Quest and Response

McCoy, Donald R., Ruetten, Richard T.

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The year 1946 was to be a crucial one for civil-rights advocates. Minority-group workers not only experienced cutbacks in jobs, but had to compete in the labor market with millions of demobilized soldiers and sailors. Returning nonwhite servicemen were to be “put in their place,” as reports of assaults on Negro, Japanese-American, Indian, and Mexican-American veterans and soldiers indicated. Urban housing, which was already cramped, worsened as demobilization progressed.

The Truman administration from the beginning viewed the situation as national in scope. In formulating its domestic program, it acted on the premise that a national solution to economic, veterans’, health, and housing problems would contribute substantially to relieving problems of minorities. The government was also cognizant, at least in its demands for a continued FEPC, that minorities had special problems. On January 3, while the second session of the Seventy-ninth Congress prepared to meet, President Truman took to the radio networks to reiterate his proposals to meet “the goal of full production and full employment.” He complimented Congress for its cooperation on foreign affairs, but he criticized it for its failures in providing answers to domestic questions. He made a special point of denouncing the “small handful of Congressmen” in the House Rules Committee who prevented a vote on a permanent FEPC.¹

Truman’s radio appeal was greeted by the Negro press with approval, although the question was raised whether his going over the heads of Congress to the people would lead to success. Truman’s personal image was also aided by his appointment, early in January, of William H. Hastie as governor of the Virgin Islands. As the Afro-American pointed out, it was, along with Irvin Mollison’s earlier ap-
pointment to the Customs Court, a “break with precedent.” The president was also praised for his veto of legislation to return the Employment Service to the states, where Negroes felt they would receive less help than was currently the case.²

The FEPC remained the leading issue among minorities. In 1945 most of the action for a permanent FEPC had taken place in the House of Representatives, where Mary Norton fought repeatedly, but unsuccessfully, for her bill. In 1946 action was to shift to the Senate. The Chavez bill for a statutory FEPC had been reported favorably by the Senate Education and Labor Committee, but had not been brought up for debate. Chavez, on January 17, took the FEPC opponents by surprise and began debate on his bill. The next day, however, in a parliamentary maneuver, Chavez’s foes seized the floor and started a filibuster.³

On January 21 Truman again entered the picture, sending up to Congress his State of the Union message. In it he championed a number of issues that were of interest to minorities. He stressed the need for passage of legislation regarding full employment, increase in unemployment pay, a higher minimum wage, medical care, continued federal operation of the Employment Service, increased self-government for citizens of the District of Columbia, and, of course, the FEPC. He described the establishment of fair employment practices along with fair wages as minimum standards for the conduct of the nation’s business affairs. The question was, however, as the Amsterdam News wrote, “Can President Harry S. Truman deliver?”⁴

The Senate filibuster continued, despite the efforts of Democratic and Republican friends of the FEPC to break it up. In his news conference of January 24, Truman said that the filibuster was “a matter that the Senate itself must settle without outside interference, especially from the president.” But he did add that he had “always” been for cloture to allow a vote. On February 6 he wrote to A. Philip Randolph, “I regard the Fair Employment Practice legislation as an integral part of my reconversion program and shall continue my efforts to give the Congress a chance to vote on it.”⁵

The fight for the FEPC in the Senate continued. On February 4 Majority Leader Alben Barkley filed a cloture petition signed by half of the Senate’s members. The FEPC opponents deferred a vote on cloture by debating Barkley’s appeal that the Chavez bill was the unfinished business before the Senate. By February 7 the senators had tired themselves. The leaders of the opposing groups agreed to put the cloture petition to a vote two days later, with the understanding
that if it was not favored by two-thirds of those voting, the fight for the Chavez bill would be abandoned. When the vote was taken, twenty-five Republicans and one Progressive joined with twenty-two Democrats to support cloture, while twenty-eight Democrats and eight Republicans voted against. Cloture had failed to receive the necessary two-thirds support. Accordingly, the Senate voted to consider other legislation. Thus the upper chamber had at least gone through the motions of political warfare on the issue.

It had been a relatively friendly war, conducted on the basis of a five-day week with normal overnight recesses. Good-fellowship was generally the rule among the senators, despite hot exchanges in speeches on the floor. Nevertheless, the Senate’s business had been brought to a standstill, and the nation’s attention had been riveted on the question of a permanent FEPC. Half of the senators and the president had taken their stand clearly, if not always vigorously, for the legislation. If they did not do more, and if other senators did not join them in the cloture test, it was partly because American public opinion was flaccid on the question. It had had three weeks to make itself felt, and it had come forth like a pussy cat.

The chances for federal fair employment legislation were dead for 1946 and, as it turned out, for good. There were still body jerks as rigor mortis set in. A. Philip Randolph went over the land protesting the Senate’s action. Mass protest meetings were held, including one at Madison Square Garden which seventeen thousand people attended and to which Truman sent a message of support. There was even consideration of a march on Washington, but nothing happened. It was suggested that Truman could act by executive order; but that overlooked the Russell Amendment, which stipulated that the FEPC could be funded only with legislative approval, which had already been refused. The president did about all he could do in 1946 when he reaffirmed the policy of nondiscrimination in civil-service and government-contract hiring. In July he directed his civil-rights adviser, David K. Niles, “to have the appropriate agencies of the government investigate and take the necessary steps where complaints are made and discrimination is alleged.”

There were, however, other issues. In February Congress responded to Truman’s request for full-employment legislation. The Employment Act of 1946 declared that the government would use all its resources to maximize employment opportunities and authorized the president to formulate programs to reach this objective. This was one of Truman’s few noteworthy legislative successes in 1946. Con-
gress, however, returned the Employment Service to the states, where
discriminatory orders for workers could be accepted. Price control
came to a halt; housing programs were slighted; self-government in the
District of Columbia and an increase in the minimum wage were
refused.

