Reframing the Ideology of Civil Rights: Debates over Employment Policy, 1930-1940

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Abstract:

Brown v. Board of Education and the passage of the 1964 Civil Rights Act are frequently celebrated as both the pinnacle of the Civil Rights Movement and evidence of a universal strategy and ideology for racial equality. But closer examination of the first half of the twentieth century reveals a very different picture. Ideas worked their way into policy and politics through debates among advocates whose visions for racial equality ranged from social democracy to a more narrowly focused agenda for eliminating segregation and racial discrimination. In other words, the path was not linear or pre-determined, but the result of contestation over strategy, actions, and ideological positions among the organizations and individuals promoting racial equality. This paper seeks to correct standard narratives of civil rights activism by exploring debates in employment law and policy in the U.S. during debate, passage, and implementation of the New Deal economic and social welfare programs. By examining the legislative and organizational debates within the National Association for the Advancement of Colored Peoples, the National Urban League, and A. Philip Randolph’s Brotherhood of Sleeping Car Porters this paper demonstrates that the ideological diversity and early tensions over race and class in the first half of the twentieth century altered the racial equality projects of what later became known as the Civil Rights Movement in ways that narrowed their economic scope and impact

Introduction

The New Deal profoundly shifted the political economic landscape of the United States. An expanse of newly established programs and agencies provided a higher baseline of support for the economic and social welfare for many American people. Yet, while many of these programs were touted as universally applicable, there were many challenges in implementing a massive new bureaucracy. In addition to these administrative challenges, many scholars have argued that rather than alleviate significant racial, gender, class-based divisions, the New Deal programs exacerbated those divisions. This paper intervenes in this debate by arguing that the legacy of these New Deal programs, particularly those that exposed the issue of black economic inequality, were ultimately
vulnerable to an ideology that allowed for structures that perpetuated racially skewed economic disadvantages. The debates over the passage and amendment of the Roosevelt’s New Deal legislative program provides a space in which groups pushing for economic and civil rights for African Americans was defined and contested. At the same time the question of a broad social welfare state could advance economic equality, these groups considered whether an economic agenda or more explicitly racial agenda was necessary to improve the position of African Americans.

This paper traces debates over New Deal legislation that took place within and among organizations pushing for greater employment and economic opportunities for African Americans. The National Association for the Advancement of Colored People (NAACP), the National Urban League (NUL) and the Brotherhood of Sleeping Car Porters (BSCP) formed a dynamic and evolving coalition during this period as they advocated for measures to help African Americans share in the recovery from the Great Depression in the late 1930s. Throughout the New Deal period, these organizations lobbied for inclusion of workers in sectors where many African Americans had been able to secure employment (through the PWA, WPA, and NIRA, among others). They also lobbied for the bills establishing these new agencies and programs to include anti-discrimination clauses akin to the 14th amendment that would ensure that African Americans were able to make use of the social welfare programs. In addition to influencing the national political landscape, these issues shaped

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1 I use the term coalition quite loosely in this paper. It is clear from the documentation and records of all three organizations were in contact with one another related to these issues, they spoke at each other’s annual and regional convenings, and issue joint statements to legislators and the president during this time. However, at this point in time they don’t have a formal umbrella organization through which all this work is channeled. These three organizations also worked to address inequality among African Americans in different ways, I will briefly describe the arc of their work here. The NAACP was established in 1909 and is perhaps best known for its legal and political work to end segregation in public facilities. At this early juncture, the NAACP was also heavily invested in a campaign to pass anti-lynching legislation. The National Urban League was founded in 1910 to help ease the transition of blacks migrating from the rural South to the urban North. Improving the economic opportunities of African Americans through access to jobs and job training was their central domain. The Brotherhood of Sleeping Car Porters was the all-black union that formed to bargain on behalf of sleeping car porters for the Pullman Company. Led by A. Philip Randolph, they fought for desegregation of the labor movement from within the AFL.

2 This paper focuses on period from 1930 to 1940, when the New Deal programs were being passed and put into effect. This is not to suggest that either of these end points is a beginning or end point for the ideas and dynamics of interest,
internal debates within these organizations as they sought to define the scope and nature of their work. On the whole, the coalition’s success was limited and their legacy is mixed. The success of the BSCP in forming a union for black sleeping car porters is a notable success, but they were not successful in all they advocated for. But their efforts did significantly shape the terms of debate and shift the version of racial equality being pursued.

These debates reveal that the understanding of what kind of political strategies and ideologies could promote racial equality was broad and contested at this time. There is a problematic tendency to obscure the structural and institutional determinants of black inequality and the way in which race and class have been co-constituted. According to Preston Smith II, many organizations throughout twentieth century were pursuing racial equality under banners both of racial and social democracy. Racial democracy, which most closely resembles the argument and outcome in Brown, articulated equality as access and treatment that is proportionate to their white counterparts. Proponents of social democracy, on the other hand, sought to address inequality across class and racial lines by increasing broad access to social goods, which he calls social democracy. Smith argues that while these concepts exist independently and often in tension in American history, there are also times when they become quite entwined. In contemporary debate, debate between these two ideas tends to manifest as a question of whether race or class is a more

but the focus of this paper will be to trace the ideational roots of the institutional change that takes place in this time. The broader dissertation project will look beyond this period.

3 This was still relatively early in the organizational development for all three organizations. The NAACP was founded in 1909, the NUL in 1910, and the BSCP officially in 1925, although they were organizing before then.

