1949

March.—In *Ft. McClellan, Alabama,* BEN SPEAR was convicted by general court-martial on a charge of rape and sentenced to life imprisonment. Later, sentence was reduced to 15 years at hard labor.

1950

July-December.—LIEUTENANT LEON GILBERT and sixty other Negro officers and enlisted men of the 24th Infantry Regiment serving in the Korean war were sentenced to death (Gilbert) or to harsh sentences ranging from five years to life. These cases were investigated by Thurgood Marshall, counsel for the NAACP who reported "the question as to why so many Negroes were charged with misbehavior before the enemy and so few white soldiers were charged, remains unanswered."

Of the sixty, fifteen got life, one got fifty years, two got twenty-five years, three got twenty years, one got fifteen years, seven got ten years, two got five years.

Only eight white soldiers were accused of violating the 75th Article of War, four were acquitted, one got five years, one got three years, two had their charges withdrawn.

November 4—In the *Afro-American,* James L. Hicks reported from Tokyo that he had seen on a train in Japan, 11 members of the 24th Infantry who had been convicted by general court-martial of "misconduct before the enemy," and sentenced to long terms of imprisonment. Mr. Hicks was not permitted to talk to the men, who were under heavy guard.

November 11.—In the *Pittsburgh Courier,* Frank Whisonant, reporting from Taejon, Korea, said that "ninety-nine and nine-tenths of the men tried" before court-martial boards were Negro troops from the 24th Infantry. One man, he said, had been convicted and sentenced to life imprisonment after a three-hour trial. He observed "two long lines of Negroes going through the two military courts of 'justice' set up in Taejon." Subsequently, the 24th Infantry, an all-Negro regiment, was disbanded, the action being represented as a blow against jim crow. However, since segregation continued elsewhere in the Army, many thought it merely a disciplinary move.

ARTICLE II (c). DELIBERATELY INFLICTING ON THE GROUP CONDITIONS OF LIFE CALCULATED TO BRING ABOUT ITS PHYSICAL DESTRUCTION IN WHOLE OR IN PART

By a conscious deliberate policy, expressed in law, economic policy and court decisions, of forcing Negroes to live in filthy ghettos, of preventing their access to available medical treatment, and of holding down their income through discrimination in employment to the lowest paid jobs in the country, more than 30,000 Negroes die each year in the United States who would not have died if they had been white. In addition the Negro people are robbed of more than eight years of life on the average. According to the Metropolitan Life Insurance Company, the life expectancy of a white male in 1945 was 64.44 years while that of a

Negro male was 56.06. A white female in the same year had a life expectancy of 69.54 while a Negro woman had a life expectancy of 59.62. Thus by "deliberately inflicting on the group conditions of life calculated to bring about its destruction in whole or in part," every male United States Negro suffers on an average the destruction of 8.38 years of precious life while every United States Negro woman is robbed of 9.92 years of living.

The number of United States Negroes killed each year by legal and extra-legal lynching is relatively small in comparison with the number wiped out by the imposition of genocidal living conditions. On the basis of reports issued by the National Office of Vital Statistics, an official agency of the U.S. Government, it appears that the Negro death rate as of 1948 (the latest figures available) was 1,127.5 out of every 100,000 Negroes in the population. In contrast, the white death rate was but 972.1.

Had there been no racial differential in death rates, 31,839 United States Negroes who did die in 1948 would have lived.

Consider the full implications of that fact. Approximately 32,000 United States Negroes are killed each year through the imposition of inferior living and health conditions. This adds up to the snuffing out of almost 200,000 lives by this means alone since the United States signed the United Nations Charter.

When the figures reported by the Office of Vital Statistics are broken down and compared, many shocking facts emerge to show how discriminatory treatment results in genocidal disease and death.

Even before Negroes are born in the United States, genocidal factors begin with conception. The death rate resulting from premature birth among non-whites is twice as high as the white rate. Again according to the Office of Vital Statistics, the figure for 1948 was 29.4 for non-whites and only 14.9 for whites. The number of non-white infants who died from premature birth in that year was 4,628. Had there been no genocidal racism in America, had the rates been the same, one-half of those deaths—2,314 of them—would not have occured.

Once born, many Negroes do not survive their first year of life in the United States. Because of the conditions under which they are forced to live, three Negro children die to each two white children during their first year, considering their proportion in the population. The death rates for this period, still according to the same official U.S. agency for 1948, were 46.5 out of every 1,000 non-white babies born alive, as compared to 29.9 white babies. In other words, 7,808 non-white children under one year of age were killed that year by a genocidal death rate created by genocidal living conditions.

The same conditions which take such heavy toll of non-white infants around the natal period also take shocking toll of Negro mothers. The

official figures show that during 1948 three out of every 1000 non-white mothers giving live birth died, as compared to less than one white mother. Since the total number of non-white mothers to die from diseases of pregnancy that year was 1,369, it may be said that 959 of them were killed by the genocidal conditions under which they were forced to bear children.

It should be noted that, according to the Office of Vital Statistics, scarcely half of the non-white mothers giving live birth in 1948 were attended by a physician in a hospital, as compared to 90 percent of the white mothers who enjoyed such safeguards. Twenty-six out of every 100 non-white mothers had to depend upon midwives, as compared to only one out of every hundred white mothers. Conditions were worst in rural areas, where 46 out of every 100 non-white mothers were attended by midwives, and only 24 out of every 100 were served by physicians in hospitals.

Once embarked upon life in the United States, non-whites are far more apt to fall victim of some fatal disease before reaching maturity than are whites. During the first 24 years of life, non-whites have a death rate that is two to three times higher than that of whites, and between the ages of 25 to 29 the non-white rate is four times higher.

Certain diseases are specific in reducing the non-white population. The toll of non-white lives taken by tuberculosis in 1949 has been officially estimated at 11,349. The death rate resulting from this disease that year was 72 of every 100,000 non-whites, as compared to 21 whites. In this instance, jimcrow conditions giving rise to a jimcrow death rate, cost 8,039 non-white lives.

Pneumonia and influenza are the next most efficient killers of non-whites. With a death rate of 53.4 per 100,000 for non-whites in 1949 as compared to 23.8 for whites, the number of deaths attributable to the racial differential came to 3,800.

The ailments of nephritis and nephrosis were likewise costly, the rate for non-whites being 36.9 per 100,000, as compared to 17.4 for whites. Here the differential cost 3,135 non-white lives.

Syphilis is another killer. With a non-white fatality rate of 53.4 as compared to the white rate of 23.8, the race differential cost 2,078 non-white lives.

Such disorders as gastritis, enteritis, and colitis (not counting diarrhea of the newborn) gave rise to a death rate of 13.5 among non-whites, as compared to a white rate of 6.3. This translates into an annual total of 1,140 victims of the race differential.

Conditions of work as well as of living enter the picture in connection with fatal accidents (other than those caused by automobiles). It is a notorious fact that white employers commonly assign Negro employees

to the most dangerous tasks, which are generally referred to as "n---r work." This was one reason why the accident death rate for 1949 was 44.9 among non-whites as compared to 37.9 among whites—the race differential costing 1,562 lives.

After listing some 25 broad categories of death-dealing diseases, the Office of Vital Statistics reports that the death rate resulting from "all other" diseases in 1949 was 143.1 for non-whites, as compared to 79.2 for whites. This miscellaneous item reflected the death of 10,070 non-whites whose real cause of death was genocidal jimcrowism.

Insurance companies, which tend to reflect the realities of life, have fully recognized the peculiar hazards incumbent upon being non-white in the United States. In their group insurance plans, there is no prima facie discrimination on grounds of race, but industries which employ considerable numbers of Negroes are placed in categories charged higher premiums. Some industrial insurance policies, covering plants employing mostly whites but some Negroes, do not discriminate against the Negroes per se, but merely exclude employees in certain job categories—which jobs Negroes "just happen" to occupy.

A factor in this high death rate is the refusal—universal throughout the southern states and prevalent among the great majority of private and semi-private hospitals elsewhere throughout the United States—to admit Negro patients and/or Negro physicians. With approximately two-thirds of the Negroes in the United States residing in the southern states, this racial discrimination necessitates that the bulk of Negro mothers give birth in the over-crowded Negro wards of inferior public hospitals (if such exist in their county), or rely upon the services of a primitive midwife in the home.

As a result of the refusal of many medical colleges in the United States to admit Negro students, and the refusal of the southern states to provide medical training at their state institutions for Negroes, there is but one Negro doctor to serve every 4,409 Negroes in the population. This compares with one white doctor to serve every 843 white persons in the population. On the national level this means that whites are five times better off in this respect than are Negroes. But in the South, where most Negroes live, the ratio is much worse. In Mississippi, for example, the proportion of white doctors to the white population is 22 times greater than the proportion of Negro doctors to the Negro population.

Sickness which incapacitates for a minimum of one week is 40 percent more common to the Negro than to the white, according to official Government figures.

Health is a result of income and other living conditions. Among non-farm families, 73 per cent of Negro families in the South receive less than $2,000 a year, while more than 20 per cent of Negro non-farm

families in the South receive less than $500 a year. Farm families are even more desperately harried for the most basic necessities of life. Over 40 per cent of Negro farm families receive less than $200 a year, according to the latest available government figures.

More than half of the 4,479,069 Negro wage earners in the United States are engaged in the two lowest paid and least protected of all occupations. Over one million are domestic service workers and almost one and a half million are agricultural workers. Many others obviously are forced into low paid jobs and industries. Hence the median income in 1946, according to the U.S. Bureau of the Census, was almost twice as much for non-farm white families as it was for non-farm Negro families. White families received a median annual income of $2,741. Negro families received a median annual family income of only $1,562. This is less than half of what the U.S. Bureau of Labor Statistics considers a "minimum decency budget."

Sub-standard housing, dark, damp and cold, is a notorious breeder of disease and death, and an instrument of genocide when court decisions as well as consciously fostered economic policies, make it impossible for a people to leave such housing. "Most Negroes have been unable to rent or own decent, safe and sanitary houses in which to live and bring up their children," observed the government publication *Public Housing and the Negro* in 1946.

In the United States the latest available government statistics report that there are 3,293,406 dwelling units for Negroes. Of these over one million (1,082,128) "needed major repairs" and almost two million had no running water. Over twice as many Negro homes as white (35.1 per cent against 16.3) needed major repairs and almost three times as many Negro homes as white had no running water. Twice as many white homes as Negro homes (82.9 per cent against 43 per cent) had electricity. Well over 7 per cent of all Negro homes in the South have neither electricity or running water. And there are few uglier, dirtier or more disease-ridden urban areas in the world than the ghettos of United States cities where zoning laws and restrictive covenants (as well as violence) force Negro city-dwellers to live.

It is a matter of record that some 40 million dwelling units in the United States are currently "out of bounds" for purchase, rental or occupancy by Negroes, by virtue of restrictive covenants entered into by their owners. These covenants the courts of the U.S. have refused to set aside. Included among these restricted units are 90 per cent of all the housing erected in the United States since the end of World War II, a considerable portion with Government funds.

In a much touted decision in 1948, the United States Supreme Court apparently ruled that the courts would no longer enforce such covenants.

But the truth, as the Atlanta *Constitution* saw it, was that the Supreme Court "backed into a decision that segregation of races in housing may be accomplished by voluntary agreement and such agreements may not be set aside by law." More recently the Supreme Court held that restrictive covenants may be enforced by civil suit for damages against any one violating the provisions of the covenant.

A nationwide survey conducted by the United Press in 1949 found no breakdown in existing covenants and no decrease in the number of covenants being entered into. In addition, the United Press found covenants were being effectively enforced by banks and loan companies, most of which refused to finance the purchase or repair of a home that is racially "out of bounds."

Even the American penal system plays its part in "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part." Thus, of the 131 prisoners who suffered the death penalty in the United States in 1946, 46 were white while 84 were Negro, although the Negro people constitute only ten per cent of the population of the United States. Twenty-one Negroes were executed for "rape" in 1946, while no whites were executed for that offense. The framing of Negroes, the constant arrest and conviction of innocent Negroes on false charges, is reflected in prison statistics between 1941 and 1945. Thirty per cent of the American prison population for these years were Negroes, or three times more than their proportion in the population.[2]

The special police persecution reserved for the Negro is shown in prison statistics for the year 1945, which include all American prisoners with the exception of those in Michigan, Georgia and Mississippi. There were 737 Negro prisoners convicted for murder, representing but 10 percent of the population, and 529 white prisoners convicted for murder, representing almost 90 percent of the population. There were 555 Negro prisoners serving sentences for manslaughter, and only 423 white prisoners convicted for the same offense. Negroes convicted for aggravated assault totaled 1,265, while white totaled 1,099.

Denial of education as a matter of public policy contributes to genocide by forcing Negroes into dangerous industries and poorly paid work, by systematically reducing their income and depriving them of decent housing, medical care, food and clothing.

The laws of 17 American states and the District of Columbia provide for separate public elementary schools and separate high schools for

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2) Source: United States Department of Commerce, Bureau of the Census. Cited in 1949 Negro Handbook, edited by Florence Murray.

Negroes. Negro schools offer grossly inferior facilities compared with those reserved for whites.

Thus, the average current expense cost for white pupils in these school systems during 1945-1946, according to the United States Office of Education, was $104.66. The average for each Negro pupil was $57.57, little more than half. It cost 82 percent more per pupil to operate schools for a white child than it did to operate schools for the Negro child.

The value of school property per white pupil according to the United States Office of Education is over five times as much as for each Negro pupil.

White teachers' salaries are 44 percent greater than Negro teachers' salaries.

The pupil-teacher ratio in Negro schools is 20.7 percent more than in white schools.

The illiteracy rate among the Negro people is six times greater than that among the whites, according to the figures of the United States Bureau of the Census for October, 1947.

"The tragedy behind these statistics was forcefully brought before the American people during the late war," writes Dr. Herbert Aptheker. "The percentage of draft registrants deferred because of educational deficiencies (illiteracies) from May 15, to September 14, 1941, was 11 times greater for Negroes than for whites! This was, of course, the result of the educational system provided for them, and nothing else. Thus, within 15 states the rejection rates for Negroes were *lower* than the total percentage rate of white rejections, and *in 26 Northern states, the rejection rates for Negroes were less than they were for the whites in ten of the southern states.*

"This inequality of opportunity exists not only in elementary education, but also, and to an even greater degree, in higher education. This becomes crystal clear when one realizes that, in 1940, the median school year completed by the Negro throughout the country was 5.7 while it was 8.4 for the white. Over 40 percent of the total Negro population, as of 1940, had been forced to complete no more than 4 years of formal education, as compared with 13 percent of the white population. The abominable situation has been summarized officially in this sentence: 'There is a definite lack of availability of higher educational facilities for Negroes in those states maintaining separate schools.' "[3]

A former governor of South Carolina, and a member of the Senate of the United States for many years, Mr. Cole Blease, in speaking to his fellow white supremacists, once said, "God made . . . the Negro to

3) Petition to the United Nations by National Negro Congress.

be your servant. He was meant to be your hewer of wood and drawer of water."[4]

This is a little wide of the mark—but it is the rationale for segregation, oppression and genocide. The Negro is oppressed in the United States not because of God but because of monopoly capital. His oppression is the foundation of the political and economic control of the entire American people by a reactionary clique. His low pay, bad housing, ill-health, and lack of education result in the deliberate physical destruction of the Negro people. But they also result, as we shall show, in billions of dollars of annual profit to American monopoly. Profits, not the spurious rationale of "race" and "God," are the reasons for "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part."

ARTICLE III (b). CONSPIRACY TO COMMIT GENOCIDE

The prime mover of the mammoth and deliberate conspiracy to commit genocide against the Negro people in the United States is monopoly capital. Monopoly's immediate interest in nearly four billions of dollars in superprofits that it extracts yearly from its exploitation and oppression of the Negro people, according to the conservative estimate of a competent former Government economist.[5] And we have it on the authority of one of America's greatest Presidents, himself a lifelong student of politics, that the Government of the United States is the creature of monopoly capital. "The masters of the Government of the United States," President Wilson declared in 1913, "are the combined capitalists and manufacturers of the United States."[6]

They are also the masters of the city, county and state governments which, with the Federal Government and the monopolists themselves, are members of one of the largest and most profitable criminal conspiracies known to history. While monopoly's immediate interest is the four billions of dollars of profit, its long term aim, as we have said, is keeping the political and economic control it now enjoys over the American people and the American government through emasculating democratic mass movements by disfranchising millions and setting one group of Americans over and against another. This is its basic device for keeping wages low and profits high.

Only those who believe that semantics can conceal fact, that verbal circumlocutions can disguise truth, maintain that those dominating a country economically do not dominate that country politically. As early

4) *Ibid.*
5) Perlo, *American Imperialism*, p. 89.
6) *The New Freedom*, p. 58.

as 1776 Adam Smith asserted in his *Wealth of Nations,* "Civil government . . . is in reality instituted for the defense of the rich against the poor. . . ."[7] He might have added and "for the aggrandizement of tht rich at the expense of the poor." This was the considered view of a most searching study of monopoly domination of the United States by the United States Government's own Temporary National Economic Committee. One hundred and four years after Adam Smith, Government economists themselves said of monopoly: "A more nearly perfect mechanism for making the poor poorer and the rich richer could scarcely be devised."[8]

Mastery of the mechanisms of government by corporate capital enables monopoly to initiate the conspiracy for genocide from which it profits. Representative Adolph J. Sabath of Illinois, a member of Congress for over forty-three years, partly spells out the way in which this conspiracy is carried out. In December, 1947, Congressman Sabath said that in all his experience he had never seen such eagerness by Congress to carry out the orders of the National Association of Manufacturers, the chief mouthpiece of monopoly. "The orders," he said, "come down from the NAM to the GOP national headquarters in Washington and they assign the Congressmen to do the specific job required. The Pews and the Du Ponts who control NAM, also control the GOP, and they will also control the nomination of a Republican candidate for President. These men have implicit confidence that their orders will be carried out, and examination of the GOP record in Congress shows how right they are."[9]

But control by the Pews and Du Ponts, as well as the Morgans, Rockefellers, Mellons and Fords is not limited to Republicans. As the millionaire banker, Frederick Townsend Martin wrote in 1911—and with the incredible intensification of monopoly power it is infinitely more true today—"It matters not one iota what political party is in power or what President holds the reins of office. We are not politicians or public thinkers; we are the rich; we own America; we got it, God knows how, but we intend to keep it if we can by throwing all the tremendous weight of our support, our influence, our money, our political connections, our purchased senators, our hungry congressmen, our public-speaking demagogues into the scale against any legislature, any political platform, any presidential campaign that threatens the integrity of our estate."[10]

Political and economic freedom for the Negro people means increased freedom for the whole American people and the beginnings of a "politi-

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7) Inquiry Into the Nature and Causes of the Wealth of Nations, 2 volumes. London, 1930, volume II, p. 207.

8) TNEC, Monograph No. 21, p. 18.

9) *The Truth About Socialism,* Leo Huberman, New York, 1950, pp. 103, 4.

10) *The Passing of the Idle Rich,* p. 149.

cal platform" that "threatens the integrity" of anti-democratic monopoly rule. It also threatens the integrity of super-profits. This is the genesis of the conspiracy of which we complain. A conspiracy is defined as "any apparent combination of circumstances leading to an event; a concurrence: a general tendency, as of circumstances, to one event." Legally it is an agreement or arrangement between two or more persons for the performance of an unlawful act. A conspiracy can be recognized by its results as well as revealed by dictaphone or exposed by spies. There is the chance of error in human testimony but the result of a conspiracy is indisputably there for all to see.

