell University." The informant, it turns out, was Edward K. Graham, secretary of the university, who was, sad to say,

a former graduate student in history—later described by one of his professors as “a wild sort of chap . . . not an ounce of sense in his head”—who had moved on into administration.² He was only one of many agents and informants who spent their time shadowing Oppenheimer. When his FBI file was released under the Freedom of Information Act, it became evident that Oppenheimer was periodically monitored from 1941 until his death in 1967. One of the last documents in the file is the obituary in the *New York Times*.

The files reveal that the FBI not only trailed Oppenheimer but also tapped his home telephone. There are transcripts of conversations with Undersecretary of State Dean G. Acheson, United States Supreme Court Justice Felix Frankfurter, Atomic Energy Commissioner David E. Lilienthal, and Wall Street financier Bernard Baruch, none of whom would seem to qualify as dedicated agents of the international communist conspiracy. Oppenheimer surely suspected that his phone was tapped. Calling his wife, Katherine, from Cornell, he heard a clicking sound and joked, “The FBI must just have hung up.” Katherine, the transcript reports, merely giggled.³

As it turns out, the government did far more to Oppenheimer than subject him to surveillance and eavesdrop on his conversations. In December 1953 President Dwight Eisenhower erected a “blank wall” between Oppenheimer and classified information, and in June 1954 the Atomic Energy Commission stripped him of his consultant’s contract on the grounds that he was a poor security risk. Many observers believed that the physicist was being punished because since 1949 he had opposed U.S. efforts to build a hydrogen bomb. He therefore came to be viewed with some reason as a tragic hero, victimized for voicing honest doubts about the escalating arms race.

Yet Oppenheimer’s tale is not merely one of injustice and persecution. Rather, his career illustrates the dilemma that confronts a scientist faced with the prospect of making ever more destructive weapons available to the state, and faced with the problem, therefore, of deciding whether it is ever appropriate to refuse such cooperation and, if so, on what grounds. Oppenheimer’s dilemma was especially acute because he cared so deeply about ethical issues. His role as a leader in his generation of physicists derived not only from his brilliance as a theorist of quantum mechanics, but also from his sensitivity to the ethical implications of nuclear and thermonuclear warfare, from his conviction, that is, that science and moral responsibility were somehow inseparable.

In his marvelous memoir *Disturbing the Universe*, Freeman Dyson, who was a friend of Oppenheimer’s, writes: “The best way to approach the ethical problems associated with science is to study real dilemmas faced by real sci-

entists.”⁴ I believe Dyson is right, and so my approach in this essay will be to discuss the religious, philosophical, and political influences that shaped Oppenheimer’s outlook; then to examine the divergent ways in which that outlook shaped his decisions regarding the atomic bomb and the hydrogen bomb; and finally to speculate about how certain unresolved ambiguities in that outlook may have undermined his ability to defend himself at the 1954 security-clearance hearing.

ETHICAL CULTURE: THE LEGACY OF FELIX ADLER

J. Robert Oppenheimer was born in New York City in 1904. His father, Julius, had emigrated to the United States from Germany in 1888 at the age of seventeen and in 1903 married Ella Friedman. They had two sons, Robert and Frank, who was born in 1912. (A third child died in infancy.) Julius Oppenheimer, an importer of fabrics and textiles, became quite wealthy, and so the family enjoyed comfortable surroundings: a luxurious, beautifully furnished apartment on Riverside Drive and Eighty-eighth Street: servants, including a butler, a maid, and a chauffeur; and a private art collection with works by Van Gogh, Cezanne, and Gauguin. Summers were spent at Bay Shore, Long Island, where the family had a vacation home. When Julius died in 1937 (his wife had died in 1931), he left his sons an inheritance of nearly \$400,000, a considerable fortune in those days.

Although they were Jewish, the Oppenheims were not practicing Jews. Instead they belonged to the Society for Ethical Culture, founded by Dr. Felix Adler in 1876. Julius Oppenheimer, who served for many years on the board of the society, was a friend of Adler’s. Once, writing a poem in honor of his father’s fiftieth birthday, Robert commented that “he swallowed Dr. Adler like morality compressed.”⁵ Both Oppenheimer boys attended the Ethical Culture School on Central Park West near Sixty-third Street, Robert from September 1911, when he entered the second grade, until his graduation from high school in 1921. The Ethical Culture movement, therefore, was profoundly important in the shaping of Robert Oppenheimer’s moral universe.

Felix Adler had originally intended to enter the rabbinate, following in the path of his father, who presided over Temple Emanu-El, a reform synagogue in New York City. Upon graduating from Columbia College in 1870, he went to Germany to study theology and literature. During the three years he spent in Berlin and Heidelberg, however, he was exposed to the “Higher Criticism” of the Bible, a field of inquiry then flourishing under the intellectual leader-

ship of Julius Wellhausen and Adler's teacher, Abraham Geiger. Applying modern techniques of textual analysis to the Old Testament, these scholars concluded that the Torah had been composed by different individuals at different times, and therefore could not have been inspired by divine will. Their findings contradicted fundamental tenets of Judaism—that the children of Israel had a special covenant with God, for example, and that the Ten Commandments expressed eternal truths.⁶

Felix Adler had begun to experience religious doubts even before arriving in Germany; now, the Higher Criticism fatally undermined his faith in Judaism. When he returned to the United States, he recalled, he attended a Sabbath service. After the reading of the Torah, the scrolls were lifted for all to see and the congregation chanted: "And this is the Law which Moses set before the people of Israel." But Adler no longer believed in the Torah's authenticity: "Was I to repeat these words?" he asked, and answered his own question: "It was impossible. I was certain that they would stick in my throat."⁷

After briefly teaching Oriental and Hebrew literature at Cornell University, Adler returned to New York City to found the Society for Ethical Culture, to which he devoted the rest of his life. Adler maintained that men and women had the capacity and the duty to lead morally righteous lives. To behave ethically required treating other people as ends in themselves, not as a means to one's own ends. Such behavior, "first-rate conduct" Adler liked to call it, would elicit the best in others and therefore in oneself. But the duty to behave ethically did not exist because God had ordained it and would reward those who obeyed His will and punish those who did not. Rather, Adler followed Immanuel Kant in asserting that human beings had an innate moral faculty capable of distinguishing right from wrong. "The moral law lives," Adler said, "whether there is a God or not."⁸

The Ethical Culture movement neither affirmed nor denied the existence of God, but it surely denied the existence of what most people mean by the word. If there were a God, Adler explained, it was not an omniscient God who provided meaning to the universe; or a personal God to whom one should pray; or an omnipotent God, since, as Adler wrote, "one cannot love infinite power and majesty." Most important, if there were a God it was not an ineffable God whose existence required belief in anything that offended reason. Adler wanted to create a "religion for adults" that would "satisfy [the] intellect," would be consistent with observable scientific truth, and would stress the performance of good deeds not adherence to a creed.⁹

The Ethical Culture School therefore fostered a "social and ethical outlook" through "the inculcation of the democratic spirit," "the awakening of

serious intellectual interests and enthusiasms,” “the awakening of the spirit of social service by enlisting the interest of the students in the work of the Settlements,” and “the building up of a largely humanitarian and ideal purpose by placing at the focus of the entire educational scheme toward which all lines converge the idea of human progress.” In addition to a demanding academic curriculum, students received “direct moral instruction.” In the earlier grades, ethics was taught through fables and biblical tales, but by the seventh grade students were using selections from Greek history illustrating the virtues of temperance, intellectual striving and moral attainment; the readings included Plutarch’s lives of Lycurgus, Pericles, Themistocles, Aristides, and Socrates. By the eighth grade students had progressed to “Biographical subjects drawn from Roman history. The conflict of Patricians and Plebeians, and the lessons to be derived from it.”¹⁰

J. Robert Oppenheimer, then, was raised in an environment and attended a school that placed a great emphasis on ethical conduct. The necessity for such conduct, however, did not derive from a set of scriptural commandments that, in Felix Adler’s view, were “unverifiable” but rather from one’s own powers of logical understanding, one’s own reason. Oppenheimer’s memories of the Ethical Culture School, which he often shared with his brother Frank, remained with him all his life. So did the friendship he formed with one of his English teachers, Herbert Winslow Smith. In August 1945, Oppenheimer wrote to him about the role of the atomic bomb in ending the war and his own role in building the bomb. “This undertaking has not been without its misgivings; they are heavy on us today, when the future, which has so many elements of high promise, is yet only a stone’s throw from despair. Thus the good which this work has perhaps contributed to make in the ending of the war looms very large to us, because it is there for sure.”¹¹

THE BHAGAVAD GITA: “I AM BECOME DEATH . . .”

Following his graduation from the Ethical Culture School, Oppenheimer took a summer trip to Europe. Unfortunately, he contracted a severe case of dysentery, followed by colitis. His convalescence took the better part of a year, and so he did not enter Harvard College until the fall of 1922. Making up for lost time, he completed the four-year course of study in only three by taking six courses a term; in his senior year, he enrolled in five courses and audited five more. In 1925 he went to England to continue his studies in physics but soon moved to Germany, to the University of Göttin-

gen, where he studied with Max Born and James Franck. Oppenheimer received his Ph.D. in 1927, was awarded a National Research Council fellowship, and in 1929 accepted a joint appointment in physics at the University of California, Berkeley, and the California Institute of Technology. Within a short time he established himself as a leading theorist in the emerging field of quantum mechanics.

But Oppenheimer was more than a brilliant physicist. His intellectual interests encompassed poetry, literature, philosophy, and languages. He eventually became fluent in eight languages, lecturing in Dutch, for example, after studying it for only six weeks. He once asked his Berkeley colleague Leo Nedelsky to give a lecture for him, explaining that the preparation would be easy because “it’s all in a book”; when Nedelsky located the book and reported that it was written in Dutch, Oppenheimer replied, “But it’s such *easy* Dutch!”¹² In 1931 Oppenheimer began the study of Sanskrit with Arthur W. Ryder of the Berkeley faculty. “I am learning sanskrit,” he told his brother, “enjoying it very much, and enjoying again the sweet luxury of being taught.” Soon he was reading the Bhagavad Gita with Ryder in the original. “It is very easy,” he reported, “and quite marvellous.”¹³ It would, in fact, become a determining influence on Oppenheimer’s outlook on ethics.

Written between the fifth and second centuries B.C.E., the Bhagavad Gita, an epic poem of seven hundred stanzas, is a centrally important text of Hinduism.¹⁴ The path to salvation, it asserts, lies in holy knowledge, the intuitive knowledge of a supreme truth. The perfected self may gain this knowledge and achieve union with the One through righteousness, asceticism, devotion, and karma yoga: that is, by engaging in disciplined activity, the task for which one is suited without concern for worldly rewards. The Bhagavad Gita, or “the song of the Lord,” contains many other concepts central to Hinduism, but the crucial portion involves a dialogue within a dialogue: the charioteer Sanjaya is describing a conversation between Krishna, an incarnation of the god Vishnu who has assumed human form, and his disciple, Arjuna, who is contemplating going into battle.

Although destined to be a warrior, Arjuna, seeing the opposing forces lined up, shrinks from the fight. “My mouth becomes dry” thinking of the fearful cost in lives, he says, “nor surely can good ever come from killing my kinsmen” for once having slain them, “could we be happy?” Because even victory would be hollow, “should we not know enough to turn away from this havoc?” War produces only chaos, lawlessness, and corruption, he continues: “Far better that I remain / Unresisting and unarmed / And that the armed sons of Dhirita-rashtra / Should kill me in the struggle.” Seating him-

self in his chariot, Arjuna “dropped his arrows and his bow / His heart brought low in sorrow.” “I see nothing to drive away Grief,” he tells Krishna, “I will not fight.”

To dispel these corrosive doubts, Krishna instructs Arjuna to “shake off this petty weakness.” “For a warrior there is no better thing / Than to fight out of duty.” To refuse to do battle, Krishna says, will lead only to shame and disgrace. Then, Krishna gives Arjuna “the eye of a god,” divine vision that allows him to behold Krishna in all his mystery, in the form of a god as bright as “a thousand suns.” Blinded, overawed, overwhelmed, Arjuna, trembling with fear, begs for mercy: “Your dreadful rays fill the whole universe, Vishnu, and scorch it with their brightness.” “Tell me, you of awful form, who are you?” And Krishna replies: “I am time, destroyer of worlds, grown old / Setting out to gather in the worlds.” Krishna then instructs Arjuna: “Strike them down. Do not falter. Fight! You will beat your rivals in battle.”

Nothing more clearly illustrates the influence of the Bhagavad Gita on Oppenheimer than his references to it at Alamogordo, the site in the New Mexico desert where the first atomic bomb was detonated. On July 14, as the bomb was being readied, Oppenheimer quoted a few lines to Vannevar Bush, who headed the federal Office of Scientific Research and Development: “In battle, in the forest, at the precipice in the mountains / On the dark great sea, in the midst of javelins and arrows / In sleep, in confusion, in the depths of shame / The good deeds a man has done before defend him.”¹⁵ Oppenheimer recalled that when he actually saw the bomb explode in a brilliant burst of light and the fireball ascend to the heavens: “There floated through my mind a line from the Bhagavad-Gita in which Krishna is trying to persuade the Prince that he should do his duty: ‘I am become death, the shatterer of worlds.’”¹⁶

Three months earlier, when Franklin D. Roosevelt died and thoughts of earthly mortality were much on Oppenheimer’s mind, he had also instinctively turned to the Bhagavad Gita. Speaking to the scientists at Los Alamos in a memorial tribute, he said: “In the Hindu scripture, in the Bhagavad-Gita, it says, ‘Man is a creature whose substance is faith. What his faith is, he is.’” Roosevelt’s faith, Oppenheimer continued, was shared by millions of people around the world. “For this reason it is possible to maintain the hope, for this reason it is right that we should dedicate ourselves to the hope that his good works will not have ended with his death.”¹⁷

Perhaps his most suggestive invocation of the Bhagavad Gita had occurred years before, in 1932, while Oppenheimer was studying Sanskrit with Arthur Ryder. In a letter to his brother Frank he cited the poem and other religious texts. “I believe that through discipline, though not through discipline alone,

we can achieve serenity, and a certain small but precious measure of freedom from the accidents of incarnation, and charity.” Self-discipline allows us “to preserve what is essential to our happiness” and abandon what is not, he went on, so “that we come a little to see the world without the gross distortion of personal desire.” He then added a sentence that, as Freeman Dyson has observed, holds a key to understanding Oppenheimer’s character: “Therefore I think that all things which evoke discipline: study, and our duties to men and to the commonwealth, war, and personal hardship, and even the need for subsistence, ought to be greeted by us with profound gratitude; for only through them can we attain to the least detachment; and only so can we know peace.”¹⁸

Placing war on a short list of things for which to be grateful certainly reflected Oppenheimer’s immersion in the Bhagavad Gita, which, at some level, he may have read as a sustained argument against pacifism. The work required of a warrior, faced with the prospect of fighting a holy war, was to fight. “Do the work that is required,” Krishna counsels: “It is better to act than be still.” For all the profound differences between Hinduism and Ethical Culture, this admonition resembled one of Felix Adler’s. “The object of life is activity, work,” Adler wrote: “We are here to do a certain work, to do it as faithfully, as efficiently and in as social a spirit as we may.”¹⁹ As it developed, the particular kind of work Oppenheimer was most capable of doing was precisely the kind needed by a nation in the midst of a world war.

THE POPULAR FRONT: THE GHOST OF JOE DALLET

“Tell me,” Oppenheimer asked a friend in the early 1930s, “what has politics to do with truth, goodness and beauty?”²⁰ The remark captured the studied lack of interest in public affairs of a man who did not own a radio or read the newspapers. He did not know that the stock market had crashed in October 1929 until months afterward. He did not even bother to vote in 1932. But in 1936 his outlook changed dramatically. He plunged headlong into politics, and left-wing politics at that. Although he never became a member of the Communist Party, Oppenheimer supported its positions, subscribed to the daily *People’s World*, joined several of its “front” organizations, and contributed substantial sums to its coffers. “I liked the new sense of companionship,” he later explained, “and at the time felt that I was coming to be part of the life of my time and country.”²¹

Oppenheimer offered various explanations for his political awakening: he read Sidney and Beatrice Webb’s *Soviet Communism: A New Civilization?*,

which led him “to make much of the economic progress and general level of welfare in Russia, and little of its political tyranny”; he felt a “continuing, smoldering fury about the treatment of Jews in Germany,” where he still had relatives; he “saw what the depression was doing to my students,” many of whom were unable to obtain jobs commensurate with their training. In the fall of 1936, moreover, he began courting Jean Tatlock—they twice were close enough to marriage to consider themselves engaged—who was an “on again, off again” member of the Communist Party and “a friend of many fellow travelers and Communists.”²² In 1937, Oppenheimer added, his brother Frank and his wife Jacqueline Quann both joined the Communist Party.

At the time, Oppenheimer noted, the Communist Party was supporting many “humanitarian objectives.” The late 1930s was the era of the Popular Front, when communists emphasized the need for all progressive forces to unite in the struggle against fascism. The party avoided talk of revolution, endeavored to project an image of Americanism, and supported a broad range of social reforms, especially the building of a strong labor movement. Oppenheimer’s involvement was typical of many people who were close to the party but not card-carrying members: he contributed to strike funds of left-leaning unions, helped establish a teacher’s union, and joined the American Committee for Democracy and Intellectual Freedom. Above all, he supported the Republican cause during the Spanish Civil War. It was, he said, “the matter which most engaged my sympathies and interests.”²³

Oppenheimer did more than attend fund-raising events to aid the anti-Franco forces; he also dipped liberally into his own ample resources. During the winter of 1937–1938 he would, when asked, make cash donations of “probably never much less than a hundred dollars, and occasionally perhaps somewhat more than that.” He gave the money to a friend, Dr. Thomas Addis, a medical researcher at Stanford, who assured him that it would go “straight to the fighting effort, and that it would go through Communist channels.”²⁴ Addis eventually introduced Oppenheimer to Isaac “Pop” Folkoff, a Communist Party functionary. A legendary figure in left-wing circles, a former garment presser and self-taught Marxist philosopher, Folkoff specialized in fund-raising for party causes. Even after the Spanish Civil War ended in the spring of 1939, Oppenheimer continued his payments to Folkoff, now, presumably, for the relief of refugees from Franco’s rule.

At this juncture, an unpredictable turn in his personal life strengthened Oppenheimer’s commitment to the lost cause of Republican Spain as well as his connection to the Communist Party. In the summer of 1939 he met Katherine Harrison. They soon fell in love, and in the fall of 1940 she went

to Reno where she obtained a divorce from her husband, Dr. Stewart Harrison; on November 1 she and Oppenheimer were married. Katherine had once been a member of the Communist Party, and she had formerly been married to a party leader, Joe Dallet, who had been killed in the Spanish Civil War, fighting as a volunteer in the Abraham Lincoln Brigade. By the time she met Oppenheimer she had ended her affiliation with the party but she had not, and could not, sever her personal ties to Steve Nelson, a communist who had been Dallet's comrade-in-arms. Disengaged as Katherine was from radical politics, Oppenheimer recalled, "when I met her I found in her a deep loyalty to her former husband."²⁵

Nothing in Joe Dallet's background suggested the direction his life would later take. Raised by well-to-do, conservative parents, he attended a private academy, studied French, took piano lessons, toured Europe, and enrolled at Dartmouth. But in his junior year he left college, repudiated his past, and moved to New York City, where he became a longshoreman. In 1929, at the age of twenty-two, he joined the Communist Party. For the next five years he worked as an organizer, first in Chicago and then with steelworkers in Pennsylvania and Ohio. In Youngstown, he ran as the Communist candidate for mayor and congressman. In 1934 he met Katherine and they were married. She joined the party and for two years did general office work, typing letters and running mimeograph machines. By June 1936, tired of this Spartan routine, Katherine left Joe and returned to England to live with her parents. But she never stopped loving him, and in March 1937, when Joe arrived in France on his way to Spain, Katherine met him at the dock. They spent a week or ten days together, rekindling their romance. Katherine wanted to go with Joe to Spain, perhaps to work in an ambulance unit, but the Lincoln Battalion did not permit wives to accompany their husbands.

In Spain, according to a friend, Dallet affected "a tough proletarian style," "a 'hard' manner," a "way of speaking that was deliberately profane and deliberately ungrammatical."²⁶ He earned a reputation as a strict disciplinarian and was so ardent an ideologue that the Communist Party appointed him a political commissar. Even letters to his wife sometimes had a propagandistic tone. He wrote that those who "can feel the warm bonds and heart-throbs with and of the masses, can never never get seriously demoralized and never lose faith in the ability of the masses to triumph over all difficulties and obstacles," boasted that "the people's army of Spain is rounding into a first-rate war machine," and denounced "the counter-revolutionary role of the Trotskyites." Noticing a volunteer who was "short, built like a gorilla with a chest like a barrel, covered from head to toe with marvelous tatooes," Dallet ex-

claimed, “of such stuff is the proletariat made.” In one of his last letters he wrote: “It’s a bloody interesting country, a bloody interesting war and the most bloody interesting job of all the bloody interesting jobs I’ve ever had, to give the fascists a real bloody licking.”²⁷

While Dallet was training in Spain, Katherine continued to seek a way to join him. At long last a job was arranged for her, and on July 19 Dallet wrote: “Wonderful news. You can come.” Katherine was to go to Paris where she would meet someone who would “put you through.” But she then underwent an emergency appendectomy from which it took a while to recuperate. On September 15 Dallet wrote, “I hope to be seeing you soon.”²⁸ In October, however, when Katherine got to Paris, Dallet’s unit was already involved in the Battle of Fuentes de Ebro, in which eighty Americans were killed and 150 wounded. On October 17 Dallet died a hero’s death, leading his men in a charge against vastly superior odds and being cut down by machine-gun fire.

Arriving in Paris, Katherine heard the tragic news from Steve Nelson. A Communist Party official whom she had met in Youngstown, Nelson had gone to Spain with Dallet and had himself been seriously wounded at Belchite. He was in Paris because he was trying to obtain a visa to go to Moscow for a celebration marking the twentieth anniversary of the Russian Revolution, at which he was supposed to bring greetings from the volunteers in Spain. Nelson spent most of a week with Katherine, comforting her, reminiscing about Joe, and explaining that her desire to go to Spain—even after her husband’s death, she said, “I was emotionally involved in the Spanish cause”—was no longer feasible. Asked later what she had talked about with Nelson, she replied, “Joe, himself, myself.”²⁹

Katherine Dallet’s bond with Steve Nelson, knit by grief and perhaps remorse, ensured that they would remain close friends. In the winter of 1938, Nelson recounted, when he and his wife were living in New York City, “Kitty Dallet moved in with us. Her life was in turmoil then, but she knew she could stay with us as long as need be.” Eventually she moved to the West Coast, as did Nelson who went there on Communist Party business in the fall of 1939. Attending a rally for Spanish refugee relief, Nelson heard Robert Oppenheimer give “a good talk about the significance of the Spanish fight.” Afterward, Oppenheimer approached him and said: “I’m going to marry a friend of yours, Steve.” Later, Oppenheimer invited Nelson to his home “to get together with some of his friends from the academic community who wanted to meet someone who had been in Spain.” In the fall of 1941, Nelson remembered, on his daughter’s second birthday, there was a knock on the door,

“and there was Robert, his blue eyes twinkling under the porkpie hat he always wore, with a birthday present.”³⁰

Oppenheimer attended his last rally in support of Spain on December 6, 1941, the Saturday evening before the attack on Pearl Harbor. But his emotional investment in the Loyalists and, more broadly speaking, in the cause of antifascism never waned. How could it? By making his contributions to Spanish relief directly to the Communist Party, Oppenheimer was in a sense paying homage to his wife’s former husband. Yet however generous his financial sacrifice, it could never compare with Joe Dallet’s ultimate sacrifice. Early in 1943, when Oppenheimer was about to leave Berkeley for Los Alamos, he sought out Dallet’s comrade Steve Nelson. “He appeared excited to the point of nervousness,” Nelson recalled: “He couldn’t discuss where he was going, but would only say that it had to do with the war effort. We chatted, mostly about Spain and the war, and exchanged good-byes. His last comment was that it was too bad that the Spanish Loyalists had not been able to hold out a little longer so that we could have buried Franco and Hitler in the same grave.”³¹

When Oppenheimer moved to Los Alamos to direct the Manhattan Project he brought with him a set of deeply rooted convictions—that ethical judgments had rational foundations, that the highest form of virtue consisted of accepting one’s destiny, and that the war against fascism was a conflict of good against evil. Those beliefs would quiet whatever doubts he might otherwise have felt about unlocking the secret of the atom, harnessing its power for military purposes, or unleashing its destructive force.

THE ATOMIC BOMB: “A FIRECRACKER OVER A DESERT”

In September 1942 the United States Army placed General Leslie R. Groves in charge of the top-secret project to build an atomic bomb. In October Groves met J. Robert Oppenheimer in Berkeley, quickly concluded that he was “a real genius,” and decided he was the right person to oversee the scientific effort.³² Groves offered him the directorship of the laboratory despite the reservations of Army Counter Intelligence officials who knew all about his left-wing background and associations. In November Oppenheimer selected Los Alamos as the site for the laboratory, and he moved there in March 1943. Eventually, more than ten thousand people would be employed on the Manhattan Project.

According to Hans Bethe, who headed the Theoretical Division at Los Alamos, the success of the project “grew out of the brilliance, enthusiasm and charisma with which Oppenheimer led it.”³³ Oppenheimer recruited the top-flight scientists whose services he considered essential through an artful blend of cajolery and flattery. He appealed not only to their patriotism but also to their intellectual curiosity, their desire, that is, to share in the excitement of doing a kind of physics that had never been attempted. Once he had persuaded them to move to Los Alamos, Oppenheimer inspired such strong feelings of camaraderie that many physicists would remember the Manhattan Project as a “magnificent” or a “golden” time. “I found a spirit of Athens, of Plato, of an ideal Republic,” one of them recalled.³⁴

Because he regarded Oppenheimer as indispensable, Groves defended him even when his nonchalance regarding security arrangements drove Counter Intelligence officers to despair. In mid-June 1943, for example, Oppenheimer met his former lover, Jean Tatlock, in San Francisco, had dinner with her, and spent the night at her apartment. Because she had been (and might still be) a Communist Party member, Army Counter Intelligence, which had been trailing Oppenheimer, wanted him removed as director. But Groves maintained in July that “he is absolutely essential to the project.”³⁵ (Oppenheimer never saw Tatlock again; six months later she committed suicide.)

Again, in August 1943 Oppenheimer advised Counter Intelligence officers that he had been told that George Eltenton, an English chemical engineer, had means of getting technical information to Russian scientists. Oppenheimer had heard this from Haakon Chevalier, an old friend who taught French literature at Berkeley and who belonged to a number of Communist front organizations. To avoid implicating Chevalier, Oppenheimer concocted a confusing tale, or as he later called it, a “cock and bull story,” alleging that three other scientists had also been approached. Not until December, at Groves’s explicit order, did Oppenheimer provide Chevalier’s name, and even then he did not tell the full truth about the incident. To Groves, however, Oppenheimer’s behavior merely showed that he had “the typical American schoolboy attitude that there is something wicked about telling on a friend.”³⁶

Groves later recalled that when he was assigned to the atomic bomb project he was instructed “to produce this at the earliest possible date so as to bring the war to a conclusion . . . any time that a single day could be saved,” Groves remembered being told, “I should save that day.”³⁷ His loyalty to Oppenheimer can be explained largely by his belief that no other physicist could get a bomb built as quickly. In time, however, Groves discovered something

else about Oppenheimer: he was a forceful advocate of the need to use the bomb, and to use it in such a way as to exhibit its awesome power.

This became evident in October 1944 when Captain William S. Parsons, a navy officer who headed the Ordnance Division at Los Alamos, wrote to Oppenheimer complaining that some of the physicists seemed to be more interested in experiments that had purely theoretical implications than they were in developing a deliverable weapon. Oppenheimer forwarded Parsons's memorandum to General Groves, adding: "I agree completely with all the comments of Captain Parsons' memorandum on the fallacy of regarding a controlled test as the culmination of the work of this laboratory. The laboratory is operating under a directive to produce weapons; this directive has been and will be rigorously adhered to." The only reason to schedule a test, Oppenheimer added, was that it "appears to be a necessary step in the development of a weapon."³⁸

Once it was clear that the laboratory would indeed produce an atomic bomb, it was necessary to choose a target, or targets, in Japan. On May 10–11, 1945, a newly formed Target Committee met at Los Alamos. Oppenheimer prepared the agenda, which, along with various technical matters, included a consideration of "Psychological Factors in Target Selection" and the bomb's "Radiological Effects." The committee specified that it wanted "important targets in a large urban area of more than three miles diameter" that were "capable of being damaged effectively by blast" and were "likely to be unattacked by next August." The Air Force had agreed to reserve five targets that met these criteria, among them Kyoto, Japan's ancient capital and cultural center. The Committee concluded: "There is the advantage that Kyoto is an intellectual center for Japan and the people there are more apt to appreciate the significance of such a weapon as the gadget." Hiroshima offered different advantages: "There are adjacent hills which are likely to produce a focusing effect which would considerably increase the blast damage. Due to rivers it is not a good incendiary target." Oppenheimer endorsed these recommendations, although, in the end, Secretary of War Henry L. Stimson decided to spare Kyoto because of its historical and cultural significance.³⁹

Oppenheimer also agreed with the need for "making the initial use sufficiently spectacular for the importance of the weapon to be internationally recognized when publicity on it is released." Warning that dangerous doses of radiation would necessarily accompany such a blast, he urged that sensible precautions be taken. His concern, however, extended only to the well-being of American airmen: "The basic recommendations of this memo are (1) for radiological reasons no aircraft should be closer than 2 1/2 miles to the point

of detonation (for blast reasons the distance should be greater) and (2) aircraft must avoid the cloud of radio-active materials.”⁴⁰

Three weeks later Oppenheimer attended a crucial meeting of the Interim Committee of the War Department and its Scientific Advisory Panel. Besides Oppenheimer, the panel members were Arthur H. Compton, Enrico Fermi, and Ernest O. Lawrence. Meeting in Washington on May 31 and June 1, they recommended that the atomic bomb be used without prior warning. The scientists explained that “the visual effect of an atomic bombing would be tremendous. It would be accompanied by a brilliant luminescence which would rise to a height of 10,000 to 20,000 feet. The neutron effect of the explosion would be dangerous to life for a radius of at least two-thirds of a mile.” Oppenheimer favored several simultaneous strikes, but his proposal was rejected partly because it was thought that the use of one bomb would make for a more dramatic contrast with the regular pattern of Air Force bombardment.⁴¹

A final opportunity to reevaluate the use of atomic bombs came on June 16, when the Scientific Advisory Panel considered a report presented to the secretary of war by James Franck of the University of Chicago’s Metallurgical Laboratory, itself a division of the Manhattan Project. Acutely sensitive to the political implications of atomic energy, Franck urged that nuclear weapons “be considered as a problem of long-range national policy rather than of military expediency.” Because it was impossible to safeguard atomic secrets forever, he reasoned, the only way to prevent an uncontrolled arms race was to foster an atmosphere of international trust. To accomplish that, a demonstration of the bomb “might best be made, before the eyes of representatives of all the United Nations, on the desert or a barren island.” After such a test, if Japan still refused to surrender, “the weapon might perhaps be used against Japan if the sanction of the United Nations (and of public opinion at home) were obtained, perhaps after a preliminary ultimatum to Japan to surrender or at least to evacuate certain regions as an alternative to their total destruction.” The report was signed by Franck, Leo Szilard, Eugene Rabinowitch, Glenn T. Seaborg, and three other prominent physicists.⁴²

Even as he transmitted the Franck Report to Secretary Stimson, Arthur H. Compton expressed serious doubts about its conclusions: a failure to use the bomb might lengthen the war and cost American lives, he explained, and without a military demonstration the world would never understand “what was to be expected if war should break out again.”⁴³ Compton soon discovered that Fermi and Lawrence agreed with him—and so did Robert Oppenheimer. The panel of scientists declared that they had “no claim to special competence in

solving the political, social, and military problems which are presented by the advent of atomic power.” They feared that a “purely technical demonstration” might fail, thereby exposing the United States to ridicule; and even if it succeeded, it would use up one of the few bombs likely to be ready. Accordingly, “we can propose no technical demonstration likely to bring an end to the war; we see no acceptable alternative to direct military use.”⁴⁴

Oppenheimer later described what was running through the minds of the advisory panel: “We did say that we did not think that exploding one of these things as a firecracker over a desert was likely to be very impressive.”⁴⁵ To appreciate the destructive power of the bomb, that is, one had to let it do its destructive work. Oppenheimer shared the view, widely held by his fellow physicists, that the ultimate justification for creating such a terrible weapon was that it promised, by its very destructiveness, to usher in a new age in which war would be unthinkable. That is why he came to view the atomic bomb as “a great force for peace.” The existence of such weapons, he said, ultimately “intensifies the urgency of our hopes—in frank words, because we are scared.”⁴⁶

Robert Jay Lifton has argued that physicists during the war were highly susceptible to “nuclearism,” which he defines as “the passionate embrace of nuclear weapons as a solution to death anxiety and a way of restoring a lost sense of immortality. Nuclearism is a secular religion, a total ideology in which ‘grace’ and even ‘salvation’—the mastery of death and evil—are achieved through the power of a new technological deity. The deity is seen as capable not only of apocalyptic destruction but also of unlimited creation.” As a description of Oppenheimer’s outlook this undoubtedly goes too far. Yet Oppenheimer surely exhibited, as Lifton says, a “reliance on the weapon to demonstrate its massive evil on behalf of ultimate good.” His vision “was the vision of a gifted scientist who had in a sense merged with the weapon he had done so much to bring about.”⁴⁷

The merger was not fully complete until mid-July 1945. As the final preparations were being made for the test at Alamogordo, Oppenheimer learned of a petition that had been drafted by Leo Szilard and signed by sixty-nine physicists at the Metallurgical Laboratory. The petition was addressed to President Harry S. Truman. Written in measured yet certain tones, it urged him not to use the atomic bomb “unless the terms which will be imposed upon Japan have been made public in detail and Japan knowing these terms has refused to surrender,” and, in any event, not to use it “without seriously considering the moral responsibilities which are involved.” On July 10, Szilard wrote to Oppenheimer explaining that although a petition might not

have much actual effect, "from a point of view of the standing of the scientists in the eyes of the general public one or two years from now it is a good thing that a minority of scientists should have gone on record in favor of giving greater weight to moral arguments." Szilard sent the petition to Los Alamos hoping to attract additional signatures; Oppenheimer refused to permit its circulation.⁴⁸

Only after the bombing of Hiroshima and Nagasaki did Oppenheimer voice the fears, possibly even the doubts, he had suppressed during the war. The development of nuclear energy, he said in a farewell speech to the staff at Los Alamos, meant that the great powers must come to their senses. If nations did not agree to control atomic weapons but simply added them to their arsenals, he remarked, "then the time will come when mankind will curse the names of Los Alamos and of Hiroshima."⁴⁹ In October 1945, meeting President Truman for the first time, Oppenheimer said despairingly, "I feel we have blood on our hands;" Truman merely replied: "Never mind. It'll all come out in the wash."⁵⁰ But Oppenheimer was not easily reassured. As late as 1948 he was asserting: "In some sort of crude sense which no vulgarity, no humor, no overstatement can quite extinguish, the physicists have known sin; and this is a knowledge which they cannot lose."⁵¹

THE HYDROGEN BOMB

Although Japan surrendered in August 1945, Oppenheimer continued to direct the Los Alamos laboratory until November, when he returned to his professorship at the California Institute of Technology. Soon thereafter he arranged to resume his joint appointment at the University of California at Berkeley. In the spring of 1947 he accepted the directorship of the Institute of Advanced Study and that October moved to Princeton. Earlier in the year he was appointed to the General Advisory Committee (GAC) of the Atomic Energy Commission and was elected chairman, a position he held until mid-1952. No longer involved in theoretical research, Oppenheimer during this period acted as a public advocate for science, an administrator, and a high-level policy advisor. He served on so many advisory bodies and wrote so many official reports, Alice Kimball Smith and Charles Weiner explain, that in some instances "Oppenheimer was reporting to Oppenheimer."⁵²

Oppenheimer recognized that his radical activities before the war, his "indiscretions" he called them, represented a potential threat to his public position. "I am worried about the wild oats of all kinds which I have sown in the

past,” he confessed in September 1945, and his worries naturally increased as Cold War tensions escalated, anticommunist hysteria mounted, and some of his former associates were dragged before congressional investigating committees.⁵³ Consequently, he carefully steered clear of any involvements that might prove in the least embarrassing. In August 1947, for example, he was asked to sign a manifesto marking the twentieth anniversary of the executions of Nicola Sacco and Bartolomeo Vanzetti, the Italian anarchists who were widely assumed to have been framed on a murder charge and sent to the electric chair for their radical views. The manifesto used the occasion to “appeal for resistance to all attempts through propaganda and demagogic politicians to create mob hysteria against Communist methods while at the same time we declare our unceasing opposition to those methods.” Eleanor Roosevelt signed the document, as did Reinhold Niebuhr, Walter Reuther, and many others, but Oppenheimer begged off. Although he agreed with it, he said, “Please do not urge that I sponsor the manifesto: it deals with things very far from my field of competence, & where my word neither should nor would have weight. But if my encouragement is of any help, that you have.”⁵⁴

In his acknowledged field of competence, where his word carried immense weight, Oppenheimer could not so easily avoid controversy. This was especially true after the Soviet Union exploded an atomic device on August 29, 1949, ending the existing American monopoly. On September 23, after analysis of the radioactive debris confirmed that it was indeed a nuclear explosion, the Truman administration announced the frightening news to the public. The question then became whether the United States should embark on a crash program, analogous to the wartime Manhattan Project, to build a hydrogen or “super” bomb. That question came before the General Advisory Committee when it met in Washington on October 29–30, 1949. Eight of the nine members, all except Glenn T. Seaborg, were present, with Oppenheimer in the chair.

Advocates of the crash program—and there were many, both inside government and without—made two key arguments: first, Russia would surely attempt to develop such a weapon, and if the attempt succeeded and was not matched by the United States, the balance of military power would shift decisively in favor of Russia; second, the development of a “super” posed no ethical problem because the difference between atomic bombs and hydrogen bombs was only a matter of degree, not kind. In an ideal world, perhaps, such a weapon would not be required. But in the real world, the United States needed a weapon sufficient to deter Russia because “total power in the hands of total evil will equal destruction.”⁵⁵

The problem with this view from the standpoint of opponents of the crash program was that, as Herbert F. York has observed, "no one then knew how to make a 'super.' About all that was then known for certain was that, in principle, the energy was there."⁵⁶ Consequently, an all-out effort to determine the feasibility of a thermonuclear bomb ran the very real risk of diverting resources from the ongoing, successful nuclear program. Finally, critics asserted, the difference between atomic and hydrogen weapons was, indeed, a difference in kind, because the superbomb, by virtue of its enormously destructive power, could not be limited to use against a military target.

This last argument profoundly influenced Oppenheimer and his colleagues on the GAC, who unanimously recommended against the crash program. Because "the weapon is from a technical point of view without limitations with regard to the damage that it can inflict," it would necessarily destroy countless innocent people: "Its use therefore carries much further than the atomic bomb itself the policy of exterminating civilian populations." The GAC report proposed two alternatives: a "booster" program to support further research into the thermonuclear process and the feasibility of producing a superbomb; and "an intensification of efforts to make atomic weapons available for tactical purposes, and to give attention to the problem of integration of bomb and carrier design in this field." By expanding its arsenal of nuclear weapons, the report explained, the United States could adequately protect itself.

The report also noted that the scientists were "somewhat divided as to the nature of the commitment not to develop the weapon," and some of those divisions emerged in two addenda. One, signed by Enrico Fermi and Isadore I. Rabi, restated some of the report's conclusions regarding the development of a thermonuclear bomb, but more unequivocally: "By its very nature it cannot be confined to a military objective but becomes a weapon which in practical effect is almost one of genocide. It is clear that the use of such a weapon cannot be justified upon any ethical ground which gives a human being a certain individuality and dignity even if he happens to be a resident of an enemy country." Because the release of radioactivity would contaminate large areas, and because there were no inherent limits to the weapon's destructiveness, "It is necessarily an evil thing considered in any light." To avoid putting the United States in "a bad moral position," Fermi and Rabi thought the president should tell the American people "that we think it wrong on fundamental ethical principles to initiate a program of development of such a weapon."

Oppenheimer and the five other members of the GAC shared most of these sentiments, but not all of them. Like Fermi and Rabi, they maintained

that a thermonuclear bomb posed dangers that far outweighed any military advantage, that it differed fundamentally from an atomic bomb because of its limitless power, that it created a grave risk of radioactivity, and that "its use would involve a decision to slaughter a vast number of civilians" and so it "might become a weapon of genocide." They also believed that if Russia succeeded in making a superbomb and used it against the United States, "reprisals by our large stock of atomic bombs would be comparably effective to the use of a super." They concluded, therefore, that "a super bomb should never be produced." But that conclusion derived from practical considerations, a rational balancing of pros and cons, rather than from abstract moral imperatives. Strikingly absent were references of the kind Fermi and Rabi had made to evil, morality, and ethics.⁵⁷

So Oppenheimer certainly took a considerably more disapproving view of the hydrogen bomb than he had of the atomic bomb. He noted that a decision not to proceed with the superbomb offered "a unique opportunity of providing by example some limitations on the totality of war and thus of limiting the fear and arousing the hopes of mankind," a comment he would never have made about the atomic bomb.⁵⁸ Yet while opposing a crash program in 1949, Oppenheimer was perfectly willing to support a booster program of basic research. Indeed, on the eve of the October meeting he wrote that it would be "folly to oppose the exploration of this weapon. We have always known it had to be done; and it does have to be done."⁵⁹ Moreover, while he believed the world would be better off if the super were never developed, he did not ground his objections, as Fermi and Rabi did, in "fundamental ethical principles."

In any event, the scientists' recommendations were not followed. Although the five members of the Atomic Energy Commission voted against a crash program by a three-to-two margin, President Truman decided to go ahead with it. On January 31, 1950, after consulting with AEC Chairman David Lilienthal, Secretary of Defense Louis Johnson, and Secretary of State Dean Acheson, and finding only Lilienthal opposed to the superbomb, Truman announced that he was directing the AEC to explore the feasibility of developing thermonuclear weapons. Learning of the decision, Oppenheimer was heard to remark, "This is the plague of Thebes."⁶⁰

For more than a year, efforts by Edward Teller, Stanislaw Ulam, and physicists at Los Alamos and elsewhere to construct a superbomb were unsuccessful. Although Oppenheimer did nothing to retard their work, neither did he offer any encouragement. His influence among physicists was such, however, that some proponents of the crash program thought his reservations dis-

sueded scientists from working on the project, although no evidence of such a negative influence was ever produced. What is certain is that Oppenheimer continued to believe that the ever-growing stockpile of atomic weapons adequately equipped the United States, if the need arose, “to engage in total war, to carry the war to the enemy and attempt to destroy him.”⁶¹

Not until February and March 1951 did Ulam and Teller discover the principle that made possible the building of a hydrogen bomb. It was Ulam who conceived “a dramatically new approach to designing a thermonuclear weapon,” and Teller who proposed the necessary refinements. In May the “Greenhouse” tests proved beyond any doubt that it was possible to produce a thermonuclear reaction. And so in June the General Advisory Committee reassembled, this time at Princeton, along with members of the Atomic Energy Commission, the Joint Committee on Atomic Energy, the Los Alamos staff, and knowledgeable physicists to learn about the recent developments.

As Teller and his associates explained their concept, which gave every indication of solving problems that had hitherto been insoluble, Oppenheimer, like everyone else, was caught up in a wave of excitement. Captivated, indeed entranced by the sheer beauty of the physics, Oppenheimer, according to Freeman Dyson, said that the Ulam-Teller formulation was “a sweet and lovely and beautiful job.”⁶² Gordon Dean, the chairman of the AEC, noted that Oppenheimer was “enthusiastic” and “almost thrilled” at the breakthrough.⁶³ Oppenheimer later characterized his own feelings at the time: the explanation was “technically so sweet that you could not argue” because “when you see something that is technically sweet, you go ahead and do it.”⁶⁴

On November 1, 1952, the United States went ahead and did it, testing a thermonuclear device that exploded with a force of 10.4 megatons, a thousand times more powerful than the bomb that leveled Hiroshima. The mushroom cloud, which reached a height of twenty-seven miles, “really filled up the sky,” an observer reported: “It was awesome. It just went on and on.” A sailor on a ship thirty miles away wrote home: “You would swear that the whole world was on fire.” The blast obliterated the Pacific island of Elugelab. As Richard Rhodes explains: “The fireball had vaporized the entire island, leaving behind a circular crater two hundred feet deep and more than a mile across filled with seawater, a dark blue hole punched into the paler blue of the shallow atoll lagoon.”⁶⁵

By then, however, Robert Oppenheimer was no longer in a policy-making position. In July his term on the GAC expired and he did not seek reappointment. Though never an enthusiastic supporter of the hydrogen bomb, he had not been an outright opponent, either. He had voted against a crash

program, but had backed a booster program; he had based his reservations on practical considerations, but had not endorsed Fermi's and Rabi's ethical objections; he had let it be known that he was opposed to thermonuclear weapons, but in the end had shown unbounded enthusiasm for the physics that made them possible. He viewed the hydrogen bomb much differently than he had once viewed the atomic bomb, but not differently enough, it turned out, to spare him the anguish that awaited him at his security clearance hearing.

THE ATOMIC ENERGY COMMISSION HEARING: THE CONFESSION

On May 12, 1953, Federal Bureau of Investigation director J. Edgar Hoover received a visit from Senator Joseph McCarthy, chairman of the Government Operations Committee, and his counsel Roy Cohn. According to Hoover, McCarthy said "that he wanted to discuss confidentially with me the matter of his Committee taking up for investigative purposes the activities of J. Robert Oppenheimer, the scientist." Hoover immediately replied that "I thought he had a number of problems to consider before embarking upon this project." Chief among them were that Oppenheimer had performed crucial work for the nation during the war and had maintained extensive contacts with scientists all around the world. All things considered, Hoover added, "whatever the Senator's Committee did concerning Oppenheimer should be done with a great deal of preliminary spade work so that if and when the Committee moved into the open it would have substantive facts upon which to predicate its actions. The Senator said he shared these views also."⁶⁶ It was not the kind of case, Hoover warned, "which should be prematurely gone into solely for the purposes of headlines."⁶⁷

Over the next few months, however, Oppenheimer's position grew increasingly precarious. In August the Soviet Union tested its own hydrogen device. Although less powerful than the American model and not as yet in deliverable form, it nevertheless frightened American policymakers who had not expected the Russian program to advance so quickly. In November Senator McCarthy began directing his fire at the Eisenhower administration, charging that it with a failure to recognize the gravity of the communist threat. In November, also, William E. Borden, formerly the executive director of the Joint Congressional Committee on Atomic Energy, wrote to the Federal Bureau of Investigation, claiming that "more probably than not"

Oppenheimer is “an agent of the Soviet Union.”⁶⁸ The FBI forwarded Bor- den’s letter to the Atomic Energy Commission, the Defense Department, and the White House. On December 3, with these allegations swirling about, and with a McCarthy-led attack on the administration’s failure to weed out subversives a distinct possibility, President Dwight D. Eisenhower erected a “blank wall” between Oppenheimer and information pertaining to national security.

The chairman of the Atomic Energy Commission, Lewis Strauss, although no friend of Oppenheimer’s, urged him to resign his consultant’s contract quietly, without any public fuss. (The contract had been renewed for a year in June, just before Strauss was named chairman.) But Oppenheimer refused to take the easy way out. Determined to clear his name and confident that he could, he insisted on a formal hearing. On December 23, Strauss sent Oppenheimer a letter containing twenty-four allegations, twenty-three of them relating to his radical associations and affiliations before 1946, and one pertaining to his having “slowed down” the development of the hydrogen bomb; all of these raised questions “about your veracity, conduct, and even your loyalty.”⁶⁹ As he prepared for the hearing, Oppenheimer told a friend, the physicist Lee DuBridge, “the whole thing is damn nonsense,” adding “the main thing that I have to do is going through the rigamarole and it’s a major and complicated rigamarole.”⁷⁰

Just how complicated Oppenheimer had no way of knowing.⁷¹ The hearing was held from April 12 to May 6 before a Personnel Security Board made up of Gordon Gray, president of the University of North Carolina; Ward Evans, a retired professor of chemistry; and Thomas Morgan, the retired chairman of Sperry Gyroscope. Breaking with precedent, the AEC retained an outside lawyer, Roger Robb, to present its case and permitted him to meet privately with the three board members to review Oppenheimer’s security file in advance of the hearing. Oppenheimer selected a prominent attorney, Lloyd K. Garrison, to represent him, but Garrison lacked the needed security clearance and on several occasions had to leave the hearing room when sensitive matters were being discussed.

Then, too, the AEC did not have to prove beyond a reasonable doubt that Oppenheimer was a security risk; rather, Oppenheimer had to persuade the board that he was not one. To do this, he thought, required that he be cooperative, even to the extent of answering questions about the political affiliations of friends and former students. In effect, he played the role of an informer, however distasteful he found it. At one point, after listing a number of names, he was asked, “Would you break them down? Would you tell

us who the Communists were and who the fellow travelers were?" Oppenheimer finally exclaimed, "Is the list long enough?"⁷² His testimony became public knowledge when the AEC suddenly decided to publish the full text of the hearings, which Oppenheimer and all concerned had assumed would remain secret. In June, when one of the commissioners misplaced a summary of the hearing and of some files on a train, the AEC, fearing an unauthorized leak to the press, decided to publish the hearings in their entirety. (Actually, by then the lost documents had been recovered and so no danger of a leak existed.)

In his opening statement, Oppenheimer admitted that in 1943 he had not told security officials the truth about the Haakon Chevalier incident. "It has long been clear to me that I should have reported the incident at once," he said. But Roger Robb was not satisfied with that admission. Relying on the transcripts of Oppenheimer's conversations with an Army Counter Intelligence officer, Lt. Col. Boris T. Pash, Robb made it appear that Oppenheimer was a habitual, inveterate liar. Robb's first question: "Did you tell Pash the truth about this thing?" "No," Oppenheimer said. Robb's second question: "You lied to him?" "Yes," Oppenheimer replied. Robb's third question: "What did you tell Pash that was not true?" Oppenheimer answered truthfully: "That Eltenton had attempted to approach members of the project—three members of the project—through intermediaries." Robb's fourth question: "What else did you tell him that wasn't true?" When Oppenheimer said, "That is all I really remember," Robb, referring to the transcript, asked a fifth question: "That is all? Did you tell Pash . . ." and then implied that Oppenheimer's failure to remember everything he had said in a decade-old interview amounted to purposeful deception. When Oppenheimer again admitted making up the story, Robb asked: "Why did you do that, Doctor?" One would have thought Oppenheimer's reply—"Because I was an idiot"—would have sufficed. But Robb was not done: "Is that your only explanation, Doctor?"⁷³

Robb then moved to another subject designed to cause Oppenheimer acute embarrassment—his visit to Jean Tatlock in the spring of 1943. Although Oppenheimer had admitted seeing her, he had not mentioned staying overnight at her apartment. Now he said that Tatlock had wanted to see him "because she was still in love with me." Robb's follow-up questioning was relentless: "You have no reason to believe she wasn't a communist, do you? . . . You spent the night with her, didn't you? . . . That is when you were working on a secret war project? . . . Did you think that consistent with good security? . . . You didn't think that spending a night with a dedicated Communist?" On one level, Robb's questions were designed to show that Oppenheimer was careless about

security; on another, by reiterating the phrase, “spending the night,” he was characterizing Oppenheimer as an adulterer.⁷⁴

Yet Robb wanted more from Oppenheimer than an admission that he had once lied to security officials or had behaved indiscreetly. He also wanted Oppenheimer to confess that, having worked on the atomic bomb, he could not have had moral scruples about the hydrogen bomb. Robb’s implication was clear: if Oppenheimer’s reservations about the hydrogen bomb were not ethically derived, they must have been politically motivated, motivated, that is, by pro-Russian sentiment. Robb wanted Oppenheimer to concede that Hiroshima and Nagasaki proved that there are, in fact, no moral limits to what a scientist should do in the interests of the state, no ethical considerations that a scientist should place above the nation’s security. And so Robb began:

Q. . . . Doctor, you testified, did you not, that you assisted in selecting the target for the drop of the bomb on Japan?

A. Right. . . .

Q. You knew, did you not, that the dropping of that atomic bomb on the target you had selected will kill or injure thousands of civilians, is that correct?

A. Not as many as turned out.

Q. How many were killed or injured?

A. 70,000.

Q. Did you have moral scruples about that?

A. Terrible ones.

Q. But you testified the other day, did you not, sir, that the bombing of Hiroshima was very successful?

A. Well, it was technically successful.

Q. Oh, technically.

A. It is also alleged to have helped end the war.

Q. Would you have supported the dropping of a thermonuclear bomb on Hiroshima?

A. It would make no sense at all.

Q. Why?

A. The target is too small.

Q. The target is too small. Supposing there had been a target in Japan big enough for a thermonuclear weapon, would you have opposed dropping it?