As the year progressed, Negroes gave more attention to the re­
novation of the longstanding battles for anti-poll-tax and antilynching
legislation. The fight against lynching had been stymied, but a bill
outlawing poll taxes had passed the House in 1945. This was of im­
portance in the development of the political power of minorities, be­
because seven states still required payment of a special tax before citizens
could qualify to vote, an effective barrier to the polls for millions of
poor Negroes, Mexican-Americans, and whites.9

Truman had not made the anti-poll-tax bill an administration
measure, although he was personally on record as favoring its enact­
ment. By March the National Anti-Poll-Tax Committee, seeking Senate
passage of the bill, felt that David Niles was not handling the matter
satisfactorily. The group's leaders wanted to see Matthew Connelly or
"any other secretary—in fact anyone except Mr. Niles—re this issue."
Connelly's answer was, “Tell them sorry.” This reflected the fact that
President Truman, as he wrote to Irving Brant on March 29, was “not
looking for another filibuster. The program has been almost ruined by
one filibuster and I think that is enough for a season.”10

He could not evade the issue, however. While in Chicago, on
April 6, Truman held a news conference with the Keen Teen Club.
During the conference, one shy, nervous girl asked, “Do you see any
immediate solution to the poll tax in the South?” He replied that he
did not. It was a question of education and “a matter that they will
have to work out for themselves, and they are gradually working it
out.” The president had blundered. Negroes, seeing no evidence that
the poll tax was being worked out, were incensed. As the Afro­
American editorialized, “If he's going to welch on the poll tax now,
there is nothing to stop him from welching on the antilynching bill and
on the measure for a permanent FEPC.” The newspaper added point­
edly, “Maybe Mr. Truman doesn't plan to run again.”11

The administration worked feverishly to repair the damage.
Lowell Mellett, a staunch journalistic defender of the administration
and a former White House aide, explained in his column that Truman
“meant only to imply that the United States Senate never would suc­
cceed in enacting anti-poll-tax legislation. That he believes in federal
legislation on the subject he demonstrated more than once while a
member of the Senate.” Philleo Nash, David Niles’s assistant, compiled Truman’s record on the issue in preparation for a presidential counter-offensive. Niles in turn briefed the chief executive for his regular press conference, scheduled for April 11.12

The question was raised at that conference, and Truman read a statement that Niles had written for him. The president asserted that he favored both federal and state action, and he suggested that “the possibility of federal action has stimulated state action.” He thought this may have been the case on fair employment practices, too, where a number of cities and states had acted. Then he departed from his text to say, “And you must have the support of the people for any law. The prohibition law proved that.”13

Truman’s statement helped, although its value was weakened by his remark that a law needed popular backing. When Senator John Bankhead of Alabama wrote to congratulate him for his comment to the Chicago high-school journalists, the president told him that his later press conference statement covered the topic “completely and thoroughly.” Whatever Truman personally believed, he remained on record for anti-poll-tax legislation, although plainly he intended not to make a major issue of it. Like the FEPC bill, the poll-tax measure encountered a filibuster. It finally went down to defeat in July.14

Of course, not all federal civil-rights matters were legislative. Many concerned executive action. Looming large was the question of the role that minorities would play in the peacetime armed services: would the momentum of wartime progress continue, or would it be braked or even reversed? Lester Granger, the Negro consultant to Navy Secretary James Forrestal, stressed in his reports that despite improvement in the service conditions of black sailors and marines, many commanders tenaciously clung to their prejudices. In following up Granger’s reports, Forrestal in December 1945 disapproved the Bureau of Naval Personnel’s recommendation that “officers can handle Negro personnel ‘without any special indoctrination’.” The secretary directed that “special screening and indoctrination procedures” be established for officers who were to command Negro sailors. He also asked for progress reports on the use by Negroes of Red Cross facilities on Guam, Negro shore patrols in the Pacific area, instructional programs for promotions qualifications, and the assignment of ratings to appropriate billets. Furthermore, the Marine Corps announced in December that Nisei would—at last—be accepted for enlistment.15

Forrestal took another action, in December 1945, that bespoke progress. The aircraft carrier Croatan had refused to take 123 return-
ing Negro soldiers on board because segregated arrangements could not be made. That led to a wave of indignation; and Forrestal asserted that this would not happen again, saying that the navy’s nondiscriminatory policy applied to “authorized personnel of all the armed services of this country aboard Navy ships or at Navy stations and activities.” Another sign of progress was the Bureau of Naval Personnel’s statement early in 1946 that Negroes would “be eligible for all types of assignments in all ratings in all activities and all ships of the naval service.” Moreover, no separate provisions would be made for the use by Negroes of housing, eating, and other types of facilities; and no naval unit would have more than 10 percent black personnel by October—with the obvious exception of the Steward’s Branch.  

All this was to the good, but it applied to fewer and fewer Negroes as postwar demobilization progressed. By 1947 there was only one black officer left in the navy, and the proportion of Negro sailors dropped from 5.32 percent in 1945 to 4.82 by 1947 and to 3.7 by early 1950. The rollback was more drastic in the Marine Corps, where a quota of 2,880 was set, but was never met by 1949. As late as that year no new Negro recruits were accepted for general service. In 1947 ranking officers of the Coast Guard opposed legislation to end segregation in the armed forces, which indicated that all was not well in that service.  

The chief complaint of minorities about the army was that it practiced segregation, a policy upon which the service had basically not budged. In July 1945 Secretary of War Henry L. Stimson opposed a bill to desegregate the armed services because it was a matter “not susceptible to treatment by legislation” and one that would require radical changes in the army’s basic organization. In any event, he wrote, “Whether such a change would operate in the interest of producing an efficient military establishment is questionable at this time.”  

