

that note, not as giving any original view, but as representing, on the contrary, the spontaneous reaction of an average Frenchman—that is, of an average Western European.

‘From an *economic point of view*, the country is sound, because its prosperity is based, first on a boundless supply of natural produce, and second on an elaborate organization of industrial production, the perfection of which is nowhere approached in Europe.

‘From the *point of view of civilization*, it is perhaps to be feared that standardization may, in the long run, tend to lessen the intellectual and artistic value of the American society—the part of the working-man in the factories where mass production is realized is not likely to increase his own value, as an individual; and in order to secure material comfort for the bulk of the American population it seems necessary to produce a common level of manufactured articles, which perhaps does not mark progress in comparison with the civilization of Europe.

‘From a *moral point of view*, it is obvious that Americans have come to consider their standard of living as a somewhat sacred acquisition, which they will defend at any price. This means that they would be ready to make many an intellectual or even moral concession in order to maintain that standard.

‘From a *political point of view*, it seems that the notion of efficiency in production is on the way to taking precedence of the very notion of liberty. In the name of efficiency one can obtain, from the American, all sorts of sacrifices in relation to his personal and even to certain of his political liberties.’

• • •

Mass production and mass civilization, its natural consequence, are the true characteristics of the new American society.

• • •

Lincoln, with his Bible and classical tradition, was easier for Europe to understand than Ford, with his total absence of tradition and his proud creation of new methods and new standards, especially conceived for a world entirely different from our own.

Questions

1. What are the most important elements of the “new society,” according to Siegfried?
2. What “liberties” does he believe Americans are willing to sacrifice?

131. The Fight for Civil Liberties (1921)

Source: American Civil Liberties Union, The Fight for Free Speech (New York, 1921), pp. 15–18.

The repression of dissent under the Espionage and Sedition Acts of World War I sparked a new appreciation among some reformers of the importance of civil liberties. In 1917, a group of pacifists, Progressives shocked by wartime attacks on freedom of speech, and lawyers outraged at what they considered violations of Americans’ legal rights formed the Civil Liberties Bureau. In 1920, it became the American Civil Liberties Union (ACLU). For the rest of the century, the ACLU would take part in most of the landmark legal cases that helped to bring about a “rights revolution.” Its efforts helped to give meaning to traditional civil liberties, like freedom of speech, and defined new ones, like the right to privacy. When it began, however, the ACLU was a small, beleaguered organization. Its own pamphlets defending free speech were barred from the mail by postal inspectors.

One of the first documents issued by the ACLU was a general statement defining civil liberties, especially in areas where they had been violated during World War I. The group also insisted that civil liberties should apply equally to all Americans, regardless of race. Full protection of the rights outlined by the ACLU lay years in the future.

**A STATEMENT DEFINING THE POSITION OF THE AMERICAN CIVIL
LIBERTIES UNION ON THE ISSUES IN THE UNITED STATES TODAY**

(Adopted by the National Committee)

We stand on the general principle that all thought on matters of public concern should be freely expressed without interference. Orderly social progress is promoted by unrestricted freedom of opinion. The punishment of mere opinion, without overt acts, is never in the interest of orderly progress. Suppression of opinion makes for violence and bloodshed.

The principle of freedom of speech, press and assemblage, embodied in our constitutional law, must be reasserted in its application to American conditions today. That application must deal with various methods now used to repress new ideas and democratic movements. The following paragraphs cover the most significant of the tactics of repression in the United States today.

1. Free Speech. There should be no control whatever in advance over what any person may say. The right to meet and to speak freely without permit should be unquestioned.

There should be no prosecutions for the mere expression of opinion on matters of public concern, however radical, however violent. The expression of all opinions, however radical, should be tolerated. The fullest freedom of speech should be encouraged by setting aside special places in streets or parks and in the use of public buildings, free of charge, for public meetings of any sort.

2. Free Press. There should be no censorship over the mails by the post-office or any other agency at any time or in any way. Privacy of communication should be inviolate. Printed matter should never be subject to a political censorship. The granting or revoking of second class mailing privileges should have nothing whatever to do with a paper's opinions and policies.

If libelous, fraudulent, or other illegal matter is being circulated, it should be seized by proper warrant through the prosecuting authorities, not by the post-office department. The business of the

post-office department is to carry the mails, not to investigate crime or to act as censors.

There should be no control over the distribution of literature at meetings or hand to hand in public or in private places. No system of licenses for distribution should be tolerated.

3. Freedom of Assemblage. Meetings in public places, parades and processions should be freely permitted, the only reasonable regulation being the advance notification to the police of the time and place. No discretion should be given the police to prohibit parades or processions, but merely to alter routes in accordance with the imperative demands of traffic in crowded cities. There should be no laws or regulations prohibiting the display of red flags or other political emblems.

The right of assemblage is involved in the right to picket in time of strike. Peaceful picketing, therefore, should not be prohibited, regulated by injunction, by order of court or by police edict. It is the business of the police in places where picketing is conducted merely to keep traffic free and to handle specific violations of law against persons upon complaint.