In the present crime we find a "combination of circumstances leading to an event" as well as concurrence and general tendency. But more important, are ponderable results which require the prior conspiratorial agreement of many men. We find written law, wage scales and other economic facts, the legal opinions of courts, the incitements of officials, the policies and measures of government, legislative acts and failures to act, the deliberate use of the police and the courts, the discriminatory practices of Big Business, discrimination and segregation by federal, state and county governments, all combining over a long period of years to one invariable result—the systematic institutionalized genocidal oppression of the Negro people of the United States for profit. Such a massive result is impossible without a prior concurrence and agreement. This conspiracy is synchronized so skillfully that not only do the acts of the judicial, legislative and executive branches of the Federal Government sustain each other in contributing to the desired end, but Federal acts mesh with the similar acts of subordinate governmental groups on state, county and municipal levels. The constant and invariable result is discrimination in employment, low wages, bad housing, denial of medical treatment, enforced living in ghettos, denial of equality of accommodations and services as well as equality in the courts, enforced by a combination of genocidal terror and racist law, the whole contributing to the giant profits of monopoly.

Such institutionalized oppression of an entire people does not take place through accident or negligence. It is not the result of original sin, of historic caprice, or of the "peculiar" character of the Negro people. It is deliberate and the result of plan. It is the result of the actions of human beings wilfully acting together to write and physically, economically and judicially sustain racist law that deprives the Negro people of the right to vote or to organize for their political and economic advancement. It is the result of a conspiracy, we repeat, to commit genocide for profit, a conspiracy engineered and directed by monopoly and executed by its state power on a federal, state, county and municipal level.

"United States imperialism today drains profits from all parts of the

capitalist world," Mr. Perlo writes in his authoritative study, "But the original base of Wall Street superprofits, and still a larger source than any single foreign country, is the oppression of the Negro people within the United States."[11]

After showing how northern capital through its Republican Party deserted the Negro people in the South after the Civil War and Reconstruction, Mr. Perlo points out the steps by which northern capital built its control of Southern industry and agriculture on the resubjugation of the Negro people:

"The political course followed by the Republican Party and the Army in the South was an alliance with the former slaveowners for the resubjugation of the Negro people—a precursor of the future alliances of finance capital with the reactionary landowners in the colonies and the semi-colonies. Their economic course was to prevent the Negro people from getting the land, to preserve the plantation system in a new set-up in which northern bankers, merchants and manufacturers derived the lion's share of the profits from its operation, with the southern landowners as junior partners and overseers.

"This process reached its peak during the decade of the 1890's when the expansion pressures of the new banking and industrial monopolies found their first great outlet in the South. It was mainly during this decade and the years immediately following that the Jim Crow statutes of the South were enacted. New state constitutions disfranchising the Negro people were adopted. Negroes were driven out of local government bodies and the Congress of the United States. In a thirteen year period there were almost two thousand recorded lynchings. Through terror and propaganda, the alliance between the Negroes and the poor whites was completely destroyed, and its expression in the People's Party (Populists) deprived of influence.

"The economic subjugation of the Negro people went along with the terror. Negro workers, who constituted most of the skilled labor force of the South after the Civil War, were systematically driven out of higher-paying jobs and kept out of entire industries (e.g. cotton textiles). They were rounded up for chain-gang construction work and slave-labor turpentine camps, herded into lumber camps and mines. Special measures were adopted to keep Negroes from owning farms, to force more and more of them into plantation servitude and low-wage industrial labor, says Harry Haywood.

"At the same time, the northern bankers and industrial monopolists tightened their grip on southern economic life to extract super-profits from the oppressed Negro people, and to a lesser extent from southern white workers and sharecroppers cut off from the Negroes by economic favoritism and racist propaganda. Railroads, cotton mills, and the coal, iron, steel and tobacco industries were all expanded and in varying degrees brought under control of northern capital. Wall Street banks and insurance companies took over a large proportion of the plantation land either directly or through their monopoly control of credit and of the commodity exchanges. By 1900 northern investments in the South amounted to a billion dollars, double the then existing volume of foreign investments. In later years these holdings were multiplied and extended into new industries—oil, electric power, rayon,

11) *American Imperialism*, p. 82.

and chemicals—which are northern-owned even more completely than the old industries.

"Thus the South was converted virtually into a semicolony of Wall Street, with the Negro workers providing most of the colonial labor."[12]

As many of the Negro people migrated to the north and west, the same monopolists who controlled the South imposed the same pattern of super-exploitation upon them, perhaps in less obvious form. The super-exploitation, and the conspiracy which gains from it, continues today on a larger and more profitable scale than ever before. As American monopoly gains in strength, reaching out for control of the world, the exploitation of the Negro people in the United States increases in scope and severity. Thus, in 1947 the median wage or salary income of white wage earners was $1,980, of non-white wage earners $863, or 43.6 per cent as much, according to the United States Department of Commerce. In 1949, according to United States Census Bureau reports, while 16,800,000 Americans in 4,700,000 families had an income of less than $1000 a year, the income of white families was two times greater than that of Negroes.

Using the 1947 figures, this difference of more than $1,100 in annual earnings gives a measure of the amount of *extra* income, of super-profits, which employers derive from the average Negro worker over and above the normal profits derived from a white worker. There are those who try to attribute this disparity in income to the Negro's lack of education, first depriving him of it and then charging him with it. However, government statistics plainly reveal that the disparity is of a racist nature. Whites in 1939 who had a college education averaged $2,046 annually, while Negroes with the same education had median earnings of $1,047.

But it is in agriculture that the colonial-type oppression of the Negro people takes on its most extreme form. The majority of Negro farm operators are share-tenants and croppers in the South who pay up to half their crops in rents and who are cheated on the prices of their products by usurious interest and various other ways. Even larger in number are the Negro farm laborers, the landless ones who are most exploited. In July 1947 the average daily wage of farm laborers in the West North Central States, where very few Negroes are employed, was $6.52. In the East South Central States, where perhaps half of all farm laborers are Negroes, the average daily wage was $3.24. For all rural white families, the median income in 1947 was $2,156; for non-white $1,026—about the same $1,100 differential that was shown for non-farm wage earners in 1947.

Another source of profit derives from the tens of thousands of Negroes arrested each year in the South for no crime of their own, but

12) *Ibid.*, pp. 82-3.

for incarceration at forced labor on prison farm and roads, for the profits of food companies and contractors who reap the fruits of their unpaid labor.

How large, asks Mr. Perlo, are the super-profits derived by United States imperialism from this deliberate extra exploitation of the Negro people? An approximate answer may be gained by regarding as extra profits the $1,100 difference between the median Negro wage and median white wage, and multiplying this difference by the number of Negro productive workers in agriculture and industry. Of the 6,000,000 Negro gainful workers in 1947, approximately 3,500,000 were engaged in productive labor in farms or in industry, according to the United States Department of Commerce labor report. This number, multiplied by $1,100, gives a total superprofit of almost four billion dollars. More recent figures show a similar result for 1948 and 1949.

This huge sum of four billions of dollars in super-profits is, then, the substantial motive for the conspiracy to commit genocide against the Negro people. Added to the seven and a half billion dollars of booty from abroad, this sum brings the total of American imperialist super-profits from the labor of oppressed peoples to eleven and a half billions of dollars per year. The first step in breaking the grip of American imperialism abroad, is forcing it to release from bondage the American Negro people at home.

Gunnar Myrdal in his *American Dilemma* points out that Negroes are not only paid less than white workers but they are paid less for jobs that require more exertion, more skill, more endurance and which are more dangerous and less healthful than jobs ordinarily given white workers. In Mr. Myrdal's words, the jobs reserved for Negro are characterized "by a high degree of physical and psychological disutility" and "long and strenuous muscular exertion." In describing the disadvantages of some of the principal Negro jobs, he writes:

"In logging it is chiefly risk of accident and disease; in sawmills accident risk and noise; in fertilizer plants, dust and disagreeable odors; in road construction, excessive exposure to the elements and so on."[13]

He cites as typical conditions in the Ford Motor Company. (Actually, Ford is above the average because it employs more Negro workers and gives them *higher skilled* jobs than any other auto plant.) In the tool room at Ford, he writes, where wages are high, scarcely one per cent of the workers are Negroes. But in Ford's foundry, where the work requires equal skill to that in the tool room and is far more intense and dangerous, forty-seven per cent of the workers are Negroes and the wages are considerably less than those paid in the tool room.

13) *An American Dilemma*, Vol. II, pp. 1079 ff.

The *U.S. Census of Manufacturers* for 1947 indicates something of the super-exploitation of Negro workers in particular industries:

	Hourly rate
1. Sawmills in Oregon (almost all white workers)	$1.61
Sawmills in Alabama (mostly Negroes)	.63
2. Linseed oil mills (white workers, Minnesota)	1.28
Cotton seed oil mills (southern industry)	.73
3. Fertilizer manufacturing in North (fair proportion Negroes)	1.13
Fertilizer manufacturing in Georgia (majority Negroes)	.76
4. Cigarette manufacturing (largely white industry)	1.12
Tobacco stemming and drying (overwhelmingly Negro)	.75

Negro wages are kept low through discrimination in employment on the basis of race, in obvious violation of the Charter and the Genocide Convention. The Negro is held in such economic bondage that to live he must work for almost any wage offered. Discrimination keeps a large unemployed reserve that acts as an effective brake on all wages, thus depressing the wages of white workers as well. Monopoly is the source of by far the largest amount of employment discrimination in the United States and, faithfully reflecting the desires of monopoly, the Government of the United States in the next highest offender.

According to the report of the Federal Fair Employment Practice Committee, later killed by Congress, for the fiscal year 1943-44, business was charged with 69.4 per cent of the discrimination brought before the committee. Government agencies were charged with discrimination in 24.5 per cent of the cases, and labor unions with 6.1 per cent. 80.8 per cent of the complaints charged refusal of employment on the basis of race—96.7 per cent were Negroes. Four out of five cases which came before the committee concerned Negroes who were refused employment on the basis of race.

This pattern, so integral to profit, continues, of course, to the present. It has in fact accelerated with the collapse of FEPC which might have acted as a deterrent. A Negro vice president of Ford Local 600, United Auto Workers, CIO, told the National Trade Union Conference on Negro Rights, held in Chicago, on June 11, 1950, that:

"Sixty percent of the lines standing before the Ford Employment office today are Negro workers. . . . The Negro people have again found it necessary to fight for the right to work and they have reached the stage of fighting for their rights as a nation within a nation."

The long lines of Negro workers before the Ford gates have an obvious relationship to the wages of the workers employed at Ford's. The conference mentioned above declared that "employers see new opportunities

to pit white labor against black labor." The Conference described something of the situation facing the Negro in employment today. It said in part:

"A new and grave situation confronts us as well as the whole labor movement. . . . With unemployment rapidly becoming a mass problem among us (69 per cent in Chicago; 50 per cent of those receiving relief in Toledo, Negroes); with widespread failure to upgrade Negroes in higher skilled jobs, with no special measures of adequate scope being taken to safeguard our job rights or to open apprenticeship, skilled training and jobs to our expanding numbers of young graduates, employers see new opportunities to pit white labor against black labor. . . . No amount of pious talk and cheap lip service can hide stark facts of life . . . the growth of poverty, unemployment, sickness, sub-standard housing, increased attacks on our civil rights, on the very life and limb of 15,000,000 Negroes. . . ."

Corporate discrimination for profit is, in fact, increasing, as revealed by a sample of official statements:

A representative of the Michigan Unemployment Compensation Commission told a Detroit city-wide conference of the United Auto Workers Fair Employment Practices Committee that job discrimination against Negroes was mounting. The report said that in 1945 some 35 per cent of the employers requesting help specified "white only." In April, 1947, this had jumped to 44.5 per cent. In 1949 it rose to 49.8 per cent. And in 1950 it reached 80 per cent.

The Chicago Committee on Human Relations reported in May, 1950 that employment discrimination against Negroes and other minority groups is increasing. Non-white workers are nine per cent of the total labor force while it is estimated they form twenty-two per cent of the unemployed in Chicago.

A study by the Race Relations Department of Fisk University of intergroup practices in the United Packinghouse Workers, CIO, revealed that Negro workers in Kansas City had less take-home pay and more grievances than white members of the same union.

In New York State, discrimination in employment increased in 1949 by 15 per cent over 1948, according to the complaints received by the New York State Commission Against Discrimination.

Profit from Negro Ghettos

Another source of profit to United States finance capital is the segregation of Negroes into the slum areas and ghettos common to virtually every large American city. New York City is typical of conditions in most large cities. The Harlem ghetto is owned by the largest of the country's insurance companies, mortgage companies, banks, and real estate speculators operating with bank credit. They constitute a "mortgage conspir-

acy" to limit Negro housing—once investigated by the Federal Government but subsequently forgotten. Here the Negro people are imprisoned and here the rents are 50 per cent higher than in other working class areas.

In New York City, as elsewhere, slum clearance and housing projects are no solution for the Negro people since they are often forbidden entrance into the new housing projects. They are driven from the slums but barred from the new projects arising on those slums that are paid for by their own taxes. Nothing perhaps so well demonstrates the subservience of government to monopoly's drive for profits than the incredible story of the gigantic Metropolitan Life Insurance Company's successful efforts to exclude Negroes from its tax-supported Stuyvesant Town housing development. This insurance octopus has kept Negroes from living on property supported by tax rebates to the company. Moreover, complaisant courts have aided the monopoly in evicting those white tenants who tried to break down its exclusion of Negroes.

"Negro citizens are held virtual prisoners in substandard housing all over America," writes Leslie S. Perry, of the National Association for the Advancement of Colored People.[14] The imprisonment of Negroes into ghettos for profit is revealed in Baltimore, for example, where the twenty percent of the population who are Negroes are crowded into less than two per cent of the living space. In Chicago's Black Belt the population density is 90,000 persons per square mile, although 35,000 per square mile is considered the optimum under which health can be maintained. A new U.S. Senator shocked his colleagues in 1949 by taking a few on a tour of "the worst housing in America"—only two blocks from the Senate's own palatial building. And, incredibly, a year later, this slum housing was being torn down to make room for—another more palatial building for the Senators! A single block in Harlem has a population of 3,871 persons. "At a comparable rate of concentration," concluded *The Architectural Forum,* "the entire United States could be housed in half of New York City."

"In every city of the United States where the Negro constitutes an appreciable part of the population he has been relegated to the slums and tenements," writes Mr. Perry, adding that he is kept there through violence, restricted covenants and court decisions.[15]

He points out that municipal services are denied the Negro people:

"Their public streets and highways are usually allowed to remain in a state of disrepair and neglect; city refuse services such as garbage, trash and ash removal are infrequent and indifferent; seldom are there the parks, play-

14) *An Appeal to the World,* 1947, p. 79.
15) *Ibid.,* p. 77.

grounds and public centers found in white neighborhoods; laxity and corruption in protective services such as police, health inspectors, licensing officials makes these areas a haven for the criminal element of the whole city."

Virtually every authority agrees that these Negro ghettos are maintained because they are profitable to the insurance companies, mortgage concerns and realty corporations that own them. "All informed observers," writes Mr. Perry, "agree that Negroes pay from 10 to 50 per cent more rent for their quarters than are paid by whites for comparable facilities."[16] This is the planned result of monopoly—artificially restricting the supply of housing. Even formal reports of the United States Government occasionally admit that the American ghetto for the Negro people persists because it is profitable to big business. Thus the report on civil rights in 1947, *To Secure These Rights,* made at the order of President Truman, states that "Discrimination in housing results primarily from business practices. These practices may arise from special interests of business groups, such as the profits to be derived from confining minorities to slum areas. . . . Again it is 'good business' to develop exclusive 'restricted' suburban developments which are barred to all but white gentiles." After declaring that banks are reluctant to give Negro veterans loans under the GI Bill of Rights for the building of homes, and that private builders "show a reluctance" to build for Negroes, the report states, "These interlocking business customs and devices form the core of our discriminatory policy."[17]

Denial of the Vote

The American Legend states that, no matter what the tyranny elsewhere, every American citizen be he rich or poor, black or white, man or woman, has the right and duty of voting his convictions.

The American fact is that millions are denied the vote because they are poor or because of their race or because of both.

The legend is that everyone who wants to votes. The fact is that the U.S. ranks among the lowest of the industrialized nations in the proportion of population that *does* vote.

The American Legend proclaims that because of the equality of the voting booth the rich have no more influence than the poor.

The American fact is that in seven American states Americans must pay for the privilege of voting, and that this tax on voting was passed by the wealthy for the express purpose of keeping the poor from voting. It is a repressive tax, falling hardest on those with lowest incomes. In some states this payment for the privilege of voting, known as the poll tax, is cumulative and piles up year after year. Americans pay to vote in

16) *Ibid.,* p. 77.
17) Pp. 67, 68.

Alabama, Arkansas, Mississippi, South Carolina, Tennessee, Texas and Virginia.

As profit is the motive of this conspiracy, so denial of the vote is its method. It is sometimes accomplished "legally" through the poll tax, sometimes through hidden political machinations. In the South where one party dominates, it operates through the so-called Democratic "white primary." Special tests have been devised to eliminate those Negroes who dare to attempt their Constitutional right of ballot where the "white primary" has been condemned. But whatever the mechanics of disfranchisement, it is enforced by murder, assault and terror on the basis of race, a small part of which is enumerated in this petition under the appropriate articles of the Genocide Convention.

It is through this device of robbing millions of Americans of their vote that the economic-political conditions for the profitable oppression of the Negro people are maintained. The fact is that only the wealthy, the conservative, and the white supremacists are permitted to vote in the South. They alone have freedom of political organization and association. This restricted suffrage not only gives reaction the political-economic control of whole states, countries, towns and cities in the South, but gives it a preponderant voice and control of the Federal Government. Limited suffrage, controlled by monopoly, elects representatives to the Federal Congress whose influence is decisive in national affairs because of the committee and seniority system of Congress.

Federal laws are written in committees, frequently determined and dominated by a single chairman and a handful who vote with him. Of the nineteen standing committees, for example, in the House of Representatives, ten are currently headed by Southerners, elected by an oligarchy, by a small minority of technically eligible white voters. The three most powerful committees in the U.S. Senate are headed by similar poll-taxers—Foreign Relations by Connally, Armed Services by Russell, Finance by George. A Texan and two Georgians determine the basic foreign and domestic policy of the entire nation. In neither state can the Negro vote except at his own peril.

Where the disfranchised black population is the majority, or near majority, the white people allowed to vote sometimes have a political strength ten to twenty times greater than their fellow citizens in the north and west. Thus in South Carolina, it took 4,393 voters to elect a representative to Congress in 1946 whereas in Illinois it took 137,877 voters. In Mississippi in 1946, it took 4,993 voters to elect a congressional representative, while in Rhode Island 136,197 voters were necessary. The total vote for ten members of Congress in Georgia in 1946 was 161,578, but in Wisconsin 983,918 votes were cast for ten members of Congress. Since the South permits but one party as well as one "race" in its elections, it

required 32,573 out of 53,087 votes in 1946 to elect the Negro Congressman A. Clayton Powell of New York while it required only 5,429 out of 5,429 to elect the arch-racist Rankin of Mississippi. Dorn of South Carolina won with 3,527 out of a total of 3,530 while Dawson, Negro Congressman from Illinois, needed 38,040 votes out of a total of 66,885.