A. This was not a problem with which I was confronted.

Q. I am confronting you with it now, sir.

- A. You are not confronting me with an actual problem. I was very relieved when Mr. Stimson removed from the target list Kyoto, which was the largest city and the most vulnerable target. I think this is the nearest thing that was really to your hypothetical question.
- Q. That is correct. Would you have opposed the dropping of a thermonuclear weapon on Japan because of moral scruples?
- A. I believe I would, sir.
- Q. Did you oppose the dropping of the atom bomb on Hiroshima because of moral scruples? . . .
- A. We set forth our—
- Q. I am asking you about it, not “we.”
- A. I set forth arguments against dropping it. . . . But I did not endorse them.
- Q. But you supported the dropping of the atom bomb on Japan, didn’t you?
- A. What do you mean support?
- Q. You helped pick the target, didn’t you?
- A. I did my job which was the job I was supposed to do. I was not in a policymaking position at Los Alamos. I would have done anything that I was asked to do, including making the bombs in a different shape, if I had thought it was technically feasible.⁷⁵

Even as shrewd an inquisitor as Roger Robb may not have expected that a man of Oppenheimer’s formidable intellect would appear so befuddled. The problem was that, when asked whether he had had moral scruples about using the atomic bomb, he replied, “terrible ones.” But Oppenheimer had given no sign of having had such scruples before August 1945. To the contrary, his religious, philosophical, and political convictions had made him into a resolute, indeed zealous nuclearist. Why, then, did he answer Robb’s question as he did? Perhaps he was reading back into the war years the very real doubts that assailed him after August 1945, when the immense human tragedy of Hiroshima and Nagasaki became known, doubts he expressed in his famous remark about the physicists having known sin. Then again, perhaps Oppenheimer was, whether consciously or not, seeking to establish a credible basis for having opposed the hydrogen bomb by claiming he had experienced moral qualms about the atomic bomb, thereby demonstrating his consistency.

Moreover, as we have seen, his reservations about the hydrogen bomb were not, like Fermi’s and Rabi’s, based on its incompatibility with “fundamental ethical principles” but rather on pragmatic considerations. The true

continuity in Oppenheimer's view of nuclear and thermonuclear weapons was between his statement to Robb that he would have done anything he was asked to do during the war if it was "technically feasible" and his remark about the Teller-Ulam formulation for the hydrogen bomb: when you see something that is "technically sweet" you go ahead and do it.

CONCLUSION: THE TRAGEDY

One inevitably comes away from the story of J. Robert Oppenheimer with a profound sense of tragedy. An inexcusable injustice was done to a loyal, patriotic American when the Atomic Energy Commission voted to deny him security clearance on the grounds that his associations with radicals revealed "fundamental defects in his character" that passed the "tolerable limits of prudence and self-restraint."⁷⁶ The vote came on June 28, 1954, two days before his consultant's contract would have expired. An ideal opportunity to rectify the injustice was lost when in December 1963 the government presented Oppenheimer with the Fermi Award, thereby tacitly admitting its mistake, and yet did not restore his security clearance, which, in Oppenheimer's view, may well have been the more important thing to do.

Oppenheimer was also a tragic figure because of how he responded to the ethical dilemmas he faced as a scientist. His outlook was shaped by the Ethical Culture movement's emphasis on reason, the Bhagavad Gita's teachings on the duties of a warrior, and the Popular Front's passionate antifascism. That outlook led Oppenheimer to commit himself to the atomic bomb project, but to commit himself so completely that he opposed the efforts of James Franck, Leo Szilard, and others to ensure that adequate attention was paid to the moral implications of using the bomb. Oppenheimer's lack of enthusiasm for developing a hydrogen bomb derived chiefly from fears that a crash program would probably fail and would almost certainly disrupt the nation's nuclear buildup. Once it was shown that a hydrogen bomb could be built, Oppenheimer was drawn, magnetically, to the sheer "beauty" of the physics. It was, therefore, understandable why he would be so vulnerable to Roger Robb's barrage of questions on the relationship between science and ethics.

In 1966 Oppenheimer, a chain smoker most of his life, developed throat cancer. He died in February 1967 at the age of only sixty-three. During the war he had been reading John Donne's *Holy Sonnets*, which provided the inspiration for naming the Alamogordo test site, "Trinity." Perhaps a fitting epitaph may be found in another of those poems:

*Thou hast made me, and shall Thy worke decay?
Repair me now, for now mine end doth haste,
I run to death, and death meets me as fast,
And all my pleasures are like yesterday.*

NOTES

1. H. B. Fletcher to Director, May 14, 1946; Donald E. Roney Report, August 5, 1946, FBI Security File: J. Robert Oppenheimer (Scholarly Resources). (Hereafter cited as FBI File.)

2. Interview with Professor Frederick G. Marcham, June 10, 1979.

3. Fletcher to Director, May 14, 1946, FBI File.

4. Freeman Dyson, *Disturbing the Universe* (New York: Harper & Row, 1979), 6.

5. Alice Kimball Smith and Charles Weiner, eds., *Robert Oppenheimer: Letters and Recollections* (Cambridge, Mass.: Harvard University Press, 1980), 3. See also S. S. Schweber, *In the Shadow of the Bomb: Bethe, Oppenheimer and the Moral Responsibility of the Scientist* (Princeton: Princeton University Press, 2000), 42–53.

6. Benny Kraut, *From Reform Judaism to Ethical Culture: The Religious Evolution of Felix Adler* (Cincinnati: Ktav Publishing, 1979). See also Horace L. Friess, *Felix Adler and Ethical Culture: Memories and Studies* (New York: Columbia University Press, 1981).

7. Felix Adler, *An Ethical Philosophy of Life* (New York: D. Appleton, 1918), 26.

8. Henry Neumann, *Spokesmen for Ethical Religion* (Boston: Little, Brown, 1951), 45.

9. David S. Muzzey, *Ethics As a Religion* (New York: Simon & Schuster, 1951), 94, 134.

10. *The Ethical Culture School Curriculum* (1921): 5–7, 66.

11. Smith and Weiner, *Oppenheimer*, 297.

12. Smith and Weiner, *Oppenheimer*, 149.

13. Smith and Weiner, *Oppenheimer*, 143.

14. All quotations are from *The Bhagavad Gita: A New Verse Translation*, edited by Ann Stanford (New York: Continuum, 1970). See also James A. Hijiya, “The Gita of J. Robert Oppenheimer,” *Proceedings of the American Philosophical Society* 144 (June 2000): 123–167.

15. Vannevar Bush, *Pieces of the Action* (New York: William Morrow, 1970), 148.

16. Cited in Richard Rhodes, *The Making of the Atomic Bomb* (New York: Simon & Schuster, 1986), 676.

17. Smith and Weiner, *Oppenheimer*, 288.

18. Smith and Weiner, *Oppenheimer*, 154–156; Freeman Dyson, *Weapons and Hope* (New York: HarperCollins, 1984), 125.
19. Muzzey, *Ethics As a Religion*, 249.
20. Smith and Weiner, *Oppenheimer*, 195.
21. *In the Matter of J. Robert Oppenheimer: Transcript of Hearing before Personnel Security Board* (Washington, D.C.: U.S. Government Printing Office, 1954), 8. (Hereafter cited as *Hearing*.)
22. *Hearing*, 8–10.
23. *Hearing*, 8–9.
24. *Hearing*, 9.
25. *Hearing*, 10.
26. Steve Nelson, James R. Barrett, and Rob Ruck, *Steve Nelson: American Radical* (Pittsburgh: University of Pittsburgh Press, 1981), 197.
27. Joe Dallet, *Letters from Spain* (New York: International Publishers, 1938), 21, 38–39, 22, 57.
28. Dallet, *Letters from Spain*, 53, 56.
29. *Hearing*, 573–574.
30. Nelson, *Steve Nelson*, 268.
31. Nelson, *Steve Nelson*, 269.
32. Cited in Rhodes, *Making of the Atomic Bomb*, 448.
33. Cited in Rhodes, *Making of the Atomic Bomb*, 539.
34. Nuel Pharr Davis, *Lawrence and Oppenheimer* (New York: Da Capo, 1968), 185–187.
35. James W. Kunetka, *Oppenheimer: The Years of Risk* (Englewood Cliffs, N.J.: Prentice-Hall, 1982), 35; *Hearing*, 170.
36. *Hearing*, 167.
37. *Hearing*, 171.
38. Smith and Weiner, *Oppenheimer*, 276.
39. Rhodes, *Making of the Atomic Bomb*, 630–633.
40. Rhodes, *Making of the Atomic Bomb*, 632.
41. “Notes of the Interim Committee Meeting, May 31, 1945,” in Martin J. Sherwin, *A World Destroyed: Hiroshima and the Origins of the Arms Race* (New York: Vintage Books, 1987), 295–304.
42. “The Political Implications of Atomic Weapons: Excerpts from the Franck Report, June 11, 1945,” in Sherwin, *A World Destroyed*, 323–333.
43. Sherwin, *A World Destroyed*, 213.
44. “Science Panel: Recommendations on the Immediate Use of Nuclear Weapons, June 16, 1945,” in Sherwin, *A World Destroyed*, 304–305.
45. *Hearing*, 34.

46. Cited in Sherwin, *A World Destroyed*, 213.
47. Robert Jay Lifton, *The Broken Connection: On Death and the Continuity of Life* (New York: Simon & Schuster, 1979), 369–381, 419–432.
48. William Lanouette with Bela Silard, *Genius in the Shadows: A Biography of Leo Szilard* (New York: Scribner, 1992), 269–273.
49. Smith and Weiner, *Oppenheimer*, 311.
50. Richard Rhodes, *Dark Sun: The Making of the Hydrogen Bomb* (New York: Simon & Schuster, 1995), 205.
51. J. Robert Oppenheimer, “Physics in the Contemporary World,” *Bulletin of the Atomic Scientists* IV (March 1948): 66.
52. Smith and Weiner, *Oppenheimer*, 329.
53. Smith and Weiner, *Oppenheimer*, 307.
54. Oppenheimer to Gardner Jackson [August 1947], Gardner Jackson MSS (Franklin D. Roosevelt Library).
55. Senator Brien McMahon, cited in Richard G. Hewlett and Francis Duncan, *Atomic Shield, 1947–1952* (University Park: Pennsylvania State University Press, 1969), 402.
56. Herbert F. York, *The Advisers: Oppenheimer, Teller, and the Superbomb* (Stanford: Stanford University Press, 1976), 154.
57. For the text of the GAC Report, see York, *The Advisers*, 154–162.
58. York, *The Advisers*, 160.
59. Oppenheimer to James B. Conant, October 21, 1949, in *Hearing*, 242–243.
60. Davis, *Lawrence and Oppenheimer*, 330.
61. Oppenheimer to General Board of the Navy, April 14, 1948, in *Hearing*, 46–47.
62. Dyson, *Disturbing the Universe*, 53.
63. *Hearing*, 305.
64. *Hearing*, 251.
65. Rhodes, *Dark Sun*, 508–509.
66. J. E. Hoover to Tolson and Ladd, May 19, 1953, FBI File.
67. J. E. Hoover to Tolson and Ladd, June 24, 1953, FBI File.
68. For the text of the letter, see *Hearing*, 837–838.
69. *Hearing*, 3–7.
70. Transcript of Oppenheimer-DuBridge phone conversation, March 12, 1954, FBI File.
71. Important accounts are Barton J. Bernstein, “In the Matter of J. Robert Oppenheimer,” *Historical Studies in the Physical Sciences* 12 (1982): 195–252; John Major, *The Oppenheimer Hearing* (New York: Stein and Day, 1971); and Philip M. Stern, *The Oppenheimer Case: Security on Trial* (New York: Harper & Row, 1969). See also

Richard Polenberg, ed., *In the Matter of J. Robert Oppenheimer: The Security Clearance Hearing* (Ithaca, N.Y.: Cornell University Press, 2002).

72. *Hearing*, 155.

73. *Hearing*, 137.

74. *Hearing*, 154.

75. *Hearing*, 235–236.

76. *Decision and Opinions of the United States Atomic Energy Commission in the Matter of Dr. J. Robert Oppenheimer* (Washington, D.C.: U.S. Government Printing Office, 1954), 51–54.

6

RACE IN AMERICA: THE ULTIMATE TEST OF LIBERALISM

William H. Chafe

No issue has more severely challenged the liberal tradition in America than that of race. Whatever else liberalism has meant at different points in time—more or less equitable distribution of wealth, larger or smaller programs of social welfare, a stronger or weaker role for the federal government—there has always been at the heart of liberalism a belief in the goal of equal opportunity, a conviction that *individuals*, whatever their background or starting point in life, should be able to compete with each other and maximize their *individual* talents. Within such a framework, group identity ultimately does not count. The norm is one of assimilation, each man or woman developing his or her abilities within a social and economic system presumably capable of, and committed to, individual rights. Within such a paradigm, every person enjoys equal protection and similar chances to make it, or not make it, in the competition for success.

The critical question, of course, is whether a viable opportunity to achieve equal opportunity can ever exist in a society that from its inception has made race a dividing line separating people with black skin from those with white skin—with blacks having almost no rights, and whites having lesser or greater rights depending on their class, gender, and ethnicity. From Martin Delaney to Frederick Douglass, Booker T. Washington to W. E. B. DuBois, Marcus Garvey to Walter White, African Americans have differed profoundly on how to answer that question. Only in the years since the 1930s, however, have changes occurred that put the issue to a test.

During that period, two kinds of dialectic have taken place. The first has been between those who wield power in government and society, and others in established positions of civil rights leadership who have sought entry into the corridors of power on behalf of the previously disenfranchised. The second has been between people at the grass roots for whom experience is the best teacher, and whose vision has been less constrained by the customs or perquisites of power, and those who determine public policy. Occasionally, the two types of dialectic have overlapped and found some common ground. That happened in America during the late 1940s and the early 1960s. But more often, the two have diverged, calling into severe doubt whether the dream of liberalism can ever accommodate the reality of race.

THE DEPRESSION AND WAR YEARS

Only by contrast with what had gone before could anyone speak of the 1930s as a time of positive change for American blacks. The system of Jim Crow remained deeply entrenched. Lynchings continued to occur, gruesomely testifying to the degree that physical terrorism reinforced the customs of segregated jobs, schools, and social spaces. More than 75 percent of black Americans lived in the South. Fewer than 5 percent had the right to vote. White schools received more than five times the funding per student that black schools received. Richard Wright summarized the effect of growing up black in such an environment in his autobiographical novel *Black Boy*. Working as a domestic in a white person's home, he was asked by his employer why he was still going to school. "Well, I want to be a writer," he replied. "You'll never be a writer," she responded. "Who on earth put such ideas into your nigger head?" In spite of such experiences, blacks found myriad ways to sustain their communities and families, and even on occasion engaged in resistance—but always within a context of pervasive control.

Yet the New Deal also offered some reason to hope. Federal relief checks came to blacks as well as whites. Some jobs existed in the Works Progress Administration. African Americans were appointed to federal offices, and there was even a "black" cabinet of highly placed officials who advocated change in race relations. Although the president would not support an antilynching law, he acknowledged, with regret, the reality of white terrorism. And his wife, Eleanor Roosevelt, became a champion of civil rights, supporting black women leaders such as Mary McCleod Bethune, resigning from the Daughters of the American Revolution when they denied the black opera singer

Marian Anderson the right to sing at Constitution Hall—even testifying by her physical actions to her convictions about equal rights. When told at a Birmingham meeting of the Southern Conference on Human Welfare that she would have to take her seat on the “white” side of the room, separated from black delegates, she carefully placed two of the four legs of her chair on each side of the dividing line, showing her contempt for the whole concept of Jim Crow. By 1941 even her husband was ready to sign an executive order creating a Fair Employment Practices Commission barring discrimination against blacks in defense industries—especially when threatened by A. Phillip Randolph, the black union leader, with a massive march on Washington were he not to do so. It was World War II, however, that set in motion more dynamic and long-lasting grassroots change. The war jolted all Americans into new roles and responsibilities. More than two million blacks left the South for the North and West. The number of African Americans employed in manufacturing more than doubled, from 500,000 to 1.2 million. Black ballots were counted and mattered in the North, and politicians inevitably became champions of those who voted for them. Blacks enlisted at a rate 60 percent higher than their proportion in the population, and experienced, especially in posts such as England, France, and Hawaii, a warmth of reception and level of respect that gave credibility to the notion that a better world of race relations might someday exist.

The very existence of some progress, on the other hand, made all the more infuriating the persistence of white racism, both inside and outside the military. Blood supplies were segregated, notwithstanding the fact that a black physician, Dr. Charles Drew, had perfected the means of preserving blood plasma. A black soldier was lynched in Georgia. When a black army nurse violated Jim Crow seating regulations on a Montgomery bus, she was brutally beaten. A black soldier in Durham was shot and killed by a bus driver when the soldier protested the discourteous way in which the driver treated him. Symptomatic of the grinding tenacity of racism was the experience of black soldiers in Salina, Kansas, who sought service at a lunchroom. “You boys know we don’t serve colored here,” they were told. Indeed they did, so they walked away while inside the restaurant German prisoners of war sat at a table eating their lunch. “It was no jive talk,” they noted. “The people of Salina served these enemy soldiers and turned away black American GIs.” Precisely because of this chemistry—small, but important breakthroughs existing side by side with pervasive reminders of second-class citizenship—black Americans intensified their protest. The government’s sophisticated propaganda campaign against fascism and for democracy highlighted America’s vulnera-

bility to the charge that it was the most racist country of all. "Our war is not against Hitler and Europe," one black columnist wrote, "but against the Hitlers in America." The black press united behind a "Double V" campaign—victory at home for democracy as well as victory abroad, increasing the militancy of its demands, even as circulation soared by 40 percent. Membership in the NAACP skyrocketed to 500,000 nationwide—a 900 percent increase, with local chapters increasing threefold. Racial tensions mounted, with race riots breaking out in Detroit, Harlem and elsewhere—only this time with black reprisals as well as white provocation and aggression. Black protest organizations, as well as average black citizens—and especially returning black soldiers—were determined that after this war, change would happen and happen quickly.

POSTWAR AMERICA, 1945–1960

Black hopes hinged on pricking the conscience of white America, generating new resilience and determination on the part of a biracial liberal coalition of northern urbanites, union members, and minorities, and sustaining black insurgency in the face of inevitable and overwhelming oppression. The last proved the easiest to achieve. More than a million black veterans came back from the war, many of them intent on remaking the world they had left. Medgar Evers and Amzie Moore returned to Mississippi and immediately went to register to vote. In Columbia, Tennessee, blacks insisted that there be a "new deal" in their community based on respect and dignity for blacks. Atlanta saw a registration effort that brought eighteen thousand new blacks to the polls in 1946, while in cities such as Greensboro and Winston-Salem a new black presence in politics resulted for the first time in aggressive candidacies for office. Overall, the number of blacks registered to vote in the South grew sixfold from 1945 to 1947, from 2 percent to 12 percent.

None of this came easily, and all of it occurred in the face of white terrorism. Medgar Evers and his associates were met by white men with pistols when they sought to register. The only black man to cast a ballot in one Georgia district was murdered immediately thereafter, his assailants never tried. When Isaac Woodward got off the bus in his hometown in South Carolina proudly wearing his uniform, policemen beat him with billyclubs and blinded him. A race riot greeted the efforts of blacks in Columbia, Tennessee, to forge a "new deal" there, and the response of white politicians to

black voter registration drives was epitomized by Mississippi's Theodore Bilbo, who told a cheering throng: "If there is a single man or woman serving [as a registrar] who cannot think up questions enough to disqualify undesirables, then write Bilbo [because] there are a hundred good questions which can be furnished . . . but you know and I know what is the best way to keep the nigger from voting. You do it the night before the election. I don't have to tell you any more than that. Red-blooded men know what I mean." Bilbo then winked and left.

The key was whether the black insurgency could evoke a positive response from politicians across the nation. There the message was equivocal. On issues such as vigorous support for the Fair Employment Practices Commission, the new Truman administration provided more verbal than substantial backing, particularly on cases where a strong stance could have made a difference, as in hiring black operators for the Washington, D.C., transit system. After forty religious and civil rights groups visited him in the White House to protest the rise of racial violence, on the other hand, Truman seemed surprised (perhaps inappropriately so, given his Missouri background) at the degree of violence that had occurred. "My God," he said, "I had no idea it was as terrible as that. We have to do something."

In a dramatic follow-through, Truman appointed a blue-ribbon Committee on Civil Rights, featuring such luminaries as Charles Wilson, the head of General Electric, and Frank Porter Graham, the president of the University of North Carolina. Its report, "To Secure These Rights," boldly acknowledged the severity of the crisis and recommended a series of changes, including a permanent FEPC, creation of a Civil Rights Commission, desegregation of the armed forces, abolition of the poll tax, and support for the legal assault on segregated housing. As a follow-up, Harry Truman became the first U.S. president to address a national meeting of the NAACP, pledging to close the gap between black and white. "Every man," he declared, "should have the right to a decent home, the right to an education . . . the right to a worthwhile job, the right to an equal share in making public decisions through the ballot. . . . We must assure that these rights—on equal terms—are enjoyed by every citizen." In support of his words, Truman sent a special message to Congress in February 1948 embracing virtually all the recommendations of the Civil Rights Committee he had appointed.

Political self-interest also weighed in. Facing an extraordinarily difficult reelection campaign, Truman knew his political success hinged on winning the support of labor and urban minorities. Clark Clifford, one of Truman's chief political advisors, created a campaign blue print premised on such a

strategy. Although Truman himself seemed reluctant to commit himself too overtly to a biracial liberal coalition, liberals in the Democratic Party forced him to become more assertive. Led by Minneapolis Mayor Hubert Humphrey, they generated a platform revolt at the convention that placed civil rights at the heart of the Democratic message. Although rabid segregationists such as South Carolina's Strom Thurmond walked out and formed their own party, Truman used the energy of his new coalition to lambaste the forces of reaction and bring to fruition, on election day, the successful political coalition that Clifford and Humphrey had made possible.

Other political developments, however, proved less promising, in terms of both implementing the party's new commitment to civil rights and narrowing the options for pursuing change. Progressive industrial unions in the auto, electrical, rubber, and textile industries were key to the success of a biracial coalition. Many of their most effective organizers, however, were either Communists or individuals significantly to the left of the mainstream Democratic Party. A number of their organizing successes had promoted the idea of using interracial solidarity as a vehicle for creating major economic changes, both in social welfare programs such as national health insurance, and in the sharing of decision-making power between unions and industry. In the face of the rapidly escalating Cold War, these radical union leaders were attacked as Communist sympathizers and purged from the labor movement. As a result, the focus on economic and systemic change as a solution to racial inequality faded into oblivion, and more and more of the energies of civil rights groups went into legal challenges, within the constitutional structure, to patterns of segregation.

At the same time, little was being done to enforce the new policies politicians had embraced. Though he won reelection, Truman seemed relatively powerless to secure enactment of progressive legislation. Although he ordered the desegregation of the armed forces in the summer of 1948, it was not really until after the Korean War ended in 1953 that integration took place. A permanent FEPC remained a dream; southern politicians seemed more racist than ever, with the "liberal" Frank Porter Graham defeated in a sordid campaign for the U.S. Senate in North Carolina where his opponent circulated (cropped) pictures of Graham supposedly dancing with a black woman and accused him of being a communist; and average black citizens continued to suffer terrorist repression. When Isaac Nixon, a black veteran, ignored white warnings and cast his ballot in 1948, he was murdered, with an all white jury acquitting his assailant. Blacks who stood up for justice consistently found themselves victims of economic reprisal. Much, therefore, rested

on the degree to which the legal assault against segregation would prove successful, both in theory and in substance

In principle, there seemed good reason for optimism about the legal fight. Led by the irrepressible Thurgood Marshall (the NAACP's Herbert Hill noted, "he was a very courageous figure. He would travel to the court houses of the South, and folks would come from miles, some of them on muleback . . . to see the 'nigger lawyer' who stood up in white men's court-rooms"), the NAACP's legal team had strung together a series of victories eroding the impact of the infamous *Plessy v. Ferguson* decision in 1896 upholding segregation. In *Missouri ex. rel. Gaines* (1939) the court mandated that equal treatment for a black law student required construction of a fully equipped and staffed black law school in Missouri. Two 1950 cases extended the court's dissatisfaction with how *Plessy* was implemented, one winning the Supreme Court's endorsement of the idea that equality could be measured by psychological as well as physical evidence so that a student made to feel "inferior," even in equal physical facilities, could still secure redress. Now, Marshall and his colleagues determined to take on the core of *Plessy*, arguing for its invalidation on the grounds that segregation, by definition, represented a denial of equality. The Court agreed in a 9–0 opinion masterfully orchestrated by new Chief Justice Earl Warren in order to signal the decisive reversal that had just occurred. Marshall and others predicted that within less than a decade all segregated schools would disappear, with other forms of mandated separation soon to follow. "We have won," black newspapers exulted.

Yet the ruling meant nothing, or almost nothing, without enforcement. "The law is a landing force [of change]," one legal scholar wrote at the time. "It makes the beachhead. But the breakthrough, if it is to be significant, [must be] broadened by forces from behind which take advantage of the opening to go the rest of the way." Those forces were not there. In the dialectic between those in power who had the authority to create change, and those out of power seeking admission to the system, deafening silence greeted the petitioners. President Dwight Eisenhower disliked the *Brown* decision. He believed that changing racial customs by force "is just plain nuts," and that the federal government should "avoid any interference" in local racial situations. As a result, he did virtually nothing to make desegregation of the nation's schools a reality, sending troops into Little Rock on 1957 only because the governor there, Orval Faubus, had directly challenged Ike's authority as commander-in-chief. Although the White House had been known since Teddy Roosevelt's days as a "bully pulpit," it was, according to historian William E. Leuchtenburg, "an

empty pulpit” when Eisenhower was president. “It is not too much to say,” he has written, “that a great deal of the violence, as well as the fearfully slow rate of compliance after 1954, may be laid at Eisenhower’s door.”

That left the battle back in the hands of the people, many of them average black citizens who had experienced the resurgent hopes borne of war and protest, now angered and frustrated by the failure of those in charge to open the corridors of power for equal participation or to follow through with actions consistent with their words. One of those people was Rosa Parks, a seamstress in Montgomery, Alabama. In December 1955 she did what countless black people had done before her—refused to abide by the Jim Crow regulations that required black customers to give up their bus seats to whites if the whites were left standing while blacks were seated. On most other occasions, those who protested were arrested, forced off the bus, or in some cases beaten or even murdered. But the time was different and Mrs. Parks was different. “She was decent,” one leading Montgomery black noted. “And she was committed . . . nobody could point no dirt at her. . . . And when she did something, people just figured it was the right thing to do.” So when Mrs. Parks was arrested, the community reacted as one. Within hours a mass church meeting was called, a committee was put in place, and the Montgomery bus boycott—which lasted for 381 days and involved well over 90 percent of Montgomery’s black citizenry—began.

Significantly, the bus boycott brought together themes that spoke to the long history of black organization and resistance, even during the worst days of Jim Crow. Mrs. Parks was no newcomer to protest. A secretary of the Montgomery NAACP, she had long participated in black protest activities and had attended a workshop on race relations at the Highlander Folk Institute in Tennessee, a major incubator for social activism. Other actors in the drama carried similar credentials. Jo Ann Robinson, a leader of the local Women’s Political Council (an organization in the black community similar to the segregated and all-white League of Women Voters) had developed a political network of women activists with a phone tree, ready to put into place a plan for community mobilization whenever necessary. She, in turn, had an additional ally in E. D. Nixon, head of the Montgomery chapter of the all-black Brotherhood of Sleeping Car Porter’s Union (of which A. Phillip Randolph was president). Nixon was prepared to call out his troops on a moment’s notice as well. Not even the idea of a bus boycott was new. Black leaders in Montgomery had been discussing the need to take action to end callous and discourteous treatment from white bus drivers for years and were just waiting for the right moment to express their grievances.

Thus when the protest began, it represented the crystallization of social forces already in place. Black institutions, headed by experienced activists who had thought through their agenda, were prepared to mobilize their resources. The genius—and difference—of the bus boycott was its ability to provide a vehicle for so many people to express their discontent; *and* the emergence of a vibrant young leader named Martin Luther King Jr., who discovered in his ruminations about how to justify breaking the law the philosophy of nonviolent resistance, rooted in the Christian Gospel, and informed by the impulse to speak truth to power through love. If the president of the United States was unwilling to expand the beachhead secured by the *Brown* decision, the average citizens of Montgomery would help transform that “landing force” of change into a real breakthrough.

A few short years later, a new generation of African Americans would carry that beachhead still further, once again using their experience and the training they received from the all black institutions in their community to forge a new language of protest and insistence on self-determination. The four first year students at Greensboro’s North Carolina A&T University who began the sit-in movement had come of age at the time of the *Brown* decision. They grew up with the expectation that the world would change around them, but it did not. They also grew up with teachers, ministers, and parents who taught them the importance of standing up for their beliefs. Members of an NAACP Youth group, they met weekly to talk about events such as the Montgomery bus boycott. They also went to all-black schools where teachers like Nell Coley and Vance Chavis imparted a message of empowerment, Chavis by having his homeroom pupils address voter registration envelopes at the beginning of the day, Coley by using the texts in her English class to transmit the values of courage, honor, and sacrifice. The students went to a church pastored by a young minister who himself had led civil rights activities at all-black Shaw University in Raleigh, and who preached his own version of liberation theology—that the Gospel of Jesus was a Gospel of freedom and justice.

Using that framework of teaching and institutional strength as a departure point, the four freshmen started to debate their own responsibility to bring change where change had not yet happened. Lest they become complicit in perpetuating segregation, they concluded, they must do something to combat it. And so they struck on the simple but elegant tactic of highlighting the moral absurdity of segregation by being customers at the local five and dime, and demonstrating the immorality of being treated one way at one counter and a totally different way when they tried to buy food. They

purchased paper and toilet products alongside other customers in the main part of the Woolworth's, then, with their receipts in hand, sat down at the lunch counter and asked for a cup of coffee. "We don't serve Negroes here," they were told. "But you served us over there," they pointed out.

Refusing to leave, the sit-in demonstrators took out their books and began to study. Four hours later the store closed. The next day, they were back, this time with twenty others. The day after that there were sixty-six, then the next day a hundred. And on the fifth day there were a thousand. Within eight weeks, sit-ins had erupted in fifty-four cities in nine states. In April the Student Non-Violent Coordinating Committee was founded—at Shaw University. The student phase of the civil rights revolution had begun—all as a product of growing up with clear values, strong teachers, and a sense of community support.

Rosa Parks, the Montgomery Bus Boycott, and the Greensboro sit-in movement represented the entry of new actors onto the stage of racial protest. Significantly, they were actors who accepted the values and principles of the American Dream and the American political system. Like the NAACP attorneys before them, they wished to join, not destroy or subvert, the existing structures of society. Integration, not separatism, represented their goal. They believed that by making their case fairly, showing their good faith as citizens, they could prove the merits of being accorded equal opportunity. All they wanted was the right to be treated as individuals, regardless of their race. In the opening dialectic between those who held power and the organizational representatives of the disenfranchised, the failure of those with authority to respond to legal petitioning created circumstances where others had to find new ways of expressing themselves. With voices of average people, even if taking the form of a new language, the protestors initiated a new dialectic. But it was one born out of conservative instincts and innocent faith in the capacity of the larger society to respond in a just and progressive way. If the first round of dialectical interaction had failed to generate consensus about a common ground, perhaps the second round would lead to clearer, more direct communication and a new and better understanding of how equality of opportunity could come to exist within a liberal tradition.

THE 1960S

On three occasions during the first half of the 1960s, there seemed moments of possibility that such understanding could emerge.

The first came shortly after the Kennedy administration took office in January 1961. Although neither John nor Robert Kennedy had ever spent much time thinking or worrying about civil rights, the issue had in fact played a pivotal role in John F. Kennedy's defeat of Richard Nixon. A black aide to Kennedy had written him a memo early in the campaign urging a "bold, national gesture" that would speak emotionally to black Americans. When Martin Luther King Jr. was arrested and sentenced to two months of hard labor in an Alabama jail, the opportunity suddenly emerged for precisely such a gesture. John Kennedy called Mrs. King to express his personal concern, and a day later his brother Robert called the sitting judge in the case and successfully sought King's release. The tide of the black vote suddenly shifted, and Kennedy rode to his narrow victory largely on the basis of African American votes.

Although Kennedy never mentioned civil rights in his inaugural address or followed through on his campaign pledges to take immediate executive action on civil rights issues such as desegregated housing, the Freedom Rides in the spring of 1961 provided another opportunity for the convergence of black aspirations and government response. Robert Kennedy immediately became intimately involved in the Freedom Ride protests. Enraged that the governors of Alabama and Mississippi refused to provide protection for civil rights protesters who were simply exercising their right to ride integrated interstate buses, he worked the phones night and day. "After all," he said in one call, "these people have tickets and are entitled to transportation. . . . I am—the government is—going to be very much upset if this group does not get to continue their trip." Kennedy personally persuaded a bus driver to get behind the wheel so that the Freedom Rides could continue, and then, when further violence met the demonstrators when they arrived in Montgomery, he called out federal marshals to protect them. To be sure, Kennedy also berated the demonstrators for criticizing the government just when the president was ready to go abroad for the first time, but in this, the first domestic crisis of the Kennedy presidency, there seemed evidence of a growing passion and commitment on the part of at least some people in government for the cause of racial justice.

The second moment of possibility occurred in the spring and summer of 1963. Although the Kennedy administration had severely disappointed blacks with its failure in 1961 and 1962 to advance civil rights legislation or protect civil rights workers engaged in voter registration activities, the Justice Department had increased fivefold the number of voting rights suits, and had increased ten times its number of black attorneys. Still, until the spring

of 1963, Martin Luther King Jr. was accurate when he stated that “if tokenism were the goal, the [Kennedy administration] has moved us adroitly toward it.” Now, the explosion of demonstrations in Birmingham (“Bombingham,” as it was known in the black community) changed all that. As Bull Connor’s police dogs attacked women and children and firehoses pinned peaceful demonstrators against storefronts and walls with the force of their water pressure, the world—and Washington—awakened to both the searing brutality of racism and the moral imperative of bringing racial change.

The Kennedys finally understood that they had no choice but to join the cause. Mobilizing the entire administration, they lobbied with business and political leaders to promote desegregation. Between May and July, the president met with more than 1,600 leaders from religious, labor and business organizations, while Robert Kennedy orchestrated the day-to-day response of federal law enforcement officials to the ongoing crisis of the demonstrations. Culminating the administration’s new sensitivity to the issue of civil rights, President Kennedy went on television in June, and in an extemporaneous address (his text was not ready by air time), for the first time embraced civil rights as “a moral issue, as old as the Scriptures and . . . as clear as the American Constitution.” Who among us, he asked, “would be content to have the color of his skin changed and stand in the [Negro’s] place? Who among us would then be content with the counsels of patience and delay?” Finally delivering on what he had so long promised, Kennedy proposed a major civil rights bill that would mandate desegregation of public accommodations, promote school integration, and outlaw discrimination in hiring based on race or sex. It was a major step forward, reinforced when the Kennedys ended up supporting the civil rights movement’s March on Washington in August 1963, with the president hosting the leaders of the march after its conclusion.

The third moment of possibility—and perhaps the most symbolic—came in the spring of 1965 when Lyndon B. Johnson, who inherited the presidency after John F. Kennedy’s assassination, personally embraced the civil rights cause as his own when he advocated transformative voting rights legislation before the U.S. Congress. Once again, of course, the precipitating cause was massive civil rights demonstrations. Thousands of civil rights protestors had descended on Selma, Alabama—with Sheriff Jim Clark playing the role that Bull Connor had played in Birmingham—to petition peacefully for the right to vote. Vicious beatings, and a near stampede of dogs and state police horses as peaceful demonstrators tried to cross the Pettis Bridge in Selma, brought the same kind of national outrage against white state authorities that had occurred two years earlier in Birmingham. Although the federal government

had avoided full support of the demonstrators before and had in fact secured injunctions to prevent them from marching, Lyndon Johnson now changed his position. In language worthy of Lincoln, he told the Congress and the American people that for more than a hundred years blacks had been suppressed in their desire to become full citizens, and that the time had now come to right that wrong once and for all. Expressing his complete identification with the movement, Johnson closed his address by using the movement's slogan as his own, telling the nation, "We shall overcome."

Even as the apparent convergence of civil rights insurgents and administration officials reached a new high, however, the disconnect between grassroots experience and political power was already eroding the possibility of civil rights advocates finding satisfaction and fulfillment within the liberal tradition. The decade had begun with optimism and faith on the part of civil rights protestors. They believed that by simply pointing out the wrongs and dramatizing their absurdity and immorality, they would cause lasting and meaningful reform. Instead, all too often, government officials defaulted on promises, waffled on implementation of policies, and, on occasion, even actively opposed civil rights insurgents. Even those who epitomized white liberalism failed repeatedly to come through, acting as though they had the right and authority to dictate the pace of change and the terms under which it would occur. By mid-decade, a significant segment of the civil rights movement had determined that liberalism itself was the problem, and that only by taking charge—defining their own agenda—could they achieve true self-determination.

Part of that evolution reflected the daily frustration of the student portion of the civil rights movement with the failure of government officials to protect them. Some were already disillusioned with what they saw as the effort of adult leaders like Dr. King and Roy Wilkins to manipulate them, expressing, in Ella Baker's words, anger "when the prophetic leader turns out to have heavy feet of clay." But that frustration paled beside the rage they felt when local law enforcement officers oppressed them, and federal agents stood by and did nothing. After Hartman Turnbow tried to register to vote in Mileston, Mississippi, his home was attacked with a Molotov cocktail and his family fired upon. The next day, Turnbow was arrested, not the perpetrators. The charge: that he had burned his own home. When Fannie Lou Hamer went to fill out voter registration forms, she was evicted from her home, then later taken from a bus, jailed, and viciously beaten.

To all of this, the federal government seemed to turn a deaf ear. After whites in Ruleville, Mississippi, fired into the homes of local blacks who were

assisting the civil rights movement, FBI agents suggested that the civil rights workers were trying to extort money and that *they* had done the shooting. State troopers in Selma brutally jabbed voter registration applicants with cattle prods and billyclubs, and all the FBI did was stand and watch. Even after repeated phone calls for federal assistance, it took hours for FBI officials to come and investigate imminent threats of violence to civil rights advocates. In Albany, Georgia, the federal government even sought indictments against some civil rights advocates for conducting a boycott of businesses that discriminated against blacks.

Symptomatic of the underlying grievance many blacks felt was the way that white liberals, at both the March on Washington and the Democratic national convention in 1964, insisted on depriving blacks of their own, independent voice and making them conform to white terms and standards. After white labor and religious leaders saw SNCC leader John Lewis's speech attacking established politicians of both parties for failing to address black grievances, they censored his remarks and threatened to abandon the platform unless Lewis accepted their revised language. In Atlantic City, at the Democratic convention of 1964, black insurgents tested the resolve of white liberals by seeking, through the Mississippi Freedom Democratic Party, to replace the all-white, segregated Mississippi delegation. They had collected reams of affidavits; they proved, by using the rules of the party, that they had been unfairly excluded; and they won the support of enough members of the credentials committee to send the issue to the floor for debate and resolution—until Lyndon Johnson concluded that this would upend *his* convention and threaten *his* control. Using every political weapon at his disposal, including threats to take federal jobs away from delegates, and having union leader Walter Reuther call in favors owed him and Johnson—and Hubert Humphrey, who was told a solution was the only way he could become vice president—Johnson eventually forced a “compromise” that allocated only two out of forty-eight delegate seats to the MFDP, and then did not even allow the MFDP to choose the two. The MFDP said no. “We didn’t come all this way for no two votes,” Fannie Lou Hamer said.

Finally, a growing economic radicalism took root among young activists in the movement. The more students from colleges, southern and northern, saw firsthand the poverty facing black southerners and the ways that credit, loans, and insurance policies were used to whip blacks into conformity with white expectation, the more they saw the economic system, as well as the political system, as part of the explanation for racism. Some, at least, began to ask why anyone would want to be integrated into a social and economic sys-

tem that perpetuated such inequality. What was it worth to be able to eat at a Holiday Inn if one could not afford the meal? The desire for control over their own movement reinforced the evolving conviction that systemic, not incremental, change was the only answer. "In earlier days," Roger Wilkins, nephew of the NAACP leader Roy Wilkins, wrote, "the overwhelming majority of Negroes retained their profound faith in America [and] her institutions. . . . [Now] there is a growing view . . . that white people have embedded their flaws so deeply in the institutions that those institutions are beyond redemption."

Out of such experience emerged the political doctrine of the Black Power movement. More an expression of frustration than a coherent program of economic and social policies, Black Power spoke powerfully to the desire of many African Americans to be in charge of their own movement and aspirations. America, Stokely Carmichael declared, "does not function by morality, love and non-violence." So why should blacks wish to become assimilated into such a nation. Occurring, as it did, at the same time that race riots broke out in areas as different as Watts in Los Angeles and inner city ghettos in Newark, Cleveland, and Detroit, Black Power—and companion developments such as the emergence of the Black Panther Party—signified the degree to which the hopeful optimism of the early 1960s had been displaced by voices of anger that saw little if any hope for finding common ground with the larger liberal tradition.

THE POST-1960S

Even if the development of Black Power reflected the sentiments of only a portion of the African American population, the experiences that shaped its emergence suggested a degree of fragmentation and division that made unlikely the convergence around a set of common policies that had once seemed possible in the late 1940s and early 1960s. Instead, it seemed, race remained a reality within American society that the liberal tradition could accommodate, at best, only partially. Notwithstanding remarkable gains, both politically and economically, for a segment of the black population, race conferred a group identity that did not easily give way to an ethos of individualism and equal opportunity. Controversy after controversy heightened sensitivity on the part of blacks as well as whites about the underlying resonance of race as a social dividing line. And the degree to which poverty, housing segregation, and educational experience still revolved

around racial variables suggested that the dream of a liberal coalition that would transcend race was a long time away from being a possibility.

No one used the political volatility of race better than Richard Nixon. Although in the 1950s Nixon was one of the chief supporters of civil rights in the Eisenhower White House, by 1968 he had become a specialist in using racial code words as a rallying cry for a conservative political resurgence. Issuing scathing denunciations of forced busing to desegregate schools, Nixon not too subtly suggested that he would cease heeding black America's call for change by focusing on the "restoration of law and order" as his chief priority. "As we look at America," he proclaimed, "we see cities enveloped in smoke and flame. We hear sirens in the night. We see Americans hating each other. And . . . millions of Americans cry out in anger: Did we come all this way for this?" Nixon pledged to speak on behalf of "the non-shouters, the non-demonstrators . . . those who do not break the law," the great silent majority. He did not have to use the words "black" or "Negro." It was all too clear who he was talking about, who his foil was. And blacks as well as whites got the message.

As another measure of the ongoing and divisive salience of race for both blacks and whites, affirmative action became—with abortion—the single most polarizing issue in American society. Started in the mid-1960s by JFK and LBJ as a policy of seeking the inclusion of blacks in employment pools, affirmative action by the 1970s had come to mean, for whites, quotas, preferential treatment, and mandated violations of equal employment procedures in order to give blacks something they did not deserve; for blacks, on the other hand, affirmative action was a critical and necessary intervention to reverse centuries of discrimination by making employers look carefully at qualified black candidates for positions that were open. The courts for the most part upheld affirmative action policies, especially where a history of proven discrimination existed, but the larger battle was in the symbolism of using race as a category of political decision-making. Even though for centuries laws had been made solely based on race—slavery and Jim Crow as prime examples—now it became un-American to use the same criterion for seeking to redress injustice. When in the 1970s network news anchors first started to use the phrase "reverse discrimination" as a synonym or descriptor of affirmative action, the cultural war was over. Blacks had lost, and they knew it, even if the policy of affirmative action itself had made a significant difference in the jobs many middle-class blacks, in particular, now occupied.

Perhaps the most enduring manifestation of race as a shaping issue in America was the dividing line that separated those African Americans who

enjoyed new opportunities to move to the suburbs, hold good jobs, and secure a decent education, and those who remained totally outside the mainstream, isolated by their race, class, and gender from even a chance to make it in America. On the one hand, the proportion of blacks earning a middle-class income increased 250 percent from 1960 to the mid-1970s. Black enrollments in colleges leaped fivefold. But on the other hand, the unemployment rate for blacks in inner city ghettos was more than 30 percent, high school dropout rates approached 50 percent, and the number of children born out of wedlock in the black community went from 17 percent in 1950 to nearly 60 percent by 1990. Almost a third of black America lived in poverty in the 1970s and '80s, with a new category of black female-headed households providing the major reason.

None of these trend lines shifted during the '80s and '90s. The bifurcation of the black community by income and education accelerated rather than diminished over time, with nearly two-thirds of black births in 2000 taking place in single-parent households. Affirmative action—or “reverse discrimination,” as most whites called it—continued to divide the population providing a lightning rod for both white conservatives such as Pat Buchanan on one hand and black protestors such as Al Sharpton on the other. George Bush's use of the Willie Horton ad in the 1988 election—a black convict, given weekend leave in Mike Dukakis's Massachusetts, who subsequently raped a white woman in Maryland—demonstrated the political capital that could be seized by, once again, making race a dividing point in political decision-making.

Although many social scientists now talked about the “declining significance of race”—William Julius Wilson's phrase—two events in the 1990s suggested that announcing the demise of race as a pivotal issue in America was premature. In the early 1990s, Rodney King, a black man with a record of minor criminal violations, was chased by Los Angeles police for a speeding violation. Subsequently, as recorded by an amateur photographer using a new video camera, police officers with billyclubs subdued King on the ground and struck him sixty-five times. When the officers were put on trial, an overwhelmingly white jury decided that no brutality had occurred, despite the videotape.

A few years later, O. J. Simpson, the famous black football player and commentator, was arrested and charged with brutally murdering his ex-wife and her companion. A record of previous domestic violence was established, with 911 calls from Nicole Simpson. Most important, DNA evidence directly linked Simpson with the murder. Yet an overwhelmingly black jury acquitted Simp-

son, convinced that white police had framed him. Two-thirds of black Americans thought Simpson was innocent. Two-thirds of white Americans thought he was guilty. Two cases, one with videotape, one with DNA—both the equivalent of eyewitness testimony—each decided on the basis of race. It was not necessarily a good omen for those who believed in the liberal tradition.

CONCLUSION

What would have been required for liberalism to have passed successfully the test posed by the issue of race? Clearly, the total elimination of race as a category conferring group identity represents a utopian idea. Given the plethora of ethnic traditions in the United States, the persistence of cultural differences and collective pride in one's origins should be a source of strength, not weakness. Nor is there an inherent inconsistency between embracing the values of individualism and equal opportunity on one hand and celebration of group identity on the other. The key, then, is not the elimination of race as a concept conferring difference and identity, but rather the elimination of race as an automatic signifier of inequality and invidious treatment.

For that to have happened, the chasm between white leaders and black activists would have to close, and the disconnect between the average black person's daily experience and the pronouncements of public policymakers come to an end. There appeared to be moments in the post-1930s world when that kind of bridging might have been possible. The rhetoric surrounding President Truman's Committee on Civil Rights, and the strength of biracial liberalism at the 1948 Democratic convention offered hope. But then action failed to follow words, and in an age permeated by anticommunism and the fear that any criticism of America might be punished as giving aid to the enemy, that moment passed, with reliance on the courts the only viable means of seeking change.

Then again in the early 1960s, particularly in 1961, 1963, and 1965, there were occasions when white and black political leaders came together, and when even the dialectic between average insurgents and public policymakers seemed on the path to open communication, trust and synthesis. The Kennedy administration's responsiveness to the Freedom Rides and the Birmingham demonstrations—although only partial—provided hope that there could be more follow-through in the future and that a new coalition might be born. The same sense of optimism seemed warranted when Lyndon Johnson made vot-

ing rights a cause that he personally embraced, even though the foundations of a liberal coalition were already crumbling.

But in the end, the follow-through proved inadequate, leaders faltered under the ongoing temptation to use race as a negative wedge that would bring temporary political advantage, and the disconnect between average people's daily experience and the words that supposedly guided government policy became deeper and wider. Persistence, consistency, and vision were all necessary if the promise of incorporating racial equality within a liberal tradition were to be realized. If there had been agreement to "keep your eye on the prize," and that prize were defined as making race a positive value within a commitment to equal opportunity, the test that race posed for liberalism might have been passed. Instead, the moments of brightness became shadowed by longer periods of darkness, and the gap between leaders and the experience of average citizens widened. Ultimately, race was the Achilles heel of the liberal tradition, challenging its capacity to grow and to evolve organically in service to democratic values. It remains so in a new century, still challenging leaders and average citizens to redeem the original sin of American democracy.

7

AFRICAN AMERICANS, AMERICAN JEWS, AND THE HOLOCAUST

Harvard Sitkoff

African Americans and Jewish Americans have together journeyed a long, twisted path of enmities and empathies. Jews who currently oppose black goals as well as those who bemoan the dissolution of the civil rights alliance each have their antecedents to emulate, much as anti-Semitic African Americans and blacks who decry such prejudice each have their precedents to employ. Their joint, disjointed history points in no single direction. Today the media trumpet the views of African Americans praising Adolf Hitler or those claiming for themselves a greater victimization than that suffered by Jews during what we now call the Holocaust.¹ Today Jews loudly condemn blacks for trivializing the Holocaust, for not recognizing its uniqueness. Little is heard of the 1930s and 1940s, a time when there was more black anti-Semitism and more Jewish racism among the mass of blacks and Jews as there is now, yet when leaders of both communities, despite being shaped by different historical and personal experiences, sought to make common cause against the common enemy of intolerance and hatred. Both saw themselves as objects of persecution and each other as means to ends. As opportunistic as they were dissimilar, they developed an organizational alliance to achieve acceptance and equality of opportunity in American society.²

Nazi and Fascist anti-Semitism in the 1930s, and especially the horrors of the Holocaust, proved central to that development and the coming of age of the modern civil rights movement. Jews became more sensitive to cries of injustice, more ready for alliances with other underdogs. News of the Holocaust also made some other Americans uneasy or guilty about their own

racist beliefs and practices. And all the condemnations of Hitlerism by American government officials and shapers of public opinion, all the Allied talk of fighting a war against doctrines of racial superiority, fueled the righteous insistence of African Americans to end racism in the United States. African American leaders, particularly in the National Association for the Advancement of Colored People (NAACP), used Hitlerism and the Holocaust to generate concern for the plight of blacks and support for the cause of civil rights. They repeatedly pointed to what was happening to European Jewry as a means of advancing their own domestic agenda. They established an analogy between racial practices in Nazi Germany and those in the Jim Crow South to clarify and dramatize the nature of American racism to their fellow Americans. By linking the odious Nazism with Jim Crowism, these African Americans sought to make racial discrimination and segregation similarly anathema and to convince the white majority of the justness of their cause.³

Benito Mussolini helped them considerably. Regarding Africans as “inferior beings” and seeing himself as defending “western civilization against the colored races,” Il Duce’s forces attacked Ethiopia in October 1935, slaughtering defenseless children and women in the country many African Americans regarded as the “Black Zion.” Mussolini then issued a Manifesto of Fascist Racism declaring theories of racial equality “absolutely inadmissible,” branding the so-called Semitic and Hamitic (that is, black) races as inherently inferior, and insisting that the purity of the blood of the superior white race not be polluted by miscegenation with blacks or Jews. The Italian Ministry for Africa claimed proudly: “Italy is the first European nation to uphold the universal principle of the superiority of the white race.”⁴

If not quite first, Hitler and the Nazis went even further to avoid “racial contamination” by inferiors. Coming to power in 1933, they used the power of the state and their own paramilitary organizations to assault German Jews, boycott their businesses, and discriminate against them. Then the Law for the Protection of German Blood and Honor and the Third Reich Citizenship Law (the Nuremberg Laws of September 1935) defined Jews by ancestry rather than religion, outlawed marriages and sexual intercourse between Jews and non-Jews, stripped Jews of most rights of German citizenship, and increased earlier restrictions on Jews in all spheres of German educational, social, and economic life. The Nazi government also established an Office for Racial Policy to see that the master race of Aryans was not contaminated by racial inferiors; and, on November 9–10, 1938, unleashed *Kristallnacht* (Night of the Broken Glass), a pogrom of arson, destruction, and looting against Jews. Following the invasion of the Soviet Union in 1941, Hitler au-

thorized the creation of *Einsatzgruppen* (special mobile units) to accompany the German army and execute Jews. By year's end they had systematically murdered more than half a million "racial inferiors" in occupied Russia. By then, as well, the Nazis had begun to experiment at Chelmno in Poland with mass executions carried out by means of gas. In January 1942 Nazi officials met at Lake Wannsee, near Berlin, to coordinate the *Endlösung*, the "Final Solution of the Jewish Question." The gassing of prisoners at Auschwitz-Birkenau, Belzec, Majdanek, Sobibor, and Treblinka now became a round-the-clock phenomenon, murdering more than three million people, mostly Jews. Not till the approach of the Soviet armies from the east did the Nazis abandon their Polish "death camps" and march the surviving Jewish, Gypsy, Jehovah's Witnesses, Serb, homosexual, and other "antisocial" prisoners to concentration camps in Germany, where millions more died of disease, exposure, and starvation en route to and in Bergen-Belsen, Buchenwald, Dachau, Mauthausen, Nordhausen, and Sachsenhausen. It was the ultimate triumph of racism in practice.⁵

As soon as Hitler and the Nazis began their harassment of German Jewry, African American newspapers began highlighting the similarities of discriminations and oppressions in the United States and in Germany. Most of their editorials prior to 1936, however, were not at all sympathetic to the plight of German Jewry. The Great Depression engendered enormous anti-Semitism in the United States—by whites and blacks. Well over a hundred new anti-Semitic organizations were established in the second half of the 1930s alone, compared to just fourteen between 1915 and 1933. Indeed, throughout the 1930s and World War II most Americans were neither deeply touched nor troubled by the news about Jews coming out of Europe. A majority believed that Nazi persecution of the German Jews was either partly or entirely the Jews' own fault—their being too powerful, their running the economy, their being too radical. Few considered the plight of European Jewry their plight too. Until May 1945 many remained unaware, did not care, or thought the killing of European Jews a Jewish problem for Jews to solve. Most African Americans, accepting the dominant culture's values and prejudices concerning Jews, followed suit. An amalgam of religious folk beliefs and economic woes compounded their antipathy. Like many Germans and white Christian Americans, blacks viewed Jews as infidels, usurers, Christ-killers. Moreover, to the average African American tenant the Jew was the landlord, to the black worker he was the boss, to the black customer the Jew was the shopkeeper, and to the black domestic the Jew was the stingy woman whose house she cleaned. Still others condemned Jewish organizations in the United States for

being blind to American racism, resented the attention paid to German Jewry while the plight of African Americans went ignored, and feared that a focus on anti-Semitism drew energy away from the struggle against Jim Crow.