4. The Right to Strike. The right of workers to organize in organizations of their own choosing, and to strike, should never be infringed by law.

Compulsory arbitration is to be condemned not only because it destroys the workers' right to strike, but because it lays emphasis on one set of obligations alone, those of workers to society.

5. Law Enforcement. The practice of deputizing privately paid police as general police officers should be opposed. So should the attempts of private company employees to police the streets or property other than that of the company.

The efforts of private associations to take into their own hands the enforcement of law should be opposed at every point. Public officials, employees of private corporations, and leaders of mobs, who interfere with the exercise of the constitutionally established rights

of free speech and free assembly, should be vigorously proceeded against.

The sending of troops into areas of industrial conflict to maintain law and order almost inevitably results in the government taking sides in an industrial conflict in behalf of the employer. The presence of troops, whether or not martial law is declared, very rarely affects the employer adversely, but it usually results in the complete denial of civil rights to the workers.

6. Search and Seizure. It is the custom of certain federal, state and city officials, particularly in cases involving civil liberty, to make arrests without warrant, to enter upon private property, and to seize papers and literature without legal process. Such practices should be contested. Officials so violating constitutional guarantees should be proceeded against.

7. The Right to a Fair Trial. Every person charged with an offense should have the fullest opportunity for a fair trial, for securing counsel and bail in a reasonable sum. In the case of a poor person, special aid should be organized to secure a fair trial, and when necessary, an appeal. The legal profession should be alert to defend cases involving civil liberty. The resolutions of various associations of lawyers against taking cases of radicals are wholly against the traditions of American liberty.

8. Immigration, Deportation and Passports. No person should be refused admission to the United States on the ground of holding objectionable opinions. The present restrictions against radicals of various beliefs is wholly opposed to our tradition of political asylum.

No alien should be deported merely for the expression of opinion or for membership in a radical or revolutionary organization. This is as un-American a practice as the prosecution of citizens for expression of opinion.

The attempt to revoke naturalization papers in order to declare a citizen an alien subject to deportation is a perversion of a law which was intended to cover only cases of fraud.

Citizenship papers should not be refused to any alien because of the expression of radical views, or activities in the cause of labor.

The granting of passports to or from the United States should not be dependent merely upon the opinions of citizens or membership in radical or labor organizations.

9. Liberty in Education. The attempts to maintain a uniform orthodox opinion among teachers should be opposed. The attempts of educational authorities to inject into public school and college instruction propaganda in the interest of any particular theory of society to the exclusion of others should be opposed.

10. Race Equality. Every attempt to discriminate between races in the application of all principles of civil liberty here set forth should be opposed.

HOW TO GET CIVIL LIBERTY

We realize that these standards of civil liberty cannot be attained as abstract principles or as constitutional guarantees. Economic or political power is necessary to assert and maintain all "rights." In the midst of any conflict they are not granted by the side holding the economic and political power, except as they may be forced by the strength of the opposition. However, the mere public assertion of the principle of freedom of opinion in the words or deeds of individuals, or weak minorities, helps win recognition, and in the long run makes for tolerance and against resort to violence.

Today the organized movements of labor and of the farmers are waging the chief fight for civil liberty throughout the United States as part of their effort for increased control of industry. Publicity, demonstrations, political activities and legal aid are organized nationally and locally. Only by such an aggressive policy of insistence can rights be secured and maintained. The union of organized labor, the farmers, radical and liberal movements is the most effective means to this.

It is these forces which the American Civil Liberties Union serves in their efforts for civil liberty. The practical work of free speech

demonstrations, publicity and legal defense is done primarily in the struggles of the organized labor and farmers movements.

Questions

1. In what ways can the ACLU's statement be seen as a reaction against violations of civil liberties before and during World War I?
2. Why does the ACLU identify "organized movements of labor and of the farmers" as waging the "chief fight" for civil liberties in the United States?

132. Bartolomeo Vanzetti's Last Statement in Court (1927)

Source: Robert P. Weeks, ed., Commonwealth v. Sacco and Vanzetti (Englewood Cliffs, N.J., 1958), pp. 220-23.

The trial and execution for murder of two Italian immigrant anarchists, Nicola Sacco and Bartolomeo Vanzetti, became one of the most controversial events of the 1920s and sparked a worldwide movement to save the condemned men. Their trial in 1921 took place in an atmosphere of anti-immigrant and anti-radical hysteria and was marked by flagrant appeals to prejudice by the prosecution and bias by the presiding judge. To many immigrants, including those who did not share Sacco and Vanzetti's political views, the pair became symbols of the excesses of the anti-immigration movement that culminated in the 1924 law closing off entry for nearly all migrants from southern and eastern Europe. Overseas, the trial led to a transformation of the image of the United States from an asylum for liberty to a land where justice was perverted by the demands of the powerful. After six years of appeals, the two men were sentenced to death in 1927. Vanzetti's last statement in court reaffirmed his innocence and suggested some of the reasons for the verdict.