Yet the subject of segregation in the army was undergoing study. Reports from all army forces and commands were being compiled. Chief of Staff George C. Marshall wrote, apparently as a result of a survey of special mixed platoons, that he thought “the practicability of integrating Negro elements into white units should be followed up.” Truman K. Gibson, Jr., before leaving his post as civilian aide early in the fall, recommended the creation of a board to study and suggest the changes necessary “to effect the most efficient utilization of Negroes in the army.” Under Secretary Robert Patterson promptly approved of the recommendation, which led to the establishment, October 4, of the
Gillem Board, a group of three general officers headed by Lieutenant General Alvan C. Gillem.\textsuperscript{18}

The generals worked quickly. By November 17 their preliminary report was circulating within the War Department for comment and was somewhat revised as a consequence. Meanwhile Negro opinion expected the final report to recommend termination of segregation in the army. The report, however, did not bear out that optimism, for the Gillem Board strove to meet objections to liberalization.\textsuperscript{19}

The final report was issued on February 26, 1946. It stated that the Negro “should be given every opportunity and aid to prepare himself for effective military service in company with every other citizen who is called.” The report also conceded that the army had made insufficient plans for the use of and leadership by Negro soldiers during the war. To overcome this, it recommended that Negroes be used in a variety of tasks, with emphasis on the development of leaders and specialists; that the ratio of blacks to whites in the nation’s population determine the racial composition of the army; that all officers be given “equal rights and opportunities for advancement and professional improvement”; that “groupings of Negro units with white units” be continued; that “qualified individuals be utilized in appropriate special and overhead units”; that black units be stationed in areas where local attitudes are not hostile; that recreational facilities continue to be segregated; and that no Negro unit be larger than a regiment.\textsuperscript{20}

Little in the Gillem Report was new. It was more a picture of current army practices than a blueprint for new policies. The board gave black troops a pat on the back by indicating that their service problems had been largely environmental, not congenital. It did not consider segregation to be an ironclad requisite for the use of Negroes in the army, and indeed it did suggest some blending of blacks and whites in special and overhead units. Most Negroes, however, did not view the report as emancipation, gradual or otherwise, from segregation in the military. As the \textit{Amsterdam News} wrote, “All it did was to slice jim crow a little thinner and spread it around more so it wouldn’t make such a stinkin’ heap in the middle of the national floor.”\textsuperscript{21}

Despite criticism, the army employed the Gillem Report as the basis for its official policy for using black soldiers, as embodied in War Department Circular No. 124 of April 27, 1946. A barely perceptible oblique face had been taken on the question. It did not satisfy Negro and white opponents of segregation in the army, who continued to press for dismantling its paperwork walls.

The chill currents of disappointment with the army’s racial poli-
cies ran swifter with the drastically reduced calls for Negro inductees in April, the suspension in July of black enlistments except in a few specialties, and the September decision not to allow volunteer draft inductions. To the army, the reasons for these actions were justifiable: it had agreed that only about 10 percent of its strength would be Negro, but by summer 1946 black troops constituted 16 percent of the total. To Negroes, it was discriminatory not to take everyone qualified for service. Although black enlistments were later reopened, another problem rose in the army's reluctance to assign Negroes to Europe and the fact that few black men were accepted as regular officers—only 36 in contrast to almost 12,000 whites by early 1947—and few men were assigned to specialized units.

In viewing the army's immediate postwar activities, one can agree with Marcus H. Ray, the secretary of war's Negro civilian aide, that the service had "established a very poor public relations." One can also agree with Colonel Ray that the army was limited by budgetary restrictions and a paucity of trained personnel in handling Negro soldiers. Yet these circumstances did not justify trying to enforce an artificial quota system. A uniform screening procedure and progressive desegregation would have been more acceptable and fair. But the army, partly out of unimaginative leadership and partly out of fear of the consequences of change, clung to the old ways of quota and segregation. It could not expect, therefore, but to be an inviting target for civil-rights sharpshooters.

Another target was the administration of veterans' benefits. Veterans were eligible for unemployment benefits of twenty dollars a week for a year, employment counseling, preference in civil-service hiring, housing and business loans, educational allowances, and medical care for service-connected disabilities. There were, however, difficulties involved in minority-group veterans taking advantage of these. A frequently lower level of education, combined with the tendency of officials to give short shrift to minorities, meant less effective counseling about benefits. The unemployment pay proved a boon during the difficult period of readjustment, but proportionately fewer minority veterans took advantage of educational provisions. In April 1947 it was reported that although about 13 percent of all veterans were enrolled in educational programs for veterans, only an estimated 5 percent of Negro veterans were.

The NAACP as early as 1944 had pressed for desegregation of veterans' hospitals and full use of qualified black personnel. The association reiterated that position to General Omar Bradley, the new veterans
administrator, in September 1945. Bradley agreed with the idea of maximizing use of Negro personnel, but could not see desegregating facilities in the segregated South. It was reported in December that seventeen of the ninety-seven veterans' hospitals did not admit black veterans, and twenty-four others housed them in separate units. The matter was complicated by the fact that many Negroes favored developing all-Negro hospitals in the South patterned after the one at Tuskegee. In response to pressure from the NAACP, the National Newspaper Publishers Association, and the Negro National Medical Association, the Veterans Administration suspended plans in 1945 to construct another all-black hospital in the South. Nevertheless, the policy was, according to General Bradley: “Wherever the local customs are such that integration might easily interfere with the proper operation of the hospital, we have followed local custom.”

The pressure continued. In a March 1946 meeting with the executive committee of the National Newspaper Publishers Association, President Truman was urged to abolish segregation in the veterans' hospitals. His politic reply was, “It fits in with what I have been talking about for twelve years.” Nevertheless, the day before, Bradley had indicated that the VA would build an all-Negro hospital in Mississippi. Although Negro organizations and the American Veterans Committee protested the move, black public opinion was divided. A Negro Digest poll showed that 34 percent of those asked accepted the idea of all-Negro veterans' hospitals and only 28 percent opposed it, with the rest undecided. Yet the plans were suspended, although White House aide David Niles wrote Congressman Powell that announcement of a Negro VA hospital had not been “authorized, made, or contemplated.”

Niles may have believed that, but it was the kind of statement that earned him the sobriquet of “Devious Dave” in some circles.