4 The particular dynamic of interest in this paper and project is the emergence of anti-discrimination as the dominant ideological formation for racial equality. In my broader project, I argue that an anti-discrimination framework has come to be defined by its greatest successes, namely Brown v. Board of Education and the 1964 Civil Rights Act. What characterizes these landmark elements of the civil rights movement in the 1960s and 1970s is their rendering of racial equality as a highly individualistic and legalistic framework. Legal historian Risa Goluboff argues that the legal basis of the Court’s decision in Brown rested largely on studies which demonstrated the “psychological, stigmatic, and symbolic injury of state-sanctioned racial classification.” From: Risa Goluboff, “Let Economic Equality Take Care of Itself: The NAACP, Labor Litigation, and the Making of Civil Rights in the 1940s,” UCLA Law Review 52 (2005): 1485.

salient cleavage for identifying sources and remedies for black inequality. This contemporary
collection overlooks, and often obscures, the moments of confluence that Smith’s argument calls
attention to.

The New Deal is a significant period for understanding this dynamism between racial and
social democracy. By examining these debates and their effect on institutional formation among the
calls for improvement being made by groups advocating for racial equality and justice,⁶ there is clear
evidence that calls for racial and social democracy were not segmented as they became in the 1960s
and 1970s. Rather, these ideas were uniquely entwined and were constituted through debates among
these organizations and their appeals to the federal government.⁷ This becomes particularly clear in
the debates over employment law and policy and the route by which groups sought to realize fair
employment for minorities. At the same time that the NAACP, the NUL, and the BSCP were calling
for broader inclusion of economic groups via domestic and agricultural worker categories in New
Deal programs, they were also seeking to include anti-discrimination provisions in the enabling
legislation and focusing internally on racial disparities in employment opportunities and access to
programs. In some ways, broader class inclusion and anti-discrimination provisions were
constructed as disconnected projects. But as will further become clear, these were not always
separate strands; at times they were interconnected projects. These debates also shed light on the
way in which the ideas, logic, and strategies underpinning these two approaches diverge and
converge at different points.

Race and the New Deal

The two waves of the New Deal legislation, first in 1933 and then from 1935-1938, greatly
expanded the labor protections for workers across the U.S. and sought to lift the country out of the

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⁶ Moving forward, I refer to these groups as racial equality organizations.
⁷ In this paper, I focus on national-level debates and questions, however there is no bright line distinguishing national
and state/local debates. I hope to be able to explore state and local formations and reformations in future work.
crippling Great Depression. Roosevelt’s first wave of legislation was seen as far too radical and many of the provisions were subsequently struck down by the courts. The second wave, then, was Roosevelt’s attempt to enact a set of programs more palatable to the courts and American people.

The legislative components of both waves had significant implications for labor, but they also raised questions as to how some segments of the labor force, for example women and African Americans, would be included. The question of whether and how African Americans were to be included in these programs was debated widely by organizations and individuals at the time and has also been an important subject of contemporary scholarly debate.

This paper seeks to fuse these two streams and place the debates within recent scholarship in conversation with the debates within the NAACP, NUL and BSCP in the 1930s. At its core, this debate centers on whether the New Deal economic programs held the same potential for economic advancement and equality for African Americans as they did for white workers. Some argue for a

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8 Suzanne Mettler considers how the interplay between federalism and the New Deal economic programs led to the development of two “distinct forms of governance separated in terms of gender,” and ultimately two definitions of citizenship, one for white men and the other for nonwhite men and women. Mettler’s work is valuable in that it seeks to understand the specific construction of bifurcated citizenship in this time. Further, it looks to the New Deal as a dynamic and fluid period, with iterative change and development based on the massive scale of new programs. Suzanne Mettler, Dividing Citizens: Gender and Federalism in New Deal Public Policy (Cornell University Press, 2018), 5-6. Additionally important in Mettler’s analysis is her claim that work considering the New Deal is more centrally concerned with the origin and not the consequences of the policies (4). I seek to extend and expand her discussion by considering the way in which the consequences of early New Deal programs shaped the terrain of ideas and policy proposals for later programs. This approach is largely informed by Rogers Smith’s theory of the spiral of politics (Rogers M. Smith, “Stories of Peoplehood and the Spiral of Politics.” Political Peoplehood: The Roles of Values, Interests, and Identities. 2015:19-35).

9 Several threads of scholarship speak to this juncture of racial equality and New Deal economic transformation. First are those contributions that broaden our understanding of the trajectory of racial equality politics in U.S. history. Of critical importance among these are scholars who seek to tell a story about civil rights that extends beyond the experience of Jim Crow in the South, the case of Brown v. Board of Education, and the Civil Rights and Voting Rights Acts in the 1950s-1960s. Recent scholarship highlights the importance of the battles of earlier decades, particularly the 1930s and 1940s, in setting the stage for those culminating events. What is compelling and important about these works is that they expose the broad array of organizations, individuals, tactics, and ideologies that were being employed and contested in the midst of the significant shifts in the size, scope, and role of the federal government. Excellent examples of such work are listed here: Eric Schickler, Racial Realignment: The Transformation of American Liberalism, 1932–1965 (Princeton University Press, 2016); Risa Lauren Goluboff, The Last Promise of Civil Rights (Harvard University Press, 2007); Megan Ming Francis, Civil Rights and the Making of the Modern American State (Cambridge University Press, 2014); Desmond King and Rogers Smith, Still a House Divided: Race and Politics in Obama’s America (Princeton: Princeton University Press, 2011); Thomas J. Sugrue, Sweet Land of Liberty: The Forgotten Struggle for Civil Rights in the North (New York: Random House Trade Paperbacks, 2009); Patricia Sullivan, Days of Hope: Race and Democracy in the New Deal Era (Chapel Hill: The University of North Carolina Press, 1996); Kevin K. Gaines, Uplifting the Race: Black Leadership, Politics, and Culture in the Twentieth Century (Chapel Hill: The University of North Carolina Press, 1996).
clear thread of racial egalitarianism in the labor movement of the 1930s, claiming that the New Deal sowed the seeds for later civil rights reform. Other scholars have questioned this claim that the New Deal was undeniably good for black workers, highlighting that blacks flocked to the Democratic Party not due to any proven record on civil rights, but for the promise of jobs.