On July 21, 1947 it was stated on the floor of the House of Representatives that "In the Presidential elections of 1944, 10 percent of the potential voters voted in the seven poll tax states as against 49 percent in the free-vote states. In the congressional elections of 1946, the figures are 5 percent for the poll tax states as compared with 33 percent for the free-voting states."[18]

The total number disfranchised in the South, including states without the poll tax, exceeds the number who actually vote. Thus, in the South Atlantic States, using the 1940 census for voting population figures and the 1946 congressional elections for the vote, 24.4 percent of those eligible to vote were Negroes who were entirely disfranchised, while the actual number of voters was only 22.2 percent. In the East South Central States 25 percent of those eligible to vote under the United States Constitution were Negroes—and they were disfranchised—while the actual number of voters was only 16.5 percent of those twenty-one years and over. In the West South Central States 17.9 percent were disfranchised Negroes while only 14.2 percent of those over twenty-one years old actually voted. In the whole South of those eligible to vote in 1946 under the United States Constitution, only 18 percent did so, while the non-voters totalling 82 percent.

There are some sufficiently short-sighted to believe that this wholesale disfranchisement is merely the misfortune of the Negro. But the eminent scholar, Dr. W. E. B. Du Bois, points out that disfranchisement not only menaces the entire American people but the whole world:

". . . the disfranchisement of the American Negro makes the functioning of all democracy in the nation difficult; and as democracy fails to function in the leading democracy in the world, it fails in the world. . . . Let us see what effect the disfranchisement of Negroes has upon democracy in the United States. In 1944, five hundred and thirty-one electoral votes were cast for the president of the United States. Of these one hundred and twenty-nine came from Alabama, Arkansas, Georgia, Louisiana, Oklahoma, North and South Carolina, Texas, Virginia, Florida and Mississippi. The number of these votes and the party for which they were cast, depended primarily upon the disfranchisement of the Negro and were not subject to public opinion or democratic control. They represented nearly a fourth of the power of the electoral college and yet they represented only a tenth of the actual voters. . . .

"In other words while this nation is trying to carry on the government of the United States by democratic methods, it is not succeeding because of the

18) To Secure These Rights, p. 39.

premium which we put on the disfranchisement of the voters of the South. Moreover, by the political power based on this disfranchised vote the rulers of this nation are chosen and policies of the country determined. The number of congressmen is determined by the population of a state. The larger the number of that population which is disfranchised means greater power for the few who cast the vote. As one national Republican committeeman from Illinois declared, 'The Southern States can block any amendment to the United States Constitution and nullify the desires of double their total of Northern and Western states.'

"According to the political power which each actual voter exercised in 1946, the Southern South rated as 6.6, the Border States as 2.3 and the rest of the country as about 1. . . .

"When the two main political parties in the United States become unacceptable to the mass of voters, it is practically impossible to replace either of them by a third party movement because of the rotten borough system based on disfranchised voters.

"Not only this but who is interested in this disfranchisement and who gains power by it? It must be remembered that the South has the largest percentage of ignorance, of poverty, of disease in the nation. At the same time, and partly on account of this, it is the place where the labor movement has made the least progress; there are fewer unions and the unions are less effectively organized than in the North. Besides this, the fiercest and most successful fight against democracy in industry is centering in the South, in Just that region where medieval caste conditions based mainly on color, and partly on poverty and ignorance, are more prevalent and most successful. And just because labor is completely deprived of political and industrial power, investors and monopolists are today being attracted there in greater number and with more intensive organization than anywhere else in the United States."[19]

Dr. Du Bois, Negro leader who is now himself under indictment for his efforts for peace, has correctly pointed out who gains power by disfranchising the Negro. Monopoly finance gains power. It does so, in the first place by controlling the governmental machinery which drafts the Hitler-like racist laws and policies to subjugate the Negro people. And it uses its governmental power to foment and abet extra-legal violence against the Negro people, particularly when they attempt to vote. This is often done quite openly through state-chartered organizations of the Ku Klux Klan. In this connection we submit in the Appendix (Document A) a detailed case history of the use of violence as a state policy by the State of Georgia to prevent Negroes from voting in elections in that state. It is typical of systematic denial of the vote in the Southern states, as shown above in Mississippi also.

This document was submitted as an Offer of Proof concerning violation of the Fifteenth Amendment of the Constitution of the United States by Stetson Kennedy, well-known author of studies concerning the

19) *Appeal to the World,* prepared for the National Association for the Advancement of Colored People," 1947, pp. 6, 7, 9, 10.

plight of the Negro in the South and a former member of the Georgia Bureau of Investigation. It was submitted in the case of the *United States of America* v. *William L. Patterson,* internationally renowned Negro leader and head of the Civil Rights Congress. Mr. Patterson, it will be recalled, was indicted for contempt of Congress after Representative Henderson Lanham of Georgia had called him "a black son of a bitch" and had attempted to assault him during a Congressional inquiry into alleged lobbying.

Disfranchisement through Terror in Georgia

Mr. Kennedy's document reads in part:

"The witness, Stetson Kennedy, would testify as to the facts showing the unconstitutional denial or abridgment of the right of a substantial number of citizens of Georgia to vote in the Congressional elections in that State during the period 1940 to 1950. These facts are as follows:

"1. During this entire period from 1940 to 1948 no one was allowed to vote in Georgia who had not registered.

"2. *Election of* 1940: The United States Census Bureau's records show that in 1940 the total number of citizens in Georgia above the age of 21, and thus eligible under Section 2 of the Fourteenth Amendment to the Constitution to vote in Congressional elections, was 1,766,969.

"Official returns of the 1940 election in Georgia as reported by the Secretary of State of Georgia was 312,539 votes. In other words, only 17 percent of the total population of Georgia above the age of 21 years succeeded in actually casting a ballot in 1940.

"3. *Election of* 1948: Census Bureau records reveal that in 1948 the population of Georgia above the age of 21 years was 1,968,519.

In the election of that year, a total of 365,356 votes were cast, according to the records of the Secretary of State of Georgia. This was 18 percent of the total population above the age of 21.

"4. *Negro Population and Vote*: According to the Census Bureau records, every third person in Georgia during the period 1940 to 1948 was a Negro. But, according to the same source, in 1948, 82 percent of the white population above the age of 21 was registered and only 18 percent of the Negro population above the age of 21 years had been registered. The percentages for 1940 were considerably lower because of the existence at that time of the State's poll tax law, and the inviolate status of the white primary.

"These figures and percentages indicate that an overwhelming majority of the Negro citizens of Georgia above the age of 21 did not exercise the right to vote in Congressional elections.

"The witness, if permitted to testify, would establish that the failure

to exercise the franchise by Negroes as aforesaid was due to a denial and abridgment of their right to do so and that there were three chief causes for this denial or abridgment: First, direct action by officials of the State of Georgia; second, official action by the Democratic Party of the State of Georgia acting as an instrument of that State; and third, the notorious action of private organizations and corporate powers acting with the actual or implied sanction of the State of Georgia. He would testify that:

"5. As to the first cause, official action by the State of Georgia has resulted in the denial or abridgment of the right of citizens above the age of 21 to vote in the Congressional elections in that State in the decade from 1940 to 1950 by means of the following:

(a) Poll tax legislation;
(b) Intentional refusal on the part of election registrars to register qualified Negro citizens;
(c) The purging by officials of Georgia of the names of qualified Negro voters from the registration rolls in Georgia;
(d) The enactment of legislation in Georgia abolishing all registration lists and requiring the re-registration of citizens previously qualified to vote, and giving virtually unlimited discretionary powers to registrars to deny the voting right of any citizen.

"6. That the rules, regulations and primaries of the Democratic Party in the State of Georgia constitute an integral part of the election machinery of the State and that Party has acted as an agent of the State in the conduct of primary elections for Congressional candidates in that State; that by the rules and regulations of that Party in effect during the period 1940 through 1946, Negroes were prohibited from voting in the Democratic primaries; and that, since there was no Republican Congressional Primary held in the State of Georgia during said period, there was no participation by Negro citizens above the age of 21 in the Congressional primaries held in Georgia during this period.

"7. That private and corporate organizations such as the Ku Klux Klan, Inc. and the Columbians, Inc. had the official approval and assistance of the public officials of the State of Georgia during the decade 1940 to 1950, and with the sanction of said State engaged in terroristic activities which created such fear and intimidation among qualified Negro citizens of the State of Georgia, as well as election registrars of said State, as to prevent and preclude an effective registration and voting on the part of large portions of the Negro citizens of that State in the Congressional elections in Georgia in the decade 1940 to 1950.

"8. That the following chronological compendium itemizing overt threats, cross-burnings, masked parades, floggings, lynchings, purges and

other acts of discrimination and violence against the Negro people of Georgia, were committed during the period 1943 to 1948 with the intent and/or effect of preventing eligible Negro inhabitants of Georgia from exercising their right to vote in Congressional elections; that many of the incidents itemized were personally investigated by the witness for the Georgia Department of Law; and that many others (sources indicated) were widely published throughout the State in the daily and weekly press, and thus by virtue of such publication served as a deterrent to voting by Negroes, not only in the locale where such act took place, but throughout the State. . . ."

The Kennedy study then enumerates some 107 terroristic acts and other crimes, all of them clearly sanctioned by the State of Georgia, and the financial interests it serves, all of them plainly intended to thwart democracy by preventing qualified Negroes from voting. The crimes and techniques enumerated are common to the whole South. Only the place, dates, and actual actors would need to be changed to have the list representative of that which constantly occurs, as other evidence submitted proves, in Mississippi, Louisiana, Alabama, Florida, North and South Carolina, Virginia, Arkansas, and Texas among other states.

A random selection of the events detailed in this Georgia case history, and, in a way, a case history for the whole South, includes such incidents as the following:

"PORTERDALE, *December* 10, 1943. 'Christian Democracy and White Supremacy are the greatest things which should emerge from this terrible catastrophe,' ex-governor Eugene Talmadge said with reference to World War II. Talmadge spoke as guest of honor at the annual klonklave of the Porterdale klavern of the Ku Klux Klan, held in Porter Memorial Auditorium, owned by the Bibb Manufacturing Company (textile chain). Among those present were James A. Colescott, Imperial Wizard of the KKK; Dr. Samuel Green, Grand Dragon of the Georgia Klan; Harold S. Gates, Exalted Cyclops of the Porterdale Klan; George Hamilton, Treasurer of the State of Georgia; Pat Campbell, member of the state legislature from Newton County; Zach Cravey, fish and game commissioner under Talmadge's administration; and Johnny Goodwin, formerly Talmadge's highway patrol chief, personal bodyguard and then leader of the Vigilantes, Inc. Event given statewide publicity by Atlanta Constitution, December 18, 1943 . . .

"GAINESVILLE, *January* 28, 1946. Klansmen from all over Georgia staged a masked parade and burned three crosses in the Negro section. City Fire Chief served as coordinator. (Report to Georgia Bureau of Investigation.)

"ATLANTA Klavern No. 297, *February* 14, 1946. Floggings and lynchings recommended as solution to n——r problems; all Klansmen urged to carry weapons while engaged in Klan demonstrations. (Report to GBI.)

"ATLANTA Klavern No. 297, *April* 1, 1946. Cyclops Roper reported that he had conferred with gubernatorial candidate Eugene Talmadge on ways

and means of keeping Georgia Negroes from voting, and that Talmadge had replied by writing the word 'Pistols' on a scrap of paper. Roper indicated that Talmadge had promised to give the Klan a 'free hand' in any race rioting that might develop while he was Governor. It was announced that 'Brother Klansman Judge Luke Arnold' would speak at Klavern 297 on the second Thursday in May on a plan to keep Negroes from voting. Roper reported listening in on a conversation between Grand Dragon Samuel Green and Georgia House Speaker Roy Harris in *Augusta* in which Harris invited Klan leaders to discuss with him the prospect of getting the legislature to convene itself to adopt a white primary law, and other means of keeping Negroes from voting. (Report to GBI.)

"ATLANTA Klavern No. 1, *April* 8, 1946. Grand Dragon Green reported that Talmadge had promised if elected to sweep out of office everyone who did not believe in 'white supremacy and 100 percent Americanism.' The CIO's Operation Dixie was attacked as 'purely political' and 'for the n——r and the Jew.' 'The KKK is declaring war on the CIO—we're going to nip their Operation Dixie in the bud,' Green said. Applications for 98 new memberships and 37 reinstatements were attributed to Klan interest in the Talmadge campaign (Report to GBI.)

"STONE MOUNTAIN, *May* 9, 1946. Some 1,000 Klansmen in a robed ceremony inducted 300 new members from all over Georgia. This was the Klan's first major postwar cross-burning demonstration. (Associated Press, May 9, 1946.)

"SWAINSBORO, *July* 11, 1946. In a statewide radio address, Talmadge said, 'Wise Negroes will stay away from the white folks' ballot boxes on July 17. We are the true friends of the Negroes, always have been, and always will be as long as they stay in the definite place we have provided for them.' (Associated Press, July 11, 1946.)

"EATONVILLE, *July* 11, 1946. W. S. Hooten, chairman of the board of registrars, announced that 20 percent of Putnam's County Negro registrants had been purged 'on grounds of incompetence due to lack of education, intelligence or character.' The purge procedure which then swept across Georgia consisted of pro-Talmadge registrars serving thousands of Negro registrants with sheriff's summonses to appear (during working hours) to 'show cause' why they should not be dropped for 'illiteracy, criminal record, bad character,' etc. All who failed to appear were automatically purged. (*Atlanta Constitution, July* 12, 1946.)

"ELLAVILLE. Fifty percent of the county's Negro registrants were purged. When some registrants resigned, new ones were appointed by Superior Court Judge W. H. Harper, and the purge continued. (*Atlanta Constitution, July* 12, 1946.)

"APPLING COUNTY. On July 10, 1946, a week before the primary, U.S. District Judge Frank H. Scarlett issued an order halting further purging in Atkinson, Ben Hill, Pierce and Coffee Counties, and ordered the reinstatement of 800 Negroes who had been purged in Appling County. The National Association for the Advancement of Colored People had charged that more than 20,000 Negro residents had been challenged in the statewide purge, and demanded that the U.S. Department of Justice take action. However, the Department decided to maintain a 'hands off' policy. (Georgians were keenly aware that Senator Theodore Bilbo in a radio address at Jackson, Mississippi, on June 22 had called upon 'every red-

blooded American in Mississippi to resort to any means at their command' to prevent Negroes from voting and that he had been re-elected overwhelmingly.) . . .

"FITZGERALD, *July* 16, 1946. Notices were tacked on the doors of Negro churches reading, 'The first n——r who votes in Georgia will be a dead n——r!' (*Atlanta Constitution,* July 17, 1946.)

"MANCHESTER, *July* 17, 1946. A State Senator picketed the polls with a shotgun as a warning to Negroes not to vote. (*Atlanta Constitution,* July 18, 1946.)

"ATLANTA, *August* 26, 1946. Hoke Gewinner, speaking from a sound truck at a Columbian Street meeting in front of Exposition Cotton Mills, called for organization on a block and precinct basis at 'combat n——r bloc voting,' and said, 'There are just two ways to fight these things—with ballots and with bullets. We are going to try ballots first.' (Report to GBI.)

"MOUNT VERNON, *September* 6, 1948. Isiah Nixon, Negro, shot down in his home for having voted in the Democratic primary. (*Associated Press,* September 9, 1948.)

"LYONS, *November* 20, 1948. Robert Mallard leader in the movement to increase Negro voting, ambushed by robed band and shot while driving from church to his home in Toombs County. (*Associated Press,* November 28, 1948.)"

These, then, are some of the methods of the conspiracy whereby finance joins with the state and terrorist organizations to disfranchise Americans for political power and private profit. The conspiracy has made potent use of the spurious charge of "rape" as a political weapon. The charge of "rape" was consciously forged as a matter of state policy. It emerged in the Southern states at the same historic moment as the poll-tax. It has since consistently been used to terrorize militant Negroes with the ever-present menace of death by lynching or by "legal murder" through police, incited mobs, and venal courts. Examples of how the cry of "rape" is used, invariably on the basis of race, abound in the numerous cases listed above. They include, among a good many others, the executed Martinsville Seven in Virginia, the martyred Willie McGee in Mississippi, and Paul Washington in Louisiana.

In most Southern states "rape" had no special connotation as a crime until about 1890. Then it came into use as a political device for the oppression of the Negro people, as part of the drive completely to disfranchise the Negro people and break the Populist movement. It was made into a weapon of terror and death at the same time the Southern states wrote new State Constitutions to disfranchise Negroes. It coincided with the body of oppressive, discriminatory legislation that is still on Southern statute books. "Rape," as a capital weapon of white supremacy, did not come into being until the White Bourbons regained their power in the late eighties and early nineties. Before that time it was seldom a capital offense, at least since the Civil War. Punishment was meted out on the

basis of equality of Negro and white. But since the 1890's, thousands of Negroes have been lynched and "legally" executed on the basis of race on the spurious charge of "rape" while the number of whites who have been executed on the charge, legally or any other way, is virtually nil.

"Rape" became an incitement to lynching—and lynching, as the President's own Committee on Civil Rights noted in 1947, is the ultimate weapon of terror to keep the Negro in a subordinate status. The genocidal, murderous quality of the charge of "rape" is apparent to all in the South. Two months after Willie McGee was legally murdered on a charge of "rape" in Mississippi, an all-white jury freed a white rapist within a short time, despite virtually uncontradicted testimony.

The history and racist nature of the alleged crime of "rape" in the State of Louisiana is the subject of a penetrating study by Dr. Oakley C. Johnson. It is included in the Appendix under the heading of Document B.

Dr. Johnson made a thorough examination of the records in the office of the Secretary of State at Baton Rouge, Louisiana, and found that from 1907 to 1950, a period of 43 years, *not one white man charged with rape had been put to death in Louisiana, although 29 Negroes charged with rape had been executed in that period.* From 1900 to 1950, there were 39 executions for "rape." All but two of those executed were Negroes. In addition to the Negroes officially put to death by the State of Louisiana—whose practices are standard for most Southern states—three others were put to death in Louisiana by the United States Government during World War II. They were Corporal John Walter Bordenave, 29; Private Lawrence Mitchell, 18; and Private Richard Philip Adams, 25.

"They are added to the total in the attached list," Dr. Johnson writes, "because their punishment took place on Louisiana soil and by means of the state's portable electric chair, loaned for the purpose. These three *make a total of 40 Negroes put to death for rape in this state since 1900, as compared to 2 white men.*"

Dr. Johnson compared the later records with the records from 1866 through 1889, before the charge of "rape" had been transformed into a political policy for the oppression of the Negro people, Dr. Johnson writes: "The following facts are clear from an examination of these old records:

"1) From Civil War days until the consolidation of white political control, punishment for rape was imprisonment only, never death; pardoning was frequent; and a differentiation was made between 'rape' and 'intent to rape.'

"2) Race differences were noted for the purpose of description, but had not yet hardened into caste differences.

"3) After the solidification of white rule politically, the setting up of

the death penalty for rape gave opportunity to return to virtual implied re-enactment of the Black Code with its differentiation between punishment for whites and punishment for Negroes."

Official murder by the state sets the pattern for the illegal murders of lynching and lynching which goes unpunished is genocide by the State. In writing on lynching in Louisiana, Dr. Johnson observes: "No people can be held down undemocratically through use of democratic political forms except through terroristic tactics, and this is the raison d'etre for lynching. Louisiana members of Congress have steadily opposed anti-lynching legislation. In Louisiana 355 recorded lynchings of Negroes took place between 1882 and 1948, a period of 66 years; a quarter of these lynchings were due to allegations of rape."