Anti-Semitism also allowed African Americans to give vent to pent-up hostilities and indulge a sense of imaginary superiority. Thus, the *Philadelphia Tribune* warned its readers that “most of what is told about Jewish treatment in Germany is propaganda since the Jews control to a great extent the international press” and opined that to “be a Jew in Germany is hell,” but “to be a Negro in America is twice as bad.” The *New York Age* added: “If the Jewish merchants in Germany treated German workers as Blumsteins treat the people of Harlem, then Hitler is right.” Not surprisingly, in September 1933, W. E. B. Du Bois responded with what he called “unholy glee” to the treatment of Jews by his beloved Germans: “When the only ‘inferior’ peoples were ‘niggers’ it was hard to get the attention of *The New York Times* for little matters of race, lynching and mobs. But now that the damned included the owner of the *Times*, moral indignation is perking up.”⁶

More explicitly anti-Semitic than Du Bois were the black nationalist “don’t buy where you can’t work” campaigns. Marcus Garvey and Carlos Cooks, the leader of the neo-Garveyite African Nationalist Pioneer Movement, blamed the Jews, as lovers of money, for their own persecution. Sufi Abdul Hamid (labeled “a black Hitler” by Adam Clayton Powell Jr.), became a regular fixture on Harlem street corners in the 1930s, fulminating against Jewish merchants and employers while sporting a Nazi-like uniform. The Negro tabloid *Dynamite* declared: “What America needs is a Hitler and what the Chicago Black Belt needs is a purge of the exploiting Jew.” In Baltimore, at an African American forum on Germany’s treatment of the Jews, the audience burst into applause when a speaker praised Hitler’s actions. And when Harlemites rioted in 1935, and then again in 1943, Jewish merchants were the chief target of their wrath.⁷

Indeed, much of the black press initially put the onus of Nazism on the Jews themselves, claimed that German Jewry suffered less than African Americans, argued against aiding Hitler’s victims since Jews did not assist blacks, and, most emphatically, emphasized the hypocrisy of those denouncing Germany’s treatment of Jews but not the oppression of blacks in the United States. Because Jews would not hire Negroes in their stores, opined the *Baltimore Afro-American*, in those stores “you will find Hitlerism in its most blatant form exercised by those who are being Hitlerized in Germany.” American Jews, wrote the *St. Louis Argus*, use “the same tactics and methods to persecute and discriminate against Negroes” that Hitler uses

against German Jews. "Why shed crocodile tears over the fate of the Jews in Berlin when here in America we treat black folk in the same manner every day?" the *Oklahoma City Black Dispatch* asked. "Why the comparison is so definite and clear," it added, "we are almost wont to feel Germans secured the pattern of Nazi violence visited upon the Jews from white America." The *Cincinnati Union* had no doubt that in segregating Jews Germany was "taking a leaf from the book of many American cities." Complaining that African Americans had to endure greater persecution "under American Hitlers," the *Amsterdam News* sneered at those rallying to save Europe's Jews "while Negroes were lynched, beaten and burned." "Just how we can charge and snort about Fascism abroad and practice it here" disgusted the *Des Moines Iowa Bystander*. The *Louisiana Weekly* insisted that, given the racism in the United States, Germany had "a right to look askance at any criticism leveled at its persecution of unfavored people." "We're tired of reading our favorite dallies and their editorials about Hitler and his Nazis," the *New York Age* chimed in: "It's about time that the papers stayed out of the internal affairs of other nations and that they help the United States first sweep its own doors clean." All too commonly in the 1930s, Chandler Owen summed up, Negroes could be heard saying "well, Hitler did one good thing: he put these Jews in their place."⁸

The black nationalist J. A. Rogers and the scholar Kelly Miller reiterated these views in newspaper column after column. So did conservative George Schuyler. Traveling in Mississippi in 1935, Schuyler found "that Negroes of all classes from peons to planters are quite unconcerned about either the spread of fascism or the fate of the Jews. Indeed I am not at all exaggerating when I state that a surprising number of articulate Negroes seem to derive a sort of grim satisfaction from the Nazi persecution of the Jews. They contend that their local jews have been indistinguishable from the 'crackers' in their attitude toward Negroes. . . . They cannot see why, they contend, that under the circumstances they should get excited about the fate of German Jews." Neither did Schuyler. He remained indignant that the American press paid more attention to the persecution of German Jews than to the lynchings of Negroes and wrote in the *Courier*: "I would be able to wail a lot louder and deeper if American Jews would give more concrete evidence of being touched by the plight of Negroes. . . . If my Hebrew friends were only as quick to employ capable Negroes as they are other people and did not get so excited when a decent family moves in their districts, I could pray even harder for Hitler to let up on them." Adam Clayton Powell Jr. concurred. He termed Jewish merchants "the criminals of Harlem," and challenged "Jews to stop

crying over German Jews and get an anti-lynch law passed.” In response to an appeal from the Central Conference of American Rabbis for a “reconciliation of the proverbial friendship of our two peoples,” he retorted that Negro anti-Semitism was regrettable “but the Jew himself was its author.” And criticizing President Franklin Roosevelt’s decision to admit some additional Jewish refugees in 1938, Powell complained that as soon as they “were off the boat most of them would settle in the Bronx Alps” and take the jobs that Negroes deserved to have.⁹

Various officials of the NAACP echoed such sentiments. Roy Wilkins thought that Jews were paying too much attention to “exaggerated charges of Nazi persecution and not enough to persecuted Negroes,” and that the government was doing too much to help European Jews instead of African Americans. “Our sometimes friends,” Wilkins said of Jews, “ask us to fight Nazism.” But too many Jews, he continued, “never gave a dollar bill to fight lynching or break down prejudice in employment.” Walter White, the NAACP’s executive secretary, privately considered African American anti-Semitism “legitimate,” a justified response to Jewish exploitation of and discrimination against blacks. He chided Jews for “doing to Negroes what they object to others doing to them.” He denied the notion that the increasingly prosperous and prominent Jews were “in the same boat” as the poor, isolated Negroes. And he scorned those who protested against Hitlerism but failed to demand that the United States first end its own persecution of minorities. As late as December 1948, in a letter to a friend, White reiterated that Jewish merchants cheat blacks, that Jewish-owned theaters segregate them, that Jews in Hollywood stereotype African Americans, and that Jews contribute charitably only to atone for their anti-Negro prejudices. White ended the letter with a reminder that he had been candid because the correspondence was private: “I would not want to say such things publicly.”¹⁰

Publicly, White and the NAACP expressed dramatically opposite views. Almost from the very start of Hitler’s persecution of German Jews, when the Association was virtually alone in the black community in supporting campaigns to boycott German goods and the 1936 Olympics in Berlin, the NAACP focused on the plight of the Jews as a way of drawing attention to racial practices in the American South. The “unholy glee” of Du Bois lost out to the strategy enunciated in 1933 by William Pickens that the NAACP use a condemnation of Hitlerism to condemn Jim Crow, draw an analogy between the Ku Klux Klan and the Nazi Party, and demand of the American people whether or not they favor maintaining racial practices in the South just like Hitler’s racist practices in Germany. Official NAACP resolutions and editori-

als in the NAACP's *The Crisis* as early as mid-1933 denounced the vicious prejudice directed against Jews by Hitler and equated Nazism with American racism, intending that those who abhorred the former would detest the latter. Pickens hoped that Americans would not favor maintaining racial practices at home that were just like Nazism. Added Walter White: the NAACP needs "to utilize the present and wise concern over anti-Semitism to call attention more vigorously than ever before to bigotry against the Negro here."¹¹

Accusing the Nazis of "barbarism" over and again in the 1930s, White publicly expressed "wholehearted contempt for, and condemnation of, the unspeakable terror now being inflicted upon the Jewish people in Germany by the sadistic Nazi government." Again and again he pointed to developments in Germany to fortify his case for abolishing racial discrimination in the United States. To arouse opposition to Jim Crow he emphasized the fundamental similarity between racial practices in both countries, scorned the "counterpart of Hitlerism existing in the United States," and called upon all Americans, especially minorities, to fight fascism abroad and atrocities at home. "We Negroes know what this means since it has happened to us," White said of *Kristallnacht*, "what happens to one minority can happen to others—a lesson which Jews, Negroes, and all minorities must learn." While frequently associating himself and the NAACP with those protesting Hitler's treatment of the Jews, White never ceased equating Nazi anti-Semitism with American racism, with demands that Americans "clean up our own backyard." When New York City Mayor LaGuardia called for a protest rally at Carnegie Hall to denounce Hitler's persecution of Jews, White telegraphed him and the announced participants about the upsurge of lynchings against blacks, expressing his hope "you and other speakers will stress need of simultaneous American action to wipe out bigotry or racial hatred no matter who are the victims nor where such bigotry and oppression exist, including our own country." He publicly mocked Senator William King of Utah for failing to support antilynching legislation while wanting the United States to sever relations with Germany to protest Nazi atrocities. And concerning the admission of Jewish refugees, White wrote Secretary of State Cordell Hull that the NAACP shared the President's "reported indignation at the outrages being perpetrated upon minorities by the Nazi government. But we would be even more enthusiastic if our government could be equally indignant at the lynching, burning alive, and torture with blowtorches of American citizens by American mobs on American soil which have shamed America before the world for a much longer time than persecution under Adolf Hitler."¹²

Resolutions adopted at the NAACP annual conferences throughout the decade mirrored White's efforts to equate the oppression of Jews and African Americans and to use events in Europe to change public attitudes in the United States. Numerous articles and editorials in *The Crisis* did so as well. Far more than most non-Jewish publications, *The Crisis* forthrightly expressed "profound and poignant sympathy" for the plight of European Jewry, as well as claiming that blacks felt that way more than most Americans because "they have known the same type of persecution ever since the beginning of America," because "Negroes are persecuted here in much the same manner that 'non-Aryans' are persecuted in Central Europe." Both are "segregated, humiliated, and terrorized." African American "feelings go out to the Jews. They know what Hitler means because they have known slave overseers, plantation riding bosses, high sheriffs." And: "Maybe some day we will see that until a Negro can freely study medicine at, say, the University of Michigan, we cannot make a convincing argument as to why Jews should be permitted to study at Heidelberg; or that until we stamp out the rope and the faggot as amusements for sections of our population, we cannot make a good case against the cruelties of Storm Troopers." And: "The tales of humiliation, terror and cruelty have a familiar ring to us. We know all about being driven off the streets, having our women kicked and beaten, being barred from public places, being at the mercy of hoodlums and bloodthirsty mobs, having 'scientists' prove us something less than human, being restricted in employment and residence, having separate schools set up for us, having our youth put on a quota basis in colleges and universities, and hearing and reading violent tirades against our race." And: "The only essential difference between a Nazi mob hunting down Jews in Central Europe and an American mob burning black men at the stake in Mississippi is that one is actually encouraged by its national government and the other is merely tolerated." Thus, to highlight the harms done by American racism *The Crisis* spotlighted Nazi terrorism. And, by emphasizing the shared oppression of Jews and African Americans, *The Crisis* message, explicitly and implicitly, was that minorities must "unite to fight the spread of Hitlerism."¹³

To underscore that tenet, *The Crisis* published numerous articles in the 1930s by prominent American Jews. Most, like Rabbi Stephen S. Wise's address to the 1934 NAACP Annual Meeting, centered on the common plight of the two minorities. A series by Jacob J. Weinstein spelled out the need for the two to work together against discrimination and prejudice in the United States. And to illustrate that they had done just that in the past, another series featured rabbis who had championed the cause of freedom and citizen-

ship for black slaves, Jewish abolitionists, and Jews who fought alongside John Brown in Kansas. It concluded: "Jews and Negroes, because they often face identical problems and because they embrace a common destiny as victims of prejudice and bigotry," should therefore stand together—"the struggle for racial equality is indivisible." *The Crisis* also made the argument for an African American–Jewish American alliance by reprinting editorials from the Jewish press that called upon Jews to shed their racist prejudices and to fight with blacks for their common goals. In "We Must Stand Together," the *Jewish Frontier* acknowledged the need for African Americans to give voice to their own grievances while condemning German anti-Semitism, and emphasized that Jews and blacks should struggle together against racial discrimination and bigotry. Likewise, *The Reconstructionist* proclaimed that now was the time for blacks to insist that the United States put its "own house in order and wipe out every last vestige of anti-Negro discrimination," and that "If the injustices inflicted upon Jews in Germany will arouse the conscience of America to do justice to the Negro racial minority, it will be some consolation to us Jews." The Jewish editorial concluded: "Both self-interest and our holiest traditions demand our making common cause with the Negro in his fight for equality."¹⁴

Despite the widespread prejudices among the masses of both African Americans and American Jews, opposition to Hitlerism by their leaderships, to help their own causes, had begun to forge a commonality of purpose. Especially in New York City, which had large communities of blacks and Jews and was home to most of the major betterment and rights organizations of both groups, a common agenda emerged. The *American Hebrew* newspaper asked, "If Mussolini's fascism and Hitler's Nazism can join forces, why shouldn't their joint victims, Negroes and Jews ally to fight them?" And no less than the NAACP, National Urban League director Lester Granger, and the League's journal, *Opportunity*, answered affirmatively for such an alliance to "erase the shadow of the Swastika from our land." Utilizing the same analogies and arguments as the NAACP, the NUL condemned Nazi actions against German Jews while emphasizing the similarity of oppression of Jews and African Americans. Never failing to remind its readers that racial prejudice was just as sordid and cruel when directed against Mississippi blacks as against German Jews, the League also condemned black anti-Semitism, urging African Americans to combat it wherever it appeared.¹⁵

So did many other African American community leaders. Adam Clayton Powell Jr. was among those who took the lead in fighting anti-Semitism. He announced that the same psychology underlay prejudice against blacks and

Jews and that Hitler's persecution of Jewry and the plight of African Americans were inextricably intertwined. And he called repeatedly for a black-Jewish alliance "to stop Fascism." Ralph Bunche similarly assailed black anti-Semitism while stressing that the problems of both Jews and African Americans, "their grievances and their fears are cut to a common pattern." Many followed in linking Hitler's actions with the need for Jews and blacks to, in William Pickens phrase, "stand with unbroken ranks side by side."¹⁶

To underscore its necessity and the similarity of persecution, African Americans took to labeling racism in the United States as just a variant of Hitlerism. The *Baltimore Afro-American* termed the white South and Nazi Germany as "mental brothers," the oppression of blacks as "American Nazism," and the exclusion of African Americans from a college as "Nazis at Williams." "From the way Hitler talks," it editorialized, "one would think he is a member of the Ku Klux Klan and a native of Alabama." Indeed, the *Afro-American* christened Hitler as the Imperial Wizard of the German Ku Klux Klan, and columnist Kelly Miller termed him "the master Ku Kluxer of Germany."

Numerous editorial cartoons depicted Hitler as a Klansman and Klansmen as wearing swastikas, much as Nazis were transformed into "Crackers" and southern racists into Nazis (different names, said the *Afro-American*, but the "same result"). In like manner, the *Amsterdam News* called the exclusion of blacks from the major leagues "Nazism in Baseball," racial segregation as "Nazism in America," and the refusal of the Daughters of the American Revolution to permit Marian Anderson to sing in Constitution Hall as "Nazism in Washington." Lynch mobs, added *The Crisis*, were storm troopers; terrorist attacks on Negroes who sought to vote in Brownsville, Tennessee, the "work of Himmler's Gestapo;" and such terms as "Gestapo in Memphis," "the Himmler of the U.S.A.," and "Fuehrer Crump" were the way a *Crisis* writer referred to the police of Memphis, its police chief, and mayor. Despite the estrangement between the mass of African Americans and the mass of American Jews, despite the disparity of their progress into the American mainstream, their mutual identification as victims of discrimination and oppression now held sway. As Scottsboro lawyer Samuel Leibowitz exclaimed to a Harlem Elk's Convention, in urging them to reject anti-Semitism: "Both of us, Negroes and Jews are in the same boat together."¹⁷

Once the war in Europe began, censorship in Germany and the lands it occupied, as well as its desire to keep its mass murder of Jews secret, brought a diminution in news of Nazi persecution in both the Negro press and mainstream American press. But what was known, however fragmentary and piecemeal, caused some African American organizations and periodicals to

increase their efforts to place the black struggle for justice and equality in an international context and to solidify the emerging leadership alliance of Jews and African Americans. Even more than in the 1930s, *The Crisis* employed the imagery of odious Nazism to call attention to American racism, to convince the white majority of the justness of the NAACP's reform cause. Segregation in the armed forces was "America's Mein Kampf," violence against black servicemen was Hitlerism or the work of "cracker Fascists," anti-black rioters in Detroit were referred to as "Nazi-minded mobsters," and, almost without fail, Mississippi's white supremacist Senators Bilbo and Eastland were labeled "America's Hitler and Goebbels." Similarly, the Urban League's *Opportunity* entitled an article on Governor Eugene Talmadge "A Georgia Hitler." More than a year after the war ended *The Crisis* continued to describe the KKK as Nazis and to accuse it of trying to build "an American *Volkstaat*." The monthly kept labeling white supremacists as fascists or Nazis, and described violence against African Americans as "Southern *Schrecklichkeit*."¹⁸

Knowing well the claim of the *Amsterdam News* in 1942 that "there never has been such general anti-Semitic sentiment in Harlem as exists right now," and the 1943 warning of the *Pittsburgh Courier* of "the dangerous and disastrous spread of anti-Semitism among Negroes," those African Americans engaged in the wartime crusade for civil rights nevertheless sought to exorcise prejudice against Jews. Describing anti-Semitism in the United States as "doing Hitler's work here at home," *The Crisis* observed that anti-Semitic actions in Boston and New York seemed "like something out of Berlin and Warsaw." The cause of each minority is the cause of all minorities, it continued, and "every beating of a Jewish child is an invitation to the lyncher of Negroes." At its 1944 annual conference, the NAACP adopted a resolution to eliminate anti-Semitism among Negroes. Among other prominent African Americans, Langston Hughes, Paul Robeson and Adam Clayton Powell Jr. concurred with Walter White's assertions that anti-Semitism and racism are the same kinds of bigotry, and that blacks indulging in anti-Semitism are playing Hitler's game. So did the Urban League, which established volunteer Service Councils to better relations between blacks and Jews." No Negro is secure from intolerance and race prejudice," summed up A. Philip Randolph at a Madison Square Garden rally of the March-on-Washington Movement, "as long as one Jew is a victim of anti-Semitism."¹⁹

Shortly after the United States entered the war, the NAACP Board of Directors pledged "its unqualified and unlimited effort on behalf of the persecuted Jews of the world, which includes anti-Semitism in the United States as well as slaughter in Poland." Little more was said or done for almost a year,

until December 1942 when a delegation of representatives from major Jewish organizations submitted a memorandum to President Franklin Roosevelt on the deliberate, systematic annihilation of European Jewry. Using the information supplied by the World Jewish Congress, the American Jewish Congress (AJC) publicized news of the Holocaust and communicated hurriedly with the NAACP concerning it. As Rabbi Stephen Wise wrote Walter White in mid-December, there will be no Jews left in Europe at the end of the war unless the NAACP "associate itself with the action to prevent Hitler from accomplishing his purposes." At its next meeting, the NAACP Board adopted a resolution that it stands "appalled at the cold-blooded campaign of extermination of the Jews," and that it will do whatever it could to end this slaughter. Thereafter, White and other prominent African Americans joined with major labor, religious, and liberal spokesmen at emergency conferences to save the Jews of Europe and appealed for action to stop the extermination of the Jews. They pledged "to do whatever we can to help rescue Jews from the clutches," knowing, as White wrote the AJC that "if Jews can be slaughtered today," Negroes will be tomorrow. And they contributed financially toward the relief of Jews overseas, knowing, in Lester Granger's words, its importance "as another means of building goodwill between American Negroes and their fellow-citizens of Jewish faith."²⁰

As the Holocaust intensified the insecurity felt by African American and American Jewish leaders, both reached out to the other. Jewish publications featured articles by and about African Americans. Editorials in the Jewish press, like "Defend the Negro," sent by the Independent Jewish Press Service to all its subscriber newspapers, made the case for the civil rights of blacks. Numerous essayists stressed the commonality of African American and Jewish needs and goals, as did editorial cartoons, such as the *Jewish Survey's* "Help Wanted—No Negroes, No Jews." That magazine similarly featured a picture of a Negro and a Jewish soldier, arms intertwined, in the battle against Nazism. Also in 1942, the Central Conference of American Rabbis began to adopt annual resolutions deploring discrimination against blacks and promising support in the struggle for black equality. In 1942 it issued a "Justice for Negroes" message calling upon Jews, "who ourselves have been victims of injustice," to combat African American inequities. American rabbis then inaugurated an annual "Race Relations Sabbath." The Bronx Rabbinic Council joined with the National Council of Jewish Women to campaign for the fair treatment of Negro domestics. American Jewish Congress youth groups sponsored interracial forums and prepared petitions protesting racial discrimination. Numerous Jewish and black organizations featured speakers

from the other race. Interracial Committees, Councils Against Intolerance in America, and Committees for Racial and Religious Understanding, largely composed of Jews and African Americans, became ubiquitous.²¹

Both black and Jewish leaders endorsed what Louis Reddick called “the establishment of an all out alliance.” W. H. Jernigin, national chairman of the Fraternal Council of Negro Churches, urged African Americans and Jews “to unite in a common cause against Hitlerism,” striking hard and quickly against racial and religious discrimination. So did the editors of the *Jewish Forward* and the *Jewish Survey*, arguing that “both their fates were becoming inextricably intertwined” and they needed to overcome their mutual oppressors. Jointly discussing the possibility of alliance, Rabbi Lou Silberman and Walter White agreed on the necessity of blacks and Jews pooling “our intelligence and idealism not only to defeat the Hitlers and the Rankins of the world, but to root out the prejudices from our own hearts.” And in addresses to the NAACP, an American Jewish Congress officer described how the fate of Jews and African Americans “dovetailed,” requiring that they work together to challenge their common oppressors.²²

In 1944 the American Jewish Congress established a Commission on Community Interrelations, under social psychologist Kurt Lewin, to eliminate conflict between minority groups. It worked with the NAACP, as did the AJC’s Commission on Law and Legislation (changed to Commission on Law and Social Action in November 1945). Headed by Will Maslow, the Commission on Law and Social Action combated discrimination in employment, education, and housing against blacks as well as Jews. By so doing, by seeking to promote civil rights for all minorities, Rabbi Wise wrote the NAACP’s Thurgood Marshall, the fight against anti-Semitism is bound up “with the fight for the status and rights of all minority groups in this country.” Thus, the 1945 platform of the AJC, “Full Equality in a Free Society,” promised Negroes “that in all the causes for which they struggle they can count upon finding the Jews and the American Jewish Congress on the side of justice.” Morality and self-interest had intersected. A marriage of convenience, said Will Maslow: “It was in our interest to help them. We had the staff, the money and the political muscle to do it.”²³

Convinced that they had a common enemy in Nazism, both at home and abroad, the NAACP also forged bonds with the more conservative American Jewish Committee and Anti-Defamation League of B’nai B’rith. Previously concerned solely with anti-Semitism and the threat to Jews, such groups now redefined their mission to creating a more pluralistic and egalitarian society for all, and reached out to work with the National Association of Colored Women,

the National Council of Negro Women, the Urban League and others. Together they promoted a liberal, reformist creed of equality. Believing that justice and social acceptance would come shortly after the war's end, they concentrated on appeals to conscience and on the political process, abjuring mass pressure tactics. Far more than any comparable groups, they overwhelmingly voted Democratic. They joined in testifying before legislative committees for anti-discrimination and anti-KKK laws, as well as for higher quotas for Jewish refugees. Along with other Jewish and African American organizations they collaborated on celebrating diversity and inclusion, urging Hollywood to end degrading stereotypes, seeking to analyze and cure prejudice, mobilizing public opinion against intolerance, lobbying in favor of the creation of a Jewish state in Palestine, campaigning for civil rights legislation, especially a permanent Fair Employment Practices Committee, and challenging discrimination in the law. Well before the Supreme Court's *Brown* decision in 1954, every single major Jewish civic organization had filed friends of the court briefs in behalf of the NAACP's suit to end segregation in public education. This was the "democracy, liberalism, and freedom" that A. Philip Randolph lauded as the enemies of anti-Semitism and "the hopes of the Negro."²⁴

The Holocaust had both frightened Jews and blacks into a defensive alliance and emboldened them to capitalize on the revulsion and guilt engendered by Nazism's horrors. The descriptions by Private John Stribling Jr. in the *Chicago Defender*, among many others, of the "horrible odor of burned human flesh," of "naked human bodies piled on top of each other," of "bodies dissected for human experimentation," of prisoners "blind, crippled, and half-insane, they could barely walk," brought increased sympathy for Jews and decreased "respectability" for racism. The shocking photographs and newsreels of corpses stacked like cordwood, of boxcars heaped with the bones of dead prisoners, of bulldozers shoving emaciated bodies into hastily dug ditches, of the barely alive liberated, living skeletons, lying in their own filth, their vacant, sunken eyes staring through barbed wire, proved a turning point in racial attitudes. The horror of what has occurred in its name demolishes the doctrine of racial superiority, wrote Ralph McGill in an *Atlanta Constitution* editorial; and the editor of the *Detroit Free Press*, after visiting the concentration camps, stated, "I found in the hell that once was Germany an indictment of my own beloved America." African American columnists elaborated upon this view throughout the year. Moreover, the theme of a common oppression made its way into the songs of William Grant Still, the fiction of Chester Himes, and the scholarship of Oliver Cox. Du Bois, whose *Souls of Black Folk* had contained numerous references to Jews as sly, dishonest, and unscrupulous, omit-

ted them in a postwar edition, admitting that he “did not realize until the horrible massacre of German Jews, how even unconscious repetition of current folklore such as the concept of Jews as more guilty of exploitation than others, had helped the Hitlers of the world.” The Holocaust, and all the depravity associated with it, had revealed the logical conclusion of prejudice, and many Jewish and African American commentators now made the “we’re in the same boat” argument as justification for a civil rights alliance. “The barbaric excesses of Nazism have made it impossible to escape the full implications of racial and religious prejudice, no matter what its form,” wrote Kenneth Clarke: enlightened African Americans and Jews must pool their efforts to overcome prejudice and discrimination. Much as a letter to the editor of the *Norfolk Journal and Guide* had prophesied, or hoped, in 1934: “When history is written a hundred years from now, Adolf Hitler of Germany will be given credit for showing the world the absurdity of race prejudice.” The “Final Solution” would ultimately lead to the demise of racism being socially acceptable, intellectually justified, or legally permissible.²⁵

The magnitude of the Holocaust gave racial reformers a powerful weapon, one that became yet stronger as nonwhite nations raised the issue of race in international relations and the Soviet Union sought to exploit American racism for its own ends. Momentum for racial changes in the United States flowed from all the official condemnations of the Holocaust and official declarations in favor of nondiscrimination accompanying the creation of the United Nations and the United Nations Educational, Scientific, and Cultural Organization (UNESCO), the establishment of the Commission on Human Rights and its special Sub-Commission on the Prevention of Discrimination and Protection of Minorities, and the UN’s adoption in 1948 of the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide. Concurrently, the racial awareness catalyzed by the Holocaust along with the necessity of keeping the two-thirds of the world’s peoples who were nonwhite out of the Soviet orbit pushed liberal cold warriors into openly condemning racial discrimination and segregation in the United States—a process that would eventually result in the legal ending of those practices.²⁶

Of course, it was not all onward and upward, not an unbroken line of progress from barbarism and indifference to compassion and liberality. Bursts of reform and of reaction alternated. While benign neglect, in the main, characterized relations between African Americans and Jews, particularized instances of conflict often made headlines. Prominent Jews bade farewell to their former allies and embraced neoconservative policies on af-

firmative action, voting rights, and the welfare state; and a new generation of African American scholars and demagogues employed anti-Semitism as a weapon in the battle for who will speak for Black America. Each often referred to the Holocaust, in one way or another, to make its case, as both anti-Semitism and racial prejudice and discrimination proved more resilient and pervasive than reformers had presumed.²⁷

Accordingly, the lessons once learned, the impulses generated, the notion that justice and self-interest need not be opposites, become easier to forget as the Holocaust receded into the historical past. Who remembers Leon Bass? An African American in the 183rd Combat Engineer Battalion who helped bury the dead at Buchenwald, Bass consequently dedicated his remaining years to speaking out against anti-Semitism and racism. Or remembers Paul Parks? A black draftee ordered to go into Dachau as part of a burial squad, a stunned Parks wandered by the still-warm ovens and emaciated bodies until he encountered a Jewish prisoner who spoke English. Why? Why the Jews? What did they do? Nothing, said the prisoner, nothing, they were killed just because they were Jews. "I understand that," Parks slowly responded, "I understand that because I've seen people lynched just because they were black." He returned from Europe determined to make his own country a better country, becoming one of Martin Luther King's negotiators in the struggle to end racial discrimination in the South and a key leader in the effort to desegregate the public schools of Boston. Or recalls Paul Cowan's remembrance? One of the Jews who accounted for nearly two-thirds of the white volunteers who went south in 1964 for the Freedom Summer, Cowan would later write that "there was no doubt in any of our minds that we were risking our lives to achieve the very American goal of integration because our kinsmen had been slaughtered in Lithuania, Poland, and Germany." But, as James Baldwin reminds us in *Nobody Knows My Name*, too few Jews actually thought that way: "One can be disappointed in the Jew—if one is romantic enough—for not having learned from his history, but if people did learn from history, history would be very different." For African Americans as well as Jews the unlearned and forgotten haunts. "Who, after all, speaks today of the annihilation of the Armenians?" Adolf Hitler spoke confidently as the Nazis prepared for the Final Solution.²⁸

NOTES

1. I use the term *Holocaust* to signify the systematic extermination of some six million European Jews by the Nazi regime. The use of the term by some to refer to

other examples of genocide, to other tragedies, to ecological disasters, and even to personal psychological pain, has led numerous Jews, and others, to prefer the Hebrew word *Shoah*. I do, too, but because most readers are more familiar with Holocaust, that is the term used in this essay for the specific Nazi effort to annihilate European Jewry.

2. Hugh Pearson, "Blacks and Jews View the Holocaust," *Wall Street Journal*, April 19, 1996; and Hasia Diner, *In the Almost Promised Land: American Jews and Blacks, 1915–1935* (Baltimore: Johns Hopkins University Press, 1977), 241–43.

3. Lunabelle Wedlock, *The Reaction of Negro Publications and Organizations to German Anti-Semitism* (Washington, D.C.: n.p., 1942), 91, 189; and Lenora Berson, *The Negroes and the Jews* (New York: Random House, 1971), 175.

4. Dennis Mack Smith, *Mussolini* (New York: Random House, 1982), 182; Paul Gordon Lauren, *Power and Prejudice, The Politics and Diplomacy of Racial Discrimination*, 2d ed. (Boulder, Colo.: Westview Press, 1996), 129–130. Various Jewish organizations associated with the Popular Front joined with black groups to support Ethiopia. See William R. Scott, *The Sons of Sheba's Race: African-Americans and the Italo-Ethiopian War, 1935–1941* (Bloomington: Indiana University Press, 1993) and Joseph E. Harris, *African-American Reactions to War in Ethiopia, 1936–1941* (Baton Rouge: Louisiana State University Press, 1994).

5. George Mosse, *Toward the Final Solution: A History of European Racism* (New York: Howard Fertig, 1978), 191; A. James Gregor, *The Ideology of Fascism* (New York: Free Press, 1969), 241–282, and Leni Yahil, *The Holocaust: The Fate of European Jewry, 1932–1945* (New York: American Philological Association, 1990). See also Lucy Dawidowicz, *The War against the Jews* (New York: Schocken Books, 1975).

6. Charles H. Stember et al., *Jews in the Mind of America* (New York: Basic Books, 1966), 53–62, 138; Leonard Dinnerstein, *Antisemitism in America* (New York: Oxford University Press, 1994), 203–207; David S. Wyman, *The Abandonment of the Jews: America and the Holocaust, 1941–1945* (New York: Pantheon, 1984), x–xi; Kenneth B. Clark, "Candor about Negro-Jewish Relations," *Commentary* I (February 1946): 8–14; Richard Wright, *Black Boy* (New York: Harper & Row, 1945), 70; James Baldwin, *Notes of a Native Son* (New York: Dial Press, 1955), 28, and "The Harlem Ghetto: Winter 1948," *Commentary* 5 (February 1948): 165–170; Rabbi Robert Gordis, "Negroes Are Anti-Semitic Because They Want a Scapegoat," in Leonard Dinnerstein, ed., *Antisemitism in the United States* (New York: International Thomson Publishing, 1971), 132–137; Brenda Gayle Plummer, *Rising Wind: Black Americans and U.S. Foreign Affairs, 1935–1960* (Chapel Hill: University of North Carolina Press, 1996), 67–68; Editorials, *Philadelphia Tribune*, April 6, October 12, 1933, July 5, 1934; Isabel B. Price, "Black Responses to Anti-Semitism: Negroes and Jews in New York, 1880 to World War II" (Ph.D. diss., University of New Mexico, 1973), 230; and W. E. B. Du Bois, "As

the Crow Flies,” *Crisis* 40 (September 1933), 197. American Jewish Committee, *The Jews in Nazi Germany: The Factual Record of Their Persecution by the National Socialists* (New York: American Jewish Committee, 1933) is an early, largely ignored effort to alert Americans to what was happening in Germany.

7. *The Black Man* 1 (July 1935), 9; Roi Ottley, *New World A-Coming* (Boston: Houghton Mifflin, 1943), 118–119, 129, 334; Adam Clayton Powell Jr., *Marching Blacks* (New York: Dial Press, 1945), 75, 81; Wedlock, *The Reaction of Negro Publications*, 72–73, 171–173; “What the Black Belt Needs Is a Hitler to Fight for Our Race and Purge Us of the Exploiting Jew.” *Dynamite*, May 28, October 22, 1938; Edward L. Israel, “Jew Hatred Among Negroes,” *Crisis* 43 (February 1936): 39, 50. Also see S. A. Haynes, “Jews and Negroes,” *Philadelphia Tribune*, July 26, 1934; Harold L. Sheppard, “The Negro Merchant: A Study of Negro Anti-Semitism,” *American Journal of Sociology* 53 (September 1947), esp. 96–99; Ella Baker and Marvel Cooke, “The Bronx Slave Market,” *Crisis* 42 (November 1935): 330; Lawrence D. Reddick, “Anti-Semitism Among Negroes,” *Negro Quarterly* 1 (Summer 1942): 113; George Britt, “Poison in the Melting Pot,” *Nation* 148 (April 1, 1939): 374–376; Oscar R. Williams Jr., “Historical Impressions of Black-Jewish Relations Prior to World War II,” *Negro History Bulletin* 40 (July–August 1977): 728–731; and Box C-208, National Association for the Advancement of Colored People Papers, Library of Congress, Washington, D.C., for more on black anti-Semitism.

8. *Baltimore Afro-American*, June 17, 1933, August 24, 1935, February 22, 1936; *St. Louis Argus*, July 15, 1938; “From the Press,” *Crisis* 46 (January 1939): 19, (March 1939): 83, and *Crisis* 45 (September 1938): 300; *Amsterdam News*, December 7, 1935, March 14 and 28, 1936, June 12, 1937; and Chandler Owen, “Should the Negro Hate the Jew,” *Chicago Defender*, November 8, 1941.

9. J. A. Rogers columns in *Philadelphia Tribune*, September 21, 1933, July 26, 1934; Kelly Miller, “Race Prejudice in Georgia and in Germany,” *Washington Tribune*, June 23, 1933, “Race Prejudice in Germany,” *Opportunity* 14 (April 1936): 102–105, column in *Norfolk Journal and Guide*, April 1, 1933, December 17, 1938, January 21, 1939, and “Hitler Hits Back,” *Chicago Defender*, December 10, 1938; George Schuyler to Walter White, December 22, 1935, NAACP Papers, II L 7, article in *New York World Telegram*, November 21, 1938, and columns in *Pittsburgh Courier*, January 23, February 20, 1937, November 26, December 3, 1938; Powell in *Amsterdam News*, March 7, 1936, January 23, February 20, 1937, April 9, 16, July 16, 23, 1938; and *Norfolk Journal and Guide*, December 17, 1938.

10. Wilkins in *Amsterdam News*, March 20, December 11, 1937, *Philadelphia Tribune*, December 22, 1937; White to William Hastie, July 20, 1939, White to Dr. Ames, November 18, 1938, White to Claude McKay, December 23, 1938, White to Hubert Delany, September 15, 1939, and White to George Mintzer, December 2, 1948,

NAACP Papers, II, A-325. Also see Cleophus Charles, "Roy Wilkins, the NAACP and the Early Struggle for Civil Rights" (Ph.D. diss., Cornell University, 1981).

11. Pickens to Du Bois, July 25, 1933, Du Bois Papers, University of Massachusetts, Reel 39; Pickens, "Why the Negro Must Be Anti-Fascist," *New Masses* (May 30, 1939): 29–30; Pickens, "Nine Hundred Jews on A Ship," *Norfolk Journal and Guide*, June 24, 1939; "Stay Out of Nazi Olympics," *Crisis* 42 (September 1935): 273; White to Max Yergan, November 30, 1938, NAACP Papers, C-208. Also see Pickens, "The Jewish People and Prejudice," *Norfolk Journal and Guide*, August 19, 1939. There are many examples in the Negro press of using the plight of German Jewry to call attention to the evils of racism in the United States. See, for example, the following editorials in the *Baltimore Afro-American*: "Jim Crow for Jews Now," October 14, 1933, "The German Cracker," December 21, 1935, and "The Nazis and Dixie," February 22, 1936.

12. Press release "N.A.A.C.P. Secretary Denounces Nazi Pogroms: Says All Must Unite to Protect Minority Rights Here and Save Democracy," November 18, 1938, White address to NAACP Annual Meeting, January 5, 1936, "Nazism and the Negro," a series of 1936 WMCA radio addresses by White, and "The Nazi Terror—My Reaction, White address of November 27, 1938, NAACP Papers, Box 208, "Anti-Semitism 1935–1938"; *Amsterdam News*, November 15, 1938; "Walter White Scores Persecution of Jews," *Crisis* 45 (December 1938): 399–400; Roy Wilkins to Walter White, March 25, 1938, and White to Cordell Hull, March 25, 1938, NAACP Papers, I, C208; also see *Crisis* 45 (September 1938): 339.

13. Conference resolutions appear annually in the September *Crisis*. "Walter White Scores Persecution of Jews," *Crisis* 45 (December 1938): 399–400; Editorials, *Crisis* 45 (September 1938): 301, (December 1938): 393, *Crisis* 42 (September 1935): 273, *Crisis* 47 (July 1940): 209, and *Crisis* 42 (September 1935): 273. Also see *Crisis* 43 (September 1936): 273 and 45 (April 1938): 113. Earlier efforts by African Americans to use the plight of the Jews to draw attention to racial abuses in the United States are mentioned in Arnold Shankman, "Brothers Across the Sea: Afro-Americans on the Persecution of Russian Jews, 1881-1917," *Jewish Social Studies* 37 (Spring 1975): 114–121.

14. Rabbi Stephen S. Wise, "Parallel Between Hitlerism and the Persecution of Negroes in America," *Crisis* 41 (May 1934): 127–129; Jacob J. Weinstein, "The Jew and the Negro" and "The Negro and the Jew," *Crisis* 41 (June 1934): 178–179 and (July 1934): 197–198; Harry Essrig, "Einhorn: Champion of Racial Equality," *Crisis* 47 (October 1940): 314–315, "John Brown's Jewish Associates," *Crisis* 47 (December 1940): 380–381, and "Jewish Friends of Negro Emancipation," *Crisis* 48 (January 1941): 16; *Crisis* 46 (January 1939): 29 and (October 1939): 308. Also see "Anti-Semitism among Negroes," *Crisis* 45 (June 1938): 177.

15. Norton Belth, "Problems of Anti-Semitism in the United States," *Contemporary Jewish Record* 2 (July 1939): 43–57; "Americans All," *National Jewish Monthly* 53

(April 1939): 298; *American Hebrew*, December 13, 1936; Joseph Roucek, "The Forgotten Man in Europe and America," *Opportunity* 11 (March 1933): 73–74; Verna Arvey, "Tolerance," *Opportunity* 18 (August 1940): 244; Elmer Carter, "The Way of Madness," *Opportunity* 16 (October 1938): 292; Lawrence Reddick, "What Hitler Says About the Negro," *Opportunity* 17 (April 1939): 108–110; and editorials, *Opportunity* 17 (January 1939): 2, (June 1939): 164, (November 1939): 324, and "The Negro and Nazism," *Opportunity* 18 (July 1940): 194–195.

16. Adam Clayton Powell Jr., "Soap Box," *Amsterdam News*, February 19, March 18, April 16, 1938; Ralph Bunche, "Forward," in Wedlock, *The Reaction of Negro Publications*, 3, 10; William Pickens, "German Fascists and Free Speech in America," *Norfolk Journal and Guide*, March 11, 1939; editorial, "Fascism Spreads," *Amsterdam News*, March 19, 1938; Chandler Owen, "Should the Negro Hate the Jew?" *Chicago Defender*, November 8, 1941; "Danger Is Seen in Anti-Jewish Onset as Probe Is Begun," *Atlanta Daily World*, August 15, 1938; M. Beaunorus Tolson, "Keep That Chin Up, My Jewish Brother!" *Philadelphia Tribune*, March 11, 1939; and Robert Bagnall, "Taken in Stride," *Philadelphia Tribune*, August 4, 1938.

17. Editorials in *Baltimore Afro-American*, February 22, 1936, August 24, and October 5, 1935, April 1, 1933, and April 11, May 2, 1936; Miller in *Washington Tribune*, June 23, 1933; editorials in *Amsterdam News*, February 11, April 8, 15, 1939; *Crisis* 45 (September 1938): 301, (December 1938): 393, *Crisis* 47 (August 1940): 232, and Thomas F. Doyle, "Gestapo in Memphis," *Crisis* 48 (May 1941): 152–154, 172–173; and *New York Times*, August 22, 1939.

18. Editorials, *Crisis* 48 (May 1941): 151, (July 1941): 215; "A Georgia Hitler," *Opportunity* 19 (August 1941): 226–227; Harold Preece, "The Klan's 'Revolution of the Right,'" and "Klan 'Murder, Inc.' in Dixie," *Crisis* 53 (July 1946): 202, 220, and (October 1946): 299–301, and editorial, *Crisis* (September 1946): 276. The sole African American in Congress, Arthur W. Mitchell, wrote to Roosevelt urging the U.S. government to take greater measures to protect European Jews. "October 12" in Janus Adams, *Freedom Days: 365 Inspirational Moments in Civil Rights History* (New York: Wiley, 1998).

19. *Amsterdam News*, February 14, 1942, and *Pittsburgh Courier*, October 23, 1943; Marie Syrkin, "Anti-Semitic Drive in Harlem," *Congress Weekly* 8 (October 31, 1941): 6–8; *Crisis* 51 (February 1944); Adam Clayton Powell Jr., "What Negroes Think of Jews," *New Currents* 1 (September 1943): 15–16; Langston Hughes column, *Chicago Defender*, March 10, 1945; Walter White and Rabbi Lou H. Silberman, "The Minority Problem from the Inside Looking Out," *Hebrew Union College Monthly* 30 (April 1943): 6–7; *Pittsburgh Courier*, August 4, 1945; and Randolph quote in Gunnar Myrdal, *An American Dilemma* (New York: Harper and Brothers, 1944), 852. See also editorial, "The Dangers of Anti-Semitism," *Chicago Defender*, March 17, 1945. More

examples of African American wartime efforts to combat anti-Semitism are found in the NAACP Papers, II A-325.

20. Minutes of the NAACP Board of Directors, February 1942, NAACP Papers, II A-134; *Congress Weekly*, December 4, 1942; Stephen Wise to Walter White, December 17, 1942 and Edwin C. Johnson to Walter White, June 23, 1943, NAACP Papers, II A-374; Walter White to American Jewish Congress, August 30, 1943, NAACP Papers, II A-325; Lester Granger to Walter White, June 21, 1943, NAACP Papers, II A-446. On what was known and what was reported see Deborah Lipstadt, *Beyond Belief: The American Press and the Coming of the Holocaust, 1933–1945* (New York: Free Press, 1986). The *New York Times* began printing stories on the slaughter of millions of Jews in June 1942, although the Allied governments did not publicly acknowledge it until December.

21. See articles and editorials from Jewish publications in NAACP Papers, II A-325, II A-361, II A-380, and II L-7; “Defend the Negro,” and “Help Wanted—No Negroes, No Jews,” in NAACP Papers, II A-325; *Jewish Survey* II, June 1942; *Year Book, Central Conference of American Rabbis* (New York: Central Conference of American Rabbis, 1942); on the activities of the American Jewish Congress see NAACP Papers, II C-300; and Lucille B. Morton, “On the Civil-Liberty Front,” *New Republic*, June 26, 1944, 839–840, and Kenneth B. Clark, “Candor About Negro-Jewish Relations,” *Commentary* 1 (February 1946): 9. See also columns by Roy Wilkins, *Amsterdam News*, February 28, 1942, April 17, 1943.

22. Louis D. Reddick, “Anti-Semitism Among Negroes,” *Negro Quarterly* (Summer 1942): 105; W. H. Jernigan, “Tolerance is Indivisible,” *Jewish Survey* II (August 1942); *New York Jewish Forward*, March 3, 1942, and Louis Harap, “Anti-Negroism among Jews,” *Negro Quarterly* (Summer 1942): 107; Walter White and Rabbi Lou H. Silberman, “The Minority Problem From the Inside Looking Out,” *Hebrew Union College Monthly* 30 (April 1943): 6–7; and Jacob X. Cohen, “Fighting Together For Equality” and “The Negro and Anti-Semitism,” in NAACP Papers, II C-300. Also see Marshall F. Stevenson Jr., “Points of Departure, Acts of Resolve: Black-Jewish Relations in Detroit, 1937–1962” (Ph.D. diss., University of Michigan, 1988).

23. Milton R. Konvitz, “Jews and Civil Rights,” in Peter I. Rose, ed., *The Ghetto and Beyond: Essays on Jewish Life in America* (New York: Random House, 1969), 274–280; American Jewish Congress pamphlet “Accent on Action, A New Approach to Minority Group Problems in America,” and Bernard Gittelson to Walter White, June 14, 1945, Alexander H. Pekelis to Thurgood Marshall, June 15, 1945, and Rabbi Stephen Wise to Thurgood Marshall, April 11, 1946, NAACP Papers, II C-300; and Maslow in Berson, *The Negroes and the Jews*, 96. Also see Jonathan Kaufman, *Broken Alliance, The Turbulent Times Between Blacks and Jews in America* (New York: Scribner, 1988), and Edward S. Shapiro, “Black-Jewish Relations Revisited,” *Judaism* 44 (Summer 1995): 379.

24. Cheryl Greenberg, "Liberation and Liberalism: The Politics of Black-Jewish Relations in the 1960s," a paper presented at the Organization of American Historians 1996 annual meeting, is an indispensable account of the emerging alliance, as is Stuart Svonkin, *Jews Against Prejudice: American Jews and the Fight for Civil Liberties* (New York: Columbia University Press, 1997). Files "Negro Race Problems" and "Negro-Jewish Relations," and *ADL Bulletin*, Anti-Defamation League Papers, Anti-Defamation Library, New York City; "Negro Jewish Relations File," American Jewish Congress Papers, American Jewish Congress Library, New York City; 1945 platform of the Central Conference of American Rabbis, *Pittsburgh Courier*, February 3, 1945; Myron Harshhaw to George Schuyler, June 30, 1943, George Schuyler Papers, Schomburg Archives, New York Public Library; Kaufman, *Broken Alliance*, 97–100; and Walter White column and story on Randolph in *Chicago Defender*, January 27, 1945.

25. "Chicago GI Tells Horrors of Nazi 'Murder Factory' Prison Camp," *Chicago Defender*, May 12, 1945; *Atlanta Constitution*, August 8, 1945; "Editor Sees Parallel of Nazi Germany in America," *Pittsburgh Courier*, May 26, 1945; Joseph Bibb column, *Pittsburgh Courier*, March 31, 1945; Marjorie McKenzie column, *Pittsburgh Courier*, May 12, 1945; Horace R. Cayton column, *Pittsburgh Courier*, December 8, 1945; letter to the editor, *Norfolk Journal and Guide*, July 21, 1934; and Lauren, *Power and Prejudice*, 144. The overall impact of the news of the Holocaust is best covered in Robert H. Abzug, *Inside the Vicious Heart: Americans and the Liberation of Nazi Concentration Camps* (New York: Oxford University Press, 1985). See also William Grant Still's "Wailing Woman" (1946), Chester Himes, *If He Hollers Let Him Go* (New York: Doubleday, 1945), Oliver Cox, *Caste, Class and Race* (New York: Doubleday, 1948), W. E. B. Du Bois, *The Souls of Black Folk* (Milkwood, N.Y.: Bard, 1973), 42–43, Clarke, "Candor About Negro-Jewish Relations," as well as references to the Holocaust later made by Martin Luther King Jr., *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King, Jr.* (San Francisco: HarperCollins, 1991), 50, 356.

26. Alphonse Heningburg, "What the Urban League Expects for All Races as a Result of the San Francisco Conference," *Opportunity* 23 (Summer 1945), 123; editorial, "The Jews Look Ahead," *Atlanta Daily World*, May 6, 1945; Brenda Gayle Plummer, *Rising Wind: Black Americans and U.S. Foreign Affairs, 1935–1960* (Chapel Hill: University of North Carolina Press, 1996), 164–165; and, especially, Jonathan Seth Rosenberg, "How Far the Promised Land? World Affairs and the American Civil Rights Movement from the First World War to Vietnam" (Ph.D. diss., Harvard University, 1997). See also Carol Anderson, "Eyes Off the Prize: African Americans, the United Nations, and the Struggle for Human Rights, 1944–1952" (Ph.D. diss., Ohio State University, 1995).

27. Roy Wilkins, "Jewish-Negro Relations: An Evaluation," *American Judaism* 12 (Spring 1963): 4–5; Eugene I. Bender, "Reflections on Negro-Jewish Relationships: The Historical Dimension," *Phylon* 30 (Spring 1969): 59–65; Marguerite Cartwright, "Do I Like Jews?" *Negro History Bulletin* 21 (November 1957): 38–39; and Murray Friedman, *What Went Wrong? The Creation and Collapse of the Black-Jewish Alliance* (New York: Free Press, 1995).

28. Kaufman, *Broken Alliance*, 5–6, 52–53; Paul Cowan, *An Orphan in History* (New York: Doubleday, 1982), 6; Baldwin quote in Dinnerstein, ed., *Antisemitism in the United States*, 131; Elie Wiesel commentary in Michael Freeman, "Can Social Science Explain Genocide?" *Patterns of Prejudice* 20 (1986): 10.

**RACE, ROCK AND ROLL, AND THE RIGGED
SOCIETY: THE PAYOLA SCANDAL AND THE
POLITICAL CULTURE OF THE 1950S**

Steven F. Lawson

On February 1, 1960, students in Greensboro, North Carolina, held a sit-in at a Woolworth's lunch counter in a demonstration much heralded in the annals of civil rights history. This momentous confrontation with racial segregation invigorated the African American freedom struggle and would substantially change the lives of blacks and whites throughout the South and the United States. A week later, on February 8, a seemingly unrelated event occurred in Washington, D.C. On that day, a committee of the House of Representatives convened public hearings on the subject of payola in the broadcasting industry, a practice that involved illicit payments to get music aired on radio and television programs.

