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Red, White, and Black: The Meaning of Loyalty in Georgia Education

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This dissertation, RED, WHITE, AND BLACK: THE MEANING OF LOYALTY IN GEORGIA EDUCATION, by RHONDA KEMP WEBB, was prepared under the direction of the candidate's Dissertation Advisory Committee. It is accepted by the committee members in partial fulfillment of the requirements for the degree, Doctor of Philosophy, in the College of Education and Human Development, Georgia State University.

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RED, WHITE, AND BLACK: THE MEANING OF LOYALTY IN GEORGIA EDUCATION

by

RHONDA KEMP WEBB

Under the Direction of Dr. Chara Haeussler Bohan

ABSTRACT

The overall objective of the research presented in this dissertation is to establish ways in which the Red Scare and Cold War eras impacted social studies education in Georgia from the 1930s through the 1960s. My position is that the decision by the Communist Party's international leadership to support African Americans in the southern United States through legal defense and the organization of sharecroppers' unions impacted white segregationists' interpretation of subversive activity as being inclusive of racially liberal ideas. Social studies education in Georgia was affected by the policies and curriculum decisions made in the context of Red Scare and Cold War influences.

An analysis of the historiography of communism in the United States reflects the changing tenor of uncertainty and fear that gripped Americans when it came to radical ideas contrary to the democratic capitalist tradition. Historians tend to agree that the Party's efforts in

the African American community had minimal impact. However, the calibration used by scholars to measure “impact” should be adjusted to look beyond changes in Communist membership numbers and whether the lives of blacks in the South improved. My focus in this study is the peripheral impact the efforts of the Communist Party had on southern white segregationists who began to equate racially liberal actions with subversive activity.

Chapters in this dissertation focus on the formation of the Communist Party’s Black Belt Self-Determination Thesis and how it was carried out in the American South, national efforts to combat communist infiltration through loyalty oaths and textbook reviews, and the evolution of civic and democratic education initiatives in social studies. Georgia’s scandalous episode of the early 1940s involving Eugene Talmadge’s manipulation of the state’s educational system is presented as an example of how the concepts of subversion and racial liberalism were equated in an effort to maintain segregation in the state. These chapters provide evidence of the Red Scare and Cold War eras’ impact on social studies education in Georgia from the 1930s through the 1960s.

INDEX WORDS: Social studies, Communism, Black belt self-determination thesis, Eugene Talmadge, Marvin Pittman, Walter Cocking, Loyalty oath, Civic education, Georgia, Atlanta

RED, WHITE, AND BLACK: THE MEANING OF LOYALTY IN GEORGIA EDUCATION

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RHONDA KEMP WEBB

A Dissertation

Presented in Partial Fulfillment of Requirements for the

Degree of

Doctor of Philosophy

in

Teaching and Learning Social Studies

in

Department of Middle and Secondary Education

in

the College of Education and Human Development

Georgia State University

Atlanta, GA

2016

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DEDICATION

“A dream you dream alone is only a dream. A dream you dream together is reality.”

~ John Lennon and Yoko Ono

Chris, thank you for dreaming this dream with me.

ACKNOWLEDGMENTS

Earning a Ph.D. and completing a dissertation is not an individual sport. Fortunately, my team is made up of the most dedicated, hard working, and talented people with whom I have ever had the pleasure of working. I would like to thank my writing partner, Aubrey Southall, for her tremendous support, valuable critique, and infectious enthusiasm. I also greatly appreciate Katie, Lauren, Jen, Jeremy, Kerri, and Eddy. You have all challenged me intellectually, created an atmosphere of spirited debate, and filled each class with laughter. Thank you for your friendship

Thank you is not enough to express the gratitude I feel for my Dissertation Committee. Dr. Baker, Dr. Venet, Dr. Feinberg, and Dr. Zhao are all incredible scholars. I am humbled by the investment you have each made in my academic development. I truly appreciate your wisdom.

I would also like to thank Dr. Peter Hoffer (University of Georgia) and Dr. Edward Ayers (University of Richmond) for reading all, or parts, of this dissertation and offering valuable recommendations for improvement. Dr. Harvey Klehr (Emory University) and Dr. Patrick Novotny (Georgia Southern University) also offered important suggestions for research paths.

My family has been critical in helping me succeed. My husband, Chris Webb, has provided encouragement through the entire process. I appreciate all that you have done to make it possible for me to make the most of this experience. My parents, Ron and Linda Kemp empowered me from an early age with an understanding of the unlimited opportunity education affords. My brother, Russell Kemp, has also offered detailed feedback on this dissertation.

I am forever indebted to Dr. Chara Bohan for changing my life. You have provided me opportunities I never thought possible. I greatly appreciate your encouragement, trust, friendship, and expectation of excellence. You are a tremendous mentor and I am fortunate to have had the opportunity to grow with your guidance.

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PREFACE

Two of my passions – history and education – have been combined in the process of writing this dissertation. I did not realize there was a field of scholars working in educational history until I started Georgia State University’s Ph.D. program in 2012. William Reese and John Rury succinctly explain educational history as a legitimate subfield of American history in their 2008 book, *Rethinking the History of American Education*. The authors explain educational history’s emergence as a “willingness to embrace the complexity of education as a social and political process of change, entailing struggle, but also growth and the hope of progress.”¹ The research I have conducted for this dissertation has placed me in the two “vast domains of knowledge – education and history” described by Reese and Rury. Thus, I have been a student in both the Department of Middle and Secondary Education and the Department of History at Georgia State University.

Being a practitioner in both education and history allows me to better interpret the information gathered from a variety of sources for this dissertation. My background in education has provided me with first-hand experience with many of the historical topics I have researched such as legislative policy concerning school operation, textbook adoption processes, social studies curriculum expectations, and even loyalty oaths. Conducting educational history research has allowed me to investigate America’s history of the first half of the twentieth century through a public schooling lens. Schools in the United States provide a vantage point through which societal changes can be viewed and investigated. This dissertation, “Red, White, and Black: The Meaning of Loyalty in Georgia Education,” is an effort to investigate the broad social

¹ William Reese and John Rury, “Introduction: An Evolving and Expanding Field of Study,” in *Rethinking the History of American Education*, eds. William Reese and John Rury (New York: Palgrave Macmillan, 2008), 7.

context of the Red Scare and Cold War fears of communism in the Deep South, and Georgia in particular. The evidence indicates a blurring of subversion and race, which erupted in curricular struggles and sometimes dramatic conflicts within Georgia's public schools.

The topic of this dissertation began as a single assignment for my first course at Georgia State University. The major assignment for this course entitled "Learning, Curriculum, and Instruction in Social Studies" was to research an aspect of the history of social studies. I chose to consider how Cold War fears of communism impacted the way social studies teachers presented material. This single research question blossomed into a rich investigation of how white segregationists in the South conflated the hunt for communists to include their racial agenda. My research led me to startling instances of extreme political and legislative action. I allowed the research and archival evidence to direct my path in order to discover how the societal tensions concerning both communism and race impacted social studies education. My conclusion is that the Communist Party's effort to draw support from African Americans during the 1930s Red Scare had a peripheral impact on southern white segregationists who began to equate racially liberal actions with subversive activity as tensions continued to escalate through the 1960s.

Since 2012, I have utilized various resources to gather information about social studies education, communism, and race relations during the first half of the twentieth century. My preliminary research was conducted through the Georgia State University Library database search engine. This search yielded a substantial number of books related to my topic. I also relied heavily on JSTOR searches to obtain both current journal articles and articles from the time period being studied. The articles from the early 1900s were particularly helpful in determining the status of educational policy at the time and the controversy concerning how

communism should be addressed in public schools. Newspapers from the period were also quite useful in measuring public opinion regarding the impact of communism and race relations on school operation.

My research included visits to the following archives to gather primary documentation from various governmental agencies and individuals involved in Georgia's Red Scare and Cold War experience related to both schools and race.

1. University of Georgia's Hargrett Rare Book and Manuscript Library (2012 and 2014)
2. Georgia Archives (2012 and 2014)
3. Atlanta-Fulton Public Library's Special Collections (2012)
4. Georgia Southern University's Zach Henderson Special Collections Library (2014)
5. Atlanta History Center's Keenan Research Center (2013 and 2015)
6. Emory University's Manuscript, Archives, and Rare Books Library (2015)

The archival research I conducted consistently produced the greatest results for this study. Reading published articles and books provides valuable background and insight into topics. However, it was unexpected archival finds that gave me unique examples, greater understanding of a subject, or a new trajectory for further research. I stumbled upon the Walter Cocking and Marvin Pittman incident in Georgia's educational crisis of the 1940s (the focus of Chapter 3) while at the University of Georgia's Hargrett Library. While at the Georgia Southern University Library, I found an old scrapbook from the college's Rosenwald Club that gave me a much greater understanding of the role Rosenwald funding played on the campus. I also found evidence of the Communist Party's role in the legal defense of Angelo Herndon while viewing the case file at the Georgia Archives. Each of these findings was unexpected and led to a more dynamic study that has resulted in this dissertation.

The American Historical Association lamented the current direction of historical research as digital resources are changing the traditional method of archival exploration.

Scholars are spending less time in the archives, addressing growing pressures of time with the added speed of digital cameras. The authors report that a ‘consequence of shorter research trips is that researchers spend the majority of their time in the archives informally digitizing materials for later review and analysis.’ They find that this allows less time for traditional forms of serendipity and analysis that take place while leafing through archival records, and makes researchers more dependent on available finding aids.²

I believe historical studies must utilize the efficiency and broad net of resources made available by technology. However, the opportunity archival research provides for uncovering new perspectives cannot be overlooked. I feel fortunate to have experienced the “serendipity” archival research affords. While this dissertation relies heavily on digital resources, it was the unexpected archival finds that make it a unique study.

This dissertation includes an analysis of broad national and international perspectives concerning communism and investigates their local implications. The following chapters comprise the results of my research. In Chapter One, “A Blurring of Concepts: Subversion and Race,” I focus on the historiography of communism in the United States. In the chapter I also include an analysis of the blurring of subversion and race through the Communist Party’s formation of the Black Belt Self-Determination Thesis, which led to southern white segregationists equating racially liberal actions with subversive activity. In Chapter Two, “The Hunt For Communists: A Comparison of Federal, State, and Local Actions,” I further the

² Robert Townsend, “Report Claims History Discipline Failing in Modern Research Practices,” *Perspectives on History* 51, no. 2 (2013): 9.

discussion by examining legal and legislative measures that were taken to ensure citizens remained loyal to traditional American ideals and resisted threats posed by the Communist Party. In Chapter Three, “Talmadge-Cocking-Pittman Incident,” I adjust the analytical lens from the national and international scene to focus on the local efforts in Georgia to resist communist infiltration. In the chapter I also demonstrate how Georgia’s brand of subversive resistance was tinged with the underlying racial tensions that were simultaneously consuming the state. In Chapter Four, “Targeting Classrooms: A Pivotal Locale for Both Training and Battle,” I introduce how civic education initiatives have traditionally been thought of as critical for preserving the United States from dangerous totalitarian influence. Additionally, I link the simultaneous challenges of subversion and race schools in the South faced during the early Civil Rights/Cold War era. Social studies education, in particular, was greatly impacted by both highly charged societal issues. In Chapter Five, “Textbooks: Whose History Do We Tell?,” I examine how textbook publication and the adoption process used by states and local school systems can illuminate the regional, economic, and political overlap of the subversive and racial struggles Georgia and other states experienced. In a final sixth chapter, I have woven the purposes of the preceding chapters in order to succinctly address my guiding research question.

The overall objective of the research presented in these chapters is to establish ways in which the Red Scare and Cold War eras impacted social studies education in Georgia from the 1930s through the 1960s. My position in this dissertation is that the decision by the Communist Party’s International leadership to support African Americans in the southern United States impacted white segregationists’ interpretation of subversive activity as being inclusive of racially liberal ideas. Social studies education in Georgia was affected by the policies and curriculum decisions made in the context of Red Scare and Cold War influences.

Chapter 1

A Blurring of Concepts: Subversion and Race

Vladimir Lenin seized power in Russia following his leadership of the Bolsheviks during the 1917 October Revolution. His ascendancy formalized socialism and began the Moscow based Communist International (Comintern) that quickly organized affiliate groups in countries around the world. The Communist Party USA was formed in 1919 as part of the Comintern's effort to have "workers of the world unite." The Comintern's influence extended beyond a labor organization and at its Sixth World Congress in 1928, the organization announced an initiative known as the "Black Belt Self-Determination Thesis." Through legal defense and the organization of sharecroppers' unions, the Comintern intended to alleviate the oppression blacks were enduring at the hands of whites in the American South.

Historians who have written about the Black Belt Self-Determination thesis and the efforts of the various arms of the Communist Party in the Deep South have debated the effectiveness of this important plank of the Comintern's 1930s platform. Debate over the group's impact has typically centered on whether the Communist Party attracted new black members and whether the defined goal of ending the oppression of African Americans in the Black Belt was achieved. Historians across the various historiographic eras believe the Comintern failed to consider race as the primary source of southern oppression.³ Instead, the international governing body of the Communist Party believed class struggle to be the source of conflict in America's Deep South. As a result, the Communist Party experienced limited success on the "Negro Question."

Another angle concerning the impact of the Communist Party's Black Belt policy requires investigation. While most historians are focused on the program's limited impact on

³ Tomek, "Dilemma of the American Negro Problem," 554.

black southerners, it is important to also consider the Black Belt Self-Determination policy's influence on white segregationists in the South. Using this different framework for evaluation, historians may find the impact was deep and long lasting.

Historians tend to agree that the Party's efforts in the African American community had minimal impact.⁴ The calibration used by scholars to measure "impact" should probe further than changes in Communist membership numbers and whether the lives of blacks in the South improved. The Communist Party's focus on the "Negro Question" might not have fully achieved its specified goals, but the Black Belt Self-Determination Thesis did have a peripheral impact on southern white segregationists who began to equate racially liberal actions with subversive activity.

International Communism Through an Imperialist Lens

The rise of the Comintern in 1919 marked the beginning of international communism as organizations formed around the world devoted to Lenin's version of Marxism. When Karl Marx and Friedrich Engels issued their "Manifesto of the Communist Party" in 1848, they closed with a call for "Working men of all countries, unite!"⁵ Lenin's creation of the Comintern was intended to aid in the international struggle against the bourgeoisie as described in Marx and Engels' "Manifesto." Lenin stated the purpose of the newly organized Comintern in the summer

⁴ Harvey Klehr, *The Heyday of American Communism: The Depression Decade* (New York: Basic Books, 1984), 348; Richard Kluger, *Simple Justice: The History of Brown v. Board of Education and Black America's Struggle for Equality* (New York: Vintage Books, 2004), 146; Beverly Tomek, "The Communist International and the Dilemma of the American 'Negro Problem': Limitations of the Black Belt Self-Determination Thesis," *The Journal of Labor and Society* 15 (2012): 570; Edward Johanningsmeier, "Communists and Black Freedom Movements in South Africa and the US: 1919-1950," *Journal of Southern African Studies* 30, no. 1 (2004): 179.

⁵ Karl Marx and Friedrich Engels, "Manifesto of the Communist Party," in *The Portable Karl Marx*, ed. Eugene Kamenka (New York: Viking Penguin, 1983), 241.

of 1920. “It is the aim of the Communist International to fight by all available means, including armed struggle, for the overthrow of the international bourgeoisie and for the creation of an international soviet republic as a transitional stage to the complete abolition of the state.”⁶

As a result of Lenin’s strong control over the organization, the Comintern became the governing body of each individual country’s Communist Party. The first meeting of the Comintern in March 1919 consisted of delegates from nearly all of the European countries. By 1930, most countries of the world had communist parties.⁷ Although the number of affiliate parties was rapidly increasing, most were small and sometimes domestically illegal. The Comintern’s Moscow leadership directed each country’s communist organization. Constituent parties of the Comintern were required to follow the directives of the Russian led Executive Committee of the Communist International (ECCI). The October Revolution of 1917 that brought Lenin to power was the only successful socialist revolution of the period thereby setting the Russian communists apart from other communist organizations. The Moscow delegation held power in the Comintern to determine policy, expel members, and distribute resources such as money, manpower, and technical aid.⁸

The Communist Party USA (CPUSA), and its internal factionalism, provides an example of the strong power the Comintern exerted over international policy. The United States’ communist organization was split between two ideologies. On one side William Foster

⁶ Vladimir Lenin, *Lenin Collected Works* Volume 31 (Moscow: Foreign Languages Publishing House, 1960), 208.

⁷ Ronald Bachman, “The Comintern Archives Database: Bringing the Archives to Scholars,” Library of Congress, <https://www.loc.gov/rr/european/comintern/comintern-article.html>. Accessed December 11, 2015.

⁸ Klehr, *The Heyday of American Communism*, 10.

supported the traditional Leninist approach. This core group of the American communist followers was comprised primarily of working class, radical labor organizers.⁹

A faction grew within the CPUSA that tried in an unusual way to explain the American economic success of the 1920s through a communist belief in the failures of capitalism. Jay Lovestone, the Secretary of the CPUSA from 1927 through his removal in 1929, led the counter-group. Lovestone explained America's exceptionalism as an advancement of capitalism in the United States, which differed from the stagnation of Europe's capitalism at the time.¹⁰ The key explanation Lovestone gave for capitalism's success in the United States was imperialism. "Lovestone noted that imperialism had so severely weakened their [CPUSA] militancy that domestic conflict was unlikely."¹¹ Therefore, the United States' Communist Party was not being radicalized as were their European counterparts. The Lovestoneites, as the faction was known, were not promoting capitalism. Instead, they believed that the communist prediction of capitalism's ultimate demise was just not going to happen as quickly in the United States. Lovestone and his followers believed the Comintern was acting in a fashion that challenged true Marxism and Leninism. "It was a mark of the Comintern's anti-Leninsim that it insisted on applying the same tactics to every country."¹² Lovestoneites believed in the law of uneven development and that the United States was unique in its imperialist success.

The apparent acquiescence of the Lovestoneites to capitalist gains in the United States during the 1920s led the Comintern to demonstrate its international control over communist organizations around the world. Lenin died in 1924, which precipitated Joseph Stalin's elevation

⁹ Harvey Klehr, *The Communist Experience in America: A Political and Social History* (New Brunswick: Transaction Publishers, 2010), 46.

¹⁰ Ibid, 41.

¹¹ Ibid, 43.

¹² Ibid, 49.

to lead the Comintern. Stalin appointed a special commission made up of primarily Russian Comintern members to mediate the American dispute. Through a series of speeches Stalin gave as a result of the commission's investigation, the international control the Comintern exerted over its member parties is clear. Stalin quashed claims by Lovestoneites that their followers made up a majority of the CPUSA. "...You will find yourselves completely isolated if you attempt to start a fight against the decisions of the Presidium of the Executive Committee of the Comintern. You may be certain of that dear comrades."¹³ Stalin took swift action to neutralize Lovestone and his followers by removing them from positions of leadership within the CPUSA.

The Comintern believed that a worldwide revolution of the working class proletariat was quickly approaching in the 1920s. Each national party was responsible for preparing the workers for the upcoming fight for power. The Moscow leadership believed that imperialism of the early 1900s marked the end of capitalist gains as the markets abroad faltered. Colonies, according to Lenin, allowed capitalists to temporarily fight falling profits in the domestic market.¹⁴ While the CPUSA was clearly managed by the Russian led Comintern, the American organization has been the subject of a significant body of scholarship.

Historiography of American Communism: A Contextual View of the Red Scare and Early Cold War Eras

An analysis of the historiography of communism in the United States reflects the changing tenor of uncertainty and fear that gripped Americans when it came to radical ideas contrary to the country's democratic capitalist tradition. Communism began to draw the public's

¹³ Joseph Stalin, "Speech Delivered in the Presidium of the E.C.C.I. on the American Question, May 14, 1929," in Joseph Stalin, *Stalin's Speeches on the American Communist Party* (San Francisco: Proletarian Publishers, 1975), 11.

¹⁴ Klehr, *The Communist Experience in America*, 42.

attention in the United States during the early 1920s and since that time historians have written about the group's organization, objectives, and relation to traditional American society. There are distinct periods of communist historical scholarship that upon close examination correlate to the larger context of the time in which each was written.

Writings of the 1920s and 1930s regarding communism in the United States focused on defining the beliefs of the emerging Communist Party and often contained warnings of the spread of the Reds into America. Even though the Black Belt Self-Determination focus of the Comintern became reality in 1928 and the seminal race cases of the "Scottsboro Nine" and Angelo Herndon took place in the 1930s, there was not much national attention given to the Communist Party's efforts on behalf of oppressed black Americans until much later. Most Americans at the time were simply looking for a basic understanding of communist ideology.

The primary book concerning communism during this early period was written in 1935 by Earl Browder who was the General Secretary of the Communist Party in the United States. His book, *Communism in the United States*, was quite controversial at the time of publication given the crippling economic and social upheaval of the Great Depression.¹⁵ Communism presented another economic ideology for Americans seeking relief from their financial struggles. Many Americans viewed Browder's book as an explanation of communist beliefs as they sought understanding of the group's opposition to capitalism and its focus on workers' collective strength. Numerous reviews of the book came out in scholarly journals as questions swirled around Browder's growing communist influence in the United States. Walter Thompson of Stanford University reviewed Browder's book and explained the author/leader's treatment of communism in the United States as an expository description more so than a work of overt

¹⁵ Earl Browder, *Communism in the United States* (New York: International Publishers, 1935).

recruitment.¹⁶ Certainly Browder hoped to attract people down on their luck and frustrated with the economic suffering many were experiencing. However, Thompson stated that Browder's popular book explained, "in simple and unequivocal language... the aims, program, and strategy of the party" and evaluated "its organization and strength."¹⁷

Because communism was new to most Americans, it is not surprising that many articles and books produced in the 1920s and 1930s dealt with basic explanations of the concept. Similar to Walter Thompson's description of Earl Browder's book, other scholars wrote their own explanations of what the Party's basic tenets were and what communists hoped to achieve in the United States. Gordon Watkins distinguished between what he called revolutionary communism and reformist socialism with the former "demolishing the capitalist state versus accepting bourgeois influence in the states as an evolutionary transition from capitalism to socialism."¹⁸ He concludes his piece with an equally typical for the time warning of communism's spread by stating, "American communism is gaining a large following among the industrial workers and promises to become an independent influence in our political and economic life."¹⁹

Other scholars of this early era wrote in similar fashion. Jerome Davis wrote a descriptive chronological account of Russian leadership but concluded with a warning of the dangerous infiltration of the new Russian government.²⁰ Clyde Miller of Columbia University wrote a very clear article in 1937 delineating the differences between communism, fascism, and socialism in "Just what are these isms?" He investigated each concept in terms of categories

¹⁶ Walter Thompson, review of *Communism in the United States*, by Earl Browder, *The American Political Science Review* 19, no. 6 (1935): 1056.

¹⁷ Ibid.

¹⁸ Gordon Watkins, "Revolutionary Communism in the United States," *The American Political Science Review* 14, no. 1 (1920): 33.

¹⁹ Ibid.

²⁰ Jerome Davis, "One Hundred and Fifty Years of American-Russian Relations, 1777-1927," *Annals of the Academy of Political and Social Science* 132 (July 1927): 31.

including property, production, labor, government, propaganda, women, foreign policy, and education. Americans wanted clarification about what these new movements seeping into the United States fundamentally believed.²¹

Not only were scholars writing about what communism meant in the American context, the United States government was also taking notice of the radical beliefs being promoted by communists. The United States House of Representatives organized a special committee to investigate communist activity in 1930. The findings of the committee were published by the World Affairs Institute in 1931 and followed the same format as was found in the scholarly writing of other journals at the time – defining the elusive concept of communism and issuing a warning of its potential harm to American capitalism. The House committee identified an estimated 500,000 people as communist or sympathetic to the cause at the time of the investigation. The committee also found that the United States was divided into twenty communist districts and the Party issued forty-two regular communist publications.²² The investigators recommended governors and legislatures in each state be informed of the revolutionary principles and objectives of communism and requested that these local and state governing bodies take action to exclude and deny recognition of the Communist Party as a political entity. Many states took heed of the government's findings and passed legislation to resist communism through mandated loyalty oaths for employees. State legislation also sought to protect youth from radical indoctrination with laws such as New York's Lusk Laws, which required teachers in the state to sign a loyalty oath.

²¹ Clyde Miller, "Just What are These Isms?" *The Clearing House* 12, no. 2 (1937): 73-80.

²² World Affairs Institute, "Communism in the United States," *Advocate for Peace Through Justice* 93, no. 1 (1931): 22.

The rhetoric intensified between the communist and anti-communist factions in the United States as the international upheaval of World War II became a reality. Global crisis impacted scholarly writing concerning communism during the Second Red Scare beginning in the late 1940s. Much less was written about communism in the United States during the period marked by fear, hysteria, and aggressive government measures to curb communist infiltration. The uncertain social climate could account for the decline in publications concerning communism. Writing about communism during the Second Red Scare could have caused an author to be scrutinized for possible subversive activity. What was written tended to have a more urgent tone and often involved suggestions of measures to combat communism. Participants at the American Bar Association's 80th annual meeting were keenly aware of the fine line between legal restrictions to curb communism's spread and civil liberties. Even so, the Association published its proceedings and ominously stated, "We are not so blind as to think that communism is really another shade of public opinion."²³

The warning of danger posed by the Communist Party's tactics, strategies, and objectives is clear. Senator Herbert O'Connor of Maryland, who delivered the Bar Association's report, urged that legislation be passed to combat communist infiltration. Many of his proposed measures teetered on that line between civil liberty and national security. He wanted "public schools, universities, bar associations and other organizations to set standards of membership high enough to exclude those who refuse to testify freely and fully about their past activities in furtherance of the communist plans to conquer the free world by subversion."²⁴ The hysteria over communism reached its zenith during the Cold War of the 1950s and 1960s. However, it

²³ American Bar Association, "Proceedings of the House of Delegates: 80th Annual Meeting, New York and London," *American Bar Association Journal* 43, no. 11 (1957): 1057.

²⁴ Ibid.

was through the Communist Party's Black Belt Self-Determination effort to enlist the support of disenfranchised African Americans in the South during the 1930s that the economic and racial strife of the region played out in very public debates.

Southern segregationists began to equate subversive activity beyond the traditional definition to also include the actions of anyone who held racially liberal ideas. It is no coincidence that this blurring of concepts began in the early 1930s – the time of the concerted efforts by the Communist Party to assist southern blacks in throwing off the bonds of white oppression. The heavily publicized cases of the “Scottsboro Nine” in Alabama and Angelo Herndon in Atlanta, Georgia began in 1931 and 1932 respectively. Southern sharecroppers’ unions were also formed in the early 1930s with the aid of the Communist Party. White segregationists began to intensify their efforts to eliminate the Communist threat in the region. Not only were the political and economic traditions of the South at stake, but so too was the social tradition of segregation. The threat came from the Black Belt Self-Determination thesis.

Black Belt Self-Determination and Communist Initiatives in the South

Communist leadership in Moscow hypothesized that imperialism was a major factor in racial oppression around the world. Blacks were viewed as potential allies of the revolutionary proletariat. The Comintern believed there were over one billion “dark colored people” toiling in subjugation across the globe to benefit and maintain white imperialists’ prosperity.²⁵ International communists believed focusing on the oppressive situation blacks faced in the United States would translate into a global movement if successful. The Comintern identified African Americans as the most educated of the racially oppressed persons in the world and with

²⁵ Philip Foner and James Allen, *American Communism and Black Americans: A Documentary History 1919-1929* (Philadelphia: Temple University Press, 1987), 122.

the proper support could emerge as natural leaders of the international communist movement.²⁶ Because of this belief, the Communist Party became more involved in racial issues that plagued the United States.

Different organizations emerged as arms of the Communist Party in the push for success in the Deep South. The International Labor Defense (ILD) provided legal representation and funded the defense for African Americans in high profile race cases such as the “Scottsboro Nine” men accused of raping two white women in Alabama and the case of Angelo Herndon, a black labor organizer who stirred protest in Atlanta, Georgia during the economic crisis of the Great Depression.

In addition to the critical legal defense component of the Comintern’s Black Belt efforts in the early 1930s, the party organized the Sharecroppers’ Union of Alabama. Communist leadership recognized southern blacks typically were not industrial workers. Instead they were restricted to farming land owned by whites. The Sharecroppers’ Union was an effort to uplift blacks subjugated to subservient roles in the region.

The Comintern viewed African Americans as an oppressed nation centered in the Black Belt region of the southern United States, labeled as such for its dark soil. African Americans made up a majority of the population in the region and the Comintern intended to promote this strength in their Self-Determination initiative. “The importance of placing African Americans within the category of an oppressed nation and nationality was that they were no longer viewed as a ‘race’ with its implied hierarchies [and] distinguished from other minorities only by the

²⁶ Resolution on the Report of the Political Committee, Plenum of the Central Executive Committee Communist Workers’ Party, May 1928, Theodore Draper Papers, Emory University Manuscript, Archives, and Rare Books Library, Atlanta.

severity of their oppression.”²⁷ The objective was to include African Americans as working class allies of the Communist Party.

The Communist Party distinguished its position concerning the unification of African Americans from that of the socialists as being an essential step in eliminating international class strife. The socialists, in contrast, viewed racial conflict in the United States as a problem that had to be overcome rather than as a step toward progress.²⁸ Eugene Debs’ leadership of the early American Socialist Party while sympathetic to racism was opposed to any specific movement concerning race as it might detract from the working class labor struggle. Debs believed social unrest was a symptom of economic unrest.²⁹

The concept of Black Nationalism in the United States had drawn significant attention under the guidance of Marcus Garvey before his deportation in 1927. Harry Haywood believed the Communist Party should lead another movement of self-determination among African Americans in the South. Haywood, an African American delegate in Moscow, had studied in Russia at both the Communist University and International Lenin School. He also assisted in the drafting of a “Resolution on the Negro Question” that was presented to the Executive Committee at the sixth meeting of the Comintern on October 26, 1928.³⁰ The resolution included the following statement concerning the importance of the southern black population in the Communists’ world struggle to defeat capitalism:

²⁷ Timothy Johnson, “Death for Negro Lynching: The Communist Party, USA’s Position on the African American Question,” *American Communist History* 7, no. 2 (2008): 248.

²⁸ Ibid.

²⁹ Ibid., 244.

³⁰ Susan Campbell, “Black Bolsheviks and Recognition of African America’s Right to Self-Determination by the Communist Party USA,” *Science & Society* 58, no. 4 (1994/1995): 451.

Thus the agrarian problem lies at the roots of the Negro national movement. The great majority of the Negroes in the rural districts of the South are not ‘reserves of capitalist reaction’ but potential allies of the revolutionary proletariat. Their objective position facilitates their transformation into a revolutionary force, which under the leadership of the proletariat will be able to participate in the joint struggles with all other workers against capitalist exploitation.³¹

Not all Communist Party USA delegates to the Moscow Comintern meetings were supportive of the Black Belt Self-Determination thesis, which led to internal squabbling among the national Party leadership. The main opposition argument stipulated that black Americans did not want to separate from the United States but rather wanted to be equal participants in society. James Ford, a black communist who ultimately became a pivotal leader in the CPUSA, stated, “any nationalist movement on the part of the Negroes does nothing but play into the hands of the bourgeoisie by arresting the revolutionary class movement of the Negro masses and further widening the gulf between white and similar oppressed groups.”³² The Communist International exerted its authority over the bickering factions of the American branch of the Communist Party by further defining the platform in February 1930. The Moscow leadership demanded that the CPUSA overcome the “present casual nature of the work among the Negroes...and put the slogan of self-determination at the center of its program.”³³ Following this directive, the Communist Party in the United States went to work in black communities of the so-called Black Belt. The Black Belt encompassed a wide swath of counties beginning “with a portion of Arkansas and Louisiana and extending eastward through the middle of Mississippi, Alabama,

³¹ Harry Haywood, “The Struggle for the Leninist Position on the Negro Question in the USA,” *The Communist*, (September 1933): 9.

³² Klehr, *The Communist Experience in America*, 95.

³³ *Ibid.*, 96.

and Georgia” and continuing “through a substantial portion of South Carolina, North Carolina and Virginia, ending at the Chesapeake Bay.”³⁴ The efforts of the Communist Party in the Black Belt included legal defense of black defendants, collective organization of sharecroppers, and support for the education of blacks.

The Legal Defense of the Scottsboro Nine

Scottsboro, Alabama is a small rural town that became internationally recognized as a battleground in the American struggle over race relations in the 1930s. Jim Crow racial oppression during the legal proceedings of the “Scottsboro Nine” was even more pronounced than the stringent social restrictions engrained in typical southern lifestyles. The case captured the attention of people around the world and across the United States for its elements of racial division, class conflict, shocking sexual testimony, and the efforts of the Communist Party to defend the nine black men accused of raping two white women on a train in Alabama. This case and its publicity branded communists as African American sympathizers in the minds of many southerners. Thus began the blurring of subversion and racial liberalism, which ushered in a new southern version of the Red Scare.

On March 25, 1931 a freight train traveling from Chattanooga to Memphis became the vehicle on which the brutal rape of Ruby Bates and Victoria Price supposedly occurred. The two women were young, in their late teens and early twenties respectively, and struggling to find work during the Great Depression. They had been to Chattanooga to look for work in the cotton mills. The train route from Chattanooga to Memphis runs through northern Alabama and Mississippi before crossing back into Tennessee. On this trip, Bates and Price were returning to

³⁴ *Herndon v. Georgia*, Exhibit Document #13, at 01022. Georgia Archives. Morrow.

their hometown of Huntsville, Alabama from an unsuccessful job hunt. Bates and Price were not riding within the confines of a passenger rail car. Instead they were hoboing in an open-air gondola car along with other down on their luck men.

The version of events becomes muddled as the train wound its way through rural Tennessee and Alabama. Certainly, an altercation occurred between the white and black males who were also hitching a ride on the train. Through the course of the fight, the white men were dislodged from the train and reported the incident to the stationmaster at Stevenson, Alabama. The next town, Scottsboro, was notified of the fight and a posse was dispatched to apprehend the young black men accused of injuring the white male hoboes. The report of the altercation did not indicate the presence of the two women. The round up netted nine young black men and the two white girls, Ruby Bates and Victoria Price.³⁵ The arrests set in motion a legal case like none other in this area of north Alabama.

Bates and Price, upon arriving in Scottsboro, claimed the nine black men from the train had raped them. Word spread quickly through the small town and outrage escalated quickly over the alleged defiling of white women. The men of the community began to gather at the jail to inflict their own brand of vengeful justice even though the women were not from their community, were of the lowest social class, and did not possess pristine reputations. Many whites at the time “thought a Negro rapist hanged and burned by a mob got off awful light.”³⁶ The tension filled night did not result in the physical lynching of the nine black men from the train passing through town. However, in the weeks to come, their case would twist legal justice

³⁵ Dan Carter, *Scottsboro: A Tragedy of the American South* (Baton Rouge: Louisiana State University Press, 2007), 4-5.

³⁶ *Ibid.*, 7.

in a way not familiar to those from outside the South who were reading about the well-publicized case.

Stephen Roddy was a white lawyer of limited distinction retained by the Interdenominational Colored Ministers Alliance of Chattanooga to represent the accused at trial. Milo Moody, an elderly attorney from the Scottsboro area whose effectiveness was considered by most to be hampered due to his advanced age, stepped up to assist Roddy when no other local defenders would consider hurting their careers by representing alleged black rapists. The trial began immediately with the unimpressive legal team who were afforded no preparation for the case and only a half-hour interview with their clients. By April 9, 1931, eight of the defendants had been found guilty and sentenced to death in Alabama's electric chair. The ninth defendant's day in court would have to wait since he was a juvenile at only thirteen years of age. In roughly two weeks time the investigation and legal process, from initial arrest through sentencing, had run its course and come to a close for the eight older men.³⁷ The lynching may not have happened with a rope but it had been disguised as a civil court proceeding.

