

Uphill All the Way: The Fortunes of Progressivism, 1919-1929

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Submitted in partial fulfillment of the
requirements for the degree of
Doctor of Philosophy
in the Graduate School of Arts and Sciences

COLUMBIA UNIVERSITY

2013

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ABSTRACT:

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With very few exceptions, the conventional narrative of American history dates the end of the Progressive Era to the postwar turmoil of 1919 and 1920, culminating with the election of Warren G. Harding and a mandate for Normalcy. And yet, as this dissertation explores, progressives, while knocked back on their heels by these experiences, nonetheless continued to fight for change even during the unfavorable political climate of the Twenties. The Era of Normalcy itself was a much more chaotic and contested political period – marked by strikes, race riots, agrarian unrest, cultural conflict, government scandals, and economic depression – than the popular imagination often recalls.

While examining the trajectory of progressives during the Harding and Coolidge years, this study also inquires into how civic progressivism - a philosophy rooted in preserving the public interest and producing change through elevated citizenship and educated public opinion – was tempered and transformed by the events of the post-war period and the New Era.

With an eye to the many fruitful and flourishing fields that have come to enhance the study of political ideology in recent decades, this dissertation revisits the question of progressive persistence, and examines the rhetorical and ideological transformations it was forced to make to remain relevant in an age of consumerism, technological change, and cultural conflict. In so doing, this study aims to reevaluate progressivism's contributions to the New Era and help to define the ideological transformations that occurred between early twentieth century reform and the liberalism of the New Deal.

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ACKNOWLEDGEMENTS

“Perhaps you may ask, ‘Does the road lead uphill all the way?’ And I must answer, ‘Yes, to the very end.’ But if I offer you a long, hard struggle, I can also promise you great rewards.”

These are the words of Grace Abbott, the second head of the Children’s Bureau, summing up her lifelong experience as a progressive social worker and children’s advocate in a 1934 commencement address. This quote is also the epigram of Clarke Chambers’ 1963 book, *Seedtime of Reform*, one of the first book-length examinations of the fate of progressivism in the Twenties. It is certainly a very reasonable approximation of the experience of many of the progressives in this study during the decade in question. And, as anyone who has ever trod along the long, lonely road of academe can tell you, “Uphill All the Way” is also an apt summary of the often-Sisyphean task of researching and writing a history dissertation. This particular boulder rolled back to the starting point many times over in the seven years since I first embarked on this project. It would never have made it over that final crest without the support and encouragement of the many listed below.

I would first like to thank my advisor, Alan Brinkley, the other members of my dissertation committee, Elizabeth Blackmar, Eric Foner, David Greenberg, and Ira Katznelson, and the American history faculty of Columbia University for their advice, their teachings, and most of all their patience. Thank you also to the hardworking and friendly archivists at the Library of Congress, where I conducted the bulk of my offline research.

I also want to thank my colleagues at the Office of Rosa DeLauro, where I began full-time work as a speechwriter in the midst of this project, and who were kind enough to offer their

support and tolerance when I decided to complete in my off hours what I had started years prior. Special thanks go to Liz Albertine, Eric Anthony, Kevin Brennan, Melinda Cep, Sarah Dash, Kelly Dittmar, Matt Doyle, Sara Lonardo, Asa Lopatin, Letty Mederos, Beverly Pheto, Kaelan Richards, Brian Ronholm, Elyse Schoenfeld, Lona Watts, Megan Whealan, Jasmine Zamani, Dan Zeitlin, and Congresswoman DeLauro herself, who, ninety years later, continues the same fight for a more progressive America that is chronicled in these pages.

This dissertation, like most other works of research, could never have come together without the hard work of the dozens of scholars who gleaned these archives and pulled on these same threads before. So I would like to thank the many historians whose work I have cited here, and whose body of research was indispensable to me – particularly Leroy Ashby, Wesley M. Bagby, Dorothy Brown, Clarke Chambers, Nancy Cott, Alan Dawley, Robert David Johnson, David Kennedy, Thomas Knock, William Leuchtenburg, Laton McCartney, Ronald K. Murray, Donn Neal, Burl Noggle, David Pietrusza, Arthur Schlesinger, Jr., and Howard Zinn. I also want to acknowledge and thank Dr. Carlanna Hendrick, my high school American history teacher who, two decades ago, helped set me on the path that culminated in this project today.

Along with my debt to the past, I want to acknowledge my debt to the future. I could never have completed this project without the gigantic and growing archive of resources available to all via the Internet. From the Google Books and UNZ.org portals, which make available thousands of useful primary and secondary sources to anyone who goes looking, to magazines like *TIME*, *The New Republic*, and *The Nation*, who now have all of their back-catalog online for subscribers' use, the practice of historical research is changing for the better, and I and this study have been clear beneficiaries.

Thanks also to my friends and fellow boulder-pushers in the Columbia History program, who helped to enrich my days as a graduate student and keep my spirits up in the early days of this project – especially Sarah Bridger, Ben and Vivian Coates, Alex Cummings, Jason Governale, Susan Jean, Ryan Jones, Emily Lieb, Liam Moore, Amy Offner, Giovanni Ruffini, Ted Wilkinson, and Josh Wolff. Thank you all.

I also want to thank my other friends in and around New York who helped sustain me through the graduate school years, particularly Olaf Bertram-Nothnagel, Lauren Brown, Mike Fernandez, Moses Gates, Maria Gambale and Zachary Taylor, Arkadi Gerney and Nancy Meakem, Lisa Halliday, Jennifer Martinez, Mark Noferi, Amanda Rawls, Alex Travelli, Joyce Wu, and Daniel Yohannes. Thank you also to my friends in DC: John Anderson, Steve Bogart and Lynette Millett, Tim Cullen, Lotta Danielsson, Mike Darner, Tony Eason, Alex Lawson and Laila Leigh, Marisa McNee, Dave Meyer, Matt Stoller, and Shaunna Thomas. A special thank you to Erin Mastrangelo, who helped give me the strength and confidence, when I found myself back at square one once again, to make one final, sustained push up the hill. And thank you to all the friends and readers who have sustained me at *Ghost in the Machine* over the years.

And the deepest of thanks to my closest and dearest friends, who have provided much support and encouragement over the long course of this project – David Demian, Jeremy Derfner, Marcus Hirschberg and Bea Wikander, Kofi Kankam, Randolph Pelzer, Danny Sanchez, David Weaver, and Jonathan Wolff. And many thanks to my family – my sisters Gillian and Tessa, my brother and brother-in-law Thad and Ethan, and especially my parents Paul and Carol, for their love, encouragement, and support throughout every stage of this process.

Finally, I want to acknowledge my faithful sheltie hound Berkeley, who came with me as a young pup to graduate school in the fall of 2001, and who saw this project through with me until its end in the fall of 2012. It has seemed like a lifetime for the both of us. And yes, now we can go to the dog park.

- *Kevin C. Murphy,*
October 2012

DEDICATION

For My Parents

PREFACE

“THEM was the days! When the muckrakers were best sellers, when trust busters were swinging their lariats over every state capitol, when ‘priviledge’ shook in its shoes, when God was behind the initiative, the referendum, and the recall – and the devil shrieked when he saw the short ballot, when the Masses was at the height of its glory, and Utopia was just around the corner.

...Now look at the damned thing. You could put the avowed Socialists into a roomy new house, the muckrakers have joined the breadlines, Mr. Coolidge is compared favorably to Lincoln, the short ballot is as defunct as Mah Jong, Mr. Eastman writes triolets in France, Mr. Steffens has bought him a castle in Italy, and Mr. Howe digs turnips in Nantucket.

Shall we lay a wreath on the Uplift Movement in America? I suppose we might as well.”

-- Stuart Chase, 1926¹

“I thought of Gatsby’s wonder when he first picked out the green light at the end of Daisy’s dock. He had come a long way to this blue lawn and his dream must have seemed so close that he could hardly fail to grasp it. He did not know that it was already behind him, somewhere back in that vast obscurity beyond the city, where the dark fields of the republic rolled on under the night.

Gatsby believed in the green light, the orgastic future that year by year recedes before us. It eluded us then, but that’s no matter – tomorrow we will run faster, stretch out our arms farther...And one fine morning ---

So we beat on, boats against the current, borne back ceaselessly into the past.”

-- F. Scott Fitzgerald, 1925.²

¹ Stuart Chase, “Where are the Pre-War Radicals?” *The Survey*, February 1, 1926, 563

² F. Scott Fitzgerald, *The Great Gatsby* (New York: Charles Scribner’s Sons, 1925), 189.

INTRODUCTION

*The “Twenties were really the formative years of modern American society.” – George Mowry, intro to *The Twenties: Fords, Flappers, and Fanatics*³*

“The decade sits solidly at the base of our culture...This was the first serious attempt of Americans to make their peace with the twentieth century.” – Paul M. Carter⁴

“Many difficulties come from the simple failure of our ideas and conventions, not to mention our prejudices, to keep up with the pace of material change. Our environment moves much faster than we do.” – Jane Addams, 1930.⁵

The Bourne Legacy

“One has a sense of having come to a sudden, short stop at the end of an intellectual era,” declared an appalled Randolph Bourne in 1917, as the American left lurched into World War One.⁶ While the nation’s progressive president bade his countrymen “make the world safe for democracy” and one of its foremost intellectuals waxed enthusiastic about “the social possibilities of war,” Bourne portended dire consequences ahead for the forces of reform in American life. “It must never be forgotten that in every community it was the least liberal and least democratic elements among whom the preparedness and later the war sentiment was found,” he argued. “The intellectuals, in other words, have identified themselves with the least democratic forces in American life. They have assumed the leadership for war of those very classes whom the American democracy had been immemorially fighting. Only in a world where irony was dead could an intellectual class enter war at the head of such illiberal cohorts in the

³ Paul Carter, *The Twenties in America* (New York: Crowell, 1975), 28.

⁴ Dorothy Marie Brown, *Setting a Course: American Women in the 1920s* (Boston: G.K. Hall, 1987), 1.

⁵ Jane Addams, *The Second Twenty Years at Hull House* (New York: MacMillan Company, 1930), 392.

⁶ Randolph Silliman Bourne and Olaf Hansen, *The Radical Will : Selected Writings, 1911-1918* (Berkeley: University of California Press, 1992), 343.

avowed cause of world-liberalism and world-democracy.” “The whole era,” concluded Bourne in disgust, “has been spiritually wasted.”⁷

Nothing if not prescient, Randolph Bourne’s words have become an epitaph for the Progressive Era in the decades since his untimely death in 1918.⁸ Indeed, with very few exceptions, the standard, textbook interpretation of American history dates the end of the progressive movement to the postwar turmoil of 1919 and 1920, culminating in the election of Warren G. Harding and a mandate for Normalcy.⁹ Over the next decade, so the story goes, the nation entered a New Era marked by conservatism, consumerism, and cultural conflict, three C’s for which the progressive ideology of yore seemed wholly inadequate and obsolete.¹⁰ Progressives, at the center of American political life prior to the Great War, became victims to the cruel disillusion of un-fulfillment – They were, as one historian framed the prevailing tale in

⁷ Ibid, 308.

⁸ Indeed, one does not have to look very far to find Bourne playing the grim harbinger of progressive demise in several narratives of the period. “Bourne was right: the progressives needed the war effort, and the war effort needed them,” concludes Michael McGerr in his recent synthesis *A Fierce Discontent*. “What was canny intuition in 1917 became obvious reality by 1919 and 1920.” In *The Story of American Freedom*, Eric Foner uses Randolph Bourne to similar purpose. “Bourne’s prescience soon became apparent...[the war] laid the foundation not for the triumph of Progressivism but for one of the most conservative decades in American history.” Michael E. McGerr, *A Fierce Discontent: The Rise and Fall of the Progressive Movement in America, 1870-1920* (New York: Free Press, 2003), 283,310.. Eric Foner, *The Story of American Freedom*, 1st ed. (New York: W.W. Norton, 1998), 177..

⁹ “No concept,” argued historian Burl Noggle in 1966, “has endured longer or been more pervasive among historians than the one which views the 1920s as a time of reaction and isolation induced by the emotional experience of World War I.” Milton Plesur, *The 1920’s: Problems and Paradoxes; Selected Readings* (Boston,: Allyn and Bacon, 1969). p. 283. Similarly, Arthur Link remarked in 1959 that, “[w]riting without out much fear or much research (to paraphrase Carl Becker’s remark), we recent American historians have gone indefatigably to perpetuate hypotheses that either reflected the disillusionment and despair of contemporaries, or once served their purpose in exposing the alleged hiatus in the great continuum of twentieth-century reform.” Arthur Link, “What happened to the Progressive Movement in the 1920s?” *The American Historical Review*, Vol. 64, No. 4 (Jul. 1959), 833.

¹⁰ As LeRoy Ashby sums it up in his study of William Borah, “by the Twenties, [the] prewar progressive consensus was in shambles. As the unifying spirit and confidence of the earlier years dissolved, the internal weaknesses of progressivism became all too apparent. One agonizing problem – and one which Borah symbolized so vividly – was the need to square the basically rural and agrarian social vision of progressivism with the demands of an ethnically and racially diverse nation. Although many progressive leaders were urban residents, their roots and biases tended to be overwhelmingly rural. Their penchant for individualism, their hostility to special privilege, and their Protestant faith comprised the intellectual and cultural baggage which they carried with them from their village backgrounds.” LeRoy Ashby, *The Spearless Leader; Senator Borah and the Progressive Movement in the 1920’s* (Urbana,: University of Illinois Press, 1972), 7.

1959, “stunned and everywhere in retreat along the entire political front, their forces disorganized and leaderless, their movement shattered, their dreams of a new America turned into agonizing nightmares.”¹¹ And only after the earth-shattering tumult of the Great Depression, nine years hence, would a revived and rethought liberal creed rise again to national prominence, like a phoenix from out the ashes of progressive despair.

It makes for a good story, and, like most neat narrative conventions of synthesis, there is indeed much truth to it. Clearly, many Progressive contemporaries saw events as such: In 1920, Senator Hiram Johnson lamented “the rottenest period of reaction that we have had in many years.” Harold Ickes reflected seven years later that 1927 still “isn’t the day for our kind of politics.” And Progressive luminary Jane Addams looked back at the entirety of the Twenties as “a period of political and social sag.”¹²

And, yet, the progressive experience from 1919-1929, while perhaps primarily a declension narrative, deserves to be further explored. In the words of Ellis Hawley, “[d]elving beneath the older stereotypes of ‘normalcy’ and ‘retrenchment,’ scholars have found unexpected survivals of progressivism.”¹³ Indeed, as historian Leroy Ashby notes of the first election cycle after Harding’s victory, “the 1922 campaigns seemed positive proof that the progressive movement was regaining some of its prewar vigor,” with a number of progressive candidates in Congress and gubernatorial races, such as Burton Wheeler, Gifford Pinchot, Al Smith, and Fiorello LaGuardia, defeating their more conservative opposition. (Indeed, after the election

¹¹ Link, 834.

¹² McGerr, *A Fierce Discontent: The Rise and Fall of the Progressive Movement in America, 1870-1920*, 313,15. Ashby, *The Spearless Leader: Senator Borah and the Progressive Movement in the 1920's*, 284.

¹³ Ellis Hawley, “Herbert Hoover, the Commerce Secretariat, and the Vision of an Associative State, 1921-1928,” *The Journal of American History*, Vol. 61, No. 1 (Jun. 1974), 116.

returns, *The New Republic* went so far as to declare “Progressivism Reborn.”¹⁴ And, while the failed third party bid of Robert La Follette in 1924 saw progressivism “fragmented, leaderless, and far removed from the optimism that had followed the 1922 election,” America’s choice for President in 1928 nevertheless consisted of two candidates with some progressive credentials, Secretary of Commerce Herbert Hoover and Governor Al Smith of New York.¹⁵

Noting this discrepancy between narrative and evidence in 1959, historian Arthur Link suggested in his essay “What Happened to the Progressive Movement in the 1920’s?” that “perhaps it is high time that we discard the sweeping generalizations, false hypotheses, and clichés that we have so often used in explaining and characterizing political developments from 1918 to 1929...When we do this we will no longer ask whether the progressive movement was defunct in the 1920s. We will only ask what happened to it and why.”¹⁶

With Link’s fifty-year-old challenge as a guide stone, and with an eye to all the broader and exciting new lines of inquiry that have opened in American history since, this study aims to reexamine the fortunes of progressivism in the decade from 1919 to 1929. How were prominent progressives impacted by the experiences of the immediate post-war era? How did they navigate their way through the 1920s? What causes did they take up and what contributions did they make to the politics of the period? And, perhaps most importantly, what sort of rhetorical and ideological transformations were progressives forced to make to keep their ideology practicable and relevant in an age of consumer culture and cultural conflict?

¹⁴ Ashby, *The Spearless Leader; Senator Borah and the Progressive Movement in the 1920's*, 56-57.

¹⁵ *Ibid.*, 179.

¹⁶ Link, 851.

As this study explores, progressives were badly jarred by the failures of Wilsonism and the excesses that marked the *annus horribilis* of 1919, and many never recovered. But others persisted even during the unfavorable political climate of the Twenties.

Shocked by the outright repression and virulent nationalism that had accompanied World War I and the subsequent Red Scare, some progressives began rethinking the appropriate role of state power and the importance of civil liberties, just as others crafted draconian immigration reforms that followed the letter, if not the spirit, of earlier attempts to "Americanize" citizens. Wary of the influx of private interests into government life that accompanied the return to normalcy, some progressives, particularly the Western mavericks in the Senate, battled corruption on both ends of Washington, and reaffirmed the centrality of the public interest in endeavors ranging from radio regulation to public power. Progressive peace activists and organizations emerged at the forefront of an international disarmament movement. Newly empowered with the vote, many progressive women looked to fashion a stronger federal role over the realms of education, health care, and child welfare.

The Progressive-headed "Committee of Forty-Eight" attempted to forge an independent political movement behind insurgent Senator Robert M. LaFollette, who captured approximately 17% of the vote in 1924. The NAACP, under the leadership of W.E.B. Du Bois, worked to improve the lives of African-Americans in southern states and northern cities, and began crafting its legal strategy to dismantle segregation. And countless progressive reformers, in laboratories as diverse as Al Smith's New York and Herbert Hoover's Commerce Department, experimented

with ideas, ranging from social insurance to associationalism to regional development, which would later form the centerpiece of Franklin Roosevelt's New Deal.

But, as times changed, so too did progressivism, and not the least because many of its leading lights either grew tired and frail or passed beyond the veil. From World War I on, progressives continually found their foundational faith in individual improvement and the infallibility of an informed electorate tested. The “business bloc” that formed behind Harding and Coolidge, coupled with cultural conflicts of the period, as embodied most famously by the Scopes Trial and the rise of the Ku Klux Klan, further strained the progressive belief in a crusading, dispassionate, and well-informed middle-class as a vehicle for change. And as progressives grappled with the growing centrality of consumerism and consumerist thinking in all aspects of American life and governance, they had also to confront the abysmal failure of - and fallout from - Prohibition, the movement's most ambitious moral experiment, and a telling indicator of the limits of reform.

Over the course of the decade, as progressives saw setback after setback and everything from advertising to Freudianism suggested that base instinct all too often prevailed over reason, many seemed to lose their abiding faith in the central touchstones of their ideology: the concept of the public interest, the transformative power of public opinion, and the capacity for individual improvement. Instead of conceiving themselves as the vanguard of the popular will, many now defined themselves as an oppositional elite. Chiding themselves for their earlier ambitions, and lamenting what they now thought of as hopeless naivete, they turned inward and apart. They began to dwell less on how to mold good citizens and more on questions of economic power and individual rights. And so, even as they laid down much of the policy groundwork for the New

Deal, progressives tempered by the post-war experience also bequeathed a new language and disposition toward reform that would characterize the movement for decades to come.

Progressives and Progressivism

But what is progressivism? And who were the progressives? These are two seemingly straightforward questions that have nevertheless haunted the efforts of many an enterprising historian over the years. Regarding the first of these queries, any satisfactory working definition of progressivism as a guiding political ideology must clearly be expansive and flexible enough to allow for considerable variation, encompassing New Nationalists, Wilsonians, prohibitionists, and suffragettes. As Robert Crunden writes in *Ministers of Reform*, progressives “shared no platform, nor were they members of a single movement,” but they “shared moral values.” It is tempting to utilize a Potter Stewart definition for progressivism and simply argue that one knows it when they see it.¹⁷

In broad terms, and for the purposes of this study, progressivism constituted what Samuel Hays famously referred to as a “response to industrialism,” and to the “fundamental redistributions of wealth, power, and status” that occurred in its wake. In others words, progressivism arose in reaction to the unmitigated corporate power that had defined the Gilded Age, and progressives usually defined themselves in opposition to that power, even as they embraced some of its methods. “Ultimately,” as historian John Buenker summarizes Hays’ thesis, “nearly everyone began to perceive that the only way to cope with his problems and to

¹⁷ Robert Morss Crunden, *Ministers of Reform: The Progressives’ Achievement in American Civilization, 1889-1920* (Chicago: Illini Books, 1984), ix. Daniel Rodgers’ essay “In Search of Progressivism” ably summarizes the rise and fall of progressivism as a unifying construct up through 1982. More recently however, syntheses such as James Kloppenberg’s *Uncertain Victory*, Michael McGerr’s *A Fierce Discontent* (2003) and Rodgers’ own *Atlantic Crossings* (1998) have attempted to reconstruct progressivism as a cohesive principle.

advance or protect his interests was to organize, for the new environment put a premium on large-scale enterprise. For most people, as Hays so effectively put it, it was a case of ‘organize or perish.’”¹⁸

However hotly contested other aspects of progressivism have been over the years, historians have also tended to agree that progressives generally hailed from the middle-class (Indeed, this is as often meant as an epithet as much as a descriptor.¹⁹) As Michael McGerr puts it, progressivism was “the creed of a crusading middle class,” a bold and brazen attempt “to transform other Americans, to remake the nation’s feuding, polyglot population in their own middle-class image” and “build what William James sneeringly but accurately labeled the ‘middle-class paradise.’”²⁰

In addition, progressivism as a public philosophy hewed closely to what political scientist Michael Sandel has described as “civic republicanism.” Central to this theory of civic republicanism, writes Sandel, “is the idea that liberty depends on sharing in self-government:

It means deliberating with fellow citizens about the common good and helping to shape the destiny of the political community. But to deliberate well about the common good requires more than the capacity to choose one’s ends and to respect other’s rights to do the same. It requires a knowledge of public affairs and also a sense of belonging, a concern for the whole, a moral bond with the community whose fate is at stake. To share in self-rule, therefore requires that citizens possess, or come to acquire, certain qualities of character, or civic virtues. But this means that

¹⁸ John D. Buenker, *Urban Liberalism and Progressive Reform* (New York: Norton, 1978).

¹⁹ In his overview of recent progressive historiography, historian Robert D. Johnston of Yale suggests that the considerable contempt for middle-class reform among historians may have entered a period of thaw. “[P]eople in the middle,” he writes, “—and not just African Americans—throughout our past have developed and sustained a wide variety of democratic radicalisms, perhaps no more so than during the Progressive Era. Although historians have by no means fully grappled with the implications of the intellectual rehabilitation of the American middling sorts, it is clear that the (still far-too-incomplete) scholarly rise of the middle class has opened up a wide swath of intellectual terrain, making it possible to talk about democracy and Progressivism in exciting new ways.” Robert D. Johnston, “Re-Democratizing the Progressive Era: The Politics of Progressive Era Historiography.” *Journal of the Gilded Age and Progressive Era*, January 2002.

²⁰ McGerr, *A Fierce Discontent : The Rise and Fall of the Progressive Movement in America, 1870-1920*, xiv-xv.

republican politics cannot be neutral toward the values and ends its citizens espouse. The republican conception of freedom, unlike the liberal conception, requires a formative politics, a politics that cultivates in citizens the qualities of character self-government requires.²¹

In other words, whether they perceived the most dangerous threat to the nation to be unfettered capitalism, monopoly power, moral hygiene, ethnic political machines, or the demon rum, progressives aimed to preserve the forms and prerequisites of democratic citizenship from outside dangers and to inculcate some form of civic virtue into the electorate. In effect, the overarching goal of progressivism was to defend the American experiment against the vicissitudes of capitalism and vice, in part by transforming and “uplifting” American citizens.

Progressives also all generally agreed on certain fundamental principles of change. First, that men and women could be molded. In the words of *New Republic* editor Herbert Croly, “democracy must stand or fall on a platform of possible human perfectibility. If human nature cannot be improved by institutions, democracy is at best a more than usually safe form of political organization.” Second, humans had the power to improve their communities and themselves by sheer force of applied reason. Following from this, the most powerful force for change in the world was enlightened public opinion. “[I]f the people knew the facts about inhuman working conditions and the neglect of children,” argued Frances Perkins in one of innumerable examples, “they would desire to act morally and responsibly.”²²

In *Reform, Labor, and Feminism*, her 1988 study of Margaret Dreier Robins and the Women’s Trade Union League, Elizabeth Payne eloquently defines progressivism as “the last,

²¹ Michael J. Sandel, *Democracy's Discontent : America in Search of a Public Philosophy* (Cambridge, Mass.: Belknap Press of Harvard University Press, 1996).

²² David Danbom, *The World of Hope: Progressives and the Struggle for an Ethical Public Life* (Philadelphia: Temple University Press, 1987), 137. Clarke Chambers, *Seedtime of Reform: American Social Service and Social Action, 1918-1933* (Minneapolis: University of Minnesota Press, 1963), 4.

full-blown articulation of that optimistic, republican, tolerant, and liberal Protestant view of the individual and society that had informed America for one hundred years and that found its most eloquent statement in Ralph Waldo Emerson's call for the reformation of man. That tradition saw the individual as possessing enormous potential for good, which could only be realized by a properly structured society."²³

In Payne's casting, the agenda of progressivism was "to pass the laws and create the institutions that would release the individual's potential both as a person and as a citizen. The Progressive's task was to liberate the individual from enslaving ignorance, debasing labor, soulless pastimes, corrupt authority, and concentrated power. Once these multiple and interlocking tyrannies were destroyed, the hitherto 'hidden treasures' of the self would be freed for social expression; 'every resource of body, mind, and heart' would find vent in elevating fellowship and individual excellence."²⁴

"Born between 1854 and 1874," notes Robert Crunden similarly in *Ministers of Reform*, "the first generation of creative progressives absorbed the severe, Protestant moral values of their parents and instinctively identified those values with Abraham Lincoln, the Union, and the Republican Party":

²³ Elizabeth Anne Payne, *Reform, Labor, and Feminism : Margaret Dreier Robins and the Women's Trade Union League, Women in American History* (Urbana: University of Illinois Press, 1988), 161.

²⁴ Payne, 161. Anticipating Sandel's civic republican argument, Payne describes later progressive discontent with the New Deal in terms of a falling-away from notions of citizenship and the public good. "In the eyes of many progressives," she concludes, "the New Deal thrived on faction, class warfare, and special interests...[thus] the broker state that the New Deal erected was intrinsically immoral because it had abandoned the conception of citizenship...For the Progressives, 'citizen' and 'reformer' were virtually synonymous...A citizen was no more a mere voter than a trade unionist was simply a dues payer. By participation in civic life, the citizen realized a significant measure of self-government." In short, she argues, the "New Deal and Progressivism may be seen as reverse images of each other...New Dealers particularly scorned the old Progressive notions of self-reformation and the good society as the ends of civic involvement." This falling away from the old progressive ideals constitutes much of the narrative of this study.

But they grew up in a world where the ministry no longer seemed intellectually respectable and alternatives were few. Educated men and women demanded useful careers that satisfied demanding consciences. They groped toward new professions such as social work, journalism, academia, the law, and politics. In each of these careers, they could become preachers urging moral reform on institutions as well as individuals... Men and women found that settlement work, higher education, law, and journalism all offered possibilities for preaching without pulpits. Over the long term, their goal was an educated democracy that would create laws that would, in turn, produce a moral democracy.”²⁵

David Danbom’s 1987 study *The World of Hope: Progressives and the Struggle for an Ethical Public Life* also argues that progressives “were products of the Victorian age in which they grew up. They reflected the Victorian faith in the individual and confidence in the inevitability of human progress. They reflected also the crisis of authority in Victorian society between religious and secular modes of understanding human affairs, and the value crisis raised by the realities of a modernizing, industrializing society. These crises stimulated them to action, leading them to attempt to infuse the values of private life into public life.”²⁶

As products of a Victorian mindset, Danbom argues, progressives “looked backward rather than forward...their purpose was to hold a reluctant society to its basic values, not to pull it into the modern age.” They also “embraced a religious and secular faith in individual self-determination that infused every area of human behavior.” In the words of progressive Frederic C. Howe, former Commissioner of Ellis Island and author of the much-discussed memoir *Confessions of a Reformer*, “early assumptions as to virtue and vice, goodness and evil remained in my mind long after I had tried to discard them. That is, I think, the most characteristic influence of my generation. It explains the nature of our reforms, the regulatory legislation in

²⁵ Crunden, ix, 15.

²⁶ Danbom, vii-viii. Only by grounding the Progressives in this fashion, Danbom argues, can we understand “their altruism, their righteousness, their faith in people, their innocence, or their devotion to the public interest.”

morals and economics, our belief in men rather than in institutions and our messages to other peoples.”²⁷

Of course, by the late teens and especially by the Twenties, the world was a rather different place than it had been only thirty years before. And especially by World War I, a younger generation of progressives was emerging alongside that of Howe – a generation who, while embracing the basic tenets of progressivism outlined above, were also more accustomed to twentieth-century ferment. They would eventually comprise the vanguard of Franklin Roosevelt’s New Deal, and the passing of the baton to them is one of the foci of this tale.

Cast of Characters

As noted above, progressives were a diverse lot, involved in a myriad of social and political reforms. As such, this study focuses on distinct groups of reformers at various times. Foremost among these are the progressive Senate bloc of the Mid-West and West, which included William Borah, Robert La Follette, Hiram Johnson, George Norris, and Burton Wheeler. As Leroy Ashby argues, these men of the West constituted the “main source of progressive strength on Capitol Hill” during the Twenties.²⁸

Also covered in this study are the writers and intellectuals of *The New Republic*, *The Nation*, and *The Survey*, among them Herbert Croly, Walter Lippmann, Bruce Bliven, Paul Kellogg, Oswald Villard, Freda Kirchwey, and Ernest Gruening. These journalists and scholars, “middle class in background and deeply committed to the progressive movement,” argued Charles Forcey in 1961, “were leaders among the men who sought to move liberalism in [a] new

²⁷ Danbom, 4, 80.

²⁸ Ashby, *The Spearless Leader; Senator Borah and the Progressive Movement in the 1920's*, 14-15.

direction,” both during and after the Progressive Era.²⁹ “Journals like *The New Republic* and *The Nation*,” argues Lynn Dumenil, “continued at the center of liberal thought” in the 1920’s. Also part of this tale is H.L. Mencken, the acerbic and venerable columnist for the *Baltimore Sun*. While Mencken fits in no easy box, his voice would be both one of the more prescient and most distinctive of the era.³⁰

Leaders of the women’s suffrage movement, as well as other prominent progressives concerned with combating gender inequality, such as Florence Kelley, Alice Paul, Margaret Dreier Robins, Carrie Chapman Catt, and Jane Addams, all play a role in this story, with Addams in particular something of the patron saint of progressivism during the decade. As Robert Johnston noted in his survey of recent Progressive literature, “the overwhelming sense from recent scholarship is not only that women as a general collectivity were indeed empowered by and through Progressivism, but that women were chiefly responsible for some of the most important democratic reforms of the age.”³¹

The old, capital-P progressives that had congregated around Teddy Roosevelt – Harold Ickes, Raymond Robins, Amos and Gifford Pinchot, William Allen White – have a part to play as well, with Ickes’ falling away from Bull Moose Republican to FDR Democrat throughout the

²⁹ Charles Forcey, *The Crossroads of Liberalism; Croly, Weyl, Lippmann, and the Progressive Era, 1900-1925* (New York,: Oxford University Press, 1961), vii-ix.

³⁰ Lynn Dumenil, *The Modern Temper* (New York: Hill and Wang, 1995), 23. The differences between *The Nation* and *The New Republic* also highlight the generational differences within progressivism. In the words of historian John Diggins: “The New Republic represented the twentieth century pragmatic strain of progressivism, The Nation the nineteenth-century liberal strain. The difference between these two liberal currents was, among other things, the difference between a relativistic approach to reform on one hand and a traditional faith in the standard democratic road to social justice on the other, the difference between the empiricism of social engineering and the humanitarianism of ‘good hope.’ ... Where The Nation had been, even during the war years, vigorously antinationalist, the New Republic had looked to nationalism as the driving reform stimulus.” John Diggins. “Flirtation with Fascism: American Pragmatic Liberals and Mussolini’s Italy.” *The American Historical Review*, Vol. 71, No. 2, (Jan., 1966), 499-500.

³¹ Johnston.

period a particularly useful window into the progressive politics of the decade. We will also see urban reformers such as Al Smith and Fiorello LaGuardia of New York. Historians such as John Buenker have argued that such urban reformers constituted a “vital part of the Progressive Era” and have often been overlooked, to the detriment of our understanding of the period.³²

Obviously, Smith and his ilk are particularly important in understanding the political events of 1924 and 1928.

Smith’s 1928 opponent, Herbert Hoover, has been deemed by historians such as Ellis Hawley and Joan Hoff-Wilson as the “Forgotten Progressive.” As Hawley notes, Hoover was at the center of “the most rapidly expanding sector of New Era governmental activity...[the] transformation and expansion of the commerce secretariat.”³³ African-American progressives such as W.E.B. DuBois, James Weldon Johnson, and Walter White prove particularly valuable in examining how the ideology and rhetoric of progressivism was transformed by the exigencies of racial and cultural conflict. Socialists and former radicals – Eugene Debs, Victor Berger, Crystal Eastman, Margaret Sanger, Roger Baldwin – are also present in this story, as they made common cause with progressives in American life.³⁴

³² Buenker, *Urban Liberalism and Progressive Reform*, 221.

³³ Hawley, 117.

³⁴ As Lynn Dumenil put it in *The Modern Temper*, citing the work of historian Nancy Weiss: The NAACP’s effort in the 1920’s “exhibited the hallmarks of the progressive movement. It used careful investigations and publicity, similar to the muckrakers’ approach, to expose an evil. And it tried legal tinkering – court cases and expanded suffrage – to achieve democracy. As Du Bois put it in 1920, ‘The NAACP is a union of American citizens of all colors and races who believe that Democracy in America is a failure if it proscribes Negroes, as such, politically, economically, or socially.’ The black leaders in the NAACP, like progressives, clearly believed in the promise of American life, in the system, and wanted to expand that promise to African Americans.” Dumenil, 291.

While these reformers do not all impact equally on every subject of discussion, taken together I believe they form a wide-ranging palette with which to examine the questions that drive this study.

Review of the Literature

The question of progressivism in the twenties – while once very much in favor – has not been scrutinized in depth for awhile. Arthur Link’s 1959 essay “What Happened to the Progressive Movement in the 1920’s?” remains the foundation for studies of this sort – In it, Link hypothesized that the various members of the progressive coalition, although unable to reunite or to capture a major party, were still very much alive and well in the New Era. In a 1966 article for the *Journal of American History*, which declared the Twenties a “New Historiographical Frontier,” Burl Noggle ably surveyed the findings of then-recent monographs on New Era progressivism:

An intriguing but most debatable theme that political historians lately have enlarged upon is that of reform in the 1920s. Studies have begun to reveal survivals of Progressivism and preludes to the New Deal in the decade. Clarke Chambers has found a strong social welfare movement at work in the period, one concerned with child labor, slums, poor housing, and other problems that Progressives before the 1920s and New Dealers afterward also sought to alleviate. Preston J. Hubbard has studied the Muscle Shoals controversy of the 1920s and has demonstrated the essential role that Progressives in the decade played in laying the basis for the New Deal’s TVA system. Donald C. Swain has shown that much of the conservation program of the New Deal originated in the 1920s. Howard Zinn has shown that Fiorello La Guardia, as congressman from New York in the 1920s, provided a ‘vital link between the Progressive and New Deal eras. La Guardia entered Congress as the Bull Moose uproar was quieting and left with the arrival of the New Deal; in the intervening years no man in national office waged the Progressive battle so long.’ La Guardia in the 1920s was ‘the herald of a new kind of progressivism, borne into American politics by the urban-immigrant sections of the population.’ Not only his background and his ideology, but also his specific legislative program, writes Zinn, were ‘an astonishingly accurate preview of the New Deal.’”³⁵

³⁵ Link, Plesur, *The 1920's: Problems and Paradoxes; Selected Readings*, 290.

All of these works mentioned by Noggle, along with his own work on Teapot Dome and the immediate post-war years, have informed this study. So too has perhaps the best book-length treatment of New Era progressivism since Noggle's writing, Leroy Ashby's 1972 tome *The Spearless Leader: Senator Borah and the Progressive Movement in the 1920s*. In this work, as noted previously, Ashby attributes the demise of progressivism in the Twenties not only to a failure of leadership (i.e., Borah's mercurial predisposition to always return to the Republican fold at the last moment³⁶), but to the aforementioned cultural clashes which irreparably fragmented the progressive concept of the public interest.

Reflecting the general movement away from political history and towards cultural history since Ashby's day, most recent work on the Twenties – with some exceptions – has taken the end of progressivism in 1919 as a given and tended to focus instead on the contentious cultural clashes that marked the period, such as the rise of the second Ku Klux Klan, the Scopes trial, and the emergence of the “New Woman.”³⁷

However, there are some notable exceptions. David Goldberg's 1999 synthesis *Discontented America* devotes a chapter to the demise of progressivism in the Twenties. Goldberg attributes the “Indian Summer of Progressivism” in the early 1920s to “widespread

³⁶ Of this tendency, Senator George Norris once deadpanned that Borah had a dismaying habit of “shooting until he sees the whites of their eyes.” Ashby, *The Spearless Leader: Senator Borah and the Progressive Movement in the 1920's*, 4.

³⁷ Recent well-received books on the Klan of the 1920's include Kathleen Blee's *Women of the Klan* (1992), *Citizen Klansmen* (1991), and Nancy McLean's *Behind the Mask of Chivalry* (1994). Edward Larson's *Summer for the Gods* (1997) provides a nuanced and comprehensive overview of the Scopes trial, and Nancy Cott's *The Grounding of Modern Feminism* (1987) ably surveys the new challenges facing feminism in the post-suffrage period. Other important works on the New Era include Ann Douglas' *A Terrible Honesty*, George Chauncey's *Gay New York*, and Lynn Dumenil's *The Modern Temper*, all of which emphasize the cultural transformations of the period.

agricultural discontent,” yet ultimately concludes that “progressivism as a movement never recovered from the 1924 defeat” of Robert La Follette and the Progressive Party.³⁸

And in his 2003 book *Changing the World: American Progressives in War and Revolution*, the late Alan Dawley argues in his final chapter that, “as progressivism died out in the higher circles of power, it was reborn in social movements down below. It came to life in the vital postwar peace movement, in the hard-fought struggles of organized labor, in the protests of small farmers, and in the spirited defense of civil liberties.” Instead, Dawley argues, “keepers of the faith took a turn toward economics, threw in their lot with the producing classes, and set out to win economic justice for farmers and workers. In taking the economic turn, postwar reformers edged closer to the left and set progressivism on a path it would follow for the next three decades.”³⁹

Chapter Outline

With the exception of a brief prologue and epilogue, this study is broken down into three main parts: Part One, “Crack-Up: From Versailles to Normalcy,” covers the plight of progressives from the signing of the Armistice to the election of Warren Harding in 1920. While this first section is told mostly in narrative form, Parts Two and Three, “Confronting Normalcy” and “A New Era” – which culminate in the elections of 1924 and 1928 respectively – cover the experiences of progressives across the decade by subject.

³⁸ David Joseph Goldberg, *Discontented America : The United States in the 1920s* (Baltimore: Johns Hopkins University Press, 1999), 65.

³⁹ Alan Dawley, *Changing the World: American Progressives in War and Revolution* (Princeton: Princeton University Press, 2003), 297, 313.

“I am honestly sorry,” Jane Addams would write in the introduction of her 1930 book *The Second Twenty Years at Hull House*, “to write so much in this book of the effects of the world war.” This was a common refrain throughout the period of study – F. Scott Fitzgerald attributed the entire character of the decade to “all the nervous energy stored up and unexpended in the war.” “I have no doubt,” said Clarence Darrow, “but what the war is largely responsible for the reactionary tendency of the day.” The war and its aftermath “all but destroyed my picture of America,” said Frederic Howe. “It does not come to life again.” To John Haynes Holmes, it proved the “America we loved was gone, and in its place was just one more cruel imperialism. The discovery ended a movement which had for its purpose the protection and vindication of an ideal America.”⁴⁰

In sum, the period from 1918 to 1920 would set the stage for most of the decade to come. Chapter One and Two of this section cover progressive reaction to the demoralizing failures of Woodrow Wilson at Versailles and the battle over the League of Nations respectively. Chapter Three surveys the long, dark night of the soul that was 1919, when a steady diet of strikes, race riots, and repression conspired to bury the progressive post-war dream. Chapter Four takes up the tale with the election of 1920, when, as a result of all the calamities covered in the first three chapters, amiable mediocrity Warren Harding won the most decisive presidential victory in a century.

With the stage thus set, Part Two – “Confronting Normalcy” – covers much of the experience of 1920-1924, a time that – contrary to the Gatsbyesque view of the Twenties in the

⁴⁰ Jane Addams. *The Second Twenty Years at Hull House*. The MacMillan Company (New York: 1930), 7-9. Dawley, 214-215. “Where are the Pre-War Radicals,” *The Survey*, February 1, 1926.

popular imagination – was in many ways as hard-fought and full of conflict as the immediate post-war period. The time usually thought of as the Roaring Twenties – a boom era when progress stagnated and business values reigned triumphant – did not really come to pass until Calvin Coolidge ascended to the presidency. In the years of Harding Normalcy, the country remained in the grip of a post-war recession, and, even as progressives passed the Sheppard-Towner Act, rolled back the legal excesses of the Red Scare, moved the country toward a disarmament footing, and exposed systemic corruption in the administration, the nation as a whole saw labor violence erupt in West Virginia and Herrin, Illinois, race wars flare up in Tulsa and Rosewood, and a strike wave redound across the nation in 1922.

Chapter Five, “The Politics of Normalcy,” begins the examination of this period by chronicling the tenor, conduct, and achievements of the Harding administration, attempts by congressional progressives to organize in opposition over the course of the decade, and efforts to establish and maintain the virtue of good government in American life, by decrying lobbies, promoting campaign finance reform, and railing against the corruption within Warren Harding’s White House.⁴¹

Chapter Six, “Legacies of the Scare,” focuses on the newfound attention paid by many progressives in the Twenties to issues of civil liberties, including the right to organize, during the Twenties, and covers such as issues as the struggles of the ACLU, the Sacco-Vanzetti trial, the

⁴¹ It was “persistent investigative work by Montana senators Burton K. Wheeler and Thomas Walsh,” writes David Goldberg in his recent survey of the Twenties, which “began to uncover the full scope of the Teapot Dome scandal, and progressives remained convinced that the ‘radical swing’ would be carried into the election year.” Similarly, Burl Noggle’s 1962 work on Teapot Dome argued that it was progressive conservationists, namely friends of Gifford Pinchot, who set the Teapot Dome scandal in motion. Goldberg, *Discontented America*, 60. Burl Noggle, *Teapot Dome: Oil and Politics in the 1920's* (Baton Rouge: Louisiana State University Press, 1962), vii-ix.

NAACP's fight for anti-lynching legislation, and the labor conflicts of the period.⁴² Chapter Seven, "America and the World," examines the nationalistic and anti-imperialistic foreign policy of "peace progressives," honed during the battle over the League of Nations, and covers such issues as the continued question of American involvement in the League and World Court, the disarmament and outlawry movements, and immigration restriction. Closing out Part Two, Chapter Eight covers the story of the election of 1924, when disaffected groups propelled Robert La Follette and the Progressive Party to one of the more impressive third-party candidacies of the century.

Part Three, "A New Era," takes up the story after Coolidge's impressive victory in 1924. It begins with Chapter Nine, "The Business of America," highlighting the ascendancy of the business culture in government and American life, and covering Harding's budget reforms, the Coolidge administration, the work of Herbert Hoover and Andrew Mellon, the rise of welfare capitalism, and the enthronement – particularly among a younger generation – of professionalism and expertise as progressive virtues. Chapter Ten, "Culture and Consumption," examines the rocky shoals progressives faced in trying to navigate between consumerism and cultural conflict during the New Era. On one side, even as emerging technologies like radio and the cinema suggested intriguing new possibilities for enlightening public opinion, conspicuous consumption and advertising threatened to overwhelm the basic philosophical underpinnings of progressive

⁴² Leroy Ashby argues that Senator William Borah, at least, "emerged as a leading spokesman for civil liberties." "Borah was convinced," Ashby writes, "that a prerequisite for reform was free discussion and, to that end, progressives must 'fight for the right to say anything at all.'" Ashby also quotes *The New Republic* "angrily" observing of the Red Scare that "a 'phantom army of shibboleths' continued to rush forward 'to attack any and every program, squeaking and parroting sounds about 'socialism' and 'bolshevism' and 'business enterprise.'"" Whatsoever, sociologist Paul Starr recently concluded in his history of the media that "the disillusionment with the war and repression of dissent started Progressives thinking more seriously about the value of protections against the abuse of state power." Ashby, *The Spearless Leader; Senator Borah and the Progressive Movement in the 1920's*, 27-28. Paul Starr, *The Creation of the Media : Political Origins of Modern Communications* (New York: Basic Books, 2004), 285.

ideology. On the other hand, traditionalist reactions to the pace of change, like the Ku Klux Klan, anti-Scopes fundamentalism, and the apparent failure of prohibition seemed a mocking shadow of earlier progressive aspirations.⁴³

Chapters Eleven, “New Deal Coming,” surveys the policy foundations of the New Deal laid down in the immediate postwar era and Twenties, including former suffragists’ defense of a more robust federal welfare state, the innovations of the Al Smith administration in Albany, attempts to rein in the power of the Supreme Court, and George Norris’ lonely fight for public power. Finally, Chapter Twelve concludes the tale with an examination of the election of 1928 and its aftermath, including the personal attempts by progressives, over the course of the decade, to stave off defeatism and despair.

Writing in *The Survey* on New Year’s Day 1921 in answer to the question “What Else Must Be Done To Make This a More Livable World,” Felix Adler, founder of the Society for Ethical Culture, argued that “the best satisfaction we can hope for is the consciousness of creative activity in the effort to make it better.” In a decade that often saw reaction in the driver’s seat and the ideals that had sustained the progressive experiment for decades under assault, that consciousness of a fight hard-waged – and the companionship of those also engaged in the struggle – would often be the only consolation for progressives. In the ten years between the Armistice and the election of 1928, their fight for change would be uphill all the way.⁴⁴

⁴³ Speaking of the progressive notion of a “public good,” Leroy Ashby writes, “[t]hat idea, and the moralistic rhetoric that had surrounded it, had struck common chords in the generally confident years of the early 1900’s. But in the Twenties, deeply rooted cultural antagonisms had surfaced, dividing wets and dries, town and country, old-stock and new-stock Americans,” and thus the concept of the “public good” could not withstand these impassioned cultural schisms. Ashby, 12.

⁴⁴ “What Else Must Be Done to Make This a Livable World?” *The Survey*, January 1st, 1921, 498

PROLOGUE: INAUGURATION DAY, 1921

“When one surveys the world about him after the great storm, noting the marks of destruction and yet rejoicing in the ruggedness of the things which withstood it, if he is an American he breathes the clarified atmosphere with a strange mingling of regret and new hope.”⁴⁵ So began Warren G. Harding on the crisp, cold morning of March 4, 1921, soon after taking the oath of office to become the 29th president of the United States. A return to “normalcy” had been Harding’s solemn vow as a presidential candidate, of course, and everything from the stripped-down spectacle of the day’s events – at the president-elect’s request, the customary ball had been abandoned and the usual parade had been scaled back – to the content of the inaugural address worked to convey the impression that this “great storm” had passed, that the long national nightmare of the Wilson years was ended, and that the new steward in the White House would steer a return course to pre-war stability.⁴⁶

“Our supreme task is the resumption of our onward, normal way,” argued the new president. “Reconstruction, readjustment, restoration, all these must follow.” In their overreaching, Harding suggested, the policies of Woodrow Wilson had disrupted the natural order of things. “[N]o statute enacted by man can repeal the inexorable laws of nature. Our most dangerous tendency is to expect too much of government,” he warned. Surveying the American economy after eight years of Democratic rule, Harding thought “[t]he normal balances have been

⁴⁵ Warren Harding, “Inaugural Address,” March 4, 1921. Reprinted at Bartleby.com (<http://www.bartleby.com/124/pres46.html>).

⁴⁶ *New York Times*, Jan 11, 1921, p. 1. A frequent critic of excess government expenditures, progressive Senator George Norris of Nebraska had urged Harding, if he desired to be extravagant on his inauguration day, to follow the example of Abraham Lincoln, who allegedly “kissed thirty-four girls on that occasion... Nobody will deny the same privilege to President-elect Harding, if he can find girls who are willing – and I presume he can – so long as it is not charged up to the taxpayers of the country and they do not have to pay for it.” Richard Lowitt, *George W. Norris: The Persistence of a Progressive, 1913-1933* (Chicago: University of Illinois Press, 1971), 134-135.

impaired, the channels of distribution have been clogged, the relations of labor and management have been strained.” And, as the world had “witnessed again and again the futility and the mischief of ill-considered remedies for social and economic disorders,” the new President promised a simpler and humbler approach to governance on his watch. “I speak for administrative efficiency, for lightened tax burdens, for sound commercial practices, for adequate credit facilities, for sympathetic concern for all agricultural problems, for the omission of unnecessary interference of Government with business, for an end to Government's experiment in business, and for more efficient business in Government administration.”⁴⁷

In short, as per his decisive electoral mandate – Harding had defeated Democratic nominee and Ohio Governor James A. Cox the previous November with 60.3% of the popular vote (as opposed to only 34.1% for Cox, the largest popular vote differential in modern American history) – Harding promised an end to Wilsonian hubris, a light government touch and the type of sturdy, well-practiced, and business-minded leadership that had marked Republican administrations since the days of Williams McKinley and Taft. As the *New York Tribune* summed up Harding's remarks, “he looks at our political and economic life with no innovating eye. He is a conserver, and would stick to the time tested. The old America is good enough for him.”⁴⁸

And yet, however much Harding's words conveyed a safe and salutary return to the way things ought to be, signs of change were in the air, as perhaps exemplified by the “startlingly modern jazz number” played as America's new First Lady, Florence Harding, whom her

⁴⁷ Harding, “Inaugural Address.”

⁴⁸ *Washington Post*, Mar. 6, 1921, p. 30.

husband and his confidants referred to as “the Duchess,” took her seat.⁴⁹ For Harding’s inaugural that morning was not only the first to employ an automobile rather than the conventional carriage, it was also the first to be amplified by loudspeakers and the first broadcast across the nation – as well as to army posts and battleships around the world – via a “special wireless telephone apparatus.”⁵⁰

Another sign of the times was the increased police presence at the event, who, along with 1000 Boy Scouts and 400 members of the Home Defense League, spied for troublemakers and ne’er-do-wells among the crowd – including attendees who might try to sneak a drink. (A earlier sweep had shut down several local bootleggers aiming to capitalize on the festivities.)⁵¹

And, perhaps most indicative of changing times was the attention paid by Harding – the first president elected after passage of the Nineteenth Amendment – to America’s new women voters. “With the nation-wide induction of womanhood into our political life,” Harding proclaimed, “we may count upon her intuitions, her refinements, her intelligence, and her influence to exalt the social order. We count upon her exercise of the full privileges and the performance of the duties of citizenship to speed the attainment of the highest state.”⁵²

His tip of the hat to America’s newest voters notwithstanding, the meat of Harding’s inaugural message was geared toward the nation’s business and financial sectors. “President

⁴⁹ Carl Sferazza Anthony, *Florence Harding: The First Lady, The Jazz Age, and the Death of America’s Most Scandalous President* (New York: Harper Perennial, 1999), 260. The phrase is Anthony’s.

⁵⁰ John W. Dean, *Warren Harding* (New York: Henry Holt, 2004), 95. Anthony, 259-260. New York Times, January 9, 1921, 1. Despite this “special apparatus” and the fact that many amateur radio operators passed on the message from these sites, Calvin Coolidge’s inaugural in 1924 is usually ascribed to be the first one officially broadcast on the radio.

⁵¹ Anthony, 259. *Washington Post*, March 5, 1921, p. 3.

⁵² Harding, “Inaugural Address.”

Harding has touched admirably upon many matters that are of great moment to the whole world today,” Thomas W. Lamont of J.P. Morgan told the *NY Times*. For his part, Elbert Gary, Chairman of U.S. Steel, found the speech “able, comprehensive, clear, and convincing...it will have a reassuring and decided effect upon the general commercial, financial and industrial affairs of the country.”⁵³ And, while financial markets “failed to display the animation expected” after Harding’s inaugural, the *Wall Street Journal* did attest that “the contents were favorably commented upon by interests in the Financial District,” with “the withdrawal of the Government from business and the readjustment of tax problems” proving “of exceptional interest.”⁵⁴

Political conservatives also rejoiced. No doubt finding validation in its thorough renunciation of the League of Nations, Senate Foreign Relations Chairman Henry Cabot Lodge deemed the speech “a splendid address...all must be gratified with the patriotic spirit that it breathed.” Enthused Republican Senator James Watson of Indiana, “It was magnificent...It was thoroughly American from beginning to end...it bore a spirit of loyalty to American institutions and against internationalism and all weakening of the spirit of true patriotism.”⁵⁵

And even to many press observers, the “great storm” seemed at long last over as well. “Under blue skies serene and cloudless a multitude listened with deep approval,” wrote George Rothwell Brown of the *Washington Post*, as Harding “reconsecrated the nation to the ideals of its inspired founders...No president ever more quickly found his way into the hearts and minds of the people.”⁵⁶

⁵³ New York Times, March 5, 1921, p. 25. *Wall Street Journal*, March 5, 1921, p. 1.

⁵⁴ *Wall Street Journal*, March 5, 1921, p. 7.

⁵⁵ *Washington Post*, March 5, 1921, p. 3.

⁵⁶ *Washington Post*, March 5, 1921, p. 1.

Also writing in the *Post*, actress and inaugural attendee Lillian Russell Moore similarly conveyed her enthusiasm for the new president as the dawning of a new day: “America is full of sunshine once more,” she exclaimed. “It was all uplifting. There is a hope and a feeling of good fellowship in the hearts of the people in Washington. The mystery, the silence, the aloofness that has been the condition here in and about the White House for the last few years, so depressing and menacing, is dispelled...I thanked God that I was an American and that a true American through whose veins coursed real American blood was our president.”⁵⁷

Still, the acclaim was not unanimous – There were those who found Harding’s inaugural less sanguine. The policies in the speech aside, *Baltimore Sun* columnist H.L. Mencken thought its form alone, which he famously dubbed “Gamalielese,” prophesied dark days ahead for the country. “On the question of the logical content of Dr. Harding’s harangue of last Friday, I do not presume to have views,” he wrote. “But when it comes to the style of the great man’s discourse, I can speak with...somewhat more competence...[H]e writes the worst English I have ever encountered. It reminds me of a string of wet sponges; it reminds me of tattered washing on the line; it reminds me of stale bean soup, of college yells, of dogs barking idiotically through endless nights. It is so bad that a sort of grandeur creeps into it. It drags itself out of the dark abyss...of pish, and crawls insanely up to the topmost pinnacle of posh. It is rumble and bumble. It is flap and doodle. It is balder and dash.”⁵⁸

⁵⁷ Washington Post, March 5, 1921, p. 6

⁵⁸ H.L. Mencken, *On Politics: A Carnival of Buncombe* (Baltimore: John Hopkins Press, 1956), 38-42. Mencken delighted in these slaps at “Gamalielese,” referring to it a few months later as “a kind of baby talk, a puerile and wind-blown gibberish. In sound it is like a rehearsal by a country band...In content it is a vacuum.” In his 1931 autobiography *Crowded Years*, former Secretary of the Treasury William McAdoo gave an equally colorful summation of Harding’s signature rhetorical style. He characterized a Harding speech as “an army of pompous phrases moving over the landscape in search of an idea; sometimes these meandering words would actually capture

Mencken's memorable diatribe can in part be explained away as the usual nattering of an interminable cynic. But he was not alone in his contempt for the new president. However they felt about the deeply polarizing Woodrow Wilson, many progressives saw grim tidings for reform in Harding's ascendance to the Oval Office.

James Cox, his Democratic opponent in the 1920 election, had ably summed up progressive concerns about the Harding agenda the previous August, while on the campaign trail. "The normalcy voiced by their candidate as visioned by his masters is the bayonet at the factory door, profiteering at the gates of the farm, the burden of government on shoulders other than their own and the Federal Reserve System an annex to big business."⁵⁹ With normalcy now decisively enthroned, many progressives lamented the political landscape that lay before them. "Reaction is on," Senator Hiram Johnson wrote to William Jennings Bryan when Harding's victory became inevitable. "Whether the old spirit of progressivism can be aroused, in either of the parties, during our generation, seems to me doubtful."⁶⁰ "What a God damned world!" exclaimed the progressive publisher William Allen White. "Starvation on the one hand, and indifference on the other, pessimism rampant, faith quiescent, murder met with indifference; the lowered standard of civilization faced with universal complaisance, and the whole story so sad

a straggling thought and bear it triumphantly, a prisoner in their midst, until it died of servitude and overwork." Dean, 73. To the editors of *The New Republic*, "Mr. Harding's words bubble and splash all around his thought, leaving the reader baffled. His intention eludes you in a spray of polysyllables and ambiguities. He is not only unable to say what he thinks, he seems at the same time not to know just what he thinks. The Senator apparently illustrates the claim of many psychologists that without language the mind cannot function." William Gibbs McAdoo, *Crowded Years: The Reminiscences of William G. McAdoo* (New York: Houghton Mifflin, 1931), 389. "Cox and Harding," *The New Republic*, September 8, 1920, 30.

⁵⁹ Wesley M. Bagby, *The Road to Normalcy : The Presidential Campaign and the Election of 1920*. (Baltimore: Johns Hopkins Press, 1968), 147.

⁶⁰ Bagby, 150.

that nobody can tell it. If anyone had told me ten years ago that our country would be what it is today, and that the world would be what it is today, I should have questioned his reason.”⁶¹

Indeed, if progressives needed a visual reminder of the dire straits in which reform seemed to have fallen on inauguration day, they need only look over at the outgoing president, the feeble, emaciated Woodrow Wilson. Once viewed as the man who would lead the world into a new age of peace, Wilson was now frail and exhausted, the sick man of progressivism. “There was something tragic about the broken frame of the man who limped from the White House to accompany his successor to the Capitol,” observed the *New York Times*, who called his final moments in the White House “dramatic and touchingly pathetic.”⁶² As it turns out, Wilson was too weak even to attend all of the inaugural services. After riding to the Capitol with the president-elect, during which he ignored the crowds, looked straight ahead, and, during one quiet moment between the two presidents, broke down in tears, Wilson declined to attend the official inauguration in the Senate Chamber, on the grounds that he was likely too weak to make it up the required steps.⁶³ “The Senate has thrown me down,” Wilson quipped to Pennsylvania Senator Philander Knox, obliquely referring to the League of Nations fight that had so sapped his strength, “but I am not going to fall down.”⁶⁴

And so, as Harding ushered in the era of normalcy from the Capitol portico, Wilson limped to a waiting car and retired to his new home on S Street, where he was greeted by a crowd of well-wishers, eager to give their fallen president one final round of applause. Even

⁶¹ White to Ray Stannard Baker, December 8, 1920. Walter Johnson, ed., *Selected Letters of William Allen White 1899-1943* (New York: Henry Holt, 1947), 213.

⁶² *New York Times*, Mar. 5, 1921, 1.

⁶³ Gene Smith, *When The Cheering Stopped: The Last Years of Woodrow Wilson* (New York: TIME, 1964), 184.

⁶⁴ *Hartford Courant*, Mar. 5, 1921, 15.

when the gathering struck up “Onward, Christian Soldiers,” Wilson was either too weak or too moved to respond. He waved from a second-floor window, pointed at his throat, and withdrew.⁶⁵

How had it come to this? Only two and a half years earlier, Wilson had been the victorious leader in a war to make the world safe for democracy, and was adored by millions the nation and world over. And, while many thought the Great War a setback to reform, and had endured personal calumny and ridicule in the nationalist fervor that had followed in its wake, even “peace progressives” had still looked to a reconstructed post-war world with a good deal of hope for the future. “We need no longer work for the right of self-determination for the peoples of the earth,” editorialized the *Survey* in November 1918. “Militarism is dead, unless we are so incredibly stupid as to revive it... The Atlantic Ocean is the new Mediterranean, and while trade winds blow its waves shall be consecrated to freedom... The war is won. Under what device can we consolidate its gains, eliminate its evils, capitalize for the programs appropriate to peace the social enthusiasms which it has generated?”⁶⁶

That device remained elusive, for the *Survey* as for the progressives. In the months and years that followed, the millennial post-war dream of November 1918 would founder amid a sea of diplomatic *realpolitik*, social upheaval and unfortunate coincidences, finally culminating in Harding’s impressive mandate in November 1920. Novelist Willa Cather once famously remarked that “the world broke in two in 1922 or thereabouts.”⁶⁷ For the progressive movement, that break happened a few years earlier, between the end of the war and the election of 1920.

⁶⁵ Smith, 187-188.

⁶⁶ Burl Noggle, *Into the Twenties* (Chicago: University of Illinois Press, 1974), 31.

⁶⁷ Dumenil, 3.

PART ONE: CRACK-UP: FROM VERSAILLES TO NORMALCY

"The old world has crumbled into dust at our feet, and it can never be restored. The war has broken for good and all the bands which held the pre-war world together. For the moment we are adrift and have no idea of our bearings."

– Richard Roberts, *The Survey*, 1919.⁶⁸

"The final war for democracy will begin after the war."

-- Walter Weyl, 1918.⁶⁹

"Europe was devastated by the war, we by the aftermath."

- Louis Brandeis, 1921⁷⁰

*"Between the idea
And the reality
Between the motion
And the act
Falls the Shadow."*

- T.S. Eliot, 1925⁷¹

⁶⁸ Richard Roberts, "The Restoration of Civil Liberty," *The Survey*. November 15, 1919, 110.

⁶⁹ Walter Weyl, *The End of the War* (New York: MacMillan, 1918), 311.

⁷⁰ Arthur Schlesinger, *Crisis of the Old Order* (New York: Houghton Mifflin, 1957), 75.

⁷¹ T.S. Eliot, *The Hollow Men*, 1925.

CHAPTER ONE: THE “TRAGEDY OF THE PEACE MESSIAH”

PROGRESSIVES AND THE VERSAILLES TREATY

“Doesn’t the whole trouble in Europe today go back to the Versailles Treaty, that instrument of perfidy and dishonor?...It seems to me that practically all our ills are directly chargeable to the Versailles Treaty.” – Harold Ickes, 1923.⁷²

“The reforming spirit of the pre-war brand led most of its paladins to Versailles. After that debacle of superficial moral zeal, destitute of adequate social intelligence, why should we ask ‘where are the pre-war reformers or their successors?’ – Norman Thomas, 1926⁷³

“Paris was like a session of Congress...The effort at negotiation and settlement sort of became a rout, any old thing to close up shop. One came to Paris when hope was riding high, and day by day you could see these hopes just – well, you soon detected that it was a great enormous balloon and gradually all the air was coming out of it. It soon settled into a kind of sordid play of selfish and ignorant and impatient forces.” – Felix Frankfurter, 1960⁷⁴

Prominent progressives had split on the issue of America’s entry into the Great War. Many, such as officials in the Wilson administration, the editors of *The New Republic* and, perhaps most memorably, philosopher John Dewey, saw vast opportunities for progressivism both home and abroad in the president’s call to arms in 1917. But others, such as Jane Addams, Robert La Follette, and Oswald Villard of *The Nation*, believed entering the war represented both a betrayal of and a great step backward for the progressive impulse.

If progressives had been divided on the question of entry into the conflict, however, they were virtually unanimous in their dismay over the Great War’s conclusion at the Paris Peace Conference. Progressives of all stripes –pragmatists and pacifists alike – came to see the Versailles conference and President Wilson’s role therein as a disastrous turn of events for the nation and for progressivism. Although disenchantment with both idealism and the Wilson government had already been set in motion by the experience of the war itself, the seemingly complete failure of the peace only exacerbated the widespread sense of disillusionment. And, while many progressives laid the blame for Versailles solely on Wilson, others extrapolated from the experience to detect inherent problems with progressivism as then constituted.

⁷² Harold Ickes to Hiram Johnson, February 1, 1923. HLI. Box 33: Hiram Johnson.

⁷³ Norman Thomas, “Where are the Pre-War Radicals,” *The Survey*, February 1, 1926, 563.

⁷⁴ Harlan B. Phillips, ed., *Felix Frankfurter Reminisces* (New York: Reynal, 1960), 162.

An American in Paris

After four unimaginably destructive, soul-crushing years, the Great War at last ended in armistice in November 1918, and an exhausted world rejoiced as best it could. But President Woodrow Wilson, believing his most crucial task had only just begun, spent little time resting on the laurels of Allied victory. Rather, he committed himself immediately to securing the world “made safe for democracy” that he had promised would result from the conflict.

Wilson believed that only a peace that followed his Fourteen Points could legitimate the bloody sacrifice and horrible devastation endured by the world, and he told America he would settle for nothing less. “We are about to give order and organization to this peace not only for ourselves but for the other peoples of the world as well, so far as they will suffer us to serve them,” he told Congress in December of 1918. “It is international justice that we seek, not domestic safety merely... The gallant men of our armed forces on land and sea have consciously fought for the ideals which they knew to be the ideals of their country; I have sought to express those ideals; they have accepted my statements of them as the substance of their own thought and purpose, as the associated governments have accepted them; I owe it to them to see to it, so far as in me lies, that no false or mistaken interpretation is put upon them, and no possible effort omitted to realize them.”⁷⁵

As such, Wilson explained, he must now go to Paris himself, the first time in American history that a president had ventured across the Atlantic while in office, to ensure that the peace was won. “It is now my duty to play my full part in making good what they offered their life's

⁷⁵ Woodrow Wilson, “Sixth Annual Message to Congress,” Dec. 2, 1919. Reprinted at American Presidency.Org (<http://www.presidency.ucsb.edu/ws/print.php?pid=29559>)

blood to obtain. I can think of no call to service which could transcend this...I am the servant of the nation. I can have no private thought or purpose of my own in performing such an errand. I go to give the best that is in me[.]”⁷⁶

For Wilson, this planned trip to Versailles was a culmination not only of the war but of his entire public life, for he had envisioned such a role in his destiny from a very early age. “*If God will give me the grace I will try to serve him to perfection,*” he had written in his journal as a young man, just before graduating from Princeton in 1879. On his thirty-third birthday, he asked himself, “Why may not the present generation write, through me, its political autobiography?” And, while courting his fiancée in 1885, Wilson had written to her of his most noble dream. “I have a passion for interpreting great thoughts to the world,” he told her. “I should be complete if I could inspire a great movement of opinion, if I could read the experiences of the past into the practical life of the men of to-day and so communicate the thought to the minds of the great mass of the people as to impel them to great political achievements.”⁷⁷

During the Presidential campaign of 1912, it seemed to Wilson that destiny had finally called. “Remember that God ordained that I should be the next president of the United States,” he told a staffer. “Neither you nor any mortal could have prevented that.” And now, with the Great War over and the world looking to Wilson to bring forth a new era of peace, it seemed his long-held ambitions had finally become manifest.⁷⁸

⁷⁶ Ibid.

⁷⁷ Thomas Knock, *To End All Wars: Woodrow Wilson and the Quest for a New World Order* (Princeton: Princeton University Press, 1992), 5, 13.

⁷⁸ David Pietrusza, *1920: The Year of the Six Presidents* (Philadelphia, Perseus, 2007), 17.

But even by his exacting standards, Wilson had set himself a high bar. And, indeed, as he sailed across the Atlantic aboard the *George Washington* in early December of 1918 with a small army of aides and diplomats in tow, he confided as much to his head of the Committee of Public Information, journalist George Creel.⁷⁹ “I am wondering whether you have not unconsciously spun a net from which there is no escape,” Wilson mused, passing the buck of his lofty promises for a moment onto his minister of propaganda. “What I seem to see – with all my heart I hope that I am wrong – is a tragedy of disappointment.”⁸⁰

In this early moment, Wilson was prescient, for “a tragedy of disappointment” encapsulated what the Paris Peace Conference, and Wilson’s involvement in it, would come to mean for onlookers the world over. “Mr. Wilson left for Paris with the best wares ever brought to market,” *The New Republic*’s Walter Weyl would write afterward, “with economic power, military power, and the prestige of disinterestedness; he comes back with empty pockets and a gross of green spectacles.” As English economist John Maynard Keynes put it, “When President Wilson left Washington, he enjoyed a prestige and a moral influence throughout the world unequalled in history... With what curiosity, anxiety, and hope we sought a glimpse of the features and bearing of the man of destiny, who, coming from the West, was to bring healing to

⁷⁹ The depth and grandeur of Wilson’s entourage earned derisive comment from some progressives, who believed that Wilson should’ve made a virtue of republican thrift. “While his fellow citizens were sacrificing in every possible way,” wrote Nebraska Senator George Norris, Wilson “used the money that came from honest toilers in a display of wealth and pomp never equaled by any king, monarch, or a potentate... he ought to have given to the suffering beaten world an illustration of democracy’s simplicity.” Of the size of the Wilson delegation, Norris wrote: “There are thousands of lesser lights who are now there and have been there, and more to follow... and the poor taxpayer, overburdened with toil and sacrifice, is beginning to realize that all of this wild and mad extravagance must be paid.” George Norris, *Fighting Liberal: The Autobiography of George W. Norris* (New York: Collier, 1961), 207.

⁸⁰ Margaret MacMillan, *Paris 1919: Six Months that Changed the World* (New York: Random House, 2002), 15. Smith, 43. In his 1921 book *Woodrow Wilson as I Knew Him*, Wilson’s private secretary, Joseph Tumulty, claimed Wilson offered a similarly prescient bon mot on the way to Versailles, which historian Thomas Knock has argued may be apocryphal. “This trip,” said Wilson to Tumulty, “will either be the greatest success or the supremest tragedy in all history.” Knock, 192.

the wounds of the ancient parent of his civilization and lay for us the foundations of the future. The disillusion was so complete that some of those who had trusted most hardly dared speak of it.”⁸¹

Admittedly, a just and lasting world peace may be considered beyond the powers of any one man to fashion out of whole cloth. But Wilson must nonetheless bear the brunt of much of the ensuing disillusionment among American progressives concerning Versailles. In 1916, he had been re-elected with the enthusiastic support of progressives and even many socialists.⁸² And in that campaign, Wilson had offered not only a platform of Peace and Preparedness, but tantalizing visions of a new world order to come. “[W]hen the great present war is over,” he told an Indianapolis audience in October of 1916, “it will be the duty of America to join with the other nations in some kind of league for the maintenance of peace.”⁸³

If he had perhaps promised the world too much, he had also promised to bring the best of him to Paris. But Wilson – perhaps in part due to medical reasons, be it a bout of his recurring cerebral vascular disease or a case of the same virulent flu epidemic that had felled millions the world over – brought the worst in him as well: his stern, unbending rectitude and ensuing

⁸¹ Walter Weyl, *Tired Radicals and Other Papers* (New York: B.W. Huebsch, 1921), 86. John Maynard Keynes. “When the Big Four Met,” *The New Republic*, December 24, 1919, 105.

⁸² According to estimates, Wilson picked up 20 percent of the 1912 Progressive vote for Roosevelt and 33 percent of the 1912 Socialist vote for Debs. [In 1916] “Walter Weyl... Amos Pinchot and Rabbi Wise of the American Union of Militarism presented the President with a resolution (signed also by John Dewey, Ray Stannard Baker, and Walter Lippmann) expressing their regret for having earlier opposed him... Paul Kellogg and Lillian Wald organized ‘Social Workers for Wilson’... the Democratic National Committee proudly announced that Jane Addams planned to vote for Wilson.” Herbert Croly also officially brought TNR along to Wilson. Among the Socialists who voted Wilson in 1916 were John Reed, Jack London, Charles Edward Russell, Helen Keller, Upton Sinclair, John Spargo, William English Walling, Florence Kelley, Algie M. Simons, Gus Myers, and Max Eastman. Knock, 94, 100.

⁸³ Knock, 96. According to Knock, the “point has never been established either in biographies or in more specialized studies of Wilson’s foreign policy. But Wilson made American membership in a league of nations one of the themes of his [1916] campaign.” Knock, 95.

disinterest for the niceties of diplomacy, his supreme confidence in his own sense of the right, and his unmatched penchant for holding grudges.⁸⁴

Whatever the reasons, Wilson had already begun the process of sabotaging any possible diplomatic achievements at home by neglecting to name any prominent Republicans to the Versailles delegation. (His unfortunate decision was characterized by humorist Will Rogers as follows: “I’ll tell you what, we’ll split 50-50 – I will go and you fellows can stay.”) Given that the Republican party had recently retaken both the House and Senate in the midterm elections of 1918 – an election Wilson had told the public beforehand should be taken as a referendum on his leadership – it was all the more important for the president to extend an olive branch to the new Republican Congress.⁸⁵

⁸⁴ Historian Robert Crunden, among others, has speculated that Wilson’s illness, which would become manifest to all with his later strokes, crucially affected his ability to negotiate in Paris. ““Much of this material remains hypothetical, since adequate records do not survive, and physicians then and later have reached no definitive diagnosis. But... Wilson’s disease(s) at Versailles weakened his ability to negotiate... Suspicion became paranoia; lack of patience became irascibility; custom became rigid habit; and set ideas, such as that of the League of Nations, became obsessions that could not be questioned or negotiated. Because of illness, Wilson slowly froze into positions that represented caricatures of progressivism.” And historian Jon M. Barry makes a persuasive case that the disease at work on Wilson was the dreaded influenza: After what appears to be a severe case of it contracted in Paris in April 1919, Wilson subsequently abandoned most of his demands in Paris and began displaying worrying signs of mental breakdown. Influenza, Barry argues, citing a 2004 epidemiological study, can also leads to strokes not unlike the one Wilson would suffer later in the year.

Whether his ailments explain the president’s behavior or not, Margaret MacMillan’s *Paris 1919* offers a worthy compendium of quotes concerning Wilson’s character failings. The French ambassador deemed Wilson “a man who, had he lived a couple of centuries ago, would have been the greatest tyrant in the world, because he does not seem to have the slightest conception that he can ever be wrong,” and even devoted Wilsonian progressive Ray Stannard Baker was forced to concede that the president was “a good hater.” Offered Colonel House, a man who arguably knew him better than anyone else: “Never begin by arguing [with Wilson] Discover a common hate, exploit it, get the president warmed up, and then start your business.” Looking back late in life, Justice Felix Frankfurter saw both character and illness at work in Wilson’s fall “[Wilson] was cold, dogmatic,” he remembered. “I had seen something of him before he became President, and all the qualities that came out so strikingly in the tragic year of 1919 and earlier, but particularly 1919. Old age and sickness bring out the essential characteristics of a man... when we haven’t got as much energy, the native qualities break forth. He was dogmatic, intolerant; fundamentally didn’t like his kind.” [Crunden, 1982 #82 @254} MacMillan, 5. Pietrusza, 16. Frankfurter, 78.

⁸⁵ MacMillan, 6. Of that midterm election, Thomas Knock concluded that the Republican Party, following a strategy devised by Lodge, former president Theodore Roosevelt, and party chairman Will Hays, “had virtually written a textbook on how a political party might, with penetrating effect, brand liberals as incipient socialists, whether they

But, in naming his delegation, Wilson looked over such GOP luminaries as Senate Foreign Relations Chair Henry Cabot Lodge, ex-President and head of the League to Enforce Peace (LEP) William Howard Taft, and Wilson's opponent in 1916, Charles Evans Hughes. (Of the latter, Wilson argued that "there is no room big enough for Hughes & me to stay in.")⁸⁶

Perhaps most notably, Wilson also looked over longtime internationalist and venerable Republican lawyer Elihu Root, a former Secretary of State and Nobel Peace Prize winner, who could have given Wilson's diplomatic efforts an imprimatur of bipartisanship that many conservatives in the GOP would have been bound to respect. But, with no Republican cover, the president ensured his efforts would be construed as solely a Wilsonian peace. And while many Republicans had already suggested during the midterm contests that they would not back Wilson's "socialistic" peace proposals regardless, Wilson's diplomatic snub no doubt poured unnecessary salt into the wound. As former president (and perennial Wilson critic) Theodore Roosevelt, who had lost his son Quentin in the war, angrily put it to a Carnegie Hall crowd in October 1919, "We can pay with the blood of our hearts' dearest, but that is all we are to be allowed."⁸⁷

were or not. One might even conclude that they cut the pattern for Republican campaigns for the rest of the century." Knock, 188.

⁸⁶ Knock, 189. Wilson later exacerbated his Republican problem by deeming his opponents, most notably Henry Cabot Lodge, "pygmy minds" who should be "hanged on gibbets high as heaven, but pointing in the opposite direction." Pietrusza, 39. Wrote William Howard Taft to Republican Party Chairman Will Hays in July 1919, "The [Republican] attitude of hostility towards the President has aroused criticism and opposition which might have been avoided had he taken with him such a man as Mr. Root and two representatives of the Foreign Relations Committee in the Senate." "Taft's Move Conciliatory," *New York Times*, July 24, 1919.

⁸⁷ Nathan Miller, *New World Coming: The 1920s and the Making of Modern America* (New York: Scribner, 2003), 17. Among the observers who found Wilson's partisan strategy puzzling was Assistant Secretary of the Navy Franklin Roosevelt. "This business of the President and the Secretary of State negotiating and signing a treaty, and then handing it cold to the Senate is all wrong," he wrote his wife Eleanor. "If I were doing it, I'd take the Senate, and maybe the House, into my confidence as far as I could. I'd get them committed to a principle and then work out the details in negotiations. In that way the thing could be secured." Pietrusza, 39.

Worse, to many observers Wilson seemed to arrive in Paris wholly unprepared for the delicate negotiations that awaited him, and was outflanked in any case by the wily old diplomatic veterans of Europe. For, although he was welcomed in city after city in Europe with remarkable outpourings of adulation, Wilson was a considerably less-beloved figure among the European heads of state, and each had their own axes to grind with the peace as outlined in the Fourteen Points.

With the British Navy still the scourge of the oceans and the cornerstone of the Empire's defense, English Prime Minister David Lloyd George had little use for freedom of the seas. Nor did Vittorio Orlando of Italy have any real desire for a League of Nations. Rather than a "world made safe for democracy," Orlando was more inclined at Versailles to establish Italian territorial control over former Central Power territories, such as parts of Turkey and the Croat state of Fiume.

For his part, Prime Minister Georges Clemenceau – a man with vivid memories of the Siege of Paris during the Franco-Prussian War of 1870-1871 – was most concerned with preserving the security of his homeland. With the threat of nearby Germany a centuries-old thorn in the side of France, the man known as "the Tiger" had more faith in the long-standing system of alliances that had prevailed in Europe for centuries than he did Wilson's seemingly naïve Fourteen Points. And, after the millions of lives lost – forty-seven times more than the casualties suffered by the United States – and the untold destruction experienced in the Great War, no Allied power really shared Wilson's professed desire for a "peace without victory," or for the

realization of “self-determination” for the former territorial holdings of the German empire. To the contrary, it was time for payback.⁸⁸

And so, bit by bit, Wilson’s grand millennial vision died the death of a thousand cuts in Paris, until it was almost completely subsumed by the vagaries of Old World *realpolitik*. Beginning with a heated discussion over the mandate system, it became clear to all that the powers of Europe aimed to -- and would quickly succeed in -- divvying up the territories of the former German empire among them. “At this and subsequent critical junctures,” observed historian Thomas Knock, Wilson “found himself in an absolute minority of one.” From this fight over mandates, which for all intent and purposes papered over the Allied powers’ land grabs with the lofty rhetoric of the League, the wily masters of Europe soon discovered they could extract virtually any concession from Wilson they desired, so long as they paid lip service to his professed ideals and promised to grant him his beloved League of Nations.⁸⁹

And after the Republicans, left behind in Washington, illustrated to the world over that Wilson’s League faced some not-inconsiderable opposition at home, the other leaders at Versailles saw their chance to strike. As William Hughes, the Prime Minister of Australia had already figured out, the League of Nations was to Wilson “what a toy was to a child – he would not be happy till he got it.” And so, in exchange for concessions on the League aimed solely at keeping the United States Senate happy (such as a clause recognizing the primacy of the Monroe

⁸⁸ Knock, 182, 184, 197-199. As Clemenceau said to Wilson during the negotiations, “Please do not misunderstand me. We too came into the world with the noble instincts and the lofty inspirations which you express so eloquently. We have become what we are because we have been shaped by the rough hand of the world in which we have to live[,] and we have survived only because we are a tough bunch.” Pietrusza, 30.

⁸⁹ Knock, 213. One notable observer who had expected as much from the start was T.E. Lawrence, the British diplomat and adventurer whose story was immortalized in David Lean’s *Lawrence of Arabia*. “Yes, when we read those speeches,” he told one of Wilson’s aides about the Fourteen Points, “we chuckled in the desert.” Ibid.

Doctrine), Wilson gave away the store.⁹⁰ France obtained military control over the Rhineland, England received promises of a future US naval conference, Italy (after a walkout) got the territory they were looking for in Eastern Europe, and – in a move that would particularly startle progressives – even the delegation from Japan saw their control over the historic and strategically vital Chinese province of Shantung reaffirmed.⁹¹ (When told that the world would not look kindly on this last concession, Wilson voiced frustration about his diplomatic predicament. “I know that too,” he told press secretary Ray Stannard Baker, “but if Italy remains away & Japan goes home, what becomes of the League of Nations?”) Soon thereafter, the European powers were able to convince the increasingly exhausted Wilson to open the door for the large and punitive reparations that are most often associated with the Versailles treaty.⁹²

A Human Failure

As the peace Wilson had long promised slowly evaporated, the early optimism of progressive-minded observers ripened into contempt and disgust, much of it directed at Wilson himself. “The President’s programme for the world, as set forth in his speeches and his notes,” wrote John Maynard Keynes, in a series of articles printed in *The New Republic*, “had displayed a spirit and a purpose so admirable that the last desire of his sympathizers was to criticise details – the details, they felt, were quite rightly not filled in at present, but would be in due course”:

“It was commonly believed at the commencement of the Paris Conference that the President had thought out, with the aid of a large body of advisers, a comprehensive scheme not only for the League of Nations but for the embodiment of the Fourteen Points in an actual Treaty of Peace.

⁹⁰ Knock, 200. To be fair, some of these concessions were also paved by Colonel House, in order to keep negotiations moving along while Woodrow Wilson was back in Washington from mid-February to mid-March, 1919. “House has given away everything I won before we left Paris,” the president grimaced to his wife. “[H]e has compromised on every side, and so I have to start all over again.” Knock, 246. McMillan, 175. Pietrusza, 30.

⁹¹ The Monroe Doctrine clause, added to the very controversial Article X, read: “Nothing in this Covenant shall be deemed to affect the validity of...regional understandings like the Monroe Doctrine for securing the maintenance of peace.” Suffice to say, this would not be enough to forestall the concerns of many in the United States. Knock, 248.

⁹² MacMillan, 338.

But in fact the President had thought out nothing; when it came to practice, his ideas were nebulous and incomplete. He had no plan, no scheme, no constructive ideas whatever for clothing with the flesh of life the commandments which he had thundered from the White House. He could have preached a sermon on any of them or have addressed a stately prayer to the Almighty for their fulfillment; but he could not frame their concrete application to the actual state of Europe.”⁹³

“He not only had no proposals in detail,” continued Keynes in exasperation, “but he was in many respects, perhaps inevitably, ill informed as to European conditions. And not only was he ill informed...but his mind was slow and inadaptable.” Indeed, Keynes concluded of Wilson, “[t]here can seldom have been a statesman of the first rank more incompetent than the President in the agilities of the Council Chambers...His mind was too slow and unresourceful to be ready with *any* alternatives. The President was capable of digging his toes in and refusing to budge...But he had no other mode of defense.”⁹⁴

The reason for this fundamental defect, thought Keynes, lay in the cast of Wilson’s mind. “The President was a nonconformist minister, perhaps a Presbyterian. His thought and his temperament were essentially theological not intellectual, with all the strength and the weakness of that manner of thought, feeling, and expression.” The president’s rivals at Versailles evidently concurred with this assessment of Wilson as evangelistic dupe. “I’ve never knew anyone to talk more like Jesus Christ, and act more like Lloyd George,” quipped Clemenceau of Wilson. “God gave us the Ten Commandments, and we broke them,” the Tiger remarked early in the negotiations. “Wilson gives us the Fourteen Points. We shall see.” And Wilson himself added

⁹³ Keynes, 106

⁹⁴ Keynes, 106-107. Secretary of State Robert Lansing may have expected this sort of failure on Wilson’s part when he told Colonel House that Wilson was “making one of the greatest mistakes of his career and imperiling his reputation” by going to Versailles. Rather, Wilson should have cultivated “the very mystery and uncertainty that attach to him while he remains in Washington,” and let his diplomatic subordinates plea his case. Knock, 190.

fuel to this fire, purportedly telling one aide that “If I didn’t feel that I was the personal instrument of God, I couldn’t carry on.”⁹⁵

In the months and years that followed, several progressive writers, many of whom had originally deeply admired the President, would also try to make sense of Wilson’s baffling performance at the Paris Peace Conference. To Walter Weyl, who wrote on the catastrophe at Versailles just before his untimely death from throat cancer in November 1919, Wilson’s failure was also rooted in his nature. “Mr. Wilson’s failure was a poignant moral failure involving everything in the man that held our respect:

[Wilson was] overconfident – too sure of his ability to match his mind against the best minds of Europe. He was ill-prepared and ill-informed. He grew confused and lost perception of what could, and could not be done. He was stubborn when he should have been open-minded, vacillating when he should have been decisive...Mr. Wilson went to Paris like some medieval Doctor of Theology, with his theses written down on stiff parchment, ready to meet the other good doctors in fair and leisurely argument. Instead of Doctors of Divinity it was hand-to-mouth diplomats whom he met – men no worse than their calling – who greeted him kindly and then reverently laid his neat theses under the map of Europe which was being sliced up. These diplomats, though smaller, were cleverer than the President, and they were playing their own game with their own cards.”⁹⁶

As a former political science professor happiest in the realm of abstraction, Wilson, thought Weyl, had no talent for the gritty realpolitik inherent to Old World diplomacy, perhaps best typified by English Prime Minister David Lloyd George’s rumored quip to a Conference aide, “Please refresh my memory. Is it Upper or Lower Silesia we’re giving away?” In a damning summation of the inherent flaws in Wilsonism (and, by extension, a certain cast of progressive mind), Weyl argued:

⁹⁵ Keynes, 106. Pietrusza, 27. Thomas Knock. “Woodrow Wilson,” in Alan Brinkley and Davis Dyer, ed., *The American Presidency* (New York: Houghton Mifflin, 2004), 308. Miller, 23. Phillips, 161.

⁹⁶ Weyl, 84-85.

The simple faith of Mr. Wilson in his Fourteen Points, unexplained and unelaborated, was due, I believe, to the invincible abstractedness of his mind. He seems to see the world in abstractions. To him railroad cars are not railroad cars but a gray, general thing called Transportation; people are not men and women, corporeal, gross, very human beings, but Humanity – Humanity very much in the abstract. In his political thinking and propaganda Mr. Wilson cuts away all the complex qualities which things possess in real life in order to fasten upon one single characteristic and thus he creates a clear but over-simple and unreal formula. As a consequence he is tempted to fall into inelastic categories; to see things black and white; to believe that similar things are identical and dissimilar things opposite...

[T]his abstractness of Mr. Wilson is part of a curiously a priori metaphysical idealism. His world stands firmly on its head. Ideas do not rest upon facts but facts on ideas. Morals and laws are not created out of the rub and wear of men and societies but are things innate, uncreated, immutable, absolute, and simple, and human relations arise out of them.⁹⁷

In sum, Weyl concluded, Wilson ventured into the diplomatic thicket of Versailles “with a map of the world but without a compass.” And yet, perhaps recognizing the implications such a critique would have on the larger progressive project, Weyl ultimately rejected his own argument, and backed away from blaming Wilson’s idealism for the failure at Versailles. “Those who despise all idealism in politics will exult over this new Don Quixote overthrown and bespattered, this new saint seduced,” he wrote. “They will wish to revert to the old time diplomatist, the dollar and steel and sausage diplomatist, who has as few ideals as may be but has his broad feet flat on the ground. They will call for an end of prophets and idealists.” Having

⁹⁷ Courtesy: Eigen's Political & Historical Quotations.

(<http://www.politicalquotes.org/Quotedisplay.aspx?DocID=26331>) Weyl, 187-188. This was a common complaint about Wilson among progressives. As Robert La Follette wrote his sons of Wilson in 1919, “I sometimes think the man has no sense of things that penetrates below the surface. With him the rhetoric of a thing is the thing itself. He is either wanting in understanding or conviction or both. Words – phrases, felicity of expression and a blind egotism has been his stock in trade.” And reminiscing years down the road, Felix Frankfurter remembered of Wilson: “He believed in democracy in the abstract, but didn’t care for people. That’s true! And he’d cut off their heads with equanimity.”