Looking to the actual creation and administration of the various agencies and programs enacted through New Deal legislation highlights the many complexities of this story and also offers a slightly different story about the distinction between the first and second waves. What these accounts all point to is the contingent and complex formation of law, policy, parties, and ideology where civil rights and labor intersect and the lasting impact of those in American politics.

The First Wave: Implementing New Deal Legislation

Throughout both waves of the New Deal period, the ideological, programmatic, and strategic vision of the loose coalition of the NAACP, NUL, and BSCP was in flux. Debates over the first wave of New Deal legislation (including the NIRA, NRA, and PWA) shaped the coalition’s approach to seeking racial equality in the context of the broadened economic and social welfare state. The National Industrial Recovery Act (NIRA) was passed as part of the first wave of New Deal legislation in 1933. Its legacy for expanding labor rights is mixed. Notably, for African

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12 Scholars have also used the changes in racial and economic political alignments in this period to make sense of broader shifts that followed. In *Racial Realignment*, Eric Schickler argues racial and economic liberalism are forged as a result of mid-party shifts at the state and local level after 1936. Schickler challenges the dominant elite-centered hypothesis and argues instead that the Civil Rights partisan realignment of the 1960s was the result of an intersection of multiple political trajectories, rather than a singular, unified path. See: Eric Schickler, *Racial Realignment: The Transformation of American Liberalism, 1932–1965* (Princeton University Press, 2016), 3, 82. Where Schickler focuses on New Deal policymaking and civil rights at the national level, Reuel Schiller focuses on the way in which labor and civil rights legal regimes form in a particular local context, the California Bay Area. Rather than arguing that there was some sort of natural rivalry or synergy, Schiller shows how the rivalry between these two types of organizations was forged. Two central causes led to the rift and collapse of these organizations being allies: first were the internal contradictions within postwar liberalism. It was nearly impossible for courts to preserve labor and also promote fair employment for African Americans. Second, was that this conflict between labor and fair employment drove a wedge between black and white workers. See: Reuel Schiller, *Forging Rivals: Race, Class, Law, and the Collapse of Postwar Liberalism* (Cambridge University Press, 2015), 12.
Americans, the prospect of expanding protections for labor created new barriers for those seeking fair employment. As Touré Reed argues, the NUL’s interest in New Deal labor law came from a fear “that the federal government’s efforts to bolster organized labor might further undermine Afro-Americans’ economic standing.” Reed argues that Section 7(a) of the NIRA, which granted workers in industries designated in the National Recovery Administration (NRA) the right to unionize, sent a clear signal that government sought to empower labor. The problem was that labor unions had segregated locals and were systematically excluding African Americans and the NIRA didn’t offer a remedy for this. For example, As Paul Moreno argues, the NRA included minimum wage provisions that “permitted white employers to replace their black workers, who had been paid less than the new rate, with whites. Minimum wage levels enabled prejudiced employers to ‘indulge their taste for discrimination’ without having to pay for it.”

Despite these problems, the NIRA and NRA were the source of a major victory for the BSCP and other racial advocacy organizations in the inclusion of the sleeping car porters as a protected class of workers in the NRA. The circumstances of this early fight were recounted by Fourth International Vice President C.L. Dellums at the 1940 National Urban League Convention and Fifteenth Celebration:

Then, the American people got tired of waiting for prosperity to come from around Hoover’s corner, and so, the New Deal was put in power. The NRA [National Recovery Administration] was adopted for general industry and the Railroad Retirement Act was amended for railroad workers. Then again, the Brotherhood ran into a peculiar situation. It was ruled that the Pullman Company did not come under the NRA, because it was a commercial carrier and that they did not come under the Transportation Act of 1933, because they were not a commercial carrier, which left the Pullman company on top of the world, coming under nothing.

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15 Schomburg Center for Research in Black Culture, Manuscripts Archives and Rare Books Division, NYPL, Brotherhood of Sleeping Car Porters Collection, Box 2: Folder 7: 1940 Conference Report and Fifteenth Celebration, page 99.
As stated above, the NIRA’s section 7(a) extended labor protections to certain classes, but not for all. A. Philip Randolph, president of the BSCP, lobbied Congress and was able to argue for the NRA’s labor protections to be extended to the sleeping car porters. This inclusion saved the BSCP. In the years following the NIRA their membership swelled, sending at least a tepid signal about the prospect integration into unions and the labor movement had for civil rights organizations. The exclusion of certain classes of workers from New Deal programs was not isolated to the case of the BSCP. As will be discussed later in this section, it was an important feature of the debate over the NLRA’s implications for African Americans.