Contemporary coverage of each made no mention of the other, and on the surface it was hard to see the connections. Yet the struggle for racial change, which inspired the sit-ins, also helped shape seemingly nonracial issues such as business ethics in broadcasting. In this case, rock and roll, a musical form that traced its origins to African Americans, became a surrogate target for opponents of civil rights in the South and for those who feared increasing black cultural influence over American youth throughout the country. The increased visibility of the black freedom movement, marked by the Supreme Court's 1954 ruling in *Brown v. Board of Education*, the 1955 Montgomery bus boycott, and the 1957 Little Rock school integration crisis, encouraged supporters and critics alike to find racial dimensions in political arenas not usually considered under the category of civil rights. Heightened racial agitation

produced a highly charged atmosphere and the political and cultural fallout from these explosive issues landed in unexpected places.

The payola scandal of 1959–1960 was also part and parcel of the political culture of investigation that characterized the 1950s. Congressional committees served as the main vehicle for inquiry, and the new medium of television brought the drama of confrontation between scolding lawmakers and defensive witnesses into millions of homes. Though the need for corrective legislation provided the rationale for these inquiries, the impulse toward exposure and demonization drove them forward. Anticomunist inquisitions by the House Committee on Un-American Activities, Wisconsin Senator Joseph R. McCarthy, and Senator James Eastland of Mississippi have drawn the greatest attention from historians, furnishing textbook representations of the political tensions of the postwar period. Their importance notwithstanding, they formed only part of a larger structure of popular investigation. These included inquiries led by Tennessee Senator Estes Kefauver into organized crime and juvenile delinquency, John McClellan of Arkansas and John F. Kennedy of Massachusetts into labor racketeering, and Arkansas Representative Oren Harris into television quiz shows.¹

Within the context of this culture of investigation, narrow economic rivalries and broad social tensions fueled the payola inquiry. Initially, charges of fraudulent payments for airplay on radio stations arose out of a power struggle between two competing agencies inside the business. The internal conflict between the American Society of Composers, Authors, and Publishers (ASCAP) and Broadcast Music International (BMI) over control of publishing and performance royalties escalated into an attack by the more tradition-oriented ASCAP on BMI-associated rock and roll music.

What started out as an internecine economic battle, however, soon took on the trappings of race. Following the landmark *Brown* decision, southern segregationists embarked on a campaign of massive resistance to racial equality that included attacks on black-inspired rock and roll. Joining them were northerners who believed that rock and roll, identified with working-class black and white youths, eroded middle-class values and standards of sexual conduct, thereby threatening the morality of their sons and, more important, their daughters. Congressional probes of payola gave voice to the economic and aesthetic complaints of music-business professionals as well as to fears over the erosion of racial and class boundaries by middle-class parents and their congressional representatives. The fact that the payola investigation did not continue as a significant component in the struggle over racial equality was a consequence not of the retreat by white politicians and their constituents,

but rather of mass mobilization of black youths and their white allies, which shifted the battle from Congress and radio stations to the streets of America.

The practice of payola did not suddenly spring up with the appearance of rock and roll; it had a history as long as commercial, popular music. *Variety*, the music trade newspaper that first coined the term payola, reported in 1914 that vaudeville singers “tell the publisher what they want to sing, how much a week they must have for singing the song or songs, and if not receiving a stipulated weekly salary, think nothing of asking for an advance.”² Although the shape of the music business changed over the next several decades, undisclosed commercial transactions for performances remained a constant. The growth of radio in the 1920s and 1930s brought live broadcasts and the possibility of reaching millions of listeners in a single sitting. Given this potentially wider audience, popular bandleaders commanded higher payments than had their vaudevillian predecessors.³

In the 1950s, the cast of characters changed, but payola persisted. The development and widespread appeal of television altered the character of radio. Live broadcasts of musical concerts virtually disappeared and programs of recorded music replaced them. Disk jockeys took over from bandleaders as maestros of musical selections. The decade also witnessed a proliferation of small, independent record companies that competed with the six majors (Columbia, Capitol, Decca, RCA, MGM, and Mercury) for airplay. The advent of 45 rpm single records, whose sale price was much cheaper than 33 $\frac{1}{3}$ long-playing albums, inflated the number of records in circulation, increasing competition even further. Disk jockeys stood as gatekeepers in choosing songs from the burgeoning supply of records sent to the stations. What *Variety* called the “time-dishonored standard operating procedure in the music business,” payola, now centered on payments from record companies and their distributors to disk jockeys.⁴

Throughout its considerable history, payola had spawned campaigns, largely unsuccessful, against it. For all the criticism it generated, payola was not a crime. No federal statute outlawed the practice, and the closest it came to a criminal offense appeared in state commercial bribery laws.⁵ The main effort to combat payola came from elements within the music business. Spearheaded by *Variety* in 1916, the Music Publishers’ Protective Association was formed “to promote and foster clean and free competition among music publishers by eradicating the evil custom of paying tribute or gratuities to singers or musicians.”⁶

In the early 1950s, when the issue resurfaced amid the postwar obsession with moral decline and the growing prospects for racial change, *Variety* again

led the campaign. In July 1954 the trade newspaper launched a series of editorials condemning the practice. The editors declared, “the music biz payola had reached ridiculous and dangerous proportions,” and concluded, “it’s about time it was curbed.” Speaking for the denizens of “Tin Pan Alley” in New York City, where established music publishers and songwriters congregated, they raised a concern that would be repeated frequently in the years to come. “Private side-changing chicanery,” as *Variety* referred to payola, lowered the quality of songs and decreased the likelihood that truly talented stars would get heard.⁷

The trade paper left little doubt about its taste in music. In February 1955, *Variety* issued a “Warning to the Music Business.” Upset over the growing popularity of songs with sexually suggestive “leer-ics,” the paper called for the industry to impose some self-restraint or face unwanted federal regulation. Their real target was rock and roll, which had burst on the scene during the previous few years and appealed almost exclusively to young people. Considering rock and roll a “raw musical idiom . . . [that] smell[ed] up the environment,” *Variety* condemned its “hug” and “squeeze” lyrics for “attempting a total breakdown of all reticences about sex.”⁸ These comments reflected the disdain traditional segments of the music business and the adult public held for rock and roll; opponents assumed that such inferior music could push its way into the marketplace only through the connivance of payola.

Historians do not dispute the existence of payola, but its significance lies in its political linkage with rock and roll and race. Rather than simply an objectionable business practice of interest mainly within the recording and broadcasting industries, payola became, for a short time, a heated subject of public debate. It involved more than private morality and individual greed and moved beyond the pages of trade paper whistle blowing. Following the *Brown* decision, the Supreme Court’s clarion call for racial equality, payola became a topic for public scrutiny because it coincided with growing anxiety about the nation’s youth and racial minorities. The association of rock and roll with these two groups turned the music from just another in a long line of popular, juvenile fads into a subject of intense national inquiry.

The behavior of teenagers had already aroused serious apprehension. “Never in our 180-year history,” *Collier’s* remarked in 1957, “has the United States been so aware of—or confused about—its teenagers.”⁹ The political response to this concern had already appeared in congressional hearings. In 1955, Senator Estes Kefauver, who had earlier investigated adult criminals, convened a legislative inquiry into the causes of juvenile delinquency. James Gilbert, the leading historian of this subject, concluded that “the delinquency

hearings, the attack on youth culture, the crusade to censor culture expressed a deep malaise at what was emerging during the 1950s: a vastly different order of social, sexual, and cultural practices.”¹⁰ The perceived erosion of parental authority had serious implications for the vitality of the nuclear family during the Cold War period when domestic harmony was considered the first line of defense against Communism.¹¹

The Kefauver Committee underscored the extent to which rock and roll had become contested ground between parents and their teenage offspring. Worse than its lack of aesthetics and professionalism, rock, according to its critics, was spreading antisocial, working-class values among America’s youth. The words of the songs, even when they were cleaned up for popular radio consumption, combined with the throbbing sounds and pulsating performers, opened the way for sexual expression deemed unacceptable in polite society. Even if the emergent music did not turn unsuspecting middle-class youngsters into depraved delinquents, it might lead them down that path. As Jeff Greenfield, a New York City teenager in the mid-1950s, remarked, rock and roll spread the message “that our bodies were our own Joy Machines.” Afraid that this was indeed the case, parents sought to curtail “the sounds of pain and joy now flooding the airwaves, infecting the bodies of their children.”¹²

Middle-class worries over the unwanted influences of rock and roll were not confined to whites. Members of the black bourgeoisie also expressed their distaste. When asked by a seventeen-year-old in 1958 whether it was sinful to play rock and roll, the civil rights leader and pastor Dr. Martin Luther King Jr. replied that whether it was a sin or not, rock music “often plunges men’s minds into degrading and immoral depths.” In a similar vein, a columnist for the New York *Amsterdam News* had earlier attacked the music as “smut” and “tripe” and proclaimed that African Americans themselves should not listen to lyrics that “projected the idea that all Negro women longed for was barnyard-type romance.”¹³

As the commentary in the *Amsterdam News* suggests, class concerns intersected with those of gender. The heightened sexuality of rock and roll both lyrically and musically was seen as posing a particular threat to young girls. According to middle-class social norms, adolescent females were primarily mothers-in-waiting, preparing themselves for marriage, raising children, and safeguarding the virtues of the nuclear family. Virginity was next to godliness, and sex was reserved for marriage. As moral caretakers of the home, wives and daughters were seen as strengthening the nation by combating evil conspiracies designed to undermine it. During the Cold War, communism

stood at the top of the list of enemies, but any assault on pubescent, female chastity was seen as subversive.¹⁴

Rock and roll was regarded as posing such a threat. According to Jeff Greenfield, the “honking tenor sax and the vibrating electric guitar and the insistent drum beat,” were considered by his parents’ generation as “fearful engines of immorality, driving daughters to strange dance steps and God knows what else.”¹⁵ Although adults usually found the wild gyrations of the performers and the raucous quality of the sound distasteful if not unfathomable, they were just as alarmed by the slow music, known as doo-wop. Teenage dance shows on television gave adults a peek at the possible dangers as they watched young couples clutch each other trying to get as close as possible on the dance floor. “If you were a parent at home watching your daughter,” a disk jockey admitted, “watching a guy all over a girl, you figure, ‘Is this what my daughter does at record hops?’”¹⁶

Whether young female rock and rollers saw themselves as subverting the moral order is debatable. Charlotte Grieg contends that the music transformed “all the conventional ideas of love, romance and marriage . . . into visions of a steamy teenage paradise throbbing with erotic and sexual desire” that undermined adult notions of responsibility and domesticity.¹⁷ Yet throughout the fifties most of the songs that teenage girls listened to had less to say about consummating sex than about longing for the boy of their dreams and marrying him. Nor did rock and roll overturn the double standard that distinguished “good girls” from “bad girls.” Nevertheless, it did allow many young women to experience a forbidden sexual energy that their elders found dangerous. If not exactly revolutionary, the music allowed teenagers, girls and boys, to express themselves in a language and style removed from their parents’ tight control.¹⁸ This mixture of class and gender fears occasioned powerful anxieties about rock and roll and teen culture, but the addition of race proved explosive. The term *rock and roll* had evolved out of the rhythm and blues lyrical expression for sexual intercourse. As long as rhythm and blues remained “race music,” separated from the popular tunes white audiences listened to, it aroused only minimal concern within the nonblack community. But when it began to enter the musical mainstream as rock and roll, which appealed largely to white youths, it alarmed the guardians of teenage morality. *Variety* undertook its crusade against sexually suggestive lyrics (or, as it called them, “leerics”) with great urgency because rhythm and blues was no longer “restricted to special places and out and out barrelhouses.” Transformed into rock and roll, it had broken out of the segregated confines of black venues and appeared “as

standard popular music for general consumption, including consumption by teenagers.”¹⁹

Rock and roll gave white teenagers the rare opportunity to come into cultural contact with African Americans in a nation that was still racially segregated. Particularly in the South, Jim Crow maintained a rigid wall to keep whites and black apart. Dixie’s laws could keep schools and public accommodations racially restricted, but not the public airwaves. Radio stations targeted for blacks picked up a sizable white audience, some 20 to 30 percent of overall listeners.²⁰ In the privacy of their own rooms, young southern whites turned on their radios to hear the forbidden sounds of rhythm and blues or they took their portable transistor radios, which had just become available in the early 1950s, to gathering places for teens, away from their parents’ watchful eyes. One white youth recalled that he loved to listen to the music on black-oriented stations “whenever and wherever I could. . . . I loved to dance to it. That got me into trouble with my parents and the schools, because we were not allowed to listen to this music openly.” Some of the bolder youths attended live performances with blacks, and in spite of efforts to keep them apart, the excitement of the music frequently pulled them side by side in the aisles or on the dance floor.²¹

Moreover, white teen icons such as Elvis Presley stepped over the racial divide by incorporating the sounds and styles of African American music into his act. A Mississippian who achieved stardom in Memphis, Presley readily acknowledged his debt to blacks. “Colored folks have been singing and playing this music for more years’n anybody knows,” the twenty-one-year-old Presley explained in 1956. “They played it in the shanties all ‘round Tupelo, Mississippi, where I got it from them, and nobody paid ‘tention till I goose it up.”²² Nelson George has written that the “young Presley came closer than any other rock and roll star to capturing the swaggering sexuality projected by many Rhythm and Blues vocalists.”²³

In the North and West, where *de facto* segregation and more subtly constructed patterns of racism kept blacks and whites apart, rock and roll likewise exerted the centripetal force that pulled teenagers of both races together. Colorful white radio disk jockeys such as Alan “Moondog” Freed in Cleveland and New York City, George “Hound Dog” Lorenz in Buffalo, and Hunter Hancock and Johnny Otis in Los Angeles exposed their predominantly white teenage listeners to black rhythm and blues and rock and roll artists. Not only did they feature the original records of black performers over versions covered by white artists, but they also talked in the hip street vernacular of the singers. As in the South, their live concerts and dances drew an interracial

crowd, throwing together white and black youths who would otherwise have remained in their own neighborhoods. More than in any other setting in America at that time, these gatherings permitted teenagers to step over racial and class boundaries in defiance of their elders.²⁴

Rock and roll served as a musical backdrop to the black freedom struggle that was breaking onto the national scene during the 1950s. Some have discerned a direct connection between the rise of rock and roll and racial change. A singer for the Platters, Harvey Weinger, looking back on that period remarked, "Because of our music, white kids ventured into black areas. They had a sense of fair play long before the civil rights movement." Herbie Cox of the Cleftones seconded this view, asserting that rock and roll "disk-jockeys and record distributors were doing more for integration than *Brown versus the Topeka Board of Education*."²⁵ The journalist Robert Palmer perceived rock and roll as the cultural component of the black freedom struggle. "It's no mere accident of history," Palmer argues, "that Rosa Parks's refusal to move to the back of a segregated Alabama bus . . . occurred during the brief pop-music ascendancy of performers like Chuck Berry and Little Richard, black men whose very sound and sign communicated their refusal to respond to the racists' traditional 'C'mere, boy.'"²⁶

Without doubt rock and roll contributed to changing patterns of racial and cultural interaction, but its impact should not be exaggerated. Because white youths listened to black-inspired music or attended concerts with African Americans did not mean that they shed the racial prejudices of their families and neighborhoods. The sensuality of the rhythms that attracted many white teens also served to reinforce stereotypical notions of black male and female sexuality, views that white society had historically used to demonize African Americans. Besides, most white kids listened to rock and roll within the confines of racially segregated environments—homes, social clubs, schools, and cars—without venturing into close proximity to blacks.²⁷ Moreover, although rock and roll energized young people and cast them in opposition to dominant styles, the teenagers who became the vanguard of the civil rights movement in places such as Little Rock and Greensboro owed their inspiration less to avant-garde music and more to their churches, youth groups, and other community organizations.

Nevertheless, opponents of racial change considered rock and roll as subversive. In the wake of the Supreme Court's ruling in *Brown*, segregationist watchdogs saw an increasing need to guard the South's white youth from all forms of race mixing. Schools occupied the primary political battleground because they offered the most likely space for white and black students to in-

teract. But the war for racial purity did not end at the schoolhouse door. As the commercial marketplace, including the entertainment industry, directed more of its efforts toward gaining a share of rising teenage spending, segregationists turned their attention to youth culture. They perceived danger as coming from many directions—television, radio, motion pictures—and considered the national media, in the words of the *Shreveport Journal*, as “one of the South’s greatest foes in its fight to maintain racial segregation.”²⁸ The greatest threat came from images and sounds that might lure white and black youngsters together.

Hostility to rock and roll became part of the agenda for southern white massive resistance. In addition to other efforts to preserve segregation and disfranchisement, White Citizens Councils, a slightly more moderate counterpart of the Ku Klux Klan, campaigned against rock and roll. In 1956, Asa Carter, the head of the North Alabama White Citizens Council, called rock “the basic, heavy-beat music of Negroes.” Allowed to go unchecked, he feared nothing less than the collapse of “the entire moral structure . . . the white man has built through his devotion to God.” He and his followers did not consider their concern farfetched as they saw that “white girls and boys were turned to the level of animal” by the sensuous music.²⁹ In a racialized society rapidly coming under assault from the civil rights movement, music that promoted social intercourse also aggravated fears of miscegenation.³⁰

Carter and segregationists like him contended that the proliferation of rock and roll had not occurred naturally; how could it given their view of the music’s inherent worthlessness? Rather, they saw it as part of a sinister plot designed by integrationist groups such as the National Association for the Advancement of Colored People (NAACP) to contribute to the “moral degradation of children.”³¹ The *Brown* decision and rock and roll were just two sides of the same integrationist coin and segregationists responded to both by trying to beat them back.

Racism was not confined to the South, and similar assumptions guided opponents of rock and roll in the North. The thrust of the attack above the Mason-Dixon line was not so much to preserve the system of Jim Crow but to combat anxieties over the spread of juvenile delinquency, which the Kefauver Committee had publicized. In 1957, Senator John F. Kennedy, a Massachusetts Democrat, read into the *Congressional Record* an article from *Newsday*, a Long Island newspaper, connecting rock and roll with the designs of broadcasters, record companies, and music publishers to foist decadent music on an unsuspecting public. Nonetheless, the language used to link rock with the behavior of antisocial youths was couched in the same racial

stereotypes. The *Music Journal* asserted that the “jungle rhythms” of rock incited juvenile offenders into “orgies of sex and violence” just as its forerunners did for the “savages.” The New York *Daily News* derided the obscene lyrics set to “primitive jungle-beat rhythms.” A week before Asa Carter traced rock and roll’s penetration of the South to the NAACP, a New England psychiatrist disparaged the music as “cannibalistic and tribalistic.” Similarly, a Catholic clergyman from Boston denounced the sexually suggestive lyrics for inflaming youths “like jungle tom-toms readying warriors for battle.”³²

As targets of this criticism, African Americans generally recognized the racial animus behind attacks on rock and roll. Although they too expressed dismay at the use of inappropriate lyrics aimed at youngsters and did not always find the music to their liking, many black adults softened in their reactions to the music as they witnessed the growing campaign against the civil rights movement.

As massive resistance swung into high gear in 1956, black commentators perceptively drew the connection between the South’s efforts to defend segregation and to smear black-derived music. A writer for the *Amsterdam News* suggested “that the hate rock ‘n’ roll seems to inspire in some of its critics stems solely from the fact that Negro musicians predominate in the field, originated it, and are making the loot out of it.” Even more forcefully, the *Pittsburgh Courier* editorialized that the war against rock and roll constituted “an indirect attack against Negroes, of course, because they invented rock ‘n’ roll (as they did all other distinctive U.S. music), and because it has so captivated the younger generation of whites that they are breaking down dance floors and gutting night clubs here and abroad.”³³ A matter of racial pride, many black adults came to consider the harsh denunciation of rock and roll as an attempt to demean the contributions made by African Americans to American popular culture.

Although race and rock and roll set the stage for the congressional investigation of payola, the immediate stimulus for the probe grew out of an internal struggle for power in the music business. Until 1940 ASCAP controlled the licensing of performance rights and the collection of royalties due its members from any place music was sold or played. Locked in a bitter dispute with ASCAP over higher fees, in 1941, radio broadcasters transformed BMI, which they had created two years earlier, into a rival performance licensing group. For the next two decades, ASCAP sought to destroy BMI as a competitor through lawsuits and congressional action.³⁴

In 1953, ASCAP songwriters filed a \$150 million antitrust case charging BMI with engaging in monopolistic practices. They argued that because

broadcasters operated BMI, they had a special interest in playing music licensed by their own organization to the detriment of songs contained in the ASCAP catalogue. In fact, radio stations contracted with both ASCAP and BMI and entered into standard financial arrangements with each. Indeed, ASCAP had continued to profit since the formation of BMI, its income nearly quadrupling to \$25 million between 1939 and 1956. By the mid-1950s the older organization still licensed 85 percent of the music heard on radio and 75 percent of the songs distributed on record albums, which accounted for the largest proportion of sales in the record business. Nevertheless, BMI made significant inroads on the older organization's share of the market. Until 1955, ASCAP-licensed songs dominated the popular music charts and particularly the tunes ranked in the top ten of the highly regarded *Billboard* magazine listing. However, by the late 1950s, BMI-recorded hits appeared more frequently than those of ASCAP in the coveted top ten rankings.³⁵

Rock and roll became the outlet for much of ASCAP's discontent. Major recording studios could adapt to changing tastes by signing up rock and roll performers. RCA did so in 1956, buying Elvis Presley's contract from Sun Records, one of the many independent companies providing unwelcome competition for the major firms. Tin Pan Alley songwriters, however, found it much more difficult to pen tunes for the changing youth-oriented market. Those who had crafted hits in the past for Broadway shows and Hollywood movies had little inclination to shift their efforts to a musical form that they despised and considered professionally inferior. In 1959, *Billboard* wrote that "many frustrated music men—out of step with current song and recording trends . . . sigh for the good old days."³⁶ Believing that payola spawned rock, songwriters of traditional music attacked the former in hope of curtailing the latter. The fact that BMI firms published most rock and roll songs stoked the fires of ASCAP's fury.

As ASCAP's lawsuit against BMI dragged on through the courts during the 1950s without success, the organization turned to Congress to press its case. In 1956, ASCAP received a sympathetic reception from the House Judiciary Committee, which held extensive hearings on the subject of broadcasting monopolies. The support provided by Emanuel Celler, the committee chairman, shows that outside of the South's massive resistance campaign, race operated in a more subtle fashion. On one hand, Celler, a liberal representative from Brooklyn, was a staunch supporter of black advancement and a leader of the successful effort to pass civil rights legislation in 1957. At the same time, the congressman did not have much appreciation for rock and roll. The music had a place in the culture because, as he explained patronizingly, it had

given “great impetus to talent, especially among the colored people: it’s a natural expression of their emotions and feelings.”³⁷ This attitude did not keep Celler from fighting against legal segregation and disfranchisement, but it did line him up on the same side as those who viewed black-derived rock and roll as inferior music.³⁸

Despite a lengthy inquiry into the dispute and clear sympathy with ASCAP’s position, nothing came out of the Celler Committee deliberations.³⁹ The Senate then took up the issue. George Smathers of Florida embraced ASCAP’s cause as the South continued to combat school desegregation and attempts of blacks to register to vote. Shortly before passage of the Civil Rights Act of 1957, Smathers introduced a bill to force broadcast stations to divest themselves from BMI or lose their licenses from the Federal Communications Commission (FCC). The Senate Committee on Interstate and Foreign Commerce held hearings on the Smathers’s measure beginning in March 1958.⁴⁰

Chaired by John Pastore of Rhode Island, like Celler a liberal Democrat, the investigation traveled over familiar terrain. ASCAP supporters argued that without sponsorship of BMI and the constant plugging of disk jockeys, rock and roll would have collapsed. Perhaps the most vivid testimony of this sort was articulated by Vance Packard, who had been hired as an expert witness by the Songwriters Protective Association, whose membership overlapped with that of ASCAP. A popular magazine writer and author of a best-selling book exposing the practices of advertisers in manipulating the public’s taste for consumer goods, Packard charged that many of the social problems that affected Americans stemmed from the techniques of “hidden persuasion” perfected by Madison Avenue. He warned the committee that the nation was becoming increasingly “standardized, homogenized, hypnotized, and sterilized,” and was losing such core values “as respect for the dignity of the individual, freedom from conformity, and freedom of choice.”⁴¹ The notion of hidden persuaders fit in with prevailing perceptions—whether applied to communist infiltration, juvenile delinquency, labor racketeering, or civil rights protest—that clandestine forces rigged the country’s institutions and sapped their moral strength.

Packard applied the same analysis to explain the teenage infatuation with rock and roll. Tracing it to the hidden hand of broadcasting corruption, he argued that the kind of music BMI mainly handled could not have possibly become successful unless the broadcasters themselves had pushed it upon the public. Like other critics of rock and roll, Packard disparaged its racial antecedents. “Inspired by what had been called race music modified to stir the

animal instinct in modern teenagers,” Packard informed Pastore, “its chief characteristics now are a heavy, unrelenting beat and a raw, savage tone.” Music of this inferior sort, he suggested, could not have gained commercial success without the manipulation of juvenile tastes by unscrupulous disk jockeys under the sway of payola.⁴² This notion of conspiratorial machination had far reaching implications. For example, it reinforced the thinking of southern white segregationists who believed that outside civil-rights agitators were conspiring to upset time-honored Jim Crow practices in their region.

Packard’s views did not go unchallenged. BMI supporters pointed out that far from engaging in a conspiracy to undermine American standards of decency, the appeal of rock and roll vindicated faith in democracy by demonstrating that people could choose what they wanted to hear. The testimony of individuals not associated with rock and roll proved most effective. The distinguished opera star Robert Merrill doubted that rock tunes harmed “the spiritual and emotional health of young people,” and seriously questioned whether the problems attributed to teenagers “would disappear if our youngsters were exposed exclusively to Puccini and never to Presley.”⁴³ Another witness took exception with Packard’s characterization of rock and roll as lowlife music. The wife of Nat King Cole testified on behalf of her husband who was out on tour. Although her husband sang a different style of music, Maria Ellington Cole presented a spirited defense of rock and roll as “authentic music . . . [that] must stand or fall on its own merits.” In a blunt rejoinder to opponents who denigrated rock as race music, she proudly noted that “just as country music grew up as the folk music of people in the hills of Tennessee and in the West, so did race music grow as a part of the folk music of American Negroes.”⁴⁴

After listening to the evidence over several months, Pastore and his committee decided not to intrude legislatively in what was essentially an economic battle between ASCAP and BMI. The Rhode Island senator was not convinced that BMI engaged in a conspiracy to deceive the public into accepting rock and roll and dismissed the notion that divorcing BMI from broadcasters would mean “the end of all rock and roll.” Hardly a fan of the music, he nevertheless tolerated it as part of “a fashion and a fad that appeals to young people,” including his fourteen-year-old daughter (who, he admitted with chagrin, liked the Coasters’ hit “Yakety Yak”). To join in a battle to destroy rock and roll and what it stood for culturally, smelled to Pastore like a form of dreaded censorship and “thought control.”⁴⁵

As ASCAP continued to scuffle with BMI in the courts and to heap scorn upon rock and roll, hearings into television quiz show improprieties unex-

pectedly launched a full-blown congressional inquiry into payola. In 1959, the House Legislative Oversight Subcommittee, chaired by Representative Oren Harris, an Arkansas Democrat, conducted a highly publicized investigation into a scandal that had been brewing for several years. In the 1950s, quiz and other game shows had made the transition from radio to television and attracted huge audiences. Programs such as *The \$64,000 Question* and *Twenty-One* awarded big cash prizes to contestants who competed to furnish information usually buried in the pages of encyclopedias. Producers of these shows heightened the level of their authenticity by keeping the participants in isolation booths and delivering the questions under armed guard. However, the facade of honesty collapsed when a few disgruntled contestants admitted that they had been coached and that the outcome of these televised matches of brain power were rigged. After a grand jury in New York City, where most of these programs originated, gathered considerable evidence of deception, Congress took up the matter.⁴⁶

The quiz show scandal riveted public attention on Washington. It provided the Democratic majority in Congress with an opportunity to look ahead to the presidential campaign in 1960 and build a case that under the Republican administration of Dwight Eisenhower a climate of moral decay had set in. Already in 1958, the Legislative Oversight Subcommittee had probed federal regulatory commissions and uncovered influence peddling between federal regulatory agencies and Sherman Adams, Eisenhower's closest advisor, who was forced to resign. Planning his race for the presidency, Senator John F. Kennedy exploited the public disillusionment these scandals produced. A close friend of George Smathers and a moderate on civil rights, Kennedy was courting key southern Democrats to support his nomination for the presidency. Yet his strategy aimed beyond the South. Richard N. Goodwin, a staff lawyer on the Oversight Subcommittee during the quiz show probe, explained that the Massachusetts senator had "an intuitive belief that his fellow citizens were dissatisfied, that they expected more from their society and themselves, that they wanted to 'Get America Moving Again.'"⁴⁷

The quiz show revelations reinforced the notion that the United States had lost its moral compass, and Charles Van Doren became a symbol of this concern. An English instructor at Columbia University and the son of a prominent professor there, Van Doren had achieved victory on *Twenty-One* through a combination of his own intelligence and the backstage manipulation of the show's producers. Until he admitted his guilt in testimony before the Legislative Oversight Subcommittee in 1959, the thirty-three-year-old academic was viewed as a worthy role model for youth to follow.⁴⁸ In contrast to rock stars

whose performances aroused teenagers into an emotional frenzy, Van Doren offered his cool intellect as an attractive alternative. Adults embraced him as the counter-Elvis, “a new kind of T.V. idol of all things, an egghead . . . whom many a grateful parent regards as T.V.’s own health-restoring antidote to Presley.”⁴⁹ His fall from grace before the House Committee removed Van Doren as a useful weapon in the generational culture wars. Deeply disturbed over the moral implications of Van Doren’s fall from grace, in 1959, the writer John Steinbeck rued: “on all levels [society] is rigged. A creeping all-pervading nerve gas of immorality . . . starts in the nursery and does not stop before it reaches the highest offices, both corporate and governmental.”⁵⁰

The quiz show scandal also prompted lawmakers to mount another investigation into manipulation and deception in broadcasting and the music business. The Harris Committee thus turned its attention to payola as another example of the dangers lurking in the “rigged society.” Indeed, ASCAP and its allies regarded the quiz show hearings as benefiting their continuing efforts to hamstring BMI. At the end of that investigation, in November 1959, Burton Lane, the president of the American Guild of Authors and Composers and a longstanding antagonist of BMI, informed the Legislative Oversight Subcommittee that the evidence it had uncovered with respect to quiz show fraud had “a counterpart in the promotion of music.” He told lawmakers that commercial bribery in the form of payola “has become a prime factor in determining what music is played on many broadcast programs and what musical records the public is surreptitiously induced to buy.”⁵¹ Lane had leveled these charges without success many times before to Congress, the Federal Communications Commission, and the Federal Trade Commission. This time, however, he received a more favorable response. By the end of the year, the Oversight Subcommittee’s preliminary inquiry revealed that payola was “rampant” and both the FCC and the FTC initiated their own probes.⁵² In the wake of the widespread attention garnered by the quiz show hearings and in anticipation of the 1960 elections, lawmakers found the time right to tackle the century-old practice of payola.

Racial motives influenced some key congressmen. Representative Harris lined up with his southern colleagues in opposition to civil rights legislation. In 1950 he had served on the steering group that helped defeat passage of a bill establishing a Fair Employment Practice Committee (FEPC), a measure designed to check racial bias. Harris did not see it that way. According to the Arkansas congressman, “just as discrimination should not be practiced as affecting minorities, neither should the minorities arbitrarily control our political institutions against the best interest and real desires of the majority.”⁵³

Harris and his colleagues painted a dire if distorted picture of the FEPC acquiring “unlimited authority, the most far reaching powers [over] the business and economic life of this country ever given throughout our entire history.”⁵⁴

Throughout the rest of the decade, Harris’s anxieties about federal involvement to promote civil rights only increased. In 1956, he signed his name to a manifesto of 101 southern congressional lawmakers challenging the legitimacy of the Supreme Court’s desegregation decree in *Brown*. The following year, President Eisenhower vividly displayed Washington’s commitment to the enforcement of federal court orders by sending troops into Little Rock. During the confrontation, Harris staunchly defended the segregationist stand taken by Governor Orval Faubus and distanced himself from any attempt to hammer out a peaceful compromise. “Stunned beyond expression” by Eisenhower’s action, the congressman “deeply resented it, [and] thought it was unnecessary and unwarranted.”⁵⁵

To Harris and other proponents of massive resistance, the payola investigation offered an opportunity to check integrationist advances not only politically but also culturally. Harris endorsed the views of the *American Nationalist*, an extreme right-wing publication originating in southern California, which claimed that “Negroes have been raised to stardom and adulation as a result of the fictitious popularity of rock-and-roll music—popularly purchased through ‘payola.’” Raising the specter of miscegenation, this pro-segregationist and anti-rock tract recoiled over “teenage daughters . . . squealing and drooling over Negroidal crooners.”⁵⁶ Harris fully agreed with these sentiments, and he replied to his hometown constituent who sent him the material: “I have the same views as you do on such distasteful propaganda to integrate the races.” Vowing to make “every effort in opposition, either by legislation or Executive action,” Harris assured his correspondent that his committee “would not shirk in any way or overlook” the subject of payola, and he did not consider its racial angle “too hot to handle.”⁵⁷

Actually, the white southern counteroffensive of massive resistance had already slowed down the civil rights momentum building after *Brown* and the Montgomery Bus Boycott, especially at the grassroots level. Throughout most of the Deep South, school desegregation made almost no progress, and bus boycotts expanded to very few southern cities. Although Martin Luther King Jr. established the Southern Christian Leadership Conference in 1957, an organization designed to mobilize nonviolent, direct-action protests, the group made little headway in promoting mass demonstrations or placing blacks on the voter rolls. In fact, the pace of black voter registration, which had grown steadily since World War II, leveled off far short of enfranchising

a majority of black adults by the end of the 1950s.⁵⁸ Nevertheless, the persistent gap between actual civil rights breakthroughs and continued white domination only slightly moderated southern fears of losing control over fundamental racial matters.

Whatever the realities of the civil rights situation, Harris felt much more strongly about containing racial equality than he did about stamping out corruption in broadcasting. In the mid-1950s the Arkansas congressman had received a 25 percent interest in KRBB, a television station in his hometown of El Dorado. He paid a token amount of \$500 for the investment and signed a promissory note for the much larger figure of \$4,500, which the station never asked him to repay. In 1958 the FCC granted KRBB permission to expand its power output to a level the commission had denied before Harris became part owner. When the chief investigator for Harris's own Legislative Oversight Committee leaked the details of this story to the press, the congressman sold his interest in the station and at the same time fired the whistle-blower.⁵⁹ His own questionable behavior did not stop Harris from chairing investigations of unethical conduct relating to the FCC and FTC as well as television quiz shows; nor would it keep him from probing payola. In light of the enormous public drama surrounding the downfall of Charles Van Doren, it made good political sense for the committee to carry its probe in the related direction of the rigging of records for broadcast.

Most if not all of the nine legislators who sat on Harris's Legislative Oversight Committee had a dim view of the quality of rock and roll; however, this did not mean that race was foremost in all their minds.⁶⁰ No one paid greater attention to the proceedings than did John Moss, a California Democrat. Born a Mormon, Moss had ceased practicing the religion because of the church's "strong pattern of racial discrimination." Before entering politics, he owned a small appliance store, and his business outlook shaped his attitude toward payola. It did not matter that payola was frequently used by small, independent record companies to outmaneuver the giant firms. To Moss, payola constituted commercial bribery, which he identified with the kind of activity big business used to undermine competition. A believer in free enterprise in the populist and Progressive tradition, he favored governmental regulation to oversee "powerful interests that thwart opportunity and competition." His commitment to openness also emerged in Moss's sponsorship of freedom of information legislation to minimize government secretiveness.⁶¹ As for rock and roll, Moss did not exhibit much of an open mind and expressed the typical reaction of his colleagues: hearing it played on the radio his response was "to snap the thing off, as quickly as possible." He com-

plained that his own teenage children listened to this “trash” because disk jockeys pushed it on them.⁶²

Some legislative action to curb payola appeared certain. The Eisenhower administration joined the chorus condemning the practice. Already stung by the scandal involving one of his closest aides, Sherman Adams, the Republican president sought to recapture higher moral ground. Following the public brouhaha over television quiz show deception, Eisenhower instructed Attorney General William Rogers to investigate the problem of fraud in broadcasting and report back to him.⁶³ Rogers issued his findings at the close of 1959, declaring there was “evidence of widespread corruption and lack of the personal integrity which is so essential to the fabric of American life.” He proposed legislation to make the receipt of payola by station personnel a federal criminal offense.⁶⁴

The Eisenhower administration had hoped to get out in front of the Democrat-controlled Legislative Oversight subcommittee, but Harris did not intend to relinquish the spotlight in a presidential election year. Harris did not need much additional incentive to turn up the political heat on the Eisenhower regime. The military intervention in Little Rock and the Republican administration’s successful sponsorship of civil rights legislation in 1957 had irked the Arkansas congressman. Opening on February 8, 1960, the hearings confirmed what the trade press and industry insiders had known about for years—the widespread existence of payola. The Harris Committee paraded a lineup of witnesses consisting mainly of disk jockeys and record company executives and distributors. Most witnesses did not deny their part in the acceptance of gifts, but they adamantly rejected the notion that these payments affected their play selection.⁶⁵ According to this defense, at the very most disk jockeys took payments not to dictate what they played but to advise record companies on what kind of tunes would appeal to their listeners. Actually, the under-the-table gratuities did not ensure that a disk jockey could turn a particular record into a hit, but they did guarantee that of the hundreds of free records the radio station received each week, those furnished by companies dispensing payola would make it to the top of the pile for the disk jockey’s review and increase the potential for airplay.⁶⁶

Congressional inquisitors remained unconvinced by the denials. Influenced by Vance Packard’s warnings of “hidden persuaders,” they believed that consumers did not have a free choice and were more likely to have their desires shaped by advertisers and product merchandisers. In particular, they considered a teenage audience even more vulnerable to manipulation than adults. Harris asserted from the outset that “the quality of broadcast pro-

grams declines when the choice of program materials is made, not in the public interest, but in the interest of those who are willing to pay to obtain exposure of their records." Without payola, he declared, "we probably would not have a lot of stuff that the American people have had to listen to."⁶⁷

The bad "stuff," undoubtedly, referred to rock and roll. Record spinners who accepted gifts but who did not play rock and roll escaped committee censure. A Boston disk jockey admitted receiving Christmas gifts from record distributors, but he continued to play "the type of music that an adult audience would enjoy . . . not . . . the raucous kind of sound that I had always associated payola with." Another disk jockey in the same city, Stan Richards, passed muster from the lawmakers by denouncing rock and roll as "junk music" that he refused to play. According to *Billboard* reporter Mildred Hall, who observed the hearing closely, such condemnations "won approving congressional smiles in each instance."⁶⁸

Indeed, in condemning rock and roll and underscoring its connection to payola, disk jockeys who came clean received praise from the committee. This public process of denunciation resembled the role that ex-Communists played in the McCarthy era in providing justification for controversial investigations into unpopular political beliefs. The culture of investigation contained a ritual of forgiveness and redemption for those who cooperated, allowing them to receive the blessing of the committee. For example, Chairman Harris applauded Richards at the conclusion of his testimony, noting that while he had once engaged in "pathetic" conduct as a disk jockey, his presentation had proven him to be a "good fellow" entitled to continue his career.⁶⁹

Rock and roll remained a focus of the deliberations, as it had in the Pastore hearings two years earlier, but this time the ASCAP-BMI war had shifted to another battleground. After its supporters had helped initiate the investigation with their complaints to the legislative committee, ASCAP turned its attention to the executive branch. Following the fallout from the quiz show scandal and Attorney General Rogers's recommendation for more vigorous federal regulation, ASCAP officials took their case against payola and BMI to the FCC and FTC.⁷⁰ Without the congressional spotlight on the ASCAP-BMI conflict, much of the discussion shifted away from private rivalries in the music business and centered on the decline in standards of public morality.⁷¹

In contrast with the often stated ties between rock and roll and the decline of public morality, race had a muted presence during the congressional probe. Unlike the situation in previous hearings, witnesses did not publicly refer to rock and roll in racially coded terms, for example, as "jungle" music arousing "savage" passions. The disappearance of such rhetoric, however, did

not mean that racial fears had subsided. Rather it reflected two changes in the cultural and political environment. First, rock and roll music had become considerably whiter. The hard, raunchy edge of the original music turned softer as record companies, always sensitive to bad publicity, responded to the concerted attacks on suggestive lyrics. Black pioneers such as Chuck Berry and Little Richard passed from the scene, as had the white rocker Jerry Lee Lewis, who lost public favor after marrying his thirteen-year-old cousin. Moreover, the most popular of them all, Elvis Presley, had gone into the Army and returned as a toned-down balladeer and Hollywood movie star. From an alleged fomenter of juvenile delinquency, the black-inspired Presley had assumed the identity of a patriotic ex-GI and all-American boy.⁷² In their places the rock scene attracted less threatening white crooners who seemed more cuddly than menacing.

Second, while rock and roll had functioned as a convenient symbol of racial anxieties in the 1950s, by 1960 the civil rights movement offered a more tangible target for racist attacks. White supremacists in the South had more direct problems facing them than “race music.” Beginning in late 1959 and erupting in February 1960, they had to face a resurgent freedom struggle invigorated by African American high-school and college students who challenged racial inequality through sit-ins, freedom rides, and other forms of direct-action protest. Whatever notion segregationists may have had that in destroying rock and roll they could frustrate racial reform paled beside the visible threat posed by young black protesters and their white allies. In the heightened atmosphere of racial agitation that accompanied this new phase of the civil rights struggle, antirock and antipayola crusades lost much of their significance compared with the bruising battles that took place in cities and towns throughout America.

Besides, in the latter part of the 1950s, southern state governments directly launched their own investigations into subversive influence within the civil rights movement. Primarily targeting the NAACP in Florida and Louisiana, state legislative investigation committees attempted to link the civil rights group with Communist infiltration. For a time, Alabama managed to ban the NAACP from operating within its borders. In the wake of *Brown*, Mississippi created the State Sovereignty Commission, which monitored civil rights activists, planted informers within their ranks, and collaborated with local law enforcement agencies to harass them. Thus, on the state level, committees such as these mirrored the legislative culture of investigation in Washington, D.C., that in the 1950s sustained an array of inquisitorial forays into the “rigged society.”⁷³

Though race moved to the background of the payola hearings at the same time as it moved into the foreground of politics and social change, it still cast a shadow over the congressional investigation. The racial connotation of rock and roll, and hence their association with the black freedom struggle, played themselves out in the opposing fates of the two most prominent disk jockeys in the business: Dick Clark and Alan Freed. The “whitening” of rock and its movement into the musical mainstream, which had lessened somewhat the hysterical opposition to it, helps explain how Clark emerged relatively unscathed from the hearings. In contrast, Freed, who represented the early and less acceptable black-oriented version of the music, fared much worse.

In August 1957, when Dick Clark became host of *American Bandstand*, the nationally televised teenage dance show on the ABC network, the twenty-seven-year-old Syracuse University graduate with a degree in advertising was not yet a decade past his own teenage years. Clark considered himself more a businessman than a rock and roll enthusiast, and his own musical tastes ran along the lines of Glenn Miller. Convinced that if he could successfully market rock and roll to a broad teenage audience, Clark looked forward to making “a good deal of money.”⁷⁴

Clark packaged himself as an understanding mediator between adult society and the mysterious world of teenagers. Publishing an advice manual for teenagers, Clark pressed them on the need to understand their parents, who “have a strange way of being right most of the time.”⁷⁵ Moreover, he sought to tone down the controversial aspects of rock and roll. He insisted that the kids on his program conform to a dress code, because “it made the show acceptable to adults.” He came across as a “friend, adviser, older brother or young parent,” the kind of man a teenage boy aspired to become and a teenage girl looked for in a husband. He domesticated the wilder features of rock and roll and consciously posed no threat to traditional family values. The music did not have to turn girls wild, it could also tame them. He encouraged young housewives, many of them not too far removed from their teenage years, “to roll up the ironing board and join us when you can.”⁷⁶ He largely achieved his goal. Describing the participants on *American Bandstand* as an “attractive group of youngsters,” the stately *New York Times* approvingly noted the absence of any “motorcycle jackets and hardly a sideburn in the crowd.”⁷⁷

Furthermore, Clark built his popularity on whiteness. Although he featured black performers on *Bandstand*, he strictly adhered to the network broadcasting policy of not stirring the racial brew. The dance party impresario did make an overture to bring black youths into his studio audience when

he went on the air throughout the nation in 1957, but their presence was exceedingly thin and hardly visible in front of the cameras. As with rock and roll, he approached racial matters in a careful and practical manner. Acknowledging that he was not an “integrationist or pioneer,” Clark broke the color barrier, however modestly, not out of any moral conviction but because he could “see it was going to happen, and there was no sense not doing it.”⁷⁸ Nevertheless, African Americans remained largely invisible on his show. A black teenager from Philadelphia, where the show originated, complained: “When we have attempted to attend [*Bandstand*] . . . we’ve been given the run-around by officials of the show. And if a few of us manage to get inside, we’re discouraged from dancing on the floor.”⁷⁹

However, it is too simple to dismiss Dick Clark as a racist. An impressive number of black performers first appeared on national television on *American Bandstand*, including Chuck Berry, Sam Cooke, Little Anthony and the Imperials, the Chantels, the Coasters, and Jackie Wilson. Clark also took many of them along with a group of white stars on integrated bus caravans touring the South.⁸⁰ Nevertheless, what Clark did best was not to promote African American culture or foster social integration but to help absorb black music into a popular format dominated by whites. He certainly did not discriminate against black performers and even helped some in their careers, but he was much more closely associated both in public perception and in reality with young white heartthrobs such as Frankie Avalon, Fabian, Bobby Rydell, and Bobbie Vinton. Clark acknowledged that he owed a great deal to the African American community for supplying the source of the music, but given his enormous popularity, he was more responsible than anyone else for refashioning that legacy into a whiter product.⁸¹ At a time when African Americans were beginning to win battles in the courts, in Congress, in the schools of Little Rock, and on the streets of a few cities such as Montgomery, Alabama, Clark’s orchestration of rock and roll lessened some of its perceived threat to white racial and cultural hegemony.

Clark’s efforts stand in sharp contrast to those of Alan Freed, who by contrast appeared to challenge the racial status quo already under assault from the incipient civil rights movement. Whereas Clark appeared to represent “middle America, nice, a white-bread face,” as one record company executive put it, “Freed was gruff, a street man, New York rock and roll, tough.”⁸² Eight years older than Clark, Freed first made his reputation in Cleveland before he moved on to New York City in 1954. Though he did not coin the label “rock and roll,” he popularized it in concerts and on his frenetically paced radio shows, complete with sound effects, jive talk, and shouts of joy. If Clark ap-

peared cool, calm, and collected if somewhat stiff and detached from the teenagers and their music, Freed acted just the opposite and got caught up in the energy and excitement of the programs he produced.⁸³

At the heart of Freed's unique style was his association with the black roots of rock and roll. Freed's "Big Beat" concerts, starting in Cleveland in March 1952, showcased black performers and attracted largely African American audiences. Even as he increasingly attracted white fans, he insisted on playing the original recordings of rock songs by black artists. He considered the cover versions record companies put out by white artists as "anti-Negro." He served as a transmission belt for black-oriented rock seeping into the lives of white teenagers, and this made him dangerous to many. He reported receiving "batches of poison-pen letters calling me a 'nigger-lover.'"⁸⁴

His association with blacks got him in trouble. When violence erupted outside one of his Big Beat concerts in Boston in 1958, his detractors blamed the attacks on black hoodlums, a charge that could not be substantiated. Nevertheless, local authorities indicted Freed for inciting a riot and his New York City radio station cut him loose.⁸⁵ The self-proclaimed "King of Rock 'n' Roll" also had his own dance party television program canceled by WABC in New York City the year before because of an incident with racial overtones. While *American Bandstand* managed to keep a low profile when it came to blacks, Freed's show spotlighted one of his vocal guests, Frankie Lymon of the Teenagers, dancing with a white girl in the audience. Distributed throughout the country, the show caused a furor in the South, and in 1957 the network dropped it.⁸⁶

Freed was far from perfect. He was brash and arrogant, employed an agent with connections to organized crime, drank alcohol too heavily, and lived a lavish lifestyle that he supported in part with elaborate gifts from record companies that he explained away as consulting fees. His affinity for black talent did not prevent Freed from cutting himself in on the songwriting credits of Chuck Berry's "Maybelline" and the Moonglows' "Sincerely" and receiving royalties from their successes.⁸⁷

However, as Freed steadfastly maintained his commitment to black performers and became a target of those who attacked rock and roll with racist smears, he gained even greater admiration among African Americans. The singer Jackie Wilson explained Freed's esteem among black entertainers: "Looking at it from an economic standpoint, I can say that because of him, hundreds of Negro musicians, singers, and arrangers got work." When Freed became a prime focus of the payola probe, the *Pittsburgh Courier* wondered if the investigations were "being used as a means of destroying the music that millions of teenagers have come to regard as their own."⁸⁸

The payola scandal destroyed what was left of Freed's downwardly spiraling career. Even before the hearings commenced, Freed had lost jobs on both radio and television. Having moved from WINS to WABC after the Boston incident, Freed was asked by the latter station to sign an affidavit swearing that he had never taken payola. He refused, calling the demand "an insult to my reputation." Nevertheless, the flamboyant disk jockey hurt his case by issuing characteristically flippant remarks. "A man said to me," Freed commented, "if somebody sent you a Cadillac, would you send it back? I said, 'It depends on the color.'" By way of clarification, Freed told reporters that he never accepted money in advance to play a record, "but if anybody wanted to thank him for playing a tune, he saw nothing wrong in accepting a gift."⁸⁹

In contrast, Dick Clark held onto his lucrative job hosting *American Bandstand*. Employed by ABC, the parent company that owned Freed's New York City station, Clark did not have to sign the same kind of affidavit as did his fellow disk jockey. Instead, network executives permitted the Philadelphia broadcaster to fashion his own document that allowed him greater flexibility in denying that he had engaged in improper activities. Defining payola narrowly—the receipt of payments in exchange for playing a particular record—Clark asserted that he had never engaged in it. Yet Clark had to pay a price to keep his position. Heavily involved in an extensive array of enterprises including music publishing, marketing, manufacturing, and artist representation, Clark had to divest himself of these holdings to satisfy ABC's demand that he avoid any conflict of interest. This arrangement infuriated Freed, who howled that given the chance he could have truthfully signed the same statement as did Clark.⁹⁰

Typically, Freed did not exit quietly. Griping that if he were "going to be a scapegoat" then Clark should "be one too," Freed got his wish. He even cooperated with the Harris Committee by appearing in executive session. Under the rules of the House this would keep him from incriminating himself with respect to other judicial action, but it also allowed him to help the committee build a case against Clark. On April 25, 1960, Freed testified in closed session that although he had been on the payroll of several record companies, he had never taken "a dime to play a record. I'd be a fool to. I'd be giving up control of my program."⁹¹ He also criticized ABC officials for favoring Clark, a conclusion that the committee had also reached.

Indeed, Clark and not Freed became the primary target of the Harris Committee's inquiry. To Washington lawmakers, even those as racially sensitive as the Arkansas chairman, rock and roll was harmful whether the records

were spun by Freed or Clark. The *Philadelphian*, however, provided the legislators with the opportunity to make headlines by exposing a star as bright as Charles Van Doren.⁹² For those who believed in the continuing danger of a rigged society, Clark offered a shining example. He might appear clean cut and virtuous on the outside, but the committee intended to show him as corrupt and deceitful on the inside.