One can also find further evidence of this “invincible abstractness” in Wilson’s thought in the wooing of his first wife, Ellen Louise Axson. When discussing the “compact” of their marriage in 1885, Wilson suggested that she consider it “an Interstate Love League (of two members only that it may be of manageable size)...we can make bylaws at our leisure as they become necessary.” Belle Case La Follette and Fola La Follette, *Robert M. La Follette* (New York: MacMillan Company, 1953). 966. Frankfurter, 78. Knock, 4.

sensed the danger, Weyl honed his critique. “It was not Woodrow Wilson, the prophet and idealist, who was overturned at Paris,” he concluded:

for whatever his defects, his abstractness, his metaphysical idealism, his over-confidence, his vanity, he might always have retrieved himself and gained at least a moral victory by a final refusal. The man who was discomfited was Woodrow Wilson the politician, the man who thought he could play the European game, who was not afraid of the dark, who at times seemed to bargain for his own hand, for his personal prestige and his political party, instead of fighting always and solely, win or lose, for his ideals. A man cannot both be celestial and subterranean.⁹⁸

Writing several years later, in his much-discussed (at the time) 1925 autobiography *Confessions of a Reformer*, disillusioned progressive Frederic C. Howe concurred with the general contours of Weyl’s assessment. “For the first time in his political life,” he wrote, “Woodrow Wilson was compelled to do battle with equals, who knew every detail of what was being discussed, but of which he had only the superficial information provided on a sheet of paper. He had expected an afternoon tea; he found a duel. He expected to dictate; he descended to barter.” On one hand, thought Howe, Wilson suffered from grievous personal failings, rooted in idealistic “reveries,” that undermined his ability to succeed in Paris. “Mr. Wilson could not bear criticism. Criticism brought his reveries of himself under inspection, and he cherished those reveries. He shielded them, nursed them, lived with them. His dreams had to be kept intact. They had to be respected by others.”

On the other, Howe believed that Wilson ultimately forsook this cherished idealism at the bargaining table, to disastrous results. “Had the President remained a Messiah, content with approval from himself alone, he might possibly have won. He might have failed, but his failure would have been a Messianic failure in keeping with his vision of himself”:

⁹⁸ Weyl, 100-101.

But he chose to barter. When he began to barter, he lost all; he lost his own vision of himself, and he had to keep this vision of himself intact. It and his principles were all that he had brought to Paris. A man less idealistic would have been betrayed as he was betrayed, but he would have been a better bargainer. He would have used America's financial power. He would have brought pressure to bear. He might have threatened. He would have descended more frankly into the world in which he found himself. But the evangelist could do none of these things frankly, and the President was an evangelist.⁹⁹

In sum, Howe concluded, "President Wilson's sense of insecurity, when outside of his study, made him vulnerable. He was unwilling to face defeat. He would not face failure. To escape failure he sacrificed principles... His constant struggle was to preserve the semblance even when the substance was lost." And, when Wilson returned from Versailles to pitch the League of Nations to his countrymen, "the people were ready to accept his failures and understand the cause. It was his assertion that he had brought back the peace he had promised that had turned the tide. The people did not believe what he said. They heckled him in his meetings. They forced him to see himself. It was then that his strength gave way, his health broke. He lost his vision of himself when he discovered that it was no longer held by others. The pinnacle from which he fell was within himself. That was the tragedy of the Peace Messiah."¹⁰⁰

The experience at Versailles also disillusioned many of the progressives on Wilson's diplomatic team. "I took up the work at Paris full of the warmest anticipations of some settlement that would realize liberal ideals," wrote former progressive journalist and then Wilson Press Secretary Ray Stannard Baker. "I saw the reaction... from the War and I realized... the enormous strength of the old imperialistic and military systems." During the peace conference, Baker confided in his journal of Wilson: "He will probably be beaten. He can escape no

⁹⁹ Frederic C. Howe, *The Confessions of a Reformer* (Kent: Kent State University Press, 1988), 312-313.

¹⁰⁰ Howe, 316.

responsibility & must go to his punishment not only for his own mistakes and weaknesses of temperament but for the greed and selfishness of the world.”¹⁰¹

Upon first reading the final version of the treaty, which had been delivered to his hotel room at four in the morning, economic advisor and former head of the food administration Herbert Hoover was so shaken that he went for a walk about Paris to collect his thoughts. He soon happened upon Keynes and Jan Christiaan Smuts of South Africa (one of the main architects of the League), who had disappeared into the night for similar reasons. “It all flashed into our minds why each was walking about at that time of the morning,” wrote Hoover. “We agreed that the consequences of many parts of the proposed Treaty would ultimately bring destruction.” Nevertheless, Hoover ultimately decided to grit his teeth and back the final product. “With all my forebodings about the Treaty, I decided for myself to support its ratification... as a lesser evil.”¹⁰²

Not all of Wilson’s diplomats in Paris followed Hoover in toeing the line. William Bullitt, a recent Yale graduate who had been sent to broker a cease-fire with the Bolshevik government in Russia (a cease-fire which was ultimately ignored by Wilson in Paris), was beside himself about the final treaty. “I am sorry that you did not fight our fight to the finish,” Bullitt angrily wrote to Wilson, “and that you had so little faith in the millions of men, like myself, in every nation who had faith in you... Our government has consented now to deliver the suffering peoples of the world to new oppressions, subjections, and dismemberments – a new century of

¹⁰¹ Noggle, *Into the Twenties*, 187-190. Knock, 246.

¹⁰² Pietrusza, 111. Hoover also thought Wilson had inadvertently sabotaged the peace by pushing himself too hard. The president was “drawn, exhausted, and haggard,” he wrote. “He sometimes groped for ideas... I found that we had to push against an unwilling mind.” Pietrusza, 33.

war.” He led a group of young diplomats in tendering their resignations from Wilson’s staff, telling the press, “I am going to lie in the sands of the French Riviera, and watch the world go to hell.” (Bullitt would later take a break from his self-imposed vacation to testify against the League of Nations in Congress.)¹⁰³

Diplomat Adolf A. Berle shared Bullitt’s disgust and was among those who tendered his resignation upon completion of the treaty. Writing in *The Nation* a few months later, he deemed the treaty a perversion of the principles – self-determination, open covenants, disarmament, and the like – for which the war had been fought. Worse, Berle and his fellow progressives “were faced with the ghastly truth that we had refused to recognize with the tenacious hope borne of faith: the master was himself the traitor. The power and splendor of Mr. Wilson’s thought, the faith reposed in him by the plain people, the burning hopes and the new vision which he aroused deepen the tragedy.” As a result of Wilson’s performance, Berle thought “the idealists throughout the world” were now “bewildered, defeated, betrayed.”¹⁰⁴

A Failure of Idealism?

¹⁰³ Schlesinger, *Crisis of the Old Order*, 14. MacMillan, 78-80. Walter LaFeber *et al*, *The American Century: A History of the United States since the 1890s* (New York: M.E. Sharpe, 1998), 167. Bullitt would also go on to pen arguably the strangest book about Wilson ever written: *Thomas Woodrow Wilson*, ostensibly co-authored (and definitely introduced) by Sigmund Freud. Written in the early 1930’s and finally published in 1966, it concluded that “Little Tommy” Wilson was obsessed with his father, thought of his father as God, and thus, by the transitive property, thought of himself as Christ. As a result, Wilson “left facts and reality behind for the land in which facts are merely the embodiment of wishes.” Writing of Wilson’s eventually disastrous nationwide speaking tour, it argues: “One may be sure that in his unconscious, when he boarded the train he was mounting an ass to ride into Jerusalem.” A 1967 TIME review of the book found it “embarrassingly simplistic” and noted that Wilson’s diaries and correspondence were not consulted in its writing. William Bullitt and Sigmund Freud, *Thomas Woodrow Wilson* (Boston: Houghton Mifflin, 1999.) “Books : Games Some People Play,” TIME, Jan. 27, 1967.

¹⁰⁴ Adolf A. Berle, “The Betrayal at Paris.” *The Nation*, August 9, 1919. Vol. CIX, No. 2823, p. 171.

Journalist Walter Lippmann, who had earlier played a substantial role in creating eight of the Fourteen Points as a member of “The Inquiry,” a group set up by Wilson to determine how rationally to resolve the boundary disputes of the Great War, also vehemently turned against Wilson and the treaty. “I don’t need to tell you how disappointed I am at the outcome at Paris,” he wrote to Colonel House in the summer of 1919. “[I]t is just such events which make a whole people cynical and the worst result of the Conference is that it has shaken the faith of millions of men in the integrity of those who now rule the world.” Lippmann strongly encouraged Wilson to disavow the results of the conference completely. “The world can endure honest disappointment ... But I see nothing but pain and disorder and confusion if this first act of honesty is not performed.” (Wilson, of course, did not take Lippmann’s advice, instead deeming the Versailles treaty upon his return “one of the great charters of human liberty.”¹⁰⁵)

In a December 1919 review of Harold Stearn’s *Liberalism in America*, Lippmann expanded his critique of the failure at Versailles. Arguing that a satisfactory peace could have emerged from the war effort, Lippmann rested the blame for the treaty on a “defect of the liberal mind” exemplified by “its apathy about administration [and] its boredom at the problem of organization.” In short, he concluded, “Mr. Wilson attempted to achieve a diplomatic miracle without a diplomatic service.”¹⁰⁶

¹⁰⁵ Francine Cary, *The Influence of War on Walter Lippmann, 1914-1944* (Madison: University of Wisconsin, 1967), 52-53. Woodrow Wilson, “Appeal for Support of the League of Nations,” *The Public Papers of Woodrow Wilson*, Ray S. Baker and William E. Dodd, eds., Authorized Edition, Vol. 1, New York, 1924, pp. 30-44. Reprinted at <http://www.mtholyoke.edu/acad/intrel/ww40.htm>

¹⁰⁶ Walter Lippmann, “Liberalism in America,” *The New Republic*, Dec. 31, 1919. Vol. XXI, No. 265, p. 150. Interestingly, the Lippmann review argues that “the word, liberalism, was introduced into the jargon of American politics by that group who were Progressives in 1912 and Wilson Democrats from 1916 to 1918. They wished to distinguish their own general aspirations in politics from those of the chronic partisans and the social revolutionists ... American liberalism is a phase of the transition away from the old party system. But it is an early phase and there is no agreement as to its ends or methods. Intellectually it is still more transitional. If it has any virtue at all it is that many who call themselves liberals are aware that the temper of tolerant inquiry must be maintained.”

Meanwhile, “the conservatives had a better grip on their case” than did Wilson’s band of peacemakers at Paris. “They had worked harder. They had planned more thoroughly. They had manipulated better. They were infinitely more resourceful. They dealt with situations from the inside and not eternally by hearsay inspiration and guess from the outside. They knew how to negotiate. They knew how to go past the fragile reason of men to their passions. They made liberalism in the person of its official representatives seem incredibly naïve. They knew how to do everything but make peace in Europe.”¹⁰⁷

Stressing the critical importance of the Anglo-American bond across the Atlantic (an emphasis that would define his foreign policy writings for the remainder of his long career), Lippmann argued that “a working partnership with [British] sea power was the indispensable basis of a liberal peace. We should have played with Britain, instead of letting Mr. George bob back and forth between M. Clemenceau and the President.” But, “in rejecting a working partnership with Britain, Mr. Wilson had cut himself off from the nation in which liberalism is mature and powerful. The only forces left were the revolutionists and to them he dared not appeal.” In sum, to Lippmann, the failure at Versailles was borne of hubris and misplaced idealism. Wilson’s mistake, and that of progressives in general, was in believing that they would carry the day simply because they were in the right.¹⁰⁸

¹⁰⁷ Ibid.

¹⁰⁸ Ibid. See also Cary, 169. Ronald Steel, *Walter Lippmann and the American Century* (Boston: Little, Brown, and Company, 1980), 170. However just Lippmann’s accusation might have been,” Lippmann biographer Ronald Steel writes, “it was mixed with a good deal of self-justification. He found it easier to blame Wilson than to accept his own complicity in believing that an imperialist war could be transformed into a democratic crusade...In blaming the ‘liberals’ when it all went sour, and even praising the conservatives, he tried to exonerate himself.” Steel, 165-166.

The New Republic, the flagship progressive journal for whom Lippmann wrote, shared his condemnation of the results at Versailles. In a May 17, 1919 cover editorial entitled “Is it Peace?” the magazine – formerly a strong advocate of entry into the war and Wilson’s peace proposals – answered its own question. “Looked at from the purely American point of view, on a cold calculation of probabilities, we do not see how the treaty is anything but the prelude to quarrels in a deeply divided and a hideously embittered Europe.” Just in case anyone had missed the journal’s remarkable renunciation of Wilsonism, the next issue declared emphatically across its front, “This Is Not Peace.” “America promised to underwrite a stable peace,” the lead editorial by Herbert Croly argued. “Mr. Wilson has failed. The peace cannot last.”¹⁰⁹

Writing in *TNR* in October of 1919, philosopher John Dewey – who had memorably cast the war as a progressive opportunity in its early days (earning the derision of critics such as Randolph Bourne) – gave his own assessment of what happened at Versailles, and attempted to explain why his position on the war remained the correct one. The implications of Wilson’s failure, he wrote, “come home to everyone who favored the participation of the United States in the war on what are termed idealistic grounds. It comes with especial force to those who, strongly opposed to war in general, broke with the pacifists because they saw in this war a means of realizing pacific ideals – the practical reduction of armaments, the abolition of secret and oligarchic diplomacy, and of special alliances, the substitution of inquiry and discussion for intrigue and threats, the founding through the destruction of the most powerful autocracy of a

¹⁰⁹ “The Week,” *The New Republic*, May 17, 1919. Vol. XIX, No. 237, 1 “The Week,” *The New Republic*, May 24, 1919. Vol. XIX, No. 238, 1. Croly had earlier argued that “under the stimulus of the war & its consequences there will be a chance to focus the thought & will of the country on high and fruitful purposes such as occurs only once in many hundred years.” Knock, 129.

democratically ordered international government, and the consequent beginning of the end of war.”¹¹⁰

Dewey did not try to sidestep the magnitude of Wilson’s failure. “The defeat of idealistic aims has been, without exaggeration, enormous.” But, Dewey argued, what failed at Versailles was not idealism but sentimentalism. “The defeat...is the defeat which will always come to idealism that is not backed up by intelligence and by force – or, better, by an intelligent use of force... The ideals of the United States have been defeated in the settlement because we took into the war our sentimentalism, our attachment to moral sentiments as efficacious powers, our pious optimism as to the inevitable victory of the ‘right’, our childish belief that physical energy can do the work that only intelligence can do, our evangelical hypocrisy that morals and ‘ideals’ have a self-propelling and self-executing capacity.”¹¹¹

This failing of idealism aside, for Dewey as with Lippmann and many other progressives, Woodrow Wilson’s mistake was mainly one of hubris. The president, Dewey argued, “seems to have thought that, contrary to all experience of representative government, he could ‘represent’ the unrepresented interests of the common people whose main concern is with peace, not war.” But, while “it is easy to blame...Mr. Wilson’s personal desire to play the part of Atlas supporting alone the universe of free ideals,” Dewey thought the president ultimately “a scape-goat convenient to save our vanity.” Rather, Dewey believed, it was the hubris of the American

¹¹⁰ *The New Republic*, Oct. 8, 1919, Vol. XX, No. 257, 285-287. .

¹¹¹ Ibid. Perhaps feeling a bit defensive toward his many progressive critics, Dewey took a swipe at pacifism along the way. While conceding that “the consistent pacifist has much to urge now in his own justification [and] is entitled to his flourish of private triumphings,” Dewey went on to write: “It may seem like a petty attempt to get back at the pacifist to say that the present defeat of the war ideals of the United States is due to the fact that America’s use of ‘force to the uttermost, force without stint,’ still suffered from the taint of complacent and emotional pacifism. But it may fairly be argued that the real cause of the defeat is the failure to use force adequately and intelligently.”

people as a whole that was to blame. It was not idealism per se, “but *our* idealism discredited, an idealism of vague sentiments and good intentions, isolated from judgment as to the effective use of the force in our hands... We are so generous, so disinterested, that we do not bargain or impose conditions. In short we are so childishly immature, so careless of our professed ideals, that we prefer a reputation for doing the grand seigneur act to the realization of our national aims. This is the acme of our sentimentalism. Can we blame the European statesmen if to put it with blank vulgarity they play us for suckers?”

As the title of his essay, “The Discrediting of Idealism,” makes plain, Dewey, like Weyl, realized that his distinction would be lost on many, and that the failure of Versailles would be left on the doorstep of idealism. “It may be that the words Idealism and Ideals will have to go,” he concluded, “that they are hopelessly discredited. It may be that they will become synonyms for romanticism, for blind sentimentalism, for faith in mere good intentions, or that they will come to be regarded as decorative verbal screens behind which to conduct sinister plans.” Nevertheless, he counseled his fellow progressives to learn from the disastrous mistake of Versailles. “Our idealism will never prosper until it rests upon the organization and resolute use of the greater forces of modern life: industry, commerce, finance, scientific inquiry and discussion and the actualities of human companionship.”¹¹²

The Peace Progressives

Having been a reliable voice for pacifism and antiwar sentiment throughout the recent conflict, *The Nation* saw Versailles not as a failure to achieve an “intelligent use of force” at all,

¹¹² Ibid.

but rather a prime example of the chickens coming home to roost once force was invoked. “What has confronted us at Paris and what confronts us at Washington is the failure of moral leadership,” the journal argued. “We are paying the price for the falsities and hypocrisies which are the inevitable accompaniment of any war.”¹¹³

Flush in its sense of vindication, *The Nation* was particularly cruel to Wilson. “No amount of official welcoming,” it editorialized in July of 1919, “no array of battleships however imposing, no amount of enthusiasm however stimulated can hide in the long run the fact that Woodrow Wilson returns from Paris an utterly defeated man. That he is prepared to deny this is obvious...He will plume himself upon having compromised as much as he did.”¹¹⁴

Deeming Wilson’s failure “a fall as profound as it is pathetic and tragic,” *The Nation* claimed to take “only pity for the weak, compromising, morally-defeated man who returned from Paris on Tuesday. Never was there such an opportunity vouchsafed to anyone in modern times to make over the world...Every trump card was Mr. Wilson’s.” But, it concluded, despite the many progressives who “warmly welcomed his Fourteen Points and fought for them tooth and nail” and were now “disillusioned, disheartened, [and] discouraged,” Wilson “lost in Paris because he went there mentally prepared to lose, because he was neither saturated with conviction nor steeped in principle.”¹¹⁵

This was mainly because, according to *The Nation*, Wilson was at heart just a base politician. “The United States has gone backward, not forward, under the leadership of Mr.

¹¹³ *The Nation*, July 5, 1919. Vol. 109, No. 2818, p. 4.

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*

Wilson, with its hopeless contradictions and never-ending insincerities,” argued an editorial. “Never, so far as we are aware,” the journal opined of the president a week later, “has he put his back to the wall and declared that sink or swim, survive or perish, he would not abandon a given principle if it cost him his career.” (Ironically, Wilson was about to take just such a stand – for his League of Nations – that would cost him a good deal more than just his career.)¹¹⁶

Looking back on Versailles in January of 1922, Jane Addams, perhaps the most venerable and well-respected progressive critic of the war during the conflict, drew a more expansive lesson from the conference, and in so doing eloquently articulated the pacifist interpretation of Versailles.

Looking past Wilson’s potential flaws of character, Addams was more charitable to the then-former president than Villard and *The Nation* had been in 1919. “Certainly international affairs have been profoundly modified by President Wilson’s magnificent contribution,” she wrote, speaking of the League of Nations and his emphasis on open covenants. And, she argued, too much may have been asked of Wilson in any event. “Did the world expect two roles from one man, when experience should have clearly indicated that ability to play the two are seldom combined in the same person? The power to make the statement, to idealize a given situation, to formulate the principle, is a gift of the highest sort, but it assumes with intellectual power a certain ability of philosophic detachment; in one sense it implies the spectator rather than the doer...To require the same man later on to carry out his dictum in a complicated, contradictory

¹¹⁶ *The Nation*, July 12, 1919. Vol. 109, No. 2819, p. 30. Wilson also explicitly contradicted this line of argument in a January 1921 interview with historian William Dodd. “I had to negotiate with my back to the wall. Men thought I had all the power. Would to God I had had such power.” Knock, 270.

situation demands such a strain upon his temperament that it may be expecting him to do what only another man of quite another temperament could do.”¹¹⁷

Nevertheless, regardless of the daunting task before him, Addams argued, Wilson’s failure was inevitable as soon as he made the disastrous decision to buck the peace movement that had helped him win re-election and involve the United States in the Great War. “We were in despair,” she wrote of herself and her fellow pacifists, when “the President himself led the preparedness parade and thus publicly seized the leadership of the movement which had started and pushed by his opponents.” Nodding to Randolph Bourne’s prescient argument in “War and the Intellectuals,” Addams recalled her confusion at the war-fervor among progressives that seemed to accompany Wilson’s change of heart in 1917. “It seemed as if certain intellectuals, editors, professors, clergymen, were energetically pushing forward the war against the hesitation and dim perception of the mass of the people.

They seemed actually to believe that ‘a war free from any taint of self-seeking could secure the triumph of democracy and internationalize the world.’ They extolled the President as a great moral leader because he was irrevocably leading the country into war. The long-established peace societies and their orthodox organs quickly fell into line, expounding the doctrine that the world’s greatest war was to make an end to all wars. It was hard for some of us to understand upon what experience this pathetic belief in the regenerative results of the war could be founded: but the world had become filled with fine phrases and this one, which afforded comfort to many a young soldier, was taken up and endlessly repeated with an entire absence of the critical spirit.¹¹⁸

¹¹⁷ Jane Addams, “Peace and Bread,” *The Survey*, January 28, 1922, 663.

¹¹⁸ Addams, “Peace and Bread II,” 661. Addams also felt personally betrayed by Wilson’s rude dismissal of his former pacifist allies. “As pacifists were in a certain sense outlaws during the war, our group was no longer in direct communications with the White House, which was, of course to be expected, although curiously we only slowly detached ourselves from the assumption that the President really shared our convictions. He himself at last left no room for doubt when [he told the AFL] that he had a contempt for pacifists because ‘I, too, want peace, but I know how to get it and they do not.’ We quite agreed with him if he meant to secure peace through a League of Nations, but we could not understand how he hoped to do it through war.” Addams, 663.

In any case, as a result of Wilson's decision to enter the war, Addams argued, the president's ability to negotiate the peace he had long desired was fatally compromised. "The President had a seat at the Peace Table as one among other victors," she wrote, "not as the impartial adjudicator. He had to drive a bargain for his League of Nations; he could not insist upon it as the inevitable basis for negotiations between two sides, the foundation of a 'peace among equals.'" By involving himself in the machinery of war, Wilson had become tainted to the world – He was now one of the conquerors rather than a bringer of peace.

"What," Addams asked, "might have happened if President Wilson could have said in January 1919, what he had said in January 1917: 'A victor's terms imposed upon the vanquished... would leave a sting, a resentment, a bitter memory upon which terms of peace would rest not permanently but only as upon quicksand,' ... Europe distrusted any compromise with a monster which had already devoured her young men and all but destroyed her civilization: A man who had stood firmly against participation in war could have had his way with the common people in every country."¹¹⁹

In arguing that the failure of the Versailles peace was irrevocably rooted in the decision to enter World War I in the first place, the progressive pacifists at least had the virtue of logical consistency. As such, they were not forced to resort to the same feats of intellectual contortion as Dewey, TNR, and other progressive supporters of the war, who attempted to pin the blame on Wilson personally, while trying to salvage what they could of the idealism and ideology he stood

¹¹⁹ Addams, "Peace and Bread," 663. Wilson had argued the converse, as had the editors of *The New Republic*, that continued neutrality would only mean that the United States had no stake at the "Peace Table" at all. If America tried to broker a peace "with nothing but a record of comfortable neutrality," TNR had argued in its second issue, its "voice [might]... well be disregarded." Forcey, 234.

for. But progressives such as Addams and Villard's *Nation* had been publicly marginalized for their pacifism during the war, and their voices no longer carried the same weight in the general public as they had previously.

Whether they were for the war or against the war, progressives around the world wrestled with their disappointment and confusion in the wake of Versailles. The disastrous fate of that grand project embittered many of them through the ensuing decade. "What really irritates me," historian Carl Becker wrote to his colleague William Dodd in June 1920, "is that I could have been naïve enough to suppose, during the war, that Wilson could ever accomplish those ideal objects...It was futile from the beginning to suppose that a new international order could be founded on the old national order." "We are at the dead season of our fortunes," John Maynard Keynes similarly proclaimed in the fall of 1919. "Never in the lifetime of men now living has the universal element in the soul of man burnt so dimly." And so it fell to another group -- the Republican progressives in the Senate, who had never held much truck with Wilson and his foreign policy ideals anyway -- to gird itself for battle against the treaty.¹²⁰

¹²⁰ Carl Becker to William Dodd, June 17, 1920. Wolfgang J. Helbich, "American Liberals in the League of Nations Controversy." *The Public Opinion Quarterly*, Vol. 31, No. 4 (Winter, 1967-1968), pp. 572-573. Schlesinger, *Crisis of the Old Order*, 15-16.

CHAPTER TWO: THE “LEAGUE OF DAM-NATIONS”

PROGRESSIVES AND THE LEAGUE OF NATIONS

“I have conscientiously opposed the League because of one fundamental reason, and that is...it would not be a league of peace but a league of war.” – William Borah, 1921¹²¹

With the promised new world order at Versailles in shambles, the League of Nations became at once the last, best hope for peace to some on the left and a symbol of all that had gone wrong in Paris to others. The League had enjoyed the support of both progressive internationalists and conservatives before WWI, but it would face its most strident opposition from progressive nationalists in the Senate, most notably Senators William Borah, Hiram Johnson, and Robert La Follette. The outcome of the ensuing debate would not only destroy a president, but determine much of the course of foreign policy in the decade to come.

Collapse at Pueblo

Despite the near-universal condemnation in progressive corners for Woodrow Wilson’s performance at Versailles, the president returned to the United States with absolutely no intention of admitting defeat on the treaty issue. Having staked so much on the creation of a League of Nations during the negotiations, Wilson was irrevocably committed to seeing at least this one facet of his vision become manifest.

It was owed to “the mothers of America and the mothers of France and England and Italy and Belgium and all the other suffering nations,” Wilson told a Memorial Day crowd at the American Army graveyard in Suresnes, west of Paris, that they “never be called upon for this sacrifice again. This can be done. It must be done, and it will be done. The great thing that these men left us,” speaking of the deceased soldiers before him, “is the great instrument of the League of Nations.” Then, in a feat of presidential séance, Wilson spoke *for* the fallen: “We command

¹²¹ Borah to Prof. Phillip Bradley, October 31, 1921. WJB, Box 94: German Treaty

you [the living] in the names of those who, like ourselves have died to bring the counsels of men together, and we remind you what America said she was born for.” If the League does not pass, in other words, the dead had died in vain.¹²²

Framing the League in such stark Gettysburgian terms suggested much about the president’s mindset on the issue. For one, with the sacrifices made so great, there could be no compromise. And thus Wilson became that much more unyielding on the League in the face of criticism. The Treaty “has come about by no plan of our conceiving, but by the hand of God, who led us into this way,” Wilson told the Senate upon submitting the document for ratification. The message to doubters was clear: One cannot improve, nor does one compromise on, the word of God.¹²³

For another, it now befell Wilson, like the soldiers before him, to give his last full measure of devotion to the cause. Despite his obviously deteriorating health, Wilson’s sense of divine mission – and the sacrifices of the fallen – propelled him onward. “I do not want to do anything foolhardy but the League of Nations is now in crisis,” Wilson told his private physician upon embarking on the grueling pro-League speaking tour that would ruin him, “and if it fails I hate to think what will happen to the world. You must remember that I, as Commander in Chief, was responsible for sending our soldiers to Europe. In the crucial test in the trenches they did not turn back – and I cannot turn back now. I cannot put my personal safety, my health in the balance against my duty – I must go.”¹²⁴

¹²² Smith, 51-52.

¹²³ Miller, 25.

¹²⁴ The Papers of Woodrow Wilson (*Arthur S. Link, ed., vol. 67, Princeton: Princeton University Press, 1993, pp. 466-670*). Reprinted at <http://www.nps.gov/nr/twhp/wwwlps/lessons/14wilson/14facts1.htm>. Secretary of State Robert Lansing, among others, thought Wilson’s decision to take his fight to the people “lost rather than gained support for the Treaty. It came to me from various sources that the public began to consider that the objections have

The outcome of this ill-fated decision is well-known. During a month-long train tour around the country, Wilson exhorted crowds several times a day to back the treaty, growing weaker with each stop. As the trip wore on, the exhausted president began suffering severe headaches and even bouts of blindness. After a speech in Pueblo, Colorado on September 25, 1919 – one in which he once again invoked the memory of those dead in Suresnes – Wilson suffered a minor stroke. His physician ordered an immediate return to Washington, but the damage had been done. A week later, on October 2nd, Wilson collapsed on the bathroom floor of the White House, suffering another, more powerful stroke, one that nearly killed him. Instead, Wilson was left paralyzed along his left side and incapacitated for the remainder of his presidency.¹²⁵

With the president having sacrificed his health, no one, not even the ghosts of Suresnes, could doubt his commitment to the League. And yet, however much he gave for the cause in the end, Wilson had actually been a relative latecomer to the idea of an international League. (And while Wilson had remained adamant about the League's importance throughout the Versailles negotiations, its actual creation had been spearheaded mainly by British diplomats, most notably Lord Robert Cecil, Lord James Bryce, and South Africa's Jan Smuts.) Rather, the idea of a League had instead been nurtured along in America by several different groups across the political spectrum – progressives, socialists, and conservatives – and each had held different views of how the League should be organized.¹²⁶

some merit, otherwise the President would not have taken so much trouble to answer them." George Creel – a man who knew a thing or two about the art of propaganda – also deemed Wilson's move "a fatal blunder." Pietrusza, 44.

¹²⁵ Miller, 28-29. "There seems to me to stand between us and rejection or qualification of the treaty," Wilson told the crowd at Pueblo, "the serried ranks of those boys in khaki – not only those boys who came home but those dear ghosts that still deploy upon the fields of France." Miller, 29. Pietrusza, 9. Smith, 95.

¹²⁶ Crunden, 258.

The Origins of the League

The idea of a “concert of nations” working together to resolve diplomatic disputes and keep the peace had been envisioned by advocates of the emerging field of international law for several decades before Wilson’s presidency. But its earliest formulation by a leading political figure in America was by Theodore Roosevelt in 1910, when the former president formally accepted the Nobel Peace Prize he had won for negotiating the Treaty of Portsmouth between Russia and Japan four years earlier. Arguing that the “power to command peace throughout the world could best be assured by some combination between those great nations which sincerely desire peace and have no thought themselves of committing aggressions,” Roosevelt argued that “it would be a masterstroke if those great powers honestly bent on peace would form a League of Peace, not only to keep the peace among themselves, but to prevent, by force if necessary, its being broken by others.”¹²⁷

After the Great War broke out in Europe in 1914, Roosevelt made the case anew in the pages of *The Outlook*. “Surely the time ought to be ripe for the nations to consider a great world agreement among all the civilized military powers to *back righteousness by force*. Such an agreement would establish an efficient world league for the peace of righteousness.” As the war progressed, however, Roosevelt became increasingly pro-Allied (and militaristic) in his rhetoric, and – though he thoroughly condemned Wilson for his attempt at neutrality and his lack of “preparedness” at every opportunity – the former President spoke less of the League idea he had floated in 1910. Thus, it befell others to take up the standard.

¹²⁷ Knock, 48. Theodore Roosevelt, “Nobel Lecture,” May 5, 1910. (http://nobelprize.org/nobel_prizes/peace/laureates/1906/roosevelt-lecture.html)

In *To End All Wars*, his study of the League of Nations fight, historian Thomas Knock lists many “feminists, liberals, pacifists, socialists, and social reformers” in the ranks of the “progressive internationalists” during World War II, among them Wellesley professor Emily Greene Balch, radical siblings Max and Crystal Eastman, Stanford president David Starr Jordan, progressive editors Oswald Garrison Villard and Paul Kellogg of *The Nation* and *Survey* respectively, and settlement house reformer Lillian Wald. It was Jane Addams, however, who, according to Knock, “played a pivotal role in this wing of the internationalist movement” and “personified its purposes and values perhaps better than anyone else.” With Wald, Kellogg, Carrie Chapman Catt, and Crystal Eastman, Addams founded the Women’s Peace party (WPP) in January 1915. Its platform committee, according to Knock, “produced the earliest, and what must be acknowledged as the most comprehensive, manifesto on internationalism advanced by any American organization throughout the entire war.”¹²⁸

This “program for constructive peace,” writes Knock, “called for an immediate armistice, international agreements to limit armaments...removal of the economic causes of the war (that is, a reduction of trade barriers), democratic control of foreign policy, self-determination, machinery for arbitration, freedom of the seas, and, finally, a ‘Concert of Nations’ to supersede the balance-of-power system and rival armies and navies.” With this peace statement in hand (which was also sent on to President Wilson), Addams attended the International Congress of Women at The Hague three months later, and succeeded in having them endorse the WPP proposal as well. Upon her return, Addams, Balch, and others personally pitched the peace plan to the Wilson administration. While the president, Colonel House, and Secretary of State Robert Lansing did not adopt the proposals right away, Wilson told Addams he thought the “program

¹²⁸ Knock, 50.

for constructive peace” the “the best formulation which up to the moment has been put forward by anybody,” and it was one he clearly returned to when later crafting his Fourteen Points.¹²⁹

Writing in *Peace and Bread* in 1922, Addams elaborated on what the WPP had meant by a “Concert of Nations” seven years earlier. “What we insisted upon was that the world could be organized politically by its statesmen as it had been already organized into an international fiscal system by its bankers,” she wrote. “We asked why the problem of building a railroad to Baghdad, of securing corridors to the sea for a land-locked nation, or warm water harbors for Russia, should result in war.” The obstacle, thought Addams and her contemporaries in the women’s peace movement, was nationalism. “Was it not obvious that such situations transcended national boundaries and must be approached in a spirit of world adjustment, that they could not be peacefully adjusted while men’s minds were still held apart by national suspicions and rivalries?” The progressive League envisioned by Addams would be a truly international institution, one where the peoples of the world could come together and transcend the petty disputes engendered by virulent nationalism.¹³⁰

That being said, American patriotism still had a part to play. In guiding the world beyond the heretofore confining limits of nineteenth century nation-states, America must lead by example. The United States, according to Addams, should show the way “by demonstrating that the same principles of federation and of an interstate tribunal might be extended among widely separated nations, as they had already been established between our own contiguous states.

¹²⁹ Knock, 50-52. The WPP plan had been anticipated in November 1914 by the Union of Democratic Control, a group emerging from the British peace movement. Like the WPP plan, it advocated self-determination, disarmament, open trade, and the eschewing of alliances in favor of “concerted action between the Powers.” Knock, 36-37.

¹³⁰ Jane Addams, “Peace and Bread,” *The Survey*, January 28, 1922, 659. As the literature suggests, one reason Addams and her cohort in the WPP rejected nationalism so readily, other than the militarism that so often attended it, was due to women’s persistent status as second-class citizens, without even the ability to vote.

Founded upon the great historical experiment of the United States, it seemed to us that American patriotism might rise to a supreme effort because her own experience for more than a century had so thoroughly committed her to federation and to peaceful adjudication as matters of every-day government.”¹³¹

Of course, Addams and the progressives were by no means the first Americans to advocate the cultivation of an international consciousness that transcended the vagaries of nation. Such a call for international solidarity among the world’s workers had been the province of the Socialist Party for decades, and – given the very permeable barrier between socialism and progressivism in the pre-war years – it’s safe to say Addams and her ilk were at least partially influenced by the party of Debs.

Indeed, soon after the WPP’s peace platform – and despite being blindsided by the decision of their European counterparts to back their respective governments in war – the Socialists followed up with their own proposal. Penned primarily by moderate Morris Hillquit, the Socialist peace “manifesto,” like the WPP plan, advocated self-determination for all peoples, open diplomacy, disarmament, “political and industrial democracy,” and a “congress of neutral nations” to mediate the end of the conflict. As Knock notes, other than a call for a ban on indemnities (reparations), the Socialist proposal “presented few stark contrasts with that of America’s foremost ‘bourgeois pacifist’ organizations (in which, it should be mentioned, many individual Socialist party members held leadership positions.)” Nevertheless, it too was presented to Wilson in person, and once again the president seemed to review it favorably.

¹³¹ Ibid.

(Hillquit later reported to the Socialist newspaper *Appeal to Reason* of Wilson that “his sympathies were entirely with us.”¹³²)

Yet, if Wilson seemed generally inclined toward the internationalist bent of the progressives and socialists, he also took heed of the suggestions of the “conservative internationalists,” who came to advocate a very different type of League than their rivals on the left. The conservatives, who included among their number former Secretary of State Elihu Root, college presidents Nicholas Murray Butler (Columbia) and Abbot Lawrence Lowell (Harvard), the Carnegie Endowment for International Peace, and former president William Howard Taft, rested their faith not in international movements but in international law and arbitration.

To the conservatives who formed the League to Enforce Peace (LEP), with Taft at its head, in June 1915, what was needed was not a federated world government that transcended nation-states, but a world court that adjudicated issues between them, and a collective security pact of some kind that could prevent any one nation from threatening the rest. The conservatives had no truck with what they considered to be the wooly-headed internationalist reforms of the women’s peace movement, nor did they share their ambitious vision of a federated super-government. Rather, the conservatives believed in free and independent nations, guided by self-interest and *realpolitik*, interacting with one another *as* nations, through the twin mediums of law and diplomacy. As Elihu Root had written to this effect in his 1912 Nobel Peace Prize address,

¹³² Knock, 55. Although the oppressive behavior of his administration during the war might seem to suggest otherwise, Wilson had no ideological axe to grind with the Socialists. Indeed, he’d written in 1887 (in an essay, “Socialism and Democracy,” that was lost until 1968) that state socialism “is only a[n] acceptance of the extremest logical conclusions deducible from democratic principles long ago received as respectable. *For it is very clear that in fundamental theory socialism and democracy are almost if not quite one and the same.*” Knock, 6-7.

“The independence of nations lies at the basis of the present social organization of the civilized world.”¹³³

Put simply, when considering a possible “League of Nations,” the progressive internationalists emphasized the “League” and the conservatives emphasized the “Nations.” This was arguably the most central and striking difference between the WPP/Socialist and LEP/conservative visions of the League, and the question of nationalism versus internationalism would redound through almost all of the foreign policy debates in the decade after the war.

But it was not the only bone of contention. Where the progressives emphasized neutrality in the present conflict and in their rhetoric, seeking a negotiated settlement to end the war, the conservatives were much more inclined to back an Allied victory, arguing Germany was at fault for the conflict and should be punished for it. Where the progressives emphasized the importance of self-determination and thought the League a potential alternative to the imperial system, almost all the conservatives “had been ardent imperialists and champions of Anglo-American *entente* since the 1890s.” Where the WPP and Socialists emphasized the structural reasons for the coming of the Great War and posited ways in which the League could remedy them (removing economic barriers, for example), the LEP gave not a whit for cause and effect. In short, while the progressives envisioned the League as a means toward transcending nationalism and achieving reform and social justice on an international scale, the conservatives thought the

¹³³ Knock, 56-58. John Fabian Witt, *Patriots and Cosmopolitans: Hidden Histories of American Law* (Cambridge: Harvard University Press, 2007), 178. In Witt’s words, “Root viewed nation-state sovereignty as the foundational building block of international law.”

League an end in itself – once the rights of nations were recognized and protected by the growing canon of international law, little other tinkering would be required.¹³⁴

Supported across the political spectrum like this, the idea of the League was often made to carry diverse and even contradictory ideas. Writing in *The Crisis*, W.E.B. Du Bois argued that the “League of Nations is absolutely necessary to the salvation of the Negro race”:

Unless we have some super-national power to curb the anti-Negro policy of the United States and South Africa, we are doomed eventually to *fight* for our rights...What we cannot accomplish before the choked conscience of America, we have an infinitely better chance to accomplish before the organized Public Opinion of the World. Peace for us is not simply Peace from wars like the past, but relief from the spectre of the Great War of Races [which] will be absolutely inevitable unless the selfish nations of white civilization are curbed by a Great World Congress in which black and white and yellow sit and speak and act.”¹³⁵

At the same time, the *New York Times* could argue, in its review of Lothrop Stoddard’s *The Rising Tide of Color*, that it “throws new light upon the need of a league or association which will unite the nations in defense of what is precious in the Nordic inheritance.”¹³⁶

So, while progressives and conservatives could agree on the formation of a League of Nations at the end of the war, they held very distinct visions for what form that League would take. This was reflected anew in November 1918, when both sides took the opportunity of the armistice to restate their goals.

The League after Armistice

¹³⁴ Knock, 55.

¹³⁵ *The Crisis*, May 1919. Vol. 18, No. 1, p.p. 10-11. In his essay on Crystal Eastman in *Patriots and Cosmopolitans*, legal historian John Witt notes that many progressive and radical women were drawn to internationalism because “women’s persistent second-class citizenship highlighted the dangers of the nation-state and its nationalist symbols.” The Pan-Africanism of Du Bois is another case in point. Witt, 185.

¹³⁶ Pietrusza, 166.

Within two weeks of the cessation of hostilities, the League to Enforce Peace – Taft and the conservatives’ organization – announced its “Victory Program.” As per both their earlier peace plan and Wilson’s Fourteen Points, it included a “League of Free Nations with judicial, administrative, and executive powers and functions.”¹³⁷

While remaining purposefully vague about the details so as to encourage “discussion and criticism by all organizations and persons seeking international cooperation,” the LEP recommended that the League include “an administrative organization for the conduct of affairs of common interest [and] the protection and care of backward regions and internationalized places” and “a representative Congress to formulate and codify rules of international law, to inspect the work of administrative bodies and to consider any matter affecting the tranquility of the world or betterment of human relations.” Most importantly, “a resort to force by any nation should be prevented by a solemn agreement that any aggression will be met immediately by such an overwhelming economic and military force that it will not be attempted.” The “initiating nucleus” of this League would be solely “the nations associated as belligerents in winning the war.” In the “Victory Program,” all the major tenets of conservative internationalism – imperialism over “backwards regions,” independent nations interacting through international law, collective security, and a peace determined by the Allied victors – were reaffirmed.¹³⁸

A few days later, the progressives weighed in, vis a vis the Statement of Principles penned by the League of Free Nations Association (LFNA). Formed in April 1918 by the *Survey*’s Paul Kellogg as a private study group on the war aims suggested by the Fourteen

¹³⁷ “Draws Up Program for World League,” *New York Times*, Nov. 25, 1918, 13.

¹³⁸ Ibid. For his part, Theodore Roosevelt aligned strongly with the nationalistic bent of the conservatives. “Would it not be well to begin with the League which we actually have in existence, the League of the Allies who have fought through this great war? Let us at the peace table see that real justice is done among those allies” first, he argued, “and that while the sternest reparation is demanded from our foes...let us agree to extend the privilege of the League as rapidly as their conduct warrants it to other nations.” Pietrusza, 66-67.

Points, the “Committee on Nothing at All,” as it was originally known, ended up being “the only expressly liberal organization in the League fight, and it represented the only effort of liberals to organize on either side of the controversy.” The statement was printed in six major progressive journals (the *Dial*, the *Independent*, the *Nation*, the *New Republic*, the *Public*, and the *Survey*) simultaneously, and the signers of the League statement, according to historian Wolfgang Helbich, “read like a Who's Who of American liberalism.”¹³⁹

As with the LEP’s “Victory Project,” the LFNA’s statement of principles restated the basic intentions of the progressive internationalists. “The fundamental principle underlying the League of Nations,” it argued, “is that the security and rights of each member shall rest upon the strength of the whole League, pledged to uphold by their combined power international arrangements ensuring fair treatment for all.” To accomplish thus, the LFNA advocated a rolling back of national power, as “any plan ensuring national security and equality of economic opportunity will involve a limitation of national sovereignty.”

In keeping with arguably the central tenet of progressive ideology, the LFNA emphasized the importance of the League as a vehicle of and for enlightened international public opinion: “If the League of Nations is not to develop into an immense bureaucratic union of governments instead of a democratic union of peoples, the elements of (a) complete publicity and (b) effective popular representation must be insisted upon.” And, drawing upon the federal example and history of the United States, the LFNA argued for the League as a first step in molding a new international order, one which would allow for “the greatest measure of autonomy, and for

¹³⁹ Wolfgang J. Helbich, “American Liberals in the League of Nations Controversy.” *The Public Opinion Quarterly*, Vol. 31, No. 4 (Winter, 1967-1968), pp. 573-575. According to Helbich, the formation of the LFNA represented a high-water mark for progressive unity, “one that was soon to be destroyed by the new rifts and bitter debates after the disappointing Peace Treaty.” In fact, a major wing of progressivism was left unrepresented by the memo – More on them in due course.

absolute freedom of religion, of civil liberty, of cultural development of the weaker peoples within the stronger nations, and of the native peoples of the undeveloped regions of the earth.” More than just the collective security pact suggested by the Victory Program, the progressive League outlined by the LFNA represented the first step toward a more just and democratic world.¹⁴⁰

To some, the League of the progressive internationalists seemed dangerously naïve, if not downright un-American. “We are not internationalists. We are American nationalists,” thundered Theodore Roosevelt in Chicago in the summer of 1918. “To substitute internationalism for nationalism means to do away with patriotism,” he declared in New York soon thereafter. “The professional pacifist and the professional internationalist are equally undesirable citizens.” Desiring a League that would serve “only as an addition to, and in no sense as a substitute for the preparedness of our own strength for our own defense,” Roosevelt later scoffed at the global order articulated by Wilson and the progressives, saying it would force America into war “every time a Yugoslav wishes to slap a Czechoslovak in the face.” In very Rooseveltian language, TR’s old friend, Senator Albert Beveridge of Indiana, also deplored the “amiable old male grannies who, over their afternoon tea, are planning to denationalize America and denationalize the Nation’s manhood.”¹⁴¹

But even as conservatives and progressive internationalists wrangled over the character and make-up of a possible post-war League, another set of observers rejected the idea of an international organization outright. Disgusted by what they thought to be imperialistic forays by

¹⁴⁰ “League of Free Nations Association Statement of Principles,” *The New Republic*, November 30, 1918. Vol. XVII, No. 213, pp. 134-136.

¹⁴¹ Knock, 169, 229. William Leuchtenburg, *The Perils of Prosperity* (Chicago: University of Chicago Press, 1958), 57. It’s hard to imagine any organization constructed by Wilson would have satisfied Roosevelt, who deemed his wartime presidency akin to “fighting the Civil War under Buchanan.” Knock, 169.

Wilson into Mexico, the Caribbean, and Russia, and deeply fearful of the obligations which they believed League membership would place on the United States, a group of progressives in the Senate worked feverishly – and hand-in-glove with conservatives – to kill the treaty and the League, believing nothing less than the fate of the republic was at stake. These, to use a term coined by historian Robert David Johnson, were the Senate “peace progressives.”¹⁴²

The Third Way: Progressive Nationalists

In the oft-told tale of the League’s demise in the Senate, much has been made of the enmity between President Wilson and Senate Foreign Relations Chairman Henry Cabot Lodge. As Lodge told Theodore Roosevelt in 1915, “I never expected to hate anyone in politics with the hatred I feel toward Wilson.” And the feeling was mutual. When Republican Senator James Watson of Indiana fretted that Lodge might be giving Wilson what he wanted by offering reservations to the Treaty, Lodge replied: “[M]y dear James, you do not take into consideration the hatred that Woodrow Wilson has for me personally. Never under any set of circumstances in this world could he be induced to accept a treaty with Lodge reservations appended to it.”¹⁴³

However, as historian Robert Crunden has noted, “Wilson’s true enemies were the group of senators called the Irreconcilables, or the Battalion of Death”:

Fourteen Republicans and two Democrats, they fought Wilson and his schemes to the end and successfully prevented Lodge from making compromises to ratify any treaty. The most visible leaders of the group were two of the most progressive men in Washington. In fact, the fight over the Treaty of Versailles was also the last great battle within progressivism. Each side continued to

¹⁴² Johnson coined this term in his book-length examination of the “Peace Progressives.” They, and particularly their leader, are also covered thoroughly in John Chalmer Vinson’s *William Borah and the Outlawry of War*.

¹⁴³ Pietrusza, 38-39.

have a moral vision of America's place in the world that depended on past attitudes, progressive attitudes.¹⁴⁴

These two progressive leaders Crunden mentions were Senators William Borah of Idaho and Hiram Johnson of California, both of whom were against the League from the start.¹⁴⁵ In fact, both men, against the professed wishes of Lodge, would eventually follow Wilson around the country on a counter-speaking tour.¹⁴⁶ A close third at the head of the left-leaning Irreconcilables was Robert La Follette of Wisconsin. All three were progressive nationalists who believed, in the words of Borah, that Americans were “perfectly willing to do all they can for the pacification and for the uplifting of the world except to imperil the independence or surrender the sovereignty of their own Republic. They do not believe that to be either in the interest of peace in America or peace in the world.” Rather, the nation should stay “true to the old Republic as we have enjoyed it for nearly a century and a half.”¹⁴⁷

As Westerners who came to public life at a time and place where populism and progressivism intermingled – and unlike both conservatives and the international-minded progressives – they were both intensely anti-imperialist and intensely nationalistic in their outlook. They were, in a word, Jeffersonians, and from the start they were dedicated foes of Wilson's league. Along with other Senate progressives like George Norris of Nebraska and Asle Gronna of North Dakota, they were the balance of power who helped to determine the treaty's

¹⁴⁴ Crunden, 265.

¹⁴⁵ “For a solid hour and a half,” the *Boston Herald* reported after one such stop, “Johnson pummeled the league to the intense delight and satisfaction of 3,000 persons until the poor old league looked about as groggy and with as many black eyes as ‘Jess’ Willard after his three-round conference with ‘Jack’ Dempsey.” Michael A. Weatherson and Hal Bochin, *Hiram Johnson: Political Revivalist* (Lanham: University Press of America, 1995), 92.

¹⁴⁶ Robert David Johnson, *The Peace Progressives and American Foreign Relations* (Cambridge: Harvard University Press, 1995), 103. Johnson, in fact, was also a solitary critic of Wilson's Fourteen Points, calling it “a most excellent presentation of Great Britain's war aims...pledging our country in various directions, which will require us to keep troops possibly in Togo Land, the Samerian [sic], and even in the Dardanelles.” Johnson, 87.

¹⁴⁷ John Chalmers Vinson, *William Borah and the Outlawry of War* (Athens: University of Georgia Press, 1957), 23, 29.

ultimate fate. And they – particularly Borah, who led the crusade against the Treaty (and it was very much a crusade) and would later serve as Chairman of the Senate Foreign Relations Committee in the Twenties – would become a central locus in the foreign policy debates of the ensuing decade.

Like Teddy Roosevelt, William Borah often heaped scorn on the cosmopolitan mindset. He abhorred “this weakening, simpering, sentimental internationalism which would destroy national character and undermine nationalism.” “Internationalism absolutely defeats the national spirit and patriotic fervor,” he argued another time, deeming it a “disloyal doctrine that the American Constitution can be subordinated to a pact with foreign powers.” In fact, disloyalty was a theme for Borah. To him, an advocate of the League was “a man who ‘no longer wants an American Republic, no longer believes in nationalism and no longer desires to see the American flag a little higher in the heavens than that of any other nation.’” He occasionally took to comparing internationalists to Benedict Arnold – “the most worthy exemplar I know of for those who feel America alone is not quite sufficient – that we must be broader and more pliable – not so pronounced in our Americanism.”¹⁴⁸

At the same time, however, Borah had no truck with the conservative approach either. In 1915, he argued that Taft’s League to Enforce Peace “ought to be entitled a League to Undermine and Destroy Republican Institutions,” and that it was a scheme put forward by wealthy plutocrats to protect their overseas investments. “Let no one be misled,” he argued. “The

¹⁴⁸ Ashby, 116. Vinson, 22-23. In fact, Borah found Arnold preferable to the modern cosmopolitan. “If I had to take my position along with Benedict Arnold and Aaron Burr or along with the names of the men who sign this league in its present form, I would prefer the former because these men did at least have the defense that they were betraying the Republic before it was a demonstrated fact and before it had become the hope of the civilized world.” Vinson, 22-23. Charles Toth. “Isolationism and the Emergence of Borah: An Appeal to American Tradition.” *The Western Political Quarterly*, Vol. 14, No. 2. (Jun, 1961), 558.

real force behind this traitorous scheme is not peace but plunder. There are those who have their investments in Europe who see tremendous opportunity for the exploitations of the people of those countries and the natural resources of the countries but who will not enter upon the doubtful investment until our own government gets behind the securities and underwrites their exploitations. There has never been so bold an attempt to literally sell a free government, to auction it off, since they auctioned off the emperors from the parapets of Rome.”¹⁴⁹

The reference to “the parapets of Rome” was not unusual in Borah’s rhetoric. On any given issue, the former Idaho lawyer’s writing and speeches had a tendency towards the grandiloquent. But the battle of the League – or the “League of Dam-nations,” as one of his constituents dubbed it – moved Borah to, even for him, increasing feats of grandiosity. “Nothing could be more imperialistic, more calculated to work injustice and to produce misery than the Versailles Treaty,” he declared, calling it “the most important issue since the civil war.” To Borah, the League it contained was “the evil thing with the holy name,” “the most consummate organization for autocracy which has yet been attempted,” and “at war with every principle of the Magna Charta, the Bill of Rights, the Declaration of Independence, the Constitution of the United States, and with the fundamental principles of justice, liberty, and freedom.” It was a “conspiracy against justice, against peace, against humanity, and against civilization.”¹⁵⁰

¹⁴⁹ Vinson, 25. In March 1919, when the pre-Versailles progressive consensus still supported the League, Borah would be ruthlessly excoriated by *The New Republic* for attacking it, and Taft. TNR deemed Borah “a curiously petty man detailing an incredibly silly fable designed to evoke cheap laugh at the expense of a sincere and generous minded political leader. Borah may be distinguished in history as one of the forces of reaction that stood between the hundreds of millions and their desperate need for peace. But more likely he will be remembered only as man who sneered at Taft: Taft, who has risen...above personal and partisan motive; Taft who is laboring with single-hearted devotion for the honor and dignity of America, unmindful of the fact that the chief credit for his work will fall to the man who ousted him from the President’s chair.” “Borah the Fable-Maker,” *The New Republic*, March 1, 1919, 130.

¹⁵⁰ W.B. Hussman to Borah, February 7, 1920. WJB, Box 87: Railway Matters. Borah to J.B. Moore, May 12, 1921. WJB, Box 87: Versailles Treaty. Borah to Frank Cobb, January 15, 1920. WJB, Box 82: 1919-20: Espionage. Toth, 560. Vinson, 25. William Borah, “The Versailles Treaty,” September 26, 1921, WJB, Box 779: Speeches 1919-20.

If America joined the League, he wrote a few years later, “this old Republic will have started upon its downward career. We may keep a Republic in name, but we will cease to be a Republic in fact. If we adopt the European system and become a part of European affairs and a copartner in European turmoils and broils, we will not long remain the government which the Fathers gave us. I entertain no more doubt about that than that my Redeemer liveth.” Speaking of said Redeemer, Borah also asserted that “[i]f the Savior of man would revisit the Earth and declare for a League of Nations, I would be opposed to it.”¹⁵¹

And Borah was not alone in this strong sentiment against the League. In a letter to his son, Borah’s fellow Irreconcilable, Hiram Johnson, called the League “the most iniquitous thing at least during my life time...How any man of liberal views can support it passes my comprehension.” Considering Wilson’s Peace “a travesty on his fourteen points” and “a mockery of every idealistic utterance,” the former California governor railed against the diplomats who “have played the same old game of grab and gouge...The League of Nations is the product of this cupidity and intrigue, the instrument for their maintenance and preservation.”¹⁵²

On the Senate floor, Johnson argued that the peace forces “the chains of tyranny upon millions of people and cements for all times unjust and wicked annexations.” It would mean the “halting and betrayal of New World liberalism, the triumph of cynical Old World diplomacy, the

¹⁵¹ Borah to John B. Mannerstam, March 7, 1922. WJB, Box 116: 1921-22: Legislation – Misc. Leuchtenburg, 57. Along the same lines: Borah commented of Rene Viviani, the French representative at the League of Nations: “I am told that Viviani is an agnostic, a disbeliever in the existence of God. I should think it would be quite natural for anyone who disbelieves in a God to thoroughly believe in the Versailles Treaty.” Borah to Jas. Williams, Jr., March 29, 1921. WJB, Box 99: Newspapers.

¹⁵² Hiram Johnson to Hiram Johnson, Jr., May 31, 1919. Hiram Johnson. *The Diary Letters of Hiram Johnson, 1917-1945.*, Robert E. Burke, ed. (New York: Garland Publishing, 1983), 105.

humiliation and end of American idealism.” For Johnson, as for Borah, it all came down to preserving the national independence of the United States. “The issue is the Republic that Washington gave us, that Lincoln saved for us, whose traditions have been so gloriously upheld by our valiant sons abroad. The issue is America. And I am an American.”¹⁵³

Writing to his own sons, the formidable Wisconsin progressive Robert La Follette deemed the Versailles Treaty “an agreement to bind us to fight in every future world-war...without a parallel in all history as a spoils-grabbing compact of greed and hate.” Following a path of argument that would become heavily trodden in the coming decade, he lamented what the relative quiet about the botched Peace suggested about American democracy:

One would think that sense of national honor, that a pride in keeping faith would make Americans with one voice insist that we make our word good. But you don’t hear a peep. Outside a few radical papers like the Nation...there isn’t a word being said. Even if everybody is still afraid of being called pro-German...still one would think that an intelligent citizenship would demand that the peace to ‘end war’ should not be permitted to become a mere scramble for spoils that must inevitably sow all Europe with a hatred that makes wars in the near future an absolute certainty.”¹⁵⁴

Instead, La Follette surmised, “the people are thinking with their fears. They never want war again and because this is called a ‘Covenant of Peace,’ they think it must *make* for peace – when it binds us into a fight in every war upon the orders of foreign governments. Not one in a thousand has ever read the League. Not one in ten thousand has ever analyzed it. They are just for a ‘League to stop war.’”¹⁵⁵ And why had public opinion failed in this regard? Wilson. In a January 1920 op-ed entitled “Wilson’s Broken Pledges,” La Follette exclaimed: “We have been

¹⁵³ Pietrusza, 179. Crunden, 266. Lloyd Ambrosius, *Woodrow Wilson and the American Diplomatic Tradition: The Treaty Fight in Perspective* (New York: Cambridge University Press, 1990), 140. Weatherson and Bochin, 90.

¹⁵⁴ La Follette, 968-969.

¹⁵⁵ La Follette, 968. Henry Cabot Lodge wrote similarly to Beveridge, arguing that “the people of the country are very naturally fascinated by the idea of eternal preservation of the world’s peace...[but t]hey have not examined it; they have not begun to think about it.” Knock, 239.

lied to so much and for so long that we hardly know the face of the truth. . . . I challenge any man to name one new privilege, one added new right which the common people of this or any other allied countries are to gain as a result of this war.”¹⁵⁶

In short, to La Follette, the League “[f]rom the first sentence to the last” was a “sham and a fraud.” If ever it or the Versailles Treaty were adopted, he argued in a May 1920 speech, “we would stand convicted before the world, as a Nation without honor.” Someday, La Follette argued, “Woodrow Wilson may emerge from himself and face that judgment” of the American people for putting such a plan forward. “God pity him when that time comes. He will find that judgment as harsh as Truth, as unrelenting as Justice.”¹⁵⁷

Summing up the Irreconcilable position in March 1919, progressive Senator Asle Gronna exclaimed, “I will die before I will vote for the League of Nations.” (This turned out to be true – Gronna died in 1922, two years after losing a Republican primary to fellow progressive Edwin Ladd.) The intransigence of the Senate progressives early in the process gave Henry Cabot Lodge, who opposed the League for both philosophical and partisan reasons, the opening he needed. Late in the evening of March 3rd, just before Wilson was to return to Paris to continue negotiations on the treaty, he introduced his “Round Robin” resolution. Signed by thirty-seven Republicans – including the Irreconcilables – it argued that “in the form now proposed,” a

¹⁵⁶ Robert La Follette, “The War In Retrospect,” RLF Box 222: Speeches.

¹⁵⁷ Nancy Unger, *Fighting Bob La Follette: The Righteous Reformer* (Chapel Hill: University of North Carolina Press, 2000), 268.

League “should not be accepted by the United States,” and that consideration of it should await the final treaty.¹⁵⁸

With that one stroke, Lodge broke the coalition of progressive internationalists, socialists, and conservatives that was emerging behind the League. Earlier, *The New Republic* had deemed the League covenant “the Constitution of 1919,” arguing “if such an organization had been in existence in 1914 there would have been no war.” Speaking for the Socialists, the *Appeal to Reason* had said the proposed League would end “belligerent and wholly selfish nationalism” and lead to “the internationalism of balanced justice and cooperation.” Meanwhile, Taft and the League to Enforce Peace were also outspoken proponents of Wilson’s League. The very next day after the Round Robin, March 4th, Wilson and Taft would appear together at New York’s Metropolitan Opera House, just before Wilson would return to Paris for four long months.¹⁵⁹

But, with the Round Robin, Lodge had opened the door to alterations to the League, leaving the question open of which direction these alterations would go. Almost immediately, doubts began to surface. In its current form, editor of *The Dial* Robert Morss Lovett wrote on March 8th, the League was “a blank check – a form which may be signed but will then require filling out with the figures which alone can give it meaning.” He argued the League’s Covenant needed more substance with regard to disarmament, direct representation of the people, and the economic causes of the war. *The New Republic*, while warning that too many reservations would “threaten to upset the whole applecart,” and that progressives “should prepare to support any

¹⁵⁸ Johnson, 92. Knock, 242. Of course, Borah and Johnson did not want a League even with reservations. But, with the help of Albert Beveridge as an intermediary, Lodge came to an agreement with Borah on the reservation strategy as the best way to defeat Wilson *in toto*. Ambrosius, 138.

¹⁵⁹ Knock, 234,244. In that same article, TNR also presciently noted that “[i]f the League is really to be beaten, it will not be in the name of a more effective internationalism, but in the name of American nationalism, alleged to be impaired by its provisions.” “The Constitution of 1919,” *The New Republic*, February 22, 1919, 101.

agreement which will set up a promising even though inadequate measure of international government,” offered its own suggestions the following week, including guarantees of protection to minorities and revisions to the hot-button issue of Article X.¹⁶⁰

On one hand, Wilson – trying to steer a course between the progressives and the conservatives – clearly recognized the danger that Lodge’s Round Robin posed. Two days before it was introduced, the President had urged the progressive members of LFNA in a private meeting to get on board with the League now. “[T]he important thing to do is to get behind the covenant as it is,” he noted, promising that any future changes would be “in a liberal direction [and] not in the direction of the opposition.” On the other, the president fell right into Lodge’s trap. Responding to the Round Robin on the day of his departure, Wilson told his audience at Metropolitan Hall: “[W]hen that treaty comes back gentlemen on this side will find the Covenant not only in it, but so many threads of the treaty tied to the Covenant that you cannot dissect the Covenant from the treaty without destroying the whole vital structure.” By tying the fate of the League to the entire Versailles treaty – a treaty whose outcome was still very much in negotiation at the time – Wilson encumbered it with baggage it would not be able to overcome.¹⁶¹

The Treaty Arrives in the Senate

By the time the treaty came back for Senate consideration, four harrowing months later, word had leaked of the diplomatic shenanigans at Versailles, and of the resignations of William

¹⁶⁰ Knock, 235, 242-243. “Agitation for a League of Nations Without Criticism,” *The New Republic*, March 15, 1919, 202.

¹⁶¹ Knock, 244.

Bullitt and other members of the Peace Commission, and progressive opinion had begun to sour on Wilson. As La Follette wrote to his sons, “my impression is that Wilson & the League & Treaty are losing ground every day – at least it looks so from this angle.” Similarly, Hiram Johnson wrote his son in May that “[o]ne of the notable things of the East is that every liberal paper has turned against Wilson and his League.”¹⁶²

Compounding matters, official Senate consideration of the Treaty began with what looked to be another petty Wilson snub: The Treaty had leaked to the public before it had been transmitted to the Senate. Wilson refrained from publicizing the text, insisting that the treaty was not final until the Germans agreed to it and it was signed. And so Hiram Johnson introduced a resolution demanding that Secretary of State Lansing send a copy of the full treaty to the Senate, which – after giving the body the first of many chances to debate the treaty in full – passed by a 2-to-1 margin.¹⁶³

During this contentious debate, William Borah poured gasoline on the fire twice -- first by declaring that copies of the text were already circulating, not just across Europe, but in New York’s financial sector. Lodge confirmed, noting the existence of four copies in New York. Apparently, Lodge quipped, “the only place where it is not allowed to come is the Senate of the United States.” Soon thereafter, the Senate Foreign Relations Committee began an inquiry into exactly how the House of Morgan received the Treaty before the Senate, and whether they had any financial interests involved in its writing.

¹⁶² La Follette, 965-966. Hiram Johnson to Hiram Johnson, Jr., May 31, 1919. Johnson, 105.

¹⁶³ La Follette, 965-966. Ambrosius, 140-141. Weatherson and Bochin, 90-91.

This investigation was actually an idea put forward by Wilson Democrats to embarrass the Republicans, but true-to-form, Borah intended to run with it. When hearing that Borah intended to call up “J.P. Morgan *et al*” before the committee, Robert La Follette mused: “Of course they will tell all about it – NOT,” but he nonetheless offered to help Borah “in any way I can. If Borah will do it I am going to get him to examine them as to the extent of their private loans prior to the time we went into the war. That will be useful information to have later on – if we can get it.” But, exercising his considerable leverage with Republicans, Elihu Root – one of the recipients of the treaty in New York – stepped in to quash an extended investigation.¹⁶⁴

Then, three days after passage of the Johnson resolution (and after Wilson had again demurred to send the treaty along), Borah brought his own bootleg copy of the text into the Senate. When unanimous consent to print it as a Senate document was refused, he began reading it into the *Record*. Thus, remarked La Follette to his sons, “making Good Wilson’s pledge of open Covenants openly arrived at.”¹⁶⁵

Borah’s decision to circumvent the normal process drove Wilson Democrats into apoplexy -- particularly Gilbert Hitchcock of Nebraska, the Ranking Member of the Senate Foreign Relations Committee, and so by extension the unofficial leader of Wilson forces on the Treaty (although progressive Thomas Walsh of Montana also aspired to that role.) Hitchcock cried treason, arguing that “the majority of the United States Senate is deliberately cooperating with the German government” in order to throw “a monkey wrench into the negotiations.” Covering all the bases, the Senator also invoked the B-word. “The Senate of the United States is

¹⁶⁴ La Follette, 966. The ultimate culprit: Thomas Lamont, the Treasury Department’s advisor to the American peace delegation. He gave a copy to his partner at JP Morgan, Henry Davidson, who was in Paris leading the American Red Cross. Davidson had been given instructions to show the treaty to Root and others. Ambrosius, 140.

¹⁶⁵ La Follette, 965-966.

putting itself in the attitude of a Bolshevik organization, running amuck here in the treaty negotiations.” His argument was carried on by another Democrat, John Sharp Williams of Georgia. Wilson, he said, “represents the American people and his opponents represent all the hyphenates in America – all of the enemy hyphenates in America.”¹⁶⁶

In that Senate melee, Hitchcock also announced the fateful Democratic decision that would ultimately spell doom for the Treaty: “The issue is this league or none...if this league is defeated, there will be no league at all.” In other words, the Democrats wanted a “clean” treaty -- There would be no reservations agreed upon. (However angry at the time, Hitchcock was following orders here: “It is manifestly too late now to effect changes in the Covenant,” Wilson had told Lansing. “I hope...Hitchcock and all his friends [will] take a most militant and aggressive course, such as I mean to the minute I get back.”)¹⁶⁷

The Articles of Contention

With the Versailles Treaty published in the Senate at last – and deemed unalterable by Wilson and the Democratic opposition – the battle lines for and against the League were drawn. For Borah and the Irreconcilables – as with much of the wider opposition to the League, progressive or otherwise – the prime locus of dispute was Article X of the League Covenant, which argued that all League signatories “undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members.”

¹⁶⁶ Ambrosius, 141-142.

¹⁶⁷ Ambrosius, 142.

As progressive irreconcilable Asle Gronna told the Senate in October 1919, “I doubt if any two members of this body or any two citizens anywhere would agree upon the construction and the meaning of this article.” And yet, for both its supporters and detractors, it was the crux of the Covenant. Wilson called it the “king pin” of his League, “the very backbone of the whole covenant.” Its absence, he told audiences during his speaking tour, would mean “we have guaranteed that any imperialistic enterprise may revive, we have guaranteed that there is no barrier to the ambition of nations that have the power to dominate, we have abdicated the whole position of right and substituted the principle of might.” Removing or revising it, he continued, would mean a “rejection of the covenant” – It would “change the entire meaning of the Treaty and exempt the United States from all responsibility for the preservation of peace.” As he said to his future successor, Warren Harding, in August 1919, “Without it the league would be hardly more than an influential debating society.”¹⁶⁸

At a February 1919 dinner with members of Congress, before the Irreconcilable opposition in the Senate had truly begun to coalesce, Wilson had been asked about what Article X might mean for American sovereignty. The president fundamentally misread his audience. “[S]ome of our sovereignty would be surrendered,” he told them, since a League could not work “without some sacrifice...each nation yielding something to accomplish such an end.” Wilson went on to argue that America “would willingly relinquish some of its sovereignty for the good

¹⁶⁸ Asle Gronna, “Speech on the League of Nations,” October 24, 1919. (Reprinted at <http://academic.brooklyn.cuny.edu/history/johnson/gronna.htm>) Johnson, 95. Knock, 261-262. Crunden, 270. Eventually antagonistic to Article X, the *New Republic* supported striking it and going the influential debating society route. “Far better that it should survive as than that the idea should be entirely destroyed...An influential debating society, in which all great nations participate, in which world problems can be aired, is not to be sneered at in an age when men’s opinions count more and more in the affairs of state.” “Will the Republicans Save the League?,” *The New Republic*, September 24, 1919, 216.

of the world,” and that the League “would never be carried out successfully if the objection of sovereignty was insisted upon by the Senate.”¹⁶⁹

Unfortunately for Wilson and the League, this objection was vociferously insisted upon by progressives and conservative nationalists alike. Citing the historic examples of Washington’s Farewell Address and the Monroe Doctrine time and again, Borah deemed himself “a thorough believer in the proposition that America should not politically and governmentally entangle herself in European affairs. I entertain no possible doubt that any such program would be the end of the Republic.”¹⁷⁰

Asle Gronna argued much the same. “Let us protect our own people first – the people of the United States – with confidence and full assurance and belief that we shall in the future as we have in the past, to the utmost of our ability, assist the helpless, defend the defenseless, assist and protect the oppressed, and to the best of our ability aid and support the people of the nations which may suffer injustice.” If America signed aboard a League with Article X, he argued, “the people of the United States will resent the idea, and will take it as an insult, to be told by a council composed mostly of aliens that we must do thus and so.”¹⁷¹

As Gronna’s oration reflects, closely connected to the question of endangered American sovereignty is what entrance to the League would mean for the Constitution. Would the United States Congress still have the right to declare war, or would that power now be ceded to the

¹⁶⁹ Knock, 232-233.

¹⁷⁰ Borah to S.H. Clark, May 31, 1921. WJB, Box 91: Disarmament – Illinois. In that same letter, Borah pushed back against the argument that he was an isolationist. “I do not know just what you mean...by American isolation. Of course, America is not isolated, and never has been, so far as commercial and business...affairs are concerned. He also argued that “Washington never at any time proposed that we should remain out of foreign wars if we [were] assailed...Had Washington been living, in my opinion, he would have entered the war immediately after the sinking of the Lusitania.”

¹⁷¹ Gronna.

League? For the peace progressives, even the creation of the League was constitutionally suspect, since, rather than asking for their advice and consent during the treaty-making process, Wilson had delivered a *fait accompli* to the Senate. “[It is] too late for the advice to be effective after the treaty is made and signed and passes out of hands and into the possession of the Senate,” argued La Follette.¹⁷²

While always foremost, the threat to American sovereignty and the Constitution was not the only objection to Article X in the progressive irreconcilable’s arsenal. They also believed that respecting the “territorial integrity” of current members would mean a global and irrevocable locking-in of the status quo. In the words of Hiram Johnson, it would mean “a war against revolution in all countries, whether enemy or ally,” and that the United States would have to send her troops overseas to police the borders of European empires. It would “freeze the world into immutability and put it in a straightjacket,” making “subject peoples...subject until the crack of doom.”¹⁷³

Similarly, Robert La Follette argued this stipulation was included to “build an iron ring of conservative governments...and wall in the dangerous doctrines of the Soviet government.” To the readers of his magazine, he declared: “We don’t need to restrain the peoples of different countries from making war upon each other. We do need to restrain the ruling classes of every country, from inciting or compelling its people to war upon those of some other country.”¹⁷⁴

¹⁷² La Follette, 977.

¹⁷³ Crunden, 266. Johnson, 96.

¹⁷⁴ David P. Thelen, *Robert M. La Follette and the Insurgent Spirit* (Boston: Little, Brown, and Company, 1976). 150.

William Borah was also put off by the geopolitical stasis Article X seemingly endorsed, calling it tantamount to “maintaining the status quo by force.” Writing after the dust had cleared, he told a constituent: “I think it was the most unconscionable scheme to reduce the world to military control and to place all peoples under the dominancy of the military power of the few Nations that has ever been conceived. It has always been one of marvels to me how people, who really love peace and who believe in a Government founded upon reason and upon the maxims of liberty, could be in favor of a scheme to place the military power of four or five Nations over the destiny of the entire human race.”¹⁷⁵

Writing in his memoirs years later, Herbert Hoover – who knew more than most about the origins of the Treaty – made a similar argument against Article X. “It was a practical freezing of the world into a mold of Versailles cast in the heats of war – and was a stifling of progress and all righting of wrongs. Moreover, I knew this article had been forced into the League by the French as a part of their demand for an indirect military alliance of the principal Allies.”¹⁷⁶

Two and a half weeks after Lodge’s Round Robin had opened the door to Senate adjustments to the final treaty, progressive journalist William Hard argued in the *New Republic* for the removal of Article X from the League on similar grounds. It “lays an individual obligation to maintain the world’s present boundaries upon every individual nation in the world,” he argued. By its decree, “the United States, by itself if necessary, must defend the territorial integrity of Italy against the Jugo-Slavs.” While conceding that “a League is essential to a

¹⁷⁵ Borah to Rev. Doremus Scudder, March 18, 1921. WJB.

¹⁷⁶ Hoover, 11.

peace,” he argued that Article X was a “manifest mistake” which the Senate should eliminate “no matter what the President may do or say.”

I submit that the first sentence of Article Ten is a surrender to the Tories. I submit that it binds the United States to use all its resources of men and money to ‘preserve’ forever every territorial iniquity which the present peace conference may establish. . . I submit that if the rule of Article Ten had been adopted in the days of Marcus Aurelius we should still have a Roman Empire from the Euphrates to the Tiber. I submit that the world has not yet arrived at the end of its possible growth. I submit that the first sentence of Article Ten is a sentence of death on much of the possible liberal growth of the future.¹⁷⁷

A week later, *TNR* officially agreed with Hard in an editorial entitled “Defeat Article Ten.” While noting that “the Covenant as a whole is necessary to prevent every power from acting as Austria acted” in 1914, “Article Ten should be eliminated for the following reasons: first, because the hasty settlement now being made in Paris cannot do final justice, second because America should not be pledged to uphold injustices, third because Article Ten is destructive of the League’s main purpose, in that it excludes from discussion a large class of questions” – namely the justice of current borders. And after striking Article X, the essay argued, “Article Eleven. . . [still] fully protects every nation against aggression.”¹⁷⁸

But, as it happens, the progressive irreconcilables in the Senate had very similar objections about Article XI, which stated that “any war, or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the League.” Wilson had called this article, which he considered “in conjunction with Article X,” his “favorite article in the treaty” – because it allowed America to “mind other peoples’ business and . . . force a nation on the other side of the globe to bring to that bar of mankind any wrong that is afoot in this world.” To the Senate progressives, this was, as Borah put it, “the acme of

¹⁷⁷ William Hard, “Article Ten of the League,” *The New Republic*, March 22, 1919, 239-240.

¹⁷⁸ “Defeat Article Ten,” *The New Republic*, March 29, 1919, 264-265.

tyranny.” “If any war or threat of war shall be a matter of consideration for the league,” Borah asked, “what is the necessity of Article X?...Is there anything in Article X that is not completely covered by Article XI?” In Gronna’s words, Article XI “undertakes to dictate and regulate the affairs of every nation on the face of the globe,” resulting in “limitless autocracy and oligarchy complete, self-determination...a thing of the past.” Gronna continued:

This proposed treaty provides for the enforcement of peace by force, by the sword, by waging war, and it takes from the peoples of every nation on the face of the globe the right to have a voice in the matter. So in this matter, so important to the welfare of the human family, you are setting up a supergovernment ruled by what we hope may be a few benevolent despots; but, if we miss our guess, so that instead of directing their energies in the interest of benevolence, justice, and peace, if they desire to become autocrats, there is absolutely nothing to prevent them from becoming the greatest tyrants the world has ever known. And yet you call this a league to establish peace.¹⁷⁹

The progressives did not feel they were speaking hypothetically about the imperialist dangers of Articles X and XI – They believed they had already seen the same dynamic at work in Russia, when Wilson sent 5000 troops to the port of Arkhangelsk in September 1918 to serve under British officers as part of the “Polar Bear Expedition.” In fact, one of the reasons Johnson turned against the League early is that he saw in it the seeds of Wilson’s military intervention there. “In the Russia situation, we have exactly the League of Nations,” he wrote a friend. “The League decreed the Russia expedition against our vote. Congress never declared war, a war has been carried on by United States troops under the direction and command of the foreign nations...it is exactly what will be done under a League of Nations.”¹⁸⁰

¹⁷⁹ William Borah, “The League of Nations,” November 19, 1919, in Robert Byrd, *The Senate Classic Speeches, Volume Three* (Washington: US Government Printing Office.) Johnson, 97-98. Gronna. The first to draw attention to Article XI’s centrality among the progressive irreconcilables, historian Robert David Johnson writes that it “escaped the mention of virtually every other Senate opponent of the League. Their opposition to Article XI distinguished their ideology from that held by the other irreconcilables, and best illustrated the role played by anti-imperialism in solidifying peace progressive opposition to the League.” Ibid.

¹⁸⁰ Weatherson and Bochin, 85.

If Russia was not example enough of budding imperialism in the League, the fates of Shantung and Korea in the Versailles Treaty proved another damning exhibit for the prosecution. Progressive George Norris of Nebraska, otherwise inclined towards a League, fell into the Irreconcilable camp mainly on the basis of these provisions in the Treaty. They demonstrated beyond a doubt “the germs of wickedness and injustice” in the compact, as well as “the greed and avarice shown by the nations...that are to control the League.” “When you start to build the temple of justice upon a foundation of sand, of crime, of dishonor, of disgrace,” he warned, “your temple will crumble and decay just as surely as history repeats itself.”¹⁸¹

And the imperialist dangers of the League were not lost on the wider progressive community either. As Oswald Villard editorialized in *The Nation*, the American people will soon “realize that the League of Nations as drawn commits us to a policy of imperialistic interference in the affairs of all the world, and threatens to fill the future with constant warring in behalf of men and causes alien to our entire historic spirit and purpose.” Similarly, Thorstein Veblen wrote in *The Dial* that the League was “an instrument of realpolitik, created in the image of nineteenth century imperialism.”¹⁸²

Columnist H.L. Mencken – never a progressive so much as a bitterly cynical moralist – made a similar satiric argument about the League, while taking time to skewer the fickle “war is the health of the state” progressivism of Dewey and *The New Republic*:

“Personally, I am in favor of the League – not that I am under any delusion about its intents and purposes, but precisely because I regard it as thumpingly dishonest. Like democracy, it deserves to be tried. Five years of it will see all the principal members engaged in trying to slaughter one

¹⁸¹ Fred Greenbaum, *Men Against Myths: The Progressive Response* (New York: Praeger, 2000), 39.

¹⁸² *The Nation*, July 5, 1919. Vol. 109, No. 2818, p. 4. Knock, 253.

another. In other words, it will make for wars – and I have acquired an evil taste for wars. Don't blame it on any intrinsic depravity. There was a time when I cooed for peace with the best of them, but all the present whoopers for peace insisted upon war, and after viewing war for six years I found it was better than a revival or a leg-show – nay, even better than a hanging.”¹⁸³

While much more concerned about threats to American sovereignty than incipient imperialism, the Republican foreign policy intelligentsia – Lodge, Charles Evans Hughes, William Howard Taft, Elihu Root – all agreed Article X was at best a weak point and more often a dealbreaker for the League as well. And, despite Wilson's warning to the contrary back in February, it became the hinge point on which the fate of the Treaty rested.¹⁸⁴

Sensing the danger, Wilson tried to rephrase his arguments for Article X in another meeting with Senators – this time in August 1919. There, he insisted that Article X was “a moral, not a legal, obligation, and leaves our Congress absolutely free to put its own interpretation upon it in all cases that call for action. It is binding in conscience only, not in law.” He then confused the issue further, by telling Warren Harding that a moral obligation “is of course superior to a legal obligation, and, if I may say so, has a greater binding force.”¹⁸⁵

In this distinction between legal and moral obligations, Wilson was trying to square the logical paradox that Article X presented for its defenders. If Article X was not binding, it was powerless, and could therefore be removed without issue. The only reason it needed to exist was if it in fact bound members to certain obligations (which, in a simpler time only a few months earlier, Wilson had already conceded.) As historian Robert Crunden put it, “either Article X

¹⁸³ Mencken, 26.

¹⁸⁴ Crunden, 260-261. Although, for strictly political purposes, Lodge was not above echoing the anti-imperialist arguments of Norris and others on Shantung on the Senate floor.

¹⁸⁵ Crunden, 270. As Crunden notes, Wilson turned out to be right on Article X in practice. He writes: “Article X did not matter because a nation had to be willing to join the fight, and no outsider could force that act. During the twenty year history of the league, most countries operated as if Article X contained no obligations at all. They proved unwilling even to employ sanctions, let alone soldiers.”

meant nothing and should go, or it meant that Americans could be involved in war without specific congressional sanction.” As conservative Irreconcilable James Reed of Missouri articulated the Democrats’ dilemma in Senate debate, “All you have argued thus far is that your League is a powerless thing, and yet it is to save the world!”¹⁸⁶

While Articles X and XI were almost always the center of debate, other issues also rankled the progressive irreconcilables. Believing that enlightened public opinion was the only real fulcrum that could move the world, they believed another fundamental defect was the manner of the League’s creation: The whole process lacked suitable transparency. As Borah put it, the “treaty and the league were written behind hermetically sealed doors and all the material facts were studiously and persistently kept away from the people.”

We are creating a supergovernment with its capital in Europe which will deal with the destinies of millions behind closed doors. It will take but little time if we judge the future by the past for such a secret council to fall to the lowest standard of venality and corruption. Yet to such a body we are about to delegate tremendous powers for evil... It was thoroughly understood from the beginning that unless this treaty was written in secret and the facts concerning it kept secret and it was put through in haste it could not get through at all.¹⁸⁷

Nonetheless, Borah took heart that, “ [despite] the highly capitalized and thoroughly organized propaganda carried on by the sinister interests with large investments and securities in Europe[,] the people at large are coming more and more to understand and be against the League and the treaty. Just in proportion as they learn the facts they are turning against it.” Public opinion – the great engine of progressivism – was running smoothly.¹⁸⁸

¹⁸⁶ Crunden, 260-261. Ambrosius, 139. Compared against the progressives, Reed is a key example of the strange bedfellows within the Irreconcilable camp: One of his central arguments against the League was that the seventeen nations harboring “black, brown, yellow and red races,” “steeped in barbarism” as they were, would overwhelm the fifteen white nations to undermine “civilized government”. Irreconcilable differences, indeed.

¹⁸⁷ Borah to Frank Rea, January 5, 1920. WJB, Box 85: Politics – Alabama.

¹⁸⁸ Ibid.

Robert La Follette also abhorred the secrecy in which the Treaty had come about, in defiance of Wilson's promise of "open covenants openly arrived at." One would think that Article 23 of the League's covenant, which argued that members "will endeavour to secure and maintain fair and humane conditions of labor for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend," should have been music to the ears of a La Follette. More than a few conservatives opposed the League for exactly this inclusion. But the Wisconsin Senator saw an inherent flaw in the mold. "The vice which goes to the very root of all the labor provisions of this proposed treaty," he argued, "is that they provide for the enactment of labor legislation by the secret and undemocratic method by which treaties are made." Due to both this secrecy and the seeming enshrinement of the status-quo laid down by Article X, La Follette argued the League would only serve to "crystallize the present industrial conditions and to perpetuate the wrong and injustice in the present relations existing between labor and capital."¹⁸⁹

Like the legal and moral obligations of Article X, the question of secrecy also came up at Wilson's August 1919 meeting with the Senate Foreign Relations Committee. When asked about secret treaties made among the Allies before the war, Wilson claimed to have no knowledge of them entering the Paris talks, even though they had been widely publicized. The lie struck many as an act of desperation. "If he was ignorant," La Follette concluded, "he was the only man connected in any way with public life in the United States who was ignorant of the terms and purposes of the secret treaties." Sensing an "almost universal conspiracy to lie and smother the truth," an increasingly irate Walter Lippmann agreed. This "initial lie has taken the

¹⁸⁹ La Follette, 976.

decency out of him, he wrote to his friend Bernard Berenson. “He is as unscrupulous today as LG [Lloyd George] and a great deal less attractive.”¹⁹⁰ (In fact, Lippmann had helped prepare Borah and the Irreconcilables for this White House meeting, by giving them questions based on his inside knowledge of the Inquiry. It was a decision he would come to regret later in life.)¹⁹¹

Sovereignty, constitutionality, imperialism, secrecy – To the Senate progressives, all of these objections to the League were intermingled, and not just with each other. As historian Thomas Knock notes, progressive “disappointment with Wilson and the Covenant were multiplied a hundredfold by the treaty itself...the progressives [simply] believed that the President had helped to make a bad peace.” In the words of La Follette:

“The little group of men who sat in secret conclave for months at Versailles were not peacemakers. They were war makers. They cut and slashed the map of the Old World in violation of the terms of the armistice...They betrayed China. They locked the chains on the subject peoples of Ireland, Egypt, and India. They partitioned territory and traded off peoples in mockery of that sanctified formula of 14 points, and made it our Nation’s shame. Then, fearing the wrath of outraged peoples, knowing that their new map would be torn to rags and tatters by the conflicting warring elements which they had bound together in wanton disregard of racial animosities, they made a league of nations to stand guard over the swag!...Mister President, whatever course other Senators take, I shall never vote to bind my country to the monstrous undertaking which this covenant would impose.”¹⁹²

He was, in a word, irreconcilable. Unfortunately for those who wanted to see America in a League of Nations, so too was the President of the United States.

¹⁹⁰ La Follette, 978. Steel, 163. Lippmann and Berenson had actually become friends through their shared disillusionment with the Paris peace process. “Do you happen to recall how I came to see you in your office in the corner of the Rue Royale during the peace conference,” Berenson wrote Lippmann years later. “You were still in uniform at your desk. I came to ask you whether you were aware that we Americans were being betrayed, that no attention was being paid to our aims in the war, and that a most disastrous peace treaty was being forged. You said nothing, but your eyes filled with tears. I have loved you since.” Steel, 178.

¹⁹¹ True to Lippmann’s penchant for displacing blame on others, he later said: “The decision was basically Croly’s. I followed him, though I was not then, and am not now, convinced that it was the wise thing to do. If I had it to do all over again, I would take the other side; we supplied the Battalion of Death with too much ammunition.” Steel, 166.

¹⁹² Knock, 252. La Follette, 981.

Things Fall Apart

Writing Senator Arthur Capper of Kansas in August 1919, Republican editor, Roosevelt Progressive, and League supporter William Allen White – whose homespun wisdom and espousal of common-sense Midwestern values earned him the moniker “the Sage of Emporia” – urged his former Governor to be careful about crossing Wilson on the League of Nations. “I would vote for the League with certain restrictions and reservations,” he told Capper, “but I would never vote for an amendment to the League which would be unacceptable to the President. He is too smart. He is a singed cat. You think you can play politics all around him, but he fools you.” Indeed, White thought the League issue could very well decide the election of 1920. “[Wilson] can be pretty nearly elected to a third term in this country...[I]f we defeat the League of Nations, we are in the Devil’s own box for next year. You can discredit the old man this year, but he will turn up smiling next year, and Heaven knows that the country has had so much Democratic incompetency that another term of it would swamp us.”¹⁹³

William Allen White was right about the League of Nations being an election issue, but not much else. For, however canny his political instincts might have been in the past, when Woodrow Wilson arrived back in America in early July, he returned to a very different political environment than the one he had left in March.¹⁹⁴

¹⁹³ White to Arthur Capper, August 21, 1919. Johnson, 200-201.

¹⁹⁴ While there was no way he could have known, White was also wrong about the big picture. In the same letter, he argues: “Here is the political situation as I see it. Sixty per cent of the Kansas people are against the League today, possibly more. But if the League is defeated, we will have to go ahead with a strong military program, which will mean universal service and a big navy...[T]o use a military program as a permanent, everlasting policy of America would lick the Republican party worse than it has ever licked before, and it would be the last licking it would ever get.” Generations of later Republicans would emphatically disagree with this assessment.

For one, the rude facts of the Versailles Treaty had arrived before he did, and soured many on the peace process. As early as May 1919, the Women's International Conference for Permanent Peace at Zurich weighed in with a damning statement against the treaty, expressing "deep regret that the terms of peace proposed at Versailles should so seriously violate the principles upon which alone a just and lasting peace can be secured and which the democrats of the world had come to expect." They argued the Treaty "tacitly sanctioned secret diplomacy, denied the principle of self-determination, recognized the rights of the victors to the spoils, and created all over Europe discords and animosities which can only lead to future wars." Seconded by Jeanette Rankin, the former Member of Congress who had opposed entry into World War I, the statement was approved unanimously – meaning it also enjoyed the support of former Wilson allies Florence Kelley, Lillian Wald, and Jane Addams.¹⁹⁵

For another, Wilson's erstwhile allies among both the progressive and conservative internationalists were, after Lodge's Round Robin, now pushing for alterations in their respective directions. Even as the progressive League of Free Nations Associations (LFNA) and conservative League to Enforce Peace (LEP) officially joined forces in the summer of 1919, they began to pull Wilson's League apart.