A second important feature of the early New Deal legislation was the creation of the Public Works Administration (PWA), which tried to tackle the issue of racial discrimination head on. Harold Ickes, who had formerly been the president of the Chicago NAACP from 1922-1924, found himself in the position to promote inclusion of blacks in New Deal employment and relief programs as the secretary of the interior and head of the PWA. In 1933, he issued an order prohibiting discrimination based on race or religion in PWA projects. The ultimate effect of the order was the creation of a de facto quota system in the PWA. There was debate among the civil rights organization as to the prudence of quota and proportional provisions:

In the early years of Roosevelt's first administration, the National Urban League (NUL) was generally more vocal in support of quota representation and the NAACP more cautious. In relief and public works employment, the NUL argued for explicit preferential treatment clauses, taking veteran preferences as its model. The NAACP cited the absence of Negroes as evidence for complaints of discrimination, and Walter White called on President Hoover to ensure that ‘a just proportion’ of public works funds be spent on black labor. The success of the quota system is also a subject of scholarly debate. Weiss argues that Sitkoff drastically overstates the success of the quotas in employing African Americans. However, the idea of proportionalism was one that was seen as promising for racial advocacy organizations in the years

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17 Moreno, From Direct Action to Affirmative Action, 56.
18 Moreno, 55.
19 Weiss, Farewell to the Party of Lincoln, 52.
leading into World War II. While the NAACP and NUL preferred different tactics, both
perspectives point toward an interest in pursuing racial equality through a version of proportionality.
This difference in approach is significant, though. As Moreno argues, the launch of these new
agencies was a time of experimentation in the strategy being pursued by racial equality
organizations.20

The Second Wave: Implementing New Deal Legislation

The PWA was an anomaly among New Deal provisions in its attempt to seek to strengthen
labor and also promote fair employment, and some argue that its impact has been overstated in the
literature.21 And while the quota system did not transport to the 1935 National Labor Relations Act
(NLRA), the idea of excluding classes of workers did. The NLRA was part of the second wave of
New Deal legislation, along with the Social Security Act (SSA) and Works Progress Administration
(WPA), that dealt centrally with employment, labor, and economic security. The NLRA altered the
balance of bargaining power between employers and employees and, while the legacy is complicated,
it is generally thought to have increased the bargaining position of labor. At a minimum, it increased
their position and bargaining power over its predecessor, the NIRA. The NLRA created the
National Labor Relations Board, outlined the rights of employees and, perhaps most importantly,
laid out a set of unfair labor practices that were to be protected under the law.22

As Reed argues, there were three components of the NLRA that were seen as particularly
“dangerous for Negro workers.” These were the lack of an antidiscrimination clause, the creation

20 Moreno, From Direct Action to Affirmative Action.
21 Additionally, Sitkoff and Weiss debate the scope and reach of the quota program. Sitkoff acknowledges in the preface
to the 30th anniversary edition of A New Deal for Blacks that he likely exaggerated the extent to which the quota system
was replicated in other New Deal programs (xv). Weiss also points out that absolute number of black workers who
benefited from the quota system was likely quite small (53).
22 The balance of power shifts again with the 1947 Taft-Hartley Act, which outlined a set of practices that constituted
unfair labor practices on the part of unions, banning a set of powerful weapons unions had maintained (secondary
boycott, organizing low-level supervisory personnel), and thus tamping down on the power or organized labor. From:
and promotion of the closed union shop and the denial of jobs for strikebreakers. Together, these provisions, the NUL argued, would exclude blacks both from bargaining units and even from entire firms. In addition, the kinds of class exclusions discussed above also impacted African Americans seeking employment protections. The law also excluded agricultural and domestic workers from the protected labor classes. Since these industries constituted a large proportion of employed African Americans, these exclusions had a significant impact.

For the Brotherhood of Sleeping Car Porters (BSCP), the 1935 debates over the NLRA took place in the midst of their union recognition campaign in the Pullman Company. As discussed above, they had fought for inclusion in the NRA and again in 1934 they found themselves in the midst of a similar battle. The BSCP sought to counteract the strange blind spot of labor protections under the Railway Labor Act in 1934. In a paper discussing the history and triumphs of the organization, author B. Wakins highlights the major victory of this time:

By inadvertence or by design—it cannot be doubted how the Brotherhood men felt—they were the only class of railroad workers not specifically covered by the 1934 amendments to the Railway Labor Act which were designed to put an end to company unions. Randolph rushed to Washington, penniless as usual, to testify before Senate and House committees on the porters behalf. The porters were added to the bill.

As a result of their efforts, the Brotherhood of Sleeping Car Porters was the first entity to conduct a national election under the newly created Mediation Board. After a 12-year battle, the Pullman Company and the BSCP signed their first contract in 1937.

This was a significant victory: A. Philip Randolph had succeeded in forming the first union composed entirely of African American workers. And as the above quotation highlights, the

24 I have not been able to find an analysis of the NLRA similar to that which DeWitt provides of the SSA.
25 Schomberg Center for Research in Black Culture, Manuscripts Archives and Rare Books Division, NYPL, A. Philip Randolph Collection, Box 1, Folder 1, page 18.
26 Schomberg Center for Research in Black Culture, Manuscripts Archives and Rare Books Division, NYPL, Brotherhood of Sleeping Car Porters Collection, Box 2: Folder 7: 1940 Conference Report and Fifteenth Celebration, page 99.
perception of the organization was that exclusion of the porters from the New Deal programs was largely an act of racial discrimination. But the path taken was also a matter of great debate within the organization. In the early 1920s, Randolph and the leadership made the controversial decision to affiliate with the AFL. The BSCP needed the institutional insight and resources to be able to pursue their recognition campaign against the Pullman Company, but many were also wary of negative consequences. As International Vice-President Weber recounted in a 1940 speech looking back on the decision, the perception of this decision by many was that the BSCP had decided to subject itself to another prejudiced organization. But Webster argued for the alliance on strategic and ideological grounds:

> But in my experience in the American labor movement, particularly in the American Federation of Labor, I want to say to you that the question of amicable race relations is being more logically worked out in the trade union movement than it is in any other movement in America…After all, the majority of white people are workers and the majority of Negroes are workers.28

The decision to integrate the BSCP into a highly segregated institution like the AFL was a strategic move for building their union. But the above quote also highlights that there were factions within the leadership that saw building a strong labor movement as an important means for pursuing of racial equality. Webster articulates the way in which investing in broad working-class solidarity was a way to build power.