The timing of the Scottsboro cases fit with the Comintern's plan to assist oppressed Black Belt African Americans in their struggle for equality and independence. The Comintern's 1930 directive for American communists to "put the slogan of self-determination at the center of its program" had been clear and the Scottsboro case was a prime opportunity for the Party to offer its resources to black men whose day in court had been questionable in terms of justice. The Communist Party's International Labor Defense (ILD) arm dispatched lawyers to Alabama to redeem the convicted Scottsboro defendants from their sentence of death by electrocution. Party

³⁷ Hugh T. Murray, "The NAACP Versus the Communist Party: The Scottsboro Rape Cases, 1931-1932," *Phylon* 28, no. 3 (1967): 277.

leaders assumed the publicity garnered from the ILD's support in the case would demonstrate commitment to the defense of black rights.³⁸

The ILD's legal assistance with the appeal of the Scottsboro Nine was but one part of the Communist Party's plan to exploit the publicity surrounding the sham legal proceedings. The Central Committee of the Communist Party USA issued mandates to regional Party offices across the country for the establishment of "local neighborhood committees focusing upon the Scottsboro issue" and "supplying speakers to interested clubs, churches, and unions."³⁹ The swift control taken by the ILD touched off a firestorm of conflict between the communist organization and the well-established National Association for the Advancement of Colored People (NAACP) known for its legal involvement on behalf of African Americans.

The NAACP was delayed in offering support for the men accused in Scottsboro because their field office in Chattanooga had closed in 1930 and the only information the organization's leadership had on the case came from southern newspapers. The publications reported that the men had adequate legal representation and therefore the NAACP was proceeding cautiously. NAACP leaders did not want to prematurely tie "the Association with a gang of mass rapists unless they were reasonably certain the boys were innocent or that their constitutional rights had been abridged."⁴⁰ The ILD seized the opportunity to draw support from the black community and played the NAACP's tardiness to the benefit of Communist Party.

The NAACP fought back. A pointed 1931 editorial in the *New Republic* by Herbert J. Seligmann, Director of Publicity for the NAACP, challenged the ILD's grandstanding on behalf of the Scottsboro defendants.

³⁸ Hugh T. Murray, "Aspects of the Scottsboro Campaign," *Science and Society* 35, no. 2 (1971): 180.

³⁹ *Ibid.*, 178.

⁴⁰ Carter, *Scottsboro*, 52.

Public sentiment in Alabama is tense. The N.A.A.C.P. in a long and successful record of defending colored people, which includes victories of primary importance before the United States Supreme Court, has learned that such cases must be won not in the newspapers but in courts of law. The N.A.A.C.P. feels that the tactics of the Communists have already gravely inflamed sentiment in Alabama and has intensified the difficulty of saving the eight condemned boys.... In the light of this situation your question to the Communists, as to whether they are interested enough in the fate of the boys to withdraw when there is assurance that the defense will be adequately conducted by others, becomes especially pertinent. Propaganda cannot save the boys' lives; and saving them is now the paramount task.⁴¹

The Communist Party responded to the NAACP's accusations through its own publications and statements. Earl Browder, General Secretary of the Communist Party USA emphasized the meaning of the Scottsboro case at the Party's 1934 annual meeting in Cleveland.

How impossible it would have been to rouse the Negro masses in the United States in millions to the support of the Scottsboro boys; how impossible to have joined with them millions of white toilers and middle classes; how impossible to have stirred the entire world, as was done - if the Scottsboro case had been taken up from the liberal-humanitarian point of view, or if it had been approached from the narrow Social-Democratic viewpoint!⁴²

Recognizing the power play at hand, the NAACP sent Walter White to the Kilby Prison in Alabama where the men were being held in order to persuade them to dump the ILD and allow

⁴¹ Herbert Seligmann, "Editorial," *New Republic* 67 (1931): 47, located in Theodore Draper Research Files, Emory University.

⁴² James Ford, "The United Front in the Field of Negro Work," *The Communist* (February 1935): 159-160, located in Theodore Draper Research Files, Emory University.

their organization to control the appeal process.⁴³ The waffling of the defendants and their families over which organization should provide legal support continued for nineteen years as the cases went through numerous appeals and Supreme Court ordered retrials. The parents of the young men became pawns in the struggle between the ILD and the NAACP. Both organizations wanted the blessing of the defendants' families in order to proceed with leading the defense efforts. The ILD even sent family members on speaking tours around the world and provided financial assistance in order to woo support. Mrs. Ada Wright, mother of two defendants, went on a six-month speaking tour of Europe with the International Red Aid society in 1932.⁴⁴ The conflict between the NAACP and the ILD indicates the skeptical lens with which even African Americans viewed the Communist Party's interest in relieving Black Belt minority oppression.

Ruby Bates and Victoria Price were fixtures in each and every legal proceeding and their stories of what took place on the train changed often. In 1933, Ruby recanted her story and claimed the rapes had never happened.⁴⁵ The shocking admission by the star witness had come out during the Supreme Court ordered retrial and was not even enough to clear the men. Surprisingly, the retrial ended with another guilty verdict and death sentence even with one accuser confirming the innocence of the accused. The firm control of white southern justice held tight to the conviction and Jim Crow segregation traditions. White southern segregationists challenged communism's "raid" on their way of life by not allowing the Scottsboro case to be overturned.

⁴³ James Miller, Susan Pennybacker, and Eve Rosenhaft, "Mother Ada Wright and the International Campaign to Free the Scottsboro Boys, 1931-1934," *The American Historical Review* 106, no. 2 (2001): 391.

⁴⁴ Carter, *Scottsboro*, 172.

⁴⁵ *Ibid.*, 238.

The Communist Party used the racially charged case for publicity in the hopes of making inroads with the African American population. The parents of the accused were caught between the ILD and the NAACP in trying to help their sons' survive a death sentence. Though the ILD and Communist Party USA devoted significant resources to the Scottsboro case, African Americans did not succumb to the "siren song of the Soviets" as the Party had hoped.⁴⁶ Party General Secretary Earl Browder admitted in 1932 that, "our organizational results have been unbelievably small."⁴⁷ The publicity of the Scottsboro Case had certainly created a stir in the black community and probably drew some to join the Communist Party. However, the greater impact made by the ILD's investment in the case was more indirect.

Depression era events, including the Scottsboro case, exploited by the Communist Party to promote its Black Belt Self-Determination thesis led to greater organization and protest of Jim Crow in the future. Some historians have described the Communist strategy of using propaganda, protest rallies, and marches to draw attention to the Scottsboro injustice as contributing to the development of the Civil Rights Movement strategy in the 1960s.⁴⁸ "Any effort to uncover direct links between the Communist Party and the modern civil rights movement would be futile.... But to deny any linkages whatsoever ignores a twenty-year legacy of radicalism that had touched thousands of Alabamians."⁴⁹ Some historians have recently

⁴⁶ Kluger, *Simple Justice*, 146.

⁴⁷ Klehr, *Heyday of American Communism*, 339.

⁴⁸ Robin Kelley, *Hammer and Hoe: Alabama Communists During the Great Depression* (Chapel Hill: University of North Carolina Press, 1990), 228-229; Tomek, "Dilemma of the American 'Negro Problem,'" 566; Timothy Johnson, "We Are Illegal Here: The Communist Party, Self-Determination and the Alabama Share Croppers Union," *Science & Society* 75, no. 4 (2011): 477.

⁴⁹ Kelley, *Hammer and Hoe*, 229.

referred to the seeds of radicalism planted in the South by the Communist Party during the 1930s “as being part of the ‘long civil rights movement.’”⁵⁰

The Communist Party’s involvement in the Scottsboro case was also not lost on white segregationists. Horace Mann Bond, a prominent African American professor from Fisk University, quoted the warden of Kilby Prison where the Scottsboro men were held in a 1932 article for the *Atlanta Daily World*. The warden questioned Bond’s presence at the jail by asking:

“You aint one of them communist niggers are you? I wouldn’t have one of them devils out here for nothing. They’ve come down here and pumped them boys full of stuff and raised more stink than this state will stand.”⁵¹

Bond emphasized the blending of race and communism by whites when stating, “From this conversation one gleaned the idea that white Alabama was slightly ashamed for the Scottsboro affair but had made up its mind to ‘see those niggers burn’ for no other reason than to ‘spite them communists.’”⁵²

Reviews of James Allen’s 1936 book, *The Negro Question in the United States*, provide evidence of another fascinating example of the ire held by white southerners toward the influence of communism in their region’s social stratification. Allen served as Communist Party USA’s southern district committee leader and lead writer for the organization’s *Southern Worker* newspaper. The two-page book review in *Pacific Affairs* by Guy Johnson of Chicago discusses the book’s explanation of the Communist Party’s Black Belt policies and closes with the statement, “The book is interesting, dignified, and scholarly. It should be read by everyone who

⁵⁰ Johnson, “We Are Illegal Here,” 477.

⁵¹ Horace Mann Bond, “Scottsboro Boys are Visited: Reds are Feared,” *Atlanta Daily World*, July 18, 1932, Proquest Newspapers.

⁵² Ibid.

makes any pretense of keeping up with the race problem in America.”⁵³ In contrast to the *Pacific Affairs* review, the *Georgia Historical Quarterly* published a seven-line, un-authored scathing indictment of Allen’s book based more on impassioned opinion than substantive review. The Georgia publication noted, “when it [Allen’s book] attempts to give the solution to the negro question, it drifts off into radicalism, utterly impractical if not downright treasonable. The absurdity of the remedy is to be seen in the advocacy of a Negro Republic, to be made up of a black belt from Virginia to Texas.”⁵⁴ At the time this review was written in 1938, Georgia was embroiled in its own legendary legal struggle concerning race and communist influence.

The Legal Defense of Angelo Herndon

Alabama’s Scottsboro case touched off a Red Scare in the South that linked subversion to racially liberal ideas. Georgia became embroiled in its own case involving subversion and race in 1932. Like Scottsboro, *Georgia v. Angelo Herndon* drew the attention of the ILD as an opportunity to promote the Communist Party’s influence in African American affairs. Angelo Herndon was a black man from Ohio who became a political organizer in the South during the early 1930s. Herndon began working for the Communist Party in an attempt to organize coal miners in Alabama. After a brush with legal trouble there, Herndon was not deterred and continued to promote the Communist Party among southern African Americans. The economic problems of the Depression were mounting in Atlanta and the Communist Party viewed the city as fertile ground for action.

⁵³ Guy Johnson, review of *The Negro Question in the United States*, by James Allen, *Pacific Affairs* 10, no. 1 (1937): 110.

⁵⁴ Unsigned review of *The Negro Question in the United States*, by James Allen, *Georgia Historical Quarterly* 22, no. 1 (1938): 116.

Communist Party leaders sent nineteen year old Angelo Herndon to Atlanta for the purpose of organizing workers and relief recipients. Youth did not deter Herndon from leading a 1932 integrated demonstration in downtown Atlanta of approximately one thousand poor and unemployed workers whose relief funds had been cut.⁵⁵ Herndon stated in his autobiography, “It was a demonstration of the southern workers’ power. Like a giant that had been lying asleep for a long time, he now began to stir.”⁵⁶ Three days after the much-publicized protest, Herndon was arrested at his Atlanta Post Office mailbox. Georgia used an antebellum law preventing slave insurrection to charge the young communist. Two years earlier, the state had dusted off the old statute to charge the so-called “Atlanta Six” with inciting insurrection.

The Atlanta Six were arrested as part of the Atlanta Police Department’s Red Squad raids to catch communist organizers conducting meetings with potential members in the city. The Red Squad police activity was far reaching and sought to rid Atlanta of communist infiltration. Special emphasis was paid to the African American community and any attempts there to inflame communist support or create interracial organizational activity.⁵⁷ Herndon’s arrest was part of the Red Squad’s police crusade to protect the city from radicalism. The prosecution of Angelo Herndon was as much about his race as his political ideology.

Herndon became a prime target of the Red Squad due to his leadership in planning the large public, interracial protest on June 30, 1932. His communist backed organization, the Unemployed Committee of Atlanta, produced flyers to advertise the event with the headlines,

⁵⁵ William Lewis and John Louis Lucaites, “Race Trials: The Rhetoric of Victimage in the Racial Consciousness of 1930s America,” in *Argument in a Time of Change: Definitions, Frameworks, and Critiques*, ed. James F. Klumpp (Annandale, VA: National Communication Association, 1997), 270.

⁵⁶ Angelo Herndon, *Let Me Live* (New York: Arno Press, 1969), 192.

⁵⁷ James Lorence, *A Hard Journey: The Life of Don West* (Urbana: University of Illinois Press, 2007), 40.

“Workers of Atlanta,” “Employed and Unemployed,” “Negro and White.” The circular urged broad support for the event by stating:

Lets all of us, white and Negroes together, with our women folk and children go to his office [County Commissioner, Walter McNeal, Jr.] in the county court house on Pryor and Hunter streets Thursday morning at 10 o’clock and show this faker that there is plenty of suffering in the city of Atlanta and demand that he gives us immediate relief!⁵⁸

The demonstration took place at the appointed time and Herndon’s leadership in the protest made him a target for arrest three days later at his mailbox in the Atlanta Post Office. All of the propaganda being distributed in Atlanta on behalf of the Communist Party and the Unemployed Committee of Atlanta listed Box 339 as the address of the organization. The Red Squad staked out the Post Office and nabbed Angelo Herndon on July 11, 1932 as he came to collect his mail from the box in question.⁵⁹ At trial, the prosecution introduced communist propaganda in the form of thirty-one documents of evidence. Circulars, booklets, membership receipt books, and communist publications including the *Daily Worker*, *Communist*, and *Party Organizer* were included as exhibits in the state’s case charging insurrection.⁶⁰ The police claimed these items were in Herndon’s possession at the time of arrest while the defendant claimed these items were taken from his room without a search warrant. The case was building up to be another hotly contested battle between the heavy-handed southern justice system and the Communist Party with its radical views on race and government.

Similar to the Scottsboro case in Alabama, the Fulton County Superior Court conducted a swift trial in January 1933 with the black defendant’s lawyers, Benjamin Davis and John Geer,

⁵⁸ *Herndon v. Georgia*, Exhibit Document #30, Georgia Archives, Morrow.

⁵⁹ John H. Moore, “The Angelo Herndon Case, 1932-1937,” *Phylon* 32, no. 1 (1971): 64.

⁶⁰ *Herndon v. Georgia* Exhibit Documents #1-31, Georgia Archives, Morrow.

being provided by the Communist Party's ILD.⁶¹ In Scottsboro, the ILD had used white lawyers from the local community, Chattanooga, and New York to defend the men. For Angelo Herndon's case, the ILD hired Davis, a young black Harvard educated lawyer, to be the lead attorney and his black law partner Geer. Their law practice was located on Auburn Avenue in the heart of Atlanta's African American community.

The racial tension between Herndon's black lawyers and the white prosecutors and judge was evident from the opening gavel and continued throughout the trial. Davis moved to have the case dismissed with the claim that Negroes had been excluded from the jury selection process. Herndon recalled in his autobiography the racial tension seeping into the subversion and insurrection case, "The judge glowered at the Negro attorney who dared challenge white justice." Herndon went on to quote a statement by the prosecutor, "This is not only a trial of Angelo Herndon but of Lenin, Stalin, Trotsky, and Kerensky and every white person who believes that black and white should unite for the purpose of setting up a nigger Soviet Republic in the Black Belt."⁶² Subversion and race were a toxic combination in the Atlanta courtroom.

As was true in the Scottsboro case, the ILD supported a far-reaching media campaign to expose the inequality of southern justice and promote the cause of the Communist Party's Black Belt Self-Determination thesis. "The trial was only briefly noted by the national press, and it took the efforts of the Communist Party press and the ILD to make Herndon a household name beside the Scottsboro defendants."⁶³ Herndon's notoriety in black communities across the country was also bolstered by a one-act play, entitled *Angelo Herndon Jones*, written by the

⁶¹ Mark Tushnet, "The Hughes Court and Radical Political Dissent: The Cases of Dirk De Jonge and Angelo Herndon," *Georgia State University Law Review* 28, no. 2 (2012): 361.

⁶² Herndon, *Let Me Live*, 228.

⁶³ Frederick Griffiths, "Ralph Ellison, Richard Wright, and the Case of Angelo Herndon," *African American Review* 35, no. 4 (2001): 623.

celebrated Harlem Renaissance writer Langston Hughes.⁶⁴ The ILD's publicity campaign spread the details of the case across the country. Students bound in chains at New York's Columbia University protested across their campus demanding the release of Angelo Herndon from the Georgia chain gang.⁶⁵ "Free Angelo Herndon" committees were created in communities across the United States. The publicity surrounding the Georgia case had long-term implications concerning the blurring of subversion and race among white segregationists. Georgia's Solicitor General, John Boykin, proposed an anti-communist law which would have made it illegal to simply possess communist materials. A clear indication of the blending of race and communism comes from a statement by the Ku Klux Klan regarding Boykin's proposal. The racist organization praised the proposed law as communism posed a "danger to the Southern social order and peace in the territory."⁶⁶ Debate over the bill on the Georgia General Assembly House floor included an impassioned Lost Cause speech by William Wade Brewton in March 1935. Brewton stated,

A great hue and cry has been raised in the land about communism, and I am here to tell you that if you will revive the principles of the Old South, a communist cannot live in this country.... The principles of communism are here today solely because the principles for which the Old South stood were put under the heel of the Conqueror...the war of the sixties transformed this Union from one of consent to a consolidation compelled by force.⁶⁷

⁶⁴ Susan Duffy, *The Political Plays of Langston Hughes* (Carbondale: Southern Illinois University Press, 2000), 138.

⁶⁵ "NSL Parades With Chains for Herndon," 7 November 1935, *Columbia Spectator* archive, Columbia University Libraries, New York.

⁶⁶ Karen Ferguson, *Black Politics in New Deal Atlanta* (Chapel Hill: University of North Carolina Press, 2002), 68.

⁶⁷ Moore, "The Angelo Herndon Case," 67.

Angelo Herndon's initial trial in the Fulton County Superior Court resulted in a guilty verdict. The jury did not sentence him to the maximum punishment of death but instead chose leniency by sentencing him to 18 to 20 years on the Georgia chain gang. Herndon's ILD lawyers, Davis and Geer, appealed the case to the Georgia Supreme Court in July 1933 on the grounds that "members of the defendant's race (Negroes) were systematically excluded from the jury that was empaneled to try defendant because of race."⁶⁸ The record includes the testimony of Fulton County Jury Commissioner George Sims regarding the composition of the all white jury. Sims explained that at least one jury commissioner must know men selected for jury service. "I know some Negroes that could qualify but they are exempt, professional men and such."⁶⁹ The Georgia Supreme Court upheld Herndon's conviction. An interesting line of reasoning offered by the Georgia Supreme Court explains that even though the 1932 Atlanta protest, which led to Herndon's arrest, never turned violent- it could have. A key component of the conviction relied on the fact that the judge did not believe the Black Belt Self-Determination thesis could be achieved without violence. Therefore, Angelo Herndon must have intended insurrection with his Communist Party involvement. Davis and Geer appealed to the United States Supreme Court when their motion for a rehearing before the Georgia Supreme Court was denied. Their argument became the anti-insurrection statute used to convict Angelo Herndon. Davis and Geer claimed the law, as construed by the lower court, was not consistent with free-speech principles.⁷⁰

Georgia's governor during the Herndon case, Eugene Talmadge, was known for his stormy persona and white supremacist attitudes towards race relations throughout his long and

⁶⁸ *Herndon v. Georgia*, Appeal to Georgia Supreme Court, at 00823, Georgia Archives, Morrow.

⁶⁹ Ibid.

⁷⁰ Tushnet, "The Hughes Court and Radical Political Dissent," 365.

storied political career. He was renowned for his shocking statements and actions, which often demonstrated to the nation the depths of Jim Crow segregation in Georgia. However, these traits attributed to Georgia's chief executive do not align with his response to the Angelo Herndon situation.

Clearly, Talmadge was well aware of the events surrounding Angelo Herndon's arrest and trial. The governor stated, "I get letters and telegrams every day from people worried about the matter."⁷¹ Many of the letters and visitors requested an executive pardon. A visit by the communist aligned National Committee for the Defense of Political Prisoners to Talmadge's office in Atlanta was particularly curious given the governor's usual crass demeanor toward Northerners involving themselves in Georgia's affairs. "The chief executive skillfully mixed graciousness with evasiveness."⁷² Instead of berating the Northern liberal visitors for their views on civil rights and political ideologies, Talmadge instead showed unusual restraint and even stated that he "was a friend of the Negro."⁷³ However, a hint of the governor's true opinion of racial equality is seen in his statement immediately following the declaration of friendship with African Americans. Talmadge continued, "I know a black lawyer who, though successful, is as humble as the lowest farmer. I love that nigger."⁷⁴ In addition to the guarded and subdued demeanor Talmadge maintained during the meeting with Herndon supporters from the North, he surprised both conservative and liberal Georgians when he vetoed Boykin's proposed legislation in 1935 that would have made it illegal to possess any seditious material.

⁷¹ Anne Emanuel, *Elbert Parr Tuttle: Chief Jurist of the Civil Rights Revolution* (Athens: University of Georgia Press, 2011), 120.

⁷² Charles Martin, *The Angelo Herndon Case and Southern Justice* (Baton Rouge: Louisiana State University Press, 1976), 106.

⁷³ *Ibid.*, 107.

⁷⁴ *Ibid.*

Talmadge's contemporaries and historians have remained curious about why the 1935 sedition bill was vetoed. The veto does not equate with the typical actions and anti-communist and racist views of the conservative governor. An explanation of Talmadge's shocking restraint could instead be a fitting example of his vindictive nature. The sponsor of the 1935 sedition bill was Georgia Solicitor General John Boykin. The conservative nature of the bill to suppress communist literature squares with Talmadge's views, but the bill's author was a key political rival. Boykin may have been the target of the veto rather than the legislation. Even local liberals were shocked by the unpredictable move by Talmadge. Their exchanges offer the same explanation- Boykin was the target. Secretary-treasurer of the Georgia Federation of Labor, O. E. Petry speculated to the ACLU that, "the governor's real motive had been to strike at the bill's chief advocate, John A. Boykin, a bitter political rival."⁷⁵ Likewise, Reverend Claud Nelson, secretary of the Fellowship of Reconciliation, wrote to the executive director of the ACLU regarding the veto that the governor's main aim had been "to rob Boykin of credit for sponsoring the bill."⁷⁶

Talmadge's political career continued to be challenged by the conflation of subversion and race relations in the South. In the early 1940s, he aggressively targeted professors in Georgia's university system that he deemed subversive for their perceived racially liberal actions. The scandal that ensued demonstrates the impact Black Belt Self-Determination initiatives had on white segregationists in Georgia and are more thoroughly analyzed in Chapter 3 of this dissertation. Talmadge did privately show his true ire toward radical communists, such as Herndon, who stirred conflict in the state during the 1930s' in an interview with *New Masses* correspondent, Joseph North. During the interview, Talmadge initially maintained his restrained

⁷⁵ Ibid., 144.

⁷⁶ Ibid.

demeanor regarding Herndon and the sedition bill veto. Talmadge then broke his stoic appearance. North described Talmadge's rage by stating,

The Governor rose and paced the room, turning to stare out the great bay window that opened on the broad plaza outside. He pivoted on me suddenly, a lean finger pointing outside. 'See those streets, suh? They'd be piled with corpses like haystacks, the gutters would run blood, if I let Nigras like Herndon run loose. If that Nigra is what they say he is and is stirring up general hell, preachin' equality, he will stay in jail until his black hide rots.' If there were others like him, preaching revolution, the Governor would give every Caucasian a shotgun and tell him to use it as conscience dictates.⁷⁷

The fiery Talmadge was in no way becoming a liberal sympathizer in vetoing the sedition bill. Instead, he was following his typical self-serving course and manipulating the publicity surrounding the case.

Herndon's case continued and was ultimately appealed to the United States Supreme Court twice. The first hearing before the United States Supreme Court in 1935 was dismissed on jurisdictional grounds. Justice Southerland in the majority opinion wrote of the dismissal, "this court is without jurisdiction for the reason that no federal question was reasonably raised in the court below or passed upon by that court."⁷⁸ Herndon had been out of prison on bond but was forced to return to the Atlanta jail upon the Supreme Court's dismissal. The communist leader had spent his time out of jail speaking and writing on behalf of the Party. Herndon's return to prison in 1935 did not end his case.

Whitney Seymour, an ILD attorney, argued again for a writ of habeas corpus before the more liberal Georgia Appeals Court judiciary. Judge Dorsey ruled in favor of Herndon's appeal

⁷⁷ Ibid.

⁷⁸ *Herndon v. Georgia*, 295 U.S. 441, May 20, 1935, Georgia Archives, Morrow.

by finding the statute used in the original conviction was too vague and violated the Fourteenth Amendment. This judgment by the Georgia Court was precisely what Herndon's team needed to return to the United States Supreme Court. In 1937 the high court ruled,

the statute, as construed and applied, amounts merely to a dragnet which may enmesh anyone who agitates for a change of government if a jury can be persuaded that he ought to have foreseen that his words would have some effect in the future conduct of others. No reasonably ascertainable standard of guilt is applied. So vague and indeterminate are the boundaries thus set to the freedom of speech and assembly that the law necessarily violates the guarantees of liberty embodied in the Fourteenth Amendment. The judgment is reversed.⁷⁹

Reaction to the ruling was of course mixed. Questions remained as to how solid the divided Supreme Court's 5-4 ruling would be on free speech issues concerning subversive material. The decision was significant in its departure from the all-encompassing "clear and present danger" approach to domestic threats to the government in the 1919 *Schenck v. United States* decision. The Angelo Herndon case was monumental on a national level for its distinction of subversive activity versus subversive thought. On a regional level, the Atlanta case added to the southern lore of communist infiltration on behalf of African Americans. There is no doubt the Communist Party directed both the Angelo Herndon and Scottsboro cases in an effort to support the international body's plan to end black oppression in the American South. Legal defense of African Americans was not the only arena touched by communist influence. Party leaders recognized the economic situation of southern blacks as deplorable and restricted by hopeless sharecropping arrangements. The limited economic opportunities for African

⁷⁹ *Herndon v. Lowry*, 301 U.S. 242, April 26, 1937. Georgia Archives, Morrow.

Americans provided another avenue through which Party leaders tried to gain influence in the Black Belt.

Sharecroppers' Union: Communist Party Objective for African Americans

In addition to legal defense efforts in high profile cases such as the Scottsboro Nine and Angelo Herndon, the Communist Party led financially oppressed sharecroppers in the South to unionize. This effort was intended to bring the communist message to wide masses of rural African Americans toiling in fields without the hope of financial progress. The Sharecroppers' Union formed in Alabama under the direction of the Communist Party and was intended to be a primary vehicle for developing an African American base.

Leninist ideology helps to explain why the Communist Party would devote so much attention to the Sharecroppers' Union. The union was not intended to overtly recruit members to the Party. Instead it was believed that members would come to realize that the capitalist system was the root of their problems, which would eventually lead them to support the Black Belt Self-Determination thesis. Lenin believed that workers supported in their every day struggles against exploitation would eventually condemn capitalism. Thus, working with oppressed African Americans in the Black Belt would eventually lead them to support the Communist Party. It is a convoluted rationale but one that was intended to gain trust and support among a disadvantaged group skeptical of outsiders.

Early in Lenin's Russian leadership, he explained this rationale by stating it is "through the struggle for democratic reforms that the consciousness of the working class is transformed and the workers come to recognize the necessity of the overthrow of capitalism."⁸⁰ The

⁸⁰ Johnson, "We Are Illegal Here," 458.

Communist Party's development of the Sharecroppers' Union in Alabama is in line with Lenin's plan. He explained, "there can be no victorious socialism that does not practice full democracy, so the proletariat cannot prepare for its victory over the bourgeoisie without an all-round, consistent and revolutionary struggle for democracy."⁸¹ As early as 1917, Lenin already had the American South's sharecropping system in his sights by comparing the "startling similarity in the economic status of the Negroes in America and the peasants in the heart of agricultural Russia who were formerly landowners' serfs."⁸² Lenin's statements are echoed in the 1928 National Platform of the Communist Party concerning the oppression of Negroes. The Communist Party Platform said,

The Negro tenant farmer and sharecroppers of the South are still, despite all the pompous phrases about freeing the slaves, in the status of virtual slavery. They have not the slightest prospect of ever acquiring possession of the land on which they work. By means of an usurious credit system they are chained to the plantation owners as securely as chattel slaves. Peonage and contract labor are the fate of the Negro cotton farmer. The landowners, who are at the same time the merchants and government for the South, rule over the negroes with a merciless dictatorship.⁸³

Once the Black Belt Self-Determination thesis became part of the Communist Party's platform, efforts to reach the disadvantaged sharecroppers became paramount to the program. In contrast to the highly publicized legal defenses mounted by the ILD, the Sharecroppers' Union was more of a grassroots effort to gain trust through efforts to support the everyday lives of

⁸¹ Vladimir Lenin, *Collected Works*, Volume 22 (Moscow: Progress Publishers, 1964), 144.

⁸² *Ibid.*, 27.

⁸³ National Platform of the Workers Party 1928, Theodore Draper, Research Files, Emory University, Atlanta.

southern blacks. The Party began organizing in Birmingham and then spread out to more rural areas of the state. Camp Hill in Tallapoosa County, Alabama was one of the poorest areas in the state and had a substantial black sharecropping population, which made it attractive to communist organizers. Violence broke out at an early Camp Hill organizational meeting when carloads of whites and the county sheriff tried to break up a July 1931 meeting. The sharecroppers resisted and violence ensued resulting in the shooting of a sharecropper, Ralph Gray, and the sheriff, J. K. Young.⁸⁴

The violence at Camp Hill escalated with the formation of a lynch mob, which violently killed Ralph Gray in his home. Ultimately thirty-five sharecroppers were arrested in the incident who were subsequently defended by the same ILD attorneys from the Scottsboro case 170 miles away. The Communist Party admitted organizational shortcomings in the Camp Hill incident and pledged greater support in the region. The Union began to function in secret but with greater structure.⁸⁵ Ned Cobb, an African American from Alabama whose autobiography was written under the pseudonym Nate Shaw, described his impetus for joining the secret organization in his community. “From my boy days comin along, ever since I been in God’s world, I’ve never had no rights, no voice in nothing that the white man didn’t want me to have – even been cut out of education, book learnin, been deprived of that.”⁸⁶

Alabama’s Sharecroppers’ Union was divided into “locals” each comprising approximately ten men. Leadership positions in each local were elected and included a captain, secretary, and literature agent responsible for maintaining Party publications pertinent to the

⁸⁴ Klehr, *The Heyday of American Communism*, 334.

⁸⁵ Johnson, “We Are Illegal Here”, 466.

⁸⁶ Theodore Rosengarten, *All God’s Dangers: The Life of Nate Shaw* (Chicago: University of Chicago Press, 1974), 298.

issues of self-determination.⁸⁷ The captains of each local met weekly to plan their movements. A minimal dues structure was also put in place within the locals. By 1933, the Sharecroppers' Union leader Al Murphy reported a total membership in Alabama of 2000 individuals divided into 73 locals, 80 women's auxiliaries, and 20 youth organizations.⁸⁸

The primary goals of the Sharecroppers' Union in each local community included seven basic demands: continuation of food advances, negotiation of their own crop prices, small gardens for resident wage hands, a minimum wage of one dollar per day, a midday rest for all laborers, nine-month school year for black children, and free transportation for children attending school.⁸⁹ Literacy was a primary focus of the Sharecroppers' Union as they tried to overcome the limitations blacks experienced in the region. Harry Haywood of the Communist Party Central Committee visited a Sharecroppers' Union meeting in Alabama to better understand the program that was emerging as part of the Party's system. He was impressed with the discussions that took place under the direction of local leaders. "They described conditions and how they were preparing for a strike, and gave reports on different landlords."⁹⁰ Haywood recalls in his autobiography that the significance of the Sharecroppers' Union in the overall Black Belt Self-Determination thesis "was definitely a prototype for the future organization of the black, landless, debt-ridden, and racially persecuted farmers of the area."⁹¹

As the legal defense efforts of the ILD aroused questionable responses from the white controlled judicial system of the South, the Sharecroppers' Unions drew violent and frenzied responses in the white communities where local organizations were suspected. "There was a

⁸⁷ Johnson, "We Are Illegal Here," 466-467.

⁸⁸ Kelley, *Hammer and Hoe*, 52.

⁸⁹ *Ibid.*, 40.

⁹⁰ Harry Haywood, *A Black Communist in the Freedom Struggle: The Life of Harry Haywood* (Minneapolis: University of Minnesota Press, 2012), 198.

⁹¹ *Ibid.*

level of day-to-day violence that is nearly impossible to imagine.”⁹² Hysteria emerged among white landlords who worried about their control of both land and subjugated workers. Reports were prevalent of Negro cabins being raided and sharecroppers being terrorized for possibly supporting the communist Sharecroppers’ Union. One Party district reported in 1935 to the Communist Party USA Central Committee that, “landlords in Tallapoosa County are trying to have a law passed forcing Negroes to apply to the Mayor for passports to travel around the County.”⁹³

The unionization of black sharecroppers was ultimately diluted in 1936 by its merger with the Agricultural Workers Union and the predominantly white Farmers Union of Alabama. Harry Haywood lamented the Sharecroppers’ Union demise as “motivated by some sort of crude trade union economism, a desire to restrict the struggle of black soil tillers to economic issues and a feeling that the existence of an independent and mainly black union.”⁹⁴ He believed the white sharecroppers and agriculturists of the state were afraid “the explosive potential” of the Sharecroppers’ Union would frighten off potential New Deal Depression relief and the support of southern moderates. The Sharecroppers’ Union as led by the Communist Party may have dissolved but its influence continued in southern whites’ heightened awareness of the organization of rural blacks.

Measuring the Comintern’s Efforts in the Black Belt

The Black Belt Self-Determination thesis established the Communist Party’s focus on the southern United States. The efforts of the ILD in both the Scottsboro case and the Angelo

⁹² Johnson, “We Are Illegal Here,” 475.

⁹³ Ibid.

⁹⁴ Haywood, *A Black Communist in the Freedom Struggle*, 199.

Herndon case generated profound publicity across the United States and around the world during the Depression era of the 1930s. The economic desperation felt by both whites and blacks made the radical communist alternative more concerning to conservatives. An early statement in the Party's publication, *The Communist*, clearly states the intended goal of southern involvement.

Lenin has taught us that the proletarian revolution, especially in countries where peasants form a considerable portion of the population, is impossible without winning a decisive section of poor and middle farmers to the side of the revolutionary struggle. The farmers are a very important section of the population in America, and only through the alliance of these sections of the rural population with the American proletariat, under the leadership of our Party can we make the proletarian revolution successful.⁹⁵

The efforts of the Communist Party did not produce the proletarian revolution Lenin desired or the later Comintern Central Committee. The Black Belt Self-Determination thesis was also unsuccessful in attracting large numbers of African Americans to the communist ranks. In six years of effort, during the worst economic crisis experienced by the American capitalist system, the party grew by less than 25,000 members.⁹⁶ This figure includes new members from all areas of the country without respect to race. The numbers may not have grown but the impact on white segregationists was significant.

Alabama's Sharecroppers' Union demonstrates the violence that burst forward between white vigilantes and poor blacks living in oppressed destitution. The Camp Hill shootings led whites to assume that Union members represented a danger to society. Thus, whites tightened their hold on black citizens through strict adherence to segregation policies and traditions.

⁹⁵ "The Tasks of Our Party in Agrarian Work," Theodore Draper, Research Files, Emory University, Atlanta.

⁹⁶ Klehr, *The Heyday of American Communism*, 365.