While arguing that a "League of Nations is essential to the world's future peace, progress, and prosperity" and that a "failure to ratify a League Covenant that seems a promising beginning would be a crime against the whole world," Paul Kellogg's progressive League of Free Nations Association (LFNA) also now declared that "it would be little less criminal to regard as final and

¹⁹⁵ "Women Denounce Terms," *New York Times*, May 15, 1919. "Women see Germans doomed to Poverty," *New York Times*, May 16, 1919.

unalterable what has been wrought in haste out of the pressing exigencies of a world crisis.” Stanford President David Starr Jordan, one of the early founders of the LFNA, now argued to Borah that “the ratification of the present Treaty, bad as it is, *with certain reservations* can be made to give better results than would follow rejection.”¹⁹⁶

By December, the LFNA was arguing that, while the Senate’s reservations to the League were “vicious and petty,” “the concessions made at Paris to European and Japanese nationalistic self-interests have made it impossible for President Wilson to underwrite unqualifiedly the Treaty of Versailles, with its territorial and other compromises.” These compromises, “some of them violating the principles upon which the armistice was based,” gave opponents of the League “their most effective argument against the treaty – that the covenant would, in effect, make the United States the chief guarantor of the perpetuation of some of the worst features of the old diplomacy and imperialistic policies of the great powers.” And so they offered their own amendments to the Covenant, among them issuing a clarification that Article X would not be used to authorize “interference by the League in internal revolutions...[or in] preventing genuine redress and readjustment of boundaries.”¹⁹⁷

Caught in the grip of repression at home, other left-leaning Americans were even more vocal in their desire to see Wilson and the League fail. Writing Robert La Follette in September, Amos Pinchot urged the Irreconcilables to “shout the truth...that [Wilson] spent his time at Paris

¹⁹⁶ It is Up to You!,” advertisement for LFNA, *The New Republic*, 1919. David Starr Jordan to William Borah, Borah Box 82: 1919-1920 Espionage. My italics.

¹⁹⁷ “Frames Proposal on Treaty Changes,” *New York Times*, December 7, 1919.

standing in the corner with a dunce cap and that he came home so thoroughly spanked that he had to run around the country because he could not sit down.”¹⁹⁸

At *The Crisis*, W.E.B. Du Bois remained a stalwart defender of the League, warts and all. “The proposed League is not the best conceivable – indeed, in some respects, it is the worst,” he told his readers in November 1919. “But the worst Internation is better than the present anarchy in international relations.” However “oligarchic, reactionary, restricted, and conservative...it has a democratic Assembly, it recognizes no color line, and it can enforce peace.” Thus, *The Crisis* argued: “Let us have the League with all its autocracy and then in the League let us work for Democracy of all races and men.”¹⁹⁹

But Du Bois and *The Crisis* would be increasingly lonely in this view as the League fight dragged on. More often heard in progressive circles was the view of *The New Republic*: “With the publication of the Treaty,” the magazine recalled in November of 1920, “the New Republic was forced to conclude that the character of the peace was such that it would disturb the world it enforced. From May of 1919 the New Republic has therefore stood irreconcilably against the ratification of the Treaty which contains the Covenant of the League of Nations on the ground that the whole value of American participation in the League would be engulfed by American obligation under the Treaty.”²⁰⁰

¹⁹⁸ Noggle, *Into the Twenties*, 184. Like so many other progressives, Pinchot blamed Wilson’s personality for the failure at Versailles. “The public is inclined to think Mr. Wilson a wise person. As a matter of fact, he does not know much, hates to digest anything, and trusts to his brilliancy and tact to carry him through.” If America knew “how ignorant” and “utterly sloppy...his preparation for the great struggle with European diplomacy,” Pinchot argued, “they would begin to say ‘This man is either a liar or an ass.’”

¹⁹⁹ “The League of Nations,” *The Crisis*, Vol. 19, No. 1, November, 1919, 336-337.

²⁰⁰ “The Verdict on the League,” *The New Republic*, November 10, 1920, 255.

Meanwhile, Wilson's conservative support was badly buckling as well. The conservative internationalists who originally comprised the League to Enforce Peace (LEP) had always envisioned a League grounded in international law – where nations could arbitrate and appeal, as nations, under commonly accepted rules – rather than one subject to the whims and vagaries of political councils. But as Wilson's August distinction between legal and moral obligations makes clear, the president did not envision the law as the cement of his new League. In the words of Elihu Root, Wilson's League would see “all questions of right...relegated to the investigation and recommendation of a political body to be determined as matters of expediency.” As such, it “practically abandons all effort to promote or maintain anything like a system of international law,” and “puts the whole subject of arbitration back where it was twenty-five years ago.” Similarly, Charles Evans Hughes lamented that “suitable steps have not been taken for the formation of international legal principles and to secure judicial determinations of disputes by impartial tribunals.” Instead, decisions would rest “largely upon the decision of bodies likely to be controlled by considerations of expediency.”²⁰¹

Even in the face of this conservative disappointment, LEP president William Howard Taft had put on a good face – appearing with Wilson at events and publicly supporting the League. But, in July of 1919, the façade of presidential bipartisanship was broken by the leaking of a confidential letter Taft had written to Republican Party chairman Will Hays. In it, Taft criticized Wilson's work in Paris, arguing that “some of the defects of the League of Nations are due to him. I am confident that he prevented the adoption of the plan of the League to Enforce

²⁰¹ Wertheim, 797-836. Upon discovering that lawyers were writing the first draft of the League covenant in Paris, Wilson exclaimed: “Who authorized them to do this? I don't want lawyers drafting this treaty.” To Wilson, “law in a moving, vital society grows old, obsolete, impossible, item by item.”

Peace in respect to an international court and the settlement of justiciable questions...His prejudice against courts is well known.”²⁰²

In this private letter, Taft did argue that “the attempt of such men as Senator Borah, Senator Johnson...and others to defeat the treaty...do not, I think, indicate the attitude of the majority of the Republican Party,” and that he was “strongly in favor of ratifying the treaty as it is” and “would not hesitate to vote for it.” But he also went on to outline several reservations he would offer to make the League more palatable – including limiting America’s obligation under Article X to five years and making other concessions to American sovereignty, such as recognizing the Monroe Doctrine and reaffirming the prerogatives of Congress.²⁰³

Taft offered to resign as head of the LEP after his letters had been made public – likely by Hays or one of Wilson’s opponents in the Senate, with whom Taft and Hays shared the correspondence – but the damage had been done. On both the left and right, the consensus behind the current League had fallen apart. There was no longer any debate that the League should be modified in the Senate – only what form these changes should take. If Wilson would not be moved to accept reservations in one direction or another, the Treaty would fall.²⁰⁴

As is well known, Wilson was not so moved. “My clear conviction,” he wrote before returning from Paris, “is that the adoption by the Treaty by the Senate with reservations would put the United States as clearly out of concert of nations as a rejection. We ought either to go in or stay out.” He was assuredly not going to let the Senate make the League a tool of lawyers and

²⁰² “Taft’s Move Conciliatory,” *New York Times*, July 24, 1919.

²⁰³ Ibid. John Milton Cooper, *Breaking the Heart of the World: Woodrow Wilson and the Fight for the League* (New York: Cambridge University Press, 2000), 115.

²⁰⁴ Cooper, 115. Knock, 258.

imperialists. And so, already exhausted from the interminable Paris negotiations, Wilson resolved to make a stand on *his* League.²⁰⁵

The rest of the story of the League is a death of a thousand cuts. On July 10th, two days after returning from Paris, Wilson address a joint session of Congress where he implored them to follow the will of the world and pass the Treaty as written. “The stage is set, the destiny disclosed,” he thundered:

It has come about by no plan of our conceiving, but by the hand of God who led us into this way. We cannot turn back. We can only go forward, with lifted eyes and freshened spirit, to follow the vision. It was of this that we dreamed at our birth. America shall in truth show the way. The light streams upon the path ahead, and nowhere else.²⁰⁶

According to the *New York Times*, the “President’s address was heard with the keenest interest by his splendid audience, but it was heard in silence.” Belle La Follette – present in the gallery above during the President’s speech – later wrote her children: “[T]here was not one handclap throughout his address and when he finished there was not nearly the warmth in the applause that there was in reception. From the few comments Daddy got from the floor, there was evident disappointment and not much pretense at satisfaction.”²⁰⁷

²⁰⁵Cooper, 116. Knock, 258, 267-269 In the words of historian Thomas Bailey in 1945, Wilson’s intransigence was “The Supreme Infanticide... With his own sickly hands, Wilson slew his brain child.” Similarly, Richard Hofstadter argued that the League fight “became a matter of the most desperate psychological urgency for him. His plans had been hamstrung, his hopes abandoned until nothing but the League was left... The League was now a question of moral salvation or annihilation, for everything he stood for hung in the balance.” To this oft-told story, more recent historians have added the depths of Wilson’s sickness, which further calcified and hardened his position. Noggle, *Into the Twenties*, 128-129.

²⁰⁶ Woodrow Wilson, “Address to the Senate,” July 10th, 1919. Reprinted at <http://historymatters.gmu.edu/d/4979/>

²⁰⁷ La Follette, 969-970. John Milton Cooper notes: “On the return voyage, Wilson uncharacteristically struggled for several days to produce a draft of the speech... Ray Stannard Baker noted in his diary on July 1st that Wilson ‘found probably for the first time in his entire life that his work of the day before had not satisfied him, so he was forced to begin all over... He said he found it a difficult message to write...’ Wilson claimed the trouble was that ‘he had so very little respect for the audience to which he would deliver the address.’ The president also reads his speech to five advisors on the ship – three financiers (Thomas Lamont, Bernard Baruch, Norman Davis), democratic activist Vance McCormack, and academic economist Frank Taussig, According to Cooper, “his reaching out now betrayed

The Senate Foreign Relations Committee then took up the treaty, with Lodge deliberately slow-walking the debate to let public opinion continue to turn against it. After two weeks of reading the treaty aloud, as well as the August 19th White House question-and answer session with Wilson, hostile witnesses came to testify throughout August and early September – the most damning being that of William Bullitt, the young diplomat who would resign in disgust, on September 12th, 1919. After three hours of testimony, Bullitt read from a memo that quoted Secretary of State Robert Lansing as an opponent of the League. According to Bullitt, Lansing “considered many parts of the treaty thoroughly bad, particularly those dealing with Shantung and the League of Nations.

[Lansing] said: “I consider that the League of Nations at present is entirely useless. The great powers have simply gone ahead and arranged the world to suit themselves. England and France in particular have gotten out of the treaty everything that they wanted, and the league of nations can do nothing to alter any of the unjust clauses of the treaty except by unanimous consent of the members of the league, and the great powers will never give their consent to changes in the interests of weaker peoples.”²⁰⁸

In case anyone had missed the point, Bullitt concluded, “Mr Lansing said: ‘I believe that if the Senate could only understand what this treaty means, and if the American people could really understand, it would unquestionably be defeated.’”²⁰⁹

For Wilson, the defection of his own Secretary of State into the opposition was the unkindest cut of all, and it was not helped by Lansing’s terse response to the ensuing media firestorm, delivered just before a fishing trip to Lake Ontario: “I have no comment to make.” (This did not stop *The Nation* from running a “Resignation Not Yet Written by Robert Lansing,”

uncharacteristically shaky self-confidence and questionable judgment in his test audience.” Cooper, *Breaking the Heart of the World*, 116-117.

²⁰⁸ Cooper, 169-170.

²⁰⁹ Ibid.

which had the Secretary of State calling the treaty “a grave breach of faith...which the historians of the future will inevitably take note to condemn.”) The real Lansing was slightly more circumspect to the president, telling him via wire that “I recognized that certain features of the Treaty were bad, as I presumed most everyone did, but that was probably unavoidable in view of conflicting claims and that nothing ought to be done to prevent the speedy restoration of peace by signing the Treaty.”²¹⁰

Wilson was livid, and more than a little paranoid. Bullitt’s testimony, he told Joseph Tumulty, “is a confirmation of the suspicions I have had” about Lansing, whose “trail” he saw “on the other side...everywhere [he] went.” “[H]ere in his own statement is a verification at last of everything I had suspected. Think of it! This from a man who I had raised from the level of a subordinate to the great office of Secretary of State of the United States! My God!” The day after receiving Lansing’s cable, September 17th, Wilson was plagued with worse headaches than ever before. By the end of the month, he would collapse.²¹¹

The same day Lansing had wired Wilson, Senator Lodge – his work complete – finally brought the treaty out of committee for full Senate consideration. Two months later, after invoking cloture for the first time in its history, it was time to vote. Visiting the White House to encourage Wilson to support mild, Democratic-penned reservations that could counteract Lodge’s list, Senator Gilbert Hitchcock confronted an “emaciated old man with a thin white beard which had been permitted to grow.” But, however sick, Wilson remained steadfast against

²¹⁰ “A Resignation Not Yet Written by Robert Lansing,” *The Nation*, Sept. 20, 1919, 389. Cooper, 170. Pietrusza, 42-43.

²¹¹ Pietrusza, 43. The following year, in February of 1920, Lansing would be forced to resign due to “disloyalty” – namely, calling Cabinet meetings without the sick president attending. Said Senator George Norris of this incident, in a letter that leaked to the *New York Times*: “first the President was incapacitated, and it was necessary for someone to look after the Government; second, the mental expert that was employed at the White House was discharged too soon.” Lowitt, 124.

even the slightest alteration to the Treaty “I could not stand for those changes for a moment,” Wilson told him, “because it would humiliate the United States before all of the Allied countries...the United States would suffer the contempt of the world.” In fact, he went on:

“I want the vote of each, Republican and Democrat, recorded...because they will have to answer to the country. They must answer to the people. I am a sick man, lying in this bed, but I am going to debate this issue with these gentlemen in their respective states whenever they come up for re-election if I have breath enough in my body to carry the fight. I shall do this even if I have to give my life to it. And I will get their political scalps when the truth is known to the people...I have no doubt as to what the verdict will be when they know the facts.”²¹²

Wilson was less emphatic in his message to Congress on the subject, but the meaning was still clear. “I sincerely hope that the friends and supporters of the treaty will vote against the Lodge resolution of ratification,” Wilson told Congress. “I understand that the door will probably then be open for a genuine resolution of ratification.”²¹³

And so, on November 19th, 1919, the last day of session and one year, one week, and one day after the armistice had been signed, the day of the vote came. Even if the outcome seemed decided by the president’s missive to brook no compromise, Irreconcilable William Borah took no chances – Instead, he delivered a three-hour oration against the Treaty on the floor that moved Senators, among them Henry Cabot Lodge, to tears.

Threatening to replace rule of the people by rule of force, Borah argued, the League was an existential threat to the last best hope of the world, the American republic. Should it pass, America would be inextricably entangled with the affairs of Europe, contrary to the wisdom of Washington and Monroe, and the “maxim of liberty will soon give way to the rule of blood and

²¹² Pietrusza, 50-51.

²¹³ La Follette, 982.

iron...Autocracy which has bathed the world in blood for century reigns supreme, Democracy is everywhere excluded. This, you say, means peace.” Instead, Borah urged Wilson to “turn from this scheme based on force to another scheme, planned one hundred and forty-three years ago in old Independence Hall, in the city of Philadelphia, based on liberty. I like it better.”²¹⁴

Borah also made an eloquent case for the progressive vision of America. “[D]emocracy,” he intoned, “is something more vastly more, than a mere form of government by which society is restrained into free and orderly life:

It is a moral entity, a spiritual force as well. And these are things which live only and alone in the atmosphere of liberty. The foundation upon which democracy rests is faith in the moral instincts of the people. Its ballot boxes, the franchise, its laws, and constitutions are but the outward manifestations of the deeper and more essential thing – a continuing trust in the moral purposes of the average man and woman. When this is lost or forfeited your outward forms, however democratic in terms, are a mockery... These distinguishing virtues of a real republic you cannot commingle with the discordant and destructive forces of the Old World and still preserve them. You cannot yoke a government whose fundamental maxim is that of liberty to a government whose first law is that of force and hope to preserve the former... We may become one of the four dictators of the world, but we shall no longer be master of our own spirit. And what shall it profit us as a nation if we shall go forth to the dominion of the earth and share with others the glory of world control and lose that fine sense of confidence in the people, the soul of democracy?²¹⁵

If the Irreconcilables had offended, Borah argued, it was only because they had too much faith in America – “because we have placed too high an emphasis upon the wisdom of Washington and Jefferson, too exalted an opinion upon the patriotism of the sainted Lincoln... [I]f we have, in our limited vision, seemed sometimes bitter and at all times uncompromising,” Borah explained, “the things which we have endeavored to defend have been the things for which your fathers and our fathers were willing to die.”²¹⁶

²¹⁴ William Borah, “The League of Nations,” November 19, 1919.

²¹⁵ Ibid..

²¹⁶ Ibid. Borah was such a believer in the American system of democracy that, two years later, he (perhaps presciently) prescribed it for Europe: “There is another subject,” he told an editor of the *New York Times*, “if I could find the time, to give the Times an article on, and that is the subject of the federalization of Europe. It may be a

In the final vote, those fathers were not dishonored. The Senate rejected the Treaty of Versailles with the Lodge reservations attached by a vote of 59 to 33 – seven short of the needed two-thirds majority – and then rejected it again, without reservations 53-38. In the first vote, the Irreconcilables had joined with the Democratic stalwarts to defeat the Lodge reservations. In the second, they sided with the Republicans against the Wilsonians.²¹⁷

Either way, the treaty was defeated. But even then, there was still one more chance to save the treaty. The Senate, after being bombarded with requests from both conservatives and Wilsonian progressives, agreed to hold one more vote on the League in the following session. But the deeply ill president remained recalcitrant – and increasingly desperate.

Early in January, Wilson contemplated “challeng[ing] the following named gentlemen, members of the Senate of the United States, to resign their seats in that body and take immediate steps to seek re-election to it on the basis of their several records with regards to the ratification of the treaty. For myself, I promise if all of them or even a majority of them are re-elected, I will resign.” After much discussion with his advisors, Wilson was talked out of this high-stakes gambit. Instead, at a January 8, 1920 Jackson Day Dinner, Wilson threw down a slightly more subtle gauntlet: “The clear and single way out is to submit it for determination at the next

fanciful one in the minds of some, but I venture to say that just the proposition as the principal upon which the American Republic was founded (just now unfortunately being destroyed), is the principal which will finally bring peace and prosperity to Europe.” Borah to R.H. Graves, July 26, 1921. WJB, Box 99: Newspapers.

²¹⁷ Knock, 263-264. Henry Cabot Lodge, *The Senate and the League of Nations*, 1925. Senate.gov, http://www.senate.gov/reference/reference_item/Versailles.htm

election to the voters of the nation, to give the next election the form of a great and solemn referendum.”²¹⁸

The following month, on Sunday, February 1st, 1920, ambassadors from England and France told Wilson they would accept the Lodge reservations in order to preserve the participation of the United States in the League, Wilson replied: “No, Ambassador, I shall consent to nothing. The Senate must take its medicine.” When Bernard Baruch, head of Wilson’s War Industries Board, implored the president to agree to the Lodge reservations, Wilson answered simply, “Et tu, Brute.” To Senate Democrats who were thinking of embracing the reservations in March, Wilson wrote: “I hear of reservationists and mild reservations, but I cannot understand the difference between a nullifier and a mild nullifier.”²¹⁹

For their part, the Senate followed to form. Even with some Wilson Democrats joining the reservationists in an attempt to save the League, they again rejected the treaty in March. Irreconcilable James Reed called the League “as dead as Hector” – To Lodge, it was “as dead as Marley’s ghost.” Wilson began envisioning for himself a martyr’s death. “It probably would have been better if I had died last fall,” he told his doctor after the vote. Visiting the president a few days later, George Creel was aghast at what he saw. Wilson’s “bloodless lips,” Creel reported, “moved continuously, as if framing arguments and forming new appeals.” His eyes were “filled with an anguish such as I trust never to see again. ‘If only I were not helpless,’ he whispered.” The final nail of the coffin came that November, when, even worse than two years before, Wilson and his party were decisively repudiated at the polls. “So far as the United States

²¹⁸ Pietrusza, 181.

²¹⁹ Pietrusza, 181. Wesley M. Bagby, *The Road to Normalcy* (Baltimore: Johns Hopkins Press, 1968), 54, 57.

is concerned,” said Lodge in the flush of victory, “that League is dead.” Similarly, in his first speech after being elected in a landslide, Harding pronounced Wilson’s League “now deceased.” Whatever form a League under Harding might take, the president-elect promised, “it will be an association which surrenders nothing of American freedom.”²²⁰

Aftermath

However unhappy an ending it made for Wilson, the League of Nations battle would set the stage for much of the foreign policy fights in the decade to come. Disillusioned by defeat, he progressive internationalists would look for new avenues to pursue the goals of promoting democracy and fellowship around the world. Meanwhile, the progressive Irreconcilables who had banded together and defeated the president now sat in the catbird seat, with Borah in particular soon to take a prominent role in guiding American foreign policy.

Looking back in 1923, William Allen White would articulate the sentiments of many of the progressive internationalists about the experience of the League fight. “The golden moment has passed,” he wrote. “Sometimes I persuade myself that the world had reached a height of aspiration between November 1918 and January or February 1919 when it might possibly have been wise to unite the nations of the world in an altruistic enterprise. But alas, that day is a memory and the memory of it is only an illusion. Perhaps there was no reality to that day, but only an emotional fizz.”²²¹

²²⁰ Ann Hagedorn, *Savage Fear: Hope and Peace in America, 1919* (New York, Simon & Schuster, 1997), 407. Smith, 142-143. Knock, 269. “A Constructive World League Program,” *The Nation*, November 17, 1920 (Vol. 111, No. 2889), 549.

²²¹ White to W.D. Guthrie, July 10, 1923. Johnson, 232.

The irreconcilables were not much more sanguine. Despite their victory in the Senate, William Borah felt uneasy about the League, and would spend much of the Twenties re-litigating the same fight he had won in 1919. “Having failed to enter the front door and having received the open condemnation of the people,” Borah wrote a constituent in early 1921, “the plan [for the League] seems to be now to enter the back door.” Senator Borah believed he and his allies would have to remain vigilant guardians of that backdoor. “We must realize that the conflict is not over,” he wrote. “Those who propose to be in on the exploiting of the subject peoples of the Old World, the filching of their natural resources, and oil, and all kinds of mineral wealth, do not propose that the United States shall stay out of this gigantic scale of militarism and imperialism.”²²²

Borah was not alone in this fear of the League being agreed to by other means. “I grow more apprehensive all the time that, in spite of our historic victory, we shall find ourselves drawn in to the European vortex which swirls more madly all the time,” wrote Albert Beveridge after the election. And Hiram Johnson thought similarly, and he too pledged to keep up the fight. “You have done such a wonderful job in this matter – more than any other living, human being,” he wrote Borah after the election, “and I want to continue with you and I want to aid in preventing all the effort from going to naught.” Johnson was particularly perturbed by a missive from Elihu Root arguing that “a new deal here from the beginning by abandoning the Versailles Treaty is impossible...The only possible course is to keep the treaty, modifying it to meet the requirements of the Senate reservations[.]” Hearing of this, Borah replied to Johnson: “The fight, from now on...is coming inside of our own party”:

²²² Borah to Arshag Mahdesian, April 9, 1921. WJB, Box 93: Foreign Affairs, 1920-1291.

Of course, there were thousands of people in this fight who were in good faith in favoring the League, who honestly believed that it would bring peace. But that class of people we can easily deal with. They are honest and sincere, and after they see the developments in Europe and more fully examine the League, they change their minds. But with those who are actuated by selfish and sinister purposes, there is nothing for them except a club. They belong to the same profiteering class who robbed our home people while the Great War was raging and now they propose to rob the people of the Old World and deprive them of their natural resources and make us stand back of their scheme.”²²³

If the victors remained uneasy, the loser of the great battle for the League seemed irredeemably broken. Reflecting on this last chapter of Wilson’s story after the election, *The New Republic* sought “to state, and then if possible, to understand what it is that makes Woodrow Wilson one of the really strange figures of history. What makes the scene so tremendous,” it determined, “is not the spectacle of a Lodge triumphant... It is the interior tragedy played between the Wilson of the armistice and the Wilson returned from Versailles.” To TNR, “the Wilson who acquiesced in the disastrous peace was a man who at the worst had made mistakes, as all human beings do. But the Wilson who returned from Versailles denying those mistakes, the Wilson who attempted to exploit the sacred confidence of common men to make those mistakes seem a triumph, that is the lonely Wilson. That is the Wilson who will interest his real biographer, for it is here that the paradox of his life culminates.”²²⁴

Visiting the former president a few weeks before his death in early 1924, League of Nations official Raymond Fosdick found Wilson still writhing upon this paradox to the very last. “Our conversation wandered over many topics,” Fosdick wrote in TNR, “but his chief thought was of the League of Nations, and its promise for the future.” Breaking into tears at one point,

²²³ Albert Beveridge to William Borah, October 6, 1921. WJB, Box 94: German Treaty. Hiram Johnson to William Borah, November 10, 1920. WJB, Box 85: Politics – California. William Borah to Hiram Johnson, November 15, 1920. WJB, Box 85: Politics – California. “Sunning Himself in Texas,” *The Independent*, November 20, 1920, 270.

²²⁴ “Woodrow Wilson,” *The New Republic*, November 17, 1920, 284-285.

Wilson insisted the League would be “America’s contribution to the race... It might come soon, it might come late, but come it would. America would not stand in the way of human progress, America would not long thwart the hope of the race.” But, however certain his vision of the future, Wilson could not hide his bitterness about all that had happened in that final conversation. As Fosdick recalled, “[h]is voice rose in indignation as he recalled the charge of ‘idealism’ so often levied against the League. ‘The world is *run* by its ideals,’ he exclaimed. ‘Only the fool thinks otherwise.’”²²⁵

The world is run by its ideals. It is a maxim that, until Wilson at Versailles, many progressives had shared. But even as the president fought for his new world order in Paris, distressing events at home further turned progressives against Wilsonian ideals. “America could not aid the world toward permanent peace,” Frederic Howe concluded in 1925, looking back at the failure of Versailles and the League. “Our alleged ideals did not operate at home, they could not operate abroad.”²²⁶

²²⁵ Raymond Fosdick, “Before Wilson Died,” *The Survey Midmonthly*, February 15, 1924, 495.

²²⁶ Howe, 318-320.

CHAPTER THREE: CHAOS AT HOME

PROGRESSIVES IN THE CRUCIBLE OF 1919.

“The inevitable letdown in idealism after the war, deepened by Wilson’s surrender to such reactionaries in his cabinet as Attorney-General Mitchell Palmer and Postmaster-General Burlleson and, of course, the ending of the democratic dream at Versailles, left the country in an ugly mood.” – Arthur Garfield Hays, 1942²²⁷

“From our recent experience, it is clear that the traditional liberties of speech and opinion rest on no solid foundation.” – Walter Lippmann, November 1919²²⁸

“I regard it one of the most serious results of the War – the manner in which we utterly came to disregard the fundamental principles of the Constitution.” – William Borah, 1921²²⁹

*You believe in votes for women? Yah!
The Bolsheviki do.
And shorter hours? And land reforms?
They’re Bolshevistic, too.
“The Recall” and other things like that,
Are dangerous to seek;
Don’t tell me you believe ‘em or I’ll
Call you Bolshevik!
Bolshevik! Veek! Veek!
A reformer is a freak!
But here’s a name to stop him, for it’s
Like a lightning streak!*

– Edmund Vance Cooke, 1919²³⁰

²²⁷ Arthur Hays, *City Lawyer: The Autobiography of a Law Practice* (New York: Simon & Schuster, 1942), 249.

²²⁸ Walter Lippmann, *Liberty and the News* (New York: Harcourt Brace, and Howe, 1920), 19. Ross Evans Paulson, *Liberty, Equality, and Justice: Civil Rights, Women’s Rights, and the Regulation of Business, 1865-1932* (Durham: Duke University Press, 1997), 184. Reflecting in 1930 on the passing of Herbert Croly, Lippmann remarked: “The most exhilarating experience we had, as I now look back, was the resistance of the *New Republic* in 1919 and 1920 to the Red hysteria.” Paul L. Murphy, *The Meaning of Freedom of Speech: First Amendment Freedoms from Wilson to FDR* (Westport: Greenwood Press, 1972), 110.

²²⁹ Borah to H.M. Peckham, June 27, 1921. WJB, Box 98: Misc.

²³⁰ Edmund Vance Cooke, “Bol-she-veek!,” *Public*, XXII (July 19, 1919), 772. Quoted in Robert K. Murray, *Red Scare: A Study in National Hysteria* (New York: McGraw-Hill, 1964), 169.

The failures at Versailles and the rejection of the League of Nations would have been enough to send a generation of progressives into a slough of despond. But these foreign policy events, disillusioning as they were, did not happen in a vacuum. They took place during what was, aside from the Civil War and arguably the late 1960's, the most tumultuous two-year period in American history. From strikes and bombings to raids, race riots, and repression, America erupted into confusion and hysteria in 1919 and 1920. Those hoping for a progressive post-war reconstruction saw their plans, and their nation, disintegrate into chaos.

Terror Comes to R Street.

On Monday, June 2nd, 1919, Assistant Secretary of the Navy Franklin Roosevelt and his wife Eleanor returned to their Washington home at 2131 R. St NW rather late in the evening. Their home lay in the sleepy, ritzy Dupont neighborhood known as the West End – home to past president William Howard Taft and future presidents Warren Harding and Dwight Eisenhower – and far from the hustle and bustle of other parts of the capital. Franklin parked the car in the garage a few blocks away and the two began walking home. Three minutes later, at around 11:15pm, a loud explosion thundered outside the house, blowing in all of the Roosevelt home's windows and raining glass, debris, and flesh all over the quiet confines of R St.²³¹

After rushing up the stairs to check on his eleven-year-old son James, Franklin Roosevelt ran outside, past the fragments of bone and body on his doorstep, to the center of the blast– the home across the street. “The front door of the house was blown in and the façade is a wreck,” Roosevelt told journalists later that night. “The front sitting room, or library, was badly shattered.” Standing amidst the wreckage, deeply shaken to his core, was the intended target of

²³¹ “Palmer and Family Safe,” *New York Times*, June 3rd, 1919. Kenneth Ackerman, *Young J. Edgar: Hoover, the Red Scare, and the Assault on Civil Liberties* (New York: Da Capo Press, 2007), 12-14.

the attack: Woodrow Wilson's Attorney General, A. Mitchell Palmer. In a state of shock, Palmer – who had avoided certain death by only minutes by leaving that shattered first floor library and heading upstairs for bed – had taken on the cadences of his Quaker youth. “He was ‘theeing’ and ‘thouing’ me all over the place,” FDR recalled, ‘thank thee, Franklin, and all that.’”²³²

Eleanor Roosevelt's cousin, and the daughter of Franklin's fifth cousin Theodore Roosevelt, Alice Roosevelt Longworth, returned home not much later and witnessed the same carnage. “As we walked across R Street,” she said, “it was difficult to avoid stepping on bloody hunks of human being. The man had been torn apart, fairly blown to butcher's meat. It was curiously without horror...a large number of pieces had been assembled on a piece of newspaper, and seemed no more than so much carrion.”²³³

And it seemed everywhere. A scalp was later found on the Roosevelts' roof. Body fragments and broken glass littered the nearby homes of Senator Claude Swanson and Representative Ira Copley. Down the block, at 2137 R St, a body fragment sailed through the window of the Minister Plenipotentiary of Norway and landed next to a sleeping child's cot. There were so many dismembered parts scattered about the neighborhood that police could not at first tell how many bombers – or even passers-by – had perished in the blast, although Franklin Roosevelt noticed that at least one of the deceased was a poorly dressed ne'er-do-well from the quality of his socks. No head was found – it was presumably eviscerated in the blast – but

²³² NYT, 6/3/19. Pietrusza, 145-146. I'll never forget how uncommonly unnerved Father was when he dashed upstairs and found me standing at the window in my pajamas,' James Roosevelt remembered later. 'He grabbed me in an embrace that almost cracked my ribs.' Pietrusza, 145-146.

²³³ Pietrusza, 146.

authorities did find a size fifteen collar with a Chinese laundry mark, tattered scraps of a black suit with green pin stripes, and a brown fedora hat, bought in Philadelphia.²³⁴

And then there were the papers. “Blackhand literature and dodgers [6x10 inch placards] were found among the wreckage of the neighborhood,” Roosevelt told the press. Signed by “The Anarchist Fighters,” they sounded the tocsin of class war: “The powers that be make no secret of their will to stop here in America the worldwide spread of revolution. The powers that be must reckon that they will have to accept the fight they have provoked:

The challenge is an old one, O ‘democratic lords of the autocratic republic. We have been dreaming of freedom, we have talked of liberty, we have aspired to a better world, and you jailed us, you clubbed us, you deported us, you murdered us whenever you could. Now that the great war, waged to replenish your purses and build a pedestal to your saints, is over, nothing better can you do to protect your stolen millions, and your usurped fame, than to direct all the power of the murderous institutions you created for your exclusive defense, against the working multitudes rising to a more human conception of life. The jails, the dungeons you reared to bury all protesting voices, are now replenished with languishing conscientious workers, and never satisfied, you increase their number every day...

Do not say we are acting cowardly because we keep in hiding; do not say it is abominable; It is war, class war, and you were the first to wage it under cover of the powerful institutions you call order, in the darkness of your laws, behind the guns of your bone-headed slaves...

Our mutual position is pretty clear. What has been done by us so far is only a warning that there are friends of popular liberties still living. Only now are we getting into the fight; and you will have a chance to see what liberty-loving people can do. Do not seek to believe that we are the Germans or the devil’s paid agents; you know well we are class-conscious men, with strong determination and no vulgar liability. And never hope that your cops and your hounds will ever succeed in ridding the country of the anarchistic germ that pulses in our veins.²³⁵

²³⁴ NYT, 6/3/19. The hat, and a train ticket found at the scene, led to Philadelphia, where William Flynn, Acting Director of the Bureau of Investigations, would set up operations. Through the use of BOI informants, the dead man was eventually determined to be Carlo Valdinoci, former editor of the anarchist publication *Cronaca Sovversiva* (Subversive Chronicle) and a close associate of anarchist Luigi Galleani. As it happen, Galleani and many of his closest associates were deported three weeks after the June 2nd bombings, for reasons unrelated to them. Charles McCormick, *Hopeless Cases: The Hunt for the Red Scare Terrorist Bombers* (Lanham: University Press of America, 2005), 51-52. FBI: 1919 Bombings (<http://www.fbi.gov/philadelphia/about-us/history/famous-cases/famous-cases-1919-bombings>)

²³⁵ NYT, 6/3/19.

“We know how we stand with you and know how to take care of ourselves,” the dead man’s missive concluded. “Besides, you will never get all of us, and we multiply nowadays.”²³⁶

Attorney General A. Mitchell Palmer was ready and willing to try regardless. “We could not take a step without seeing or feeling the grinding of a piece of flesh,’ he told a Senate Committee in 1920, remembering the abattoir that had been made of his front porch. In fact, this was the second attempt on Palmer’s life in 1919. Along with eight other bombs that went off June 2nd around the country, one of which killed night watchman William Boehner in New York City, someone had dispatched mail bombs to Palmer and thirty-five other financial and political luminaries in late April. After one of the first bombs to arrive, intended for Senator Thomas Hardwick of Georgia, blew off the hands of his maid, almost all of the rest were identified before they left the post office.²³⁷

Before tragedy had struck, Palmer had been considered a left-leaning, well-meant fellow who supported progressive initiatives like women’s suffrage, the child labor law, and the eight-hour day during the war, and who advocated leniency for political dissidents like Eugene Debs after it. Indeed, Palmer had been the point man for organized labor during Wilson’s 1916 presidential campaign, and was considered both a friend to labor and to newly-arrived immigrants at the time of his ascension to the Attorney General’s office three months earlier.²³⁸

²³⁶ NYT, 6/3/19.

²³⁷ Stephen Puleo, *Dark Tide: The Great Boston Molasses Flood of 1919* (Boston: Beacon Press, 2004), 147. While they would become deeply antagonistic to Palmer in the year to come, TNR editorialized at the time of the incident that eight bombs in eight different cities “are conclusive evidence of a really serious criminal conspiracy, and the quicker the men are caught, tried, and punished the better.” “Terrorism,” *The New Republic*, June 14, 1919, 201-202.

²³⁸ Noggle, *Into the Twenties*, 106. Leuchtenburg, 76.

But with this explosive attempt on the lives of him and his family, something snapped, and Palmer was transformed. “I remember...the morning after my house was blown up, I stood in the middle of the wreckage of my library with Congressmen and Senators, and without a dissenting voice they called upon me in strong terms to exercise all the power that was possible...to run to earth the criminals who were behind that kind of outrage.”²³⁹

While few progressives would be as viscerally transformed by the harrowing experiences of 1919 as A. Mitchell Palmer, hardly any would leave the year unscarred. Writing the President, who at the time was beginning the last, dismal, grinding month of Versailles negotiations in Paris, Joseph Tumulty told Wilson that “[w]hat happened in Washington last night in the attempt upon the Attorney General’s life is but a symptom of the terrible unrest that is stalking about this country...growing steadily, from day to day, under our very eyes, a movement that, if it is not checked, is bound to express itself in attack upon everything we hold dear.” Tumulty was both right and wrong. There was indeed a terrible unrest that threatened everything Wilson and Tumulty held dear – but its seeds had been sown several years earlier, and by the hand of the president himself.²⁴⁰

The Storm before the Storm.

Just as Wilson had foreseen a “tragedy of disappointment” emerging from Versailles before he left for Paris, the president had anticipated the chaos and dissension that would wreak havoc across America. In an April 1, 1917 interview with Frank Cobb, editor of the *New York*

²³⁹ Hagedorn, 221-222. Pietrusza, 146.

²⁴⁰ Howard Zinn, *The Twentieth Century* (New York: Perennial, 2003), 96-97. Wilson had cabled Palmer as soon as he heard about the bombing. “My heartfelt congratulations on your escape. I am deeply thankful that the miscreants failed in all their attempts.” Hagedorn, 224.

World, on the eve of entry into the Great War, he predicted that war would “mean that we shall lose our heads, along with the rest, and stop weighing right and wrong.”²⁴¹

“It will be too much for us,” the president presciently lamented. “Once lead this people into war and they’ll forget there ever was such a thing as tolerance. To fight, you must be brutal...and the spirit of ruthless brutality will enter into the very fiber of our national life, infecting Congress, the courts, the policeman on the beat, the man in the street. Conformity will be the only virtue. And every man who refuses to conform will have to pay the penalty.”²⁴²

But while Wilson played the part of aggrieved statesman to Cobb, he himself had spent years stoking the fires of discord that would consume America during the war and after. In 1915, two full years before his second thoughts to Cobb, Wilson had delivered an address to Congress that served as a virtual litany of intolerance, as intemperate in its own way as any anarchist’s dodger. “I am sorry to say,” he intoned, “that the gravest threats against our national peace and safety have been uttered within our own borders.” In other words, the Enemy that threatened to bring America into the war (as Wilson would himself do two years later) was among us. These were the dreaded Hyphenates:

There are citizens of the United States, I blush to admit, born under other flags but welcomed under our generous naturalization laws to the full freedom and opportunity of America, who have poured the poison of disloyalty into the very arteries of our national life; who have sought to bring the authority and good name of our Government into contempt, to destroy our industries wherever they thought it effective for their vindictive purposes to strike at them, and to debase

²⁴¹ John Chamberlain, *Farewell to Reform: The Rise, Life, and Decay of the Progressive Mind in America* (Chicago: Quadrangle, 1965), 296.

²⁴² Chamberlain, 296. Similarly, Wilson was rumored to have confessed to a friend around the same time that war “required illiberalism at home to reinforce the man at the front.” Wilson’s remarks to Cobb are so prescient, in fact, that there has been some historical dispute as to whether he ever actually said them. See Jerrold Auerbach, “Woodrow Wilson’s ‘Prediction’ to Frank Cobb: Words Historians Should Doubt Ever Got Spoken,” *Journal of American History*, LIV (December, 1967), 615-617. Harry N. Scheiber, “What Wilson Said to Cobb in 1917: Another View of Plausibility,” *Wisconsin Magazine of History* (Summer 1969), Vol. 52, no. 4. Noggle, 85.

our politics to the uses of foreign intrigue. Their number is not great as compared with the whole number of those sturdy hosts by which our nation has been enriched in recent generations out of virile foreign stock; but it is great enough to have brought deep disgrace upon us and to have made it necessary that we should promptly make use of processes of law by which we may be purged of their corrupt distempers.²⁴³

“Such creatures of passion, disloyalty, and anarchy,” he continued, “must be crushed out. They are not many, but they are infinitely malignant, and the hand of our power should close over them at once.” And so, while conceding that “no laws, I suppose, can reach corruptions of the mind and heart,” Wilson urged the Congress before him to enact “adequate federal laws...at the earliest possible moment,” in order to preserve “the honor and self-respect of the nation.”²⁴⁴

The intemperance at the heart of Wilson’s Third Annual Address was not a one-time lapse. In 1917, Wilson warned that the German enemy “has filled our unsuspecting communities and even our offices of government with spies and set criminal intrigue everywhere afoot against our national unity of council, our peace within and without, our industries and our commerce.” And it was echoed by other prominent political leaders and elites. Teddy Roosevelt railed against the “whole raft of sexless creatures,” from the I.W.W. to the Socialists, which undermined America by desiring peace. “If you turn hell upside down,” declared the popular evangelist Billy Sunday, “you will find ‘Made in Germany’ stamped on the bottom.” Elihu Root was more direct: “There are men walking about the streets of this city tonight,” he announced, “who ought to be taken out at sunrise tomorrow and shot for treason.”²⁴⁵

And so, particularly after war became a reality, Congress worked to provide the “adequate federal laws” Wilson had requested. In June of 1917, two months after entry into WWI, it passed the Espionage Act, which set a punishment of up to 20 years and \$10,000 for

²⁴³ Woodrow Wilson, “Third Annual Message to Congress,” The American Presidency Project.

<http://www.presidency.ucsb.edu/ws/index.php?pid=29556>

²⁴⁴ Ibid.

²⁴⁵ Pietrusza, 140. Howard Zinn, *The Twentieth Century* (New York: Perennial, 2003), 89.

“false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States,” including “willfully obstruct[ing] the recruiting or enlistment service.” It also gave the Postmaster General the power to ban any mailings that violated this Act or otherwise advocated “treason, insurrection, or forcible resistance to the law of the United States.” Robert La Follette would call the Act “the greatest crime of this war.”²⁴⁶

A year later, Congress strengthened the Espionage Act with a series of amendments that came to be known as the Sedition Act. It made it criminal to “utter, print, write, or publish any disloyal, profane, scurrilous, or abusive language about the form of government of the United States, or the Constitution of the United States, or the military or naval forces of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States, or any language intended to bring [any of the above] into contempt, scorn, contumely, or disrepute.”²⁴⁷

To Senator Hiram Johnson, the Sedition Act was a “villainous measure.” Such laws, he argued, “do not unite a people. They cause suspicion to stalk all through the land...they take a great, virile, brave people and make that people timid and fearful.” Senator George Norris wondered what was the point of fighting a war for Democracy abroad if Congress was going to interfere “with the very fundamental principles of human liberty and human freedom on which our great Commonwealth is founded...What doth it profit a man if he gain the whole world and lose his own soul?” In quoting Matthew 16:26, Norris potentially put himself on shaky ground with the authorities. Speaking to a crowd about the Espionage Act in July 1917, Socialist Max

²⁴⁶ Robert Strassfeld, “Major Acts of Congress: Espionage (1917) and Sedition (1918) Acts” (<http://www.enotes.com/major-acts-congress/espionage-act-sedition-act>) Thelen, 149.

²⁴⁷ David Kennedy, *Over Here: The First World War and American Society* (New York: Oxford University Press, 1980), 80. Strassfeld. John M. Barry, *Rising Tide: The Great Mississippi Flood of 1927 and How It Changed America* (New York: Simon and Schuster, 1998), 138.

Eastman memorably quipped: “You can’t even collect your thoughts without getting arrested for unlawful assemblage... They give you ninety days for quoting the Declaration of Independence, six months for quoting the Bible, and pretty soon somebody is going to get a life sentence for quoting Woodrow Wilson in the wrong connection.” The experience of the next four years would make a sad reality of Eastman’s witticism. Between 1917 and the repeal of the Sedition Acts in March, 1921, 2,000 prosecutions were attempted under these Acts, resulting in 1055 convictions.²⁴⁸

Among those who found themselves a target for prosecution was one Charles Schenck, then the Secretary of the Socialist Party, who had printed and mailed 15,000 leaflets opposing the draft as a violation of the Thirteenth Amendment’s prohibition on involuntary servitude. After an appeal, Schenck’s conviction under the Espionage Act was unanimously upheld by the highest court in the land. “The most stringent protection of free speech would not protect a man in falsely shouting fire in a theatre and causing a panic,” Justice Oliver Wendell Holmes famously argued in *Schenck v. United States*. “The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent.”²⁴⁹

The Court also weighed in support of the Espionage Acts in another case, this time involving the beloved Socialist candidate for president Eugene Victor Debs. In a June 16, 1918 speech in Canton, Ohio, Debs had railed against the wartime oppression of Socialists. “I realize that, in speaking to you this afternoon,” he argued, “there are certain limitations placed upon the

²⁴⁸ Pietrusza, 179. Lowitt, 131. Steel, *Lippmann and the American Century*, 124. Witt, 191.

²⁴⁹ *Schenck v. United States*, 249 U.S. 47(1919). In his book *Free Speech in the United States*, Harvard Law School professor Zechariah Chafee, according to historian Howard Zinn, “argued that a more apt analogy for Schenck was someone getting up between the acts at a theater and declaring that there were not enough fire exits.” Zinn, *Twentieth Century*, 86.

right of free speech. I must be exceedingly careful, prudent, as to what I say, and even more careful and prudent as to how I say it.” To the authorities in Canton, he was not careful enough, particularly when Debs told his audience:

They have always taught and trained you to believe it to be your patriotic duty to go to war and to have yourselves slaughtered at their command...[L]et me emphasize the fact—and it cannot be repeated too often—that the working class who fight all the battles, the working class who make the supreme sacrifices, the working class who freely shed their blood and furnish the corpses, have never yet had a voice in either declaring war or making peace. It is the ruling class that invariably does both. They alone declare war and they alone make peace.

Yours not to reason why; Yours but to do and die. That is their motto and we object on the part of the awakening workers of this nation.²⁵⁰

Arrested after the speech, Debs – after a colorful trial where the great orator eloquently railed against the powers-that-be – was ultimately convicted to ten years and a lifetime of disenfranchisement. Once again the Supreme Court upheld the conviction, and Debs entered a state penitentiary in West Virginia in April of 1919. (The federal pen, it was determined, held too many kindred spirits.) “Tell my comrades that I entered the prison doors a flaming revolutionist, my head erect, my spirit untamed and my soul unconquered,” he said as he publicly accepted his fate. In private, Debs was deeply discouraged, “I don’t know why but I feel dreadfully depressed,” he wrote a confidant. “I want to get away from everybody. The comrades are kind as they can be and I am trying hard not to let them know what is in my heart. There’s an awful loneliness that has gripped me.”²⁵¹

To Ernst Freud in *The New Republic*, Debs’ detention set an exceedingly bad precedent, especially in peacetime. “A country can ill-spare the men who when the waves of militant

²⁵⁰ Eugene V. Debs, “Speech in Canton, Ohio,” June 16, 1918. Reprinted in *The Call* and at <http://www.marxists.org/archive/debs/works/1918/canton.htm>

²⁵¹ Nick Salvatore, *Eugene Debs: Citizen and Socialist* (Chicago: University of Illinois Press, 1982), 300.

nationalism run high do not lose the courage of their convictions,” he wrote. Supporters of Debs petitioned the administration for clemency, which Wilson, while busy at Versailles, was willing to contemplate, at least in private. “[I’d be] willing to grant a respite in the case of Eugene V. Debs and the others,” he wrote Tumulty from Paris, “but I doubt the wisdom and public effect of such an action.” Instead, he asked Tumulty to talk to Palmer and ‘let me know the result of the conference before I act.’ Palmer, now fully embracing the avenging angel role circumstances had thrust him in, hated the idea: Debs’ “attitude of challenging and defying the administration of law,’ he told the president, “makes it imperative that no respite of clemency be shown at the present time.”²⁵²

After passions had receded a few years later, A. Mitchell Palmer would actually suggest to Wilson that he pardon Debs before leaving office, on Lincoln’s birthday: February 12, 1921. But by then, bad health and grim circumstances had calcified the president’s views. “Denied,” Wilson told Tumulty then. “While the flower of American youth was pouring out its blood to vindicate the cause of civilization, this man, Debs, stood behind the lines sniping, attacking, and denouncing them... This man was a traitor to his country and he will never be pardoned during my administration.” *The New Republic* was disgusted by Wilson’s stubbornness. “It taxes credulity and taxes vocabulary. If there are Gods who enjoy human irony they staged this ironical scene – Woodrow Wilson denying pardon to a man who stood by his convictions.”²⁵³

²⁵² Conservative Senator Atlee Pomerene of Ohio agreed: “Since the decision of the Supreme Court [Debs] has preached Revolution, urged the establishment of Soviets in this Country... and spoke[n] of the Bolshevists in the most glowing terms... Any attempt to show Debs leniency now will be attributed to a spirit of weakness on the part of the Government... Let Debs pose as a martyr if he will... it will not do one half of the harm to the principles of the American Democracy that will result from exercise of misguided leniency.” Ernst Freund, “The Debs Case and Freedom of Speech,” *The New Republic*, May 3, 1919, 13-15. Salvatore, 308, 300.

²⁵³ Noggle, *Into the Twenties*, 113. “Debs,” *The New Republic*, February 16, 1921 (Vol. XXV, No. 34), 337. Responded “Prisoner #9653” to this rejection: “It is he, not I, who needs a pardon. If I had it in my power I would give him the pardon which would set him free... Woodrow Wilson is an exile from the hearts of his people... the

While not reaching the level of the Supreme Court, another case upholding the repression of the Espionage Act was the ironically named *U.S. v. Spirit of '76*. Inspired by the rousing success of D.W. Griffith's 1915 Civil War epic *Birth of a Nation*, filmmaker Robert Goldstein – the son of a German immigrant – decided to make a similarly impassioned (and emotionally manipulative) film about the American Revolution. The final result reached theaters in May 1917, and while now lost to history, *The Spirit of '76* included scenes, according to one film historian, of “Paul Revere's Ride, the signing of the Declaration of Independence, Valley Forge, and, most conspicuously as far as later events were concerned, the British atrocities committed against the American settlers during the 1778 Cherry Valley Massacre.” Among the atrocities lain at the foot of Englishmen were an infant slaughtered by British bayonet and the suggested rape of a colonial woman.

But one month after entry into the war was not an opportune time for such *Patriot*-style muckraking, and Goldstein was prevailed upon by Chicago's Censorship Board, headed by one Metallus Lucullus Cicero Funkhouser, to trim the offending scenes down. Goldstein did as requested, until he got to Los Angeles, where he showed the film uncut and in its original form. For this offense, he was quickly arrested. In the ensuing case – *US v. Spirit of '76* – the judge accused Goldstein of “a sedulous effort” to “question the good faith of our ally” and “to insert those things which would tend to ‘excite’ and to create a prejudice against Great Britain.” Goldstein was convicted and sentenced to ten years in prison (of which he served three.)²⁵⁴

most pathetic figure in the world. No man in public life in American history ever retired so thoroughly discredited, so scathingly rebuked, so overwhelmingly impeached and repudiated as Woodrow Wilson.” Paul Sann, *The Lawless Decade: A Pictorial History of the Roaring Twenties*. Excerpted at <http://www.lawlessdecade.net/21-31.htm>.

²⁵⁴ The end of Goldstein's story is not a happy one. While Wilson did commute his sentence in 1921, he was effectively disbarred from making movies in America. After several fruitless attempts to clear his name, Goldstein tried to start over as a filmmaker in other countries. He ultimately ended up in Germany, where he may well have ended up a victim of the Holocaust. Zinn, 91-92. Timothy Noah, “The Unluckiest Man in Movie History,” *Slate*,

Thousands such cases were prosecuted by the federal government during the war, many receiving great notoriety. Socialist speaker Rose Pastor Stokes was arrested in March 1918 for writing to the local paper: “No government which is for the profiteers can also be for the people, and I am for the people, while the government is for the profiteers.” She was sentenced to ten years. Socialist Kate Richards O’Hare got five years for giving an anti-war speech in North Dakota – one she had already delivered several times over without repercussions.²⁵⁵

A particular wartime target was the International Workers of the World, a.k.a. the Wobblies. As encapsulated by historian Howard Zinn: “In early September 1917, Department of Justice agents made simultaneous raids on forty-eight IWW meeting halls across the country, seizing correspondence and literature that would become courtroom evidence. Later that month, 165 IWW leaders were arrested for conspiring to hinder the draft, encourage desertion, and intimidate others in connection with labor disputes. One hundred and one went on trial in April 1918; it lasted five months, the longest criminal trial in American history up to that time.” In fact, almost half of Espionage and Sedition Act prosecutions occurred in thirteen (of eighty-seven) federal districts – the thirteen Western districts where IWW activity was centralized.²⁵⁶

Another prime target, of course, was Germans themselves. Soon after entry into the war, Wilson had decreed that all German males in America (and later German females) would have to register with the government, and keep their registration on them at all times. Over the course of the war, thousands of German nationals would be harassed or arrested by government officials and local authorities. Over 2000 – among them the famed conductor of the Boston Symphony

June 13th, 2000.

http://www.slate.com/articles/news_and_politics/chatterbox/2000/06/the_unluckiest_man_in_movie_history.html

²⁵⁵ Kennedy, 83. After two appeals, Stokes’ conviction “was reversed in March 1920, on the grounds that the charge to the jury was prejudicial against the defendant.” Judith Rosenbaum, “Rose Pastor Stokes,” *Jewish Women’s Encyclopedia* (<http://jwa.org/encyclopedia/article/stokes-rose-pastor>)

²⁵⁶ Howard Zinn, *The Twentieth Century* (New York: Perennial, 2003), 94

Orchestra, Karl Muck, who was rumored to have refused to play “The Star-Spangled Banner” (it wasn’t true) – would be shipped to military bases: Fort Douglas, Utah, in the West and “Orglesdorf,” a.k.a. Fort Oglethorpe, Georgia, in the East. There – until they were all freed by incoming Attorney General A. Mitchell Palmer in early 1919 – they would become the responsibility of the ambitious 22-year-old running the Enemy Alien Registration Section at DOJ – John E. Hoover (later and better known as J. Edgar.)²⁵⁷

Meanwhile, in September 1918, a five-member committee in the Senate, chaired by Senator Lee Overman of North Carolina, was created to look into charges that the United States Brewers’ Association had become a haven of pro-German activity within America. Senator Overman took his mandate broadly, and steered the committee to delve more widely and deeply into the subject of possible pro-German sentiment in America. Even though the Overman Committee only took shape within weeks of the end of the war, as one historian has noted, this was “the first congressional investigation of political activities and opinions of American citizens.”²⁵⁸

If these wartime abuses of the Constitution were unnerving to progressives, more unnerving still was the extra-legal furor that accompanied them. Not content with leaving the policing of anti-American sentiment to the judicial system, the Wilson administration also worked to marshal the forces of public opinion to their cause.

²⁵⁷ Arnold Krammer, *Undue Process: The Untold Story of America’s German Alien Internees* (Lanham: Rowan & Littlefield, 1997), 14-15. Ackerman, *Young J. Edgar: Hoover*, 20. “Arrest Karl Muck as an Enemy Alien,” *New York Times*, March 26, 1918. “Muck’s Last American Concert,” *New York Times*, March 24, 1940. Notes Chris Capozzola of Hoover’s tenure: “The young bureaucrat was efficient, but—despite his later reputation—Hoover was not always ruthless. When considering how to dispose of the case of Otto Mueller, an enemy alien who, when asked what he thought of America, responded, ‘fuck this god damned country,’ Hoover urged leniency, in contrast to senior colleagues who wanted Mueller interned for the duration.” Chris Capozzola, *Uncle Sam Wants You* (New York: Oxford University Press, 2008), 202-204.

²⁵⁸ Hagedorn, 53.

And so, on April 13th, 1917, Wilson signed Executive Order 2594, creating a Committee of Public Information (CPI), to be headed by Denver journalist and muckraker George Creel. During the war, notes historian David Kennedy, the CPI "distributed 75 million copies in several languages of more than thirty pamphlets explaining America's reaction to the war...sponsored war expositions in nearly two dozen cities [and] issued 6000 press releases to assist (and to influence) the nation's newspapers in their reporting on the war." "Government," *New York World* editor Frank Cobb said, describing the work of the CPI, "conscripted public opinion as they conscripted men and women and materials...They mobilized it. They put it in the charge of drill sergeants. They goose-stepped it. They taught it to stand attention and salute."²⁵⁹

From the beginning, Creel had envisioned his task mainly as progressive muckraking writ large. Imbued with "faith in democracy...faith in the fact," in the words of Newton Baker, the CPI was intended by Creel to be a grand experiment in mobilizing public opinion through, as one historian put it, "information and disclosure, pure and simple." Chief among Creel's initiatives were the rollout of 75,000 volunteers – the "Four Minute Men," so named after their assessment of the average person's attention span – who traveled the country drumming up support for the war in four minute bursts. They were instructed by Creel and the CPI head office to rely on the facts and the facts only. "A statement only of patent facts will convince those who require argument more than doubtful disputations," Creel told them. "No hymn of hate accompanies our message."²⁶⁰

Similarly, Creel – looking back in his 1920 memoir, *How We Advertised America*, as the Red Scare was beginning to burn itself out -- defended the work of the CPI during the war. "In

²⁵⁹ Kennedy, *Over Here*, 61. Ted Galen Carpenter, *The Captive Press: Foreign Policy Crises and the First Amendment* (Washington: Cato Institute Press, 1995), 21. Murray, 12. Barry, *Rising Tide*, 137.

²⁶⁰ Kennedy, *Over Here*, 61.

no degree was the Committee an agency of censorship, a machinery of concealment or repression,” he wrote:

At no point did it seek or exercise authorities under those war laws that limited the freedom of speech and press. In all things, from first to last, without halt or change, it was a plain publicity proposition, a vast enterprise in salesmanship, the world's greatest adventures in advertising... We did not call it propaganda, for that word, in German hands, had come to be associated with deceit and corruption. Our effort was educational and informative throughout, for we had such confidence in our case as to feel that no other argument was needed than the simple, straightforward presentation of the facts.²⁶¹

But, however well-intentioned at first, Creel and the CPI fell away from its just-the-facts approach during the war and began to appeal to baser instincts. For one, by a year into the conflict, Four Minute Men -- which, by Creel’s estimate, delivered over 7.5 million speeches to 314 million people -- were being actively encouraged by management to weave tales of German atrocities into their speeches. For another, even though each had been endorsed by local pillars of their respective communities, the 75,000 men of Creel’s four-minute army could and did not always follow the company line.

According to a poem in the *Four Minute Men News*, these hardy speakers were called upon to “build morale and confidence in the right” and “defeat fear, mistrust and ignorance. Lies are cut down and fall naked before my sword. False rumor flies before the searchlight of my truth as does the mist at sunrise. I make clear the issues so that all may know and understand.” But, in practice, many four-minuters would traffic in mistrust and innuendo all the same. “Ladies and gentlemen,” one representative speaker began, “I have just received the information that

²⁶¹ George Creel, *How We Advertised America* (New York: Harper & Brothers, 1920), 4-5.

there is a German spy among us – a German spy watching us. He is around, here somewhere, reporting upon you and me – sending reports about us to Berlin.”²⁶²

Compounding the problem, it was often hard to tell the official four-minute men from the off-message vigilantes. For example, the man who told a Pennsylvania crowd he was “determined to wipe out seditious talk among pro-Germans here even if it requires tar and feathers and a stout rope in the hands of a necktie party.” He then went on to name names of those locals he thought to have been “slackers in the purchase of war stamps and also disloyal to their adopted country in uttering seditious remarks.” A CPI investigation set the record straight that this was not a Four Minute Man delivering the officially-sanctioned war message of Uncle Sam – but only after the story was reported in the local papers as Four Minute canon.²⁶³

Later, Creel would blame overzealous patriots and presspersons like these for the vigilantism and chaos that would ensue during the war and after. “People generally, and the press particularly,” he wrote, “were keyed up to a high pitch, an excited distrust of our foreign population, and a percentage of editors and politicians were eager for a campaign of ‘hate’ at home.” And clearly, many papers of record furthered the hysteria. The *New York Times*, for example, reminded its readers that “the duty of every good citizen [is] to communicate to proper authorities any evidence of sedition that comes to his notice.” But, in truth, Creel’s organization, even at higher levels than the Four Minuters on the ground, was not as blameless as he suggested. At one point, CPI put large ads in newspapers and magazines like the *Saturday*

²⁶² Four Minute Men News, Edition C. Committee on Public Information, *Four Minute Man Bulletin*, No. 17 (October 8, 1917), Reprinted at “Four Minute Men, Volunteer Speeches during World War I,” *History Matters* (<http://historymatters.gmu.edu/d/4970>)

²⁶³ “Our chairman for that community,” said the CPI report, “informs us that one result of his speech was that he was soundly trounced by two sons of one of the men whose name he mentioned, which may have had a subduing effect.” *Ibid.*

Evening Post requesting that good Americans “report the man who spreads pessimistic stories...cries for peace, or belittles our efforts to win the war.”²⁶⁴

Also buttressing CPI and the press’s efforts were the many patriotic organizations that had sprung up in recent years as part of the Preparedness movement – most notably the National Security League (established in December 1914) and its Republicans-only offshoot, the American Defense Society (born August 1915). Backed by some of the wealthiest and most powerful men in America – Elihu Root, John D. Rockefeller, J.P. Morgan, T. Coleman Du Pont – the NSL could boast 100,000 members and 250 chapters in 42 states by the end of 1916. Two years after that, in April of 1918, Princeton professor Robert McNutt McElroy -- the head of NSL’s propaganda arm, the “Committee on Patriotism through Education” – would publicly denounce the students, university, and eventually the entire state of Wisconsin as pro-German traitors.²⁶⁵

The ADS, meanwhile, was by February 1918 urging Congress to take even stronger action against any potential German fifth column in American life. “The appalling and complete moral breakdown of German ‘Kultur’ compels a sweeping revision of the attitude of civilized nations and individuals toward the German language, literature, and science,” ADS argued in an official statement, for “the close scrutiny of German thought induced by Hun frightfulness in this war has revealed abhorrent inherent qualities hitherto unknown.” Along with increasing internment efforts, ADS advocated expunging the study of German from public schools.²⁶⁶

²⁶⁴ Pietrusza, 142. Howard Zinn , *The Twentieth Century* (New York: Perennial, 2003), 90. Kennedy, *Over Here*, 61-62. Barry, *Rising Tide*, 137.

²⁶⁵ Mark R. Shulman, "The Progressive Era Origins of the National Security Act" (2000). *Pace Law Faculty Publications*. Paper 223. <http://digitalcommons.pace.edu/lawfaculty/223>, 304-305, 308-309.

²⁶⁶ “Calls for Strict Ban on German Language,” *The New York Times*, February 25, 1918.

Alongside these two organizations grew a panoply of homegrown spy organizations, among them the Liberty League, the American Defense Society, the Home Defense League, the All-Allied Anti-German League, the Boy Spies of America, the Knights of Liberty, the Sedition Slammers, and the American Anti-Anarchy Organization. The largest and most powerful of these, numbering 250,000 dues-paying members in 600 cities at its zenith, was the American Protective League, founded in April 1917.²⁶⁷

Over the course of the war, the members of the APL, as historian David Kennedy writes, “constituted a rambunctious, unruly *posse comitatus* on an unprecedented national scale”:

Its ‘agents’ bugged, burglarized, slandered, and illegally arrested other Americans. They opened mail, intercepted telegrams, served as *agents provocateurs*, and were the chief commandos in a series of extralegal and often violent ‘slacker raids’ against supposed draft evaders in 1918. They always operated behind a cloak of stealth and deception, frequently promoting reactionary social and economic views under the guise of patriotism. The League sometimes counseled its members to commit outright physical assault on dissenters. It was, in one authority’s view, ‘a force for outrageous vigilantism blessed with the seal and sanction of the federal government.’²⁶⁸

Indeed, Attorney General Thomas Gregory applauded the “several hundred thousand private citizens...assisting the heavily overworked Federal authorities in keeping an eye on disloyal individuals.” He even allowed the APL to state it was "Organized with the Approval and Operating under the Direction of the United States Department of Justice, Bureau of Investigation” on its letterhead. APL members often wore badges and cultivated the air of officiality that Gregory had bestowed upon them. After a three-day APL “slacker raid” of New York City that culminated in tens of thousands of arrests (for not carrying draft cards) and netted thousands of “slackers” – people shirking draft duty – a Justice Department official argued that

²⁶⁷ Hagedorn, 25-26.

²⁶⁸ Kennedy, *Over There*, 82.

everything “done in connection with this roundup has been done under the direction of the Attorney General.”²⁶⁹

For his part, Wilson felt very uneasy about this public-private intelligence partnership. [I]t would be very dangerous,” he told Gregory, “to have such an organization operating in the United States, and I wonder if there was any way in which we could stop it?” But, during his tenure, Gregory made no such attempt. In fact, dissolution of the partnership would not occur until A. Mitchell Palmer succeeded Gregory in early 1919. Arguing that “espionage conducted by private individuals or organizations is entirely at variance with our theories of government, and its operation in any community constitutes a grave menace to that feeling of public confidence which is the chief force making for the maintenance of good order,” Palmer made severing the APL from government one of his first official acts as Attorney General.²⁷⁰

Nonetheless, when it came to harassment and repression of German-Americans and sundry other suspect individuals during World War I, it became hard to draw the line between what was government-sponsored activity and what was just citizen enthusiasm. Across the country, sauerkraut became “liberty cabbage,” dashschunds “liberty pups,” hamburgers “liberty sandwiches.” In the House, a Michigan congressman introduced a bill mandating that “all cities, villages, counties, townships, boroughs...streets, highways, and avenues in the United States” named “Berlin or Germany” be re-named “Liberty, Victory, or [an]other patriot designation.” In Iowa, Governor William Harding issued “the Babel Proclamation,” which made English the

²⁶⁹ Ibid. “Get 1,500 Slackers in 3-Day Roundup,” *New York Times*, September 6, 1918.

²⁷⁰ Stanley Coben, *A. Mitchell Palmer, Politician* (New York: Da Capo Press, 1972), 199-200. The *New York Times*, for one, argued Palmer was “perhaps a little hasty in telling the patriotic and defensive societies that their help in guarding the Republic is neither needed nor welcome.” Hagedorn, 227.

official language of the state and banned the use of German in public places or over the telephone.²⁷¹

In Butte, Montana, the government's war against the Wobblies would be taken up by private citizens (and, likely, Pinkertons): Two weeks after telling a crowd that he "don't give a damn what your country is fighting for" and that army enlistees were "Uncle Sam's scabs in uniform," IWW Executive Board member Frank Little was grabbed by six masked men and hung from a railroad trestle. Pinned to his corpse was a placard in red crayon reading: "Others Take Notice: first and Last Warning."²⁷²

Similarly, one of the darkest incidents of anti-German fervor on the homefront was the fate of Robert Prager, a German-born man in Collinsville, Indiana. When the war started, Prager had registered as ordered and even tried to enlist, but was unable to for health reasons. He had also previously attended Socialist meetings, and run afoul of local UMW members, some of whom apparently believed him to be a spy for local mine operators. In any case, in April of 1918, Prager was swept up by a drunken mob, draped with an American flag (which he was repeatedly forced to kiss), dragged through the streets, and ultimately lynched. Since the mob had forgotten to tie his hands the first time, and Prager had been able to grab the rope that was strangling him, Prager was lowered down and allowed to pen a brief letter. It read: "Dear Parents - I must this day, the 5th of April, 1918, die. Please pray for me, my dear parents. This is my last

²⁷¹ John M. Murrin, *et al*, *Liberty, Equality, Power: A History of the American People* (Florence: Wadsworth Publishing, 2011), 784. "To Strike Germany from Map of U.S.," *New York Times*, June 2, 1918. Kennedy, 68. Stephen J. Frese, "Divided by a Common Language: The Babel Proclamation and its Influence in Iowa History" *The History Teacher*, November 2005 <http://www.historycooperative.org/journals/ht/39.1/frese.html>

²⁷² "I.W.W. Strike Chief Lynched at Butte," *New York Times*, August 2, 1917. Leuchtenburg, 45.

letter. Your dear son.” He was then tied up once again and lynched again before an approving crowd of 500.²⁷³

The mayor of Collinsville blamed this incident on Congress’s failure to pass stronger anti-sedition laws. In the ensuing trial, the defense claimed Prager’s execution was “patriotic murder” and the jury, after twenty-five minutes agreed. Said one jury member, “nobody can say we aren’t loyal now!”²⁷⁴

Enemies in Office, Friends in Jail.

In this intense wartime climate, those progressives who had stayed true to their pacifist beliefs were at best marginalized by society at large, and more often than not became open targets of rage and ridicule. For her tenacious pacifism, Jane Addams was confronted with booing crowds and death threats. She would be denounced as a traitor to America by newspapers, editorialists, and no less an authority than the president of the University of Chicago, who called her “so-called peace activities” a form of “giving aid and comfort to the enemy.” As she would describe in her 1922 book, *Peace and Bread*, it was an experience that would force her to question many of her prevailing assumptions about the infallibility of public opinion.²⁷⁵

Similarly, Robert La Follette found himself an increasingly lonely and embattled anti-war voice in the Senate. One of six Senators (and 55 Congressmen) who voted against entry, La

²⁷³ Kennedy, 68. “German Enemy of US Hanged by Mob,” *The St. Louis Post-Dispatch*, April 5, 1918. E.A. Schwartz, “The Lynching of Robert Prager, the United Mine Workers, and the Problems of Patriotism in 1918,” *Journal of the Illinois Historical Society*, Winter 2003, http://findarticles.com/p/articles/mi_qa3945/is_200301/ai_n9170046/

²⁷⁴ Ibid.

²⁷⁵ The effect of the WWI experience on Addams is covered at more length in the beginning of Chapter Six. Judith Bloom Fradin and Dennis Fradin, *Jane Addams: Champion of Democracy* (New York: Clarion Books, 2006), 145.

Follette delivered a memorable three-hour speech in October of 1917 on the vital importance of “Free Speech in Wartime.” “American citizens may hold all shades of opinion as to the war,” argued, “one citizen may glory in it, another may deplore it, each has the same right to voice his judgment... If the American people are to carry on this great war, if public opinion is to be enlightened and intelligent, there must be free discussion.”²⁷⁶

This view was considered somewhat suspect at the time, and especially so after the *Associated Press* misquoted La Follette as declaring “we had no grievances against Germany.” (His actual phrase was: “I don’t mean to say that we hadn’t suffered grievances; we had.”) AP later regretted the error, but the genie was out of the bottle. “[Y]ou might just as well put poison in the food of every American boy that goes to his transport as to permit La Follette to talk as he does,” Columbia’s Nicholas Murray Butler effused to the American Bankers Association. Another paper called La Follette, “[f]ar more capable... than any I.W.W... The poison of morbid unrest has fed the maggots of disorder and revolt. It is a shame to America, shame to Wisconsin, that the Senate... must harbor a defender of the child-murderers who sank the *Lusitania*.” William Howard Taft wished “some way could be found to punish men like Senator La Follette on the ground that their activities are traitorous.” For his part, Theodore Roosevelt referred to La Follette a “Hun at the gates” who “is at this moment loyally and efficiently serving one country – Germany. He is acting in such fashion as to make him one of the most potent enemies of this country and a most sinister enemy of democracy.” If he were a Senator, TR fumed, “I would be

²⁷⁶ Robert La Follette, “Free Speech in Wartime,” October 6, 1917.

ashamed to sit in that body until I found out some method of depriving Senator La Follette of his seat in that chamber.”²⁷⁷

As Roosevelt’s musings suggest, the Senator had more than harsh words to contend with. Wisconsin newspapers like the *State Journal* turned roundly against him. 421 faculty members at the University of Wisconsin signed a petition castigating his lack of patriotism, and students on that same campus burned him in effigy. And La Follette’s colleagues in the Senate began to investigate him for un-American activities. In December 1918, after the war ended, the committee in question finally voted 9-2 to dismiss the charges. That same month, La Follette apologized to his family for the strain his ordeal had put on him and them both. “One of the hardest things about the last two years is the feeling of repression we have to carry around with us,” he wrote. “I know it has made me a very different person to live with.”²⁷⁸

Time and again, former progressive and socialist allies of Wilson entreated the president to take a firmer stance against this sort of repression and on behalf of tolerance. Only ten days after the war began, twenty-two prominent peace progressives, including Jane Addams, Paul Kellogg, Norman Thomas, Oswald Garrison Villard, Amos Pinchot, Herbert Croly, and Lillian Wald, wrote to Wilson describing the war fervor that was already taking hold. “We have seen evidence of the breaking down of immemorial rights and privileges,” they began.

Halls have been refused for public discussion; meetings have been broken up;—speakers have been arrested and censorship exercised not to prevent the transmission of information to enemy countries, but to prevent the free discussion by American citizens of our own problems and policies. As we go on, the inevitable psychology of war will manifest itself with increasing

²⁷⁷ “Lest we Forget,” Wisconsin Loyalty League pamphlet, 1922. Robert La Follette Papers, Box 194: “La Follette’s Loyalty Questioned.” Alice Honeywell, *La Follette and His Legacy* (Madison: Robert La Follette School of Public Affairs, 1984/1995), <http://www.lafollette.wisc.edu/publications/otherpublications/LaFollette/LaFLegacy.html> Thelen, 141.

²⁷⁸ Senator Atlee Pomerene of Ohio still brought a minority report to the Senate. It was defeated 50-21. La Follette was reimbursed \$5000 for legal expenses three years later. Honeywell. Thelen, 148, 144.

danger, not only to individuals but to our cherished institutions. It is possible that the moral damage to our democracy in this war may become more serious than the physical or national losses incurred.

What we ask of you, Mr. President, whose utterances at this time must command the earnest attention of the country, is to make an impressive statement that will reach, not only the officials of the Federal Government scattered through the Union, but the officials of the several States and of the cities, towns and villages of the country, reminding them of the peculiar obligation devolving upon all Americans in his war to uphold in every way our constitutional rights and liberties. This will give assurance that in attempting to administer wartime laws, the spirit of democracy will not be broken. Such a statement sent throughout the country would reinforce your declaration that this is a war for democracy and liberty. We are sure that you will believe that only because this matter seems of paramount public importance that we venture to bring it to you at this time for your attention.²⁷⁹

Suffice to say, Wilson made no such statement. Similarly, Wald – one of the letter’s signatories -- begged the president in a personal message to “find a way for us to pull together. You will not drive your natural allies from you. You will not banish us from the Democratic party which you promised to make the home of all liberal spirits.”²⁸⁰

Socialists John Reed, Amos Pinchot, and Max Eastman also prevailed upon the president’s sense of justice and the right. In asking him to stop the ban on Socialist newspapers being ruthlessly enforced by Wilson’s postmaster general, Albert Sidney Bursleson – a man Edward House deemed “the most belligerent member of the Cabinet” – they wrote: “Can it be necessary, even in war time, for the majority of a republic to throttle the voice of a sincere minority? As friends of yours, and knowing how dear to you is the Anglo-Saxon tradition of intellectual freedom, we would like to feel that you do not sanction the exercise.” Wilson was warm but firm in response: “I can only say that a line must be drawn and that we are trying, it may be clumsily, but genuinely, to draw it without fear or favor or prejudice.”²⁸¹

²⁷⁹ Louis Post, *The Public*, Vol. 20, Pt. 1, April 27, 1917, 401.

²⁸⁰ Kennedy, 75. Knock, 134.

²⁸¹ Knock, 135. “Mr. Bursleson, Espionagent,” *The New Republic*, May 10, 1919, 42.

Wilson did say he'd "go to the bottom of the matter" and wrote Burleson about the situation, telling him "these are very sincere men and I should like to please them." Again, just as in his discussion with Thomas Gregory about the APL, nothing changed. This would become a pattern. Time and again, noted progressives like Herbert Croly and Upton Sinclair would beg the president to rein in Burleson, a man Norman Thomas argued "couldn't tell socialism from rheumatism." Each time, Wilson would try to straddle the line. "I am sure you will agree with me that we must act with the utmost caution and liberality in our censorship," Wilson would chide Burleson as he half-heartedly appealed for socialist papers like the *Milwaukee Leader* and the *Masses*. But the man Wilson had deemed "the Cardinal" would either ignore the president or, eventually, threaten to resign. (To which Wilson jovially responded, "Well, go ahead and do your duty.") Only just before the end of the war, when Burleson banned the September 1918 issue of *The Nation* for being critical of Wilson ally Samuel Gompers, did the president actively overrule his hyper-zealous underling.²⁸²

Wilson's decision to "put his enemies in office and his friends in jail," as Amos Pinchot wryly put it, would have serious ramifications for his administration – perhaps most notably in the election of 1918. Even as the National Security League, operating as arguably the first political action committee of the twentieth century, was spending \$100,000 in a direct mail campaign to defeat Democrats they believed were insufficiently patriotic, Wilson's former

²⁸² Kennedy, 77-78. "Your Postmaster-General," Sinclair wrote Wilson, "reveals himself a person of such pitiful and childish ignorance concerning modern movements that it is simply a calamity that [in] this crisis he should be the person to decide what may or may not be uttered by our radical press."

electoral allies – the voters who had carried him over the top in 1916 -- were not particularly inclined to vote enthusiastically for the president.²⁸³

“At the very moment of [Wilson’s] extremest trial,” editorialized Oswald Villard in *The Nation* before the results were known, “our liberal forces are by his own act, scattered, silenced, disorganized, some in prison. If he loses his great fight for humanity, it will be because he was deliberately silent when freedom of speech and the right of conscience were struck down in America.” In more guarded terms, the *New Republic* lamented “the unwholesome condition of American public opinion which results from the suppression during the war of living political discussion,” a suppression for which “the administration shared responsibility.”²⁸⁴

When the election returns came in – the loss of both the House and Senate to the Republicans -- the suspicions of the progressive publications were confirmed. “In allowing the mind of the country to stagnate,” opined TNR, “he had played into the hands of the incorrigible enemy of his own policy.” To Villard and the *Nation*, Wilson lost because he did “not built up a liberal party and...permitted Burleson and Gregory to scatter and intimidate such liberal forces as have existed.”²⁸⁵

The midterm defeats in 1918 should have been a chance for reflection for the Wilson administration. This became especially true when, one week after that poor election performance, the armistice was announced. “Can we now look forward to something like normal conditions of freedom of speech and opinion,” asked *The Dial*. “Will radicals and dissenters now

²⁸³ Shulman, 320-321. Among the NSL’s successful targets were Jeanette Rankin and socialist Meyer London. But defeated Democrats had the last laugh. In the December lame duck session, they initiated investigations into NSL’s electoral influence, and found the organization in violation of the Federal Corrupt Practices Act.

²⁸⁴ Kennedy, 89. Knock, 181.

²⁸⁵ Knock, 182.

be permitted to have their say, or must we expect more orgies of suppression?” The fate of Wilson’s League, and indeed his presidency, would hinge on that question.²⁸⁶

Mobilizing the Nation

Of course, it was not just public opinion that was mobilized behind the war effort – So too was the public itself. To win the war to end all wars, the President argued, it would take “a mobilization of all the productive and active forces of the nation and their development to the highest point of co-operation and efficiency.” To this task, once the war was joined, the administration resolved itself.²⁸⁷

“Three months ago,” Senator Hiram Johnson wrote in June 1917, “if any man in our state had advocated the conscription of our youth to have them fight in Europe in this war, he would have been hooted from the platform. Today, our men are landed in France and our transports are upon the water. As I look back, the changes seem to me almost incredible.” And what Johnson was witnessing was only the beginning. By the following summer, almost ten thousand newly christened doughboys a day would be sailing Over There, and by the end of the war, close to four million would wear the uniform – half of those in the field.²⁸⁸

To muster such a force, the Wilson administration had originally wanted to rely on volunteers. But, for reasons of low turnout, efficiency – and to stave off a corps of virile, mostly Republican crusaders being assembled by Teddy Roosevelt and Leonard Wood – Wilson soon moved toward the idea of a draft once the war began: It would, he argued, only pick the men who were not engaged in jobs needed at home, and thus “disturb the industrial and social

²⁸⁶ Ibid, 236.

²⁸⁷ Kennedy, 148.

²⁸⁸ Ibid, 169.

structure of the country just as little as possible.” And so, on May 18th, the Selective Service Act was signed into law, mandating that all men ages 21-to-30 (later expanded to 18-to-45) register for military service.²⁸⁹

So as to avoid the type of memorable unpleasantness that afflicted New York City during the Civil War, the WWI draft disallowed substitutes and was run by local boards – leading to significant regional disparities in exemptions and enforcement: Some religions saw the pacifism of conscientious objectors honored; others did not. Some communities exempted men with wives or children, others did not; others still used party, ethnicity, and race as determining factors. “The draft law,” argued Hiram Johnson (whose son-in-law did not escape the net), “was being administered in such fashion as to make it unfair, unequal, partial, and discriminatory.” Nonetheless, through this fashion, 2.8 million troops were added to Uncle Sam’s ranks over the course of the war.²⁹⁰

But not without some protest. “Make no mistake about it,” Amos Pinchot – sensing a broader game afoot -- wrote Samuel Gompers in March 1917:

Conscription is a great commercial policy; a carefully devised weapon that the exploiters are forging for their own protection at home, and in the interest of American financial imperialism abroad...[B]lack of the cry that America must have compulsory service or perish, is a clearly thought-out and heavily backed project to mould the United States into an efficient, orderly nation, economically and politically controlled by those who know what is good for the people. In this country so ordered and so governed, there will be no strikes, no surly revolt against authority, and no popular discontent. In it, the lamb will lie down in peace with the lion, and he will lie down right where the lion tells him to....This, if we cut through the patriotic pretext and flag-waving propaganda, is the real vision of the conscriptionist.²⁹¹

²⁸⁹ Ibid, 149, 156.

²⁹⁰ Ibid. Selective Service System: History and Records: ²⁹⁰ <http://www.sss.gov/induct.htm>

²⁹¹ Kennedy, 146.

Before the Selective Service Act passed into law, officers of the American Union against Militarism (AUAM), of which Pinchot was a guiding member – most notably former Presbyterian minister Norman Thomas and former St. Louis social worker Roger Baldwin – urged Congress to stand up for America’s “glorious heritage” and include provisions in the bill for conscientious objection. “[A]utocracies may coerce conscience in this vital matter,” they argued, “democracies do so at their peril.” When this was not forthcoming, Baldwin and Crystal Eastman established in July, under the auspices of the AUAM, “a bureau for advice and help to conscientious objectors throughout the United States” -- the Civil Liberties Bureau. In October of 1917, due to the politically sensitive nature of their charge, this Bureau was split off into its own organization – first named the Civil Liberty Defense League, later the National Civil Liberties Bureau.²⁹²

Particularly while still under the auspices of the AUAM, the Civil Liberties Bureau believed it was possible to work with the Wilson administration and help conscientious objectors at the same time. Arguing in their literature that liberty of conscience was “essentially an Anglo-American tradition for which our ancestors fought and died, and for which thousands emigrated to America,” members of the Bureau such as Baldwin, Thomas, Oswald Villard, and John Haynes Holmes encouraged objectors to “register – and when you register, state your protest against participation in war.” This inside game was in keeping with Baldwin’s general approach to reform, which was “we want to look patriots in everything we do. We want to get a good lot of flags, talk a good deal about the Constitution and what our forefathers wanted to make of this

²⁹² Robert C. Cottrell, *Roger Nash Baldwin and the American Civil Liberties Union* (New York: Columbia University Press, 2000), 53, 57, 61.

country, and to show that we are really the folks that really stand for the spirit of our institutions.”²⁹³

But, once unshackled from AUAM (where progressive pacifists like Lillian Wald and Paul Kellogg were deeply uncomfortable with Baldwin and Eastman’s more radical approach) – and as the Wilson government found their work increasingly distasteful, the NCLB moved into a more independent role. In April of 1918, they published *The Truth about the I.W.W.*, a 56-page work – promptly banned from the mails by Postmaster Burleson – arguing that the Chicago conspiracy trial against the Wobblies was groundless. The following month, an official communiqué from the War Department informed Baldwin “it would not be in the public interest for us to continue to supply information pursuant to your request, or otherwise to cooperate in any way with the NCLB.” (Unofficially, Baldwin was by now considered a “seditious pacifist,” and under investigation.) Three months after that, in August 1918, NCLB offices were raided by federal agents and members of the American Protective League.²⁹⁴

And a month after that, Baldwin wrote his local draft board explaining why he himself should now be considered a conscientious objector. “I am opposed to the use of force to accomplish any end, however good,” he argued. “I am therefore opposed to participation in this or any other war...[thus] I will decline to perform any service under compulsion regardless of its character.” Arrested and tried soon thereafter, Baldwin was found in violation of the Selective Service Act and sentenced to the full penalty of one year in prison for his continued recalcitrance

²⁹³ Cottrell, 53, 58. Dawley, 160.

²⁹⁴ Cottrell, 72-75.

– He would serve nine months, during which the national need for committed defenders of civil liberties would only grow more pronounced.²⁹⁵

Moving millions of men behind the war effort would be jarring enough, but it was only part of the mobilization process. The Wilson administration also set forward to take control of the entire economy. In August of 1917, Wilson allies moved the Lever Food and Fuel Control through the Congress, creating both the United States Food Administration, soon to be headed by Herbert Hoover, and the Fuel Administration, led by John Wheeler, president of Williams College. It authorized the Wilson government to set food and fuel prices and supply as deemed fit, and to “cooperate with any person or persons in relation to the processes, methods, activities of and for the production, manufacture, procurement, storage, distribution, sale, marketing, pledging, financing, and consumption of necessaries which are declared to be affected with a public interest.” In the words of Lever act opponent Henry Cabot Lodge, the bill amounted to granting Wilson “despotic power” over America’s food supply.²⁹⁶

For vital materials outside of food and fuel, Wilson turned to what historian David Kennedy calls “without doubt the most ambitious of the war agencies,” the War Industries Board. In the words of its most successful director, financier Bernard Baruch, after the fact, the WIB was an attempt to invest “some Government agency...with...powers...to encourage, under strict Government supervision, such cooperation and coordination in industry as should tend to increase production, eliminate waste, conserve natural resources, improve the quality of products, [and] promote efficiency in operation.” In other words, overlaying and complementing the “cooperative committees” of businessmen and government purchasers already working

²⁹⁵ Ibid, 81, 88, 100.

²⁹⁶ “Lever Bill Before Senate,” *New York Times*, June 7, 1917. Kennedy, 123.

together, at the urging of the Council of National Defense, to supply the war effort, the WIB helped determine industrial priorities and manage prices and production in an organized, coherent fashion. It was, in effect, an attempt to bring rationality to the American economy, and similarly to “assist in cultivating the public taste for *rational* types of commodities.”²⁹⁷

Without the explicit price-fixing power of the Lever Act at its disposal, Bernard Baruch and the WIB mainly had to coax and cajole industries to do things their way. All Baruch had, according to one biographer, “was an old piece of paper” naming him chairman of the Board. “If he had to, he showed it to people. That was the way he settled disputes. That was practically the only power he had except a personality and the sense other people had of his leadership.” Nonetheless, the WIB managed to increase industrial production by 20% over the course of the war, and it proved the first of many federal experiments in the years to come of a political economy based on organized public-private cooperation.²⁹⁸

Part of the reason the WIB and Food and Fuel Administrations managed to accomplish these feats of mobilization during the war is by adopting a “high production level over low price” philosophy. “Cheap prices,” argued Baruch, “could not in wisdom have been the single or even primary aim of Government control.” Instead “[p]roduction in many industries had to be stimulated by every conceivable device; and the business man of America is so imbued with the habit of reaping where he sows, that even admitting for him the highest and most unselfish quality of patriotism, no device is more stimulating to his latent energy than a vision of a fair

²⁹⁷ Kennedy, 126, 131.

²⁹⁸ Margaret Coit, *Mr. Baruch* (Boston: Houghton Mifflin, 1957), 173 Kennedy, 134.

reward.” Put more bluntly by one beneficiary in the steel industry: “We are all making more money out of this war than the average being ought to.”²⁹⁹

These sorts of sweetheart deals drove progressives like Robert La Follette into apoplexy. Arguing that the war effort “openly enthroned Big Business in mastery of government,” he deemed these agreements “the greatest plan ever devised for looting the treasury.” And yet, for the sake of comity and continued production, labor was not left out of such wartime generosity. Under the auspices of the War Labor Board, a joint business and labor committee headed by William Howard Taft to mediate labor disputes, the right to organize and bargain collectively was tentatively recognized (although so too was the open shop and the company shop, union-busting tools that would come into fashion in the decade to come.) And federal largesse, through the tool of cost-plus contracts, helped ensure that workers were paid adequately for their wartime service. One fall 1918 incident in Bridgeport, Connecticut notwithstanding, when Wilson threatened to bring the draft down hard upon striking machinists, labor troubles were relatively non-existent during the war. In fact, the ranks of labor unions swelled during the conflict.³⁰⁰

In short, by the fall of 1918, the Wilson administration had made of the United States a thriving and fully operational war machine. Men and materials flowed into the war effort, prices and production boomed, patriotism and service were both lauded and rigidly enforced.