Harris's staff had not uncovered much evidence that Clark had accepted payola, narrowly defined as "play for pay." Rather committee investigators discovered that Clark profited from holdings in a network of enterprises related to the music he aired on his program. The popular image of a shadowy individual greasing the palm of a greedy disk jockey with payments did not fit Clark's operation. Through various companies in which he had invested, the proprietor of *American Bandstand* "played records he had an interest in more frequently than those with no interest." A statistical breakdown of his program selections revealed that he played the records he had a stake in earlier and longer.⁹³ Thus, *Billboard* concluded, the nation's premier disk jockey derived royalties from "every possible source of revenue in the music industry, from copyright to distribution."⁹⁴ Congressman Moss coined the word "Clarkola" to describe the *Philadelphian's* unique variation on the subject under investigation.⁹⁵ On this basis, the *New York Post* entertainment columnist Earl Wilson asserted that "Dick's on the edge of a precipice—and could easily be pushed off."⁹⁶

These dire predictions notwithstanding, Clark turned in a virtuoso performance, one that saved his career, setting him apart from both Freed and Van Doren. Unlike Freed who presented his story behind closed doors in executive session, giving the appearance that he had something to hide, Clark faced the committee in open session on April 29 and May 2, with reporters and cameras recording his testimony. He proved that serving as a pitchman for rock and roll hardly made him an anti-establishment figure. Although he defended the music he played as a wholesome, recreational outlet for teenagers, he came across more as a shrewd businessman than a diehard fan of rock and roll. Pressed about his financial interests in thirty-three different companies that stood to gain from the popularity of *American Bandstand*, he explained his motive as trying to ensure his economic future by diversifying investments in "the recording, publishing, manufacturing [and] distribution fields." At most, he pleaded guilty with an explanation: "I would note that until the committee's activities, no one had really pointed out the inconsistency of performing records and owning an interest in record and music companies," a standard practice in the music industry. Besides, having sold off his

outside musical holdings in agreement with ABC, Clark argued that the issue of improper influence had become moot.⁹⁷

Despite the damaging evidence against him and his obvious tiptoeing around the meaning of the practice of payola, incredibly Clark walked away from the hearings with his reputation intact. The skepticism many committee members voiced about the disk jockey's questionable business arrangements proved not to have much depth. He proved neither a serious threat to traditional American values nor to the civil rights concerns of southern white lawmakers. Chairman Harris spoke for most of his colleagues before dismissing Clark when he said, "You have given us a different light on the use of the broadcast media than has been presented to us by the admitted payola people. . . . You have been very helpful to the committee in the consideration of its responsibility. And I want to compliment you for that." Later when Clark wrote Harris privately to thank him for his "kind consideration," the Arkansas representative replied: "I was pleased to have the privilege of knowing you. I thought you gave a very good account of yourself."⁹⁸ Rather than coming off as the "Baby Face Nelson of the music business," Clark performed before the committee in a polished, courteous manner that distinguished him from the popular image of the sordid disk jockey on the take. A fellow of great charm who continued to receive the firm backing of his network employer ABC, Clark was never in as much danger as he had anticipated. How could he have been? As he later recalled, the chief counsel for the committee, Robert Lishman, during a lunch break brought up his teenage son to Clark to get his autograph and have a picture snapped with him.⁹⁹

Alan Freed did not fare as well. He was the anti-Clark, fostering an image of the untamed, rebellious, and dark (racially and socially) sides of rock and roll. No parents would want him to marry their daughter. If adults could consider Clark the likeable boy next door, they had no room for Freed in their neighborhood. Freed's cooperation with the Harris committee did not spare him from an indictment for commercial bribery by a grand jury in New York City. Whereas Clark's subsequent career has thrived for nearly four decades, after the hearings Freed accepted a plea bargain of a \$500 fine and a suspended six-month jail sentence. He bounced around from job to job for a few years until his death from kidney failure in 1965.¹⁰⁰

The final outcome of the Harris investigation produced mixed results. After Congress passed an antipayola bill, President Eisenhower signed it into law on September 13, 1960. The legislation required any station employee who accepted a payment for broadcasting material or the person making the

payment to report it first to the station management. Failure to comply constituted a crime with a penalty of a year in jail and a \$10,000 fine.¹⁰¹

Passage of the law may have given lawmakers an election-year victory to bring home to their constituents, but it did not kill payola. Endemic to the music business, the practice continued in even more clandestine form. At the end of the year, *Billboard* reported that the law had merely driven payola further underground. According to a survey conducted by the trade journal, the majority of disk jockeys believed that the payola investigation “was more of a political football than a practical cleanup.” Music journalist Ralph Gleason observed that payola was “still alive and well” and that untraceable cash payments had replaced checks as the standard fare of conducting surreptitious business dealings.¹⁰² Nevertheless, with the Justice Department, FCC, and Internal Revenue Service as an increased threat to those who dispensed or accepted illegal payments, payola no longer flourished as it had in the 1950s.¹⁰³

After building throughout the 1950s, the antipayola campaign reached its peak in 1960. The timing mirrored a number of features of the decade’s political culture. Consistent with the myriad investigations into communism, organized crime, juvenile delinquency, and television quiz show fraud, the payola probe sought to expose the dangers to an unsuspecting public, especially among American youth, that came from the manipulation of their musical choices. Genuine payola and real deception certainly existed in the music business, as it had for most of the century, but during the 1950s the subject became a serious political issue because it conformed to the popular view that conspiratorial elements were operating to produce a rigged society. In this context, payola became the “hidden persuader” that produced an inferior and decadent brand of music undermining the nation’s cultural strength and vitality. The drive against payola—“musical McCarthyism” as one contemporary disparagingly called it¹⁰⁴—smeared rock and roll with sinister influences and conveyed multiple fears related to youth, discipline, economic competition, race, and the Cold War. Some involved concerns over the decline of public morality and national purpose in an era of hostile relations with the Soviet Union; others grew out of a power struggle between professional associations in the music field. Moreover, rock and roll and payola mirrored the growing presence of the civil rights movement and racial confrontation on the American political landscape.

In the years after *Brown v. Board of Education*, rock and roll served as a symbolic target for those worried about the wrenching racial changes looming on the horizon. These fears accelerated with tangible examples of black protest such as the Montgomery bus boycott and the desegregation of Cen-

tral High School in Little Rock. Yet for most of the half decade following *Brown*, civil rights efforts were scattered, nonconfrontational, and confined largely to Congress and the courts. This changed dramatically in 1960 with the rise of student activism and the sit-ins. The pace of black protest heightened as did awareness of direct attacks on the racial status quo. Those upset by the changes that the black freedom struggle promised to bring had more palpable areas for concern than rock and roll now furnished. Thus, by 1960, the chief threat to white supremacy came not from the musical transmission of black popular culture but from the mobilization of a mass movement of blacks and their white allies. Although rock and roll continued to provide the soundtrack for young activists in the struggle, it drifted away from the center of the contest for black advancement in the South and the nation. During the 1960s, payola persisted in the music industry and rock and roll transformed itself into a more powerful product even as their value as political and cultural signifiers of racial tensions diminished.¹⁰⁵

NOTES

1. On congressional anticommunism, Robert Griffith, *Politics of Fear: Joseph McCarthy and the Senate* (Amherst: University of Massachusetts Press, 1987); William Howard Moore, *The Kefauver Committee and the Politics of Crime, 1950–1952* (Columbia: University of Missouri Press, 1974); and James Gilbert, *A Cycle of Outrage: America's Reaction to the Juvenile Delinquent in the 1950s* (New York: Oxford University Press, 1986); Kent Anderson, *Television Fraud: The History and Implications of the Quiz Show Scandals* (Westport, Conn.: Greenwood, 1978).

2. Quoted in Kerry Seagrave, *Payola in the Music Industry: A History, 1880–1991* (Jefferson, N.C.: McFarland, 1994), 12. Seagrave dates the first appearance of the word *payola* to 1938 (p. 1). John A. Jackson, *Big Beat Heat: Alan Freed and the Early Years of Rock & Roll* (New York: Schirmer Books, 1991), 245, dates it to 1916, but gives no specific reference. Whenever the term formally appeared, it is clear that the concept was well known around the turn of the century. See also, R. H. Coarse, "Payola in Radio and Television Broadcasting," *Journal of Law and Economics* 22 (October 1979): 32; Marc Eliot, *Rockonomics: The Money Behind the Music* (New York: Citadel Press, 1993), 10; *Billboard*, November 23, 1959, p. 4.

3. Seagrave, *Payola*, 29; Coarse, "Payola," 286; Steve Chapple and Reebee Garofalo, *Rock 'n' Roll Is Here to Pay: The History and Politics of the Music Industry* (Chicago: Nelson-Hall, 1977), 55.

4. *Variety*, November 11, 1959, p. 55; Chapple, *Rock 'n' Roll*, 60; Eliot, *Rockonomics*, 42.

5. Jackson, *Big Beat*, 252; Dorothy Wade and Justin Picardie, *Music Man: Ahmet Ertegun, Atlantic Records, and the Triumph of Rock 'n' Roll* (New York: W. W. Norton, 1989), 89; Fredric Dannen, *Hit Men: Power Brokers and Fast Money Inside the Music Business* (New York: Times Books, 1990), 43 ff. For example, in 1909, New York made it illegal for anyone either to offer or accept a gratuity “with intent to influence” an employee’s behavior without the employer’s knowledge. However, this statute was aimed at department stores and not music industry practices.

6. Quoted in Coarse, “Payola,” 276. See also Coarse, 278, 279, 280, 283, 285; Seagrave, *Payola*, 16; Hazel Meyer, *The Gold in Tin Pan Alley* (Philadelphia: Lippincott, 1958), 155. Over the years the MPPA proved ineffective in curbing payola; without enforcement power it could not stop publishers from trying to gain an advantage at the expense of their competitors by reviving payoffs. An abortive effort to curb the practice came with an antipayola provision inserted in the music business code under the New Deal’s National Recovery Administration. Before the code could go into effect, the Supreme Court declared the NRA unconstitutional in 1935.

7. *Variety*, July 21, 1954, p. 35, July 28, 1954, p. 107, August 11, 1954, pp. 43, 49

8. *Variety*, February 23, 1955, p. 2.

9. Quoted in Gilbert, *Cycle*, 201; Grace Palladino, *Teenagers: An American History* (New York: Basic Books, 1996), 53, 156–157; Thomas Doherty, *Teenagers and Teenpics* (Boston: Unwin Hyman, 1988), 6, 54; David Szatmary, *Rockin' in Time: A Social History of Rock-and-Roll* (Englewood Cliffs, N.J.: Prentice-Hall, 1991), 24; Jonathan Kamin, “Parallels in the Social Reactions to Jazz and Rock,” *Journal of Jazz Studies* 2 (1974): 121; Eliot, *Rockonomics*, 65.

10. Gilbert, *Cycle*, 176.

11. Gilbert, *Cycle*, 10, 13–14; Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era* (New York: Basic Books, 1988), chaps. 4 and 5.

12. Greenfield, *No Peace, No Place* (Garden City, N.Y.: Doubleday, 1973), 29, 56. On high schools as an institution to keep working-class and ethnic influences away from middle-class whites and at the same time promote values of tolerance, see William Graebner, *Coming of Age in Buffalo: Youth and Authority in the Postwar Era* (Philadelphia: Temple University Press, 1990); Gertrude Samuels, “Why They Rock ‘n’ Roll—And Should They?,” *New York Times Magazine*, January 12, 1958, p. 19; Doherty, *Teenagers and Teenpics*, 81; Palladino, *Teenagers*, 124; Carl Belz, *The Story of Rock* (New York: Oxford University Press, 1972), 20.

13. King in *Ebony*, April 1958, p. 104; Joe Bostic in *Amsterdam News*, March 5, 1955, p. 26. On the belief that “‘bad’ working-class teenagers were leading the rest

astray,” see Simon Frith, *Sound Effects: Youth, Leisure, and the Politics of Rock ‘n’ Roll* (New York: Pantheon, 1981), 186. George Lipsitz, *Time Passages: Collective Memory and American Popular Culture* (Minneapolis: University of Minnesota Press, 1990), 123, and “Ain’t Nobody Here but us Chickens: The Origins of Rock and Roll,” in George Lipsitz, ed., *Rainbow at Midnight: Labor and Culture in the 1960s* (Urbana: University of Illinois Press, 1994), 330; Jackson Lears, “A Matter of Taste: Corporate Hegemony in Mass Consumption Society,” in Lary May, ed., *Recasting America: Culture and Politics in the Age of Cold War* (Chicago: University of Chicago Press, 1989), 53; Palladino, *Teenagers*, 152; Michael Bane, *White Boys Singin’ the Blues* (New York: Da Capo, 1982), 125–126; Wini Breines, *Young, White, and Miserable: Growing Up Female in the Fifties* (Boston: Beacon Press, 1992), 20.

14. May, *Homeward Bound*, chap. 5.

15. Greenfield, *No Peace*, 53.

16. John A. Jackson, *American Bandstand: Dick Clark and the Making of a Rock ‘n’ Roll Empire* (New York: Oxford University Press, 1997), 217, quoting Philadelphia disk jockey Hy Lit.

17. Charlotte Grieg, *Will You Still Love Me Tomorrow? Girl Groups from the Fifties On*, (London: Virago Press, 1989), 26.

18. For many teenagers rock and roll became, as Wini Breines asserts, “a symbol of youth rebellion against authority, with sex and race the not-so-hidden-narrative.” Breines, *Young*, 155; Susan J. Douglas, *Where the Girls Are: Growing Up Female with the Mass Media* (New York: Times Books, 1994), 84.

19. “Warning to the Music Business,” *Variety*, February 23, 1955, p. 2. As it developed in the 1950s, rock and roll evolved into a hybrid of rhythm and blues and the country-flavored sounds of rockabilly as exemplified in the music of Elvis Presley, Jerry Lee Lewis, Carl Perkins, and Buddy Holly.

20. Russell Sanjek, *American Popular Music and Its Business in the 20th Century* (New York: Oxford University Press, 1988), 326; Shane Maddock, “Whole Lotta Shakin’ Goin’ On: Racism and Early Opposition to Rock Music,” *Mid-America* 78(Summer 1996): 182; Peter Guralnick, *Last Train to Memphis: The Rise of Elvis Presley* (Boston: Little, Brown, 1994), 39–40.

21. Breines, *Young*, 153–154; Jerry Wexler and David Ritz, *Rhythm and the Blues: A Life in American Music* (New York: St. Martin’s Press, 1993), 286; Richard A. Peterson, “Why 1955? Explaining the Advent of Rock Music,” *Popular Music* 9 (1990): 99, 101; Szatmary, *Rockin’*, 23; Palladino, *Teenagers*, 152; Chappell, *Rock ‘n’ Roll*, 41; *Variety*, July 6, 1955, p. 43.

22. Frye Gaillard, *Race, Rock, and Religion: Profiles from a Southern Journalist*, (Charlottesville: University Press of Virginia, 1982), 74; Charlie Gillett, *The Sound of the City: The Rise of American Rock and Roll* (New York: Pantheon, 1983), 38.

23. Nelson George, *The Death of Rhythm & Blues* (New York: Pantheon, 1988), 63.

24. Wexler, *Rhythm*, 90; Graebner, *Buffalo*, 29; George Lipsitz, "Land of a Thousand Dances: Youth, Minorities and the Rise of Rock and Roll," in May, *Recasting America*, 273; Jackson, *Big Beat*, 335; David Nasaw, *Going Out: The Rise and Fall of Public Amusements* (New York: Basic Books, 1993), 244; Trent Hill, "The Enemy Within: Censorship in Rock Music in the 1950s," in Anthony DeCurtis, ed., *Present Tense: Rock & Roll Culture* (Durham, N.C.: Duke University Press, 1992), 53. Otis, a musician as well as disk jockey, was an interesting case. Of Greek origin, he identified himself as culturally black, and his show in Los Angeles appealed to Latinos as well as blacks and whites.

25. Brian Ward, *Just My Soul Responding: Rhythm and Blues, Black Consciousness, and Race Relations* (Berkeley: University of California Press, 1998), 128.

26. Robert Palmer, "The '50s," *Rolling Stone*, April 19, 1989, p. 48; Richard Welch, "Rock 'n' Roll and Social Change," *History Today* 40 (February 1990): 32; Breines, *Young*, 152; Hill, "Enemy," 50.

27. Ward, *Just My Soul*, 129–130; Martha Bayles, *Hole in Our Soul: The Loss of Beauty and Meaning in American Popular Music* (New York: Free Press, 1994), 115.

28. *Shreveport Journal*, November 12, 1959, clipping, Box 1149, Oren Harris Papers, University of Arkansas, Fayetteville.

29. Ward, *Just My Soul*, 103; *Newsweek*, April 23, 1956, p. 32.

30. Gerald Early has written: "These were the years . . . in which America recognized and cringed before, the social reality . . . of a miscegenated culture in which, beneath the mask of inhuman racial etiquette where everyone supposedly was as separated as the twin beds in the bedroom of nearly every 1950s T.V. sitcom, there lurked an unquenchable thirst for mixing." Quoted in Breines, *Young*, 152; Lipsitz, "Land of a Thousand Dances," 273, 280–281; Robert Palmer, *Rock & Roll: An Unruly History* (New York: Harmony Books, 1995), 139; Frith, *Sound*, 24; Szatmary, *Rockin'*, 25.

31. Linda Martin and Kerry Seagrave, *Anti-Rock: The Opposition to Rock 'n' Roll*, (Hamden, Conn.: Archon Books, 1988), 41, 103. See *Christian Century*, April 11, 1956, p. 444, and *Chicago Defender*, April 14, 1956, p. 13, for critical responses to Carter's charges. Carter's group, extremist even by Alabama standards, went beyond mere words and resorted to violence to protect white virtue. On April 10, 1956, several of its members attacked Nat King Cole while he was performing to a whites-only audience in the Birmingham Municipal Auditorium. Cole was hardly a rock and roll crooner, but he shared the stage with a white woman singer, which according to Carter posed the same threat as authentic rock and roll performers who also took their shows to Birmingham. After all, Carter reasoned, it marked only "a short step . . . from the sly, nightclub technique vulgarity of Cole, to the openly animalistic obscenity of the horde of Negro rock and rollers. Ward, *Just My Soul*, 100.

32. *Congressional Record*, 85th Cong., 1st Sess., August 15, 1957, Appendix, 6288. John Charles Hajduk, "Music Wars: Conflict and Accommodation in America's Culture Industry, 1940–1960" (Ph.D. diss., State University of New York at Buffalo, 1995), 432; Martin, *Anti-Rock*, 37, 53; Maddock, "Whole Lotta Shakin,'" 189–190; *Variety*, June 13, 1956, p. 51, September 5, 1956, p. 33; *Life*, "Rock and Roll," p. 168; *Time*, June 18, 1956, p. 54.

33. *Amsterdam News*, July 14, 1956, p. 12; *Pittsburgh Courier*, October 6, 1956, p. 9; *Ebony*, December 1956, p. 80.

34. Hajduk, "Music Wars," chap. 2.

35. The information on ASCAP and BMI in these two paragraphs comes from, Hill, "Enemy," 58–59; Sanjek, *American Popular Music*, 308, 328; Hajduk, "Music Wars," 481; Chapple, *Rock 'n' Roll*, 65; Eliot, *Rockonomics*, 57; Ward, *Just My Soul*, 119; Coarse, "Payola," 315.

36. Seagrave, *Payola*, 104–105.

37. Chapple, *Rock 'n' Roll*, 46; Hajduk, "Music Wars," 479; *Billboard*, April 7, 1958, p. 10.

38. House of Representatives, Antitrust Subcommittee of the Committee of the Judiciary, Hearings, "Monopoly Problems in Regulated Industries," 84th Cong., 2d Sess. (Washington, D. C., 1957), 4141, 4425, 4426, 4427, 4428.

39. In 1957 the Celler Committee issued a report concluding that as "disk jockeys are responsible for selecting much of the music played on the air . . . BMI has made the effort to influence them to favor its music." House of Representatives, Committee on the Judiciary, Hearings, "Television Broadcasting Industry, Report of the Antitrust Subcommittee," 85th Cong., 1st Sess., (Washington, D. C., 1957), 122.

40. The Smathers bill, S. 2834, sought to amend the Communications Act of 1934. At around the same time, Congressman James Roosevelt conducted hearings before the Select Committee on Small Business in the House into charges by dissident ASCAP members that the society favored a small group of large music publishing firms. Though proving inconclusive, the investigation heard ASCAP officials brag that ASCAP had few composers of rock and roll. House of Representatives, Subcommittee No. 5 of the Select Committee on Small Business, Hearings, "Policies of American Society of Composers, Authors, and Publishers," 85th Cong., 2d Sess. (Washington, D.C., 1958), 1, 16–17. Defensive about its internal management practices, ASCAP had another incentive for continuing its war with BMI and welcoming investigations into payola. Sanjek, *American Popular Music*, 421.

41. United States Senate, Committee on Interstate and Foreign Commerce, Subcommittee on Communication, Hearings, "Amendment to the Communications Act of 1934," [Pastore Hearings], 85th Congress, 2d Sess. (Washington, D.C., 1958), 107; Daniel Horowitz, *Vance Packard and American Social Criticism* (Chapel Hill: Uni-

versity of North Carolina Press, 1994), 199; Vance Packard, *The Hidden Persuaders* (New York: Simon & Schuster, 1957).

42. Pastore Hearings, 136.

43. Pastore Hearings, 995.

44. Pastore Hearings, 541.

45. Pastore Hearings, 150, 607, 1181, 1184, 1218; Hajduk, "Music Wars," 494. Six months after the hearings ended, a federal court dismissed ASCAP's complaint that BMI had engaged in a conspiracy against it but upheld the plaintiff's right to sue BMI for discriminating against its members' compositions. In any event, the networks began to divest their ownership of BMI and left control in the hands of the independent stations. Sanjek argues that network executives did not want to become embroiled in the widening payola scandal and its association with "unsavory rock 'n' roll." Sanjek, *American Popular Music*, 431, 432.

46. Anderson, *Television Fraud*; Richard S. Tedlow, "Intellect on Television: The Quiz Show Scandals of the 1950s," *American Quarterly* 28 (Fall 1976): 483–495.

47. Richard N. Goodwin, *Remembering America: A Voice From the Sixties* (Boston: Little, Brown, 1988), 63. Goodwin soon joined Kennedy's staff as a speechwriter.

48. Stephen Whitfield, *The Culture of the Cold War* (Baltimore: Johns Hopkins University Press, 1991), 176–177; Greenfield, *No Peace*, 142.

49. Walter Karp, "The Quiz Show Scandal," in Leonard Dinnerstein and Kenneth T. Jackson, eds., *American Vistas 1877 to the Present*, 6th ed. (New York: Oxford University Press, 1991), 330; Hajduk, "Music Wars," 502 n. 66; Karal Ann Marling, *As Seen on TV: The Visual Culture of Everyday Life in the 1950s* (Cambridge, Mass.: Harvard University Press, 1994), 183.

50. Whitfield, *Culture*, 177. Steinbeck's concern about moral decline also emerged in his novel *The Winter of Our Discontent* (New York: Viking, 1961).

51. Coarse, "Payola," 291; House of Representatives, Subcommittee on Legislative Oversight, *Interim Report*, [No. 1258] "Investigation of Regulatory Commissions and Agencies," 86th Cong., 2d Sess., (Washington, D. C., 1960), 37; Sanjek, *American Popular Music*, 439; Seagrave, *Payola*, 100–101; *Variety*, November 11, 1959, p. 1.

52. Subcommittee on Legislative Oversight, *Interim Report*, 37.

53. Oren Harris to A. Reed, January 21, 1950, Box 1109; William Colmer to Oren Harris, February 24, 1950, and Harris to Colmer, February 27, 1950, Box 1109; Harris to B. W. Mitchell, June 14, 1949, Box 1109, Harris Papers, Special Collections Division, University of Arkansas Library, Fayetteville.

54. Harris Speech, February 22, 1950, Box 1109, Harris Papers.

55. Roy Reed, *Faubus: The Life and Times of An American Prodigal*, (Fayetteville: University of Arkansas Press, 1997), 249, 263; Oren Harris to O. D. Johnson, September 30, 1957, Harris to A.G. Davis, September 16, 1957, Harris to George F. Edwards,

October 21, 1957, Box 1136, Harris Papers. For other examples of Harris's racial views see Ward, *Just My Soul*, 169; *Arkansas Gazette*, August 14, 1960, p. A4; Oren Harris to Alvy Edwards, July 8, 1959, Box 1143, Harris Papers.

56. *American Nationalist* attached to Oren Harris to J. J. Babb, January 5, 1960, Box 1149, Harris Papers. Babb lived in Arkansas, but the *American Nationalist* originated from California.

57. Oren Harris to J. J. Babb, January 5, Box 1960, 1149, Harris Papers. On the bottom of the copy of the *American Nationalist*, Babb, from El Dorado, Arkansas, had penned: "Dear Oren: Is this angle too hot to handle?"

58. On the "fallow years" of King and civil rights protest, see Adam Fairclough, *To Redeem the Soul of America: The Southern Christian Leadership Conference and Martin Luther King, Jr.* (Athens: University of Georgia Press, 1987), chap. 2. On the unsteady progress toward the ballot during the 1950s, see Steven F. Lawson, *Black Ballots: Voting Rights in the South, 1944–1969* (New York: Columbia University Press, 1976).

59. Bernard Schwartz, *The Professor and the Commissions* (New York: Alfred A. Knopf, 1959), 9, 96. "Statement of Dr. Bernard Schwartz," February 10, 1958, Box 1298, Harris Papers. Harris declared that he fired Bernard Schwartz for insubordination. "Statement of Honorable Oren Harris Upon Assuming Chairmanship of Special Subcommittee on Legislative oversight, Wednesday, February 12, 1958," Box 1298, Harris Papers.

60. Besides Harris, Democrats included Peter Mack of Illinois, Walter Rogers of Texas, John J. Flynt of Georgia, and John Moss of California. On the Republican side were John B. Bennett of Michigan, William Springer of Illinois, Steven B. Derounian of New York, and Samuel L. Devine of Ohio.

61. John E. Moss interview by Donald B. Seney, State Government Oral History Program, copy in Bancroft Library, University of California at Berkeley, pp. 6, 12–13, 183. "Memo from Moss," April 14, 1960, June 16, 1960, Scrapbook clippings, John E. Moss Papers, University Archives, California State University at Sacramento.

62. U. S. House of Representatives, Subcommittee on Legislative Oversight, Committee on Interstate and Foreign Commerce, "Responsibilities of Broadcasting Licenses and Station Personnel," [Payola Hearings], 86th Cong., 2d Sess. (Washington, D.C., 1960), 192, 870.

63. *Public Papers of the President, Dwight David Eisenhower, 1959* (Washington, D. C.: U.S. Government Printing Office, 1960), 277. At the same time, Eisenhower tried to quell the public outcry over the decline of public morality by commenting at a news conference on November 4, 1959, that he did not think "that America has forgotten her own moral standards." He compared the quiz show scandal to the Chicago Black Sox scandal of the 1919 World Series.

64. "Report to the President by the Attorney General on Deceptive Practices in Broadcasting Media, December 30, 1959," in Subcommittee on Legislative Oversight, *Interim Report*, Appendix E, pp. 63, 65, 70. *New York Times*, January 1, 1960, p. 1; *Billboard*, January 11, 1960, p. 1; William Boddy, *Fifties Television: The Industry and its Critics* (Urbana: University of Illinois Press, 1990), 224.

65. Payola Hearings, 183, 620, for representative testimony of Cleveland's Wes Hopkins and Bob Clayton from Boston.

66. See testimony of Samuel Clark, Payola Hearings, 485, for the view of what the record company hoped to get from payola.

67. Payola Hearings, 1, 331–332.

68. Payola Hearings, 92, 247; *Billboard*, February 15, 1960, p. 2; Sanjek, *American Popular Music*, 448.

69. Payola Hearings, 247, 252; *Broadcasting*, February 15, 1960, p. 54. Lee Gorman to Oren Harris, March 14, 1960 and Harris to Gorman, March 19, 1960, Box 1297, Harris Papers about employment for Richards in the wake of the investigation. For two opposing views on the ritual of confession and anticommunism see Victor S. Navasky, *Naming Names* (New York: Viking Press, 1980) and William L. O'Neill, *A Better World: The Great Schism—Stalinism and the American Intellectuals* (New York: Simon & Schuster, 1982).

70. Both federal agencies conducted their own investigations of payola, with the FTC uncovering payoffs to 255 disk jockeys in twenty-six states and issuing complaints against more than a hundred record companies and distributors to cease engaging in the unfair practice. Nevertheless, ASCAP had no more success against its BMI adversary in the administrative realm than it had in the judicial. Although the Justice Department eventually filed an antitrust suit against BMI in 1964, the government accepted an agreement that allowed broadcasters to retain ownership of BMI. Jackson, *Big Beat*, 322. *Variety*, March 9, 1960, p. 61, March 23, 1960, p. 24; December 9, 1959, p. 53; *Billboard*, May 23, 1960, p. 2; *Broadcasting*, February 22, 1960, pp. 36, 40; *New York Times*, August 8, 1960, p. 13; *New York Post*, December 3, 1959, pp. 5, 64; Hajduk, "Music Wars," 513; Seagrave, *Payola*, 135, 138; Sanjek, *American Popular Music*, 449; Payola Hearings, 641.

71. During the hearings in mid-March, Eisenhower accepted the resignation of his appointed chairman of the FCC, John C. Doerfer, who had testified before the Harris Committee of taking a Florida vacation aboard the yacht of George Storer, a wealthy owner of radio and television stations licensed by the FCC. Republicans on the committee, led by John Bennett of Michigan sought to move up the timetable for bringing the disk jockey Dick Clark to the nation's capital to testify in order to deflect attention away from this scandal tainting the GOP administration. Harris and the Democrats, however, did not act for another month and a half. Payola Hearings,

March 4, 1960, pp. 652, 725; *New York Post*, March 13, 1960, p. 5; *New York Times*, March 21, 1960, pp. 1, 28; "Statement of John B. Bennett," March 21, 1960; "Statement by Congressman Peter F. Mack and Congressman John E. Moss, March 21, 1960; Robert Lishman to Oren Harris, March 16, 1960, miscellaneous, Moss Papers.

72. Berry had been convicted on a morals charge allegedly for transporting a fourteen-year-old girl across state lines in violation of the Mann Act. Little Richard turned to the ministry. Szatmary, *Rockin'*, 56–59.

73. Steven F. Lawson, "The Florida Legislative Investigation Committee and the Constitutional Readjustment of Race Relations, 1956–1963," in Kermit L. Hall and James W. Ely Jr., eds., *An Uncertain Tradition: Constitutionalism and the History of the South* (Athens: University of Georgia Press, 1989), 296–325; John Dittmer, *Local People: The Struggle for Civil Rights in Mississippi* (Urbana: University of Illinois Press, 1994), 80–83.

74. Jackson, *American Bandstand*, 60; Davidson, "Dick Clark," 111.

75. Dick Clark, *Your Happiest Years* (New York: Rosho Corporation, 1959), 17; Dick Clark and Richard Robinson, *Rock, Roll, and Remember* (New York: Crowell, 1976), 146.

76. Clark and Robinson, *Rock, Roll, and Remember*, 67; *New York Times*, March 5, 1960, p. 40; Belz, *Story of Rock*, 104; Jackson, *American Bandstand*, 69; Henry Schipper, "Dick Clark Interview," *Rolling Stone*, April 19, 1990, p. 68.

77. Jackson, *American Bandstand*, 66. Even with his squeaky-clean visage, Clark could not entirely remove himself from the negative images identified with rock and roll. He was called "The Czar of the Switchblade Set," "The Kingpin of the Teen-age Mafia," and "the Pied Piper of Bedlam." Pete Martin, "I Call on Dick Clark," *Saturday Evening Post*, October 10, 1959, p. 27; Bill Davidson, "The Strange World of Dick Clark," *Redbook*, March 1960, p. 111.

78. Clark and Robinson, *Rock, Roll, and Remember*, 82; Martin, *Anti-Rock*, 107; Schipper, "Dick Clark," 126; Donald Clarke, *The Rise and Fall of Popular Music* (New York: Viking, 1995), 422–423.

79. Letter from Dorothy Simmons, *Pittsburgh Courier*, September 5, 1959, p. 22, quoted in G. E. Pitts column. See also Jackson, *American Bandstand*, 141.

80. Clark recalled: "You can't live and eat and sleep next to people in a bus . . . and not begin to feel these are my people, we are together." Clark and Robinson, *Rock, Roll, and Remember*, 58, 135–136; Jackson, *Bandstand*, 204–205; Schipper, "Dick Clark," 70; *Amsterdam News*, May 21, 1960, p. 17. However, in 1960 Clark suspended operation of the tours into the Southeast after encountering opposition from whites. Clark and Robinson, *Rock, Roll, and Remember*, 245.

81. Ward, *Just My Soul*, 168.

82. Eliot, *Rockonomics*, quoting Joe Smith, p. 86.

83. *New York Times*, May 20, 1960, p. 62; Greenfield, *No Peace*, 47; Martin, *Anti-Rock*, 95.

84. Jackson, *Big Beat*, 34, 42, 73; Ward and Picardie, *Music Man*, 76, 85; Martin, *Anti-Rock*, 95; Rick Sklar, *Rocking America: An Insider's Story* (New York: St. Martin's Press, 1984), 21. Reinforcing this image, the *Pittsburgh Courier* gave Freed a special Brotherhood Award for promoting black talent.

85. The charges were later dropped, but not before Freed incurred huge legal fees. Jackson, *Big Beat*, 200–212, 247; “Rock ‘n’ Riot,” *Time*, May 19, 1958, p. 50; Palmer, *Rock & Roll*, 136.

86. Jackson, *Big Beat*, 168; Martin, *Anti-Rock*, 97.

87. Jackson, *Big Beat*, 105–106; Ward and Picardie, *Music Man*, 82; Palmer, *Rock & Roll*, 138; Wexler, *Rhythm*, 129–131; Chuck Berry, *The Autobiography* (New York: Simon & Schuster, 1987), 107; *Amsterdam News*, November 20, 1954, pp. 8, 27, July 7, 1956, p. 20, November 24, 1956, p. 14; George, *Death*, 91. When he first came to New York City he drew fire from Gotham's black press for slicing into the radio and concert market of black disk jockeys, including emceeding programs at the famed Apollo Theater in Harlem.

88. *Pittsburgh Courier*, December 19, 1959, pp. 1, 23; *Amsterdam News*, February 6, 1960, p. 15.

89. “Now Don't Cry,” *Time*, December 7, 1959, p. 47; *Variety*, November 25, 1959, p. 1; Chapple, *Rock 'n' Roll*, 63.

90. Jackson, *Big Beat*, 279–280; *New York Post*, November 23, 1959, p. 41. Freed attributed the different treatment to the fact that Clark appeared on some three hundred stations and earned \$12 million for the television network, while he broadcast on one radio station and brought in only \$250,000 in revenue.

91. Jackson, *Big Beat*, 285; *New York Post*, April 25, 1960, p. 5. Jackson was given access to Freed's testimony, which the committee never released as part of its published hearings. Such testimony is closed to researchers for fifty years unless the House clerk grants permission. After many attempts to obtain permission, my request was denied.

92. On the Clark–Van Doren comparison, *New York Post*, May 2, 1960, p. 4; Clark and Robinson, *Rock, Roll, and Remember*, 219; Payola Hearings, 1341.

93. Payola Hearings, testimony of Joseph Tryon, pp. 1013, 1015, 1017; Doherty, *Teenagers and Teenpics*, 224; R. Serge Denisoff, *Tarnished Gold: The Record Industry Revisited* (New Brunswick, N.J.: Transaction Books, 1986), 238.

94. *Billboard*, May 9, 1960, p. 1.

95. *Washington Post*, April 30, 1960, pp. A1, A3. The Republican Steven B. Derounian judged Clark guilty of “royola.” Payola Hearings, 1159.

96. *New York Post*, March 31, 1960, p. 12.

97. Payola Hearings, 1168, 1169, 1170, 1176, 1182, 1211.

98. Payola Hearings, 1351; Dick Clark to Oren Harris, May 4, 1960, Harris to Clark, May 6, 1960, Box 1149, Harris Papers.

99. Schipper, "Dick Clark," 70; "Teen Agers' Elder Statesman," *TV Guide*, August 29–September 4, 1959, p. 21; *Variety*, May 4, 1960, pp. 1, 50; Mary McGrory, "No Business Like," *New York Post*, May 3, 1960, p. 2 (magazine). Despite his escape, Clark came away bitter. He said the experience taught him "to protect your ass at all times." Clark and Robinson, *Rock, Roll, and Remember*, 225; Leonard H. Goldenson with Marvin J. Wolf, *Beating the Odds* (New York: Scribner, 1991), 164–165.

100. Of the seven others indicted with Freed, three were local black disk jockeys. Two of the black disk jockeys also admitted wrongdoing, while the remaining African American and three whites had the charges dropped. In contrast, Clark avoided prosecution in an investigation into payola undertaken by the Philadelphia district attorney, which produced admissions of guilt from over twenty disk jockeys and several of Clark's business associates. Moreover, in cooperation with law enforcement officials, Clark agreed to head a local organization of disk jockeys that pledged to draw up a code of ethics to stamp out payola. Jackson, *Big Beat*, 298–315; Jackson, *American Bandstand*, 191; *Billboard*, August 29, 1960, p. 1; *Amsterdam News*, May 28, 1960, p. 1.

101. Seagrave, *Payola*, 157; Coarse, "Payola," 298; Eliot, *Rockonomics*, 83; *Billboard*, June 13, 1960, p. 1; Minutes, Committee on Interstate and Foreign Commerce, 86th Cong, 2d Sess., June 9, 1960, RG 233, Box 207, National Archives; House of Representatives, Committee on Interstate and Foreign Commerce, "Report to accompany S. 1898, Communication Act Amendments, 1960," 86th Cong., 2d Sess. (Washington, D. C., 1960), 47; *Broadcasting*, July 4, 1960, p. 60, August 29, 1960, p. 3; *New York Times*, August 26, 1960, p. 1, August 31, 1960, p. 19.

102. *Billboard*, December 19, 1960, pp. 1, 3, 4; *Variety*, October 26, 1960, p. 57.

103. The target of payola shifted from disk jockeys to program directors who compiled the play lists. Coarse, "Payola," 206; Hill, "Enemy," 67.

104. The phrase comes from a quote by an anonymous record company executive, *Billboard*, January 18, 1960, p. 2.

105. The introduction of rap and hip-hop music in the late 1980s and 1990s, with the civil rights movement in secular decline, revived attacks against black musical forms considered offensive to (white) middle-class standards of decency. Tricia Rose, *Black Noise: Rap Music and Black Culture in Contemporary America* (Hanover, N.H.: University Press of New England, 1994).

9

“A REVOLUTION BUT HALF ACCOMPLISHED”: THE TWENTIETH CENTURY’S ENGAGEMENT WITH CHILD-RAISING, WOMEN’S WORK, AND FEMINISM

Cynthia Harrison

Nothing renders society more restless than a . . . revolution but half accomplished.

—Carl Shurz

In 1966, a group of politically active women gathered around a table at a government luncheon and created the National Organization for Women, the first avowedly feminist organization of the twentieth century’s “second wave” of women’s-rights activism. The new movement responded to an expansion in wage work for women, a phenomenon driven not by ideology but by economic circumstance. Within the decade, the women’s movement had crafted a comprehensive package of reforms that, if adopted, would have modernized workplace practice as well as family roles to fit the changed wage-earning roles of women and ensure the proper care of children.

For the rest of the century, feminists sought a revision in public policy to make possible equal opportunities for women at work, to improve economic security and independence for women (and their children), and to support a revolution in personal relationships between women and men. Arguing that gender roles grew out of social influences rather than biology—a key departure from the older varieties of women’s activism—feminists declared child-raising to be a responsibility of both men and women as well as the society at large.

At the twentieth century’s end, the U.S. Code and the statutes of the various states reflected the stunning success of the women’s movement in expunging the hoary laws that diminished women’s legal capacity and subordinated married women to their husbands. Thanks in large measure to a renewed feminist consciousness, legislation proscribed the ubiquitous discrimination that had existed in the practices of employers and educational

institutions. Other laws, such as those guaranteeing access to abortion or family leave, acknowledged women's need for control over their reproductive lives and offered some accommodation to their responsibility for raising children. But the new millennium had not yet arrived. For all the feminist successes, change occurred slowly with respect to family responsibilities. In the 1990s, women still provided most childcare, receiving modest help from fathers, and little from employers or state agencies. The average “working mother” worked two shifts,¹ usually located in separate sites. Moreover, her wages reflected the long-standing assumption that women's paid work occupied a position secondary to their child-raising role, despite a labor-force participation rate in 1998 of 63.7 percent for married mothers with children under six and a rate of 76.1 percent for those with children from ages six to thirteen.²

The attempt to transform childcare arrangements faltered on practical aspects such as cost, but the failure also reflected confusion about the “traditional” way in which children were raised in the “typical” American family. The discussion about childrearing proceeded as if the “traditional” American family consisted for most of America's history of a father who “went to work” and earned enough by himself to support the family comfortably, a mother who “stayed home” and devoted herself to nurturing her children, and children who went to school full-time at least until they graduated from high school. Departures from this model—whether the absence of the father, his failure to earn an adequate wage, or the mother at wage work—thus represented a decline from a healthier and long-standing practice. Wage work for women detracted from their “natural” role as full-time mothers.

This history of the family was, however, a myth. Promulgated in the early nineteenth century, the ideal urban family constituted a realistic goal for only a minority of families in the nineteenth century and most of the twentieth century. The moment when a “typical” nonprofessional family could aspire to the family ideal existed only briefly—in the period following World War II, an anomaly popularized by the new medium of television. Most families recognized their own substantial shortfalls from the level of economic security (not to mention emotional and social control) displayed by their television models. They nevertheless accepted the image as the norm and therefore an appropriate goal.

But the true “traditional American family” was not the white middle-class suburban family of the 1950s pictured on the television screen. Until the twentieth century, most Americans had grown up on farms, not in suburbs, and in families that differed dramatically in character from 1950s televised fiction,

where mothers vacuumed in high heels and fathers went to work at a vague and indistinguishable locale known as “The Office.” In the traditional American farm family, particularly the subsistence agricultural setting of the frontier but also in the commercial agricultural environment of the nineteenth century, mothers—and fathers—undertook childrearing and breadwinning simultaneously and in the same place, and with little glamour about it.

FAMILY LIFE IN PREINDUSTRIAL AMERICA

On the farm, women’s work had a central relation to agricultural production. In addition to engaging in market exchange activities, farmwomen fed and clothed not only their own large families but also auxiliary workers on hand to help with the crops or the indoor work. Producing food comprised many steps: planting and maintaining a garden, harvesting the fruit and vegetables grown there, preserving them for future meals and cooking and serving them in due course. Food also came from the family dairy: farmwomen processed milk, butter, and cheese for the family table. They raised chickens as well, which would need to be slaughtered and dressed, and eggs, which needed to be collected, some to be eaten and some to grow into new livestock. Making and maintaining the family’s clothing was similarly time-consuming and labor-intensive: acquiring cloth, cutting simple patterns, stitching new clothing, mending or altering outgrown clothing for a younger child, laundering (including making soap from lye and fat, maintaining the fires that would heat water, scrubbing, rinsing, and hanging them out), and ironing, performed with weighted flatirons heated on the stove. Her labors supplied family members with goods, and they counted on her surplus production to bring in cash. In addition to marketing cheese and eggs, farmwomen skilled as dressmakers or midwives could help earn family income by performing services for neighboring families. And all of these chores took second place to field work when the crop required it.

As an agricultural producer, the farm wife could not have made childcare her primary focus. Children perforce grew up without the close adult scrutiny adjudged essential by nineteenth- and twentieth-century childrearing experts. On the farm, raising children meant attention to their physical needs, spiritual training, primary education, and apprenticeship for adult work roles. Mothers might have supplied little of this care. Siblings of the parents and of the children helped satisfy the child’s physical needs. Small children were commonly expected to keep an eye on even smaller ones, bringing in-

fants to adults when they needed to be fed. Children themselves took on economic roles early in life, boys helping with the outdoor work and girls emulating their mother's roles, sometimes undertaking labor as backbreaking as factory work.³ Childcare thus became synonymous with job training.⁴

Although most late-twentieth-century families could not reproduce the coherence intrinsic to farm life (and they would certainly have wanted no part of the backbreaking work), the dual subsistence-producing and nurturing roles women played in that earlier context would have represented a sounder model for late-twentieth-century mothers than the “angel of the hearth.” And a fuller conversancy with this earlier family template might have enabled urban Americans to understand the long history of women's role in family economic support and its centrality to the family's well-being. Instead, throughout the twentieth century, income-earning mothers found themselves described almost continuously as a “problem.”

The “problem of the working mother” emerged in the nineteenth century almost immediately upon the relocation of families from the farm to an urban setting. The transition from a predominantly agricultural society to a predominantly urban one did not take place until the half-century following the Civil War, but a small proportion of families, particularly along the eastern seaboard, had experienced it earlier in the century. Elite families solved its central conundrum—how to raise children with home and work sites located in separate places—by creating the doctrine of “separate spheres.”⁵ Men would work to earn income and would support the mothers of their children, who would withdraw from income-producing work for virtually all of their adult lives; women would instead devote themselves exclusively and intensively to raising their children. In 1830, however, such a model was irrelevant to the 90 percent of families still residing on farms. It also bore little resemblance to the lives of poor urban dwellers, since most nonprofessional occupations did not permit a man to earn enough to support a family comfortably on his own.

By 1900, however, 40 percent of the American population lived in urban settings, confronting the issue of child-raising off the farm. The nineteenth-century domestic ideal still proved elusive. Relatively few families in industrial America could follow the model because relatively few men could earn the income to support it. The average wage in 1900 of \$490 a year (about \$9600 in 1999 dollars⁶) for nonfarm employees meant that a “typical” urban family of six was most unlikely to meet basic needs from the wage-earning capacity of only one adult.⁷ Those nonfarm families that stayed in rural communities would have earned even less. Most nonfarm families therefore had

to supplement the father's wage with the wage-earning work of at least one other family member, constrained by the prevailing notion that married mothers should not work for wages outside the home.

Twentieth-century Americans thus began a series of unwitting experiments in earning income and raising children in an urban industrial society. Early reformers and policymakers focused on various solutions for the pressing problems of insufficient family income, child abuse and neglect, and the preparation and protection of the modern workforce: “a family wage” for male workers; bans on child labor; compulsory schooling; protective labor laws barring women from certain occupations or hours of work; minimum-wage laws to raise the lowest rates paid to women workers; stipends for mothers raising children alone. No solution, however, succeeded in making permanent that desideratum of family life, the full-time mother relieved of the necessity to contribute to the family income. To the contrary, as the century unfolded, more rather than fewer married mothers worked for wages and more families relied on mothers' wages to survive. Yet, having never been addressed directly, at the twentieth century's end as at its beginning, the question of how to care for children in a nonagricultural setting while earning adequate family support still beset the polity. And at the end as at the beginning, race, social class, and gender inflected the answers.

TWENTIETH-CENTURY EXPERIMENTS IN CHILDCARE

In roughly chronological order, we can identify five twentieth-century arrangements adopted or proposed to deal with the problem of raising children and earning income for families in an industrial/commercial economy. Initially, income, not childcare, proved to be the preeminent concern. Thus, strategies to cope in the new urban world varied chiefly by which family member would assist in earning cash wages necessary to support the family and under what circumstances.

MOTHERS AT HOME, CHILDREN AT WORK

At the beginning of the century, when most Americans still lived in rural communities, European immigrants presented the most visible and aggravated cases of families' adapting to urban spaces. More than three million

immigrants had arrived in the last decade of the nineteenth century; in 1900, of sixty-seven million white Americans, some twenty-six million were either foreign-born or the child of a foreign-born parent—40 percent of the white population. Thirteen million more immigrants arrived between 1900 and 1915, the majority settling in cities. Already coping with drastic shifts from European peasant or village life, urban immigrant families tried various ways to stave off poverty, many of which included mothers' work. The practice of taking in boarders was ubiquitous, taking in washing and sewing common. Some immigrant mothers worked in home industries, making clothing, flowers, or cigars.⁸ For others, family businesses offered employment and the option to live above the store, thus being at hand when children were about. As Sonya Michel has pointed out, those desperate mothers who had to leave home to find work often took small children with them, keeping them occupied with related tasks, in essence using child labor as a form of childcare.⁹ In these ways, families replicated in an urban setting the farm way of life in which mothers melded childcare and subsistence-producing work, albeit without the salubrious aspects of farm life—fresh air and homegrown food.

But economics and convention limited the amount that mothers could earn, and most nonfarm families relied on the wages of another wage earner—an adult or minor child. The data are sparse and do not precisely address the question of family wage-earning structure, but it is possible to draw some inferences from those data available. By 1910 only eleven married women out of a hundred recorded themselves as working for wages, fewer than two million wives. Still, there were 25.8 million nonfarm workers and fourteen million nonfarm households. Some three million households—those with professional or managerial men as the husband/father—probably could have relied on only one wage earner. Thus, approximately twenty-three million workers supported eleven million households, slightly more than two workers per family on average.¹⁰ Census enumerators were instructed to request the occupation of all residents ten years old and older, recognizing how commonly children worked for wages. In 1910, the Census counted 1.6 million children ten to fifteen years old in the labor force, about 15 percent of children that age, unquestionably an undercount.¹¹ Children over the age of fourteen had usually left school; in 1910, only 15 percent of fourteen- to seventeen-year-olds attended high school.¹² Many parents expected older children to leave school and pursue paid work as soon as they could reasonably anticipate finding a place.¹³ Thus, we can infer that the first experiment in raising children in a nonagricultural setting consisted, for the “typical” urban family, of mothers at home (trying to add to the family income

from there) and children from ten years old and up performing wage work to help support the family.¹⁴

An exception to this pattern appeared early among African American families. Although some also sought to emulate the ideal of having a mother withdraw from wage work (and the field labor necessary for agricultural families), many preferred to keep daughters in school if possible. Thus, mothers took on domestic work rather than sending the younger women to such jobs where they would be more vulnerable to the sexual depredations of white male employers.¹⁵ In 1900, when 3 percent of white married women reported themselves as working for wages, the labor-force participation rate of black married women was 26 percent. In this adaptation as in later ones, the black family anticipated a change that would come later to white ones.

“Maternalist” Progressive reformers in the early decades of the twentieth century sought to limit the workplace participation of children by protective labor legislation and by enforcement and extension of compulsory schooling laws. The movement to withdraw children under fourteen from paid labor and to keep them in school took four decades to effect. States were slow to outlaw child labor: by 1923 only thirteen states imposed any significant legal restrictions on child labor and those laws tended to deal only with factory work, leaving children working in agriculture unregulated.¹⁶ Congress passed child-labor laws in 1916 and 1919, but the U.S. Supreme Court ruled both unconstitutional. A constitutional amendment submitted to the states by Congress in 1924 won the support of only six states by 1930. By 1932, however, all states had some legislation affecting child labor (most barring factory work by those age fourteen and younger)¹⁷ and the work of children under the age of sixteen in interstate commerce finally became illegal in 1938 with the passage of the federal Fair Labor Standards Act.

Progressives had an easier time with compulsory schooling laws. Massachusetts had enacted a school attendance law as early as 1852. Another twenty-two states followed suit between the end of the Civil War and 1890. Southern states waited until the twentieth century, but by 1918 all states had compulsory school laws, normally requiring attendance of children to age fourteen. Enforcement was a different matter. Many objected to the government’s compelling children to attend school, arguing that children benefited from working and that, in any case, such a decision belonged to parents. Families that needed children’s income had a powerful incentive to flout laws and school districts lacked both sufficient desks for all children and the capacity to police either the densely packed tenement districts or the sparsely settled rural areas.¹⁸ School officials disliked dealing with rough, poorly prepared

students from urban ghettos—the very ones Progressives hoped would gain most from education provided at public expense. But Progressives succeeded in improving enforcement and in extending both the number of required days in school each year and the number of years a child would attend. According to David Tyack, from 1890 to 1918 more than ten thousand new high schools were built and high school attendance increased more than 700 percent. New school administrators emerged for the specific purpose of monitoring school enrollment and enforcing attendance rules.¹⁹ The expectation that children would attend high school worked in tandem with child-labor laws to withdraw children from industrial labor. The proportion of children aged fourteen to seventeen enrolled in high school doubled from 16 percent in 1910 to 32 percent in 1920.²⁰ But that figure left two-thirds of high school-age children likely at work.

Ultimately, whether a child could stay in school or not depended on the general state of the economy. The prosperity that marked the 1920s lifted the wages of working men and helped to shrink the numbers of children in the labor force. In the 1920 census, the ratio of nonfarm workers to nonfarm households had dropped from 1.84 overall in 1910 to 1.75, indicating that additional families probably were relying on the wages of one earner. Indeed, the average wage of workers in all industries, excluding farm labor, rose from \$630 in 1910 to \$1,500 in 1920 (farm laborers earned only \$810). An annualized wage for factory workers in 1920 equaled about \$1,350. No doubt fostered by the relative affluence, high school attendance increased. By 1930, just over half (51.4 percent) of the high school-age population attended school.²¹

But an annualized wage for factory workers in 1920 equaled about \$1,350—approximately \$11,000 in 1999 dollars—and most families still probably required a second income to maintain an adequate standard of living. In their study of Muncie, the Lynds found that only twenty-five out of one hundred working-class families earned the \$1,920 deemed the minimum income necessary for a family of five. In 1920, of approximately twenty-three million male nonfarm workers, 3.9 million, who occupied professional and managerial positions or owned their own businesses, were potentially successful single-family earners, less than 18 percent. Removing their households from the total of eighteen million nonfarm households at the time, we find that nineteen million remaining male workers (of whom sixteen million worked at manual labor and three million in white-collar jobs) presumably supported the balance of fourteen million nonfarm households, assisted by 7.5 million nonfarm working women (including about 9 percent of wives), an average of 1.9 workers for each of these households. It is possible that more than half of

these urban households managed on one income, but if they did so they likely suffered substantial economic duress.²²

The Depression both accelerated the trend against child labor and impeded the growth of paid labor for married women. The scarcity of jobs led families to encourage children to stay in school in the hope that they would be better able to earn with more education. The combination of compulsory school laws through twelfth grade or age sixteen and legal barriers to the employment of children younger than fourteen removed many urban children from the labor force. By 1940, 73 percent of fourteen- to seventeen-year-olds attended school, and the ratio of nonfarm workers to nonfarm households fell to 1.64. With work scarce, little sentiment favored mothers at work. The Depression crisis had already threatened family stability in numerous ways; restoring fathers as the family breadwinner constituted a key policy goal of the New Deal. The pervasive unemployment of men led to a more intense commitment to the “traditional” family than had appeared in the 1920s, when careers for married women enjoyed something of a vogue. Animosity toward married women at work led to both private actions by employers and legislation to establish a policy against hiring married women in lieu of male breadwinners. One unemployed husband voiced a widespread sentiment among working-class men when he declared, “I would rather starve than let my wife work.”²³ Yet, despite the hostility toward them, married women increased their work rates during the Depression (though their numbers remained small). In 1930, about 12 percent of wives were at work; by 1940, that proportion had risen to 17 percent. Black married women entered the labor force at a rate three times that of white women, reflecting the disadvantaged position of black men in the labor force.²⁴

Wives undoubtedly worked because families with only one wage earner had a hard time of it. In the 1930s, a third of all families reported an income below \$800 annually (about \$9500 in 1999 dollars), more than 80 percent of them one-earner families. One-third of the 20 percent of American families in 1940 that earned a middle-class income (between \$1,600 and \$2,500, or between \$19,000 to \$30,000 in 1999 dollars) got there by benefit of two or more earners.²⁵ But during the 1930s, older children, rather than wives, remained the preponderant group bringing in additional wages. Of eighteen- and nineteen-year-olds, only 12 percent had married, although only 29 percent were enrolled in school; for the next age cohort, twenty to twenty-four, fewer than 7 percent were in school, about two-thirds were still single and 88 percent of the men and 46 percent of the women were in the labor force, most likely helping with family expenses.²⁶

World War II had the potential for creating dramatic changes in family-wage-earning arrangements. Once the United States started building arms, the availability of jobs drew married women into the labor force. At the peak of the war, the female labor force had grown by almost 50 percent and, while policymakers expressed reservations, mothers who could find good care for their children could do their part to ease the labor shortage without opprobrium. The federal government even allocated a small portion of public funds to the support of childcare centers. The number of wives at work doubled.²⁷ But the welcome for married women at work and the public support for childcare turned out to be a brief aberration that the polity was not yet prepared to endorse. The next adaptation appeared in the postwar era.