WHAT I SAY is that I am innocent. . . . That I am not only innocent of these two crimes, but in all my life I have never stolen and I have never killed and I have never spilled blood. . . . Everybody that knows these two arms knows very well that I did not need to go into the streets and kill a man or try to take money. I can live by my two hands and live well. But besides that, I can live even without work with my hands for other people. I have had plenty of chance to live independently and to live what the world conceives to be a higher life than to gain our bread with the sweat of our brow.

My father in Italy is in a good condition. I could have come back in Italy and he would have welcomed me every time with open arms. Even if I come back there with not a cent in my pocket, my father could have give me a position, not to work but to make business, or to oversee upon the land that he owns. . . .

Not only have I struggled hard against crimes, but I have refused myself of what are considered the commodity and glories of life, the prides of a life of a good position, because in my consideration it is not right to exploit man. I have refused to go in business because I understand that business is a speculation on profit upon certain people that must depend upon the business man, and I do not consider that that is right and therefore I refuse to do that.

Now, I should say that I am not only innocent of all these things, not only have I never committed a real crime in my life—though some sins but not crimes—not only have I struggled all my life to eliminate crimes, the crimes that the official law and the moral law condemns, but also the crime that the moral law and the official law sanction and sanctify,—the exploitation and the oppression of the man by the man, and if there is a reason why I am here as a guilty man, if there is a reason why you in a few minutes can doom me, it is this reason and none else.

We were tried during a time whose character has now passed into history. I mean by that, a time when there was a hysteria of resentment and hate against the people of our principles, against the foreigner, against slackers, and it seems to me—rather, I am positive of

parliament, in every country, by every fool all over the world.
[Applause.]

Questions

1. Why does Parrish consider continued immigration dangerous?
2. Why does London argue that immigration restriction is based on "prejudice" rather than "reason"?

134. *Meyer v. Nebraska* and the Meaning of Liberty (1923)

Source: Opinion of the Court, Meyer v. Nebraska, 262 U.S. 390 (1923).

One expression of the anti-immigrant sentiment sparked by World War I was the passage of laws by a number of states restricting teaching in foreign languages. Robert Meyer, a parochial schoolteacher in Nebraska, was found guilty of violating a 1919 law that mandated that all instruction be in English. The state supreme court upheld his conviction, and Meyer appealed to the U.S. Supreme Court, arguing that the law violated the Fourteenth Amendment's guarantee of liberty to all citizens.

By a 7-2 vote, the Court declared the Nebraska law unconstitutional. The decision expanded the freedom of all immigrant groups and helped to lay the groundwork for the Court's decisions of the 1960s affirming a constitutional right to privacy.

THE SUPREME COURT of [Nebraska] affirmed the judgment of conviction.... It declared the offense charged and established was "the direct and intentional teaching of the German language as a distinct subject to a child who had not passed the eighth grade," in the parochial school maintained by Zion Evangelical Lutheran

Congregation, a collection of Biblical stories being used therefore. And it held that the statute forbidding this did not conflict with the Fourteenth Amendment, but was a valid exercise of the police power. The following excerpts from the opinion sufficiently indicate the reasons advanced to support the conclusion:

The salutary purpose of the statute is clear. The Legislature had seen the beneficial effects of permitting foreigners, who had taken residence in this country, to rear and educate their children in the language of their native land. The result of that condition was found to be inimical to our own safety. To allow the children of foreigners, who had emigrated here, to be taught from early childhood the language of the country of their parents was to... educate them so that they must always think in that language, and, as a consequence, naturally inculcate in them the ideas and sentiments foreign to the best interests of this country....

The problem for our determination is whether the statute as construed and applied unreasonably infringes the liberty guaranteed to the plaintiff in error by the Fourteenth Amendment:

No state... shall deprive any person of life, liberty or property without due process of law.

While this court has not attempted to define with exactness the liberty thus guaranteed... without doubt, it denotes not merely freedom from bodily restraint but also the right of the individual to contract, to engage in any of the common occupations of life, to acquire useful knowledge, to marry, establish a home and bring up children, to worship God according to the dictates of his own conscience, and generally to enjoy those privileges long recognized at common law as essential to the orderly pursuit of happiness by free men. The established doctrine is that this liberty may not be interfered with, under the guise of protecting the public interest, by legislative action which is arbitrary or without reasonable relation to some purpose within the competency of the state to effect....

The American people have always regarded education and acquisition of knowledge as matters of supreme importance which should be diligently promoted. The Ordinance of 1787 declares: "Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged." Corresponding to the right of control, it is the natural duty of the parent to give his children education suitable to their station in life; and nearly all the states, including Nebraska, enforce this obligation by compulsory laws.

Practically, education of the young is only possible in schools conducted by especially qualified persons who devote themselves thereto. The calling always has been regarded as useful and honorable, essential, indeed, to the public welfare. Mere knowledge of the German language cannot reasonably be regarded as harmful. Heretofore it has been commonly looked upon as helpful and desirable. Plaintiff in error taught this language in school as part of his occupation. His right thus to teach and the right of parents to engage him so to instruct their children, we think, are within the liberty of the amendment.