And then the war ended.

²⁹⁹ Kennedy, 134-135. Here once again, Wilson played the role of prescient critic of his own policies. “Every reform we have won will be lost if we go into this war,” he lamented to Secretary of the Navy Josephus Daniels in 1917. “We have been making a fight on special privilege... War means autocracy. The people we have unhorsed will inevitably come into control of the country for we shall be dependent upon the steel, ore, and financial magnates. They will run the nation.” Robert K. Murray, *The Red Scare*, 9.

³⁰⁰ Thelen, 156. Kennedy, 266-270.

The Wheels Come Off

“The past is behind us, the future is ahead,” proclaimed a 1918 Department of Labor poster, depicting a doughboy shaking hands with a workingman. “Let us all strive to make the future better and brighter than the past ever was.” Unfortunately – and, as we shall see later in the chapter, despite the best efforts of many progressive organizations at the time – that was about the extent of the administration’s post-war planning on the domestic policy front. And if so much of the confusion that reigned after the war is attributable to the wartime actions of the Wilson administration, equally at fault in the end is what Wilson did *not* do – namely, prepare in any way for the peace in post-war America.³⁰¹

Even as Wilson carried to Paris a vision of a new international postwar order, he seemingly held no similar blueprint for the national life. Even in his administration, thinkers like Robert Brookings of the War Industries Board and Felix Frankfurter at the War Labor Policies Committee had assembled plans to ensure a soft landing for the post-war economy. Instead -- and perhaps, one historian has speculated, for fear of “conservative businessmen...gain[ing] control of the machinery, if not in the immediate future, certainly after he went out of office,” his administration set about dismantling their wartime apparatus as rapidly as possible. As Wilson told Congress in December of 1918, “Our people do not want to be coached and led:

They know their own business, and are quick and resourceful at every readjustment, definite in purpose and self-reliant in action...I have heard much counsel as to the plans that should be formed...but from no quarter have I seen any general scheme of ‘reconstruction’ emerge which I

³⁰¹ LOC Notes: Promotional goal: U.S. F2. 1918. Date Created/Published: U.S. Department of Labor, 1918 (Baltimore : A. Hoen & Co., lith.). wwI poster provided by LOC. Original medium: 1 print (poster) : lithograph, color ; 50 x 37 cm. <http://www.wwIpropaganda.com/wwI-poster/past-behind-us-future-ahead-let-us-all-strive-make-future-better-and-brighter-past-ever-w>

thought it likely we could force our spirited businessmen and self-reliance to accept with due pliancy and obedience.³⁰²

And so, on November 12th, even as the ink dried on the Armistice treaty, war contracts were cancelled en masse – More than half of the \$6 billion in outstanding contracts were canceled within four weeks, and these only allowed for up to 30 day's further operation at the current production rate. The day after that, the WIB began dismantling its price control systems. In December, the United States Housing Corporation was told by Congress to stop work on all buildings that were not 70 percent finished. Meanwhile, 600,000 men returned home from France right away, and the entire 4,000,000 man American Expeditionary Force would return to civilian life within the year.³⁰³

In other words, the labor markets were being flooded with returning soldiers at exactly the same moment that industries were scaling back their production and laying off workers. Within six months, production had dropped by 10%, and unemployment surged to 12% All of this occurred after eighteen months of heady, patriotic promises made to laborers for their amiability and their output.³⁰⁴

And even as men lost jobs – or returned home without one -- the cost of living remained stratospheric. Food costs leaped 84%, clothing 114.5%, furniture 125%. For the average American family, the cost of living was 77% higher in 1919 than before the war, and 105% higher in 1920. In total, inflation averaged 14.6% for 1919 and just under 9% for the first six

³⁰² Noggle, *Into the Twenties*, 51. The historian in this case is Wilson biographer Arthur Link, as quoted in John A. Garraty, *Interpreting American History: Conversations with Historians* (New York: Collier MacMillan, 1970).. Wilson quoted in David Montgomery, *The Fall of the House of Labor: The Workplace, the State, and American Labor Activity, 1865-1925* (Cambridge: Cambridge University Press, 1989), 392.

³⁰³ George Soule, *Prosperity Decade: From War to Depression, 1917-1929* (New York: Harper & Row, 1968), 81-82. Murray, *Red Scare*, 5-6.

³⁰⁴ Murray, *Red Scare*, 6. Pietrusza, 142.

months of 1920. “[W]e have now almost reached the breaking point... I do not see how we can very long continue under present conditions of living costs,” fretted Senator George Norris, who thought the issue posed “very great danger to the stability of the Government itself.”³⁰⁵

Then as ever, the cost of living was a hugely impactful political issue, and politicians begged Wilson to do something about it. “Where there is one man in a thousand who cares a rap about the League of Nations,” wrote one Midwestern Congressman, “there are nine hundred and ninety-nine who are vitally and distressingly concerned about the high cost of living.” Similarly, twenty-six Massachusetts Democrats implored Wilson to take action against high prices, “which we consider *far more important than the League of Nations.*”³⁰⁶

As we have seen, for Wilson, nothing was as important as the League, and these pleas to do something, anything, about the economy fell on deaf ears. Even his secretary, Joe Tumulty, could not get through to him: “You cannot understand,” he cabled the president in desperation in May 1919, “how acute situation is brought about by rising prices of every necessity of life.” Eventually a humor magazine called *Life* began to badger Wilson with a fake series of cables to “Wilson, Paris” from “The American People”: “Please hurry home and look after the labor situation.” “Please hurry home and look after the railroads.” “Please hurry home and fire Burleson.” “Please hurry home. Let someone else do it.” Wilson, of course, did not – and, within two months of his ultimate return, he was felled by the stroke that would incapacitate him for the remainder of his presidency.³⁰⁷

³⁰⁵ Murray, *Red Scare*, 7. Brown, 3. Bagby, 22. Pietrusza, 142. Soule, 84. Lowitt, 126.

³⁰⁶ Coben, 162. Nell Painter, *Standing at Armageddon: The United States 1877-1919* (New York: W.W. Norton & Co., 1987), 367. Pietrusza, 143.

³⁰⁷ *Ibid.*

Nor could Wilson's wartime machinery work to ease the landing for the American economy. For his part, Bernard Baruch announced in December 1918, a month after the Armistice, that the War Industries Board would be disbanding effective January 1st, 1919. Not only would Baruch resign on that day (and head to Paris, compounding the leadership vacuum stateside), but "all the rules, regulations and directions of every nature whatsoever issued...are hereby canceled and all pledges heretofore made...are hereby revoked." By the first day of 1919, the WIB experiment was at an end.³⁰⁸

So too, for all intent and purposes, was the Committee on Public Information. While the CPI continued work overseas through the middle of June, and officially disbanded in August, it ended all operations within the United States on Armistice Day. As *New York World* editor Frank Cobb put it a December 1919 address to the Women's City Club, "When the Armistice was signed...public opinion was demobilized too. It was turned loose to shift for itself and, naturally, it felt a little awkward in civilian clothes. It had been trained to think only in terms of war and had almost forgotten how to think in terms of peace...It was in the habit of being told what to think and what to feel, and when it was left to its own resources it was bewildered."³⁰⁹

Before the Committee disappeared in the mists of history, however, one of its final works would set the stage for the hysteria to come. In October of 1918, only weeks before the end of the war (and a month after 5000 American troops had landed in Archangel, Russia as part of the Polar Bear expedition), the CPI published *The German-Bolshevik Conspiracy*, a report which declared that "the present heads of the Bolshevik Government — Lenin and Trotsky and their associates — are German agents" and that "the Bolshevik revolution was arranged for by the

³⁰⁸ "All Priorities Near End," *The New York Times*, December 20, 1918.

³⁰⁹ Frank Cobb and John Heaton, *Cobb of "the World": A Leader of Liberalism* (Hallandale: New World, 1971), 331.

German Great General Staff, and financed by the German Imperial Bank and other German financial institutions.”

These charges were buttressed by a number of papers in the report purportedly smuggled from the Soviet Union by CPI agent Edgar Sisson. Debate over the Sisson papers’ authenticity began almost immediately after their publication and would rage for decades, with Russia expert George Kennan declaring them forgeries in 1956. But by suggesting a conspiracy between Germans and Bolsheviks, the CPI laid the groundwork for the shift in collective emphasis that would soon become the Red Scare. “At this point,” Frank Cobb noted grimly to the women of New York, “private propaganda stepped in to take up the work that Government had abandoned.”³¹⁰

On a Pale Horse

While the United States mostly escaped the wholesale slaughter that the Great War visited upon Europe, death had never been a stranger during the conflict. In total, the American Expeditionary Force suffered 117,000 fatalities, 53,000 of those in battle, compared to a million dead in England, 1.2 million in Italy, 1.7 million in France, 2.5 million in Germany, 2.9 million in the Ottoman Empire, and 3.3 million in Russia. But, even as the war raged overseas, the worst disease outbreak in human history, the Great Influenza, scoured the planet, and to that America was not immune. Between 1918 and 1920, somewhere between 50 and 100 million people, by contemporary estimates, would perish from the disease. Half of those deaths were young men and women under the age of 40 – they never received the partial immunity that came with earlier

³¹⁰ Hagedorn, 54. The Committee on Public Information, *The German-Bolshevik Conspiracy*, October, 1918. Available at www.archive.org/stream/germanbolshevik00unit/germanbolshevik00unit_djvu.txt. Cobb and Heaton, 331.

influenza outbreaks – and more than half of those deaths occurred within the span of 13 weeks, between mid-September and early December 1918. In America, one out of every four would contract the disease, with the coastal cities of the United States particularly hard hit, and 675,000 – five times the actual fatality rate from the War – would die from it.³¹¹

In short, the Great Influenza had a profound and often overlooked impact on the American experience of the war and immediate post-war periods. In late 1918, it quickly scourged a generation. In 1919 and 1920, it continued to linger in the shadows. And even amid all the other crises of the time, it added another note of tragedy to an already grim year.

Influenza, it seems likely, worked to destabilize Wilson at Versailles in April 1919, and may well have created the conditions for his later stroke. His closest aide-to-camp, Colonel House, contracted it three times – The last time, in Paris, he read his own obituaries in the paper. Others were not so fortunate. Randolph Bourne, one of the keenest critics of his young generation, who had correctly surmised beforehand the mockery that war would make of progressive hopes, succumbed to the disease in December, 1918 at the age of 32. “Those who are not in some sense of the younger generation will hardly realize what poignancy there is for us in the news of the death of Randolph Bourne,” wrote Floyd Dell in *TNR*. “We have become in these days more than a little familiar with the tragic incidence of death...[but] Randolph Bourne belonged to us, and stood for us, in a way which he perhaps did not fully know, but which we now very keenly feel.” His loss was a tragedy “to a country which is starved for thought.” A year later, when reaction had set in in earnest, Florence Kelley told a friend she was “haunted by

³¹¹ Anne Leland and MJ Oboroceanu, “American War and Military Operations Casualties: Lists and Statistics,” Congressional Research Service, February 26, 2010. <http://www.fas.org/sgp/crs/natsec/RL32492.pdf> Even that understates the impact of the plague, since 25,000 of the 117,000 AEF fatalities were also to influenza. John M. Barry, *The Great Influenza: The Epic Story of the Deadliest Plague in History* (New York: Viking, 2004), 4-5, 373. “The Great Pandemic, Department of Health and Human Services Website : <http://1918.pandemicflu.gov/>

sorrow that he [Bourne] is not now interpreting the incomprehensible darkening of the mind and spirit of this whole nation.” Now, adding to the “loss we have suffered in Randolph Bourne’s going,” Kelley lamented, “Walter Lippmann will be taken seriously as spokesperson for the new generation.”³¹²

Another casualty of the epidemic was Willard Straight, the co-founder and financial backer behind *The New Republic* – He died in Paris a major in the United States Army. “There was warmth in his heart; there was light in his eyes; there was direction and stability in his underlying purposes,” eulogized Herbert Croly, who would edit Straight’s memoirs for publication in 1922. The *TNR* community would suffer another grievous blow half a year later, when editor Walter Weyl – arguably its most insightful and far-seeing voice – died of throat cancer in August. “[H]is mind was incorruptible,” remembered fellow editor Francis Hackett in 1921. “He never ceased in his struggle to see, to hear, to understand. He remained, up to the day that the shadow of death fell across his road, a human being who allied himself in love with other human beings[.]”³¹³

For every American who perished, several more had to stare death in the face. Returning home after two months in Europe in September 1919, Franklin Roosevelt had to be disembarked in a stretcher and carried to his mother’s house on Sixty-Fifth and Fifth. The papers said “it

³¹² Barry, *The Great Influenza*, 381-387. Floyd Dell, “Randolph Bourne,” *The New Republic*, January 4, 1919, 276. Florence Kelley to Agnes De Lima, January 1st, 1920. Kathryn Kish Sklar and Beverly Wilson Palmer, ed. *The Selected Letters of Florence Kelley, 1869-1931* (Champaign: University of Illinois Press, 2009), 263.

³¹³ “Willard D. Straight,” *The New Republic*, December 7, 1918, 163-164. “In Memoriam – Willard Straight,” *The New Republic*, December 21, 1921, 94-96. Francis Hackett, “Tired Radicals,” *The New Republic*, September 21st, 1921, 107-108. Yet another early death that shocked the progressive and radical communities was that of John Reed, who died of typhus in Moscow in November, 1920. College friend Robert Hallowell eulogized him in *The New Republic*: “Rebel, poet, lover of men and hater of masters, follower after unsanctified gods, believer in his own instincts, John Reed lived true to himself. And so he died. He came nearer being honest than any man I have ever known.” Robert Hallowell, “John Reed,” *The New Republic*, November 17th, 1920 (Vol. 24, No. 311), 298-299.

would be several days” before the Assistant Secretary of the Navy could return to Washington. He didn’t get out of bed for weeks. Even those who did not contract the disease themselves were affected by it. The much-vilified Robert La Follette had to add consistent gall bladder pain to his list of burdens in 1918 and 1919. His doctors, Will and Charles Mayo of the Mayo Clinic, refused to operate on him so long as the epidemic continued.³¹⁴

On the Great Influenza, despite eventually being stricken himself, here again the president was a no-show. Wilson made not a single public statement about the great plague. Nor, other than asking his generals about the efficacy of continuing to send men to France when transport ships had become influenza-riddled deathtraps, did he ever query anyone in his administration about their public health response efforts. To Wilson, the influenza was not an issue – until it consumed him.³¹⁵

And yet, despite the ubiquity of influenza at the time, it was not responsible for arguably the most publicly significant death of 1919. For many Americans, and particularly progressives of a certain generation and disposition, the *annus horribilis* that year would become began in earnest only six days after the New Year.

On the evening of January 6th, Theodore Roosevelt – a man who had once symbolized youth, strength, and virility to the nation; a man who had delivered a speech in 1912 with blood on his shirt and a bullet in his chest; a man who had survived malaria and tropical fever, the presidency and the rigors of the Amazon; the man who, in 1912, had stood at Armageddon and battled for the Lord – that man went to sleep at the relatively youthful age of 60 and never woke

³¹⁴ Barry, *The Great Influenza*, 304. “F.D. Roosevelt Spanish Grip Victim,” *New York Times*, September 20, 1918. La Follette, 991.

³¹⁵ Barry, *The Great Influenza*, 307-308.

up, the victim of a coronary embolism (and, many thought, heartbreak over his son Quentin's death in World War I.)

“Roosevelt was so active a person...he so occupied the centre of every stage,” wrote Henry Augustin Beers in his book *Four Americans*, out in November of 1919, “that, when he died, it was as though a wind had fallen, a light a gone out, a military band had stopped playing. It was not so much the death of individual as a general lowering in the vitality of the nation. America was less America, because he was no longer there.” Beers was not the only one who thought as much. “[T]he flag lost its bravest defender when Theodore Roosevelt passed from life to the eternal,” Senator Warren Harding told an audience soon after the fact, remembering the flag draped over Roosevelt's coffin at his funeral. “A flaming spirit of American patriotism was gone. A great void had come, and there was none to fill it.”³¹⁶

The entire nation mourned, but those progressives who had known him, fought alongside him, and loved him were especially bereft. To the former head of his Forest Service, Gifford Pinchot, Roosevelt represented “life at its warmest, and fullest and freest, at its utmost in vigor...life tremendous in volume, unbounded in scope, yet controlled and guided with a disciplined power that made him, as few men have ever been, the captain of his soul.”³¹⁷ “I was weak with fever,” remembered lawyer Donald Richberg, then suffering from his own bout with influenza. “I could only press my face into the pillow and cry like a child.”³¹⁸

³¹⁶ Henry Augustin Beers, “Four Americans,” excerpted (as ad copy) in *The New Republic*, November 12, 1919, 330. Frances Russell, *The Shadow of Blooming Grove: Warren Harding and his Times* (New York: McGraw-Hill, 1968), 316.

³¹⁷ Char Miller, *Gifford Pinchot and the Making of Modern Environmentalism* (Washington: Island Press, 2001), 247.

³¹⁸ Donald Richberg, *My Hero: The Autobiography of Donald Richberg* (New York: Putnam, 1954), 99. Schlesinger, *Crisis of the Old Order*, 36.

Writing on TR's death in 1930, Richberg argued that this was the moment when something finally, irrevocably broke: The ideals that "inspired my generation," he wrote, "ceased at the end of the World War when the first of its four great leaders [along with Wilson, Bryan, and La Follette] died." "Something went out of my life that has never been replaced," remembered Harold Ickes, twenty-five years later, on the moment he heard Roosevelt had fallen.³¹⁹

It was not just the loss of the man that hurt, but of the opportunities he embodied. Pinchot lamented to his brother Amos at the time: "[TR's death] may result in such control by the reactionaries as to put the policies you and I are interested in back many years." (And, indeed, on the day of Roosevelt's funeral, Ohio political handler Harry Daugherty wrote his protégé, Senator Warren Harding: "I have some ideas about this thing now which I will talk over with you.") "A great man has died and the whole world stands shocked and mourning," editorialized W.E.B. Du Bois in *The Crisis*. "We mourn with the rest of the world as is fitting, but there is too in our sorrow a quality peculiar and apart. We have lost a friend. That he was our friend proves the justice of our cause, for Roosevelt never championed a cause which was not in its essence right."³²⁰

Even years later, progressive Republican editor William Allen White saw in Roosevelt's death a fateful turning point for the nation "I am satisfied that, if the Colonel had lived," he wrote, "he would have been the Republican nominee and the country would have had, in

³¹⁹ Noggle, *Into the Twenties*, 196. Arguably a whole generation of leadership would disappear in the period Richberg referenced. Wilson (as well as Samuel Gompers) would die in 1924, Bryan and La Follette in 1925. By the end of 1926, Eugene Debs, another comparable contender for such a left-leaning pantheon, would join them across the veil.

³²⁰ Char Miller, *Gifford Pinchot and the Making of Modern Environmentalism* (Washington: Island Press, 2001), 247. Russell, 313. "Theodore Roosevelt," *The Crisis*, February, 1919. Vol. 17-No. 4, 163.

workable terms, from a Republican administration, much of the social program that came a dozen years later under the second Roosevelt. It would have been adopted in normal times...It would not have disturbed economic and industrial traffic, and a great cataclysm might have been avoided.”³²¹

The second Roosevelt himself, now no longer bedridden and returning to Europe with Eleanor, was more sanguine about his uncle-in-law’s passing. “I cannot help think that he himself would have had it this way, and that he had been spared a lingering illness of perhaps years.” And a few believed TR was not the only one spared by his demise. Agreeing with William Howard Taft’s observation of the ex-president that he “believe[d] in war and wishe[d] to be a Napoleon and die in the battlefield,” pacifist Oswald Garrison Villard considered the Colonel’s death an act “of divine mercy for the country and another piece of Woodrow Wilson’s extraordinary luck.” But Villard’s cynicism was something of an outlier. At the very end of his life, when Arthur Schlesinger, Jr. interviewed 85-year-old Walter Lippmann about his thoughts on Richard Nixon and Watergate, Lippmann replied: “Presidents in general are not lovable. They’ve had to do too much to get where they are. But there was one President who was lovable -- Teddy Roosevelt -- and I loved him.”³²²

³²¹ Pietrusza, 68.

³²² Schlesinger, *Crisis of the Old Order*, 357. Michael L. Cooper, *Theodore Roosevelt: A Twentieth Century Life* (New York: Viking, 2009). Knock, 230. Steel, 597. For his part, Wilson, upon hearing the news of TR’s death via telegram in Paris, smiled a smile of “transcendent triumph,” an “outburst of acrid detestation” that stunned English prime minister David Lloyd George. Pietrusza, 69.

In 1919, Theodore Roosevelt passed on, and, in the words of journalist John Chamberlain in his 1932 book, *Farewell to Reform*, “is it too much to say that the ‘moral’ age in American politics died with him?” And it was only the first week of the year.³²³

Battle in Seattle

The next shock to the system, and the first of many similar to come in 1919, began two weeks later in the Pacific Northwest. On January 21st, 35,000 shipyard workers in Seattle went out on strike against the Emergency Fleet Corporation, demanding higher wages. That evening, their cause was taken up by the Seattle Central Labor Council, which represented all the labor unions in the city. After some deliberation, the Council, which was more a bastion of staid AFL unionism than a haven for Wobblies – voted to conduct a city-wide general strike, to start 10am, Thursday, February 6th.³²⁴

The day before Strike Day, the *Union Record* – the Council’s newspaper – told its readers what to expect. “**On Thursday at 10 A.M.,**” it declared in bold, “[t]here will be many cheering, and there will be some who fear. Both these emotions will be useful, but not too much of either:

We are undertaking the most tremendous move ever made by LABOR in this country, a move which will lead – NO ONE KNOWS WHERE! We do not need hysteria. We need the iron march of labor.

LABOR WILL FEED THE PEOPLE. Twelve great kitchens have been offered, and from them food will be distributed by the provision trades at low cost to all.

LABOR WILL CARE FOR THE BABIES AND THE SICK. The milk-wagon drivers and the laundry drivers are arranging plans for supplying milk to babies, invalids, and hospitals, and taking care of the cleaning of linen for hospitals.

³²³ Chamberlain, 262. While his book aroused much discussion, Chamberlain’s *Farewell to Reform* is a work of history rather than a memoir: At the time of TR’s death, Chamberlain was only 15 years old.

³²⁴ Representatives from Japanese unions in the city were invited to attend the Council meetings, but were not given a vote. Zinn, *The Twentieth Century* (New York: Perennial, 2003), 99. Murray, *Red Scare*, 58-59.

LABOR WILL PRESERVE ORDER. The strike committee is arranging for guards, and it is expected that the stopping of the cars will keep people at home...

The closing down of Seattle's industries as a MERE SHUTDOWN will not affect...eastern gentlemen much. They could let the whole northwest go to pieces as far as money alone is concerned.

BUT, the closing down of the capitalistically controlled industries of Seattle, while the WORKERS ORGANIZE to feed the people, to care for the babies and the sick, to preserve order – THIS will move them, for the looks too much like the taking over of POWER by the workers...And that is why we say that we are starting on a road that leads – NO ONE KNOWS WHERE!³²⁵

The next morning, 100,000 Seattle workers – 60,000 union members and 40,000 sympathetic workers – were off the job. And for five days that shook the media and ground normal life in Seattle to a halt, the Council was true to their word. Labor fed the people – 30,000 meals were delivered to strikers at the cost of a quarter each (35 cents for non-workers). Labor cared for the babies and the sick – Milk stations were set up all around town, and laundries continued service for hospital laundry only. And labor preserved order – Firefighters and garbage trucks stayed on the job, and there were no strike-related arrests, “not even a fist-fight.”³²⁶

But, for many news outlets, success was provocation enough, as more than one journalist sounded the tocsin of revolution. The *Seattle Star* screamed “STOP BEFORE IT’S TOO LATE” to its readers before the strike began, reminding them “This is America – not Russia.” On the morning of, readers of the *Seattle Post-Intelligencer* were greeted with a front-page cartoon of a Red banner flying above the American flag. The caption: “Not in a Thousand Years.” Not for the last time that year, the national press was no less hysterical – “It is only a middling step from Petrograd to Seattle,” cried the *Chicago Tribune*. “The beast comes into the open,” prophesied

³²⁵ “The Seattle General Strike,” History Committee of the General Strike Committee (Seattle, Seattle Union Record Publishing Co. 1919), 4-6. Available at the Seattle General Strike Project, <http://depts.washington.edu/labhist/strike/>

³²⁶ Ibid, 57. Zinn, *Twentieth Century*, 99-100. Murray, *Red Scare*, 61.

the *Cleveland Plain Dealer*. To the *Washington Post*, this was the “stepping stone to a bolshevized America.” With an eye to the bad press, national unions, many of whom never cottoned to the notion of general strikes anyway, began leaning on their Seattle locals to end the strike and withdraw to safer ground.³²⁷

With a career politician’s sense of the zeitgeist, Seattle Mayor Ole Hanson decided to put himself at the forefront of this burgeoning backlash. A State Senator for ten years, Hanson had been elected to his position the previous March and, while an avowed foe of the Wobblies, he had been known as both a solid progressive and friend to labor. He had followed Roosevelt out of the Republicans in 1912, pulled the lever for Wilson in 1916, and even named three of his eight children Theodore Roosevelt Hanson, William Taft Hanson, and Bob LaFollette Hanson. But this moment was a prime political opportunity, and those do not come often.³²⁸

And so, even as the general strike began in earnest, Mayor Hanson quite literally draped he and his car with the American flag, and made sure he was seen directing the federal troops he had requested all over the city. “The time has come,” he declared, “for the people in Seattle to show their Americanism.” When the strikers opted to cancel their action after five days – more due to AFL pressure from the head office than any of Hanson’s ministrations – the mayor exulted: “The rebellion is quelled, the test came and was met by Seattle unflinchingly.” Newspapers local and national rallied around the conquering hero. Hanson – a man blessed with “courage and that essential, unyielding Americanism,” not to mention “a backbone that would

³²⁷ Murray, *Red Scare*, 64-65. Barry, *Rising Tide*, 139.

³²⁸ Murray, *Red Scare*, 63.

serve as a girder in a railroad bridge” – was, said the *New York Times*, “living proof that Americanism, that respect for law, was not dead.”³²⁹

Milking his moment for all it was worth, Hanson soon resigned the mayorship of Seattle to travel around the country and decry the Red Menace – a task for which he was well-compensated. Later that year, he published a book entitled *Americanism vs. Bolshevism*, which he dedicated to “to all Americans who love their country, revere its ideals, understand and support its institutions, and are willing to give their all in order that ‘our Government shall not perish from the earth.’” In that tome – mainly a screed against his old enemies, the IWW – Hanson described the Seattle general strike as “an attempted revolution”:³³⁰

That there was no violence does not alter the fact... The intent, openly and covertly announced, was for the overthrow of the industrial system; here, first, then everywhere... True, there were no flashing guns, no bombs, no killings. Revolution, I repeat, doesn’t need violence. The general strike, as practiced in Seattle, is of itself the weapon of revolution, all the more dangerous because quiet. To succeed, it must suspend everything; stop the entire life stream of a community... That is to say, it puts the government out of operation. And that is all there is to revolt – no matter how achieved.”³³¹

Even if “the overthrow of the industrial system” is not an unfair description of why, in their own words, the Council had called the strike into being, the notion that non-violent civil disobedience was a sign of the rankest Bolshevism merited some unpacking. Nonetheless, the end of the Seattle strike saw authorities strike back hard, and mainly against the usual suspects:

³²⁹ Ibid. Trevor Williams, “Ole Hanson’s Fifteen Minutes,” Seattle General Strike Project, <http://depts.washington.edu/labhist/strike/williams.shtml>

³³⁰ Hanson made \$38,000 in seven months. His salary as Mayor was \$7500 a year. Murray, *Red Scare*, 66. At the very least, Hanson remained cosmopolitan in his Americanism, noting that he didn’t care “from what human breed they sprang, regardless of their length of residence, despite any difference in religious creed or political faith, only requiring that they place our country, the United States First, Now, and Forever! Ole Hanson, *Americanism v. Bolshevism* (New York: Doubleday & Page, 1919).

³³¹ Ibid. Zinn, *Twentieth Century*, 102.

Socialist party headquarters were raided, and thirty-nine Wobblies were arrested for being “ringleaders of anarchy” – despite never having much to do with the planning of the strike.³³²

In their coverage of the Seattle strike, *The New Republic* rightfully saw less of the specter of bolshevism at work than the consequences of wartime policy, a reaction to the high cost of living, and what one of its writers, Walter Lippmann, had earlier deemed “drift.” “The war period gave the workers a taste of economic comfort,” they argued. “It gave them a new sense of power; it convinced them that the resources of the country are adequate when intelligently administered to provide every man with a job at more than a bare subsistence wage.” And so the Seattle Strike “was not as the papers alleged, a Bolshevik uprising, but a mass protest on the part of all the organized trades of the city against a threatened interference with their rising standard of living.”³³³

The worst part of it, TNR continued, was that all of this was readily foreseeable. “Months before the end of the war,” they continued, Wilson and Congress were forewarned “of the dangers that must attend planless military and industrial demobilization:

They knew that the rate of production in the country's basic industries, such as steel, copper and lumber had been keyed up to an abnormal pitch and that any sudden interruption of war contracts would upset the market, depress prices and throw great numbers of men out of work; they knew that the evils of unemployment among the men who had been gathered into the war industries would be greatly aggravated by the planless release of the millions in the army; they knew that the end of the war would give rise to problems requiring as careful preparation and as devoted patriotism for their solution as the problems of military mobilization... But all these suggestions were classified under the head of reconstruction, and reconstruction was taboo. To discuss post-war conditions while the war was on would dampen the military spirit and jeopardize victory.³³⁴

³³² Ibid, 101.

³³³ “The Labor Situation,” *The New Republic*, February 22nd, 1919, 105-106.

³³⁴ Ibid.

As a result, America “had been thrown back into the chaos of *laissez faire*... unemployment is rapidly increasing, industrial unrest is growing steadily more acute, strikes are multiplying,” and it was all being laid “at the door of a mysterious and vaguely pervasive Bolshevist propaganda. In these troubled times, melodrama is very poor ballast for the ship of state.” Rather than try to foist the Seattle strike on “alleged evils in Russia,” they concluded, Congress should “take its responsibilities for the welfare of American industry and American labor seriously.” From the corridors of the Senate, an exasperated George Norris concurred. “Wrongs, profiteering, and inefficiency are overlooked,” he said, because “when criticism is made, the critic is condemned as being a bolshevist.”³³⁵

The Great Strike Wave

Nonetheless, the state of play had been determined. From March to November 1919, each month saw hundreds of strikes all over the country, from New England (telephone workers) to Dallas (construction workers) to Chicago (railroad operators) to New York City (harbor workers, tailors, tobacco workers, painters, streetcar operators). In total, and over the course of 2665 strikes, 20% of the workforce would strike in 1919 – over 4.1 million workers. But as Wilson and Congress grappled over the League, there would usually be little-to-no redress or relief from high places. And, more often than not, management could merely wave the flag of creeping bolshevism to break the strike – a charge often abetted breathlessly by newspapers, media outlets, and patriotic organizations.³³⁶

³³⁵ Ibid. Lowitt, 131.

³³⁶ Murray, 111-112. Pietrusza, 142-143.

In point of fact, and as *TNR* had written of the Seattle strike, the massive labor unrest of 1919 had less to do with any intellectual debt to Soviet Russia than with laborers working to consolidate the gains the war had ostensibly been fought for. Reams of propaganda had promised workers a post-war America where their efforts were as central and patriotic as those of the industrialist and the doughboy. But, with the peace, the old habits of business returned, and laborers were among the first left out in the cold.

“It is a mess,” William Allen White – who saw the problem as clearly as *TNR* – confided to former Kansas Congressman Charles F. Scott in October 1919. “The world, and particularly the American part of the world, is adopting a brand-new scale of living and a brand-new scale of prices all at the same time. It has given us the worst case of social bellyache that it has been my misfortune ever to see or hear about. By a prodigal wave of the hand, somewhere along during the war, we have raised the laboring men into middle-class standards of living and he is not going back. But he cannot stay where he is unless we cut down profits in some way, to pay him his increased wages.” In short, White concluded, the problem was that America had “jumped about a hundred years in less than ten months in our economic growth.”³³⁷

Writing to *The Survey*'s Paul Kellogg two months later, White offered his prescription for the labor dilemma: massive federal intervention to secure a living wage to all. “It seems to me, he wrote, “that our practical objective should be to keep every man who wants work in a job three hundred days in a year, and that he should be kept at work at a living wage, that is to say a

³³⁷ White to Charles F. Scott, October 27, 1919. Johnson, 202.

wage upon which he can maintain a family of six in the enjoyment of all the comforts of our civilization... That should be the first practical objective of society.”³³⁸

How to accomplish such a thing “without overturning the present economic and industrial order,” he asked? Through a constitutional amendment “giving Congress unlimited powers over commerce and industry... [U]nder that amendment I should establish a national minimum wage commission with full powers, and provide for federal employment agents who would take up the slack in our labor situation, thus securing so far as possible regular employment for people in the seasonal industries.” In short, he argued, America “should not fight Bolshevism with guns, but with steady employment.” (Of course, granting the government “unlimited powers over commerce and industry” to secure a living wage was not altogether different from what actual, honest-to-goodness Socialists were asking for.)³³⁹

White was not alone among progressives in desiring to see the federal government intervene on behalf of workers. Looking ahead to 1920, Chicagoan Harold Ickes, for example, argued in June that the chief election issue of the coming year would either be the League of Nations or “the relationship between labor and capital.” “If we are really wise,” he argued, “we will insist upon such measures of social and economic justice as will give the people what they are entitled to.” But while White and Ickes saw more to labor unrest than simple bolshevist intrigues, he and similarly-minded progressives were in the minority at the time. And while they could dream of a powerful federal response to the situation, in reality the president was more often than not distracted by the League and, eventually, bedridden and incapacitated.³⁴⁰

³³⁸ White to Paul Kellogg, December 2, 1919. Johnson, 203.

³³⁹ Ibid.

³⁴⁰ Ickes to Chester Rowell, June 8, 1919. HLI, Box 38: Progressive Conference.

This pattern held in the three of the most prominent worker actions of 1919 – the Boston police strike, the Great Steel Strike, and the coal strike. The first of these began on the evening of September 9th, when, after months of back-and-forth with the city’s police commissioner, Edwin Curtis, 1100 of Boston’s 1544-member police force walked off the job. For months, Boston police had been trying to unionize under the decidedly un-revolutionary American Federation of Labor, who had shown reciprocating interest. But even though police forces in other major cities had unionized without incident, Curtis – previously a lawyer, banker, and mayor of Boston by trade – believed public safety officials “cannot consistently belong to a union and perform his sworn duty.” And, so one day after Curtis fired nineteen officers for the crime of leading pro-union efforts, the rest of the force balked.³⁴¹

The police strike lasted only three days, but those 72 hours struck terror in the hearts of Bostonians and sympathetic onlookers nationwide, inadvertently launched a presidency, and set back the unionization of law enforcement workers by decades. Once the police left the streets on the evening of September 9th, hooliganism and mild looting abounded, prompting officials to cobble together a volunteer force made up of concerned citizens, Harvard students, and members of patriotic organizations – They were eventually relieved by the Provost Guard, stationed at the Boston Navy Yard.

The next night, increased violence resulted in several deaths – due more often than not to excessive force by untrained volunteers. By September 11th, the 5000-man Massachusetts State Guard called onto the scene by Governor Calvin Coolidge had control of the city. And on

³⁴¹ Murray, *Red Scare*, 123-125. Pietrusza, 99.

September 12th, at the urging of Samuel Gompers, the strikers unanimously agreed to go back to work – but were rebuffed by the Commissioner, who refused to re-hire them and made an entirely new police force of unemployed World War veterans instead. (These new recruits also received the wage hike and benefits that prompted police dissatisfaction in the first place.)³⁴²

In total, the damages to Boston for these three nights of terror came to \$34,000, a paltry sum even by 1919 standards. While onlookers had feared another general strike like what had occurred in Seattle (and again in Winnipeg, Canada in May), none ever materialized. But that did not stop newspapers and opportunistic politicians from blowing up the strike into yet another arrival of the Red Menace onto American shores. “For the first time in the history of the United States,” wrote *The New Outlook* the week after the dust had settled, “an American community was called upon to accept or resist the beginnings of Soviet government.” The question on the table was whether “Americans wish to preserve their traditional democratic form of government, or is the United States ready for Bolshevism.” “Lenin and Trotsky are on their way,” lamented the *Wall Street Journal*. “Bolshevism in the United States is no longer a specter,” opined the *Philadelphia Public-Ledger*. “Boston in chaos reveals its sinister substance.” Others screamed lurid headlines like “TERROR REIGNS IN CITY.” In the Senate, Henry Myers of Montana warned darkly of a Bolshevik domino theory, whereby police unions would lead to army and navy unions and then Soviet government. For the hometown papers’ part, the *Boston Herald* decried the “Bolshevist nightmare” and *Boston Globe* told of “lawlessness, disorder, looting... as never was known in this city.”³⁴³

³⁴² Ibid.

³⁴³ Gregory Mason, “No Bolshevism for Boston,” *New Outlook*, September 15, 1919. (Volume 123). Murray, 129. Lloyd Chiasson, *The Press In Times of Crisis* (Westport: Praeger, 1995), 129. Zachary M. Schrag, “The Boston

And just as Ole Hansen had climbed the ramparts of law and order in Seattle to become a national phenomenon, another political star was born in similar fashion in Governor Coolidge. Upon being asked by Samuel Gompers to allow for the reinstating of the striking police, Coolidge begged off. His letter of response included the curt and instantly famous rebuke: “There is no right to strike against the public safety by anybody, anywhere, any time.” With those words, Coolidge became a national hero. Speaking from Montana in the midst of his ill-fated Western swing, Wilson concurred with Coolidge’s hard stance, calling the Boston police strike “a crime against civilization”:

In my judgment the obligation of a policeman is as sacred and direct as the obligation of a soldier. He is a public servant, not a private employee, and the whole honor of the community is in his hands. He has no right to prefer any private advantage to the public safety. I hope that that lesson will be burned in so that it will never again be forgotten, because the pride of America is that it can exercise self-control.”³⁴⁴

After Coolidge handily beat back a challenge from the fired policemen and won reelection in November 1919 by the largest margin ever, a now-bedridden Wilson was among the applauders. “I congratulate you upon your election as a victory for law and order,” the president wrote Coolidge. “When that is the issue, all Americans must stand together.”³⁴⁵

The police strike was also a bridge too far for the normally pro-labor *New Republic*. Using language similar to Wilson’s, it argued that while “policemen were underpaid and have a very real human grievance” and “[t]o deny any body of free men the right to strike is a serious thing...the denial must be made.” The police, like members of the armed forces, “exercises the ultimate force of the government as an agent of the government, and the right to exercise that

Police Strike in the Context of American Labor,” (A.B. Thesis, Harvard University, 1992), at <http://www.schrag.info/research/chap3.html>

³⁴⁴ Mason, *New Outlook*. “Wilson Denounces Police Strike That Left Boston a Prey to Thugs,” *New York Times*, September 12, 1919. Pietrusza, 99.

³⁴⁵ Bagby, 47. Pietrusza, 100.

force cannot be permitted to drift into the hands of any men other than the legal representatives of the community.” To do otherwise, thought the editors of TNR, put the entire progressive project at risk:

Believing as we do in the evolution of the present state towards more complete democracy, we cannot believe in the surrender of any part of its ultimate force to a special interest, no matter how much we sympathize with that interest. To the assertion of the fact that the police are now often affiliated with special interests, only that they happen to be the employers’ interests, they reply is that this is recognized as a form of corruption to be remedied as fast as labor and liberalism are adequately represented politically. In spite of the way the police are used in strikes, the tradition persists in American life that the state is not to be the instrument of a class. This tradition may in innumerable cases be a mere fiction, but even as a fiction it preserves an idea of social polity which no democrat can afford to abandon.³⁴⁶

A week later, once the strike had ended, TNR lamented the wreckage: “Rarely in the history of labor conflicts has a body of highly organized labor, occupying as strong an economic position as the Boston unions, suffered so decisive a defeat.” And they excoriated the “vindictive spirit” of “state officials of Massachusetts,” arguing it was “harsh, inexpedient, and wrong-headed” and “will infuse additional bitterness and fanaticism in the conduct of other labor controversies in other parts of the country.” At the same time, they were glad to have seen the strike fail, as the “Boston police...did not deserve to win.” Nonetheless, Coolidge and others should recognize that “labor is immensely more powerful than it was before the war”, and that “the warfare between capital and labor which has smoldered for so long in American industry is on the point of becoming a dangerous conflagration,” if not an “irreconcilable class war.”³⁴⁷

³⁴⁶ “The Police Strike,” *The New Republic*, September 24, 1919, Vol. XX, No. 255, 217-218.

³⁴⁷ Ibid. “The Policeman and the Police Power,” *The New Republic*, October 1st, 1919, Vol. XX, No. 256, pp. 246-247. A week later, with the Great Steel Strike in full swing, TNR’s subscription ads boasted of “unequivocal support to the striking steel workers” while they “unequivocally *condemned* the striking policemen of Boston” as a sterling example of their unbiased pragmatism in action. “You may not agree with either stand. But don’t you believe in the kind of paper which judges each issue on the facts, not on sympathies, which ‘lines up’ with no class or party, which doesn’t care who is with it or who is against as long as it keeps its balance in a world shaken by emotion, and gives its readers truthful reports and independent opinions?” *The New Republic*, October 8, 1919, Vol. XX, No. 257, p. vi.

For *The Nation*, that class war had already erupted – and ordinary workers like the Boston police force were losing it. “One takes leave of the Boston police strike,” Arthur Warner wrote in its pages in December, “feeling not so much that injustice was done the men as that the city was the victim of a miscarriage of the normal processes of democracy, and that the public interest was flouted by three personally insignificant men – a Police Commissioner, a lawyer, and a Governor of Massachusetts.” The lawyer joining Curtis and Coolidge in this casting was “Herbert Parker, a corporation lawyer, whom [Curtis] had retained as his personal counsel,” and whom, according to *The Nation*, was “spoken of in Massachusetts as counsel for the Beef Trust and the Standard Oil interests...[and] alluded to as representing indirectly the United States Steel Corporation.” Parker, Warner argued, convinced Commissioner Curtis to throw out the potentially strike-averting agreement fashioned by the mayor of Boston and a mediating committee, and to let the chips fall where they may.³⁴⁸

In short, the Boston police strike was, in Warner’s eyes, a premeditated rope-a-dope by the established interests to goad organized labor into an ill-advised battle on unfavorable terrain. Arguing the strike “was forced upon the policemen against the wishes,” Warner noted that “[c]ertain persons in Boston...see the hand of Big Business, grasping at a chance to discredit organized labor with the public and so make it easier to defeat union demands looming up elsewhere in the country”:

“A police strike would be the most unpopular of any that union workmen could support. If we can force them to defend such an issue, we can give them a black eye that will weaken them all over the United States. Why not fight the steel strike in Massachusetts instead of Pennsylvania? Why not make Boston the Belgium of our struggle?” In some such words as these one can imagine certain national captains of industry discussing the tactical possibilities of the Boston police situation in the latter part of August and the early days of September. Indeed there is a man in a

³⁴⁸ Arthur Warner, “The End of the Boston Police Strike,” *The Nation*, December 20, 1919 (Vol. 109, No. 2842), 790-792.

confidential business position in Boston who says that ‘letters conveying such ideas were received by certain influential persons in the city from a high official of the United States Steel Corporation.’³⁴⁹

“It may be,” Warned concluded, “that the explanation of ‘this otherwise almost inexplicable sequence of events is that, consciously or unconsciously, Messrs. Curtis, Parker, and Coolidge were serving the purpose, of Big Business – led by Mr. Gary and the Steel Trust – in its effort to perpetuate a decadent and despotic industrialism by discrediting the rising of organized labor.’”³⁵⁰

Steel and Coal

By the time of Warner’s writing, two months after the police strike, it was easier to imagine an organized conspiracy of capital against labor. For, by then, two other major fronts had broken out in what began to seem more and more like a burgeoning class war. And these times, the hand of management in stoking anti-Red hysteria to break the actions was even more pronounced.

The first among these was the Great Steel Strike, which began two weeks after the Boston cops walked out and only three days before Wilson’s collapse at Pueblo – itself an affected steel town. At its height, the strike saw 365,000 workers all across the country leave the factories and furnaces. But this too was another failure for organized labor. By January 8th, 1920, when the strike was finally officially called off, fewer than 100,000 remained out, and the industry was back up to 70% of production.³⁵¹

³⁴⁹ Ibid.

³⁵⁰ Ibid.

³⁵¹ Murray, 152.

Here again, the demands of the strikers were not particularly revolutionary. At the time, the average work week in the industry was sixty-nine hours, with twelve-hour shifts seven days a week the norm for over half of the unskilled jobs. For this back-breaking time commitment, unskilled steel workers netted an average of \$1466 a year – \$1100 less than what was considered the minimum level of subsistence for a family of five. Given this situation, and aided by the normally craft-oriented AFL’s push to organize unskilled steel laborers in 1919, steelworkers led by John Fitzpatrick and William Z. Foster – acting chairman and secretary-treasurer of the newly-formed National Committee for Organizing Iron and Steel Workers – asked Judge Elbert Gary, Chairman of the Board of U.S. Steel, for a conference to discuss the situation in June 1919. They were not even dignified with a response. Two months later, with the threat of a strike looming, Fitzpatrick and Foster again asked Gary to set up negotiations. “The officers of the corporation,” Gary replied, “respectfully decline to discuss with you, as representatives of a labor union, any matters relating to employees.”³⁵²

With no other recourse, Fitzgerald and Foster announced a steel strike on September 11th – while eyes were transfixed on the situation in Boston. Eleven days later, the Great Steel Strike began, with workers demanding the right of collective bargaining, the eight-hour day and one day off in seven, no more 24-hour shifts, a pay raise and double-pay for overtime, and an end to company unions. The press, who had watched this slow-motion collision between Gary and steelworkers unfold for over two months without resolution, gritted its teeth for another conflict.³⁵³

³⁵² Murray, *Red Scare*, 135-137.

³⁵³ *Ibid*, 138.

If Judge Gary had not deigned to heed labor's request for a conference, he assuredly wasn't going to back down in the face of a strike. And so U.S. Steel's strike-breaking counter-offensive was two-fold: win the public relations battle in the press and take advantage of ethnic and racial strife among the workers.

The first of these initiatives, given the climate, was not a particularly heavy lift. Already, newspapers were calling the strike "another experiment in the way of Bolshevizing American industry" and a potential "revolution," a theory that was buttressed by recently-organized Communist papers urging steelworkers to "crush the capitalists." Nonetheless, the powers-that-be in the steel industry deliberately fanned the flames this time. Once again, the question before America, argued the *Gary Works Circle*, was "Americanism vs. Bolshevism," and so the open-shop began to be called "the American system." Soon, dozens of full-page advertisements appeared in the press, emphasizing the "United States" in U.S. Steel and urging workers to "stand by America," "show up the Red agitator for what he is," and "beware the agitator who makes labor a catspaw for Bolshevism." On this front, the early syndicalist and Wobbly background of William Z. Foster was particularly useful – Soon, he was targeted by the press as an "uncompromising enemy of the existing political order" and a "revolutionist." As for the striking workers themselves, management and their allies circulated the ludicrous notions that they were paid \$7 a day (it was closer to \$4) and were holing up in posh New York hotels to wait out the strike.³⁵⁴

Meanwhile, employers also looked to expose and inflame the ethnic fault lines in the burgeoning worker's movement. "We want you to stir up as much bad feeling as you possibly

³⁵⁴ Lizabeth Cohen, *Making a New Deal: Industrial Workers in Chicago, 1919-1939* (New York: Cambridge University Press, 1990), 41. Murray, *Red Scare*, 142-144.

can between the Serbians and the Italians,” ordered the Sherman Service – hired by U.S. Steel to help break the strike – to its employees. “Spread data among the Serbians that the Italians are going back to work....Urge them to go back to work or the Italians will get their jobs.” Handbills were circulated to native-born workers imploring them to “WAKE UP AMERICANS!! ITALIAN LABORERS...have been told by labor agitators that if they would join the union they would get Americans’ jobs.” Instead, true, loyal, and full-blooded Americans should work to break the “hunky” strike. Steelworkers also hired tens of thousands of African-Americans – who had been routinely ignored and discriminated against by the AFL – as strikebreakers.³⁵⁵

Judge Gary’s attempt to paint the steel strike as yet another Bolshevik uprising drew further credence from events in the town U.S. Steel had built, Gary, Indiana, on October 4th, 1919. Almost everywhere else, the steel strike had remained peaceful, but in Gary workers rioted at the introduction of African-American strikebreakers, who had been paraded through town by U.S. Steel to scare the workers into submission. Governor James Goodrich ordered in the state militia to restore order, but the next day, workers again stormed U.S. Steel, killing and injuring many before a fall rainstorm helped to break things up. The next day, General Leonard Wood came to town with regular army soldiers, declared martial law, and began an inquiry into what

³⁵⁵ Howard Zinn, *The Twentieth Century* (New York: Perennial, 2003), 104. Cohen, 144. As the NAACP’s Walter White noted when reviewing the reasons behind the Chicago Race Riot, “The Negro in Chicago yet remembers the waiters’ strike some years ago, when colored union workers walked out at the command of the unions and when the strike was settled, the unions did not insist that Negro waiters be given their jobs back along with whites, and, as a result, colored men have never been able to get back into some of the hotels even to the present day. The Negro is between ‘the devil and the deep blue sea.’ He feels that if he goes into the unions, he will lose the friendship of the employers. He knows that if he does not, he is going to be met with the bitter antagonism of the unions.” Nonetheless, in the fall of 1919 the NAACP urged its readers “whenever possible to join the labor unions... The Labor Union is no panacea, but it has proved and proving a force that in the end diminishes racial prejudice.” Walter White, “The Causes of the Chicago Race Riot,” *The Crisis*, October, 1919, 25. “The Negro and the Labor Union,” *The Crisis*, September, 1919 Vol. 18-No. 5, 239-24.

had set off the rioting – resulting in a sweep of Gary’s usual radical troublemakers, almost all of whom were unaffiliated with the steel strike on October 15th.³⁵⁶

Not surprisingly, newspapers and the usual suspects saw “an attempted revolution” and the workings of a “Red Guard” in the events at Gary, pointing to statements like Mother Jones’ promise in Gary to “take over the steel mills and run them for Uncle Sam.” To the *Boston Evening Transcript*, it showed “the extraordinary hold which ‘Red’ principles have upon the foreign born population in the steel districts.” To conservative Senator Miles Poindexter, it showed “there is a real danger that the Government will fall.” Presumably harboring similar sentiments, police officers in the steel town of Weirton, West Virginia forced 118 immigrants and Wobblies who were striking to kiss the American flag. But, when a special Senate Committee later delved into the causes of the steel strike, the workers they spoke to usually voiced more quotidian aspirations than worldwide revolution.³⁵⁷

“We work 13 hours at night and 11 hours at day, and we get 42 cents an hour,” one naturalized Serbian steelworker told the Committee. “Why did we strike? We did not have enough money so that we could have a standard American living.” Frank Smith, a Hungarian immigrant before the committee, concurred. “My conditions are all right; and I would gladly keep the work if I could make a living,” he told them. “I had never been kicked or abused, or anything like that whatever. The only thing that I am complaining against is that we are not getting enough money” and that “[t]his is the United States and we ought to have the right to belong to the union.” (Smith also made sure to inform the committee that he and his co-workers had bought Liberty Bonds and donated to the Red Cross and Y.M.C.A.) Andrew Pido, a Slavic

³⁵⁶ Coen, 42. Murray, 146-148, 150.

³⁵⁷ Hagedorn, 381. Murray, 148-149. Barry, *Rising Tide*, 137-139.

steelworker also working to become an American, testified he struck for “eight hours a day and better conditions...I think that a man ought to work eight hours to-day and have eight hours sleep and eight hours that he can go to school and learn something, and I think that an education is much better than money.”³⁵⁸

On the steel issue, *The New Republic* felt much more comfortable siding against the depredations of management. “Had Mr. Fitzpatrick declined to confer with Mr. Gary he would have been denounced from one end of the country to the other as a firebrand,” they argued:

But Mr. Gary can decline to confer with the representative of a very large section of his men; he can refuse to arbitrate, to consult, to mediate, even to discuss: he can bluntly repudiate all the known methods of peaceful adjustment, and so far as one can judge by the press, few voices are raised to brand him for what he is: an inciter of violence, a provoker of industrial war, an industrial barbarian. Mr. Gary by his action has made himself responsible for an enormous calamity. Whole communities will be disorganized, industries paralyzed, production halted, there will be waste and misery and untold bitterness, because he has willed it. Calculating that the unions may not be strong enough to win this time, relying on enormous war profits to tide him over, knowing that the organization is immature, trusting to his autocratic control over public authority in the steel districts, exploiting the fevered and panicky condition of the public mind, he has deliberately chosen to provoke the strike now because he thinks he can smash the union.³⁵⁹

It is impossible to escape the conclusion,” TNR summed up, “that a group of exceedingly dangerous men, with Mr. Gary as their leader, have chosen war because they think they can win it...[T]he only result of this attempt to poison public opinion will be to destroy that remnant of confidence between social classes which it is indispensable to the orderly transition of industry.”

³⁵⁸ *Investigation of Strike in Steel Industries, Hearings before the Committee on Education and Labor*, United States Senate, 66th Congress, 1st Session. <http://historymatters.gmu.edu/d/10/> Those who testified of Bolshevik ideas tended to be on the side of management. For example, mill superintendent W.W. Mink, who spoke of “the Bolshevist spirit” infecting “the foreigners...It is not a question of wages. They have never been getting more money than they have got, and the conditions are good.”

³⁵⁹ “The Steel Strike,” *The New Republic*, October 1, 1919, Vol. XX, No. 256, 245-246

Arguing that this “naked autocracy in industry” was enabled only by a “hideous cloud of misrepresentation and prejudice,” TNR saw in “Garyism” a “prelude to wider and deeper convulsions” and that the government must step in to settle it. “No government that dares to call itself American,” they argued, “can support Mr. Gary in his refusal to meet the representatives of his men. On this issue there can be no neutrality.”³⁶⁰

The Wilson government could not react right away to the steel strike on account of the president’s collapse. But in early October – at the same time as Gary, Indiana erupted -- a National Industrial Conference, chaired by Secretary of the Interior Franklin Lane (with Secretary of Labor William Wilson attending), was called to bring representatives of labor and management together to allay the steel strike and other labor unrest convulsing the country. It was, in sum, a non-starter. With the administration distracted and captains of industry more amenable to letting fears of Bolshevism win their battles for them, there was no real hearing for labor to be had. After a resolution by Samuel Gompers to affirm the right to collective bargaining was voted down on October 22nd, the AFL dropped out of the conference, effectively ending it.³⁶¹

The editors of *The Survey* gamely hosted symposia in December and January 1920 to discuss the final conference report, but most the responses were underwhelmed. “I find nothing new and little of interest,” argued Gompers. “The failure of the conference to recognize definitely the organizations of workers – trade unions – as the basis for representation is a fatal

³⁶⁰ Ibid. TNR also worked to expose the fuzzy math used by management to inflate the average wage. “The public is informed,” they wrote, “that the average wage is \$6.23 a day. The public is not expected to remember than an ‘average wage’ if it includes, as this does, the salaries of the administrative and selling force, is absolutely misleading. One might as well say that the average wage of the scrub woman at ten dollars a week and of the President of the United States at \$1442 a week is \$776.”

³⁶¹ Murray, *Red Scare*, 149.

omission.” William Z. Foster argued similarly. “They fail to recognize the workers’ right to organize. No hocus-pocus of fancy industrial machinery can overcome this fatal defect.” Without a recognition of organized labor, thought George Soule, “the essentials of a sound and hopeful industrial policy are lacking.”³⁶²

“The industrial conference has collapsed,” opined *The Nation*. “Nothing else was to be expected. The President summoned a group of capital Bourbons and labor Bourbons...and bade them make peace for the public good. They assembled, wrangled for two weeks, [and] showed conclusively what we knew in advance, namely, they cared primarily for their own interest rather than the public welfare, and departed leaving the labor situation far worse.” By the third major labor action of the fall of 1919 – the coal strike – the Wilson government had moved from attempting to mediate to becoming openly antagonistic toward labor.³⁶³

In its origins, the coal strike followed much the same pattern as the steel strike. Wages in the industry had not moved since September 1917, even as profits had surged and the cost of living doubled, on account of a deal made for the duration of the war. So once again, labor – this time under the leadership of the United Mine Workers’ John Lewis – looked to see their fair share of postwar profits. Almost a year after the signing of the Armistice, the UMW requested a new agreement that would raise wages, shorten hours, and set a five-day week for miners. But coal operators balked at signing or negotiating anything before April 1920, and attempts by Secretary of Labor Wilson to mediate fell through – Management saw no reason for cutting a

³⁶² “The Proposed Industrial Plan,” *The Survey*, January 17, 1920, 427-429.

³⁶³ “What Must We Do to be Saved?,” *The Nation*, November 1, 1919, Vol. 109, No. 2835, 558.

deal. And so, on November 1st – and even as the steel strike showed signs of dying – close to 400,000 miners walked out, calling for a new agreement.³⁶⁴

John Lewis was no fool. He knew the miners faced an extraordinarily adverse climate for this type of action, and so he reiterated going in that “the United Mine Workers have but one object in view, and that is to obtain just recognition of their right to a fair wage and proper working conditions. No other issue is involved and there must be no attempt on the part of anyone to inject into the strike any extraneous purposes.” It didn’t matter. Naturally, coal operator propaganda directly tied the strike to Soviet leaders in Russia, and newspapers bemoaned the strikers, “red-soaked in the doctrines of Bolshevism,” attempting to foment “a general revolution in America.”³⁶⁵

This time, the strikers also incurred the wrath of the administration. Now several weeks into his sickbed period, Wilson deemed the action “unjustifiable,” “unlawful,” “the most far-reaching plan ever presented,” and “a grave moral and legal wrong.” With the president ill, however, the point of the administration’s spear fell to Attorney General A. Mitchell Palmer – now fully at war against the Enemy who had tried to kill him. At a meeting three days before the strike, Palmer apparently sold Wilson on breaking a pledge he had made to labor during the war and reviving the powers of the Fuel Administration to call down an injunction to stop the strike. This injunction was handed down the following day, to the shock of progressive observers and

³⁶⁴ Murray, *The Red Scare*, 153-154.

³⁶⁵ Murray, *Red Scare*, 155-156.

the labor community – including Secretary of Labor William Wilson, who would file away this slight for the year to come.³⁶⁶

But, while the UMW leadership technically complied, the strike happened anyway. Ten days later, when the injunction was made permanent, John L. Lewis again tried to cancel the action, arguing “We are Americans, we cannot fight our government.” The strike continued regardless, and as coal supplies dwindled, schools closed, factories cut back, and power was rationed. Eventually, in early December, the Fuel Administration offered a 14 cent wage increase and a promise to bring all sides together to negotiate a deal in the near future. This time, the strike did end, and in March 1920, a new two-year agreement was signed between operators and mines with a 27 cent increase, but no changes to hours.³⁶⁷

While the coal strike had a slightly happier ending than the police or steel strikes did for the workers involved, the decision to attempt an injunction served to further drive a wedge between the administration and its former progressive allies. “The war is on,” proclaimed *The Nation* of “the weasel words of the Attorney General” in invoking an injunction – “the war of the United States Government upon the forces of work at the basis of human society.” The injunction threatened America “with incalculable disaster; for it serves to confirm the unfortunate suspicion of workingmen that in the real test the Government is the organ of the propertied classes. Let that conviction become widespread, and violent revolution stands at the door...Do not our Washington officials understand that the plain people of the United States are coming thoroughly to distrust them? It is lamentable, but it is a fact, and Washington has itself to

³⁶⁶ Reports differ as to what extent the injunction was Wilson’s call. Secretary of the Navy Josephus Daniels insisted it was a bad idea that the president would never have countenanced if healthy. But Joseph Tumulty wrote that Wilson followed the coal strike avidly from his sickbed. Murray, *The Red Scare*, 157.

³⁶⁷ Murray, *Red Scare*, 163.

blame.” In sum, *The Nation* argued, “Mr. Palmer’s action opens the way to violence, then the machine gun.”³⁶⁸

For its part, TNR was slightly more temperate but no less contemptuous of the “broken pledge.” Wilson, it argued, “has rewarded the loyal service of the unions during the war by...placing at the disposal of their adversaries the vast prestige and so far as possible the physical power of the American government.” “[B]efore depriving coal miners, so far as it can, of their only safeguard against injustice and their most effective weapon with which to obtain a higher standard of living,” they concluded, “the government should guarantee a full and fair consideration of the miners’ claims. This is precisely what the Wilson administration failed to do.” As it was, TNR argued, Wilson and Palmer’s injunction “constitute[s] an act of class violence under the forms of law” that “would undermine the moral unity of American society.” While conceding that a strike was a “dangerous and disorderly weapon which should in the long run disappear from the institutions of an industrial democracy...at present American industry is not democratically organized. It rests on the fears, the necessities, and the ignorant docilities of the majority of the workers, not on their free, self-conscious consent.”³⁶⁹

Looking across the spectrum of labor conflicts in a piece entitled “Americanism in the Present Crisis,” the editors of TNR pleaded with the powers-that-be to cast off anti-Red hysteria and taken a more open-minded approach to the struggles of labor. Conceding that “[t]he American nation confronts one of the most serious crises in its history,” TNR noted the omnipresent and “general disposition among the employers, the politicians, and the press to treat

³⁶⁸ “The Coal War,” *The Nation*, November 8, 1919 (Vol. 109, No. 2836), 577-578.

³⁶⁹ “Compulsory Conference and the Coal Strike,” *The New Republic*, November 12, 1919, (Vol. XX, No. 258) 310-311. “Americanism in the Present Crisis,” *The New Republic*, November 12, 1919 (Vol. XX, No. 258), 302-306.

the labor unrest as a culpable and sinister rebellion – as an autocratic, anti-social demonstration of power which the American nation in the interest of its own future prosperity and security must suppress at any cost”:

They cherish this bellicose and irreconcilable attitude of mind as patriotic and public spirited and as the veracious expression under the circumstances of the American national spirit. We hope the opponents of labor will, while there is yet time and before they have done irretrievable damage, reconsider the pugnacity and the irreconcilability of the present attitude. They constitute the dominant, the more educated, and the most articulate element in American public opinion. It is their privilege and their function to renew the American spirit in its application to one of the great transitional and critical periods in our national history... The danger which the employers and their supporters in the press and among the politicians are now incurring is that of imitating the spirit of the abolitionists and the slave-owners and sowing the seeds of a calamitous and perhaps an irremediable class conflict on American soil...

The most conspicuous, active and responsible elements in American public opinion are violating the spirit of free play; they are rendering free, patient, and considerate discussion of public questions almost impossible. They are using violently and unscrupulously the control possessed by the majority over the organized authority of the nation for the purpose of overriding and subjugating a protesting minority. If they continue in their headstrong course, they will destroy the moral foundations of American democracy by the ultimate repudiation of government by consent.³⁷⁰

In short, the editors argued, people who should know better were “trying to prevent labor from enjoying its day in the court of American public opinion.” They were using “innuendo and invective to identify the discontent of labor with a revolutionary conspiracy against public order” and attempting “to stigmatize as “Bolshevism” all agitation for a redistribution of industrial power.” As a result, “[i]t is as profitable to argue with the great majority of American newspapers on a contemporary labor controversy as it is to argue with a brass band...they are ingenious and indefatigable in their effort to interpret the conflict as a fight to the finish, as a war of mutual extermination.” This was not the American way – Rather, so-called patriots should maintain “the traditional American reluctance to coerce an aggrieved minority and...the traditional American faith in the ability of the people to work through the most difficult and

³⁷⁰ Ibid.

embittered conflicts to an ultimately liberating truth – provided all parties, all classes and all minorities obtain a full and fair hearing.”³⁷¹

Making a similar point in his own editorial in the same issue, Walter Lippmann warned that, at this “pregnant moment in American history,” the bad-faith shenanigans of the anti-labor crowd were pushing working people away from the conservative AFL approach and into the arms of the IWW. As labor and capital seemed increasingly “irreconcilable dogmas,” he argued, “the easy thing to do is to let one’s sympathy decide between them, to throw in our lot with Gomperism or Garyism...But we dare not do that. We dare not allow the leaders of a class to present the American people with a dilemma, and we dare not allow ourselves to regard a conflict as fatally determined”:

The idea that there is a Public Group, that it is the guardian of the Public Thing, that somehow it manages to represent the disinterested thought of the community – this idea persists in the American tradition. The skeptics jeer at it as a pure fiction, and the sinister often use it as a masquerade. But if it did not exist we should have to invent it. No class of people enumerated in the census are the ‘Public.’ But all individuals at some time or other are part of it. They are part of it whenever they are individuals and not mere conscious or unconscious members of a class. The Public is the name of those who in any crisis are seeking the truth and not advocating their dogma...The idea of a Public is simply a short way of expressing the great faith that a group of men and women will always disentangle themselves from their prejudices and will be sufficiently powerful to summon the partisans before that bar of reason; and that evidence, not mere jaw, will then decide.³⁷²

“Without a disentangled Public,” Lippmann warned, “the unending clash of Ins and Outs, Haves and Have Nots, Reds and Whites is likely to be a sheer commotion. No doubt there is much that is insincere and much that is maudlin said about the Public. The news system of the world being what it is, and education being where it is, it is possible to fool most of the Public a good part of the time. The Public is one of those ideals, if you like, which we miss oftener than

³⁷¹ Ibid.

³⁷² Walter Lippmann, “Unrest,” *The New Republic*, November 12, 1919 (Vol. XX, No. 258), 320-322.

we attain. But it is a precious ideal. It is the only way of formulating our belief that reason is the final test of action, that mere push and pull are not by themselves to set the issues and to render the decision.”³⁷³

While Lippmann tried to rally progressives to the public interest, his colleague Walter Weyl instead saw a potential opportunity in “this strange significant phenomenon, the rise of class consciousness. It is a new weapon in the hands of a great but depressed class,” he argued in his essay, “The Only Truly Revolutionary Class.” “The rise of the modern wage-earning class is one of the big facts of history,” Weyl insisted. “We have lost the idea of a divinely ordered servile class. We have unchained innumerable ambitions and opened the door to astounding successes, disappointments, vanities and hatreds...All this means a complete revolution in our attitude towards all our social problems.” The world was becoming driven less by thoughts of the afterlife and more by the material pleasures of this realm, Weyl argued. “[A]ll of us – the financier floating a corporation, the farmer selling his crops, the grocer laying in his canned goods, the laborer drawing his pay of a Saturday – increasingly want the things of this world, and are willing to take the cash and let the credit go.” As such, “the labor problem is not a problem of class renunciation, but of group and individual expression. It is the problem of securing for wage-earners, primarily through their own efforts, the material and moral conditions of life, health, leisure, recreation, independence.”³⁷⁴

Weyl’s insight that the labor problem was fundamentally one of purchasing power, and his notion that consumption and consumerism could be the glue to heal ancient enmities between farmers, laborers, and other producing classes, illustrated the foresight with which he was gifted.

³⁷³ Ibid.

³⁷⁴ Weyl, *Tired Radicals*, 19-30.

As he put it elsewhere, “[i]n America today the unifying force, about which a majority, hostile to the plutocracy is forming, is the common interest of the consumer.” But Weyl, who perished over the summer, was ahead of his time. Meanwhile, the fact that Lippmann and *TNR* felt they had to articulate robust defenses for public opinion and the idea of a disinterested public suggests how badly the cumulative effect of labor strife rattled the basic tenets of progressivism in 1919. And, like the League fight, the emerging class war was only one of many destabilizing issues playing out in America that year.³⁷⁵

The Red Summer

As the October incident in Gary, Indiana made plain, the line between labor and capital was only one of the seams along which America in 1919 began to tear. Indeed, even before the autumn of labor conflict began in earnest, the nation had experienced what the NAACP’s James Weldon Johnson deemed the “Red Summer” and what historian John Hope Franklin has argued was “the greatest period of interracial strife America has ever witnessed.” In Chicago, in Washington DC and San Francisco, in Charleston, Omaha, Knoxville, and Longview – all over the country, tensions flared between black and white Americans. In total, twenty-six major cities saw racial violence erupt in the summer and fall of 1919, with African-Americans almost always on the wrong end. In short, like labor strikes, race riots too became a horrifying norm in the year after the war.³⁷⁶

³⁷⁵ Sandel, *Democracy’s Discontent*, 222-224. In fact, Lippmann had put forth a similar argument in his 1914 book *Drift and Mastery*. “We hear a great deal about the class-consciousness of labor,” he wrote then. “My own observation is that in America today consumers’-consciousness is growing very much faster.” Hofstadter, *The Age of Reform*, 171.

³⁷⁶ Cameron McWhirter, *Red Summer: The Summer of 1919 and the Awakening of Black America* (New York: Henry Holt, 2011), 12-15. Barry, *Rising Tide*, 139.

As with so much else that went wrong in 1919, the racial turbulence had its origins in both the experience of the war and the expectations it had aroused. Those African-Americans who fought in the American Expeditionary Force returned home from the war to end all wars with pride in their service and a renewed commitment to defeating autocracy at home. The World War also helped to fuel what later became known as the Great Migration, as millions of African Americans moved out of the former Confederacy north and west, taking jobs in industry that were now open to support the war effort.

“[We] fought gladly and to the last drop of blood for America, a nation that represents and gloats in lynching, disfranchisement, caste, brutality, and devilish insult,” wrote W.E.B. DuBois of the “Returning Soldiers” in *The Crisis* of May 1919. “By the God of Heaven, we are cowards and jackasses if now that war is over, we do not marshal every ounce of our brain and brawn to fight a sterner, longer, more unbending battle against the forces of hell in our own land.” Similarly, NAACP boardmember and journalist Herbert Seligmann attributed the new militancy among African-Americans in 1919 to the fact that “the United States government called upon the Negro to die for democracy” and “spent enormous effort in making that concept a reality.” This experience was “most distinctively educative”.³⁷⁷

The war has meant a vital change in the position of the Negro and in his own feeling about the position. In the Southern states he contributed almost as many men as did the whites. He bought Liberty Bonds, subscribed to Red Cross and other funds, and played his part in the crisis voluntarily and involuntarily as did the white man. Now he feels the opportunity for life, liberty, and the pursuit of happiness which is accorded him as in some sense a supreme test of his country's professions. If the white man tries to “show the nigger his place” by flogging and lynching him, the Negro, when the government does not defend him, will purchase arms to defend himself.³⁷⁸

³⁷⁷ “Returning Soldiers,” *The Crisis*, XVIII (May, 1919), 13-14. Quoted in Noggle, *Into the Twenties*, 41-42.

Herbert Seligmann, “Democracy and Jim-Crowism,” *The New Republic* Vol. XX, No. 252, Sept. 3, 1919, 151-152

³⁷⁸ Herbert Seligmann, “Race War?” *The New Republic*, Vol. XX, No. 249, Aug. 13, 1919, 48

Or, as poet Claude McKay put it more succinctly in his 1919 poem “If We Must Die”: “If we must die, let it not be like hogs/Hunted and penned in an inglorious spot...Like men we'll face the murderous, cowardly pack/ Pressed to the wall, dying, but fighting back!”³⁷⁹

Another indication of new black militancy in the face of oppression was the meteoric rise of Marcus Garvey’s United Negro Improvement Association. Garvey, a Jamaican, founded the UNIA in July 1914 to “embrace the purpose of all black humanity.” By 1917, Garvey had come to the United States and begun to gather a following in Harlem, mostly among, according to historian David Levering Lewis, African-Americans and Afro-Caribbean immigrants that were “younger, angrier, poorer, and darker than the typical card-carrying members of the NAACP or the National Urban League.” Stressing economic self-sufficiency, racial pride, and the re-colonization of Africa, Garvey envisioned a world where “the black man would not continue to be kicked about by all the other races and nations of the world...a new world of black men, not peons, serfs, dogs, and slaves, but a nation of study men making their impress upon civilization and causing a new light to dawn upon the human race.” By the early 1920’s – much to the consternation of DuBois, who looked warily upon this new rival – the UNIA boasted two million members around the world, as well a chain of grocery stores, a publishing house, the most popular black newspaper in the country, the *Negro World*, and a line of steamships, the Black Star Line.³⁸⁰

³⁷⁹ Alan Brinkley, *American History: A Survey* (New York: McGraw-Hill Publishers, 2007). Among the young African-American veterans transformed by the experience of the war was a First Lieutenant stationed at Fort Meade, Maryland, Charles Hamilton Houston. “The hate and scorn showered on us Negro officers by our fellow Americans,” Houston wrote, “convinced me that there was no sense in my dying for a world ruled by them. I made up my mind that if I got through this war I would study law and use my time fighting for men who could not strike back.” NAACP History: Charles Hamilton Houston (<http://www.naacp.org/pages/naacp-history-charles-hamilton-houston>)

³⁸⁰ David Levering Lewis, *W.E.B. Du Bois: The Fight for Equality and the American Century 1919-1963* (New York: Henry Holt, 2000), 54-55. Miller, *New World Coming*, 114-115.

Further adding to African-Americans' new resolve was the sheer fact that many cities of the North and West had seen burgeoning black communities arise virtually overnight. Reduced foreign immigration, a boll weevil infestation in southern cotton just before the war, the wartime ramp-up of northern industry, higher wages in the north, the persistence of Jim Crow – All conspired to encourage over four hundred thousand African-Americans to move north between the onset of war and 1920. “Brothers, come North,” argued *The Crisis* in January 1920. “The North is no paradise...but the South is at best a system of caste and insult and at worst a Hell... We can vote in the North. We can hold office in the North.” Detroit, home to the nascent automobile industry, had less than 1000 African-American residents in 1914. By 1919, it was estimated to have between 12,000 and 15,000. Pittsburgh saw the number of African American steelworkers double at many plants. Chicago's African-American population jumped from 44,000 in 1910 to 109,000 in 1920. In the spring of 1917, St. Louis saw 2000 African-American arrivals a week.³⁸¹

Whatever the impact of the World War and the Great Migration, conservative forces and national newspapers were all too happy to ascribe postwar racial tensions to their favorite new bugaboo, the Red Menace, as well as to concomitant mischief by black leaders. “Reds Try to Stir Negroes to Revolt,” and “Radicals Inciting Negro to Violence,” warned the *New York Times* in July 1919. A month later, it was “Negroes of World Prey to Agitators,” and, from the *New York Tribune*, “Plot to Stir Race Antagonism in United States Charged to Soviets.” “[N]o element in this country is so susceptible to organized propaganda...as the least informed class of Negroes,”

³⁸¹ Emmett Jay Scott, *Negro Migration During the War* (New York: Oxford University Press, 1920), 13-16. “Brothers, Come North,” *The Crisis*, January, 1920, Vol. 19-No. 3, 105. Walter White, “The Success of Negro Migration,” *The Crisis*, January, 1920, Vol. 19-No. 3, 112-114. “For Action on Race Riot Peril,” *New York Times*, October 5, 1919. Nicholas Lemann, *The Promised Land: The Great Black Migration and How It Changed America* (New York: Vintage Books, 1991), 16. John Buescher, “The East St. Louis Massacre,” <http://teachinghistory.org/history-content/ask-a-historian/24297>

opined the *Times* in October, reporting that “Bolshevist[s]...are winning many recruits among the colored races.” For its part, the *Wall Street Journal* ascribed the usual origins of race riots to “a Bolshevist, a Negro, and a gun.”³⁸²

Along with the standard-issue Bolshevists, newspapers also faulted black leaders for turning away from the congenial acquiescence toward racial slight that had defined the philosophy of Booker T. Washington. When W.E.B. Du Bois argued in *The Crisis* that “when the armed lynchers gather, we too must gather armed,” the *Times* saw only a failure of black leadership, for in the olden days “there was still active among the negro leaders a sense of appreciation tracing back to the civil war period” of “the great benefits granted the negro race in this country.” Or, as the *Times* put it elsewhere, before the Great War, the “majority of the Negroes in Washington...were well behaved...most of them admitted the superiority of the white race and troubles between the two races were undreamed of.”³⁸³

While the actual flashpoints instigating the riots differed, they tended to follow a general pattern. In most cases, African-Americans had usually either asserted a right that white people considered privileged to them only, or subsequently refused to back down once attacked. For example, the most infamous riot of the year, in Chicago, began on July 27, 1919 when Eugene Williams, an African-American boy, accidentally swam across an invisible barrier and into the white zone of the 29th Street Beach. For this transgression, he was pelted with rocks until he drowned. When Chicago police tried to arrest a black man for the crime, fighting broke out that would rage across the Second City for almost a fortnight. After the dust had settled, 38 were

³⁸² Herbert J. Seligmann, *The Negro Faces America* (New York: Harper & Brothers, 1920), 143. McWhirter, 160. “For Action on Race Riot Peril,” *New York Times*, October 5, 1919.

³⁸³ *Ibid.* Seligmann, “Race War?”

dead – 23 blacks and 15 whites – 537 were injured, and 1000 African-American families had lost their homes. Reviewing the Chicago riot in *The Crisis*, Walter White noted that “[o]ne of the greatest surprises to many of those who came down to ‘clean out the niggers’ is that these same ‘niggers’ fought back. Colored man saw their own kind being killed, heard of many more, and believed that their lives and liberty were at stake. In such a spirit most of the fighting was done.”³⁸⁴

Similarly in Charleston, South Carolina, violence erupted in May 1919 when a white sailor named Roscoe Coleman and his friends chased down a black man who had bumped into him on the street. A fight broke out and eventually an African-American fired shots into the air. This led to rumors of a sailor shot dead by a black man, resulting in two days of rioting, the imposition of martial law, 23 injured (18 black, 5 white) and three men dead, all black.³⁸⁵

The Charleston riot was one of the earliest of the summer, and one of many to involve conflicts involving military men. In June, tensions between black and white soldiers at the naval base in New London, Connecticut degenerated into a fight that the police and fire department could not stop – The marines had to be called in. In July, local police tried to disarm African-American troops stationed at Fort Huachuca in Bisbee, Arizona. The troops refused, and in the ensuing gunfight, five people ended up shot. Later that month, two were shot and many more injured in Norfolk, Virginia when police there warred against returning black War veterans.³⁸⁶

³⁸⁴ Jan Voogd, *Race, Riots and Resistance: The Red Summer of 1919* (New York: Peter Lang Publishing, 2008), 43. Richard Wormser, “Red Summer,” *PBS: The Rise and Fall of Jim Crow* (http://www.pbs.org/wnet/jimcrow/stories_events_red.html) Walter White, “Chicago and its Eight Reasons,” *The Crisis*, October 1919, 297,

³⁸⁵ Voogd, 88-89.

³⁸⁶ Jan Voogd, “90th Anniversary of the Red Summer,” <http://janvoogd.wordpress.com/category/history/red-summer-of-1919/>.

Other large-scale riots of the year began as attempted lynchings that turned into city-wide conflagrations. Four days in late July saw nine dead, thirty fatally wounded, and 180 more wounded in the nation's capital, where a white mob had gone on a spree of violence after the questioning and release of a presumed suspect in a sexual assault case. After reviewing the scene, James Weldon Johnson felt "disquieted, but not depressed...[It might have been worse. It might have been a riot in which the Negroes, unprotected by the law, would not have the spirit to protect themselves." As it is, "[t]he Negroes saved themselves and saved Washington by their determination not to run, but to fight."³⁸⁷

The following month, a white mob in Knoxville seeking to lynch a black murder suspect broke into the local jail, freed sixteen white prisoners from jail, and then marched against black neighborhoods, leaving seven dead and twenty wounded. Similar stories played out in Longview, Texas in July and Wilmington, Delaware four months later. And in Omaha that September, yet another white mob of vigilantes lynched Will Brown, another sexual assault suspect, burned his body, attempted to lynch the mayor when he tried to intervene, and then went on a rampage through the black part of town. By the time Leonard Wood arrived with federal troops to put down the riots, three were dead and fifty were injured. (Wood would be off to Gary a few weeks hence.)³⁸⁸

Speaking of Gary, it was not the only site of racial unrest with roots in labor disputes. In July, white ethnic laborers clubbed and beat black strikebreakers in Syracuse. And, in the bloodiest riot of the year, attempts by African-American sharecroppers and tenant farmers to

³⁸⁷ James Weldon Johnson, "The Riots," *The Crisis*, September 1919, Vol. 18-No. 5, 242-243.

³⁸⁸ Peter Perl, "Race Riot of 1919 Gave Glimpse of Future Struggles," *Washington Post*, March 1, 1999, A1. Voogd, "90th Anniversary of the Red Summer"

start their own union in Elaine, Arkansas turned into an outright massacre. When two white men – one a police officer, the other a railroad worker – tried to break up the organizational meeting at a local church on September 30th, the railroad man was shot at and killed. In retaliation, hordes of white vigilantes went on a quasi-sanctioned murdering spree in order to put down what they later argued was a Bolshevist-inspired race uprising.³⁸⁹

The final official tally was five whites and 25 African-Americans dead, although blacks – and later historians – have argued the latter number easily ranged into the hundreds. “Negro uprising,’ ‘Negro insurrection,’ etc. was sent broadcast,” noted *The Crisis* in their examination of the riot. “The white planters called their gangs together and a big ‘nigger hunt’ began... Train loads and auto loads of white men, armed to the teeth, came from Marianna and Forest City, Ark., Memphis, Tenn., and Clarksdale, Miss. Rifles and ammunition were rushed in. The woods were scoured, Negro homes shot into. Negroes who did not know any trouble was brewing were shot and killed on the highways.” One local white leader, planter E.M. Allen, told a newspaper after all the shooting was done that their vigilantism was a necessity: “The present trouble with the Negroes in Phillips County,” he argued, “is not a race riot. It is a deliberately planned insurrection of the Negroes against the whites directed by an organization known as the ‘Progressive Farmers and Household Union of America,’ established for the purpose of banding Negroes together for the killing of white people.”³⁹⁰

³⁸⁹ In fact, the summer of 1917 saw one of the worst race riots of the century in East St. Louis, leaving between 40 and 150 dead and 6000 homeless. It originated in a dispute between the local unions and African-American strikebreakers. Buescher.

³⁹⁰ Ibid. Wormser, “Red Summer.” “The Real Causes of Two Race Riots,” *The Crisis*, December 1919, Vol. 19-No. 2, 56-59. “The Elaine Massacre,” *Encyclopedia of Arkansas History and Culture*. <http://encyclopediaofarkansas.net/encyclopedia/entry-detail.aspx?entryID=1102>

As ridiculous as that sounds, official Justice Department inquiries into “sedition” among African-Americans were scarcely less extreme. “[T]he more radical Negro publications,” read a DOJ report on the subject in January 1920, “have been quick to avail themselves of the situation as cause for the utterance of inflammatory sentiment, utterances which in some cases have reached the limit of open-defiance and a counsel of retaliation.” As such, it concluded that “[t]here can no longer be any question of a well-concerted movement among a certain class of Negro leaders of thought and action to constitute themselves a determined and persistent source of a radical opposition to the government, and to the established rule of law and order.” This report on threats to “the established rule of law and order,” noted James Weldon Johnson, refrained from mentioning lynching in any way. In fact, the administration – which had reintroduced segregation in federal buildings once Wilson took office – took no real action against white-on-black violence at all. In August 1919, The NAACP sent Wilson a telegram “respectfully enquir[ing] how long the Federal Government under your administration intends to tolerate anarchy in the United States?” No answer was forthcoming.³⁹¹

Surveying the race riots as a whole, Herbert Seligmann saw less sedition and more simple self-respect at work in the new militancy in the African-American community. Writing in TNR, he argued that the race riots “are symptomatic of the changing temper of Negroes as well as of white men toward race relations:

Scratch the surface of public opinion...and you found beneath the talk of assaults upon women and of ‘crime waves,’ a determination to put the Negro back to where he was before the war. White workmen would tell you that Negroes were getting too high wages and were becoming ‘independent,’ i.e. were no longer as servile as the southern white man wished...

‘Crime waves’ are becoming a thin and transparent pretext for assault upon Negroes. The question which the American people will have to face is that of the economic and social status which will be accorded the Negro as a citizen...The war has meant a vital change in the position

³⁹¹ “Negro ‘Sedition,’” *The Survey*. January 24, 1920, 448.

of the Negro and in his own feeling about the position. In the Southern states he contributed almost as many men as did the whites. He bought Liberty Bonds, subscribed to Red Cross and other funds, and played his part in the crisis voluntarily and involuntarily as did the white man. Now he feels the opportunity for life, liberty, and the pursuit of happiness which is accorded him as in some sense a supreme test of his country's professions. If the white man tries to 'show the nigger his place' by flogging and lynching him, the Negro, when the government does not defend him, will purchase arms to defend himself.³⁹²

"[T]he fundamental basis of proper relations between the races," Seligmann concluded, "must be a recognition of the Negro's prerogatives as a human being and as a citizen." Without that foundation, America ran the risk of seeing "a hopeless condition of race war in the United States."³⁹³

Writing about the Red Summer in 1919, W.E.B. Du Bois warned his readers not to let "justifiable self-defense against individuals become blind and lawless offense against all white folk." Nonetheless, there was no turning back now. "Brothers we are on the Great Deep," he wrote:

We have cast off on the vast voyage which will lead to Freedom or Death. For three centuries we have suffered and cowered. No race ever gave Passive Resistance and Submission to Evil longer, more piteous trial. Today we raise the terrible weapon of Self-Defense. When the murderer comes, he shall no longer strike us in the back. When the armed lynchers gather, we too must gather armed. When the mob moves, we propose to meet it with bricks and clubs and guns.³⁹⁴

"Honor, endless and undying Honor, to every man, black or white, who in Houston, East St. Louis, Washington and Chicago gave his life for Civilization and Order," he concluded. "If the United States is to be a Land of Law, we would live humbly and peaceably in it...if it is to be a Land of Mobs and Lynchers, we might as well die today as tomorrow."³⁹⁵

³⁹² Seligmann, "Race War?"

³⁹³ Ibid.

³⁹⁴ "Let Us Reason Together," *The Crisis*, September 1919, Vol. 18-No. 5, 231.

³⁹⁵ Ibid.

The Forces of Order

African-Americans were not alone in finding themselves the target of federal inquiries in 1919. On January 25th of that year, and without any kind of advance warning, Jane Addams, Oswald Garrison Villard, Amos Pinchot, Frederic Howe, Charles Beard, David Starr Jordan, Roger Baldwin, Lillian Wald, and 54 other prominent progressives, socialists, and professors woke up to find themselves named “enemies of their country” in the newspapers, according to a “Who’s Who of pacifist and radical intellectuals” distributed by the Overman Committee in the Senate. Instead of winding down its now-mostly-irrelevant inquiry into pro-German propaganda, the Committee had, with the help of an enterprising New York lawyer and propagandist named Archibald Stevenson, instead decided to compile an enemies list for the United States. “In these universities there has been a festering mass of pure atheism and the grossest kind of materialism,” Committee member Senator William King of Utah argued in the *New York Tribune*, “and of teachings destructive of our form of government and the civilization which a Christian government recognizes. We ought to weed out and drive out of the universities these pernicious teachers.” At the very least, he argued, “the American people ought to know these professors.”³⁹⁶

Some took the calumny in stride: Pacifist Jessie Wallace Hughan told interlocutors she was “glad to appear on any list that begins with Jane Addams’ name,” while Robert Benchley regaled readers of *The Nation* with a satirical tale of a Mr. Horace Peters, a perfectly normal God-fearing American who awoke to find his name on the list, right below Emma Goldman’s. (“[H]e went out to look up some of his friends, to explain that there had been a terrible mistake

³⁹⁶ “62 Are Named in Who’s Who of Pacifism,” *New York Tribune*, January 25, 1919, 4. Hagedorn, 56-57.

somewhere. But he was coolly received. No one could afford to be seen talking with him after what had happened. His partner merely said ‘Bad business, Horace. Bad business!’”) Writing a decade later, Jane Addams was philosophical about her experience. “The United States was in a curious state of mind during those first years after the war,” she wrote. “Perhaps, because nothing save love stirs the imagination like hatred, there was a necessity for some object upon which the hatred stirred up during the war could vent itself. What so near at hand as the pacifists whom the newspapers had systematically identified with the enemy.”³⁹⁷

But others were not so composed about this attempt at public shaming. “I am not and never have been” a pacifist, fumed Charles Beard to the committee (He had, in fact, resigned from Columbia to protest the dismissal of two pacifist professors.) New York lawyer Gilbert Roe, deemed an enemy of the state for his work with the Civil Liberties Bureau, argued he and the other named names were being punished not for pacifism but for calling out how “the homes of citizens had been unlawfully invaded and their persons and property seized without warrant or pretext” during the war – especially by self-appointed patriots like Archibald Stevenson. And Secretary of War Newton Baker, embarrassed and irate by the actions of one of his subordinates – Stevenson worked for the Military Intelligence Division (MID) in New York – told the press that the Overman Who’s Who included “names of people of great distinction, exalted purity of purpose, and lifelong devotion to the highest interest of America and of mankind.” He immediately initiated attempts to rein in the MID and end the federal sanction of civilian espionage outfits like the American Protective League.³⁹⁸

³⁹⁷ Scott Bennett, *Radical Pacifism: The War Resisters League and Gandhian Non-Violence in America, 1915-1963* (Syracuse: Syracuse University Press, 1963), 14. Robert Benchley, “The Making of a Red,” *The Nation*, March 15, 1919. Addams, *Second Twenty Years at Hull House*, 151.

³⁹⁸ Hagedorn, 57-59.