Paul Washington, a Negro Army veteran of 24, now is facing legal lynching in Louisiana on a charge of rape. The brother of his wife, Velma Washington, was lynched in 1941. Undoubtedly referring to the Washington case, Dr. Johnson notes: "It is a serious question whether *any* trial of a Negro for a crime by a state which has permitted 335 lynchings of Negroes in 66 years can be considered fair. It is apparent that the 335 extra-legal killings of Negroes and the 40 Louisiana legal executions for "rape" are both parts of a system of Black Code Justice quite out of keeping with the Federal Constitution and Federal civil rights. . . ." And, it may be added, the Genocide Convention and the Charter of the United Nations.

Disfranchisement by Economic Sanctions

Added to "legal" deterrents from voting, as well as terror, violence, and the weapon of alleged rape, the conspiracy also employs economic pressure against those Negroes who attempt to exercise their Constitutional right of voting.

The white planters, employers and merchants of the South have traditionally been linked in a conspiracy to deny land, houses, jobs, seed, fertilizer and foodstuffs to Negro tenant farmers, sharecroppers and workers who vote or attempt to vote.

This conspiracy dates from the Reconstruction period, when such sanctions, coupled with Ku Klux Klan terrorism, served to subvert the Fifteenth Amendment. The sanctions have continued to this day. Not since the abolition of the Freedmen's Bureau, which, among other things, distributed commodities to needy ex-slaves, has the Southern Negro had any refuge in the event that he is deprived of land, home, job or credit for having tried to vote.

"We are told that all colored people who vote are going to starve next year," Emanuel Fortune told a Congressional investigating committee

in 1871.[29] "We have got to go to the merchants and have advances of meat and corn." Numerous other witnesses provided thirteen volumes of testimony to this same effect. This testimony could be duplicated today if there were an agency to receive it.

Section 5 of the Civil Rights Act of 1870 provided a penalty of ten years imprisonment or a $5,000 fine for anyone who sought to "prevent any person guaranteed the right to vote under the Fifteenth Amendment from voting by means of bribery, threats of depriving such persons of employment or by ejecting such persons from a rented house . . . or by threats of violence to such person or his family." This section further provided punishment for any one conspiring to interfere with the right of franchise but it was nullified by the Supreme Court of the United States in 1881.[21]

When, near the turn of the century, the Populist movement gave, as we have seen, encouragement to Negro voting, the proprietary class intensified economic sanctions along with other forms of intimidation. While this conspiracy was seldom expressed in writing, Democratic officials in Georgia did issue a circular in 1892 addressed "To the Democratic Farmers and Employers of Labor," in which they warned of the "danger" of a Populist victory, and said:

> "This danger, however, can be overcome by the absolute control which you yet exercise over your property. It is absolutely necessary that you should bring to bear the power which your situation gives over tenants, laborers and croppers. . . . The success of the Populists . . . means regulation or control of rents, wages of labor, regulation of hours of work, and at certain seasons of the year strikes. . . . The peace, prosperity, and happiness of yourselves and your friends depends on your prompt, vigorous and determined efforts to control those who are to such a large extent dependent upon you."

As everyone knows, the several millions of Negroes now held in the bondage of sharecropping and tenant farming are still under "the absolute control," politically and economically, of the landlords and banker-monopolists who finance the operations of the landlords. Economic sanctins are also brought against those Negroes brave enough to run for public office. When Larkin Marshall, for example, prominent Negro publisher of Macon, Georgia, announced in 1948 for the United States Senate as a Progressive Party candidate, he was threatened on June 28 with the foreclosure of the mortgage on his home. Two days later a fiery cross was burned before his home by the Ku Klux Klan.

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20) Report of the Joint Committee to Investigate the Condition of Affairs in the Late Insurrectionary States.

21) *U.S. v. Arden*, 6 *F* 819.

Racist Law

The political and moral climate necessary for the conspiracy's goal of political and economic control of the whole American people through disfranchisement and oppression of the Negro minority is gained through a huge body of racist law passed by states which are themselves parties to the conspiracy. Members of the white population of these states, twenty in number, are taught from earliest infancy by the example of the law itself that the Negro is so inferior that he cannot be allowed to associate with his fellow citizens. To allow such association, so the laws often explicitly state, would assure contamination of the whites.

The white child swiftly learns that a Negro has no rights that a white man is bound to respect. The white school child learns this in segregated schools, which are from their intrinsic nature, schools for potential violence. He sees from his earliest years that Negro children are apparently fit for only ramshackle, tumble-down, inferior schools, monstrously overcrowded, often without adequate sanitation facilities or protection from the weather and obviously beneath comparison with the schools that white children attend. He sees, further, that court decisions forbid Negroes to live in decent surroundings, that such decisions segregate them into dilapidated, over-crowded, run-down areas.

He is taught that Negroes are the special targets of the police, that they are not considered as a matter of solemn law fit to travel with white people, eat with them, gather with them, work with them. It is drilled into him that they are inherently inferior to white people, unfit to vote, lazy, corrupt, and violent, with no aim other than to gratify their passions. He is frequently told that it is his high mission in life to protect the purity of white womanhood, the purity of the white Democratic primary, the purity of white standards, from Negro pollution. His parents, his teachers, church, press, public officials and all the respectable and wealthy, daily precepts and penalties, all combine to enforce upon him the criteria and necessity of white supremacy. Thus when he reaches maturity he is thoroughly conditioned to play his part in the violence and oppression that this conspiracy finds so profitable.

The similarity between Hitler's Nuremberg Laws against the Jews and white supremacist laws in the United States against the Negroes has often been remarked upon. In both countries there was, and there still is in the United States, an obscurantist obsession with what both Nazi and American racists have called "the purity of the blood stream." The criminal penalties in Nazi Germany, and in the United States were and still are, particularly severe for any "mingling of the blood streams" through marriage or other cohabitation. Under both regimes, the proscribed minority is forced to live apart from its fellow nationals. Both

countries, Nazi Germany and the United States, have penalized their citizens on the basis of race, not only denying them protection of the police and courts but using police and courts for assaults against them.

The Nazis acted, as their statutes said, "for the protection of German blood" just as the state of Virginia, among others, does in providing prison sentences for those who provide the state registrar with incorrect information as to their ethnic origin. The Nazis banned from citizenship all except those "of German or kindred blood" (Artverwandten Blutes) just as do many Southern states, although not with the brazen frankness of the Hitlerites. The Nazis were occasionally frank in acknowledging their indebtedness to the United States for having provided them with a model for their own racist legislation. One of their leading professors of jurisprudence, Dr. Heinrich Krieger, devoted a volume—*Das Rassenrecht in den Vereinigten Staaten* (Berlin, 1936)—to an admiring examination of the American theory and practice of racism.

"The most prolific governmental sources of such (racist) enactments are the cities," writes Dr. Herbert Aptheker in the July, 1951 issue of *Masses & Mainstream*. "Every local community south of the Mason-Dixon line, and very many north of it, abound in racist ordinances. Many such bodies of law, usually in mimeographed form, are deposited only in local city halls and collation of them has never been undertaken, but some indication of their nature may be gotten from a few available examples.

"Section 597 of the Ordinances of the City of Birmingham, Alabama, reads: 'It shall be unlawful for a negro* and white person to play together or in company with each other in any game of cards or dice, dominoes or checkers.' Those convicted of such horrendous conduct are subject to six months' imprisonment or a $100 fine.

"The Atlanta, Georgia, code provides that 'No colored barber shall serve as a barber for white women or girls; and that 'The officer in charge (of a cemetery) shall not bury, or allow to be buried, any colored persons upon ground set apart or used for the burial of white persons.' This last is exceeded in chauvinist lunacy by the private regulation in force in the capital of the United States, 'where a dog cemetery has erected a color bar against the burial of dogs belonging to colored people.'

"It may be added that hundreds of villages and cities in the United States, particularly in the South and West, bar Negroes (and/or Mexican-Americans and others) from remaining within their limits over-night, or, in many cases, from entering those limits."

Twenty American states have adopted laws *compelling* segregation. The Constitution adopted in 1890, and the laws of Mississippi, are illus-

* Racist legislation, almost always, uses the lower-case form in writing the word Negro.

trative of racist law in the 20 Southern states. Although Article 3 of Mississippi's Bill of Rights provides that all persons "resident in this state, citizens of the United States" are citizens of Mississippi, Article 8, Education Section 207, immediately proceeds to segregate citizens on the basis of race. It provides "Separate schools shall be maintained for children of the white and colored races."

Segregation is even provided in jail: Article 10, the Penitentiary and Prisons, Section 225, stipulates that the legislature "may provide for . . . the separation of the white and black convicts, as far as practicable, and for religious worship of the convicts."

Marriage between the races is forbidden: Article 14, General Provisions, Section 263, states "The marriage of a white person with a Negro or mulatto, or person who shall have one-eighth or more of Negro blood, shall be unlawful and void."

Even "advocacy" of social equality or intermarriage is penalized, a clear infringement on the Federal Constitution's Bill of Rights: Chapter 20, Section 1103 of the Mississippi Code of 1930 reads, "Any persons, firm or corporation who shall be guilty of printing, publishing, or circulating printed, typewritten or written matter urging or presenting for public acceptance, or general information, arguments or suggestions in favor of social equality, or intermarriage, between whites and Negroes, shall be guilty of a misdemeanor and subject to a fine not exceeding five hundred dollars or imprisonment not exceeding six months or both fine and imprisonment in the discretion of the court."

It imposes segregation on the railroads: Chapter 20, Section 1115, of the Mississippi Code of 1930 states: "If any person or corporation operating a railroad shall fail to provide two or more passenger cars for each passenger train, or to divide the races, as provided by law, or if any railroad passenger conductor shall fail to assign each passenger to the car or compartment of the car used for the race to which the passenger belongs, he or it shall be guilty of a misdemeanor, and, on conviction shall be fined not less than twenty dollars nor more than five hundred dollars."

Reviewing American racist law, Milton R. Konvitz, lawyer and Associate Professor at the School of Industrial and Labor Relations, Cornell University, writes:

"Legislation similar to that of Mississippi is in force in Virginia, North Carolina, South Carolina, Georgia, Alabama, Florida, Louisiana, Arkansas, Oklahoma and Texas. Similar but less stringent legislation is in force in Delaware, Maryland, West Virginia, Kentucky, Tennessee and Missouri. In Delaware, West Virginia and Missouri separation in travel is not required by statute. *Eight northern states* (California, Colorado, Idaho, Indiana, Nebraska, Nevada, Oregon and Utah) forbid intermarriage, and some states permit separate schools. In the majority of northern states caste based on race and

color is not required and is in many states expressly forbidden by law. Nevertheless, even in these states public opinion and custom often enforce discrimination.

"In twenty states *segregation of pupils* is mandatory or expressly permitted. In three states the statutes require separate schools even for deaf, dumb and blind. Sixteen states require segregation in juvenile delinquent and reform schools; and in nine states separate trade and agricultural schools are required. Three states require separate school libraries. Florida stipulates that textbooks used by Negro pupils shall be stored separately. Separate colleges are mandatory in twelve states. Separate teacher-training schools are required in fourteen states. In several states Negro pupils may be taught only by a Negro teacher and white pupils only by a white teacher; one of the states provides that only white persons born in the United States, whose parents could speak English and who themselves have spoken English since childhood, may teach white pupils.

"In *fourteen states the law requires separate railroad facilities.* Three states stipulate that separate sleeping compartments and bedding are to be used by Negro train passengers. Separate waiting rooms are required in eight states. Separation in buses is required in eleven states; ten states have the same requirement affecting street car transportation. Three states provide for separation on steamboats.

"*Two states require separation of the races at circuses and tent shows.* Three states require *separation in parks, playgrounds* and *on beaches.* Three states require separation in billiard and pool rooms. Arkansas requires separation at race tracks. In Tennessee and Virginia separation at theaters and public halls is required.

"There are laws which require separation of the races in *hospitals.* In eleven states even *mental defectives* must be separated by race. In Alabama a white female nurse may not take care of a Negro male patient.

"Separation is required by eleven states in *penal* and *correctional institutions.* Separate bathing facilities in such institutions are required by laws in Alabama and Tennessee. Separate tables in such institutions are required by a statute of Arkansas and separate beds by statutes in two states.

"There are laws which require *separation of the races in a multitude of relations*—too many to be mentioned here. Several examples will make clear the scope of the Jim Crowism imposed by law: Oklahoma requires separate *telephone booths* for Negroes; a Texas statute prohibits whites and Negroes from engaging together in *boxing matches;* Arkansas requires a separation of the races in *voting places;* in Georgia a Negro minister may marry only Negro couples; in South Carolina Negroes and whites may not work together in the same room *in cotton textile factories,* nor may they use the same doors of entrance and exit at the same time.

"If a state does not have an act calling for segregation with respect to a specific matter, it is not to be assumed that with respect to that matter there is no segregation. Many of the southern and border states do not have laws requiring segregation in theaters and other places of public amusement; yet the races do not mingle there, and the Negro cannot compel admission because the states have no civil rights."[22]

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22) *"An Appeal to the World."* Prepared for the National Association for the Advancement of Colored People, New York, 1947, pp. 44-45.

Professor Konvitz places the responsibility and guilt for this plight of the Negro people squarely upon the Government of the United States:

"Congress has refused to pass laws to declare the poll tax illegal; to make lynching more effectively subject to federal law; to make discrimination in private employment in interstate commerce a crime; to define and guarantee civil rights in the District of Columbia. The Supreme Court has failed to declare Jim Crowism in intrastate commerce unconstitutional; to outlaw segregation in schools as a denial of due process or equal protection of the laws; to outlaw the restrictive covenant in the sale or rental of property; to declare the poll tax an unconstitutional tax on a federally guaranteed right or privilege. The Supreme Court has placed the Negro at the mercy of individual states; they alone have the power to define and guarantee civil rights. The Negro is a citizen of the United States, yet the thread that ties him to the federal government, when it is a question of protecting his life, liberty or property, is so thin that the government is compelled to admit its impotence."[23]

The Federal Government, we maintain, should be compelled to admit guilt which is an historic fact evident to all the world. Impotence in the protection of nationals on the part of a government is merely a synonym for guilt. We shall later detail the specific role of the United States Government in this conspiracy. At the moment we emphasize the part of reactionary finance and the various states in this conspiracy. As a direct result of Jim Crow discriminatory state laws, monopoly profits through low property assessments and low taxes for schools, roads, playgrounds, parks and health services. It profits not only in the South directly, but over all the nation indirectly, from a segregation enforced by law and designed to divide trade union and political movements and thus guarantee low wages and high profits.

This body of racist law, a conspiracy which embraces the monopolists who profit from it, the states and their officials who enforce it, and the Federal Government which permits it, means literally millions on millions of dollars annually to the Morgan interests controlling the South's steel and power industries, the Rockefeller oil interests, the du Pont's chemical industries, the cotton and packing industries, and their interlocking banks which control Southern agriculture. (For a detailed summary of Monopoly Control in the South, see Appendix Document C.) The representatives of these and other Wall Street interests are the political and economic overlords of the South. They dominate legislatures, governors and party conventions, and often counties, towns and villages. They exert control through racist law and violence as well as through virtual direct control, in many areas, of police and courts.

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23) *Ibid.*, pp. 45-46.

Issuance of State Charters for Genocide

State responsibility for and participation in this conspiracy to commit genocide is even more clear in the willful chartering of vigilante organizations, which exist for terroristic anti-Negro purposes. These organizations are encouraged by the various states which grant them tax-exemptions as "non-profit, eleemosynary, benevolent, fraternal, and educational" corporations. Such charters, issued by the Secretary of State of the various states upon application and payment of a nominal fee of approximately ten dollars, carry with them all the privileges and immunities of corporate sanction. This not only includes the vital benefit of tax-exemption, but makes the officers and members of the terroristic organizations immune to suits for damages. These charters, moreover, commonly confer upon the corporation the right to establish "subordinate lodges" throughout the United States and its territories. In addition, the Bureau of Internal Revenue, of the United States Treasury Department, generally accepts the states' classification of such corporate terrorism as non-profit enterprise, and exempts these groups from payment of Federal corporate taxes. Thus we have a complete demonstration of the complicity of the Government of the United States in fostering private terroristic agents of genocide.

While the number of genocidal bands enjoying the corporate sanction and legal authorization of Federal and state governments is legion, the following list will serve to indicate some of the most notorious:

1. Original Southern Klans, Inc. (Georgia)
2. Knights of the Ku Klux Klan of Florida, Inc.
3. Federated Klans of Alabama, Inc.
4. Knights of the Kavaliers, Inc. (Virginia)
5. United Sons of Dixie, Inc. (Tennessee)
6. American Shores Patrol, Inc. (Virginia)
7. American Keystone Society, Inc. (Pennsylvania)
8. The Christian American, Inc. (Texas)
9. The Fact Finders, Inc. (Georgia)
10. Fight for Free Enterprise, Inc. (Texas)
11. Free White Americans, Inc. (Tennessee)
12. Mason-Dixon Society, Inc. (Kentucky)
13. We, the People, Inc. (Georgia)
14. Vigilantes, Inc. (Georgia)
15. Veterans and Patriots Federation of Labor, Inc. (Tennessee)
16. Order of American Patriots, Inc. (Texas)
17. Southern Committee to Uphold the Constitution, Inc. (Texas)
18. The Patrick Henrys, Inc. (Georgia)
19. Southern States Industrial Council, Inc. (Tennessee)
20. National Small Businessmen's Association, Inc. (Michigan)

Typical of the dangerous and murderous venom carried on by such vigilante organizations is that detailed by the confidential reports submitted to the Georgia Bureau of Investigation and the Federal Bureau of Investigation by special agent Stetson Kennedy. His reports concern "practice pogroms" against Negroes by the Atlanta, Georgia, Ku Klux Klan.

Mr. Kennedy writes that these reports, which have been buried by the official agencies, reveal the following:

1. That the *Ku Klux Klan* of *Atlanta, Georgia,* has brought virtually every cab driver in the city into the Klan, with a view to using their cabs, many of which are equipped with two-way radio phones, in anti-Negro pogroms. As early as January, 1946, it was reported in Atlanta Klavern No. 1, 198½ Whitehall Street, that almost all cab drivers in the city had been brought into the Klan; to which Grand Dragon Samuel Green suggested that the hold-outs be "signed or fired because the day may soon come when we will need every cab in Atlanta to do some quick work." He was assured that the Klan drivers would be "ready when called."

We charge that today the KKK maintains a closed shop among Atlanta's cab drivers—that it is necessary to join the Klan to get a job.

2. That practice mobilizations have been conducted from time to time, beginning on March 7, 1946, when Grand Titan G. T. Brown sent a message from Atlanta Klavern 213 to Exalted Cyclops Samuel Roper at Klavern 297 saying: "All faithful brothers arise and come to the aid of your brothers in East Atlanta as quickly as you possibly can get here! Important business must be tended to at once!" That members were and customarily are encouraged to carry pistols, blackjacks, knives and brassknuckles while engaged in "Klan business."