The challenged statute forbids the teaching in school of any subject except in English; also the teaching of any other language until the pupil has attained and successfully passed the eighth grade, which is not usually accomplished before the age of twelve. The Supreme Court of the state has held that "the so-called ancient or dead languages" are not "within the spirit or the purpose of the act." Latin, Greek, Hebrew are not proscribed; but German, French, Spanish, Italian, and every other alien speech are within the ban. Evidently the Legislature has attempted materially to interfere with the calling of modern language teachers, with the opportunities of pupils to acquire knowledge, and with the power of parents to control the education of their own.

It is said the purpose of the legislation was to promote civic development by inhibiting training and education of the immature in foreign tongues and ideals before they could learn English and

acquire American ideals, and "that the English language should be and become the mother tongue of all children reared in this state." It is also affirmed that the foreign born population is very large, that certain communities commonly use foreign words, follow foreign leaders, move in a foreign atmosphere, and that the children are thereby hindered from becoming citizens of the most useful type and the public safety is imperiled.

That the state may do much, go very far, indeed, in order to improve the quality of its citizens, physically, mentally and morally, is clear; but the individual has certain fundamental rights which must be respected. The protection of the Constitution extends to all, to those who speak other languages as well as to those born with English on the tongue. Perhaps it would be highly advantageous if all had ready understanding of our ordinary speech, but this cannot be coerced with methods which conflict with the Constitution—a desirable end cannot be promoted by prohibited means. . . .

The desire of the Legislature to foster a homogenous people with American ideals prepared readily to understand current discussions of civic matters is easy to appreciate. Unfortunate experiences during the late war and aversion toward every character of truculent adversaries were certainly enough to quicken that aspiration. But the means adopted, we think, exceed the limitations upon the power of the state and conflict with rights assured to plaintiff in error. The interference is plain enough and no adequate reason therefore in time of peace and domestic tranquility has been shown.

The power of the state to compel attendance at some school and to make reasonable regulations for all schools, including a requirement that they shall give instructions in English, is not questioned. Nor has challenge been made of the state's power to prescribe a curriculum for institutions which it supports. Those matters are not within the present controversy. Our concern is with the prohibition approved by the [Nebraska] Supreme Court. . . .

No emergency has arisen which renders knowledge by a child of some language other than English so clearly harmful as to justify

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

Questions

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

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

Source: Alain Locke: Reprinted with the permission of Scribner, a Division of Simon & Schuster Inc., from The New Negro: Voices of the Harlem Renaissance by Alain Locke. Copyright © 1925 by Albert & Charles Boni, Inc. All rights reserved.

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

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

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

...

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

141. Herbert Hoover on the New Deal and Liberty (1936)

Source: Herbert Hoover: "On the New Deal and Liberty," Official Report of the Proceedings of the 21st Republican National Convention, 1936, pp. 115-19, 122-24. Reprinted by permission of the Republican National Committee.

Even as Roosevelt invoked the word to uphold the New Deal, "liberty"—in the sense of freedom from powerful government—became the fighting slogan of his opponents. As the 1930s progressed, opponents of the New Deal invoked the language of liberty with greater and greater passion. Freedom, they claimed, meant unrestrained economic opportunity for the enterprising individual. In a speech at the Republican National Convention of 1936, former president Hoover accused his successor of endangering "fundamental American liberties." Roosevelt, he charged, was either operating out of sheer opportunism, with no coherent purpose of policy, or was conspiring to impose "European ideas" on the United States. The election, he continued, in strident language that reflected how wide the gap between the parties had become, was a "holy crusade for liberty" that would "determine the future" of freedom in the United States.

IN THIS ROOM rests the greatest responsibility that has come to a body of Americans in three generations. In the lesser sense this is a convention of a great political party. But in the larger sense it is a convention of Americans to determine the fate of those ideals for which this nation was founded. That far transcends all partisanship.

There are elemental currents which make or break the fate of nations. There is a moral purpose in the universe. Those forces which affect the vitality and the soul of a people will control its destinies. The sum of years of public service in these currents is the overwhelming conviction of their transcendent importance over the more transitory, even though difficult, issues of national life.

I have given about four years to research into the New Deal, trying to determine what its ultimate objectives were, what sort of a system it is imposing on this country.

To some people it appears to be a strange interlude in American history in that it has no philosophy, that it is sheer opportunism, that it is a muddle of a spoils system, of emotional economics, of reckless adventure, of unctuous claims to a monopoly of human sympathy, of greed for power, of a desire for popular acclaim and an aspiration to make the front pages of the newspapers. That is the most charitable view.

To other people it appears to be a cold-blooded attempt by starry-eyed boys to infect the American people by a mixture of European ideas, flavored with our native predilection to get something for nothing.

You can choose either one you like best. But the first is the road of chaos which leads to the second. Both of these roads lead over the same grim precipice that is the crippling and possibly the destruction of the freedom of men.

...