Time ran out in March 1947, when Truman approved the building of a Negro veterans’ hospital in Mound Bayou, Mississippi. The action led to spirited protest, at least from northern Negroes. The Afro-American wrote that the approval was “a gratuitous insult, not only to veterans but to some twenty-odd national groups who have consistently opposed it since the first hint that it was being considered.” Whether because of the force of disapproval or the problems of finding qualified personnel to staff Negro veterans’ hospitals, the one at Mound Bayou was the last one established. Nonetheless, the Truman administration made few inroads on existing segregation in veterans’ hospitals, although it strove to improve other services to minority-group veterans.

The picture was not as unpleasant in 1946 in all areas of federal
action. One demand was met with the appointment of Joseph C. Albright as special assistant for minority affairs to the veterans administrator. There was William Hastie's appointment as governor of the Virgin Islands, and that of Morris de Castro as secretary—the first Virgin Islander to serve in the administration of the area. The nomination in July 1946 of Jesús Piñero to be governor of Puerto Rico marked the first selection of a native for that position. Other significant minority appointments during Truman's first two years in the White House included Raphael O'Hara Lanier as minister to Liberia, Truman K. Gibson to the President's Committee on Universal Training, and advisers and policy makers in the War Department, Housing Administration, Employment Service, Office of Price Administration, Retraining and Reemployment Administration, Justice Department, and Post Office Department. There was the renewal of annual Department of Commerce conferences on the Negro in business in 1946, with Secretary W. Averell Harriman in attendance. Also in 1946 the Federal Reserve System opened its eating and lavatory facilities to all employees.28

During 1946 housing pressures mounted, largely because living areas for minorities in cities were becoming increasingly crowded with continued migration to urban areas and with the return of veterans. The NAACP had already decided to make a major court issue of restrictive land-purchase covenants. Housing Administrator Wilson Wyatt and his staff were keenly aware of the need for low-cost housing for Negroes and worked for passage of the Wagner-Ellender-Taft bill and emergency veterans' housing as ways to meet the need. This sensitivity was mirrored in the president's concern with housing in his messages to Congress during the postwar period. Furthermore, in August 1946, the Justice Department announced antitrust action against thirty-eight New York City mortgage firms for manipulation of rents and financing conditions for Negro and Puerto Rican families. The case ended in June 1948 when thirty-three of the firms were enjoined from discriminatory practices in regard to investment in and management of real estate.29

The year 1946 saw an important court decision in Morgan v. Virginia. In 1944 the driver of a Richmond Greyhound Lines bus had ordered Irene Morgan to move to the rear of the vehicle to make room for a white passenger. She refused and was arrested and convicted of violating the Virginia segregation statute. The case was taken to the United States Supreme Court, which ruled that because state laws varied so much on transportation segregation, they were a burden to interstate commerce. Therefore, the Virginia law was declared uncon-
institutional in order to promote uniformity and to protect the comfort of passengers in interstate travel. The government was also active in trying to regularize claims against it by Japanese-Americans and Indians. The Interior Department sponsored a bill to repay the losses of Japanese and Japanese-American wartime evacuees up to $2,500 per claim. Secretary Julius A. Krug urged enactment "as a matter of fairness and good conscience, and because these particular American citizens and law-abiding aliens have borne with patience and undefeated loyalty the unique burdens which this government has thrown upon them." Although the bill was approved in the Senate, it failed to pass the House.

The proposal for settlement of Indian claims had a long history. The Interior Department had sponsored legislation during the 1930s to establish a commission to settle Indian claims against the government. In 1937 such a bill passed the Senate, but was lost in the House. In 1939 and 1941 President Roosevelt refused to support similar legislation because of the prospective cost and because it seemed that such a commission would not dispose of Indian claims, as Roosevelt put it, "with finality." The question was held in abeyance during World War II, but was introduced soon afterward. Indian tribes had many claims against the United States, but the process of settlement was cumbersome, expensive, and by no means just. Before a claim could be adjudicated, Congress had to pass a special act, the provisions of which might severely limit the scope of the trial. The case could then be taken to the Court of Claims, which was restricted in the law that it could apply in hearing such specialized claims. The result was lengthy litigation, with small chance of success. In fact, of the 118 claims presented to the court between 1881 and 1950, only 34 were successful.

In 1946 the Interior Department again sponsored legislation to establish an Indian-claims commission. This time the president, Truman, approved it, noting, however, that "we should be exceedingly careful not to allow claims which are already settled to be opened and considered again." Truman wanted to "be sure that we are not unloosening a Frankenstein." The bill was enacted by Congress, and the president signed it in August. The three-man commission was given broad authority to consider Indian claims once and for all over a ten-year period, subject to review by the Court of Claims. The Interior Department intended not only that the commission would settle the claims justly and finally, but that in the long run its work would lead to reduced expenditures for Indian affairs. Hopefully, the latter would be accomplished by a lightening of the departmental load in rehashing
old claims and by the possibility that the funds awarded might put many tribes on a self-sustaining basis. Secretary Krug also believed that the law would strengthen the moral authority of the United States at home and abroad “in the eyes of many other minority peoples.”

The Indian Claims Commission did not live up to expectations. It was unable to dispose of the claims in ten years, and in 1956 its life was extended for another six years. Some 852 claims were filed. By 1956, 102 claims had been adjudicated and 21 had been allowed recovery to a total of $13,283,477. Indians were not happy with the small number of favorable decisions and the paucity of the awards, but the procedure was fairer and less frustrating than what had previously existed by way of adjudication.

If the administration’s accomplishments were less than satisfactory to minorities, its civil-rights pronouncements were laudable. Its statements were important, for they gave a yardstick against which actions could be measured, and they served the cause of education by enlightening some whites and by encouraging minority people to seek justice. Harry Truman was setting new presidential standards in speaking out for civil rights. He had put in his word for fair employment practices and even equal voting rights, but there were other presidential statements, growing increasingly tough, in behalf of advancing human rights.