MOTHERS AT HOME, CHILDREN IN SCHOOL

After the war ended, the economic dominance of the United States globally, pent-up consumer demand, and huge government investment in infrastructure, education, and industry launched a boom that, for the first time in American history, appeared to make it possible for an "average" working-class family to survive on the wages of a single (male) income earner. By one measure—the Current Population Survey, conducted by the U.S. Bureau of the Census—from 1948 to 1955 slightly more than half of American families sustained themselves on the wages of a single wage earner.²⁸ But while suggestive, these data are not dispositive because the definition of "wage earner" included both casual teenage workers as well as those who contributed to family support, and the definition of "family" included childless married couples. Closer analysis of census data between 1940 and 1980 refines the picture: Daniel Hernandez concludes that the number of children in "ideal" families peaked in 1950. In that year, the proportion of children between birth and age seventeen who lived in families in which the father had worked at least forty-eight weeks the previous year and thirty-five hours the previous week and in which the mother did not participate in the labor force amounted to 47.1 percent. The proportion of children so situated fell to 44.7 percent by 1960 and to 26.3 percent by 1980.²⁹ Thus, even in the 1950s, more than half of American children lived in families that departed from the ideal. Moreover, some of the ostensibly ideal families certainly had the assistance of a second wage earner. The labor-force participation rate of teenaged children remained high, including two-thirds of boys aged sixteen to nineteen and two-fifths of girls that age.³⁰ Although many teenagers no doubt used their

earnings as personal discretionary income, others also surely helped pay family bills, especially among the 23 percent of fourteen- to seventeen-year-olds not attending school.

Still, the prosperous postwar economy allowed many new mothers, especially white mothers, to stay out of the labor force without the family's relying on the wages of a minor or adult child, the second adaptation to raising children in a nonagricultural setting in the twentieth century and the first time working-class husbands could anticipate earning a “family wage.” With 3.4 million to 4.2 million births every year for a decade, the population grew to include some twenty million new families with small children, out of some 43.5 million total families. In 1960 only 18.6 percent of married mothers with children under six worked for wages, but more than 60 percent of families (with and without children) earned more than \$5,000 (the average family income was \$6,819, or \$28,000 in 1999 dollars). Only 39 percent of male workers over the age of fourteen earned that amount, although another 23 percent earned between \$3,000 and \$5,000, again strongly indicating the presence of a second wage earner in many families.³¹ But most families probably did rely on one wage earner: 66.6 million nonfarm workers supported 48.7 million households—1.36 workers per household.³²

MOTHERS AT HOME AND AT WORK

The moment was brief: For the rest of the century, the numbers of mothers in the labor force would increase. In 1950, 21.6 percent of mothers with children under eighteen were at wage work; by 1960, their participation rate had grown to 30.4. By 1967, in two-parent families where all the children were between the ages of six and seventeen, 44 percent of white mothers—and 55 percent of nonwhite mothers—worked.³³ The labor-force participation rate for married mothers with children between six and seventeen passed the halfway mark in the 1970s; those with children under six reached the halfway mark during the following decade.³⁴ These women thus instated the wage work of mothers as a permanent feature of the U.S. economy, initiating the third experiment in income-earning and raising children: mothers routinely fitting wage work in around school schedules and childcare needs.

Ironically, at the very moment that growing numbers of women were joining the paid labor force, a new invention inscribed the image of the model white affluent suburban family on the American consciousness. Television brought the Nelson family, the Anderson family, the Stone family, the Cleaver

family, the Reilly family, and the Williams family into American living rooms, shortly followed by numerous other families, most of which revolved around a mother devoting full time to family care rather than wage earning, regardless of the age of the children.³⁵ The power and prevalence of these images did not cloud the vision of those families who realized that they could not in fact afford the ongoing estrangement of one adult from paid work. They did, however, implicitly characterize the working mother as "deviant" and, quite possibly, neglectful.

In order not to neglect their children, mothers employed outside the home took jobs less than full-time or year-round. And they worked part-time. In 1967, of working mothers with children between the ages of six and seventeen, 39 percent worked full-time for the full year, about 14 percent worked more than six months but fewer than fifty weeks at full time, and 12 percent worked full-time fewer than six months of the year. About one-third of mothers worked part-time. Mothers with children younger than three were no more likely to work part-time than were mothers with older children, but they did work fewer weeks per year, perhaps reflecting the difficulty of getting jobs that required fewer than thirty-five hours per week.³⁶ Employers, meanwhile, justified discrimination against the married mother (and, by extension, every woman) on the very ground that she would be likely to put her family before her wage work, as indeed she was expected to do.

Fitting childcare and paid work together became even more difficult because experts had redefined what children required in the way of "raising." The twentieth century witnessed not merely a shift from farmland to cityscapes but a revision of what a family owed a child. Although the idea of children as unique individuals requiring special attention had gained currency by the early nineteenth century, in the latter part of the century Darwinian psychologist G. Stanley Hall expanded the notion to suggest that children's physical and mental well-being demanded specific treatment at different developmental stages, by a mother trained for motherhood.³⁷ John B. Watson, in *Psychological Care of Infant and Child* (1928), insisted on scientific principles for raising children. Women could not rely on instinct and in particular needed to guard against excessive attachment.³⁸ Freudians laid at mothers' feet blame for the neurotic child, and popular writers such as Philip Wylie (*Generation of Vipers*, 1942) launched vituperative attacks on overbearing mothers who suffocated their children to fulfill their own selfish needs.³⁹ Meanwhile, concerns about juvenile delinquency led to censoring mothers who left their children unattended. A modern woman could not "mother" carefully enough. Such obligations had not beset the mother on the farm.

Modern mothers also had new responsibilities concerning their children's education. In an agricultural world, children's formal schooling got short shrift. School schedules purposely permitted children to help with farming and, even though schools suspended operation during the summer, farm children attended much less often than city kids, most only from mid-November to early spring.⁴⁰ In 1870, when most families were still farm families, the average length of the school term was 132 days, but the average number of days attended per enrolled pupil was 78, the equivalent of sixteen weeks of school.⁴¹ In 1898 a “typical young American” could anticipate five years of education.⁴² Southern children, black children, sharecroppers' children, could look forward to even less schooling.⁴³ But an urban twentieth-century worker needed formal education, more so as the century wore on. When educational professionals came in contact with the work of child development experts, they expanded their recommendations concerning the range of stimulation that children needed in their early years to enhance their success in school (and, therefore, later at work). Standardized testing documented deficits when children failed to meet grade-level norms; educators held mothers accountable for lapses. By 1950, children were expected to stay in school until high school graduation and mothers were expected to shepherd their children throughout, supplying emotional sustenance and intellectual enrichment. For the rest of the century, childrearing experts ratcheted up the efforts ostensibly required to raise a healthy and successful child, while at the same time more mothers undertook childrearing as a part-time rather than a full-time occupation, exacerbating the tension between their roles as mothers and as workers.

Criticism notwithstanding, mothers' wage work facilitated their children's education. If, in the first half of the century, the labor of adult children had permitted their fourteen-year-old, fifteen-year-old, and sixteen-year-old siblings to finish high school, in the next half-century mothers replaced their older children as family earners, permitting them to go to college. School enrollment of eighteen- and nineteen-year-olds closely tracked the labor-force participation rates of mothers with children between the ages of six and seventeen; enrollments of those twenty to twenty-four also rose in concert with mothers' work. The wage work of mothers permitted children to stay in school long past the legal working age, acquiring the skills necessary to navigate an economy increasingly reliant on sophisticated technical and professional skills.

The work of women benefited not only their own families but also the national economy. Women's work on farms had sustained the agricultural

economy; women's work in the paid labor force was no less essential to a modern economic system. World War II had intensified the trend of married women's joining the paid labor force: In 1940 (as noted earlier), 17 percent of wives worked; by 1960, 32 percent did.⁴⁴ Immediately after the war, the growth of women's wage work led to concern among policymakers, businesses, and unions over the prospect of competition between men and women for scarce jobs. But by the time of John Kennedy's inauguration in 1961, it had become clear that women would not replace men in the jobs traditionally identified as male. To the contrary, the need for clerical workers, nurses, and teachers made plain that both the public and the private sectors required women's paid work. In addition, the Cold War fueled anxieties about leaving women's talents unplumbed; in 1957 the National Manpower Council released a report called *Womanpower*, warning that women were essential workers: "Without their presence in the labor force we could neither produce and distribute the goods nor provide the educational, health, and other social services which characterize American society." The council also observed that women were underutilized, especially compared to the Soviet Union: "There are annually some 13,000 women graduating as engineers in the Soviet Union, compared to well under 100 in the United States." But, the council also noted, women's lives "are fundamentally determined by their functions as wives, mothers, and homemakers."⁴⁵

Thus, in 1961 John F. Kennedy appointed a presidential commission to formulate recommendations to help women negotiate the two often conflicting roles of worker and mother. The commission appointed seven subcommittees, three of them dealing with employment and working conditions, one with family life, and one with education geared to lifelong paid work. Two more subcommittees considered the changes in the law and in tax and insurance schemes needed to adapt them to women's new roles. The commission accumulated data that documented women's relative disadvantage and the extent of the problem of adequate care for children. In 1963, by the time the commission issued its report, a national network of activists had formed to pursue the goals the national commission and its state offshoots had crafted.⁴⁶ No one had suggested that a presidential commission examine how fathers could perform their two roles, although industrialization had also vitiated the role of fathers as educators and guides of their children. This burden—of merging paid work and childcare to meet the demands of the late-twentieth-century economy—fell entirely on women; a feminist movement, fostered by federal policymakers, emerged in part to help women cope with its demands.

Congress had responded quickly to women mobilized by the President's Commission and energized by the prospect of recognition. In 1963 Congress passed the Equal Pay Act, an amendment to the 1938 Fair Labor Standards Act that barred employers from discriminating in pay rates based on sex. The first piece of federal legislation banning sex discrimination by private employers, the statute signaled the beginning of government's recognition of the permanent attachment of women—including married mothers—to the wage-labor force.⁴⁷ In 1964, Congress passed a civil rights act that included a wider ban on sex discrimination in employment. The legislation designated a new agency, the Equal Employment Opportunity Commission (EEOC), to enforce the law, but the EEOC gave short shrift to its responsibility to ensure equal treatment for women workers. Its disdain provoked a response from the women's network organized by the federal and state commissions. In 1966, a group of women attending a meeting of state commissions on women formed a new nongovernmental organization devoted to the full equality of women—NOW: the National Organization for Women. NOW took as its first order of business improving the performance of the EEOC,⁴⁸ but its wider mission included reordering social expectations about gender roles and it proposed a fourth system—a new ideal—for earning income and raising children in modern America.

MOTHERS AND FATHERS AT WORK AND AT HOME,
CHILDREN IN THE BEST OF ALL POSSIBLE WORLDS

NOW constituted only the first of what would become a plethora of new women's organizations devoted to an explicitly feminist agenda based on freedom from stereotypical gender roles. Its program was much more comprehensive than the one Kennedy's commission had laid out. Not only would society help women resolve the role conflict produced by wage work done simultaneously with childcare, feminists now called upon men to adopt with women ownership of the full range of human responsibilities, to be divided on lines of individual preference and aptitude, not by sex. Thus, the new woman's movement proposed a new feminist system of childrearing in which women and men would again share all the work of the world, including family financial support and child-raising—as they had a century earlier. Both parents would negotiate with employers and make compromises in their work lives to provide their children with adequate parental care, supplemented by income replacement from employers or government. Public

funding would support new institutions that would also provide childcare, both to accommodate parental work schedules and to expose the young child to experiences beyond those her parents could offer. The arrangement would permit men to develop the affective side of their nature and women to achieve both the satisfaction of instrumental work and the protection of economic autonomy. Such economic wherewithal for women would equalize power within the heterosexual family, would permit women to leave unhealthy or dangerous marriages and still care for their children, and would make possible a variety of new family forms, including same-sex partners with children.

Feminists also fought for reproductive freedom, including access to abortion. Birth control had become accepted during the Depression as a method of “family planning,” and the oral contraceptive, available in the 1960s, made contraception reliable and accessible. But abortion gave women ultimate control over reproductive vicissitudes, essential in the modern era to both women and to their employers. In an agricultural setting, in which children contributed labor as farm hands and a woman raised her children while she worked, an additional child could have a positive economic impact. In a corporate business economy, an unplanned child could constitute an economic disaster for the woman and her family and uncertainties for employers. An expanded right to birth control and abortion gave a woman the ability to determine her work life as well as her reproductive choices, making childrearing a much more contingent activity, increasingly a decision women themselves were forced to justify.⁴⁹ Thus, although crafted to respond to the problems of the moment as experienced by women, the feminist program would have modernized family organization and public policy to fit a late-twentieth-century postindustrial economy with virtually every adult engaged in lifelong wage work.

The movement, consisting of national and local groups of all political stripes, had a powerful impact on public policy, including executive branch actions, legislation, and court decisions on the federal and state level. Although from the outset the women’s movement demanded public support for childcare, the political community proved most amenable to the laws that banned discrimination rather than those that seemed likely to change childrearing practices and to require substantial federal expenditure.⁵⁰ By 1980, federal laws and executive orders banned discrimination in employment and job training against women (even when pregnant) and Congress had expanded the reach of Title VII of the Civil Rights Act to state and local governments. Lenders could no longer offer credit only to men; educational in-

stitutions could no longer discriminate among their students based on sex (although schools could continue to limit enrollments to a single sex). Congress also opened military academies to women and allocated money for special programs to achieve equity for women and to hold a National Women's Conference to set new goals for eliminating sex discrimination.

Concomitantly, the U.S. Supreme Court reversed its jurisprudence pertaining to sex-based classification in the law. By 1980, the Court had enunciated a new standard for such statutes: States would have to demonstrate that a sex-based classification had a substantial relationship to an important governmental objective.⁵¹ Using this standard, the Court threw out almost all laws that distinguished on the basis of sex, including those that pertained to marital property, alimony, jury service, and age of majority. The Court further established and maintained the existence of a right to privacy that permitted physicians to terminate pregnancies during the first three months of gestation (the famous holding in *Roe v. Wade*, 1973). By virtue of these judicial decisions, the close—and surprising—defeat of the Equal Rights Amendment in 1982 had only a marginal impact on women's legal standing.

With new support for equal treatment, women's wage-earning roles continued to grow. In 1996, the labor-force participation rate of single women reached 65 percent, up from 53 percent in 1970. For married women, the rate had changed in the same time from 41 to 61 percent; for married women with children under six, from 30 to 63 percent; for married women with children from six to seventeen years old, from 49 to 77 percent.⁵² By the end of the century, women were 29 percent of lawyers and judges, 26 percent of physicians, a third of professional athletes, half of all entry- and midlevel managers. Women received more than half the bachelor's degrees awarded annually and almost half of the doctorates.

But feminists' success was incomplete. Most women worked in traditional women's jobs and earned the wages to show for it. In 1996, 57 percent of working women earned their livings as service workers, sales women, or secretarial/clerical workers. Women made up more than 90 percent of nurses, 98 percent of nursery school teachers and childcare providers, 83 percent of elementary school teachers, 97 percent of secretaries and receptionists, 92 percent of bookkeepers, 90 percent of bank tellers, and 95 percent of household service workers. Few working-class women gained access to the higher-paid and traditionally male blue-collar jobs; in 1996, women constituted only 2 percent of firefighters, 1 percent of automobile mechanics, and 5 percent of truck drivers. Although the wage gap had closed more than 15 percentage points since 1960, women on average were still earning only 76 percent of

men's wages.⁵³ Women's lower wages reflected the prevailing view that women were “secondary” earners because they still held the primary responsibility for raising children, although 75 percent of working mothers with children ages six to seventeen worked full time, as did nearly two-thirds of working women with younger children.⁵⁴

The feminist proposal for childcare envisioned a partnership among mothers, fathers, employers, and government, but key components of this regime failed to appear. Feminists came within a hair of winning major federal support for institutional assistance with child-raising but quickly lost their leverage. In 1971, Congress passed the Comprehensive Child Development Act, which would have provided \$4.5 billion dollars in subsidized childcare for poor families. Richard Nixon vetoed it, in keeping with the rightist view that such facilities would “Sovietize” American children.⁵⁵ The political and religious right stymied federal financial support for childcare and joined forces to mobilize against the feminist agenda, eventually adopting the rubric of “family values,” citing with opprobrium collective childcare arrangements, access to abortion, and support for gay rights.⁵⁶ As a result, congressional support for publicly funded childcare never came close to meeting the need. Instead, in 1981, tax credit provisions allowed families to claim up to \$480 for care for one child and \$960 for two or more children. Beginning in 1982, the federal government allocated about \$3 billion a year for a social services block grant that states could (but did not have to) use for childcare services. States responded with major cuts in childcare services.⁵⁷ A 1990 bill, the Act for Better Child Care, which Republican President George Bush signed, included both \$2.5 billion over three years to states for childcare services and tax breaks for mothers at home. Further devolution of such programs to the states at the end of the century left childcare support uncertain.

After a Democratic president won election in 1992, feminists wrested a grudging accommodation to their parental responsibilities in the form of a national guaranteed period of leave for pregnancy, childbirth, and the care of sick family members. In 1993, President Clinton signed the Family and Medical Leave Act, which mandated twelve weeks of unpaid family or medical leave for workers in covered employment, a proposal twice vetoed by his Republican predecessor, George Bush. Family and medical leave assumed that women would remain attached to the labor force even during their childbearing years and for the first time national legislation offered some job security to women facing childbirth. The sex-neutral language of the statute—men as well as women were guaranteed family leave—retained the feminist ideal of shared family roles, although women primarily would take advantage of the

benefit. While poor women would need to retain their jobs at least as much as middle-class women, only those with ample resources could take the full leave, stingy though it was, without pay. The question of who would care for the three-month-old infants at the end of the leave remained unaddressed.

MOTHERS AND FATHERS AT WORK, CHILDREN IN TRANSIT

At century's end, with more than three-quarters of single and married mothers with school-age children in the labor force, families received comparatively little assistance in paying for or in locating suitable care for their children. Such limited public financing for childcare, resistance to educational standards for private daycare providers, and the absence of paid leave, set the United States apart from its Western European counterparts, which routinely offered such benefits to working families. Private daycare providers filled the gap, many of them women who hoped to reconcile their own parental responsibilities with their need to earn money by caring for children in their homes. Lax standards left parents with a shortage of satisfactory choices, while daycare workers—usually women, often minority women—earned an average wage of \$11,780, too low to support their own families adequately and less than the average bartender did.⁵⁸ Businesses showed little interest in helping. By 1998, only 9 percent of a thousand employers surveyed by the Families and Work Institute offered childcare services to their employees, although they advised other firms that doing so helped recruitment and led to increased rates of retention.⁵⁹ According to Sonya Michel, about 5,600 employer-supported childcare programs served about half a million youngsters in the 1990s.⁶⁰

Parents nevertheless continued to work and to find help with childcare. In 1995, for all children under six, 40 percent were cared for only by their parents. When mothers were at work full time, one-third of young children were cared for by relatives, about 40 percent were in daycare or nursery school, and an additional 32 percent were in the care of nonrelatives, either inside or outside their own home. For 12 percent, even with mothers working full-time, their parents managed all childcare.⁶¹

These figures reveal that some fathers had stepped in to provide hands-on care for their children. In 1997, a CBS News poll reported that in 31 percent of families, husbands and wives shared childcare equally, up from 27 percent in 1983.⁶² In 1994, fathers were the primary caregivers in 22 percent

of families with preschool children, a dramatic increase from virtually none.⁶³ The ideal feminist lifestyle of two parents both working for wages and caring for their children seemed most likely to be pursued by working-class couples. Although they may have evinced little interest in feminist theory, they possessed fewer economic resources to support other options. In 1993, for fathers of children under five years of age, 42 percent of those who worked in service occupations cared for their children while their wives worked, compared to 20 percent of fathers in professional or managerial jobs.⁶⁴ The highly educated professional classes, more committed to feminist ideology, were least likely to adopt an egalitarian arrangement.⁶⁵ Rather, these couples hired another woman to take care of their children, or the professional wife temporarily dropped out of a promising career to devote herself full-time to child-raising, relying on the single substantial professional income of her husband.

Still, the onus of arranging nonparental childcare fell most often on mothers and the demands of the job, coupled with antiquated school schedules, meant that mothers frequently had to arrange more than one kind of care for a child—or for two children—and had to plan transportation to get them from one place to the other. According to a national survey of 45,000 families conducted in 1997, 38 percent of children younger than five in nonparental care with mothers at work spent time in two or more childcare settings each week. Thirteen percent of these three- and four-year-olds had three or more nonparental caregivers in a given week (19 percent in Minnesota and New York).⁶⁶ Family income levels had no bearing on the use of multiple childcare providers. So at the end of the twentieth century, fathers retained their full-time connection to the paid work, while mothers working full time arranged surrogate care for their children around the demands of their jobs—the most recent of the experiments to raise children in a modern, nonagricultural economy.

In 1996, the conservative right itself acknowledged implicitly the weakening hold of the ideal of the full-time mother in reformulating policy for the poor (and putatively black) mother. At the beginning of the century, reformers had identified households that lacked male breadwinners as urgent objects of assistance. Because of their commitment to mothers at home, these Progressive reformers sought and gained publicly funded “mothers’ pensions” to permit mothers to eschew paid employment for the sake of providing care to their children. States did not provide much in the way of funding and state officials openly favored white mothers, but the more effective New Deal policies, incorporated in the Social Security Act of 1935

and its 1939 amendments, adopted the model of financial support to mothers of minor children to permit them to forgo work for wages indefinitely.⁶⁷ Until the 1960s this support was contingent on the mother's *not* working outside the home.

In the 1960s several trends merged to undermine such a policy. Thanks to both urban migration and to the movements for civil rights and social justice, more black mothers received aid previously limited in many states almost entirely to white women.⁶⁸ As the program of “aid to families with dependent children” became identified with black families living in urban ghettos, critics assailed public assistance as the cause of familial disorder rather than its palliative. At the same time, (white) working mothers became the rule rather than the exception. Animosity therefore intensified over taxing those white women to help other—black—mothers stay home. The federal government thus simultaneously enacted laws explicitly supporting women at work by barring discrimination (the Equal Pay Act in 1963 and the Civil Rights Act in 1964), at the same time devising programs (such as the work requirements in the Public Welfare Amendments of 1962) that would encourage poor women to work for wages rather than to remain full-time mothers.⁶⁹

Over the next three decades, the preference for work grew and the defense of spending public money to allow poor women with young children to stay home virtually disappeared. Opponents of federal aid to the poor argued that poor impoverished children would benefit from working mothers as effective role models, and poor mothers would benefit from the experience of wage earning and workplace interactions.⁷⁰ Although evidence demonstrated that most mothers on public assistance already worked for wages for a substantial number of hours, in 1996 a Republican Congress insisted on the necessity of a law that would force women to work.⁷¹ New federal legislation, the Personal Responsibility and Work Opportunity Reconciliation Act, mandated work and removed the guarantee of public assistance to poor mothers. With the signature of a Democratic president, this so-called welfare reform law apparently signaled that neither both political party would now defend full-time mothering for women as either the practice or the goal.

But the 1996 welfare legislation had as its explicit objective not to compel single mothers to work but rather to promote marriage. Copious evidence showed that most poor women leaving welfare could not find jobs that would provide sufficient income to support their families adequately.⁷² In its “findings,” Congress noted in the law: “Marriage is the foundation of a successful society; Marriage is an essential institution of a successful society

which promotes the interests of children.” The new welfare law had as its purpose therefore “to increase the flexibility of States . . . to . . . provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives; [to] end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage [and to] encourage the formation and maintenance of two-parent families.”⁷³ Unwilling to provide a public subsidy to permit single women to stay at home while married mothers went to work, conservative policymakers argued for the chimera of father-supported families, with mothers at home, for children in families at all income levels.

The decline in marriage rates in the United States and the increase in single-mother families mirrored transnational trends.⁷⁴ Nevertheless, conservative commentators reasserted the necessity for fathers to occupy gender-based “leadership” roles in the family, invoking both nature and the principles of traditional Christian theology. David Blankenhorn, in his book *Fatherless America: Confronting Our Most Urgent Social Problem*, warned not simply that children needed their fathers in residence and married to their mothers but that the parents had to adopt gendered parental roles, a need supposedly confirmed by “psychological and anthropological evidence from a diversity of cultures.” Children required a full-time stay-at-home mother and a father-breadwinner, a role that “permits men to serve their families through competition with other men.” The “New Father” of the feminist model, wrote Blankenhorn, “finally becomes no father.”⁷⁵ In June 1998 the Southern Baptist convention declared, as an addition to their fundamental credo, that a husband “has the God-given responsibility to provide for, to protect and to lead his family.” In return, “a wife is to submit graciously to the servant leadership of her husband even as the church willingly submits to the headship of Christ.”⁷⁶ The president of the denomination, Paige Patterson, explained that the declaration responded to “a time of growing crisis in the family.”⁷⁷

Meanwhile, the mainstream press began to characterize the childrearing problem repeatedly as a woman’s issue, a parallel “back-to-the-home” movement. On February 15, 1998, *The Washington Post Magazine* offered a cover story entitled “Dispatches From the Mommy Wars—To Work or to Stay Home: A New Mother’s Tour of a Cultural Battlefield,” by Tracy Thompson. Not two months later, on April 5, 1998, *The New York Times Magazine* devoted a special issue to the subject, entitled (accurately enough) “Mothers Can’t Win: A Special Issue on the Joy and Guilt of Modern Motherhood.” The cover photograph of a woman and three children on a stark white back-

ground conveyed the clear idea that children were women's problem. Superimposed on the photo was a series of questions, the first: "Work or home?" "No matter what they choose, they're made to feel bad," the cover type explained—without acknowledging that such a choice was available only to the affluent woman. "Elizabeth Munro, ex-lawyer." On the contents page, a photograph of another woman, this time with five children, showed her posed in front of a window, also without a father in sight. In an article concerning support groups for full-time mothers, the reporter noted that one mother "has an MBA, a master's degree in economics and is fluent in Mandarin," but is staying home with her son, having given up "a career in China and a six-figure salary." The mother herself expressed ambivalence: "No matter what a woman decides, to stay at work or to stay at home, she feels conflicted." For such women, groups like Mothers First, FEMALE, and Parents and Community Education, gave women the opportunity to meet other women who had made the same decision.⁷⁸ The resignation of Brenda Barnes, chief of Pepsi-co's North American operation, to spend more time with her children made the lead in a story called "Women on the Tightrope: Two Views," reviewing two books on the subject: *When Mothers Work: Loving Our Children Without Sacrificing Our Selves* by Joan Peters and *When Work Doesn't Work Anymore: Women, Work, and Identity* by Elizabeth Perle McKenna.⁷⁹

With surrogate care often replacing the care of both poor and more affluent mothers, feminists had to confront arguments about the adequacy of group arrangements in order to respond to those who labeled "working mothers" a problem. Unable to change the discussion to emphasize the continuing hesitance of men to render actual physical care for their children and the refusal of the government and employers to do more to assist families, feminists were reduced to defending a system in which poorly paid women offered substitute childcare in group settings that many claimed failed to provide sufficient attention to young children.⁸⁰ Such circumstances divided women by class and race as families tried to keep daycare costs low by resisting raises in wages that necessitated raises in rates. Rather than abating, conflict over the effect of surrogate care for children intensified, with some combatants offering damning evidence about deficits in children left in institutional care, while others reassured anxious parents that surrogate care was fine. In 1998, a front-page story in the *New York Times*, "Struggling for Personal Attention in Day Care," observed that "such care often forces the workers to change their emphasis from individual attention to group management." Noting that the demand for daycare was rising, the reporter cited studies showing that "more than 1 in 10 children

are in care that is unsafe and harmful to their development.”⁸¹ In “Attachment Theory: The Ultimate Experiment,” a reporter rehearsed the data about attachment theory and referred to children raised in a Romanian orphanage to warn against a cavalier attitude toward daycare.⁸² (Parents’ parking children in front of television sets engendered no cries to remove those children to good daycare centers, however.) Television news shows and newspapers bruited horror stories of murderous nannies and viewers blamed the mother—not the father—for leaving the child with the caregiver.⁸³ (News stories of mothers and fathers murdering their children, however, did not prompt arguments against parental care, nor did reporters point out that a child was much more likely to be harmed by a parent than by a daycare worker.) Some experts rode to the rescue: In the March 1999 issue of *Developmental Psychology*, a psychologist concluded that children at age twelve whose mothers had worked during their first three years showed no ill effects when compared with children the same age whose mothers had been home,⁸⁴ and a report from the National Institute of Child Health and Human Development deemed most childcare “fair” or “good,” with only 8 percent identified as “poor.”⁸⁵

So while feminists insisted on the need for more and better publicly funded childcare and more public and social support for families, conservatives maintained that the solution to raising children in a nonagricultural society was to have one adult (which is to say, the mother) withdraw from wage work and devote herself solely to childrearing. The father of the children, they argued, should subsidize such a solution.⁸⁶ For women who were not married, they recommended marriage. Still, enough measurable change had occurred in both behavior and in the way the public viewed family responsibilities to suggest that such a conservative counterrevolution would win few adherents. Only 22 percent in a 1997 poll agreed that a husband’s job was more important than the wife’s,⁸⁷ and a stunning 91 percent of men and 94 percent of women polled by in March 1998 agreed with the statement: “Everything about the care of children should be shared equally by both parents.”⁸⁸

CARING FOR CHILDREN IN THE TWENTY-FIRST CENTURY

The transition from an agricultural to an industrial economy took place at the beginning of the twentieth century, but the end of the century found Americans still struggling with the question of how to care adequate-

ly for young children and provide sufficient family income. Initially, policymakers had advocated the withdrawal of mothers from waged labor for a substantial portion of their lives to devote themselves to childcare. But this strategy depended upon the availability of other workers to supplement family wages. Such a system deprived young people of educational chances, while the financial dependence of women on men left women and children vulnerable to economic deprivation. The insufficiency of wages paid to male workers as well as rising divorce rates indicated that the father's wage earning alone could not in the long run support most families. In addition, as the century progressed, women's income provided benefits to families (college education, dental care, vacations, homes) that women's unwaged work at home could not. Moreover, by mid-century it had become clear that the national economy required both the skills and talents that women possessed as well as the sheer labor power to fill essential positions. Thus, calls to reestablish the “traditional American family” had an anachronistic ring, a fruitless attempt to establish an idealized nineteenth-century system unsuited to the reality of a twentieth-first-century economy.

At the turn of the twenty-first century, with global competition creating more pressure for all adults to work for wages outside the home, a raft of new policy proposals seemed to herald the understanding that a concerted social response would have to emerge to ensure the proper care of children—and other family members—and to complete the transition from an agricultural to a postindustrial economy.⁸⁹ Some proposals implied the kind of massive governmental intervention that accompanied earlier economic transformations. In January 2000, the *New York Times* reported that “the explosion in after-school programs—federal financing alone has ballooned to \$454 million this year from \$1 million in 1997—represents nothing less than a reimagining of the school day for the first time in generations, as educators and policymakers seek to respond to the realities of working families and what may be missing from the classroom.”⁹⁰ Universal preschool programs appeared in the Democratic presidential platform, “the educational issue du jour,” while forty-two states instituted preschool programs for poor children.⁹¹ Labor unions and private corporations indicated a new emphasis on negotiating issues concerning family care. In May 2001, the Ford Motor Company, at the urging of the United Auto Workers, announced plans to create thirty “Family Service and Learning Centers” with programs for both children and parents of Ford workers.⁹² Countless books appeared to advise policymakers to update government mandates for private employers so that workers, both male and female, might provide their children and, increasingly, their parents

with appropriate care.⁹³ Feminist policymakers advised expansion of “social wages,” such as paid family leave, to provide additional support for families without futile attempts to coerce family forms. They argued that the burden of accommodation to the global economy could not be placed solely on the shoulders of women.⁹⁴

Contrary to prevailing wisdom, for most of American history, most American women did not engage in full-time childcare. When they did so, it was all too often at the cost of making family breadwinners of teenagers. For only a historical minute in the middle of the twentieth century could a majority of American women contemplate a life devoted to full-time homemaking and child-raising, supported solely by a male breadwinner. As they reassumed income-producing roles—in the twentieth century, outside the home—women encountered haphazard and makeshift policy responses that failed to address the needs of children adequately and that left women disadvantaged as wage earners, also to the detriment of children. Solving the problem of childcare in a postindustrial society thus must be the work of the twenty-first century and, with its resolution, may come as well the culmination of the feminist revolution begun in the 1960s.

NOTES

1. For a discussion of this phenomenon, see, for instance, Arlie Hochschild and Anne Machung, *The Second Shift: Working Parents and the Revolution at Home* (New York: Viking Penguin, 1989).

2. U.S. Census Bureau, *Statistical Abstract of the United States: 1999* (Washington, D.C.: U.S. Government Printing Office, 1999), table 660.

3. Walter I. Trattner, *Crusade for the Children: A History of the National Child Labor Committee and Child Labor Reform in America* (Chicago: Quadrangle Books, 1970), chap. 6.

4. Descriptions of work and childrearing on farms at various periods include Joan M. Jensen, *Loosening the Bonds: Mid-Atlantic Farm Women, 1750–1850* (New Haven: Yale University Press, 1986); Stephanie McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country* (New York: Oxford University Press, 1995); Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work and the Family, From Slavery to the Present* (New York: Basic Books, 1985); Marilyn Irvin Holt, *Linoleum, Better Babies & the Modern Farm Woman, 1890–1930* (Albuquerque: University of New Mexico Press, 1995). For a discussion of the ways in which mothers handled

childcare in a preindustrial setting, see Sonya Michel, *Children's Interests / Mother's Rights: The Shaping of America's Child Care Policy* (New Haven: Yale University Press, 1999), chap. 1.

5. See, for example, Nancy F. Cott, *The Bonds of Womanhood: A Woman's Sphere in New England, 1780–1835* (New Haven: Yale University Press, 1977), for a discussion of this ideology.

6. All 1999 figures are calculated using Robert C. Sahr, “Consumer Price Index (CPI) Conversion Factors to Convert to Dollars of the Year 2000,” an updated version of which is available at http://www.orst.edu/dept/pol_sci/fac/sahr/sahr.htm. All numbers are estimates.

7. U.S. Bureau of the Census, *Historical Statistics of the United States, Colonial Times to 1970, Part 1* (Washington, D.C.: U.S. Government Printing Office, 1975), Series D 779-793, p. 168 (hereinafter cited as *Historical Statistics*).

8. On homework, see especially Eileen Boris, *Home to Work: Motherhood and the Politics of Industrial Homework in the United States* (New York: Cambridge University Press, 1994).

9. Michel, *Children's Interests*, 97.

10. *Historical Statistics*, Series A 119-134, p. 15; Series A 350-352, p. 43; Series D 49-62, p. 133; Series D 182-232, p. 139.

11. See Katharine DuPre Lumpkin and Dorothy Wolff Douglas, *Child Workers in America* (New York: Robert M. McBride, 1937), chap. 1, for a discussion of “hidden” child workers.

12. Harry G. Good and James D. Teller, *A History of American Education* (New York: Macmillan, 1973), table 8.1.

13. Trattner, *Crusade for the Children*, 38–40.

14. In 1910 an adequate income for a family of six, depending on location, ranged from about \$700 to \$1,000, according to a number of different observers. See discussion in Gordon M. Fisher, “From Hunter to Orshansky: An Overview of (Unofficial) Poverty Lines in the United States from 1094 to 1965,” August 1997, pp. 13–17, at http://www.census.gov/hhes/poverty/povmeas/papers/hstorsp.4html#_N_1_. At the time, the average annual wage for “all industries” excluding farm labor equaled \$630. In manufacturing, the average amounted to \$558; for schoolteachers, the average was \$492. The average annual wage for farm labor totaled \$336. *Historical Statistics*, Series D 779-793, p. 168.

15. Paula Giddings, *When and Where I Enter: The Impact of Black Women on Race and Sex in America* (New York: Bantam, 1985), 101; Jones, *Labor of Love*, 96–98.

16. Trattner, *Crusade for the Children*, 30, 153; Molly Ladd-Taylor, *Mother-Work: Women, Child Welfare, and the State, 1890–1930* (Urbana: University of Illinois Press, 1994), 96.

17. Edgar W. Knight, *Fifty Years of American Education, 1900–1950* (New York: Ronald Press, 1952), 69; Trattner, *Crusade for the Children*, 184.

18. Knight, *Fifty Years of American Education*, 58–70; David Tyack, *The One Best System: A History of American Urban Education* (Cambridge, Mass.: Harvard University Press, 1974), 70–71.

19. Tyack, *The One Best System*, 183–184.

20. Good and Teller, *A History of American Education*, 237.

21. Good and Teller, *A History of American Education*, 237.

22. Robert S. Lynd and Helen Merrell Lynd, *Middletown: A Study in Contemporary American Culture* (New York: Harcourt Brace, 1929), 83–85; *Historical Statistics* (see note 10).

23. Lois Scharf, *To Work and to Wed* (Westport, Conn.: Greenwood, 1980), 141.

24. Grace Palladino, *Teenagers: An American History* (New York: Basic Books, 1996), chap. 3; John Modell, *Into One's Own: From Youth to Adulthood in the United States, 1920–1975* (Berkeley: University of California Press, 1989), chap. 4.

25. Scharf, *To Work and to Wed*, 148.

26. *Historical Statistics*, Series H 442-476, p. 372; Series A 160-171, p. 20; Series D 29-41, p. 132.

27. William H. Chafe, *The Paradox of Change: American Women in the 20th Century* (New York: Oxford University Press, 1991), chap. 7.

28. Table F-12, "Earners—Families (All Races) by Median and Mean Income: 1947 to 1996." Based upon the Current Population Survey, at <http://www.census.gov/hhes/income/histinc/incfamdet.html>.

29. Daniel Hernandez with David E. Myers for the National Committee on the 1980 Census, *America's Children: Resources from Family, Government, and the Economy* (New York: Russell Sage Foundation, 1993), fig. 4.6. Hernandez's figure is actually overly inclusive in that the fathers who worked forty-eight weeks were not necessarily working full-time during those weeks. Moreover, this figure includes children living in families in which the couple had a child before this marriage, another deviation from the "ideal" family.

30. *Historical Statistics*, Series D29-41, p. 132.

31. *Historical Statistics*, Series G 257-268, p. 298; Series G 283-296, p. 300; Series 297-305, p. 300; Series G 306-318, p. 301.

32. *Historical Statistics*, Series A 350-352, p. 43; Series D 11-25, p. 127.

33. U.S. Department of Labor, Women's Bureau, *1969 Handbook on Women Workers* (Washington, D.C.: U.S. Government Printing Office, 1969), tables 17 and 18.

34. *Statistical Abstracts 1997*, table 631.

35. These families figured, respectively, in *Ozzie and Harriet*, *Father Knows Best*, *The Donna Reed Show*, *Leave It to Beaver*, *The Life of Reilly*, and *Make Room for Daddy*. See

Stephanie Coontz, *The Way We Never Were: American Families and the Nostalgia Trap* (New York: Basic Books, 1992), chap. 2, for a discussion of this phenomenon. Lynn Spigel, *Make Room for TV: Television and the Family Ideal in Postwar America* (Chicago: University of Chicago Press, 1992) examines the interaction of family ideals and television. See also Susan J. Douglas, *Where the Girls Are: Growing Up Female with the Mass Media* (New York: Random House, 1995).

36. U.S. Department of Labor, Women’s Bureau, *1969 Handbook on Women Workers* (Washington, D.C.: U.S. Government Printing Office, 1969), table 20.

37. Ladd-Taylor, *Mother-Work*, 46–47; G. Stanley Hall, *Youth: Its Education, Regimen and Hygiene* (1904), discussed in Maxine L. Margolis, *Mothers and Such: Views of American Women and Why They Changed* (Berkeley: University of California Press, 1984), 48.

38. Margolis, *Mothers and Such*, 51–54.

39. Margolis, *Mothers and Such*, 72–84.

40. Trattner, *Crusade for the Children*, 152.

41. *Historical Statistics*, Series H 520-530, p. 376.

42. Tyack, *The One Best System*, 66.

43. Lumpkin and Douglas, *Child Workers in America*, chap. 5.

44. See *Historical Statistics*, H 442-476, pp. 370–372; *Statistical Abstracts*, 1995, table 631; *1969 Handbook on Women Workers*, table 18.

45. National Manpower Council, *Womanpower* (New York: Columbia University Press, 1957), 262–263.

46. Cynthia Harrison, *On Account of Sex: The Politics of Women’s Issues, 1945–1968* (Berkeley: University of California Press, 1988); Jo Freeman, *The Politics of Women’s Liberation* (New York: McKay, 1975).

47. Harrison, *On Account of Sex*, chaps 3 and 6.

48. Harrison, *On Account of Sex*, 177–182, 295 n. 20; Jo Freeman, “How ‘Sex’ Got Into Title VII: Persistent Opportunism as a Maker of Public Policy” *Law and Inequality* 9 (March 1991): 163–184.

49. For an extended discussion of the constraints on women’s decision regarding reproductive decisions, see Rosalind Pollack Petchesky, *Abortion and Woman’s Choice: The State, Sexuality, & Reproductive Freedom*, rev. ed. (Boston: Northeastern University Press, 1990), and Rickie Solinger, *Beggars and Choosers: How the Politics of Choice Shapes Adoption, Abortion, and Welfare in the United States* (New York: Hill and Wang, 2001).

50. Discussions of the impact of the women’s movement on public policy include Joyce Gelb and Marian Lief Palley, *Women and Public Policies: Reassessing Gender Politics* (Charlottesville: University Press of Virginia, 1996) and Leslie Friedman Goldstein, *The Constitutional Rights of Women: Cases in Law and Social Change* (Madison: University of Wisconsin Press, 1988).

51. *Craig v. Boren*, 429 U.S. 190 (1976).
52. *Statistical Abstracts 1997*, table 631. The data refer to women sixteen years old and up.
53. *New York Times*, June 10, 1998, p. A20.
54. Cynthia B. Costello, Shari Miles, and Anne J. Stone. *The American Woman, 1999–2000* (New York: W. W. Norton, 1998), table 4-22.
55. Michel, *Children's Interests*, 247–251.
56. See, for example, Phyllis Schlafly, *The Power of the Christian Woman* (Cincinnati: Standard Publishers, 1981).
57. Michel, *Children's Interests*, 253.
58. *New York Times*, April 29, 1990, p. A14; Children's Defense Fund, “Facts about child care in America,” July 8, 1998, at <http://www.childrensdefense.org>.
59. *Washington Post*, July 17, 1998, pp. F1, F4.
60. Michel, *Children's Interests*, 264.
61. *Statistical Abstracts: 1997*, table 612. The figures add up to more than 100 percent because some children participated in more than one arrangement.
62. CBS News Poll, October 4, 1997, “Major changes in women's status over past 25 years,” September 18–20, 1997.
63. Gail Sheehy, “The Divorced Dad's Burden,” *New York Times*, June 21, 1998, p. D15.
64. Julia Lawlor, “For Many Blue-Collar Fathers, Child Care is Shift Work, Too,” *New York Times*, April 26, 1998, p. C11.
65. See Hochschild and Machung, *The Second Shift*.
66. Jeffery Capizzano and Gina Adams, “The Number of Child Care Arrangements Used by Children Under Five: Variation Across States,” Number B-12 in Series, “New Federalism: National Survey of America's Families” (Washington, D.C.: Urban Institute, 2000), at http://newfederalism.urban.org/html/series_b/b12/b12.html.
67. See, for example, Linda Gordon, *Pitied but Not Entitled: Single Mothers and the History of Welfare, 1890–1935* (New York: Free Press, 1994), for a discussion of earlier public-assistance programs.
68. For a discussion of the influence of race on the redirection of the federal welfare program, see Winifred Bell, *Aid to Dependent Children* (New York: Columbia University Press, 1965).
69. Michel, *Children's Interests*, 244–245.
70. Charles Murray, *Losing Ground: American Social Policy, 1950–1980* (New York: Basic Books, 1984).
71. Roberta Spalter-Roth et al., *Welfare That Works: The Working Lives of AFDC Recipients* (Washington, D.C.: Institute for Women's Policy Research, 1995).
72. See, for example, Wendell Primus et al. *The Initial Impacts of Welfare Reform*

on the *Income of Single-Mother Families* (Washington, D.C.: Center on Budget and Policy Priorities, August 22, 1999), available at www.cbpp.org/8-22-99wel.pdf.

73. P.L. 104-193.

74. Single-mother families in the United States suffered greater want, however. In 1990, 44.5 percent of families with children maintained by women lived in poverty, ameliorated much less by government programs. See Harrell R. Rodgers Jr., *Poor Women, Poor Children: American Poverty in the 1990s* (Armonk, N.Y.: M. E. Sharpe, 1996), table 5.1; U.S. Department of Labor, Women’s Bureau, *1993 Handbook on Women Workers* (Washington, D.C.: U.S. Government Printing Office, 1994), 84.

75. David Blankenhorn, *Fatherless America: Confronting Our Most Urgent Social Problem* (New York: Basic Books, 1995), 101, 103, 116.

76. Gustav Niebuhr, “Southern Baptists Declare Wife Should ‘Submit’ to Her Husband,” *New York Times*, June 10, 1998, pp. A1, A24.

77. Niebuhr, “Southern Baptists Declare,” p. A1.

78. Jennifer Lenhart, “Meeting Other Mothers,” *Washington Post*, Feb. 3, 1998, pp. C1, C3.

79. Deborah Stead, “Off the Shelf,” *New York Times*, October 5, 1997, p. C7.

80. See, for example, Tamar Levin, “Struggling for Personal Attention in Day Care,” *New York Times*, April 27, 1998, pp. A1, A13.

81. Levin, “Struggling for Personal Attention.”

82. *New York Times Magazine*, May 24, 1998.

83. One example of such coverage: Louise Woodward, who was convicted on October 31, 1997, of the murder of the child in her care. After extensive coverage at the time, the popular CBS television news magazine *60 Minutes* revisited the story on March 7, 1999 (exposing new evidence supposedly exculpating Woodward).

84. “Mother’s Working Causes No Harm, Study Finds,” *New York Times*, March 1, 1999.

85. Christine Russell, “Only 10% of Day Care is Rated Excellent,” *Washington Post Health*, February 23, 1999, p. 8.

86. See Blankenhorn, *Fatherless America*, and David Popenoe, *Life Without Father* (New York: Free Press, 1996).

87. Richard Morin and Megan Rosenfeld, “With More Equity, More Sweat: Poll Shows Sexes Agree on Pros and Cons of New Roles,” *Washington Post*, March 22, 1998, p. A16; the poll was conducted by the *Post*, the Henry J. Kaiser Family Foundation, and Harvard University.

88. Morin and Rosenfeld, “With More Equity, More Sweat.”

89. Almost 25 percent of households in 1996 were offering care to a friend or relative age fifty or older. U.S. Department of Labor, Women’s Bureau, *Facts on Working Women*, May 1998, No. 98- 1, “Work and Elder Care.” Thirty percent of workers

interviewed by Jody Heymann, director of the Harvard University Center for Society and Health, cut back on work time to take care of a relative; Tamar Lewin, “Taking Care: It’s Not Just for Mothers Anymore,” *New York Times*, May 13, 2001, p. D14.

90. Jodi Wilgoren, “The Bell Rings but the Students Stay, and Stay,” *New York Times*, January 24, 2000, p. D4.

91. Lynette Holloway, “For Preschool, a Wealth of Benefits and a Dearth of Space,” *New York Times*, September 5, 2000, p. B3.

92. Steven Greenhouse, “Child Care, the Perk of Tomorrow?” *New York Times*, May 13, 2001, p. D14.

93. The literature on this subject is immense, with titles such as *Families and Work: New Directions in the Twenty-First Century* (Karen Fredriksen-Goldsen and Andrew Scharlach, published by Oxford University Press, 2001). For a sampling, see “Work and family—United States” in the Library of Congress catalog.

94. See, for example, Nancy Folbre, *The Invisible Heart: Economics and Family Values* (New York: New Press, 2001); Joan Williams, *Unbending Gender: Why Family and Work Conflict and What to Do About It* (New York: Oxford University Press, 2000); and the many position papers published by the Institute for Women’s Policy Research at www.iwpr.org.

**RACE, CLASS, AND GENDER IN
SOUTHERN HISTORY: FORCES THAT UNITE,
FORCES THAT DIVIDE**

William H. Chafe

Many years ago, at a meeting of the Southern Historical Association in Dallas, I had the opportunity to comment on a session dealing with various women's movements that had grown out of southern soil. Presenting papers that day were Jacquelyn Dowd Hall and Sara Evans. The gist of the dialogue that ensued was how important it was to complicate our analysis of gender by considering how gender intersected with and was shaped by issues of race and class. That was the first occasion on which I recall such a discussion. Since then, of course, these issues have been at the center of the work of many scholars and have helped to transform our understanding of the past.

Over the past few decades, the words *race*, *class*, and *gender* have become a mantra of sorts. They are invoked in liturgical fashion to alert an audience that it is in the presence of people who are "politically correct," scholars who, by sharing certain code words, demonstrate their joint participation in a venture dedicated to reforming the canon, be it literary or historical. This modern-day reformation is driven, initially at least, by the unity it derives from being in a heretical mode. The "old" history, once venerated and orthodox, is now viewed with derision, suffering from the twin liabilities of being out of style and dogmatically flawed. Like all participants in a quasi-religious reformation, those of us who attend the church of the "new social history" derive our primary self-esteem from being the "other" to our antagonists. Simply by virtue of being "not-they," we are superior. When the pretensions that accompany being a deconstructionist or literary theorist are added to this fun-

damental premise of superiority, we reformers become almost unbearable—from the heaviness, not the lightness of our being.

But at some point it becomes necessary to locate our source of self-worth in the positive contribution we make to scholarship—not just in our disdain for those who write the meta-narrative of white men. What is it that makes invoking the mantra of race, class, and gender helpful to understanding the past? What insights develop as a result of using these three concepts as variable tools of analysis? Where do they take us? And for what ends?

The first thing to realize, I think, is that focusing on race, class, and gender is a way of relating to, but also departing from, the dominant discourse of American culture—a discourse that has revolved around the concepts of individualism and equal opportunity. Whatever else we may think of the “old” history, it was a craft that presumed some kind of agency on the part of individual historical actors. That agency, in turn, assumed that in America any individual could aspire to and could become an important figure in history. In short, there was an inextricable connection between the attention of historians to individual heroes and heroines and the belief that America was a society where access to such roles was free and open.

Among other things, redirecting attention to race, class, and gender—whether these are viewed as social and cultural constructs or as substantive categories—flowed from a rejection of the idea that America was either a society of individuals or one of equal opportunity. Rather, the premise—supported by overwhelming evidence—was that America was a deeply unequal society, and that its inequality was tied directly to the extent that group identification—not individual identity—shaped and determined life possibilities. In retrospect, it seems hard to imagine that proposition was ever in question. Obviously, people who were of African descent—however light the color of their skin due to forced sexual interaction with white masters—were systematically excluded from all individual rights of citizenship from 1619 until 1964, with only a few exceptions. The same biological fact deprived African Americans of any chance to join the free economic competition that allegedly animated the success story of America.

Similarly, women—by virtue of their sex—were denied the same citizenship rights, as well as opportunities to compete to become members of the business, legal, or political elite of the country. Although in no way similar to African Americans in the degree of physical and material oppression they suffered, women too were the victims of legal, physical, economic, and psychological oppression—stereotyped, prevented from pursuing individual de-

sires and talents, forced to play roles and profess subservience, no matter how incompetent were the men they had to satisfy.

The only category of the three that was not tied to a physical characteristic was that of class. Although dress, bearing, accent, and living condition conveyed visible reminders of what class meant, there were not the same kind of ready-made symbols that could immediately identify someone as poor as there were for identifying women or African Americans. Still, class operated in much the same way as a vehicle for excluding whole groups of Americans from participating in the “American dream.” Education was for the most part not available. Child labor was pervasive. Inadequate healthcare and lodging kept the poor from ever being able to get “a leg up” or even pull even; and the prevalence of ethnic prejudice against Italians, Irish, Poles, or Jews carried over to white ethnics the same kinds of racial disqualification that so impeded African Americans.