The questionable justice applied to both the Scottsboro defendants and Angelo Herndon was due to a blurring of Jim Crow racism and fear of communism. Publicity the cases received may not have helped the Communist Party's goal of self-determination for African Americans in the Black Belt, but it did publicize the infiltration of the Party into the affairs of the South. Georgia's governor, Eugene Talmadge, developed strong attitudes toward the Communist Party's work in the black community. While his public statements regarding Angelo Herndon and the Communist Party were somewhat bland during the 1930s, Governor Talmadge would soon throw Georgia into a scandal linking subversion and race. Talmadge's fiery actions in the 1940s indicate the degree to which he and other segregationists were impacted in the previous decade by the Communist Party's Black Belt Self-Determination thesis initiatives.

Beyond Georgia, other state governments and the federal government began to take action in order to safeguard their jurisdictions from radical threats. Ensuring the loyalty of citizens was critical but not easily assessed.

Chapter 2 The Hunt for Communists: A Comparison of Federal, State, and Local Actions

“If you want loyalty, get a dog!”⁹⁷ Humans, unlike dogs, do not always outwardly display loyalty in their work, civic, and personal relationships. Is it even possible to measure and ensure the loyalty of an employee, citizen, or significant other? Many businesses, governments, and even spouses have tried to test or mandate the loyalty of individuals. Loyalty is neither tangible nor static and is therefore an illusive ideal that has left many scholars, government officials, legal experts, and business leaders to ponder its significance in various contexts. The extensive communist network established in the Black Belt and throughout the nation prompted more stringent measures by local, state, and national government leaders to eliminate the threat posed by radical organizations such as the Communist Party.

What is Loyalty?

Marcellus expounded the virtues of loyalty in 1812 when he stated, “it is the bond and cement of civil society.”⁹⁸ He further warned, “No nation, destitute of this virtue, can exist as a nation, or maintain their independence for any length of time.”⁹⁹ This critical ingredient for society has long been a source of misunderstanding. Loyalty is more than conformity. It evokes a deeper level of commitment that is not easily discerned or measured.

The balance between individual rights and state security creates a dilemma for which the United States and other democratic forms of government have struggled to maintain. By the

⁹⁷ Rhyl Hurley, “Professional Loyalty,” *Business and Professional Ethics Journal* 20, no. 1 (2001): 37.

⁹⁸ Marcellus, “On Loyalty,” *Belfast Monthly Magazine* 9, no. 52 (1812): 364.

⁹⁹ *Ibid.*

mid-1950s the Supreme Court was becoming more cognizant of the vital role it played in maintaining a safe balance between security and freedom. Chief Justice Earl Warren spoke of this responsibility during his Cold War tenure. He noted, “In the present struggle between our world and Communism, the temptation to imitate totalitarian security methods is a subtle temptation that must be resisted day by day.... Each of the 462 words of our Bill of Rights, the most precious part of our legal heritage, will be tested and retested.”¹⁰⁰

A number of measures have been passed by the United States Congress throughout its history aimed at safeguarding the nation from subversive activity carried out by radical elements of society. The United States government has tried to legislate loyalty at various junctures in its history beginning with the late eighteenth century Alien and Sedition Acts. The loyalty of citizens was also the subject of much debate during the nineteenth century strife prevalent during the Civil War and Reconstruction eras. Twentieth century Red Scare and Cold War hysteria prompted the federal government and most state governments to implement security programs aimed at ensuring the loyalty of citizens. The fall of the Berlin Wall in 1989 alleviated much of the Cold War fear that had gripped the United States since the end of World War II. The stability and relative safety Americans believed had been achieved with the Cold War’s melt was brief as the Gulf War was fought in the first few years of the 1990s. Security concerns began to shift in focus from Red Square to Middle Eastern threats. A new round of loyalty questions and concerns over national security was ushered in with the turn of the twenty-first century and the 9/11 attacks. The debate over protecting individual rights and securing the United States from harm was waged in the contemporary literature of the past and continues today. Whether it is airport screening by the TSA, interrogation of suspected terrorists at Guantanamo Bay, or

¹⁰⁰ Association of the Bar of the City of New York, *Report of the Special Committee on the Federal Loyalty-Security Program* (New York: Dodd, Mead & Company, 1956), 28.

methods to obtain intelligence through the PATRIOT Act, the designation of constitutionally acceptable techniques to be used in the name of national security is still uncertain. The United States' legal system has vacillated on its interpretation of what constitutes appropriate legislative and executive actions concerning loyalty throughout each of these eras.

The mid-twentieth century was a particularly troubling period in the United States due to Lenin's call for workers of the world to unite and the pervasive fears of communist infiltration. In an effort to combat subversion, the Alien Registration Act of 1940 - most often referred to as the Smith Act - launched a wave of investigations into the loyalty and activities of American citizens. This federal law was followed by President Truman's Executive Order 9835 (1947), which mandated loyalty oaths for all federal employees and job applicants. By the mid-1940s, most states and many private businesses had already created their own loyalty screening programs when the federal government began issuing similar mandates. The United States Supreme Court wrestled with the constitutionality of both state and federal anti-subversive measures for decades. Without clear direction from the Constitution regarding the boundary between individual rights and national security, the decisions rendered by the Supreme Court at various times concerning loyalty and subversion were highly anticipated and heavily debated by legal scholars throughout the twentieth century.

An investigation of scholarly writing and court cases concerning anti-subversive policy provides contextual information to supplement a review of the specific state and federal loyalty laws. The mid-twentieth century history of American efforts to ensure loyalty at the state and federal levels and a historiographic review of the literature pertaining to loyalty programs are analyzed in this chapter. A critical question debated among American citizens, jurists, and legal

scholars pertained to the protection of individual rights while ensuring the security of democracy and capitalism through government action.

Loyalty oaths have been used to ensure the conformity of citizens and employees to national, state, or organizational priorities. The legality of loyalty oaths and subsequent loyalty investigations has been interpreted differently by the state courts, federal district courts, and the United States Supreme Court due to changes in court personnel and the waning Cold War hysteria of the late 1950s.

Loyalty oaths remain a condition of conferring occupational credentials in many fields. Roman soldiers and Confederate prisoners took loyalty oaths. Presidents of the United States, judges, lawyers, physicians, soldiers, and in some states teachers take oaths of loyalty. A loyalty oath as a condition of employment provides a clear means to justify removal of one who holds beliefs differing from those of an employer. It is unclear whether the formality of taking an oath deters disloyal actions by an individual.

Georgia's loyalty oaths were implemented in similar fashion to other states during the early years of the twentieth century. However, Georgia's loyalty oaths expanded the criteria for attestation to also include the "social traditions" of segregation. University professors, administrators, and classroom teachers in Georgia were required to swear their loyalty to school segregation as a condition of employment beginning in the 1930s.¹⁰¹ California and Washington, while not including social traditions in their formula to measure loyalty, became embroiled in their own battles to determine the constitutionality of each state's educator oath. The various government efforts to protect citizens from subversive infiltration placed the academic freedom and rights of educators at all levels in peril.

¹⁰¹ Teachers' Oath Form State of Georgia 1935. RG 33-1-51, Box 47, Administrative Records of Chancellor Georgia Board of Regents, Georgia Archives, Morrow.

State Loyalty Actions

Although swearing allegiance to a flag or government system may seem incompatible with democracy, loyalty oaths became screening instruments to ensure faithful Americans filled government jobs. As of 1950, Maine was the only state without legislation to restrict subversive activity. According to political scientist William B. Prendergast, there were three waves of state actions to curb disloyalty in the twentieth century.¹⁰² The initial wave came after the assassination of William McKinley by an anarchist in 1901. Three states, New York, Washington, and Wisconsin passed criminal anarchy laws at that time. The second wave of state legislation came between 1917 and 1923 when twenty-five states enacted criminal anarchy statutes. These state laws were mostly in response to the post-WWI activities of the Wobblies in which capitalism was challenged through the unification of workers for strikes. The final wave of state laws came between 1931 and 1949 during the Great Depression and the outbreak of international conflict that led to the Second World War. The common thread among these laws was that they prohibited acts of violence and individual statements intended to bring about political and economic change.

Laws to exclude individuals deemed subversive from public employment were passed in thirty-two states. The methods used to identify such individuals varied by state and by occupation. Estimates suggest over 13.5 million people were required to complete some sort of loyalty statement between 1948 and 1958 in order to be employed by the federal government, a state government, or as a professional scientist, teacher, lawyer, or engineer.¹⁰³ Teachers were especially scrutinized due to their influential role in the lives of young people. Thirty-two states

¹⁰² William B. Prendergast, "State Legislatures and Communism: The Current Scene," *The American Political Science Review* 44, no. 3 (1950): 556-574.

¹⁰³ Arval A. Morris, "Academic Freedom and Loyalty Oaths," *Law and Contemporary Problems* 28, no. 3 (1963): 496.

required special teacher oaths of loyalty. Prior to 1949, fifteen states passed more stringent laws specifically targeting communists as the Red Scare and Cold War drew significant public attention.¹⁰⁴ Membership in an organization labeled as subversive was grounds for teacher dismissal from a publicly supported school in those states. It is estimated that state and municipal governments removed approximately 500 schoolteachers and professors for loyalty violations.¹⁰⁵

As early as 1921, New York instituted the Lusk Laws requiring teachers to swear loyalty to the United States government and denounce any other form of government. The New York mandate remained controversial until its repeal in 1923. A strong editorial statement from *The New Republic* questioned the laws' impact on teacher effectiveness; "The whole underlying idea is that teachers are to be intellectual and moral tools of the status quo in government; they are to be conservatives even if they have to become intellectual slaves, cowards, and hypocrites."¹⁰⁶ Under the Lusk Laws, principals of New York Public Schools were required to classify and attest to the morality and loyalty of each teacher in their respective schools through the submission of a form each year to the New York Department of Education. The directions on the form instruct each New York principal as follows:

¹⁰⁴ Ibid.

¹⁰⁵ Ibid., 497.

¹⁰⁶ Teachers' Union of New York, *The Press on the Lusk Laws* (New York: Teachers' Union of New York, 1922), 1.

Table 1: New York Public School Principals' Instructions for Evaluating Teacher Loyalty.¹⁰⁷

New York Lusk Law Provisions Responsibilities of Public School Principals	
1.	List the name of each teacher under your jurisdiction.
2.	Place a check mark in column 1 opposite each teacher for whose morality and loyalty as a citizen you can personally vouch.
3.	In column 2 check the name of each teacher for whom you can not vouch for from personal knowledge, but can do so on information that you consider thoroughly reliable.
4.	In column 3 check the name of each teacher for whom you can not vouch on either personal knowledge or reliable information or whose morality or loyalty to the government of the United States or New York State you have reasonable doubt.
5.	Execute affidavit on the last page and send the report to the Department.

Principals of New York Public Schools were given enormous power based on the above responsibilities mandated by the state's Lusk Law provisions. The power of a direct supervisor to evaluate the belief system and non-job related activities of teachers requires judgment based on speculation by untrained individuals. The hierarchical dynamic of each school was transformed from professional work relationship to subjective scrutiny of loyalty by an employee's superior. A teacher's employment hinged on much more than classroom effectiveness. The affidavit each New York principal signed as part of the Lusk Laws' subjective loyalty classification included the following statement:

I, principal of school in the city of, New York, do hereby certify that the foregoing list of teachers is a complete list of all the teachers employed in this school of which I am principal for the school year 1921-1922; that I am personally acquainted with all of said teachers checked in column 1 of said list; that I know each to be a person of good moral character and loyal

¹⁰⁷ Ibid., 6.

and obedient to the government of this State and of the United States; that to the best of my knowledge, information and belief, while citizens of the United States, none have ever by word of mouth or in writing advocated a form of government other than the government of the United States and of this State, nor has any of them advocated, either by word of mouth or in writing, a change in the form of government of the United States, or of this State by force, violence or any other unlawful means; that based upon diligent inquiry and what I deem to be reliable information I believe the same is true of each teacher whose name is checked in column 2. A special report is submitted of teachers whose names are checked in column 3.

.....
Principal¹⁰⁸

The stage was set for teacher condemnation, investigation, and persecution.¹⁰⁹ The Teachers' Union of New York found that twenty teachers had not been given their "loyalty" certificate as school opened in 1922.¹¹⁰ New York elected Al Smith to be the state's new governor in 1923. Upon taking office, he promptly had the Lusk Laws repealed.¹¹¹ Smith's election in 1923 marked his second stint as New York's governor. During his previous term from 1919-1920 the Lusk Bill was first passed by the New York State Assembly and arrived on the governor's desk. Smith vetoed the original Lusk Bill because of the danger he perceived it posed to teachers' liberties. The concerned governor issued a memorandum in 1920 explaining his veto. In the memo, Governor Smith cautioned,

¹⁰⁸ Ibid.

¹⁰⁹ H.K. Beale, "Freedom for the School Teacher," *Annals of the American Academy of Political and Social Science* 200 (1938): 125.

¹¹⁰ Teachers' Union of New York, *Press on the Lusk Laws*, 14.

¹¹¹ Robert Justin Goldstein, *Little Red Scares: Anti-Communism and Political Repression in the United States, 1921-1946* (Burlington, VT: Ashgate Publishing, 2014), 48.

The bill unjustly discriminates against teachers as a class. It deprives teachers of their right to freedom of thought; it limits the teaching staff of the public schools to those only who lack the courage or the mind to exercise their legal right to just criticism of existing institutions. The bill confers upon the Commissioner of Education a power of interference with the freedom of opinion which strikes at the foundations of democratic education.¹¹²

It was Smith's successor, New York Governor Nathan Miller, who signed the reintroduced Lusk Bills into law in 1921. Smith was subsequently re-elected in 1923 and at that time repealed the controversial Lusk Laws. This early controversy in New York's schools created an environment threatening to academic freedom, which became even more heavily debated in future decades by other states. The quest for knowledge and understanding is suppressed when educators are restricted. New York's Lusk Laws, although short-lived, began a wave of state loyalty measures that led to critical deliberations concerning academic freedom.

Loyalty mandates became a local and state means to actively secure the public from radical infiltration. State laws dictate policy for public schools and universities given the responsibility each state carries for its own educational system. Considerable debate ensued regarding the legality of loyalty oaths for educators in various states. Academic journals of the period criticized the onslaught of state loyalty laws and deemed them an invasion of academic freedom.¹¹³ Kenneth Gould pointed out in a 1935 edition of *American Scholar* that, "the basic

¹¹² Alfred Smith, Memorandum filed with New York Senate Bill, Int. No. 1121, Printed No. 1275, May 18, 1920.

¹¹³ Henry W. Tyler and Edward Cheyney, "Academic Freedom," *Annals of the American Academy of Political and Social Science* 200, (1938): 102-118; L.L. Thurstone, "Academic Freedom: A Practical Plan to Achieve the Right of Unhampered Thinking and Research for the Teacher," *The Journal of Higher Education* 1, no. 3 (1930): 136-140; Hans Kohn, "Academic Freedom in Our Time," *Bulletin of the American Association of University Professors* 25, no. 2

loyalty of teachers should be...to the disinterested search for truth.”¹¹⁴ States across the country continued to legislate loyalty even though the line between security and freedom remained unclear.

The debate concerning teacher loyalty kindled in New York with the Lusk Laws continued to escalate and spread during the 1920s and 1930s as other states wrestled with ensuring the individual freedoms of educators while protecting schoolchildren from potential communist indoctrination. Critical challenges to state loyalty laws from professors in California and Washington during the 1940s and 1950s exemplify the escalating controversy over repressive state loyalty statutes.

California and Washington Debate Loyalty

The California legislature’s Tenney Committee began subversive activity investigations in 1941 and its tenacity was later likened to that of the Congressional House Committee on Un-American Activities (HUAC). A critical juncture between the state of California and its universities was reached on March 29, 1949 when it was proposed to the California Board of Regents that all university faculty members be required to take a two-part loyalty oath. The first part would be consistent with the long-standing oaths taken by civil service employees indicating their support for the United States Constitution and the California Constitution. The second part of the 1949 oath was more controversial with its assertion that “the affiant was not a Communist

(1939): 183-187; *Yale Law Review*, “Academic Freedom and the Law,” *Yale Law Review* 46, no. 4 (1937): 670-686.

¹¹⁴ Kenneth M. Gould, “Legislating Loyalty,” *The American Scholar* 4, no. 3 (1935): 351.

or associated or connected with ideas or enterprises that could render his loyalty doubtful.”¹¹⁵

Faculty members were given until April 30, 1950 to sign the oath.

After much controversy, thirty-nine faculty members at the University of California refused to sign the affidavit and were ultimately fired. This group of non-signers brought suit in the California District Court of Appeals and the California Supreme Court eventually heard the case.¹¹⁶ The case *Tolman v. Underhill* began in late 1950 amidst the increased Cold War concerns surrounding the outbreak of war in Korea.¹¹⁷ The California State Supreme Court ruled in favor of the non-signers and ordered that they be reinstated to their positions at the University of California. The basis of the ruling was that the California Board of Regents did not have the authority to impose a loyalty oath on the professors.

In 1951, the California legislature passed the Levering Oath that applied to all state workers – including university professors. After seventeen years, the California Supreme Court struck down the Levering Act, which contained the oath. As the United States Supreme Court under former California Governor Earl Warren acted to restrict state mandates of loyalty, the California Supreme Court ended the Levering Act controversy and “Californians who had fallen victim to the oath began to return to the jobs from which they had been ousted.”¹¹⁸

The state of Washington also became embroiled in a loyalty oath controversy involving its university professors. The first teacher loyalty oath measure was enacted by the Washington

¹¹⁵ Max Radin, “The Loyalty Oath at the University of California,” *The American Scholar* 19, no. 3 (1950): 275.

¹¹⁶ *Tolman v. Underhill*, 39 Cal. 2d 708 (1952).

¹¹⁷ J. Peek, P.J. Adams, and J. Van Dyke, “The University of California Loyalty Oath Situation: A Judicial Decision in the District Court of Appeal for the State of California in and for the Third Appellate District,” *American Association of University Professors Bulletin* 37, no. 1 (1951): 93.

¹¹⁸ M.J. Heale, “Red Scare Politics: California’s Campaign Against Un-American Activities, 1940-1970,” *Journal of American Studies* 20, no. 1 (1986): 30.

legislature in 1931 and was similar to other state requirements of the time to uphold the United States Constitution and the constitution of the state. Another oath was enacted by the Washington legislature in 1955. This mandate came on the heels of the creation of the Canwell Committee, which was Washington's version of HUAC. The 1955 oath required signers to swear that they were not members of "subversive organizations," "foreign subversive organizations," or the "Communist Party."¹¹⁹ The initial legal case challenging the new oath was brought by two University of Washington professors and was decided in their favor at trial in 1957. On appeal the Washington State Supreme Court ruled against the professors and reversed the trial court's decision in 1959. The United States Supreme Court dismissed the case "for want of a substantial federal question" in 1962.¹²⁰

The American Civil Liberties Union continued to challenge Washington's loyalty program by then preparing a new case that included sixty Washington professors and students as plaintiffs. The case, *Baggett v. Bullitt*, wound its way through the court system and was ultimately decided by the United States Supreme Court in 1964.¹²¹ This particular case challenged the Washington oath as a restriction of academic freedom as guaranteed by the "First Amendment's protection for the freedoms of speech and association."¹²² The Supreme Court explained that the 1955 oath was vague and therefore ruled in favor of the plaintiffs' claims. However, the decision was limited in its scope concerning the Washington professors and did not address the peril professors across the country were facing in their own states concerning academic freedom and loyalty oaths.

¹¹⁹ Arval Morris, "The University of Washington Loyalty Oath Case," *American Association of University Professors Bulletin* 50, no. 3 (1964): 231.

¹²⁰ *Ibid.*

¹²¹ *Baggett v. Bullitt*, 377 U.S. 360 (1964).

¹²² Morris, "The University of Washington Loyalty Oath Case," 229.

Arval Morris, a University of Washington law professor, called for others to take up the cause for academic freedom's protection where the *Baggett* case left off. Right after the 1964 Supreme Court ruling, he published an article in the American Association of University Professors' *Bulletin* in which he challenged the academe to act. "The Supreme Court's decision in *Baggett v. Bullitt* is there to be invoked by others, and it demonstrates the possibilities now open to the teaching profession for achieving through litigation further constitutional protection for intellectual liberty."¹²³

A 1990 review of the United States Supreme Court's standing on academic freedom as related to the state loyalty oaths of the Cold War Era, identifies *Baggett v. Bullitt* as having already done what Morris was encouraging others to do in 1964.¹²⁴ Van Alstyne pointed out in 1990 that the *Baggett* case also included students as plaintiffs. The students claimed their own academic freedom was in jeopardy because the faculty was under duress from the loyalty program of Washington. Justice White's statement in the *Baggett v. Bullitt* majority opinion that voided the Washington statute indicates his concurrence with the students' claim. He stated, "since the ground we find dispositive immediately affects the professors... and the interests of the students at the University in academic freedom are fully protected by a judgment in favor of the teaching personnel, we have no occasion to pass on the standing of the students to bring this suit."¹²⁵

California and Washington dealt with loyalty oath constitutionality and academic freedom concerns in the 1950s and 1960s. Georgia's experience with loyalty oaths began much

¹²³ *Ibid.*, 231.

¹²⁴ William Van Alstyne, "Academic Freedom and the First Amendment in the Supreme Court of the United States: An Unhurried Historical Review," *Law and Contemporary Problems* 53, no. 3 (1990): 116.

¹²⁵ *Baggett v. Bullitt* (1964).

earlier during the Red Scare of the 1930s and continued through the turbulent times of the Cold War era. The contested loyalty oaths required of professors in California and Washington highlight the academic freedom debate as it existed at the height of the Cold War following World War II. While Georgia's academic freedom dispute never reached the Supreme Court and was often clouded by racial turmoil, it still represents the immense scrutiny state legislatures and leaders inflicted upon their own professors and teachers.

Georgia's Inquiry Into Loyalty

The meaning of loyalty in Georgia as defined during the First Red Scare and the early Cold War included, not only loyalty to American democracy, but also to the southern tradition of segregation. Public education in Georgia was affected by anti-communist hysteria and became a battleground on both fronts – political ideology and race relations. Teachers were required to sign loyalty oaths, which also reinforced segregationist policies of the state. Georgia's experience with loyalty reflected much of the muddled racial and political tensions in the South. Questions of loyalty in Georgia escalated through the 1940s and were subtly transformed to encompass race as well as subversive activity.

The 1951 case, *Garner v. Board of Public Works*, was the first time the Supreme Court dealt with the power of states to require an oath as a condition of employment.¹²⁶ In the *Garner* case, the Supreme Court upheld the California provisions for loyalty oaths. A later case in 1961, *Cramp v. Florida*, involved a public school teacher in Florida who refused to sign that state's loyalty oath because it was too vague and could be construed in ways that would deny due

¹²⁶ *Garner v. Board of Public Works of the City of Los Angeles*, 340 U.S. 941 (1951).

process.¹²⁷ The Supreme Court established in the *Cramp* decision the principle that “before an oath can pass constitutional muster it must be cast in terms that are susceptible of objective measurement.”¹²⁸ Vague loyalty oaths were problematic and, as was true in Georgia, were left to the interpretation of government leaders.

Georgia’s loyalty oaths began with the passage of the Teachers’ Oath Act of 1935, which mandated the annual renewal of the oath as a condition of employment and was worded in a way that led to an even broader interpretation of loyalty. This requirement imposed on Georgia’s teachers was implemented much earlier than the oaths established in California and Washington but was no less controversial. The Georgia Teachers’ Oath contained the following statement of attestation,

Before me, an officer duly authorized by law to administer oaths, personally appeared the undersigned, who after being duly sworn, says that during the time he/she is employed as a teacher in the public schools, colleges, or universities, or in any other capacity as an employee of the State of Georgia, or any subdivision thereof, drawing a weekly, monthly, or yearly salary, he/she will uphold, support, and defend the Constitution and laws of this State and of the United States and will refrain from directly or indirectly subscribing to or teaching any theory of government or economics or of *social relations* [emphasis added] which is inconsistent with the fundamental principles of patriotism and high ideals of Americanism.¹²⁹

This 1935 teachers’ oath came to embody much more than preventing communists from having influence in Georgia’s schools. The phrase, “social relations which is inconsistent with

¹²⁷ *Cramp v. Board of Public Instruction of Orange County*, 366 U.S. 934 (1961).

¹²⁸ *Ibid.*

¹²⁹ Teachers’ Oath Form State of Georgia 1935. RG 33-1-51, Box 47, Administrative Records of Chancellor Georgia Board of Regents, Georgia Archives, Morrow.

the fundamental principles of patriotism and Americanism” was intended to restrict supporters of racially liberal ideas who challenged the deeply entrenched school segregation system in Georgia.¹³⁰ The charges of “communism” brought against some prominent Georgia educators were supported by evidence that did not indicate a connection to radical government extremism. Instead, the accused persons were investigated for using their university positions to influence interactions between races. These cases are analyzed in greater detail in the next chapter of this dissertation.

The Georgia General Assembly passed an additional Loyalty Oath Act in 1949 targeting government employees other than teachers. The 1949 oath was required of “all persons who are employed by and are on the payroll of and the recipient of wages, per diem, and/or salary of the State of Georgia, or its departments and agencies.”¹³¹ The two separate oaths created confusion. The newer oath was required of all government employees and the Teachers’ Oath was established only for employees of Georgia’s public schools and colleges. These oaths contained slightly different wording and their vagueness led to more far-reaching implications than to solely identify communists employed by the state of Georgia.

The 1949 Loyalty Oath for the State of Georgia was worded clearly to identify communist infiltrators. The statement of loyalty contained the following provisions.

I, _____, a citizen of the State of Georgia and of the United States, and being an employee of _____ and the recipient of public funds for services rendered as such employee, do hereby solemnly swear and affirm that I will support the

¹³⁰ Rhonda K. Webb and Chara H. Bohan, “Red, White, and Black: The Meaning of Loyalty in Georgia Education,” *American Educational History Journal* 41, no. 1 (2014): 152.

¹³¹ Harmon Caldwell to Presidents of all Institutes Concerning Difference Between Loyalty Oath and Georgia Teachers’ Oath, March 8, 1949. RG 33-1-51, Box 47, Administrative Records of Chancellor Georgia Board of Regents, Georgia Archives, Morrow.

Constitution of the United States and the Constitution of the State of Georgia, and that I am not a member of the Communist Party and that I have no sympathy for the doctrines of Communism and will not lend my aid, my support, my advice, my counsel nor my influence to the Communist Party or to the teaching of Communism.¹³²

The 1949 Oath was revised in 1965 to be less specific to party and more clearly identified actions the state deemed subversive in nature. The adjustment to the oath resulted from a legal challenge brought by the Georgia Conference of the American Association of University Professors. In their suit, the professors disputed the wording of the oath and charged, “It is vague and uncertain in that there is not definition of fundamental principals of patriotism or high ideals of Americanism and one would necessarily teach at his peril of government, economics, or social relations.”¹³³ The Federal District Court supported the professors and thus the wording of the oath was revised. The legal question before the court did not concern the oath itself, but rather the vague wording of the oath. The 1965 version of the Georgia Loyalty Oath required state employees to swear to the following statement,

I am not a member of any organization that to my knowledge advocates the violent overthrow of the Constitution or Government of either the United States or the State of Georgia: that I will not teach, advocate nor encourage the violent overthrow of the Constitution or Government of either the United States or the State of Georgia.¹³⁴

¹³² Loyalty Oath Form, 1949, RG 33-1-51, Box 47, Administrative Records of Chancellor Georgia Board of Regents, Georgia Archives, Morrow.

¹³³ Georgia Conference of American University Professors v. Board of Regents, 246 F. Supp. 553 (N.D. GA 1965).

¹³⁴ Memo to Presidents of Georgia Universities, August 1965, RG 33-1-51, Box 47, Administrative Records of Chancellor Georgia Board of Regents, Georgia Archives, Morrow.

The dispute between Georgia and the state's professors was not over. In the updated oath, the wording did not specifically mention the Communist Party but instead contained a subjective reference to any organization having the intent to overthrow the government. The wording of the 1965 oath appears inconsistent with the *Cramp v. Florida* decision which emphasized oaths must be "measurable in an objective manner."¹³⁵ Opposition to the loyalty oaths developed and 160 professors from the University of Georgia, Georgia Tech, and Georgia State College signed a petition criticizing the Georgia loyalty oaths. Georgia Representative G. Paul Jones, Jr. of Macon requested from the Board of Regents the names and addresses of the professors signing the petition.¹³⁶ While there is no evidence that the professors exercising their constitutional right to petition the loyalty oaths were harassed by legislators, the request for names of protestors does indicate a climate of mistrust aimed at those educators not willing to blindly sign oaths.

Dr. J. N. Phillips, a professor in the Philosophy Department of the University of Georgia, posed a challenge to Georgia's loyalty oaths in his September 27, 1949 letter to the Comptroller of the University. Phillips believed freedom of thought and speech were essential ideals of Americanism. He claimed the required oaths represented a threat to free thought and could hamper the critical examination of all doctrines in Georgia classrooms.¹³⁷ His complaint and the later 1965 petition criticized the appropriateness of mandated loyalty oaths for educators.

¹³⁵ *Cramp v. Board of Public Instruction of Orange County* (1961).

¹³⁶ G. Paul Jones, Jr. (State Representative) to Dr. Siebert Board of Regents concerning Georgia Loyalty Oaths and Requesting List of Petitioning Professors, August 6, 1965, RG 33-1-51, Box 47, Administrative Records of Chancellor Georgia Board of Regents, Georgia Archives, Morrow.

¹³⁷ J.N. Phillips to University of Georgia Comptroller J. D. Bolton concerning Opposition to Loyalty Oaths, September 27, 1949, RG 33-1-51, Box 47, Administrative Records of Chancellor Georgia Board of Regents, Georgia Archives, Morrow.

Georgia's dispute over legislated loyalty and the challenge to academic freedom posed by state requirements began in the 1930s and escalated throughout the rest of the twentieth century. Even today, in the second decade of the twenty-first century, Georgia still requires its employees and educators to sign a loyalty oath, which denies membership in any organization that has as one of its objectives the forceful or violent overthrow of the governments of Georgia or the United States. New York, California, Washington, and Georgia are just a few examples of the states that wrestled with the unclear constitutionality of legislating loyalty. The federal government was also greatly concerned with protecting national security from communist infiltration as international conflict once again raged in Europe in the 1940s.

Federal Action

The United States' government, like most of the state legislatures, passed measures to protect the nation from threats of communist and radical infiltration. The Communist Party gained more support during the Great Depression, which prompted the federal government to enact more sedition legislation. The vast majority of states had already passed legislative measures to restrict subversive activity by the time of the United States' entry into World War II.

The Smith Act, officially known as the Alien Registration Act of 1940, gave the federal government wide latitude to eliminate subversive threats. Initially, the Smith Act "forbade *aliens* to advocate the violent overthrow of the government or to accept membership in groups which so advocate."¹³⁸ Representative Howard W. Smith sponsored an amendment to the Smith Act, which bears his name, in order to broaden its scope to also include non-alien citizens. During the debate on the House floor, Smith told the Congress, "We have laws against aliens

¹³⁸ Alien Registration Act of 1940, 18 U.S.C. 2385 (1940).

who advocate the overthrow of this Government by force, but do you know that there is nothing in the world to prevent a treasonable American citizen from doing so? He can advocate revolution, the overthrow of the Government by force, anarchy, and everything else, and there is nothing in the law to stop it.”¹³⁹ This proposed amendment to the Smith Act passed with only twelve minutes of debate indicating the intensity with which the Congress aimed to eliminate subversive danger to the United States. Eleven years passed before the Supreme Court debated the constitutionality of the Smith Act.

The first Supreme Court challenge to the Smith Act came in 1951 when *Dennis v. United States* reached the justices. The case involved the Justice Department’s indictment and conviction of eleven of the top Communist Party leaders in 1948 for violating the conspiracy provisions of the Smith Act. The Supreme Court upheld the convictions as explained by Chief Justice Fred Vinson’s opinion. He cited the Second Circuit’s Chief Judge Learned Hand’s interpretation of the phrase “clear and present danger” as follows:

In each case [courts] must ask whether the gravity of the evil, discounted by its improbability, justifies such invasion of free speech as is necessary to avoid the danger. We adopt this statement of rule.... The formation by petitioners of such a highly organized conspiracy, with rigidly disciplined members subject to call when the leaders, these petitioners, felt that the time had come for action, coupled with the inflammable nature of world conditions... convince us that their convictions were justified on this score.... It is the existence of the conspiracy which creates the danger. [If] the

¹³⁹ Mark A. Sheft, “The End of the Smith Act Era: A Legal and Historical Analysis of *Scales v. United States*,” *The American Journal of Legal History* 36, no. 2 (1992): 166.

ingredients of the reaction are present, we cannot bind the Government to wait until the catalyst is added.¹⁴⁰

The *Dennis* decision has remained controversial due in large part to the aforementioned statement by Chief Justice Vinson and its apparent revision of Justice Oliver Wendell Holmes' interpretation of the clear and present danger test issued in *Schenck v. United States* in 1919.¹⁴¹ The ruling in *Dennis* was taken to mean that an individual's association with a conspiratorial organization was grounds for prosecution rather than the words or actions taken by the individual in question as described in the *Schenck* decision.

The intense public fear of communist infiltration created a judicial focus equally aggressive in its interpretation of the law. Michal Belknap stated in a recent 2009 article, "Nothing better illustrates America's lack of commitment during the McCarthy era to safeguarding the rights of the unpopular than does *Dennis v. United States* and the legal war on the Communist party that it unleashed."¹⁴² Richard Fried of the University of Illinois at Chicago concurred when he remarked, "The case served justice badly. The government sought less to convict the eleven than to proscribe their Party."¹⁴³ It is clear from the record that the Smith Act and the subsequent rulings in cases of its violation were controversial in terms of their maintenance of the First Amendment.

For all of the criticism the *Dennis* decision has received, there is evidence from the National Security Agency's Verona Project that the Communist Party of the United States (CPUSA) did deliver hundreds of messages to party leadership in Moscow. Geoffrey Stone of

¹⁴⁰ *Dennis v. United States*, 341 U.S. 494 (1951).

¹⁴¹ *Schenck v. United States*, 249 U.S. 47 (1919).

¹⁴² Michael R. Belknap, "Why *Dennis v. United States* is a Landmark Case," *Journal of Supreme Court History* 34, no. 3 (2009): 294.

¹⁴³ Richard Fried, *Nightmare in Red: The McCarthy Era in Perspective* (New York: Oxford Press, 1990), 94.

the University of Chicago Law School stated, “There was a conspiracy, it did involve leaders of the CPUSA, it did have links with international communism, and it did involve espionage against the government of the United States.”¹⁴⁴ The problem with the *Dennis* decision is that it convicted individuals for actions they “might” have taken in the future against the United States because they were members of an organization deemed dangerous by the government.

The United States Supreme Court revised its stance on Smith Act challenges through a series of four rulings issued on the same day in June of 1957. The rulings for *Yates v. United States*, *Watkins v. United States*, *Sweezy v. New Hampshire*, and *Service v. Dulles* are collectively referred to as the Red Monday decisions. They represent a transition from legal findings favoring the government’s expansive net to catch communists to decisions that instead restrict the government’s authority in order to preserve individual rights of the accused.

Service v. Dulles was a case involving John Stewart Service who had been a United States representative in China between 1935 and 1945.¹⁴⁵ The United States had invested millions of dollars during that period to support Chiang Kai-shek and his Chinese Nationalists in an effort to prevent communism from taking hold of the country. China ultimately fell to communism despite the efforts of the United States and John Service was subsequently investigated, deemed disloyal, and removed from his government job even though there was no specific evidence found of disloyal action on his part. Mr. Service was investigated by the Loyalty Review Board, which was created in 1947 as part of President Harry Truman’s Executive Order 9835.

¹⁴⁴ Geoffrey Stone, *Perilous Times: Free Speech in Wartime* (New York: W.H. Norton and Company, 2004), 410.

¹⁴⁵ *Service v. Dulles*, 354 U.S. 363 (1957).