Unfortunately for Baker's best efforts, the fortnight after the publication of the Who's Who saw not only the beginning of the general strike in Seattle, but a breathlessly reported meeting in Washington DC where one speaker, Congregationalist minister Albert Rhys Williams, had argued that "America sooner or later is going to accept the Soviet Government, and when America discards some of the ideas current in the papers it will find it not so difficult to swallow." All of a sudden the Overman Committee had a new *raison d'être*: Bolshevism.³⁹⁹

That same week, Senator Frank Walsh of Montana introduced a resolution in the Senate to expand the purview of the Overman Committee to include "efforts being made to propagate in this country the principles of any party exercising or claiming to exercise any authority in Russia," as well as "any effort to incite the overthrow of the Government...by force, or by the destruction of life and property, or the general cessation of industry." It passed unanimously.⁴⁰⁰

For some, this additional inquiry was just usual good progressive government at work: Enlightening public opinion as to the true views and character of Bolshevism, argued Thomas Weeks of Massachusetts, would discourage Americans from embracing it. Other progressives who should have known better were just distracted. Senator William Borah already supported Robert La Follette's bill to repeal the Espionage Act, because, he argued, "there never was a more vicious or insidious doctrine announced for the consideration of a free people than the doctrine that our constitution or any part of it is suspended during a time of war." (It would ultimately fail 39-25, with 31 of 33 Democrats voting against repeal.) But here, he seemed to sense little danger in a simple informational inquiry. While arguing that the rally in Washington which had set the press aflame had only been a defense of the Soviet Union, not a call for

³⁹⁹ Hagedorn, 59. Murray, *Red Scare*, 94-95.

⁴⁰⁰ "Senate Orders Reds Here Investigated," *New York Times*, February 5, 1919.

forcible overthrow of the United States, Borah nonetheless conceded that “if the propaganda which seems to have been fathered at that meeting be the beginning of a movement in this country, we may well consider how we are to meet such a serious situation.”⁴⁰¹

Still, he argued, “I am opposed to Bolshevism whether it is in tatters and rags or whether it is clothed in broadcloth”:

It is wholly immaterial to me from what source the attack comes upon the American Republic. These men may be hammering and battering away with a pick-axe and dynamite at one pillar of the republic, while other men are hammering and battering away at other pillars of the republic. The Soviet Government has its enthusiasts throughout the land... They held a meeting at the Poli Theatre. The League to Enforce Peace will began its campaign in Boston on the sixth day of February, and if they succeed, they will land us precisely where the Bolsheviks would land us, and that is under the control of internationalism. They would tear down the fundamental principles of this republic just as successfully in the end and just as efficiently as the men who met in the Poli Theatre.⁴⁰²

And so, as Borah and the majority of the Senate turned its attention back to the League of Nations, the Overman Committee began its inquiry into Bolshevism. In an open letter to the Committee, Amos Pinchot – one of the Who’s Who targets – suggested to the Senators they would find far more “social dynamite in the statistics of child mortality in our slums and steel towns, in jails full of men convicted for their opinions, or in the gouging of the public by profiteering trusts and monopolies... than in the total propaganda of all the revolutionary minded persons in the country.” The Committee of five demurred, opting instead for a month of hearings depicting the Bolshevik regime in Russia as, in the words of the final report published in June, “a reign of terror unparalleled in the history of modern civilization, in many of its aspects rivaling even the inhuman savagery of the Turk and the terrors of the French Revolution.”⁴⁰³

⁴⁰¹ Borah to H. Austin Simmons, January 21, 1920. WJB, Box 82: 1919-20 Espionage. Thelen, 149.

⁴⁰² Ibid. William E. Borah, “Americanism,” February 4, 1919, WJB Box 779: Speeches 1919-22.

⁴⁰³ Noggle, *Into the Twenties*, 183. “Senators Tell What Bolshevism Means,” *New York Times*, June 15, 1919.

The Bolshevik regime in Russia, the Overman Committee averred, was a threat to free speech, freedom of the press, and the family. Its “apparent purpose” was “to make the Russian Citizen, and especially the women and children, the wards and dependents of that Government. . . . [I]t has destroyed the moral obligation of the father to provide, care for, and adequately protect the child of his blood and the mother of that child against the misfortunes of widowhood and orphanhood.” Its establishment in the United States would mean “the application of force and violence, the shedding of blood and the destruction of life and property,” as well as the disfranchisement of millions, confiscation of lands and printing presses, rampant atheism, “complete control of all banking institutions and their assets,” and, in, “one of the most appalling and far-reaching consequences,” the liquidation of life insurance companies.⁴⁰⁴

For all that, however, the Overman Committee admitted that “only a portion of the so-called radical revolutionary groups and organizations accept in its entirety the doctrine of the Bolsheviki.” However these groups were using Bolshevism as a “rallying cry” by which to topple American government, then to “muster sufficient strength to maintain a supremacy in the new social order and invoke the policies of its particular creed.” And so it befell the Senate, in order to combat this potential menace, to pass even more stringent anti-sedition laws to facilitate the incarceration of troublemakers and the deportation of foreign nationals. The Committee appended drafts of potential legislation to its report.⁴⁰⁵

Despite its attempt to pass an Espionage Act-Plus, the Overman Committee’s main contribution in 1919 was to keep the newspapers in Red ink and the anti-Bolshevik hysteria brimming over in the first half of the year. In New York State, however – and again with the help

⁴⁰⁴ Ibid.

⁴⁰⁵ Ibid. “Drastic Red Bill Ready for Senate,” *New York Times*, June 12, 1919.

of Archibald Stevenson – the Lusk Committee, a state-level inquiry into creeping Bolshevism, would go a step farther, and actually kick down doors and make arrests. Headed by freshman Senator Clayton Lusk, this Committee was formed on March 26, following a several-month investigation by Archibald Stevenson under the auspices of the Union League Club, “to investigate the scope, tendencies, and ramifications of...seditious activities and report the result of its investigations to the Legislature.” To cover all their bases, Lusk argued the current Bolshevik radicalism was likely “started here and elsewhere by paid agents of the Junker class in Germany as part of their programme of industrial and military world conquest.”⁴⁰⁶

Now with an official imprimatur, police and DOJ officials, at the recommendation of the Committee, raided the Russian Soviet Bureau in downtown New York City. There, “the Committee found nothing,” scoffed Walter Lippmann. “[O]nly an absolute booby would have expected to find anything. Russians are pretty good conspirators, for all of them went to school under the Tsar. Now if you are conducting a conspiracy you do not carry it on from an office building after you have advertised the address in all the newspapers and invited everybody to come and call and do business. That would not be the ideal headquarters for a secret conspiracy...A schoolboy with no more detective skill than can be acquired from reading detective novels could have told Mr. Lusk and Mr. Stevenson that.”⁴⁰⁷

Undiscomfited, Lusk-directed authorities moved again nine days later. They went after the local Socialist and IWW offices as well as the Rand School, a left-wing college offering classes in Socialism (and whose president, Algernon Lee, had called Stevenson “the greatest

⁴⁰⁶ Murray, *Red Scare*, 97. Leuchtenburg, *Perils of Prosperity*, 76.

⁴⁰⁷ Walter Lippmann, “Unrest,” *The New Republic*, Nov. 12, 1919, Vol. XX, No. 258, p. 315-322

maker of Bolsheviki in America”.) The reason for these seizures, Representative Lusk argued, was “Names! – Names of all parlor Bolsheviki, IWW, and Socialists.” But they found little of interest in any of these raids, and thus had to spin fanciful yarns of Bolshevik conspiracies to the press instead.⁴⁰⁸

While the Lusk Committee followed the form of Senator Overman’s federal committee, states all around their country also followed their suggestions, passing ever more stringent anti-sedition laws. Criminal anarchy laws, originally passed in some states as a response to the 1901 assassination of William McKinley by Leon Czolgosz, were now ruthlessly enforced in New York (against radical leaders like Communist Benjamin Gitlow) and in the West (against the IWW). Thirty-two states (24 in 1919, 8 in 1920) enacted laws banning the public display of Red flags. Thirty-five states, as well as then-territories Alaska and Hawaii, would have peacetime anti-sedition laws or new “criminal syndicalist” laws – defined as advocating “crime, sabotage...violence, or unlawful methods of terrorism as a means of accomplishing industrial or political reform” – on the books by 1921.⁴⁰⁹

After New York State passed some particularly virulent anti-radical legislation in April 1920, calling for a banning of the Socialist party and a loyalty oath in the teaching professions, Governor Al Smith vetoed them as a threat of “the fundamental right of the people to enjoy full liberty in the domain of idea and speech.” In *The Survey*, Edward Devine applauded Smith’s actions. “You have killed all these vicious bills” and more, he wrote in an open letter to the Governor. “You have punctured an absurdity. You have restored a sense of proportion. You have

⁴⁰⁸ Murray, *Red Scare*, 98-102. Hagedorn, 232.

⁴⁰⁹ Murray, *Red Scare*, 231-234.

spoken truth and soberness at a time when untruth and insanity are still abroad. You have stripped the mantle of patriotism from the charlatan; you have made the patrioteer appear the ridiculous creature that he is.” Thanks to the Governor’s actions, Devine argued, “the New Yorker who travels when shamed by the names of Lusk and Sweet and Stevenson will be able to point to your vetoes and hold up his head.” Similarly, TNR thought Smith’s vetoes won him “the gratitude of everyone save the professional hunters of heresy.” Now, “those citizens of the state who cherish democratic principle must work now to attempt the defeat of every legislator who took a hand in the coup d’etat.” In the end, quite the opposite happened. Smith was ousted from Albany that November in the anti-Wilson wave, and his Republican successor, Nathan Miller, signed all of the offending legislation into law.⁴¹⁰

Just as government efforts to suppress sedition had been buttressed by volunteers during the Great War, so too did patriotic organizations old and new flock to the standard of enforcing conformity in the Red Scare. The National Security League and American Defense Society kept up their wartime efforts against the new enemy. “[W]hen you hear a man tryin’ to discredit Uncle Sam, that’s Bolshevism,” remarked one NSL pamphlet among many decrying “Parlor Bolsheviks” and the “Enemy within Our Gates.” For their part, the ADS urged good Americans to boycott publications like *TNR*, *The Nation*, and *The Dial* and declared quintessentially progressive innovations like the referendum, recall, and initiative (as well as the Sixteenth Amendment creating an income tax) to be tools of Bolshevism. Joining these two organizations

⁴¹⁰ Edward Devine, “To Governor Smith,” *The Survey*, May 19, 1920. “The Week,” *The New Republic*, June 2, 1920 (Vol. XXIII, No. 287), 2. Murray, *Red Scare*, 238. Governor Smith asked one of his friends, Joseph Proskauer, to send some “highbrow college stuff” for his veto message, so Proskauer sent Smith quotes from Benjamin Franklin, Thomas Jefferson, and Alexis de Tocqueville for inclusion. Only the first two made the actual veto message. As Smith aide Belle Moskowitz relayed the Governor’s message back to Proskauer (minus an obscenity), “Tell Joe I’m supposed to know Benjamin Franklin. I’m supposed to know Thomas Jefferson. But if I had ever used that quotation from that French -----, everyone would know that Al Smith never wrote that message.” Christopher Finan, *Al Smith: The Happy Warrior* (New York: Hill and Wang, 2001), 145.

in defending the homeland was the National Civic Federation, whose official organ published super-patriotic screeds by its editor, Ralph Easley, with names like “My Days Under the Bolshevist Reign of Terror.”⁴¹¹

The most notable of the new patriotic organizations to emerge in 1919 was the American Legion, officially established by veterans of World War I in March “to uphold and defend the Constitution of the United States of America; to maintain law and order; [and] to foster and perpetuate a one hundred per cent Americanism.” In fact, the Legion was something of a public-private partnership. Its origins lay in Paris, where Lieutenant Colonel Theodore Roosevelt, Jr., after consultation with General Pershing’s staff and 19 other AEF officers, first discussed the potential for a veterans organization “to preserve the memories and incidents of our association in the great war...to consecrate and sanctify our comradeship.” More than that, it was thought the American Legion could work to counteract the influence of Bolshevistic ideas on the millions of returning – and now idle – troops.⁴¹²

To patriotism and the patriotic endeavor of ferreting out subversive ideas, the Legion would dedicate itself for the first decade of its existence. Perhaps the best example of how thin the line could be between these two goals occurred on Armistice Day, 1919, in Centralia, Washington. There, an Armistice Day parade of American Legion members became a march on the local IWW office – who were forewarned such an attack might occur and had established covering fire. Shots rang out, and by the end of the fracas, four Legion members had been killed. In retaliation, veterans tracked down Wobbly -- and veteran – Wesley Everest, beat and castrated him, and hung him three times. (The first two times, the rope had not been long enough. The

⁴¹¹ Murray, *Red Scare*, 86-87.

⁴¹² Murray, *Red Scare*, 88. Kennedy, *Over Here*, 217-218. Barry, *Rising Tide*, 137.

third time, they had to step on his fingers as the broken man held on to the side of the bridge.) Everest had begged to be shot during his torture, and so after his death, the Legionnaires complied: They used his corpse for target practice, and then returned it to the local jail. According to the local coroner, Everest was a suicide. “He jumped off with a rope around his neck and then shot himself full of holes.”⁴¹³

The Centralia Massacre, as it became known, was only atypical in the ferocity of violence done to Everest’s body (and even then, African Americans might well disagree.) Similar mob actions against suspected radicals occurred all across the country, especially on May Day 1919. That ostensible pro-labor holiday saw 400 servicemen bear down on the headquarters of the Socialist newspaper *The Call* in New York City and smash everything in sight. The crowd also attacked the Russian People’s House, and forced those they found there to sing the national anthem. In Detroit and Chicago, police would break up May Day parades, and in Boston – only a few short months before they would be considered the Enemy themselves – policemen turned a peaceful parade of 1500 marchers into a full-fledged fracas. (One officer was fatally stabbed in the melee; afterwards, the crowd looted the local Socialist headquarters.) Cleveland saw the worst of it that day – After yet another riot of veterans, patriots, and police against suspected Bolsheviks, one was killed, over fifty were injured, and over 100 Socialists had been arrested.⁴¹⁴

In Cleveland and after all of the May Day cases above, arrests and convictions were overwhelmingly, if not solely made of suspected socialists and Bolshevik ne’er-do-wells. But, even if pro-patriotic troublemakers were sometimes incarcerated as well, that did not necessarily

⁴¹³ Zinn, *The Twentieth Century*, 102. Barry, *Rising Tide*, 139. Murray, *Red Scare*, 184-186.

⁴¹⁴ Ackerman, 21. Barry, *Rising Tide*, 137-139. Phillip S. Foner, *May Day: A Short History of the International Workers’ Holiday* (Canada: International Publishers, 1986), 87-89.

augur justice. In Indiana, a jury deliberating over the murder of Frank Petrich, an Austrian immigrant who had yelled “To Hell with the United States!” over the course of an argument, took all of two minutes to decide the gunman, Frank Petroni, was innocent. His defense had been “not guilty by reason of patriotism.”⁴¹⁵

Can the men and women of Hammond, Indiana be faulted? Even God, it seemed, despised the unpatriotic, for joining the government and patriotic organizations in this crusade against Bolshevism were America’s leading evangelicals. “If I had my way with these ornery, wild-eyed Socialists and I.W.W’s,” stated Billy Sunday, the most popular preacher of his day, “I would stand them up before a firing squad and save space on our ships.” Another minister told General Leonard Wood he wanted to see Bolsheviks deported “in ships of stone with sails of lead, with the wrath of God for a breeze and with hell for their first port.”⁴¹⁶

Progressives were for the most part disgusted with the waves of hysteria coursing through the public mind. “Just how the public is to protect itself against this thing,” Robert La Follette remarked in April 1919, “I am not able to see at present.” “Our generation has evolved many new words as occasion demanded them; for scientific discoveries words like electrons, for new inventions words like radio, and dozens more for new groceries and automobile parts,” wrote Jane Addams of this moment. “We evidently need new words for this new panic which then seized the public mind. To apply the word patriotism to it is certainly a misuse of the word which has long connoted courage and candid loyalty to the highest achievement of which one’s country is capable.”⁴¹⁷

⁴¹⁵ Leuchtenburg, *Perils of Prosperity*, 66. Barry, *Rising Tide*, 139. Pietrusza, 149.

⁴¹⁶ Leuchtenburg, *Perils of Prosperity*, 66.

⁴¹⁷ Thelen, 149. Addams, *Second TwentyYears*, 184.

The Nation argued similarly. “It seems nowadays that when an American legislator has nothing on his hands worth doing – which happens pretty regularly...he bestirs himself toward the seditious alien with the alacrity of the hart toward the waterbrooks.” Walter Lippmann also concurred in sardonic fashion. “It offends most patriots when a chorus girl appears in red and white tights and a star-spangled corsage and vociferates about the land of liberty,” he argued in November 1919. “It is just vulgar and offensive for men to dress up luridly when they are urging their views of public policy.” The chief problem facing America was that the same people who “saw a spy in every nurse girl and sedition in every brogue” during the war were now “daily in the presence of imaginary soviets, dictatorships, confiscation decrees, and above all extraordinary tribunals.” “Life today is grim and difficult enough without complicating it further by behaving as if it were half melodrama, half nightmare,” he concluded. “If everything that is suggested in America is to be viewed in the light of what Lenin thinks and does or is supposed to think and do, we shall never recover our self-possession.”⁴¹⁸

It probably did not help matters that the Attorney General of the United States had lost his own self-possession, one dark summer night on R Street.

Mr. Palmer's War

Amid this whirlwind – and after the attempt on his life in early June – Attorney General A. Mitchell Palmer would move to the head of the anti-Bolshevik bandwagon with a convert's zeal. “It is safe to say,” Palmer had said in 1918, “that never in its history has this country been so thoroughly policed.” Under his watch the following year, it soon would be, much to the

⁴¹⁸ “First Aid to Patriotism,” *The Nation*, July 26, 1919, 101. Walter Lippmann, “Unrest,” *The New Republic*, Nov. 12, 1919, Vol. XX, No. 258, p. 315-322.

consternation of progressives. Indeed, Palmer would become the defining symbol of the new government repression and the domestic failures of the Wilson government. As historian Arthur Schlesinger, Jr. later wrote of the Attorney General's efforts, "As Clemenceau slew the liberal dream in Paris, so Palmer slew it in America."⁴¹⁹

Within a week of the blast that had destroyed his front porch, the Attorney General was setting up his retaliatory response. His goal now, he told Secretary of War Newton Baker on June 9th, was "putting an end forever to those lawless attempts to intimidate and injure, if not destroy organized government in this country." To the Congress, he argued he was as "interested in the prevention of...crimes, if not more so, than the punishment of the perpetrators after they have been committed." To accomplish these feats, he would need men, organization, and money.⁴²⁰

Regarding the first two, he made several new hires to his team over the summer. The two most notable of these were "the great anarchist chaser" (and the most recognized detective in America) William Flynn, who was named head of the Bureau of Investigation, and the promotion of 24-year-old John Edgar Hoover to the directorship of a brand new Radical Division, later the General Intelligence Division (GID). Along with being considered an expert on domestic anarchists, Flynn was an avowed publicity hound, and he would be extremely useful in drumming up attention for the Department. Hoover, meanwhile – relying on skills he acquired in an earlier job at the Library of Congress – developed an intricate card system that, by his count, included detailed information on over 60,000 suspected radicals within only a few months. For money, Palmer went before the House appropriations subcommittee on June 13th

⁴¹⁹ Howard Zinn, *The Twentieth Century*, 90. Schlesinger, *Crisis of the Old Order*, 43.

⁴²⁰ Hagedorn, 230. Ackerman, 28.

and asked for a \$500,000 raise to the Justice Department budget of \$1.5 million. When Congress only approved a \$100,000 increase, Palmer went back to the Hill again in August, after a summer of race riots and simmering labor disputes, and got one million more.⁴²¹

While setting up shop, and after an initial, Flynn-orchestrated sweep of several major cities soon after the June bombings, Palmer and his revitalized organization remained mostly quiet over the summer of 1919. Flynn and other Justice Department officials intimated to the press, as well as state and local authorities, that there would be a spasm of Bolshevik activity on Independence Day. But, if this “chatter” ever in fact existed, it was incorrect. Despite an increased police presence in many American cities, including 11,000 police on 24-hour-duty in New York City, the only untoward incident that July 4th was, as historian Stanley Coben noted, “a bloody case of mayhem in Toledo, Ohio, where Jack Dempsey beat Jess Willard to a pulp to win the heavyweight boxing championship.”⁴²²

As things remained quiet at the Justice Department, politicians and the press grew restless, particularly as the Red Summer faded into the fall of the Great Strikes. On October 19th, the Senate unanimously passed a resolution by conservative Miles Poindexter, asking the Attorney General to explain what actions he had taken against the Bolshevik threat in terms of arrests and deportations, “and if not, why not.” Those clamoring for action were also left scratching their heads by a speech Attorney General Palmer delivered at Lafayette College, his alma mater, that month while receiving an honorary degree. In it, he affirmed America – in the past, present, and future – as a nation of immigrants. “We cannot be less willing now than we

⁴²¹ Ackerman, 27-28. Murray, *Red Scare*, 193-194. Hagedorn, 230. Regin Schmidt, *Red Scare: FBI and the Origins of Anti-Communism in the United States, 1919-1943* (Copenhagen: Museum Tusulanum Press, 2000), 153-154.

⁴²² Murray, *Red Scare*, 116. Robert Justin Goldstein, *Political Repression in Modern America from 1870 to 1976* (Urbana: University of Illinois Press, 2001), 149.

have always been,” he argued, “that the oppressed of every clime shall find here a refuge from trouble, disorder, and distress.” And while new arrivals must renounce force and follow the American way of intelligence, Palmer averred he “will not halt for a single moment any movement designed by its promoters to bring better conditions to any portion of our people.”⁴²³

While *The Survey* published the entire text of Palmer’s speech the following month (after it had become more ironic in nature), more conservative outlets were put off by the progressive claptrap. Palmer has “expressed ancient and outworn views on immigration,” argued the *New York Times*. “The resolve of Americans to defend the American policy against Bolshevism is growing sterner every day. And here is the Attorney General of the United States, whose official duty it is to have these alien seditionaries, anarchists, plotters against the Government of the United States arrested, punished, deported, talking this pre-Adamite sentimentality.” In other words, this was no time for Quaker sentiment to rule the day.⁴²⁴

In fact, Palmer was only laying the groundwork for his new division’s first decisive action. The Division had had a hard enough time conducting surveillance without congressional approval and building cases against crimes for which there was no body of law. To square that circle, Palmer authorized the GID to secure evidence for crimes to be defined, in laws “which may hereafter be enacted.” Even by that dubious standard, it would be hard, the GID’s top brass surmised, to bring a federal case against US citizens for sedition without a declared war going on any longer. And so, word was handed down that activities “should be particularly directed to persons, not citizens of the United States, with a view of obtaining deportation cases.” “The

⁴²³ Murray, *Red Scare*, 195-196. Hagedorn, 382-383. A. Mitchell Palmer, “The American Experiment,” *The Survey*, November 22nd, 1919, 146-147.

⁴²⁴ Paul Carrington, “Fearing Fear Itself,” Duke University <http://paulcarrington.com/Fearing%20Fear%20Itself.htm>

deportation statute,” Palmer had told Congress at his appropriations hearings, “ought to be used liberally against these alien anarchists, these alien troublemakers, and that is one thing we propose to do.”⁴²⁵

But that line of attack posed another problem – deportation was the purview of the Department of Labor, not the Department of Justice, and Secretary of Labor William B. Wilson and his top staff did not appreciate the attempted intrusion.”I have observed from several recent newspaper reports,” Secretary Wilson wrote Palmer, “that apparently it is the intention of the Department of Justice to undertake considerable special work in connection...with members of anarchistic and similar classes...[O]f course, the enforcement of the only laws which authorize deportation...is vested in this department.”⁴²⁶

To sort out the matter, Palmer had met with several of Wilson’s top deputies in June. The meeting went badly. Most of the Labor men were aghast at Palmer’s apparent ignorance of basic constitutional principles like probable cause and evidentiary requirements. “Do you mean to tell me that there is no law under which you can issue a warrant for the arrest of an alien when I certify that he is subject to deportation?” asked Palmer, only to be explained to that such a law would be unconstitutional if no evidence had been brought forth against the alien in question. After the meeting, the Labor attendees reported to Assistant Secretary Louis Post, who was handling much of the day-to-day responsibilities of the department on account of the illness of Secretary Wilson’s wife, and chuckled over Palmer’s naiveté.⁴²⁷

⁴²⁵ Goldstein, 150. Murray, *Red Scare*, 196. Ackerman, 34. The “October Revolution” took place on October 25th according to the Julian calendar and November 7th according to the Gregorian calendar.

⁴²⁶ Ackerman, 51.

⁴²⁷ *Ibid*, 54-57.

All but Anthony Caminetti, Labor's Immigration Chief and a man who already used his powers to strike against suspected radicals whenever he could. Caminetti thought Assistant Secretary Post a soft progressive ill-suited to the urgency of the times, and he held an especially intense loathing for Emma Goldman, the famed anarchist who was currently nearing the end of a two-year sentence in a Missouri penitentiary for interfering with conscription. Goldman's deportation status had been a sticky wicket for months, since she had once been married to an American citizen, Jacob Kersner, for a year in 1894. So, after the ill-fated interdepartmental meeting, Caminetti reached out to Palmer's staff, and, working alongside young Edgar Hoover, forged an agreement at the staff level which could be given to the respective higher-ups as a *fait accompli*. So long as Palmer's office would back the deportation of Goldman, Caminetti would be more than happy to accede to anyone else the GID chose to deport. And so it was, early in the fall, a conference was held between the Departments of Justice and Labor providing for the GID to take part in deportation efforts under immigration laws.⁴²⁸

With politicians and the press chomping at the bit for action, with a strategy of deportations agreed upon, and with all the bureaucratic niceties finally sorted out, all Palmer and Hoover's GID needed was a target, which they readily found in the Union of Russian Workers (URW). The URW dated back to 1907, when it was created by immigrants fleeing Russia after the abortive 1905 revolution. (Its chief founder had since returned to the Motherland to become the new Bolshevik chief of police.) And it served as part-social club and settlement house for new Russian émigrés to learn English, part-political society devoted to the principles of class struggle and social revolution. Due to its 12-year history in America, the URW made for a juicier target than the recently created Communist and Communist Labor Parties, which had opened

⁴²⁸ Ackerman, 88-89. Kate Claghorn, *Immigrants Day in Court* (New York: Harper Brothers, 1923), 359.

shop in September. And, in fact, the *New York Times* had begun making the case in the press for a move on the URW over the summer, when they had published excerpts from its manifesto under the blaring headline “RUSSIAN REDS ARE BUSY HERE: Workers’ Union Has 500 Agents Spreading Bolshevism in the United States – Constitution Proclaims War on Government”⁴²⁹

With a target acquired, Palmer was at last ready for the show of force the papers wanted. At 9pm (in each respective time zone) on November 7th, 1919 – a date chosen to coincide with the second anniversary of the Bolshevik Revolution in Russia – the GID struck in fifteen cities simultaneously. In New York and Hartford, Cleveland and Newark, Boston, Detroit, and San Francisco, hundreds of URW members were clubbed, beaten, and summarily arrested. Telling the story of the assault on the Russian People’s House in New York, where roughly 200 men and women were rounded up, the Socialist paper *The Call* told of “one of the most brutal raids ever witnessed in the city,” with police officers “clubbing and blackjacking” everyone in sight. (The editors of *The Call* were in a position to know: Along with being ransacked and raided themselves several times, the Russian People’s House had been descended upon at least four times previously.)⁴³⁰

One Russian laborer and veteran, Jacob Uden, told *The Call* of how he and 50 others had been waiting for a class when “[s]ome detectives came in, and they pushed us up against the end of the room. I asked one why he was pushing me, and he lifted up his leg and kicked me in the stomach. Then another one hit me in the head with a club. Others were hit. Everybody was hit.

⁴²⁹ Ackerman, 89-90. Claghorn, 366-368. “Russian Reds are Busy Here,” *New York Times*, June 8, 1919.

⁴³⁰ “IWW and People’s House Raided,” *New York Call*, November 8, 1919 (v. 12, no. 313), 1, 5. Ackerman, 112. Murray, *The Red Scare*, 196-197.

There was blood. I saw it, and when they pushed us together close, like in the subway, I got some on my face.” Another student told of how he “was struck on my head...by one detective, who knocked me down again, sat on my back, pressing me down to the floor with his knee and bending my body until blood flowed out of my mouth and nose.” Almost every retelling of the raid followed a similar pattern. Meanwhile, outside, bystanders “chuckled with delight.” When a *Call* reporter asked them about the scene, members of the crowd “used the words ‘seditious,’ ‘Bolsheviki,’ ‘anarchist’ as if that was sufficient explanation for the merciless beating of men and women.”⁴³¹

As an anti-radical operation, the November 7th raids left much to be desired. Ultimately, thirty-nine of the hundreds arrested were determined to be worth holding. Most of the rest were just Russian workmen who had been trying to learn some English or socialize with their fellow emigrés, and even those were held for absurd lengths of time in some areas – five months without a hearing in Hartford, Connecticut. The Palmer raids were followed the next day by even more anti-radical actions by local and state authorities, all looking to be a part of this great swipe against Bolshevism. In New York City, seven hundred police raided seventy buildings and arrested five hundred. But, across the nation, only 246 alien radicals were found worthy of deportation.

But, as a press event, the raids were a major coup, with A. Mitchell Palmer (to whom all the credit and blame redounded – Edgar Hoover had consciously tried to downplay his role) outdoing even Ole Hanson and Calvin Coolidge before him as the man of the hour. (This was particularly true given that Palmer had brought down the injunction against the coal strike the

⁴³¹ Ibid.

week before.) Here was “A Strong Man of Peace,” “a tower of strength to his countrymen,” “a lion-hearted man” who “brought order out of chaos.” – In short, the man America had been waiting for.⁴³²

Six weeks later, on December 21st, 1919 – and after Frederic C. Howe, the former Commissioner of Ellis Island, had been forced to resign for being insufficiently amenable to deportations – A. Mitchell Palmer made his first down payment on his promise to expunge all the troublemakers threatening the United States. That day, the *Buford* sailed from New York City, carrying 249 deportees – 199 of whom had been picked up in the November raids, and one of whom was Emma Goldman, making good on Hoover’s promise to Caminetti. Once again, much of the popular press was effusive. “Just as the sailing of the Ark that Noah built was a pledge for the preservation of the human race,” editorialized the *New York Evening Mail*, “so the sailing of the Ark of the Soviet is a pledge for the preservation of America.” Others deemed the “Soviet Ark” as “epoch-making as the immortal voyage of Columbus” and as important to American history as the *Mayflower*, except instead of bringing “the first of the builders to this country; the *Buford* has taken away the first destroyers.”⁴³³

Progressives and left-leaning observers were less sanguine about the introduction of Palmerism into their midst. For over a year, they had asked Woodrow Wilson time and time again to scale down the war footing and take a stand on behalf of civil liberties. “The President,”

⁴³² Ackerman, 90. Murray, *Red Scare*, 198. Hagedorn, 382-383

⁴³³ Murray, *Red Scare*, 208. In his widely-read 1925 book *Confessions of a Reformer*, Frederic Howe would rail against the Palmerism he had tried to stand against at Ellis Island. “I hated the Department of Justice, the ignorant secret-service men who had been intrusted with man-hunting powers; I hated the new state that had arisen, hated its brutalities, its ignorance, its unpatriotic patriotism, that made profit from our sacrifices and used its power to suppress criticism of its acts. I hated the suggestion of disloyalty of myself and my friends; suggestions that were directed against liberals, never against profiteers. I wanted to protest against the destruction of my government, my democracy, my America. I hated the new manifestation of power far more than I hated the spoilsmen, the ward heeler, the politician, or even the corruptionists who had destroyed my hope of democracy in Cleveland. I had cherished a free city, but I cherished a free people more”. Howe, 279-280

Oswald Villard had warned Colonel House as early as February 1918, “will be completely unable to put through his peace program in America unless he can rally behind him the liberal and radical opinion of the country.” A year later, *The Dial* informed Wilson his beloved League would be “met by a storm of reactionary opposition. Where in America can you turn for aid and comfort save the American people – to American liberals?...They cannot accept your leadership in the League of Nations movement so long as...you persist in ignoring their single demand.”

John Palmer Gavit, editor of the *New York Evening Post*, told the president that the civil liberties crackdown in America was “the very reason that you are not having now the liberal backing that is your right,” and that he should “uplift and electrify the country” by declaring “immediate and unconditional amnesty for all those persons convicted for expression of opinion.” Like Gavit, Charles Beard argued that “the time has come...[t]o release political prisoners whose offense was to retain Mr. Wilson’s pacifist views after he abandoned them.”⁴³⁴

But the administration, AWOL on so many other key issues in 1919, mostly ignored these pleas and instead seemed to have chosen Palmerism as its approach to Bolshevik hysteria. This choice would have consequences. Since Wilson and Palmer had “made it a penal offense to defend the policy which the President was enunciating,” argued *The Dial*, the battle for the League of Nations could not be won. Or, at former CPI head George Creel told the president himself: “All the radical, or liberal friends of your anti-imperialist war policy were either silenced or intimidated. The Department of Justice and the Post Office were allowed to silence and intimidate them. There was no voice left to argue for your sort of peace.”⁴³⁵

⁴³⁴ Knock, 160, 238, 237, 182, 186.

⁴³⁵ Ibid.

Writing to Newton Baker in January of 1920, Walter Lippmann also read the Wilson administration the riot act for its embrace of repression under A. Mitchell Palmer. “The events of the last few months, he wrote, “are too disturbing and the behavior of this administration too revolutionary not to put a severe strain upon men’s patience”:

‘You know what hopes were put in this administration, how loudly and insistently it proclaimed its loyalty to the cause of freedom. Well, it was possible to fail in those hopes. It was credible that the wisdom and the strength to realize them would be lacking. But it is forever incredible that an administration announcing the most spacious ideals in our history should have done more to endanger fundamental American liberties than any group of men for a hundred years.’⁴³⁶

Wilson’s administration, Lippmann argued, had ‘done everything humanly possible to add fresh excitement to an overexcited community.’ They made the most “determined and dangerous...attack” on the constitution since the Alien and Sedition Acts in 1798, and fostered a “reign of terror in which honest thought is impossible, in which moderation is discountenanced, in which panic supplants reason.” He warned of a “reaction against this reaction” coming in very short order.⁴³⁷

The Sage of Baltimore was inclined to agree. “[T]he issue of Americanism is being murdered by idiots,” Mencken sighed. “Day by day its exponents pile up proofs that to be an American, as they conceive it, is to be a poltroon and an ass...Between Wilson and his brigades of informers, spits, volunteer detectives, perjurers, and complaisant judges, and the Prohibitionists and their messianic delusion, the liberty of the citizen has pretty well vanished in America.” But Mencken also felt a change coming. “I begin to see signs that, deep down in their hearts, the American people are growing tired of government by fiat and denunciation. Once they reach the limit of endurance, there will be a chance again for the sort of Americanism that

⁴³⁶ Steel, 167.

⁴³⁷ Ibid.

civilized men can be proud of, and that sort of Americanism will make an issue a thousand times as vital as the imitations put forward by the Prohibitionists, the Palmer White Guard, the Wilson mail openers, and the press agents of the American Legion.”⁴³⁸

That reaction was not here yet, but it was indeed coming. “So far as I am presently concerned,” former Roosevelt Progressive Raymond Robins would write a friend the following year. “I shall give up my entire time to battling against Wilson’s administration, Wilson’s League and the witch-hunting of Postmaster General Burleson and Attorney General Palmer. I hope to make the infamy and betrayal of Wilson’s pseudo-liberalism and secure its overwhelming repudiation at the polls, which is to me the first obligation of our progressive citizenship.”⁴³⁹

Along with this reaction, among progressives, was a renewed sense that an American civil liberties tradition would have to be better established in the future battles to come. Speaking to the Women’s Club in 1919, *New York World* editor Frank Cobb took a preliminary stab at it by invoking the Bill of Rights and the writings of Jefferson. “The Bill of Rights is a born rebel,” he argued. “It reeks of sedition. In every clause it shakes its fist in the face of constituted authority and thunders “Thou shalt not.” Because of this, “it is the one guaranty of human freedom to the American people unless they themselves destroy their safeguard. We are in danger of forgetting this under the terrorism of mass thought, but we can forget it only at our imminent peril. There is revolution in reaction as well as in radicalism, and Toryism, speaking a

⁴³⁸ Mencken, 9.

⁴³⁹ Robins to Hon. Julius Kespohl, September 4, 1920, in Neil Salzman, *Reform and Revolution: The Life and Times of Raymond Robins* (Kent: Kent State University Press, 1991), 301.

jargon of law and order, may often be a graver menace to liberty than radicalism bellowing the empty phrases of the soap-box demagogue.”⁴⁴⁰

Quoting Jefferson’s dictum that “the spirit of resistance to government is so valuable on certain occasions that I wish it always to be kept alive,” Cobb also noted that “[i]f the author of the Declaration of Independence were to utter such a sentiment today, the Post Office Department could exclude him from the mail, grand juries could indict him for sedition and criminal syndicalism, legislative committee could seize his private papers and search them for evidence of bolshevism, and United States Senators would be clamoring for his deportation on the ground that he had been tainted with the ribald doctrines of the French Revolution and should be sent back to live with the rest of the terrorists. Thus the political philosophy of one generation becomes the political anathema of another.”⁴⁴¹

In sum, Cobb concluded, “[t]he policy of repression...to meet this propaganda of radicalism is fatal. Two thousand years of history bear witness to this folly. Nobody ever succeeded in bettering the weather by putting the thermometer in jail, and nobody will ever remove the causes of unrest and discontent by trying to suppress its manifestations.”⁴⁴²

Senator William Borah, always a ready audience for progressive arguments which invoked the Founders, applauded Cobb for his “splendid editorial upon the strange lunacy which is now prevalent -- this idea that you must destroy all guarantees of the Constitution in order to preserve the rights of the American people.” As the Senator lamented to a constituent, “[i]t is my judgment that we have traveled backward upon this question a hundred years at least. We are

⁴⁴⁰ Cobb and Heaton, 335.

⁴⁴¹ Ibid.

⁴⁴² Ibid.

now seeking to invoke just such principles as the autocratic forces were seeking to invoke a hundred years ago...In fact, second to the cowardly policy to sell our country to foreign powers is this apparent determination to break down the fundamental principles upon which it is built.”⁴⁴³

This, to Borah, was the chickens of the Espionage and Sedition Acts coming home to roost. “During the war,” he wrote, “the perfectly vicious doctrine was announced and practiced that the constitution is suspended during a state of war. This doctrine was both unnecessary and untrue...But this insidious and demoralizing doctrine was nevertheless announced and practiced. Now that peace is here we are gathering its fruits. Men are yet perfectly willing to deny the right of free speech, a free press, and peaceable assemblage and a free representation in utter disregard of the plainest provisions of our constitution... Three thousand years have demonstrated beyond controversy that arbitrary laws and persecution however persistent and drastic cannot control men’s thoughts.” Instead of raids and deportations, Borah argued, “[t]he only way to save the Constitution and to continue to enjoy our orderly and regulated liberty is to respect and preserve its terms and to enforce them as they are written.”⁴⁴⁴

In fact, Borah was particularly contemptuous of the newfound regard for deportations. “I am opposed to deportation as a matter of policy,” he argued, “first, because it will prove wholly ineffective, secondly, because it is a cowardly way to meet this great question which we have before us. We cannot deal with the situation effectively which now confronts us by deporting a few people. Besides, why should we deport people into Russia and then go to the great expense of sending troops over there to shoot them. We now assume it to be our business to compose the

⁴⁴³ Borah to Charles F. Koelsch, December 22, 1919. WJB, Box 82: 1919-20 Espionage.

⁴⁴⁴ Borah to Frank Rea, January 5, 1920. WJB, Box 85: Politics – Alabama. Borah to H. Austin Simmons, January 21, 1920. WJB, Box 82: 1919-20 Espionage.

troubles of Russia. As a mere matter of business would it not be better to compose those we have here.”⁴⁴⁵

Stanford president David Starr Jordan concurred with Borah’s basic assessment of Palmer’s policies. “Permit me to express my belief,” he told him, “that you are wholly right in your opposition to ‘Alien and Sedition Laws,’ promiscuous round-ups of unpleasant people, and irresponsible control of the press. Such lines of action more or less outside of law and in violation of the principle of fair trial spread sedition and aggravate the distemper.”⁴⁴⁶

And he was not alone. “The idea that discontent in America in the twentieth century,” wrote Edward T. Devine in an open letter “To the President” for *The Survey*, “is to be overwhelmed by force of arms...is fantastic. The idea that radical agitation is to be ‘stamped out’ by imprisonments, deportations, raids, and the denial of the constitutional rights of assembly and discussion, is ridiculous. The idea that public officials are not to be criticized for official acts or strenuously opposed when they exceed their authority and abuse their powers is un-American... The only possible danger to American institutions lies in a policy of suppression.”⁴⁴⁷ Elsewhere in *The Survey*, Richard Roberts made the case that “in the interest of public safety and a quiet life we cannot allow erroneous opinion to be driven underground by suppression (for that is what always happens), there to grow in the dark and to become explosive.” In *TNR*, Walter Lippmann pointed out that “the very essence of any sincere belief in the liberty promised by the First Amendment is a willingness to defend the liberty of opinions with which you disagree. That

⁴⁴⁵ Borah to Warren E. Dennis, January 5, 1920. WJB, Box 82: 1919-20 Espionage.

⁴⁴⁶ David Starr Jordan to Borah, January 8, 1920. WJB, Box 82: 1919-20 Espionage.

⁴⁴⁷ Edward T. Devine, “To the President,” *The Survey*. December 27, 1919, 305.

means protecting some pretty poor opinions, ignorant, wild and mean opinions, occasionally even sinister ones... There are pleasanter occupations.”⁴⁴⁸

Across the board, progressives disgusted with the Palmer raids were moved to begin articulating a more robust defense of civil liberties. It is a project that would continue throughout the remainder of the coming decade, with a significant step forward occurring in the first month of 1920. Then, in a building on W. 13th St. shared by Max Eastman’s *Liberator* and *The Dial*, the National Civil Liberties Bureau was reborn the American Civil Liberties Union, with Roger Baldwin – out of jail since October – as director. “[A]ll thought on matters of public concern,” argued its Statement of Purpose, “should be freely expressed, without interference. Orderly social progress is promoted by unrestricted freedom of opinion.” Baldwin was particularly desirous to have the ACLU become involved in “the industrial struggle... clearly the essential challenge to the cause of civil liberty today.” Within a month, the organization was running ads in journals like *The Survey* asking for subscribers and boots on the ground. “Help in the Fight for Civil Liberty,” it pleaded, and join an organization that “ties together labor, liberal, and radical groups” to carry the fight “directly into the areas of industrial conflict.”⁴⁴⁹

The newly-christened ACLU would have to hit the ground running, because, as 1919 faded in 1920 at long last, A. Mitchell Palmer and Edgar Hoover unveiled their next encore.

The Fever Breaks

⁴⁴⁸ Richard Roberts, “The Restoration of Civil Liberty,” *The Survey*. November 15, 1919, 109-110. Walter Lippmann, “Unrest,” *The New Republic*, Nov. 12, 1919, Vol. XX, No. 258, p. 315-322.

⁴⁴⁹ Cottrell, 121. “A New Civil Liberties Union,” *The Survey*, January 31, 1920, 480. *The Survey*, February 21, 1920, 623.

1920. “It will not be an easy year,” remarked the cover of *The New Republic*’s first issue of the twenties. “[T]he world over schism and distrust, at Washington a deadlock of office holders, no single measure of Reconstruction achieved, a Presidential year... It will not be a possible year if thought is suppressed and terrorized, if the censors, the propagandists and bigots have their way. 1920 will leave the world better than it found it only if free men insist upon their freedom.”⁴⁵⁰

They would have to. On January 2nd, Palmer and Hoover, dreaming of a fleet of Soviet Arks to follow the *Buford* into the Red sunset, initiated their second wave of raids. This time, the target was ostensibly the new Communist and Communist Labor parties, which the GID essentially attempted to liquidate. Law enforcement officials around the country were urged by the Justice Department that “every effort should be made by you to definitely establish the fact that the persons arrested” were members of one or the other party, since “the grounds for deportation will be based solely upon membership.” The warning did not count for much. Nationwide, the day saw as many as ten thousand arrests across 23 states and 33 cities -- Among those rounded up in the wide net were thirty-nine bakers in Lynn, Massachusetts attempting to organize a bakery, 800 men and women in Detroit who were then forced to sleep in a windowless hallway for five days and share one toilet, and a New Jersey man who “looked like a radical.” But in this huge haul, only three pistols were confiscated, two of them .22 caliber, and in the end only 556 men and women were deported, mostly for run-of-the-mill immigration violations.⁴⁵¹

⁴⁵⁰ *The New Republic*, January 7, 1920, Vol. XXI, No. 266.

⁴⁵¹ *Law and Labor*, August 1920, 193-194. Capozzola, 202-204. Hagedorn, 420-421.

Even allowing for Palmer's previous excesses, progressives were shocked by the flagrant illegality of the January raids. "Deporting a political party," *TNR* argued, was thought to be "abhorrent to that 'fierce spirit of liberty' which Burke once proclaimed as America's chief characteristic." Palmer had not only violated that creed, he had given the platform of the Communist party an enormous PR boost. "Fortunately the new sedition law has not yet been enacted by Congress, or Mr. Palmer might find himself, together with some very respectable newspapers, liable to prosecution for circulating seditious matter." In *The Nation*, Frederick Barkley covered in detail the dismal confinement of the 800 in Detroit, 400 of whom were "confined for one to two weeks under conditions of horror, confined because of their peaceful assemblage, guaranteed by the Constitution, led the Department of Justice to suspect that their beliefs, also protected under the Constitution, were inimical to the peace and safety of 110,000,000 people. Nearly 400 men are free after a taste of 'Americanization' ... that bodes ill for any future Americanizers who do not come backed by the clubs of the police and the constabulary. Nearly 400 men, and hundreds more women and children, have had the seeds of hatred sown in their breasts."⁴⁵²

And while the *Washington Post* argued that "[t]here is no time to waste on hairsplitting over infringement of liberty," this time legal officials also balked at the scale and scope of Palmer's attack. Feeling "out of sympathy with the anti-radical policies of Mr. Palmer and his method of carrying them out," Francis Fisher Kane, a US Attorney in Philadelphia, resigned. "As I read the manifestoes of the Communist Party," Kane wrote in his resignation letter, "the party does not expressly stand for the overthrow of this government by force, and it was surely a

⁴⁵² "Deporting a Political Party," *The New Republic*, January 14, 1920, 186. Frederick Barkley, "Jailing Radicals in Detroit," *The Nation*, January 31, 1920, Vol. 110, No. 2848, 136.

question of policy – not one of law” that prompted the raids. Moreover, Palmer’s tactics, Kane averred, are “generally unwise and very apt to result in injustice. . . . Are we really in danger in this country from the presence of a handful of foreign ‘radicals’?” Kane doubted it.⁴⁵³

Naturally, the Attorney General was incensed. In a public letter of reply, he laid out a case for why he believed the Communist parties were “pledged to the sole purpose of obtaining the overthrow of the government of the United States by force and violence.” He also rather dubiously declared that he had “carefully studied the procedure followed by the Department of Labor in the deportation cases and fail to find any single instance where any injustice has been done to an alien.” “In view of your misunderstanding of the real facts,” Palmer concluded, “I am bound to say that your resignation seems to me to be quite the proper step for you to take.”⁴⁵⁴

But Kane wasn’t the only lawyer to take umbrage at Palmer’s January actions. In Boston a few months later, a federal judge decried the raids as the work of a mob. “I refrain from any extended comment on the lawlessness of these proceedings by our supposedly law-enforcing officials,” declared Judge Anderson in the case of *Colyer et al v. Skeffington*. “The documents and acts speak for themselves. It may, however, fitly be observed that a mob is a mob, whether made up of government officials acting under instructions from the Department of Justice, or of criminals, loafers, and the vicious classes.” He also excoriated the “pains [that] were taken to give spectacular publicity to the raid[s], and to make it appear that there was great and imminent

⁴⁵³ Capozzola, 204. Hagedorn, 422. Murray, *Red Scare*, 218. “The Documents in the Case,” *The Survey*, January 31, 1920, 501.

⁴⁵⁴ “The Documents in the Case,” *The Survey*, January 31, 1920, 503.

public danger.” To Sidney Howard in *The Survey*, Judge Anderson had “hit directly at the fallacy of the panic.”⁴⁵⁵

Also concurring with Judge Anderson’s assessment of the situation was Acting Secretary of Labor Louis Post, who, upon review of the January arrests, re-imposed the attention to constitutional detail that Caminetti and Hoover had earlier sidestepped and began voiding almost half of the arrests. A livid Palmer urged Post be reprimanded for his “tender solicitude for social revolution,” and for this seeming coddling of the radical element, impeachment hearings were initiated against Louis Post in the House of Representatives in April. These backfired massively. Post proved an able and personable witness, and, in early May of 1920, he eloquently dissected the many illegalities at the heart of Palmer’s approach in official House testimony. TNR exulted to see Post run circles around the “hearing-hearers of Washington,” “lineal descendants” to the “witch-burners.” Post “anticipated attack, he welcomed it, he ran to meet it with every weapon of fact, of humor, of legitimate pride.” As such, the Committee “had very much the aspect of a group of gentlemen who had picked up a very hot poker and were looking for some place to cool it.”⁴⁵⁶

It helped Post’s case that Attorney General Palmer’s star was dimming of its own accord in the same week. As with Independence Day 1919, Palmer – now with a definite eye at the coming presidential election – had prophesied a wave of Bolshevik terror to occur on May Day 1920. When nothing of note happened that day despite another ramp-up of police and law enforcement in major American cities, Palmer the “Fighting Quaker” began to seem more a

⁴⁵⁵ *Law and Labor*, August, 1920. Zinn, *The Twentieth Century*, 97. Sidney Howard, “Judge Anderson’s Decision,” *The Survey*, July 3, 1920, 489.

⁴⁵⁶ Murray, *Red Scare*, 248-249. Leuchtenburg, 79. Pietrusza, 148. “On Behalf of Louis F. Post,” *The New Republic*, April 28, 1920, 264-265. “The Louis Post Case,” *The New Republic*, May 26, 1920, 411.

“Quaking Fighter,” and the ground was laid for a Senate investigation into his own actions in the year to come.⁴⁵⁷

The second wave of Palmer Raids was not the only grievous overreach for anti-radical forces in America that January of 1920. Five days later, on January 7th, the New York State Assembly voted to expel five of its members— Samuel DeWitt, Samuel Orr, Louis Waldman, Charles Solomon, and August Claessens – for being representatives of the Socialist party and thus, in the words of Speaker of the House Thomas Sweet, “elected on a platform that is absolutely inimical to the best interests of the state of New York and the United States.” The resolution which determined their fate, which accused all five members of being “pledged to the forcible and violent overthrow of all governments now existing,” passed 140-6.⁴⁵⁸

This was not the first time Socialists had been fired or expelled by virtue of their ideology. Earlier in the year, Assistant Secretary of the Navy Franklin Roosevelt had to admonish Rear Admiral S.S. Robinson for attempting to fire three Socialists at Newport Naval Yard. “Now, my dear Admiral,” Roosevelt wrote, “neither you nor I can fire a man because he happens to be a Socialist. It so happens that the Socialist party has a place on the official ballot in almost every state in the union.” And, earlier in 1919, Congress had refused to seat Socialist Victor Berger of Milwaukee on account of his conviction under the Espionage Act. An unrepentant Berger, who had told his constituents “[y]ou got nothing out of the war except the flu and prohibition,” was re-elected in a special election in November 1919. Three days after the

⁴⁵⁷ Pietrusza, 148.

⁴⁵⁸ *State of New York: Proceedings of the Judiciary Committee of the Assembly*, Vol. II (Albany: J.B. Lyon, 1920), 2053. Charles Solomon, *The Albany Trial* (New York: Rand School Press, 1920), 3-4. Louis Waldman, *Albany: The Crisis In Government* (New York: Boni & Liverwright, 1920), 7. Margaret Blanchard, *Revolutionary Sparks: Freedom of Expression in Modern America* (New York: Oxford University Press, 1992), 120-121. Pietrusza, 150. Murray, *Red Scare*, 236.

incident in Albany, January 10th, 1920, Congress refused to seat him again, and the seat stayed empty until the following session.⁴⁵⁹

In that case, however, Congress at least had the fig leaf of Berger's conviction. The New York Assembly had no such cover for their vote. Speaker Sweet had argued that the Socialist Party was "not truly a political party...[but] a membership organization admitting within its ranks aliens, enemy aliens, and minors." But to many onlookers, it seemed like a political hit by a majority against an unprotected minority. Progressives, as usual, voiced their displeasure at this turn of events. "Socialists," argued Senator Hiram Johnson, "acting within the Constitution, have the right to preach their doctrine. When they are elected by their constituents they must be protected." TNR spoke of "The Mob in High Places" and argued "Sweet, Lusk, and Stephenson" had made New York "the first democratic commonwealth in history to proscribe a political party which was seeking by orderly constitutional agitation to bring about changes in its political and economic institutions." Quoting Jefferson and Hamilton, *The Survey* honored the "Keepers of the Faith" who "Recently Broke Silence and Revealed a Great Body of Public Opinion Ready to Uphold the Liberties of the Founders" Among them were Hiram Johnson, Frank Cobb, Jane Addams, and Frances Fisher Kane.⁴⁶⁰

This time, however, progressives were joined by figures on the right, including Senator Warren Harding of Ohio, American Legion founder Theodore Roosevelt, Jr. (also a member of the assembly), and, most notably, former Republican presidential candidate Charles Evans Hughes. Disgusted with the turn of events, Hughes argued the vote was "a serious blow to the

⁴⁵⁹ Pietrusza, 150-151. Eric Dregni, *Vikings in the Attic: In Search of Nordic America* (Minneapolis: University of Minnesota Press, 2011), 128.

⁴⁶⁰ "The Mob in High Places," *The New Republic*, February 4th, 1920. "Keepers of the Faith," *The Survey*, February 7, 1920.

standards of true Americanism and nothing short of a calamity.” He pushed the New York Bar to advocate re-admission, and even offered the five expelled Socialists legal counsel. “It was like a breath of fresh air,” wrote Harold Ickes to Hughes in gratitude for his stance. “Your petition must commend itself to every sober-minded citizen who has not allowed himself to be swept off his feet by the present wave of hysteria which, in the name of ‘law and order’ and the ‘preservation of our institutions,’ is doing more to encourage lawlessness and undermine our institutions than all of the Socialists, Communists, and so-called ‘Reds’ could do.” A few months later, in April 1920, the Assembly voted to make the expulsion of the five Socialists permanent, but minds and the national mood were changing. This time, the votes were 116-28 (against three of the members) and 104-40 (against the other two.) When all five accused were overwhelmingly re-elected that September, the Assembly voted again to expel three of the members, but seated the other two (who refused to sit anyway, in solidarity.)⁴⁶¹

At long last, the tensions of the war and post-war periods were beginning to slacken. As *The Survey* argued in February 1920, “the sedition bills, the dragnet raids, and plans for wholesale deportation have seemed to indicate that public intemperance is at its height. That is misreading the situation. These things are but the reflex of a public trepidation that has perceptibly waned.” The labor strikes had been broken, and, while the economy had not improved, production had, in the fall of 1919, suddenly increased past its wartime high. Perhaps most importantly, the prophesied revolution had not seemed to come. For this relative calm, Attorney General A. Mitchell Palmer was happy to take credit. “Like a prairie fire, the blaze of revolution was sweeping over every American institution of law and order a year ago,” he reminded the nation in 1920, “It was eating its way into the homes of the American workman, its

⁴⁶¹ Leuchtenburg, *Perils of Prosperity*, 77-78. Pietrusza, 150, 179. Ickes to Charles Evans Hughes, January 10, 1920, HLI, General Correspondence, 1903-1933. Murray, *Red Scare*, 238.

sharp tongues of revolutionary heat were licking the altars of the churches, leaping into the belfry of the school bell, crawling into the sacred corners of American homes, seeking to replace marriage vows with libertine laws, burning up the foundations of society.”⁴⁶²

But, at this point, the nation had begun to tune Palmer out – much to the delight of H.L. Mencken. “The American people, as a general thing, enjoy the public pursuit of criminals,” he wrote. “They esteem and respect a prosecuting officer who entertains them with gaudy raids...But Palmer went a bit too far. He carried the farce to such lengths that the plain people began to sympathize with his victims, nine-tenths of whom were palpably innocent of any worse crime than folly. Today he faces a public conviction that he is a silly fellow, despotic and without sense. That conviction does little violence to the truth.” To Mencken as to many others, it was good riddance to bad rubbish, for Palmer “has probably done more than any other one man, save only Mr. Wilson himself, to break down democratic self-government in America and substitute a Cossack despotism, unintelligent and dishonest...In brief, the fellow is a hollow charlatan.”⁴⁶³

As Palmer himself could testify, there had been real dangers in 1919: Galleanists had tried to murder him twice. But, not for the first or last time in American history, the government response to the acts of terror in April and June 1919 had been wildly disproportionate to the actual threat. And so it was ironic, that, when this small band of foreign-born anarchists actually launched their most violent and successful attack on September, 16th, 1920 – a bomb in downtown Wall Street that killed 39 and wounded hundreds – America, after the initial shock, mostly reacted with an exhausted shrug. “Attorney General Palmer is convinced the Wall Street

⁴⁶² Soule, 84. “Vigilance,” *The Survey*, February 7, 1920, 556. Schlesinger, *Crisis of the Old Order*, 42-43.

⁴⁶³ Mencken, 8.

explosion was the result of a bomb plot,” deadpanned *The New York World* after the tragedy. “In spite of the Attorney General's opinion, it probably was the result of a bomb plot.”⁴⁶⁴

The Best Laid Plans

“Any spring is a time of overturn,” wrote John Dos Passos, looking back years later at 1919, “but then Lenin was alive, the Seattle general strike had seemed the beginning of the flood instead of the beginning of the ebb, Americans in Paris were groggy with theatre and painting and music; Picasso was to rebuild the eye, Stravinsky was cramming the Russian steppes into our ears, currents of energy seemed breaking out everywhere as young guys climbed out of their uniforms, imperial America was all shiny with the new idea of the Ritz, in every direction the countries of the world stretched out starving and angry, ready for anything turbulent and new, when you went to the movies you saw Charlie Chaplin.”⁴⁶⁵

Dos Passos was not alone in this retrospective assessment of the time. “I suppose that from 1919 to 1921,” remarked journalist and economist George Soule, “the world seemed more in flux, more ready for fundamental changes, than it has ever since.” From the modern perspective, it is hard to overstate how epoch-changing and, to some, traumatic, the experiences of that year would be. Even notwithstanding all of the other shocks to the system already described, 1919 and 1920 saw all manner of calamity and transformation.⁴⁶⁶

⁴⁶⁴ Beverly Gage, *The Day Wall Street Exploded: A Story of America in its First Age of Terror* (New York: Oxford University Press, 2009). Pietrusza, 154.

⁴⁶⁵ Leuchtenburg, 69.

⁴⁶⁶ Dawley *Changing the World*, 220.

On midday January 15th, 1919, before anyone in Seattle had breathed a word of a general strike, a tank holding 2.3 million tons of molasses in the North End of Boston, Massachusetts suddenly exploded, sending a 25-foot-tall, 160-foot-wide wave of brown, suffocating liquid charging through the streets at 35 miles an hour. When all was said and done, the Great Boston Molasses Flood would leave 21 dead and 150 hospitalized. (The owner of the defective tank, Purity Distilling Company, naturally tried to shunt blame for the disaster on anarchists. Not until the mid-twenties, after a lawsuit, would it come to rest on the company's lack of oversight.)⁴⁶⁷

A biblical and deadly tsunami of molasses was only one of the seeming indignities committed upon the basic laws of nature in 1919. In June, British aviators John Alcock and Arthur Brown would fly from Newfoundland to Ireland, thus making the first non-stop transatlantic flight in history.⁴⁶⁸ In December, the Smithsonian would publish Robert Goddard's *A Method of Reaching Extreme Altitudes*, which outlined Goddard's early experiments in solid-fuel rocketry and explained how such a rocket could reach outer space.⁴⁶⁹ And in late May 1919, a team of astronomers led by Arthur Stanley Eddington took simultaneous photographs of a total solar eclipse from Brazil and the island of Principe off the coast of West Africa. These findings, published the following year, showed a predicted displacement of stars due to light bending nearing the sun, thus confirming Albert Einstein's theory of general relativity.⁴⁷⁰

⁴⁶⁷ Hagedorn, 51. Puleo, ix-xi, 96.

⁴⁶⁸ Charles Lindbergh's much-heralded flight in 1927 was the first *solo* transatlantic flight. As it happens, Alcock would be dead before the end of the year – He would perish in a December 1919 plane crash. Hagedorn, 234-246, 423.

⁴⁶⁹ The *New York Times* scoffed at the notion, arguing that Goddard did “not know the relation of action and reaction, and of the need to have something better than a vacuum against which to react.” In other words, “he only seems to lack the knowledge ladled out daily in high schools.” In a second editorial published in 1969, three days before the moon landing, the *Times* would regret the error. “Frequently Asked Questions about Dr. Robert H. Goddard,” Clark University, <http://www.clarku.edu/research/archives/goddard/faqs.cfm#question8>

⁴⁷⁰ Hagedorn, 210-216. Writing in *The New Republic* in July 1921, philosopher Morris Cohen would fret about what relativity would mean for democracy. “Free civilization,” he argued, means that everyone's reason is competent to explore the facts of nature for himself, but the recent development of science, involving ever greater mastery of

Even time and space itself, it seemed, were now in flux, and nothing was safe from transformation – not even America’s favorite leisure activities. For one, October of 1919 saw not only great strikes in the workplace, but dubious strikes in the ballpark – The Chicago White Sox lost the World Series to the Cincinnati Reds in eight games and, to many observers, ten iffy plays by White Sox players like Lefty Williams, Eddie Cicotte, and “Shoeless Joe” Jackson. That series was soon eclipsed by the offseason acquisition of star hitter Babe Ruth by the New York Yankees from the Boston Red Sox (an event which would rankle Bostonians for almost nine decades.) But, to the horror of baseball fans, it would come out the following year that the Series had likely been fixed by mobsters, with the aid of eight White Sox players. “The revelations,” argued a writer in *The New Republic*, “shocked the entire nation and wrecked the faith of millions of boys.”⁴⁷¹

As baseball was besmirched, boozing was outright banned. During the War, advocates of Prohibition had taken the opportunity to tie alcohol reform to the war effort. “German brewers in this country,’ argued the powerful Anti-Saloon League, “have rendered thousands of men inefficient and are thus crippling the Republic in its war on Prussian militarism.” In December 1917, Congress approved the Eighteenth Amendment, prohibiting the manufacture, sale, transportation, or export of alcohol, and sent it to the states. By January 1919, a little over a year later – the fastest turnaround in history, even if Connecticut and Rhode Island refused to have any part of it – thirty-six states had approved the amendment. At so at the stroke of midnight on January 17th, 1920, Prohibition went into effect, beginning America’s thirteen-year long “Noble

complicated technique, means in effect a return to an artificial barrier between the uninitiated layman and the initiated expert.” “Roads to Einstein,” July 6, 1921, 172. Dumenil, 147.

⁴⁷¹ Hagedorn, 384-385. Douglas Linder, “The Chicago Black Sox Trial,” University of Missouri-Kansas City School of Law, <http://law2.umkc.edu/faculty/projects/ftrials/blacksox/blacksox.html> Hugh Fullerton, “Baseball on Trial,” *The New Republic*, October 20, 1920, 184.

Experiment.” “Slums will soon only be a memory,” proclaimed Billy Sunday, “We will turn our prisons into factories and our jails into storehouses and corncribs. Men will walk upright now, women will smile, and the children will laugh. Hell will be forever for rent!” William Jennings Bryan was no less enthusiastic, quoting Matthew 20:2: “For they are dead which sought the young child’s life.” “King Alcohol has slain more children than Herod ever did,” the Great Commoner told a Washington DC rally. Now “the revolution that rocked the foundation of the Republic will be felt all over the earth.” For his part, Franklin Roosevelt set up a secret stash of “Old Reserve” in his New York home before the midnight hour struck. “47 East Sixty-Fifth Street is for the time being on the ‘wet’ list,” he proclaimed, much to the consternation of his more committed prohibitionist wife, Eleanor, whose father Elliott had been a troubled alcoholic.⁴⁷²

Of course, prohibition was not the only major constitutional change in 1920. Another came to a climax in Knoxville in mid-August. There, the state legislature set about determining whether or not Tennessee should be the thirty-sixth and decisive state to support women’s suffrage. Anti-suffrage forces had been fighting a rearguard action tooth and nail throughout the past year. Mary Kilbreth, head of the National Association Opposed to Woman Suffrage – an organization that stood for “HOME and NATIONAL DEFENSE against Woman Suffrage, Feminism, and Socialism...MAN-POWER in Government, because Democracy must be STRONG to be SAFE,” and for the “FUNDAMENTAL PRINCIPLES of Morality...Patriotism...and World Progress” – believed earnestly that “the interests of Womanhood, Childhood, and Civilization [should] be advanced FREE from the strife and

⁴⁷² Dumenil, 230. Mark Edward Lender and James Kirby Martin, *Drinking in America: A History* (New York: Free Press, 1987), 129-130. Edward Behr, *Prohibition: Thirteen Years that Changed America* (New York: Arcade Publishing, 1996), 82-83. Noggle, *Into the Twenties*, 165. Pietrusza, 159.

division of politics, factions, and parties.” In January, she had begged Senator William Borah to block “the ratification stampede” so NAOWS could “kill the amendment in the courts.” “I am convinced,” Kilbreth wrote, “you are the only one in the United States who can do this and it will be nothing less than a second Declaration of Independence.”⁴⁷³

Now, in August, Carrie Chapman Catt and pro-suffrage forces, amassed in Knoxville for the last battle, watched in “helpless despair” as well-funded anti-suffragists appealed to racism “and every other cave man’s prejudice” to stop the amendment in Tennessee. In the end, the difference came down to one vote. The youngest member of the legislature, 22-year-old first-term Republican Harry T. Burn of McMinn County, was thought to be a staunch anti-suffragist, and he had earlier voted to table the amendment. But, when the moment of decision arrived, Representative Burn looked to a note in his pocket from his widowed mother. It read: “*Hurrah, and vote for suffrage! Don’t keep them in doubt. I notice some of the speeches against. They were bitter. I have been watching to see how you stood, but have not noticed anything yet. Don’t forget to be a good boy and help Mrs. Catt put the ‘rat’ in ratification.*” So he did, and the Tennessee legislature ratified the Amendment, 50-49. Explaining his vote, Burns said, “I know a mother’s advice is always safest for her boy to follow, and my mother wanted me to vote for ratification.”⁴⁷⁴

And so, after a century of struggle and just in time for the presidential election of 1920, the Nineteenth Amendment was enacted, granting all twenty-six million women in America the right to vote. “At last the work of Susan B. Anthony and Frederick Douglass is crowned,”

⁴⁷³ Mary Kilbreth to Borah, January 25, 1920. WJB, Box 87: Woman Suffrage.

⁴⁷⁴ Brown, 49-50. “Remember the Ladies! Women Struggle for an Equal Voice,” Tennessee State Library and Archives, <http://tennessee.gov/tsla/exhibits/suffrage/beginning.htm>

editorialized *The Crisis*, noting “how slowly the world moves in the commonest matters of elementary righteousness...[And yet] A civilization that required nineteen centuries to recognize the Rights of Women can confidently be expected some day to abolish the Color Line.” In this one instance, unlike the hopes of labor, African-Americans, and many others, the promise of the war was realized. And, as a result, the former suffragists were some of the only progressives to emerge from the post-war years with a spring in the step. Now that women were full participants in the elections of the land, it was time to transform American government as well.⁴⁷⁵

It was meant to be like this on so many other fronts. In 1940, Lewis Mumford recalled how he and his fellow progressives had expected “that at the end of that fierce and rancorous conflict, in which other men had been engaged for four searing years, the beat of angels’ wings would at once be heard in the sky and concord and brotherly love would immediately settle over the earth.” In the words of Mary White Ovington in the February 1919 *Crisis*, “[e]very oppressed group, workingmen, carving out other’s fortunes while they themselves remain in poverty; women, deprived of their rights as citizens; small nationalities, disrupted by the ambitions of aggressive empires; so-called ‘inferior races,’ persecuted by the race at the moment in power; each and every one of these groups is [now] engaged in a separate struggle to secure something of value for itself in the chaos that comes at the close of a great war.”⁴⁷⁶

Spurred by the promises of a war to end all wars and a new world order to come, many progressive organizations had assembled grand plans for what postwar America should look like. For the NAACP, the future lay in universal suffrage, better educational facilities in the South, the

⁴⁷⁵ “Triumph,” *The Crisis*, October 1920 (Vol. 20, No. 6), 261.

⁴⁷⁶ Dawley *Changing the World*, 220. Chambers, 3. Mary White Ovington, “Reconstruction and the Negro,” *The Crisis*, February 1919, Vol. 17-No. 4, 169.

abolition of Jim Crow, peonage, and lynching; penal reform, and a living wage. At a 1918 convention chaired by Secretary of War Newton Baker, the National Consumer League announced a Ten-Year Program of reform, which included expanded government powers over consumer goods, fact-finding boards to help settle labor disputes amicably, a living wage, health and maternity insurance, and more effective regulations over the workplace.⁴⁷⁷

Others also looked to the principles of wartime cooperation as a guide for future action. “Why not continue on into the year of peace,” asked Robert A. Wood at the 1918 National Conference of Social Work, “this close, vast wholesome organism of service, of fellowship, of creative power?” Donald Richberg concurred. “No man of any political intelligence and economic vision,” he argued, “has been able to defend the existing economic order since the World War laid bare its utter inadequacy and its insane consequences.” Bernard Baruch, meanwhile – noting that the business world had tasted “the tremendous advantages, both to themselves and to the general public, of combination, cooperation, and common action, with their natural competitors” – argued for a continuation of the public-private partnership of government and trade associations that had defined the WIB. The war, argued the *American Federationist*, “has opened the door of opportunity through which the more sound and progressive policies may enter.” “What we have learned in war,” Walter Weyl concluded, “we shall hardly forget in peace... The new economic solidarity, once gained, can never be surrendered.”⁴⁷⁸

⁴⁷⁷ Ovington. Chambers, 7.

⁴⁷⁸ Neil Wynn, *From Progressivism to Prosperity* (New York: Holmes & Meier, 1986), 198. Schlesinger, *Crisis of the Old Order*, 38-39. Wynn.

Along with the war experience, the postwar agenda of the British Labour party, which advocated “the Universal Enforcement of a National Minimum,” “the Democratic Control of Industry,” “A Revolution in Finance,” and “the Surplus for the Common Good” – in other words, full-employment public works programs, progressive taxation, a minimum wage, public ownership of utilities like mines, railroads, and electricity, and universal education – also inspired progressives’ agenda for change. This, argued *The New Republic*, in a special February 1918 issue on the subject, was “probably the most mature and carefully formulated programme ever put forth by a responsible political party” and was “worthy of patient and painstaking examination” – “[I]t will go ill with us unless a party is formed in America which will formulate and fight for a programme of American reconstruction which, however different from the following document, will at least not fall below it in courageous, scientific, and thorough-going radicalism.”⁴⁷⁹

A year later, just as the postwar trials of 1919 were starting to pick up momentum, the National Catholic War Council published its “Bishop’s Program of Social Reconstruction,” written by Father John Ryan and based heavily on the Labour model. It pushed, in TNR’s words, for “permanent retention of the National War Labor Board and the National Employment Service...equal pay for equal work for women and men, insurance against old age, sickness, unemployment, heavy taxes on incomes and excess profits.” It also upheld the right to collective bargaining, argued for cooperation between management and labor, and urged a ban on child labor and redresses to the problem of income inequality. “If this sort of thing goes on

⁴⁷⁹ Wynn, 198. “Labour and the New Social Order,” *The New Republic*, February 16, 1918.

unchecked,” said *TNR*, “we shall soon arrive at a pass where the real standpatter will be quite unable to find a spiritual fold.”⁴⁸⁰

It did not go on unchecked. By the middle of 1919, progressives found themselves knocked back on their heels by the forces of reaction. By the year’s end, many would be scrambling just to make sense of the across-the-board retrenchment. “It was as though a hard frost overnight had killed the rank growth of emotions and ideals,” lamented Donald Richberg. For some, this experience was just too much. “The world was never in such a state of disorganization and demoralization,” wrote Ray Stannard Baker in October 1919. “It seems only possible to get prohibition, oppositions, negative actions, out of our leaders. They abolish liquor, they legislate against and enjoin workmen, they hold endless futile inquiries, they [fight] the treaty and President to no good purpose whatever.”⁴⁸¹

Meanwhile Palmer and his kind were “raiding, beating up, and arresting alleged radicals – and thus spreading the fires of radicalism.” “It looks black in America these days,” he concluded. Almost a year later, Baker remained in the doldrums. “I have a hard time getting over this war,” he wrote July 1920. “My old world died; I have had trouble [creating] my new one.” Eventually, he decided the best solution was to give up the progressive dream. I was “terribly serious, borne down by the Problems of the world,” he wrote, until he registered the “absurdity” that he and “most other people” had been “trying to regulate the lives of other people and had stopped trying to regulate our own lives.”⁴⁸²

⁴⁸⁰ Wynn. “Editorial Notes,” *The New Republic*, February 22, 1919, 99.

⁴⁸¹ Schlesinger, *Crisis of the Old Order*, 42. Noggle, *Into the Twenties*, 187-190.

⁴⁸² Noggle, *Into the Twenties*, 187-190.

Similarly, in January 1920, a month after leaving Wilson's cabinet, Secretary of the Interior (and close friend to Franklin Roosevelt) Franklin Lane lamented how "the whole world" had become "skew-jee, awry, distorted and altogether perverse. The President is broken in body, and obstinate in spirit...Einstein has declared the law of gravitation outgrown and decadent. Drink, consoling friend of a Perturbed World, is shut off; and all goes merry as a dance in hell!" Two months after Harding's inauguration, as he lay in a Mayo Clinic sickbed with fatal heart disease (and after a heart operation without anesthesia), Lane imagined his life after death. "I think I'd rather loaf with Lincoln along a river bank," he mused, "Yes, we would sit down where the bank sloped gently to the quiet stream and glance at the picture of our people, the negroes being lynched, the miners' civil war, labor's hold ups, employers' ruthlessness, the subordination of humanity to industry..." Those were the last words he ever wrote. He was found dead the following day.⁴⁸³

Walter Lippmann and *The New Republic* agreed with Ray Baker that the world suffered from a vacuum of political leadership, but, to them, the problem resided squarely with Wilson. "For one year we have tried to drift somehow back to a peace footing. Instead we have drifted into a severe internal conflict," Lippmann wrote in November 1919. "In these last months, it has directed itself to the edge of disaster":

This was not accomplished by the comparatively insignificant people who wish to overthrow the government. It was accomplished by the office-holders who have been too absent-minded to behave like a government. They have refused to look ahead, refused to think, refused to plan, refused to prepare for any of the normal consequences of a war. The attack on the government is nothing as compared with the paralysis of the government. Can anyone name a single piece of constructive legislation carried through since the armistice?...

⁴⁸³ Franklin K. Lane, *The Letters of Franklin Lane, Personal and Political* (New York: Houghton & Mifflin, 1922), 391. Schlesinger, *Crisis of the Old Order*, 93.

Compared to those of any other nation our difficulties were small. But they were difficulties, and they required action and policy and leadership. There has been none. For the government of the United States resides in the mind of Mr. Wilson. There are no other centers of decision. Whatever thinking is done he does. If he is always away the thinking apparatus is away. Because for the last year he found himself more than occupied with the treaty of peace, there has been no government at home able or willing to deal with those things that we have neglected at our peril. For this neglect a most fantastic excuse has been put forward. It is that nothing could be done until the treaty of peace was ratified.

It is pointed out that labor's productivity is low. It remains to be pointed out that the productivity of the government in respect to leadership is lower still. There has been no example from Washington to inspire handiwork, prevision or prudence... There has been no program on which men could loyally unite, no line of policy defined which they could follow, no purposes set before them to which they could apply their energies. In great matters it has been a year of wasting around.⁴⁸⁴

As *The New Republic*, in keeping with Lippmann's fascination with "drift", bemoaned the lack of top-down leadership in America, Oswald Villard and *The Nation* looked to the grassroots for sustenance. "The most extraordinary phenomenon of the present time," he argued in October 1919, "the most incalculable in its after effects, the most menacing in its threat of immediate consequences, and the most alluring in its possibilities of ultimate good, is the unprecedented revolt of the rank and file." The "common man," he continued, was "losing faith in the old leadership" and experiencing "a new access of self-confidence, or at least a new recklessness, a readiness to take chances on his own account." As a result, "authority cannot any longer be imposed from above; it comes automatically from below."⁴⁸⁵

To Villard, writing a month earlier, the "old restraints...breaking down" was a extremely promising development, because most of the terrible events of the past year were, in his mind, top-down creations. "Who has made war on Russia...? Not the plain people of the United States":

⁴⁸⁴ Walter Lippmann, "Unrest," *The New Republic*, Nov. 12, 1919, Vol. XX, No. 258, p. 315-322.

⁴⁸⁵ "The Revolt of the Rank and File," *The Nation*, October 25, 1919, Vol. 109, No. 2834, 540.

Who has shaped at Paris a League of Nations deftly fashioned to 'insure peace' among all the questioning peoples gathered about the throne of the great god of things as they are? Not the plain people... Who is demanding huge armies and unmatched navies and eighteen-inch guns and shrapnel and poison gas? Not the plain people. ... Who is insisting on repressive laws, on jailings and deportations? Not the plain people. Who has taken the initiative in the systematic campaign of hatred that for years has filled our press and pulpits and universities, turning its poisoned darts first against the Germans, then against the Bolsheviks, the Nonpartisans, and finally against everyone whose ideas hold aught of menace for the privileges embalmed in the existing order? Not the plain people.⁴⁸⁶

"If we look more keenly," he argued, "we shall see, not an old society crumbling but a new society coming into being." Villard would argue much the same in 1920: "[W]e have not witnessed the beginning of a new era of liberal domestic reform of which Woodrow Wilson seemed to be the prophet," he wrote. "We have witnessed the end of the old system and have no exact light as to just what shape the new will take." In other words, all the sordid follies of the leaders no longer mattered. The plain people of the United States would decide the future.⁴⁸⁷

Unfortunately for Villard and other progressives, it would soon become abundantly clear what the plain people of the United States wanted from the future.

Normalcy.

⁴⁸⁶ "The Forces of Disorder," *The Nation*, September 20, 1919, Vol. 109, No. 2829, 390.

⁴⁸⁷ *Ibid.* Zinn, *The Twentieth Century*, 103.

CHAPTER FOUR: THE TRIUMPH OF REACTION

PROGRESSIVES AND THE ELECTION OF 1920.

“The chief distinguishing aspect of the Presidential campaign of 1920 is the eclipse of liberalism or progressivism as an effective force in American politics.” – Herbert Croly, 1920⁴⁸⁸

“Harding’s main appeal was to get back to ‘normalcy.’ It was just what the people wanted to do after all the emotional and other strains of the war. It was a sort of ‘leave-me-alone’ feeling after a fever.” – Herbert Hoover, 1952⁴⁸⁹

“The Gamalian plurality in the late plebiscite was so huge that contemplation of it has distracted the public attention from all subsidiary phenomena. One gapes at it as a yokel gapes at a blood-sweating hippopotamus; its astounding vastness makes it seem somehow indecent, as a very fat man always seems somehow indecent.” – H.L. Mencken, 1920.”⁴⁹⁰

With the president incapacitated and the nation in the throes of chaos, 1920 looked to be a Republican year from the start. But which Republican? The death of Theodore Roosevelt opened the door to several different challengers, all of whom hoped to assume the mantle of the fallen Colonel. The Democrats, meanwhile, found that their fallen standard-bearer was not quite ready to leave the stage just yet. And some progressives thought the time may finally be ripe for a third party challenge to the established order. By the end of the year, progressives would witness what appeared to be a definitive triumph of reaction, and an end to their remaining post-war hopes.

A Rematch Not to Be

As a United States Senator, and eventual Chair of the Senate Finance Committee, a 6’4”, 350-pound, Harvard-educated scion of a powerful Pennsylvania family, and, in the words of one historian, a “successor to Hanna, Quay, and Aldrich” as a behind-the-scenes mover and shaker in the Republican Party, Boies Penrose was a man with no small amount of standing in the world of

⁴⁸⁸ Herbert Croly, “The Eclipse of Progressivism,” *The New Republic*, Oct. 27th, 1920. Reprinted at <http://www.tnr.com/article/78969/the-eclipse-progressivism>

⁴⁸⁹ Hoover, 35.

⁴⁹⁰ Mencken, *A Carnival of Buncombe*, 35.

Republican politics. Eleven years after his 1921 death, he was described in the *New York Times* as “the Last of the Great Political Bosses.” “He put men in high and low places and pulled the wires which moved their joints and tongues,” wrote the NYT’s Henry Hart in 1932. “More than any other great national political boss...he may accurately be represented as the instrument which, from 1900 until 1920, transformed the democratic intentions of American government into the agencies that would yield the country and its fruits into the hands of a plutocracy.” Similarly, William Allen White deemed him the “incarnation and epitome of plutocratic power in a democratic society.”⁴⁹¹

In short, Boies Penrose was the Old Guard’s kingmaker, and for decades, rumor would have it that he was the Machiavel who orchestrated the ascent of Warren Harding to the Republican nomination in the famous “Smoke-Filled Room” of Chicago’s Blackstone Hotel.⁴⁹²

But two years earlier, in the fall of 1918, Senator Penrose had expected quite a different candidate to wrest the White House away from the Democrats. “There is only one candidate for president,” Penrose told Republicans gathered at the Hotel Willard. “He is the only candidate. I mean Theodore Roosevelt...I don’t like him. I once despised him. But that doesn’t alter the fact that Theodore Roosevelt is now the one and only possible Republican candidate in 1920. He will surely receive the nomination.”⁴⁹³

⁴⁹¹ Bagby, 47. *New York Times*, January 3rd, 1932. Bagby, 98. Russell, 330.

⁴⁹² In fact, Penrose was gravely ill during the Republican convention – he would perish the following year – and, despite both his reputation and the stories in the press at the time, he probably had very little to do with the final choice of Harding. Bagby, 97.

⁴⁹³ Pietrusza, 69. Russell, 301. That being said, Penrose – after having visited the former President in the hospital at the end of 1918 – told his Senate colleague James Watson that “Colonel Roosevelt will not be alive in three months...[Y]our promise to support him will be of no avail.” Ibid.

In late 1918, a grief-stricken and bed-ridden TR told his biographer he was “indifferent to the subject. I would not lift a finger to get the nomination. Since Quentin’s death, the world seems to have shut down on me.” Still, Penrose was not alone in thinking thus in 1918. Many political observers then believed that the next presidential election would be a rematch of the two titans who had battled in 1912, Wilson and Roosevelt. “The most piquant forecast for 1920,” editorialized *The Nation* in January of that year, “is that of two Presidents running against each other for a third term.” Of course, it was not to be. By mid-January 1919, one of the two great combatants would be deceased. By the following September, the other would be stricken. The question of who would now fill the two Great Men’s shoes would come to dominate the election season.⁴⁹⁴

Even as he came to terms with his grief over Roosevelt’s death, Harold Ickes, always a savvy political observer, began to game out what the election now meant for Republicans and Progressives – those Republicans who had followed TR out of the party in 1912. “The death of Colonel Roosevelt,” he wrote Raymond Robins in January, “creates a very difficult situation...”

Of course, if Colonel Roosevelt had lived and had been nominated for president on the Republican ticket in 1920, as everyone seemed to think he would be, there would then have been no doubt as to what former Progressives would have done...[But now]Colonel Roosevelt has gone and there is no single man who can guarantee to former Progressives either the progressiveness of the Republican Party or fair treatment by that party of former members of the Progressive Party.⁴⁹⁵

“The Progressive voters cannot be ‘delivered’ in the old political sense,” Ickes warned. “They think for themselves and will vote according to their convictions...If the Republican Party ignores this situation and goes ahead taking it for granted that the progressives will fall into line

⁴⁹⁴ Russell, 311. *The Nation*, January 31, 1918, 105.

⁴⁹⁵ Ickes to Robins, January 10, 1919. HJI, Box 38: Raymond Robins.

and support the ticket in 1920, regardless of who the candidates may be and of what the platform will be, they will be committing suicide...A misstep now will be very likely to prove fatal in 1920.⁴⁹⁶

Of course, writing in January 1919, Ickes had no sense of the year that was to come, or how much the spirit of progressivism would recede by 1920. Nonetheless, his letter spoke to two questions that the death of Colonel Roosevelt now posed. Who could possibly replace such a larger-than-life character and unite all the factions of the disparate Republican Party in 1920? And where could progressive-minded Republicans, and progressives in general, now put their vote to best use? Ickes would have a lot to say on both of these questions before the election season was out.

Regarding the first of these – who could replace Roosevelt – Republicans would not find the answer to their dilemma in their last presidential candidate, Charles Evan Hughes. The former New York Governor’s oldest daughter, Helen, would die of tuberculosis in April of 1920, an event Hughes would call in his memoirs “the greatest sorrow of my life.” After that, his heart was just not in the fight. “Since our daughter died,” he told the lawyer sent to ascertain his intentions, “Mrs. Hughes and I are heartbroken. I don’t want to be President of the United States. I request that my name not even be mentioned in the convention,” adding presciently that “whoever is nominated will be elected, but in my opinion he will not fill out the term.”⁴⁹⁷

⁴⁹⁶ Ibid. One Ickes correspondent who viewed things from the opposite direction was Henry C. Wallace, soon to be Secretary of Agriculture in the Harding Administration. I feel more and more,” Wallace wrote Ickes in May 1919, “that we have got to keep in mind not only how to promote the progressive principles for which we stand, but also how to make sure that we elect a Republican President.” Henry C. Wallace to Ickes, May 22, 1919. Box 38: Progressive Conference.

⁴⁹⁷ David Joseph Danielski and Joseph S. Tulchin, *ed.*, *The Autobiographical Notes of Charles Evans Hughes* (Boston: Harvard University Press, 1973), 196. Pietrusza, 186. Russell, 351.

And so, Republicans would instead have to choose a new candidate to assume the Colonel's mantle. But Theodore Roosevelt was a bundle of contradictions. What aspect of the ex-president did they want their candidate to embody? Or, as Walter Lippmann put it, "[t]here were no end of Caesars after Julius as there are Roosevelts after T.R. is dead. The name is a magnet of affection and of votes, and whoever can carry the name can carry some of the affection and some of the votes. There is consequently a tussle for the name."⁴⁹⁸

The Man on Horseback

If Theodore Roosevelt had chosen an heir apparent, it was probably his former commanding officer, General Leonard Wood. A career military man who headed the Rough Riders during the Spanish-American War and served as governor of Cuba in the years thereafter, Wood had been passed over by Wilson (in favor of John J. Pershing) to lead the American Expeditionary Force into the Great War. Nonetheless, he was a longtime friend and confidant of the former president, and held impeccable military credentials. To Roosevelt, Wood "combined in a very high degree the qualities of entire manliness with entire uprightness and cleanliness of character. It was a pleasure to deal with a man of high ideals, who scorned everything mean and base, and who also possessed those robust and hardy qualities of mind and body for the lack of which no merely negative virtue can ever atone."⁴⁹⁹

As a result of TR's fondness for the man, "it was taken for granted," said the president's daughter, Alice Roosevelt Longworth, after his death, "that Father's family would be for General Wood. It was quite natural we should be." Or, as one of Roosevelt's former heirs apparent,

⁴⁹⁸ Walter Lippmann, "Leonard Wood," *The New Republic*, March 17, 1920 (Vol. XXII, No. 276), 76.

⁴⁹⁹ Bagby, 25. Pietrusza, 168. Russell, 325-327.

William Howard Taft, put it, “it would seem as if the funeral bake meats had furnished forth the feast for the heir.” Taft’s former Cabinet, along with many of the esteemed conservatives in Roosevelt’s orbit, such as Henry Cabot Lodge and Elihu Root, also flocked to General Wood’s standard. So too did Wall Street money – J.P. Morgan’s son-in-law ran the Wood campaign in New York City – in the hopes, as one savvy political observer wrote, that “he would use the military arm of the government to break up strikes and destroy the unions.”⁵⁰⁰

In that regard, Wood talked a good game. On his speaking tours throughout 1919 and 1920 – interrupted every so often by military trips to keep the peace in Omaha and Gary – Wood was consistently loud and vociferous in his embrace of Americanism and his denunciations of the Red menace. “Kill it as you would a rattlesnake,” he said of Communism, “and smash those who follow it, speak for it, or support it.” In 1919, this was relatively run-of-the-mill stuff, but Republican editor William Allen White still encouraged the general to tone it down for the sake of the progressive half of the party. “This crazy notion to hunt ‘em down and shoot ‘em and see Red, and all that sort of thing,” White warned Wood, “is going to pass during the Spring, and leave you high and dry unless you definitely appeal to the Progressives. They are militant and they aren’t going to be satisfied with the kind of speeches you are making.”⁵⁰¹

Harold Ickes, for one, agreed. “When I called upon [Wood] at his Army headquarters...to size him up for myself,” Ickes would later write in his autobiography, “I found a big, well-set-up man, approachable and with a fine presence. The thing that impressed me at once was that he talked so much...He seemed to have no reticences at all. And the more he talked, the less

⁵⁰⁰ Pietrusza, 171. Bagby 25-27. The savvy political observer in question is Harding *eminence grise* Harry Daugherty.