We have seen these gigantic expenditures and this torrent of waste pile up a national debt which two generations cannot repay. One time I told a Democratic Congress that "you cannot spend yourselves into prosperity." You recall that advice did not take then. It hasn't taken yet. Billions have been spent to prime the economic pump. It did employ a horde of paid officials upon the pump handle. We have seen the frantic attempts to find new taxes on the rich. Yet three-quarters of the bill will be sent to the average man and the poor. He and his wife and his grandchildren will be giving a quarter of all their working days to pay taxes. Freedom to work for himself is changed into a slavery of work for the follies of government.

We have seen an explosive inflation of bank credits by this government borrowing. We have seen varied steps toward currency inflation that have already enriched the speculator and deprived

the poor. If this is to continue the end result is the tears and anguish of universal bankruptcy and distress. No democracy in history has survived its final stages.

We have seen the building up of a horde of political officials, we have seen the pressures upon the helpless and destitute to trade political support for relief. Both are a pollution of the very fountains of liberty.

We have seen the most elemental violation of economic law and experience. The New Deal forgets it is solely by production of more goods and more varieties of goods and services that we advance the living and security of men. If we constantly decrease costs and prices and keep up earnings the production of plenty will be more and more widely distributed. These laws may be restitched in new phrases so that they are the very shoes of human progress. We had so triumphed in this long climb of mankind toward plenty that we had reached Mount Pisgah where we looked over the promised land of abolished poverty. Then men began to quarrel over the division of the goods. The depression produced by war destruction temporarily checked our march toward the promised land.

...

Great calamities have come to the whole world. These forces have reached into every calling and every cottage. They have brought tragedy and suffering to millions of firesides. I have great sympathy for those who honestly reach for short cuts to the immensity of our problems. While design of the structure of betterment for the common man must be inspired by the human heart, it can only be achieved by the intellect. It can only be builded by using the mould of justice, by laying brick upon brick from the materials of scientific research; by the painstaking sifting of truth from the collection of fact and experience. Any other mould is distorted; any other bricks are without straw; any other foundations are sand. That great structure of human progress can be built only by free men and women.

The gravest task which confronts the party is to regenerate these freedoms.

...

Fundamental American liberties are at stake. Is the Republican party ready for the issue? Are you willing to cast your all upon the issue, or would you falter and look back? Will you, for expediency's sake, also offer will-o'-the-wisps which beguile the people? Or have you determined to enter in a holy crusade for liberty which shall determine the future and the perpetuity for a nation of free men? That star shell fired today over the no man's land of world despair would illuminate the world with hope.

Questions

1. Why does Hoover believe that the future of freedom is at stake in the election of 1936?
2. How does his definition of freedom differ from that of Roosevelt?

142. Norman Cousins, "Will Women Lose Their Jobs?" (1939)

Source: Norman Cousins: "Will Women Lose Their Jobs?" *Current History and Forum*, September 1939, Volume 51, from *The Depression and New Deal: A History in Documents* by Robert S. McElvaine, pp. 110-13. Copyright © 2000 by Robert S. McElvaine. Reprinted by permission of Oxford University Press, Inc.

Mass unemployment during the 1930s persuaded many Americans that women were taking jobs that would otherwise go to men. The federal government prohibited both members of a married couple from holding government jobs, and many states and localities prohibited the hiring

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

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

...

Questions

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

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

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

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

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

dependent, subservient being to which early civilization committed her.

The laws of the various states at present hold her in that class. They deny her a control of her children equal to the father's; they deny her, if married, the right to her own earnings; they punish her for offenses for which men go unpunished. . . . These laws are not the creation of this age, but the fact that they are still tolerated on our statute books and that in some states their removal is vigorously resisted shows the hold of old traditions upon us. Since the passage of the Suffrage Amendment the incongruity of these laws, dating back many centuries, has become more than ever marked. . . .

An amendment to the Federal Constitution . . . if adopted, would remove them at one stroke.

KELLEY: Sex is a biological fact. The political rights of citizens are not properly dependent upon sex, but social and domestic relations and industrial activities are. All modern-minded people desire that women should have full political equality and like opportunity in business and the professions. . . . The inescapable facts are, however, that men do not bear children, are freed from the burdens of maternity, and are not susceptible, in the same measure as women, to poisons now increasingly characteristic of certain industries, and to the universal poison of fatigue. These are differences so far-reaching, so fundamental, that it is grotesque to ignore them. Women cannot be made men by act of the legislature or by amendment of the Federal Constitution. . . . The inherent differences are permanent. Women will always need many laws different from those needed by men.

The effort to enact the blanket bill in defiance of all biological differences recklessly imperils the special laws for women as such, for wives, for mothers, and for wage-earners. . . . Is the National Woman's Party for or against protective measures for wage-earning women? Will it publicly state whether it is for or against the eight-hour day and minimum-wage commissions for women? Yes or no?

Questions

1. How do the arguments of Hill and Kelley reflect different definitions of women's freedom and their role in society?
2. Why does Kelley think that the Equal Rights Amendment will do a disservice to women?

Legal

education of Negroes and in many other demonstration but because of inability from one to pick out three to wit: different same qualifications inequalities in consolidation of education usually while Negro edu-

of life. All elements of another. The present time, he of dentistry, bar-ness, even these sources of their are themselves ofcery business, ve competition orhoods devel-white business upations, such

poor education Carolina, the in-years to get as school term for the white chil-children go in if the coming American life. ry scale is usu-e in which are curriculum, and will be a source

in Its Program of Campaign for Edu- Dept. & Central or Public Service,

from which the money can be secured on execution, which will make the judgment effective and give it teeth.