The Supreme Court issued a unanimous decision in the case on Red Monday, which declared John Service to have been discharged from his job improperly. “Justice Harlan found that the regulations had been written to protect employees from unfounded accusations of disloyalty.”¹⁴⁶ John Service’s proximity to China and its fall to communism did not necessarily equate with personal disloyalty to the United States. The United States Supreme Court was transitioning.

Watkins v. United States was another Red Monday decision exemplifying the Court’s change of course.¹⁴⁷ This case required the Supreme Court to decide “the extent of the powers of the House Committee on Un-American Activities and, implicitly, the powers of all similar congressional investigating committees.”¹⁴⁸ John Watkins was a union vice president who had been required to testify before the HUAC committee. Unlike many people being questioned by HUAC, Watkins did not shy from the questions or plead his Fifth Amendment right to silence. He answered difficult questions regarding his involvement with Communist Party activities although he held strongly that he had never been a member. Later in the HUAC hearing, Watkins refused to answer questions regarding other people with whom he had associated. For this action, Watkins was charged with contempt, fined \$100, and sentenced to one year in prison.

Chief Justice Earl Warren wrote the Supreme Court’s majority opinion in the *Watkins* case in which he ruled “that congressional investigating powers took precedence over any individual’s right to resist answering questions so long as those questions were clearly pertinent to legislative inquiry.”¹⁴⁹ The HUAC committee could not blindly question a witness about

¹⁴⁶ Arthur Sabin, *In Calmer Times: The Supreme Court and Red Monday* (Philadelphia: University of Pennsylvania Press, 1999), 156.

¹⁴⁷ *Watkins v. United States*, 352 U.S. 1022 (1957).

¹⁴⁸ Sabin, *In Calmer Times*, 153.

¹⁴⁹ *Watkins v. United States* (1957).

private matters and affiliations without having an explicit purpose behind the inquiry. This Red Monday decision marked the first limitations to be placed on congressional investigations. The United States Supreme Court was transitioning.

Paul Sweezy's case was similar to the *Watkins* case in that it dealt with the interrogation practices of those charged with investigating communist threats. *Sweezy v. New Hampshire* originated from a state investigation by the aggressive New Hampshire attorney general, Louis C. Wyman.¹⁵⁰ Mr. Sweezy was a university professor targeted in the hunt for subversives as was typical of many state investigations. When questioned about his beliefs and lectures, Sweezy refused to answer citing the protection of the First Amendment. Chief Justice Earl Warren overturned Sweezy's conviction and weighed in on the constitutionality of the state investigation by stating in the Supreme Court's opinion that the line of questioning was, "an invasion of petitioner's liberties in the area of academic freedom and political expression - areas in which the government should be extremely reticent to tread."¹⁵¹

In the case of *Sweezy v. New Hampshire*, the United States Supreme Court clearly recognized that "academic freedom lies at the core of the free speech guarantee of the First Amendment."¹⁵² Dissent existed in this case concerning the authority of the United States Supreme Court to weigh in on the internal affairs of a state subversion investigation. The conservative press of the time echoed this conflict. The United States Supreme Court's more liberal majority was reigning in the previously unbridled hunt for communists.

The earlier *Dennis* decision of 1951 had opened the door for federal prosecution of communists through the Smith Act. With the Court upholding the convictions of the eleven

¹⁵⁰ *Sweezy v. New Hampshire*, 354 U.S. 250 (1957).

¹⁵¹ *Ibid.*

¹⁵² Morris, "Academic Freedom and Loyalty Oaths," 490.

Communist Party leaders based on their association with the organization and not necessarily their actions, the stage had been set for lower level Communist Party members to be convicted using the same measures. Following the 1951 ruling, 126 lower level Communists were charged with violating the Smith Act.¹⁵³ *Yates v. United States* was the final Red Monday decision and is thought to most squarely challenge the *Dennis* decision.

Oleta Yates was a Communist Party leader in California who was indicted for violating the Smith Act. Her initial trial took place in 1952 and included thirteen other defendants. All were found guilty. Yates was given a stiffer sentence by the California District judge because she refused to identify others in relation to their involvement with the Communist Party during the trial. *Yates v. United States* was eventually argued before the United States Supreme Court and Justice Harlan wrote the decision. In the decision that overturned Yates' conviction, Harlan stated, "the District Court apparently thought that *Dennis* obliterated the traditional dividing line between advocacy of abstract doctrine and advocacy of action."¹⁵⁴ Michal Belknap pointed out that the *Yates* decision did not completely invalidate the Smith Act, but it did make the evidentiary requirements needed for convictions more strict.¹⁵⁵

Taken together the four Red Monday decisions by the United States Supreme Court indicate a change in the loosely restricted government actions to secure the nation from subversive threats that had previously been accepted. The United States Supreme Court 1964 decision in *Baggett v. Bullitt* continued the trend set by the Red Monday decisions. Why did this change occur in 1957? Why did the changes not come about in 1952 when the challenges to the California loyalty oaths were interpreted in that state to protect the University of California non-

¹⁵³ Belknap, "Why *Dennis v. United States* is a Landmark Case," 291.

¹⁵⁴ *Yates v. United States*, 354 U.S. 907 (1957).

¹⁵⁵ Belknap, "Why *Dennis v. United States* is a Landmark Case," 291.

signers? Why did this more liberal approach to protecting the rights of those accused of communist subversion occur when it did?

Supreme Court Transition

The Cold War between the United States and the Soviet Union did not end until the late 1980s. The aggressive investigations by state and federal government branches and agencies were part of the widespread hysteria of the Red Scare that followed World War I and continued through the post-World War II era. Educators were closely scrutinized to determine their adherence to traditional American ideals of citizenship because of their influential role with students. The unclear boundary between civil liberties and efforts to prevent subversive activity led to bitter debates at both the state and national level.

A transition in the United States Supreme Court's interpretation of what constituted acceptable and constitutional investigatory practices occurred in the latter part of the 1950s. The timing of this shift coincides with a number of factors: Earl Warren's appointment to the Supreme Court, the waning of the Korean conflict, and a 1956 speech given by Nikita Khrushchev in Moscow that condemned Stalin.¹⁵⁶ All of these factors played a part in the shift of the Court's rulings and what was accepted by a majority of Americans at the time.

Earl Warren was appointed to preside as Chief Justice of the United States Supreme Court in 1953 by President Eisenhower. Prior to serving on the Supreme Court, Warren was Governor of California. Under his governorship from 1943 – 1953 the cases concerning loyalty oaths in California were decided. Warren had been opposed to the Loyalty Oath of California

¹⁵⁶ Sabin, *In Calmer Times*, 120.

and was one of six California Regents to have voted against its inception in 1949.¹⁵⁷ This is not to say that Warren did not support the defense of the United States from communist infiltration. In June of 1950, at the height of the McCarthy accusations, Governor Warren “denounced blanket accusations against groups of individuals or individuals alone unless they were supported by evidence, yet he agreed with McCarthy that Americans were obliged to protect the nation against security risks.”¹⁵⁸ Earl Warren emphasized the protection of individual rights while he was governor of California. He maintained this same focus on civil liberties in the pivotal Supreme Court decisions he rendered as Chief Justice during the late 1950s and 1960s.

The timing of the Korean conflict that began in 1950 and de-escalated with the armistice of 1953 coincides with the transition of the Supreme Court decisions to be more liberal in the defense of civil liberties. By the Red Monday decisions of 1957, the nation had become less anxious about the danger posed by the Soviet Union. Eisenhower had nominated three Supreme Court justices between the 1953 armistice and the Red Monday decisions – Warren, Harlan, and Brennan. All three voted against the federal or state governments’ positions in the 1957 cases.¹⁵⁹ Public opinion was changing from the raging hysteria of the McCarthy era and so too had the make-up of the Supreme Court. Richard Fried stated of the transition, “the tide of all-pervasive anti-communism had crested and was moving out.”¹⁶⁰

The Communist Party membership had also been greatly reduced by 1957. The decline can be partially attributed to the reporting of William Randolph Hearst’s son, William Jr. He went to Moscow in March of 1955 and reported in his father’s popular newspapers a very

¹⁵⁷ Radin, “The Loyalty Oath at the University of California,” 282.

¹⁵⁸ Edward R. Long, “Earl Warren and the Politics of Anti-Communism,” *Pacific Historical Review* 51, no. 1 (1982): 56.

¹⁵⁹ Sabin, *In Calmer Times*, 108.

¹⁶⁰ Fried, *Nightmare in Red*, 137-139.

different view of Russia. One of Hearst Jr.'s reports stated, "I came away from Moscow with the impression that the Soviet leaders are quite sincere about co-existence and improvement of relations with the United States."¹⁶¹ Hearst's published accounts further exemplify the transition to a calmer time of the Cold War era.

The Communist Party of the United States was already in decline when Nikita Khrushchev gave a speech critical of Stalin's regime to the Moscow Communist Party Congress in 1956. The number of Communist Party members in the United States further declined from 22,000 to less than 4,000 members in the wake of this speech.¹⁶² Hearst's newspaper articles of 1955 and Khrushchev's speech of 1956 both reduced the threat posed by the Communist Party of the United States to national security.

Loyalty Oaths and Their Legality Debated

Since Oliver Wendell Holmes' famous 1919 statement in *Schenck v. United States* concerning the constitutionality of actions or speech by individuals who create a "clear and present danger," significant debate has continued concerning how such actions should be defined. The time period of the Red Scare and McCarthyism has been the focus of considerable scholarship concerning the magnitude of subversive threats to the security of the United States. Although Joseph McCarthy muddled the statistics concerning communist infiltration of government agencies, he became a symbolic figure of the heightened fear and vulnerability America felt in the wake of international conflict over ideology.

¹⁶¹ William Randolph Hearst, Jr., "Why Top Russ Talked to Publisher and Aides," *Chicago Herald and Examiner*, February 18, 1955.

¹⁶² Sabin, *In Calmer Times*, 7.

Professors and the academy, among others, were intensely scrutinized for potentially dangerous political or social sympathies. Lazarsfeld and Thielens in their 1958 book, *The Academic Mind*, estimated there had been 990 incidents of academic freedom infringement at 165 colleges and universities since the threat of communism began in the early 1920s.¹⁶³ The aforementioned case studies of the University of Washington and the California University System indicate the high level of federal governmental concern for the personal beliefs professors might have included in their courses. Scholarship concerning the court cases, professors, and lawmakers in California and Washington varies greatly in its treatment and assessment of actions taken to secure each state from communist infiltration.

Significantly more opposition pieces were written at the time of the loyalty oath controversies. Liberal leaning groups such as the American Association of University Professors led the way in challenging the constitutionality of loyalty oaths. The publications of the period tend to depict professors as “reluctant to defend their colleagues because of their general sense of apprehension.”¹⁶⁴ The more conservative counter argument identified a strong need for government investigations of persons associated with potentially subversive organizations in an effort to eliminate any “clear and present danger” to the nation. Organizations including the American Legion, Sons/Daughters of the American Revolution, and the National Civic Federation promoted patriotic and security justification for loyalty oaths and programs within states and the federal government.

¹⁶³ Paul Lazarsfeld and Wagner Thielens, *The Academic Mind: Social Scientists in a Time of Crisis* (Glencoe, IL: The Free Press, 1958), 43.

¹⁶⁴ Philo A. Hutcheson, “McCarthyism and the Professoriate: A Historiographic Nightmare?” in *The History of Higher Education*, ed. Lester Goodchild and Harold Wechsler (Needham Heights, MA: Simon and Schuster, 1997), 613.

The early literature of the 1940s and 1950s presents the professors as politically vulnerable and organizationally weak. Writings such as, *The Year of the Oath* by George Stewart in 1950, *The California Oath Controversy* by David Gardner in 1967, *The Development of Academic Freedom in the United States* by Richard Hofstadter and Walter Metzger in 1955, *Academic Freedom in Our Time* by Robert MacIver in 1955, and *The Academic Mind* by Paul Lazarsfeld and Wagner Thielens in 1958 all depict the professors of the time as being bullied by the government. The perspective represented by these publications from the mid to late 1950s and 1960s coincides with the shifting tenor of the Supreme Court's rulings under Earl Warren who took the bench in 1953. The defense of academic freedom and individual liberties was more galvanized under the liberal court's more protective authority.

In contrast, the more recent scholarship since the 1970s has criticized the professors' response when they were being regulated so strictly by anti-subversive legislation. Works such as *Academic Freedom at the End of the Century* by Sheila Slaughter in 1994, *Cold War on Campus* by Lionel Lewis in 1988, *Political Controversies at Harvard* by Seymour Lipset in 1975, *Compromised Campus* by Sigmund Diamond in 1992, and *Subversives, Squeaky Wheels, and Special Obligations* by Ellen Schrecker in 2009 question just how powerless the professors really were. The more recent investigations of the Red Scare and McCarthyism often criticize the higher levels of administration for not defending individual professors. The large civil liberties and employee organizations are depicted as focusing more on ideological fights rather than personnel cases. Schrecker suggests, "that if professors had chosen to act, they could have

stopped some of the dismissals.”¹⁶⁵ These post-1970 works follow an era marked by protest and challenges to authority.

Scholars have also examined the loyalty oaths most closely concerning the question of guilt by association or guilt by action. As previously noted, the *Dennis* case of 1951 established membership in a subversive organization to be grounds for dismissal from government employment. This ruling condemned individuals for their association and not their actions or words. The Red Monday Cases of 1957 reigned in the anti-subversive power of the government. Lloyd Garrison in the 1955 *Chicago Law Review* challenges the *Dennis* decision by listing the elements of due process ignored in loyalty dismissals. He cites the cases as usually missing the following: a clear definition of a crime, a grand jury to weigh accusations before they are made, an adequate statement of charges, and a cross-examination of witnesses.¹⁶⁶ The prosecutor acted simultaneously as the judge. The literature concerning loyalty changed, as did the interpretation of subversion by the Supreme Court.

Loyalty to Nation, State, and Race

The security of the United States is certainly a priority for all branches of government at both the federal and state levels. During the Red Scare and Cold War years, the United States struggled to balance the individual rights of people accused of subversive activity with the danger of an internal threat to the nation. State laws reflected the need for security through the implementation of loyalty oaths and investigative commissions. The federal government also mandated loyalty programs and actively pursued individuals who posed a security risk through

¹⁶⁵ Ellen Schrecker, *No Ivory Tower: McCarthyism and the Universities* (New York: Oxford University Press, 1986), 336.

¹⁶⁶ Lloyd Garrison, “Some Observations on the Loyalty-Security Program,” *Chicago Law Review* 23, no. 1 (1955): 6-8.

Truman's Executive Order 9835 and the Smith Act. Both state and federal action was aimed at ending the communist threat within the United States. State laws tended to include in their loyalty oaths statements about past involvement or associations where the federal loyalty program under Truman's Executive Order required federal employees to swear to their future intent to uphold the United States Constitution. State courts and the United States judicial system interpreted the constitutionality of the loyalty measures through numerous cases. A clear transition took place on the part of the United States Supreme Court when the Red Monday decisions were rendered in 1957 to more closely scrutinize the procedures used to identify communists and anyone who plotted harm to the United States.

The context of United States history during the 1940s and 1950s includes not only the Cold War fears of communism but also the early stages of the African American struggle for civil rights and equality. The Georgia Loyalty Oath, Georgia Teachers' Oath, and high profile conflicts that resulted are evidence of the blurred meaning of the words "subversive" and "communist" as they were expanded to include ideas that varied from the racially segregated tradition.

The *Brown v. Board of Education Topeka* decision was rendered in 1954, during the growing Cold War rivalry. States in the South, such as Georgia, were confronted a decade earlier with racial and political tensions simultaneously as was discussed earlier with regard to the Communist Party's Black Belt Self-Determination Thesis. Identifying communists and their subversive activities was a nationally accepted, and often embraced, government role during the Red Scare and Cold War. Many in Georgia who resisted integration enlisted in the hunt for communists as a means to end threats to segregation. In the next chapter of this dissertation, I will more closely investigate the compelling, and often troubling, interaction between race and

political ideology in Georgia. Eugene Talmadge was Georgia's controversial chief executive during the Angelo Herndon subversion case in the 1930s. The aggressive leader also embroiled his state in a scandal that challenged the loyalty of its professors and ultimately held the entire educational system hostage.

Chapter 3 **Talmadge-Cocking-Pittman Incident**

As America's political leaders questioned and investigated citizen loyalty during the Red Scare that emerged in the aftermath of World War I, the target of their scrutiny became blurred in the South. Questions of loyalty in Georgia escalated through the 1940s and were subtly transformed to encompass race as well as subversive activity.¹⁶⁷ Loyalty in Georgia included not only allegiance to American democracy, but also to the southern tradition of segregation. States in the South, such as Georgia, were confronted with racial and political tension simultaneously. Identifying communists and their subversive activities was a nationally accepted, and often embraced, government role. Many in Georgia who resisted integration enlisted in the hunt for communists and capitalized on its popularity as a means to end threats to segregation. Georgia's experience is particularly compelling due to the extreme measures taken by the state's governor, Eugene Talmadge, and the damage his actions inflicted on the public education system. While the circumstances surrounding Talmadge's bold actions concerning questions of loyalty were unique, they reflect the complex racial and political tensions in the South.

Dr. Marvin S. Pittman, President Georgia Teachers College

Georgia became an academic battleground during 1941 as Governor Eugene Talmadge targeted communists within the ranks of the University System of Georgia. Talmadge's actions pitted him against Dr. Marvin Pittman, the president of Georgia Teachers College (present day Georgia Southern University) in Statesboro, Georgia from 1934 until his firing in 1941. Pittman

¹⁶⁷ Webb and Bohan, "Red, White, and Black: The Meaning of Loyalty in Georgia Education," 146.

was also a defendant in one of the high profile cases based on Governor Talmadge's charges of subversive activity.

Dr. Pittman was a prominent professor of education who brought innovation and progress to the rural Georgia Teachers College when he became its president. His background reflects humble beginnings in Mississippi and later academic prominence with degrees earned from Millsaps College, the University of Oregon, and a Ph.D. from Columbia University in New York. Both his Masters thesis and Doctoral dissertation were devoted to the study and improvement of rural education.¹⁶⁸ Dr. Pittman's focus as a college administrator and author remained on rural education throughout his career.

Book titles such as *Successful Teaching in Rural Schools* (1922), *Problems of the Rural Teacher* (1924), and *The Practical Plan Book for Rural Teachers* (1931) fill Dr. Pittman's resume. He promoted a conception of rural education empowered through what Pittman dubbed "zone supervision." The books Pittman authored recommended rural schools operate under a skilled zone supervisor who would monitor and advise three schools simultaneously. The supervisor would spend one week out of four at each rural school with the remaining week spent planning for the next cycle. The *Journal of Education* wrote glowing reviews of Pittman's plan and even compared the new zone supervision idea to the highly acclaimed scientific achievements of Newton, Harvey, Watt, and Franklin.¹⁶⁹ Pittman claimed the structure and support zone supervision provided to rural teachers in one-room schoolhouses benefitted children through almost an extra year's academic growth as compared to rural students who were

¹⁶⁸ Bulloch Historical Society, *We Remember Marvin Pittman* (Statesboro: Bulloch Historical Society, 2001), 28.

¹⁶⁹ A. E. Winship, "Rural School Problems Solved," review of *Successful Teaching in Rural Schools*, by Marvin Pittman, *Journal of Education* 95, no. 16 (1922): 423.

not part of a zone supervision system.¹⁷⁰ Pittman used standardized testing measures to substantiate his claims. A *Journal of Educational Research* review of zone supervision was also highly complimentary of Pittman's structured rural administration but questioned whether other educator/supervisors could replicate the dynamic success of Marvin Pittman.¹⁷¹ It was not clear whether Pittman's individual talent was the reason for the program's success or whether the program itself was responsible for the solid gains reported in rural school education.

Marvin Pittman studied rural education extensively in the United States and abroad to develop the body of research that became the subject for his popular books. As head of the Rural Education Program at Michigan State Normal School from 1921-1929, Dr. Pittman began extensive international study of education. He toured rural schools in eleven European countries during a yearlong sabbatical. Beginning in 1929, Dr. Pittman conducted thorough studies of rural education in both Cuba and Mexico. Dr. Pittman's worldwide progressive initiatives for rural education led to his involvement with the philanthropic Rosenwald Fund. Financial support from the Rosenwald Fund was intended in part for the development of rural education programs.

Julius Rosenwald, president of the Sears Roebuck Corporation, had great interest in rural education programs. His mail order catalog dramatically impacted life in rural areas as items once unimaginable for farm families were delivered to their doorsteps. Company sales topped two hundred million dollars in 1924 when Mr. Rosenwald retired.¹⁷² As a philanthropist, Rosenwald raised money to build schools and improve education for African Americans in the South. Between 1917 and 1948, over \$28 million was provided in grants from the fund to build

¹⁷⁰ "Pittman's Trail," *Journal of Education* 94, no. 19 (1921): 507.

¹⁷¹ William McCall, review of *The Value of School Supervision*, by Marvin Pittman, *Journal of Educational Research* 4, no. 4 (1921): 318.

¹⁷² Edwin R. Embree and Julia Waxman, *Investment in People: The Story of the Julius Rosenwald Fund* (New York: Harper and Brothers, 1949), 8.

over 5,000 schools.¹⁷³ Rosenwald intended for his charitable fund to be completely drained. He refused to allow concerns over the Fund's longevity to guide decisions concerning humanitarian aid. He explained his desire to spend the money rather than hold back for some cause in the future by writing, "The millions that came to me at fifty could not restore a tooth which I had lost at thirty.... To this extent at least I can see the futility of accumulating money.... I consider therefore timeliness one of the basic prerequisites for worthwhile philanthropy."¹⁷⁴ The Rosenwald Fund operated from 1917 through 1948 until the coffer was dry per Julius Rosenwald's instructions. Data from the fund's financial accounting records was compiled and published in 1949 under the direction of Rosenwald Fund President Edwin Embree. The statistics and documents included in the Rosenwald Fund publication, *Investment in People*, provide a detailed account of the objectives that guided the financial allocations and the actual expenditures made over the thirty-year life of the philanthropic organization.

The Rosenwald Fund's main focus was improving Negro education. Julius Rosenwald was greatly impacted by Booker T. Washington's story of self-improvement in the former slave's book *Up From Slavery*. Rosenwald, a wealthy white Jewish man from Chicago, was so impressed by Washington's development of the Tuskegee Institute's vocational education program for African Americans that the two men became close, albeit unlikely, associates. Rosenwald served on the Board of Trustees at Tuskegee and provided significant funding for the school.¹⁷⁵ An original amount of \$25,000 was given to Tuskegee in 1912 for the purpose of developing rural schools. Booker T. Washington and Tuskegee were to use this seed money from Rosenwald to oversee the implementation of rural school development for African

¹⁷³ *Phi Delta Kappan*, "The Rosenwald Fund," *Phi Delta Kappan* 30, no. 7 (1949): 255.

¹⁷⁴ Embree and Waxman, *Investment in People*, 17.

¹⁷⁵ *Ibid.*, 26.

Americans in Alabama. The success of the project is expressed in a letter from Booker T. Washington to Julius Rosenwald in 1915 stating, “We count it a great privilege to have some little share in this glorious work.”¹⁷⁶ The rural school building program grew rapidly and soon Tuskegee was flooded with requests from across the South for grant money. The fund had outgrown its operation through Tuskegee and in 1920 an office was opened in Nashville for the express purpose of overseeing the building program.¹⁷⁷

The establishment of a “Rosenwald School” was a collaborative effort between the funds from Julius Rosenwald’s foundation, donations from local white citizens, and small financial contributions by local Negroes who supplemented their donation with physical labor to build the school. Community support for the school was thus created without having to tap public funds.¹⁷⁸ Skepticism swirled around the Rosenwald program, its Northern benefactor, and the merging of financial gifts from both black and white citizens. Black community members wondered if they could trust the program as legitimate and white community members were suspicious about giving “something for nothing, and especially to colored folks.”¹⁷⁹ The initial success of the Rosenwald Building Program and community support that crossed racial lines can be traced to the efforts of Booker T. Washington who stressed the industrial training of Negroes to better serve the entire community.

Georgia received Rosenwald Fund money for the construction of 261 African American schools.¹⁸⁰ The fund’s school building program was later expanded to cover costs for some white rural education initiatives. The Georgia Teachers College received \$75,666 from the

¹⁷⁶ J. Scott McCormick, “The Julius Rosenwald Fund,” *Journal of Negro Education* 3, no. 4 (1934): 608.

¹⁷⁷ Embree and Waxman, *Investment in People*, 40.

¹⁷⁸ *Ibid.*, 42.

¹⁷⁹ *Ibid.*, 43.

¹⁸⁰ *Ibid.*, 51.

Rosenwald Fund for the purposes of building and staffing a library, implementing a rural school supervisors initiative, and financing the operating expenses for these programs for four years.¹⁸¹ The rural school supervisors performed the essential duties for improving rural education as Dr. Marvin Pittman had described in his books. Rosenwald Fund money was awarded to Statesboro, Georgia's rural teacher preparatory college for white students during Dr. Pittman's presidential tenure.

Edwin Embree, president of the Rosenwald Fund, worked with Dr. Marvin Pittman on rural school initiatives. Embree first visited the Georgia Teachers College in 1935 as a guest of Dr. Pittman. More visits by Embree, Rosenwald staff members, and faculty from the University of Chicago continued while Dr. Pittman led the institution. Embree stated after a visit to the Georgia Teachers College in March 1938, "I am more and more impressed with the college on each visit, particularly with the earnestness of the faculty and the student body and the effectiveness of the work being done."¹⁸² Pittman attended the Fund's national conference in Chicago in 1937 and secured significant Rosenwald funding for teacher education projects and thirty student scholarships. Pittman became a member of the Rosenwald Fund's Educational Council in 1938, which required him to attend a meeting at Howard University, a historically black college in Washington, DC.¹⁸³

Students of the Georgia Teachers College formed the Rosenwald Club on campus. Members of the well-organized service club were known as the Rosies and had all received

¹⁸¹ Ibid., 266.

¹⁸² Mary Webb and Frances Couey, "Rosenwald Directors are Pleased with Progress Made," *The Helping Teacher*, April 25, 1938, Rosenwald Club of Georgia Teachers College Scrapbook 1937-1938, Special Collections, Georgia Southern University Henderson Library.

¹⁸³ "Pittman Attends Washington Meeting," *The Helping Teacher*, January 24, 1938, Rosenwald Club of Georgia Teachers College Scrapbook 1937-1938, Special Collections, Georgia Southern University Henderson Library.

Rosenwald scholarships.¹⁸⁴ The *Savannah Morning News* reported the formation of the club and described its members as being from all parts of Georgia. The article described the purpose of the club as a place for members to share their field experiences and findings from surveying the educational needs of rural counties near the campus. In order to be considered for a Rosenwald scholarship, an applicant had to already be a Georgia teacher and recipients must be “interested in becoming supervisors of elementary schools....[and] the promotion of better rural life in Georgia.”¹⁸⁵ Eighty applicants applied for the thirty scholarships in 1938, the program’s first year.

Rosenwald scholars, under Dr. Pittman’s direction, were trained in his method of zone supervision. The supervisors were known as “Helping Teachers” and they assisted rural classroom teachers, whom they visited once every few weeks, through:

1. Teaching demonstration lessons
2. Planning ways to use new textbooks provided free from the state of Georgia
3. Giving standardized reading tests
4. Suggesting silent reading aids
5. Planning a remedial reading program
6. Organizing a school library
7. Planning a social studies program
8. Planning and helping to launch units of work
9. Planning a definite county health program
10. Organizing play programs and teaching new games

¹⁸⁴ Patrick Novotny, *This Georgia Rising: Education, Civil Rights, and the Politics of Change in Georgia in the 1940s*, (Macon: Mercer University Press, 2007), 45.

¹⁸⁵ Rosenwald Club of Georgia Teachers College Scrapbook, 1937-1938, Special Collections, Georgia Southern University Henderson Library.

11. Organizing supervised lunch periods
12. Organizing a public school music program
13. Assisting with art activities
14. Assisting in clean up, repair, and beautification programs for schools
15. Carrying good ideas from one school to another
16. Collecting, organizing, and filing material for the materials bureau
17. Conducting individual and group conferences with teachers
18. Contributing to activities of Parent-Teachers or other community groups¹⁸⁶

Rosenwald Scholars from Statesboro did participate in at least one 1938 visit to a local Negro school. The field experience for the white Rosenwald scholarship teachers took place at the Willow Hill School in Bulloch County, Georgia near the Georgia Teachers College campus. An article in the Rosenwald Club's newspaper, *The Helping Teacher*, describes the visit as "quite an interesting experience" and indicates that the "poorly equipped negro school" treated them "graciously."¹⁸⁷ In addition to emphasizing initiatives to improve Negro education, the Rosenwald Fund endorsed Pittman's plan to support rural education. The strong relationship between Dr. Marvin Pittman and the Chicago based foundation led to intense scrutiny in the strictly segregated state of Georgia.

Many white Georgia leaders viewed the Rosenwald Fund as controversial because of its ties to the Tuskegee Institute in Alabama. Horace Mann Bond, a prominent African American educator in Georgia, participated in the philanthropic efforts of the Rosenwald Fund as he

¹⁸⁶ Jane Quarterman, "Queries," *The Helping Teacher*, April 25, 1938, Rosenwald Club of Georgia Teachers College Scrapbook 1937-1938, Special Collections, Georgia Southern University Henderson Library.

¹⁸⁷ "Rosenwald Club See Willow Hill," *The Helping Teacher*, January 24, 1938, Rosenwald Club of Georgia Teachers College Scrapbook 1937-1938, Special Collections, Georgia Southern University Henderson Library.

conducted curriculum studies for the organization overseeing the fund in Chicago. He later obtained funding for the traditionally black colleges at which he worked including Dillard University, Fisk College, and Fort Valley State College in central Georgia.¹⁸⁸

Georgia's governor during the 1930s and early 1940s, Eugene Talmadge, did not believe it was acceptable for Georgia universities that educated white students to obtain money from an organization that was supportive of the advancement of African Americans. As a result, Dr. Pittman from the Georgia Teachers College became a target for ouster by Governor Talmadge due to "subversive" activity. Pittman was not the governor's lone target. Talmadge also marked the University of Georgia's dean of education, Dr. Walter Cocking, for supposed subversive activity.

Dr. Walter Cocking, Dean of Education University of Georgia

Dr. Walter Cocking was a highly acclaimed educator with Midwestern roots and a Ph.D. from Columbia. His career in school administration began with positions in Iowa, Texas, and Missouri where Cocking was known for his skill as an administrator. Dr. Cocking furthered his reputation as an educational expert while serving as a professor of school administration at the George Peabody College for Teachers (present day Vanderbilt University) in Nashville, Tennessee and later as that state's commissioner of education. Cocking published numerous articles concerning educational administration during his Tennessee years in educational journals such as the *Peabody Journal of Education*¹⁸⁹ and the *Junior High School Clearing House*.¹⁹⁰ Dr.

¹⁸⁸ Wayne Urban, *Black Scholar: Horace Mann Bond* (Athens: University of Georgia Press, 1992), 60.

¹⁸⁹ Walter Cocking, "The Stenographic Report as a Supervisory Instrument," *Peabody Journal of Education* 8, no. 3 (1930): 131-139.

Cocking also wrote a popular book in 1928 entitled, *Administrative Procedures in Curriculum Making for Public Schools*.¹⁹¹ Reviewers favored the book and predicted it would become a standard read for educators wrestling with establishing curriculum frameworks in public schools.

The University of Georgia recruited Dr. Cocking to join its faculty in 1937 as the dean of its College of Education. The university was seeking to shore up what was perceived as a weak department within the state's flagship institution and sought Dr. Cocking due to his professional reputation and successful administration of Tennessee schools. "The College for many years had been badly in need of reorganization and Dean Cocking was given practically carte blanche to weed out the dead timber and bring in new people."¹⁹² After four years of work in Athens, Dr. Cocking had established the University of Georgia's College of Education as viable in academic circles through his "rare executive ability, boundless energy, and clear judgment."¹⁹³

Reorganization of the entire graduate program in education and an expectation of excellence from both faculty and students were the hallmarks of Dr. Cocking's overhaul of the University of Georgia's beleaguered College of Education.

¹⁹⁰ Walter Cocking, "Plan of Administration and Supervision in Junior Schools of San Antonio," *Junior High School Clearing House* 2, no. 4 (1923): 5-8.

¹⁹¹ Walter Cocking, *Administrative Procedures in Curriculum Making for Public Schools* (New York: Teachers College Press, 1928).

¹⁹² Robert Preston Brooks, "The Cocking Case" statement to Committee of the Southern Association of Colleges and Schools, Robert Preston Brooks Papers, Box 17 "The Cocking Case Book I," University of Georgia Hargrett Library. The Brooks Collection includes "The Cocking Case Book I" and "The Cocking Case Book II." These are scrapbooks compiled by Robert Preston Brooks at the direction of University of Georgia President Harmon Caldwell. The scrapbooks contain signed statements from Walter Cocking and a vast compilation of newspaper coverage of the entire incident concerning Walter Cocking. The clippings include newspaper stories from Athens, Atlanta, Macon, and some from New York. The numerous newspaper sources cited in this dissertation chapter are largely due to the scrapbook collection in the Robert Preston Brooks archival papers.

¹⁹³ Robert Preston Brooks in consultation with 45 other University of Georgia professors to Governor Eugene Talmadge, 2 June 1941. Robert Preston Brooks Papers, Box 17 "The Cocking Case Book I," University of Georgia Hargrett Library.

Dr. Cocking's expertise in the areas of curriculum and administration was based on sound research methods as evidenced by his work as the Tennessee Commissioner of Education and in his numerous publications. Shortly after arriving in Georgia, the state's Board of Regents commissioned him to conduct an investigation of the status of higher education opportunities for African Americans. The study's findings were compiled in the *Report of the Study of Higher Education of Negroes in Georgia*, and were submitted to the Chancellor of the Georgia Board of Regents on October 15, 1938. Cocking was the director of the six-month study and outlined its research goals in an introductory statement. "The purpose of this study was defined [by the Georgia Board of Regents] as having two major parts: one, to determine the present status of higher education for Negroes in Georgia; and two, to propose recommendations for a future program."¹⁹⁴ The detailed analysis of population statistics, economic restraints, and Negro school facilities at both the college and grade school levels revealed clear deficits in funding and curriculum success.

Cocking's report contained not only statistical data regarding the current status of Negro education in Georgia, but also recommendations for future action by the state government. He challenged Georgia's leadership claiming "if an adequate program is to be provided, it will be necessary undoubtedly for the State to assume a larger share of the necessary cost of operation."¹⁹⁵ The call for this funding was clearly sounded when the report cited only three Negro children out of 100 enrolled in first grade would ever reach grade eleven and the existence of only forty-three accredited Negro high schools within Georgia's 159 counties.¹⁹⁶

¹⁹⁴ Walter Cocking, *Report of the Study on Higher Education of Negroes in Georgia* (Athens: University of Georgia Press, 1938), 1.

¹⁹⁵ *Ibid.*, 64.

¹⁹⁶ *Ibid.*, 67.

Dr. Cocking also recommended supplementing state appropriations with money from “foundations,” such as the Rosenwald Fund, in order to hire a special assistant for Negro education at the state board of education level and to develop a college for Negroes in Fort Valley, Georgia.¹⁹⁷ The Board of Regents, who commended Dr. Cocking for his effort, accepted the study’s report. This report was not Cocking’s last foray into the study of educational conditions in Georgia. The next study he conducted became the source of controversy and led to his firing by the very same Board of Regents who had applauded his efforts on the statewide study of Negro education.