⁵⁰¹ Bagby, 29. Pietrusza, 174.

inclined I was to commit myself to his candidacy.” When Ickes brought fellow progressive Raymond Robins to meet the general, Wood had the same effect on him. (“It seemed impossible to stem his flow of language.”)⁵⁰²

And sure enough, it did not take long for other progressive observers to turn against General Wood also. According to Oswald Villard, Wood embraced “no philosophy but the soldier’s one of force and the rigid and violent upholding of authority.” *The New Republic* scoffed “that anyone can consider for the most powerful office in the world a mind so vacant...It contains not a single guide to action; it begs completely every question it touches; it is a insult to the poorest intelligence in the land...[His] phrases are strung along like beads on string.” Lippmann deemed the Wood boomlet a sect of “radical jingo with the prejudices of the junker rather than the great industrialists. It is really incapable of distinguishing between the military government of an occupied country like Cuba and the civil government of the United States...They have the mood, if not the courage of the coup d’état.”⁵⁰³

For his part, H.L. Mencken saw in Wood “the simple-minded dragoon, viewing all human phenomena from the standpoint of the barrack-room. His remedy for all ills and evil is force. Turn out the guard , and let them have a whiff of grape!” Still, the Sage of Baltimore conceded, “one somehow warms to the old boy. He is archaic, but transparent. He indulges himself in no pishposh about ideals...He is the cavalryman incarnate, all heart and no brains. I haven’t the slightest doubt that he believes his backers to be unselfish patriots, and that a glimpse of their private account book would shock him to death. He also believed in Roosevelt.”⁵⁰⁴

⁵⁰² Harold Ickes, *Autobiography of a Curmudgeon*, 226.

⁵⁰³ “The Open-Minded General Wood,” *The New Republic*, May 5th, 1920 (Vol. XX, no. 283), 302. Bagby, 29-30.

⁵⁰⁴ Mencken, 8-9.

Mencken wasn't the only one looking askance at the big money behind General Wood. Senator William Borah was not fond of Wood's man on horseback routine in any event. Deeming Wood's militarism "completely at war with everything in which I believe," Borah though it would be "sheer absurdity to nominate a military man to take care of the intricate economic and industrial problems with which we have to deal." But in millionaires' embrace of the general's candidacy, Borah saw even more sinister evils afoot. "Whatever General Wood may be individually, "Borah wrote one constituent, "he has surrendered his candidacy to a coterie of multi-millionaires who believe that you can corrupt the American electorate and dominate politics by the sheer use of money."⁵⁰⁵

Even though "it has obtained a deep, strong hold upon the political system of our country" and "thousands and thousands of good people think it must be and therefore let it go, this problem" of money in elections, Borah argued to another correspondent, "is coming to be the most sinister, subtle and universal evil with which we have to deal. All good men regardless of party and the people should be aroused to the fact that only by the utmost vigilance can the effect of money in elections be counteracted."⁵⁰⁶

This being Borah, the Senator also saw in Wood's campaign finance largesse the handiwork of pro-League forces. "As is always true after every war," Borah wrote to another constituent, "a military man seeks to dominate the situation and that is again true..."

⁵⁰⁵ Borah to Shad Hodgins, February 23, 1920. WJB, Box 85: Politics – Idaho. Borah to Montie B. Swinn, April 17, 1920. WJB, Box 85: Politics – Idaho. Another political observer who thought the times unfit for a man on horseback was Senator Warren Harding of Ohio. "We made presidents out of military men for more than thirty years after the Civil War," he wrote to a friend, "but there doesn't seem to be any sentiment for a military candidate at the present time. I think General Wood is very much of a fellow himself but I do think his military connection and his militaristic ideas are going to put an end to his candidacy." Piestruza, 172.

⁵⁰⁶ Borah to *Charleston Gazette*, July 17, 1920. WJB, Box 87: Politics – W. Virginia. Borah to A.A. Johnson, March 24, 1920. WJB, Box 87: Politics – W. Virginia.

It is the most brutal and shameless exhibition of the use of money in elections that has ever taken place in any country... The men who spent their millions to propagandize this country and to pawn our independence to Europe are the same men who are spending their millions now to control the United States through its elections. It is the same fight precisely. It is simply a question of whether the people will still retain the government of this country or whether international bankers and those under their control will directly or indirectly, openly or covertly yoke it to the European powers and utilize it for their own selfish interests.⁵⁰⁷

And yet, if Wood made a critical error in the 1920 election season, it was likely that the general did *not* listen to the Old Guard forces that originally backed his candidacy. At first, as befitting the Roosevelt imprimatur, Wood's candidacy was being run by TR's former campaign manager, John T. King of Connecticut – a close ally of Boies Penrose and a consummate political handler. “I like John King,” Teddy Roosevelt has said of him, “We have a perfect working arrangement. John supplies the efficiency, and I supply the morals.” Under King's direction – which mainly entailed an inside game of brokering deals with state party officials – Wood became by November 1919 a prohibitive favorite for the Republican nomination.⁵⁰⁸

But, acting on the advice of members of Roosevelt's former inner circle, like Elihu Root, Alice Roosevelt Longworth, and Henry Stimson – all of whom thought King's loyalties lay first and foremost with the Penroses of the Party – Wood eventually replaced King with Colonel William Cooper Proctor, heir to the Proctor & Gamble fortune and acting Chair of the national “Leonard Wood League,” a 60,000 member-strong volunteer association of Wood enthusiasts. While more malleable, perhaps, Colonel Proctor unfortunately turned out to have no talent for the type of backroom politics at which King had excelled. Instead, Proctor allied with his fellow true believers, and attempted to run insurgent Wood campaigns in 47 states using the same techniques with which his family sold soap. In so doing, Proctor managed to deeply antagonize

⁵⁰⁷ Borah to Francis Jenkins, May 5, 1920. WJB, Box 85: Politics – Idaho.

⁵⁰⁸ Bagby, 26. Russell, 327-328.

not just favorite sons like Warren Harding, Calvin Coolidge, and Frank Lowden, but also the political bosses, state and local machines, and professional party men who had considerable sway over who would be the final nominee.⁵⁰⁹

The Men in the Middle

With General Wood thus off the reservation, Old Guard Republicans began to search for a more pliant horse for their 1920 election hopes. They soon found a sturdy, if unremarkable one in one of the favorite son candidates General Wood had managed to antagonize – Governor Frank Lowden of Illinois. Although he hailed from a Republican state not generally considered in competition, and while he was neither a popular nor a well-known figure nationally, Lowden nevertheless enjoyed the benefit of a sterling resume for Party purposes: A log cabin boyhood, marriage to a Pullman heiress, experience in both the US Congress and the State House, and several years of service to the Republican national committee.⁵¹⁰

More than anything, Lowden was a safe and conventional compromise choice in a year when such men were exceedingly hard to find. “There is a logic to Lowden,” wrote Walter Lippmann, “once you grant the premises. He comes from the middle of the country, he stands in the middle of a road, in the middle of his party, about midway between [Leonard] Wood of New Hampshire and [Hiram] Johnson of California.” During four years as Governor, Lowden had managed to remain agreeable to both Republicans and Democrats in the State House, as well as to both corporate and labor interests in the state (notwithstanding some issues with his Pullman family ties.) He was for women’s suffrage, for Prohibition, and against the League as envisioned

⁵⁰⁹ Bagby, 28. Pietrusza, 172.

⁵¹⁰ Bagby, 32-35. Pietrusza, 176.

by Wilson, although he endorsed the court-oriented approach of conservatives like Elihu Root and supported the Lodge reservations. He was anti-Red, of course, but still distinguished himself from Wood as “the goose step vs. the forward step.” And thus he could remain an amenable choice to Old Guard figures like Nicholas Murray Butler of Columbia and Senator Warren Harding, who thought of Lowden as his second choice for president behind himself, as well as to Chicago progressives like Harold Ickes, who thought the Governor “fair and open-minded” and a “first-rate governor.”⁵¹¹

And, with the exception of some competitive fights against General Wood in the South Dakota primary and in his home state of Illinois, Governor Lowden played nicely with Old Guard figures and state and local party officials alike, and mostly seemed content just to keep his name afloat until the Republicans gathered in his home state that summer. In other words, he seemed like the perfect candidate for what was looking to be a brokered convention.⁵¹²

Nonetheless, conservatives in the party did not want to put all their eggs in one basket again. And, so to assure a full field that would prevent one of the non-Old-Guard-sanctioned candidates from breaking too far ahead, Boies Penrose also urged his fellow Senator, Warren Harding of Ohio, to make a run for the presidency. A handsome, amiable Ohio newspaperman who had risen through the State Senate to become a Republican regular in the US Congress, Harding was not much inclined to take the offer.

⁵¹¹ Walter Lippmann, “The Logic of Lowden,” *The New Republic*, April 14, 1920 (Vol. XXII, No. 280), 204. Bagby, 32-35. Ickes actually continued to support Frank Lowden even after a more progressive choice, Hiram Johnson, entered the race – on the grounds that Illinois would be a Lowden state regardless. “I adhered to Lowden,” he wrote, “with the distinct understanding that if he failed of nomination, he would make no attempt to deliver me to another. I told him frankly that Johnson was my first choice. Lowden, in turn, assured me he would rather throw his strength to Johnson than to any of the reactionary candidates. So I went along.” Pietrusza, 179.

⁵¹² *Ibid.*

For one, the Senator from Ohio had a keen sense of his own limitations, and did not think himself fit for the highest office in the land. “I must assert the conviction,” he wrote one supporter early in the campaign season, “that I do not possess the elements of leadership... essential to the ideal leadership of our Party in 1920...I know better than some who overestimate both my ability and availability.” To another, he wrote, while “I would almost be willing to make a bet that I would be a more ‘commonsensible’ President than the man who now occupies the White House...I have such a sure understanding of my own inefficiency that I should really be ashamed to presume myself fitted to reach out for a place of such responsibility.” In short, as he told yet another well-wisher, “I harbor no delusions or designs. I should like to be kindly esteemed, but the pretense that seems to be necessary to popularity is not agreeable to my nature.”⁵¹³

Which wasn’t quite true – Harding was actually an exceedingly popular figure in the Senate. In Washington, he often golfed, played poker, entertained guests at his Wyoming Avenue residence, and ran up a liquor bill that got into the hundreds per month. As such, Harding felt he already held what he believed to be “the most desirable office in the world.” As a result, Harding declared he would prefer “he not be forced into...becoming an aspirant for the nomination.” “I should be unhappy every hour from the time I entered the race until the thing were settled,” he said. “I had much rather retain my place in the Senate and enjoy the association of friends and some of the joys of living.”⁵¹⁴

⁵¹³ Russell, 313-315, 331. Bagby, 37-38. Some Harding biographers argue this sense of insecurity stemmed from either his possible mixed-race ancestry – the “shadow of Blooming Grove,” in the words of Frances Russell – or his knowledge of his own many extramarital indiscretions, most notably with Carrie Fulton Phillips and Nan Britton, the latter of whom would tell Harding of her pregnancy in February 1919.

⁵¹⁴ Ibid.

Harry Daugherty, Harding's former campaign manager and head of the Ohio Republican Party, thought differently. Daugherty had risen through the ranks of Ohio politics as a protégé of the estimable kingmaker Mark Hanna, and he harbored ambitions his friend did not. "When I met him," Daugherty said of Harding, "he was like a turtle sitting on a log. I pushed him in the water." Assuaging the Senator's insecurities by telling him that "the days of giants in the Presidential chair is passed" and that "the truest greatness was in being kind," Daugherty prevailed upon Harding to enter his name as a candidate, if nothing else than to push back against the challenge that Wood insurgents now clearly posed for control of the Ohio party apparatus. This Harding did, retaining Daugherty as campaign manager out of loyalty and friendship, even though the latter's reputation for double-dealing, extortion, and bribery in Ohio was something of a political albatross.⁵¹⁵

As with Governor Lowden, Harding's campaign mostly involved keeping his name in contention while not unduly irritating the other candidates – an easy fit for a jocular fellow like Harding. At first, he was considered to be one of the leading contenders for the nomination by both the press and political observers like party chairman Will Hays, who thought him "strong in the Middle West and eminently satisfactory to Wall Street." But his star dimmed when General Wood's forces launched a well-funded foray into the heart of Harding country, and managed to take nine of forty-eight delegates in the Ohio primary. (Harding had run a half-hearted race in his home state, believing it undignified.) And when the Ohio Senator ran fourth in nearby Indiana soon thereafter, most people gave up on Harding as a viable candidate for the nomination.⁵¹⁶

⁵¹⁵ Bagby, 39. Laton McCartney, *The Teapot Dome Scandal: How Big Oil Bought the White House and Tried to Steal the Country* (New York: Random House, 2008), 10. Pietrusza, 83. Russell, 334-335, 340.

⁵¹⁶ Bagby, 40-42. Russell, 341-342.

Harry Daugherty was not one of those people. However sinister his reputation, the Ohio bagman was nonetheless as savvy a political operator as they come. And, in February 1920, he famously prophesied to *The New York Times* that Harding could still have his day as a dark horse. “I don’t expect Senator Harding to be nominated on the first, second, or third ballots,” he said:

[B]ut I think we can afford to take chances that about eleven minutes after two, Friday morning of the convention, when fifteen or twenty weary men are sitting around a table, someone will say, ‘Who will we nominate?’ At that decisive time, the friends of Harding will suggest him and can well afford to abide by the result.”⁵¹⁷

I’m for Hiram

While Leonard Wood had the support of Roosevelt’s former inner circle, he was not the only claimant to the Colonel’s throne in 1920. Also making a run in the former president’s name was Roosevelt’s running mate in 1912: Senator Hiram Johnson of California.

Unlike General Wood, Johnson was an unabashed progressive, a man who as both Governor and Senator of his state had amassed a pro-labor, pro-civil liberties record. (That is, for white Americans. Johnson was also the champion and signer of the Alien Land Law of 1913, which barred Japanese farmers and other “aliens ineligible for citizenship” from holding land.) This made him, according to *The New Republic*, “a vote-winner in a country now reacting against the Elbert H. Garys and the coal operators and their little brothers, the A. Mitchell Palmers.” To Oswald Villard of *The Nation*, Johnson – who “alone has stood up bravely and

⁵¹⁷ Ibid.

fearlessly for the right of free speech” (Debs notwithstanding) -- “more nearly voices, in certain respects, the aspirations of many liberals than any other candidate.”⁵¹⁸

And unlike Frank Lowden, Johnson was assuredly a national figure, and one who aroused some degree of controversy in Republican circles. Wildly popular in California, Johnson had made a career of continually thumbing his nose at the Penroses of his party – while remaining reasonably satisfactory to conservative interests in his own state – and his irreconcilable opposition to the League was well-known. This made him, TNR thought, a “perplexing... problem for the Old Guard leaders.” Only eight years after Roosevelt split the party, “[w]hat will happen if the Republican leaders stick to tradition and refuse to nominate a man who can get the votes of labor and the liberal and the radical and the progressive?” Johnson aimed to make the Republican kingmakers sweat that question.⁵¹⁹

Naturally, Johnson enjoyed the support of his Irreconcilable comrades-in-arms, George Norris and William Borah, as well as innovative adman Albert Lasker -- a man Colonel Roosevelt had thought “the greatest advertiser in America” – and progressives like Felix Frankfurter, Dean Acheson, and Harold Ickes. “I know Senator Johnson pretty well,” Borah wrote to one constituent. “I am supporting him in this campaign because I entertain no doubt, first, of his Americanism, and second, because I feel that he truly represents nationally what he unquestionably represented in California, that is clean, wholesome just government.” In short,

⁵¹⁸ “Hiram Johnson – Problem,” *The New Republic*, May 19, 1920, 369. Bagby, 31-33. Pietrusza, 177-179. Oswald Villard, “Hiram W. Johnson,” *The Nation*, June 5, 1920 (Vol. 110, No. 2866), 748-749.

⁵¹⁹ “Hiram Johnson – Problem,” 369. Bagby, 31-33. Pietrusza, 177-179.

Borah, concluded, Senator Johnson's record demonstrated "beyond question that he is his own master and that he stands for wise and just administration of public affairs."⁵²⁰

It was on this question – of clean government – that Johnson managed to draw the deepest blood during the 1920 campaign. In his typical fashion, Johnson ran rhetorically as an insurgent against his own party – the fearless progressive speaking truth to power – and so by necessity, he relied on a semi-successful strategy of relying on presidential primaries rather than appealing to party regulars (although, unlike Wood, he also worked to ensure that he did not unnecessarily antagonize favorite sons like Lowden and Harding.) As part of that strategy, during the North Dakota primary, Senator Johnson lashed out at the many millionaires supporting Wood's candidacy – a charge of corruption quickly echoed by both Democratic newspapers eager to score points against the presumptive Republican nominee and Johnson's ally, Senator Borah, in the halls of the Senate.⁵²¹

Upon Borah's urging, the Senate Committee on Privileges and Elections created a subcommittee to conduct a survey of campaign expenditures, which became known as the Kenyon Committee after its chairman, Senator William Kenyon of Iowa. It ultimately found General Wood's campaign had spent the then-unprecedented sum of over \$2.1 million during the primary season. "The public at large," argued *The Nation*, "cannot but distrust a President or a party that is placed in power...by multi-millionaire soap and oil producers." By contrast, the next

⁵²⁰ Lowitt, 133-134. Borah to Leslie L. Long, May 14, 1920. WJB, Box 85: Politics – Idaho. John Morello, *Selling the President, 1920: Albert D. Lasker, Advertising, and the Election of Warren G. Harding* (Westport: Praeger, 2001), 39.

⁵²¹ Bagby, 31-33. Pietrusza, 177-179. As home to the Nonpartisan League, an agrarian-populist political movement that advocated state ownership of mills and banks and railed against corporate intrusions into agriculture, North Dakota was particularly fertile ground for this sort of attack. In fact, Johnson ended up winning 96% of the vote over Wood and Lowden. (On the Democratic side, William Jennings Bryan defeated William Gibbs McAdoo, 87%-13% This would be North Dakota's last presidential primary. Lloyd Omdahl, "ND Once Flirted with Presidential Primaries," *Williston Herald*, February 20, 2012 (http://www.willistonherald.com/opinion/columnists/nd-once-flirted-with-presidential-primaries/article_4d5d051c-5bf0-11e1-976e-0019bb2963f4.html)

closest amount spent was Lowden's \$415,000, then Johnson's \$194,000. But, despite his less appalling spending levels, Lowden too was found wanting: His campaign in Missouri had cut \$2500 checks for two men in St. Louis that went on to become Lowden delegates, "for nothing in particular but to create sentiment for Governor Lowden."⁵²²

The mind reeled at Wood's two million in campaign spending, but here in Lowden's camp was a seemingly simple, easy-to-understand case of quid-pro-quo corruption. And even as it later came to light that the Illinois governor had nothing to do with the bribes, the revelation effectively ended Lowden's chances at the presidency -- and further infuriated party bosses against Hiram Johnson, as did Senator Johnson's continued rhetorical attacks against Lowden and Wood on the eve of the Chicago convention. And with Lowden now compromised, the Old Guard would have to look elsewhere for a candidate in Chicago. Harry Daugherty's prediction was one step closer to reality.⁵²³

Visions of a Third Term

If Republicans were having trouble agreeing upon a candidate to fill the shoes of the fallen Roosevelt, Democrats faced a similar problem in choosing an heir to their own standard bearer, Woodrow Wilson. If anything, Democrats' political situation in 1920 was even more intractable. For one, unlike the now deceased Colonel Roosevelt, Wilson had not yet been sainted. Rather, in the nadir of 1919 and 1920, the incapacitated president was controversial and deeply unpopular across the nation, and any Democrat who took up his standard was in danger of

⁵²² Russell, 351-352. Bagby, 35. Pietrusza, 184-185, 203. "The Price of the Presidency," *The Nation*, June 12, 1920 (Vol. 110, No. 2867), 787.

⁵²³ Bagby, 35. Pietrusza, 184-185, 203. "The Price of the Presidency," *The Nation*, June 12, 1920 (Vol. 110, No. 2867), 787.

assuming all of his considerable negatives. For another, unlike the Bull Moose, this fallen leader refused to stay fallen.

Before Wilson's stroke in September 1919, and before the Versailles Treaty and the failure of the League became millstones around the Democrats' neck, political observers and the press both believed the president would run for a third term. If anything, it was thought that Wilson would likely coast to victory as a reward for successfully prosecuting the Great War and forging a League that America could be a part of, and his Fall 1919 whirlwind tour across the West assuredly seemed like the incipient stages of a third term campaign. Four days before Wilson's collapse, papers reported that Republicans and Democrats alike thought the president was rather transparently using the issue of the League to open his 1920 reelection bid.⁵²⁴

But, the stroke, coupled with the failure of the League in the Senate – in no small part due to Wilson's increasing intractability on this issue – quelled talk of a third term among party officials, and Democratic friends and colleagues began to request the president instead step aside. In March of 1920, Joseph Tumulty suggested to Mrs. Wilson that “a dignified statement of withdrawal [would] strengthen every move the President wishes to make during the remainder of his term,” while on the Senate floor and in the newspapers other Democrats began to suggest that Wilson gamely make room for a new candidate.⁵²⁵

The president was unmoved. While Wilson did not directly say he was running for another term, he also refused to say he wasn't. In March 1920, the president's closest advisors and members of his Cabinet, among them Bernard Baruch, A. Mitchell Palmer, Josephus

⁵²⁴ Bagby, 54-55.

⁵²⁵ Bagby, 58-59.

Daniels, Senator Carter Glass of Virginia, and Joe Tumulty, were gathered together and each given a card, on which Wilson asked them: “What part should the writer play in politics in the immediate future?” With the exception of Postmaster Albert Sidney Burleson, everyone thought the president should step aside, and to a man they believed Wilson should accept the League with the Lodge reservations. Unfortunately, nobody wanted to be the person to convey these decisions to the president himself.⁵²⁶

And so the dance continued into the spring and summer of 1920, with Wilson never explicitly announcing a run for a third term, but also never contradicting anyone who said he was in the hunt, and never choosing to endorse anyone else for the position. Instead, right up until the Democratic convention, Wilson continued meeting with members of the press for interviews that stressed the hale and hearty president’s fitness for office. More often than not, these interviews also included cryptic statements such as the one offered to *New York World* reporter Louis Seibold ten days before the convention, in which Wilson confessed his desire to “make a personal call to the people directly. Perhaps that will come later on. I am eager that it shall.” Said the *World* of this exchange: “The views set forth by the President were plainly designed to announce to the country he is in every way still fitted to be a leader of his party and Chief Executive.” For TNR, Wilson’s interview made “perfectly clear that there is to be no quiet substitution of a new management and new policies in the Democratic party, if he can prevent it.” The *Tribune* was more concise: “Wilson May Seek Third Term.”⁵²⁷

What Wilson seemed to be envisioning, in keeping with his lifelong desire to “inspire a great movement of opinion” and be the “political autobiography” of a generation, was that, if he

⁵²⁶ Bagby, 60.

⁵²⁷ Ibid, 61. “The Week,” *The New Republic*, June 30, 1920 (Vol. XXIII, No. 291), 136.

just left the door open, he would be publicly acclaimed by the Democratic Party to run again and save the League from extinction. Should the convention deadlock, Wilson told his private physician, “there may be practically a universal demand for the selection of someone to lead them out of the wilderness.” And if that happened, “[t]he members of the convention may feel that I am the logical one to lead – perhaps the only one to champion this cause. In such circumstances I would feel obliged to accept the nomination even if I thought it would cost me my life.” For his part, Dr. Cary Grayson was not in accord with Wilson’s desire for martyrdom. “He just must not be nominated,” the doctor wrote. “I tell you that he is permanently ill, physically, is gradually weakening mentally, and can’t recover. He couldn’t possibly survive the campaign.”⁵²⁸

Ambition in the Cabinet

No Democrat was as impacted by Wilson’s waffling as his son-in-law, and the “Crown Prince” of the president’s cabinet: former Wilson campaign manager, Secretary of the Treasury, chairman of the Federal Reserve, and director general of the United States Railroad Association William Gibbs McAdoo. A former Tennessee lawyer generally considered to be “next in line” for the Democrats, McAdoo remained a reasonably popular figure from the administration, particularly with the labor and Dry communities. He was not unloved by progressives either – Walter Lippmann deemed him “an administrator of the first order” and “a truly distinguished public servant” in *The New Republic*, albeit one too “sensitive to the stimulus of popular feeling.” But because of Wilson’s refusal to close the door on a third term – a refusal endorsed

⁵²⁸ Pietrusza, 191, 199-200. Smith, 152-153.

by McAdoo's wife, the daughter of the president – McAdoo spent much of the election season visibly writhing with indecision.⁵²⁹

“Of course, the President's silence makes it very awkward for me,” McAdoo pleaded with Dr. Grayson on the eve of the February 1920 Georgia primary, as he attempted to figure out if he had the go-ahead to make a run for the nomination. “[E]ven if I had an inclination to stand for the Presidency – which, as you know, I have not, but it is not possible to resist the demands of one's friends to state either that they may proceed or that they may not...Any suggestions you may have to offer I shall appreciate. I am really very much perplexed.” In the end, McAdoo removed his name from consideration in Georgia, as he did not want to “do anything that would create the appearance of a candidacy.” Nonetheless, McAdoo made sure to add he would “regard it as the imperative duty of any man to accept a nomination if it should come to him unsolicited.”⁵³⁰

So, like his father-in-law, McAdoo engaged in a delicate dance through the remainder of the primary season. Whenever he was asked, McAdoo argued he was not officially putting his name in contention, but if the Democratic Party saw fit to anoint him their leader, he would not shrink from the call of duty. Instead of campaigning outright, McAdoo took every opportunity to appear the statesman, usually of the progressive variety. “[I]n recent interviews,” wrote Lippmann in TNR, McAdoo “has been courageous and straightforward on contentious questions affecting civil liberty, Russia, the Palmer injunctions, and the whole paraphernalia of the Red

⁵²⁹ Bagby, 65-66. Walter Lippmann, “Two Leading Democratic Candidates,” *The New Republic*, June 2, 1920 (Vol. XXIII, No. 287), 10.

⁵³⁰ Bagby, 65-66.

hysteria. He has talked the way free men are supposed to talk about such things.” Meanwhile, behind the scenes, McAdoo’s allies worked to secure delegates all across the country.⁵³¹

This strategy worked so well that Woodrow Wilson saw fit to step in and smother it, by giving his potential third term interview with the *New York World* ten days before the Democratic Convention in San Francisco. The afternoon after that article appeared, McAdoo told reporters he would not allow his name to be put into nomination, and that his decision was “irrevocable.” Evidence suggests that McAdoo was in fact trying to maintain the same delicate position he had held all along, and that if his name was brought forth by acclamation, he would still go along with the cries of the crowd. But this time many of his lieutenants thought he was serious, and the pre-convention McAdoo boomlet began to disperse.⁵³²

While McAdoo spent the election season tortured about the right thing to do, A. Mitchell Palmer suffered from no such quandary. In fact, Palmer became the first Democrat to officially throw his name into the ring, arguing that “[i]f the President wanted a third term he would have stated so before this time.” And, because of this boldness, the Attorney General actually entered the San Francisco convention with more delegates than anyone else – albeit only 76 from his home state of Pennsylvania and 28 from Georgia, where he – and all other contenders – had been trounced by favorite son Tom Watson. (Using Palmer as an administration foil, Watson had declared on the campaign trail that ““Woodrow Wilson should be in prison and Eugene Debs in the White House!””)⁵³³

⁵³¹ Bagby. Lippmann, “Two Democratic Candidates.”

⁵³² Bagby, 69-70.

⁵³³ Bagby, 72-73. James Weinstein, *The Decline of Socialism in America 1912-1925* (New York: Random Books, 1967), 237.

Despite the delegate lead, however, Palmer was already a man whose moment had passed. Like Ole Hanson of Seattle, the Attorney General had devolved into a single-issue candidate over the course of 1919, and it was an issue he aspired to carry him all the way to the White House. “I myself am an American, Palmer said on the stump, “and I love to preach my doctrine before 100% Americans because my platform is undiluted Americanism...Each and every [radical] is a potential murderer or a potential thief...Out of the sly and crafty eyes of many of them leap cupidity, cruelty, insanity, and crime; from their lopsided faces, sloping brows, and misshapen features may be recognized the unmistakable criminal type.”⁵³⁴

A fine message for 1919, perhaps. But by 1920 – especially after the false alarm of May Day – the public had grown sick of Palmerism, as it had of Wilsonism in general. The Attorney General’s “mediaeval attempts to get into the White House by pumping up the Bolshevik issue,” wrote H.L. Mencken, “have had the actual effect of greatly diminishing his chances...Aside from his efforts to scare the boobery with Bolshevist bugaboos, Palmer seems to put most reliance in his fidelity to Dr. Wilson’s so-called ideals. Here he simply straps himself to a cadaver. These ideals, for two years the marvel of Christendom, are now seen to have been mere buncombe.” This would be a problem for more Democrats than just Palmer.⁵³⁵

The Democrats’ Lowden

While administration backers split between McAdoo and Palmer (not to mention the ghost of the president himself), other Democrats – with an eye to Wilson’s growing unpopularity in a time of chaos and high costs – began to look elsewhere for a 1920 nominee. One solid, if

⁵³⁴ Barry, *Rising Tide*, 140.

⁵³⁵ Mencken, 8.

uninspiring such candidate was Governor James M. Cox of Ohio, a self-made newspaperman who had the political savvy to be a progressive reformer from 1912-1914 (elected in 1912, Cox emphasized public infrastructure like schools and roads and passed workman's compensation and pension laws), a pacifist from 1916-1917 (when Wilson worked to keep America out of war), and a pro-war nationalist from 1917 on. (Among other things, Governor Cox created an Americanization committee -- chaired by later New Deal brains truster Raymond Moley -- and signed into law a bill abolishing use of the German language in schools.)⁵³⁶

In other words, like Governor Frank Lowden across the aisle, Cox was for the most part an unoffensive figure to all sides. “[W]ithout having irreconcilably antagonized those who regard the Democratic party as a staunch defender of the status quo,” Charles Merz wrote of him in TNR, “he has caught the eye of those who look upon it as the country’s most successful instrument of progress.” Perhaps even more intriguing, Cox had the added benefit of being “outside the shadow of the White House, no part of the official family, a man who has neither fought the President nor bled for him.” The governor was similarly agnostic on the League question – Cox had “made a number of orthodox statements” for the League, and his “campaign managers declare him a loyal supporter of the president.” But Governor Cox also supported reservations, and thought the League a question unsuited to partisan politics regardless. As Merz put it, “the one most heartfelt thing that Cox has said about discussion of the League was... ‘The public is sick and tired of it.’”⁵³⁷

⁵³⁶ Bagby, 74-75. Ohio Historical Society, “Anti-German Sentiment” (<http://www.ohiohistorycentral.org/entry.php?rec=1578>) Carol Schmid, *The Politics of Language: Conflict, Identity, and Cultural Pluralism in Comparative Perspective* (New York: Oxford University Press, 2001), 36.

⁵³⁷ Charles Merz, “Two Leading Democratic Candidates,” *The New Republic*, June 2, 1920 (Vol. XXIII, No. 287), 12.

To progressives like Merz, Cox – despite his anti-German stance during the war – also seemed to have kept a reasonable distance from the repression that had marked the Wilson administration. Noting with approval that Cox, as Governor, had never called out the militia to end a strike in Ohio, Merz lauded Cox’s “considerable courage and a good deal of self-possession...[W]hen representatives of an ostensibly Jeffersonian administration like Palmer and Burleson have bludgeoned public opinion, and other representatives, like Wilson and Baker, have stood by in silence, Cox was willing to hold out against the alarmist press and the persuasive push of the steel companies.” Within the party, foreshadowing a schism that would lay Democrats bare four years later, the governor was also a popular choice with urban Wets looking to offset the rural Dryness of William McAdoo and back a wet candidate who would bring in northern ethnic voters to the polls. In short, Cox seemed to be the antithesis of everything people didn’t like about Wilsonism.⁵³⁸

The governor further helped his case, for the most part, by laying low: After announcing his intentions to run in February 1920, Cox – aside from a minor foray into the nearby Kentucky primary – kept his powder dry until San Francisco. “My friends are urging me to open up a vigorous campaign,” Cox explained, “[b]ut I prefer to wait. If, when the convention opens, they finally turn to Ohio, all right. We either have an ace in the hole, or we haven’t. If we have an ace concealed, we win; if we haven’t, no amount of bluffing and advertising can do much good.”⁵³⁹

The Great Engineer

⁵³⁸ Merz. Bagby, 74-76.

⁵³⁹ Bagby, 74-76. Governor Cox won 20 of 26 delegates in Kentucky, which he added to his own Ohio delegation.

As Republicans and Democrats weighed their options, there was one particular candidate that caught both parties' eyes in 1920, as well as those of many a disgruntled progressive: Head of the Food Administration Herbert Hoover -- the only man, as John Maynard Keynes had written, "who emerged from the ordeal of Paris with an enhanced reputation." To Keynes, Hoover, "with his habitual air of weary Titan," had remained "steadily fixed on the true and essential facts of the European situation" while at Versailles. As a result, he "imported...precisely that atmosphere of reality, knowledge, magnanimity, and disinterestedness which, if they had been found in other quarters, also, would have given us the Good Peace."⁵⁴⁰

And that was but one of the many encomiums to the Great Engineer in 1919 and 1920. "I am 100 percent for him," argued Justice Louis Brandeis, a man whose words carried in the progressive community. "High public spirit, extraordinary intelligence, knowledge, sympathy, youth, and a rare perception of what is really worth-while for the country, would, with his organizing ability and power of inspiring loyalty, do wonderful things in the Presidency." Walter Lippmann declared he had "never met a more interesting man, anyone who knew so much of the world and could expound so clearly...the inscrutable mysteries of European politics." Secretary of the Navy Franklin Roosevelt was another Wilson man firmly in the Hoover camp. "He is certainly a wonder," he declared, "and I wish we could make him President of the United States. There could not be a better one."⁵⁴¹

The New Republic editors agreed. Having been pro-war themselves at the start of the great conflagration, they seemed to envision a possible redemption in a Hoover candidacy: "The dominant temper of politics at this moment," they argued, "is a product of the fatigue of the war,

⁵⁴⁰ Keynes, 257. David Burner, *Herbert Hoover: A Public Life* (New York: Alfred A. Knopf, 1978), 138.

⁵⁴¹ Schlesinger, 84. Steel, 123. Schlesinger. Burner, 151.

the frustration at Versailles, and the panic of inexperience.” But as the hero who fed Europe, Hoover could be the “vehicle of that same idealism which ennobled the war and was thwarted in the peace.” If a “vast disinterested call for Hoover by men and women who were willing to waive differences of opinion, of party, and of personal preference” were to rise up, then the Great Engineer could “restore sanity to American politics, and...prepare an administration led by hope rather than one dictated by fear.”⁵⁴²

And so – much to the consternation of Hiram Johnson supporters in particular – TNR began attempting to manufacture that vast, disinterested call by loudly touting Hoover’s presidential timbre in its pages. “There is one man, not an active candidate,” TNR opined in January 1920, “who in comparison with all the other candidates, qualifies so readily that his election would be a foregone conclusion in reasonable conditions. That man is Herbert Hoover”:

[W]ill any supporter of Leonard Wood or Mitchell Palmer pretend that either of their candidates knows a fragment of what Herbert Hoover knows about the necessities of the modern world? Would either of them, or any of the others, risk comparison with Hoover, either on knowledge of social conditions, knowledge of American industry, knowledge of world trade, knowledge of European politics, knowledge of diplomacy? Is there one of them who can show a record as administrator which will stand against the record of the organizer of the Belgian Relief, Food Administrator of the Allies, and the Director General of European Relief?⁵⁴³

Hoover, TNR continued to effuse, was “no dark horse, no straw man manufactured by political boomers, but admittedly the most competent and successful American revealed by the war...every trial enhanced his stature.” As such, he was the candidate of all Americans who had their “eyes on the facts, not on labels and doctrines.”⁵⁴⁴

⁵⁴² “Hoover’s Chances,” *The New Republic*, April 14, 1920 (Vol. XXII, No. 280), 197. Russell, 350.

⁵⁴³ “Hoover as President,” *The New Republic*, January 21, 1920 (Vol. XXI, No. 268), 208.

⁵⁴⁴ *Ibid.*

Doubling down a few weeks later, TNR deemed Hoover “the spokesman and the embodiment of the profound discontent and the utter disgust which Americans who understand what is happening to the world and to their own country, feel at the gross obscurantism and incompetence of the existing leadership of both political parties.” His candidacy made evident “the unreality of the competing candidates and the political bankruptcy of the two party machines. It is the expression of the manifest need of a new agency of party agitation and action in American politics... [It forces] the two old parties to come out from behind the protection of patriotic phrases and tell the American people how they propose to act to mend the gaping breaks in our national life and in the life of the modern civilized world.” In *The Nation*, Robert Herrick argued similarly. “Whether’s one sympathies are radical or reactionary,” he wrote “what we must have as a leader today is someone who knows. And the only man in the United States who thoroughly understands this moloch of a machine to which we are all inextricably hitched is Hoover.” Only The Great Engineer, Herrick concluded, “understands the infinitely intricate machine that modern capitalistic society has become.”⁵⁴⁵

In deeming Hoover an avatar of efficiency, both Herrick and TNR’s editors were not far off from the candidate’s own view of himself and what he would bring to the presidency. “During my whole European experience,” Hoover would later write in his memoirs, “I had been trying to formulate some orderly definition of the American System... Along with these ideas, I elaborated a basis of economic recovery and progress:

It involved increasing national efficiency through certain fundamental principles. They were (a) that reconstruction and economic progress and therefore most social progress required, as a first step, lowering the costs of production and distribution by scientific research and transformation of its discoveries into labor-saving devices and new articles

⁵⁴⁵ “The Meaning of Hoover’s Candidacy,” *The New Republic*, February 18, 1920 (Vol. XXI, No. 272), 328-330. Robert Herrick, “For Hoover,” *The Nation*, June 5, 1920 (Vol. 110, No. 2866), 750.

of use; (b) that we must constantly eliminate industrial waste; (c) that we must increase the skill of our workers and managers; (d) that we must assure that these reductions in cost were passed on to consumers in lower prices; (e) that to do this we must maintain a competitive system; (f) that with lower prices the people could buy more goods, and thereby create more jobs at higher real wages, more new enterprises, and constantly higher standards of living. I insisted that we must push machines and not men and provide every safeguard of health and proper leisure.

I listed the great wastes; failure to conserve properly our national resources; strikes and lockouts; failure to keep machines up to date; the undue intermittent employment in seasonal trades; the trade-union limitation on effort by workers under the illusion that it would provide more jobs; waste in transportation; waste in unnecessary variety of articles used in manufacture; lack of standard in commodities; lack of cooperation between employers and labor; failure to develop our water resources; and a dozen other factors. I insisted that these improvements could not be effected without government control, but that the government should cooperate by research, intellectual leadership, and prohibitions upon the abuse of power.”⁵⁴⁶

Hoover’s vision of the American System, and of forward progress defined as a battle between efficiency and waste, is something he would continue to develop in the decade to come. But to some of TNR’s readers in 1920, this conception was already off the mark. In fact, some thought TNR had gone overboard for Hoover at the expense of real progressive virtues. Citing concerns about civil liberties and the Versailles Treaty, editor Charles Merz wrote a bylined piece to “disassociate myself from the policy these editorials have defined,” since “we owe it to our readers to underwrite no man’s candidacy until he comes more completely into agreement with us than Mr. Hoover has come.” Similarly, reader A.C. Freeman wrote in to critique the editors’ emphasis on efficiency. “I fail to see any proof of genuine liberalism in Mr. Hoover’s recent statement of his position on domestic issues,” he wrote. “True he comes out in favor of our traditional rights of free speech, etc. But so does Mr. Nicholas Murray Butler”:

⁵⁴⁶ Herbert Hoover, *The Memoirs of Herbert Hoover: The Cabinet and the Presidency* (New York: Macmillan Company, 1952), 28-29.

The sole valid argument in favor of Mr. Hoover is his unquestionably efficient record as an administrator during the war. But efficiency is a quality shared by Judge Gary, Clemenceau, and the Prussian General Staff. There is no reason to suppose that General Wood and Governor Lowden are lacking in efficiency. Nine-tenths of the suffering in the world at the present time is due to efficiency, selfish efficiency, devoid of moral purpose or rational direction. In choosing a liberal candidate for President let us have an efficient man by all means; but let us first have a man who is courageous, and humane, and forward-looking, who will not be afraid to condemn the Peace Treaty and the blockade of Prussia, for the crimes that they are, who will not instinctively condemn strikes because they hamper production.⁵⁴⁷

Other readers argued that, by going whole hog for Hoover, TNR had given the proven progressive in the race, Senator Hiram Johnson, short shrift. “Mr. Hoover’s great capacity as an administrator is willingly recognized,” wrote in another correspondent, “but as President of the United States we need at this time one who is something more than an administrator – a statesman with imagination and insight, a statesman who stands for constructive political principles both in the domestic and the international field. Such a statesman the country possesses in Senator Hiram Johnson – and I know of no one else.” (The writer, Aksel Josephson, did concede that Hoover’s vaunted efficiency would make him a great Postmaster-General.) For his part, Gifford Pinchot thought Hoover’s emphases reflected a “natural aristocrat” who favored “big business and the middleman as against both the producer and the consumer.”⁵⁴⁸

Similarly, William Hard, while conceding “the merits of your Presidential candidate,” argued to TNR’s readers that Hiram Johnson was much closer on the issues of note than Herbert Hoover. On “the preservation of civil liberties,” “coercive foreign adventures – such as our invasion of Russia,” and the issue of the League, “Mr. Johnson has gone far beyond any other

⁵⁴⁷ A.C. Freeman, “Why Mr. Hoover?,” *The New Republic*, March 5th, 1920 (Vol. XXII, No. 274), 33.

⁵⁴⁸ Aksel G.S. Josephson, “Hoover for Postmaster,” *The New Republic*, April 14, 1920 (Vol. XXII, No. 280), 223. Bagby, 45. Another telling letter, by one L.E. Graves, called out TNR for so effusively endorsing Hoover even though he seemingly had no position on African-American civil liberties. “The Negro forms more than one-tenth of the population of this country, and no “realism,” however blatant, can be of sincere service to the United States of America that does not consider as one of the great issues in American life the just settlement of his account.” L.E. Graves, “Hoover and the Negro,” *The New Republic*, April 14, 1920 (Vol. XXII, No. 280), 223

Presidential candidate in courageous loyalty and in effective serviceableness to principles and to results which you would like to see established and achieved”:

Please understand I am not disputing the immense superiority which Mr. Hoover possesses over Mr. Johnson in certain knowledges and experiences and aptitudes. Nor am I disputing Mr. Hoover’s enlightened inclination toward perceiving and admitting and in some way remedying the sicknesses of the society which has blessed him with fortune and fame without cursing him with a conviction of its unerring rightness...I am simply pleading: have a heart and a word for my candidate’s astonishing knowledge and experience and aptitudes; those of a man – I say – skilled in man’s nature, deep into simple insight into human fraud whether at Paris or at Washington, open in simple courage against it whether at Sacramento or Geneva.”⁵⁴⁹

The relative importance of efficiency as a defining virtue of progressivism is a debate that would continue to play out as the Twenties unfolded. For now, despite the pleas of old-line progressives like Hard, Hoover, according to one biographer, enjoyed the support in 1920 of a veritable Who’s Who of prominent reformers, including “William Allen White...Franklin Roosevelt, Herbert Croly, Jane Addams, Louis D. Brandeis, Walter Lippmann, Edward Bok, Oscar Straus, Edward A. Ross, Ida Tarbell, Ray Stannard Baker, Frederick Lewis Allen, Heywood Broun, and Frank W. Taussig.” Writers such as Robert Benchley and Dorothy Parker added compositions to a pro-Hoover paper published during the Republican convention. In fact, Hoover seemed so far above the field in 1919 and early 1920 that he even garnered the support of the interminable cynic from Baltimore. “Of the whole crowd at present in the ring,” Mencken wrote:

“it is probable that only Hoover would make a respectable President. General Wood is a simple-minded old dodo with a delusion of persecution; Palmer is a political mountebank of the first water; Harding is a second-rate provincial; Johnson is allowing himself to be lost in the shuffle; Borah is steadily diminishing in size as he gets closer to the fight...Only Hoover stands out as a man of any genuine sense or dignity...But can he be elected? I doubt it.”⁵⁵⁰

⁵⁴⁹ William Hard, “A Communication: Johnson for President,” *The New Republic*, February 15th, 1920, 383-385.

⁵⁵⁰ Burner, 153-154. Mencken, 5.

Part of the reason Hoover's prospects to Mencken seemed dim – as they did to the Great Engineer himself – was that Hoover was, for all intent and purposes, a man without a party. “It was obvious enough,” Hoover later wrote of 1920, with perhaps some 20-20 hindsight, “that I could not be nominated by either party, even if I wanted the honor.” A supporter of TR's Progressive Party in 1912, Hoover had gone on to serve important roles in the Wilson administration and – incurring the wrath of Boies Penrose and the Republican Old Guard, who had not forgiven this apostasy – encouraged voters to vote Democratic in 1918. As late as March 1920, Hoover still labeled himself an “independent progressive” who disliked both the “reactionary group in the Republican party” and “the radical group in the Democratic party.”⁵⁵¹

By his own reckoning, however, Hoover was a Republican through and through. “I had two generations of Republican blood in my veins,” Hoover later wrote. “I was a registered Republican from my twenty-first birthday...My work in Washington had given me intimate opportunity to observe the Democratic party in its political aspects, all of which reinforced my Republicanism.” While conceding there were a few Democrats “of the highest purpose and ideals,” Hoover mostly saw the Party of Jefferson and Jackson as an uneasy three-way marriage of “an ultraconservative Southern group,” “a set of plundering political machines in many of the large cities,” and, in the West, “agrarian fanatics and near-Socialists” formed out of “Bryanesque demagoguery.” By contrast, while he had no truck with “such Republican phenomena as Senators Penrose, Watson, Knox, Lodge, and their followers...the rank and file membership of the Republican party in the North and West comprised the majority of skilled workmen, farmers,

⁵⁵¹ Hoover, 33-34. Steel, 168.

professionals and small-business men. They gave it cohesion in ideas whose American aspirations I greatly preferred.”⁵⁵²

Hoover had more prosaic reasons for choosing the Party of Lincoln as well. For one, surveying the electoral landscape in early 1920, it looked rather obviously to be a Republican year. “I knew no Democrat could win in 1920,” Hoover later told a friend, “and I did not see myself as a sacrifice.” The Great Engineer wanted to play a long game. Agnes Meyer, the wife of one of Hoover’s friends, thought the man was “consumed with ambition...The man’s will-to-power is almost a mania. The idea of goodwill, of high achievement, is strong in him, but he is not interested in the good that must be accomplished through others or even with the help of others. Only what is done by Hoover is of any meaning to him. He is a big man but he cannot bear rivalry of any sort.” For the time being, Hoover had his eye above all else on a potential Cabinet spot, which means he had to get his name bandied about in Republican circles. In any case, when Democratic Franklins Roosevelt and Lane visited Hoover and implored him to run as a Democrat, their pleas fell on deaf ears. Instead, not unlike Democrats Wilson and McAdoo, Hoover insisted he was sitting out the race – while his supporters feverishly tried to solicit letters of support from Stanford alumni, Hoover’s fellow miners and engineers, and every person listed in *Who’s Who*.⁵⁵³

Hoover managed to make himself even more of a *persona non grata* in conservative circles by formally declaring the principles he expected the Republican Party to stand for, should it expect his support. If Republicans adopted “a forward-looking, liberal, constructive platform

⁵⁵² Hoover, 33-34. Put more simply, Hoover also noted that he did not want to be the standard-bearer for a party whose only member in his home town growing up was the town drunk. Michael Stoff, “Herbert Hoover,” in Brinkley and Dyer, ed. *The American Presidency*, 335.

⁵⁵³ Ibid. Burner, 152. Barry, *Rising Tide*, 268, 271

on the Treaty and on our economic issues,” emphasized “measures for sound business administration of the country” and promised to be “neither reactionary nor radical in its approach to our great domestic questions,” Hoover would “give it my entire support.” Indeed, while not seeking the nomination himself, of course, “if it is felt that the issues necessitate it and it is demanded of me, I cannot refuse service.” As one newspaper summed it up, Hoover would be a Republican if Republicans “will be the kind of a party which he would like to belong. And...if he belongs to it, he would have no objection to leading it.”⁵⁵⁴

Hoover did officially break from the Wilson/McAdoo statesman-in-the-wings strategy once, when he allowed his name to be entered in his home state primary of California – also the electoral base of Senator Hiram Johnson – so “as to allow an expression on the issue of the League.” In his own words, Hoover, while “fully aware of the weaknesses of the treaties... perhaps more aware than most Americans...had concluded that they should be ratified in order to save what was left of the European structure.” And so he welcomed the chance to go up against Hiram Johnson and his “violent anti-League platform,” even though “as Senator Johnson controlled the state organization, there was no possibility that he could be defeated.”⁵⁵⁵

Claiming to “not make a single political speech or statement in the primary,” Hoover still endured what he felt was irresponsible calumny, an “orgy of personal slander and abuse directed at me,” from Johnson forces. “Their general line,” he recalled, “was that I was an Englishman and even a British citizen; that I was possessed of untold millions, and so on.” Whoever cast the first stone, to the Penroses of the world the California primary was manna from Heaven. In the

⁵⁵⁴ Burner, 152.

⁵⁵⁵ Schlesinger, 84. Barry, *Rising Tide*, 268. Hoover, 10, 34-35. This was not a particularly popular stance, especially among Republicans. “[I]n choosing the League of Nations as the chief issue,” wrote the *El Paso Times*, “the former food Administrator has placed his bet on a dead card.” Burner, 153.

end, Johnson defeated Hoover by 370,000 votes to 210,000, but the end result was that the two most progressive Republicans in the race had bloodied up each other beyond any possible likelihood of electability.⁵⁵⁶

Even though TNR's editors remained Hoover's biggest supporters, arguing he could still "embody the progressive crusading disposition that is always latent in America," even they looked in chagrin as Hoover's candidacy in California was "used by experienced professionals to neutralize the progressive forces at the convention...Mr. Hoover cannot afford to destroy the influence of men like Senator Johnson," they argued. "He cannot afford to disperse progressive strength at this juncture...If he must contest California, he will do well to remind his supporters that they are dealing with a veteran who as governor, progressive leader, and United States Senator has earned the respect and appreciation of American progressives. No man can destroy Hiram Johnson's position, and call it a good day's work."⁵⁵⁷

The Smoke-Filled Room

In early June of 1920, 984 Republican delegates – including, for the first time, 27 women – gathered in Chicago to draft a platform and choose a nominee. Conspicuously absent were the uniformed members of the Grand Army of the Republic, who had graced every Republican convention *en masse* since the days of Lincoln. Now, only a few stray septuagenarians circulated amongst the crowd, their numbers dwarfed by veterans of a different War.⁵⁵⁸

The festivities began with a keynote from the chairman of the convention, Senator Henry Cabot Lodge – his "voice," according to Walter Lippmann "magnified by the electrical apparatus

⁵⁵⁶ Hoover, 35.

⁵⁵⁷ "Hoover's Chances," *The New Republic*, April 14, 1920 (Vol. XXII, No. 280), 197-198.

⁵⁵⁸ Bagby, 80. Russell, 363-367.

out of all proportion to his body.” For eighty minutes, Lodge decried the chaos and uncertainty of the Wilson years and deemed the League of Nations a “breeder of war and an enemy of peace” and a threat to “the very existence of the United States as an independent power.” Just as he bragged that “he had kept us out of war” four years ago, the Senator said, Wilson “now demands the approval of the American people for his party and his administration on the ground that he has kept us out of peace.” Before he merits such approval, Lodge suggested, “the question [of the League] goes to the people.”⁵⁵⁹

Before that, however, the question had to go to the resolutions committee, where the official Party platform was being drafted. And there, there was not much in the way of overlap between a William Howard Taft, who had once stood with Wilson in support of a League, and a William E. Borah, who saw any form of it as the backdoor to tyranny. As TNR put it, “[t]here were mild reservationists, strong reservationists, irreconcilables, and partisans of a League sweltering in the heat of the Coliseum, and all represented constituents with votes to cast.”⁵⁶⁰

After Borah and other Irreconcilables threatened to bolt the party if a plank for the League with reservations was included, raising the specter anew of a 1912-like split that would once again see a Democrat in office, a solution was drafted by Elihu Root that squared the circle. Republicans, it read, stood for an “international association...based upon international justice” which could “maintain the rule of public right by the development of law and the decision of impartial courts.” But Wilson’s League “failed signally to accomplish this great purpose, and

⁵⁵⁹ Ibid. Walter Lippmann, “Chicago, 1920,” *The New Republic*, Wednesday, June 23, 1920 (Vol. XXIII, No. 290), 108.

⁵⁶⁰ “The Republicans and the League,” *The New Republic*, June 23, 1920 (Volume XXIII, No. 290), 102.

contains stipulations, not only intolerable for an independent people, but certain to produce the injustice, hostility, and controversy among nations which it proposed to prevent.”⁵⁶¹

As a result, and despite the “unfortunate insistence of the President upon having his own way,” the Senate had “performed their duty faithfully” in killing the Treaty. “We approve their conduct and honor their courage and fidelity.” Any future agreements made by a Republican administration “shall meet the full duty of America to civilization and humanity, in accordance with American ideals, and without surrendering the right of the American people to exercise its judgment and its power in favor of justice and peace.” Both “a tangle of contradictions” and “an ingenious piece of politics,” in the words of TNR, this compromise plank was sufficiently vague that everyone could read what they wanted to out of it. Taft argued it included “the things that would lead the party into the League,” while papers deemed it an “astounding surrender to League foes” and a victory for “Bitter-Enders.” *The Survey* just argued that “it leaves the subject where it was. In the present tangled situation that is perhaps just as well.”⁵⁶²

With the League thus addressed, much of the rest of the platform-writing was relatively smooth sailing – The Republicans just had to remind the American people that they were not the party of Wilson or Wilsonism. The platform lambasted the administration for an “inexcusable failure to make timely preparations” before the War, and for being “as unprepared for peace...vision, leadership, and intelligent planning...have been lacking.” While “the country has been left to shift for itself, the government has continued on a wartime basis.” To Republicans, the administration has used “the emergency of war to continue its arbitrary and inquisitorial

⁵⁶¹ Bagby, 79-80. Russell, 367-368. “Republican Party Platform of 1920,” reprinted at The American Presidency Project (<http://www.presidency.ucsb.edu/ws/index.php?pid=29635>)

⁵⁶² Ibid. “The Republicans and the League,” *The New Republic*, June 23, 1920 (Volume XXIII, No. 290), 105. Edward T. Devine, “The Republicans at Chicago,” *The Survey*, June 19, 1920, 401.

control over the life of the people in the time of peace, and to carry confusion into industrial life. Under the despot's plea of necessity or superior wisdom, executive usurpation of legislative and judicial function still undermines our institutions."⁵⁶³

As such, time and again Republicans vowed to put a stop to the types of excesses that had characterized the post-war experience. While recognizing "the justice of collective bargaining as a means of promoting good will...[and] realizing the true ends of industrial justice," the "strike or the lockout, as a means of settling industrial disputes, inflicts such loss and suffering on the community as to justify government initiative to reduce its frequency and limits its consequences." Similarly, while "every American citizen shall enjoy the ancient and constitutional right of free speech, free press, and free assembly...no man may advocate resistance to the law, and no man may advocate violent overthrow of the government. Aliens "who constitute a menace" shall and should be deported, but "in view of the vigorous malpractice of the Departments of Justice and Labor," they would first be granted "an adequate public hearing before a competent administrative tribunal." In short, Republicans pledged "to end executive autocracy and restore to the people their constitutional government."⁵⁶⁴

As with the League plank, the Republican platform had enough in it to make all the varied constituents of the Party happy. To the former 1912 Progressives, it promised that, while "the federal jurisdiction over social problems is limited," solutions would be enacted into law "in accordance with the best progressive thought of the country." To Old Guard conservatives, it promised "no persecution of honest business," "to free business from arbitrary and unnecessary official control" and "to repel the arrogant challenge of any class." To acolytes of Hoover, the

⁵⁶³ Ibid.

⁵⁶⁴ Ibid.

platform promised to “substitute economy and efficiency for extravagance and chaos.” To new women voters, it offered support for suffrage, a Women’s Bureau in the Department of Labor, a federal child labor law, “the independent naturalization of married women” (meaning women who married aliens could retain their citizenship), and “federal legislation to limit the hours of employment of women engaged in intensive industry.” To African-Americans, it promised an anti-lynching law, to put an end to “a terrible blot on our civilization.”⁵⁶⁵

And for all voters, it promised an “earnest and consistent attack upon the high cost of living,” which was caused by the “unsound fiscal policies of the Democratic Administration,” and which would be remedied by, among other things, “encouragement of heightened production of goods and services,” “prevention of unreasonable profits,” “exercise of public economy and stimulation of private thrift,” and by “revision of war-imposed taxes unsuited to peace time economy.”⁵⁶⁶

There was, in short, something for everybody. As Senator Borah remarked to Mark Sullivan of the *New York Evening Post*, “the people are getting a little weary of the ambiguity of modern language in political platforms. It has been reduced to a science.” William Allen White argued it “successfully met the requirement of saying nothing definite in several thousand well-chosen words.” Edward T. Devine of *The Survey* deemed it “long and tedious and badly written,” and lamented that, for all its rhetoric against the Wilson administration, it did not call for the impeachment of A. Mitchell Palmer. The editors of TNR were similarly phlegmatic. “For seven years it has been the privilege of the Republicans to stand back and observe how their opponents manage or mismanage the affairs of the nation,” they wrote. “Accordingly we had a right to

⁵⁶⁵ Ibid.

⁵⁶⁶ Ibid.

expect evidence of valid political ideas, of awareness to present and prospective conditions, in the platform of 1920. We do not find them.” Instead, they argued, the Republican platform was marked by “general feebleness and colorlessness...It is the product of a party impulse enfeebled by age, moribund.”⁵⁶⁷

Of course, making enough promises in the platform to satisfy everyone would be an easier lift than finding a nominee to embody those promises, and by mid-June, Republicans weren't much closer in solving the dilemma than they had been in the weeks after Colonel Roosevelt's demise. After several days of nominating speeches, the voting began, with General Wood leading Frank Lowden by 287 ½ votes to 221 ½ on the first ballot, Hiram Johnson a distant third at 133, and Warren Harding at 65 ½. Several states, most notably New York and Pennsylvania, clouded the picture further by choosing favorite son candidates on this early ballot – as did Wisconsin, who chose Robert La Follette and was summarily booed for it.⁵⁶⁸

After three more ballots, the figures stood at 314 ½ for Wood to 289 for Lowden, with Johnson at 140 ½ and Harding at 61 ½. Feeling some small danger of General Wood pulling away – unlikely, since Wood's inexperienced political team had pooled all of their strength into the first few ballots – the Republican Party bosses called an adjournment for the evening and gathered to the “smoke-filled rooms” at Chicago's Blackstone Hotel to sort out a more palatable solution.

⁵⁶⁷ Borah to Mark Sullivan August 27, 1920. WJB, Box 85: Politics – DC. White, *Selected Letters of William Allen White*, 585. Toth, 567. Edward T. Devine, “The Republicans at Chicago,” *The Survey*, June 19, 1920, 401. “The Republican Platform,” *The New Republic*, June 23, 1920 (Volume XXIII, No. 290), 101-102.

⁵⁶⁸ Bagby, 84 Russell, 376.

To help gain traction for Johnson, Senator William Borah – still aghast at “the corruption of the American people” the Kenyon Committee had unearthed – publicly threatened to bolt the party if Wood or Lowden were nominated. But others, including the candidate himself, began to resign themselves to the fact that this would not be a progressive year. “Nineteen twelve was a Sunday School convention compared to this,” Johnson deadpanned. William Allen White argued he had never witnessed a convention “so completely dominated by sinister predatory economic forces as was this.” Oswald Villard felt “money was written all over the convention” and wondered if there was even a quorum on Wall Street to conduct any business. *La Follette’s Magazine* reported that “men representing every form and shade of monopoly, swollen by war profits” reigned over both the Blackstone Hotel and the convention floor.⁵⁶⁹

Walter Lippmann bemoaned that Johnson never had a chance against “the hysteria and the reaction among the well-to-do and powerful. The delegates and the galleries were proof against progressivism in any form, not merely stolidly proof as in 1916, but violently proof.” This they had indicated by shouting down a proposed plank, by way of Wisconsin, advocating public ownership of the railroads with cries of “Socialism!,” “Bolshevik,” and “Throw Him Out!” Before the fateful evening was over, Hiram Johnson would still be offered the vice-presidency by all of the other major candidates – progressivism was fine on the bottom of the ticket, it seemed – but this year the top spot would be reserved for someone else.⁵⁷⁰

⁵⁶⁹ Bagby, 85-86. Pietrusza, 221. Russell, 379. La Follette, 996-997.

⁵⁷⁰ Ibid. Lippmann, “Chicago, 1920.” In the end, Lippmann argued that progressives were as much to blame for their irrelevance in Chicago as the Old Guard. “Why should they take any progressive seriously when the progressives were scattered about among Johnson, Lowden, La Follette and Hoover and even Wood?” he asked. “The Old Guard is at least true to itself...It does not believe in fairies. It knows what it wants. The progressives do not know what they want. They just want to be a little nobler and a little cleaner, provided they do not have to stay out in the wilderness too long...They cannot now, and they never will be able to play poker with Penrose.” Ibid. There was at least one vice-presidential offer that Hiram Johnson probably should have taken. During the deliberations of the smoke-filled room, one potential compromise ticket, floated by Borah, was Philander Knox – former Roosevelt Attorney General, Taft Secretary of State, and current Pennsylvania Senator – with Johnson at No. 2. Knox was

Although he began the evening in the lead, General Wood also felt his candidacy being frozen out by the usual powers-that-be -- although not before he was granted an offer from the Old Guard's kingmaker, Senator Boies Penrose. From a sickbed in Pennsylvania, Penrose called the Wood camp – Wood himself would not speak to him – and offered their candidate the nomination in exchange for three Cabinet members. The general's response to this "wicked game": "Tell Senator Penrose that I have made no promises, and am making none." Oklahoma oil baron Jake Hamon, who had bought up his own sizable cache of delegates as an investment for his oil business, made a similar offer to Wood: Let him pick the Secretary of the Interior and the Ambassador to Mexico (where oil was as plentiful as the politics were dicey), and Hamon would put Wood over the top. "I'm an American soldier!" Wood bellowed at the offer. "I'll be damned if I betray my country. Get the hell out of here!" These fine displays of rectitude effectively ended General Wood's candidacy. Hamon and Penrose instead began to take another look at Warren Harding, and by three in the morning, Wood was reduced to complaining, quite correctly, "They are combining against me!" at his exhausted campaign staff.⁵⁷¹

With the two mavericks, Johnson and Wood, sidelined, the Republican Old Guard who gathered in the Blackstone Hotel's Suite 404/405/406 could now choose one of their own candidates. But, even though he was currently second in balloting, Frank Lowden was still tarred with the brush of Johnson's campaign finance investigation, and had lost his upside. "Lowden came the nearest to success because Lowden most nearly fitted the specifications," Walter Lippmann wrote soon after the convention, "He probably would have been nominated, but for

known to be unwell, and it was suggested to Johnson that he would end up being president before the end of the term if he took the deal. Johnson balked at this suggestion as well. Philander Knox died in October 1921. Russell, 380.

⁵⁷¹ Bagby, 84-86. McCartney, 23. When Wood's lieutenants suggested bribing some of the Southern delegates to put him over the top, Wood rejected this idea as well. Russell, 384-385.

the revelations in Missouri.” A number of favorite sons, each with their own various complications, aside, that left the Senator from Ohio, Warren Gamaliel Harding.⁵⁷²

One of the senior kingmakers in the room, Henry Cabot Lodge, was reported to have settled on the choice of Harding early in the meeting. He reminded the assembled gathering that Ohio had been in the column of every single Republican ever elected president, and Governor Cox of Ohio was currently a leading candidate for the Democrats. But others in the smoke-filled room, like Senator James Wadsworth of New York, reported nothing but “confusion, puzzlement, and divided counsels” from the deliberations, deeming the “the alleged influential senators...as futile as chickens with their heads cut off.” Either way, when the smoke cleared, the Senator from Ohio was the Republicans’ choice. “There ain’t any first-raters this year,” Senator Frank Brandegee of Connecticut thereafter told the press. “This man Harding is no world beater, but we think he is the best of the bunch.”⁵⁷³

Word of the smoke-filled room’s choice reverberated through Chicago in the late hours of the night, and when the voting began anew the following morning, Harding slowly and inexorably gained on Friday’s leaders over the course of the day. As Walter Lippmann put it, “Chicago was too hot, the Coliseum too crowded, the hotel lobbies too nerve wracking, and the prices too high,” so when word came down from “the Old Guard, speaking through the neo-classic Mr. Lodge,” “Harding was chosen, not because the convention was in love with him, but because he was the first name seriously proposed to end the deadlock.”⁵⁷⁴

⁵⁷² Russell, 379. Lippmann, “Chicago 1920.”

⁵⁷³ Bagby, 88-89. Leuchtenburg, 86. Russell, 383.

⁵⁷⁴ Walter Lippmann, “Chicago, 1920,” *The New Republic*, Wednesday, June 23, 1920 (Vol. XXIII, No. 290), 108.

By the seventh ballot, Harding moved to third place. On the ninth, Kansas – whose Governor, Henry Allen, had officially put Wood’s name in contention – broke from Wood’s camp to Harding’s, setting off a stampede that culminated in Harding’s official nomination on the tenth ballot, which was then declared unanimous – despite loud protests from the direction of Wisconsin’s delegation and Chicago’s own Harold Ickes.⁵⁷⁵ “Because neither in this campaign nor any other time in his life,” mused the editors of TNR, “has he done anything positive enough to cause offense, Harding was picked from the discard by the men who know how to run conventions. The moral seems to be that the man who does worst in the primaries is considered safest for the nomination.” The nominee himself was scarcely any more impressed by what had transpired. “Well,” said Harding, “we drew to a pair of deuces and filled.”⁵⁷⁶

If the nomination of Harding at Chicago has taken a circuitous route, the choice of his running mate arose much more organically. During the tenth ballot, Republican leaders, including Borah and Daugherty, hastily conferred on the floor and came up with Wisconsin Senator Irvine Lenroot, a progressive, to balance the ticket. But after a number of speeches to this effect, Judge Wallace McCamant of Oregon took the stage and instead offered the considerably more conservative hero from Massachusetts, Calvin Coolidge. On the first ballot, Governor Coolidge won handily over Lenroot, 674 ½ to 146 ½. Only eight years after Colonel Roosevelt and the Progressives had walked out of the party to stand at Armageddon, there would once again be no progressive on the Republican ticket.⁵⁷⁷

⁵⁷⁵ When unanimity was called for, 24 Wisconsin delegates stood on their chairs and reported that Wisconsin would not “accept the dictum of the secret caucus at the Blackstone.” La Follette, 997. Russell, 395.

⁵⁷⁶ Bagby, 85-86, 92, 95-96. Russell, 392-395. *The New Republic*, Wednesday, June 23, 1920 (Vol. XXIII, No. 290), 98. Leuchtenburg, 86. Leonard Wood never forgave Henry Allen for the Kansas delegation’s switch, even though they had earlier agreed Kansas could bolt if Lowden surpassed Wood on a ballot (which he had, on the fifth.) Ibid.

⁵⁷⁷ Bagby, 100-101. La Follette, 997-998.

San Francisco

The Democrats, meanwhile, convened to choose their nominee a few weeks later, in San Francisco. There, the eyes of distraught progressives looked for a more promising endgame than what had transpired in Chicago. If the Republicans “had pronounced for conservatism, and for a conservatism lacking in vision,” argued the *New York Evening Post*, Democrats now had a chance to “lend complete reality to our party system by declaring, in platform and candidate, for liberalism. That is a great opportunity.” Similarly, TNR argued, the Republicans “had furnished the Democrats with an opportunity they did not expect, and have not earned.” And, again, in the words of progressive writer Edward G. Lowry: “the Democrats have in a manner of speaking had the game put in their hands. They have been given an opportunity, a wide-opened chance.” The question now was whether the Democratic Party would capitalize.”⁵⁷⁸

As in Chicago, women delegates officially joined the proceedings for the first time. And, as in Chicago, the proceedings began with a keynote address that put the issue of the League squarely at the forefront of the election. The orator this time was national committee chairman Homer Cummings, who argued there was “no blacker crime against civilization” than what Senate Republicans had done to the League. They had chosen “provincialism, militarism, and world chaos,” Cummings argued, “over peace, disarmament and world fraternity.”⁵⁷⁹

But, also as in Chicago, the League was more in dispute in the platforms committee, this time chaired by the Senator from Virginia, Wilson ally Carter Glass. With the exception of irreconcilables like Senator James Reed of Missouri, virtually all Democrats in attendance

⁵⁷⁸ “The Democratic Party: Lest We Forget,” *The New Republic*, June 30, 1920 (Vol. XXIII, No. 291), 140. Edward G. Lowry, “With the Original Cast,” *The New Republic*, June 30, 1920 (Vol. XXIII, No. 291), 143.

⁵⁷⁹ Bagby, 102-103.

agreed that Wilson's League, in the words of the platform, was "the surest, if not the only, practicable means of maintaining the permanent peace of the world and terminating the insufferable burden of great military and naval establishments."

But some Democratic leaders, most notably William Jennings Bryan, Senator Thomas Walsh of Montana, and Senator David Walsh of Massachusetts, also wanted a commitment in the platform that the Democrats would not balk at reservations if they were needed to make the League a reality. Knowing Wilson's inflexibility in this matter, Chairman Glass and the administration officials present opposed this concession, deadlocking the platform committee for five days.⁵⁸⁰

The final, eleven-paragraph compromise language on the League, passed over some objection from the Wilson camp, endorsed the president's "firm stand against reservations designed to cut to pieces the vital provisions of the Versailles Treaty," and advocated "the immediate ratification of the treaty without reservations which would impair its essential integrity." It also argued against the "utterly vain, if not vicious" Republican claims that "ratification of the treaty and membership in the League of Nations would in any wise impair the integrity or independence of our country. The fact that the covenant has been entered into by twenty-nine nations, all as jealous of their independence as we are of ours, is as sufficient refutation of such a charge."⁵⁸¹

⁵⁸⁰ Bagby, 104-105.

⁵⁸¹ Ibid. "Democratic Platform of 1920," reprinted at The American Presidency Project (<http://www.presidency.ucsb.edu/ws/index.php?pid=29592>)

That being said – and this was the rub for Wilson – Democrats, argued the platform, “do not oppose the acceptance of any reservations making clearer or more specific the obligations of the United States to the league associates. Only by doing this may we retrieve the reputation of this nation among the powers of the earth and recover the moral leadership which President Wilson won and which Republican politicians at Washington sacrificed.”⁵⁸²

Also in serious contention in these first five days was the Democrats’ official stance on prohibition: Wilson and administration Wets like Albert Sidney Burlison favored liberality, while Drys like Bryan and Glass wanted no such retreat from the hard-fought and only-recently-established noble experiment. Foreshadowing later problems for Democrats, the 1920 platform eventually remained silent on this question – no possible plank could manage to muster a majority.⁵⁸³

Aside from these two issues, the platform predictably lauded Wilson, hailing “with patriotic pride the great achievements for country and the world wrought by a Democratic administration under his leadership... a chapter of substantial achievements unsurpassed in the history of the republic.” Among these achievements were the Federal Reserve System, the Smith-Lever Act and farm loan system, the creation of a Department of Labor, workman’s compensation, anti-child labor laws, and eight-hour day laws, female suffrage, and a wartime leadership that “exhibited the very broadest conception of liberal Americanism.”⁵⁸⁴

Having cast its lot with Wilsonism, the Democratic platform was a more progressive document in many ways than the one earlier articulated by Republicans in Chicago. It declared

⁵⁸² Ibid.

⁵⁸³ Bagby, 104-105.

⁵⁸⁴ Democratic Platform, 1920.

Democrats' "adherence to the fundamental progressive principles of social, economic and industrial justice and advance," and promised, with the war over, that the Party would "resume the great work of translating these principles into effective laws." To America's farmers, the party "does not find it necessary to make promises. It already is rich in its record of things actually accomplished." Similarly, it argued, Democrats were "now, as ever, the firm friend of honest labor and the promoter of progressive industry," and that "those who labor have rights, and the national security and safety depend upon a just recognition of those rights." It advocated for "for the protection of child life through infancy and maternity care," "the prohibition of child labor," "full representation of women on all commissions dealing with women's work or women's interests," ending gender discrimination in the civil service, "a continuance of appropriations for education in sex hygiene," and, like the Republicans, independent naturalization for women.⁵⁸⁵

That being said, there were sour notes struck for progressives as well. Democrats took issue with Republican "unfounded reproaches" over civil liberties, arguing rather dubiously that "no utterance from any quarter has been assailed, and no publication has been repressed, which has not been animated by treasonable purposes, and directed against the nation's peace, order and security in time of war." While reaffirming "respect for the great principles of free speech and a free press," the platform also asserted "as an indisputable proposition that they afford no toleration of enemy propaganda or the advocacy of the overthrow of the government of the state or nation by force or violence." The editors of TNR were galled by this inclusion. In trying to

⁵⁸⁵ Ibid.

“defend the tactics of Messrs. Palmer and Burleson,” they argued, Democrats has included a plank in their platform “that simply isn’t true.”⁵⁸⁶

And to many, the platform’s rhetorical feints in the direction of progressivism had more to do with the exigencies of partisan politics than with any concessions to principle. “If labor can still content itself with generalities and platitudes,” opined *The Nation*, both platforms were “soothing and comforting...But the most careful reading of the platform shows nothing tangible and solid of which labor can take hold.” “So far as Progressivism is concerned,” Harold Ickes wrote one newspaper editor, “these [two] platforms are literally ‘tweedledee and tweedledum.’” Summed up one progressive reader of the platform, Bruce Bliven, reporting in from San Francisco for TNR: “[E]very possible evil thing was declared to be the fault of the Republican Congress. Every other evil thing was declared, with adjectives and adverbs, to be non-existent. If it was an evil for which the administration is obviously and directly responsible, it was declared to be (a) non-existent and (b) a great achievement, pricelessly valuable to the nation.”⁵⁸⁷

And, indeed, the Democratic platform went at great length to assail Republicans wherever it could. “The shocking disclosure of the lavish use of money” in the Republican primaries, it argued, “has created a painful impression throughout the country.” Coupled with the recent conviction of Republican Senator Truman Newberry of Michigan for “criminal transgression of the law limiting expenditures” – Newberry had spent over \$175,000 to win his seat over automobile pioneer Henry Ford – “it indicates the reentry, under Republican auspices,

⁵⁸⁶ Ibid. “The Week,” *The New Republic*, July 14, 1920 (Volume XXIII, No. 293), 183. The Democratic platform also pledged support to the “policy of the United States with reference to the non-admission of Asiatic immigrants” as “the true expression of the judgment of our people.”

⁵⁸⁷ “Labor in the Party Platforms,” *The Nation*, July 17, 1920 (Vol. 111, No. 2872), 61. Harold Ickes to Chester Rowell, August 20, 1920. HLI Box 39: Chester Rowell. Bruce Bliven, “San Francisco,” *The New Republic*, July 14, 1920 (Volume XXIII, No. 293), 197.

of money as an influential factor in elections, thus nullifying the letter and flaunting the spirit of numerous laws, enacted by the people, to protect the ballot from the contamination of corrupt practices.” Thus Democrats pledged “earnest efforts to a strengthening of the present statutes against corrupt practices, and their rigorous enforcement.”⁵⁸⁸

While ascribing one of the most important issues in 1920 – the high cost of living – “primarily...to the war itself,” as well as “private extravagance,” “the world shortage of capital,” “the inflation of foreign currencies and credits,” and “conscienceless profiteering,” Democrats argued that it was, naturally, the Republican Party who was most “responsible for the failure to restore peace and peace conditions in Europe...[the] principal cause of post-armistice inflation the world over.” Republicans, the platform argued, had ignored Wilson’s call for “necessary legislation to deal with secondary and local causes” and instead “wasted time and energy for more than a year in vain and extravagant investigations, costing the tax-payers great sums of money.”⁵⁸⁹

In short, it argued, the Republicans in Congress had “raged against profiteers and the high cost of living without enacting a single statute to make the former afraid or doing a single act to bring the latter within limitations.” Democrats, on the other hand, knew the high cost of living could “only be remedied by increased production, strict governmental economy and a relentless pursuit of those who take advantage of post-war conditions and are demanding and receiving outrageous profits.” As such, Democrats pledged “a policy of strict economy in government

⁵⁸⁸ Ibid. “The Election Case of Truman H. Newberry of Michigan,” United States Senate (http://www.senate.gov/artandhistory/history/common/contested_elections/102Ford_Newberry.htm)

⁵⁸⁹ Democratic Platform of 1920.

expenditures, and to the enactment and enforcement of such legislation as may be required to bring profiteers before the bar of criminal justice.”⁵⁹⁰

These attempted demarcations notwithstanding, the editors of *The New Republic* found, with very few exceptions that “the platform drawn in San Francisco is as nebulous as the program of the Republicans... They want the cost of living to come down, but they are as helpless about it as the Republicans are – except that they find one additional cause for our present difficulties: the inertia of a Republican Congress.” Taken in total, “the Democrats trim as cautiously as the Republicans do.” It seemed to them that “the authors of the platform were so exhausted by the delight of contemplating their own past that they refrained wisely, considering that past, from any definite convictions about the future.” W.E.B. Du Bois’ *Crisis* took a similar pox-on-both-your-houses approach to both platforms. “In the Democratic convention... we had, as Negroes, no part,” he editorialized. “The Republican Convention had for us more personal interest but scarcely more encouragement.”⁵⁹¹

A disgusted Bruce Bliven argued the Democrats had blown a tremendous opportunity with their platform. “The Republicans by the character of the platform and nominee they selected at Chicago threw open for the Democrats a door which everyone had believed closed. Where upon the Democrats assembled in San Francisco and, after due deliberation, slammed the door in their own faces and locked it shut”:

On every point where a bold stand might have lost some votes, the convention pussyfooted... If there is one instance in the whole platform where truth was not sacrificed to political expediency,

⁵⁹⁰ Ibid.

⁵⁹¹ “The Week,” “Cox: Away From the White House” *The New Republic*, July 14, 1920 (Volume XXIII, No. 293), 183, 187. “The Political Conventions,” *The Crisis*, August, 1920 (Vol. 20, No. 4), 174.

I am unaware of it and in my judgment the platform committee is equally unaware of it or it would have been stricken out.

True, the platform is a liberal document – more liberal than the Republican instrument. But it should have been apparent to everyone who averages better than high grade moron that a mere plurality of liberalism in the Democratic platform this year can never wrest victory from the Republicans. A platform which endorses the League and the Treaty as though nothing had happened since June 1919, which ignores Russia altogether, which defends free speech and a free press with such a faint praise as to constitute an endorsement of all Mr. Palmer has done, which pussyfoots on Ireland and pussyfoots on labor, which has only praise for Burleson, which does not dare mention prohibition, and which leaves the great problem of Russia untouched – such a document cannot cause the flaming enthusiasm among liberals which could alone have made a Democratic victory possible this year.⁵⁹²

“One is forced to the belief,” Blivens concluded, “that the forces which are seeking a restoration of genuinely Democratic conditions in America are balked, so far as political action is concerned until 1924.”⁵⁹³

In any event, with the Democratic platform thus worked out, attentions in San Francisco turned to the matter of the nomination – but not before an attempt on the floor by three-time presidential nominee William Jennings Bryan to add reservations and dry planks to the document. Having helped Wilson “to become immortal” by giving him “my treaty plan” to take to Paris, Bryan “would walk up to the scaffold today and die with a smile on my face” if he could get the League passed without reservations. “But I cannot do it, my friends; nobody else can do it.” Reservations were required to get the Treaty through the Senate, and when “someday I shall stand before His judgment bar...there shall not be upon my hands the blood of people slaughtered while I talked politics.” As for Prohibition, he encouraged the party to “be not frightened; time and again in history, the timid have been afraid. But they have always found that they underestimated the number of those who had not bowed the knee to Baal.” And when

⁵⁹² Bruce Bliven, “San Francisco,” *The New Republic*, July 14, 1920 (Volume XXIII, No. 293), 196.

⁵⁹³ *Ibid.*

suffrage passed “on the mountain tops you will see the women and the children of our allies in every righteous cause.”

The crowd cheered for nearly half an hour for Bryan. No Democratic convention in over two decades had felt quite complete without some rousing and florid oratory from the Great Commoner, and he had not failed his audience this time either. But when it came time to vote, Bryan’s suggested planks went down to defeat quite easily. “I never thought they would beat me so badly,” Bryan allegedly said to himself. The party was changing. “When a country gets into a frame of mind where it smiles indulgently at such a man,” wrote Bruce Bliven, “it is in a bad way, and the convention smiled indulgently at Mr. Bryan.” As TNR deadpanned in their editorial, “[a]ll correspondence agree that Mr. Bryan scored a personal triumph. He received a twenty minute demonstration. But all...of his proffered planks were buried. It was a typical Bryan victory.” “This is not my kind of convention,” the Great Commoner conceded. “Four years from now it will be my kind of convention.”⁵⁹⁴

On the matter of the nomination, Democrats were scarcely any more united than the Republicans had been in Chicago. The allies of the administration were split into three camps: Some followed A. Mitchell Palmer, the man who had, in the words of his nominator John Bigelow, “deported and imprisoned the defamers of the nation – aye, even at the threat of the terrorists’ bombs.” Some stubbornly stuck to William Gibbs McAdoo, despite the still conflicting signals coming from their candidate about his availability. And some – most notably Secretary of State Bainbridge Colby, Burleson, and other top administration officials – waited

⁵⁹⁴ Bagby, 108-109, 111. “The Week,” *The New Republic*, July 14, 1920 (Volume XXIII, No. 293), 182. Robert K. Murray, *The 103rd Ballot* (New York: Harper and Row, 1976), 83.

for exactly the right moment to put forward Woodrow Wilson's name – a moment that never seemed to come.

Along with a scattering of favorite sons, like Bryan, the perennial candidate, and New York's Governor Al Smith, whose name was seconded by Franklin Roosevelt, that left Governor James Cox of Ohio, who hailed from the home state of the Republican nominee, and who, more importantly, was not really affiliated with the administration in any way. And so the balloting was a grinding affair, where the war of attrition between administration candidates eventually redounded to Cox's favor. The first ballot, Friday night, showed McAdoo with 266 votes, Palmer with 256, Cox with 134, and favorite sons with the rest. By the sixth ballot the next morning, McAdoo stood at 368 ½, Palmer 265 ½, and Cox with 195. New York and New Jersey switched to Cox on the next ballot, putting the Governor in second place at 295 ½.⁵⁹⁵

By the twelfth ballot, Cox passed McAdoo to take first place, where he remained until the thirtieth ballot Monday afternoon, when McAdoo once again took the lead, reaching a high of 421 against Cox's 380 ½ on the thirty-third ballot. But before the McAdoo forces could break the deadlock and extend their lead, Palmer surged one last time, forcing both McAdoo and Cox back before the Attorney General finally conceded and gave up his delegates without instruction. These men and women slowly, fitfully, turned to Cox – even the southern Democrats, for whom, apparently, being Wet turned out to be less of a sin than being a Wilsonian. The Governor of Ohio gained more than a majority of delegates for the first time on the forty-third ballot, and on

⁵⁹⁵ Bagby, 112-115

the forty-fourth, at 1:40am Tuesday morning, his nomination was declared unanimous. Whoever won in November, the next president of the United States would hail from Ohio.⁵⁹⁶

To some, the choice of Cox as the Democratic standard-bearer was as contentious as that of Harding across the aisle. “My heart is in the grave with our hopes,” lamented William Jennings Bryan who abhorred the idea of a Wet leading the ticket, “and I must pause until it comes back to me.” Nonetheless, while the selection of Governor Cox’s partner on the ticket was made by Democratic leaders, their choice of running mate was as universally popular and well-regarded on the convention floor as Calvin Coolidge had been over in Chicago. The strapping young Assistant Secretary of the Navy, Franklin D. Roosevelt, had a famous name, a vigorous glow, and a winning disposition. Just as important, the thirty-eight-year-old rising star carried the blessings of both administration and anti-administration Democrats. Roosevelt’s name had been bandied about as a running mate in Democratic circles all summer, prompting FDR to ask his law partner “who started this fool Vice-Presidential boom.” By the time of the convention, he was chosen by acclamation, prompting nods of approval outside the party from the likes of Herbert Hoover and Walter Lippmann. “When cynics ask what is the use,” Lippmann telegrammed Roosevelt, “we can answer that when parties can pick a man like Frank Roosevelt there is a decent future in politics.” To the *Chicago Tribune*, however, the choice of FDR “is to put the honey of a name on the trap of a ticket. Franklin is as much like Theodore as a clam is like a bear cat...If he is Theodore Roosevelt, Elihu Root is Gene Debs, and Bryan is a brewer.”⁵⁹⁷

⁵⁹⁶ Bagby, 115-116.

⁵⁹⁷ “Cox in Wilson’s Shoes,” *The New Republic*, July 21, 1920 (Vol. XXIII, No. 294), 215. Bagby, 120-121. Schlesinger, *Crisis of the Old Order*, 361-362.

Whoever Franklin Roosevelt was, the most important factor coming out of the Democratic convention is that James Cox was not Woodrow Wilson. “Having proclaimed the League of Nations and the record of the Wilson administration the transcendent issues of the campaign,” summed up TNR’s editors of the events in San Francisco, “the convention nominated a man as far removed as it was possible to be both from the League and the record of the administration.”⁵⁹⁸

A Third Party?

“One discerns in the all current discussion of MM. Harding and Cox,” argued H.L. Mencken, “a certain sour dismay. It seems to be quite impossible for any wholly literate man to pump up any genuine enthusiasm for either of them.” And indeed, for many on the left, the nominations of Harding and Cox, and the partisan circumstances from which each occurred, further suggested that America was in desperate need of a third party.

“I am so low in my mind that I wouldn’t laugh at Charlie Chaplin throwing the whole custard pie at Cox or Harding or both,” William Allen White confessed to Herbert Croly. “I think that the only honest vote either a Republican or a Democrat can cast should be a spite vote against his own party.” The election, Walter Lippmann explained to a friend, now boiled down to “two provincial, ignorant politicians entirely surrounded by special interests, operating in a political vacuum. Nobody believes in anything.” To the muckraking journal *The Searchlight on Congress*, it seemed that “an epidemic of political blundering” had “gripped America. Each succeeding national convention had outstripped its predecessor in the greatness of its mistakes. First, the Penrose Republicans nominated the pathetically incompetent Harding. Next...[the]

⁵⁹⁸ “Cox: Away From the White House,” *The New Republic*, July 14, 1920 (Volume XXIII, No. 293), 187.

Democrats named Cox, sending him into the race weighted with Wilsonism and tainted by the odors and atmosphere of the underworld of politics.” *The Nation* was similarly phlegmatic. “Precisely as the Republican Convention turned at the end to the weakest candidate, so has the Democratic,” it argued. “Their followers must, therefore, choose between two mediocrities, between two second-rate Ohio newspaper editors, neither of whom can truthfully be said to have the caliber requisite for the Presidency even in ordinary times.” Privately, Oswald Villard pleaded Robert La Follette to get involved on a separate ticket. “We need you sorely in these dark times,” he wrote. “If you, Johnson, and Borah would start a third movement, at least Harding’s election could be made impossible.”⁵⁹⁹

Although exacerbated by the two party conventions, third party sentiment was not new. Talk of a viable third party had been in the air ever since Roosevelt and the Progressives had stood at Armageddon in 1912, and, as the Herbert Hoover boomlet made plain, some progressives had spent much of the entire election season looking outside the normal party lines for a standard bearer.

“*The New Republic* does favor the organization of a third party,” the journal opined in March 1920, attempting to explain its gushing support for Hoover over Hiram Johnson. “We have repeatedly explained why neither the Republican nor the Democratic machine is worthy of confidence as an agency of progressive economic and political policy.” And so, while Senator Johnson deserved “a large measure of sympathy” for his “up-hill fight for the nomination,” the editors of TNR “cannot support him because he is running as a Republican on the straight and

⁵⁹⁹ Mencken, *A Carnival of Buncombe*, 15. White to Croly, September 11, 1920. White, *Selected Letters*, 207-208. Steel, *Walter Lippmann and the American Century*, 169. “Your Government at Washington,” *The Searchlight on Congress*, August 1920 (Vol. V, No. 3), 1. “An Impossible Choice,” *The Nation*, July 10, 1920 (Vol. 111, No. 2871), 32. Oswald Villard to Robert La Follette. June 18, 1920. RLF Box B-87 Special Correspondence.

narrow path of party regularity. That fact renders his candidacy barren. He must subordinate his progressivism to his Republicanism.” On the other hand, because – at this moment – Hoover had not made clear his party affiliation, “[t]he agitation in favor of Mr. Hoover is equivalent to propaganda for the formation of a third party.” In the present two-party system, the magazine argued, voters of “independent mind and liberal opinions” were “harmless and ineffective,” but if united behind Hoover “in a single party organization, they might at least form a fighting and an increasing minority.” In short, TNR concluded:

There is no future for progressivism in American politics until a sufficient number of American voters believe sufficiently in the need of it and agree sufficiently in the meaning of it to organize a party which can act as his agent. Such emphatically is the meaning and the lesson of the Hoover movement.⁶⁰⁰

The New Republic was not alone in its advocacy of a third party movement. “The largest party in the United States,” Borah wrote one constituent in May 1920, “although it has not yet received its name nor has been organized is the third party. Everywhere we go the people are utterly distrustful that either one of the large parties will really do anything.” “Take Wilson out of the Democratic Party,” former Bull Mooser Amos Pinchot had similarly written a friend in December 1918, “and what is left? Take a little minority of fairly progressive politicians out of the Republican Party and you are in darkest Egypt.”⁶⁰¹

Hoover’s candidacy suggested to progressives what the vanguard of a third party might look like. In an article the previous year, the editors of TNR had articulated who they believed

⁶⁰⁰ “A New National Party,” *The New Republic*, March 24, 1920, 108-109. Similarly, when Hoover chose to stay regular and speak on behalf of Harding in the general election, few turned against him with the virulence of TNR. They deemed Hoover and his ilk as “lacking both continuity and integrity of conviction... Mr. Hoover’s endorsement of Senator Harding’s nomination implies an interpretation of liberalism which in our opinion necessarily deprives it of impulse and stamina and condemns it to a meaningless opportunism.” “Progressive Twilight,” *The New Republic*, June 30, 1920 (Vol. XXIII, No. 291) 137-139.