In talking with the executive committee of the National Newspaper Publishers Association in March, the president mentioned the need “to give us the Bill of Rights as it was written. . . . We want to see equal opportunity for everybody, regardless of race, creed or color.” A few days later he vented his frustration with Congress, before a conference of the Federal Council of Churches, when he sought “an Isaiah or a Saint Paul to reawaken this sick world to its moral responsibilities.” He emphasized that “if we really believed in the Brotherhood of Man, it would not be necessary to pass a Fair Employment Practices Act.”

He sent a message in June to the annual NAACP convention, demanding jobs for veterans “at fair wages without discrimination by employers or unions because of race, color, religion, or ancestry.” He also called for protection against terrorism and of the right to vote. A month later Truman said to the 442d Combat Team, in awarding the Nisei unit its seventh presidential citation: “You fought not only the enemy, but you fought prejudice—and you have won. Keep up that fight, and we will continue to win—to make this great republic stand
for just what the Constitution says it stands for: the welfare of all the people all the time."\textsuperscript{36}

In July the president appointed the National Commission on Higher Education to inquire into how the functions of American colleges and universities could best be performed. Charles G. Bolte, the chairman of the American Veterans Committee, wrote to compliment Truman on establishing the commission and to urge that the group examine the practice of admitting minority-group students to colleges on a quota basis. Bolte also urged the president to give his "wise counsel and firm guidance" to the development of equal justice and opportunity for all Americans. Officials in the War Mobilization and Reconversion Office recommended that Truman answer Bolte at length in order to counteract increasing racial tensions and minority-group disappointment. The president accepted the WMRO's suggested reply almost in toto.\textsuperscript{37}

On August 28, in a public letter, he wrote Bolte that the commission was concerned with eliminating "barriers of discrimination" in colleges. Truman took the occasion to assert that despite the war America had just fought against hatred, "in this country today there exists disturbing evidence of intolerance and prejudice. . . . Discrimination, like a disease, must be attacked wherever it appears. This applies to the opportunity to vote, to hold and retain a job, and to secure adequate shelter and medical care no less than to gain an education compatible with the needs and ability of the individual."\textsuperscript{38} That was a strong statement, and the Truman who sent it was different from the man who in March had wanted to avoid another filibuster and had commended the fight to another Isaiah, another Paul.

What created this different Truman? It was violence—unwarranted attacks on black Americans—that moved him and his administration. Late in 1945 many Negro leaders had predicted that tension and violence would rise during the coming year. They did not foresee that it would be as bad as it was. The activities of the Ku Klux Klan and similar-minded groups and individuals had intensified. Assaults on Negroes and Japanese-Americans had been common in 1945, but the first major outbreak came early in 1946 in Columbia, Tennessee. There, on February 25, after an altercation between a white radio repairman and a black customer and her son, the son was arrested. A white mob soon formed and rushed the county jail, but was warded off by the sheriff. Meanwhile Negro residents gathered in the black business section and prepared to defend themselves in case a mob struck out in that direction. At night some city police entered the section to
investigate reports of gunfire. Shooting broke out, and four policemen were wounded. The Highway Patrol and the State Guard were called in and arrested some seventy Negroes. Others were later arrested. The black district was victimized by vandalism and looting during a systematic search for weapons. No action was taken to disarm white civilians in Columbia, and only four were arrested. While military law in effect reigned in the small city, two Negro prisoners were killed in the jail.

The Columbia incident touched off widespread protests from Negroes and liberals, and the federal government quickly responded. David Niles, for the White House, wrote Attorney General Tom Clark that satisfaction had to be given “that the federal government is doing all it can in order to protect civil rights.” People and groups seeking to discuss the matter with the president were referred to the attorney general and his assistants, who endeavored to talk with all interested parties. Agents of the Federal Bureau of Investigation were ordered to Columbia, and Clark directed United States District Attorney Horace Frierson to convene a grand jury to investigate whether there were violations of federal law. The attorney general also promised to dispatch Justice Department representatives to work with the grand jury.

The federal intervention into activities at Columbia had little effect, though, for the government had no real weapon to wield in the applicable law, the Enforcement Act of 1870. The grand jury found that vandalism had been committed while the area was under the control of the Tennessee Highway Patrol and State Guard, but no remedy was offered. The grand jury found that the arrests, killings, and searches of homes were justifiable under the circumstances, although it did issue a strong warning against the “dissemination of half-truths and falsehoods” that could lead to racial violence. There was one happy conclusion, thanks probably to federal intervention and the great publicity given the case. Most of the Negroes arrested were released, and a change of venue in the state courts was granted to the remaining twenty-five defendants. Of those only two were found guilty of assault, and even they were subsequently freed by a retrial.

The outbreak of other incidents fired civil-rights organizations in maintaining pressure on the federal government to counteract racial terrorism. There was heated reaction to Senator Theodore Bilbo’s statements which virtually sanctioned the use of violence to keep Negroes from voting in Mississippi. A vivid illustration of racial violence came in the report of the punching out of the eyes of Sergeant
Isaac Woodard by an Aiken, South Carolina, policeman, only three hours after Woodard was separated from the army. The attack was forcefully brought to President Truman's attention by R. R. Wright, a Spanish-American War veteran and probably the nation's most prominent black banker, who wrote: "To 'gouge out the eyesight' of a man who had used his eyes to safeguard the freedom of our country is surely a disgrace unheard of in any other country in the world." Much of the press joined Major Wright in being appalled at this example of violence, and the NAACP offered a $1,000 reward for the apprehension and conviction of the man who blinded Woodard.42

As summer came there was also news of a lynching in Georgia, which had just nominated a leading racist, Eugene Talmadge, for governor. Macio Snipes, the only Negro to vote in his district, was killed in his front yard by four white men. More shocking was the lynching on July 25 outside Monroe, Georgia, of Roger Malcolm, who had just been released from jail on bond for stabbing his employer. Two Negro women and another black man, who happened to be with Malcolm, were also shot and killed.43 That set off a tidal wave of protest which was not soon to subside.