In 1939, Dr. Cocking presented a report to his College of Education faculty entitled, “The Present Program of Teacher Education of the University of Georgia and Its Future Development.” The report contained a number of statistics based on racial comparisons including annual teacher salaries (black teachers \$324.13 / white teachers \$740.03), level of college training (black teachers 1.2 years / white teachers 2.73 years), and the number of days schools operated during the 1937-1938 school year (black school 153.5 days / white school 172.2 days).¹⁹⁸

Following the report’s statistics were a number of recommendations for improving teacher training- for both black and white teachers. The controversial suggestion Cocking made in the report concerned a proposed demonstration school near Athens for the teacher education program of the University of Georgia. The report stated that the “program described here would involve both white and negro schools.”¹⁹⁹ The report was not clear on how the demonstration

¹⁹⁷ Ibid., 87

¹⁹⁸ James F. Cook, “The Eugene Talmadge – Walter Cocking Controversy,” *Phylon* 35, no. 2 (1974): 184.

¹⁹⁹ Ibid.

school would actually operate with regard to race. This unanswered detail was used two years later by Governor Talmadge as evidence of Dr. Cocking's "subversive" proposal of race mixing.

Eugene Talmadge, Governor of Georgia 1933-1937, 1941-1943, and 1946

Eugene Talmadge was a polarizing figure in Georgia politics during the 1930s and 1940s. His fiery nature and reluctance to move forward from the racist attitudes he clung to characterize the Depression era governor, who was tasked with leading Georgia through the economic and social struggles of the period. Very few records remain from Governor Talmadge's time as Georgia's chief executive. Researchers encounter dead end trails when trying to piece together the political life of Eugene Talmadge through searches of the state's archival repositories. Talmadge either burned or threw away all correspondence and records at the end of each term in office.²⁰⁰ Most of what is known, or at least accepted, regarding Governor Talmadge's motives and actions while in office comes from oral interviews with his family and close inner circle associates. Even with possible bias involved in their recollections, the depiction they provide of Eugene Talmadge is harsh, racist, and filled with drama.

Eugene Talmadge grew up in rural Forsyth, Georgia located in the central part of the state where he lived a comfortable life. Always a standout in school, Talmadge graduated from the University of Georgia with an undergraduate degree and again in 1907 with a law degree. The future governor made an impression on his peers and professors at the university where he was a champion debater and distinguished as a Phi Beta Kappa scholar.²⁰¹

²⁰⁰ William Anderson, *Wild Man From Sugar Creek: The Political Career of Eugene Talmadge* (Baton Rouge: Louisiana State University Press, 1975), xvii.

²⁰¹ *Ibid.*, 11.

Politics and a devotion to the Democratic Party became a way of life for Eugene Talmadge. His first elected position was to the post of Agriculture Commissioner for Georgia in 1926. Thereafter, Talmadge continued a steady climb in Georgia politics to eventually win the governor's race in 1932 and again in 1934. With the economic woes of the Great Depression consuming Georgia and the nation, Talmadge aligned himself in both elections with President Franklin Roosevelt. The popular president spent considerable time in Georgia and the state's voters embraced his New Deal by voting for him by over a 90 percent majority. Talmadge rode these Democratic coattails in both the 1932 and 1934 gubernatorial elections. However, after Talmadge's second inauguration, the melodramatic governor abruptly cut ties with Franklin Roosevelt and the New Deal initiatives calling the federal relief program "the darkest blot on the pages of history."²⁰² The *New York Times* reported Talmadge's break with Roosevelt and quoted the governor as stating, "the NRA, the AAA, the TVA all are in the Russian primer" implying a relationship between the New Deal and communism.²⁰³ Talmadge continued his political career with his own brand of populism that sought to preserve what he believed was the traditional southern way of life during a Depression era filled with economic despair, social tensions regarding race, and Red Scare fears of communism.

Governor Talmadge, and other southern segregationists, began to equate subversive activity with racial liberality. The Black Belt Self-Determination platform of the Communist Party in the South led white southerners who followed strict Jim Crow racial divisions to perceive threats to social traditions as subversive activity. It was this blurring of concepts that

²⁰² Novotny, *This Georgia Rising*, 5.

²⁰³ "Talmadge Assails Roosevelt as Red," *New York Times*, October 10, 1935, Box 1 Folder 14, Marvin Pittman Special Collection, Georgia Southern University Henderson Library.

entangled Dr. Marvin Pittman, Dr. Walter Cocking, and Governor Eugene Talmadge in a scandal that consumed Georgia and captivated the nation.

A Governor, His Targets, and the Showdown

The domineering Governor Talmadge hamstrung Georgia's educational system in 1941 as social and political tensions raged in the state. Ten years earlier, the Communist Party's International Labor Defense (ILD) lawyers defended the Scottsboro Nine in Alabama. In 1932 ILD lawyers began their defense of Angelo Herndon in the Atlanta case that wound its way through the Georgia court system before eventually reaching the United States Supreme Court in 1937. Talmadge, as Georgia's governor throughout the Herndon case, was witness to the Communist Party's effort on behalf of accused black men. The governor and other like-minded Georgians thought the struggle to maintain segregation in the South to be a microcosm of the larger efforts in the United States to maintain democracy. To them, anything but strict segregation indicated subversive activity. Pittman and Cocking were scrutinized in their respective university roles and both ultimately faced charges of subversion.

The conflict between the governor and the two professors began as a surprise to most leaders within the Georgia educational system. Mrs. Sylla Hamilton, a former history teacher at the demonstration high school operated by the University of Georgia's College of Education, solicited Talmadge regarding a complaint about Dean Cocking. Mrs. Hamilton had been released from her position with the university by Cocking in the spring of 1939. Some of Mrs. Hamilton's "kinsmen are important in the political world and they, for the most part, are strong

friends of Governor Talmadge.”²⁰⁴ The well-connected, disgruntled former teacher complained to Talmadge that Dr. Cocking was planning to build an integrated practice teaching school in Athens.

Talmadge was sympathetic to Mrs. Hamilton but the extreme measures he took targeting Dr. Cocking are astounding and were ill advised according to his closest confidantes. From later testimony, “it is clear that [the governor] acted hastily before thinking the matter through and that he subsequently regretted his decision when the passions he had unleashed went far beyond his original intentions.”²⁰⁵ Governor Eugene Talmadge’s son, the future Governor Herman Talmadge, wrote a colorful account of the situation in his own memoirs. He described Walter Cocking as “not very sensitive to our traditions and mores” and being from Iowa made him even more suspect as “back in the early forties we were still a little touchy about Yankees coming in and trying to change our way of doing things.”²⁰⁶ Herman Talmadge described the situation in his memoir in blunt terms. “You see, Cocking was tied up with some do-gooder outfit called the Rosenwald Fund, which was trying to destroy segregation in the South. If that wasn’t bad enough, he up and fired a native-born Georgia woman by the name of Sylla Hamilton.”²⁰⁷

Herman Talmadge’s reflection on the incident is more than a colorful description of events. He also provides a clear indication that his father, Eugene Talmadge, had carried the situation far beyond what was recommended by his advisors. Herman had “been to the university a few years earlier” and “knew that Papa, [Eugene], would only hurt himself if he tried

²⁰⁴ Robert Preston Brooks, statement on the Cocking Case, Robert Preston Brooks Papers, Box 17 “The Cocking Case Book I,” 2, University of Georgia Hargrett Library.

²⁰⁵ Cook, “The Talmadge- Cocking Controversy,” 186.

²⁰⁶ Herman Talmadge and Mark Royden Winchell, *Talmadge: A Political Legacy, A Politician’s Life: A Memoir* (Atlanta: Peachtree Publishers, 1987), 61.

²⁰⁷ *Ibid.*, 62.

to treat that academic crowd the way he did log-rolling legislators and bureaucrats.”²⁰⁸ Herman went on to say that he and his mother tried repeatedly to talk Eugene out of pressing the issue further. “No question about it, that Dean Cocking purge was the greatest political mistake Papa ever made.”²⁰⁹ Some saw Eugene Talmadge’s aggressive action as a mistake and others supported his defense of segregation, which was equated by many southerners as a fight against communism.

Mrs. Hamilton’s accusations stemmed from the discussion of long-range plans for the university presented by Dr. Cocking at a College of Education staff meeting on March 10, 1939. A few months after this meeting was when Mrs. Hamilton lost her position in the College of Education and she used Dr. Cocking’s report, “The Present Program of Teacher Education of the University of Georgia and Its Future Development,” as fodder for attack.²¹⁰ Her version of the proposed practice school for students majoring in education was that both white and black students would be taught there together.

General Sandy Beaver, the Chairman of the Board of Regents, was sent by Governor Talmadge to investigate the accusations made by Mrs. Hamilton. Robert Preston Brooks was the Dean of the University of Georgia’s Business School and had been designated by university president, Dr. Harmon Caldwell, to monitor the Cocking controversy and maintain a detailed record of events. According to Brooks’ account of Beaver’s investigation, the Board of Regents Chariman “had long conversations with President Caldwell, Chancellor Sanford, Professor Horace Ritchie of the College of Education, Mrs. Hamilton, and myself.”²¹¹ Legal affidavits were obtained during this investigation in which President Caldwell, Brooks, and Professor

²⁰⁸ Ibid.

²⁰⁹ Ibid., 63.

²¹⁰ Brooks, statement on the Cocking Case, 2.

²¹¹ Ibid.

Ritchie who had attended the staff meeting in question, swore to the falsity of Mrs. Hamilton's charges. "The General became convinced that there was nothing whatever in the charges made by Mrs. Hamilton."²¹² With the clear weight of evidence in Dr. Cocking's favor, it came as a shock to everyone at the May 30, 1941 Board of Regents meeting in Athens when Governor Talmadge announced he was dismissing the professor. The Board of Regents followed the governor's lead and fired Walter Cocking without a hearing.

In addition to firing Walter Cocking at the May 30th meeting, the governor and Board of Regents also fired Marvin Pittman of the Georgia Teachers College. The charges brought against Dr. Pittman included political involvement the governor found distasteful for a college president, alleged personal use of college farm equipment, and teaching what Talmadge called "racial equality and Communism."²¹³ The governor also explained his opposition to Dean Cocking to the Board of Regents by stating that the professor, "said things contrary to Southern principles" and that he would seek the removal of "any person in the university system advocating Communism or racial equality."²¹⁴ The Board of Regents voted eight to four to follow Governor Talmadge's lead and remove both Pittman and Cocking from their respective university positions.

The swiftness of the vote caught University of Georgia officials off guard, especially since the investigation by Board of Regents Chairman Beaver had seemingly cleared Dr. Cocking's name. The vote by the Regents to release the professors had occurred prior to a planned early afternoon recess for the dedication of a fine arts building on the Athens campus. During the recess, University of Georgia President Harmon Caldwell in a rash move "tendered

²¹² Ibid.

²¹³ Novotny, *This Georgia Rising*, 46.

²¹⁴ Board of Regents Hearing Minutes, 30 May 1941, 2-3 in Patrick Novotny, *This Georgia Rising*, 47.

his resignation, since he felt that it would be impossible for him to administer the University if members of the staff were to be treated in any such summary fashion.”²¹⁵ After much discussion, the Board of Regents voted to reconsider and hold a public hearing for both Cocking and Pittman in Atlanta the following month on June 16, 1941. Publicity grew as the hearing neared and university officials from both schools prepared defenses for their accused staff members.

Both schools reacted through various forms of protest to defend both educators. On June 2, 1941, over 300 students paraded through Statesboro in a protest march with signs supporting Dr. Pittman that read “Keep Politics Out of the School” and “We Want Pittman.”²¹⁶ In a letter dated June 9, 1941, the University of Georgia contacted the Board of Regents concerning the charges against Dean Cocking and issuing its support of the embattled professor’s ability, integrity, and loyalty. The wording of the letter closely mirrors the wording of the Georgia Teachers’ Oath which links segregation and subversion. The letter states, “We understand that the opposition to Dean Cocking springs from the charge that he leans toward communism; that he favors social equality for whites and blacks; that his general philosophy is not in accord with southern traditions.”²¹⁷ The forty-three professors who signed the letter also expressed their concerns about academic freedom by stating “a teacher in doubt about security of tenure may become a coward, a sycophant, a time-server...[with the] effectiveness of the teachers reduced to zero.”²¹⁸

²¹⁵ Brooks, statement on the Cocking Case, 3.

²¹⁶ Novotny, *This Georgia Rising*, 50.

²¹⁷ Department of Education, University of Georgia to Board of Regents, 9 June 1941. RG 1-9, Harmon Caldwell Papers, University of Georgia Hargrett Library.

²¹⁸ *Ibid.*

The President of the University of Georgia, Harmon Caldwell, also solicited statements of character from Dr. Cocking's previous employers and colleagues. In these pleas Caldwell referred to the charges against Dr. Cocking as being "that his doctrines and teachings lean toward communism" and that "his views generally are not in accord with Southern Traditions."²¹⁹ Dozens of such support letters were written by the University of Georgia President Caldwell in an effort to exonerate his Dean of Education.

The Board of Regents held their much anticipated hearing on June 16, 1941 which lasted five-hours and included the testimony of multiple witnesses on behalf of Dean Cocking. The lengthy, closed-door meeting resulted in the accused educator being rehired by an 8-7 vote of the Board of Regents. The hearing had taken so long that the Pittman hearing was postponed until the Board of Regents' next meeting, which was to be held on July 14, 1941.²²⁰

The controversy was far from over. Governor Talmadge continued his manhandling of the case. The *Atlanta Constitution* reported on June 17, 1941 that Talmadge was in a fury over the rehiring of Dean Cocking. He stated, "I'm not going to put up with social equality in this state as long as I'm governor. They can't slip through no cracks and they can't crop up in no funds coming to this state. We don't need no negroes and white people taught together."²²¹ Clearly, Governor Talmadge's words indicate the accusation of subversive, communist leaning activity by Dean Cocking was largely about his views on racial integration. Talmadge's reference to the "funds" alludes to the money from the Rosenwald Fund awarded to Dr. Pittman and the Georgia Teachers' College.

²¹⁹ Harmon Caldwell to Vanderbilt University Chancellor Carmichael, 9 June 1941. RG 1-9, Harmon Caldwell Papers, University of Georgia Hargrett Library.

²²⁰ Luke Greene, "Cocking Wins Re-election by Regents, 8 to 7," *Atlanta Constitution*, June 17, 1941.

²²¹ *Ibid.*

An angry Governor Talmadge forced another hearing of the Dr. Cocking case during the time scheduled in July for the postponed Pittman hearing. Talmadge was able to hold a second hearing by replacing three members of the Board of Regents who had voted in favor of Cocking's reinstatement and by claiming new evidence had come to light. The governor had asked for the resignations of Board of Regents members Sandy Beaver (the Board Chairman), Miller Bell, and E. Ormonde Hunter based on a 1937 law "limiting the number of alumni of any state school that may be on the Board of Regents."²²² These three men had supported Dr. Cocking's reinstatement when the Board voted 8-7 in his favor. The governor suddenly became concerned that ten members of the present Board of Regents were alumni of the University of Georgia.

The July 14, 1941 hearing was a very public affair held in the Georgia House of Representatives chamber to accommodate the large crowd. The complexion of the Board of Regents conducting this particular hearing was quite different from the one that met just one month earlier and had voted to reinstate Dr. Cocking. Three of the eight voters who had favored Professor Cocking were no longer members of the Board. The new members appointed to the Board of Regents, were sworn in to open the July 14th hearing and represented votes that would ultimately support Governor Talmadge in his effort to fire both Cocking and Pittman that day.²²³

Governor Talmadge had publically tried to discredit Dr. Cocking by claiming new evidence had been discovered between the June and July meetings of the Board of Regents. At a Fourth of July picnic in Alabama, Talmadge railed against the accused professors and again invoked a blurred definition of subversive activity to include racially liberal ideas. He warned

²²² "Talmadge Asks Resignations of Regents Chairman Sandy Beaver, Members Hunter, Bell," *Athens Banner Herald*, June 19, 1941, in Robert Preston Brooks Papers, Box 17 "The Cocking Case Book I," University of Georgia Hargrett Library. Robert Preston Brooks was

²²³ Brooks, statement on the Cocking Case, 3.

that Communism was rampant in Georgia and “we’re not going to have any Communists in the university system....I will not permit the traditions of Georgia to be trampled upon by anyone advocating the intermingling of whites and blacks in our schools.”²²⁴

Talmadge’s effort to gather new evidence against Cocking goes beyond ethical investigation practices. The *Atlanta Constitution* reported on July 13, 1941 that Robert F. Wood, a representative of Governor Talmadge from the Motor Fuel Tax department, had been sent to Athens to bribe a photographer to fake a picture of Dr. Cocking with Negroes. The article further indicates that Wood was also searching for damning information about Dr. Pittman in and around Statesboro.²²⁵

Tommie Banks was a black servant who worked for Dr. Cocking at his home in Athens. Banks recognized the photos of Mr. Wood in the morning newspaper and reported his own frightening encounter with the same man. The servant had been taken to what supposedly was the headquarters of the Ku Klux Klan by Mr. Wood and interrogated. The Talmadge henchmen wanted to know the whereabouts of Dr. Cocking’s briefcase and if meetings were held in the Cocking home concerning the Rosenwald Fund. Concerning the terrifying ordeal, Banks stated, “Mr. Wood asked me could I steal Dr. Cocking’s brief case if he would give me a hundred dollars, or get a picture of Dr. Cocking with Negroes. He pulled out a lot of money, big rolls of bills.”²²⁶ The shades had been pulled in the room where Banks was held and a gun was on the table of the supposed Klan hideout.

²²⁴ Novotny, *This Georgia Rising*, 60.

²²⁵ Willard Cope, “Clarke County Probes Alleged Smear Effort,” *Atlanta Constitution*, July 13, 1941, in Robert Preston Brooks Papers, Box 17 “The Cocking Case Book I,” University of Georgia Hargrett Library.

²²⁶ Harold Martin, “Latest Revelations in Cocking Case Told in Stories, Editorials,” *Athens Banner Herald*, July 14, 1941, in Robert Preston Brooks Papers, Box 17 “The Cocking Case Book I,” University of Georgia Hargrett Library.

The dramatic hearing of July 14, 1941 played out as expected. High charges of misconduct were pinned on both Cocking and Pittman. New Board of Regents member James Peters launched an attack on Cocking concerning his involvement with the Rosenwald Fund by dramatically waving a copy of the 1931 book *Brown America, The Story of a New Race* written by Rosenwald Fund President Edwin Embree. Allegations were made that Cocking was closely involved with the organization whose goal was supposedly “racial integration and Communism.”²²⁷ George Scott Candler, also a new member of the Board of Regents, spoke of the situation a few weeks later to a gathering of the Decatur, Georgia Rotary Club. He defended the governor’s targeting of Cocking and Pittman as protecting the educational system of Georgia. Candler stated, “There is a red thread running through our educational system and you can trace it to the same group of men, the Commission for Interracial Cooperation.”²²⁸ Cocking tried to defend himself to the Board but to no avail. He was voted out of his position at the University of Georgia by a vote of 10-5. The three new Regents made the vote swing from the previous exoneration vote of 8-7.

The remainder of the July 14, 1941 hearing focused on the Georgia Teachers College President, Marvin Pittman. Similar trumped up evidence was presented in this case. There were lengthy discussions of the Tuskegee faculty visits to the college in Statesboro and whether there was intermingling of the races. Regent Peters again initiated a line of questioning concerning a controversial book. Peters challenged *Calling America*, a book from the college library in Statesboro. The book contained photographs of naked black men in chains and was sympathetic to the inequalities of racial oppression. Pittman’s connection to the Rosenwald Fund was also

²²⁷ Novotny, *This Georgia Rising*, 64, quote of James Peters’ statement during the Board of Regents hearing July 14, 1941.

²²⁸ Novotny, *This Georgia Rising*, 82, quote of George Scott Candler speech before the Georgia Rotary Club meeting.

closely scrutinized. After more heated debate between Pittman and the Regents, the governing body voted along the same division as earlier in the day, 10-5, to fire the Georgia Teachers College president.²²⁹

A few weeks after the dramatic firing of Cocking and Pittman had taken place before a packed Georgia House of Representatives gallery and the media in attendance, Marvin Pittman was given airtime on Atlanta's WSB Radio to defend himself. Pittman's radio address was broadcast in an effort to clear himself of subversion accusations,

The Governor charged that we were teaching communism at Statesboro. The charge was based upon the fact that we have in our library, along with 50,000 other books, one which is entitled *Calling America*. Upon examination this book proved to be the 1930 issue of the *Survey Graphic Magazine*. The issue was devoted to a world survey of minority groups among which is the Southern Negro. This issue of the magazine is one of the many references used in a survey of a course in social science.²³⁰

Governor Talmadge had achieved his objective, the removal of both Pittman and Cocking from their positions in Georgia's university system. The implications of this scandal were far from over. Governor Talmadge indicated that he intended to punish the University of Georgia for the crisis by slashing its budget. The educational system of Georgia was being held hostage by the controlling actions of the governor. Only four days after the well-publicized firing of Cocking and Pittman, the General Education Board cut off funds to Georgia after Talmadge took personal control over the University of Georgia. The organization had given \$2,500,000 the

²²⁹ "Cocking and Pittman Ousted by Board of Regents in 10-5 Election After Replacement of Miller Bell; Majority Resolution Praises Talmadge for Stand," *Atlanta Constitution*, July 15, 1941. Box 1 Folder 1, Marvin Pittman Special Collection, Georgia Southern University Henderson Library.

²³⁰ "Text of Dr. Pittman's WSB Talmadge Reply," *Atlanta Journal*, August 2, 1941, Box 1 Folder 3, Marvin Pittman Special Collection, Georgia Southern University Henderson Library.

previous year alone for the development of a Southeastern University Center program between Emory, Agnes Scott, Georgia Tech, University of Georgia, and the Atlanta Art Association.

Other organizations also began to shy away from investing in Georgia.²³¹

Time Magazine, *Newsweek*, the *New York Times*, and other national publications picked up the story of Georgia's educational crisis.²³² *The Nation* magazine astutely described Talmadge's zealous actions as creating the very threat to democracy that the governor claimed to be rooting out. "Here is a 100 per cent American use of the formula of phony race attack as a means of destroying the intellectual integrity of a state – which is a first step in destroying the freedom of everybody in the state."²³³ *The New York Times* quoted testimony from Dr. Cocking at the hearing in which he tried to defend himself by stating, "July 14 was a great day of national celebration on the yearly calendar of the Republic of France, for it marked the birth of democracy in that nation. Today in the year 1941, the French people have been forbidden to celebrate their birth of democracy for the Fuehrer Hitler has said that democracy is dead. Today is July 14 in Georgia also."²³⁴

Talmadge and his "crony Regents" fired nine other educators from the University System of Georgia within the next few months for similar charges of breaking social traditions, but their cases did not garner the notoriety or publicity as was focused on the Pittman and Cocking

²³¹ "Board Here Ends Grants to Georgia," *New York Times*, July 19, 1941. Box 1 Folder 14, Marvin Pittman Special Collection, Georgia Southern University Henderson Library.

²³² Walter Cocking to Harmon Caldwell, Feb 10, 1942. RG 1-9, Harmon Caldwell Papers, University of Georgia Hargrett Library. Also in "Talmadge on the Warpath: Five Georgia Educators Ousted in Racial Equality Probe," *Newsweek*, July 28, 1941. Box 1 Folder 13, Marvin Pittman Special Collection, Georgia Southern University Henderson Library.

²³³ Jonathan Daniels, "Witch-Hunt in Georgia," *The Nation*, August 2, 1941, 93 – 94. Box 1 Folder 11, Marvin Pittman Special Collection, Georgia Southern University Henderson Library.

²³⁴ "New Regents Oust Georgia Educators," *New York Times*, July 15, 1941. Box 1 Folder 14, Marvin Pittman Special Collection, Georgia Southern University Henderson Library.

situations. One of the additional faculty members fired from the Georgia Teachers College was Dr. Chester Destler of the social sciences department. He was well published and a leader in the field serving as the president of the Georgia Council of Social Studies from 1939-1941.

Destler's area of expertise was in the history of American liberalism. Destler's trouble with the Georgia governor and Board of Regents stemmed from his liberal view and his hosting of the Rosenwald sponsored "Georgia Progress Day."²³⁵ The annual event included frank discussions focused on economic, social, and educational issues facing the state.

The Atlanta press was also becoming quite critical of the harsh action by the governor and his associates. Journalist Ralph McGill was particularly outspoken throughout the Cocking and Pittman affair in editorials he wrote in the *Atlanta Constitution*. On July 14, 1941 McGill wrote, "The governor's position is untenable and not possible of understanding."²³⁶ Talmadge's dictatorial response to the negative publicity in the Atlanta newspapers was an announcement to "withhold executive news from two Atlanta dailies [the *Atlanta Journal* and the *Atlanta Constitution*] unless they correct their attitude in regard to the recent hearings for two educators."²³⁷

Due to blatant political interference with Georgia's education system, the state's accreditation came under the scrutiny of the Southern Association of Colleges and Secondary Schools (SACS). The organization voted in December of 1941 to revoke accreditation from all white public universities in Georgia.²³⁸ When SACS accreditation was lost, the people of

²³⁵ Novotny, *This Georgia Rising*, 73.

²³⁶ Ralph McGill, One Word More Editorial, *Atlanta Constitution*, July 13, 1941. Robert Preston Brooks Papers, Box 17 "The Cocking Case Book I," University of Georgia Hargrett Library.

²³⁷ "Talmadge Strikes at Atlanta Press," *New York Times*, July 22, 1941. Box 1 Folder 14, Marvin Pittman Special Collection, Georgia Southern University Henderson Library.

²³⁸ Cook, "The Eugene Talmadge – Walter Cocking Controversy," 192.

Georgia began to protest. In particular, students on Georgia's campuses rallied to try to preserve the relevance of their educational pursuits. Letters and petitions from alumni, parents, and students across the state flooded the government offices of legislators. Students in Athens held an emotionally charged rally on October 13, 1941 that culminated in the hanging of Eugene Talmadge's effigy in protest of his interference in the affairs of higher education in Georgia. The students took their protest directly to the state capitol in Atlanta later that same week. Over 1,000 students demonstrated on the grounds with lively speeches, clever signs such as "Old Gene, Don't Be Mean," and a petition to present to the governor.²³⁹

Students on other campuses around the state including the Georgia State College for Women, Georgia Junior College, Mercer College, and Georgia Teachers College joined the University of Georgia students in organized protests. Georgia Tech students called for a special session of the General Assembly to take the governor's power over the Board of Regents away. The students' solidarity was clear and evidenced from a protest sign that read, "In Athens' Footsteps."²⁴⁰ Talmadge tried to defend his actions by again equating the race and communism themes of the controversy. The governor stated in response to student protests, "The *Atlanta Constitution*, the *Atlanta Journal*, the social equality Negroes outside the state, and the Communist Party are slurring the state of Georgia and the University of Georgia."²⁴¹

The 1942 gubernatorial race became a campaign pitting those who wanted a restoration of the educational system and those who supported Talmadge's determination to maintain segregation.²⁴² Ellis Arnall ended Talmadge's abuse of power when he was elected Governor of

²³⁹ Novotny, *This Georgia Rising*, 87.

²⁴⁰ *Ibid.*, 90.

²⁴¹ *Ibid.*, 91.

²⁴² Luke Greene, "Arnall Enters Governor Race: Flays Tyrant," *Atlanta Constitution*, June 28, 1941.

Georgia in the divisive 1942 election. The Cocking and Pittman conflict damaged the educational system of Georgia and is an example of the broad interpretation of loyalty used by Georgia officials. In the South, loyalty meant not only political loyalty, but also social loyalty.

While Governor Talmadge was extremely aggressive in his attempt to use the threat of communism as a means of maintaining racial segregation, scores of citizens within the state supported his efforts. These views are reflected in letters to the Governor and Board of Regents during the crisis of 1941. Many letters reflect the passionate attitudes many Georgians held regarding segregation. For example, the President of the Atlanta Ladies' Memorial Association, an organization to perpetuate the memory of the Confederate dead, wrote to support the Board of Regents "in upholding the standards of our South."²⁴³ A letter to Chancellor Sanford of the University System stated, "there must be competent Georgians who could do this work, who would understand our Southern traditions.... I cannot believe it is the wish of the people of Georgia that anyone, regardless of his other qualification, be connected with our University system when he harbors such dangerous ideas."²⁴⁴ Governor Talmadge was also showered with support. One letter noted, "I am sure there are now enough people aware of this thing [Cocking controversy] to support every effort you make to oust the communist influence from our state, especially our tax supported schools."²⁴⁵ The division within the state between those who supported the actions of Governor Talmadge and those who did not ran deep and was not easily resolved.

²⁴³ Sarah Wilson to Chancellor Sanford, 25 June 1941. RG 33-1-51, Box 42, Administrative Records of Chancellor Georgia Board of Regents, Georgia Archives, Morrow.

²⁴⁴ Marie Johnson to Chancellor Sanford, 20 June 1941. RG 33-1-51, Box 42, Administrative Records of Chancellor Georgia Board of Regents, Georgia Archives, Morrow.

²⁴⁵ Mrs. E. Stewart to Governor Talmadge, 19 June 1941. RG 33-1-51, Box 42, Administrative Records of Chancellor Georgia Board of Regents, Georgia Archives, Morrow.

The two professors at the center of this controversy left Georgia to continue their careers. Dr. Marvin Pittman left Statesboro in February 1942 to take a position at the Louisiana State Teachers' College as the director of instruction. His tenure at the Louisiana institution did not last long as another newly reorganized version of the Georgia Board of Regents voted his unanimous reinstatement in January of 1943.²⁴⁶ Pittman stayed at the Georgia Teachers College until his retirement in 1947. The newly elected Governor Arnall had made good on his campaign promise to remove politics from the Board of Regents. With the restored legitimacy of the Board of Regents also came a restoration of accreditation for Georgia's University System. Dr. Cocking, however, did not return to Georgia. He instead took a position in New York City as managing editor of the American School Publishing Corporation and taught periodically at New York University.²⁴⁷

The governor, his targets, and the ensuing scandal exemplify the South's blurring of segregation and subversion. Governor Talmadge based his charges on racially liberal ideas. He, and others who challenged Pittman and Cocking, invoked claims of subversion simultaneously with threats to the heavily entrenched tradition of southern segregation. Talmadge was governor during the Angelo Herndon Case and was prone to suspicions of communist infiltration as evidenced by his opposition to Franklin Roosevelt's New Deal initiatives. The situation Talmadge created in the educational system of Georgia pitted politics against academics. It is this combination that is particularly damaging to educational progress.

²⁴⁶ Georgia Southern College Foundation, *Georgia Southern: Seventy-Five Years of Progress and Service* (Tallahassee : Rose Printing Company, 1982), 83.

²⁴⁷ Walter Cocking to Harmon Caldwell, 15 December 1943, UA 97-098 Box 9, Harmon Caldwell Papers, University of Georgia Hargrett Library. Also in James F. Cook, "The Eugene Talmadge – Walter Cocking Controversy, 192, fn. 64.

Chapter 4

Targeting Classrooms: A Pivotal Locale For Both Training and Battle

The 1930s and 1940s marked a period in which the United States was struggling to balance national security, civil liberties, and severe economic challenges. Georgia's scandal involving Governor Talmadge and the state's education system was the beginning of a long period of uncertainty in terms of how subversion and race would be treated in southern schools. Walter Cocking and Marvin Pittman's experiences as educators under fire in the 1940s are an early example of how closely schools and teachers across the nation and the South would be scrutinized during the Cold War period following WWII.

Intense debate over creeping threats of communism and the looming mandate of integration in the 1950s created a unique social context in which schools served as both solution and source of angst. Ramping up civic and democratic education initiatives in schools was thought to be critical in preserving the United States from dangerous totalitarian influence. Simultaneously, the 1954 *Brown v. Board of Education of Topeka* ruling, which mandated school integration, set the stage for heated controversy regarding school policy. Southern schools were at once a training ground for developing citizens to protect American ideals from communist threats and a battleground for the fight within the nation to provide all American citizens equal access to educational opportunities. These two critical issues facing education during the early Civil Rights/Cold War era further exemplify the link between communism and race and the impact each had on social studies education.

The Long History of Civic Education

Civic education programs were not new to American schooling in the 1950s. However, the fervor with which the curriculum initiatives targeted the particular communist threat advanced a new twist on an old tradition of developing an educated citizenry. In many ways, the new curriculum approach launched an offensive thrust in its attack of the enemy, which differed from the typically defensive framework that was focused on building a strong allegiance to the United States in order that the nation's young people could resist future threats to the republic.

Citizenship education originated with the classical Greek and Roman traditions. The Greek polis was the political entity for which citizenship education became a necessity. Individuals with aspirations of active participation in the governmental polis of their particular city-state had to be educated for civic responsibility. The Greek democracy was limited to those citizens of favor and was not inclusive of everyone. "The polis was a compact community dominated by a relatively small and ethnically cohesive group, for whom outsiders – the foreigners and slaves – undertook vital work."²⁴⁸ Those who did play an active role in the decision-making process of the polis needed to learn how to effectively participate in the democratic society. Aristotle believed that civic education brought the many different members of the polis together and ensured the stability of the state.

Walter Parker, a scholar of social studies education who specializes in the study of civic development, explains the importance of the Greek citizen education tradition. "Neither humans nor their communities mature properly until individuals meet the challenge of puberty, which to the Greeks meant becoming public persons. These are people who see freedom and community

²⁴⁸ Derek Heater, *A History of Education For Citizenship* (London: Routledge Falmer, 2004), 1.

not as opposites but as interdependent.... Idiots are idiotic precisely because they are ignorant of or indifferent to the conditions and contexts of their own freedom.”²⁴⁹

The Roman practice of active government participation was limited by the wide geographic expanse of the empire, which existed from 27 BCE through the third-century CE. “The essence of Roman citizenship was the ownership of legal rights.”²⁵⁰ Social stratification between patricians and plebeians restricted most of the Roman political power to the more privileged patrician class. Private teachers usually conducted civic education for children of the patrician class. “For the majority, initiation into juridical and political matters was organized within the intimacy of the family or close friends: adult citizens, often fathers, taught novice citizens.”²⁵¹ Part of the civic education process in both the Roman and Greek traditions included military preparedness. During the Classical Age, it was important to instill both a nationalistic pride and a will to fight with valor to protect the state. The Roman and Greek emphasis on civic education planted seeds that have grown and matured in unique ways to ensure future generations maintain the strength and political framework of their particular nations.

The United States is a nation that has developed a strong tradition of civic education to ensure the idea of democracy. As early as 1749, Benjamin Franklin was touting the importance of education among his fellow colonists of Pennsylvania. Franklin explained,

The good Education of Youth has been esteemed by wise Men in all Ages, as the surest Foundation of the Happiness both of private Families and of Common-wealths. Almost all Governments have therefore made it a principal Object of their Attention, to establish and endow with proper Revenues, such Seminaries of Learning, as might supply the

²⁴⁹ Walter Parker, “Social Studies Education eC21,” in *Social Studies Today: Research & Practice*, ed. Walter Parker (New York: Routledge, 2010), 6.

²⁵⁰ Heater, *History of Education For Citizenship*, 2.

²⁵¹ *Ibid*, 3.

succeeding Age with Men qualified to serve the Publick with Honour to themselves, and to their country.²⁵²

Thomas Jefferson similarly proposed to the Virginia legislature, although not accepted by that body, the formation of public grammar schools. In Jefferson's 1778 Bill For the More General Diffusion of Knowledge, he reasoned that the best way to combat tyranny and protect natural rights was to "illuminate, as far as practicable, the minds of the people at large, and more especially to give them knowledge of those facts...rendered by liberal education... to guard the sacred deposit of rights and liberties."²⁵³

Franklin and Jefferson's clear support for educating the next generation was echoed even more powerfully by Dr. Benjamin Rush at the dawn of the United States under its new constitutional framework in 1798. Rush recommended,

The business of education has acquired a new complexion by the independence of our country. The form of government we have assumed, has created a new class of duties to every American. It becomes us, therefore, to examine our former habits upon this subject, and in laying the foundations for nurseries of wise and good men, to adopt our modes of teaching to the peculiar form of our government.²⁵⁴

A clear basis for educating the American citizenry was established by key figures of the founding era. While modern historians, such as Linda Kerber, have touted the importance of the

²⁵² Benjamin Franklin, "Proposals Relating to the Youth in Pensilvania," in *American Educational Thought: Essays From 1640-1940*, eds. Andrew J. Milson, Chara Haeussler Bohan, Perry L. Glanzer, and J. Wesley Null (Charlotte: Information Age, 2010), 34.