3. That at the same time Cyclops Roper in a conversation with Klansman Ben Culpepper of Klavern 297, who was in charge of machine guns in a Federal Government warehouse, asked why it could not be arranged for the Klan to steal the weapons. He suggested that Klansmen would rap Culpepper "gently on the head" and tie him up in order to make it appear that Culpepper had been robbed without his consent. Culpepper replied, "Anything that the government can't prove can't hurt me." (This information was relayed to the United States Department of Justice but instead of being discharged or prosecuted, Culpepper was promoted to Assistant Chief, Warehouse Division, Southern Regional Office, War Assets Administration.)

4. That a code for telephonic mobilization has been adopted, whereby key mobilization points in the city of Atlanta have been given certain designations. For example, Five Points in the center of the city is designated as "Chinatown," while the suburb of Buckhead is referred to as "Black Rock." Cliff Vittur of the "Klavalier Military Department" is referred to only by his Klan code name "Clearwater" in telephonic conversations, while his office is designated as the "Hole in the wall." Klan members identify themselves by number rather than by name.

5. That gubernatorial candidate Eugene Talmadge, in return for pledges of Klan support, promised to give the Klan a "free hand" in rioting against

Negroes before calling out the militia, and that his son, the incumbent governor, Herman Talmadge, promised the Klan he would keep all of his father's promises to it.

This peculiar American pattern could be regarded as an amusing example of delayed adolescence if it did not so often erupt into violence and violence directed largely against the Negro. It is common American practice to deputize such people as police officers when a posse or mob is called together to apprehend a fleeing Negro whom some Klansman, or other person, has decided to charge with "rape." Thus many Negroes are "legally murdered" when shot by deputized members of such mobs for "resisting arrest." Those deputized are almost uniformly freed of any crime.

Bored and gullible people, desperate for something to do, impoverished both mentally and physically by the doctrines and practices of white supremacy, are susceptible to incitation to lynching, particularly when the act is endowed with civic virtue, with an aura of protecting all that is holy from all that is profane. Thus, in addition to the thousands murdered without benefit of record, 534 Negroes have been lynched by mobs in Mississippi between 1882 and 1950, 491 in Georgia, 352 in Texas, 335 in Louisiana, 299 in Alabama, 256 in Florida, 226 in Arkansas, and 204 in Tennessee. Virtually no one has ever been punished for such a crime, because the courts and police collaborate with it. Such people as Mr. Kennedy has described have been incited to lynch some 3,436 known Negroes between 1882 and 1950 and incited to kill thousands whose deaths are unrecorded.[24]

In a letter to Governor Battle of Virginia, asking clemency for the Martinsville Seven, the Southern Conference Educational Fund of New Orleans stated: "There is a rape complex in the South which leads to every attempt by the Negro to better himself being somehow interpreted as an insult to Southern Womanhood." Basing itself on United States Census Figures, the Conference concluded that "The death penalty for rape is a race penalty—an oppressive bludgeon used almost exclusively against the Negroes in the South." It cited government figures showing: (1) in the thirteen Southern states, during the period 1938-48, fifteen whites were executed for rape as opposed to 187 Negroes. (2) In the same region for the same period, 219 whites were executed for murder while 475 Negroes were executed.

The Dixiecrats

A conspiracy has the same kind of disagreements as to how to accomplish the desired end as any other collective endeavor. This is true of

24) Statistics from the department of Records and Research, Tuskegee Institute, Alabama.

the conspiracy of monopoly with the state and Federal governments to inflict genocidal violence against the Negro people. It is a conspiracy well synchronized and well meshed on all of its several levels but not perfectly so. It became less perfect after World War II when the Negro people demonstrated a renewed, vital determination to improve their conditions and erase their infamous oppression.

So it was that in 1946 a disagreement arose as to the most practical method of maintaining the oppression of the Negro people. One wing of the conspiracy, whose titular head was President Truman, felt that cognizance should be taken of the widespread international shock and dismay that was increasingly greeting the American treatment of Americans on the basis of race. It was felt that some obeisance should be made to international opinion, since American professions of the sacredness of the individual, the right of free voting, the equality of races, and the advantages of the two-party system, were impeached by the omnipresent American oppression of other Americans. Defense of the sacredness of the individual sounded hollow in the face of wholesale murder of American individuals on the basis of race. Mass violence to prevent Americans from voting at home because of their race somehow impeached State Department propaganda for free elections abroad. Arguments concerning the virtues of the two party system were jeopardized by the fact that the two main American parties had identical programs and because only one party was allowed in an important section of the United States.

Thus one part of the conspiracy wanted to have the freedom of maneuver which would permit it to oppress the Negro people while professing that genocide against the Negro people in the United States was gradually decreasing. It wished to proclaim that its members were cognizant of the problem and were solving it through the "slow but sure methods of democracy."

The other wing, the triumphant wing known as the Dixiecrats, wanted to persist in the older, straightforward and unabashed methods of oppression. It feared any appearance of concession as dangerous. We must not, its members said, even appear to dilute the old fashioned, time-tested, "American" principles of white supremacy. To indulge in demagogic concessions, they said, even though *we* know they are demagogic, is to run the risk of Negroes and whites believing what you pretend to believe. The national scene is basic. If they believe abroad in the equality of races, the solution is not for us to adopt this un-American principle of race equality but for them to adopt the white supremacy of "true Americanism." So ran the arguments of the Dixiecrats, the victors in this dispute between the temporary factions of this conspiracy.

The disagreement within the conspiracy over tactics began on December 5, 1946 when the President appointed fifteen citizens to examine the

state of civil liberties in the United States. Inevitably the major theme of the resulting report, published in October 1947 under the title *To Secure These Rights,* was the segregation, discrimination, disfranchisement and murder practiced against the Negro people. Although the report was an apologia, seeking to minimize this historic, institutionalized crime against the Negro people, yet the crime was so monstrous, so overwhelming, so widespread, and, above all, so incontestably an indisputable fact, that much of the report was forced to deal with the mass oppression of Americans on the score of race.

The report was undertaken with an eye to foreign opinion. This is revealed in a letter from Dean Acheson, then Acting Secretary of State, to the Fair Employment Practice Committee (since abolished) on May 8, 1946, which read in part:

". . . the existence of discrimination against minority groups in this country has an adverse effect upon our relations with other countries. We are reminded over and over by some foreign newspapers and spokesmen, that our treatment of various minorities leaves much to be desired. While sometimes these pronouncements are exaggerated and unjustified, they all too frequently point with accuracy to some form of discrimination because of race, creed, color or national origin. Frequently we find it next to impossible to formulate a satisfactory answer to our critics in other countries; the gap between the thing we stand for in principle and the facts of a particular situation may be too wide to be bridged. An atmosphere of suspicion and resentment in a country over the way a minority is being treated in the United States is a formidable obstacle to the development of mutual understanding and trust between the two countries. We will have better international relations when these reasons for suspicion and resentment have been removed. . . ."[25]

The "gap between the thing we stand for in principle and the facts of a particular situation" has widened immensely since Dean Acheson wrote these words. The situation concerning the Negro people in the United States has consistently worsened since the death of President Roosevelt. Even then it possessed the same basic elements it does today. One reason for the steady deterioration of the plight of the Negro people in the United States was the victorious "fight" of the Dixiecrats against measures, apparently proposed for demagogic purposes by their fellow-conspirators, providing for a federal law against lynching, abolition of the poll tax, the end of segregation and discrimination, the creation of a Federal fair employment practices committee, and the strengthening of the Department of Justice to enforce the nation's laws in the South.

These measures were recommended by the President's Committee on Civil Rights in 1947—that the United States Government protect it citizens from extra-legal hanging, that Americans be allowed to vote without pay-

25) *To Secure These Rights,* p. 146.

ing for the privilege, that all Americans be allowed to live together regardless of race, and that all Americans be allowed to work regardless of color. Four years later, not one of these recommendations has been enacted into law.

These recommendations provided planks for both the Republican and Democratic parties seeking the very considerable northern Negro vote in 1948. Although never fought for, never really supported and never passed, the very mention of these proposals was enough to bring about the formation of the Dixiecrats, dissident Tory Democrats of the South, whose aim and accomplishment was to blackmail President Truman out of any idea he may or may not have had of vigorous support of these measures. Thus one faction of the conspiracy brought pressure on the other to retain the traditional methods of oppressing the Negro.

The Dixiecrat movement is significant in that as late as 1948 a political party of naked racism, founded on the postulate that some Americans were to enjoy rights and privileges denied other Americans, ran candidates for the Presidency and Vice-Presidency of the United States, and although officially on the ballot in few states polled some million and a half votes. Its policy was blatant white supremacy. Its ideology contained the constant threat of violence. It was organized around the reactionary core of the Democratic Party in the South. Virtually all of its public documents, the addresses of its candidates and their proponents—many made over the radio and all made publicly—incited to violence, directly or indirectly, against the Negro people.

The Dixiecrat movement is significant in that its campaign documents frequently denied the very humanity of the Negro people and often said that violence would result if they were permitted the civil rights which the Constitution guarantees them.

Here the conspiracy, or a segment of it, against the Negro people came blatantly into the open. There was no attempt at denial. There was only justification. It is important because the state Democratic parties of Alabama, Mississippi and South Carolina, organizations almost identical as to personnel with the governments in these three states, openly concerted to deny the Negro people their rights. The action of these states, through their Democratic parties, had the result of sabotaging on a national scale the development of even mere maneuvers in the direction of Negro rights.

The Dixiecrats, formally calling themselves States' Rights Democrats, held a political convention in Houston, Texas, on August 11, 1948. They nominated J. Strom Thurmond, then Governor of South Carolina, as their candidate for President. Fielding L. Wright, the Governor of Mississippi who insisted on the legal murder of Willie McGee for a crime he never committed, was nominated for Vice-President of the United

States. From the first the Dixiecrat campaign maintained that proposals for race-equality were un-American plots of the Kremlin.

The tenor of the Dixiecrat campaign may be learned from this excerpt from a basic campaign document:

"If we start out with the self-evident proposition that the whites and blacks are different, we will not experience any difficulty in reaching the conclusion that they are not and never can be equal. A horse and a cow, for instance, are not equal. Food that will enable a horse to perform a day's work will dry up a cow. They are not equal and cannot be treated equally, if the best interests of both are to be served. Gold and silver, both precious metals, are not equal. They are unequal in almost every way. . . .

"The theory of equality is a communistic theory. It reduces all to a dead level. From a racial standpoint, the practical effect of the general acceptance of this theory, when carried to its logical conclusion, is the merging of all the peoples and races of the world into one race."[26]

Another typical quotation threatened violence:

"In many countries throughout the South a few thousand whites operate farms, business and industry and furnish employment to hundred of thousands of negroes. If those negroes voted and elected their kind of officials, which would happen if they voted, there would not be a business or industry operating in the country twelve months after they took over—*unless violence was resorted to the protection of business and industry and farming against the improvident acts of incompetent and corrupt administration. . . .*[27] (Italics ours.)

And this quotation demonstrates their views concerning the Negro's competence, in relation to the poll tax:

"The negro is a native of a tropical climate where fruits and nuts are plentiful and where clothing is not required for protection against the weather. The negro has never been under the necessity of producing anything through voluntary cooperation. The essentials of society in the jungle are few and do not include production, transportation and marketing of goods. His racial constitution has been fashioned to exclude any idea of voluntary cooperation on his part. For this reason the negro, and some whites who are lacking in this virtue, will never voluntarily pay any tax. . . . The poll tax screens the unwilling, non-supporters of the government from the voluntary supporters of the government."[28]

As to segregation, the handbook says:

"The right to segregate in a sense is the same as the right to assemble. The right to assemble peacefully is guaranteed by the Constitution. The right to segregate is a natural right and when it is abrogated we are no longer free. America is the land of segregationists. Americans want the right to segregate."[29]

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26) *States' Rights Information and Speakers Handbook,* published by National States' Rights Democrats Campaign Committee, Headquarters, Heidelberg Hotel, Jackson, Mississippi, p. 51.

27) *Ibid.,* p. 52.

28) *Ibid.,* pp. 52, 53.

29) *Ibid.,* p. 54.

and the like and to force the negro to ride in a Jim Crow car.

"The charge of injustice will not bear close examination. White people have a right to engage in business and deal with white people only. Negroes have a right to engage in business and to deal with negroes only. There is no obligation on a white man to spend his money providing public accommodations for negroes. There is no obligation on negroes to spend their money providing public accommodations for white people."[30]

Governor Frank M. Dixon of Alabama, speaking in favor of Thur-

And further:

"But, it may be said, that it is unjust to refuse the negro public accommodations such as hotels, cafes, taxicabs, theaters, barber shops, beauty parlors

mond and Wright, said in a keynote address of the States' Rights Democratic Conference at Birmingham, Alabama, July 17, 1948:

"This vicious program means to eliminate all differences, all separation between black and white. It so declares itself, in words. It means to create a great melting pot of the South, which white and Negroes intermingled socially, politically, economically. It means to reduce us to the status of a mongrel, inferior race, mixed in blood, our Anglo-Saxon heritage a mockery; to crush with imprisonment our leadership, and thereby kill our hopes, our aspirations, our future and the future of our children."[31]

Governor Thurmond, candidate for President of the United States, declared that employment without discrimination as to race as envisioned in the proposal for a fair employment practices commission "was patterned after a Russian law written by Joseph Stalin about 1930, referred to in Russia as Stalin's 'All-Races Law.' . . . The FEPC is admirably suited to the Russian form of government. . . . It will not work in free America or in any free country where the dignity and worth of the individual is respected." He described the proposed anti-lynching law as tyranny and asked, "What could be more un-American?" He particularly decried proposals to end jim crow in the American armed forces. He said there were people "willing to break down the separation of the races in the armed forces, even at the sacrifice of the morale of the soldiers and the safety of the country itself, against the advice of the military leaders charged with the defense of the nation. Our boys in the service should not be subjected to an unnecessary hazard. The American people do not want their sons placed in such a position when the military leaders say it is unsafe, simply to allow politicians of this country to appeal to bloc votes."[32]

While the Dixiecrat movement did not elect its candidates—it never seriously intended to—it was completely successful. It succeeded in its purpose which was to return President Truman, the Democratic Party,

30) *Ibid.*, p. 55.
31) *Ibid.*, pp. 43, 44.
32) *Ibid.*, pp. 14, 15.

and other of its fellow conspirators, to the traditional method of oppressing the Negro people. It was a mock battle, a division of responsibility within the conspiracy. The Dixiecrat's function was to cushion the conspiracy's failure to proceed along the lines the President's Committee suggested. It built up seeming pressure against Congress, the Supreme Court, the President, and all three made use of it. The Supreme Court continued in the main as it had for a half century, finding reasons why the supreme law of the land, the Constitution of the United States, should not be obeyed. Congress failed definitely to pass any of the proposals providing for civil rights for Negroes. And the President, despite his great power and great obligations under the Constitution, did nothing.

The President's lack of sincerity is revealed in an interview he gave Arthur Krock, printed in the *New York Times* of February 15, 1950. The interview concerned the President's views about the proposed Fair Employment Practice Commission (which was later gutted in the House of Representatives and filibustered to death in the Senate). The questions below are by Krock and the answers by Truman.

"Q. You favor the Fair Employment Practice Commission legislation. . . . You know intimately *the condition of the Negro race and the limitations of its capacity* to fill certain kinds of employment. Many believe that education will be required before an F.E.P.C. could operate even on a voluntary basis. Why then is it desirable in mandatory form, requiring that the burden of proof be on the employer?

A. The President would not support or continue to support any legislation which deprived a citizen of *the right to run his own business, for which that citizen was responsible, as he thought best.* The President does not agree that the Administration's F.E.P.C. legislation would have any such result. If he thought so, he would not be for it, and under him it will not be so administered." (Italics ours.)

The sham nature of the "fight" between Truman and the Dixiecrats was further proven by the swift restoration of good relationships after the 1948 election. There was no ill feeling. The Alsop brothers, in a column in the New York *Herald Tribune* on January 12, 1951, noted that Truman had reconciled the Dixiecrats, if such reconciliation were indeed needed, with "a gentle, emollient shower of collectorships, judgeships and the like that has caused the memory of past hard feelings to grow dim."

Victor Perlo, in writing of the Krock interview with Truman on the FEPC, comments:

"The President accepts without question the imperialist, chauvinist theories of the 'racial inferiority' of the Negro people. He makes clear that he will do nothing to interfere with monopoly capital acting in accord with these theories and deriving the superprofits it does therefrom. He exposes his true purpose,

which is to engage in unbridled demagogy for the purpose of deceiving the Negro people and people in other countries aware of the shame of Jim Crow in the United States."[33]

Segregation continues unabated under Truman:

"The 'normal' pattern of segregation and oppression of Negroes in the Army and in the civilian government continues with full force under President Truman. The federal government, under Truman, has not lifted a finger to stop the rising wave of police brutality against the Negro people, of legal lynching of Negroes North and South."[34]

The Guilt of the Government of the United States

Central in the the conspiracy to commit genocide against the Negro people of the United States is the Government of the United States. It is almost self-evident, as we have said, that without the negative or positive sanction of the Federal Government, the persistent, constant, widespread, institutionalized commission of the crime of genocide would be impossible. We maintain that in permitting it, Federal officials, from the President of the United States to members of the Supreme Court and Congress, from the highest law enforcement officers to the lowest, violate their solemn oaths of office under the Constitution of the United States, that taproot of American law whose Fourteenth and Fifteenth Amendments would make genocide impossible if enforced. We have shown that this violation of oath of office and of the Constitution of the United States results in violation of the Genocide Convention and of the Charter of the United Nations.

We have maintained, too, that monopoly capital is the prime mover in this conspiracy to commit genocide because of the four billion dollars it derives annually from it, and because of the political and economic control it maintains through it. We have alleged that the Government of the United States is the creature of this monopoly capital. This is definitively proved by the fact that almost every key government post in the fabulously lucrative mobilization for war is held by Wall Street representatives. The holders of these posts control the economic life of the United States through controlling the Government of the United States and they use both for their own profit. There was a time when Wall Street governed by pressure and influence. It now governs directly. Wall Street and the United States Government are identical as to personnel as far as the Government's most powerful offices are concerned. This is proved by the following list, prepared by the Labor Research Association, of Wall Street officers in key government positions:

33) *American Imperialism*, p. 93.
34) *Ibid.*, pp. 91, 92.

Director of the Office of Defense Mobilization: CHARLES E. WILSON, formerly president of General Electric Co. and director of Guaranty Trust Co., a Morgan bank. Wilson has retired from GE on a pension of $62,000 a year. He has powers greater than any official except the President in time of peace—and some conservative commentators claim his powers are even greater.

Secretary of the Navy: FRANCIS P. MATTHEWS, chairman of board of Securities Acceptance Corp., Omaha; former director Northwestern Bell Telephone Co.; director Central National Insurance Co. of Omaha.

Secretary of Defense: GENERAL GEORGE C. MARSHALL, director of Pan-American World Airways, a Morgan company, since replaced by:

Under-Secretary of Defense: ROBERT A. LOVETT, partner in Brown Brothers, Harriman & Co., leading New York investment house; director Union Pacific and other railroads, and New York Life Insurance Co.

Secretary of the Air Force: THOMAS K. FINLETTER, partner in Coudert Bros., a law firm which has represented Franco Spain in the U.S.; director American Machine & Metals, Inc.; long advocate of a huge expansion in military and naval aircraft construction.

Co-ordinator of Economic Mobilization (preceding Wilson): W. STUART SYMINGTON, later chairman of National Security Resources Board, now chairman Reconstruction Finance Corporation which finances private plant expansion. Symington had previously been president of Colonial Radio Corp., president of Rustless Iron & Steel Co., and president and chairman of Emerson Electric Mfg. Co.