The directors of the black National Newspaper Publishers Association met to ask President Truman to demand that Congress enact an antilynching law. The American Council on Race Relations called upon mayors' and governors' human-relations groups to do all they could to end mob violence. The Civil Rights Congress offered a $1,000 reward for the Monroe Lynchers. The Amsterdam News wrote that "the struggle against Talmadge-Bilboism lynch terror calls for an all-out effort. All forces that want Americanism must join together to demand: 'BRING THE GEORGIA LYNCHERS TO JUSTICE!'" The NAACP and the American Council on Race Relations joined together to "call a conference of groups against mob violence." The amount of rewards for information leading to the conviction of the Lynchers rose to $30,000, as the NAACP threw in $10,000 and the state of Georgia, through the efforts of Governor Ellis Arnall, raised almost an equal amount. Nearly four hundred members of the National Association of Colored Women marched to the White House to demand an end to lynching, and they set up a picket line that was to continue for over a week. Dr. Max Yergan, the president of the National Negro Congress, led a march of more than one thousand persons from Washington Union Terminal to the White House, after which he assailed Truman for not condemning those involved in racial violence. Other
mass demonstrations were held, and thousands of letters of protest were sent to the president and to the attorney general.\footnote{44}

The government had already begun to act. Attorney General Clark, on July 26, ordered an investigation of the Monroe lynching and soon announced that the Justice Department was probing the Ku Klux Klan in seven states. Four days later Truman released a statement through Clark expressing his “horror at the crime.” He said that he had directed the attorney general to use all of his department’s resources to investigate “this and any other crimes of oppression.”\footnote{45}

The rumble of discontent grew louder as additional reports of racial violence came. On August 6, in response to the call of the NAACP and the American Council on Race Relations, black and white representatives of forty civil-rights, religious, labor, professional, and veterans organizations met in emergency session as the National Emergency Committee Against Mob Violence. The new committee’s goal was to press the president and the attorney general “to throw the full force of the federal government behind our actions and sentiments in bringing before the bar of justice and convicting the lynchers.” Even leading white newspapers were giving considerable attention to racial violence. In August in New York City fifteen thousand people held a mass protest meeting, and in Washington another fifteen thousand paraded to the Lincoln Memorial to demand action against the Monroe “murderers,” passage of antilynching legislation, and outlawing by executive power of the Ku Klux Klan and similar organizations.\footnote{46}

There was little effective action that Truman and the executive branch could legally take. They could not outlaw anything by fiat. As they were doing, they could investigate and could urge citizens and state and local authorities to act. The margin of federal law upon which the executive branch could act was narrow and slippery. The two pertinent provisions, sections 51 and 52 of the 1870 Enforcement Act, applied only to conspiracies and to willful action by public officials, both crimes being exasperatingly difficult to prove, and the civil rights involved had been slenderly defined by the courts. Moreover, the chances for conviction were further narrowed considering that even if indictments were procured, the trials would be held in communities that were hostile or at best indifferent.\footnote{47}

Truman could have called Congress into special session to enact appropriate legislation, as some protestors urged, but he was undoubtedly restrained by the well-founded conviction that the legislators would not have acted. For the time being, he contented himself by indicating, on August 1, that he favored an antilynching law. A more
forceful endorsement came in mid August from Attorney General Clark, who vowed that he would urge Congress to pass antilynching legislation. He also called upon all citizens and law-enforcement officials to do all they could to deal with the situation.  

At the urging of David Niles, Postmaster General Robert E. Han- negan, and Navy Secretary James V. Forrestal, Truman in September sent more than the usual ceremonial greetings to the annual conference of the Urban League. He declared, “If the civil rights of even one citizen are abused, government has failed to discharge one of its primary responsibilities. We, as a people, must not, and I say to you we shall not, remain indifferent in the face of acts of intimidation and violence in our American communities. We must, however, go beyond the mere checking of such intimidation and violence, and work actively for an enduring understanding and cooperation among citizens of all religious and racial backgrounds.” Truman’s message was bitingly clear, but words were not enough. Most Negroes believed with Walter White that “a dread epidemic is sweeping across our country.” They wanted a remedy stronger than presidential prose.

Meanwhile the National Emergency Committee Against Mob Violence and its affiliated organizations, now grown to forty-seven, were striving to mobilize public opinion. They enlisted churches, business associations, and unions in a crusade to urge people to combat hate groups and to press congressmen, state and local officials, law-enforcement officers, editors, and radio and motion-picture executives to meet the problem of mob violence. The committee also voted to send a delegation to meet with President Truman, and a meeting was arranged for September 19.

Walter White came to the White House with Channing Tobias, CIO Secretary James Carey, Boris Shiskin of the AFL, Frederick E. Reissig of the Federal Council of Churches, and Leslie Perry of the NAACP’s Washington office. Several others, including Eleanor Roosevelt, Bishop Bernard Sheil, and Governor Ellis Arnall of Georgia, could not come but sent telegrams expressing their grave concern. White served as the spokesman for the delegation. A statement was presented to Truman which conveyed the group’s dismay with the growth of mob violence against Negroes and the lack of remedial action. He was petitioned to step up the work of federal agencies in dealing with lynchers, to arouse the people “to oppose actively every form of mob violence,” and to reconvene Congress to enact antilynching legislation. White detailed acts of violence for the president. Truman sat with clenched hands through the recounting, his face mirroring shock at
the story of Isaac Woodard's blinding. When White had concluded, the president got up from his chair and said, "My God! I had no idea that it was as terrible as that! We've got to do something!"

Truman knew that there was little he could do under the existing law, but he promised to confer with Attorney General Clark the next day. At that point, David Niles, who had been sitting in on the meeting, suggested that Congress be asked to establish an investigatory commission on mob violence and civil liberties. The president agreed that that was a good idea. It is possible that White, as he wrote in his autobiography, then pointed out that such a commission would not be approved by Congress, and that Truman replied that he would establish it by executive order. More probable is the account in White's October report to the NAACP Board of Directors. According to the report, White wrote to Truman the day after the White House meeting, warning him that Congress would envelop the proposed commission in the deadly embrace of a filibuster. A few days later the White House responded, by telephone, saying that the commission would be established by executive order.