That left one other category of historical actors whose fate was also shaped by the variables of race, class, and gender—men who were rich and also white. As it turned out, they (or we, as the case may be) were the individuals who had thrived in the equal-opportunity story that was America. Whether through malice aforethought, conspiracy, or simple good fortune through accident of birth, such individuals could hardly fail, because everything in the society was structured to insure their success—whatever their individual talent or ability might be. And the fact that so many of the poor were also black and to an increasing degree female made it all the easier to know and to defend one’s “place.”

These then were the fundamental departure points from which practitioners of the “new history” started to rewrite the story of our past in the 1960s, ’70s, ’80s, and ’90s. In some ways the task seemed very easy. The villains were clear. So too were the victims.

Yet as soon as scholars set to work to explore and elaborate what the race, class, and gender mantra meant, it all became much more complicated. What about the role of gender among the poor as well as the rich, the black as well as the white? Did black women face the same obstructions relating to black men as white women to white men? How did differences of class—or color, the two often being correlated—lead to divergent experiences for people otherwise unified by their common identity as African Americans? Was there a priority among oppressions? Did gender represent the original source of inequality, as argued by Gerda Lerner? Was it class, as many Marxists contended? Or was race the central oppression, especially in America?

And how did race, class, and gender intersect? The word “intersection” became its own code word, symbolizing the degree to which all these experiences of inequality were interactive. But which was the dependent, which the independent variable? Some scholars resorted to imaginative metaphors to deepen and enrich our understanding of the problem of intersection. Elsa Barkley Brown used the image of a jazz combo, interweaving, sometimes in harmony, other times in dissonance, a whole series of riffs contributed by one or another of the themes of race, class, and gender, culminating in a coherent musical experience where the listener had simply to be attentive to the instrument playing at any one time. Nancy Hewitt, in turn, talked about the intersection as akin to a chemical formula, different ingredients coming together—sometimes dissolving into each other, at other times separate and undissolved—but providing a laboratory for historians to dissect and analyze in an effort to determine how in a given situation race, class, and gender have interacted.

Whatever the metaphor, it was clear that the new focus on gender, race, and class was going to produce as many questions as it did answers, and that the resulting work would be worthwhile precisely to the extent that it was multitextured and multicolored rather than monochromatic. In partial pursuit of such results, what I would like to do in this essay is to share three case studies of how race, class, and gender have been important in understanding different moments of southern history. My point of departure is the thesis that just as race, class, and gender have been primary instruments of oppression in southern history, they have also been primary sources around which resistance has organized. Hence, the same force that works to suppress and contain can also be turned around and used as a force that rebels and breaks out. Yet even as that process unfolds, these case studies suggest that ultimate freedom and success is impeded by the continuing degree to which divisions over race, class, and gender persist in crippling the drive for change. Thus, although gender, race, and class are forces that unite, they are also forces that divide. In that paradox lies at least part of the explanation of where the South—and the nation—has been and where it is going.

The first case study grows out of the work of my colleague Jacquelyn Dowd Hall. In a prizewinning book that built on the scholarship of Anne Firor Scott and has since been expanded through new research by Jacqueline Rouse and Deborah Gray White, among others, Hall traced the origins and development of a campaign by southern women against lynching. With southern reformer and feminist Jessie Daniel Ames as her protagonist, Hall narrated a complicated tale of interracial cooperation and conflict between black and white women.

The period of cooperation began in the early 1920s as an experiment in interracial communication based on the premise that “a bond of common womanhood” would permit middle-class white and black women to unite around concerns grounded in their shared gender. Carrie Parks Johnson, director of the Women’s Committee of the Commission on Inter-racial Cooperation, attended a meeting at Tuskegee Institute of the National Association of Colored Women. There, led by Lugenia Burns Hope and Charlotte Hawkins Brown—two prominent black women educators and organizers—the black women spoke candidly of the divisions separating black and white women and the need for respect and partnership to guide any ventures they engaged in together. At Tuskegee, and in a subsequent meeting in Memphis, women of both races were inspired by a shared evangelical sense of being part of a new alliance.

That alliance in turn built upon having participated in institutions that were woman-centered. Although the black and white women encountered these institutions separately, since the institutions were segregated, the experience of being involved in women’s missionary societies, the YWCA, and settlement house activities—all defined by their being exclusively women’s groups devoted to “women’s” concerns—appeared to provide enough of a shared foundation to launch this new experiment in interracialism. Together, these white and black women would address problems of the treatment of domestic servants, problems of public transportation, education, and the need to end the horror of lynching. Shared bonds of womanhood would provide the basis for building a new and more just society.

As we shall see, that hope proved illusory. Nevertheless, these early departures by the Women’s Committee of the CIC provided the core organizing concept for Jessie Daniel Ames when in 1930 she set out to build the Association of Southern Women for the Prevention of Lynching. Building on the CIC’s efforts, Ames convened a group of women from various southern states to address the degree to which women acting in solidarity with each other could puncture the myth that lynching black men was a means of protecting white womanhood. Led by demagogues like South Carolina’s Cole Blease, white male southerners insisted that blacks were lynched because they had violated the sexual purity of white women through the act of rape. The ravishing of white womanhood called for immediate and extreme reprisal, Blease and others argued.

Ames and the thousands of women who eventually signed the petitions of the ASWPL disagreed. Not only was rape not even mentioned in the case of most lynchings, they argued. More important, southern womanhood could

be honored only by eliminating barbarity, upholding civilization, and making sure that law and order prevailed in all criminal situations. This was a woman's issue, Ames insisted, because those who committed the crime of lynching insulted womanhood by using the pretext of protecting women as the basis for their horrific behavior. Hence, women must stand up and commit themselves—as women—to the maintenance of law and order. Women's higher mission, based on their gender and their commitment to the values of Christian charity, must be to civilize humanity.

In the end, Ames's campaign to unite southern women to fight against lynching proved powerful and effective. By focusing on gender as a force that could unite women in opposition to barbarism, she forged an effective educational and political instrument for fighting one of the worst scourges of southern racism. In those counties where the ASWPL was most active and visible, it turned out, there was a significant decline in the number of blacks seized from law enforcement officials, and a comparable increase in the commitment of sheriffs to create a climate of opinion that would discourage lynchers.

Yet, in the end, this was an effort that included white women only and that self-consciously and calculatedly decided to exclude black women—even though black women had been the ones who had pioneered the anti-lynching crusade long before the CIC or the ASWPL came into existence. The failure of “bonds of common womanhood” to overcome barriers based on race went back to the early efforts of the CIC, and its fundamental inability to deliver on the promise of creating a partnership based on mutual respect and shared decision-making. Notwithstanding the evangelical spirit that infused the Tuskegee and Memphis meetings, the white women quickly abandoned their black coworkers when it came to rendering in public the program they had agreed to. Hence, the CIC's Carrie Johnson deleted from her written summation of those meetings an agreed-upon preamble affirming that black women deserved “all the privileges and rights granted to American womanhood.” Even worse, she added to Lugenia Hope's denunciation of lynching a statement rejecting “any act on the part of Negro men which excites the mob spirit,” thereby appearing to embrace the myth that black men incited lynching by sexually assaulting white women. Implicitly addressing what all this meant for the notion that a bond of common womanhood was at work, Lugenia Hope observed, “it is difficult for me to understand why my white sisters so strenuously object. . . . This is the Negro woman's viewpoint, and that is what you asked for. . . .” So much for “frank and open” communication.

Nothing confirmed the dimensions of the problem more than the way noted black educator Charlotte Hawkins Brown was introduced to a CIC meeting in North Carolina by Mrs. T. W. Bickett, chair of the woman's committee and wife of North Carolina's governor. "[It was] my old Negro mammy," she said, "[who] endeared [me to black people] . . . I cannot say anymore, Mrs. Brown, for your race today than . . . that you are as fine as was my Negro mammy." The heavy layers of history and of cultural and social racism made it difficult to eliminate such condescension. No matter how much Carrie Parks Johnson or other CIC white women *said* they wanted to share "frank and open" communications based on mutual respect, the presumptions that existed in a racist culture, and the cues that activated those presumptions, were almost impossible to overcome without a total and self-conscious commitment.

Although Jessie Daniel Ames may have had more capacity for such a commitment than most, she too failed the test of true interracialism. The women she gathered together in the ASWPL certainly shared the same kind of experience in YWCA's and Women's Missionary Societies that the CIC women had. This was a group shaped by a sense of gender solidarity. But that solidarity ended at the boundary of the color line. Despite black women's leadership in the anti-lynching campaign, they were not included or cited in the ASWPL's efforts. Rather, as Jacquelyn Hall shows so well, most ASWPL members were unable to transcend their own racial preconceptions. They too often assumed that black men *did* initiate sexual assaults on white women and that it was up to the black community to control those men. And in their demands for law and order, they frequently fell into the trap of suggesting that, in Hall's words, "blacks could be kept in their place more efficiently . . . by a legal system firmly under the control of whites than by extralegal lynchings." Under such interpretations, the antilynching campaign became less a commitment to racial justice and more an effort to make control of blacks more efficient.

The ultimate consequence of not heeding the black side of the antilynching agenda was that, in critical circumstances, the ASWPL operated to undermine black women's objectives. Thus, Ames's opposition to a federal antilynching law put her in direct opposition to the NAACP, leading black women's organizations, and even white allies like Eleanor Roosevelt. In the most embarrassing example of how subversive such attitudes could be, Texas Senator Tom Connally was able to use a letter from Ames to proclaim that the Association of Southern Women for the Prevention of Lynching actually opposed the federal bill—hence, there could not possibly be any merit in it.

Even as gender served as a rallying point to unite certain women activists at a critical moment in southern history, therefore, it also failed miserably to be inclusive enough to overcome the divisive forces of race prejudice. Just as many potential black supporters of the contemporary feminist movement have felt that white supporters of women's liberation were talking past them and ignoring their presence, so too in the 1930s, all the ennobling rhetoric of sisterhood implicit in the phrase "the bonds of common womanhood" could not disguise or overcome the powerful dividing line of race. Yet again, the potential of a social movement rooted in the organizing power of one of the triad of the gender, class, race combination failed to come to fruition because of its failure to address the other two parts.

The second case study I would like to discuss is from the lynching capital of the South—the state of Mississippi, where more than six hundred black people were lynched in the years 1880 to 1940 with not a single white person convicted for the crime. Nearly 100,000 black Mississippians had served in the U.S. armed forces during World War II. Yet Senator James Eastland had this to say of black soldiers: "The Negro was an utter and dismal failure in combat in Europe." Accusing blacks of being lazy and irresponsible and of raping white women, Eastland told his fellow senators in June 1945: "I am proud that the purest of white blood flows through my veins. I know that the white race is a superior race. . . . It has given us civilization. It is responsible for all the progress on earth."

The white race was also one that evidently could not tolerate independence on the part of black people. One year earlier, in the spring of 1944, a white man wanted to buy a plot of land from Rev. Isaac Simmons because the land had oil on it. When Simmons refused and dared to go to a white lawyer to protect his investment, the prospective white buyer took Rev. Simmons in his car, cut out his tongue, and killed him with three shots in the back—all in front of Rev. Simmons's son. This was a state that Allard Lowenstein, a 1960s activist who had encountered brutality in many places in the world, called "as bad as—maybe worse than—South Africa."

Yet if race was a razor-sharp instrument of oppression for black people in Mississippi, it also represented the unifying principle around which African American citizens in that state rallied to resist and to demand their freedom. John Dittmer has written a vivid testimonial to these freedom fighters and the struggle they waged in his book, *Local People: The Struggle for Civil Rights in Mississippi*. It is a story of those who refused to be intimidated by the terror that killed Isaac Simmons, Emmett Till, Mack Parker, and countless others. These local heroes were legion in number, among them World War II vet-

erans such as Medgar Evers, Amzie Moore, and Vernando Collier who demanded their citizenship rights after coming back to Mississippi, who would not give up no matter what the pressures, and who talked about taking up arms to defend themselves if white people kept attacking them. These were the people who joined the NAACP, even though to do so put their lives at risk, or the Regional Council of Negro Leadership; and who continued to fight, notwithstanding the fact that the White Citizens' Council, organized in 1955, arranged for their mortgages to be called in, their automobile insurance cancelled, and their taxes audited. At a time when most Americans thought black Mississippians were quaking in submissiveness, ten thousand of these local people gathered in Mound Bayou in 1955 to demand the right to vote.

Although there were traditional leaders like doctors and ministers in this freedom struggle, it was the grassroots organizers who lie at the heart of Dittmer's story. Student activists with the Student Non-Violent Coordinating Committee (SNCC) came to Mississippi in the early 1960s to stimulate protest on behalf of racial justice, but most of the "local people" John Dittmer writes about were ordinary people—farmers, sharecroppers, small property owners. People like Fannie Lou Hamer, Victoria Gray, Hazel Palmer, C. C. Bryant, Hartman Turnbow, and Amzie Moore. And although these people were ordinary in their background, they were far from ordinary in the courage they displayed. For these were the men and women who provided the backbone of the movement that in the 1960s would help to transform both Mississippi and America.

It was a movement that used the institutions and loyalties of race as a vehicle for overcoming racism. Sometimes the institution was the black church; at other times the black school, whether it be a segregated high school in McComb or a college campus like Tougaloo. When white authorities frustrated voter registration efforts by consistently beating and imprisoning those who sought to claim their citizenship rights—all the while claiming that blacks did not really want to vote—civil rights groups conceived the idea of holding a "Freedom Vote" in November 1963 to prove that if given the chance to cast ballots, black Mississippians would respond with enthusiasm. Using institutions in the black community like lodge halls, churches, and clubs, the movement held its own election, with more than eighty thousand African Americans casting their votes for candidates of their choice. It was a pivotal moment of community-building and solidarity that helped to provide both an incentive to the decision to bring up to a thousand volunteers to Mississippi the next summer, and a model for organizing

the Mississippi Freedom Democratic Party, an organization that would seek to represent all the people of Mississippi in the national Democratic Party as well as in the state.

With the onset of Freedom Summer, the movement in Mississippi achieved its greatest successes. Despite the brutal lynching of Michael Schwerner, Andrew Goodman, and James Chaney at the beginning of the summer and the burning of scores of black churches used as movement centers during the summer, the movement would not subside or be defeated. Joined by the mostly white student volunteers from the North, the “local people” John Dittmer writes about set out to reclaim and rebuild their state. They started Freedom Schools where young children could learn about black history and the heroes and heroines who could serve as role models for their lives. In some places health clinics were opened where for the first time there was a chance for black citizens to secure rudimentary healthcare. Other organizers worked to create day care and nursery programs that would eventuate later in the Child Development Group of Mississippi, one of the first and most successful programs of Operation Headstart. And the Mississippi Freedom Democratic Party (MFDP) gathered support and documentary evidence for challenging the exclusionary practices of the white Mississippi Democratic Party, with the hope of using that material to unseat the all-white Mississippi delegation at the 1964 Democratic convention in Atlantic City. In the midst of that summer, the U.S. Congress passed the Civil Rights Act of 1964, finally achieving one hundred years after emancipation the right of blacks to compete for jobs without discrimination on the basis of race, and to have access to such public accommodations as hotels, restaurants, and theatres. Arguably, none of this could have happened without the struggle organized by local black people in Mississippi, based on the strengths and loyalties of their own institutions.

And yet the story John Dittmer tells is also one of failure. The potential for still greater victories fell by the wayside as forces of division—based on race, gender, and class—overcame the forces of unity. The divisions of race surfaced in the summer of 1964 and became dominant by the spring of 1966. They initially had to do with tensions between white volunteers from the north and indigenous black workers in the movement. With no malice or intention to wound, some white students brought with them to Mississippi a presumption of expertise and authority based on their education and experience that then caused them to act in ways that seemed condescending and racist to black movement activists. In the cultural miscommunication that ensued, it was sometimes difficult to break through the barriers that racism had erected over time.

But the pivotal source of racial division grew out of the experience of the MFDP at the Democratic National Convention in Atlantic City in August 1964. Armed with affidavits and vivid testimony, the MFDP delegates had come to the credentials committee with high hopes. They had gathered all the legal evidence they were told was necessary to make their case. They had followed the rules. Most observers believed there were enough votes on the credentials committee to send the challenge to the floor of the convention, where it was believed the MFDP would prevail. With Fannie Lou Hamer leading off the hearings with dramatic tales of how she was beaten by jailers for even talking about voter registration, it seemed the MFDP was on the road to victory.

But then Lyndon Johnson intervened. He did not wish any group to disrupt “his” convention. Mobilizing Hubert Humphrey and Walter Reuther, he set out to derail the MFDP challenge. One woman delegate was told her husband would not be given a federal judgeship if she supported the MFDP; another male delegate was warned he would lose his job. Soon the core of MFDP support on the credentials committee dissolved. In its place came a compromise proposal. The MFDP would get two seats—not the twenty or forty they had believed likely—and four years hence all delegates would be chosen without regard to race.

Furious, the MFDP delegation rejected the compromise. “We didn’t come all this way for no two votes,” Fannie Lou Hamer declared. They had played by the rules. They had done what they were supposed to do. And now they felt they had been sold out—by white liberals who had told them to show due regard to established procedures, and then had ignored those procedures themselves. It was a bitter lesson. Alienation between white liberals and black activists became harder to overcome. Suspicions rankled that whites would welcome blacks to biracial coalitions only if whites could control events. Within a year and a half, Black Power became the dominant slogan of the movement, and national conflict over civil rights strategies replaced unity.

Divisions over gender grew out of, and reflected these divisions over race. If white women volunteers in Mississippi shared some of the same cultural blinders as their male compatriots, they also experienced the differential power imbalance that accompanied growing up female in a male world. In some instances, at least, complications of interracial sex sharpened a sense of difference and of division—both between women and men and between white women and black women. It is impossible to imagine two cultural concepts more freighted with volatile messages than race and sex. In the chem-

istry of the civil rights struggle in the summer of 1964, therefore, it is not surprising that divisions over gender followed the explosion of divisions over race—or that the emergence of Black Power as a movement was followed soon thereafter by the emergence of the women's liberation movement among some white women veterans of the civil rights struggle.

Nor were divisions of class absent from the denouement of the Mississippi movement. As John Dittmer shows so well, there had always been tensions within the Mississippi movement. The national NAACP bitterly protested any group that threatened its domination of civil rights politics, and on numerous occasions, made life nearly impossible for Aaron Henry and Medgar Evers by the conservatism of its posture and its refusal to cooperate with other civil rights groups. But the NAACP conflicts were not just turf wars among civil rights activists. They also reflected a class conflict between a black bourgeoisie led by ministers, businesspeople, and professionals, and more ordinary people who had less to lose and more to gain by challenging existing hierarchies.

Significantly, these divisions of class overlapped with divisions over race in the years after 1964, centering especially on Democratic politics in the state of Mississippi and on the issue of who would control the local anti-poverty movement. The MFDP came back to Mississippi from Atlantic City with the hope initially of carrying forward its plan to transform Democratic Party politics in the state by throwing out the existing Democratic machine. Moderate white Democrats in the state, on the other hand, saw the handwriting on the wall and, especially in light of the Voting Rights Act of 1965, recognized the need to coalesce with black leaders who would agree to work with them. NAACP leaders such as Aaron Henry were willing to join such a moderate coalition. Poorer and more radical blacks, on the other hand, sought to pursue their own agenda.

The ultimate site of their political war with each other was control over the antipoverty program in Mississippi, in particular the Headstart program. The Child Development Group of Mississippi (CDGM) represented the community-based, grassroots organizing hopes of the original MFDP. With heavy involvement of volunteers and "ordinary" people, it sought to use Operation Headstart as the vanguard of a social and educational movement that would remake the state. More established politicians, allied with Senators James Eastland and John Stennis, recognized the CDGM for what it was—a political as well as educational threat. In an eventual alliance with the moderate Democratic coalition of Hodding Carter and Aaron Henry, these powerful officials persuaded the Johnson administration to withdraw funding

from the CDGM and give it instead to Mississippians Against Poverty (MAP), a group that was economically and politically allied with the more moderate, established segments of the state's power structure. In this way, class as well as race alliances undermined and defeated the original goals of the movement in Mississippi.

The story is by no means simple, nor does virtue rest on one side only. Yet in ways that testify to the full complexity of the intersection of gender, class, and race, what happened in Mississippi seems to speak as powerfully as any one example can to the ways that division can prevail over unity in the struggle to unite people for social change.

The final example pertinent to this discussion begins with an effort to use class as the organizing basis around which black men and women, with some white participation, sought to remake their lives. Winston-Salem, North Carolina, provided the location for this struggle, tobacco workers for R. J. Reynolds the immediate focus of the organizing effort. The year was 1942—the stakes the opportunity to create the first interracial union in the south, committed to a program of not only economic dignity and self-determination but also political and social reform. In writing the history of Local 22 and its brief but dramatic ascendancy, Robert Korstad has offered an intriguing insight into what happens when the least visible and most elusive of our three concepts—social class—becomes a force for uniting people to demand justice.

More than ten thousand people were employed at the R. J. Reynolds factory in the late spring of 1943. Wartime production demands had stretched the workforce to the limits. The company could barely meet the existing market for its product, and a shortage of labor due to the draft and a full employment economy meant that the seasonal labor force that usually came on board in the early summer months would not be available. Still, R. J. Reynolds had done little to reward the workers already there. The labor force was primarily black and predominantly female. In the tobacco factories, as in textile mills, the best jobs were reserved for whites, while blacks held down the dirtiest and most arduous assignments. Most blacks were paid the minimum wage of forty cents an hour, with only a small percentage earning as much as fifty cents.

Such were the circumstances when events leading to the emergence of Local 22 unfolded in June 1943. As the heat in the factory grew alongside the increased pressures of production, workers had become ever more conscious of their working conditions. Representatives of the United Cannery Agricultural Packinghouse and Allied Workers of America (UCAPAWA) had been in

the community for a few months recruiting support for a union organizing effort, but no action had yet been taken to request an NLRB election to certify the union as the workers' bargaining agent.

On June 17, a particularly hot day, a woman worker on the fifth floor complained of being ill. Her foreman responded by saying she could leave if she wished, but her departure would be permanent. Other women on the floor then decided to engage in a work stoppage. A black man who had also complained of being sick that week decided to support them. Shortly thereafter, he keeled over and died from a heart attack. Earlier, the nurse had said he was not sick enough to go home. More than two hundred women on the fifth floor then joined the work stoppage, soon to be joined by women workers on the other floors. When a management representative appeared to urge them to go back to work, Theodosia Simpson spoke up and challenged him about the state of work conditions in the factory. A woman leader generated further support for the stoppage from women workers. Some men joined as well, and a workers council was elected to represent the laborers in negotiations with management. The second and third shifts learned of what had happened and decided to join in.

Soon, communitywide meetings were held at a local black church, whose minister worked in the factory and was a union supporter. When the company tried to recruit Robert Black, an African American worker of long experience in the factory who had great prestige in the community, to persuade the workers to go back to their jobs, he refused, insisting that the company recognize the workers' grievances and agree to negotiations about them. For three days the workers met in mass meetings. Federal conciliation representatives came to town at the request of the union, but management still refused to acknowledge the grievances the workers had brought. Finally, when it became clear that the workers would stand together without tolerating a break in their ranks, the company signed a statement saying it would sit down and talk about the workers' concerns if they returned to the workplace. Six months later UCAPAWA won the right to have an NLRB election. The results created Local 22 of UCAPAWA as the officially designated representative of the workers. A new contract was signed in April 1944. In the meantime, the union organized literacy campaigns in the community, registered thousands of people to vote, and set forth on a campaign to create a different kind of community, one where racial and economic injustices could be addressed, with a better cultural and civic life provided for all. Partly as a result of these efforts, in 1947 Winston-Salem elected the first black alderman to be chosen in the twentieth century in the South.

There were many distinctive aspects to the organizing efforts of Local 22. First, it was a movement led by black people. But it involved white workers as well. They served in the ranks of the union, but occupied only 15 percent or so of the leadership positions, approximately proportionate to their numbers in the labor force. Thus, the first integrated union in the South was also one where black strength and leadership were recognized. There was no condescension by white participants.

Second, this was a movement led by black women. They worked in partnership with black and white men, but they were the ones who initiated the work stoppage. Moreover, they comprised a significant percentage of the union's leadership. The role they played in making possible the union's formation, and the ease with which they exercised community leadership, helped to facilitate the process of uniting the community around its common interests. In short, two of the potential barriers to successful organization—disdain of men for women and of whites for blacks—did not exist in Winston-Salem in 1943 and 1944. Instead, the degree to which black women filled the ranks of the movement's vanguard helped assure that the potentially most divisive forces could be contained and that the union could move forward.

Nevertheless, this struggle too ended in failure. Management retained significant power in the community. In subsequent campaigns, R. J. Reynolds forged alliances with more conservative union forces from the AFL and the CIO to challenge UCAPAWA. Management also fomented festering racial tensions, seeking to set whites against blacks and to raise the specter of radical black activists taking over the community. Finally, it deployed its most powerful weapon, red-baiting Local 22 and claiming that support for the union meant support for communism. Anyone who wished to stick with the union thus took the risk of being defined as anti-American and pro-black. Ultimately, such weapons brought victory to R. J. Reynolds and in 1950, Local 22 was unable to prevail in an NLRB certification vote.

What remains most notable in retrospect, however, is how effectively the UCAPAWA movement was able to overcome the most formidable obstacles to create a biracial alliance along class lines, at least for half a decade. The forces of division may eventually have prevailed, but gender and race were not as powerful sources of division as they had proven to be with the anti-lynching campaign or the Mississippi Freedom Movement. Ironically, it required the charge that Local 22 was un-American and a voice for communism to bring down the union.

In no way, of course, are these three case studies necessarily representative of how gender, race, and class have functioned as forces of unity and forces of division in southern history. One could consider a dozen other examples, with a different chemistry or interaction likely to be found in each. Nevertheless, these three instances are illustrative of the issues historians need to be aware of in trying to answer some of the questions raised earlier about which of these variables is dependent or independent, and how they operate in political and cultural interaction with each other.

The first conclusion I would venture is that in any social circumstance where sex or race is a dominant consideration, and where women or blacks are in a minority position, the potential for divisiveness is very great. This is partly because of the layers of cultural baggage that surround race and sex as issues of group and individual identity. It is difficult to imagine more powerful cultural symbols than these. However much we may have the right to expect whites to be able to shed racist preconceptions rooted in centuries of history, it is virtually impossible to imagine that happening without transforming personal experiences that can burn away the attitudes we have inherited. So accustomed are whites to being in a superior position to blacks, and assuming, at best, the role of benign rescuer, that it is a huge task to break through such preconceptions or have them dissolved. White women of the CIC might temporarily transcend their racism in the fervor of an evangelical moment of sharing, but within the cold light of day, that racism almost inevitably reappeared, reflected in the conventional wisdom that whites surely knew best what was good for blacks, that Negro men of course wanted to ravish white women, and that the key issue was the gentility of the forms of social control, not their existence.

Similarly, white powerbrokers had so often dictated terms of compromise to those petitioning for change that it is difficult to imagine Walter Reuther and Hubert Humphrey thinking they were doing anything unusual when they, in effect, told the MFDP what it was “best” for the black insurgent party to accept. How inconceivable that black petitioners for the MFDP, or black women in the CIC, should be treated with mutual respect as equal partners, especially in light of the history of presumptive power that whites had exercised. When the potent chemistry of race mixed with the equally powerful emotions associated with sex—as in the case of Freedom Summer volunteers in 1964—it became almost impossible to prevent painful and bitter divisiveness. Only in a circumstance where blacks and women comprised a majority—hence in a position to exercise control of the agenda—did it seem possible that the divisive potential of race and gender could be subsumed to the forces of unity.

A second conclusion based on these case studies is that class may provide the best focal point for organizing people across barriers of race and gender. The theoretical argument for this hypothesis goes back to Karl Marx. In an American context, precedents were mixed for whether it would be possible to transcend racial barriers in the interest of a common economic agenda. During the Populist period in the 1890s, tentative efforts were made to join the Colored Farmers Alliance and the Southern Farmers Alliance in a common campaign to secure freedom from the bondage of the crop lien system. That campaign proved so threatening to white rulers that they invoked the banner of race solidarity and succeeded in disenfranchising black voters and instituting the Jim Crow system. As Robert Korstad and Nelson Lichtenstein have shown, CIO unions were the next to attempt such a biracial class alliance. At least in the case of Local 22, they seem to have succeeded, although here, too, it is important to remember that the majority of the union members were black and female. Still, the Local 22 example seems promising as a model for social change, especially when merged with the kind of passion associated with the civil rights movement.

The advantage of focusing on class seems to be reinforced when we examine what has happened to blacks and women in the aftermath of victories achieved since 1964 in the civil rights and women's rights movements. To a significant extent, discrimination based solely on race or gender has been abolished in the laws of the land. As a result, enormous changes have occurred. The number of African Americans attending college leaped 500 percent from 1962 to 1976. The black middle class expanded rapidly, especially as African American college graduates found themselves earning the same salaries as their white counterparts and moving into high-level positions in corporations, educational institutions, and the government.

Similar changes occurred among women. The number of female members of the entering law-, business-, and medical-school classes at most universities multiplied more than tenfold in the 1970s and '80s. Women earned over 30 percent of the doctorates awarded by 1990, in contrast to 11 percent in 1970. The same corporations, law firms, and hospitals that welcomed blacks to their executive ranks welcomed women as well.

On closer examination, however, it became clear that these gains were limited to *individuals* who were sufficiently well prepared educationally and economically to take advantage of the new rights that had been gained. It might be true that lowering the legal barriers of race and sex discrimination could help those already on the edge of the middle class. But these gains were not accessible to those who lacked economic security and educational prepara-

tion. Hence, even as the ranks of the black middle class grew, so too did the ranks of the black poor. High school dropout rates accelerated at the same time college graduation rates grew. Teenage pregnancies and poverty among female-headed households went up even faster than did the numbers of the black middle class.

Among women, white or black, the story was the same. More women might be employed than ever before, but 80 percent of those women worked in just 5 percent of all jobs. More and more, these were dead-end jobs in the service sector of the economy, paying minimum wages and offering little chance for advancement. The growing number of women who were poor, moreover, heightened the paradox of women's liberation. The right to be free and independent of men might mean new autonomy and fulfillment for some, but it brought immiseration and hopelessness to others.

Even as barriers of race and gender discrimination dissolved for individuals, therefore, the barrier of class—intersecting with barriers of race and gender—still kept millions in bondage. *Individuals* could escape the stigma of race or sex, but poverty closed the door to those who sought freedom.

Understanding how much class has become a primary source of inequality, however, is different from generating strategies for replicating the success of Theodosia Simpson and the tobacco workers of Local 22. Nor should the progress that has occurred on issues of race and gender obscure the degree to which racism and sexism remain a powerful presence throughout American society, at the top even more than at the bottom. Still, there seems little question that economic inequality lies at the heart of the injustice that remains in American society.

Focusing on an economic agenda, therefore, seems one viable path to pursue in addressing the continued ability of gender, class, and race to deny equality of opportunity to American citizens. The issues engaged by the Freedom Summer volunteers are the same as those pursued by Local 22—to build schools, healthcare facilities, and workplaces that offer respect, as well as nurturance, to those who attend them. Institutions such as the MFDP and Local 22 will continue to emerge. But perhaps the time has come to make the force of unity that dominates them a focus on jobs and economic security first of all—believing and hoping that divisions of gender and race can be overcome in the process.

**LIBERALISM AFTER THE SIXTIES:
A RECONNAISSANCE**

Otis L. Graham Jr.

“One of the rudest things you can call an American politician nowadays is a liberal,” editorialized *The Economist* in 1996, recalling (among other examples) how George Bush had drawn blood by associating opponent Michael Dukakis with the “L-word” in the 1988 presidential race.¹ “Liberals—usually the good guys of my visceral political calculus—are losing the battle of ideas,” wrote columnist William Raspberry a year later. “They haven’t had a bright new idea in ages.”²

It was not always so—in particular, the year I entered graduate school in 1960, which was by chance an election year. Liberalism was a proud and politically dominating tradition of ideas and social reforms with roots in the progressive era, given mature form under Franklin Roosevelt and the New Deal, and in 1960 gathering moral force and political energy for a third phase of what Harvard historian Arthur M. Schlesinger Jr. would teach us to call the Schlesinger Cycle of corrective liberal reform. When William E. Leuchtenburg ended an early November graduate history class with the admonition “Now vote, and vote right!” we all knew what had been said. Everyone at Columbia, it seemed, was a liberal. Many had stood three hours in the rain days earlier to glimpse the nominee from Massachusetts on a motorcade through New York. We sensed that great events, restorative and corrective, once again lay ahead in American politics, and we were right—though that was not all that lay ahead.

Sometime in the second half of the sixties, historian Arthur Mann later wrote, “Suddenly, things turned upside down.” Assassinations wrenched the

constitutional order, campuses and cities were engulfed in violence, and the American people became “unhappy, confused, adrift, distrustful, and divided. . . . What went wrong?”³ In politics, things certainly went substantially wrong for liberals—Richard Nixon elected twice, one term and out for a moderate Democrat from Georgia, then a Reagan-led and Bush-extended conservative reign. Democrats returned to the White House in 1993, only behind a candidate who received 43 percent of the vote and would not use the word *liberal*. Then two terms of erratic searching for a governing center, ending in impeachment-spiced confusion and the election of a Republican in 2000.⁴

How and why did liberalism lose its political and intellectual dominance?

“IT ALL STARTED IN THE SIXTIES”

When Barry Goldwater conceded defeat to Lyndon Johnson in November 1964, having carried six states, not only the political but also the intellectual and moral supremacy of liberalism in American politics seemed to have reached a crest, with a long season of dominance ahead. The central feature of the liberal program, hesitantly begun by Kennedy and boldly pursued by Lyndon Johnson, was their sponsorship of the drive for black equality and an end to Jim Crow. The central fact of liberal political life from the sixties forward was a deeply felt moral (and intellectual) superiority. The political opposition had fought the civil rights crusade, spoke the evasive banalities of “states’ rights” and of communist plots to divide Americans. No wonder that the bright and the young were drawn to the neighborhoods left of center.

Yet as the Great Society rolled forward, one astute observer of American politics sensed that the liberals were headed for political trouble. Lyndon Johnson told Bill Moyers, after signing the Civil Rights Act of 1964 ending Jim Crow, that he believed he had “delivered the South to the Republican Party for a long time to come.”⁵ This reads like a shrewd guess about the future, but it was both premature and flawed. LBJ, who quoted Martin Luther King Jr.’s phrase “We shall overcome,” still received a majority of southern votes in the 1964 election, Goldwater carrying only the five Deep South states.⁶ Positions taken on civil rights in 1963–64 had some political cost, but had not yet “delivered the South” to the opposition. The white South (and many voters elsewhere) would eventually turn more decisively toward the Republicans (or away from politics), but because of events ahead of LBJ’s comment to Moyers in 1964—things Johnson and his allies had yet to do,

along with social turbulence and cultural trends that became associated, fairly or unfairly, with liberalism.

LBJ in his memoirs conceded that political defeat in 1968 owed to more than the signing of the 1964 Civil Rights Act (though he thought he would have won if nominated). "The Democratic Party had pressed too far out in front of the American people . . . too far too fast in social reform," he concluded. And "the disruptive methods of the radicals of the "new left," at the Chicago convention and on university campuses" had frightened voters. But "I would not have abandoned a single major program" or "postponed a single law."⁷ The people had faltered, their government a bit too good for them, too soon.

Johnson's error here was to see the Great Society as a single whole. Only a portion of Democratic Party-sponsored reform measures accounted—along with social turbulence—for the political upheavals that sent Johnson and then Humphrey into retirement. Within the Great Society were sectors of special vulnerability where the potential for political trouble was high. On the legislative side, one could say that roughly half of the Great Society had been widely discussed, reasonably well understood by the public, and popular. The banishment of Jim Crow in schools and public facilities, as well as an end to voting discrimination by race, were well understood, thoroughly aired, and backed by a national consensus that the white South would join much more quickly than anyone anticipated. A strong base of public support also existed for Medicare, federal aid to education, the Wilderness Act, the beginnings of federal action on cleaner water and air, workplace safety and consumer protection, even control of highway billboards. But another large basket could be filled with measures only briefly debated before Congress and poorly understood by the public or, often, their liberal architects: certain augmentations of the welfare state, notably the war on poverty's "community action" component and the parallel expansion of AFDC as well as Medicaid, which was tacked onto the Medicare legislation by Wilbur Mills with little congressional scrutiny; the expanded public housing program of 1968, rushed through in six months; the Hart-Celler Immigration Act of 1965, which increased immigration and ended the advantage given to nationalities that had settled and built the nation before 1920; bilingual education.⁸

In addition to Great Society laws and programs there was the postlegislative cutting edge of liberal reform—the program building and rule-making activities of federal bureaucrats and judges, offstage, carrying on reform by taking initiatives liberals knew to be right even if not exactly demanded by huge lobbying coalitions or large majorities in the polls. These included the deinstitu-

tionalization of the mentally ill, the “black empowerment” strategy of the war on poverty, school busing to engineer the proper racial mix of students, “affirmative action” preferences in hiring, college admissions, and contracting for blacks that were soon extended to a broad range of certified “minorities.”

As it turned out, certain of Great Society liberalism’s politically costly associations—with the war in Vietnam, the hippie and protester riots outside the Chicago convention hall, flag- and draft-card burning, Black Panthers with fists raised and automatic weapons brandished—would slowly wane, while liberal social engineering was a growing presence.⁹

LIBERAL RACE POLICY AFTER THE END OF JIM CROW

“Is the civil rights movement over, now that we have outlawed Jim Crow and voting discrimination?” To this question, liberals emphatically answered that they had just begun to fight. Legal equality achieved, social equality must come quickly or the urban crisis of the 1960s would be only a foretaste. In retrospect, it was easily the most ambitious government project in modern history. Daunting handicaps had become attached to black America, entrenched during slavery and extended by discrimination and bigotry for decades thereafter. Then came the great black migration out of the rural South, a trickle beginning in the late nineteenth century, accelerating in the 1920s with restrictions on immigration, and then cresting in a wave of 4.5 million people from the 1940s to the 1960s. The new urbanites brought with them mixed cultural resources—a blend of assets such as strong church and family affiliations and some middle-class work and saving habits, but also a sharecropper culture of illiteracy, loose family ties, and dependence on white landowners.¹⁰ The timing of their migration was unfortunate. Most of these refugees with agricultural skills arrived just as the American economy was shifting away from heavy industry toward a postindustrial mix in which education and technical and social skills were at an increasing premium.

Thus black populations gathering at the center of urban America after mid-century were a mix of a small, tenacious black middle class with a growing underclass—urban residents with what William Julius Wilson called “a weak attachment to the labor force,” characterized by out-of-wedlock births, single-parent families, crime, and welfare dependency. Most black Americans were not in the underclass. But the underclass was mainly black, and growing, as the sixties arrived.¹¹ Their presence was marked by the statistics of so-

cial pathology. The urban crime rate rose 60 percent from 1960 to 1966, then jumped another 83 percent in the five years between 1966 and 1971; the National Academy of Sciences found that a disproportionate share of crimes of violence were by blacks (and against blacks). Births to unmarried women rose from 2.3 to 5.7 percent among whites across the sixties, but from 21.6 to 34.9 percent among blacks.¹²

Liberals, now not just sympathetic to the cause of black advancement but politically committed to it, struggled to find policy leverage. One of their first ideas ran into fierce trouble and got its author fired, shutting down a whole sector for discussion. Daniel Patrick Moynihan, a sociologist who was assistant secretary in the Labor Department, in March 1965 produced a seventy-eight-page paper entitled "The Negro Family: The Case for National Action." Moynihan pointed to the increase of single black mothers and concluded, "the Negro family structure is crumbling." Male joblessness and desertion was producing an illegitimacy rate of one-quarter among blacks, leading to welfare dependency and "a tangle of pathology." Moynihan attributed all this to historic racism and economic pressures and spoke vaguely and briefly of solutions through family-strengthening federal programs, not even hinting at black moral regeneration.¹³ Black leaders, at first welcoming a government official's exploration of the black situation, by October were accusing Moynihan of saying in effect that blacks tolerated or were unusually inclined toward promiscuity, illegitimacy, and welfare dependency. "Blaming the victim," charged Boston civil rights activist and psychiatrist William Ryan; "fuel for a new racism," pronounced James Farmer of CORE.¹⁴ The uproar from the liberal and civil rights community ostracized Moynihan and led to his resignation. "All public discussions in mainstream liberal circles of issues like the state of the black family . . . simply ceased," reported Nicholas Lemann.¹⁵

What, then, could government do? Urban riots after 1965 lent urgency to the question. Nondiscrimination and universality of human rights were the philosophical core of the 1964 and 1965 civil rights statutes, and these measures were spectacularly successful in desegregating public accommodations and promoting the black franchise. But nondiscrimination did not turn public schools into engines of black upward mobility, and black economic advancement was slow. Was there a faster way to continue the civil rights movement?

A central new idea was to move beyond proving discrimination, which was difficult and expensive, to proving unequal social outcomes, which statistics could quickly confirm. Once discrimination in the form of unequal outcomes was established—"institutional discrimination" was the term invented for it,

since no actual discriminator could be found—the remedy was black preferences in jobs, contracts, and university admissions until equal results were obtained. This was soon the operative meaning of “affirmative action.”

When the term first appeared in President Kennedy’s 1963 Executive Order 10925, it was understood to mean “keep your eyes open for a qualified black.” That it might evolve into something more ambitious and polarizing—black preference, special treatment, quotas—had been suspected by some of the legislators moving toward the law that killed Jim Crow, and strenuously and categorically denied by the chief sponsors of the 1964 Civil Rights Act. Asked in 1964 hearings on the civil rights bill if the legislation would “require employers to establish quotas for non-whites,” Senator Hubert Humphrey assured the body that “proponents of the bill have carefully stated on numerous occasions that Title VII does not require an employer to achieve any sort of racial balance in his work force by giving preferential treatment to any individual or group,” and pledged to eat the bill page by page if it ever did so.¹⁶ Just three years later, officials in the Labor Department’s Office of Contract Compliance (OFCC), in a hurry for results, saw federal contract dollars as a lever for rapid black job growth. Their Philadelphia Plan of 1967–68 would have required bids for federal construction contracts to hire “minority employees” in proportion to their presence in the work force. Astonishingly, this plan for race-based quotas was adopted by Nixon in 1970 and was rapidly expanded to cover four categories of minorities—Asians and Pacific Islanders, African Americans, Hispanics, and Native Americans and Alaska natives—and applied to more than 300,000 firms doing business with the federal government, eventually affecting one-quarter of the American workforce. Affirmative action would be expanded by the entrenched liberal activists in the civil rights bureaucracies in the Justice Department, in a new independent regulatory commission (the Equal Employment Opportunity Commission, EEOC), and in the line agencies (twenty-seven rights-enforcement offices were at work in line agencies by 1969). The “original, Kennedy-Johnson meaning of affirmative action, which meant nondiscrimination enhanced by outreach programs,” or “soft affirmative action,” writes Hugh Davis Graham, had given way to “hard affirmative action,” which insisted on equality of results and did not need to find discrimination in order to intervene to order race-based correction.¹⁷ The transition “occurred quickly and quietly” between 1965 and 1968.¹⁸ “The public had no idea,” added Stephen and Abigail Thernstrom.¹⁹

Equally fraught with political danger to liberals was another, faster path chosen first by HEW bureaucrats in 1966 and strongly followed by judges. This was busing public-school students as a remedy for segregated schools.

When southern school authorities resisted integration and the 1965 law extending federal aid to secondary education gave HEW leverage, guidelines were written making compliance with the Brown decision dependent not on the absence of discrimination, but on actual mixed student populations. Impatient with the snail's pace of school integration, the Supreme Court insisted in 1968 on unspecified "affirmative steps" by school officials to achieve integration, and in 1971 it confirmed a District Court order that the Charlotte-Mecklenburg (North Carolina) Board of Education bus students between white suburbs and the black inner city to achieve a strict racial quota for all schools in the huge district. Race-based busing soon spread across the country, an "immense social experiment" of liberal parentage, two scholars wrote, and one that was "wildly unpopular everywhere."²⁰

THE RIGHTS REVOLUTION

But something larger was in motion than the redefinition of civil rights as requiring "affirmative action" in the form of racial preferences and busing for correct racial proportions in public school populations. The civil rights movement was with good reason called a "revolution," a profound moral awakening and political drama falling only a little short of the national experience with civil war. The moral certainty, fervent and innovative style, language, and tactics of "the movement" swept away what had seemed an impregnable structure of southern law and custom and wrote a new chapter in the American narrative. The energy and success of this crusade lent irresistible momentum to a larger "rights revolution" that began much earlier.

Michael Sandel locates a turning point in FDR's 1944 State of the Union speech on a new "Economic Bill of Rights," in which Roosevelt proposed making the government responsible for providing the "right" to a job, food and clothing, education and much else.²¹ This was aspiration only, but it led toward what was to be liberalism's central project in the second half of the century. The Warren Court took the lead in the rights revolution beginning in the 1950s, declaring new rights in the areas of race in the schools and procedures affecting the criminally accused. In the 1960s, the "rights revolution" spread outward through the agency of thousands of liberal-left lawyers, law professors, activists for minorities and women, judges, federal officials, and legislators, all responding to what Mary Ann Glendon has called "the romance of rights."²²

One result, beginning in the 1960s and continuing through subsequent decades, was the construction by Congress of an enormous second tier of

regulatory agencies upon the base established during the New Deal. But unlike the economic focus of 1930s regulation this new wave of “social regulation” created statutory language conferring rights “to clean air and water; safe consumer products and workplaces; a social safety net including adequate food, medical care, and shelter; and freedom from public and private discrimination on the basis of race, sex, disability, and age,” in the words of Cass Sunstein, whose *After the Rights Revolution* (1990) lists six civil-rights laws, five occupational-safety laws, and six environmental laws enacted in the 1960s, with many more to come in the succeeding two decades.²³

This broadening movement to enlarge individual and group rights built on the logic of the civil rights crusade and gained impetus from a growing family of well-organized lobbies with few vocal or organized opponents (with the large exception of the ERA rights drive). In the two sectors of rights expansion devised as faster paths to black equality, however—affirmative action and welfare entitlements—some divisions appeared between moderate liberals and those to their left.

Nathan Glazer, reviewing the Civil Rights Commission’s 1970 report *The Federal Civil Rights Enforcement Effort*, objected to what he saw as a move from “equal opportunity . . . to an attempt to ensure a *full equality* of achievement.” The CRC made “scarcely a reference to any single case of discrimination by anybody in this enormous report,” and a small army of federal officials—570 in the CRC, 166 in the Department of Defense, and six thousand more being trained for agency deployment—was pursuing the “full equality of groups.” This was “reverse discrimination,” and “we have become involved in something entirely new,” Glazer wrote.²⁴

Uneasiness over the hardening of affirmative action was also expressed in the deliberations of the McGovern Reform Commission of the Democratic Party in November 1969 as it considered, in the words of member Austin Ranney, the idea of “our fellow black Democrats” that “something more is needed than a non-discrimination rule.” They debated establishing quotas for blacks in state delegations, voted 10–9 for language requiring delegations to have the same racial proportions as the local population, and then added women and “young people” without much discussion. Writer Theodore White was dismayed when he read the transcript of the meeting, for it meant that the Democratic convention in 1972 would be shaped by quotas. The “liberating idea” that blacks should not be excluded had “changed to become an intellectual prison . . . [in which] certain groups must be included.” This was for White “to plunge over a political cliff to disaster.”²⁵

THE WELFARE DILEMMA

Another policy arena where 1960s liberals sensed opportunity and reaped political trouble was indigent relief. The New Deal moved the “welfare” issue from local relief to a system dominated by federal payments to the unemployed, but Franklin Roosevelt more than once denounced “welfare” as a long-term policy. He persuaded Congress to replace these emergency measures with a permanent system of social security anchored in contributory old age pensions, with direct federal relief only for the blind and the uncovered, currently destitute elderly and with federal public works for the able-bodied. Aid to fatherless children—through their mothers, who could hardly be in the workforce—was attached as the AFDC program and was expected to be minor. Caseloads were insignificant for two decades, then unaccountably boomed upward to 3.1 million recipients in 1960, then to 4.3 million by 1965, and rising.²⁶ “Welfare” began to be condemned as a support system for female-headed families in which the mother and children were slum-dwelling dependents of the state, shielded from any work experience, while the fathers escaped responsibility.

The engagement of liberals with the welfare issue was briefly the story of a failure, the war on poverty. After it was dismantled, their legacy became more an attitude than any particular program structure. Liberal opinion in the 1960s and after shifted away from the New Deal’s commitment to work and its wariness of the dependency effects of direct relief, toward the “guaranteed annual income” idea that Richard Nixon and Democratic 1972 presidential candidate George McGovern would espouse. LBJ resisted this leftward shift of liberal opinion on welfare but could not contain it. It was driven by the climate created by black urban riots in 1967–68 and a growing liberal sense, expressed most scoldingly in the 1968 Kerner Commission Report on urban riots, that nothing less than universal entitlement to welfare would quiet the black community and constitute “social justice” at last for the descendants of slaves.²⁷

This shift in elite opinion was paralleled, it appears, by a sharp change in attitudes among the poor, who moved away from earlier feelings of shame. Caught up in what historian James Patterson calls “the enhanced sense of entitlement that pervaded those turbulent times,” the black poor especially were becoming aggressive and litigious about their “welfare rights” and bottom jobs with their insulting wages.²⁸ “Reports of resistance on the job circulated orally in the black community, among employers, and in white work-

ing class neighborhoods” in the late 1960s, Michael Piore wrote, a phenomenon reported earlier in an urban ghetto by Elliot Liebow in *Tally’s Corner*.²⁹

Liberals and advocates of the poor by 1968 had failed in two attempts to enact their guaranteed annual income. But along the way they had presided over and to some degree caused an expansion of the AFDC clientele from 4.3 percent of American families in 1965 to 6.1% in 1969 to 10.8 percent in 1974, and in the population on public assistance from 7.1 million in 1960 to 14.4 million in 1974. This income transfer drove down the proportion of Americans in poverty in a dramatic, unprecedented way, and was seen by many liberals as second only to ending Jim Crow as liberalism’s crowning achievement.³⁰ Liberals “clapped their hands with pride,” writes Patterson, at this “phenomenal reduction of absolute poverty” from 22 percent of the population in 1959 to 11 percent in 1973. The Great Society, along with economic growth, had moved 60 percent of the pre-transfer poor out of poverty in 1970 and raised America’s welfare expenditures toward—though hardly matching—the levels of the social democracies in Western Europe.³¹

What of FDR’s fear that these dollars (and food stamps and public housing and free legal services) would prove “a narcotic, a subtle destroyer of the human spirit”?³² Patterson observes that “few people paid much attention to the Cassandras,” as welfare at the end of the sixties became one of the rights of citizenship.³³ The zeitgeist did not lend itself to talk of obligation or to concern over what happened to “the human spirit” in its absence.

THE GREAT SOCIETY AND THE SIXTIES AS A REPUBLICAN OPPORTUNITY

Whatever one thought then of the Great Society and the rights revolution it had fostered, it had coincided with and was to some extent seen as associated with an ambience of mass media-transmitted images of antiwar protests, countercultural weirdness, drugs, the Manson killings, Black Panther fist salutes, feminist rebellion, free love, and urban riots. “In the public perception,” wrote James Sundquist of the Brookings Institution, looking back from the 1980s, “all these things merged. Ghetto riots, campus riots, street crime, anti-Vietnam marches, poor people’s marches, drugs, pornography, welfarism, rising taxes, all had a common thread: the breakdown of family and social discipline, of concepts of duty, of respect for law, of public and private morality.”³⁴ Liberals would have said that they had made an unmatched record in attacking the causes of such social unrest and rebellion.

But it was not long before they were depicted as the most important source of this social unraveling.

One Democrat had already sensed the possibilities opened by the party's recent record and image. This was Governor George Corley Wallace of Alabama, the public figure who first framed the language to exploit liberal vulnerabilities. In the presidential primaries of 1964, before urban riots broke out, Wallace, despite his unmistakably southern drawl and unimpressive physical appearance, won 34 percent of the vote in Wisconsin, 30 percent in Indiana, and 45 percent in Maryland. The numbers make him just another loser in the history of runs for the presidency, but both his biographers, who agree on little else, call him the most influential loser in American politics.³⁵ The years between 1964 and 1968 opened an opportunity to capitalize on the invisible discontent of Democratic voters. Republicans picked up forty-four House seats in 1966, and one heard a hinge of political history turn when the GOP that year ended the career of liberal icon Senator Paul Douglas of Illinois and popular liberal Governor Pat Brown lost to a second-rate movie actor, Ronald Reagan.³⁶

Two years later Wallace, now candidate of his own American Independent Party, moved northward with a language of populist protest far removed from the old racial appeals of southern politics, but portable anywhere in America. He did not attack blacks, but rather the elite Democratic establishment in Washington—politicians, journalists, judges, intellectuals—who were reaching down into local schools and workplaces all over America, practicing “reverse discrimination” and imposing heavy costs on ordinary working people. His use of the “wedge” or “social issues”—court-imposed busing, affirmative action, leniency on crime, welfare abuse creating a dependent class, rising illegal drug use, urban disorder, and elite domination from Washington and the eastern seaboard—moved a significant number of Democrats, in their view abandoned by their own party, to vote some other way.