⁶⁰¹ Borah to W.J. McConnell, May 27, 1920. WJB, Box 85: Politics – Idaho. Noggle, *Into the Twenties*, 183.

the rank and file of a new party had to be. In that August article, the problem remained the same: “Democratic regularity, based on the Negro-White complex, produces Republican regularity, based on fear of the Democrats... That Gronna and La Follette should be in the same party as Smoot, Penrose, and Lodge is a joke, but it is a persistent joke. That Hiram Johnson and Borah should be under the same label as Brandegee or Warren would be inconceivable if these men weren’t tied in a bundle by party regularity.” As a result, TNR explained in Lippmannesque terms, both parties “drift helplessly, incapable of foreseeing the needs or expressing the energies of the nation. They merely divide the constructive forces and then neutralize them.”⁶⁰²

So a new party was clearly needed. But if this party were to enjoy any success at all, it would have to find a way to square “the ancient conflict of interest between the producers of food and urban industry, between dear food and cheap food.” In other words, it would have to represent the interests of both “the organized farmers and the organized workers,” and find ways to soothe the longstanding enmities that divided agriculture and labor, or even labor from each other. “The powerful unions occupying strategic positions as in the railroads, for example, have hitherto used their power to raise wages, regardless of the effect on the prices which other workingmen have to pay for their goods.”⁶⁰³

But if labor interests “unite to insist on a reduction of the cost of living,” TNR thought it was inevitable they would “discover that there can be no permanent relief short of a cooperative system of distribution for the necessities of life. When they have gotten to that point, they will reach common ground with the progressive farmers, and a penetrating social programme will begin to define itself. The distributing cooperative, dealing with the farmer on one side and

⁶⁰² “Towards a New Party,” August 13, 1919 (Vol. XX, No. 249), 41-43.

⁶⁰³ Ibid.

industry democratically controlled on the other, is not only the surest way out of our economic troubles but the true bond of unity for all those who want a progressive democracy.”⁶⁰⁴

In such a party, the editors argued, “[p]olitical representation would follow inevitably and naturally. It would not be something based on the popularity of a politician but the expression of forces at once aware of their interests and of the larger groupings into which those special interests fall.” In other words, disinterested progressive leadership and progressive ideas would be the alchemists that could unite laborer and farmer, show them their common interests, and thereby transmute class interests into the Public Interest. This, presumably, is why the already-extant Socialist party was never mentioned as a viable alternative by the editors of TNR in either article. Along with being anathema in public life in 1919 and 1920, the Socialists were an avowedly class-based party, and progressives were not yet ready to abandon the concept of the Public Interest as a cornerstone of their ideology.⁶⁰⁵

The problem with a viable Third Party in 1920 is that the progressive vanguard and the class-based rank-and-file were not on the same page. From the beginning of the election cycle, even if they could agree – despite however often millionaire publisher William Randolph Hearst intimated he was available -- that Robert La Follette would make an exemplary standard-bearer, progressives and labor leaders often worked at cross-purposes.

⁶⁰⁴ Ibid. TNR also made a case that a third party begin by looking local. “As men are grouped politically in America today, the first principle of effective party-building is not to begin, as the 1912 progressives did, with a desire to achieve the Presidency or nothing. The real way is to organize the liberal forces locally, win local elections, and gradually group the localities. The progressives should not aim at the National Executive now. In national affairs their immediate objective should be a block of liberal Congressmen, who will have a balance of power in Congress and will have a chance to educate the country to a new leadership.” Ibid.

⁶⁰⁵ Ibid.

As early as January 1919, Amos Pinchot and a like-minded “gathering of men and women interested in public affairs” came together in New York City to create what they hoped would be the seeds of a new third party in the Committee of Forty-Eight. The primary instigator, and eventual Chairman of the Committee, was J.A.H. Hopkins, who had led Bull Moose forces in 1912 in his native New Jersey, served as national treasurer of the Progressive Party remnant in 1916, and had also been active in the formation of a National Party – comprised of pro-war Socialists – in 1917. Eventually setting up shop on E. 40th St., the Committee set out to organize a national “Conference of Liberals” that could agree on a “tentative platform dealing with political, social, industrial, and international reconstruction.” Among its executive committee, along with Pinchot, were the leading lights of High Society progressivism in New York, including academics like Will Durant, Horace Kallen, and Swinburn Hale, ministers such as John Haynes Holmes, writers like Lincoln Concord, Robert Morss Lovett, and Harold Stearns, and well-known progressive lawyers like Arthur Hays and Dudley Field Malone.⁶⁰⁶

“It was learned yesterday,” the *New York Times* commented wryly in June 1919, “that the organization was representative of the forty-eight States in the Union, not of forty-eight individuals.”⁶⁰⁷ And yet, even as it aspired to be a national movement – sending out platform questionnaires to progressive-minded men and women across the country – the Committee remained a highly parochial organization of New York progressives, who saw themselves as the disinterested focal point of any potential new third party. In the words of the Justice Department

⁶⁰⁶ Noggle, *Into the Twenties*, 183. La Follette, 998. “Plan a Conference to Form New Party,” *New York Times*, June 25, 1919. “Third Party Looms Again,” *New York Times*, April 13, 1922. Said the NYT: “It was said that, while the present membership of the Committee does not include any avowed Socialists, the plan and scope of the new organization might be broad enough to permit participation by those of the constructive type in its activities.”

⁶⁰⁷ Ibid. There were many iterations of this joke floating around. When J.A.H. Hopkins and Arthur Hays spoke at a Socialist summer camp, Socialist leader Morris Hillquit introduced them as the “leader – and membership – of the Committee of Forty-Eight.” Hays, *City Lawyer*, 251. Kenneth Miller, *From Progressive to New Dealer: Frederic Howe and American Liberalism* (University Park: Pennsylvania State University Press, 2010), 319.

surveillance reports compiled by agents infiltrating the organization, the Committee was mostly comprised of “parlor Bolsheviks.”⁶⁰⁸

Nonetheless, the Committee of Forty-Eight opened its doors to all, sending out leaflets and advertisements encouraging anyone with interest in a progressive third party to gather in St. Louis in December 1919 in order to help develop a platform. Remembering this process, lawyer Arthur Garfield Hays said:

We sat up long hours listening to every crank suggestion presented as the only road to salvation. We heard from single-taxers and birth controllers, from health enthusiasts, gymnosophists, nudists, fundamentalists, and scientists, from back-to-nature and forward-to-technology orators, from silver, gold, and fiat-money adherents. One delegate proposed the building of an Arcadian highway around the world with little houses, each with its own garden, dotting the road, as a path to international understanding and a method to end war. The suggestion was made that we should set up as our standard a sign from a near-by candy store: “If there’s a nut, we have it.”⁶⁰⁹

From this whittling-down process, the Committee devised a platform that, in the words of TNR, was “extremely short and wholly definite and uncompromising”:

It provides merely for public ownership of transportation, of all public utilities, and of the principal natural resources. It declared against the holding of land and patents out of use for speculative purposes. It demands equal rights irrespective of sex and color, the immediate and unqualified restoration of all civic liberties guaranteed by the Constitution, and the effective abolition of injunctions in labor cases. It “endorses” the effort of labor to share in the management of industry and its right to organize and bargain collectively of its own choosing.⁶¹⁰

While arguing that public ownership did not inherently result in sound administration (“Prussian government owned the railroads...but public ownership did not prevent the rate structure from favoring the cartels”) and that “the elimination of economic privilege among property-owners will not be sufficient to create a socialized democracy,” TNR thought the

⁶⁰⁸ Ibid. Remembering the formation of the Committee, Hays recalled: “We talked Progressive politics until well into the night, but none of our discussion of policies and programs equaled in length and intensity the matter of selecting the name.” Miller, *From Progressive to New Dealer*, 319.

⁶⁰⁹ Arthur Hays, *City Lawyer*, 256. Quoted in Miller, *From Progressive to New Dealer*, 320.

⁶¹⁰ “Platforms for Progressives,” *The New Republic*, September 31, 1919, 135. Miller, *From Progressive to New Dealer*, 320.

Committee's platform was a "succinct statement of one fundamental cause of American economic abuses" that would appeal to "essentially the same traditions and interests which were expressed by the progressive movement of 1910-1912...a demand for the more equal distribution of the opportunities for making money."⁶¹¹

With the platform thus set, the Committee of Forty-Eight polled its members in early 1920 on who they desired to be their standard-bearer. Counted in June, their choice was Robert La Follette with 310 first or second-place votes, followed by Herbert Hoover (177), Hiram Johnson (155), and Eugene Debs (151). Wrote one Illinois farmer to the Committee: "La Follette is right on labor, liquor, woman suffrage, the treaty, the league, freedom of speech and press, amnesty to war prisoners, profiteering, monopolies, initiative and referendum, government control and ownership, banking taxation, strikes, lynching, and anything that can be named. He is the hope of these states." "To place his name before the people as a candidate for President," argued another Committee member from Texas, "would be the best way to show the DRAGON and its followers that American people repudiate...the last four years of tyranny." (To further stand against "the shylocks and profiteers of our great country," this man urged Tom Watson of Georgia as a running mate.) If it is "Robert M. LaFollette and Henry Ford on the LaFollette platform," urged another Committee member from NY, "the people will do the rest and you and yours will have made history by saving their country from the Invisible Government."⁶¹²

The Committee also advertised once again in progressive publications and newspapers an invitation to all interested to come to a national convention in July to officially form the new

⁶¹¹ "Platforms for Progressives," TNR.

⁶¹² W.E. Johnston to Committee of '48, July 5, 1920. J.A. Stewart to Committee of '48, July 7, 1920. Lester Franklin to J.A.H. Hopkins, July 11, 1920. All in RLF Box B-85: Special Correspondence.

party – “a national party representing the needs and hopes of average American men and women.” Since the Republicans and Democrats were “but rival lackeys to great monopolies” that “do the bidding of the interests that filled its campaign coffers and paid for its publicity,” the ad read, since they were “bankrupt of democratic purpose and have made their peace with a treasonable reaction...the time has come for lovers of the real America to organize themselves anew, to inaugurate another such period of resolute construction as four generations ago raised Jefferson and the once American Democratic party to power, and two generations since raised to power Lincoln and the once American Republican Party.”⁶¹³

That very same generation, however, another group of left-minded individuals were trying to build a slightly different third party. Only a few weeks before Arthur Hays and the Committee held a cattle call for progressive ideas in St. Louis, delegates of organized labor from thirty-five states met in Chicago to form a brand-new Labor Party for America. This Labor Party movement was mainly the brain child of the Chicago Federation of Labor, who chafed at the yoke of Samuel Gompers’ more conservative and apolitical approach to labor relations. On January 4, 1919 – only a few weeks before the Seattle general strike would galvanize the nation – the CFL had begun a new publication, *The New Majority*, under the editorship of former Socialist alderman Robert M. Buck, to push for a new worker’s party in America.⁶¹⁴

While the Labor Party movement, as one reporter put it, was “born of hatred for the American Federation of Labor and nurtured in wrath against its president, Samuel Gompers,” the actual convention saw delegates “from every important craft union” in the AFL, according to

⁶¹³ Miller, *From Progressive to New Dealer*, 321, Committee of 48 Advertisement, *The New Republic*, May 19, 1920, III.

⁶¹⁴ La Follette, 1000.

TNR's Charles Merz. "The Mine Workers had 179 delegates," reported Merz, "the Machinists, 40; the Railway Brotherhoods, 65. There were Plasterers and Nurses and Glassblowers; Moulders and Waitresses and Bill Posters; Teachers and Blacksmiths and Lighter Captains." (There were however, very few Farmers in attendance, although the Nonpartisan League had sent two "fraternal delegates" to advocate in favor of a farmer-labor alliance.) "Labor is the primary and just basis of political responsibility and power," the universally adopted Declaration of Principles at the Convention began. "It is not merely the right, but the duty of workers by hand or brain to become a political party."⁶¹⁵

Like the Forty-Eighters, the architects of the Labor Party decried the two existing parties for the corruption "by which they gain and keep control of the government. They withhold money from the worker and use it to make him pay for his own defeat." In order to break "the shackles of the sinister forces of reaction, corruption, and greed," it was now time "for the workers of the United States to...disengage themselves definitely and permanently from old party ties and henceforth support only those who openly espouse the cause of the workers who constitute the large majority of our citizens."⁶¹⁶

Before the Labor convention had convened, organizers had sent out a brief platform that looked much like what the Forty-Eighters would eventually agree upon – "freedom of speech, nationalization of public utilities and natural resources, and taxation of unused land." But, in the words of Merz, the delegates at the convention "had ears for every voice crying in the wilderness," and so the platform soon swelled from three planks to thirty. In its final declaration,

⁶¹⁵ La Follette, 1000. Charles Merz, "Enter: The Labor Party," *The New Republic*, December 10, 1919 (Vol. XXI, No. 262), 53. "Declaration of Principles of the Labor Party of the United States," *The New Majority*, December 6, 1919 (Vol. 2, No. 23), 8-9.

⁶¹⁶ Declaration of Principles, *The New Majority*.

the Labor Party called for “the destruction of autocracy, militarism, and economic imperialism,” “complete political and industrial equality of the sexes and of races, nationalities, and creeds,” and that government abolish the injunction and do more “to reduce the unreasonable cost of living and to curb the depredations of profiteers.” It also advocated an estate tax, an end to child labor, the eight-hour day, clean voting, a national referendum on constitutional amendments, popular election for federal judges, an end to both federal contractors and unemployment, and abolition of both the Senate and the “unlimited power of veto over national legislation now exercised by our Supreme Court.”⁶¹⁷

Surveying the final product, the editors of TNR deemed Labor’s platform “an exhaustive schedule of miscellaneous economic and political reforms, compiled for the purpose of assembling on one comprehensive platform as many discontented groups as possible.” Still, they argued, the platform included “the raw material...out of which the party can eventually forge the needed instrument of progressive agitation and legislation:

It is a clear, even if unwieldy and blundering expression of the needs of a class, whom the existing economic and political organization neglects, the class of the wage-earning worker. It insists on a method of satisfying those needs which, if carried out would profoundly modify the relation among all the classes in American life, but which seeks finally to bring about a class concert rather than a class struggle.⁶¹⁸

To Charles Merz reporting in from the convention floor, some of the planks were admittedly “doubtful.” “But whatever the sins” of the Labor platform, he argued, “it is politically honest. It does not attempt to substitute unreal issues for genuine ones.” As a reward for focusing on these issues, Merz thought, “is likely to be the charge that it is pandering to class sentiment... [But] if it is indeed class feeling to which a party of hand and brain workers appeals, it is at least

⁶¹⁷ Merz, “Enter: The Labor Party.” Declaration of Principles, *The New Majority*.

⁶¹⁸ “Platforms for Progressives,” TNR.

not that minority class which profits from a stand-still order, but that larger class, not only of trade unionists, but of farmers, and professional men and small business agents whose interests demand a democratic reconstruction in America.”⁶¹⁹

With their respective platforms set, both the Committee of Forty-Eight and the Labor Party held simultaneous conventions in July of 1920, at the Hotel Morrison and Carmen Hall in Chicago respectively – with the hope that the two organizations could unite as one third party under the leadership of their mutual first choice as candidate, Robert La Follette. In fact, before the respective conventions took place, both the Committee and the Labor Party tendered their nominations to the Wisconsin Senator, who was recuperating from the gallstone surgery that had been long put off due to the influenza epidemic. In both cases, La Follette – through his lieutenants Gilbert Roe and Bob La Follette, Jr. – demurred, for now. If the Senator had desired, he and his aides could likely have foisted the already-written Wisconsin platform, recently rejected by the Republicans in Chicago, on both conventions as a condition of his nomination. But, instead, La Follette argued that the two groups must first come together on a common progressive platform that arose voluntarily and organically from the delegates themselves.⁶²⁰

And so, even as nine hundred Committee delegates from forty-three states listened to speeches from the likes of Eamon de Valera (calling for Irish independence) and Taraknath Das, secretary of the Friends of Freedom for India, and seven to eight hundred Labor Party delegates cheered at pro-worker (and pro-Russia) speeches from the likes of CFL president John Fitzpatrick, the real work was being conducted behind the scenes. In several marathon sessions, a

⁶¹⁹ Merz, “Enter: The Labor Party.”

⁶²⁰ La Follette, 1001. Gilbert Roe, “Why Senator La Follette Declined the Nomination,” RLF Box B-86: Special Correspondence, 2-3.

five-member Labor Party subcommittee, headed by *New Majority* editor Robert Buck, and a Committee of '48 subcommittee, under longtime New Jersey progressive George Record, met to discuss a common platform that could bring both organizations together and garner La Follette's approval. Each party to the negotiations had brought their own draft platform – the Committee had one penned by Record and Pinchot, while the Labor Party had one that already gone through their side's platform committee (and thus could not be easily amended.) In addition, La Follette lieutenant Gilbert Roe, participating as an observer, had brought his own draft modeled on the Wisconsin platform, which he offered through New York lawyer – and soon-to-be Labor Party candidate for Governor of New York – Dudley Field Malone, a delegate at both conventions.⁶²¹

On much of the substance, there was widespread agreement between the Committee and Labor negotiators. As Gilbert Roe informed La Follette after the dust had settled, “agreement was readily reached...upon the following propositions:

(1) Repeal of Esch-Cummins law, (2) government ownership and operation of railroads and transportation and of public utilities generally, (3) government ownership and operation of mines and other natural resources, (4) right of workers to a voice in the management of above industries... (5) Labor's right to strike, the eight-hour day in industry, and in fact a long list of propositions set out as Labor's Bill of Rights.” (6) The establishment of public markets, rural credits, and other aid to farmers and the promotion of cooperation between producer and consumer. There was also substantial agreement with regard to all manner of civil liberties, military training,, the principle of curtailing the power of the federal courts, and also agreement respecting our foreign policy including the League of Nations and the Treaty of Versailles.⁶²²

“Here was a program,” Roe concluded, “upon which substantial agreement was reached, which was sweeping in its character and which, if put in operation, would have revolutionized

⁶²¹ “There was a fair sprinkling of the long-haired strange ones of Roosevelt's ‘fanatic fringe,’ reported *The Survey*'s Frances Tyson, from the Committee's convention floor. “But the vast majority of the 48-ers were disinterested business and professional men, and farmers and workers, with inchoate purpose, it is true, who had come at their own expense and some sacrifice from all parts of the country.” Frances Tyson, “Labor Swallows the Forty-Eighters,” *The Survey*, August 2, 1920, 587. La Follette, 1001-1005. Roe, 3-6.

⁶²² Roe, 8.

the politics and industries of the country and have made of the United States the freest and most progressive country in the world.”⁶²³

But, even though there was so much in the way of agreement, Committee negotiators balked at language and planks that seemed, in Roe’s words, “made from a Trade Union point of view rather than from a political point of view.” A plank on “Democratic Control of Industry” – “The right of labor to an ever increasing share in the responsibilities and management of industry” – caused particular consternation, with Record and Pinchot objecting first to the entire inclusion, on the grounds that efforts “should be governed...by actual experience with the working of the principle, instead of the opinions of some social theorist or labor union,” and then mainly to the word “ever-increasing...whatever that might mean.” Also at issue was a single-tax plank, which Roe argued “would have lost us the entire farmer vote,” as well as “an impossible banking scheme.”⁶²⁴

Concerns about class bias aside, Committee negotiators also thought the Labor Party platform was just too long and unwieldy. “Unless we can agree upon one or two simple, clearly understood issues,” Record had told La Follette of the Wisconsin platform, “it is hopeless to launch a new party.” This was mainly because, as Robert told La Follette in true progressive fashion, a long platform diluted the message and made it nigh impossible to educate Public Opinion. “[T]here is very little use,” he wrote, “in putting things in the platform upon which we have not the power or do not intend to educate the public in the campaign. The effect of such a campaign upon such a platform would be such a wide scattering of our energies and such a

⁶²³ Ibid.

⁶²⁴ Roe, 7. Gilbert Roe to Robert La Follette, July 16th, 1920. RLF Box B-86: Special Correspondence, 2-3, 2. Dudley Field Malone, “The Birth of the Third Party,” *The Freeman*, July 28, 1920, 467, in RLF Box B-85: Special Correspondence.

confusion of the popular mind that when the campaign was over no central idea would have taken possession of the public mind.” And the Labor Party’s proposed platform was considerably longer than the 18-plank Wisconsin model.⁶²⁵

For both of these reasons, the Committee dug in their heels. But eventually, so too did the Labor Party negotiators. “We want Senator La Follette as our candidate just as much as you of the Committee of Forty-Eight want him,” Buck told the subcommittee, “but we do not want even Senator La Follette as much as we want our programme. And so we now refuse to make any further concessions either to bring about harmony between the groups or to get the Senator.”⁶²⁶

The Forty-Eighters’ negotiating position was further harmed when its own convention disappeared. Pinchot and Record were already concerned that western members of the Committee did not hold the same views as the New York leadership. “[N]obody has understood our platform,” Record remarked. Socialists “in the West,” for example, “identify government ownership with socialism.” On Tuesday morning, as the platform subcommittee bogged down, western Committee delegates walked out of the Hotel Morrison en masse and joined the Labor Convention at Carmen’s Hall. Labor Party officials welcomed the swelling of their ranks, but also made sure they continued to control the convention floor. “The Labor Party had simply swallowed up the ‘48’ convention, reported Frances Tyson of *The Survey*. “[S]pectators later had the unpleasant experience of seeing the ‘48’ leaders disgorged, amid much bickering; when all had been said, Labor had its way.”⁶²⁷

⁶²⁵ George Record to Robert La Follette, June 25, 1920. RLF Box B-86: Special Correspondence, 2.

⁶²⁶ Malone, 468. La Follette, 1006.

⁶²⁷ Noggle, *Into the Twenties*, 183-186. Tyson, 588. La Follette, 1005.

On the Labor convention floor, delegates considered possible nominees like Henry Ford (whose name was booed) and Jane Addams (who removed her name from consideration and offered instead “the Jesus Christ of today,” Eugene Debs.) But ever since the beginning of the process, it had been assumed by La Follette’s aides, both conventions, and the popular press alike that Wisconsin Senator’s nomination was a *fait accompli*. But since no agreement on the platform ever emerged, the Senator’s son and other lieutenants advised him via telegram that he should not put his name into nomination. “The ailing Senator,” Arthur Hays wrote in his memoirs, “was a good enough politician to realize that there was no national interest in the internal warfare in the A.F.L. and that union labor could get nowhere politically without the support of the middle class and the farmers. He refused to run as our candidate.” When this was announced to the joint convention on the last day of the conference, an impromptu demonstration nonetheless broke out all over the floor on behalf of La Follette, with all the campaign accoutrements – photograph and banners – that had been planned for his acceptance speech. Eventually, Bob La Follette, Jr. had to rush the podium and read a telegram from his father: “I have just been informed that contrary to my expressed wishes my name has been placed in nomination before your convention. In view of the circumstances which have arisen I do not consider myself available and must therefore decline to run if the nomination be tendered me. I earnestly hope that my name will be withdrawn without further delay.”⁶²⁸

This enraged several of the Labor men in attendance. One of the platform subcommittee members, C.J. France, told the audience (falsely) that La Follette had objected to the Negro equality plank. Robert Buck took the stage and argued that “never again would a ‘liberal’ ticket hope to win. It must be a radical ticket.” Soon thereafter, the Labor Committee’s platform

⁶²⁸ Darcy Richardson, *Others: Robert La Follette and the Progressive Movement: Third-Party Politics in the 1920s* (Lincoln: iUniverse, 2008), 26. Hays, 261. La Follette, 1007.

officially defeated the Committee of Forty-Eight's alternative, 308-125, at which point what remained of the Committee of '48 delegation – around six hundred delegates – left the building. The Labor Party then renamed themselves the Farmer-Labor Party and named Parley Christensen of Utah their presidential candidate. “Just before the final vote was taken,” Hays recalled, “Amos Pinchot, who had no sleep for three smoke-laden nights, peered quizzically through his pince-nez and murmured ‘Parley P. Christensen, oh, very well.’” As for Christensen's running mate, “[s]o many tenders of the nomination were made and so many persons refused to submit to the honor that it began to look as though the delegates were handing out a term in jail. Finally, in the wee hours of the morning, we named by acclamation, and as his back was turned, Max Hayes, a labor man from Ohio.” In any case, “[h]ope of an extensive new party movement that would challenge the old parties,” reported *The Survey*'s Francis Tyson, “was dead.”⁶²⁹

To many, it seemed the negotiators had snatched defeat from the jaws of victory, and in the wake of the collapse there were plenty of recriminations to go around. “We did not form a coalition with the Labor Party because we could not accept its class, guild-socialistic platform,” Committee Secretary Allen McCurdy announced in a letter to all Committee of '48 members. “By our refusal to join a class party our position has been clarified. The country now understands us to be a group of people intent on economic reconstruction, secured through the ballot for the benefit of all people regardless of class.” Arthur Garfield Hays has suspected trouble going in. “Some of our younger idealists,” he wrote later, “thought of Labor, spelled with a capital L, as some brawny figure come out of a symbolic painting, spiritually and mentally devoted to the

⁶²⁹ La Follette, 1007-1008. Allen McCurdy to '48 Members, August 21, 1920. RLF Box B-85: Charles M. Cron. Tyson, 588. William Hard, “The Third Party,” *The New Republic*, July 28, 1920 (Vol. XXIII, No. 295), 247. Hays, 262.

democratic ideals that we espoused. Others were more realistic...[and] feared that we would be used as pawns in the fight against Gompers...And we were right.”⁶³⁰

Similarly, wrote Amos Pinchot, “[a] great opportunity has been lost” because “the men who controlled the Labor Party...were not bent on a new people’s party drawing from the whole American public, but on a trade unions party” to “spread British guild socialism in the United States” and “destroy Gompers’ leadership” in the AFL. While “the need of a third party that is not a class party” still exists, now it was time, Pinchot thought, “to allow to sink home the lessons of our miscalculations.” Sympathetic to labor’s claims – “How can people vote classlessly when they do nothing else classlessly?” – William Hard also argued in *The New Republic* that La Follette had made the right decision to stand down. “[I]t is not the function, since it is not the impulse, of Mr. La Follette to be a labor movement leader.”⁶³¹

Members of the Labor Party, on the other hand, believed it was the Committee that had attempted a class coup at the proceedings. According to Committee negotiator Gilson Gardner, Labor leaders said “they did not need our people and did not want us. These leaders saw in any successful amalgamation or third party movement with La Follette as candidate an absorption of their new labor party. They felt they would be swallowed up by the white collared element. The more successful the movement, the less there would be left of them, their leadership, and their party.” Dudley Field Malone – now candidate for New York Governor on the Farmer-Labor ticket – berated the Committee leaders who had bolted as disconnected eggheads without “political knowledge and experience.” They “had formed very strong and definite views as to the character of the programme that was to be adopted, and as to the character of the leadership of

⁶³⁰ McCurdy. Hays, 257.

⁶³¹ Amos Pinchot Press Release (undated), RLF Box 180: Committee of 48.

the new party, without ever consulting the rank file of their own organization, or even trying to gauge its views.” As a result, “they are accompanied on their return trip into the political wilderness by so few of their rank and file that their defection is not likely to affect the fortunes of the new party.” This new party, Malone made sure to mention, “is not a class-party except as it is the party of every man and woman who by hand or brain creates the wealth out of which e or she lives.”⁶³²

Whoever had the right of it, several newspapers portrayed the happenings in Chicago as a radical act of class warfare. Much was made of the presence of William Z. Foster, the presumed orchestrator of the great steel strike, at the Labor convention, and the *New York Times* bemoaned the attempt to “set up something very like a soviet in this country.” Others remained mostly amused at the fumbling attempts to create a third party – a lack of respect that greatly irritated the editors of *The New Republic*. When Republicans left having Chicago “having rubber-stamped what eight or nine men in a hotel room decided, it is a solemn occasion. It marks a return to American ideals. It is the salvation of the Constitution. It is the protection of American sovereignty. But if a group of men and women journey to Chicago determined to find some alternative...to inject a creative idea into the phrase-mongering of politics, it is excruciatingly funny. They are a collection of nuts. They are ridiculous. They are absurd.” While TNR conceded that the eventual platform was “badly written, rather confusing at important points, and open to the fundamental criticism that it seems to have taken no cognizance of the progress of thought and experience since the time when government ownership seemed a simple remedy...it is a beginning worth the effort.”⁶³³

⁶³² La Follette, 1008. Malone, 467-468.

⁶³³ La Follette, 1009. “The New Party,” *The New Republic*, July 28, 1920 (Vol. XXIII, No. 295), 239-240.

Regardless of who was at fault, the failure in Chicago devastated the leadership of the Committee of Forty-Eight. Disgusted that the platform snafu – on which he had been a hard-liner at the time – had not been worked out weeks before the convention. Amos Pinchot argued the Committed had been “infiltrated by a lot of honest, well-meaning mushheads, who without any economic ideas whatsoever, cherished the simple faith that you could form a union of forces by getting the discordant elements under the same roof...cat and dog, monkey and parrot, lamb and lion would all become a united army of the righteous, marching with brass bands and waving banners toward a glorious and gilded millennium situated not farther than half a dozen city blocks from the convention hall.” Along with George Record, he left the organization a few months later, saying “I do not want again to be off shore in a boat without a compass, and with the quartermaster steering consistently for the breakers. I am willing to pull oar, but not in that direction.” Another defector was Mercer Green Johnston of Maryland, who told Senator La Follette he was resigning due to the “unsportsmanlike conduct of the ‘responsible leaders’ who had “played fast and loose with the Labor Party,” and that the Maryland branch of the Committee was dissolving as a result. “If the conduct of our ‘responsible leaders’ in Chicago was not a crime,” Johnston wrote, “it was perhaps worse for the purposes of practical politics: it was a joke. I feel sure you have little or no idea of being the butt of this joke.”⁶³⁴

Even after the schism in Chicago, the Committee of '48 worked to nominate Robert La Follette on their own ticket, with Secretary Allen Curdy urging all members to “send a short telegram” to the Senator, “expressing your views as to the state of public opinion in regard to a new party in your locality.” In his epistle, Johnston told La Follette “it would be a colossal

⁶³⁴ Miller, *From Progressive to New Dealer*, 321. Pinchot Press Release. Mercer Green Johnston to Robert La Follette, August 4, 1920. RLF Box B-85: Special Correspondence.

blunder for you to be sponsored by the discredited ‘rump’ of the Committee of ’48... That sponsorship would be a liability rather than an asset in Maryland.”⁶³⁵

Gilbert Roe agreed. “To enter the field now at the head of another party,” he wrote the Senator, “will necessarily bring you in conflict with a considerable number of labor leaders who have always been and who I believe still are your friends and supporters.” And besides, “[t]he time is so late, the situation so confused, the forces naturally friendly to you so divided and largely embarked upon separate political enterprises that you cannot hope to poll a vote even as a protest vote to which you were entitled.” As such, Roe advised La Follette to wait a cycle. “The Democratic and Republican parties as now organized and run can safely be trusted to be wrong on both our domestic and foreign policies,” he argued. “In the meantime you will have several years to educate the public through your lectures, through your writings and in the Senate and will be building up a strong sound sentiment for a new radical but constructive party which this country is going to stand in great need of in the very future.”⁶³⁶

La Follette’s son concurred with Roe’s assessment of the situation. “The edge has gone off in the third party movement at this time,” he wrote his uncle, “and...the public generally have slumped back in the belief that nothing can come of it during this campaign...I do feel...a wonderful opportunity has passed and regret it exceedingly, but I think it would be a task comparable to lifting one by one’s boot straps to attempt anything now.”⁶³⁷

Nonetheless, Bob, Jr. continued, “this distinctly is not dad’s attitude...I think if someone came along with the money to conduct a campaign he would be a candidate over night, and

⁶³⁵ McCurdy, August 21, 1920. Johnston, August 4, 1920..

⁶³⁶ Gilbert Roe to Robert La Follette, July 22, 1920. RLF Box B-86: Special Correspondence.

⁶³⁷ Robert M. La Follette, Jr. to Uncle Gil, August 2, 1920. RLF Box 113: Letters Sent 1920-21.

therefore for the first time I will look askance at anyone who comes along and seems to have any indication of carrying money bags.” Eventually, however, Senator La Follette heeded the advice of his inner circle and decided not to make any third party run in 1920. Instead, planning for what looked to be the now-inevitable future ahead, Senate La Follette spent the remainder of the election ignoring requests from the Harding campaign to appear on his behalf, and instead began feeling out fellow Members of Congress to see if there was any interest in creating a bipartisan bloc of progressives – an Independent Congressional Campaign Committee – moving forward.⁶³⁸

While the failure of third part attempts rankled in 1920, some saw a silver lining in the party that almost was. “I think the gains from the convention far outweigh the losses,” Roe wrote the Senator. “We uncovered the fact that there was a tremendous sentiment all over the country for a third party. It is undoubtedly the fact that you were the choice of such party. And it is also the fact, and this is the point I wish to emphasize, that the principles which were agreed upon were so fundamental and far reaching that they constituted a programme fully as large and fully as advanced as any party ought to consider.”⁶³⁹

However unsightly the proceedings, *The Nation* also thought the “efforts to create a third party has not been wasted. The beginning seems at the moment unpropitious, but at least it was a beginning.” Even the curmudgeonly Pinchot didn’t feel the experience was entirely a waste. “In the first fight for these things,” he wrote, “we have been repulsed with loss. But we have gained the knowledge, that a new movement has got to grow from the grass roots up and consist of

⁶³⁸ La Follette to Gil. Karen A.J. Miller, *Populist Nationalism and American Foreign Policy* (Westport: Greenwood Press, 1999), 96.

⁶³⁹ Roe to La Follette, July 16 1920.

people who not only believe in the goal but agree substantially on the way the goal can be reached.”⁶⁴⁰

“It was not labor’s cause we differed on,” Pinchot concluded, “nor the need of a great party that would give to all the fruit of their own toil and a representation in the management of industry. It was whether the way to do this was by a class movement.”⁶⁴¹

Mr. Ickes’ Vote

Even as Senator La Follette and his confederates tried to fashion a third party in response to the nomination of Warren Harding, another Republican and former Progressive, Harold Ickes, contemplated what was to many a similarly drastic response – leaving the party of Lincoln and joining the Democrats.

Ickes, who had been deeply afraid of this outcome ever since the death of Roosevelt, suggested bringing former Progressives together in conference as a show-of-strength in December 1919, well before the convention. “The standpatters don’t respect anything they don’t have reason to fear and that is pretty much human nature,” Ickes argued to Governor Henry Allen of Kansas, another veteran of 1912. “You never got anything in this life that you didn’t go after and the Progressives of the country won’t get anything merely by lying down and asking the standpatters to feel generous towards us because of our self effacement.” But if the Progressives met as a group and agreed on basic principles, Ickes thought, “we will have, in my

⁶⁴⁰ “The Third Party Effort,” *The Nation*, July 24, 1920 (Vol. 111, No. 2873), 83. Pinchot Press Release.

⁶⁴¹ *Ibid.*

judgment, a strong tonic and moral effect, not only upon the republican organization, but the country at large.”⁶⁴²

Governor Allen was cautiously positive about Ickes’ idea, so long as his name, being a possible dark horse for the nomination, wasn’t brought up as part of the proceedings. Ickes also received favorable responses from other Roosevelt notables, including Raymond Robins, Gifford Pinchot, William Allen White, Medill McCormick, and Hiram Johnson. But, nothing much came of the idea, and soon enough Ickes was supporting his Governor, Frank Lowden, officially, and his friend, Hiram Johnson, from afar.⁶⁴³

But the Old Guard’s choice of Harding changed matters. “Frankly, I wouldn’t believe Harding under oath,” Ickes wrote Senator Johnson in August, after the nomination. “I think he is a double-dyed political crook...a stuffed figure who has no mind or convictions of his own and wouldn’t know what to do with them if he had them.” To William Allen White, Ickes called Harding “a platitudinous jelly-fish whose election I would regard as distinctly detrimental to the best interests of the country.” Instead, Ickes began to consider switching his support to Cox. “Aside from the League of Nation issue,” Ickes told Johnson, he found himself “in substantial accord with Governor Cox. On the Russian question he opposes the policy of sending soldiers into Russia, is against an economic blockade, and believes that trade relations should be resumed at once. He thinks Russia should be left free to work out her own political salvation...I like his attitude on the question of free speech, free press, the right of free assemblage, and I equally approve of his attitude on the question of labor.”⁶⁴⁴

⁶⁴² Ickes to Henry J. Allen, December 19, 1919. HLI, Box 29.

⁶⁴³ Ibid. Henry Allen to Ickes, December 24, 1919. HLI, Box 29

⁶⁴⁴ Ickes to Johnson, August 11, 1920. HLI. Ickes To William Allen White, HLI, Box 41: William Allen White.

In contrast to Harding, Ickes deemed Cox “sincerely a progressively-minded man who has real concern for the men, women, and children of the country. His policy as shown by his record seems to be to get business and labor together wherever possible to work out their differences, but where this can’t be done and it is necessary for the state to intervene and protect labor from business, then he has no hesitation in taking his stand with labor.” Governor Cox had the added virtue, to Ickes as to many others, that he was “not a Wilson man...one can support him without running the risk of waking up after [the] election and finding that he has helped to keep the Wilson administration in power.” In short, Ickes concluded of the Governor of Ohio: “Cox isn’t the man by a good deal that I would have chosen to be president, but he is so far superior in my judgment to Harding, both in ability and character and political independence, that he offers a clear choice at this time.”⁶⁴⁵

Ickes expounded on his contempt for Harding in a discussion with Republican Party chairman Will Hays. “I told him,” he later reported to Johnson, “that if Harding was elected he would leave the party in worse condition than Taft left it in:

that I had been hopefully waiting since 1912 for the Republican party to give some evidence that it stood for the things I believed in; that instead of improving it had gone from bad to worse; that no political party within the last twenty years had nominated a man as little qualified to be president as Harding; that he had been in public life, especially in the United States, for a good many years and that he was merely a voting member that he had never stood for anything that savored of progress...[and] that I had come to the conclusion that it was hopeless to expect the republican party to reform itself from within and the only thing to do was to keep on defeating it.”⁶⁴⁶

⁶⁴⁵ Ibid.

⁶⁴⁶ Ickes to Johnson, August 14, 1920. HLI. Box 33: Hiram Johnson. Despite his own defection, Ickes thought Johnson was doing the right thing by staying in the party and solemnly supporting Harding. “You simply have to play your part in the campaign,” he told him. “There isn’t anything else you can do and there never has been anything else. I am more uncompromising than is good for me and I cannot reconcile myself to the graceful ease with which progressives who a few years ago put their hearts into a fight to do away with what Harding so preeminently represents in our political life, now rally to his support. But you are in a different situation and if I were in your place I would be doing exactly what you are doing.” Ickes to Johnson, August 25, 1920. Box 33: Hiram Johnson.

In order to accomplish this goal, Ickes sent out a letter supporting Governor Cox to all the members of the 1912 Progressive movement he could find, in order to ascertain the depth and commitment of progressive Republicans to the Harding ticket. “After careful consideration,” his form letter began:

“I have come to the conclusion that it is my duty as a believer in the progressive principles it was my privilege to fight for under the leadership of Theodore Roosevelt, as well as my duty as a citizen, to support the democratic national ticket in this campaign. I have prepared a statement giving some of my reasons for this decision, a copy of which statement I enclose. If you are sufficiently interested to read this and write me how you, personally, react in the present situation I will be obliged to you.”⁶⁴⁷

The enclosed statement argued that “the nomination of Senator Harding was a distinct shock to the Progressives,” that the Senator from Ohio “has the Mark Hanna conception of party,” and, knowing his audience, that he is “seeking to capitalize the affection and respect the American people feel for the martyred president.” Ickes also sent the statement to 575 newspapers nationwide, and passed it along to the candidate himself, Governor Cox. “I think much might be done to crystallize the sentiment of doubtful Republicans and former Progressives in your behalf,” Ickes said to Cox, “and I hope that your managers will undertake something along this line as soon as possible.”⁶⁴⁸

For his part, Hiram Johnson – who remained a regular Republican – applauded Ickes’ move, calling his letter of support for Cox “the most powerful thing which has been put out against us in this campaign.” Looking to future battles, if not another presidential bid in 1924, Hiram Johnson asked Ickes to “tell him the reflex” among former Progressives. “I know the

⁶⁴⁷ Ickes to F.S. Davenport, August 24, 1920. HLI, Box 30: James M. Cox Campaign.

⁶⁴⁸ Ibid. Ickes to Cox, August 16, 1920. HLI, Box 30: Cox Correspondence.

attitude in this campaign, of what I have been pleased to term the 'shirt-front' and 'plug-hat' Progressives," he told Ickes, "and I am very curious to know whether that represents as little the attitude of the rank and file of Progressives as it did in the pre-convention days."⁶⁴⁹

After amassing a few hundred responses, Ickes obliged. "To date I have received 256 letters from progressives in various parts of the country commenting upon my statement in behalf of Cox," he told Johnson a few weeks later. "Of those 256 I find that 114 are against Harding. Not all of those who are against Harding have announced that they will support Cox. Of those who are supporting Harding practically none is doing it with any heart or enthusiasm." Those who were sticking with the Republicans, he argued, were doing so mainly out of misguided party loyalty. "They fool themselves that there is such a thing as party government in this country and they have decided that the republican party ought to be restored to power regardless of the personality or capacity of its candidate."⁶⁵⁰

Some, according to Ickes, backed the GOP candidate because they "think that Harding is an irreconcilable on the League and that Cox is on all fours with the Wilson position." (Ickes personally found this view naïve.) Others were staying with the Republicans because they believed "that if Roosevelt were alive he would found back of the republican ticket." Ickes thought this "an easy way of passing the buck," as "the republicans would not have dared to nominate Harding" in that instance. "If these persons would only think back and remember that Roosevelt not only supported Taft in 1908, but wished him on the country, they wouldn't be so

⁶⁴⁹ Johnson to Ickes, August 20, 1920. HLI. Box 33: Hiram Johnson.

⁶⁵⁰ Ickes to Johnson, September 11, 1920. HLI. Box 33: Hiram Johnson.

certain that they ought to support Harding,” he quipped. “But then it is asking a great deal of people to expect them to think or remember politically.”⁶⁵¹

Looking over the responses to Ickes’ support, it is clear that, to many Roosevelt Progressives only two generations after the Civil War, voting Democratic was simply a bridge too far. “I think you have pulled the most colossal ‘bone-head’ in your career,” wrote in one correspondent from Snyder, Oklahoma. “You certainly have demonstrated your ability to support the ‘Jackass’ party. Them’s my sentiments.” An Omaha attorney concurred with “sorrow and great surprise at the stand you seem to have taken:

The Republican party has some bad men in it...but the party itself is good and true and it has accomplished the greatest results in statecraft of which we have a historic account. Desert it for the democratic party? Ye Gods, No. The candidate may change, but the party never...My idea of a good, standard democrat is a good boozier who belongs to Tammany Hall, has a winter home in Alabama or South Carolina, favors the league of nations without reservations and can smile at Bolshevism without batting an eye.⁶⁵²

“No Democratic party for me in 1920,” began another such missive. “No Republican president would make as many mistakes and be as careless of American interests. The same autocratic office-holding southern dishonest bunch will direct the affairs if Cox is elected as now direct them...I prefer the company of your so-called ‘Senate Oligarchy’ to the company of Tammany.”⁶⁵³

To some former Progressives, Ickes had insulted the memory of the Colonel by contemplating such a heresy. “You ought to be ashamed to mention Theodore Roosevelt’s name in the same breath with the Democratic Party,” wrote in one correspondent from Boston. “You

⁶⁵¹ Ibid.

⁶⁵² H.L. Vogle to Ickes, August 30, 1920. HLI, Box 30: Cox Correspondence. J.L. Kaley to Ickes, August 26th, 1920. HLI, Box 30: Cox Correspondence.

⁶⁵³ D.S. Cooper to Ickes. HLI, Box 30: Cox Correspondence.

and every poor misled soul in my opinion are best described by the national emblem of that party, which is an ‘ass.’” Similarly, argued a writer from Burlington, Iowa, “if Theodore Roosevelt but knew his former supporters were supporting the outfit heading the Democratic procession,” he argued, “he would rise in his grave to damn them.” As it was, those “consummate asses” Cox and Roosevelt “are making votes for Harding every time they open their mouths. I have no time to read your slush so I herewith return it.”⁶⁵⁴

Others also invoked Roosevelt’s memory, but in more pragmatic terms. “If the Col. had lived the old guard would never have pulled off that old convention gag,” argued a Progressive from Panama, Oklahoma, but “of the choice of the two evils I sincerely believe we should support Harding.” “Of all prominent candidates before the Chicago convention,” conceded a writer from Carson City, Nevada, “Harding was least acceptable to me...[But] we have had eight years of Democratic administration. I am heartily tired of it...My belief is that Col. Roosevelt were alive he could now support Mr. Harding.” A member of the Park Board in Excelsior Springs, Missouri was also “convinced that if Theodore Roosevelt were alive today he would be for Harding and Coolidge with all his strength.” For, while “Harding may be an extreme reactionary...many changes have taken place since 1912, and we now need a steady hand at the Wheel.”⁶⁵⁵

Still others thought Ickes was effectively endorsing all the excesses of Wilsonism – the “extravagance, southern domination, dishonesty, and visionary schemes,” in one letter-writer’s words – by switching parties. “I must say that I regard any man who has ever been a real

⁶⁵⁴ Fred H. Timson to Ickes, August 30th, 1920. HLI, Box 30: Cox Correspondence. J.W. Jackson to Ickes. HLI, Box 30: Cox Correspondence.

⁶⁵⁵ J.H. Goodnight to Ickes. HLI, Box 30: Cox Correspondence. F.R. Fletcher to Ickes, September 11th, 1920. HLI, Box 30: Cox Correspondence. Frank A. Benson to Ickes, August 27th, 1920. HLI, Box 30: Cox Correspondence.

republican and now falls in line with the Cox-Wilsonian autocracy,” diagnosed a pharmacist from Marked Tree, Arkansas, “is a fit subject for an insane asylum. After you have taken treatment in a hospital for the insane and restored to a normal condition, I will be glad to give you some of the reasons.” One particularly vociferous letter on this front came in from a conservative-leaning former Progressive from Cumberland, Maryland:⁶⁵⁶

“We have seen the ‘Progressives,’ so-called, in power in this country for more than seven years and there never has been, in my judgment, in the administration of public affairs in this country, such a saturnalia of extravagance and waste. If what has been going on in this period is ‘progressive’ it is quite time for a ‘shock’...

The Democratic Party unregenerate, vilified and hounded the martyred President until his death and now seeks to capitalize his great fame by naming as Vice President a man bearing the name of Roosevelt...it has put itself in the role of a grave robber...

If you wish to join the party which in 1916 deceived twenty million women in the United States by persuading them that if Mr. Wilson were elected he would keep their husbands, sons, and sweethearts out of war, I have no quarrel with you. If you wish to join a party, now suffering with a stroke of Paralysis, it is no affair of mine...If you prefer to mingle with the party of broken promises, the policy of which has filled the country with unrest and turmoil, until thoughtful men have begun to tremble for the perpetuity of our institutions...I as a former associate of yours enter no protest, but I cannot join you in taking up your habitation in a cemetery...

If you believe in multiplying committees, and commissions to meddle and tamper with the industries of this country, you are on the right road...In fine, your pamphlet...reads like the wail of a poor loser. The deductions are illogical and the absence of facts prominent. It bears the earmarks of insincerity and lack of candor and smacks of the methods used by attorneys when they have a bad case.”⁶⁵⁷

Not surprisingly given the irreconcilable campaign of Hiram Johnson, several Progressives wrote to Ickes emphasizing the critical importance of the League. “Unlike yourself,” argued a lawyer from West Plains, Missouri, “I think the League of Nations is the paramount issue in this campaign...I agree with all you say (and with sadness I confess it) about the reactionary qualities of Harding’s mind. But I believe we have more chance to win

⁶⁵⁶ J.R. Black to Ickes, August 28, 1920. HLI, Box 30: Cox Correspondence.

⁶⁵⁷ T.G. Pownall to Ickes, August 26th, 1920. HLI, Box 30: Cox Correspondence.

progressive measures in the Republican Party than the Democratic.” Another argued the League of Nations was “such transcendent importance that, feeling as I do, I could not support the Democratic Party no matter who the candidates of either party were.” Yet another thought that “Cox stands absolutely for the League of Nations – which is nothing more than a League with the Devil and all his imps.”⁶⁵⁸

As with many others, that last correspondent thought Ickes was “jumping out of the Frying Pan into the Skillet” by going Democratic, and that he should instead take the more courageous route of going third party. “The nominees on the old party tickets are both controlled by the devils out of hell who are engaging this country in some of the dirtiest deals that humanity throughout its whole history has ever witnessed,” continued Mr. Nalley of Forsyth, Georgia. “If Cox is any better than Harding I don’t know where he comes in. The Farmer Labor ticket or the Socialist ticket may appeal to me when I go to the polls.” As an attorney from Crookston, Minnesota, contemplating a Debs vote, put it, “if there is anything more rotten than the Republican Party, it is the Democratic Party, and if there is anything more rotten than Democratic Party, it is the Republican Party.”⁶⁵⁹

Another, from Santa Ana, California, argued that neither a Cox nor a Harding victory mattered a whit. “Big Business of Wall Street will run the government just as it has since Roosevelt’s time.” A minister from Naponee, Nebraska said he was voting Harding or Prohibition because “I am so disgusted with the democratic administration...[Still] I have yet to hear a single man in this section of the country that is satisfied with either candidate.” A writer

⁶⁵⁸ M.E. Morrow to Ickes, August 28, 1920. HLI, Box 30: Cox Correspondence. F.R. Fletcher to Ickes, September 11th, 1920. HLI, Box 30: Cox Correspondence. W.H. Nalley to Ickes, August 31, 1920. HLI, Box 30: Cox Correspondence.

⁶⁵⁹ W.H. Nalley to Ickes, August 31, 1920. HLI, Box 30: Cox Correspondence. William A. Marin to Ickes, September 6, 1920. HLI, Box 30: Cox Correspondence.

from Baltimore who had “gone over to the ‘Drys’, argued that “that old crowd needs another licking before they will try to be good.” A dry goods merchant in Quincy, Illinois, deeming the two old parties “boss ridden,” argued that “the Farmer Labor Party seems to be the only party which puts humanity in first place and the dollar in second place.”⁶⁶⁰

Still others, even if they themselves had not figured out where they would vote, admired Ickes’ stand on principle, and many endorsed his switch to Cox. “You are the first former Progressive of national caliber of whom I have heard who has not returned to the Republican party on his knees,” noted a correspondent from Indianapolis. Another, a State Treasurer from Utah announced he “was very happy to learn that you and some other former Progressives...are going to work for Governor Cox whom I have for a long time regarded as a real progressive in both word and deed.”⁶⁶¹

Ickes wrote many of these correspondents back, or litigated the arguments he was hearing in letters to the editor. “If party loyalty requires me to support a man for office whom I believe to be unfit,” Ickes wrote in a letter to Charles Sumner of the *Pocatello Tribune*, “then I have no desire to be a loyal party man...The cheapest trick in the whole bag of political controversy is to call names when you can’t meet argument with argument... You don’t prove that Harding is fit to be President of the United States by calling [me] a ‘Benedict Arnold.’”⁶⁶²

⁶⁶⁰ S.J. Jackman to Ickes, August 31, 1920. HLI, Box 30: Cox Correspondence. Levi A. Thompson to Ickes, August 27, 1920. HLI, Box 30: Cox Correspondence. Julius Kespohl to Ickes, August 30, 1920. HLI, Box 30: Cox Correspondence.

⁶⁶¹ E.M. Lee to Ickes, August 30, 1920. HLI, Box 35: L Miscellany. George P. Gibbs to Ickes, August 28, 1920. HLI, Box 30: Cox Correspondence. Daniel O. Larson to Ickes, October 3, 1920. HLI, Box 35: L Miscellany.

⁶⁶² Ickes to Charles G. Sumner, August 20, 1920. HLI, Box 30: Cox Correspondence. .

To those who suggested that Ickes had taken Theodore Roosevelt's name in vain – like the Colonel's own sister, Mrs. Robinson from Mohawk, New York – Ickes replied that “I have not said, either publicly or privately, at any time that if Theodore Roosevelt were alive he would be supporting the Cox-Roosevelt ticket...I revere his memory too much to use it as a lever to pry into public office men who are not worthy to be mentioned in the same breath as him.” To those who argued his Cox vote was a vote for Wilson, Ickes reminded readers “as to the present administration...I have been against it with all my might...not merely because it has been democratic maladministration, but because it has been maladministration. I wouldn't, if I could, jump from Wilson's maladministration to Taft's and that is the reason I'm opposing Harding.”⁶⁶³

With regard to the third party issue, Ickes responded with a letter to the editors of *The New Republic*, who, like *The Nation*, loudly and vociferously called for progressives to vote third party in 1920. “If the protest vote is really a protest vote and has the courage of its convictions,” he argued, “it won't throw itself away” by voting for Parley Christensen or Eugene Debs. Instead, he argued, “it will make itself felt in the only way in which it can be felt and that will be by supporting the democratic national ticket.” The Old Guard, he argued, are “counting upon the independent or ‘high-brow’ voters who think they are protesting when they are merely throwing their votes away...A vote for Christensen or Debs is half a vote for Harding.”⁶⁶⁴

⁶⁶³ Ickes to Mrs. Douglas Robinson, October 5, 1920. HLI, Box 38: C. Roosevelt Robinson. Ickes to Charles G. Sumner, August 20, 1920. HLI, Box 30: Cox Correspondence. Ickes to O.M. Peabody, September 7, 1920. HLI, Box 30: Cox Correspondence.

⁶⁶⁴ “The Use of a Protest Vote,” *The New Republic*, October 27, 1920, 204. “Last Aid to Voters,” *The Nation*, October 27, 1920 (Vol. 111, No. 2886), 466. Ickes to TNR, October 1920. HLI, Box 30: N Miscellany. In the same letter, Ickes took TNR to task for being both virulently anti-Harding and anti-Wilson. “The trouble with *The New Republic*,” he argued, “is that everything appears either black or white to it. There are no gradations of tone. Wilson has either been all angel or all devil. As I read the *New Republic* these days I find it difficult to recall that something like two years ago I terminated my subscription by a letter in which one of the principal reasons assigned was the blind and idolatrous way in which Wilson and his administration were regarded. In the eyes of *The New Republic*, Wilson could do no wrong in those days. Your adulation of him was little short of sickening...Now you go to the other extreme and Cox, who is no more like Wilson than Wilson is like Grover Cleveland, or than Theodore

As these letters attest, a lot of venom was directed Ickes' way for his apostasy, and, as the Chicago political veteran confessed to Hiram Johnson, he was particularly perturbed by the pro-Harding stance of old friends from Roosevelt's circle like Raymond and Margaret Dreier Robins. The latter supported the Republicans, according to Ickes, "because she believed Harding's position on the right of free speech and free assemblage was better than Cox," although he added that her husband Raymond "didn't believe Harding would stick to that position longer than November 2."⁶⁶⁵

The Robins were not alone in this regard. In fact, when pro-Harding forces wanted a former Progressive of stature to go on the record with a response to Ickes' public disavowal, they found a ready partner in former Secretary of the Interior Gifford Pinchot. "So many former Progressives have asked me why I am for Harding," Pinchot's form response to newspapers began, "that perhaps your readers might be interested in my reasons." They were many of the same that Progressives had already made to Ickes. For one, Pinchot argued, "I am a follower of Theodore Roosevelt alive or dead... I am a Roosevelt Republican. Had he lived my choice for the Republican nominee and for the next President would have been Theodore Roosevelt. But only

Roosevelt was like William Howard Taft, is offered as the vicarious victim of your blind resentment against Wilson and the Wilson administration. Please do not understand me as attempting to apologize for or defend the Wilson administration... The hypocrisies of Wilson and the failures of his administration were apparent to any fair-minded person prior to and during the period of your abject worship of him... But I don't propose to allow my opposition to the Wilson administration to cloud my reason." Ibid.

⁶⁶⁵ Ickes to Johnson, August 11, 1920. HLI. Box 33: Hiram Johnson. In a preview of a schism that would emerge again in 1924, Ickes remained baffled by his friend Robins' support of Harding after the election as well. After a November conversation with the Robins lasting several hours, Ickes told Johnson, "I don't understand any more than I did before how Raymond could take such an active and apparently enthusiastic position as he did in support of Harding." To Ickes, "the only argument he offered to meet my point of view was that Harding wasn't as bad as I thought he was." Ickes to Johnson, November 20, 1920. HLI. Box 33: Hiram Johnson.

the spirit of Roosevelt is with us still...That, however, is no reason for throwing my vote away.”⁶⁶⁶

Similarly, while Harding was no Roosevelt and “was not made to my order,” Pinchot argued, “he is by no means the Reactionary I thought him.” He “is no super-man, but simple earnest, and human, best thought of where best known.” Most importantly, “[t]here is nothing autocratic about him. Under him, there will be no one-man rule at Washington...the government will be American again.”⁶⁶⁷

Governor Cox, meanwhile, was “in bad company.” The “liquor men are for him,” but it wasn’t just the forces of criminal wetness at the Democratic candidate’s back:

Cox stands for Palmer, who promised to reduce the cost of living and conspicuously failed, but for political reasons let the liquor traffic go on; who denied the rights of free speech and free assembly; imprisoned hundreds of people in defiance of the law he was sworn to enforce... There may have been more unfaithful public servants than Mitchell Palmer, but not many.

Cox stands for Wilson... The people of the whole earth have learned at bitter cost that what Wilson says is no indication of what he has done or what he will do; that his words and actions do not match; and that to have his own way is more important in his eyes than the safeguarding of America... If a man believes in Wilson, argument is useless. As for me, I hold that it is time to finish with all that smacks of Wilson, with the inefficiency, extravagance, and secretiveness with the National and International blundering, and with the impudent assumption of wisdom and righteousness beyond human.⁶⁶⁸

“The only way to repudiate Wilson,” Pinchot concluded “is to vote against Cox.” Writing to Ickes personally, Pinchot confessed that Harding might well fail in the job, at which point, “there will be a repetition of 1909-10-11, with an insurgent group in Congress, and the overturn of the Republican leadership, probably this time for good.” Still, Pinchot confessed he had been

⁶⁶⁶ Gifford Pinchot to Republican Newspapers, October 4, 1920. HLI, Box 37: Gifford Pinchot.

⁶⁶⁷ Ibid.

⁶⁶⁸ Ibid.

taken by the positive statements he was hearing about Harding, and hoped “we are all going to be most pleasantly surprised – at any rate, I hope so.” Either way, Pinchot told Ickes, “I still have the feeling that our day is not over, that Progressive sentiment in the country will revive rapidly and powerfully as soon as the immediate shadow of the War passes over.”⁶⁶⁹

Ickes disagreed strongly with Pinchot’s public endorsement of Harding, but he too thought there remained a few chapters left in the tale of the Bull Moose Party. “I am very much encouraged by the large proportion of former Progressives who are still willing to do their own thinking and stand by their own convictions,” he told Hiram Johnson after reviewing the many responses he had received. “I have had some really fine intelligent and encouraging letters from progressives in various parts of the country.” Nonetheless, Ickes had no illusions about the contest to come: “On the basis of the letters...my opinion is confirmed that if Harding is elected (and I always have expected him to be elected) it will be really on account of the anti-democratic drift in the country and the revulsion from the Wilson administration.” By the fall of 1920, that revulsion ran deep.⁶⁷⁰

Countdown to a Landslide

As the general election season ran its course – one of the “most joyless, futile, and irritating campaigns in our history,” lamented *The New Republic* – few if any political observers gave James Cox even an outside chance of winning the presidency. The nomination of Harding, argued southern progressive Edward G. Lowry, had revealed the “absolute surety and confidence of the managers of the Republican party that they have the elections next November in the palm

⁶⁶⁹ Gifford Pinchot to Ickes, September 25, 1920. HLI, Box 37: Gifford Pinchot.

⁶⁷⁰ Ickes to Johnson, September 11, 1920. HLI, Box 33: Hiram Johnson.

of their hands: that they can win in a walk.” The Old Guard was not alone in this way of thinking. “All indications,” editorialized *The Nation*, “are that reaction is to carry the coming elections by overwhelming majorities... That Governor Cox faces an overwhelming defeat is now freely conceded... by even the pro-Cox newspapers.” “Never within my recollection of politics,” said William Howard Taft, “has a Republican victory been so assured.” Calvin Coolidge wrote to a friend that he expected “something more than a landslide,” while Hiram Johnson surmised that “if it were a prize fight the police would interfere on the grounds of brutality.”⁶⁷¹

The sense of impending doom for the Democrats was further heightened by a number of trends. While most Republicans, including even Herbert Hoover, Hiram Johnson, and William Borah, gamely talked up Harding’s candidacy on the trail – a still-irate Leonard Wood being a notable exception -- prominent Democrats like William Jennings Bryan and an equally peeved A. Mitchell Palmer took no part in the general election proceedings. In addition, there was the matter of money: In total, Republicans spent nearly four times as much on their candidate -- \$8.1 million to the Democrats’ \$2.2 million. And the early returns from Maine, which held its presidential election in mid-September, further demoralized Democrats. Cox had hoped to come within 20,000 of Harding’s tally in the traditionally Republican state – Harding won by 66,000.⁶⁷²

In fact, the only man in America who seemed to think a Cox-Roosevelt victory was assured in 1920 was Woodrow Wilson. When Josephus Daniels prophesied that the Democratic

⁶⁷¹ *The New Republic*, November 3, 1920 (Vol. XXIV, No. 309), 225. Edward G. Lowry, “With the Original Cast,” *The New Republic*, June 30, 1920 (Vol. XXIII, No. 291), 143. “A Progressive Bloc,” *The Nation*, October 13, 1920 (Vol. 111, No. 2884), 394. *The Nation*, October 27, 1920 (Vol. CXI, No. 2886), 466. Bagby, 158, 142.

⁶⁷² Bagby, 125, 130, 142.

ticket was a goner, Wilson was baffled. “Do you mean,” he replied, dumbfounded, “it is possible that the American people would elect Harding?” When Wilson’s postmaster general tried to tell the president much the same, Wilson exclaimed “Burlison, shut up! You are a pessimist!” When his brother-in-law tried to prepare Wilson for what was to come, the president just said, “You don’t understand the American people.” A week before Election Day, Wilson received a group of pro-League Republicans, several of whom were moved to tears by the pathos of the moment, and told them how “the nation was never called upon to make a more solemn determination than it must now make. The whole future moral force of Right in the world depends upon the United States.” Even on Election Day, Wilson told his Cabinet not to worry. “The American people will not turn Cox down and elect Harding. A great moral issue is involved. The people can and will see it.”⁶⁷³

In his denial and despair, the president could not see it. But everyone else in America knew the biggest problem facing the Cox-Roosevelt ticket was, of course, the legacy of the Wilson years. As Governor Cox was forced to respond to a heckler at a Kansas pitstop, “Wilson isn’t running for president this year. Cox is running for president.” But the shadow of Wilson was everywhere. “The second four years of Wilsonism were too much for the ordinary American,” remarked *The Nation*. “The one fundamental issue is now evident: it is Woodrow Wilson himself...It is obvious that the determining factor in this campaign is a desire to rebuke and put an end to the policies of the Wilson administration.”⁶⁷⁴

⁶⁷³ Smith, 158-161

⁶⁷⁴ Bagby, 151. *The New Republic*, October 13, 1920 (Vol. XXIV, No. 306), 153. “A Progressive Bloc,” *The Nation*, October 13, 1920 (Vol. 111, No. 2884), 394. *The Nation*, October 27, 1920 (Vol. CXI, No. 2886), 466.

“Here,” prophesied H.L. Mencken, calling the election for Harding, “is the reason the overwhelming majority of Americans are going to vote for him”:

They tire, after twenty years, of a steady diet of white protestations and black acts; they are weary of hearing highfalutin and meaningless words; they sicken of an idealism that is oblique, confusing, dishonest, and ferocious. The thing began under Roosevelt, the bogus Progressive. It has continued *ad nauseum* under Wilson, the bogus Liberal. Today no sane American believes in any official statement of national policy, whether foreign or domestic...Tired to death of intellectual charlatany, he turns despairingly to honest imbecility.”⁶⁷⁵

This view of Harding as an explicit repudiation of Wilsonian overreach was cultivated by both his allies and adversaries. As the Senator himself had famously argued in May, “America's present need is not heroics, but healing; not nostrums, but normalcy; not revolution, but restoration; not agitation, but adjustment; not surgery, but serenity; not the dramatic, but the dispassionate; not experiment, but equipoise; not submergence in internationality, but sustainment in triumphant nationality.” In the same speech, Harding reminded his Boston audience that “all human ills are not curable by legislation, and that quantity of statutory enactment and excess of government offer no substitute for quality of citizenship.” The problems America faced, Harding argued, “are not to be solved by a transfer of responsibility from citizenship to government,” but by “the normal forward stride of all the American people.”⁶⁷⁶

Similarly, advertisements for the Republican ticket promised that Harding and Coolidge “will concern themselves with immediate problems – not fancy theories. They are of the people and for the people – old-time Americans who place their faith in the Declaration of

⁶⁷⁵ Mencken, *A Carnival of Buncombe*, 31. In another editorial, Mencken argued similarly. “The heaviest burden that the Democratic party has to carry in this campaign is the burden of Dr. Wilson’s unpopularity. He is disliked for a hundred and one different reasons, but here one reason is as good as another. It is months since I last encountered a genuine Wilson man...Cox, by gallantly shouldering this weight of unpopularity probably lost himself a million votes.” *Ibid.*, 20-21.

⁶⁷⁶ Warren Harding, “Return to Normalcy,” May 14, 1920. Reprinted at <http://teachingamericanhistory.org/library/index.asp?document=954>

Independence.” At campaign events, Republicans sang, “We’ll throw out Wilson and his crew. They really don’t know what to do.” Harding continually spoke out on the campaign trail against “one-man government” and “weird economic and social theories” and for “more business in government and less government in business” and “party government as distinguished from personal government, individual, dictatorial, autocratic, or what not.” The rejection of the Wilson years was also embodied in the slogan of the Harding campaign: “Let’s be done with wiggle and wobble.”⁶⁷⁷

In the early months of the general election season, Harding’s handlers had him deliberately recreate the Front Porch campaign of William McKinley, complete with McKinley’s old flagpole transplanted from Canton to Harding’s front yard in Marion. (As Boies Penrose purportedly said, “Keep Warren at home. Don’t let him make any speeches. If he goes on a tour, somebody’s sure to ask him questions, and Warren’s just the sort of damn fool to try to answer them.”) In one concession to changing times – conceived by Albert Lasker, now working for the Republican ticket – Harding was also visited in Marion not just by eminent Republicans but by the Chicago Cubs and Hollywood celebrities like Mary Pickford, Tom Mix, D.W. Griffith, Lillian and Dorothy Gish, and Al Jolson, who sang a tune of his own devising: “We Think the Country’s Ready / For Another Man Like Teddy / We need another Lincoln / To do this country’s thinkin’ / Mister Harding / You’re the man for us.”⁶⁷⁸

⁶⁷⁷ Harding-Coolidge campaign advertisements, *The New Republic*, September, 1920. Russell, 400. Bagby, 150, 124, 149.

⁶⁷⁸ Miller, 78. Russell, 399, 406. McCartney, 39-41. Eventually, it was also Boies Penrose who determined, in the final weeks of the campaign, that a Front Porch approach looked bad while a vigorous young Roosevelt was making waves across the country, and that Harding would also have to hit the road. Russell, 409-410.

Writing in *TNR*, Edward G. Lowry concurred with this assessment of Harding as an anti-progressive throwback. “He has not changed with the times,” wrote Lowry. “I don’t know that he has even heard the news that’s going round. If he has heard it, he doesn’t believe it.” Rather, Lowry argued, “Mr. Harding belongs to the same age, era, epoch, or period as the wooden Indians who used to stand so massively, so passively, and so innocuously in front of cigar shops. He is as old-fashioned as that.” The editors of *TNR* agreed, describing the Ohio Senator as “a reactionary in the exact sense of that word, because he openly desires to return to the politics of the nineteenth century. He is not a conservative because he does not wish to conserve the chief results of the progressive movement of the last twenty years. He does not wish to stand pat but to step back.” To *The Nation*, Harding was “distinctly a reactionary” who would “always be ready to take orders from the financial masters of the party.”⁶⁷⁹

At times, *TNR* seemed positively livid by all that the Republican candidate represented. Harding “has been told by his friends and his critics that he is colorless and dull, weak and servile,” wrote Lippmann. “Right you are, says the Senator. You have described exactly the kind of man this country needs”:

It has tried Roosevelt and Wilson and look. It can’t stand the gaff. I am nothing that they were. I am no superhuman like Roosevelt and no superthinker like Wilson. Therefore, I am just the man you are looking for. How do I know that? I am distinguished by the fact that nothing distinguishes me. I am marked for leadership because I have no marks upon me. I am just the man because no one can think of a single reason why I am the man.”⁶⁸⁰

In a venomous piece that verges on the hysterical, *TNR*’s editors deemed Harding’s nomination “nothing short of a calamity”:

⁶⁷⁹ Edward G. Lowry, “With the Original Cast,” *The New Republic*, June 30, 1920 (Vol. XXIII, No. 291), 143. “The Democratic Party: Lest We Forget,” *The New Republic*, June 30, 1920 (Vol. XXIII, No. 291), 140. “Harding: Turning Back the Hands of Time,” *The Nation*, June 19, 1920 (Vol. 110, No. 2868), 816.

⁶⁸⁰ Walter Lippmann, “Is Harding a Republican?,” *The New Republic*, July 21, 1920 (Vol. XXIII, No. 294), 219.

Only once before in the history of the nation, that is, in the years immediately preceding the election of Washington, has the American people been confronted with the necessity for an equally grave and complicated group of decisions... Yet the Republican party has selected this critical moment to nominate as its Presidential candidate a party hack, without independence of judgment, without strength of character, without administrative experience, without knowledge of international politics, without any of the moral and intellectual qualities which would qualify him even under ordinary conditions for statesmanlike leadership...

The inference to be drawn from this amazing and sinister action of the Republican party is plain. It has ceased to be an organ of government on which the American people have reason to depend for the enlightened conduct of their political affairs. By virtue of nominating Harding as well as by virtue of its platform it has confessed to bankruptcy; it has confessed to an utter lack of convictions, enthusiasms, and ideas; to a preference for cheap expediences and phrases rather than for principles and their courageous and realistic application. It can no longer claim to be a national party, in the sense of being a party which represents a binding national constructive policy.⁶⁸¹

In short, they argued, “the Republican Party while cheering the name of Roosevelt has finally repudiated his work root and branch...The progressive agitation of the last twenty years within the Republican party has ended in a flat failure” To TNR, the unkindest cut of all was seeing the former embodiment of their hopes, Herbert Hoover, endorse Harding. This, they argued, was “final proof of the incompatibility of being Republican and progressive or liberal.” To which H.L Mencken responded, it is true that Harding “is not a fraudulent Progressive like Cox, but a frank reactionary. Well, if we are to have reaction, why not have it willingly and without any attempt to disguise it?”⁶⁸²

One man not quite ready to see reaction ascendant was Republican editor William Allen White, who wrote Warren Harding to encourage him to embrace the progressives in his party. “I feel that your election is fairly assured by the weakness of the Democratic nomination,” he told Harding in July. But progressives “don’t like this ‘back to normal’ business. They don’t like you to be called a man of the McKinley type, because they feel that the McKinley day was the least

⁶⁸¹“Harding,” *The New Republic*, June 23, 1920 (Vol. XXIII, No. 290), 99.

⁶⁸² Ibid. Mencken, 31.

satisfactory in the history of the Republican party.” Instead, White begged the candidate to drop the “school-reader Americanism and resounding phrases of that sort” and explain the “specific, progressive performance” America could expect from him as president.⁶⁸³

A magnanimous sort in any event, Warren Harding could afford to be magnanimous to the progressives in his party. In order to hold the Republican coalition of reservationists and irreconcilables together, the Senator was already forced to tack back and forth on the question of the League. More often than not, Harding decried both Article X and “Wilson’s league,” while leaving the door open to some sort of future international association that would follow the judicial template supported by conservatives. In this manner, everyone from Taft and Root to Borah and Johnson presumed that they could sway Harding to their view of things after the election. On the League issue, TNR argued, Harding “frankly does not know exactly what he wants, and consequently he does not know how to do it, and all that he is certain about...is that he will not accept” what Wilson stands for. *The Nation* put it more succinctly. “Senator Harding is a master of ambiguous utterance.”⁶⁸⁴

And so, even as he continued to run against Wilsonism in general, Harding gave a speech on “Social Justice” in early October that attempted to allay some progressive concerns about him. Speaking from his front porch to a delegation of women headed by Margaret Dreier Robins,

⁶⁸³ White to Harding, July 10, 1920. White, *Selected Letters*, 205-206. White also asked Harding to take a firmer stand in support of the League. “My whole job as President,” Harding responded, “will be first to get people of the United States together in better understanding, and then to get the nations of the world to a friendlier understanding of a workable world league.” Russell, 407-408.

⁶⁸⁴ Bagby, 134-141. “Cox and Harding,” *The New Republic*, September 8, 1920, 30. “That League Issue,” *The Nation*, October 20, 1920 (Vol. 111, No. 2885), 438. *The Nation* imagined Harding, asked if “two and two make four” responding with: “While sympathizing in a general way with the principle, I would want to carefully consider the circumstances. It depends, I think, on what two and two you have in mind.” *The Nation*, October 20. In point of fact, Harding was basically a reservationist. He wrote a friend soon after the League question came to the Senate that he wanted “to preserve all of the League proposal which we can accept with safety to the United States, in the hope that the conscience of the Nations may be directed to perfecting a safe plan of cooperation toward maintained peace. But there will be no surrender of things essentially and vitally American.” Russell, 320-321.

Harding pledged “to support with all that is in me whatever practical policy of social welfare and social justice can be brought forward by the combined wisdom of all Americans.” Specifically, Harding pledged to “careful and adequate protection” for women in the labor force and an expanded Children’s Bureau “capable of educating and assisting in pre-natal care and early infancy.” While bureaucracy was not the answer, he also pledged a stronger federal commitment to both the public health and education by advocating for a Department of Public Welfare which could stimulate “by research and education, the communities and local governments of the United States to the most active and efficient campaign against low standards of physical well-being” and work to support child and adult education that could be “the true bulwark against extreme radicalism” and “the basis for an intelligent, free, and tolerant thought.”⁶⁸⁵

In the same speech, Harding also emphasized his support of the right to unionize and collective bargaining, and lamented that, in the modern workforce, “tasks...have become so specialized that the men and women themselves have become almost pieces of mechanism...In such a condition men and women are burned dry of the impulse to create.” Under his administration, Harding argued, labor and employers would “combine to make every job, no matter what it is, a friend of the man who does it.” Florence Kelley, who was in attendance, found the whole event heartening but somewhat mystifying. The candidate, she told her son Nicholas, gave “promises [that] were evidently written for him by highly intelligent, well-informed women.” On the Sheppard-Towner Maternity and Infancy Act, Harding “committed himself to the whole subject...in a manner very surprising to Mrs. Robins, Mrs. Gifford Pinchot, and myself. He will have no rest until the bill is passed!”⁶⁸⁶

⁶⁸⁵ Edward T. Devine, “Social Justice and the Government,” *The Survey*, October 23, 1920, 119. Bagby, 149.

⁶⁸⁶ Devine, “Social Justice and the Government.” Kelley to Nicholas Kelley, October 1st, 1920. Sklar, ed., 256.

Harding's Social Justice address was loudly applauded, not just by the women in attendance, but by members of the larger progressive community in general. In *The Survey*, Edward T. Devine heralded that both candidates "have clearly committed themselves to enlightened and progressive action in the interest of the social welfare, interpreting this term in its specific sense as applying to health, including maternity care, to education, and to industrial relations." And even Oswald Villard of *The Nation* conceded that Harding, for once, was on the right track. But Hiram Johnson, for one, wasn't buying it. The idea that Harding had somehow "metamorphosed from a ruthless standpatter into a militant progressive" was ludicrous to Johnson. Yet, he wrote to Harold Ickes "[t]his is exactly what many of our common friends think has transpired. It is what I am perfectly certain has not happened."⁶⁸⁷

Whether or not Harding's Social Justice speech convinced progressives, there was no identifiable surge of left-minded Republicans leaving the party for Cox, even as the Governor tried desperately to conjure one. "The normalcy voiced by [Harding] as visioned by his masters," Cox proclaimed on the campaign trail. "is the bayonet at the factory door, profiteering at the gates of the farm, the burden of government on shoulders other than their own and the Federal Reserve System an annex to big business." But, like so many other of Cox's attacks on the overwhelming frontrunner, his nods to progressivism didn't help to move the needle in the Democrats' favor.⁶⁸⁸

⁶⁸⁷ Devine, "Social Justice and the Government." Johnson to Ickes, November 18, 1920. HLI. Box 33: Hiram Johnson. In his response, Ickes concurred. "I agree with you quite thoroughly that President Harding will be a continuation of Senator Harding just as Senator Harding was a continuation of the time serving, baby kissing Ohio politician. I don't understand how anyone can expect a man of his age, his character, and his political affiliations and predilections suddenly to change over-night and become a progressive president." Ickes to Johnson, November 24, 1920. HLI. Box 33: Hiram Johnson.

⁶⁸⁸ Bagby, 132-133, 147.

For Cox, nothing seemed to work. Early in the general election season, the Governor of Ohio – relying on Republican fundraising documents that had come his way – accused Harding and the Old Guard of collaborating in a “business plot” to “buy the presidency” through the use of a gigantic “slush fund...so stupendous as to exceed the realm of legitimate expense.” Cox first set the size of this “corruption fund” at \$15 million, later \$30 million. (It later turned out to be \$8.1 million, and heavily financed by oil barons like Jake Hamon, Harry Sinclair of Sinclair Consolidated, and even Democrat Ed Doheny, who gave \$25,000 to Harding and \$75,000 to Cox.) Harding responded by calling Cox’s accusation “ridiculous and wholly without foundation,” and Republican Party officials called the documents to which Cox was alluding merely a “roseate estimate” of fund-raising prowess. While Cox succeeded in getting a Senate Committee to look into the accusations, it otherwise didn’t stick during the election season. Boies Penrose argued Cox was trying to deflect attention away from the high cost of living, Wilson officials wondered why Cox wasn’t staking his central claim on the League, and, by September, the Cox campaign had dropped this line of attack.⁶⁸⁹

To H.L. Mencken, writing after the fact, Cox’s slush fund attack revealed a “defective political sense.” “Assuming that his allegations are all true,” Mencken argued, Cox “obviously made them too soon. He should have let the Republicans collect the money, and then exposed their method of spending it. This is what Borah and Hiram Johnson did in their battle against Wood and Lowden – and the success of the device is history. But Cox shot off all his ammunition before the enemy was in range.”⁶⁹⁰

⁶⁸⁹ Bagby, 132-134. McCartney, 42, 87.

⁶⁹⁰ Mencken, 20-21.

In early September, Harold Ickes suggested to Cox that “after the Senate Committee has proceeded a little further with its investigation it might be good political tactics” for him to offer Harding a mutual pledge “not to expend more than \$2,000,000 each in this campaign,” and to create an independent commission to enforce it. “My confident belief,” Ickes argued, “is that the Republicans will refuse to accept such a proposition and such a refusal would give point to the charges that you have already made that they are relying too much upon the mere use of money to win the election. I believe that such a refusal will do violence to the sense of fairness that the American people have.” But Cox never made the pledge, and the entire line of attack was dropped.⁶⁹¹

Nor did Cox and Roosevelt make much headway on the matter of the League. Although he eventually gave ground on the question of reservations, Cox was for the most part a good soldier in the Wilson cause: He told Wilson himself, when the Democratic ticket came to pay respects to the sickly president, that he was “a million per cent” behind the League. He charged that Republican “conspirators of hate,” under Henry Cabot Lodge’s diabolical leadership, had managed “the greatest instance of partisan obstruction of human progress in all of human history.” In standing for Wilson’s League – a question that “has possessed my very soul,” Cox argued he was fighting “for the creed of Christ and not the creed of Cain.” The question before the American people, Cox argued on the final day of the campaign, was “whether the civilization of the world shall tie itself together into a concerted purpose to prevent the tragedies of war.” As such, “[e]very traitor in America will vote tomorrow for Warren G. Harding.”⁶⁹²

⁶⁹¹ Ickes to Cox, September 4, 1920. HLI, Box 30: Cox Correspondence.

⁶⁹² Smith, 156. Miller, 77. Bagby, 141-145.

Unfortunately for Cox, the League never really took as an issue either. For one, Harding – to placate his expansive base – had managed to muddy the waters successfully as to where he actually stood on the League. “The League of Nations? There was no real difference between the parties,” wrote W.E.B. Du Bois. “It was all a matter of punctuation and style.” For another, a statement by “Thirty-One Proleague Republicans” – including Herbert Hoover, Elihu Root, Charles Evans Hughes, and William Allen White – on behalf of Harding gave the Senator from Ohio valuable political cover. And, in any case, after two long years of debating the subject, the American people had had enough of the issue. “I do not believe that most Americans are positively against the League,” wrote H.L. Mencken. “But an enormous majority of them are violently against any further discussion of the League. They are tired of the whole vexatious question and are eager to hear the end of it.”⁶⁹³

On this question, Governor Cox wasn’t helped by, in what turned out to be one of the biggest gaffes of the campaign, the grandstanding of his running-mate. In the midst of a western campaign swing, Assistant Secretary of the Navy Franklin Roosevelt assured an audience that, much as the various members of the British Empire were in England’s pocket, Haiti and the Republics of Central America would essentially be a voting bloc for the United States to use at will, should America join the League. “The Republicans are playing a shell game on the American people,” boasted Roosevelt:

They are still busy circulating the story that England has six votes to America’s one. It is just the other way. As a matter of fact, the United States has about twelve votes in the Assembly. Until last week, I had two of them myself, and now Secretary Daniels has them. You know I have had

⁶⁹³“The Unreal Campaign,” *The Crisis*, December 1920 (Vol. 21, No. 2), 55. Mencken, *A Carnival of Buncombe*, 20-21.

something to do with the running of a couple of little republics. The facts are that I wrote Haiti's constitution myself.⁶⁹⁴

Warren Harding immediately leapt on the mistake, deeming it “the most shocking assertion that ever emanated from a responsible member of the government of the United States.” The Ohio Senator promised that his administration would never “empower an Assistant Secretary of the Navy to draft a constitution for helpless neighbors in the West Indies and jam it down their throats at the points of bayonets borne by U.S. marines.” To W.E.B. DuBois, Roosevelt’s “impudent assertion” showed how “this great government has been made the catspaw of thieves...May the League of Nations be delivered from its fool friends, and may Haiti find New Freedom when the impossible Wilson and his lackeys disappear.” FDR eventually backtracked by saying he was misquoted, but the damage was done, both to the campaign and the young Roosevelt’s reputation.⁶⁹⁵

As the presidential race seemed to move further and further out of reach, some political onlookers suggested additional potential Hail Marys. In mid-October, Harold Ickes and Donald Richberg informed Cox that Harding’s election could well mean “a war of aggression against Mexico.” “I got additional information from a confidential source,” Ickes wrote the Governor, “which thoroughly convinces me that it is the present purpose of the republican candidate to intervene in Mexico in the hope and belief that intervention will be followed by annexation.” (Presumably, this confidential source had gotten wise to the oil interests, like Jake Hamon, now backing Harding’s candidacy.) Cox did not bite. For his part, H.L. Mencken argued, when all was said and done, that Cox could “have carried every large city in the country” if he had just come

⁶⁹⁴ Schlesinger, *Crisis of the Old Order*, 364-365. Johnson, *Peace Progressives*, 114. *The Crisis*, October 1920 (Vol. 20, No. 6), 261.

⁶⁹⁵ *Ibid.* In 1939, Roosevelt confessed to his eventual Secretary of the Navy, Frank Knox, that he “was inexperienced in national campaigns in 1920 and later regretted many of the things I said at that time.” Pietrusza, 449.

out more forthrightly as a Wet. “More, he would have done serious execution upon Gamaliel in many a rural district,” Mencken thought, “for the yokels are growing weary of paying \$17 a quart for two-day-old redeye, and are ready to go over to the devil.” But Prohibition too remained relatively off the table in 1920.⁶⁹⁶

One gambit which Cox and the Democrats did try was the race card. However progressive he was purported to be, Cox was not above trying to disparage the Republican ticket in front of certain crowds with the threat of Negro equality. Attempts by Republicans to get out the African-American vote, such a handbill featuring Harding and six black candidates, was fodder for a Democratic response entitled, “A Timely Warning to the White Men and White Women of Ohio.” It blared, much to the consternation of *The Crisis*, that “Ohioans should remember that the time has come when we must handle this problem in somewhat the same way as the South is handling it!”⁶⁹⁷

In the final month of the campaign, the genealogical research of one Professor William Estabrook Chancellor began making the rounds. It claimed, after multiple discussions with members of Harding’s family, that the Republican candidate was in fact one-eighth black – an octoroon, in the parlance of the time – on account of a West Indian great-grandfather. While Cox did not partake of this opposition research – perhaps because Cox and Harding were also rumored to share a family tree – some of his more unsavory surrogates did, and soon the rumor was all over the campaign trail. In Ohio, some Republicans on the ground began to panic. “You

⁶⁹⁶ Ickes to Cox, October 13, 1920. HLI, Box 30: Cox Correspondence. Mencken, *A Carnival of Buncombe*, 20-21.

⁶⁹⁷ Bagby, 152-153. “The Unreal Campaign,” *The Crisis*, December 1920 (Vol. 21, No. 2), 55. To prevent Harding’s infidelities from reaching the campaign trail, Republican National Chairman Will Hays sent Albert Lasker to buy off Carrie Phillips and her husband if they disappeared to Japan during the election season. This they did, for the price of \$20,000 and a monthly retainer. Russell, 402-403. Miller, 78.

have no conception of how the thing is flying over the state,” one operative wrote Daugherty. “It is everywhere. *It is affecting the woman vote.*”⁶⁹⁸

Will Hays and the Republicans responded by drawing up lily-white ancestral trees for Harding to be printed in newspapers as a rebuttal. Some Republican papers, like the *Dayton Journal*, who deemed this whispering campaign “the vilest plot and conspiracy in the history of the worst epoch of American politics” – posted and then rebutted the charges. W.E.B. DuBois was disgusted by both sides in this flap. “Suppose President Harding *is* colored – What of it?” he asked in *The Crisis*. “He would be but one of hundreds of distinguished Americans who served their country well from the days of Alexander Hamilton.” DuBois added that he couldn’t determine “which was worse: the shrieking whispers of the Democrats, or the vociferous denials of the Republicans of the *taint!* Taint, forsooth! What *could* taint America?”⁶⁹⁹

Harding, meanwhile, refused to explicitly deny the rumors at first, vociferously or otherwise. Asked by a reporter from the *Cincinnati Enquirer*, Harding responded, “How do I know, Jim? One of my ancestors may have jumped the fence.” In any case, despite some drama in the final weeks of the campaign trail, which forced the Republican candidate to return to his home state to smother the rumors, the question of Harding’s possible mixed-ancestry never became the type of October Surprise some Democrats desired.⁷⁰⁰

⁶⁹⁸ When Joseph Tumulty was told the rumor, he allegedly said he and the White House wanted no part of it. “Suppose Senator Harding is elected,” he said. “What a terrible thing it would be for the country if it came out that we had a President alleged to be part negro! I’ll have nothing to do with it.” Other versions of the tale, including the one told by Wilson’s widow Edith, argue Tumulty actually exulted in the silver bullet of “Negro blood,” and it was Wilson who took a stand on principle. “We cannot go into a man’s genealogy,” Wilson said in this telling, “We must base our campaigns on principles, not on back-stairs gossip.” Bagby, 153. Pietrusza, 377. Russell, 404-405.

⁶⁹⁹ Bagby, 153. Pietrusza, 382-383. Russell, 403-405, 412-415. “The Unreal Campaign,” *The Crisis*.

⁷⁰⁰ Bagby, 153. Pietrusza, 382-383. Russell, 403-405, 412-415. Among those arguing Harding should not make an explicit denial was Boies Penrose. “From what I hear,” he purportedly said, “we’ve been having a lot of trouble holding the nigger vote lately.” Pietrusza, 382. Russell, 415-416.

If nothing else seemed to work, Cox and Roosevelt tried to beat the Republican ticket by dint of sheer effort. While Senator Harding took callers at his front porch in Marion, Cox undertook a coast-to-coast campaign schedule that was deemed “the most strenuous ever undertaken by a nominee for the Presidency.” In total, Cox traveled 22,000 miles across 36 states, and gave 394 speeches to approximately two million people, sometimes as many as 26 times a day. Although he developed a reputation on the road as being somewhat immature, Cox’s strapping young running mate also lived up to the vigorous Roosevelt reputation, traveling 18,000 miles and averaging ten speeches a day on behalf of the ticket. (Roosevelt told audiences, in Rooseveltian fashion, that he’d drag Harding off his Front Porch. Amiable, if confused, former Bull Moosers often replied, “I voted for your old man, and I’ll vote for you!”) And, while Bryan and Palmer remained aloof, Democrats like William McAdoo and Al Smith also helped to carry the load in the West and Northeast respectively.⁷⁰¹

It was all for naught.