Secretary of Commerce: CHARLES SAWYER, corporation lawyer of Cincinnati, formerly of the law firm representing Procter & Gamble Co.; director of American Thermos Bottle Co., Union Central Life Insurance Co., and the Crosley Co.

Chairman Defense Production Administration: WILLIAM HENRY HARRISON, former president, International Telephone & Telegraph Corp., a Morgan monopoly. Harrison was also chairman of the Federal Telephone & Radio Corp. and of International Standard Electric Corp., I.T.&T. subsidiaries.

Special Assistant to C. E. Wilson in Office of Defense Mobilization: SIDNEY J. WEINBERG, senior partner in Goldman, Sachs & Co., one of Wall Street's leading firms; director of General Electric Co., B. F. Goodrich Co., General Foods Corp., Continental Can Co., General Cigar Co., McKesson & Robbins, Sears Roebuck & Co., National Dairy Products Corp., and other corporations. Weinberg has been one of the chief Wall Streeters engaged in recruiting big businessmen to take government posts; many are from corporations of which he is a director. (Recently resigned after finishing his recruiting.)

Assistant to C. E. Wilson in Office of Defense Mobilization: GENERAL LUCIUS D. CLAY, chairman of Continental Can Co., director Lehman Corp. and Newmont Mining Corp. (Morgan), largest copper-mining investment company with large holdings in African mines as well as in Phelps-Dodge Corp. and Kennecott Copper Corp. (Clay resigned on March 30 to return to the Continental Can Co., but he will still act as a "consultant.")

Adviser on Public Relations in Office of Defense Mobilization: W. HOWARD CHASE, director of public relations of General Foods Corp.

Assistant to Director for Materials, ODM: FRED SEARLS, JR., president Newmont Mining Co. (Although Searls resigned recently, his influence exerted through others still dominates policy relating to copper and other metals.)

Deputy Administrator for Staff Services: EDWIN T. GIBSON, vice-president

and director, General Foods Corp. Handles the job of certifying tax amortizations for corporate expansion, huge governmental donations to private companies.

Director, Chemical Division, NPA: JOHN S. BATES, president, Ciba Pharmaceutical Products, subsidiary of one of world's major chemical cartels.

Director, Machinery Division, NPA: MARSHALL M. SMITH, vice-president, E. W. Bliss Co., allocates machine tools, the basic equipment for all war production.

Director, Rubber Division, NPA: LELAND E. SPENCER, vice-president, Kelly-Springfield Tire Co., subsidiary of Goodyear Tire & Rubber Co., chief rubber products manufacturing company in U.S.

Director, Iron and Steel Division, NPA: MELVIN W. COLE, assistant general manager, Western Sales Division of Bethlehem Steel Corp., second largest steel company in the country.

Deputy Administrator, Petroleum Adm. for Defense: BRUCE K. BROWN, president, Pan-American Petroleum & Transport Co., controlled by Standard Oil of Indiana.

Administrator, Defense Electric Power Orm.: CLIFFORD B. MCMANUS, president Georgia Power Co., second largest subsidiary of Commonwealth & Southern, giant Morgan utility holding company.

Administrator, Defense Solid Fuels Adm.: CHARLES W. CONNOR, formerly in charge of coal mine operations of Armco Steel Corp.

Administrator of Economic Stabilization Agency: ERIC A. JOHNSTON, formerly president, Chamber of Commerce of the U.S.; director, Seattle First National Bank, United Air Lines and Bank of America, and president of Motion Picture Association of America. In the latter position he was known as czar of the film industry.

Director, Transportation, Public Utilities, Fuel and Services Division, OPS: RICHARD L. BOWDITCH, director Boston & Maine R.R., Sprague Steamship Co., First National Bank of Boston and Liberty Mutual Insurance Co.

Chairman, Munitions Board: JOHN D. SMALL, president, Maxson Food Systems, chairman of the mercantile section of the New York Board of Trade; formerly vice-president, Emerson Radio & Phonograph Corp.

Vice-Chairman of Munitions Board: WILLIAM T. VAN ETTEN, vice-president, Dun & Bradstreet, Inc., former chairman, New York Board of Trade.

Vice-Chairman, Munitions Board: CORNELIUS W. MIDDLETON, director, Babcock and Wilcox Co., one of the largest metal manufacturers closely linked to U.S. Steel, Republic Steel and General Electric.

Vice-Chairman, Munitions Board: ROSCOE SEYBOLD, former vice-president, Westinghouse Electric Supply Co.

Deputy Chief of U.S. Delegation to United Nations: JOHN FOSTER DULLES, director, International Nickel Co. of Canada, American Agricultural Chemical Co., Babcock & Wilcox Corp., American Bank Note Co., trustee of Bank of New York and Fifth Ave. Bank, partner in Sullivan & Cromwell, Wall Street law firm representing Morgan, Rockefeller and other leading financial interests; associated with banking circles which backed Hitler in Germany such as J. Henry Schroder Banking Corp. and I. G. Farben, clients of Sullivan & Cromwell.

Presidential Assistant and White House Coordinator on Foreign Policy: W. AVERELL HARRIMAN, partner of Brown Bros., Harriman & Co.; former vice-president, Union Pacific Railroad, director at one time or another of

Guaranty Trust Co. of New York (a Morgan Bank), Illinois Central RR, Western Union Telegraph Co. and many other railroad and shipping companies.

Assistant Secretary of State for Economic Affairs: WILLIAM L. THORP, director, General Public Utilities Corp., formerly trustee, Associated Gas and Electric Corp., director Associated Electric Co. and United Coach Co.

Assistant Secretary of State for European Affairs: GEORGE V. PERKINS, vice-president, Merck & Co., chemical company related to Nazi firm of same name; formerly director, City Bank Farmers Trust Co., leading Wall Street bank.

Director of Policy Planning Staff of State Department: PAUL H. NITZE, former vice-president, Dillon Read & Co., vice-president and director, U.S. Commercial Co., director, Rubber Development Co.; through his family and Dillon Read, closely connected with German cartelists and with North German Lloyd interests.

Ambassador to Great Britain: WALTER S. GIFFORD (replacing Lewis W. Douglas, chairman of Mutual Life Insurance Co. and director of American Cyanamid Co., who resigned in September, 1950), former chairman, American Telephone and Telegraph Co., director, U.S. Steel Corp., First National Bank of New York, main bank in the Morgan-First National financial interest group.

These wealthy men, the most powerful in the country and representing a financial community with assets of more than one hundred and forty-seven billions of dollars, create the political climate prevailing in Washington. They equate their profit with the nation's welfare. Their ideas, policies and political concepts dominate the government. They influence the President, put a stamp upon the Supreme Court, have a voice in naming its membership, and control Congress. They are one reason, and a powerful one, that President Truman refuses to create a Fair Employment Practices Commission by executive order, as President Roosevelt did. They are one of the reasons he refuses to use his clear power as commander-in-chief of the armed forces to end segregation, discrimination and jim crow in the Army, Navy and Marine Corps of the United States. Both steps would go far to implement the spirit and the fact of the Fourteenth Amendment he is sworn to uphold. The political climate these monopolists generate contributes to an atmosphere in which the Supreme Court upholds the poll tax and refuses to give the due process of law guaranteed by the Fourteenth Amendment to innocent Negroes sentenced to death after being framed by venal courts. They dominate a Congress which has refused to pass a single law returning to those millions of United States citizens who are Negroes the inalienable rights which are theirs under the Constitution; a Congress which in its direct government of the District of Columbia has made the United States capital notorious for segregation, discrimination and oppression on the basis of race.

Their control is equally powerful in the several states. Only recently

the National Association for the Advancement of Colored People addressed a plea to the U.S. Steel Corporation and its Alabama subsidiary, the Tennessee Coal and Iron Company, to stop the *local and state police*-encouraged violence against Negroes in Birmingham, Alabama. Thus, a private corporation was the acknowledged master of the state. The U.S. Steel Company replied that the matter should more "properly" be taken up with its local subsidiary!

A Plea of Guilty

The genocidal policies of the Government of the United States against the Negro people of the United States, against its own citizens, are so evident that the government itself is forced to acknowledge them. The President's Committee on Civil Rights issued a report in 1947 that was a plea of guilty and an admission of crime. Referring to the degradation that envelops American society which permits violence and discrimination on a basis of race, the committee asserts:

"Where the administration of justice is discriminatory, no man can be sure of security. . . . Where a society permits private and arbitrary violence to be done to its members, its own integrity is inevitably corrupted. It cannot permit human beings to be imprisoned or killed in the absence of due process of law without degrading its entire fabric."[35]

The Report admits state complicity in lynching:

"Punishment of lynchers is not accepted as the responsibility of state or local governments. . . . Frequently state officials participate in the crime actively or passively."[36]

The report does not say that frequently federal officials "participate in the crime actively or passively" through failing to apply the Fourteenth and Fifteenth Amendments which would prevent the crime, but it does add, "Federal efforts to punish the crime are resisted." Punishment of crime is often resisted by its perpetrators. Such resistance, however, is not usually regarded as a reason for not attempting punishment.

The Report admits the charges in our indictment. It admits that lynching is genocidal—that it is intended to repress an entire people:

"The almost complete immunity from punishment enjoyed by lynchers is merely a striking form of the broad and general immunity from punishment enjoyed by whites in many communities for less extreme offenses against Negroes. Moreover, lynching is the ultimate threat by which his inferior status is driven home to the Negro."[37]

It admits "killing members of the group" on the basis of race:

35) *To Secure These Rights,* Report of the President's Committee on Civil Rights, p. 6.
36) *Ibid.,* p. 23.
37) *Ibid.,* p. 24.

"As a terrorist device, it reinforces all the other disabilities placed upon him."

It admits "serious mental harm to members of the group" on the basis of race:

"The threat of lynching always hangs over the head of the Southern Negro, the knowledge that a misinterpreted word or action can lead to his death is a dreadful burden."[38]

This official plea of guilty admits state responsibility and guilt:

"We must also report more widespread and varied forms of official misconduct. These include violent physical attacks by police officers on members of minority groups, the use of third degree methods to extort confessions, and brutality against prisoners. . . . Much of the illegal action which was brought to the attention of the Committee is centered in the south. There is evidence of lawless police action against whites and Negroes alike, but *the dominant pattern is that of race prejudice"* (italics ours).

"J. Edgar Hoover referred, in his testimony before the Committee, to a particular jail where 'it was seldom that a Negro man or woman was incarcerated who was not given a severe beating, which started off with a pistol whipping and ended with a rubber hose." (This is standard practice in many communities.) "The files of the Department" (the federal Department of Justice) "abound with evidence of illegal official action in southern states. . . ." (But nothing is done about it.) "We are convinced . . . that the incidence of police brutality against Negroes is disturbingly high."[39] (Words in parentheses added.)

Gradualism

The Report of the President's Committee would have been more effective if something had been done about it. Congress, as we have noted, failed to enact any of its recommendations into law, failed to give the Negro that equality before the law to which he is entitled by the terms of the Fourteenth Amendment and the United Nations Charter. The President did not fight for his Committee's proposals, despite his oath of office swearing to uphold the Constitution. He did not even put into effect those which were completely in his power.

Such failures are often excused by the theory of "gradualism." This concept of gradual, evolutionary improvement of the plight of the Negro people has been held in the United States for more than three hundred years—but increasingly Negroes are subject to mass murder, segregation and discrimination on the basis of race. Gradualism flourished particularly during the two hundred years and more of slavery. Then it was proposed to eliminate slavery "gradually," usually by colonizing slaves elsewhere very gradually, but the institution, constantly increasing in size and power, was not extirpated until the Civil War when it was done suddenly rather than gradually.

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38) *Ibid.*, p. 25.
39) *Ibid.*, pp. 25, 26, 27.

We Negro petitioners have grown a little impatient with this three-hundred-year-old theory. We still suffer from genocide, and while gradualism may be attractive to academicians, politicians, statisticians, it is a good deal less so to us. There were those who hailed the Report of the President's Committee "as a great step forward." We cannot forbear from pointing out, however, that most of the crimes of which we here complain occurred *after* the President's report, that the Martinsville Seven were killed after it, that Willie McGee was murdered after it, that segregation, discrimination and oppression continued after it and are continuing. The truth is the entire Negro people of the United States are increasingly suffering from genocide.

Even as we write this petition for relief, the killings go on day by day and hour by hour. During the month of May, 1951, for example, the police department of Columbus, Georgia, ushered in that month by a midnight orgy of violence against scores of Negroes, many of them soldiers of the United States. Police invaded Negro restaurants and bars of the Georgia city, beating hundreds of diners indiscriminately, seriously injuring one hundred, many of whom were pistol-whipped and clubbed into unconsciousness.

Twenty-four hours later, a patrolman of Cheraw, South Carolina, took Cartha Johnson, a Negro furniture worker, from the factory in which he worked and beat him so badly in the local jail that Johnson lost one eye and is threatened with blindness in the other.

Not long later and not far away in the South Carolina town of Beaufort, Smith Harvey was sentenced to death for defending himself against a mob of white hoodlums who had demanded that Harvey "get them some Negro woman."

On May 6, Ku Klux Klansmen of Birmingham, Alabama, wearing the regalia of their order, burned two Negro homes because their owners had moved from the Negro ghetto. Two weeks later, in neighboring Fairfield, four hundred Negro families were made homeless when fire departments called to extinguish the fire destroying their homes instead stood idly by.

And also in May and also in Georgia, Sheriff Thomas Bragg of Hawkinsville shot and killed two soldiers of the United States while they were his manacled prisoners. The soldiers were Negroes.

In Detroit, Michigan, Charles Gordy, Sr. was sentenced to life imprisonment for defending his son and his home from an illegal attack of police who later machine-gunned the Gordy residence.

And Edward Honeycutt in Louisiana was executed in that state's portable electric chair on the charge of "rape."

And in Norfolk, Virginia, on May 28, the Reverend Joseph Mann was burned to death by a mob, which drenched his clothing in gasoline before

igniting them, for preaching a sermon against segregation.

And in New York on the same day Henry Fields was shot to death by patrolman Samuel Appelbaum after a minor traffic accident. Grand juries twice failed to indict the white police officer, despite widespread public protest.

In Cicero, Illinois, a "mob" under the very eyes of police, burned and looted the home of the first Negro to move into a housing development. In nearby Chicago, one of the nation's outstanding chemists, a Negro, received the same treatment—and to top this, was barred from the Union League Club, although voted Chicago's "Number One Citizen."

And nothing is done about these crimes.

There have been reports—many of them. But nothing is done.

That is why we are tired of gradualism.

Jim Crow in the Armed Forces

Segregation and discrimination in the armed forces of the United States, a segregation which violates the Charter of the United Nations and results in genocide within the terms of the Genocide Convention, has long been the avowed policy of the Federal Government. Under the Constitution of the United States, the President is the commander-in-chief of the Army, Navy and Marine Corps. It is mandatory and basic that his orders be obeyed. Now and again he has issued equivocal "orders" to end discrimination and segregation in the armed forces. These "orders" have been so consistently flouted and with such immunity from discipline that it is generally thought the orders were not seriously meant to be obeyed. In fact, when the first such order was issued, Gen. Bradley, then Chief of Staff, openly announced it would mean "no change" in the Army. Negro soldiers are still segregated into special units in the Army, units usually used for labor and trucking. In the Navy and Marines, Negroes are virtually always held to cooking and other menial tasks.

". . . the records show," says the President's Committee on Civil Rights, "that the members of several minorities, fighting and dying for the survival of the nation in which they met bitter prejudice, found there was discrimination against them even as they fell in battle."

Since nothing concrete was done to carry out the recommendations of the President's Committee the situation concerning "discrimination against them even as they fell in battle" continues to this day in Korea. Thurgood Marshall, special counsel for the National Association for the Advancement of Colored People, found after an investigation in Korea that members of segregated regiments of American Negro soldiers were being court martialled and sentenced to prison in numbers so far exceeding those of white soldiers that there were ample grounds for believing that the courts martial were on the basis of race rather than of conduct

in battle. This in itself is an instance of "serious bodily or mental harm to members of the group."

As a result of these findings, and other protest, President Truman was forced to commute the death sentence meted out Second Lieutenant Leon Gilbert to twenty years in prison. Moreover, American soldiers who happened to be Negroes have been so often killed or beaten with impunity for no offense by peace officers in the South that it can be said to form a social pattern. The uniform of an American soldier receives no respect if its wearer is a Negro in the South, where he is the subject of as much discrimination, segregation and violence as if he were a civilian.

On the subject of *Negro GI Frameups,* a survey issued by the Congress for Civil Rights, says:

"Other instances of brutality toward Negro troops in Korea include the following:

a. On November 4, James Hicks reported in the Baltimore *Afro-American* that at least 11 Negro soldiers of the all-Negro 24th Infantry Regiment in Korea had been given the 'Gilbert treatment.' He reported more Negro GI's court-martialled on charges of misconduct before the enemy. Hicks wrote of seeing convicted men in a train in South Japan under armed guard, being sent to Army stockades. His story reported the spectacle made when Negro GI prisoners arrived in Japan and were met by armed guards who formed a semi-circle before their train door with drawn guns and marched the men in columns of two to a waiting truck.

b. On December 21, 1950 the New York *Daily Worker* reported the sentencing of GI M/Sgt. Paul Paulfrey to 20 years at hard labor for alleged 'misconduct' in Korea.

c. The NAACP *News Report* of November 16, 1950 revealed that letters from Negro GI troops in Korea begged the NAACP (the National Association for the Advancement of Colored People) to 'investigate the mass persecution' of the men of the 24th Infantry Regiment. One letter from a Negro GI said: 'We are being court-martialled and sentenced to prison for life—not one or two of us but in groups of four's and five's.' Another letter from a GI sentenced to 10 years imprisonment complained: 'I don't think I had an even break. . . . It seems as though the Negroes are the only ones to get a lot of time. . . .'

d. The *Amsterdam News* of February 23, 1951, reported that investigations of U.S. Army practices in Korea and Japan by Thurgood Marshall, special counsel for the National Association for the Advancement of Colored People, would reveal the following:

> 1) That Army authorities are prosecuting a greater portion of Negro soldiers than whites on charges of cowardice.
>
> 2) That far heavier sentences are imposed on Negroes and that only eight white soldiers had been accused of violating the 75th Article of War as compared with 60 Negro GI's.

Marshall stated that the report of his findings filed with General MacArthur revealed the following:

1) 32 Negroes and only two whites had been convicted for alleged infraction of Article of War 75. The white GI's received sentences of 3 and 5 years. Of 32 Negroes convicted, fifteen were sentenced to life, one (Lt. Gilbert) to death; one to 50 years and 15 from five to twenty-five years.

2) He had talked with about 70 enlisted men from every company and battery of the 24th Infantry Regiment and the 159th Field Artillery attached to the 24th, and all believed that the conviction of Negro GI's had been 'excessively harsh.'

"In spite of continued protests, the U.S. Army has shown no indication of fundamentally altering its Jim-Crow policy toward Negro troops in Korea...."[40]

The President's Committee On Civil Rights in October 1947, itself admitted the President's "orders" against segregation were openly disregarded in the armed services.

"Within the services, studies made within the last year disclose that actual experience has been out of keeping with the declarations of policy on discrimination.