²⁵³ Thomas Jefferson, "A Bill For the More General Diffusion of Knowledge, 1778," in *American Educational Thought: Essays From 1640-1940*, eds. Andrew J. Milson, Chara Haeussler Bohan, Perry L. Glanzer, and J. Wesley Null (Charlotte: Information Age, 2010), 42.

²⁵⁴ Dr. Benjamin Rush, "On the Mode of Education Proper in a Republic, 1798" in *American Educational Thought: Essays From 1640-1940*, eds. Andrew J. Milson, Chara Haeussler Bohan, Perry L. Glanzer, and J. Wesley Null (Charlotte: Information Age, 2010), 63.

“Republican Motherhood”²⁵⁵ ideal for developing civic minded children through home based development, many leaders of the late eighteenth century believed a more formal structure of civic education was necessary. Noah Webster feared the ruinous effects of education being left to chance by familial examples or through the employ of private tutors, who may or may not have been bold in their civic convictions. Webster warned, “Gracious Heavens! Must the wretches who have forfeited their lives and been pronounced unworthy to be inhabitants of a *foreign* country be entrusted with the education, the morals, the character of *American* youth?”²⁵⁶ Many tutors of the era were brought to America for the sole purpose of educating children and Webster’s warning stressed the importance of the teacher’s character and devotion to American civic ideals. Webster further distinguished the importance of education in a democracy when he stated, “In despotic governments the people should have little or no education, except what tends to inspire them with a servile fear. Information is fatal to despotism.”²⁵⁷

Franklin, Jefferson, Rush, and Webster’s firm pronouncements favored the education of America’s youth. Ultimately, civic education to perpetuate the democratic principals of liberty and citizen participation became an integral part of the American school curriculum from the United States’ earliest days. The understanding that civic education was essential for the progress of the new nation is clear. Civic education changed in focus during the first half of the twentieth century. This transformational period introduced a more narrow focus of the

²⁵⁵ Linda Kerber, *No Constitutional Right to Be Ladies: Women and the Obligations of Citizenship* (New York: Hill and Wang, 1998), 146.

²⁵⁶ Noah Webster, “On Education of Youth in America, 1790,” in *American Educational Thought: Essays From 1640-1940*, eds. Andrew J. Milson, Chara Haeussler Bohan, Perry L. Glanzer, and J. Wesley Null (Charlotte: Information Age, 2010), 83.

²⁵⁷ *Ibid*, 86.

curriculum to promote character education.²⁵⁸ The strong qualities of idealism and Victorian morality, that had become powerful social constructs during the previous century, were key components of the new values laden civic education programs.

Efforts to instill the character traits of patriotism and discipline into the curriculum became a primary goal for many educators at the turn of the twentieth century. “A nation-wide movement for ‘character-education’ is upon us. It is more than a fad; more than a spasm of pedagogy.”²⁵⁹ The public school, as a state supported institution, was seen as the vehicle to foster strong allegiance to American ideals. “State-endowed schools ought to assure to the state, state-devoted men and women. It is a return that we have the right to expect of the schools for the support that the public gives to them, that the product of the schools will be a sure and safe and reliable support of the state, of the public.”²⁶⁰

Not only was civic and character development the focus of public school curriculum, the traits were also cultivated beyond classroom settings with the introduction of the youth scouting organizations in the United States. Boy Scouting was first brought to the United States in 1910 and Girl Scouting arrived in 1912, which coincided with the new focus on character education in schools. The Girl Scout Promise indicates the heightened emphasis on character development as it relates to civic responsibility. The organization’s guiding oath states, “On my honor, I promise to serve God and my country, to help people at all times, and to live by the Girl Scout Law.”²⁶¹ The Girl Scout Law, which members promise to live by, heavily emphasizes qualities of strong

²⁵⁸ John Hardin Best, “A Review of the Development of the Concept of Citizenship Education Since 1900,” *The High School Journal* 44, no. 3 (1960): 98.

²⁵⁹ George A. Coe, *Educating for Citizenship: The Sovereign State as Ruler and as Teacher* (New York: Charles Scribner’s Sons, 1934), 17.

²⁶⁰ Charles Fleischer, “The Public Schools and True Americanism,” *Journal of Education* 68, no. 23 (1908): 655.

²⁶¹ “Girl Scouts: Who We Are,” Girl Scouts, accessed November 24, 2015, <http://www.girlscouts.org/en/about-girl-scouts/who-we-are.html>.

character such as being honest, fair, responsible, considerate, courageous, and respectful of authority. The Boy Scout promise is equally ripe with character and civic virtues.²⁶²

The First World War ushered in an expansion of American citizenship education in which greater emphasis was placed on societal and political ends beyond the earlier focus on individual character. The nationalist fervor of the time spilled over into the development of educational curricula that was intended to prepare the United States for its role in the “Brave New World to follow the war.”²⁶³ The field of education was also transitioning in the early decades of the 1900s. Progressive ideas regarding instruction and schooling emerged during this period. These educational theories relied more heavily on scientific research advanced by such scholars as John Dewey and Maria Montessori. Citizenship education first “lost its tone of emotional nationalism of the war; second, it became ‘scientific’ and a prime subject of scientific experimentation; ... and finally, citizenship (or character), reflecting the full influence of progressivism, was seen as both process and end.”²⁶⁴

During the Progressive Era, the growing immigrant population in the United States caused controversy. The expanding cultural variety that was taking hold in the nation’s cities had a significant influence on school curriculum. Civic education at that time was thought to be a vehicle for “Americanizing” newcomers. The emphasis was on assimilating the children of immigrant families to the American way of life. Jane Addams, whose settlement house became a community center for immigrants of all ages in Chicago and earned her a Nobel Peace Prize, wrote of the dangers of limiting civic education efforts to only the children of immigrants. She believed that if only children, instead of entire families, assimilated to American culture there

²⁶² “Boy Scouts,” Boy Scouts of America, accessed November 24, 2015, <http://www.scouting.org/Home/BoyScouts.aspx>.

²⁶³ Best, “Citizenship Education Since 1900,” 100.

²⁶⁴ Ibid, 101.

would develop a wide gulf between the parents and children. Addams believed this division was dangerous. She cited the work of sociologists in her 1908 essay, which claimed the crime rates among immigrant children were twice that of children of native-born Americans.²⁶⁵ Addams believed that the advantages young immigrants gained from public school undermined the authority of immigrant parents. “It is the business of the school to give to each child the beginnings of a culture so wide and deep and universal that he can interpret his own parents and countrymen by a standard which is world-wide and not provincial.”²⁶⁶ The question of Americanization and immigration was relevant in the early years of the Progressive Era and is still relevant for civic education discussions in social studies classrooms today.

European conflicts prompted by militarism, expansionism, and the rise of communism led to the Second World War and also kindled fear and skepticism to the United States. The swath of communistic accusations broadened and progressive educators were often labeled as unpatriotic radicals. “We find such mild liberals as Jane Addams, Frances Perkins, Mrs. Franklin Roosevelt, John Dewey, and members of the American Civil Liberties Union listed as radicals. Mr. Hearst presents an honor roll of American educators as special servants of Russian communism devoted to undermining American ideals in our schools.”²⁶⁷ Individuals in positions of authority and influence in the schools were closely monitored by community members and civic organizations. The definition of patriotism was also questioned by Americans who struggled to protect the nation from dangerous ideologies. Could radicals disguise themselves as true American patriots in order to get a foothold in the schools? “It is highly important that we

²⁶⁵ Jane Addams, “The Public School and the Immigrant Child, 1908,” in *American Educational Thought: Essays From 1640-1940*, eds. Andrew J. Milson, Chara Haeussler Bohan, Perry L. Glanzer, and J. Wesley Null (Charlotte: Information Age, 2010), 474.

²⁶⁶ *Ibid*, 475.

²⁶⁷ George Axtelle, “Patriotism in Our Schools,” *Phi Delta Kappan* 17, no. 7 (1935): 212.

be clear as to the meaning of patriotism. It is equally important that we recognize rascality when it masquerades behind patriotism.”²⁶⁸ The caution noted here was to preserve open discussion in schools and to not allow noisy propaganda or patriotic flag waving from digging deeper into individual motivations. The threat was powerful and the schools were considered ripe for infiltration. High schools were called on to take positions of leadership for community welfare during World War II. Areas of emphasis included citizenship training through practical experiences of democracy in action, panic control through emergency drills and exercises, morale building within the community, and the promotion of health, safety, and thrift.²⁶⁹

By the Cold War period, citizenship curriculum developed by organizations such as the American Legion and the National Education Association took an aggressive turn to specifically target communism as the greatest threat to the preservation of the republican form of government in the United States.²⁷⁰ Efforts across the nation to develop and mandate social studies courses designed to discourage the radical threat of communist infiltration were complicated by racial division that intensified as the controversial decision in the *Brown* case was rendered. Curriculum choices had to be made with both subversion and race in mind.

Twentieth Century Civic Education Curriculum Framework

Walter Parker identifies three social studies curricula: the explicit, the null, and the implicit.²⁷¹ The explicit curriculum includes the official content contained in modern-day standards and traditional lesson plans. The null curriculum is a “foreclosure consisting of all the

²⁶⁸ Ibid.

²⁶⁹ Forrest Long, “High Schools in War,” *The Clearing House* 16, no. 4 (1941): 242-243.

²⁷⁰ National Education Association and The American Legion, *Teaching About Communism: Guidelines for Junior and Senior High School Teachers* (Indianapolis: The American Legion, 1962), 5.

²⁷¹ Parker, “Social Studies Education,” 8.

subject matter that is not included in the taught curriculum. . . . Whole subjects such as art, music, social studies, and even science were sometimes tossed into the null bin as the standards-and-accountability hysteria bore down on schools.”²⁷² The implicit or hidden curriculum includes the values and perspectives that are cultivated in and among students by the explicit curriculum. These derivatives could also come from the null curriculum – what is being left out of instruction might also shape values and attitudes of students. Therefore the question for schools was, and still is, who decides the content of each area of curriculum?

The power struggle between professional educators, government officials, and the public stakeholders has fueled the civic education debate in the United States since Benjamin Franklin first promoted formal school for the Pennsylvania colony. The debate escalated with the ideological clashes of the early twentieth century and continues to be controversial in today’s hyper-standards based climate. Even with the internal conflicts over civic education content, the importance of the course is clear. “Empower the merely ignorant and endow the uneducated with a right to make collective decisions and what results is not democracy but, at best mob rule: the government of private prejudice and the tyranny of opinion – all the perversions that liberty’s enemies like to pretend (and its friends fear) constitute democracy.”²⁷³

The responsibility of a participatory government means that the citizenry requires education. This condition harkens to the social contract ideas of John Locke, in which “membership status in the modern democratic state confers certain rights and privileges upon its citizens, who, in return, are expected to exercise both personal control and collective

²⁷² Ibid, 9.

²⁷³ Benjamin Barber, *An Aristocracy For Everyone: The Politics of Education and the Future of America* (New York: Ballantine, 1994), 5.

responsibility for the common good.”²⁷⁴ With rights come responsibilities. The question remains relevant today regarding how to best educate a citizenry for active participation in the democratic process. Social context and certainly international relationships change over time. The question is how to adjust civic education to be most effective in addressing contemporary issues.

Modern Implications and Methods for Civic Education

Current commentary refers to the youth of the 1990s as Generation X. Individuals in this category have recently come of age in their civic responsibilities. Critics of Generation X contend that members of this age group have no real identity, are lazy, irresponsible, and appear mindless and materialistic. “The first downwardly mobile generation in American history, 1990s youth have been portrayed as apathetic and disconnected from their communities.... Unless we find better ways to educate ourselves as citizens, America runs the risk of drifting unwittingly into a new dark age.”²⁷⁵ Educators have continued to struggle with how to best approach educating students of the Generation X era and beyond. Many of these students are disengaged from societal issues and view school as boring.

One successful approach to the question of how to prepare modern students for civic participation is to create a “political classroom.” Diana Hess is a well-respected social studies education scholar who specializes in developing effective techniques for classroom discussions of controversial political and constitutional issues. She argues that schools are, and ought to be,

²⁷⁴ Richard Braungart and Margaret Braungart, “Citizenship and Citizenship Education in the United States in the 1990s,” in *Citizenship and Citizenship Education in a Changing World*, ed. Orit Ichilov (London: Woburn Press, 1998), 98.

²⁷⁵ *Ibid*, 99.

political sites.²⁷⁶ Hess describes students in political classrooms as being engaged in research and discussion of current public controversies in order to develop their ability to deliberate political questions. Another consideration is the current twenty-first century emphasis on globalization. The challenges of a nationalistic citizenship education program couched in a global setting are immense. “This inward (national) and outward (global) push and pull raises...questions within diverse nation-states.... It is not economic protectionism that comes into play but a retrenchment of nationalist cultural projects, as reflected in draconian anti-immigration legislation in the United States.”²⁷⁷ This level of inquiry with current, relevant issues encourages young people to move beyond the aforementioned Generation X disengaged stereotype and become active participants in a deliberative democracy.

Hess cautions educators to respect the boundary between training students for effective civic participation and student indoctrination. Non-partisan classrooms should practice deliberation in order to prepare students for future participation in the highly partisan world. Hess explains, “A more enlightened and democracy-sustaining approach is to teach all young people to engage in high-quality public talk about controversial political issues.”²⁷⁸ The open discussion and questioning approach touted by Hess was limited in the earlier Cold War period by the hysteria over communist infiltration. Organizations like the National Education Association (NEA) and the American Legion were highly involved in their own brand of civic education.

²⁷⁶ Diana Hess and Paula McAvoy, *The Political Classroom: Evidence and Ethics in Democratic Education* (New York: Routledge, 2015), 4.

²⁷⁷ John Petrovic and Aaron Kuntz, “Prologue: Citizenship and the Purposes of Education,” in *Citizenship Education Around the World: Local Contexts and Global Possibilities*, eds. John Petrovic and Aaron Kuntz (New York: Routledge, 2014), ix.

²⁷⁸ Diana Hess, *Controversy in the Classroom: The Democratic Power of Discussion* (New York: Routledge, 2009), 5.

Influences of the National Education Association and the American Legion

During the Cold War era, teacher organizations recognized the slippery slope on which teachers stood and offered support for the difficult curriculum decisions they encountered. Teachers faced the potential ramifications of subversive activity accusations if the public perceived classroom instruction as communist indoctrination. Social studies teachers were particularly scrutinized given the subject matter of their courses and how comparisons would of necessity be made between capitalism and communism. Even during the early Red Scare associated with World War I, the Superintendent of New York schools issued a statement directed to his state's teachers about the importance of their role and how he would handle supervision of their work.

While I sincerely deprecate any supervision involving espionage or oppression, it is the duty of every supervising official to make certain that no teacher with a warped conception of his sacred duty takes advantage of the privacy of the classroom and the immaturity of his auditors, to express views which are in conflict with the solemn obligation that rests upon him as a teacher and a public servant.²⁷⁹

Raymond Manchester of the Kent State Normal School offered another strong assessment of the critical role classroom teachers play in preserving Americanism. He described those skilled in the profession as artists and did not believe that students could actually be taught "Americanism." Instead, Manchester likened the concept to a philosophy that simply had to be accepted. "One notion that should be exploded at once is that held by many that a Red will automatically take on the colors of white and blue if he can be held in check long enough to be

²⁷⁹ William Ettinger, "Americanism in New York," *Journal of Education* 89, no. 14 (1919): 383.

made to listen to a speech.”²⁸⁰ The teacher, through example and character, would bring students to accept Americanism rather than convert them to loyalty through a lecture. Manchester observed in 1921 that Americanism was suffering in schools because there were not enough quality teachers in the profession due to inadequate pay. “Most teachers are good Americans, but not all of them are artists.... We do not pay our teachers enough to make the profession attractive to our best young men and women. The result is that we have our schools filled up with second-rate people. We do not need lectures and speeches nearly so much as we do the inspiration of a teacher with a strong personality can give.”²⁸¹

The National Education Association (NEA) produced a movie in 1954 titled, *The Freedom to Learn: I Will Not Be the One to Erase It*.²⁸² The authors of the movie script explain the boldness with which teachers, especially social studies teachers, had to act when protecting the academic integrity of their courses. The hypersensitive Cold War atmosphere in local communities made schools easy targets for investigation. However, learning about communism is very different from communist indoctrination. By learning about both democracy and communism, students are allowed to evaluate for themselves the merits and limitations of each form of government.²⁸³

Instructional methods that fostered the critical analysis of opposing government ideologies typified the efforts of the New Social Studies initiatives that would be formalized at the 1960 Woods Hole Conference. Many teachers sought to use such strategies but were later

²⁸⁰ Raymond Manchester, “Teaching Americanism,” *Journal of Education* 93, no. 4 (1921): 87.

²⁸¹ *Ibid*, 88.

²⁸² National Education Association, *Freedom To Learn: I Will Not Be the One to Erase It*, Prelinger Archives video, 26:00, http://Archive.org/details/freedom_to_learn.

²⁸³ Webb and Bohan, “Red, White, and Black: The Meaning of Loyalty in Georgia Education,” 149.

questioned about their intent. The *Freedom to Learn* video was screened before an audience at the NEA's annual conference at Madison Square Garden in 1954.²⁸⁴ The film's accused fictitious teacher, Mrs. Orin, had to defend her practice of teaching about communism to the community school board. Her testimony emphasized the freedom to learn and the concept of academic freedom served as an underlying premise of the plot. The film was intended to demonstrate the importance of maintaining sound instructional practices in spite of the possible misrepresentation of a teacher's intent. By emphasizing content that teaches about communism, the NEA broadly suggested that the freedom to learn in the United States would be upheld in order to preserve democracy.²⁸⁵

The American Legion, a civic organization made up of war veterans, supported the NEA's interest in civic education. A primary objective of the American Legion during the Red Scare and Cold War was to prevent communism from infiltrating American schools. During World War II, the American Legion boasted that it promoted and conducted over 100 citizenship and Americanism programs across the nation.²⁸⁶ Some of the Legion's programs in the 1940s included Boys' State with its purpose of practicing objective citizenship, youth baseball programs comprising over 500,000 boys, and the National High School Oratorical Contest to "create an undying love for America."²⁸⁷ The American Legion and the National Americanism Commission sponsored most of these programs jointly. Both organizations made it their mission to "foster 100 per cent Americanism, inculcate a sense of obligation to serve America, and create

²⁸⁴ Ibid.

²⁸⁵ Ibid.

²⁸⁶ H.L. Chaillaux, "The American Legion Youth Program," *Phi Delta Kappan* 25, no. 8 (1943): 165.

²⁸⁷ Ibid.

a desire and a will to perpetuate the great gains in liberty and justice which America has made.”²⁸⁸

In addition to the youth programs sponsored by the American Legion, the organization was heavily involved in school curriculum. As will be discussed in the next chapter, textbook scrutiny was of particular interest to the American Legion. Additionally, the organization became invested throughout much of the twentieth century in the development of their own curriculum materials to promote the American system of democracy and capitalism. Many of these publications were produced in tandem with the NEA.

The uproar over the inclusion of communism in social studies curricula continued throughout the 1950s and 1960s. Publications such as *Teaching About Communism: Guidelines for Junior and Senior High School Teachers* were intended to “develop effective means by which communism can be accurately and honestly identified and presented to the youth of America.”²⁸⁹ As a joint publication of the NEA and the American Legion, *Teaching About Communism* includes impassioned statements regarding the patriotic duty of educators to “safeguard American heritage.” The pamphlet offers suggestions for selecting content and materials in a thoughtful manner, as well as for maintaining sound classroom procedures and community relations.²⁹⁰ The civic education courses created by powerful educational and government agencies for implementation during the Cold War included the Problems of

²⁸⁸ Ibid.

²⁸⁹ National Education Association and The American Legion, *Teaching About Communism*, 5.

²⁹⁰ Webb and Bohan, “Red, White, and Black,” 149.

Democracy course and the Americanism vs. Communism course. In these highly charged courses, the boundary of undue partisan influence was often crossed.²⁹¹

The Courses: Problems of Democracy and Americanism vs. Communism

Social studies courses to combat communist influence began to be mandated by local and state educational governing bodies across the United States during the Red Scare and Cold War eras. The Problems of Democracy course remained a staple of high school curriculum from the early Red Scare through the beginning of the Cold War. The Americanism vs. Communism course emerged later in the 1960s as a comparative format for civic education.

The earlier Problems of Democracy course was a result of Thomas Jesse Jones' 1916 report of the Social Studies Committee, which reported to the NEA's Commission on the Reorganization of Secondary Education. The course fit with the committee's recommendation for a synthesis of the disparate genres of history, geography, political science, and humanities into a cohesive social studies curriculum that would emphasize current issues and social problems.²⁹² The Social Studies Committee's report went into great detail about goals for a new civic education course labeled Problems of Democracy. The course "was one of the first conscious attempts at curricular fusion; it represented the revisionist plan for social studies, focused on developing curriculum centered around social problems."²⁹³ The plan was for the course to blend all of the social studies, with the three disciplines of government, economics, and sociology leading the way. Once the Problems of Democracy course was implemented, it continued to be a standard offering in high schools across the country until its popularity waned

²⁹¹ Ronald Evans, *The Social Studies Wars: What Should We Teach the Children?* (New York: Teachers College Press, 2004), 97.

²⁹² Ibid, 23.

²⁹³ Ibid, 26.

in the 1970s as new curricular reforms emerged.²⁹⁴ The course fostered a problems-centered approach to social studies curriculum, which continues to carry sway in today's curriculum discussions for issues-centered instruction.

By 1930, there were twenty-three states with provisions for teaching some form of the Problems of Democracy course. The course was also required for graduation in Kansas, New Jersey, Pennsylvania, and Tennessee.²⁹⁵ Teachers structured the curriculum in different ways, but all sought to present competing sides to current controversial issues. In this early period of implementation, some issue related questions that framed classwork and student research projects included whether the United States should join the United Nations and whether the federal government was being enlarged too much at the expense of the states.²⁹⁶ These topics were both highly controversial in the time period. Students in some schools conducted individual research, while other schools approached the curriculum on a contract model in which students negotiated their own path of study.

Efforts of the United States to stop the spread of communism in Korea in the 1950s escalated Cold War tensions. At the same time, the social studies curriculum scene became more pointed in its effort to fight the communist enemy through classroom instruction. The tone of the curriculum was more aggressive and identified communism as a specific target for condemnation. The intensified attacks on communism contrasts with the Problems of Democracy course that was more focused on promoting general civic engagement to ensure a healthy future for American government. The new courses that were developed and

²⁹⁴ Ronald Evans, "The Social Studies Wars, Now and Then," in *Social Studies Today: Research and Practice*, ed. Walter Parker (New York: Routledge, 2010), 27.

²⁹⁵ John Greenan, "The Case Method in the Teaching of Problems of Democracy," *School Review* 38, no. 3 (1930): 205.

²⁹⁶ *Ibid*, 202.

implemented in the 1950s and 1960s revolved around an Americanism vs. Communism framework and sought to use a comparative approach to portray communism as a terrible alternative to American capitalism and democracy.

“Teachers of American history and culture have long wrestled with the question of American exceptionalism. We know what we are by knowing how others are different or alike.”²⁹⁷ Kermit Hall identified three purposes of the comparative approach to civic instruction. First, comparisons create an awareness of alternatives. Second, comparison as a teaching method is a basic form of experimentation to test the impact of various social, political, and economic factors on different nation’s civic cultures. The third purpose for using the comparative approach in civic education is to allow students to identify common patterns of action and behavior.²⁹⁸ In the case of the Americanism vs. Communism courses launched at the height of Cold War tension, classroom investigations were not student driven. Instead, comparisons were often controlled through course material and curriculum mandates. The course was not necessarily designed to be an experimental test as Hall recommended. In some ways, the materials produced for the 1960s course teetered along the line of indoctrination in terms of the one-sided presentation of information.

Richard Niemeyer, an expert consultant on communism to the House Committee on Un-American Activities during the 1950s and 1960s, freely offered his opinion that the newly created American vs. Communism courses should not shy away from the clear condemnation of communism. He stated regarding the school curriculum, “Of course, we cannot expect to educate without indoctrinating; as man breathes, so he must make up his mind between good and

²⁹⁷ Kermit Hall, “The Power of Comparison in Teaching About Democracy,” in *Can Democracy Be Taught*, ed. Andrew Oldenquist (Bloomington: Phi Delta Kappa Educational Foundation, 1996), 121.

²⁹⁸ *Ibid*, 113.

evil.”²⁹⁹ The American vs. Communism materials were written to ensure that communism was clearly the choice of evil. Niemeyer advocated the use of actual communist writings such as the *Communist Manifesto* in classrooms. However, he warned that when using such dangerous resources, “students should be informed that the material is of communist origin” and that the text should be “used only to demonstrate the evils, fallacies, and contradictions of communism.”³⁰⁰

The call for schools to become a battleground against the spread of communism came from powerful organizations including the NEA, the American Legion, and the American Bar Association. In 1951, the NEA adopted at its representative assembly in San Francisco, a resolution stating, “As a measure of defense against our most potent threat, our American schools should teach about communism and all forms of totalitarianism, including the principles and practices of the Soviet Union and the Communist Party in the United States.”³⁰¹ The NEA’s call to specifically target communism in school curriculum initiatives was not heeded until the American Legion and the American Bar Association changed their previously strict stances that considered communism a taboo subject for schools. However, the international context of China’s fall to communism in 1949 and the McCarthyism hysteria that escalated in the United States in the early 1950s led the American Legion and the American Bar Association to change positions on teaching about communism. The parameters for classroom study, however, were quite tight.

²⁹⁹ Annette Zelman, *Teaching ‘About Communism’ in American Public Schools* (New York: Humanities Press, 1965), 18.

³⁰⁰ Ibid.

³⁰¹ National Education Association, “Platform and Resolutions of the Representative Assembly Adopted July 6, 1951,” in *Teaching ‘About Communism’ in American Public Schools*, ed. Annette Zelman (New York: Humanities Press, 1965), 52.

The previously mentioned *Freedom to Learn* video produced by the NEA in 1954 squarely addressed the difference between teaching “about” communism and teaching communism with nefarious intentions. Social studies teachers continued to express their concerns about teaching the comparative course. The *New York Times* reported the frustrations of teachers attending the annual conference of the Association of Teachers of Social Studies in the spring of 1963. The teachers “expressed fear that by giving the whole, impartial picture they might become suspect.”³⁰²

Florida’s Americanism vs. Communism course was mandated by state law in 1961 and offers a clear understanding of the resources provided to teachers for instruction. FBI Director J. Edgar Hoover published the first official textbook for use in Americanism vs. Communism courses, which was an adapted version of his popular book, *Masters of Deceit*. Hoover made no attempt to include the historical context of communism in his school text. “He portrayed the Soviet system as a political and economic system of evil whose leaders were dedicated to the overthrow of the United States and the destruction of capitalism.... Hoover’s book along with several others... sought to propagandize rather than enlighten.”³⁰³ The program required teachers, who had all taken loyalty oaths, to remain steadfast to the prescribed program of study. Florida’s curriculum designers “decided based upon the language and intention of the state statute that Florida’s Americanism vs. Communism course would serve the purpose of inoculating high school students against the dangers of Communism by exposing them to the evils of communist poison”³⁰⁴ under controlled classroom conditions. Florida continued to teach

³⁰² Zelman, *Teaching ‘About Communism’ in American Public Schools*, 31.

³⁰³ Karen Riley and Marcella Kysilka, “Florida’s Americanism versus Communism Social Studies Curricula and the Politics of Fear: Textbooks as Propaganda During the 1960s,” *Internationale Schulbuchforschung* 25, no. 1 (2003): 27.

³⁰⁴ *Ibid*, 36-37

the course as a six-week block within a World History curriculum until 1991, when it was no longer mandated by law.³⁰⁵

Georgia's Americanism vs. Communism Course

As Florida and other states mandated Americanism vs. Communism courses, so too did Georgia. *Resolution SR 105* was passed by the Georgia General Assembly in 1962. Representative Crawford of Savannah, who introduced the bill, petitioned legislators to pass the bill by declaring, “Our youth today can’t fight what they can’t understand. They wouldn’t recognize communism if they were confronted with it.”³⁰⁶ Georgia’s implementation of the anti-communist curriculum was structured so that it would be taught within existing social studies courses instead of following the Florida model of creating a separate six week, stand-alone, unit in Americanism vs. Communism.

The Georgia Department of Education was instructed by the Georgia General Assembly to implement instruction so that each student received 30 hours of Americanism vs. Communism coursework. State School Superintendent Dr. Claude Purcell did not think this was enough time to adequately cover the topic. Therefore, the decision was made for Georgia to infuse the curriculum throughout all of its existing social studies courses in the various fields.³⁰⁷

Celestine Sibley, a prominent columnist for the *Atlanta Constitution*, wrote a number of articles cautioning the implementation of the Americanism vs. Communism curriculum in Georgia schools. One especially powerful article expresses the frustration of a veteran Georgia social studies teacher. The teacher indicates that the type of emotionally charged curriculum she

³⁰⁵ Ibid, 38.

³⁰⁶ Heale, *McCarthy's Americans*, 268.

³⁰⁷ “30-Hour Course on Reds Inadequate, Schools Feel,” *Atlanta Constitution*, March 21, 1962.

was being required to deliver challenged every part of her training as a teacher of history. The teacher Sibley featured in her article explained how an effective history class should be conducted. “I have even been careful not to refer to this or that national hero as a ‘great’ man, preferring to let my students see for themselves if his actions amounted to greatness.”³⁰⁸ The teacher had herself grown up in Georgia schools with a brand of “emotional” history taught by women who painted Northerners as “fiends incarnate.” According to Sibley, the teacher was devoted to practicing true history in her classroom and was planning to retire rather than teach a legislated propagandized course.

The Georgia Department of Education and legislature actively promoted professional learning for teachers on how to address the topic of communism in secondary classrooms. Upon the Georgia General Assembly’s recommendation that each high school and college student engage in coursework concerning Americanism vs. Communism, the University System of Georgia sponsored institutes during the summer of 1962 at five campuses across the state in order to offer teachers effective instruction of the state mandated political ideology.

Approximately 800 teachers would need to be trained for the upcoming school year’s rollout of the course.³⁰⁹

The University of Georgia History Department developed an institute that offered two special summer courses for high school teachers. The stated objective for the course was “to further the cause of American democracy in its struggle with Russian communism” without using “indoctrination at any level of understanding, but a more thorough grounding in facts which was largely omitted from the curricula of American schools and universities until after

³⁰⁸ Celestine Sibley, “It’s Enough to Teach the Facts: Communism Will Discredit Itself,” *Atlanta Constitution*, February 27, 1962.

³⁰⁹ “30-Hour Course, *Atlanta Constitution*, March 21, 1962.

1945.”³¹⁰ Later in the summer of 1962, the *Atlanta Constitution* reported approximately 150 public school teachers successfully completed the institutes in an article entitled, “How Reds Tick is a Tough Study.”³¹¹ One of the institutes held at Georgia Southern College in 1963 included two interesting guest speakers. The fifty-four participating teachers heard lectures from Cartha DeLoach of the FBI and Princess Catherine Caradja of the Romanian royal family.³¹²

Although the Georgia General Assembly had recommended the development of the Americanism vs. Communism public school course in order to make students more aware of the advantages of a democratic system, the Board of Education instead “made plans to teach about the nature of communism and Americanism in all grades – from kindergarten through the 12th grade – whenever it is appropriate.”³¹³ With proper teacher education, this balanced curriculum approach might have been effective. However, a variety of factors contributed to low teacher enrollment at the summer training institutes in Georgia. First and foremost, each teacher was expected to pay for the six-week summer institute. In addition, too few teachers were willing to tackle controversial topics for fear of reprisal.³¹⁴

Georgia’s course for ideological comparison was implemented in a way that made it hard for administrators to track its successes and failures. Since it was not a separate course, the oversight was limited. Georgia’s Association for Supervision and Curriculum Development (ASCD) conducted a survey following the implementation of the Americanism vs. Communism

³¹⁰ Department of History University of Georgia, Special Announcement Concerning Course Offerings, “The Current World Struggle: The Rise of Russian Communism,” May 1962 Administrative Records of Chancellor Georgia Board of Regents. RG 33-1-51, Box 42, Georgia Archives.

³¹¹ S. Hopkins, “Teachers Learn How Reds Tick is Tough Study,” *Atlanta Constitution*, August 12, 1962.

³¹² Heale, *McCarthy’s Americans*, 270.

³¹³ Hopkins, “Teachers Learn How Reds Tick.”

³¹⁴ Webb and Bohan, “Red, White, and Black,” 150.

curriculum during the 1962-1963 school year. Of the 130 schools who responded to the survey, only 84 implemented the instruction required by the Georgia legislature. The deterrents that prevented the other schools from following the mandate included “shortage of appropriate materials, lack of knowledge about those materials available, and lack of ready accessibility.”³¹⁵ The scarcity of materials for the Americanism vs. Communism curriculum in Georgia is probably due to the format in which the state’s leaders chose to implement instruction. Across the state, there were numerous textbooks devoted to the course and audiovisual resources listed in course bibliographies readily accessible to teachers. Because Georgia was not teaching this subject as a stand-alone course, the financial investment for these full course materials was not justified.

Textbooks for the Communism Course: The ‘Paper Curtain’ is Lifted

States implementing a full course in Americanism vs. Communism had many options for instructional aids. Textbooks published for use in the courses throughout the United States provide vivid, and shocking, evidence of the lengths to which government, civic, and school leaders went to ensure the contest between Americanism and communism was tipped in favor of the American system. The NEA and American Legion published a manual for teachers entitled, *Teaching About Communism: Guidelines for Junior and Senior High School Teachers* in 1962.³¹⁶ The guidelines for selecting content offered in the manual include the following:

1. Use the rich heritage of history in introducing the subject.
2. Include the philosophy and terminology of communism in your study.

³¹⁵ Margaret Gill, “Conflicting Ideologies,” *Educational Leadership* 22, no. 6 (1965): 432.

³¹⁶ National Education Association and The American Legion, *Teaching About Communism*, 1962.

3. Analyze the constitution, the government, and the power structure of communist countries.
4. Study, compare and contrast the economic systems of communist and non-Communist countries.
5. Study communist usage of social institutions such as the home, the church, and the school.
6. Study the foreign policies of the communists.
7. Emphasize that the ultimate goals of communism have, to date, remained largely unaltered but that the strategy and tactics of world communism shift frequently depending upon circumstances of time and place.
8. Study the operations of the communists in the United States.³¹⁷

The manual offers other clear guidelines and information for teachers in order that they might better select materials for classroom use, conduct the class appropriately, and effectively manage community relations.³¹⁸

Armed with the NEA and American Legion's *Guidelines*, teachers across the country were also equipped with textbooks for the Americanism vs. Communism course. The content of these textbooks is full of charged language in terms of how the communist system is presented. Thomas Ricento of the University of Texas conducted textual analysis of various sources, including textbooks, from the earlier Americanization campaign of the 1920s Red Scare. His findings align very closely to the rhetoric found in Cold War textbooks of the 1960s. Ricento found one of the salient themes in his study was that "Americanism requires, or is constituted by,

³¹⁷ Ibid.

³¹⁸ Ibid.

thought-sharing. That is Americans know who Americans are because they ‘think alike,’ they ‘see eye to eye’ on the essence of Americanism, they share the same ‘ideas’ about national identity.”³¹⁹ The study looked carefully at word choice and “how ideologies about race, gender, and national experience are often implicit in discourse which purports to be inclusive and authoritative.”³²⁰ A clear delineation between “us” and “them” was established from the later Americanism vs. Communism textbooks of the 1960s.