Another question which rises from this debate concerns the reason that certain classes of workers were excluded from certain programs. Scholars debate whether the legislative components of the New Deal specifically sought to exclude blacks from their labor protections. As represented in the passage below by historian Linda Gordon, the standard explanation for the disproportionate exclusion of African Americans is understood to have been a result of efforts to appease the Southern Democrats:

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28 Schombberg Center for Research in Black Culture, Manuscripts Archives and Rare Books Division, New York Public Library, Brotherhood of Sleeping Car Porters Collection, Box 2: Folder 7: 1940 Conference Report and Fifteenth Celebration, page 19.
Social Security excluded the most needy groups from all its programs, even the inferior ones. These exclusions were deliberate and mainly racially motivated, as Congress was then controlled by wealthy southern Democrats who were determined to block the possibility of a welfare system allowing blacks freedom to reject extremely low-wage and exploitive jobs as agricultural laborers and domestic servants.\textsuperscript{29}

What Gordon and others who make similar claims generally point to is the fact that several of the New Deal legislative components excluded classes of workers that disproportionately impacted African American workers. Both the Social Security Act (SSA) and the NLRA excluded domestic and agricultural workers, which accounted for roughly 60\% of black employment at the time.\textsuperscript{30} But Larry DeWitt, public historian with the Office of Publications and Logistics Management in the Social Security Administration, argues that in the case of the Social Security Act, to draw the conclusion from this statistic that Southern Democrats in Congress sought to exclude workers based on an explicit racial prejudice is misleading for several reasons. First, looking to Table 1 from DeWitt’s article, this conclusion doesn’t account for the fact that the majority of excluded domestic and agricultural workers were white.\textsuperscript{31}

\begin{table}[h]
\centering
\begin{tabular}{|l|c|c|c|c|}
\hline
\textbf{Occupational category} & \textbf{White} & \textbf{Negro [sic]} & \textbf{Other \textsuperscript{a}} & \textbf{Total, all races} \\
\hline
Agriculture & 8,192,181 & 1,987,839 & 291,978 & 10,471,998 \\
Domestic and personal service & 3,268,725 & 1,576,206 & 197,521 & 5,042,451 \\
Total workers excluded from coverage & 11,460,906 & 3,564,044 & 489,499 & 15,514,449 \\
Percentage of excluded workers & 74 & 23 & 3 & 100 \\
Total workers in all occupations & 42,584,497 & 6,503,536 & 741,886 & 48,829,920 \\
Excluded workforce as a percentage of total workers & 27 & 66 & 66 & \ldots \\
\hline
\end{tabular}
\caption{Noncoverage of agricultural and domestic workers, by occupational categories and race}
\end{table}

\textit{(replicated from DeWitt)}

Further, DeWitt’s analysis of the exclusion of domestic and agricultural workers suggests that it originated, not with Southern Democrats, but in the ad hoc executive Committee on


\textsuperscript{31} DeWitt, 4.
Economic Security. Excluding these classes, along with several others, was an attempt to limit the administrative burden that would be imposed by attempting to tax small, rural employers.\textsuperscript{32} While Roosevelt was in favor of a universal program and opposed the class exclusions, several classes of workers were excluded from Title II’s contributory old age program in the bill that passed through committee and Congress.\textsuperscript{33}

The standard explanations for the class exclusions was that the availability of federal benefits programs like unemployment would disincentivize workers from taking low wage jobs. But more than anything else, DeWitt claims, this argument reflects confusion about the different provisions of the SSA:

> The worry here was that immediate welfare benefits (under Title I) might be a disincentive to work. But coverage for a potential retirement benefit expected years or decades down the road (Title II) could hardly be a disincentive to present labor—indeed, present labor is required in order to build the credits necessary to qualify for a contributory retirement benefit in the future.\textsuperscript{34}

Distinguishing between the programs and sections is useful in understanding the mechanisms and debate over these proposals. However, it also indicates the importance of considering the unique legislative provisions and debate over each of these pieces. DeWitt also argues that employers and employees might have been cautious in their embrace of these new programs which would require a tax burden on both parties, without any assurance as to the desirability of the benefit program.\textsuperscript{35}

While DeWitt is ultimately correct that the universal program in Title I of the SSA didn’t have the class exclusions of Title II, those exclusions did make their way into other parts of the New

\textsuperscript{32} DeWitt, 8.
\textsuperscript{33} DeWitt outlines the full list of excluded classes (in addition to farm and domestic laborers) from Title II: self-employed individuals (including farm proprietors); persons working in the nonprofit sector; professionals such as self-employed doctors, lawyers, and ministers; seamen in the merchant marine; employees of charitable or educational foundations; employees of the American Society for the Prevention of Cruelty to Animals; persons 65 or older; casual laborers; Members of Congress, employees of federal, state, and local governments—everyone from the president of the United States to post office clerks (4).
\textsuperscript{34} DeWitt, “The Decision to Exclude Agricultural and Domestic Workers from the 1935 Social Security Act,” 3.
\textsuperscript{35} In this, DeWitt is speaking most clearly about the Title II contributory retirement funds that were created. Individual employees and employers would contribute to a retirement program that would not be accessible to workers for many years (7).
Deal, including the National Labor Relations Act (NLRA). His analysis trends toward treating the administrative decisions made regarding the SSA seem as if they exist in a vacuum, rather than taking seriously that race was assumed to be a factor in these debates, at a minimum by the racial advocacy organizations. The NAACP’s Charles Houston was the only witness in the SSA Congressional hearings to push for universal coverage: “Houston pointed out the adverse impact of the provision upon African Americans, as part of an overall critique designed to persuade the Congress to drop the whole Social Security program entirely.”\textsuperscript{36} DeWitt’s characterization of Houston’s testimony seems to understate the case put forward by the NAACP and overlooks the important connection he draws to the NRA.