"In the Army, less than one Negro in 70 is commissioned, while there is one white officer for approximately every seven white enlisted men. In the Navy, there are only two Negro officers in a ratio of less than one to 10,000 Negro enlisted men; there are 58,571 white officers, or one for every seven enlisted whites. The Marine Corps has 7,798 officers, none of whom is a Negro, though there are 2,190 Negro enlisted men. Out of the 2,981 Coast Guard officers, one is a Negro; there are 910 Negro enlisted men. The ratio of white Coast Guard commissioned to enlisted personnel is approximately one to six.

"Similarly in the enlisted grades, there is exceedingly high concentration of Negroes in the lowest ratings, particularly in the Navy, the Marine Corps and the Coast Guard. Almost 80 percent of the Negro sailors are serving as cooks, stewards and steward's mates; less than two percent of the whites are assigned to duty in the same capacity. Almost 15 percent of all white enlisted marines are in the three highest grades; less than 2½ percent of the Negro marines fall in the same category. The disparities in the Coast Guard are similarly great. The difference in the Army is somewhat smaller, but still significant. Less than nine percent of the Negro personnel are in the first three grades, while almost 16 percent of the whites hold these ranks.

"Many factors other than discrimination contribute to this result. However, it is clear that discrimination is one of the major elements which keeps the services from attaining the objectives which they have set for themselves.

"The admission of minorities to service academies and other service schools is another area in which the armed forces have enjoyed relatively little success in their efforts to eliminate discrimination. With regard to schools within the services, the disparities indicate that selection for advanced training is doubtless often made on a color basis. As for the service academies, in the course of the last seventy-five years to Military Academy at West Point admitted a total of only thirty-seven Negro cadets, while the Naval Academy at Annapolis admitted only six. The Coast Guard Academy, while it selects

40) *A Survey of Major Developments in the Year* 1950 *With Respect to the Negro People in the United States,* pp. 6, 7, 8.

applicants on the basis of open, competitive examinations without regard to color, has no knowledge of any Negro ever having been accepted. The absence of Negroes from the service academies is unfortunate because it means that our officers are trained in an undemocratic environment and are denied the opportunity to learn at an early stage in their service careers that men of different races can work and fight together harmoniously.

"State authorities promulgate the regulations concerning enlistment of Negroes and the formation of Negro units in the National Guard. Most states do not have Negro units; of those that do, all but three require segregation by regulation. Of thirty-four states answering on inquiry made by the President's Advisory Commission on Universal Training, only two permit the integration of Negroes with white units. The Commission, commenting on discrimination, observed that it 'considers harmful the policies of the states that exclude Negroes from their National Guard units. The civilian components should be expanded to include all segments of our population without segregation or discrimination. Total defense requires the participation of all citizens in our defense forces.'

"Looking to the future, the Commission also found that some of the present practices of the armed forces would negate many of the benefits of that proposed universal training program. Speaking of this program it said:

> '. . . it must provide equality of privilege and opportunity for all those upon whom this obligation rests. Neither in the training itself, nor in the organization of any phase of this program, should there be discrimination for or against any person or group because of his race, class, national origin, or religion. Segregation or special privilege in any form should have no place in the program. To permit them would nullify the important living lesson in citizenship which such training can give. *Nothing could be more tragic for the future attitude of our people, and for the unity of our nation, than a program in which our Federal Government forced our young manhood to live for a period of time in an atmosphere which emphasized or bred class or racial differences.*' "[41]

The words we have emphasized are explicit admission of the genocidal nature of segregation. The fact is that for all their lives—not just "a period of time"—the entire Negro people, not just a few—must live in the United States. Because of the lamentable fact that nothing has been done to implement the report of the President's Committee on Civil Rights, the discriminatory ratios cited above still maintain in the armed forces of the United States. Such segregation trains, encourages, and prepares for discrimination and violence on the basis of race. Not only does the segregation and discrimination in American armed forces authorized by the Government of the United States violate all the articles of the Charter of the United Nations which provide for "human rights and fundamental freedoms for all *without distinction as to race* . . .", but in addition it makes for genocide. It inevitably results in "serious bodily or mental harm to members of the group" when it does not actually result

41) To Secure These Rights, pp. 42, 43.

in "killing members of the group." The higher ratio of imprisonment and execution after courts martial among Negro soldiers as compared with white, as well as the cases cited above, proves this a fact.

The District of Columbia

Equally clear and indisputable is the complicity and guilt of the Government of the United States in the genocide committed in the District of Columbia, the nation's capital. This is governed under the direct authority of Congress. Here there can be no specious arguments about "States rights" or "separation of powers." The nation's capital is notorious for that segregation which inevitably leads to "killing members of the group," to "serious bodily or mental harm to members of the group," to "deliberately inflicting on the group conditions of life calculated to bring about its destruction in whole or in part."

In Washington, D.C., Negroes are denied entry to most hospitals. We have previously listed typical instances of Negroes dying as the result of being refused admission to hospitals in Washington. The Washington ghettos, some of the worst in the country, are cesspools of disease and poverty, admittedly shortening the lives of those who live in them, manifestly cases of "deliberately inflicting on the group conditions of life calculated to bring about its destruction in whole or in part." And the segregation in Washington which bars Negroes from the best playgrounds and parks, from decent living quarters, from restaurants, hotels and places of entertainment, is a breeder of police violence against Negroes. If Negroes as a matter of law are not fit for the normal privileges of citizenship, then they are not entitled to humane treatment, according to the apparent reasoning of Washington police.

Negro schools, segregated schools, are inferior to white schools in almost every respect, according to the report of the President's Committee in 1947. Nothing has changed since then. White school buildings have a capacity which is 27 percent greater than actual attendance. In Negro schools enrollment *exceeds* capacity by 8 percent.

Negroes in Washington are being increasingly packed into a few overcrowded slums. They are held and imprisoned there by the legal device of the restrictive covenant which bars them from better places to live. In 1940, one-eighth of the white dwellings were substandard. But 40 percent of the dwellings occupied by Negroes were substandard.

Discrimination against Negroes in employment in the District of Columbia is general both by private concerns and by the United States Government. Almost a quarter of the complaints brought before the FEPC in the fiscal year 1943-44 were brought by Negroes charging the Federal Government with discrimination against them in the matter of employment. Once employed by the government, a survey of one Gov-

ernment bureau indicated, it took a Negro employee seven times longer to receive a promotion than was required for a white colleague doing similar work. An official of the District of Columbia was quoted as declaring, "Negroes in the District of Columbia have no right to ask for jobs on a basis of merit." In 1940, according to Government statistics, three quarters of the Negro workers in Washington, D.C., were employed as domestics, laborers, or service workers. Only one-eighth of white workers were so employed.

Although sickness rates are higher among Negroes in Washington, D.C. than among whites, four of its twelve private hospitals will not admit Negroes and the remainder admit only a few in segregated wards.

The authority of the Government of the United States to end segregation and discrimination in Washington, D.C. is complete.

So is its failure to use that authority.

The Panama Canal Zone

"Segregation has not been enforced by the states alone," says the report of the President's Committee on Civil Rights.[42] "The Federal Government has tolerated it even where it has full authority to eliminate it. We have already examined the situation in the armed forces. Another prominent example is the record in the Panama Canal Zone."

The Panama Canal Zone is completely under the authority of the Government of the United States. And in the Canal Zone exists the most complete and strictest system of segregation among its thousands of employees. White employees are known as "Gold employees" and Negro employees designated as "Silver Employees." Under this system, separate and unequal facilities are maintained for Negroes, who live in inferior "Silver" dormitories, eat in inferior "Silver" restaurants, buy in inferior "Silver" commissaries, play in inferior "Silver" recreational establishments, and receive vastly inferior "Silver" pay. All this "Gold" and "Silver" segregation is completely maintained by the Federal Government.

Other Governmental Discrimination

Discrimination permeates almost every facet and every activity of the Federal Government. Thus the official *Underwriting Manual* of the Federal Housing Administration approves jim crow housing by warning against mortgage risks as a result of "inharmonious racial groups." The Federal Housing Administration, moreover, continues to extend the benefits of mortgage insurance without regard to whether those benefited engage in discrimination, according to a 1950 report of the American Jewish Congress and the National Association for the Advancement of Colored People.

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42) Pp. 79, 80.

A survey by Dr. Richard Sterner, under the auspices of the Carnegie Foundation revealed in 1942 that Negroes were often discriminated against in the administration of government services. Sometimes laws are so written that the majority of Negroes are exempted from benefits provided even though they need them most. "Thus," according to the report of the President's Committee on Civil Rights in 1947, "the old age and survivors' insurance and unemployment compensation system do not cover agriculture, domestic service, and self-employed persons. Sixty-five percent of all Negro workers fall into these categories compared with 40 percent of all white workers."

And Dr. Sterner found that although Negroes have a greater need for old age assistance than whites, average grants in the Federal Old Age Assistance Program were lower for Negroes than for whites. He also found that the benefits paid by the Federal Farm Security Administration were less for Negroes than for whites. In addition, he found that discrimination against Negroes, both in payments and in numbers helped, can be cited in government aid to the blind, and for the care of delinquent, destitute and handicapped children.

But the greatest of all discriminations constantly perpetrated against the Negro people by the Government of the United States is the refusal of the Department of Justice, Congress and the Supreme Court to give the Negro that equality before the law guaranteed by the Fourteenth Amendment. This is another way of saying that these agencies of the Federal Government refuse to give the Negro the protection of the law granted other citizens as a matter of course. As a result he is the constant prey of the lawless, fair game for the criminal of high and low degree.

The Department of Justice, under the Attorney General, is the law enforcement agency of the Federal Government. As such it receives complaints of violations of the Federal law, investigates them through the Federal Bureau of Investigation and prosecutes them through Federal District Attorneys in the Federal Courts. Because of the frequency with which complaints were received, usually from Negro citizens, alleging violations of civil rights, a special Civil Rights Section was formed in 1939. This section receives between 1,500 and 2,500 complaints of civil rights violations every year. But in the eight years ending in 1947, out of some 12,000 complaints received, it prosecuted only some 178 cases.

Thus it has been without value in protecting the Negro people from violence, in securing the rights guaranteed them under the Constitution, or in preventing or punishing the crime of genocide. The explanation usually given is that the law makes it impossible for them to obtain convictions. To a layman it seems that the Fourteenth and Fifteenth Amendments, and the resulting Civil Rights Act, are explicit and sufficient, and that all that would be needed to enforce them would be the

determination and will to do so by a President, his Department of Justice, and the Supreme Court. Admittedly the tortuous decisions by which the Supreme Court traditionally holds that the plain and clear laws protecting Negro citizens mean something else, has made it difficult for the Civil Rights Section of the Department of Justice.

But defeatism and unwillingness to act forthrightly have contributed even more to its negative record in the protection of Negro citizens in their rights. The President has failed to enlarge the Section—while multiplying manyfold the Federal Bureau of Investigation and making it a powerful instrument of repression. The President's Committee on Civil Rights suggests that this defeatism, this unwillingness to act forthrightly, may come from the Federal Bureau of Investigation, charged with the investigations upon which the Civil Rights Section is expected to make prosecutions. "There is evidence," says the report on page 123, "in the civil rights cases files in the Department of Justice that the Bureau has sometimes felt that it was burdensome and difficult to undertake as many specific civil rights investigations as are requested. Moreover, investigations have not always been as full as the needs of the situation would warrant. . . . The tendency of FBI agents to work in close cooperation with local police officers has sometimes been detrimental to the handling of civil rights investigations. At times the local officers are themselves under suspicion. Even where this is not so, the victims or witnesses in civil rights cases are apt to be weak and frightened people who are not encouraged to tell their stories freely to federal agents where the latter are working closely with local police officers. Having in general established such a wholly sound relationship, it is sometimes difficult for the FBI agent to break this relationship and to work without, or even against the local police when a civil rights case comes along."

Whatever the reason, the fact remains that the Civil Rights Section, established for the specific purpose of protecting the Negro from the violent abrogation of his civil rights, has failed as definitively in accomplishing this as has every other agency of government.

The Congress

For many years the Congress of the United States has refused to guarantee by adequate law the rights to which the Negro people of the United States are entitled under the Constitution. Every member of the Congress participating in the refusal has violated his oath of office which requires that he uphold the Constitution of the United States including the amendments guaranteeing the Negro people due process of law and equal treatment before it, and specifically guaranteeing the basic right of voting. This historic refusal, repeatedly made over the years, is in

itself an incitement to genocide since it serves as a Federal legislative announcement that a Negro American has no rights that a white American will be forced to respect. It is, moreover, indirect but powerful approval for the several states persecuting Negroes through segregation, venal courts and corrupt police.

Bills providing for the implementation of the civil rights guaranteed Negroes by the Constitution, providing for federal anti-lynching legislation, elimination of the poll-tax, and a Fair Employment Practices Commission to eliminate discrimination in employment, have been introduced again and again in successive Congresses. And again and again they have been defeated, shelved or filibustered to death. Moreover, a political confidence game is regularly played on the Negro people every four years. The two main political parties, acting in convention, quadrennially promise the Negro that at long last he will be given his fundamental rights as a citizen, that thenceforth he will be more than a voiceless automaton whose function is only to contribute to monopoly's profits, that from now on he will be protected from violence and bloodshed. Regularly made, these promises are just as regularly betrayed in Congress after Congress.

The technique of betrayal has become an institution known as the "Gentlemen's Agreement." More accurately it is the "sell-out" in which Congressional leaders of the Republican and Democratic parties agree not to permit legislation providing for full Negro citizenship to come up for a vote. It is a pledge of continued oppression and bloodshed, its observance depending solely on the word of the "gentlemen" in Congress. The pledge has never been violated. Amendments and the filibuster are also used to cheat the Negro American out of the protection he is entitled to as a United States citizen.

The report for 1950 by the National Association for the Advancement of Colored People and the American Jewish Congress has this to say about the record of Congress in the latest year:

"No substantial action was taken on the comprehensive civil rights bill, the poll-tax or anti-lynching bills, the prohibition of segregation in interstate commerce or the armed forces or any of the bills for self-government or equality in the District of Columbia. . . . The FEPC Bill was gutted in the House of Representatives and filibustered to death in the Senate."

In commenting on this quotation and the report from which it comes, another report on the plight of the Negro in 1950 prepared by the Civil Rights Congress, says the following:

"The report fails to link this with the aggressive war policy of the bi-partisan Truman Administration and fails to note the signal refusal of the Truman Administration even to make a pretense of effort to enact vital legislation in the interests of the Negro people.

"Nor does it mention the fact that at the same time that five thousand delegates assembled in a Crusade to Washington in January, 1950, to press for the enactment of the FEPC legislation, President Truman had gone on a fishing trip to Key West, Florida, and refused to lift a finger to win his own party members to support the Bill.

"This absolute refusal by Congress to pass any significant civil rights legislation in 1950, and the failure of the Democratic Party even to go through the pretense of fighting for it can be interpreted in no other way than as a product of the aggressive war policy of the American ruling class. The passage of the McCarran Act, which would make the very advocacy of civil rights a crime, reveals further that Congress not only failed to pass beneficial civil-rights legislation, but actually took a major step toward denying the Negro people and their white allies the right even to petition for civil rights in the future. Thus, the record of the legislative branch of government in 1950 was actually one of attack on the rights and lives of the Negro masses."

Document D of our Appendix shows in some detail the tone, temper and maneuvers of Congress from January 16, 1950 to September 21, 1950. It is filled with racist attacks on minorities, punctuated by slanders against the Negro people.

The Supreme Court

The record of the Supreme Court in buttressing the tyranny directed against the Negro people is particularly revolting because it has decorated oppression with legal pomposity, excused genocide by every legal circumlocution found in the lexicon of law and precedent. Its record is peculiarly painful in that it has used the righteous tone of legal language to authorize murder and to permit that segregation which inevitably leads to mass slayings on the basis of race. With synthetic independence and with Olympian gestures it has handed over 15,000,000 Americans to oppression and grief. For generations it has avoided the obvious intent, the plain unambiguous words, the clear, self-evident meaning of the Fourteenth and Fifteenth Amendments. Instead it has declared with all the majesty of its position, with all the spurious dignity that legal trappings can endow, that United States Negroes cannot be effectively protected by their own government from segregation, disfranchisement and violence. No amount of legal theory or twistings concerning state rights can palliate its crime. It has delivered a people—Americans it was supposed to protect—to degradation and violence.

Indeed it has done even more than this. It has used the very provision that was to protect Negroes to enrich the monopoly that oppressed them. It found that the Fourteenth Amendment was not meant for the protection of the Negro but for the protection of powerful corporations. From 1868 to 1912, the Supreme Court rendered 604 decisions based upon the Fourteenth Amendment, of which 312 concerned corporations. There were twenty-eight appeals to the Court involving Negro rights under the

Fourteenth Amendment, of which twenty-two were decided adversely.

As late as 1945, in the case of *Screws* v. *United States,* the Supreme Court found that the Fourteenth Amendment, providing that Negroes should be allowed due process of law, did not apply to a Negro beaten to death by police before trial after he had been arrested and charged with theft of a tire. But it is in upholding segregation that the Supreme Court has been, and continues to be particularly adamant. Repeatedly it has held that segregation is not a violation of the Fourteenth Amendment providing for equality of treatment, on the theory that segregation is legal if "separate but equal" accommodations are provided. The obvious and easily provable fact that accommodations provided for Negroes are virtually never equal but always inferior, has not shaken the Court. Mr. Justice Harlan, in a powerful dissent still valid today, charged his colleagues in 1896 with emasculating the Thirteenth and Fourteenth Amendments by upholding segregation. He wrote in *Plessy* v. *Ferguson*:

> "Our Constitution is color blind, and neither knows nor tolerates classes among citizens. . . . We boast of the freedom enjoyed by our people above all other peoples. But it is difficult to reconcile that boast with a state of law which practically puts the brand of servitude and degradation upon a large class of our fellow citizens, our equals before the law. The thin disguise of 'equal' accommodations . . . will not mislead anyone, or atone for the wrong this day done."

While the Supreme Court in 1945 ruled against the Democratic white primary in *Smith* v. *Allright,* in June of 1951 it upheld the poll tax, another device for preventing Negroes from voting. And if the Supreme Court's 1945 decision tended to aid the Negro in his fight for the vote, it was nullified by the Federal Government's failure to enforce it through police action. The failure of Federal prosecution enables Southern states to thwart it successfully. Similarly adverse decisions by the Court as to segregation by zoning are circumvented by the restrictive covenant which the Supreme Court in June, 1951, held can be enforced through suit in civil courts. The Court, moreover, has made no attack on the widespread general segregation enforced through the laws of many states over a wide section of the United States, a segregation which is the source and breeding place of the genocide directed against the Negro people.

Rather the Court apparently seeks the appearance of liberality by attacking the problem on its periphery, by decisions which do not change the overwhelming fact of segregation. John Pittman, analyzing a group of decisions concerning Negro rights made by the Supreme Court on October 9, 1950, writes in *Masses & Mainstream* of February and January 2, 1951:

"On last October 9, the Supreme Court rejected an appeal by Atlanta school teachers seeking to establish a basis for their demand for salary equalization. Since teachers form the bulk of the urban Negro middle class, this decision condemned the Negro middle class to a lower standard of living than the white middle class. It froze the present status of Negro school teachers.

"A second decision refused to review Senator Glen Taylor's appeal from a conviction of 'disorderly conduct' for insisting on entering a door in Birmingham marked 'Negro Entrance.' This decision froze the segregation status of Negroes.