Three textbooks used in the Americanism vs. Communism courses of the 1960s included Scholastic Magazine’s *What You Should Know About Communism and Why*,³²¹ Houghton Mifflin’s *The World of Communism*,³²² and E. Madison George’s *Which Way Young Americans? An Expose of Communism For High School Students*.³²³ Each text provides a glimpse into the rhetoric used to ensure American students understood the negative attributes of communism. The discourse Ricento studied from Red Scare publications of the 1920s appears to be more implicitly skewed toward Americanism whereas the content of these textbooks from the 1960s leaves no doubt as to their explicit objective of communist condemnation.

The table below appears in the Scholastic textbook, *What You Should Know About Communism and Why*, and is a vivid representation of the dismal economic conditions Soviet workers faced.

³¹⁹ Thomas Ricento, “The Discursive Construction of Americanism,” *Discourse & Society* 14, no. 5 (2003): 617.

³²⁰ *Ibid.*, 620.

³²¹ Matthew Mestrovic, *What You Should Know About Communism and Why* (New York: Scholastic Book Services, 1962).

³²² Rodger Swearingen, *The World of Communism* (Boston: Houghton Mifflin, 1962).

³²³ E. Madison George, *Which Way Young Americans? An Expose of Communism For High School Students* (Caldwell, ID: Caxton Printers, 1962).

Table 2: Evidence from *What You Should Know About Communism and Why*³²⁴

Time a Person Must Work to Buy Goods		
Source: U.S. Bureau of Labor Statistics		
Item	In U.S.A	In Soviet Russia
Soap (small cake)	3 min.	32 min.
Sugar (1 lb.)	3 min.	1 hr. 4 min.
Shirt (men's cotton)	56 min.	15 hr.
Dress (street, rayon)	4 hr. 36 min.	73 hr. 30 min.
Stockings (nylon)	37 min.	8 hr.
Suit (men's wool)	23 hr.	275 hr.
Potatoes (1 lb.)	2 min.	7 min.
Shoes (men's oxford)	7 hr.	61 hr.
Eggs (1 dozen)	17 min.	2 hr. 24 min.
Tea (1 ounce)	6 min.	33 min.
Milk (1 quart)	8 min.	31 min.
Bread (Rye, 1 lb)	6 min.	9 min.

This chart is based on 1959 figures, the latest available. In one column is shown the amount of working time that the average U.S. worker must spend on his job in order to buy certain necessities of life. For example, the average U.S. worker earns enough in 56 minutes to buy a man's shirt. But, as the next column shows, the average Russian would have to labor 15 hours to earn enough to get a shirt.

The data in the table is referenced to the latest 1959 figures from the United States Bureau of Labor Statistics. The government agency is a plausible source for the data on US workers.

However, there is no mention of where the information on Soviet Russian workers was derived and the numbers challenge logic.

The Houghton Mifflin text, *The World of Communism*, takes full aim at communism and the Soviet Union. In each and every area of comparison between the United States and the Soviet Union, the United States is presented as clearly superior. Even when discussing the space race, the author explains away the advances made by the Soviet Union.

The real difference between the two programs is that the Russians seem more anxious just to get men into space – whereas the United States is more interested in the scientific

³²⁴ Mestrovic, *What You Should Know About Communism and Why*, 90.

knowledge that can be gathered by space shots. The Soviet Union, consequently, early developed bigger and more powerful rocket engines than the United States. This made it possible for them to blast off with larger vehicles, some of them weighing several tons. The Communists are apparently willing to spend less time on safety tests, and they do not announce their failures.³²⁵

When analyzing the word choices in this passage, as Ricento did in his study of earlier texts, it is clear that the author is not willing to acknowledge the superiority of some aspects of the Soviet space program. The author chooses to state that the Soviet Union “developed bigger and more powerful” rocket engines, but is careful to not say they are “better” than those of the United States.

One of the most curious passages from this particular Americanism vs. Communism textbook concerns a foul odor supposedly characteristic of the Soviet Union.

Even the national smell is unpicturesque. It is a weary smell composed, one comes to realize, of the stale dust and sweat of heavy clothing, the reek of native green tobacco, the bitter smell of black bread, the stink of Soviet soap and hair-oil, and the tarry odor of imperfectly refined petrol. There are stale damp dishwater smells and crude oil for people’s hair but never anything sharp or pungent - except vodka, and the burning cold in winter, and a certain amount of raw onion on the breath.³²⁶

Students reading such passages were being presented with descriptions of the Soviet Union and communism that often lacked factual information and were at best poor narratives of overt bias.

The third textbook, *Which Way Young Americans? An Expose of Communism For High School Students*, announces to readers on its first page that “Communism is the greatest and most

³²⁵ Swearingen, *The World of Communism*, 93.

³²⁶ *Ibid*, 97.

deadly hoax ever foisted on mankind.”³²⁷ This book also explicitly links the critical issue of race relations in the 1950s and 1960s to the struggle against communism in the United States. The author, writing in third-person prose, offers direct commentary on the 1954 *Brown v. Board of Education Topeka* ruling, which mandated integration of schools. “In the writer’s opinion this was a tragic decision.... Further, it behooves the people of the United States to think seriously about this when one is apprised of the Communist’s viewpoint. They are strongly in favor of integration.”³²⁸

The *Brown* decision was explained in *Which Way Young Americans?* as playing into the Communist Party’s plan to destroy America. The ruling polarized Americans into segregationists and integrationists. By dividing the nation socially, the Communist Party would thus have greater opportunity for infiltration. “Any political, economic, or social issue which adds confusion to our American way of living meets with full approval of the Communist Party.”³²⁹ According to this account of the *Brown* decision, the ruling “puts more and more power into the hands of a select few” which “means an easier road to ultimate victory for those who believe in the Communist cause.”³³⁰ Essentially, the author is claiming that the *Brown* ruling places the minority population on equal footing with the majority population, thus weakening the power of the majority.

In another section of the student textbook, the Communist Party’s Black Belt Self-Determination Thesis (as discussed in chapter 1 of this dissertation) is explained in great detail to show that the Communist Party had long recognized the potential for civil unrest in the United

³²⁷ George, *Which Way Young Americans?*, 7.

³²⁸ *Ibid*, 58.

³²⁹ *Ibid*, 134.

³³⁰ *Ibid*.

States.³³¹ With a little prodding, and the help of the Supreme Court's ruling, communism could gain greater footing. The Cold War fear of communism was thus expanded to also raise skepticism about the burgeoning Civil Rights efforts that were gaining momentum.

The Convergence of Race and Subversion in Civic Education

Citizenship in the South had a sliding scale for inclusion following Reconstruction. Voting restrictions through state level Black Codes minimized African American participation in government. Civic education initiatives began to wrestle more openly with the divide between the American fundamental belief of equality and the inequality experienced by African Americans. As this inequity was more openly challenged through the work of organizations such as the NAACP, white segregationists further solidified their efforts to maintain political, economic, and social power.

Georgia, and other southern states, did not adequately address racial inequality when developing civic education programs for school children. There were calls for action, but those calls were not heeded.

The surest and quickest way to get at the race question effectively is first to develop a sound method in civic instruction by working for a while at easier tasks. However this may be, this most delicate, most temper-disturbing, most democracy-testing matter must soon be frankly faced in our schools. Our almost complete failure, thus far, to look our difficulty squarely in the eye is an outstanding illustration of the lack of realism in our supposed education for citizenship. The methods that are developing in community

³³¹ Ibid, 54.

civics and in the new social studies for the high school, however, are now for the first time opening a practicable route.³³²

The “route” described above would require courage, patience, and an “inflexible faith in the democratic method of studying democracy.”³³³ The white southern leadership resisted such efforts for fully inclusive democratization in its school curriculum and general societal relations.

The PTA is a national organization with strong local control. Studying the organization reveals much about the relationship between schools and their communities. African American teachers, community leaders, and parents used the national PTA organization “as a means to gain decision-making power in schools and a way to fight for educational equity.”³³⁴ The National Congress of Parents and Teachers, now known as the PTA, took a stand on race in a 1943 statement by the organization president, Minnetta Hastings. During the United States’ critical involvement in World War II Hastings stated, “If all children are our children, it follows that there can surely be no inequality among the children living in a country that proudly calls itself the arsenal of democracy. The first step toward citizenship in an interdependent world must be the elimination of all prejudice and bias toward minority groups within our own border.”³³⁵ The black PTA was ultimately merged at the national level with the white PTA in 1970. Neither white – nor black – PTA members of Georgia welcomed the merger.

The President of Georgia’s black PTA expressed considerable trepidation of the “merger” between the white and black PTA units. The black PTA had been active in Georgia for nearly 40 years and had made some progress in bettering the conditions for black schools in the segregated

³³² Coe, *Educating For Citizenship*, 175.

³³³ Ibid.

³³⁴ Christine Woyshner, *The National PTA, Race, and Civic Engagement, 1897-1970* (Columbus: The Ohio State University Press, 2009), 7.

³³⁵ Ibid, 143.

system. For precisely this reason both black and white PTA leaders in Georgia opposed the merger being required by the national governing body of the organization. Many black PTA members viewed the merger not as an inclusive act, but rather a dissolution of an organization that had allowed them some power and control. Members of Georgia's Colored Congress, an arm of the black PTA, spread the word that "in every state where desegregation had taken place the Negro parent was no longer active in PTA."³³⁶ Schools and PTAs in North Carolina and other southern states that had already integrated schools and PTAs, offered minimal collaboration opportunities for black parents, teachers, and community leaders. Racial equity was critical in civic education debates throughout the United States. These discussions were particularly complex in the South and were further exacerbated by the conflation of subversion and racially liberal ideas.

The Ku Klux Klan claims patriotism as one of its primary tenets. The organization's slogan is "Native, white, Protestant supremacy" and citizenship is a foundation the organization claims as a critical basis. The Klan's Imperial Wizard and Emperor from 1922-1939, Hiram Wesley Evans claimed, "a man may be in all ways a good citizen and yet a poor American, unless he has racial understanding of Americanism, and instinctive loyalty to it; it is merely a statement that he is not one of us."³³⁷ In Georgia and across the South, the attitude of white supremacy often blended with the zealous efforts to preserve American supremacy from radical communist infiltration.

³³⁶ Ibid, 185.

³³⁷ Hiram Wesley Evans, "The Klans Fight for Americanism," *The North American Review* 223, no. 830 (1926): 52.

Atlanta's Ku Klux Klan leaders held a rally at the West End neighborhood's Howell Park in June 1967 in order to "fight the spread of communism and support Americanism."³³⁸ The brand of Americanism being promoted at the gathering of an estimated 700 people was one of white supremacy. A Youth Corps was to be an organization of white boys between the ages of twelve and seventeen who would be trained to defend "true" Americanism from groups the Klan blamed for creating racial disturbances like the Atlanta Community Relations Commission. Calvin Craig, the Georgia Klan chapter's grand dragon, warned the audience "that the commission and race riots are 'part of a Communist movement to gain control of this nation.'"³³⁹ The Georgia Klan was enlisting the state's white young people to fight integration efforts under the guise of protecting America from communist infiltration.

Gail Griffiths was a 22-year old teacher at Atlanta's North Fulton High School in 1970. Even at that late date in the Civil Rights/Cold War period, she was targeted for her racially liberal ideas and labeled by many as a communist. She became embroiled in controversy when she spoke at a public meeting of New HOPE (Help Our Public Education). New HOPE was an organization created to help the Atlanta Public Schools meet the integration mandates handed down by the federal government. The Atlanta School Board was planning to implement integration in the middle of the school year. The plan was for some teachers and students of both races to switch locations between the white schools in north Fulton County and the black schools in other parts of the county - Archer, Howard, Grady, Washington, Douglas, and Brown High Schools. Letters sent to the *Atlanta Constitution* railed against Ms. Griffiths' participation in the

³³⁸ Tom Sherwood, "Klan Launches Youth Corps," *Atlanta Constitution*, June 27, 1967.

³³⁹ Ibid.

New HOPE meeting and labeled her a communist. One of Griffiths' North Fulton High School students wrote of the situation, "It is destructing schools and is pure communism."³⁴⁰

The conservative white population of the South after World War II "tried to shift racial discussions to questions of creeping communism and progressivism instead. Even those conservative groups most closely identified with racism and white supremacy often denied racist intentions."³⁴¹ The timing of the *Brown* decision in 1954 and the escalation of the Cold War fears of communist infiltration furthered the importance placed on citizenship education in schools. "Pivoting the lens in civic education to race and social justice, adds to the notions of what it means to educate a citizenry for full participation in this constitutional democracy."³⁴²

Civic education has grown from the early colonial endorsements of Franklin, Jefferson, and Rush to the widely accepted efforts in public schools to develop an educated citizenry devoted to maintaining democracy and freedom in the United States. During the Red Scare and Cold War periods of the twentieth century, the scope and tone of citizenship education in the United States changed. The focus became an aggressive targeting of communism, while simultaneously negotiating the increased challenges of racial and ethnic tensions.

³⁴⁰ Bill Seddon, "Young White Teacher Raises Hornet's Nest at North Fulton," *Atlanta Constitution*, February 2, 1970.

³⁴¹ Adam Laats, *The Other school Reformers: Conservative Activism in American Education* (Cambridge: Harvard University Press, 2015), 160.

³⁴² Cynthia Tyson and Sung Choon Park, "Civic Education, Social Justice and Critical Race Theory," in *The SAGE Handbook of Education for Citizenship and Democracy*, eds. James Arthur, Ian Davies, and Carole Hahn (Los Angeles: SAGE, 2008), 34.

Chapter 5 Textbooks: Whose History Do We Tell?

Politics and academics are deeply entwined, although they occupy seemingly antithetical realms. The juncture of the two has often been civic education. Social studies textbooks have been particularly thorny in terms of evaluating acceptable content that promotes democratic initiatives. Politicians, publishers, civic organizations, academic historians, and professional educators all vie for control over schoolbook content. The result is often censored, or at best filtered, information presented as authoritative to students (as was highlighted in Chapter 4 of this dissertation regarding Americanism vs. Communism textbooks). While controversy over content has spanned many eras, the early to mid twentieth century is of particular interest when researching the highly politicized hunt for subversive materials in schools. Like many other regions of the country, Georgia was a battleground for textbook scrutiny. Georgia's effort during the first Red Scare and later Cold War to eliminate indoctrinating prose was not new. Government officials in the state board of education already probed books for racially liberal content that potentially threatened the white establishment. Textbook conflicts provide a framework for investigation, which highlight the regional, economic, and political overlap of the subversive and racial struggles Georgia and other states experienced.

Textbook controversy is not a recent phenomenon. The tug-of-war for editorial control has pitted the many educational stakeholders against one another in the United States since the earliest publications of American history following the Revolutionary War. Walter Lippmann, a well-respected political journalist, succinctly described the struggle to control schools in his 1928 book, *American Inquisitors*. "For it is in the school that the child is drawn towards or

drawn away from the religion and the patriotism of its parents.”³⁴³ Textbooks have become a battleground for the invested parties to control what – or whose – information is presented to schoolchildren. While managing textbook content has also led to political challenges in other countries around the world including Germany and Russia,³⁴⁴ the long-standing controversy in the United States presents a puzzling contradiction of values. Individual rights and the personal liberty for one to formulate unique values, beliefs, and attitudes are fundamental to American ideology and lore. However, “if we applied that principle to instruction in history, we would encourage our children to develop their own interpretations instead of foisting a single view upon them.”³⁴⁵

The Importance of Textbooks and Societal Pressure

Right or wrong, social studies textbooks have traditionally been, and continue to be, a critical component for classroom instruction. Beginning with the advent of public schooling in the late eighteenth and early nineteenth centuries, “apart from the Bible, the most widely read texts were schoolbooks written by an assortment of amateurs who, no matter how ill qualified to do so, helped to create and solidify an idealized image of the American type.”³⁴⁶ Few teachers from even as late as the turn of the twentieth century were themselves educated beyond the high school or grammar school level. These young teachers, with limited knowledge of subjects

³⁴³ Walter Lippmann, *American Inquisitors* (New Brunswick: Transaction, 1928), 23.

³⁴⁴ Mark M. Krug, “The Teaching of History at the Center of the Cold War: History Textbooks in East and West Germany,” *The School Review* 69, no. 4 (1961): 463; Elena Lisovskaya and Vyacheslav Karpov, “New Ideologies in Postcommunist Russian Textbooks,” *Comparative Education Review* 43, no. 4 (1999): 542.

³⁴⁵ Jonathan Zimmerman, *Whose America? Culture Wars in the Public Schools* (Cambridge: Harvard University Press, 2002), 10-11.

³⁴⁶ Stuart Foster, “Pride and Prejudice: Treatment of Immigrant Groups in United States History Textbooks, 1890-1930.” *Education and Culture* 17, no. 1 (2001): 2.

including history and civics, relied heavily on the security and guidance of textbooks. An educational administrator in Kentucky during this period lamented, “The poorer the teacher, the better the textbooks need to be.”³⁴⁷ In his estimation, textbooks were the solution to overcome the limited ability of classroom teachers who were in unprecedented demand. By 1900, enrollment in high schools had doubled that of the previous decade and new schools were continuing to form at a rate beyond the ability of districts to staff them with truly qualified professional educators.³⁴⁸

Although modern public school teachers are credentialed in order to ensure their knowledge level and ability, Project SPAN (Social Studies Priorities, Practices, and Needs) found that a textbook was still the main instructional tool used by social studies teachers in the 1980s.³⁴⁹ Educators today often present a grand image of the varied materials they intend to employ for sound social studies instruction. In the ideal social studies classroom, students will analyze primary sources from a variety of viewpoints and media, read historiographic works with a critical eye, and conduct their own historical investigations. However, given the overwhelming emphasis placed on standards based learning, many teachers today rarely stray beyond the limited scope of content prescribed by state mandated standards - or the vaunted textbook. The authors of a 2009 special issue of the *Journal of Educational Media, Memory, and Society* noted

³⁴⁷ Ibid.

³⁴⁸ Larry Cuban, *How Teachers Taught: Constancy and Change in American Classrooms, 1800-1990* (New York: Teachers College Press, 1993), 31.

³⁴⁹ Daniel B. Fleming, “Nuclear War in High School History Textbooks,” *The Phi Delta Kappan* 64, no. 8 (1983): 550.

that textbook sales annually run in excess of \$5 billion in the United States.³⁵⁰ Clearly, textbooks still hold a significant position of importance when it comes to classroom instruction.

Publishers were lured early on by the coveted textbook prize, which continues to be courted today. Editors often construct their books based on potential sales. Therefore, content decisions sometimes become economic decisions made by publishing houses with societal pressures and regional concerns taken into consideration. The textbook, intended or not, often serves as an authority in classrooms and represents “to each generation of students a sanctioned version of human knowledge and culture.”³⁵¹ Bender claims, “we have outsourced our curriculum to textbook publishers who care only for sales and bring market values to the making of textbooks.”³⁵² The influence of publishers on textbook content was already substantial in the 1890s when the American Textbook Company controlled 80% of the market.³⁵³ Even in today’s technological age, traditional textbook publishers continue to be influential as they jockey for book sales to higher education institutions as well as local public school entities.

Social studies textbook content chosen by publishers often mirrors the societal pressures of an era. Although there is no way to know exactly how a student may interpret the information from a textbook selection or internalize a possible underlying message, the power of textbooks should not be underestimated. Textbooks from different eras can be useful in discerning the various societal forces that have at times held positions of power. “Textbooks are socially

³⁵⁰ Thomas Bender, “Can National History be De-Provincialized? US History Textbook Controversies in the 1940s and 1990s,” *Journal of Educational Media, Memory, & Society* 1, no. 1 (2009): 35.

³⁵¹ Suzanne De Castell, “Literacy as Disempowerment: The Role of Documentary Texts,” in *Philosophy of Education*, ed. D.P. Ericson (Normal, IL: Philosophy of Education Society, 1991), 78.

³⁵² Bender, “Can National History Be De-Provincialized?,” 34.

³⁵³ Foster, “Pride and Prejudice,” 3.

constructed cultural, political, and economic artifacts.”³⁵⁴ Diane Ravitch describes today’s modern textbooks as being expected to promote self-esteem, present role models, evoke emotional ties to various societal issues, and show society as it should be. “In the topsy-turvy world of educational publishing, advocates for social change have set their sights on controlling reality by changing the way it is presented in textbooks.”³⁵⁵

Social constructs in textbooks spanning the late 1800s through the late 1900s highlight various controversies that gripped the nation concerning race, immigration, religion, and the fear of communist influences. In the decades following Reconstruction, many southern states accused northern textbook publishers of negatively portraying the Confederate cause and thus indoctrinating southern students to balk at their heritage and the actions of their ancestors.³⁵⁶

Similar societal pressures concerning increased immigration at the turn of the twentieth century led both nativist and immigrant groups to demand that textbooks tell “their” particular history. In 1909, the United States Immigration Commission gathered data on the ethnic origins of students in thirty-seven of the nation’s largest cities. The commission found that collectively, students represented more than sixty nationalities and 57.8% of them were children of foreign-born parents.³⁵⁷ Within a few years, Red Scare fears of foreign ideological threats, and similar sentiments during the Cold War, led to the scrutiny of teachers’ loyalties (discussed in Chapter 2 of this dissertation) and intense investigations of potentially subversive material in textbooks. In addition to the Cold War popular hunt for communist leaning textbooks in the 1950s, the South

³⁵⁴ Ibid.

³⁵⁵ Diane Ravitch, *The Language Police: How Pressure Groups Restrict How Students Learn* (New York: Vintage, 2003), 34.

³⁵⁶ Chara Haeussler Bohan, “Mint Julep Textbooks and the Early Twentieth Century Southern Social Studies Curriculum” (Paper presented at the Annual Meeting of the College and University Faculty Assembly/National Council for the Social Studies, New Orleans, LA, November 12, 2015).

³⁵⁷ Foster, “Pride and Prejudice,” 1.

simultaneously escalated its pressure to once again control racial content as integration began to gain traction. In each instance, publishers often adjusted textbook content to meet the various regional and organizational demands.

State Policies for Textbook Selection and Review

“Facts found in textbooks throughout the world must be interpreted by the textbook researcher from the author’s society’s axiological foundations.”³⁵⁸ The axiological, or values laden, aspect of textbook construction troubles various interest groups and individuals. They fear radicals may subtly use the wide dissemination of information through textbooks, which is generally accepted as authoritative, to promote dangerous agendas among innocent children being molded in public school classrooms. The result has been great efforts by many state governments, local school boards, and private organizations to vet any textbook distributed for student use in public schools.

Decision makers tasked with identifying acceptable textbooks are given power through a variety of means. Their authorization to review material is sometimes expressly given through state or local statutes. In other cases, the authorization is implied through the school board’s common law, *in loco parentis* authority.³⁵⁹ Today, the textbook adoption process differs from state to state and often differs by school districts within states. There are currently nineteen

³⁵⁸ Allen F. Ketcham, “World War Two as Viewed Through Secondary School Textbooks: A Report on Research in Process,” *Internationale Schulbuchforschung* 8, no. 1 (1986): 61.

³⁵⁹ Daniel M. Schember, “Textbook Censorship: The Validity of School Board Rules,” *Administrative Law Review* 28, no. 2 (1976): 266.

states that employ a state adoption process as mandated by their state legislatures.³⁶⁰ The Department of Education in each of these states manages the process of selecting both print and digital instructional materials that are carefully aligned with state standards. It is noteworthy that all of the Deep South states are represented on the Association of American Publisher’s current list of states requiring a statewide adoption process.

Table 3: States Utilizing Statewide Textbook Adoption in 2015³⁶¹

Alabama
California
Florida
Georgia
Idaho
Kentucky
Louisiana
Mississippi
Nevada
New Mexico
North Carolina
Oklahoma
Oregon
South Carolina
Texas
Tennessee
Utah
Virginia
West Virginia

Education officials currently make decisions regarding books based on a variety of factors including standards alignment, reading level, supplementary materials, and cost.

Textbook fights similar to those virulent protests of the past still divide educational stakeholders.

History textbooks are now facing critical review due to recent debate concerning the new AP US

³⁶⁰ Association of American Publishers, “Instructional Materials Adoption,” *Association of American Publishers*, Accessed December 1, 2015. <http://publishers.org/our-markets/prek-12-learning/instructional-materials-adoption>.

³⁶¹ Ibid.

History standards released by the College Board in 2014.³⁶² States and interest groups have in the past driven and continue to drive the publishing companies to produce books, which meet their demands.

States began to control textbook content by adopting free textbook programs in the early twentieth century. By providing the textbooks to students and schools, the state or district could control which books were chosen. By 1952, free textbooks were “mandatory for some or all grades in thirty states and...permissive in the other eighteen states.”³⁶³ The state level review boards wielded considerable power in their jurisdiction to determine which books were ultimately chosen for purchase. The list of adopted textbooks approved by either a state department of education, state textbook commission, or some other state agency was reported as either a single list (with no local option in selection being permitted) or a multiple list. These processes that were popular in the 1940s continue to be used by the nineteen states still requiring state level textbook adoption. The multiple list format includes several textbooks approved for each subject to permit optional selections by local districts.³⁶⁴ However, even the multiple list format requires state officials, who may or may not be professional educators, to determine the appropriateness of textbooks for their state.

A study by Paul Lange of the Laboratory Schools at the University of Chicago during the early 1940s analyzed the various methods employed by states for textbook adoption. Lange’s study took place during a period of some of the most contentious educational debates regarding text censorship. He arranged states into one of three categories based on the degree to which the

³⁶² Liana Heitin, “Rewrite of Framework For AP US History Raises More Hackles,” *Education Week* 34, no. 23 (2015): 6-7.

³⁶³ Lewie W. Burnett, “State Textbook Policies,” *The Phi Delta Kappan* 33, no. 5 (1952): 257.

³⁶⁴ Paul W. Lange, “The Present Status of Textbook Legislation,” *The Elementary School Journal* 41, no. 5 (1941): 368.

state level government controlled local district textbook choices. The results revealed that states in the South and West exercised the most state oversight of textbooks and states in the Northeast and upper Midwest had the least state oversight and allowed the local school districts to control their textbook choices.³⁶⁵

Lange's study also presents a chronological listing of the time period during which states enacted mandatory free textbook laws. Only Oklahoma did not provide free textbooks to its schoolchildren at the time of Lange's 1941 study. When Lange's data regarding free textbook programs is disaggregated, the South stands out in the relative tardiness to fund textbook purchases and also for the strong control southern states exercised once making the purchases. While some of the larger cities in the United States offered pupils free use of textbooks, the practice did not become a statewide policy anywhere until Massachusetts was the first to pass such legislation in 1884. Other states, primarily in the Northeast, followed Massachusetts' lead. Most of the Deep South states including Alabama, Georgia, North Carolina, and Tennessee did not begin funding statewide free textbook programs until the 1930s.³⁶⁶ Southern states also practiced more strict control over the book purchases made in their states. In this way, the states could closely monitor the content of books that challenged popular southern ideologies concerning race and democracy.³⁶⁷ Other states were more open to allowing their local districts to make the purchases.

Some states began to print their own textbooks as a cost saving measure. While California and Kansas were the first to produce their own textbooks, other states including Georgia, Alabama, Mississippi, and Tennessee investigated the possibility of publishing their

³⁶⁵ Ibid, 369.

³⁶⁶ Ibid, 377.

³⁶⁷ Bohan, "Mint Julep."

own. While these particular states were interested in the potential cost savings, they were also intrigued by the ability to more closely control the content of books used in their states. “Careful studies of the indirect or hidden cost factors involved in state printing led many to conclude that no appreciable savings result.”³⁶⁸ This finding may be what dissuaded most states from engaging in state publication efforts. Instead, the states’ desire for content control led the major publishing houses to cater to their consumers in terms of the material to be included in textbooks.

The South’s Mint Julep Editions and the Lost Cause

“Grade school teachers in several Southern states, like their colleagues in other regions, have been seriously hampered by powerful extremist groups in the choice of textbooks, and there are reports that some publishers have succumbed to these pressures and have requested their authors to revise sections of textbooks so that they could be adopted in certain states.”³⁶⁹ Calls for special text revisions began as early as the 1870s when groups such as the United Daughters of the Confederacy protested that the Old South was being portrayed in “Yankee” textbooks in a manner that did not honor southern heritage. The disgruntled consumers believed that “all Southern whites must be taught to think correctly, to appreciate the virtue of elite rule, to fear the enfranchisement of blacks, and to revere the Confederate cause.”³⁷⁰ In 1895, Stephen D. Lee of Mississippi served as chairman of the United Confederate Veterans’ Historical Committee. He warned that if “the old soldiers and their descendants do not look to their own vindication, ... the record of history will contain many errors and false indictments against the South which have

³⁶⁸ Burnett, “State Textbook Policies,” 260.

³⁶⁹ William Fidler, “Academic Freedom in the South Today,” *American Association of University Professors Bulletin* 51, no. 5 (1965): 417.

³⁷⁰ Fred Arthur Bailey, “Free Speech and the ‘Lost Cause’ in Texas: A Study of Social Control in the New South,” *The Southwestern Historical Quarterly* 97, no. 3 (1994): 457.

originated with northern writers.”³⁷¹ Heeding Lee’s call to action in Texas, Cornelia Branch Stone published the *United Daughters of the Confederacy Catechism for Children* in 1904 to combat the dangerous influence of the northern history textbooks. The catechism included forty-eight questions that students would respond to in unison. One of the questions teachers asked students during the catechism recitation was, “How did [the slaves] behave during the War?” The children’s group response was, “They nobly protected and cared for the wives of soldiers in the field, and widows without protectors; though often prompted by the enemies of the South to burn and plunder the homes of their masters, they were always true and loyal.”³⁷² As late as 1934, the state of Texas still recommended that Stone’s catechism be used by “teachers in all schools as supplementary material in the study of American History because it is “accurate, true, and concise.”³⁷³

The United Daughters of the Confederacy promoted efforts throughout the South to purify the version of history presented to schoolchildren. The organization’s membership quadrupled between 1900 and 1920,³⁷⁴ indicating the growing interest in preserving southern heritage. Mildred Lewis Rutherford of Athens, Georgia became a leader in the United Daughters of the Confederacy and focused her attention on monitoring textbooks. She helped to organize hundreds of state and local “historians” to demand the vindication of the “South’s right to self-determination.”³⁷⁵ Miss Millie, as she liked to be called, produced *A Measuring Rod to Test Text Books In Schools* in 1919 to aid the United Daughters of the Confederacy historians and other interested parties in their crusade to purify textbooks from Yankee corruption. The manual was

³⁷¹ Ibid.

³⁷² Ibid., 459.

³⁷³ Ibid.

³⁷⁴ Zimmerman, *Whose America?*, 36.

³⁷⁵ Ibid.

presented and earned glowing reviews at the 1919 reunion of the United Confederate Veterans held in Atlanta. The chairman of the meeting, C. Irvine Walker announced, “The Committee respectfully urges all authorities charged with the selection of text-books for colleges, schools and all scholastic institutions to measure all books offered for adoption by this ‘Measuring Rod’ and adopt none which do not accord full justice to the South.”³⁷⁶ Miss Millie did warn against too stringent demands of texts. She cautioned, “Do not reject a text-book because it omits to mention your father, your grandfather, your personal, friend, socially or politically – it would take volumes to contain all of the South’s great men and their deeds.”³⁷⁷ Rutherford’s instruction manual for evaluating textbooks contains the following criteria for rejecting books under consideration.

Reject a book:

1. that speaks of the Constitution other than a Compact between Sovereign States.
2. that does not give the principles for which the South fought in 1861, and does not clearly outline the interferences with the rights guaranteed to the South by the Constitution, and which caused secession.
3. that calls the Confederate soldier a traitor or rebel, and the war a rebellion.
4. that says the South fought to hold her slaves.
5. that speaks of the slaveholder of the South as cruel and unjust to his slaves.
6. that glorifies Abraham Lincoln and vilifies Jefferson Davis, unless a truthful cause can be found for such glorification and vilification before 1865.

³⁷⁶ Mildred Lewis Rutherford, *A Measuring Rod to Test Textbooks, and Reference Books in Schools, Colleges, and Libraries* (Athens: United Confederate Veterans, 1919), 3.

³⁷⁷ *Ibid*, 5.

7. that omits to tell of the South's heroes and their deeds when the North's heroes and their deeds are made prominent.

Refuse to adopt any text-book, or endorse any set of books, upon the promise of changes being made to omit the objectionable features.³⁷⁸

Given the wide dissemination of the "*Measuring Rod*," publishers began to adjust their texts in order to make sales in southern states whose school boards were following the guidelines set by Confederate cause groups. Companies began to release "Mint Julep" texts or special southern/state editions that complied with most of Rutherford's standards for review.³⁷⁹ These special editions continued to be published for southern markets through the 1960s. In addition to the southern Lost Cause efforts of Confederate sympathizers, equally passionate "Americanist" organizations began to scrutinize textbooks for potentially subversive material as international conflicts and the emergence of totalitarian regimes provoked fear during the Red Scare and Cold War eras.

The Hunt for Subversive Texts During the Red Scare and Cold War Eras

The 1920s and 1930s post-World War I era of the Red Scare was a period of constant reminders that communist ideology lurked among Americans. The Palmer raids of 1919, loyalty oath requirements in the 1920s, and the establishment of the House Committee on Un-American Activities in 1938 "all served to fuel the reflexive fear of communism that was so deeply

³⁷⁸ Ibid.

³⁷⁹ Chara Haeussler Bohan and Patricia Randolph, "Atlanta's Desegregation-Era Social Studies Curriculum: An Examination of Georgia History Textbooks," in *Histories of Social Studies and Race: 1865-2000*, eds. Christine Woyshner and Chara Haeussler Bohan (New York: Palgrave Macmillan, 2012), 136; Zimmerman, *Whose America?*, 39; Bohan, "Mint Julep."

ingrained in pre-World War II American society.”³⁸⁰ The constant speculation about the kind of approach the communists might be taking to defeat the American capitalist system heightened concern that public education was at risk.

Textbooks in particular could be used as a weapon of subversion if left unchecked. Reminiscent of the Confederate cause groups taking up the mantle of protecting southern heritage from dangerous Yankee textbook indoctrination, the American Legion became the self-appointed defender of Americanism in education. The civic organization sounded the alarm in September 1940 that “many occupants in the ‘enemy trenches’ were educationalists.”³⁸¹ Legion activist O.K. Armstrong wrote the 1940 article, “Treason in the Textbooks,” which focused attention on the potential danger posed by textbooks if not properly and expertly screened. An estimated one million readers received *The American Legion Magazine* containing the featured article.³⁸² Armstrong ominously wrote the “poison pill of subversion came wrapped in the cloak of progressive methods” and “progressive-seeming materials.”³⁸³ He called his fellow Legionnaires and concerned Americans to action. “It’s time we learned that our children are being taught, in the name of civics, social science, and history, doctrines so subversive as to undermine their faith in the American way of life.”³⁸⁴

One question that Americans and civic organizations, that feared the infiltration of communist ideology, continued to ponder was just how the public education system played into the plan to destroy capitalism. Was the subversive material being used in classrooms or the

³⁸⁰ Stuart Foster, *Red Alert!* (New York: Peter Lang, 2000), 2.

³⁸¹ C.A. Bowers, “Social Reconstructionism: Views from the Left and the Right, 1932-1942,” *History of Education Quarterly* 10, no. 1 (1970): 39.

³⁸² Zimmerman, *Whose America?*, 66; O.K. Armstrong, “Treason in the Textbooks,” *The American Legion Monthly* 29, no. 3 (1940): 8-9.

³⁸³ Laats, *The Other School Reformers*, 115.