The transportation inequality is selected for attack because not only is transportation at the basis of all consolidation of rural schools, because it is impossible to consolidate rural schools unless the children are physically able to reach the consolidated school within a reasonable time; but also there is a psychological aspect to white children being transported to school in busses while Negro children plod along the road. An inferiority complex is installed in the Negro children without one word being said about the difference between the races. It does not have to be said to either white children or Negro children, if the white children have ridden to a consolidated brick school for eight years, clean and dry, in busses furnished by the county, while the Negro children have trudged along the road, dirty and sometimes wet, to a little ramshackle, wooden, one-room school house.

The graduate and professional study was selected for attack because a large portion of the leadership of the race should come from Negroes who have had access to the graduate and professional schools. The whites are educating their own children for public leadership through graduate and professional study out of taxes to which Negroes contribute, while Negro students are cut off with under-graduate training. In other words, the white system of education is designed to perpetuate the inferior status of Negroes. Two states, West Virginia and Missouri, make a pretext of equalizing the graduate and professional studies for Negroes by granting so-called out of state scholarships to Negro students who wish graduate courses offered white students in the state universities. But even these two states do not give any real equality because the scholarship covers only tuition. No allowance is made for travel or maintenance outside the state. As a matter of fact, in West Virginia, the maximum amount expended on Negroes for professional and graduate study is about \$6,000 a year, which is less than one-half the salary paid the president of the University of West Virginia alone.

Finally, the National Office of the N.A.A.C.P. deems it[s] function in this program to be that of (1) exposing the inequalities and discriminations and (2) wherever requested by the local populace, to render such assistance as it can through its branches and its own staff in making an attack on these evils. . . .

4. Goals of the National Negro Congress, 1935

Today the whole of the United States faces the crisis of mass unemployment, lower standards of living, hunger and misery. For Negroes . . . six terrible years of depression have meant an intolerable double exploitation both as Negroes and as workers.

Negro workers on farms, in factories and in households as servants see their wages fall while prices increase. Discrimination against them has increased on the job. They can no longer be certain that tomorrow will find them employed. . . . [A]n increasing number of barriers are erected against Negroes getting jobs by unions, which, following anti-working class policies, deny Negroes union privileges and

union membership. Negro women are being literally driven out of industrial employment. Negro youth find less and less opportunity to earn a living. . . . On government building projects discrimination against employment of Negro artisans continues. Even so-called "Negro" jobs are no longer available. Unemployment spreads, and in every section of the nation the Negro is fast becoming a jobless race.

The Negro farm population in the South is fast becoming landless. We face the fact that within the past fifteen years not only have Negroes not gained in land ownership but they have lost possession of more than four million acres of farm land; and, furthermore, there is a steady decline in the already pitiable farm wage. . . .

Not hunger and poverty alone plague the existence of Black America. The denial of citizenship rights creates a double burden. The ballot, the most elemental right of a citizen, is effectively denied two-thirds of the entire Negro population. In the courts of the land, the Negro is denied justice. He is illegally kept from jury service, and made to face daily unfair trials and inhuman sentences. Negroes are mobbed and lynched while Congress cynically refuses to enact a federal anti-lynching law. They are excluded from public places, even from restaurants in the nation's Capitol. All of these manifestation of injustice have become more severe.

Negroes in America observe with deep indignation the war on Ethiopia by fascist Italy, threatening, as it does, to throw the entire world into a terrible war. . . .

The problems facing the Negro make him more determined to struggle against injustice. . . . [Witness] the struggles of the National Association for the Advancement of Colored People to win for the Negro equal school facilities, to win for the Negro in the South freedom from mob-violence and lynching; . . . the fight of the National Urban Leagues and the International Brotherhood of Sleeping Car Porters to organize Negro workers into militant unions[;] . . . [the] thousands of Negro churches where voices are lifted up in defense of Ethiopia[;] . . . the efforts of hundreds of thousands of Negro citizens to win complete freedom for Angelo Herndon and the Scottsboro Boys. In hundreds of communities Negro citizens have organized in many varied ways, fighting against social and economic oppression. . . .

Every problem presented here calls for greater united action. For this reason we who sign this declaration call for the united action of all organizations and individuals to whom it is addressed, to work for a National Negro Congress to be composed of delegates representing all Negro organizations, and such other organizations—mixed or white—as will take a stand for equal rights for the Negro. This Congress is called to meet in Chicago, Illinois on February 14, 1936, on the historic occasion of the anniversary of the birth of Frederick Douglass.

We believe that this Congress will furnish the opportunity for considering the problems that face the Negro people and that a plan of action—the collective wisdom of all freedom-loving sections of our population—can be intelligently worked out for the solution of these problems. By unity of action we can create a nationwide public opinion which will force real consideration from public officials, such as no single organization can hope to muster. . . .