In his testimony, Houston’s fundamental argument is that the Title I, insurance for the needy elderly, and Title II, the contributory retirement funds, be rolled into one: “Our position is that the old-age assistance and the old-age annuity plans should be merged, and that there should be a Federal old-age assistance plan including all workers.”\textsuperscript{37} His concern with the differentiated programs is that while Title I relies on federal intervention and funds, Title II requires action by the states to approve legislation that would allow for the creation of tax infrastructure. Houston acknowledges the administrative burden of Title II: “No argument is necessary to demonstrate that the overhead of administering and really enforcing a pay-roll tax on casual, domestic and agricultural workers would practically consume the tax itself.”\textsuperscript{38} But Houston offers the example of the NRA as a case in which federal intervention, in the opinion of Houston and the NAACP, had worked:

But I say this, that it is perfectly practical to establish a minimum, and that there are no more difficulties in establishing a minimum wage under the N.R.A. The N.R.A. worked out differentials for different sections of the country, and I think, again, even if you did have a system of Federal differentials, that that might be satisfactory.\textsuperscript{39}

\textsuperscript{36} DeWitt, “The Decision to Exclude Agricultural and Domestic Workers from the 1935 Social Security Act,” 11.
\textsuperscript{38} Ibid.
\textsuperscript{39} Ibid, 642.
Houston also uses the language of antidiscrimination in his testimony, as well, when arguing for provisions to be added to any act creating a federal program prohibiting discrimination on account of race in the administration of the program.\textsuperscript{40} The NUL also petitioned Congress to amend the NLRA and classify racial discrimination as an unfair labor practice. Congress passed no such amendment and it wasn’t until 1944 in \textit{James v. Marinship} that the Supreme Court ruled that racial bars in unions violated the Fourteenth amendment.\textsuperscript{41}

Returning to DeWitt’s claim that workers and employers were unsure at this juncture what new federal programs could mean for them overlooks the fact that, especially by the second wave of New Deal legislation, groups had some understanding of what inclusion in these federal programs could mean for them. In this case, Houston’s reference to the NRA may reflect an understanding of the BSCP’s success in unionizing as a result of their inclusion in the NRA. In essence, there was some promise that inclusion in federal programs could serve as an inroad into labor organizations for African Americans.

\textbf{Debates Within the Coalition: Implementing New Deal Legislation}

The internal debates between and among the NAACP, BSCP, and NUL on this question reveal the extent to which the ideological and programmatic visions of these organizations were in flux during this period. In the NAACP, this debate was taking place at a time in which the structure of the organization and plans for its future, especially as they related to the question of labor and an economic agenda for the organization, were being debated both at the leadership level and among the broader membership. At the 1932 Annual Conference, W.E.B. Du Bois, Director of Publications and Research and Editor of the NAACP’s journal \textit{The Crisis}, gave a speech “What is Wrong with the NAACP” in which he raised several critiques of the organization and called for a

\textsuperscript{40} Ibid, 646.
\textsuperscript{41} Reed, \textit{Not Alms But Opportunity}, 126.
redirection of efforts, programs, and resources. Du Bois argued that the organization’s “highbrowism,” manifest in its focus on the middle class, was the result of a concentrated focus on civil rights over labor and class unity. The NAACP, Du Bois claims, justified this position by arguing that there were not salient class divisions in the African American community. Without addressing the validity of this historical claim, Du Bois argued that the political context in 1932 disproved this claim. He painted the two opposed positions clearly and forcefully:

Where do we stand? With the privileged aristocracy of the world, which by its ownership and monopoly of capital is controlling the political and social development of the masses of men, or with a new industrial democracy of working people who more and more consciously propose to organize industry and direct the division of wealth in accordance with the wants and wishes of those who create it?42

The fact that these debates took place in public venues, like the Annual Conference, and were reported, at least in part, in the organization’s annual report indicates that they were more than a quiet minority faction. There were real questions and debate over the direction of the organization. According to historian Beth Tompkins Bates, “complaints like Du Bois' expressed the views of a minority within the organization who questioned the NAACP's mission and agenda and tried to get the old guard to wean themselves of their dependency on white patronage.”43

Du Bois and his minority opposition force within the NAACP highlight the growing belief in this period that racial oppression was best understood as a consequence of economic exploitation. In 1933, the president of the NAACP, Joel Spingarn, organized the Second Amenia Conference to situate the problems of African Americans within the larger national problems.44 The group included many likely suspects, leaders of the National Urban League and other racial advocacy organizations. But the conference also included a younger cadre of recent college graduates, those

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42 Papers of the NAACP, ProQuest History Vault, Part 01: Meetings of the Board of Directors, Records of Annual Conferences, Major Speeches, and Special Reports; Folder: 001412-009-0000 Date: May 21, 1932 - May 22, 1932, page 238.


44 Reed, Not Alms But Opportunity, 131.
who the NAACP was frequently accused of excluding.\textsuperscript{45} The recommendations of the convening “argued that race leaders had focused too narrowly on the so-called Negro question, leading them to overlook the relationship between the poor working conditions thrust upon Afro-Americans and ‘black economic social and psychological depression.’”\textsuperscript{46} Further, their analysis “called for an alliance between middle-class leaders and working-class black Americans and an end to reliance on white patronage.” Despite having convened the session, Spingarn and the NAACP leadership largely ignored the conference recommendations.\textsuperscript{47}

The NAACP’s apparent ambivalence as to whether to pursue the economic path laid out by Du Bois and the Second Amenia Conference is also clear from two significant events in 1934. First, at the June 1934 Board of Directors meeting, Du Bois formally resigned from his position as editor of \textit{The Crisis} and Director of Publications and Research.\textsuperscript{48} The reason Du Bois gave for his departure was the passage of a motion in the previous board meeting prohibiting \textit{The Crisis}, as an official arm of the NAACP, from publishing material critical of the organization’s work. In Du Bois’s mind, NAACP leadership was seeking to reestablish control over their central publication and restrict the nature of content put forward. As is clear from his remarks at the 1932 Annual Conference, Du Bois had certainly not been shy or guarded in his critiques of the organization. But the board’s action and Du Bois’s departure seem to indicate that the tides had begun to turn within the organization.