Truman was also scheduled to see a delegation from Paul Robeson's American Crusade to End Lynching, including representatives from Negro publishers, Negro churches, the National Negro Congress, the Southern Conference for Human Welfare, and the National Council of Negro Women. The group saw Truman on the morning of September 23; the result was mutual antagonism. When one of the delegates suggested that there was little difference between lynchings in America and the Nuremberg war-crimes trials, the president shot back that the United States could handle its affairs without concern for happenings abroad. Then Robeson and Truman disagreed sharply on America's moral position in world affairs, and Robeson asserted that unless mob violence was soon stopped, foreign intervention would be in order. Ruffled, Truman responded that he would deal with the situation in the most expeditious fashion. David Niles had thought of using this meeting to explore further the establishment of a civil-rights study committee, but as bitterness pervaded the atmosphere, the president's aide dropped the idea.

Black reaction to the American Crusade's meeting with the president was caustic. The Journal and Guide (Norfolk, Virginia) saw Truman as retreating from his position with Walter White's group. The Amsterdam News linked this "boner" with Truman's dismissal of Henry Wallace from the cabinet. The newspaper added, "We condemn Truman as a fraud." Yet matters were percolating. Even before the
meetings with White and Robeson, the president had written and made public his strong letter against prejudice to Charles Bolte and had sent vigorous civil-rights messages to the sesquicentennial convention of the African Methodist Episcopal Zion Church and the Urban League. In effect, Truman had already spoken out against mob violence, as Robeson’s group demanded.

As for another of the American Crusade’s demands, the Justice Department had done as much as it legally could to deal with mob action and lynching. Tom Clark had come to the attorney generalship in 1945 with a good record on civil-rights matters, having served energetically as head of the department’s Criminal Division. In 1946 he had been prompt and vigorous in dealing with the Columbia and Monroe cases. Moreover, when in September Director J. Edgar Hoover complained that the Federal Bureau of Investigation was spending too much time probing civil-rights incidents in which the probability of federal jurisdiction was small, Clark answered forthrightly, writing: “In each case the complaint made is indicative of the possibility of a violation, and if we do not investigate we are placed in the position . . . of having failed to satisfy ourselves that it is or is not such a violation.” The attorney general agreed with Hoover that frustration would largely be the fruit of such work, but he said, “As you know it is my purpose to report these matters to Congress in the hopes of securing a broader and more substantial basis for federal action.”

The administration’s chief immediate hope, however, in furthering the protection of human rights lay with a federal civil-rights committee, which had been discussed with Walter White’s delegation. The committee’s roots were tangled. The idea had been pondered by a number of people after a series of race riots in 1943. Saul K. Padover, who was Interior Secretary Harold L. Ickes’s adviser on minority problems, had proposed a national committee on race relations. A similar committee had been discussed by sociologist Howard W. Odum and Presidential Assistant Jonathan Daniels, but President Roosevelt, Daniels reported, did “not think well of the idea.” Probably the seed of Truman’s civil-rights committee was contained in a 1943 proposal of David K. Niles, then one of Roosevelt’s assistants. Niles suggested the formation of a national citizens’ committee that would develop, in conjunction with local committees, programs to alleviate racial tensions and, in case of violent outbreaks, to arrange for dealing with them.

Niles was an amiable man. Of Truman’s senior assistants, however, he was probably the least involved in White House affairs. As
Jonathan Daniels said, “He liked to be a man of mystery.” And he was a mystery to many other White House denizens and to a large number of minority-group leaders. This stemmed largely from the fact that his interests centered on labor, Jewish, and urban matters, in which he was highly effective. Other pertinent problems were usually left to Niles’s assistant, Philleo Nash, an able man with a Ph.D. in anthropology, who, however, lacked the rank to have great influence. This situation helps to explain the disconnected civil-rights approaches of the early Truman days and, later, the involvement of a number of White House staff members, including Clark Clifford, Stephen Spingarn, and George Elsey, in human-rights matters. Nevertheless, during the summer of 1946 Niles could not avoid the menace of mob violence and the swelling pressure to counteract it. Then, if at no other time, he played a major role in Negro affairs.

Many other people were credited with the idea of a civil-rights committee, including President Truman, Walter White, and Tom Clark. It was Niles, however, who proposed a civil-rights commission during the White House meeting with the National Emergency Committee group. Columnist Louis Lautier later wrote that he had asked at the White House whose idea it was and had been informed that it was Niles’s. Taken as a whole, Niles’s 1943 proposal, his suggestion at the meeting between Truman and White’s delegation, and Lautier’s report, it would seem that he was most likely the father of the civil-rights committee.

The important thing is that the idea of a civil-rights committee was launched at the September 19 White House meeting and that steps were soon taken to develop it. As has been indicated, within a few days it was decided that the president would create the committee, because it was unlikely that Congress would do so. It was anticipated that the committee would contain between ten and fifteen members, and Walter White was asked to suggest names. The NAACP secretary consulted with several of the association’s directors and staff members, and nominated twenty-three people. It was also promised, according to White, that the committee would be authorized by October 10.

News of the proposed civil-rights committee soon leaked out to the press. Drew Pearson, in his September 26 column, reported that the White House was considering forming a commission to investigate lynching, and in early October Negro newspapers carried a similar story. As to what the committee presaged, speculation was withheld, with the Chicago Defender writing, “Effectiveness of the agency will be determined of course by the people who compose it.”
Pressure on the White House had not ceased as a result of press rumors. In fact, a black voting backlash was developing against the Democrats in the forthcoming congressional elections. Negroes had been disappointed by lack of legislative success in 1946, the apparent ineptitude of the executive branch, and the rising levels of violence. In February Charles Houston had written in the press, “The president may do this and he may do that as leader, but if he cannot produce, well, there is no such thing as gratitude in politics.” One action taken by Truman during the summer did temporarily strike a favorable note. That was his public opposition to Kansas City Congressman Roger Slaughter’s renomination. Slaughter had opposed much of Truman’s program, including the FEPC, and the president was not going to tolerate a foe in his own political backyard. Truman’s choice, Enos Axtell, won over Slaughter by almost three thousand votes, with heavy support from black Democrats. The victory was greeted joyously by many Negroes, but it turned to ashes as highly publicized, though largely unsupported, charges of voting irregularities were used to smear the president. Axtell’s loss to his Republican opponent in November made the whole undertaking seem quixotic.