The NATIONAL NEGRO CONGRESS will be no new organization, nor does it seek to usurp the work of existing organizations. It will seek rather to accomplish unity of action of existing organizations.

It is with these objectives clearly in mind that we propose for discussion and action by the Congress the issues outlined below:

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1. The right of Negroes to jobs at decent living wages and for the right to join all trade unions. For the right to equal wages and equal labor conditions with other workers. For the organization of Negro workers with their fellow white workers into democratically controlled trade unions.
2. Relief and security for every needy Negro family; and, for genuine social and unemployment insurance without discrimination.
3. Aid to the Negro farm population, to ease the burden of debts and taxation; for the right of farmers, tenants and sharecroppers to organize and bargain collectively.
4. A fight against lynching, mob violence and police brutality; for enactment of a federal anti-lynching law; for the right to vote, serve on juries and enjoy complete civil liberty.
5. The right of Negro youth to equal opportunity in education and in the economic life of the community.
6. For complete equality for Negro women; for their right, along with all women, to equal pay for equal work; for their right to a suitable environment for themselves and their children—an environment which demands adequate housing, good schools, and recreational facilities; for their right to organize as consumers.
7. To oppose war and fascism, the attempted subjugation of Negro people in Ethiopia, the oppression of colonial nations throughout the world; for the independence of Ethiopia.

5. A Call to March on Washington, 1941

We call upon you to fight for jobs in National Defense.

We call upon you to struggle for the integration of Negroes in the armed forces, such as the Air Corps, Navy, Army and Marine Corps of the Nation.

We call upon you to demonstrate for the abolition of Jim-Crowism in all Government departments and defense employment.

This is an hour of crisis. It is a crisis of democracy. It is a crisis of minority groups. It is a crisis of Negro Americans.

What is this crisis?

To American Negroes, it is the denial of jobs in Government defense projects. It is racial discrimination in Government departments. It is widespread Jim-Crowism in the armed forces of the Nation.

While billions of the taxpayers' money are being spent for war weapons, Negro workers are being turned away from the gates of factories, mines and mills—being flatly told, "NOTHING DOING." Some employers refuse to give Negroes jobs when they are without "union cards," and some unions refuse Negro workers union cards when they are "without jobs."

What shall we do?

What a dilemma!

the town who are destitute? These are not exceptional cases; they can be multiplied a hundredfold and from almost every section of the country. Is it any wonder, Mr. President, that thirty States moved at once? And how long do you think the \$300,000,000 is going to last in the face of this?

3. Communist Party Leader Prophesizes a Soviet America, 1932

...American capitalism, like capitalism in other countries, is travelling the same road to revolution. The chronological order of the United States' entry into the developing revolution is, as yet, a matter of speculation; but it would be sheer assumption to conclude that because this is the strongest capitalist country, it will be the last to go into revolution. One day, despite the disbelief of the capitalists and of their still more cynical Social Fascist lackeys, the American workers will demonstrate that they, like the Russians, have the intelligence, courage and organization to carry through the revolution. The American capitalist class, like that of other countries, is living on the brink of a volcano which, sooner than it dreams, is going to explode....

It is upon the background of this growing general crisis of capitalism that the present economic crisis develops. That is why it is of such unprecedented scope, depth and duration. Those who compare the prevailing crisis with the cyclical crises of the pre-war period are deluding themselves, living in a realm of false hopes....

...Special measures to ease the present economic cyclical crisis—inflation, international moratoriums, State budget reductions, etc.—cannot permanently cure the basic general crisis of capitalism. This general crisis, with each recurring cyclical crisis, deepens and spreads.

In revolutionary contrast, we have seen the striking success of Socialism in the Soviet Union. There the workers and farmers have overthrown capitalism and established the dictatorship of the proletariat; they have found the solution to the economic, political and social contradictions which are undermining the capitalist world....

The implications of all this are clear: to escape the encroaching capitalist starvation and to emancipate themselves, the workers of the world, including those in this country, must and will take the revolutionary way out of the crisis....

The capitalists will never voluntarily give up control of society and abdicate their system of exploiting the masses. Regardless of the devastating effects of their decaying capitalism; let there be famine, war, pestilence, terrorism, they will hang on to their wealth and power until it is snatched from their hands by the revolutionary proletariat.

The [forthcoming] American Soviet government will be the dictatorship of the proletariat.... In the proletarian dictatorship the working class is the leader by virtue of its revolutionary program, superior organization and greater numbers. Towards the farmers, the attitude of the government will vary from an open alliance with the poor farmers and cooperation with the middle farmers, to

open hostility against the big, exploiting landowners. Towards the city intelligentsia and petty bourgeoisie generally, its attitude will be one of friendliness and cooperation, insofar as these elements break with the old order and support the new. The new Workers' government, as part of its task of building Socialism, necessarily will have to hold firmly in check the counter-revolutionary elements who seek to overthrow or sabotage the new regime.... While the whole trend of the revolutionary workers is against violence, they always have an iron fist for counter-revolution.