Yet in the same board meeting, the organization took a step which reveals that it had not completely closed the door on the vision for industrial democracy and a class-based vision for economic and political reform. In June 1934, the Board established a committee for “planning and

\textsuperscript{45} Bates, “A New Crowd Challenges the Agenda of the Old Guard in the NAACP, 1933-1941,” 352.
\textsuperscript{46} Reed, \textit{Not Alms But Opportunity}, 131.
\textsuperscript{47} Bates, “A New Crowd Challenges the Agenda of the Old Guard in the NAACP, 1933-1941,” 352.
\textsuperscript{48} Papers of the NAACP, ProQuest History Vault, Part 01: Meetings of the Board of Directors, Records of Annual Conferences, Major Speeches, and Special Reports; Folder: 001412-002-0570, Date: Jan 01, 1934 - Dec 31, 1934, page 32.
studying the future program of the Association.”

They appointed Abram Harris, a Marxist economist from Howard University and a nominee and ally of Du Bois. Where the Amenia Conference laid out a vision and recommendations, they had stopped short of actual policy and programmatic proscriptions. This was the starting point for Harris and what would come to be the “Report on the Future Plan and Program for the NAACP.” Other scholars, like Bates, have focused on the changes the report called for in the organizational structure, namely decentering the role of the national office and empowering the local branches to be hubs of economic and political education programs. But what Bates emphasizes far less is the major shift in ideological position and radical change in mission the report called for.

From its opening line, the tone and stakes of Harris’s report are clear: “The work of the Association in the economic field has been conducted as an incidental phase of its civil liberty program.” The first section of the report highlights the economic agenda of the organization and articulates a new vision and philosophy for the organization. The report identifies the failed promise of liberalism as the source of persistent inequality. Most significantly, while liberalism claimed to guarantee and protect economic and political liberties, property was only protected once it was acquired:

[Democratic liberalism] did not create the conditions which made the acquisition of property open to all members of society. In fact its principles were based upon a state of industry and economic relations which presupposed the great mass of men to be non-propertied workers whose chances for obtaining property became increasingly difficult and who economic status was made increasingly precarious by technological and financial changes that resulted in periodic unemployment and loss of income.

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49 Papers of the NAACP, Part 01: Meetings of the Board of Directors, Records of Annual Conferences, Major Speeches, and Special Reports; Folder: 001412-002-0570, Date: Jan 01, 1934 - Dec 31, 1934, page 33.
50 Reed, Not Alms But Opportunity, 131.
53 Ibid, 117-118.
Thus, Harris argued, political equality and economic inequality are married together under the banner and guise of liberalism and few individuals are privileged enough to take advantage of economic freedoms. Tracing the accumulation of wealth, rise in corporate power, and increasing monopolization of major industries in the late 1800s, the report makes the provocative claim that gaining full citizenship and civil liberties during that time would not have profoundly affected the economic status of African Americans.\textsuperscript{54} The failed attempts to pull the working class out of the Great Depression were also the result of the “bankruptcy of liberal reformism.”\textsuperscript{55}

Shifting from the report’s rendering of American economic history to the recommendations it provided for the NAACP, there was a clear emphasis placed on abolishing Jim Crow and eliminating prejudiced attitudes among black and white workers, consistent with the kind of legal and political work the organization had been primarily engaged in. But Harris and the authors also called for those objectives to be reframed in light of new organizational objectives:

While the adoption of the economic program contemplated here should not necessarily mean a discontinuance of the Association’s efforts to obtain economic justice for the Negro, it does call for a reformulation of the Association’s ultimate objectives. Instead of continuing to oppose racial discrimination on the job and in pay and various manifestations of anti-Negro fooling among white workers, the Association would attempt to get Negroes to view their special grievances as a natural part of the larger issues of American labor as a whole.\textsuperscript{56}

The recommendations of the report call out several key themes. First, was reeducation of working class African Americans as to the history of industrialization with the goal of highlighting the shared interests with white labor. Second, was building a stronger and more forceful interracial labor coalition to push for important legislative initiatives, notably old age pensions, unemployment and sickness insurance. Third, was to transform the local and state branches into centers for “economic and political education and agitation.”\textsuperscript{57} They report does acknowledge the problem of ‘racial

\textsuperscript{54}Papers of the NAACP, Part 01: Meetings of the Board of Directors, Records of Annual Conferences, Major Speeches, and Special Reports, Folder: 001412-009-0661, Mar 07, 1935 - Jun 30, 1935, 119.
\textsuperscript{55} Ibid, 120.
\textsuperscript{56} Ibid.
\textsuperscript{57} Ibid, 123.
chauvinism’ within the union movement but argues that the solution is an education program that underscores the interconnected interests of white and black laborers.\textsuperscript{58}

The board debated the Harris report in a special meeting in September 1934 and continued discussion in the October meeting. Their discussion focused largely on the question Bates takes up, the implications of the report for the reorganization of the national and local branch and the financial implications of implementing a new program. Ultimately, they decide to shelve the report rather than discuss or enact the structural, programmatic, and ideological initiatives it laid out. Certainly, the departure of actors like Du Bois from the leadership team contributed to these ideas receding into the background.\textsuperscript{59} By the end of the decade, the perception was that the NAACP had decided to fight for civil liberties over labor unity and that this decision confirmed the organization’s middle-class bias over the “masses of Negroes.”\textsuperscript{60} Although it seemed a more radical left contingent had been pushed out of the organization, vestiges of these ideological struggles would play out in struggles for fair employment within unions over the next decades.