³⁸⁴ Armstrong, “Treason in the Textbooks,” 8.

teachers themselves the vehicle for subversion? Loyalty oaths were mandated for teachers (as discussed in Chapter 2 of this dissertation) and textbooks were vigorously scrutinized for traces of subtle subversion. Armstrong warned that the motto of radical communist leaning textbook writers was to, “Catch ‘em young!”³⁸⁵ He believed the “Frontier Thinkers,” led by Dr. George Counts and Dr. Harold Rugg of Teachers College at Columbia University, were engaged in a deliberate conspiracy to undermine the American system. Armstrong cites Counts’ 1932 book, *Dare the School Build a New Social Order?*,³⁸⁶ as evidence of the Columbia gang’s plan for attacking Americanism by brainwashing schoolchildren. According to Armstrong’s reading of Counts, American schools and textbooks were under attack from nefarious progressive educators in the following four key areas.

1. To present a new interpretation of history in order to ‘debunk’ our heroes and cast doubt upon their motives, their patriotism and their service to mankind.
2. To cast aspersions upon our Constitution and our form of government, and shape opinions favorable to replacing them with socialistic control.
3. To condemn the American system of private ownership and enterprise, and form opinions favorable to collectivism.
4. To mold opinions against traditional religious faiths and ideas of morality, as being parts of an outgrown system.³⁸⁷

Armstrong’s list for evaluating textbooks for subversion harks back to the admonitions lodged by Mildred Rutherford in her attempts to maintain southern heritage at the turn of the

³⁸⁵ Ibid.

³⁸⁶ George Counts, *Dare the School Build a New Social Order* (New York: The John Day Company, 1932).

³⁸⁷ Ibid, 51 & 70.

twentieth century. Both Armstrong and Rutherford were leaders of civic organizations, the American Legion and the United Daughters of the Confederacy, respectively. Both checklists prioritize the presentation of “heroes” for instructing students in history. Both lists also reference their respective organization’s interpretation of the United States Constitution. From this comparison, it is clear that textbooks provided a battleground for both southern whites desperate to maintain the racial stratification of their society and conservative Americans who feared the spread of communism.

Armstrong’s article continues in its condemnation of Counts and Rugg by railing against the subversion he saw present in the textbooks being produced by the progressive educationalists of the time. A list of potentially dangerous textbooks compiled by another American Legion activist, Major Augustin G. Rudd of New York, is listed in Armstrong’s article. Of the thirty-eight books on Rudd’s list, four authors are the most heavily represented. Five books on the list were written by George Counts, including a Russian textbook the Columbia professor translated. Rudd claims 200,000 copies of the *Russian Primer*³⁸⁸ were distributed to school libraries and was a clear representation of the attempt by communists to infiltrate the field of education. Progressive historians Charles Beard and Carl Becker also had books on Rudd’s list. Beard and Becker’s history books were deemed dangerous textbooks that should be removed from schools based on their liberal leaning content. Professor Harold Rugg wrote eighteen of the thirty-eight controversial textbooks on the American Legion list and he became the target for some of the most intense public debates of the era concerning schoolbooks.

³⁸⁸ M. Ilin, *New Russia’s Primer: The Story of the Five-Year Plan*, trans. George Counts and Nucia Lodge (Boston: Houghton Mifflin, 1931).

Harold Rugg and the Controversy Surrounding His Textbooks

The warning issued by O.K. Armstrong and the American Legion to parents concerning the danger textbooks posed to their children certainly contributed to the widespread scrutiny that ensued. The popular textbook series by Columbia University Professor Harold Rugg fell victim to the probe for communist indoctrination. The hunt for “red” leaning material was staggering for Rugg. After having sold approximately four million textbooks, workbooks, and teachers’ guides of his fourteen-volume *Man and His Changing Society* series beginning in 1929,³⁸⁹ Rugg’s social science series was virtually eliminated by the early 1950s.³⁹⁰

Rugg supported issues centered or problem centered instruction, which became the framework for his textbook publications. Rugg and others created an integrated social studies pilot program at the Lincoln School, which opened at Columbia’s Teachers College in 1917 and served as an experimental school for “newer education methods.”³⁹¹ From his involvement in the development of the new unified social studies, Rugg set out to develop a fully integrated curriculum that “abolished the artificial divisions between history, geography, political science, economics, and sociology.”³⁹² His approach to social studies would implement current issues problem solving by developing historical background as a guiding principle for discovery. Rugg’s novel approach required equally unique materials, which he set out to create and test at the Lincoln School over a nine-year period.

Harold Rugg, his brother Earle (who was completing a Ph.D. in education at Columbia), and Lincoln School teacher Emma Schweppe created the new materials in the first few years of

³⁸⁹ Harold Rugg and Louise Krueger, *Man and His Changing Society* (Boston: Ginn and Company, 1929-1940).

³⁹⁰ Foster, *Red Alert!*, 92; Zimmerman, *Whose America?*, 66.

³⁹¹ Elmer Winters, “*Man and His Changing Society: The Textbooks of Harold Rugg*,” *History of Education Quarterly* 7, no. 4 (1967): 493.

³⁹² Ronald Evans, *The Social Studies Wars*, 40.

the experimental approach to an integrated, problem solving social studies course. Through exhaustive work, the trio developed the first materials over the course of a school year.³⁹³ Each week's instructional material was mimeographed for use at the Lincoln School. Eventually, the materials produced by Rugg and his team at Columbia were compiled and printed into eight small pamphlets for each grade of junior high school. The production of the pamphlets was a work in progress as Rugg and company produced a new booklet every two months for each grade level. By 1922, more than 100 schools were using the locally produced and copied pamphlets.³⁹⁴

Rugg's content was concentrated on problems such as "Town and City Life in America," "The Westward Movement and the Growth of Transportation," and "The Americanization of Our Foreign-Born." Each subject touched on a significant contemporary, and often controversial, topic of the 1920s. Eventually, Rugg sold his social studies pamphlet series to Ginn and Company for mass publication and the first volumes rolled out in 1929 under the title, *Man and His Changing Society*.³⁹⁵ Initially, the series included two books for each of the three junior high grade levels consisting of six-hundred pages each. Rugg also produced a *Workbook for Directed Study* and a *Teachers' Guide*³⁹⁶ to accompany each text. There were over 80,000 copies sold in the first year of publication.³⁹⁷ The total texts sold between 1929 and 1939 were 1,317,960 at a price of \$2.00 per volume. An additional 2,687,000 workbooks and teachers'

³⁹³ Winters, "Man and His Changing Society," 499.

³⁹⁴ Ibid, 501.

³⁹⁵ Winters, "Man and His Changing Society," 501; Rugg and Krueger, *Man and His Changing Society*.

³⁹⁶ Harold Rugg, *Key For Pupil's Workbook of Directed Study to Accompany an Introduction to American Civilization, Man and His Changing Society* (Boston: Ginn and Company, 1931).

³⁹⁷ Winters, "Man and His Changing Society," 510.

guides were sold during the same period.³⁹⁸ The popularity of the fourteen volume series is unquestionable given that these phenomenal sales occurred during the severe economic depression of the 1930s. Rugg had achieved his goal of creating a unified social science course for schools based on his progressive education approach.

The American Legion, and other prominent organizations, challenged Rugg's remarkable success through criticisms of his textbooks' content. The National Education Association (NEA) began to question much earlier than other groups the authority with which Rugg had chosen the problems focused on in the textbook series. Joseph Schafer was chairman of the NEA's Committee on History and Education for Citizenship. In his 1921 open letter to Rugg, the curriculum author was asked,

What is the process you describe above if it is not a setting up of 'opinion' – either your own or that of others chosen by you – as criteria for determining what is 'vitaly important,' 'crucial,' etc...? Who are the 'outstanding thinkers' and how do you select them for obviously you do select them?... After all it is merely 'opinion' camouflaged by the cant of a professed 'scientific' investigation.³⁹⁹

Rugg proposed an issues driven curriculum, but Schafer and the NEA were critical as early as 1921 of the liberal leaning slant they perceived in Rugg's pamphlets. The criticism escalated through the 1930s as the media reported Rugg's support of social reconstructionism, which developed social change through education. Hints of "collectivism" in Rugg's work drew the attention of civic organizations such as the American Legion as they sought to root out

³⁹⁸ Ibid.

³⁹⁹ Joseph Schafer, "Discussion of the Report of the Joint Committee on History and Education for Citizenship of the American Historical Association and the National Education Association," *The Elementary School Journal* 22, no. 2 (1921): 96.

subversive elements in society. Rugg's supplemental *Teachers' Guide* proclaimed that the age of individualism was coming to a close and the era of collectivism had begun.⁴⁰⁰ "Publications such as *Progressive Education is REducation* and *The Red Network: A Who's Who of Radicalism for Patriots* depicted progressive educators and the Teachers College "Frontier Thinkers" as communist sympathizers."⁴⁰¹

Pressure began to mount and local level attacks against Rugg's books began as early as 1939. Critics accused the Rugg textbook series of supporting socialism and undermining American democracy. In particular, content dealing with inequalities in the distribution of wealth in the United States was often cited as problematic.⁴⁰² The Rugg textbook series, *Man and His Changing Society*, peaked in sales with 289,000 books sold in 1938. By 1944, sales fell 90% to only 21,000.⁴⁰³

No evidence exists to indicate that Rugg was ever a member of the Communist Party or a fellow traveler. An article the embattled author wrote in the *Social Frontier* publication of Columbia's Teachers College "emphatically repudiated Marxism as a viable solution for American social, political, and economic problems."⁴⁰⁴ Why then was Rugg the central figure in the bitter conflict over subversive influences creeping into American schools? His liberal progressive ideals and his focus on student questioning of contemporary societal issues brought the scrutiny of conservatives wracked with fear of communist infiltration during the Red Scare years between the world wars. The debates in cities throughout the United States over Harold

⁴⁰⁰ Robert Lerner, Althea K. Nagai, and Stanley Rothman, *Molding the Good Citizen: The Politics of High School History Texts* (Westport, CT: Praeger, 1995), 29.

⁴⁰¹ Diana Moyer, "University Speaker Censorship in 1951 and Today: New McCarthyism and Community Relations," *Journal of Thought* 41, no. 4 (2006): 31.

⁴⁰² Ibid.

⁴⁰³ Zimmerman, *Whose America?*, 79.

⁴⁰⁴ Peter Carbone, Jr., *The Social and Educational Thought of Harold Rugg* (Durham: Duke University Press, 1977), 25.

Rugg's books were intense and in some cases led to local school districts holding mass book burnings. Rugg in many cases made appearances at school board meetings and wrote responses to critical articles in an attempt to defend himself and his life's work. Georgia was not immune to the Rugg drama that gripped the country. In a state already heavily entrenched in monitoring textbooks for content derogatory towards the Confederate cause, the question of subversive content was a predictable extension of the already strong grip held by the state school board on what brand of information was to be provided to students.

Georgia's Textbook Challenges

Through its adoption of a free textbook program for public school students in 1937, Georgia was particularly focused on protecting democracy – and racial divisions. The late 1930s was marked by the economic strains of the Great Depression and international conflict at the hands of totalitarian dictators such as Adolf Hitler, Joseph Stalin, and Benito Mussolini. The citizens of Georgia, like other Americans, wanted to ensure the nation's democratic ideals were not compromised in any way by radical communism or fascism. This sentiment is clearly stated in the 1938 Georgia State Department of Education's "*Guide to Use of State Adopted Textbooks.*" The guide includes a forward by State Superintendent M.D. Collins who outlines the role schools should play in promoting democracy. According to the guide's instructions, teachers were responsible for carrying out the mandates of the government. The Georgia Department of Education believed government policies, "will have failed if the teachers in the

schools of the state fail to follow through the full implications of the democratic principles involved.”⁴⁰⁵

In addition to hunting communist propaganda, Georgia also continued its late nineteenth century efforts to restrict racially liberal material from influencing white school children. The *Atlanta Constitution* reported to readers that United States Representative E.E. Cox of Camilla, Georgia had visited Governor Talmadge on June 19, 1941. Their discussion turned to the Marvin Pittman scandal over books being used at the Georgia Teachers’ College (as discussed in Chapter 3 of this dissertation). Cox stated, “Our people do not want to be communized. They do not want to be mongrelized, but it is going to take place if the people do not open their eyes and take account what is going on.”⁴⁰⁶ Cox’s charge of the radicalization of education is an example of how the textbook controversies in Georgia often blurred subversion and race.

The Rugg textbook series was banned in Georgia under the premise of subversive content. While many states questioned this element of the book’s content, Georgia also was monitoring books for their racial pronouncements. The *Columbia Daily Spectator* reported on the banning of Rugg’s book in Georgia and other southern states.

His only fault is that he has been frank. He has stated that he believes in a constantly changing rather than a static democracy, that advertising costs have been passed on to the consumer in the form of higher prices, that newspaper policy has been influenced by its advertising, that in a true democracy Negroes would be on an equal social plane with whites.⁴⁰⁷

⁴⁰⁵ Georgia Department of Education, *Guide to Use of State Adopted Textbooks* (Atlanta: Georgia Department of Education, 1938), 225.

⁴⁰⁶ “New Textbook Row Threatens State Colleges,” *Atlanta Constitution*, June 20, 1941.

⁴⁰⁷ Jay B. Krane, “Rugg’s Books Under Fire,” *Columbia Daily Spectator*, October 3, 1940.

In September of 1940, Harold Rugg appeared in Atlanta to defend his textbook at a hearing before the State Board of Education. Rugg tried to appeal to the panel by discussing his own childhood working in a cotton mill. “The changes in people’s relationship with their governments he had seen on his trip around the world was the basis of his decision to teach children how to recognize and meet the social changes that the future would inevitably bring.”⁴⁰⁸ Rugg’s pleas in the Georgia hearing were to no avail. The State Board of Education determined that Rugg’s books should be pulled from distribution until they could be more thoroughly reviewed.

Al Henson was the Georgia Attorney General who led the crusade to sanitize Georgia’s textbook selections. He was also an active member of the American Legion. His efforts to restrict textbooks included scrutiny of the Rugg series, Magruder’s *American Government* textbook, and the questionable books, *Calling America* and *Brown America*, previously mentioned in association with Dr. Pittman. Henson issued a list of sixteen books to be pulled from the Georgia approved list in June of 1941. He stated to the press that the Rugg books banned in Georgia as a result of his efforts were “mild compared with some of these I’m going to place before the Regents.”⁴⁰⁹ The books to be reviewed were questionable based on fears of communism and racial liberalism.

A review of *Georgia’s State Textbook Catalogue Junior and Senior High School* from 1940 indicates that both the social studies textbook series by Harold Rugg and the Magruder *American Government* textbook were listed as acceptable choices for Georgia schools at the time

⁴⁰⁸ Harold Martin, *Atlanta and Environs: A Chronicle of Its People and Events, 1940-1976* (Athens: University of Georgia Press, 1987), 13.

⁴⁰⁹ “Henson to Seek Textbook Purge,” *Atlanta Constitution*, June 26, 1941.

of publication.⁴¹⁰ As previously mentioned, Rugg's book was removed from the approved list in September of that year. Magruder's text was the next topic of great controversy in Georgia during the late 1940s and early 1950s. The Cold War era of the 1950s brought a renewed effort to stop potentially dangerous books from entering public schools. Racial strife in the South was renewed with the 1954 *Brown v. Board of Education* integration ruling. Textbooks in Georgia, and other southern states, once again became prime targets for scrutiny.

Private sector businesses also took up the cause of protecting America from foreign threats. The Conference of American Small Business Organizations (CASBO) began a crusade to rid schools of "highly toxic" publications through its review board chaired by Lucille Cardin Crain. CASBO's publication, *The Educational Reviewer*, identified textbooks believed to contain subversive communist propaganda. The 1949 issue of *The Educational Reviewer* targeted Magruder's *American Government* textbook, the most commonly used civics book in all forty-eight states, labeling it dangerous for students. In 1950, Georgia State School Board member May Erwin Talmadge,⁴¹¹ who was also a member of the conservative Daughters of the

⁴¹⁰ Georgia Department of Education, *State Textbook Catalogue Junior and Senior High School* (Atlanta: Georgia Department of Education, 1940), 10.

⁴¹¹ Zimmerman, *Whose America?*, 86; Mary Hepburn, "A Case of Creeping Censorship, Georgia Style," *Phi Delta Kappan* 55, no. 9 (1974): 613; Rachel Donaldson, "Teaching Democracy: Folkways Records and Cold War Education," *History of Education Quarterly* 55, no. 1 (2015): 66. The identity of this particular school board member, May Erwin Talmadge, is reported differently by all three sources. Jonathan Zimmerman, in *Whose America?*, correctly identifies the school board member as May Erwin Talmadge. Mary Hepburn, in "A Case of Creeping Censorship," describes Georgia's challenge of the Magruder text as being led by "a school board member" who was well connected with the conservative Daughters of the American Revolution. Hepburn does not provide the name of the person she describes. Rachel C. Donaldson, in "Teaching Democracy," incorrectly identifies Georgia's school board member as Mary Tallmadge. Donaldson further indicates that Mary Tallmadge was the wife of Georgia's governor. It is assumed that Donaldson is referring to Georgia's governor Herman Talmadge who held the office from 1948-1954 even though Mary Tallmadge's last name is spelled differently from that of Herman Talmadge. The individual Donaldson identifies as Mary Tallmadge is indeed connected with the Daughter's of the American Revolution, as was May

American Revolution, challenged the Magruder text. She claimed the book played up a collective world government and played down the traditional American government.⁴¹² Presumably, the newly formed United Nations was the “world government” body causing the perceived threat given the time of the charges in the early 1950s. Deemed unsuitable because it followed the Communist Party line, Magruder’s government textbook was subsequently banned in many states including Georgia. The Georgia School Board asserted that, “the book’s controversial material had no place in Georgia classrooms.”⁴¹³ In addition to what was perceived as dangerous content related to communist subversion in Magruder’s text, many in Georgia were also alarmed by the “racial agitation” that was believed to be a key component of communist propaganda. “In Georgia, the mere mention of black poverty in Magruder’s *American Government* sparked threats of white retribution.”⁴¹⁴ This textbook scrutiny is another example of blending the nationally popular elimination of subversive threats with efforts in Georgia to preserve traditional racial boundaries during the Red Scare era.

While many local communities and national patriot organizations welcomed the assistance of the *Educational Reviewer* in eliminating communism, there were others in the federal government critical of the publication’s exclamatory claims. The *Reviewer*’s board was

Erwin Tallmadge. However, Tallmadge was not the individual who led the effort to eliminate Magruder’s book in Georgia in 1950. Instead, Mary Tallmadge lived in Connecticut during the eighteenth century and was married to Colonel Benjamin Tallmadge, a commander serving under George Washington during the American Revolution. There is a prominent chapter of the *Daughter’s of the American Revolution* named for Mary Floyd Tallmadge in her home state of Connecticut. Donaldson is also incorrect in her claim that the individual who led the school board challenge of Magruder was Governor Tallmadge’s wife. Herman Tallmadge was the governor of Georgia in 1950 and his wife at the time was Betty Shingler Tallmadge. May Erwin Tallmadge may have been distantly related by marriage to Herman Tallmadge, as is mentioned in her obituary from the August 2, 1973 Greenwood, South Carolina *Index-Journal*.

⁴¹² Zimmerman, *Whose America?*, 86; Hepburn, “A Case of Creeping Censorship, Georgia Style,” 613.

⁴¹³ Foster, *Red Alert!*, 99.

⁴¹⁴ Zimmerman, *Whose America?*, 87-88.

criticized for its methods and in 1951 the United States Attorney General McGrath noted his concerns about the broad interpretations of communism by stating, “The loose application of the words ‘subversive’ or ‘collectivist’ to the textbooks with the idea of getting the textbooks labeled un-American is to abridge beyond reason our tradition of democratic freedom.”⁴¹⁵

The critical inspection of textbooks to remove those who allegedly promoted a communist ideology continued despite McGrath’s warning. In Georgia, the effort also continued to make sure the state authorized textbook list did not include those supportive of liberal integration in society.⁴¹⁶ Chancellor of the University System of Georgia, Dr. Harmon Caldwell, indicated this greater scope of surveillance when he discussed concerns about *The Challenge to Democracy* textbook with Governor Herman Talmadge in a letter dated June 17, 1952. Dr. Caldwell wrote,

Thank you very much for your recent letter and the enclosed correspondence regarding the textbook, *The Challenge to Democracy*. I have heard of this book but have never seen a copy. I am reasonable [sic] certain that this book is not being used in any institution of the University System but I shall check on this so that I can be absolutely certain.... This is just another instance of unwarranted meddling by the N.A.A.C.P. If that organization would let us alone, we could work out our racial problems in the South much more easily and satisfactorily.⁴¹⁷

The efforts of the National Association for the Advancement of Colored People (NAACP) were viewed as threats to southern segregation. Both Caldwell and Talmadge were

⁴¹⁵ Foster, *Red Alert!*, 95-96.

⁴¹⁶ Webb and Bohan, “Red, White, and Black: The Meaning of Loyalty in Georgia Education,” 148.

⁴¹⁷ Harmon Caldwell to Herman Talmadge, 17 June 1952, State Department of Education Textbook Records, RG 12-10-54, Georgia Archives.

concerned about *The Challenge to Democracy* textbook being used in Georgia. Eliminating communist oriented materials from educational settings was again expanded to include any instructional aid that suggested racial attitudes differing from those traditionally accepted in the segregated South.

The NAACP issued a statement as early as 1932 through its Committee on Public School Textbooks, which planted seeds of alarm. Fear among white segregationists grew and was seen two decades later in the Caldwell and Talmadge exchange. The NAACP declared, “American children are being taught a conception of the character, capacity, history, and achievements of the Negro utterly at variance with facts, and calculated to arouse against him feelings of aversion and contempt.”⁴¹⁸ The 1950s became a time when both communism AND racial liberalism were monitored in textbooks. Screening books for racial liberalism was not new as it began much earlier at the turn of the twentieth century with the Mint Julep textbook editions that filtered content to please the southern market.⁴¹⁹ Even outside of the heavily racialized South of the 1950s, concern existed over how the issue was being handled in textbooks. “Across the country, critics pressed publishers and school boards to omit any mention of the Ku Klux Klan, lynching, or segregation; such passages would inevitably foment what one New Yorker called ‘racial agitation,’ a key component of communist propaganda.”⁴²⁰

While some wrestled with the question of race outside of the South, the most vehement action to monitor textbooks came from within the region. States in the Deep South, in addition to Georgia, took steps to control content. Alabama was embroiled in controversy in 1952 concerning textbook chapters containing discussion of the Fair Employment Practices

⁴¹⁸ Zimmerman, *Whose America?*, 32.

⁴¹⁹ Bohan, “Mint Julep.”

⁴²⁰ Zimmerman, *Whose America?*, 87.

Committee and other efforts to fight racial injustice. “To guard against further ‘subversion,’ the Alabama legislature passed a law requiring all subsequent textbooks to carry a statement confirming that neither the author nor the people quoted had been members of a communist or ‘communist front’ organization.”⁴²¹ The “communist front” organization being referred to by the Alabama statute was the NAACP, which was viewed by many white southerners as a “Red” organization. This sentiment was also expressed in the letter from Georgia’s Chancellor Harmon Caldwell and Governor Herman Talmadge. The NAACP fought back by challenging the idea of segregation as being the truly subversive act. Regional Secretary Ruby Hurley exclaimed in a letter to Alabama’s Governor Persons, “segregation...is not American, it is not democratic, it is not Christian.”⁴²²

Mississippi joined Georgia and Alabama in taking action in the 1950s to monitor textbooks. Mississippi activists identified forty-four “subversive books” for review.⁴²³ Some of the content being questioned in the Deep South stretched the subversion label to include seemingly innocuous content. An elementary school storybook passage under review had a character portrayed as a lazy squirrel that stole nuts from a birdhouse. The Daughters of the American Revolution challenged, “Have you ever heard or read about a more subtle way of undermining the American system of work and profit and replacing it with a collectivist welfare system?... Can you recall a socialistic idea more seductively presented to an innocent child?”⁴²⁴ The extreme nature of this attack represents the popular national effort to combat communist subversion. The southern states took the practice to the extreme and adjusted the effort to fit white supremacist goals of blocking integration in the 1950s. Mississippi Governor Ross Barnett

⁴²¹ Ibid, 88.

⁴²² Ibid.

⁴²³ Ibid.

⁴²⁴ Ibid, 105.

strongly vowed that all textbooks in his state would defend “the Southern and true American way of life.”⁴²⁵

Evidence of Communism and Racism

Organizations conducting educational content reviews claimed to foster democratic freedoms by promoting materials that contained traditional American ideals and values. At the same time, these groups engaged in a form of censorship. The feared communist regime was criticized for its censoring of information. Yet, in America, educational materials were carefully reviewed and often banned in the name of democracy. Howard Beale, a professor of American history at the University of North Carolina in 1938, posited “the more serious damage, however is done to pupils who are thus denied access to textbooks written as experts would have them if left free from interference.”⁴²⁶

Textbook review is yet another lens through which to see evidence of how the efforts of the Communist Party in the South impacted white segregationists in their efforts to cling to traditional racial divisions. A retrospective piece that appeared in the 1965 American Association of University Professors’ *Bulletin* underscores this point. “The recent anti-communist crusades by radical right-wing groups have injured several faculty members in the South, but this kind of attack has usually had a special coloring in Southern communities.”⁴²⁷ The special coloring is a mix of red, white, and black – communism and racism.

⁴²⁵ Jack Davis, *Race Against Time: Culture and Separation in Natchez Since 1930* (Baton Rouge: Louisiana State University Press, 2001), 37.

⁴²⁶ Beale, “Freedom for the School Teacher,” 124.

⁴²⁷ Fidler, “Academic Freedom in the South Today,” 421.

Chapter 6

Conclusion: Tying the Threads of Analysis Together

White segregationists, beginning with the Red Scare and continuing through the Cold War era, used the popular hunt for communists within the United States to restrict racially liberal threats to the southern social tradition of racial division. Government officials, educators, and parents contested educational policy and curriculum during the early twentieth century as public debates raged throughout the United States over loyalty and racial integration. Social studies teachers were pointedly scrutinized regarding how lessons pertaining to communism were presented to impressionable students. Georgia's educational system was greatly affected by the policies and curriculum decisions made in the context of Red Scare and Cold War influences.

I have emphasized in this dissertation the Comintern's clear 1928 directive for American communists to support southern blacks in hopes that they might emerge as leaders of an international effort to destroy capitalism. The impact of the Communist Party's ILD legal defense initiatives, sharecroppers' unions, and efforts to improve African American education is considered by historians to have been minimal.⁴²⁸ My objective has been to establish that the Communist Party's involvement in the Deep South went beyond black member recruitment and contributed to the perception many white southerners held that equated subversion and racial liberalism, especially in educational settings.

Evidence indicates that the Communist Party was indeed attempting to lure oppressed African Americans into their fold. Thus, the South's adjustment of America's popular hunt for communists to fit with the region's crusade to preserve deeply entrenched segregation is

⁴²⁸ Klehr, *The Heyday of American Communism*, 348; Kluger, *Simple Justice*, 146; Tomek, "The Communist International and the Dilemma of the American 'Negro Problem,'" 570; Johanningsmeier, "Communists and Black Freedom Movements in South Africa and the US," 179.

plausible given the time period and location. Loyalty questions were critically addressed at both the state and national levels through legislation, oaths, and judicial rulings.

Taken together, the evidence presented in this dissertation suggests Georgia's educational system was influenced by the perceived double threats of communism and integration. College professors and secondary teachers - including Walter Cocking, Marvin Pittman, and Gail Griffiths - lost their jobs under the guise of subversive activity even though race was the critical factor behind the highly publicized attacks.

Textbook reviews represent another area in which education was manipulated to ensure national political and southern social agendas were followed. The Rugg and Magruder textbooks were heavily contested by state and local education boards as well as civic organizations for content deemed unsuitable for the promotion of American ideals. The South engaged in a unique form of textbook control beginning with the Mint Julep editions following Reconstruction.

The final area of evidence presented in this dissertation, which indicates Georgia's education system was uniquely affected by the Red Scare and Cold War initiatives to restrict communism, is the civic education curriculum that shifted in tone to more aggressively dispute opposition to democracy and capitalism. Teachers and schools were challenged with implementing the mandated Americanism vs. Communism course without being targeted for subversion. The timing of the course's implementation coincides with the *Brown v. Board of Education* decision of 1954, which further blurred the communism and racial challenges schools and teachers faced. The Communist Party's focus on the "Negro question" might not have fully achieved its specified goals of intensified recruitment in the South, but the Black Belt Self-Determination thesis did have a peripheral and long lasting impact on southern white

segregationists who began to equate racially liberal actions with subversive activity. Education in Georgia during the twentieth century exemplifies this often-overlooked effect of communism.

Modern Implications

Education today is still manipulated by stakeholders, other than professional educators, who try to influence curriculum and policy in order to promote a particular ideology. In 2014, the College Board issued revised standards for the Advanced Placement US History course. The stated purpose of the redesign was, “that the previous course did not provide sufficient time to immerse students in the major ideas, events, people, and documents of US history, and that they were instead required to race through topics. The redesign was aimed at addressing this concern, resulting in a course framework that teachers and students began using in fall 2014.”⁴²⁹

The redesigned AP US History course touched off a firestorm of debate concerning “whose history” should be taught reminiscent of the issues debated during the Red Scare and Cold War battles over curriculum. The debate over the new AP US History course has garnered strong rhetoric and media attention, which reinforces the relevancy of this dissertation topic. Many state legislatures, including those of Georgia, Texas, and Oklahoma, have formally condemned the new curriculum and threatened to ban its teaching in their particular states. Another group, calling themselves “Scholars Concerned About Advanced Placement History,” has issued a public letter outlining their opposition to the redesigned course. Their letter indicates frustrations similar to those expressed by the oppositional state legislatures. The critique lodged by “Scholars Concerned About Advanced Placement History” is very

⁴²⁹ College Board, “AP US History Course and Exam Frequently Asked Questions,” College Board AP Central, Accessed December 16, 2015, http://apcentral.collegeboard.com/apc/members/exam/exam_information/224882.html.

reminiscent of the American Legion’s efforts during the Red Scare and Cold War to control civic education initiatives. The “Scholars Concerned About Advanced Placement History” state in their open letter to the College Board,

The 2014 [AP US History] framework deemphasizes content, and promotes a particular interpretation of American history. This interpretation downplays American citizenship and American world leadership in favor of a more global and transnational perspective.... The new framework is organized around such abstractions as “identity,” “peopling,” “work, exchange, and technology,” and “human geography” while downplaying essential subjects, such as the sources, meaning, and development of America’s ideals and political institutions, notably the Constitution.... The new framework scrubs away all traces of what used to be the chief glory of historical writing—vivid and compelling narrative—and reduces history to an bloodless interplay of abstract and impersonal forces.... The new version of the test will effectively marginalize important ways of teaching about the American past, and force American high schools to teach U.S. history from a perspective that self-consciously seeks to de-center American history and subordinate it to a global and heavily social-scientific perspective.⁴³⁰

The letter continues to specifically address philosophical issues the opposition group condemns in the redesigned AP US History course. The authors state,

There are notable political or ideological biases inherent in the 2014 framework, and certain structural innovations that will inevitably result in imbalance in the test, and bias in the course. Chief among these is the treatment of American national identity. The 2010

⁴³⁰ Scholars Concerned About Advance Placement History to College Board, June 2, 2015, National Association of Scholars, accessed December 16, 2015. https://www.nas.org/articles/open_letter_american_historians

framework treated national identity... as a central theme.... The new framework makes a shift from “identity” to “identities.” Indeed, the new framework is so populated with examples of American history as the conflict between social groups, and so inattentive to the sources of national unity and cohesion, that it is hard to see how students will gain any coherent idea of what those sources might be.⁴³¹

The letter concludes with the authors’ statement of preference for how the history of the United States should be taught. The authors close with the following recommendations,

We believe that the study of history should expose our young students to vigorous debates about the nature of American exceptionalism, American identity, and America’s role in the world. Such debates are the warp and woof of historical understanding. We do not seek to reduce the education of our young to the inculcation of fairy tales, or of a simple, whitewashed, heroic, even hagiographical nationalist narrative. Instead, we support a course that fosters informed and reflective civic awareness, while providing a vivid sense of the grandeur and drama of its subject.⁴³²

The content of this letter from the “Scholars Concerned About Advanced Placement US History” to the College Board is analogous to the highly charged debates concerning the Problems of Democracy and Americanism vs. Communism courses. Indeed, questions of “Whose history should we teach?” are still relevant in modern education discussions.

Areas For Further Research

The research I conducted for this dissertation has been extensive and thought provoking. Each avenue of exploration opened new topics for research, but not all the information I

⁴³¹ Ibid.

⁴³² Ibid.

analyzed is relevant for this dissertation. I have tried to remain focused on my research question of how the Red Scare and Cold War fears of communism affected social studies teachers. I have made a concerted effort to stay within the bounds of this guiding question in each chapter. However, some of my research, that was not included here but is tangentially related, would make for excellent future studies.

Eugene Talmadge was a polarizing figure in Georgia's history and has been a prominent subject of this dissertation. Much of his political career and personal beliefs regarding race remains unexplored. He is a difficult individual to research because his records were purposely destroyed at the end of each term of elected office. A historical investigation of his administration would of necessity need to focus on his correspondence with others. Records from other individuals he corresponded with on government or personal business would be an effective way to ascertain a more complete understanding of his political career and how his personal views affected public policy.

Georgia's Jim Crow voting policies during the early and mid-twentieth century is another area for further research. Many of the sources I read for this dissertation continued to mention Georgia's County Unit System for voting in state elections. While the topic does not directly relate to my stated objectives, the County Unit System did influence the level of power white segregationists in Georgia were able to maintain. The County Unit System was used in Georgia elections from 1917 until it was struck down in 1963 by the United States Supreme Court's ruling in *Gray v. Sanders*.⁴³³ The voting system employed by Georgia was based loosely on the Electoral College system used in presidential elections. Each of Georgia's 159 counties was classified as being either urban, town or rural. The eight most populated counties were

⁴³³ Andrew Marovitz, "Casting a Meaningful Ballot: Applying One-person, One-vote to Judicial Elections Involving Racial Discrimination," *Yale Law Review* 98, no. 6 (1989): 1196.

designated as urban and received six unit votes in state elections. Town counties, the next thirty most populated, received four unit votes and the remaining 121 rural counties received two unit votes. The popular vote in each county determined the candidate who received all of the unit votes in a “winner take all” format. Therefore, only a few hundred voters in three rural Georgia counties could offset the vote of hundreds of thousands of voters in the more densely populated Fulton County. More research should be conducted on this unique Georgia system and how it was an instrument used masterfully by segregationists like Eugene Talmadge.

The individual biographies of Walter Cocking and Marvin Pittman would also be strong topics for both educational historians and historians specializing in studies of the South. These two men contributed greatly to progressive education practices independent of their scrape with Eugene Talmadge. I believe Cocking and Pittman’s link to the 1941 Georgia scandal should be a side note in their careers rather than their contributions to educational practices being the side note.

The Communist Party USA is also a topic that should be explored more thoroughly in terms of its relationship with the international Comintern body in Moscow. One of my objectives in this dissertation has been to investigate the implementation of the Black Belt Self-Determination initiative mandated by the Comintern. This topic is a narrow investigation of a single policy initiative between the international body of communists and the United States affiliate organization. The internal division of American communists between the Lovestoneites and the followers of William Foster was mediated at the international level. Much more should be investigated regarding the power dynamics between the different levels of the international communist organization.

Conclusion

“Red, White, and Black: The Meaning of Loyalty in Georgia Education” is a study of educational history that relies on primary archival evidence and scholarly research to develop an understanding of how loyalty in Georgia involved questions of both race and national loyalty. Race relations have been, and still remain, a sensitive topic. As the United States is currently wrestling with how to best secure the nation from terroristic threats, I urge those considering extreme measures that involve restricting liberty based on race, nationality, or religion to consider the past. Defending national security from communist threats, in the not so distant past, gave license to white segregationists in their effort to maintain power that had more to do with racism than security.

“No human race is superior; no religious faith is inferior.

All collective judgments are wrong.

Only racists make them.”

~Elie Wiesel,

Nobel Peace Prize winning Holocaust survivor

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