The leader of the revolution in all its stages is the Communist party. With its main base among the industrial workers, the Party makes a bloc with the revolutionary farmers and impoverished city petty bourgeoisie, drawing under its general leadership such revolutionary groups and organizations as these classes may have. Under the dictatorship all the capitalist parties—Republican, Democratic, Progressive, Socialist, etc.—will be liquidated, the Communist party functioning alone as the Party of the toiling masses. Likewise, will be dissolved all other organizations that are political props of the bourgeois rule, including chambers of commerce, employers' associations, rotary clubs, American Legion, Y.M.C.A., and such fraternal orders as the Masons, Odd Fellows, Elks, Knights of Columbus, etc.

Among the elementary measures the American Soviet government will adopt to further the cultural revolution are the following; the schools, colleges and universities will be coordinated and grouped under the National Department of Education and its state and local branches. The studies will be revolutionized, being cleansed of religious, patriotic and other features of the bourgeois ideology. The students will be taught on the basis of Marxian dialectical materialism, internationalism and the general ethics of the new Socialist society. Present obsolete methods of teaching will be superseded by a scientific pedagogy.

The churches will remain free to continue their services, but their special tax and other privileges will be liquidated. Their buildings will revert to the State. Religious schools will be abolished and organized religious training for minors prohibited. Freedom will be established for anti-religious propaganda.

The press, the motion picture, the radio, the theatre, will be taken over by the government. They will be cleansed of their present trash of sex, crime, sensationalism and general babbler, and developed into institutions of real education and art; into purveyors of the interesting, dramatic, and amusing in life. The press will, through workers' correspondents on the Russian lines, become the actual voice of the people, not simply the forum of professional writers.

One of the basic concerns of the workers' government will be, naturally, the conservation of the health of the masses. To this end a national Department of Health will be set up, with the necessary local and State sub-divisions. A free medical service, based upon the most scientific principles, will be established. The people will be taught how to live correctly. They will be given mass instruction in diet, physical culture, etc. A last end will be put to capitalist medical quackery and the adulteration of food.

Only a few years ago, the United States was a fantastic, merely Utopian reality in the Soviet Union. The workers and farmers solve them along side

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... This is preeminently bold. Nor need we be. This great Nation was first of all, let me say to itself—nameless, unnamed—convert retreat into frankness and vigor themselves which is that support to lead

In such a spirit They concern, their economic levels; taxes have been faced by serious currents of trade; the farmers find no market for families are gone

Yet our distresses plague of locusts. Cause they believed Nature still offers us our doorstep, but a Primarily this is because through their own failure, and abdication in the court of public

The money civilization. We must of the restoration more than mere monetary

Restoration calls for action, and action

Our greatest problem if we face it wisely

Only a few years ago many of the foregoing proposals would have seemed fantastic, merely Utopian dreams. But now we can see them growing into actuality in the Soviet Union. In making the cultural revolution in the United States, the workers and farmers, facing the same general problems as the Russians, will solve them along similar lines.

4. President Franklin D. Roosevelt Says Government Must Act, 1933

... This is preeminently the time to speak the truth, the whole truth, frankly and boldly. Nor need we shrink from honestly facing conditions in our country today. This great Nation will endure as it has endured, will revive and will prosper. So, first of all, let me assert my firm belief that the only thing we have to fear is fear itself—nameless, unreasoning, unjustified terror which paralyzes needed efforts to convert retreat into advance. In every dark hour of our national life a leadership of frankness and vigor has met with that understanding and support of the people themselves which is essential to victory. I am convinced that you will again give that support to leadership in these critical days.

In such a spirit on my part and on yours we face our common difficulties. They concern, thank God, only material things. Values have shrunk to fantastic levels; taxes have risen; our ability to pay has fallen; government of all kinds is faced by serious curtailment of income; the means of exchange are frozen in the currents of trade; the withered leaves of industrial enterprise lie on every side; farmers find no markets for their produce; the savings of many years in thousands of families are gone....

Yet our distress comes from no failure of substance. We are stricken by no plague of locusts. Compared with the perils which our forefathers conquered because they believed and were not afraid, we have still much to be thankful for. Nature still offers her bounty and human efforts have multiplied it. Plenty is at our doorstep, but a generous use of it languishes in the very sight of the supply. Primarily this is because the rulers of the exchange of mankind's goods have failed, through their own stubbornness and their own incompetence, have admitted their failure, and abdicated. Practices of the unscrupulous money changers stand indicted in the court of public opinion, rejected by the hearts and minds of men....

The money changers have fled from their high seats in the temple of our civilization. We may now restore that temple to the ancient truths. The measure of the restoration lies in the extent to which we apply social values more noble than mere monetary profit....

Restoration calls, however, not for changes in ethics alone. This Nation asks for action, and action now.

Our greatest primary task is to put people to work. This is no unsolvable problem if we face it wisely and courageously. It can be accomplished in part by direct

Franklin D. Roosevelt, Inaugural Address, March 4, 1933, as published in Samuel Rosenman, ed., *The Public Papers of Franklin D. Roosevelt, Volume Two: The Year of Crisis, 1933* (New York: Random House, 1938) 11-16.