These convenings also sparked similar debates within the NUL, yet with a markedly different tone. The League participated in the Second Amenia Conference and additionally saw similar debates within their Worker’s Councils, which sought to promote “collective agitation and interracial solidarity.” However, as Reed argues, this orientation was more indicative of the League’s commitment to racial uplift and sociological models of assimilation than to a left politics.\textsuperscript{61}

The League’s more conservative orientation is made clear in a 1938 memorandum sent to President Roosevelt summarizing the influence and effects of the New Deal labor laws for African Americans:

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\begin{itemize}
\item \textsuperscript{58} Ibid, 121-122.
\item \textsuperscript{59} Reed, \textit{Not Alms But Opportunity}, 132.
\item \textsuperscript{61} Reed, \textit{Not Alms But Opportunity}, 132-3.
\end{itemize}
Unquestionably, their status today is improved over their status of 1933, but there are still disturbing signs which indicate that the progress of Negroes has not been at an equal rate of whites, and that the disparity between white and Negro living standards, which is already far too great, may become considerably increased if present trends proceed unchecked.  

While it identifies unemployment and the job-making programs of the New Deal as central to the advances of African Americans, the memo is strikingly different than Harris’s Report on the Future Plan and Program for the NAACP. Racial disparity was the focus of the report and the vision for improvement was to seek economic progress for African Americans at an equal rate to whites, not on working toward any sort of interracial class solidarity. Additionally, the League’s memorandum frequently mentions the specific interests of skilled African-American workers, resonating with the perception of the League’s own version of “highbrowism.”

Finally, the memo puts forward a position on the NLRA that clearly posits racial over class solidarity:

> The Labor Relations Act as it now stands without amendment is a serious threat to the job security of many Negro workers who by reason of efficiency and long service have proven their right to the jobs which they now hold in private industry…Such a position is not the intention of the Labor Relations Act, but it is a consequence in absence of protective amendment.

Returning to the difficult balancing act between labor and fair employment, the League offered a resounding endorsement of fair employment. And in direct contrast to the NAACP report’s claim that the concentration of wealth, not the lack of political rights, led to the persistent inequality, the conclusion of the presidential memorandum makes the claim that a “lack of respect for civil liberties makes it impossible for any economy, however well-planned in theory, to produce security and happiness for the under-privileged workers of that region.” This subtle reference to the infeasibility of a planned economy speaks to the acceptance of a market-dominated order.

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63 Ibid, 8.
65 Ibid, 27.
The remarks of the NUL Board Chair, Hollingsworth Wood, in response to the memo also speak to the markedly less radical vision of the League. In a letter to NUL president Lester Granger, Wood says of the memorandum: “For any other than a completely socialist state, it seems to be impossible to grant our prayer and I am sorry we did not talk it over before it was made public.”66 Wood’s expressed concern over what he perceived to be an expansive proposal of socialism is consistent with accounts that point to the more conservative approach of the organization to employment advocacy. Looking to the fundamental ideology and argument of the memo, especially in contrast to the NAACP’s Harris Report, Wood’s assessment that the memo constituted a proposal of socialism betrays a fundamental misconception either of the NUL’s memo or the basic tenets of socialism.

The memo and subsequent debates clearly constitute a different ideological and programmatic agenda compared with that of the NAACP. However, the NUL strategy and programs were shifting in the 1933-1940 period. They move to embrace the interventionist welfare state but maintain a focus on maladjustment and behavioral modifications.67 As Reed argues, the NUL focused on self-help and seeking to improve employment opportunities by improving the character and increasing the skill set of African American workers. This focus is clear even the memorandum to FDR in 1938, at the height of their embrace of the welfare state, and the response of Wood to the proposal. The job programs they refer to are the skilled defense manufacturing jobs. The NUL continued to focus on this uplift idea and shapes the way in which NUL engages in the trade union movement.

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67 Reed, Not Alms But Opportunity, 108.
Conclusion

By the end of the 1930s, the line between social democracy and racial democracy was being contested on strategic and ideological grounds, especially by the organizations advocating for racial equality in the New Deal economic and social welfare programs. These debates highlight the various forms of structural economic critique under consideration within these three organizations. The most direct consequence of these changing positions was the extent to which racial advocacy organizations could fight for equality from within labor unions. The NUL’s assessment of the NLRA and focus on racial disparity lends itself toward a view that coordination with labor unions as an endorsement of another structure replication a racial hierarchy. The BSCP maintained a similar perspective. But based on their organizing success, enabled by the strategic alignment with the AFL, they struggled for interracial solidarity from within a key labor institution. The NAACP’s position was in greatest flux over this period, but by the end of the decade the push for interracial class solidarity and the structural critique of the U.S. economic system was slowly being pushed out of the organization. Finally, the NUL’s more limited engagement in the debate reveals that the conservative perspective of the organization had already started to narrow the realm of political economic action before the others.

This was not the end of these debates for any of the organizations. But this period of contestation does reveal the beginning ascent of a narrower agenda for racial equality. Moving into the next decade, as the U.S. begins to prepare and contribute to the WWII effort, discrimination in the military and in defense industries become the primary front for the NAACP, NUL and BSCP. This coalition becomes the backbone for a more official front pushing for broader inclusion of African Americans in this economic expansion. Under the leadership of A. Philip Randolph, these organizations comprise the central membership of the 1941 March on Washington.
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