Election or no election, the administration was not to be rushed in its preparations for a civil-rights committee. Certainly, the committee was going to be concerned with more than mob violence. On October 11 Tom Clark submitted to Truman a draft of an executive order to establish “the President’s Committee on Civil Rights” to consider the broad goal of “preserving and implementing our civil rights.” Clark recommended, more warmly than was usual in such communications, promulgation of the executive order. The Chicago Defender on October 26 reported that the president was going to announce the “appointment of a ‘Federal Commission on Lynching’” the week before election. That, of course, did not happen. Time was needed to smooth out the order and to line up a group of worthies for service on the committee. If Truman believed that a Republican Congress would be elected, he also thought that it would be politically wiser to save the announcement of the committee until after the election, because by itself the committee’s establishment was unlikely to change the election results.

A Republican Congress was returned on November 5. The new Eightieth Congress would have fifty-seven more Republicans than Democrats in the House and six more in the Senate. Negroes still largely voted for Democrats, but the Republicans were pressed to justify whatever inroads they had made, and hoped to make later,
among black voters. Truman, too, was on the spot. He had sought action and had, however good the reasons, come up short. But a civil-rights committee might remove the pressure from him temporarily and also be the vehicle to reach his twin goals of solving the nation's civil-rights problems and reenlisting minority-group support. Certainly, it would allow him to salve his own conscience. The violence of 1946 had shaken him. In the future he would often refer to the perturbation that he had felt as the result of assaults on the persons of minority groups. Standing out in his mind even after leaving office was the case of Isaac Woodard, "a Negro veteran, still wearing this country's uniform, [who] was arrested and beaten and blinded."63

On December 5, 1946, President Truman issued Executive Order 9808, which established the President's Committee on Civil Rights "to inquire into and to determine whether and in what respect current law-enforcement measures and the authority and means possessed by federal, state, and local governments may be strengthened and improved to safeguard the civil rights of the people." All executive agencies were directed to cooperate fully with the committee, and the executive order was prefaced with a strong statement condemning "the action of individuals who take the law into their own hands and inflict summary punishment and wreak personal vengeance." In the order, Truman named Charles E. Wilson, the president of General Electric, as committee chairman. Other members were Mrs. Sadie T. Alexander, an outstanding Negro lawyer; James B. Carey, secretary-treasurer of the CIO; John S. Dickey, president of Dartmouth; attorney Morris L. Ernst; Rabbi Roland B. Gittelsohn; Frank P. Graham, president of the University of North Carolina; Francis J. Haas, a Catholic bishop; Charles Luckman, president of Lever Brothers; attorney Francis P. Matthews; Franklin D. Roosevelt, Jr.; Henry Knox Sherrill, the presiding Episcopal bishop; AFL economist Boris Shiskin; Methodist churchwoman Dorothy Tilly; and Dr. Channing Tobias, a director of the Phelps-Stokes Fund. It was an outstanding group. All of the committee members were prominent either nationally or in their areas of endeavor. Most of them had been active in civil-rights affairs, and the others had been experienced in social-welfare work. The committee was also well balanced, if not geographically, at least in terms of occupations, religion, and, with Mrs. Alexander and Dr. Tobias, race.64

Equally important was that the committee was charged with studying the whole spectrum of civil rights, not just mob violence. Attorney General Clark was at least partly responsible for that, because of his concern with the overall problem of protecting civil rights
and with the forging of tools to deal with it. The announcement of the committee was backed up by Clark's "I Am an American Day" address, in which he asserted that all the law at his disposal now and in the future would be used to protect civil rights. Credence was given his statement by the launching of the Justice Department's income-tax prosecution of the Ku Klux Klan.

Black newspaper reaction to appointment of the committee was somewhat mixed. Most attention was given by the Chicago Defender, which editorialized, "If the committee is not hampered in its inquiry and if its recommendations are not circumvented by a welter of administrative procedures, the results should be far more consequential to us than anything that has happened in the United States since the abolition of slavery." The Afro-American and the Call (Kansas City) also played up the story, but the Courier (Pittsburgh) and the Amsterdam News indicated that they were not impressed, because the problems were already well known. Generally, however, the Negro press was mildly pleased with Executive Order 9808, although it was obvious that it was reserving judgment until the committee actually did something.

The year 1946 was a mixture of horror and promise for minorities. The victories at the polls of Senator Bilbo and Eugene Talmadge; attempts to curb Negro voting in the South; the blocking of proposed FEPC, poll-tax, and antilynching legislation; and, most of all, racial violence were discouraging examples of reaction. Moreover, Japanese-Americans had received only slight encouragement in their quest for compensation of wartime losses resulting from evacuation; and American Indians, although heartened by the passage of the Indian Claims Commission Act, were discouraged because of deteriorating conditions on some of their reservations. Yet, not all was bleak; for there were, among other things, Governor Ellis Arnall's work to effect understanding between the white and black races, the appointment of the President's Committee on Civil Rights, the Supreme Court's Morgan decision, Hastie's appointment as governor of the Virgin Islands, and the increased activity of interracial and human-relations groups throughout the nation.

Probably most encouraging from a long-range standpoint was Harry Truman's outspoken interest in civil rights. Franklin Roosevelt had acted to establish the Fair Employment Practices Committee in 1941 only under extreme pressure at a delicate time. Moreover, in the face of intense, widespread racial violence in 1943, he had said nothing and done little. Truman, confronted by less intense racial crises and
subjected to less pressure, often spoke out not only to favor tolerance and equal rights but also to condemn those who opposed them. As the Call wrote, "Since the Missourian has been in the White House, there has been no occasion for Negroes to sigh, 'If only the president would speak out!'"