Wallace polled ten million votes, putting Richard Nixon, with 43 percent of the total, in the White House. Liberals read the 43 percent as the true strength of their enemy, but 57 percent of the voters had voted against the liberals' beribboned warrior, Hubert Humphrey. And Nixon, surely listening to Wallace's language, had shown impressive skill in endorsing an end to segregation and discrimination while bristling with objections to using federal power to “force a local community to carry out what a federal administrator or bureaucrat may think is best.”³⁷ Wallace had been blunter: “They say, ‘We've gotta write a guideline. We gotta tell you when to get up in the morning.’”³⁸

Two books pointed out the opportunity in all this for antiliberals, especially Republicans. A writer and activist in the Nixon campaign, Kevin Phillips, described a seismic political shift toward *The Emerging Republican Majority* (1969), “the end of the New Deal Democratic hegemony and the beginning of a new era in America politics.” The Democrats had been repudiated by the voters, Phillips argued, for their “ambitious social programming . . . [and] inability to handle the urban and Negro revolutions,” and because the “Democratic and liberal record was one of failure—in global diplomacy, Asian warfare, domestic economics, social and welfare policy, and law enforcement.” The 1968 election was not a momentary setback for the party of FDR, but the first sign of a substantial realignment. The liberal party’s northeastern stronghold was on the losing end of a vast demographic shift of power to the Sunbelt, the South and West. Especially in the South, “obsolescent Democratic loyalties” opened up the colonization of a new Republican heartland that Wallace had only momentarily pulled into a fleeting third-party effort.³⁹

A year later came Richard Scammon and Ben Wattenberg’s *The Real Majority* (1970). They saw the electorate turning from the older economic issues toward “the Social Issue,” a combination of concerns over what they fuzzily characterized as “law and order, [racial] backlash, antiyouth, malaise, change, or alienation.” “The law-and-order issue can be finessed” by Democrats, but occasional remarks against crime will not be enough. They have to “believe that the Social Issue is important, is distressing to their constituents. . . . Rhetoric alone is never enough.” Otherwise, “it could get worse for Democrats,” who simply must “listen to the center.”⁴⁰

IT ALL CONTINUED IN THE SEVENTIES

Liberals did not derive the same lessons from the 1968 election as Phillips and Scammon and Wattenberg—quite the opposite. To them Wallace was a demagogue, playing upon the racism of a portion of the white working class in a bad year for clear thinking. And Nixon’s election was an aberration in a country destabilized by the Vietnam War, the electorate denied by assassination the chance to choose that tough, antiwar liberal Bobby Kennedy.⁴¹ The next time around the American public could be led to do the right thing.

And liberal thinking on the meaning of recent events was especially important, because the Democratic Party, perhaps for the first time, was coming under the control of one of its components, the liberals. Party reforms

launched in 1968 by the left wing of the party shifted selection of nominating convention delegates from party regulars to activists in antiwar or women's or other "rights movements," and under the new rules 83 percent of the delegates to the 1972 Democratic Party Convention were from the ranks of reform activists, the rest from state-based party organizations, with a shrinking congressional component. "We aren't going to let these Harvard-Berkeley Camelots take over our party," said an AFL-CIO official—but they did.⁴² An ideological upheaval had produced structural changes within the Democratic Party, moving its image and policies leftward.

The convention in 1972 bypassed moderates such as Senator Henry "Scoop" Jackson of Washington and nominated Senator George McGovern, whose views expanded the political problem. He urged withdrawal from Vietnam and called for a \$30 billion cut in defense spending, amnesty for Vietnam war deserters, and a grant of \$1,000 to every American to eliminate poverty and redistribute income. Historian Ronald Radosh spoke for Democratic centrists when he charged that the party's left by the end of 1972 had firmly "identified the party with the rise of crime, the influence of drugs, the decline in moral standards, and the breakup of the traditional family structure."⁴³ When voting time came, the New Deal coalition had badly splintered. The Republicans took a majority of Catholic voters for the first time in any presidential election; Nixon was favored by Italian Americans and by voters in union families and made huge inroads on other components of the old Democratic assemblage, such as Jews. McGovern carried Massachusetts and the District of Columbia.

WHY ARE WE LOSING?

There were stirrings of an intraparty debate on that question after the 1972 disaster.⁴⁴ But the prevailing interpretation survived McGovern's defeat and seems to have been this: we Democrats lost in 1968 and 1972 because political demagogues (George Wallace first, Nixon and Agnew second) exploited the Vietnam War turmoil but also the deep-seated racism, fear of economic changes brought on by an onrushing globalization of capitalism, fear of feminist and gay self-assertion, and generally reactionary impulses of the average American. These voters and citizens failed the cause, misled into "white backlash" by wicked demagogues playing the race card through the use of code words such as "welfare queen," "forced busing," and "crime." But, surely, time was on our side. Liberals must make the case for the better an-

gels of our nature, and after an interlude the public will once again turn to affirmative government. Keep the faith.

In the meantime, all that was lost was the presidency. Democrats held their lead in governorships (31), and by a narrowed margin controlled both houses of Congress in every year of Nixon-Ford rule. And they translated this into policy results, pushing through an extraordinary number of environmental and consumer-protection laws—including the National Environmental Policy Act (1969), Clean Air Amendments in 1970, pesticide and pollution controls laws in 1972, and the Occupational and Safety and Health Act of 1970.⁴⁵

A dissenting view was mobilizing, finding voice in the pages of a new journal, *The Public Interest*, in those of *Commentary* and elsewhere, and in those of authors such as Irving Kristol, Moynihan, Norman Podhoretz, James Q. Wilson, Ben Wattenberg, Seymour Martin Lipset, Aaron Wildavsky, and Nathan Glazer. In this perspective, the Democratic Party had moved steadily leftward after 1964 along a broad front of unpopular and little debated rights-revolution initiatives led by hard affirmative action and the expansion of welfare. All of this was for the most noble of goals: racial reconciliation and social equality. But choosing these paths and means meant that Democrats lost not just the white South but also the party's New Deal nonsouthern white urban base and transformed themselves into the minority party, at least for presidential elections. The implication, for those who see the central task of politics as gaining and holding power through durable, broad-based coalitions so that good deeds can then follow, would be to move back toward the center until a winning base is reclaimed. And good deeds can then follow, perhaps at a slower pace.⁴⁶

A pivotal issue was one's understanding of the career of George Wallace. Astonished by his warm reception in northern primaries in 1968, Wallace declared, "They all hate black people, all of them. They're all afraid, all of them. Great God! That's it! They're all Southern! The whole United States is Southern!"⁴⁷ If Wallace said it, and it is a judgment about prejudice, then it must be so. But Nathan Glazer registered an early dissent in an essay on "The White Ethnic Political Reaction." White "ethnic" voters were not, in his view, more racially prejudiced than Anglo-Saxon Protestants, but according to some polls, less so. They were, however, in the path of the black surge into northern urban neighborhoods and experienced firsthand what college-based and suburban liberals (and Republicans) have not—housing and job competition with blacks. White working-class families found their orderly neighborhoods and schools increasingly populated by blacks, who, in the

older residents' view, brought female-headed and welfare-dependent families, crime, and an unreliable male workforce. Glazer cited a handful of sociological studies documenting these class and cultural conflicts, suggesting that the "real source of prejudice is not race at all" but "realities" that "cannot be wished away."⁴⁸

This brief treatment suggested a more complex understanding of the message sent by Wallace's voters than the governor himself, and the liberals who disagreed with him on everything else, appeared to hold. It was all very easy for white liberals to condemn and label as racists the angry housewives shouting into TV cameras from South Boston or Chicago busing protests, but "real grievances of the lower-middle-class ethnic groups were overlooked," Michael Novak had argued in his 1971 book *The Rise of the Unmeltable Ethnics*. Blacks move into their neighborhoods, "everything begins to decline" from crime rates to garbage collection to the quality of neighborhood schools, "white flight" (and black middle class flight) begins and property values slide, the realtor offers only \$14,000 for a home worth more, the man sells, an incoming black family pays \$17,000, and "everyone feels bitter." "Ethnic workers," Novak went on, "have legitimate reasons for economic, social, and cultural anxiety about the black revolution." But faraway "intellectuals," Novak's term for liberal elites, "lose nothing at all. It is for them a moral gravy train."⁴⁹ By the 1990s a small library of neighborhood studies had richly described the concrete resentments of the Jews and Italians of Carnarsie, the white ethnics of South Boston and New York, and others whose cherished neighborhoods and local schools lay in the path of a spreading black ghetto culture.⁵⁰ The political result of all this was vividly captured in Samuel Freedman's *The Inheritance* (1996), whose subtitle, *How Three Families and America Moved from Roosevelt to Reagan*, announces the book's story of the political journey to the right of key elements of FDR's Catholic, ethnic base, whose party had "left" them.

LIBERALISM: STILL LEFTWARD

Such perspectives were heresy within liberal thought. Many decided that people like Moynihan and Glazer were not liberals any longer, but "neo-conservatives," thus no longer a part of the conversation. The liberal project had not reached the time for extended soul-searching; there was too much to be done. Liberal reform ideas and energies in the 1970s ran strongly and found many outlets. The planning idea had lacked a champion after FDR,

but it revived in the late 1960s. Senator Humphrey and others sponsored a national planning bill, the idea of a national growth policy, and promoted metropolitan regionalism. A liberal-labor coalition was only blocked by the threat of a Ford veto from enacting the Humphrey-Hawkins Full Employment legislation in 1975–76.⁵¹

But with equal or more energy and creativity, and considerably more success, liberals pushed ahead with the work that had begun during “The Movement.” A main thrust was to expand the system of race, ethnicity, and gender preferences that embodied hard affirmative action. Unchecked by Republicans in the White House, the liberal impulse worked through executive branch agencies, and increasingly the courts. Federal regulators in the EEOC and the departments of Labor and Education were bent on equality in the workplace and rapid minority progress up the mobility ladder of higher education.⁵² Labor’s regulators (in the Office of Federal Contract Compliance Programs (OFCCP) expanded the Philadelphia plan, issuing Order #4 in 1971 to push the requirement of racial preferences for black Americans in the jobs and subcontracts attached to federal contracts outward to all major cities and the 20 percent of the nation’s firms contracting with the government. Federal aid to education was a lever to thrust racial preferences into university admissions, and pressure from ethnic and women’s lobbies soon produced an expansion of those qualifying for compensatory advantage because of past discrimination. Women and most racial minorities, even very recent immigrants with no history of exposure to discrimination in the United States, were included.

Congress was passive during this expansion of hard affirmative action until 1977, when, without hearings in either house, a voice vote in the Democrat-controlled House authorized a new “minority contract set-aside” program (MSA), in which 10 percent of public-works funds would be set aside from competitive bidding and reserved for businesses owned by “Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts.”⁵³ The Supreme Court somewhat uneasily upheld the contract set-aside concept in 1980 in *Fullilove v. Klutznick*, and such programs spread to more than 230 state and city governments (where black mayors were increasingly in power) by 1989. Inside the federal government, minority “set-sides” that began in the Small Business Administration (SBA) spread to the immense contracting budgets of departments such as Defense and Transportation. Without formal hearings and under ethnic lobbying pressure, the SBA’s MSA program was extended to include persons with ancestry from Brunei, Cambodia, Guam, Laos, and other countries in an apparently arbitrary process that excluded, for some

reason, Iranians and Afghans. By the mid-1990s the federal government was running 159 preference programs for businesses whose owners were certified as “disadvantaged.” Illegal aliens were eligible for these as well as other entitlements.⁵⁴

Thus hard affirmative action—racial-ethnic-nationality-sex preferences aimed (loosely) at filling quotas in jobs, contracts and admissions—had become a main track on which liberals carried on the civil rights struggle. They were commendably determined to hasten social equality, dangerously moving ahead as social engineers of a new spoils system, without broad public discussion and consent.

Although hard affirmative action originated outside Congress and was little discussed, the conferring of new rights on a broadening range of citizens became a main theme of Congress, which in the 1970s created legal entitlements, in Cass Sunstein’s words, to “freedom from risks in the workplace and from defective consumer products, from poverty, from long hours and low wages, from fraud and deception, from domination by employers, from one-sided or purely commercial broadcasting, and from dirty air, dirty water, and toxic substances.” The 1970s brought a major expansion of government’s protective regulatory reach. The federal budget for the major regulatory agencies grew from \$886 million in 1970 to over \$5.5 billion in 1979, the pages of the Federal Register devoted to proposed or actual administrative regulations multiplied from 9,562 to 74,120 pages.⁵⁵

The courts were active partners in this post-1960s expansion of the reach of government into the daily economic and social life of Americans. The rights revolution, called “the longest-lasting legacy of the sixties” by Samuel Walker, a historian of the American Civil Liberties Union (ACLU), was pressed ahead in the 1970s by cadres of activist lawyers working in public-interest lobbying groups often funded by the Ford Foundation after its 1970 decision to sponsor the growth of new advocacy organizations. The drive for women’s equal rights appeared blocked during the long, state-by-state battle that eventually prevented ratification of the ERA, but a string of successes profoundly altered the legal status of women. These began with the 1963 Equal Pay Act, included a major political mobilizer in the form of the Supreme Court’s 1973 *Roe v. Wade* decision establishing a legal regime for abortion, and added up to a series of laws and court decisions prohibiting sex discrimination in areas ranging from education, maternity leave, access to credit, and the sex-labeling of jobs. The rights of prisoners, gays, the mentally ill, illegal aliens, and farmworkers were expanded by lawsuits brought by groups such as the ACLU, La Raza, and the

National Gay and Lesbian Task Force. “Millions of ordinary people—students, prisoners, women, the poor, gays and lesbians, the handicapped, the mentally retarded and others—discovered their own voices and demanded fair treatment and personal dignity,” wrote Walker, in understandably triumphant tones, since there had been in his view no losers and no costs.⁵⁶ A different tone came in the assessment of Thomas and Mary Edsall, seeking in the early 1990s to understand a series of Democratic presidential defeats. They described “a revolution that sought new civil and citizenship rights for a range of previously stigmatized groups—criminal defendants, atheists, prisoners, homosexuals, the mentally ill, illegal aliens, publishers of pornography, and others.”⁵⁷ Liberal academic and activist Lawrence Fuchs, an early supporter of hard affirmative action who developed strong misgivings, heard U.S. Commission on Civil Rights vice-chair Mary Francis Berry insist in 1980 that the civil rights agenda included admission of Cuban and Haitian boat people, and was stunned by “just how loose the meaning of civil rights had become.”⁵⁸

However one saw the social and political impacts of the rights revolution, it was clear that Nixon’s two electoral victories had not ended or even slowed that part of the liberal reform cycle broadening out from the civil rights movement. Roll on, liberal-left, with or without presidential leadership.

LIBERALISM FRUSTRATED

Nixon disgraced, a weak successor Republican, but liberals did not cycle back into power, with an opportunity for another national renovation. The Democrat’s moderate Georgian president floundered in economic troubles and poor luck, and in 1980 a divided and history-encumbered Democratic Party lost the White House and the leadership role again, this time to the former B-movie actor radiating California’s sunny expectations. Carter carried only six states, and the Democrats lost the Senate.

Carter’s defeat after one term spurred what looked like a broad rethinking—establishment of a Democratic Party Council, Congressional retreats and seminars, a new Center for National Policy, and a flurry of books by presidential hopefuls. One historian of all this reformist soul-searching found it “highly random” and “not productive or constructive.”⁵⁹ Two more failed runs at the White House seemed required, and along they came—1984 candidate Walter Mondale, Hubert Humphrey’s heir, carrying one state and the District of Columbia; 1988 candidate Michael Dukakis losing forty-two

states to George Bush, who liberally called him a liberal. The “L-word” now seemed the third rail of American politics, synonymous, in Reagan and Bush rhetoric, with ACLU softness on crime, suspicion of the military, “tax and spend” economics, indifference to the values of family and flag. “Liberalism,” observed historian Fred Siegal, is a creed now “defined in the public mind in cultural rather than economic terms.”⁶⁰ The Democratic base had eroded, analyst Gerald Pomper points out, by shrinkage (of the labor union component), and disaffection (chiefly of southerners and Catholics). Getting non-voters to the polls, the left’s favorite theme, would not have helped, for in 1988 polls showed them leaning toward the Republicans.⁶¹

EXPERIMENTING WITH THE MESSAGE AND THE LABEL: THE 1990S

The story of Clinton-era efforts to reposition the Democratic Party is too close at hand and too erratic with cross-currents to permit a guess as to whether it will be seen only as part of the declensionist past, or in some sense an anteroom to a “New Democrat” future. Working from a base of ideas and phrases generated by the “communitarian” movement emphasizing the need to rebalance rights with responsibilities, and by the Democratic Leadership Council formed by southern elected Democrats in 1985 to find ways to “recapture the middle,” Bill Clinton won the White House twice without using the L-word—with 43 percent of the vote in 1992 and 49 percent in 1996.⁶² But he and Hillary were liberals, hoping to lead the next cycle of reform in the line of FDR-Eleanor and JFK-Jacquie. Historian Arthur Schlesinger Jr. thought their timing excellent: “The tide is plainly turning,” he wrote in 1992, “Governor Clinton and Senator Gore are indeed JFK’s children.”⁶³ It was not to be. Only by “triangulating” away from early liberal positions was Clinton able to squeeze into a second term. He spoke of having found a “Third Way,” language used by center-tending former left parties in Europe, especially Labor in the United Kingdom under Prime Minister Tony Blair. The term developed no identity, the Clinton years no momentum. Vice President Gore, running a bit left of “the Third Way” though inexplicably making no use of the most unifying of the sixties’ crusades, environmentalism, in 2000 lost the closest election in American history to Republican George W. Bush. At the close of the twentieth century the Democratic Party bore much resemblance to its nineteenth-century self, a minority party harbor for ethnic tribes with no compelling ideas or national business to transact.

THE LIBERALS' PAST AND FUTURE: ASSESSMENTS AND SPECULATIONS

How had liberalism come to this place?⁶⁴

Here, as in so much else, most of the scholarship on the issue is drawn back to seminal developments in and expanding beyond the sixties. Even if one concedes the case made by some historians that modern liberalism wandered from its core (and winning) economic reform mission as early as the 1940s, the sixties seem in retrospect the watershed of liberal political misjudgments. Beginning in that era and gaining momentum into the 1970s and after, liberal policies on and communicated attitudes about welfare, crime, preferential treatment of blacks and other minorities and women, school busing, and national defense and patriotism, drove a wedge between liberal elites and the party's base as well as the broader electorate. A persistent theme is policy decisions made without full and candid public discussion, often outside the relatively open processes of Congress. These include the move from soft to hard affirmative action and the vast expansion of bilingual education that were launched within new and little-scrutinized federal bureaucracies; the relentless incremental expansion of welfare; the long busing experiment in federal management of local education through judges. Even when Congress deliberated openly, liberal programs later to be deeply unpopular were sometimes adopted with explicit expert assurances that the policies would not do certain unwelcome things that they subsequently did—as, for example, the Immigration Act of 1965 both vastly expanded incoming numbers and radically altered countries of origin after solemn assurances to the contrary.

A cluster of unpopular programs was only a part of the problem for post-Great Society liberals. If politics were a set of policy scales with weights marked "law" or "program," unpopular policies might have been balanced or even outweighed by measures with the LBJ signature that had broad support—Medicare, aid to education such as student loans, subsidies to agriculture and medical research and municipal sewage plants, wilderness protection. But Great Society liberalism had other negatives beyond a large part of its policy portfolio. Journalist Kevin Phillips in 1982 perceived a "second social-issue wave" that had built up during the 1970s, "pivoting on religious, moral and sexual controversies." There was underway, as he saw it, a "morals revolution" with which liberals had become identified, even if only partisans on the right thought them solely responsible. By "championing permissiveness, homosexuality and abortion while implicit-

ly derogating the family, prayer and biblical teachings,” Phillips wrote, they not only lost Democratic voters but also energized the Christian right and brought some conservative nonvoters into active political life.⁶⁵ What Phillips called the “morals revolution” James David Hunter (and then everybody else) called, with more subtlety, *The Culture Wars* (1991). America seemed increasingly dividing into traditional-religious-nationalist versus cosmopolitan-secular-globalist camps. Republicans liked to oversimplify and exploit these alignments, since liberals, and the rest of the left, were entirely in the latter camp (along with staunch Republicans from the top echelons of business whose outlook was cosmopolitan and international). Looking back from the end of the century, Francis Fukuyama pointed out that the United States and every other economically advanced society experienced what he called “the Great Disruption” as they passed from industrial to information-based economies. Beginning in the mid-sixties and continuing through the century, “seriously deteriorating social conditions” unexpectedly built in behind economic change. Crime, social disorder, and divorce and illegitimacy rates shot upward, while trust and confidence in core institutions and even in fellow citizens went into a “forty-year decline.”⁶⁶ In Fukuyama’s view, liberalism was not responsible for this values disruption. Liberals merely ignored or underestimated it, all the while parenting a welfare system that seemed an accomplice. This judgment seems indulgent. As the belief system attuned to expanding group and individual rights, embracing an almost universal cultural tolerance and seeing all worries about crime and illegitimacy as essentially racist, liberalism seemed to many observers—and apparently to much of the voting public—one of the Great Disruption’s sponsors.

Another cultural dimension of late-twentieth century liberal policymaking was “identity politics,” a recently minted term for a new version of something old. Both—more correctly, all—American political parties have long made appeals to ethnic and racial groups. But liberals in the 1960s began a politically sustained, policy-expressed emphasis on locating the victims of discrimination or disadvantage (the second would often suffice, as proxy for the first) on the basis of race, ethnicity, gender and sexual orientation, and providing governmental advantage to these client groups.

The impetus, of course, came from the civil rights movement. Its exhilarating example led to minority-group multiplication and mobilization—by feminists, Hispanics of various group names, American Indians, gays and lesbians, and the mentally and physically handicapped. A growing number of organizations and “leaders” speaking in their names emphasized their

groups' victimhood and claimed entitlement to the benefits of affirmative action, reparations, and apologies. The debate over such policies is robust and growing. The political implications are clear—the image of the Democratic Party caught up in a corrupting relationship with client tribes expecting governmental largesse, an arrangement justified by the “moral high ground” slogan of historic former wrongs redressed by rights. Equally worrisome to some observers was the power of identity politics to reorient public discourse and therefore civic culture. Mary Ann Glendon complained of a “rapidly expanding catalogue of rights” accompanied by a “new version of rights discourse . . . set apart from rights discourse in other liberal democracies by its starkness and simplicity, its prodigality in bestowing the rights label . . . and its silence with respect to personal, civic, and collective responsibilities.”⁶⁷ For Todd Gitlin, veteran of New Left activism in the Bay Area during the sixties, “today it is the conservatives who claim common culture and color blindness as their special causes.” When Ronald Reagan spoke of national revitalization, “the Democrats offered no commonality . . . no political culture—only a heap of demands piled on demands.” Even as George Bush in 1992 admitted that he lacked “the vision thing,” Democrats “stared uncomprehending into America’s post-Cold War identity crisis, barely aware that they lacked even the terms of unification. . . . They needed a whole that was more than a heap. . . . The Democrats [by the 1990s] were a loose, baggy party, the Left an aggregation of movements, grouplets, and ideological tendencies. . . . Since the McGovern convention of 1972, raggedly and selectively, the Democrats had taken much of their poetry from a Left that had no conviction that commonality was possible. . . . They trapped themselves in zero-sum programs—busing, affirmative action—that split their base . . . [and] could not agree on a common commonality.”⁶⁸ And in the words of Alan Wolfe: “Speaking the language of a cultural elite committed to tolerance, relativism, and personal and group identity, liberals separated themselves off from the traditional moral views of hardworking middle-class Americans, becoming, in the process, a ‘new class’ committed to an ‘adversary culture’ of collectivist values, therapeutic remedies, hostility to corporations, and even anti-Americanism.”⁶⁹

Theodore White had sensed the buildup of centrifugal forces as early as 1978, wondering in his autobiography whether “America would be transformed, in the name of opportunity, simply into a Place, a gathering of discretely defined and entitled groups, interests, and heritages; or whether it could continue to be a nation. . . .”⁷⁰ Liberalism had bonded with “Diversity,” a sometimes good thing that was increasingly being asked to serve as the cen-

tral goal of national policy. Would America, worried Richard Morgan, become “simply a collection of ethnics huddled around a standard of living?”⁷¹

THE MOMENTUM OF GOOD INTENTIONS

Of course, occasionally going a bit out in front of public consensus, even in a democracy, has a lot to be said for it. Liberal elites in the 1960s were pushing hard for an end to the legal regime of racial discrimination. Steps in this direction had for decades been meeting massive resistance from the southern white electorate, and in the 1960s it appeared that the white resistance had taken root across the nation. A disconnect between elite and working-middle class attitudes on race policy was a new and deeply felt reality. To liberals who were finding themselves as the elite, the situation implied a moral warrant for imaginative, innovative government willing to be on occasion “countermajoritarian.” It was one of those hopefully rare times in which it was necessary to coerce the bigoted or uncompassionate majority, using the courts, administrative rulemaking, and other pathways around wrongheaded arrangements. This is sometimes called political leadership, the high plateau of political life.

But if innovative countermajoritarian policy leads to a long ordeal of party weakness and defeat—another way to say, to the coming to power of hated enemies such as Richard Nixon—then, in politics, as distinct from seeking the kingdom of God, there must be rethinking and course corrections. Especially if the policies themselves bring disappointing social as well as political results. Yet serious rethinking by liberals came only in the 1990s, and then haltingly, after two decades of political hemorrhaging, the presidencies of Nixon, Reagan, and Bush, and other Republican enjoyments. Why was recognition of political vulnerability and misjudgment so long delayed?

To disgruntled leftist Michael Tomasky, for example, there was always much to be taken seriously in the criticism of hard affirmative action, welfare, bilingual education, and mass immigration under (and illegally around) the 1965 act. But liberals tended to dismiss all criticism as racism and would not rethink policies that seemed the only available means of continuing the civil rights crusade. Rejecting “any attempt at self-examination,” Tomasky concludes, the left “has taken itself out of the conversation.”⁷² “In sum, liberals,” physically and socially remote from the urban churning, “were arrogant,” writes Gordon MacInnes, “and showed no respect for middle class and working Americans.”⁷³ Reaching deeper, Thomas and Mary Edsall drew up a

list of reasons why liberals could not bear to open a discussion of their errors: “Fear of information damaging to liberal goals . . . a reluctance to further stigmatize blacks who were just emerging from centuries of legal oppression . . . an unwillingness to raise issues straining the fragile liberal coalition . . . [and] the confusion growing out of the upheaval in moral values among the white middle and upper-middle class.”⁷⁴

LOOKING AHEAD

There is still some optimism in liberal—now “progressive”—precincts. Demographic trends promise victory, goes one view, because immigration brings a surging Hispanic vote that will “flip . . . the lower, ‘Latinized’ Sunbelt back to the Democrats.”⁷⁵

Perhaps so, though President George W. Bush clearly thinks all Americans of Mexican descent are potential Republicans. Even if he is wrong and the Democrats inherit most of the Hispanic vote, winning by this arithmetic does not promise the challenge of nation-saving, brings no history-making moment. Liberalism had once aimed at more. How again to be more than a 43 percent or 50.1 percent winner but a *cause*, rallying majorities for social transformation? That dream has a firm grip.⁷⁶

Billionaire financier George Soros, remembering the 1890s and 1930s, imagines a meltdown of the global economy offering an opening for capitalism-fixers—which means liberals under whatever name, with a mission of building a “global New Deal.”⁷⁷ But the strains of globalization remain below crisis level, and nowhere could one see the intellectual building blocks of a coherent international and national reform program to deal with a collapse or sustained malfunction of the global economy. The tea leaves are in a dark, deep cup.

On September 11, 2001, Islamic terrorists seized four civilian aircraft and drove two of them into the World Trade Center in New York and one into the Pentagon in Washington, killing more than three thousand people. A fourth hijacked plane, apparently headed for another target in Washington, crashed in Pennsylvania when the passengers, realizing the nature of the hijacker’s mission, attacked the terrorist at the controls. America was at war, President George W. Bush declared, and others called it the beginning of World War III.

These events supplied a decided sense of national crisis with no likelihood of early resolution, a lengthy struggle against global terrorism that was not at

all what crisis speculators had envisioned. Where was any opportunity for liberal-progressives? Criticism of and disagreement with President George W. Bush had at first to be muted, even on domestic matters, but the opposition would eventually oppose. But with what message and effect? Big Government was back, but it was President Bush and his administration asking for increased spending for defense, strengthened intelligence capacities and border/immigration controls, and assistance to war-damaged facilities as well as crippled airlines. A distinctive progressive response to the deadly global terrorist impulse and apparatus was going to be very difficult to fashion, especially because a part of the left initially seemed to be taking pacifist and “America is the problem” positions.⁷⁸ Liberal writer George Packer nonetheless saw a silver lining, commenting that September 11 “made it safe for liberals to be patriots.”⁷⁹ Perhaps so, but that pathway to leadership had been clogged by Republicans since the Democrats buried PT-boat skipper John F. Kennedy. The public had for two decades expressed more confidence in Republicans than Democrats in foreign affairs and national security issues, and by a large margin.

A few intellectuals, even before the 2001 attacks, had been reminding their readers that liberalism had in the first half of the century been wedded with nationalism, and labored to work their way back from a splintered multiculturalism toward a workable accommodation with national solidarity, the risky emotions of patriotism, even that discredited old idea, national identity.⁸⁰ For those who followed the discourse of the public intellectuals, it was a mark of how widespread were these end-of-century reconsiderations in liberal territory when the dean of the multicultural left, Richard Rorty, urged the cultural left to drop its “semi-conscious anti-Americanism” and “start trying to construct inspiring images of the country” so that it can “begin to form alliances with people outside the academy.”⁸¹

Whatever is ahead, at the start of the twenty-first century the liberal narrative is fragmented into confusion, the connections to the mainstream public lost, along with a convincing vision of what the historic moment requires. Liberals had lost their story. Republicans, sensing an opportunity, had substituted a new narrative, the liberal as tax-and-spend moral idiot. But this language, too, will age. Returning to the word *Progressive* may have more significance than is realized. It suggests a recognition that recent misjudgments are not the whole of a political heritage, and reminds that, a century ago, the nonsocialist left built a winning story around nation-building, along with the conviction that capitalism, alone, should not be given the only role in planning, or steering, a country.

Wearier than most, Daniel Patrick Moynihan, thinking of the social pathologies that the welfare state had made worse, but perhaps also of four decades of public policy's muddles and unintended consequences, concluded that "it is time for small platoons" of family, church, and neighborhood.⁸² That sounded like the end of a political era, without a hint of the shape of the future.

NOTES

1. "Liberalism Defined," *The Economist* (December 21, 1996), p. 17. The focus of this essay is on political liberalism, the liberal persuasion engaged in political effort associated with the Democratic Party since Franklin Roosevelt. It does not review other forms such as legal liberalism or liberal political theory, on which there is an immense literature.

2. William Raspberry, "Liberals: Out of Ideas," *Washington Post*, September 26, 1997, p. A25. See also Tom Hamburger, "How Did Liberal Get to Be Such a Dirty Word?" *Minneapolis Star Tribune*, September 30, 1996, p. A7.

3. Arthur Mann, *The One and the Many* (Chicago: University of Chicago Press, 1979), 9.

4. "What went wrong?" is also an absorbing question for the opposition. "What is a conservative?" asked the *Los Angeles Times* at the end of 1998, with GOP House Speaker Newt Gingrich's leadership repudiated and its majority feeble. No party, in 2000 and after, could assemble a working majority or decisively win the White House. But this opens a larger question.

5. Robert Dallek, *Flawed Giant: Lyndon Johnson and His Times, 1961–1973* (New York: Oxford University Press, 1998), 120.

6. Numan Bartley and Hugh Davis Graham, *Southern Politics in the Second Reconstruction* (Baltimore: Johns Hopkins University Press, 1975), 106–110.

7. Lyndon Baines Johnson, *The Vantage Point: Perspective of the Presidency, 1963–1969* (New York: Holt, Rinehart and Winston, 1971), 549.

8. For influential overviews of the Great Society, see Allen J. Matusow, *The Unraveling of America* (New York: Harper and Row, 1984), and James T. Patterson, *Grand Expectations: The United States, 1945–1974* (New York: Oxford University Press, 1996).

9. For two contrasting views of LBJ and his legacy, see Robert Caro, *The Years of Lyndon Johnson: Means of Ascent* (New York: Alfred A. Knopf, 1990), and Dallek, *Flawed Giant*. Lewis L. Gould, "The Revised LBJ," *Wilson Quarterly* (Spring 2000): 80–96, is a useful review of the biographical literature.

10. See the vivid migrant biographies collected in Nicholas Lemann, *The Promised Land: The Great Black Migration and How It Changed America* (New York: Vintage Books, 1991).

11. On the “underclass,” see William Julius Wilson, *The Truly Disadvantaged: The Inner City, the Underclass and Public Policy* (Chicago: University of Chicago Press, 1987); Ken Auletta, *The Underclass* (New York: Random House, 1982); Lemann, *The Promised Land*, and the notes to chap. 7, “Welfare and the Underclass Threat,” in Mickey Kaus, *The End of Equality* (New York: Basic Books, 1992).

12. Thomas Edsall and Mary Edsall, *Chain Reaction* (New York: W. W. Norton, 1991), 52; *Statistical Abstracts of the United States, 1987* (Washington, D.C.: U.S. Government Printing Office, 1988); Gerald David Jaynes and Robin M. Williams Jr., eds., *A Common Destiny: Blacks and American Society* (Washington, D.C.: National Academy Press, 1989).

13. The report is reprinted in Lee Rainwater and William L. Yancey, *The Moynihan Report and the Politics of Controversy* (Cambridge, Mass.: MIT Press, 1967), 41–124.

14. Gordon MacInnes, *Wrong for All the Right Reasons: How White Liberals Have Been Undone by Race* (New York: New York University Press, 1995), 46.

15. Lemann, *Promised Land*, 177. It almost ceased. Economist Andrew Brimmer, a governor of the Federal Reserve Board, made a speech at Tuskegee Institute in 1970 entitled “The Deepening Schism,” in which he noted that “able . . . and well-prepared” Negroes were making economic progress, but “those with few skills” were not, the latter entangled in “the dramatic deterioration in the position of Negro families headed by females.” There was no uproar, since Brimmer was black. See Godfrey Hodgson, *America In Our Time* (New York: Doubleday, 1976), 445.

16. Hugh Davis Graham, *The Civil Rights Era: Origins and Development of National Policy, 1960–1972* (New York: Oxford University Press, 1990), 106–109; Nathan Glazer, *Affirmative Discrimination: Ethnic Inequality and Public Policy* (New York: Basic Books, 1975), 44–45; Stephan Thernstrom and Abigail Thernstrom, *America in Black and White: One Nation, Indivisible* (New York: Simon & Schuster, 1997), 425.

17. Thernstrom and Thernstrom, *America in Black and White*, 424–429; Hugh Davis Graham, “Race, History and Policy: African Americans and Civil Rights since 1964,” in Hugh Davis Graham, ed., *Civil Rights in the United States* (University Park: Pennsylvania State University Press, 1994), 17–20. See also John David Skrentny, *The Ironies of Affirmative Action* (Chicago: University of Chicago Press, 1996).

18. Hugh Davis Graham, “Unintended Consequences: The Convergence of Affirmative Action and Immigration Policy,” *American Behavioral Scientist* 41 (April 1998): 903–904; and Graham, *Collision Course: The Strange Convergence of Affirmative Action and Immigration Policy in America* (New York: Oxford University Press,

2002). The terms “soft” and “hard” affirmative action were, to my knowledge, first suggested by Nathan Glazer when he spoke of “hard affirmative action.” See Glazer, *Affirmative Discrimination*, 207.

19. Thernstrom and Thernstrom, *America in Black and White*, 173.

20. Thernstrom and Thernstrom, *America in Black and White*, 330. See also J. Harvey Wilkinson III, *From Brown to Bakke: The Supreme Court and School Integration, 1954–1978* (New York: Oxford University Press, 1979), Ronald P. Formisano, *Boston against Busing: Race, Class and Ethnicity in the 1960s and 1970s* (Chapel Hill: University of North Carolina Press, 1991), and James T. Patterson, *Brown v. Board of Education: A Civil Rights Milestone and Its Troubled Legacy* (New York: Oxford University Press, 2001).

21. Michael J. Sandel, *Democracy’s Discontent: America in Search of a Public Philosophy* (Cambridge, Mass.: Harvard University Press, 1996), 281.

22. Mary Ann Glendon, *Rights Talk: The Impoverishment of Political Discourse* (New York: Free Press, 1991), xx–xxi.

23. Cass R. Sunstein, *After the Rights Revolution: Reconceiving the Regulatory State* (Cambridge, Mass.: Harvard University Press, 1990), 12–30.

24. Nathan Glazer, “A Breakdown in Civil Rights Enforcement?” *The Public Interest* (Winter 1971): 107. See also Glazer, *Affirmative Discrimination*, and Graham, *Civil Rights Era*, 456–458.

25. Theodore H. White, *The Making of the President 1972* (New York: Atheneum, 1973), 24–33.

26. James T. Patterson, *America’s Struggle against Poverty, 1900–1980* (Cambridge, Mass: Harvard University Press, 1980), 171.

27. Gareth Davies, *From Opportunity to Entitlement: The Transformation and Decline of Great Society Liberalism* (Lawrence: University Press of Kansas, 1996).

28. Patterson, *America’s Struggle*, 171, 179. See also Patterson, “Race Relations and the ‘Underclass’ in Modern America: Some Historical Observations,” *Qualitative Sociology* 18 (1995): 237–260.

29. Michael J. Piore, *Birds of Passage: Migrant Labor and Industrial Societies* (New York: Cambridge University Press, 1979), 161–162. See Elliot Liebow, *Tally’s Corner: A Study of Streetcorner Men* (Boston: Little, Brown, 1967), and the discussion in William Julius Wilson, *The Declining Significance of Race* (Chicago: University of Chicago Press, 1978), 104–109.

30. John Morton Blum, *Years of Discord: American Politics and Society, 1961–1974* (New York: W. W. Norton, 1991), 170–177; Patterson, *America’s Struggle*, chap. 10.

31. Patterson, *America’s Struggle*, 160, 165–170, and see chap. 10 generally.

32. FDR quoted in Samuel Rosenman, ed., *The Public Papers and Addresses of Franklin D. Roosevelt* (New York: Random House, 1938), 4:19–20.

33. Rosenman, ed., *Public Papers and Addresses of Franklin D. Roosevelt*, 4:183.
34. James Sundquist, *The Dynamics of the Party System* (Washington, D.C.: The Brookings Institution Press, 1983), 382.
35. A point of agreement pointed out by Hugh Davis Graham in his review of Stephan Lesher, *George Wallace: American Populist* (1994) and Dan T. Carter, *The Politics of Rage: George Wallace, the Origins of the New Conservatism and the Transformation of American Politics* (1995), *Reviews in American History* 24 (1996): 332–336.
36. Matthew Dallek, “Liberalism Overthrown,” *American Heritage* (October 1996), pp. 39–60; Dallek, *The Right Moment: Ronald Reagan’s First Victory and the Decisive Turning Point in American Politics* (New York: Free Press, 2000).
37. Stephen A. Ambrose, *Nixon: The Triumph of a Politician, 1962–1972*, vol. 2 (New York: Simon & Schuster, 1989), 187.
38. Jody Carlson, *George C. Wallace and the Politics of Powerlessness* (New Brunswick, N.J.: Transaction Books, 1981), 6.
39. Kevin P. Phillips, *The Emerging Republican Majority* (New Rochelle, N.Y.: Arlington House, 1969), 1–33.
40. Richard M. Scammon and Ben J. Wattenberg, *The Real Majority* (New York: Coward-McCann, 1970), 20, 284–289.
41. Arthur M. Schlesinger Jr., “What If RFK Had Survived?” *Newsweek*, June 8, 1998, p. 55. For a skeptical view of RFK’s electoral prospects, see Nelson Polsby, ed., *What If?* (Lexington, Mass.: Lewis, 1982). For doubts that RFK was an ardent liberal, see Ronald Steel, *In Love with Night: The American Romance with Robert Kennedy* (New York: Simon & Schuster, 1999), and Evan Thomas, *Robert Kennedy: His Life* (New York: Simon & Schuster, 2000).
42. Theodore H. White, *The Making of the President 1972* (New York: Atheneum, 1973), 38. For the McGovern-Fraser Commission reforms of Democratic Party rules, see Byron Shafer, *Quiet Revolution: The Struggle for the Democratic Party and the Shaping of Post-Reform Politics* (New York: Russell Sage, 1983), and William Mayer (*The Divided Democrats: Ideological Unity, Party Reform, and Presidential Elections* (Boulder, Colo.: Westview Press, 1996).
43. Ronald Radosh, *Divided They Fell: The Demise of the Democratic Party, 1964–1996* (New York: Free Press, 1996), xi.
44. Ben Wattenberg reports that he “helped start” and was chairman of “a Democratic anti-McGovernite factional group called the Coalition for a Democratic Majority,” but says no more about it in his *Values Matter Most* (New York: Free Press, 1995). For a brief account of the group and two other small forerunners of the DLC, see James M. Burns and Georgia J. Sorenson, *Dead Center: Clinton-Gore Leadership and the Perils of Moderation* (New York: Scribner, 1999), 151–153; see also Norman Podhoretz, “Life of His Party,” *National Review* (September 13, 1999), p. 50. On Sen-

ator Jackson, see Robert G. Kaufman, *Henry M. Jackson: A Life in Politics* (Seattle: University of Washington Press, 2000).

45. See David Vogel, *Fluctuating Fortunes: The Political Power of Business in America* (New York: Basic Books, 1989), especially chap. 4, "Business on the Defensive, 1969–1972."

46. This perspective on things found early expression in Scammon and Wattenberg's *The Real Majority* and in the 1990s was vigorously expressed in Edsall and Edsall, *Chain Reaction*. For a review of the Democrats' internal feuds and self-assessments, see Jacob Weisberg, *In Defense of Government: The Fall and Rise of Public Trust* (New York: Scribners, 1996).

47. Carter, *The Politics of Rage*, 344.

48. Glazer, *Affirmative Discrimination*, 177–195.

49. Michael Novak, *The Rise of the Unmeltable Ethnics* (New York: Macmillan, 1971), 7, 12–13, 250.

50. Jonathan Rieder, *Canarsie: The Jews and Italians of Brooklyn against Liberalism* (Cambridge, Mass.: Harvard University Press, 1985); Formisano, *Boston against Busing*; Jim Sleeper, *The Closest of Strangers: Liberalism and the Politics of Race in New York* (New York: W. W. Norton, 1990); Lemann, *The Promised Land*; Fred Siegel, *The Future Once Happened Here: New York, D.C., L.A., and the Fate of America's Big Cities* (New York: Free Press, 1997); Samuel Freedman, *The Inheritance: How Three Families and America Moved from Roosevelt to Reagan and Beyond* (New York: Simon & Schuster, 1996). Alan Brinkley lists several studies of the urban "populist right" with "rational grievances" in *Liberalism and Its Discontents* (Cambridge, Mass.: Harvard University Press, 1998), 361.

51. See Otis L. Graham Jr., *Toward a Planned Society: From Roosevelt to Nixon* (New York: Oxford University Press, 1976), and *Losing Time: The Industrial Policy Debate* (Cambridge, Mass.: Harvard University Press, 1992), chap. 1.

52. On the rights-based effort to force schools and universities toward equal results, see Stephen C. Halpern, *On The Limits of the Law: The Ironic Legacy of Title VI of the 1964 Civil Rights Act* (Baltimore: Johns Hopkins University Press, 1995).

53. Public Works Employment Act of 1977, Section 103(f)(2).

54. Hugh Davis Graham, "Since 1964: The Paradox of American Civil Rights Regulation," in Morton Keller and H. Shep Melnich, eds., *Taking Stock: American Government in the Twentieth Century* (Washington, D.C.: Woodrow Wilson Center Press, 1999), 187–218; "Unintended Consequences," 898–912; and "Race, History, and Policy: African Americans and Civil Rights since 1964," *Journal of Policy History* 6 (1994): 24–27. See also George La Noue and John Sullivan, "Presumptions for Preferences: The Small Business Administration's Decisions on Groups Entitled to Affirmative Action," *Journal of Policy History* 6 (1994): 439–467; and La Noue, "Split Visions: Mi-

nority Business Set-Asides,” *The Annals* 523 (September 1992): 104–116. At Senator Robert Dole’s request, in February 1995 the Congressional Research Service compiled a thirty-three-page list of every “federal statute, regulation, program, and executive order that grants a preference to individuals on the basis of race, sex, national origin, or ethnic background.” (Congressional Research Service to Honorable Robert Dole, February 17, 1995.)

55. Sunstein, *After the Rights Revolution*, 12–30; David Vogel, *Fluctuating Fortunes: The Political Power of Business in America* (New York: Basic Books, 1989), chaps. 3–4.

56. Samuel Walker, *In Defense of American Liberties: A History of the ACLU* (New York: Oxford University Press, 1990), 300.

57. Edsall and Edsall, *Chain Reaction*, 45. See also James T. Patterson, “The Rise of Rights and Rights Consciousness in American Politics, 1930s–1970s,” in Bryon E. Shafer and Anthony J. Badger, eds., *Contesting Democracy: Substance and Structure in American Political History, 1775–2000* (Lawrence: University Press of Kansas, 2002), 237–263.

58. Lawrence H. Fuchs, “The Changing Meaning of Civil Rights, 1954–1994,” in John Higham, ed., *Civil Rights and Social Wrongs* (University Park: Pennsylvania State University Press, 1997), 71.

59. Caroline Arden, *Getting the Donkey out of the Ditch: The Democratic Party in Search of Itself* (New York: Greenwood, 1988), 1. Journalists talked of a new centrist impulse they labeled “neo-liberalism,” defined by *The New Republic* editor Morton Kondracke as “an attempt to combine the traditional Democratic compassion for the down-trodden . . . with different vehicles than . . . quota systems or new federal bureaucracies.” He named a rising cluster of younger Democrats—Gary Hart, Paul Tsongas of Massachusetts, Bill Bradley of New Jersey, Jerry Brown of California. Morton Kondracke, “A Doubtful New Order,” *The New Republic* (November 15, 1980). See also Randall Rothenberg, *The Neo-Liberals* (New York: Simon and Schuster, 1984).

60. Fred Siegel, “What Liberals Haven’t Learned and Why,” *Commonweal* (January 13, 1989), pp. 17–18. Cultural and racial terms, argues Peter Brown in *Minority Party: Why Democrats Face Defeat in 1992 and Beyond* (Washington, D.C.: Regnery Gateway, 1991).

61. Gerald M. Pomper, ed., *The Election of 1988: Reports and Interpretations* (New York: Chatham House, 1989), 110–137.

62. The DLC story is well told in Kenneth S. Baer, *Reinventing Democrats: The Politics of Liberalism from Reagan to Clinton* (Lawrence: University Press of Kansas, 1999).

63. Schlesinger, in Peter B. Kovler, ed., *Democrats and the American Idea: A Bicentennial Appraisal* (Washington, D.C.: Center for National Policy Press, 1992), 363–364.

64. Some scholars object to the form of the question. Define liberalism in terms of the values of individualism, political equality, and the consent of the governed, they ar-

gue, and it has steadily expanded its moral authority. See Robert Booth Fowler, *Enduring Liberalism: American Political Thought since the 1960s* (Lawrence: University Press of Kansas, 1999). The same sense of robust liberalism comes if one defines it as citizens lobbying networks supporting a “postmaterialist” agenda of environmental protection, consumerism, and minority group advancement: see Jeffrey M. Berry, *The New Liberalism: The Rising Power of Citizen Groups* (Washington, D.C.: The Brookings Institution Press, 1999).

65. Kevin P. Phillips, *Post-Conservative America* (New York: Vintage Books, 1992), 23.

66. Francis Fukuyama, *The Great Disruption: Human Nature and the Reconstitution of the Social Order* (New York: Free Press, 1999), 4. See also Daniel Yankelovich, *New Rules: Searching for Self-Fulfillment in a World Turned Upside Down* (New York: Random House, 1981); Bruce J. Schulman, *The Seventies: The Great Shift in American Culture* (New York: Free Press, 2001).

67. Mary Ann Glendon, *Rights Talk: The Impoverishment of Political Discourse* (New York: Free Press, 1991), xx–xxi, 5.

68. Todd Gitlin, *The Twilight of Common Dreams: Why America Is Wracked by Culture Wars* (New York: Henry Holt, 1995), 33, 79, 82–83, 100. See also Amitai Etzioni, *The Spirit of Community: Rights, Responsibilities, and the Communitarian Agenda* (New York: Crown, 1993).

69. Alan Wolfe, *One Nation, After All* (New York: Viking, 1998), 304.

70. Theodore H. White, *In Search of History* (New York: Harper & Row, 1978), 538.

71. Richard E. Morgan, *Disabling America* (New York: Basic Books, 1984), 269.

72. Michael Tomasky, *Left for Dead* (New York: Free Press, 1996), 9, 13. George McGovern, always more thoughtful than the image created for him in 1972, regretted sixteen years later that the antiwar movement called the war “immoral” rather than imprudent or otherwise mistaken, since the word “immoral” shut off dialogue with the other side. “If you disagree with us, you are immoral.” Recalled by George F. Will in *Suddenly* (Washington, D.C.: Washington Post Press, 1990), 266.

73. MacInnes, *Wrong for All the Right Reasons*, 7. This would be no news to historians Christopher Lasch and Robert Wiebe, who argued in different ways that a “national class” of self-appointed experts emerged in the reform movements at the start of the twentieth century and thereafter the political participation of the public was steadily reduced. See Christopher Lasch, *The Revolt of the Elites and the Betrayal of Democracy* (New York: W. W. Norton, 1995), and Robert Wiebe, *Self-Rule: A Cultural History of American Democracy* (Chicago: University of Chicago Press, 1995).

74. Edsall and Edsall, *Chain Reaction*, 53. See also Brown, *Minority Party*.

75. Paul Starr, “An Emerging Democratic Majority,” *The American Prospect* (November–December 1997), p. 21. This was a remarkable calculation. Oklahoma Sena-

tor Fred Harris based his 1972 and 1976 presidential runs on the 25 million young people newly eligible to vote in 1972. See Richard Lowitt, *Fred Harris: His Journey from Liberalism to Populism* (Lanham, Md.: Rowman and Littlefield, 2002), p. 183. Unfortunately, says William Mayer, this is an “empirically inaccurate premise.” Non-voters are not closet Democrats or liberals, but mostly independents whose turnout would not much alter the results (*Divided Democrats*, 164–165). On how the “Joe Sixpack” white middle class could be won back with government measures to deal with economic insecurities, see Ruy Teixeira and Joel Rogers, *America’s Forgotten Majority* (New York: Basic Books, 2000).

76. See, for example, E. J. Dionne, *They Only Look Dead: Why Progressives Will Dominate the Next Political Era* (New York: Simon & Schuster, 1996), and Weisberg, *In Defense*, 158–192.

77. George Soros, *The Crisis of Global Capitalism* (Boston: Perseus Books, 1998), and *Open Society: Reforming Global Capitalism* (New York: Public Affairs, 2001). See also Paul Krugman, “The Return of Depression Economics,” *Foreign Affairs* 78, no. 1 (January/February 1999): 56–74. The phrase “Global New Deal” appears, among other places, in W. Bowman Cutter, Joan Spero, and Laura D’Andrea Tyson, “New World, New Deal,” *Foreign Affairs* 79, no. 2 (March–April 2000): 80–98.

78. See Michael Kazin, “After the Attacks, Which Side Is the Left On?” *New York Times*, October 7, 2001, p. A4.

79. George Packer, “Recapturing the Flag,” *New York Times Magazine* (September 30, 2001), p. 15.

80. John B. Judis and Michael Lind, “For A New Nationalism,” *The New Republic* (March 27, 1995), pp. 19–27. See also Jeff Faux, *The Party’s Not Over: A New Vision for the Democrats* (New York: Basic Books, 1996); and David A. Hollinger, “National Solidarity at the End of the Twentieth Century,” *Journal of American History* (September 1997): 559–569, along with the exchange with Gary Gerstle and others. See also David Miller, *On Nationality* (New York: Oxford University Press, 1995); Martin Marty, *The One and the Many* (Cambridge, Mass.: Harvard University Press, 1997); Yael Tamir, *Liberal Nationalism* (Princeton: Princeton University Press, 1993); Russell Hardin, *One For All: The Logic of Group Conflict* (Princeton: Princeton University Press, 1995); and Martha C. Nussbaum, *For Love of Country: Debating the Limits of Patriotism* (Boston: Beacon Press, 1996).

81. Richard Rorty, “The Dark Side of the Academic Left,” *Chronicle of Higher Education* (April 3, 1998), pp. B4–B6. See also Rorty, *Achieving Our Country: Leftist Thought in Twentieth Century America* (Cambridge, Mass.: Harvard University Press, 1998).

82. Daniel Patrick Moynihan, *Miles to Go: A Personal History of Social Policy* (Cambridge, Mass.: Harvard University Press, 1996), 230.

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