"A third decision rejected an appeal by Oklahoma City Negroes who had bought homes from white property owners who had covenanted with other white property owners not to sell to Negroes. Oklahoma courts had cancelled the sales. Although the Supreme Court had ruled in 1949 that courts could not enforce restrictive covenants, in the Oklahoma case it reversed itself, restored the legality of one of the main devices for perpetuating the ghetto, and buttressed its 1949 decision approving Metropolitan Life Insurance Company's Jim-Crow policy at New York's big Stuyvesant Town housing development.

"Twice the Supreme Court rejected the appeal of the seven Martinsville, Virginia, frameup victims, condemned to death on the old lynching pretext of an alleged rape of a white woman. In its latest decision, January 2, 1951, it ignored the issues of the guilt of the accused, their trial and conviction by a lily-white jury and the fact that the State of Virginia in all its history had never executed a white man for rape, reserving the death penalty solely for Negroes. This decision froze the practice of lynch-justice throughout the country.

"However, although side-stepping the separate-but-equal issue, the Supreme Court did hold in favor of Negro petitioners for the right to attend colleges and universities in states which do not provide equal facilities for Negroes only. This has resulted in about 200 Negro students being admitted to professional schools and colleges throughout the South.

"If therefore the U.S. Supreme Court's ruling in favor of Negroes seeking professional or higher education—a number permanently limited by economic factors—be set against the court's bulwarking of the Jim-Crow system in housing, economic opportunity and places of public accommodation, and its blessings for the system of lynch-justice, the balance will clearly reflect the policy of yielding paltry concessions to the middle and upper class, while perpetuating the status of the masses."

In summarizing the guilt of the Federal Government in creating and conserving the conditions for genocide, it might be well to repeat the words of Milton R. Konvitz, Associate Professor, School of Industrial and Labor Relations, Cornell University:

"Congress has refused to pass laws to declare the poll-tax illegal; to make discrimination in private employment in interstate commerce a crime; to define and guarantee civil rights in the District of Columbia. The Supreme Court has failed to declare Jim-Crowism in intrastate commerce unconstitutional; to outlaw segregation in schools as a denial of due process or equal protection of the law; to outlaw the restrictive covenant in the sale or rental

of property; to declare the poll-tax an unconstitutional tax on a federally guaranteed right or privilege. The Supreme Court has placed the Negro at the mercy of the individual states; they alone have the power to define and guarantee civil rights. . . ."

And all these failures contribute heavily to genocide, to killing on the basis of race, to a segregation "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part," to causing "serious bodily and mental harm to members of the group."

* * *

In concluding this section on conspiracy to commit genocide in violation of Article III of the Genocide Convention, we submit that we have proved that such conspiracy is a fact, that the several branches and departments of the Government of the United States combine with state governments and the financial community to the accomplishment of the conspiracy's goal. We have shown the motive of the conspiracy and we have shown its methods. We have proved that monopoly profits from it to the sum of four billions of dollars yearly; that through killing part of the Negro people on the basis of race, monopoly exploits the remainder; that through the genocide practiced against the Negro people, monopoly secures political and economic control of the entire American people, that this genocide in short is the decisive link in the chain that binds Americans to the plans and profits of Wall Street. We have proved that both state and Federal governments are the creatures of monopoly; that as a part of this conspiracy a political party ran on an open platform of white supremacy; that states charter, and the Federal Government permits, the operation of a score of terrorist societies devoted to organized violence against the Negro people; that as a further part of the conspiracy, the Negro people are deprived of the vote, weakening potential mass movements for peace and economic and political democracy; that in furtherance of the conspiracy a mass of racist Hitler-like law has been written and is enforced by the various states; that the Federal Government authorizes and permits segregation in the armed forces of the United States, in Washington, D.C., the Panama Canal Zone, as well as the various states of the United States, well knowing that such segregation inevitably results in genocide.

We further submit that we have proved that the President of the United States, the executive head of the Government of the United States, Congress, and the Supreme Court, long have and are now synchronizing their acts and failures to act to accomplish the genocidal ends of this conspiracy of which they themselves are members. The fact that they characterize this genocide and that which makes it possible as only

the "American system" of states rights or of checks and balances makes it not a whit less deadly.

ARTICLE III (c). DIRECT AND PUBLIC INCITEMENT TO COMMIT GENOCIDE

The mouthings of white supremacists, the polemics of racists, echo constantly over the land, insisting that the Negro, by law if possible and by force if necessary, be imprisoned in an inferior status. The threat of violence is the common denominator to all these incitements, which play no small part in the resulting mass murder on the basis of race, whether they concern pleas for the preservation of the segregated school system, the white primary, or "the purity of white womanhood." There is scarcely anyone, too low in reputation or too high in official position, particularly in the South, who does not feel qualified to threaten Negro Americans if they do not keep their "place." The high falutin' speech paying tribute to the slave holders' Confederacy of the past and promising vengeance on any Negro who dares exercise his rights in the present is almost an American art form, specifically in the South where it is as stylized as the sonnet. It is a part of the standard equipment of Governors, Kleagles, and Senators, of sheriffs, businessmen and congressmen, and all too frequently it is spread to millions by means of the radio.

There follows a sample of the kind of incitement which has become an American institution in which the threats are direct enough to any who know the delicate nuances of the Southland. Proof that the threats are understood is offered by the Negro dead, the Negro maimed, and that fractional number of cases described here. These incitements are not arranged by date but rather by their representative and typical quality.

GOVERNOR HERMAN TALMADGE, of *Georgia,* in a radio address on October 22, 1949, said in speaking of the struggle of Negro Americans for their rights under the Fourteenth and Fifteenth Amendments: "We intend to *fight hand to hand with our weapons* and we will never submit to one inch of encroachment on our traditional pattern of segregation." (Italics ours.) He further said on this occasion when he described the Negro aspiration for legal American rights as "dangerous and revolutionary." "We shall fight this dastardly effort with all the strength and resources we have. . . . We will fight them in the state courts. We will fight them in the federal courts. *We will fight them in the countries and cities.*" (Italics ours.) It was at this point that the Governor added his threat of "hand to hand" fighting "with all our weapons."

SENATOR THEODORE BILBO, of *Mississippi,* made a radio speech on June 22, 1946, in which he advised the murder of Negroes attempting to vote in the July 2 primaries of that year. Urging "every red-blooded Anglo-Saxon man in Mississippi to resort to any means to keep hundreds of Negroes from the polls," he suggestively added that he had defended eleven people charged with murder and that all had been acquitted. "Use any means to keep them

from the polls," he continued, "and if you don't know what I'm talking about you're not up on modern means of prevention." On August 9, 1946, again speaking over the radio, this time over the Mutual Broadcasting System, he announced his membership in the Ku Klux Klan, and said: "I say the best way to keep a n——r from the polls is to see him the night before."

On June 29. 1945, Bilbo told a reporter the story of a lynching with chuckles of laughter. A month later he wrote Mrs. Dollie Mason and Mr. Critt McSwain, of Detroit, Michigan, addressing them as "My dear n——r friends." In his letter he predicted another race riot against Negroes in Detroit. *The Congressional Record* for July 24, 1945 contains the following remarks by Bilbo: "I prophesy that with the return of these million or more Negro soldiers that have been coddled and misled into believing that as a result of this war they are coming back to America and will be permitted all the social and political rights that are the province of the white man in a white man's country, I prophesy that hell is going to break loose in Georgia and from the Great Lakes to the Gulf." He also said, "The Negro race with 3,000 years behind it in Africa has made no progress at all. Many are still cannibalistic . . ."

On *January* 4, 1947, Southern Democrats launched a filibuster to prevent the organization of the Senate because of its refusal to administer the oath of office to Bilbo "forthwith." The Senate tabled motions to seat Bilbo at once. So, Allen J. Ellender of Louisiana, who had been in charge of the Senate investigation into the terror against Negroes in Mississippi and had whitewashed that terror, stated that the Senate refused to seat Bilbo because "they wanted to capture the n——r vote." The filibuster was broken after two days with Bilbo not being sworn in. Bilbo went to New Orleans, La., for an operation and the Senate decided that until his return, his credentials would lie on the table "without prejudice and without action." Bilbo in the meantime was to draw salary for himself and his staff. This compromise was not necessary, since each House has jurisdiction over the qualifications of its members. Bilbo died on August 21, 1947, of cancer of the mouth, without having been deprived of his seat.

SENATOR JAMES O. EASTLAND of *Mississippi,* during the course of a speech before the United States Senate, on June 28, 1945 charged that Negro soldiers had raped white women in Europe. Eastland made the inflammatory and later disproved statement that French Senegalese troops, Negro colonials, had raped 5000 German women in a Stuttgart subway. The local French consulate, in a communication with the U.S. State Department, formally protested Eastland's charges as untrue. Allied Supreme Headquarters, on July 6, after a week-long investigation, denied the charge. Not one voice in the Senate was raised to protest his charges, either during or following his June 28 spech. *On October* 12, 1945, Senator Eastland boasted to a delegation from organized CIO plants that secret white committees are forming in Mississippi, wherever necessary, to prevent Negroes from voting. *The Congressional Record for January* 25, 1946, carried a threat by Senator Eastland that if the FEPC became law he would "take great pleasure in nullifying its provisions." He predicted Klan terror and lynchings on the scale that occurred towards the end of the Reconstruction period.

MAYOR JEFFRIES of *Detroit, Michigan,* in his 1945 campaign for re-election, distributed leaflets attacking Negroes and Jews.

SENATOR ALLEN J. ELLENDER of *Louisiana* declared on the floor of the Senate

in June, 1946: "I believe in white supremacy, and as long as I am in the Senate I expect to fight for white supremacy, because I can see that . . . if the amalgamation of whites and Negroes in this country is permitted, there will be a mongrel race, and there will come to pass the identical condition under which Egypt, India, and other civilizations decayed. . . . A race which has not shown creative genius may be assumed to be an unfit type so far as progress in civilization is concerned and is a matter of concern for the eugenist. Those who seek to maintain the white race in its purity within the United States are working in harmony with the ideals of eugenics. Asiatic exclusion and Negro repatriation are expressions of the eugenic ideal."

SENATOR JOHN SPARKMAN of *Alabama,* campaigning at Huntington College, Montgomery, Alabama, declared on September 24, 1948: "I, as your Senator, will continue to fight as I have fought in the past twelve years against the imposition of civil rights legislation upon the South."

A direct incitement for lynch violence against ROBERT DURR, Negro editor by Frederick Sullens, editor of the Jackson, Miss. *Daily News.* Durr had written to Sullens requesting that he print the truth about the recent Magee, Mississippi, incident where three Negro families had been driven into swamps and hunted down with rifles and bloodhounds. Sullens printed Durr's letter with the heading: "An Impudent Letter from a Birmingham Negro Editor." Durr wrote: "Postal regulations forbid the saying of exactly what should be said concerning the impudent writer of the above letter." Sullens lauded the posse of 300 that hunted down the Negroes in Magee, and went on: "It suffices to say that when race riots are started in this nation, if it happens, Negroes like Robert Durr will be largely responsible and should be the first to receive attention."

WILLIAM LINDLEY, president of the Florida Peace Officers Association, said in the course of a state-wide meeting held in January, 1946, in *St. Augustine, Florida,* that Negro veterans must be "kept in their place." He spoke of the Negro veterans as "Eleanor's chosen children" and added: "Those boys are ready to attack policemen, sometimes with guns, if they are roughed up a little." Lindsey spoke also of intermarriage between Negro GIs and British and French women, and said that the Negro soldiers "are now coming back expecting to marry our girls." He identified the Negro veterans with the psycho-neurotics. Lindsey said also that the Florida Police Chiefs Association had authorized payment of money for legal aid to officers. At the end of his speech he declared: "These boys are coming back pretending to be heroes without even having seen a gun unless they stole one and smuggled it in. We've got to keep them in their places."

HUGH DUBROSE, editor of the Radio News, of *Birmingham, Alabama,* wrote a signed article condemning the march of Negroes on the county courthouse in a demonstration for their right to vote. Dubrose wrote in part: "The best proof that I have to offer is that our Committee of Public Information comes up with the report that within a few hours of the Negro march on the courthouse, plans were under way to organize, or reorganize, the Ku Klux Klan."

Following are representative incitements by vigilant organizations and their leaders as well as excerpts from racist writers:

THE UNITED SONS OF DIXIE, incorporated, December 28, 1943, in *Tennessee,* operated as the Ku Klux wartime front. Its oath included: "Should these

United States of America be a white man's or negro's country? Do we want another Pearl Harbor from the negro in this country? Will you fight to make the U.S.A. a white man's country?"

A secret oath required of all members of the *United Sons of Dixie* was taken orally, as follows: "I promise and swear to provide myself with a good gun, and plenty of ammunition, and to be ready when the n——r starts trouble, to do all in my power to give him plenty. I further promise and swear not to take any excuses, but to make good ones of them, as the only good n——s are dead ones."

In the Ritual *of the United Sons of Dixie,* the president read to all new members the following: "These United States of America must, and shall be, a white man's country for white people, the master race. We must keep it that way. The white people of the world must compose the Master Race not only here but in other countries—just so they are white people. Men, do you ever get mad? Do you ever feel like getting out and blasting the negroes until there are none left in this country? We must nominate and elect members of our Order and put them in state, county and city public offices. These men will be able to put laws on our statute books which will help us. They can also help us to get arms and ammunition in order to defend ourselves and the white people of the United States. We want 15,000,000 members in the United States, and every one of them with a good gun and plenty of ammunition. . . . Eventually we must eliminate the negroes from this country."

Hiram W. Evans, Imperial Wizard of the Ku Klux Klan, wrote in 1938 in his *Negro Suffrage—Its False Theory*: "The first essential to the success of any nation, and particularly of any democracy, is a national unity of mind. Its citizens must be One People. They must have common instincts and racial and national purpose. . . . It follows that any class, race or group of people which is permanently unassimilable to the spirit and purpose of the nation has no place in a democracy. The negro race is certainly unassimilable; no one can claim that more than a few blacks are fit. "We should see in the negro a race even more diverse from ourselves than are the Chinese, with inferior honesty, and greatly inferior industry. . . . His racial inferiority has nothing to do with this fact; the unfitness applies equally to all alien races and justifies our attitude toward Chinese, Japanese, and Hindus. . . . No amount of education can ever make a white man out of a man of any other color. It is a law on this earth that races can never exist together in complete peace and friendship and certainly never in a state of equality."

Jesse B. Stoner, Kleagle of the *Tennessee* Ku Klux Klan, on July 25, 1946, publicly announced his plans for getting rid of Negroes and Jews. He said the Tennessee Klan would use gas, electric chairs, hanging, shooting — "whatever way seems most appropriate."

Homer Loomis, Jr. said at a street meeting of the Columbians, in *Atlanta, Georgia,* on October 1, 1946: "We don't want anybody to join who's not ready to get out and kill n——s and Jews."

Homer Loomis, Jr., at a Columbian meeting at 198½ Whitehall Street, *Atlanta, Georgia,* on October 3, 1946: "There is no end to what we can do through the ballot. If we want to bury all n——s in the sand, if we will organize white Gentiles politically to combat the Jew and n——r blocks, we can pass law enabling us to bury all n——s in the sand."

THE REV. HARRISON, the "Railroad Evangelist," said at a Klan meeting in *Atlanta, Georgia,* on November 1, 1948: "In God's sight it is no sin to kill a n——r, for a n——r is no more than a dog." "Itchy Trigger-Finger" Nash, an Atlanta policeman who was given a citation by the Klan for having killed so many Negroes, expressed the hope that he would "not have to kill all the n——s in the South," but would get some help from his brother Klansmen.

HOMER LOOMIS, JR., leader of the Columbians, Inc., Atlanta brownshirts, addressing the Imperial Kloncilium of the Ku Klux Klan, East Point Klavern, *Georgia,* in 1946: "We propose that all the n——s in America be shipped back to Africa, with time-bombs on board the ships as an economy measure."

WILLIAM GREGG BLANCHARD, leader of the White Front, *Miami, Florida,* writing in the official organ *Nation & Race*: "If one believes in history before effeminate and fallacious ideologies, the recognition of the superiority of the Nordic and the Nordicized world is immediate. A dangerous upsurge of democracy and self-determination throughout the world of color is robbing the Western World of some of its power, but we have not yet lived to see the end of white supremacy. . . . When the Federal Government recognizes biological values and proceeds systematically to solve the South's problem by expatriation, birth control, and rigid segregation, the long race vigil will be over. . . . That dusky race which enslaved was happy and lovable must today be recognized for the sullen revolutionary mass it is and be disciplined accordingly. . . . Racial Nationalism demands that the negro be made a ward of the nation and governed by special codes befitting the dignity of a white state. (The Racial Nationalist Program of the White Front:) Miscegnation made a felony. Segregation of the Jews. With the Nordic nations of South America, the U.S. must exercise a strict tutorship over the whole Latin-American domain. American participation in white control and regulation of the world of color."

ANNOUNCEMENT OF AMERICAN GENTILE Army, *Convers, Georgia,* 1946: "This movement should appeal to every patriotic American Gentile. Independent Patriot, this is a great opportunity! This contest is a cold-blooded matter of political action that will be determined by the law of the jungle, 'the survival of the fittest.'

"For the privilege of membership in the American Gentile Army, I, a Caucasian American, pledge my loyalty as represented and in case of any violation on my part I agree to relinquish any claim or rights to membership in the American Gentile Army or association with the Pro-White American Gentile Party or the Commoner Party."

JAMES SHIPP, president Commoner Party, American Gentile Army, etc., 1946: "The Jew has a place in America. We won't treat him the way certain other countries have. He has place in production. Let him work on the farms, and haul manure, but let him keep out of government."

ARTICLE III (e). COMPLICITY IN GENOCIDE

We charge with complicity in genocide:

The President of the United States;

The Congress of the United States;

The Supreme Court of the United States;

The Attorney General of the United States;

The Department of Justice of the United States;

The states and officials of Mississippi, Virginia, North Carolina, South Carolina, Georgia, Alabama, Florida, Louisiana, Arkansas, Oklahoma and Texas, all of whom enforce segregation in violation of the United Nations Charter against the Negro people, thus fomenting genocide against them, and all of whom employ an institutionalized violence, using courts and police, to prevent the political or economic advance of the Negro people;

The Morgan, Rockefeller, Du Pont and Mellon interests which dominate (see Appendix) the political and economic life of the South specifically and the United States generally.

Original Southern Klans, Inc. (Georgia);

Knights of the Ku Klux Klan of Florida, Inc.;

Federated Klans of Alabama, Inc.;

Governor James Byrnes, of South Carolina, former Secretary of State and former Supreme Court Justice, for incendiary statements defending segregation, itself an institution that makes for murder on the basis of race;

Former Governor J. Strom Thurmond of South Carolina, candidate for President on the States' Rights (Dixiecrat) ticket in 1948, for white supremacist statements and leadership of a political party whose official documents incited to violence against the Negro people of the United States;

Governor Fielding L. Wright of Mississippi, candidate for vice-President on the Dixiecrat White supremacist ticket, for the reasons cited above and for his part in the murder of the innocent Willie McGee on the basis of race;

Governor Herman Talmadge of Georgia, for repeated white supremacist statements, some over the radio, inciting to genocide;

Representative John Rankin, Democratic Congressmen from Mississippi, for repeated incitements to violence on the basis of race;

Senator James O. Eastland, Democrat of Mississippi, for repeated defenses of segregation and other incitements to violence on the basis of race;

Senator Allen J. Ellender, Democrat of Louisiana, for racist white supremacist statements tending to incite to violence against the Negro people.