The Triumph of Reaction

“Well, I suppose even you are surprised at the overwhelming character of the Republican victory last Tuesday,” Harold Ickes wrote Hiram Johnson after Election Day. “I expected something in the nature of a landslide for Harding, but I didn’t think the vote would be as near an approach to unanimity as it was.” Ickes was in good company -- Nobody had expected such a consummate thrashing. The results, according to KDKA in East Pittsburgh, delivering the first-ever breaking radio news broadcast: Harding and Coolidge won 404 electoral votes and 60 percent of the popular vote, compared to 126 and 34% for Cox and Roosevelt respectively – the

⁷⁰¹ Bagby, 129. Schlesinger, *Crisis of the Old Order*, 366. Russell, 409, 418.

largest margin of victory at that time since James Monroe ran virtually uncontested in 1820. (Eugene Debs, still in prison, won 3.4%, including the vote of Jane Addams. Parley Christensen and the Farmer-Labor Party, only 1%.) Republicans also wrested ten Senate seats and 64 House seats from the Democrats, giving them a 22-seat majority in the Senate and a 303-131 edge in the House – the largest in the party’s history. “We have torn up Wilsonism by the roots,” beamed Senator Henry Cabot Lodge.⁷⁰²

The Republican tidal wave was remorseless, washing over even such heretofore Democratic strongholds as Tennessee, thus breaking the Solid South for the first time since Reconstruction; New York, where the otherwise-popular Governor Al Smith – running a million votes ahead of Cox -- was still ousted from office; and Boston, where Irish-Americans were deeply antagonistic to the thought of Irish independence being decided by the League of Nations – where England had six votes. (For similar reasons, Democratic Senator James Walsh of Massachusetts developed a strange laryngitis during the campaign that inhibited his ability to speak on behalf of the Cox-Roosevelt ticket.)⁷⁰³

The north end of Boston was no happier – Italian-Americans resented Wilson’s attempts in Paris to prevent Italy’s post-war incursion into Central Europe, and voted accordingly. And German-Americans, another traditionally Democratic vote, were also unhappy with the ticket, thanks to Governor Cox’s proud and often-mentioned record of anti-German legislation during

⁷⁰² Ickes to Johnson, November 5, 1920. HLI. Box 33: Hiram Johnson. Niall Palmer, *The Twenties in America: Politics and Culture* (Edinburgh: Edinburgh University Press, 2006), 52. Bagby, 159. Jean Bethke Elshtain, *The Jane Addams Reader* (New York: Basic Books, 2002), xvi. Smith, 161.

⁷⁰³ Bagby, 154, 130. “The Triumph of Reaction,” *The Nation*, November 17, 1920 (Vol. 111, No. 2889), 548.

the war. (Despite the popular convention now, there is no evidence that new women voters backed the Harding ticket in markedly greater numbers than men.)⁷⁰⁴

The outcome was so decisive that neither of the Democratic candidates took it personally. “It was all inevitable,” Governor Cox wrote Harold Ickes after the returns were in. “Therefore, we must face it with the right sort of philosophy”:

There was never a time that I did not recognize the tremendous odds against us, but frequently I felt that there was some evidence of returning fervor of the war. It is nothing more nor less than the manifestation of human nature. The fact that the landslide operated everywhere the same is the best evidence that the conditions made the same play upon human emotions.⁷⁰⁵

Now that the “reactionary forces will have such power, prestige, and patronage” in the Republican Party “that there can be little hope of principle over-riding expediency in that organization,” Cox expected to see “a breaking down of party lines” in the years to come, and he had “every hope that the Democracy will be the means of promoting true progress...The crowd that is in control believes in reactionaryism. The interests behind them are emboldened by what they will convince themselves to be a protest against progressive movements.”⁷⁰⁶

Ickes was inclined to agree. “The pendulum swung just as far as it could,” he wrote Hiram Johnson. “It will have to come back and I confidentially expect it to come back before long. I simply can’t conceive of the possibility of a man without either character or ability making good as president of the United States.” Regarding his own apostasy in voting for Cox, Ickes claimed he hadn’t “any regrets for the position I took during the campaign. On the contrary, even in the light of the results on Tuesday, I would do exactly the same thing again. We

⁷⁰⁴ Bagby, 154, 130, 160. Capozzola, 193.

⁷⁰⁵ Cox to Ickes, November 10, 1920. HLI, Box 30: Cox Correspondence.

⁷⁰⁶ Ibid.

are suffering from a political disease that has to run its course, but that it will run its course I haven't a particle of doubt.”⁷⁰⁷

Although he now signed his letters “Franklin D. Roosevelt, Ex V.P., Canned (Erroneously reported dead),” Cox’s running mate was similarly philosophical. Roosevelt attributed the overwhelming Harding victory to the “tidal flow of discontent and destructive criticism” that followed the end of the great conflagration. “Every war brings after it a period of materialism and conservatism,” he argued. “[P]eople tire quickly of ideals and we are now repeating history.” FDR predicted to his running mate that Democrats would be now out of power until a serious depression occurred. Until then, it could be a bumpy ride. “Thank the Lord,” he confessed to a friend, “we are both comparatively youthful.”⁷⁰⁸

Like Roosevelt, Senator Hiram Johnson also blamed the war for the ascendancy of Reaction. The war “has set back the people for a generation,” he told one journalist. “They have bowed to a hundred repressed acts. They have become slaves to the government. They are frightened at the excesses in Russia. They are docile; and they will not recover from being so for many years. The interests which control the Republican party will make the most of their docility.” But unlike Franklin Roosevelt, Hiram Johnson was no longer a young man. “In the end, of course,” he concluded, “there will be a revolution, but it will not come in my time.” “During our generation,” he told another, “it cements in power the old standpatters. It is the end of Progressivism.” He would spend the next several years fighting off serious depression – One observer deemed him “a pale fat man, moping in and out of the Senate.”⁷⁰⁹

⁷⁰⁷ Ickes to Johnson, November 5, 1920. HLI. Box 33: Hiram Johnson.

⁷⁰⁸ Murray, *The 103rd Ballot*, 3. Schlesinger, *Crisis of the Old Order*, 366.

⁷⁰⁹ Leuchtenburg, *Perils of Prosperity*, 45. Richard Coke Lower, *A Bloc of One: The Political Career of Hiram W. Johnson* (Stanford: Stanford University Press, 1993), 159, 162.

Reading the election results specifically as a repudiation of the League, Senator Johnson's Irreconcilable comrade in arms, William Borah, was much happier about the Harding landslide. "We won a great victory for our country," he exclaimed to one constituent. "It can hardly be underestimated in its import and its far-reaching effect provided we gather the fruits of victory." But, to Borah, now was not the time to forsake vigilance. "[Y]ou know General Grant once said something to the effect that the true test of military genius was the capacity to avail yourself of the fruits of victory... You will see now a scheme cooked up by Wall Street attorneys which will be advertised as a new and perfectly safe scheme [to enter the League.] Let us be on our guard."⁷¹⁰

Also content with the process of the election, if nothing else, were progressive suffragists who saw women for the first time exercise the franchise in balloting booths all across the country. Meeting three weeks after the election, representatives of ten of the largest women's organizations – including the League of Women Voters, the General Federation of Women's Clubs, the National Consumer's League, the Women's Trade Union League, and the American Association of University Women – convened in Washington DC to begin planning for the next steps forward. "No such body of unselfish citizens has ever before made itself articulate," announced Maud Wood Park, chair of the LWV. "The members of Congress are apt to forget that good government is desired. They hear so much from the self-seeking, rather than the average citizen." Achieving suffrage was only the beginning – To add women's voices to politics, and to begin the process of changing government for good, these organizations agreed to

⁷¹⁰ Borah to John W. Hart, November 5, 1920. WJB, Box 85: Politics – Idaho.

form the Women's Joint Congressional Committee (WJCC), which would become one of the most prominent and feared lobbies of the next few years.⁷¹¹

Borah and the WJCC founders were some of the only progressive minded individuals to draw a silver lining from the Harding boom. Most agreed with William Howard Taft that the election results had made progressives politically irrelevant – “[I]t prevents,” Taft chortled with glee, “their exercising that instrumentality of blackmail with which they love to manifest their nuisance importance.” “Reaction is in control today, both in the politics and in the sphere of public opinion,” lamented Father John Ryan in January 1921. Nonetheless, *The Survey* responded to the Harding landslide by reiterating all the progressive planks the Republican candidate had committed to, in his Social Justice speech or otherwise. Harding, *The Survey* reminded its readers, had declared himself “in favor of trade unionism and collective bargaining”:

On October 1, he came out in favor of a Department of Public Welfare...At the same time he said he favored the eight-hour day for women, the living wage, the extension of the activities of the Children's Bureau, and that he desired to see the government take the lead in proposing legislation for the protection of women and of the national health. Senator Harding also stated his desire to see lynching stamped out by federal action. He has stood for an executive budget in the federal government.⁷¹²

The Survey notwithstanding, most observers did not look as favorably at the prospect of progressivism under Harding, and many progressives seemed to lapse into despair. “What a God damned world this is,” William Allen White confessed to Ray Stannard Baker. “I trust you will realize that I am not swearing; merely trying to express in the mildest terms what I think of the

⁷¹¹ Jan Doolittle Wilson, *The Women's Joint Congressional Committee and the Politics of Maternalism* (Chicago: University of Illinois Press, 2007), 1.

⁷¹² Lowitt, 135. “What Else Must Be Done to Make This a Livable World?” *The Survey*, January 1, 1921, 505. W.L.C., “The Republican Victory,” *The Survey*, November 13, 1920, 247.

conditions that exists.” For his part, Baker had already succumbed to depression during the campaign. As he confided to his journal, his “former silly illusions” were gone, and he “now ready to begin at the bottom.”⁷¹³

W.E.B. Du Bois was also among the disgusted. “Never have the American people endured such a Presidential campaign,” he argued in *The Crisis*. “[T]he major parties were all fog or reaction,” while “the third parties have made a singularly spiritless campaign:

And the Black Man. He had no chance. He was less than free and more than a slave. He was a machine – an automatic registration mark for the Republican party. He could not be otherwise. From the day Woodrow Wilson shamelessly betrayed his black supporters of 1912 to the day when the flippant Cox of Ohio built his Ohio campaign on the cheapest brand of ‘nigger’-hatred, the black American had but one political choice or mission: to defeat the South-ridden Democratic party. He could not even think of taking an off-shot at the Millennium by voting Socialist or Farmer Labor – he must defeat the Democrats.

And he did his bit.

And so the great farce ends. The People have spoken – and said nothing.⁷¹⁴

For Oswald Villard and *The Nation*, Harding’s election – “the Triumph of Reaction” – showed “the country is bound and delivered to the Republicans. They may work their sweet will upon us and interpret the verdict as they see fit.” On the bright side, the magazine argued, the election results showed that “the effect of the women’s vote was just what everyone but its most ardent opponents and its most fanatical supporters knew it would be – slight indeed.” In other words, the election proved that “men and women are much alike in their opinions and

⁷¹³ Noggle, *Into the Twenties*, 190. Even H.L. Mencken, once his initial cynic’s joy at witnessing such a colossal cock-up subsided, looked grimly to the future. “Mere snickering at the snarls and whorls of Gamalielese will soon pall,” he wrote, “[I]t will presently irritate and then it will bore. Far better a Roosevelt with his daily mountebankery or a Wilson with his weekly appendix to the Revelation of St. John the Divine. These boys kept the ball in the air...But all Gamaliel promises is a few more laughs, and then an illimitable tedium.” Mencken, *A Carnival of Buncombe*, 46.

⁷¹⁴ “The Unreal Campaign,” *The Crisis*, December 1920 (Vol. 21, No. 2), 55.

prejudices,” and it was heartening to see the franchise extended to “all the men and women of the country, even though it may sometimes result in the election of a Harding.” Otherwise, however, the results made it abundantly clear that “for liberals there is a long road ahead before the United States can be ranked as a politically progressive nation.”⁷¹⁵

“The chief distinguishing aspect of the Presidential campaign of 1920,” Herbert Croly wrote similarly in *TNR*, “is the eclipse of liberalism or progressivism as an effective force in American politics.” A despairing Croly thought that “various progressive groups are no longer sure or clear about what they want. They do not know how to get what they want; nor are they willing to pay the price... Their political futility is born of the equivocal meaning of American liberalism, its failure to keep abreast of the best available social knowledge and its inability to interpret candidly the lessons of its own checkered career.” Now, “the hodge-podge of factions and sects which remain of the progressive movement know neither their own minds nor the dangerous world in which they live.”⁷¹⁶

Croly’s young editorial partner, Walter Lippmann, ascribed the defeat to “the final twitch of the war mind” and “because the Democrats are inconceivably unpopular.” (Otherwise, he told his friend Graham Wallas, “there would be cause for profound discouragement with universal suffrage.”) Surveying the mindset of progressives several months later, after Harding’s inauguration, Lippmann told Wallas “there’s no use pretending that the atmosphere is cheerful here. It is not. The hysteria has turned to apathy and disillusionment in the general public, and cynicism in most of my friends. “I feel that we shall not have much immediate influence in

⁷¹⁵ “The Triumph of Reaction,” *The Nation*, November 17, 1920 (Vol. 111, No. 2889), 548.

⁷¹⁶ Herbert Croly, “The Eclipse of Progressivism,” *The New Republic*, October 27, 1920.

America for perhaps a decade,” Lippmann told Wallas. “[B]ut I’m not discouraged because we can use that time to reexamine our ideas.”⁷¹⁷

For his part, Woodrow Wilson issued no public statements of any kind, although his private secretary, Joe Tumulty, proclaimed that “[i]t was a landslide, it was an earthquake.” Wilson deferred the writing of the usual Thanksgiving Day proclamation to his Secretary of State. The following month, the American Minister to Norway officially accepted Wilson’s Nobel Peace prize. His daughters, his cabinet members, and his friends tried to rouse him from despair, but the president was inconsolable.⁷¹⁸

One day, Ray Stannard Baker joined the president and his wife to watch a new film that had been made of the president’s trip to Europe, when Wilson had been feted by kings and adored by millions. As the film ended and the room went dark, Baker remembered, “[a]ll that glory had faded away with a click and a sputter.” In a memory that would haunt Baker for years to come, Wilson said not a word the entire time, and then simply, silently, painfully got up and walked out of the room. When Edmund Starling, one of Wilson’s Secret Service men, told the president that a friend of his, a Mr. Barker, would still follow him into battle wherever he went, Wilson said “Tell Barker I thank him, but there is nowhere now to go.”⁷¹⁹

⁷¹⁷ Steel, *Walter Lippmann and the American Century*, 170.

⁷¹⁸ Murray, *The 103rd Ballot*, 3. Smith, 159-163.

⁷¹⁹ Smith, 159-163.

PART TWO: CONFRONTING NORMALCY

“Although forgotten in years to come, the early 1920s was an exceptionally fertile period for progressive politics.”

- Alan Dawley⁷²⁰

⁷²⁰ Dawley, *Changing the World*, 323.

CHAPTER FIVE: THE POLITICS OF NORMALCY

PROGRESSIVES AND THE FIGHT FOR GOOD GOVERNMENT

“I think we are all just marking time under Harding. So many people expected nothing at all from him, or worse, that they are agreeably surprised that he hasn’t done as badly as they thought he would. And so we hear the general expression that ‘Harding is doing better than we expected.’ All of which means only that nothing at all was expected.” – Harold Ickes, 1922⁷²¹

“I do not suppose there has been in the history of the world an era of more sordid corruption than has characterized public life during the last few years.” – Willam Borah, 1926.⁷²²

“One of the very foundations for which the Progressive cause stands is that every man, whether he be an official or a private citizen, should vote his conscientious convictions and should not be controlled or influenced by any machine, organization, or political boss.” – George Norris, 1932⁷²³

Entering office with a decisive mandate and large majorities in Congress, the Harding administration introduced an agenda in April 1921 that, for the most part, set the template for federal public policy during the decade. While attempts by Congressional progressives to organize in opposition were usually of limited effect, Senate progressives did find one useful rallying cry in decrying the influence of money in politics. Through dogged persistence over many years, they worked to uncover and expose the full extent of the Harding scandals, but garnering the righteous indignation of a cynical and distracted nation turned out to be a harder climb.

The Harding White House

“Ring out the old, ring in – something a little older,” grimaced *The New Republic* in March 1921, the week of Warren Harding’s ascendancy to the White House. Like many

⁷²¹ Harold Ickes to William Allen White, April 5, 1922. HLI Box 41: William Allen White.

⁷²² William Borah to George F. Milton, May 14, 1926. WJB Box 216: Political-Misc.

⁷²³ Ashby, 287-288.

progressives, the editors of TNR were still coming to grips with the clear mandate the American people had granted Senator from Ohio five months earlier.⁷²⁴

In January 1921, perhaps as a reflection of either the denial or bargaining stage the editors had reached by that point, the magazine had hoped beyond hope that somehow Harding was contemplating a break with the Old Guard and a move toward progressive statesmanship. “The circumstances have conspired to endow Harding with a measure of freedom of choice such as no other President-elect, at least in our generation, ever enjoyed,” the magazine pleaded. “The upshot is that Harding stands at the crossroads, the most remarkable exemplification of free will in American political history. He may go either to the right or to the left, as he chooses. He may give us the best or the worst administration we have ever had. Nothing is fixed by the stars.” If Harding looked to posterity and decided to choose the road of “toil and virtue” over that of “ease and joy,” great things might still be expected from the coming administration.⁷²⁵

Of course, as with every other new president, the first indication of Harding’s intentions would be his selection of a Cabinet. This, from a progressive perspective, was looking to be a split decision. “Apparently, Mr. Harding’s cabinet is a mixture of oil and water,” TNR reported the week of the inauguration. On one hand, Harding’s choice for Secretary of State, Charles Evans Hughes, “represents his conscience.” On the other hand, Attorney General Harry Daugherty and Secretary of the Interior Albert Fall of New Mexico – a Senate friend of Harding’s who took the position after the intended occupant, oil baron Jake Hamon. was shot

⁷²⁴ The Week,” *New Republic*, March 2, 1921 (Vol. XXVI, No. 326), 1.

⁷²⁵ “Harding at the Crossroads,” *The New Republic*, January 12, 1921, 180-181. “The average American of 1950,” TNR noted, “will not have the remotest idea what manner of man Lodge was, or Borah, or Newberry or Fall. But every American child, in 1950, will have been compelled to recite the name of Harding in the series of Presidents great and small.” *Ibid*, 181.

and killed by his mistress -- were “unspeakably bad appointments,” and “exactly the sort of men who drove Roosevelt to rebellion in 1912...They are full blown specimens of the manipulating politician who serves private and predatory interests.”⁷²⁶

The rest seemed like a wash. “It is bad business to select a political manager” like Republican Chairman Will Hays to be Postmaster-General, but “every President has done it” and, anyway, he was assuredly better than Burleson. “[I]f Mr. Hays were the only concession to that bad principle, he would be acceptable.” As for Treasury, that “will go either to Mr. Mellon of Pittsburgh or to Mr. Dawes of Chicago...About Mr. [Henry] Wallace, who is mentioned for Agriculture, we hear good things but nothing very definite. About Mr. John J. Davis, mentioned for Labor, we hear nothing except that he is somehow related to the A.F.L.” In any case, Labor “will never be much of a department until some man of large calibre makes it important.”⁷²⁷

Such a man, to TNR, would be the make-or-break element of the coming administration anyway, if he chose to join it – Herbert Hoover. If Hoover were to take Secretary of Commerce, as rumored, “it would mean that he was virtually a minister without portfolio. But it is not a bad job for him” since “only partly occupied by his departmental duties, he could range afield.” And if Herbert Hoover and Charles Evans Hughes were to make common cause against the likes of Daugherty and Fall, then all the better. “They are the two men, the only two men in whom the people at large have genuine confidence...Both of them take enormous personal risks in entering such a cabinet, and both of them will be tested to the limit. Of them much is expected; of the others practically nothing, or worse than nothing.”⁷²⁸

⁷²⁶ “The Harding Cabinet,” *The New Republic*, March 2, 1921 (Vol. 26, No. 326), 3-4. McCartney, 1-7, 53-55.

⁷²⁷ “The Harding Cabinet,” 3-4.

⁷²⁸ *Ibid.*

In fact, the idea of Herbert Hoover in the Harding administration enraged the Republican Old Guard. As Frank Brandegee of Connecticut put it, “Hoover gives most of us gooseflesh,” and, isn’t this exactly why they had hand-picked Harding in the first place? Already, the president-elect had chosen “the whiskered Wilson,” Charles Evans Hughes, as Secretary of State. The fact that the Great Engineer was, like Hughes, demonstrably pro-League only further hardened hearts against him – including and especially those of Irreconcilables William Borah and Hiram Johnson.⁷²⁹

But the president-elect was resolute. “I think there is very much of political significance involved in considering him,” he explained. To another friend, he deemed the Great Engineer “the smartest gink I know.” As Hoover later remembered it, “Mr. Harding, soon after election, sent me word he would like me to join his Cabinet. I heard nothing more for nearly three months and assumed there was nothing in it. The long delay in announcement was due to the opposition of Senators Penrose and Lodge. They were urging Andrew Mellon for Secretary of the Treasury. Harding subsequently informed me that he had told them, ‘Mellon and Hoover or no Mellon.’” And so, Secretary of Commerce Hoover came along with the world’s second richest man, after John D. Rockefeller, Secretary of the Treasury Andrew Mellon – whom Harding soon deemed “the ubiquitous financier of the universe” and who gained a reputation in certain circles -- namely those who agreed with his multi-year campaign to lower taxes on the rich – as the “greatest Secretary of the Treasury since Alexander Hamilton.” Both men would remain central fixtures of the next three presidencies.⁷³⁰

⁷²⁹ Russell, 425, 433.

⁷³⁰ Russell, 425, 435. Hoover, 36. William Leuchtenburg, *Herbert Hoover* (New York: Times Books, 2009), 51.

As it happened, the conditions the Great Engineer put forward in taking the Commerce post were not unlike those suggested by TNR. “I was interested in the job of reconstruction and development in front of us,” Hoover wrote, and so, “for the Department to be of real service, I must have a voice on all important economic policies of the administration,” be they “business, agriculture, labor, finance, [or] foreign affairs.” Harding promptly agreed and informed all of his other Cabinet members except Hughes, since, according to Hoover, “he seemed a little afraid of his stiff Secretary of State.” Nonetheless, Hoover recalled, “Mr. Hughes was enthusiastic over both the idea and my entry into the government.”⁷³¹

Incorporating notable figures like Hoover, Hughes, and Mellon into the administration had been a campaign promise of sorts. “I should not be fit to hold the high office of president,” Harding said on the trail, “if I did not frankly say that it is a task which I have no intention of undertaking alone.” Instead, he promised he would bring “the best minds in the United States” together to help run the country. But even as Harding took on these notable Secretaries (though his original choice for Secretary of State – one Hughes had even suggested – had been Albert Fall), the president-elect was not one to turn his back on loyal comrades either. When it was suggested to him, more than once, that Harding pick anyone else other than Harry Daugherty as the nation’s top lawyer, Harding finally exclaimed, “Harry Daugherty has been my best friend from the beginning of this whole thing. I have told him that he can have any place in my Cabinet he wants, outside of Secretary of State. He tells me that he wants to be Attorney General and *by God he will be Attorney General!*” Further down the executive hierarchy from the Cabinet,

⁷³¹ Hoover, 36.

cronyism was even more in evidence -- “God, I can’t be an ingrate,” he apparently said of his many quid-pro-quo appointments to old political friends.⁷³²

Although not by nature a man to hold a grudge, Harding did decide to stand in the way of Leonard Wood’s dream of retiring as the Secretary of War, and instead offered him the Governorship of the Philippines, a post which was also conveniently over on the other side of the planet. (Elihu Root thought the offer a “damned insult,” but Wood eventually took it anyway.) Instead he chose Republican Party financier John W. Weeks for the post, who in turn recommended for Secretary of the Navy three-term Congressman Edwin Denby – another of the men who would be integral in Harding’s eventual fall from grace.⁷³³

While not a Cabinet choice, the new president managed to enrage progressives in the first months of his presidency by choosing one of their ancient nemeses, William Howard Taft, to serve as the new Chief Justice. “I regard Taft as utterly unfit to be a member of the Supreme Court,” wrote Harold Ickes, who thought the choice “disgusting.” Ickes applauded his friend Hiram Johnson for voting against the appointment and noted that “I don’t see how anyone who went through the 1912 fight on the Progressive side could have done otherwise.” Senator Johnson thought that the nomination was “the most sinister thing that has come to us thus far in the administration” and “most depressing... When you think that many of the most grave policies of the country have been decided by the United States Supreme Court by a single vote, the

⁷³² Dean, 79. Russell, 427, 438. Murray, *The Politics of Normalcy*, 28. Elihu Root later said that Harding “should have known that Daugherty wasn’t fit to be Attorney General of the United States, but he hadn’t the nerve to take a course which would appear to be deserting his friends.” Daugherty apparently wanted the Attorney General position both to thumb his nose at the Ohio critics who thought him crooked, and, on the principle that it takes one to know one, to protect his friend the president. “I know Harding,” Daugherty told Mark Sullivan, “and I know who the crooks are and I want to be between Harding and them.” Russell, 507, 449.

⁷³³ Russell, 434-435.

possibility of Taft casting that vote makes your heart sink.” Harding’s choice of such an obvious conservative, *The New Republic* argued, was in fact a radical move. “The true conservative view is that the Supreme Court ought to be an embodiment of the clearest legal intelligence, altogether unmoved by political bias or class preconception,” the journal noted, while progressives and radicals believed in a living, changing law. “[T]he very fact that everybody expects such a shift toward conservatism proves that the position of the Court itself has been shifted toward radicalism.”⁷³⁴

To William Borah, it was less about the conservative than the cronyism. “It is almost sacrilegious,” he told Oswald Villard, “to take a man who has dedicated his life to politics and who has at best only seven or eight years of service left and make him the head of that great tribunal.” The Idaho Senator thought it tantamount to “prostituting” the Court, “as we are so many other things, to the mere call of expediency in politics.” Villard told Borah he “felt like sitting down and telegraphing ‘Hallelujah!’” when Borah publicly voiced his opposition. In *The Nation*, Villard and the editors called the choice of the “intellectually indolent” Taft “a grave mistake.” When changing times called for a dynamic thinker, the journal argued, Harding had chosen an amiable but calcified political hack. “It must not be forgotten that Mr. Taft’s political views were passed upon by the American people in 1912, and that only two States voted for him.

⁷³⁴ Ickes to Johnson, July 1, 1921. HLI. Johnson to Ickes, July 2, 1921. HLI. Box 33: Hiram Johnson. “The Week,” *The New Republic*, July 13th, 1921 (Vol. 27, No. 345), 177. Ashby, 31. To Ickes and Johnson, TNR’s article was pure sophistry, if not a simple beat-sweetener. “It seemed to me the thing was particularly insidious in that it sought to create a pleasant impression of Taft without actually praising the appointment,” said Ickes. “Certainly if *The New Republic* has any remnants of liberalism left it should have criticized this appointment instead of writing about it with honeyed words... It is rarely that I read a single issue of *The New Republic* without feeling disgusted and angry.” Johnson, still fuming over the magazine’s support of Hoover in 1920, thought TNR was “displaying a partiality these days for some things which are a stench in the nostrils of men who call themselves either radical, liberal, or progressive. Perhaps, however, there is no longer any such animal as a liberal or progressive.” Ickes to Johnson, July 15th, 1921. HLI. Johnson to Ickes, July 13th, 1921. HLI Box 33: Hiram Johnson.

He was then, as now, opposed both to the progressive doctrines of the Wilson Democracy and to those of the Progressive Party.”⁷³⁵

The respect merits of Chief Justice Taft aside, Warren Harding thought his job, as historian Robert K. Murray argues in *The Politics of Normalcy*, was “to bring the ‘best minds’ together” – over a poker game or otherwise – “moderate their discussions, and supply the conciliatory spirit that would adjust diverse points of view.” In short, Murray argues, “Harding himself... was the central figure in his own cabinet, because he fused the independent talents, especially of his ‘best minds’ into a constructive political whole.”⁷³⁶

And whatever the public thought of them years later, Harding’s Cabinet choices – with the notable exception of Harry Daugherty, the “best friend” that came along with the best minds – were generally considered to be sound at the time. “No presidential cabinet during the past half-century,” intoned *The Atlantic Monthly*, “has been better balanced, or has included within its membership a wider range of political experience.” Writing in TNR in 1922, once the bloom had begun to come off the rose of many of Harding’s choices, John W. Owens still recalled that “[e]verybody was happy when [Harding] announced his Cabinet and assumed office... The

⁷³⁵ Borah to Villard, July 9, 1921. WJB, Box 99: Misc. Villard to Borah, July 8, 1921. WJB, Box 99: Misc. “The Chief Justice – A Mistaken Appointment,” *The Nation*, July 13th, 1921, (Vol. 113, No. 2923), 32. For the Chief Justice, the feeling was mutual. Taft thought Borah was “the most unstable man” he had ever met, and George Norris one of those “gentlemen of communistic and socialist tendencies who are opposed to any enforcement of the law at all.” “I always have Borah, Norris, La Follette, and Johnson against anything I wish – for my sins I suppose.” Ashby, 33-34. One former Roosevelt progressive more sanguine about the Taft pick was William Allen White. “I feel that the question of international disarmament is the biggest question before mankind today,” he told Borah. “I was even glad enough to see old Taft on the Supreme Court, to get a man there who had a decent idea of the magnitude of the peace problem.” William Allen White to Borah, July 2, 1921. WJB, Box 98: Misc.

⁷³⁶ Robert K. Murray, *The Politics of Normalcy: Governmental Theory and Practice in the Harding-Coolidge Era* (New York: W.W. Norton, 1973), 23, 34.

pictures of the Cabinet members looked like the pictures of the board of the First National Bank. They were familiar, conventional, understandable types, and withal confidence-sustaining.”⁷³⁷

Harding may have surrounded himself with “the best minds,” but he still never got over his initial feelings of self-doubt. “Oftentimes, as I sit here,” he once said to a columnist, “I don’t seem to grasp that I am President.” To a golfing partner he confessed, “I don’t think I’m big enough for the Presidency.” Part of the problem, as Harding himself would be the first to confess, is that he wasn’t a particularly bright man. “I don’t know anything about this European stuff,” Harding admitted to Arthur Draper of the *New York Herald Tribune*. He once told Bruce Bliven of the *New Republic* that “the United States should adopt a protective tariff of such a character as will help the struggling industries of Europe to get on their feet.” H.L. Mencken, in his usual uncharitable fashion, thought that “[n]o other such complete and dreadful nitwit is to be found in the pages of American history.”⁷³⁸

To compensate for his lack of innate ability, Harding put in long hours in the position. In 1922, veteran journalist Mark Sullivan deemed the president “extraordinary” in “the mere prosaic quality of capacity for hard work,” and according to one historian, Harding “worked harder as president than either Wilson or Roosevelt and twice as hard as Taft.” “I never find myself done,” complained Harding a year into the job. “I never find myself with my work complete. I don’t believe there is a human being alive who can do all the work there is to be done in the President’s office. It seems as though I have been President for twenty years.” When Senator Brandegee asked the president how he liked his job, Harding replied “Frank, it is Hell!

⁷³⁷ Russell, 443. Dean, 94. John W. Owens, “The Great Cabinet,” *The New Republic*, November 8, 1922, 272-273.

⁷³⁸ Alan Brinkley, *American History* (New York: McGraw-Hill, 2007), 662. Russell, 452. Miller, *New World Coming*, 83.

No other word can describe it.” He disliked the position so much that at one point he thought about supporting a constitutional amendment limiting presidents to one six-year term. His wife urged him to reconsider.⁷³⁹

Despite his formidable work habits, Harding is more remembered today for his extracurricular activities. “Weekly White House poker parties were his greatest relaxation,” wrote Hoover in his memoirs decades later, circumspectly sidestepping all the rumors about Nan Britton’s attentions. “I had lived too long on the frontiers of the world to have strong emotions against people playing poker for money if they liked it, but it irked me to see it in the White House. Hughes and I found some excuse to remain out of the game. Some time afterward Harding remarked that I did not seem to like poker, and as I agreed, I was not troubled with more invitations.”⁷⁴⁰

These notorious twice-weekly poker games gave the White House “the atmosphere [of the] back room in a speakeasy,” thought Alice Roosevelt Longworth in a quote that would stick for generations. “No rumor could have exceeded the reality...the air heavy with tobacco smoke, trays with bottles containing every imaginable brand of whisky stood about...a general atmosphere of waistcoat unbuttoned, feet on the desk, and spittoons alongside.” But other reports suggest these games were less dissolute than the popular imagination remembers. “The stakes were modest, since these men played purely for the sport of it,” noted Edmund Starling, the same Secret Service man who had protected Wilson in his darkest months and would serve through Franklin Roosevelt. While the attendees “played with great zest and good humor, drank moderately and sociably, and smoked” until one a.m. in the morning, there was never “the

⁷³⁹ Murray, *The Politics of Normalcy*, 21. Dean, 137-138. Russell, 485-486.

⁷⁴⁰ Hoover, 48.

slightest sign of debauch,” and Harding himself never enjoyed more than one highball. Harding “suffered from stomach trouble,” Starling recalled, “and was allergic to alcohol in any but small doses.” Similarly, while much was made of Harding’s twice-weekly golf outings, he actually spent less time on the green than had his predecessor, Woodrow Wilson (before the stroke.)⁷⁴¹

Of course, there were rumors of darker assignations taking place at the “Love Nest,” the Little House on H Street two blocks from the White House, where Harry Daugherty and his longtime friend, flunky, and bagman Jess Smith lived, and where the so-called “Ohio Gang” congregated. There, according to legend (and the later account of Gaston Means, a member of the Gang known for fabulism and later convicted of perjury), Harding would often drink to excess and carouse with several women not named Florence Kling Harding. When queried about these “woman scrapes,” as Daugherty called them, or “bimbo eruptions,” as a later generation would style them, Harding gave the same sort of shrug and non-denial with which he had earlier answered questions about his lineage. “It’s a good thing I am not a woman,” he told reporters at the National Press Club (in private), “I would always be pregnant. I can’t say no.”⁷⁴²

While “not a man with either the experience or the intellectual quality that the position needed,” Hoover concluded of the president, he “had real quality in geniality, in good will, and in ability for pleasing address.” And if nothing else, Harding had a keen sense of his own strengths and weaknesses, and he guided his presidency accordingly. He did not seek to be a Wilson or a Roosevelt. As he confided to a friend, “[f]rankly, being President is rather an unattractive business unless one relishes the exercise of power. That is a thing which has never

⁷⁴¹ Russell, 448. Hoover, 48. Dean, 165. Russell, 444-445.

⁷⁴² McCartney, 62-63. Carl Sferrazza Anthony, “A President of the Peephole,” *The Washington Post*, June 7, 1998. Lucy Moore, *Anything Goes: A Biography of the Roaring Twenties* (New York: Overlook Press, 2010).

greatly appealed to me.” Rather he sought to be America’s “best-loved” president. In the words of Frederick Lewis Allen in 1931, Harding “was the friendliest man who ever had entered the White House. He seemed to like everybody, he wanted to do favors for everybody, he wanted to make everybody happy. His affability was not merely the forced affability of the cold-blooded politician; it was transparently and touchingly genuine.” After his untimely death, the Bishop presiding over his memorial service eulogized Harding by saying, “[i]f I could write one sentence upon his monument, it would be this, ‘He taught us the power of brotherliness.’”⁷⁴³

As part of his efforts to be liked by everyone, Harding -- a former newspaperman himself -- opened the White House wide to members of the press. “Unquestionably Harding had the best relationship with the press of any president in history,” Robert Murray wrote in 1969, with perhaps a modicum of hyperbole. “Reporters liked his frankness in confessing his limitations and his refreshing candor about presidential problems. The press was taken behind the scenes and shown the inner workings of the presidency to an extent never allowed before.”⁷⁴⁴

As his first official act, Harding also opened the White House to anyone who wanted to stop by during the lunch hour and shake his hand. “I *love* to meet people,” Harding once said. “It is the most pleasant thing I do; it is really the only fun I have. It does not tax me, and it seems to be a very great pleasure to them.” As such, Harding would spend at least an hour a day welcoming the visitors, occasionally numbering in the thousands, who came by to visit. The president further tugged the heartstrings of America by acquiring, the day after his inauguration, an Airedale terrier named Laddie Boy. With his own chair for cabinet meetings, his own official

⁷⁴³ Hoover, 48. Russell, 468. Frederick Lewis Allen, *Only Yesterday: An Informal History of the 1920's* (New York: Harper Collins, 2000). 109, 116.

⁷⁴⁴ Robert K. Murray, *The Harding Era: Warren Harding and his Administration* (Chicago: University of Minnesota Press, 1969), 114. Dean, 99.

portrait, and plenty of photo ops and fundraiser appearances, Laddie Boy was, for all intent and purposes, the first celebrity presidential pet in American history.⁷⁴⁵

However estimable, Harding's penchant for conviviality ultimately carried a heavy price. For one, his desire to be liked by everyone, coupled with his insecurities about his own acumen, led him to take an inordinately long time making decisions. "John, I can't make a damn thing out of this tax problem," William Allen White recalled Harding saying to one of his secretaries. "I listen to one side and they seem right, and then – God! – I talk to the other side and they seem just as right and here I am where I started...God! What a job!"⁷⁴⁶

For another, while perhaps a refuge from work at first, Secretary of State Hughes, in his 1923 eulogy of Harding, thought the president "literally wore himself out in the endeavor to be friendly":

It was pain to him to refuse a courtesy; personal convenience could never be considered if it was an obstacle to any act of grace. He dealt personally with a vast correspondence, not being content with the mere acknowledgments, but writing friendly letters with the touch of keen human interest. His generous receptivity multiplied the appeals. He sought relaxation in the intimate contacts of old friendships, and this led him even in his diversions often to give himself to an undue exertion instead of rest.⁷⁴⁷

Marveling at the large stack of trivial correspondence that the president was trying to make his way through, Nicholas Murray Butler urged Harding to start prioritizing better. "I suppose so," replied the president, "but I am not fit for this office and should never have been here."⁷⁴⁸

⁷⁴⁵ Russell, 436-438. Diane Tedeschi, "The White House's First Celebrity Dog," *Smithsonian Magazine*, January 22, 2009. As it happened, Laddie Boy – who died in 1929 – managed to outlive both the president and the First Lady.

⁷⁴⁶ Allen, 109-110.

⁷⁴⁷ Dean, 169.

⁷⁴⁸ Russell, 453.

Harding's desire to trust, and the emphasis on loyalty that resulted, certainly weighed heavily on him, and definitely helped to kill his reputation in the years to come. "I have no trouble with my enemies," Harding told Will White. "I can take care of my enemies all right. But my damn friends...they're the ones keeping me walking the floor nights." Or worse. After the first of the Harding scandals broke, a visitor to the White House stumbled upon the president throttling one of the many ne'er-do-wells in his administration, Veteran's Bureau head Charles Forbes. "You yellow rat! You double-crossing bastard!" the president exclaimed before noticing they had a visitor. And in his final days just before his fatal August 1923 heart attack, Harding, according to White, "kept asking Secretary Hoover and the more trusted reporters who surrounded him what a President should do whose friends had betrayed him."⁷⁴⁹

The scandals came later. In the first few months of Harding's administration, however, the goodwill that emanated from the president seemed to envelop much of the weary nation. "The Washington atmosphere of today is like that of Old Home Week or a college class reunion," wrote Edward G. Lowry. "The change is amazing. The populace is on a broad grin." And it was in that environment that President Harding, a month after his inauguration, called a special session of Congress to lay out his normalcy agenda.⁷⁵⁰

"[A]mid conditions as difficult as our Government has ever contemplated," Harding argued in a well-received April 12, 1921 address, it was time for Congress to give "consideration to national problems far too pressing to be long neglected." First and foremost, Harding argued, it was time "to restrict our national expenditures within the limits of our national income and at the same time measurably lift the burdens of war taxation from the shoulders of the American

⁷⁴⁹ Dean, 141. Miller, 105. Smith, 188. Allen, 118.

⁷⁵⁰ Allen, 109.

people.” In other words, it was time for austerity – “rigid resistance in appropriation and . . . utmost economy in administration. Let us have both.” For the “high cost of living is inseparably linked with high cost of government,” Harding argued. “There can be no complete correction of the high living cost until government’s cost is notably reduced.” Consolidating overlapping federal programs was also the order of the day, as was the creation of a Budget office in the executive branch to help ensure the size of the government continued to shrink.⁷⁵¹

Coupled with this decreased government spending would be “the readjustment of internal taxes, and the revision or repeal of those taxes which have become so unproductive and are so artificial and burdensome as to defeat their own purpose.” Lower tax rates, including a repeal of the excess profits tax and other “unjustifiable exasperations in the present system,” Harding argued, were “a requisite to the revival of business activity in this country.” Government should also recognize that “business has a right to pursue its normal, legitimate, and righteous way unimpeded,” provided that they aid “in stamping out the practices which add to unrest and inspire restrictive legislation.” In keeping with traditional Republican policy, Harding also called for a “mature revision of our tariff laws” to aid businesses and farmers, as well as investments to stimulate commerce and shore up transportation infrastructure.⁷⁵²

And, after leading with his business foot forward, the president concluded his speech with a few planks of the more progressive variety. In keeping with the promise made in his Social Justice speech, Harding called for the creation of a Department of Public Welfare “to encourage development of the highest and most efficient type of citizenship.” He argued that

⁷⁵¹ Warren G. Harding, “Address delivered at a Joint Session of the Two Houses of Congress,” April 12, 1921, 3-4 6.

⁷⁵² Harding, 5-6.

“Congress ought to wipe the stain of barbaric lynching from the banners of a free and orderly representative democracy.” He called for “effective regulation” at the federal level to oversee (and encourage) the new technologies of aviation and radio. He presumed the swift passage of the maternity bill. And, while “merest prudence forbids that we disarm alone,” he argued his administration was “ready to cooperate with out nations to approximate disarmament.”⁷⁵³

Finally, in a statement of pure Gamalielese that confused onlookers of every stripe, Harding made his post-election stand on the League. The president took care to explain that “the highest purpose of the League of Nations was defeated in linking it with a treaty of peace” and that no such association could ever be acceptable “so long as it is an organ of any particular treaty, or committed to the attainment of the special aims of any nation or group of nations.” That being said, “we make no surrender of our hope and aim for an association to promote peace in which we would most heartily join...we pledged our efforts toward such association, and the pledge will faithfully be kept.” First, however, Congress had to officially bring the World War to an end. “With the supergoverning league definitely rejected and with the world so informed, and with the status of peace proclaimed at home,” Harding concluded, “we may...play our full part in joining the peoples of the world in the pursuits of peace once more.” “Emphatically, Mr. Harding is closely related to Mr. Facing-Both-Ways,” editorialized *The Nation* about this part of the address. “Both camps claim the president is with them, that the treaty will be eventually ratified in much amended form, that it will be discarded.”⁷⁵⁴

⁷⁵³ Harding, 10-13.

⁷⁵⁴ Harding, 15-16. *The Nation*, April 27, 1921 (Vol. CXII, No. 2912), 607. *The Nation* reported on reliable authority that one reason Harding’s League position sounded so confused was because Hoover and Hughes had convinced the president late in the game not to reject the League outright. In the other direction, an earlier draft had included the line “We stand ready, if need be to initiate, an association of nations – until Florence Harding and others encouraged the president to drop it.” Kurt Wimer and Sarah Wimer, “The Harding Administration, the League of Nations, and the Separate Peace Treaty,” *The Review of Politics*, January 1967 (Vol. 29, No. 1), 15.

As we shall see, not all of the suggestions made in Harding's April 1921 address came to pass in the two years of his presidency. Nonetheless, if taken as a statement of purpose, and evaluated only with regard to what actually passed rather than its ideological content, the contemporary view of Harding as a failure of a president seems overly harsh. Among the achievements of the Republican Congress in the summer of 1921 was an immigration restriction act (which Harding had called for in a prior speech), a resolution officially ending the war with Germany, and legislation creating the Budget Office – soon to be headed by Charles G. Dawes – and General Accounting Office. November 1921 saw passage of federal aid for highways, the Sheppard-Towner maternity bill, and the first of Mellon's tax-cutting revenue acts. The following month, the first of the major disarmament conferences opened in Washington. In September 1922, the business-friendly Fordney-McCumber tariff – the highest tariff in American history to that point – would become law. The 67th Congress which would hold office for most of Harding's presidency would hold session for a record 415 days, pass six hundred bills and ninety resolutions. And, within four years of Harding's death, Congress would pass two more stringent Mellon revenue acts, as well as legislation regulating aviation and radio respectively. For better or worse, much of what Harding called for in his April 1921 speech, from his McKinley era fiscal policies to his few forays into progressivism, was eventually enacted into law.⁷⁵⁵

Organizing in Opposition

Perhaps the only people left cold by Harding's charms in his first few months were progressives still reeling from the ascendance of normalcy. "What a period of reaction we're in!" Hiram Johnson exclaimed to Harold Ickes two months after inauguration day. "Everything dear

⁷⁵⁵ "Harding's Fiscal Policy," *The New Republic*, April 27, 1921, 254. Lowitt, 140.

to progressives seems to be under attack, and worse than this, progressives are often found with the attacking party. It begins to look as if the long hard fight of the past two years has been for naught...I will continue fighting, although with repeated defeats one's capacity for accomplishment by fighting dwindles." Ickes tried to encourage his friend. "We grow strong and maintain ourselves only by fighting," he replied to the Senator. "You wouldn't be yourself if you didn't and I confidently believe that in the end you will be justified in the opinion of the country." Johnson saw the wisdom in Ickes' words. "You are quite right in what you say. There is nothing to do but to fight on, and it goes without saying that is exactly what I will continue to do." This would be the first of many mutually reinforcing pep talks between the two men during a long, discouraging decade.⁷⁵⁶

It went without saying that Robert La Follette remained of a fighting bent as well. When President-Elect Harding had returned to the lame duck session of the Senate in December 1920, he joked to his colleague, "Now, Bob, be good." Replied the Senator from Wisconsin: "I'll be busy, making you be good." And even as Warren Harding worked to form a Cabinet of presidential timbre, Senator Robert La Follette was attempting to organize independents and progressives in Congress into a unified bloc that could stand against any reactionary tendencies in the new administration.⁷⁵⁷

In October 1920, as Harding's victory looked inevitable, *The Nation* had called for the formation of just such a "Progressive Bloc" – "a saving remnant of individuals," who "without

⁷⁵⁶ Johnson to Ickes, May 10, 1921. Box 33: Hiram Johnson.. Ickes to Johnson, May 12, 1921. HLI Johnson to Ickes, May 14, 1921. Box 33: Hiram Johnson. As Ickes had been with Pinchot and Robins before the election, Johnson was particularly irritated by seeming Progressive defections into the Harding camp. "When I observe men like William Allen White," he told Ickes, "whom I used to believe in as implicitly as I believe in you, or myself, become the mere chronicler of royalty, bending and bowing, as power nods, I get sick at heart." Johnson to Ickes, May 10, 1921. Box 33: Hiram Johnson.

⁷⁵⁷ La Follette, 1020.

necessarily breaking party ties, yet recognizing the unreality of the issues separating the parties” could come together on behalf of the public interest. “[I]f the progressive thought of the country is not to be voiceless in the next two years,” men like La Follette, Norris, Borah, Johnson, and others had to come together to “prevent the enactment of reactionary special-interest legislation that will otherwise slip through.” Most important “by far,” thought *The Nation*, “is the education which a battle waged by such a group would give to the public...it is almost impossible to get before the people the facts on which they might form intelligent opinion and base intelligent action. An informed and courageous minority group could make of these facts news that the dailies could not afford to ignore.”⁷⁵⁸

Bringing the progressives in Congress together and finding a way to better educate public opinion – Ever since his possible Third Party bid had collapsed, Robert La Follette had begun working on both of these projects. Soon after the fiasco in Chicago, Basil Manly -- director of the Scripps Economic Bureau, former head of research for the Commission on Industrial Relations, former co-chair of the War Labor Board, and a La Follette confidant – wrote the Senator that he perhaps had “evolved an idea...Why shouldn’t we follow the analogy of the Republican and Democratic parties and create an Independent Congressional Campaign Committee made up exclusively of Representatives and Senators anxious to see men elected to Congress who would vote independently of the dictates of big business and the old party machines?” Such a committee could be funded by farmer and labor groups and “avoid the enormous difficulties involved in bringing groups like the Railroad Brotherhoods, the American

⁷⁵⁸ “A Progressive Bloc,” *The Nation*, October 13, 1920 (Vol. 111, No. 2884), 394.

Federation of Labor, the Non-Partisan League, and other similar organizations in one working unit.”⁷⁵⁹

La Follette was clearly taken with the idea, for soon thereafter he pitched just such an organization to a number of left-leaning House and Senate members. “The developments of the presidential campaign make it clear,” he argued, “that the only effective fight against blind reaction and special privilege during the next four years must be waged by fearless independent members of Congress.” Since “neither the presidential candidates nor the platforms of the Democratic and Republican parties offer any hope of sound and rational progress,” and the “vital domestic issues of utmost consequence to the people of the United States [are] being ignored,” it fell to these men to come together and stand in the breach. “These forces of reaction and exploitation,” La Follette argued, “can be checked or defeated only by building up in Congress a group of Senators and Representatives who will act independently and aggressively to protect the public interest”:

It is proposed, therefore, that an Independent Congressional Campaign Committee be formed immediately, composed of those Senators and Representatives who have proved their independence and integrity, in order that they may co-operate effectively with organizations and independent citizens in the election of men pledged to public service...

The purposes of the Independent Congressional Campaign Committee... are four-fold.

1. To elect progressive candidates regardless of party.
2. To defeat notorious reactionaries.
3. To arouse the nation to the vital economic and social questions ignored in the present campaign...
4. To form the nucleus of an independent progressive movement which may conceivably hold the balance of power in the 67th Congress.⁷⁶⁰

⁷⁵⁹ Basil Manly to La Follette, August 6, 1920. RLF Box B-85: Special Correspondence. La Follette, 1026.

⁷⁶⁰ La Follette to Borah, August 13, 1920. WJB, Box 87: Politics – Wisconsin.

This ICCC, La Follette argued, could bring together the “powerful progressive organizations of farmers, industrial, and railroad workers, and other independent citizens” and coordinate them “so as to form an effective political force of enormous power. I need not dwell upon the potentialities of such a movement for the future. During our time there has never been such an opportunity to bring together the progressive forces of the country.”⁷⁶¹

Several of La Follette’s colleagues misconstrued the plan, and thought the Senator was trying to create an official third party in Congress. “I do not think it would be wise, at this juncture,” replied Senator George Chamberlain of Oregon, a Democrat. “[T]o undertake to organize such a committee... would be likely to result in the election of a reactionary Republican or Democrat, taking away from each of the old parties a proportionate number of independent voters.” As he saw it, “[i]nterference... would be resented” by both Republicans and Democrats, and “instead of helping promote the things that are near to your heart and to mine as well... we would really retard them.” Another Democratic Senator, James Owen of Oklahoma, was inclined to agree. “I have always been a dedicated progressive and shall remain so,” he wrote in response, “and will support progressive measures and progressive men wherever I can without leaving my own party, within which I have felt better qualified to render service than if I should put myself outside of my party lines. The time is so short and my obligations of such character that I do not know what I could do.”⁷⁶²

For his part, Democratic Congressman George Huddleston, of the Alabama Ninth, was conflicted. “I am usually averse to making pledges,” he wrote La Follette, “particularly when I

⁷⁶¹ Ibid.

⁷⁶² George Chamberlain to La Follette, September 4, 1920. RLF Box B-85: Special Correspondence. Robert Owen to La Follette, September 3, 1920. RLF Box B-86: Special Correspondence.

am not permitted to phrase them.” And, besides, “the race issue here is vital in a sense that one not a seasoned resident of this section cannot realize. It is a factor which cannot be ignored, and makes any independent movement well-nigh impossible.” As such, Huddleston thought that “hope for reform and liberalism rests upon action within the Democratic organization, and not upon an independent movement.” At the same time, a “group of disinterested Senators and Representatives of enlightened and progressive sentiments, who would know each other’s attitude, hold conferences together and act in concert, would be of great public value. I would gladly become one of such a group.”⁷⁶³

La Follette also received favorable responses from a few of his progressive-minded Senate colleagues, like George Norris, David Walsh and Joseph France of Maryland. As for Borah, who given his national profile would have to be a lynchpin of such a group, he was intrigued, but thought himself currently “occupied in assisting the irreconcilables against a terrific fight which is being made against them...I am under great moral obligation to go to their assistance.”⁷⁶⁴

As the first step, La Follette and Manly worked to convene a small, private group of interested parties “to generally talk out questions pertaining to the coming legislative program, and also to discuss plans for the organization of a bureau of research and publicity which will be available to all progressives.” This new bureau, Manly told Bob La Follette, Jr., “would compile the data necessary for the fights which will have to be made, and also to see that the work of the progressive group secured effective publicity.” The month after Harding’s election, “a number of

⁷⁶³ George Huddleston to La Follette, August 16, 1920. George Huddleston to La Follette, August 27, 1920. RLF Box B-85: Special Correspondence.

⁷⁶⁴ Borah to La Follette, October 12, 1920. WJB, Box 87: Politics – Wisconsin.

Senators, Congressmen, leaders of railroad labor organizations, representatives of farm organizations, and some fifty progressive men and women of national reputation” gathered in Washington, and the People’s Legislative Service (PLS), a new “non-partisan, non-lobbying service” was born, with La Follette as Chairman, George Huddleston as Vice-Chairman, and Basil Manly as director. Also represented on the executive committee were the International Association of Machinists, the Railroad Trainmen, the Brotherhood of Locomotive Engineers, and the Farmer’s National Council. Eventually joining them were progressives like Jane Addams, Florence Kelley, John Ryan, and Frederic Howe, who also became the head of the PLS’s Resolutions Committee.⁷⁶⁵

Four months later, in April 1921, the People’s Legislative Service held its “coming out party” at the New Ebbit Hotel in Washington, before a crowd of three hundred. “We are met here tonight,” began La Follette in his keynote address, “in a critical hour of the history of the country:

The great issue before the American people today is the control of their own government. A mighty power has been building in this country in recent years, so strong yet so insidious and far-reaching in its influence that men are gravely inquiring whether its iron grip on government and business can ever be broken. Again and again it has proved strong enough to nominate the candidates for both political parties. It has dominated the organization of legislative bodies, state and national, and the committee which frame legislation...It fixes the prices of the necessities of life and imposes its burdens upon the consuming public in defiance of the law...In finance its power is unlimited...This great power which has taken from the American people the control of their own government is the product of Monopoly and Organized Greed.⁷⁶⁶

⁷⁶⁵ La Follette to Borah, September 28, 1920. WJB, Box 87: Politics – Wisconsin. Basil Manly to Bob La Follette, Jr, September 15, 1920. RLF Box B-85: Special Correspondence. La Follette, 1026, 1066. “Pro Bono Publico,” *The Survey*, April 2, 1921 (Vol. XLVI, No. 1), 19. The People’s Legislative Service, “Review of Principal Activities During the Two Years, 1921 and 1922,” undated. RLF Box 195: “People’s Legislative Service.” Alan Dawley, *Changing the World*, 317.

⁷⁶⁶ La Follette, 1026. Robert La Follette, “People’s Legislative Service Dinner,” April 16, 1921. RLF Box 222: Speeches 1920-1921.

“Never before,” La Follette argued “in a generation of time, has the national capital attracted so menacing an army of lobbyists seeking from the representatives of the people unjust concessions to special interests.” Among those he cited were the United States Chamber of Commerce, The National Association of Manufacturers, the National Petroleum Association, the National Coal Association, and the American Railway Association. If these organizations “maintained their agents at the capital to safeguard their legitimate rights,” La Follette, “no complaint could justly be directed against them. But organized greed does not recognize the dividing line between proper agitation and the active influence and coercion of government for purposes of private gain.”⁷⁶⁷

These organizations, argued La Follette, used vast sums of wealth and “personal influence” with people in high places to “present an accumulated mass of arguments and material,” to “obstruct remedial legislation” and “set afoot a national propaganda” that encourages “millions of individuals in the land” to “immediately respond by sending letters and telegrams to the members of Congress.” “To meet this intolerable situation, in which representative government cannot long survive,” the People’s Legislative Service was established. This “is not a lobby,” La Follette emphasized. “It is a fact service”:

But by its influence it can resist the power of the lobby and insure legislation in the interests of all the people. It will furnish facts to all members of the House and Senate who will use them in the public interest. It will furnish facts to representatives of affiliated organizations so that they may present their cases more effectively. It will furnish facts to the public requiring pending legislation. It will encourage the new member, honestly aspiring to represent his constituents, to maintain his independence in the service of the public.⁷⁶⁸

⁷⁶⁷ Ibid.

⁷⁶⁸ Ibid.

“It is true,” La Follette concluded, “that the power of the great interests that today control our property and our government is overwhelming.” But “[r]ising up against them is the confused voice of the people. Their heart is true, but they cannot find all the intricate sources of power to destroy them... To aid the people in this contest the People’s Legislative Service has been organized.” Making the case for the Service in *The Searchlight*, a paper put out by the National Voters’ League, Manly called its creation “one of the biggest facts in the political history of the present age” and “one of the most important and practicable movements yet initiated in the fight to restore the Government of the people by attacking reaction in its very stronghold – the Congress of the United States.”⁷⁶⁹

In its first two years of existence, the People’s Legislative Service essentially served as a research and publicity arm for La Follette’s and other progressives’ activities in Congress. Like the Washington think tanks of a later era, it compiled statistics and talking points for the Senator’s speeches on issues ranging from the wages and purchasing power of various laborers to the price of gasoline to the cost of legislation like the Esch-Cummins law, restoring the railroads to private ownership, and Harding’s much-desired ship subsidy bill, to help grow the nation’s merchant marine. The PLS also worked to support the interests of its farmer- and labor-intensive executive committee on matters ranging from fighting the open shop to blocking anti-strike bills to the immigration fight, where it “contributed material service in behalf of salutary immigration restriction laws.” One of its more notable accomplishments was in providing La Follette with “the facts and figures” to block a foreign trade tax exemption – supported by Standard Oil, United States Steel, “and other great corporations engaged in foreign trade and

⁷⁶⁹ Ibid. Basil Manly, “The People’s Legislative Service,” *The Searchlight*, April 1921 (Vol. V, No. 11), 15-16.

exploitation of foreign resources” – that saved the American people an estimated \$300 million in tax revenue.⁷⁷⁰

The People’s Legislative Service also became a fixture in *La Follette’s Magazine* beginning in February 1922, with a column by Basil Manly entitled “On Guard for the People,” as well as a monthly journal of its own entitled *The People’s Business*. Still, it is hard to argue that the Service made much headway in the broader national discussion, nor did it become a tool that many members of Congress other than La Follette ever relied on. In 1922, the PLS brought farm and labor groups, as well as the Socialists, together for a Conference for Progressive Political Action, which would eventually become the foundation for La Follette’s independent campaign in 1924. By the time of the 1924 election, the Service became more obviously a mouthpiece for the campaign, with Manly working directly as La Follette’s speechwriter. “[T]his Service,” *The Survey* noted in December 1922, “has been thought of largely as La Follette’s personal affair.” And tied to La Follette as it was, the PLS did not persist very long after the Senator’s death in 1925 – The Service eventually closed its doors in 1927.⁷⁷¹

Nor did La Follette’s Independent Congressional Campaign Committee idea ever really take root as hoped. Then as now, organizing all of the progressives in Congress in a bloc tended to be an exercise in herding cats. When a seeming progressive resurgence occurred in the 1922 midterms that saw the likes of Burton Wheeler of Montana and Henrik Shipstead of Minnesota join the Senate and Fiorello La Guardia join the House (as well as Gifford Pinchot and Al Smith

⁷⁷⁰ Review of Principal Activities During the Two Years, 1921 and 1922,” undated. RLF Box 195: “People’s Legislative Service.”

⁷⁷¹ Ashby, 56. Jan Onofrio, “Basil Manly,” *South Carolina Biographical Dictionary* (St .Clair Shores: Somerset, 2000), 48-49. “progressivism,” *The Survey*, December 15, 1922, 358. Perhaps one of the reasons the PLS never took off is because, when it came to research, La Follette and Manly were reinventing the wheel. The progenitor of today’s non-partisan Congressional Research Service, the Legislative Reference Service, had been established in 1914 – based on the same LRS La Follette had established in Wisconsin as Governor.

respectively taking the governorships of Pennsylvania and New York), the idea of cross-party progressive coalition was broached again, this time with more fanfare in the press. “The time has now come,” La Follette declared to the press, “for the organization of a well-defined group, cooperating in support of accepted progressive principles and policies.” Seventeen senators and thirty-eight congressmen attended a December 1922 meeting to form such a bloc, along with the ACLU’s Roger Baldwin, progressive editors such as Herbert Croly of TNR, and labor representatives like Samuel Gompers of the AFL and John Moore of the UMW. “The purpose of this conference,” one Wisconsin Congressman told the *Washington Post*, “is to give every progressive the opportunity to know his fellow progressives, to cement progressive forces in a harmonious fellowship... We are going to be tried as gold in a furnace. All real progressives will be put to the acid test.”⁷⁷²

Once again, however, the potential of such an organization far overshadowed the operational reality. This newly expanded progressive bloc enjoyed the most success in the House of Representatives. At the beginning of the 1923-24 session, House progressives – arguing that “the Old Guard will soon wake up, rub their eyes, and learn that we are living in a new day” – were able to join with the Democratic minority to block the reelection of Speaker Frederic Gillett, a Massachusetts Republican, until the rules of the House were liberalized to facilitate the

⁷⁷² Thelen, 168, 172. Eric Schickler, *Disjointed Pluralism: Institutional Innovation and the Development of the United States Congress* (Princeton: Princeton University Press, 2001), 106. Kenneth MacKay, *The Progressive Movement of 1924* (New York: Columbia University Press, 1947), 66-67. “Statement of Senator La Follette,” November 18th, 1922. RLF Box 195: Progressive Conference 1922. Two men who did not attend La Follette’s conference were editor William Allen White and Senator William Borah. “La Follette invites me,” White ultragrammed Borah, “Don’t want go unless conference has your approval and presence if it binds together group ultraprogressives who can master only few liberal votes I hesitate.” Borah, who had a speaking engagement in Boston regardless, advised “it may be just as well to let matters develop here... ultimately matters will resolve themselves into a condition of affairs where we can all get together behind a sane progressive program, a real constructive program. I do not mean to disparage anything Senator La Follette may do because in some matters I think he has some splendid ideas; upon others, of course, I would likely differ from him. But the fact is that I do not enough about this particular program to advise you to come – and your coming would be considered an endorsement of almost everything which might arise.” White to Borah, November 27th, 1922. Borah to White, November 28th, 1922. WJB Box 120: Political – Misc.

passage of progressive legislation. Specifically, the Rules Committee Chairman lost his “pocket veto” power, the requirement that any amendment to a revenue bill be “germane” to the topic was struck, and the number of Members’ signatures needed to discharge a bill from the committee to the floor was lowered to 150, from 218.⁷⁷³

This show of strength drove regular Republicans to distraction. “[A] small number in this House calling themselves Progressives – and God save the word – are not progressives at all but radicals,” intoned Rep. Walter Lineberger of California, “and we should not mince words but call a spade a spade.” Unfortunately, aside from making it easier for progressives to amend Mellon’s tax plan with a higher surtax on wealthy incomes, the liberalized rules did not result in any concrete legislative gains for progressives in the 68th Congress, and they were soon rolled back by the more conservative caucus that rode Calvin Coolidge’s coattails to victory in 1924. The following January, the emboldened Republican caucus, as in the Senate, disinvented thirteen House members who had supported La Follette, including Fiorello La Guardia of New York and ten members from Wisconsin, among them Henry Allen Cooper, then the oldest member of Congress. “We will welcome them back at the first opportunity,” said the new speaker, Nicholas Longworth, of the purge, “when they evince any desire to come back and qualify as Republicans.” (Responded La Guardia: “I hope that my Progressive friends will not worry unduly. If these Republicans will not invite us to their conference or caucus we will not invite them to ours.”)⁷⁷⁴

A more successful attempt at counter-organization in Congress, and a model that inspired La Follette in his second attempt at forging a progressive bloc, was the farm bloc organized and

⁷⁷³ Schickler, 102-107. Zinn, *La Guardia in Congress*, 76-77.

⁷⁷⁴ *Ibid.* Zinn, 159.

led by Senator William Kenyon of Iowa in May 1921. Along with around twenty other agrarian senators (including La Follette and George Norris, but usually not Borah) and one hundred congressmen, the farm bloc came for a time to control the balance of power in Congress by effectively neutralizing the ability of the Republican majority to control the floor or end a session. In the first year of Harding's presidency, the farm bloc managed to successfully lobby for and pass several bills reflecting farmer's interests, including an emergency tariff to raise duties for farm products, broader access to federal farm loans, and an exemption for farmer's cooperatives from anti-trust legislation. By February 1922, TNR deemed it "the most powerful single influence in national legislation." To retake control of the agenda and cut off the head of the farm bloc, Harding offered William Kenyon a federal judgeship on the Circuit Court of Appeals in January of 1922. Kenyon accepted, and his successor atop the farm bloc, Senator Arthur Capper of Kansas, was not nearly as adept at holding the coalition together.⁷⁷⁵

Both the strength and weakness of the farm bloc for the remainder of the decade is encapsulated by the fate of the McNary-Haugen Farm Relief bill, which in effect tried to raise farmers' purchasing power by establishing federal price supports for farm goods. (The government would set a higher domestic price for farm goods, while selling off excess supply to the world at market rates.) While supported by farm groups, as well as Harding Secretary of Agriculture Henry Wallace, the McNary-Haugen bill was vociferously opposed by the decade's Secretary of Commerce, Herbert Hoover. ("I have done more of it than any other man who lives," Hoover said, citing his tenure as Food Administrator, "and I would not propose price-fixing in any form short of again reentering the trenches in a World War.") First introduced in

⁷⁷⁵ Ashby, 35-36. Schickler, 98-101. Daniel Carpenter, *The Forging of Bureaucratic Autonomy: Reputation, Networks, and Policy Innovation in Executive Agencies, 1862-1928* (Princeton: Princeton University Press, 2001), 305. "Can the Farmer Be Bought Off," *The New Republic*, February 15th, 1922 (Vol. 29, No. 376), 322-323

1924, the McNary-Haugen bill managed to pass Congress twice – in 1927 and 1928 – but neither time could it overcome a presidential veto.⁷⁷⁶

While the Senate progressives were never as successful as the farm bloc in organizing a unified coalition during the Harding era, standpatter Republicans inadvertently gave the formation of such a bloc a big boost in the wake of Coolidge's sizable 1924 victory. In no mood to brook party disloyalty anymore, Senate Republicans tried in late November 1924 to throw Robert La Follette, and three senators who had supported his independent presidential candidacy – Lynn Frazier and Edwin Ladd of North Dakota and Smith Brookhart of Iowa – out of the GOP caucus. (La Follette, Frazier, and Brookhart missed the caucus meeting where this was decided, as did Borah, Norris, and Johnson.) The following March, when the new Congress convened, Republicans attempted to strip the four offending Senators of their seniority. "Senator La Follette has gone out of the Republican party and has gone voluntarily," argued Senator George Moses of New Hampshire, the president pro tem of the Senate. "He has headed the national ticket of a new party which he undoubtedly hopes to perpetuate. Therefore it seems to me wholly within reason that we should assume that La Follette has abdicated his Republicanism in the Senate on the same footing."⁷⁷⁷

Both Borah and Norris balked at this move by their party. They blocked the unanimous consent request, and Borah began making the useful political case that this move was less about punishing La Follette and more just "a demotion of the West...[I]t is diminishing the power of the West in this Chamber. I know it is a distinct political action against our part of the country."

⁷⁷⁶ Carpenter, 305, 324. Leuchtenburg, *Perils of Prosperity*, 101-102. Joan Hoff Wilson, "Herbert Hoover's Agricultural Policies, 1921-1928," in Ellis Hawley, ed. *Herbert Hoover as Secretary of Commerce 1921-1928: Studies in New Era Thought and Practice* (Iowa City: University of Iowa Press, 1981), 115-121.

⁷⁷⁷ Ashby, 183-184. Clarence A. Berdahl, "Some Notes on Party Membership in Congress, II," *The American Political Science Review*, Vol. 43, No. 3 (Jun., 1949), 492.

The Senate still voted 65-11 to accept the new committee assignments, but now Borah had the makings of a political bloc of his own – one that went immediately into effect to block Coolidge’s choice of Attorney General, Charles Beecher Warren.⁷⁷⁸

Coolidge had picked Warren to replace Attorney General, and soon to be Justice, Harlan Fiske Stone (who in turn had replaced Harry Daugherty after he was forced to step down for the Ohio Gang’s multiple transgressions.) A former Ambassador to Japan and Mexico, Charles B. Warren would seem to have a sterling record for the position – particularly given Daugherty’s recent occupancy at Justice. Except, during his time as the president and counsel of the Michigan Sugar Company, a combination of six beet sugar companies, Warren had run afoul of antitrust laws during the Roosevelt administration. And Borah, who “felt then and felt a thousand times afterwards I did not do my duty” when Daugherty has been appointed in 1921, was now “determined I would not escape responsibility again.”⁷⁷⁹

Charles Warren’s nomination passed the Senate Judiciary Committee relatively easily on a vote of 9-4, but Senator Borah’s no vote there (along with three Democrats) infuriated Coolidge, who felt he had just spent eighteen months courting the notoriously fickle Idaho Senator. The recently formed “Borah bloc” – which included Norris, Ladd, Frazier, as well as other Western senators looking for payback – then sided with Democrats to block a closed-door confirmation process, 38-39. Over the next few days, Borah managed to swing more western votes, including Senators Peter Norbeck and William H. McMaster of South Dakota, to the anti-Warren cause.⁷⁸⁰

⁷⁷⁸ Ashby, 185-186.

⁷⁷⁹ Ashby, 186-187. “How the Trust Got Beet Sugar Plants,” *New York Times*, June 22, 1911. Borah to W.H. Taylor, March 21, 1925. WJB Box 193: 1924-25 Warren Confirmation.

⁷⁸⁰ Ibid.

On March 11, 1925, the progressives got their first revenge on Republicans for their own vindictive caucus of several months prior. The week before, in his first time presiding over the body, new Vice-President Charles “Hell and Maria” Dawes – so nicknamed after one of his favorite exclamations – had urged a revision of cloture rules in the Senate to prohibit filibusters. (At the time, 66 votes were needed to end debate.) This was anathema to the Senate progressives, who depended on their ability to keep open debate to have any power in the body. As Burton Wheeler of Montana remembered in his memoirs, “Old Bob La Follette, the master of the use of the filibuster to arouse public opinion, warned me never to vote for cloture...arguing it would destroy the most useful weapon a liberal minority possesses against a conservative coalition. He insisted that cloture must be opposed as a matter of principle...[I]f I voted for it once I could hardly oppose it another time.” Dawes’ attack on the prerogatives of the Senate, on his very first day, also infuriated the regular members of his party, who sat in stony-faced silence during the general’s embarrassing harangue. “It was the most acrobatic, gymnastic speech I have ever heard in the Senate,” remarked Democrat Henry Ashurst of Arizona.⁷⁸¹

The following week, Dawes, after talking with Senate leaders, thought six speakers were scheduled before the Warren vote and, already knowing well senators’ disposition for bombast and long-windedness, headed over to the Willard Hotel for a nap. Then, five of those six scheduled speakers canceled, and the Majority Leader, hearing more and more grumblings about sugar trusts on the floor, called for a vote and then called the vice-president. Dawes leapt from bed and traveled frantically across town to break the ensuing 40-40 tie, but the moment he

⁷⁸¹ Burton Wheeler with Paul F. Healy, *Yankee from the West* (New York: Octagon, 1977), 268-269. Robert Sobel, *Coolidge: An American Enigma* (Washington: Regnery, 1998), 321. Dawes gained his moniker as the brigadier general overseeing army supplies during the World War. When, in February 1920, a congressional inquiry asked him why the army had paid such exorbitant prices, Dawes exclaimed, “Hell’n Maria! We were winning the war, not keeping books!” Miller, *New World Coming*, 91. Sobel, 289-290.

arrived at the Senate, the one pro-Warren Democrat, Lee Overman of North Carolina, switched his vote to make it 39-41. Senator Norris subsequently amused his colleagues with a satirical take on “Sheridan’s Ride,” Thomas Read’s Civil War poem about Union General Phillip Sheridan twenty-mile ride to rally his troops – this time about Dawes. “Be it said in letters bold and bright / Oh, Hell an’ Maria, he has lost us the fight.”⁷⁸²

Calvin Coolidge was not amused. Enraged that such a “man of high character, eminence at the bar and great ability” had been brought low by the Senate due to “partisan politics,” he resubmitted the nomination. He then called Borah to the White House and urged him to do his part for the Party. As a further sign of good faith, Senate Republicans met with Norris and Borah and got the La Follette defectors’ seniority reinstated. But Borah was the type of fellow who, once he sniffed out a stand on principle, was hard to shake.⁷⁸³

This time, Warren got out of the Judiciary Committee on a 9-7 vote, with Borah and Norris joining five Democrats in opposition. Before the floor vote, Frederick Gillett of Massachusetts – as of 1924, a Senator instead of House Speaker – argued that the opposition to Warren was solely due to “a combination of Democrats and radicals.” This insult prompted Borah to give one of his usual constitutional barnburners about the importance of advice and consent. “I think it has come to the time when a radical is a man who believes in the Constitution of the United States,” Borah asserted in a thirty-minute speech. “I am trying to meet my constitutional obligations as a Senator.” As for Warren himself, Borah argued the nominee had clearly taken part in “a combination...formed for the purpose of controlling the production of

⁷⁸² Ashby, 187-188. “The Midday Ride of Charles Dawes,” US Senate (http://www.senate.gov/artandhistory/history/minute/Midday_Ride_Charles_Dawes.htm).

⁷⁸³ Ashby, 189-191.

sugar.” This was “open, deliberate, and unmistakable.” And so Borah was “unwilling to vote for the confirmation of a man, however high may be his intellectual attainments or his capacity” who had been part of a “conspiracy which had for its purpose peculating from the pockets of the people of the United States concerning one of the necessities of life.”⁷⁸⁴

After Borah’s address, Charles Warren’s bid went down 39-46. (Among the votes against him this time was Robert La Follette’s, who had been in Florida trying to recuperate from the disease that would soon claim his life.) Even after all the many yokels in the Harding administration that America had endured, Charles B. Warren became the first Cabinet member since 1868 to be rejected by the Senate.⁷⁸⁵

Political observers of all stripes saw in the Warren fight a new balance of power centered around the progressives. “From this distance,” a “pleased and encouraged” Harold Ickes wrote Hiram Johnson, “it looks to me as if there is the makings of a combination that on proper occasion can hold the lines in the senate when necessary to block improper legislation or to resist undue encroachments by the executive.” This “insurgent group, beside which the little La Follette clique of the last session is a feeble memory,” wrote Charles Michelson in the *New York World*, illustrated that Borah now “wields an influence in the Senate superior to that of any other member, regardless of party.” The Lion of Idaho, Frederick Wile of the *Washington Evening Star* agreed, “seems to have succeeded Mr. La Follette in the leadership of the progressive bloc in the Senate.” Now a new “hydraheaded nightmare in the Senate, with names like Borah, [James] Couzens, Johnson, McMaster, Norbeck, and Norris as its outstanding terrors” had subsumed the La Follette “nightmare that kept the GOP writhing in maddening dreams.” After

⁷⁸⁴ Ibid, 191-193. William Borah, “The Warren Appointment,” March 16, 1925. *Congressional Record* 37654-1749.

⁷⁸⁵ Ashby, 191-193.

the discouraging events of the 1924 election, progressives like Basil Manly, who relished this “body blow” against Coolidge, and Oswald Villard, who wanted to “throw up one’s hat and give three hearty cheers,” were ecstatic about this unexpected showing of power. On Wall Street, meanwhile, talk of a “bloc-locked Congress” in the *New York Post*, sent stocks tumbling to their worst day since Coolidge took office.⁷⁸⁶

The Warren fight, coupled with the June 1925 death of La Follette, propelled William Borah to the forefront of the progressive movement. While Hiram Johnson and George Norris did not have the same cachet, *The New Republic*’s TRB argued, “Borah is the real hope – the one best bet...His friends here have a feeling, which I fully share, that the La Follette death will force him forward as the real Progressive leader.” Others, such as columnist Mark Sullivan, who had always looked askance at the ravings of La Follette, thought Borah’s ascendancy meant progressivism could finally be made respectable to Americans’ eyes. Borah himself, according to Frank Knox, thought “that possibly the removal of La Follette and Bryan from the stage may pave the way to the organization of a real liberal movement in America.” Now, Borah had told him “there is an opportunity for tremendously big things.”⁷⁸⁷

After the Warren vote, Vice-President Charles Dawes tried to forestall any further progressive shenanigans by the Borah bloc in the Senate by introducing the majority cloture rule he had called for on day one. Borah, for one, was not having it. “I am opposed to cloture in any forum,” he told Lynn Haines of *Searchlight on Congress*. “I have never known a good measure killed by filibuster or a debate. I have known of a vast number of bad measures, unrighteous measures, which could not have been killed in any other way except through long discussion and

⁷⁸⁶ Ickes to Johnson, May 28, 1925. HLI. Box 33: Hiram Johnson. Ashby, 188, 194.

⁷⁸⁷ Ashby, 198-199.

debate.” If “sinister and crooked interests,” he argued “succeed in reducing the situation to a point where they only have to see one or two men, either to put through or kill a measure, they are masters of the situation.” For various reasons, most of the other Senators agreed. A *New York Times* poll of the Senate found only six Senators in strong support of Dawes’ proposal, while forty-five strongly disagreed with it. The proposal, the *Times* concluded correctly, would go down in “almost certain defeat.”⁷⁸⁸

In the end, filibuster reform or no, the Borah bloc turned out to be as ephemeral an antagonist as La Follette’s earlier attempts at progressive organization. When the Democratic Party joined the Republicans, as it often did, to cement the foundations of Coolidge prosperity, the Borah bloc were lonely lions in the wilderness. “[P]rogressives can do nothing but protest,” wrote one of the Senate’s newest members, young Bob La Follette, Jr., to a friend, “unless the Democrats are willing to offer some resistance to the Coolidge program.” In the end, the Idaho Senator’s powerlessness was made particularly evident by his inability to prevent the Senate from voting, 76-17, to join the World Court, one of Borah’s long-time *bête-noires*.⁷⁸⁹

Borah himself – always happier taking a lone principled, irreconcilable stance than he was putting forward constructive legislation – was never temperamentally suited to be the head of a constructive bloc regardless. Walter Lippmann argued in 1926 that “the career of Borah is built upon opposition...He is an instinctive conscientious objector, and his mind seizes swiftly upon the reasons why anything that is about to be done should not be done.” Hiram Johnson, who knew him as well as anyone, eventually derided him as a “spearless leader.” Borah, Johnson

⁷⁸⁸ Borah to Lynn Haines, May 2, 1925. WJB: Box 780: Speeches. Gregory Kloger, “Cloture Reform and Party Government in the Senate,” *The Journal of Politics*, Vol. 68, No. 3, August 2006, pp. 708–719.

⁷⁸⁹ Ashby, 201-203.

told Harold Ickes, “is variable as the wind and as fickle as a maiden” who “if you notice...never attacks power except in the abstract.” (The variability at least is a charge to which the Senator from Idaho, a devoted fan of Ralph Waldo Emerson, pled guilty. “I lay no particular claim to consistency,” he once said, “indeed I do not know that consistency is a virtue of particular worth.”) George Norris, meanwhile, thought Borah had a penchant for “shooting until he sees the whites of their eyes.” By late in the 1920’s, Harold Ickes came to think of Borah as a man “who has no disposition to make a last ditch fight for progressive principles. It makes me boil to hear him constantly acclaimed as the outstanding progressive by such journals as *The New Republic* and *The Nation* which ought to know better. If he has ever gone through I don’t know when it was or on what issue.” Whatever the Idaho Senator’s foibles, he in the end was no more successful than La Follette at forming a progressive bloc that could stand against the Harding and Coolidge agendas.⁷⁹⁰

Lobbies Pestiferous and Progressive

When decrying the power of lobbies at the April 1921 rollout of the People’s Legislative Service, Robert La Follette and Basil Manly were echoing a common lament among progressives about the growth and abuse of lobbying in Washington. “Washington has never been jammed to the extent that it now is with representatives of special economic groups,” wrote Donald Wilhelm in *The Survey* in July 1921. “The trade association is today what the corporation and the

⁷⁹⁰ Walter Lippmann, *Men of Destiny* (New York: MacMillan Company, 1927), 142-144. Johnson to Ickes, October 8, 1923. HLI. Box 33: Hiram Johnson. Johnson to Ickes, March 3, 1928. Box 33: Hiram Johnson. HLI. Ashby, iv, 4. Vinson, 160. For what it’s worth, Senator Borah did not think too kindly of Hiram Johnson either. “The difference between Johnson and me is that I regard questions from the point of view of principles, while he regards them from the point of view of personalities. When a man opposes me, I do not become angry at him. On the next issue he may agree with me. When a man opposes Johnson he hates him. He feels that the opposition is directed personally against him, not against the policy that separates them.” Pietrusza, 177. Ickes to Johnson, July 17, 1925. HLI. Box 33: Hiram Johnson.

trust were less than a generation ago, a national problem that threatens the sovereignty of the individual citizen.” An article in the January 29, 1921 *Literary Digest* discussed attempts in Washington “To Curb the Pestiferous Lobbyist.” “I do not know where this lobbying business is going to stop,” lamented Senator Kenyon of Iowa. “Washington is swarming with lobbies of every kind and description, so that is impossible for Senators to get to their offices without being intercepted.” *The New York Evening World* lamented “the epidemic of lobbying...spreading like a plague.” Soon, it argued, “we must make up our minds whether this is to be a government by duly elected and responsible representatives of the people or a government by lobby.”⁷⁹¹

To many progressives, who envisioned themselves as committed to the Public Interest above all else, the proliferation of lobbies was deeply troubling, particularly as it was hard to draw the line between good lobbying – the healthy education of public opinion – and bad lobbying – the misuse of government by special interests. That is why, commenting on the creation of the People’s Legislative Service, *The Nation* once again emphasized again that the PLS “is not to be a lobby nor a source of propaganda, but a source of facts and therefore an organization around which the free men of Congress should gradually coalesce.” As William Kenyon argued, “there are proper kinds of lobbies. Nobody wants Congress to be shut off here on the Hill and have people unable to get to Congress.” In fact, even as Kenyon co-sponsored legislation in 1921 with Lee Overman to strengthen disclosure requirements for lobbyists, so that a record of each could be kept in the House, Senate, and executive departments, he was assembling his farm bloc in frequent consultation with the recently-created American Farm

⁷⁹¹ Donald Wilhelm, “On the Capitol’s Doormat,” *The Survey*, July 2, 1921, 475. “To Curb the Pestiferous Lobbyist,” *The Literary Digest*, January 29, 1921, 13.

Bureau Federation. (Kenyon's bill did not pass, and the issue was not meaningfully dealt with again until the 1930's.)⁷⁹²

In some cases, the growth of lobbying encouraged progressives to be more at peace with class legislation. "At last," Frederic Howe wrote of his work with the People's Legislative Service, "I had found a class whose interests ran hand in hand with things I desired." And one of the strongest lobbies of the Harding years was also a progressive-minded one – the Women's Joint Congressional Committee (WJCC). Organized in 1920 immediately after passage of the nineteenth amendment with Maud Wood Park, president of the League of Women Voters, as Chairwoman, the WJCC was a combined effort of ten (and eventually twenty-one) of the most prominent women's organizations in America. It would launch into action any time three (and later five) of the founding organizations agreed on a given stance.⁷⁹³

In 1921, the WJCC formed its "Six P's" agenda: Prohibition, protection of infants, public schools, physical education, peace through disarmament, and the protection of women in industry. Strongest in the first two years of Harding's presidency, when male politicians of every stripe still feared the swing potential of a unified woman vote, the WJCC first worked to pass the Sheppard-Towner Maternity and Infancy Act, the first federal welfare program of its kind. The brainchild of Julia Lathrop of the Children's Bureau, Sheppard-Towner appropriated \$1.5

⁷⁹² *The Nation*, April 27, 1921, 609. Compounding the good lobby/bad lobby problem was the fact that progressives didn't always agree which organizations were actually doing the people's business. While Kenyon seemed to appreciate the help and advice of the American Farm Bureau Federation, George Norris found that the AFBA was usually opposed to his progressive measures, and that its leadership seemed to listen more to the Harding administration than to the needs of actual farmers. Lowitt, 181.

⁷⁹³ Dawley, 317. Brown, 52. Robyn Muncy, *Creating a Female Dominion in American Reform 1890-1935* (New York: Oxford University Press, 1991), 101-103. Dumenil, 47. Nancy Cott, *The Grounding of Modern Feminism* (New Haven: Yale University Press, 1987, 97-99. Wilson, *The Women's Joint Congressional Committee*, 1.

million a year in 1922, and \$1.25 million a year for the next five years, for \$5000 grants to child and maternal health programs at the state level.⁷⁹⁴

“It is now proposed to turn the control of the mothers of the land over to a few single ladies holding government jobs at Washington,” bellowed Senator James Reed of Missouri during debate over Sheppard-Towner. “We would better reverse the proposition and provide for a committee of mothers to take charge of the old maids and teach them how to acquire a husband and have babies of their own.” Thanks to the hard work of the WJCC, Reed’s sexism lost the day in decisive fashion: The Sheppard-Towner Act passed the House 279-39 and the Senate 63-7. Senator Kenyon, who decried the influence of lobbies on other occasions, noted that “if the members could have voted on that measure secretly in their cloak rooms it would have been killed as emphatically as it was finally passed in the open under the pressure of the Joint Congressional Committee of Women.”⁷⁹⁵

The WJCC’s work was not done. Since the Act prescribed funds on a voluntary basis, the WJCC and new Children’s Bureau head Grace Abbott began lobbying governors and state legislatures to make sure the money went to good use. Within a year, 42 of 48 states had accepted the Act, and by 1923 forty of them began accepting funds. Within five years, every

⁷⁹⁴ Ibid. Olson, 301. Joseph P. Chepaitis, “Federal Social Welfare Progressivism in the 1920’s,” *Social Service Review*, June 172 (Vol. 46, No. 2), pp. 213-229. Muncy, 106-107. Brown, 54. Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge: Harvard University Press, 1992), 500-506. J. Stanley Lemons, “The Sheppard-Towner Act: Progressivism in the 1920s” *The Journal of American History*, Vol. 55, No. 4 (Mar., 1969), pp. 776-786.

⁷⁹⁵ Skocpol, 501, 505. Lemons, “The Sheppard Towner Act.” Capping this losing effort, Senator Reed tried to amend the bill to change its title to ‘A Bill to organize a Board of Spinsters to Teach Mothers How to Raise Babies.’ Brown, 53.

state but Connecticut, Massachusetts, and Illinois took advantage of Sheppard-Towner funding.⁷⁹⁶

The WJCC also scored another success the following year with the 1922 Cable Act, which, as promised in both the Republican and Democratic platforms of 1920, at last made women's citizenship independent of their husbands. That same year, according to historian Dorothy Brown, both the *Ladies' Home Journal* and the *Journal of the American Medical Association* (who saw Sheppard-Towner as an unwarranted federal incursion into their domain) described WJCC as the “most powerful and highly organized lobby in Washington” and “one of the strongest that has even been seen in Washington” respectively. Another journal, according to historian Robyn Muncy, deemed it “the most widespread and popular lobby that probably has ever visited this city.” By 1924, the director of the U.S. Women's Bureau bragged that “American women are organized, highly organized, and by the millions. They are organized to carry out programs of social and political action.” In her May 1924 annual report to the LWV, Maud Wood Park noted that two-thirds of the League's thirteen-plank program in 1920 had been made law, and that the LWV – now organized in 346 of 433 congressional districts – had passed 420 and defeated 64 bills at the state-level. The following month, the WJCC added to the total: Working with Assistant Attorney General Mabel Walker Willebrandt, the highest-ranking woman in the administration and the person in charge of Prohibition efforts, it secured passage of legislation creating a federal women's prison in Alderson, West Virginia.⁷⁹⁷

⁷⁹⁶ Ibid.

⁷⁹⁷ Skocpol, 505. Brown, 52-57. Muncy, 105. Cott, 98-99. “The Week,” *The New Republic*, May 14th, 1924 (Vol. 38, No. 493), 295.

In many ways, the WJCC's power and efficiency was the result not just of its broad constituency and male fears of a "women's bloc", but a reflection of the decades of experience its founders had amassed in fighting for suffrage and other battles from the sidelines. Twenty years previously, one of the first progressives to recognize the potential of lobbying for social change had been Florence Kelley, who established the National Consumers League in 1899. As Arthur Schlesinger put it, "the League's investigations turned up facts to stir the public conscience. Then the League's lawyers drafted bills, and the League's lobbyists sought to push them through legislatures." By the time Florence Kelley was head of the WJCC's subcommittee in support of Sheppard-Towner in 1921, she was a veteran hand at the lobbying arts. "Every year from a quarter to a third of a million little children, and approximately 20,000 mothers in childbirth, die from preventable causes," Kelley had argued in *The Survey* in June 1920. "There is no visible, or audible, responsible opposition to the bill." Under her leadership, in the weeks before passage, the WJCC interviewed fifty Members of Congress a day and flooded the Hill with letters from concerned women from all over the country. "I think every woman in my state has written to the Senator," said one exasperated aide.⁷⁹⁸

So, as much as some progressives lamented lobbying as a pernicious tool of special interests, they also took advantage of it to press reforms when the opportunities arose. In fact, one could argue that organized lobbying of the government had originally been a progressive reform. As historian John Danbom writes, the Progressive Era reforms that had worked to break the post-Civil War stranglehold the two national parties had on politics also "created greater

⁷⁹⁸ Schlesinger, 24-25. Muncy, 105-107. Florence Kelley, "Why Let Children Die?" *The Survey*, June 19th, 1920, 401. "[B]abies have no votes, no organization," Kelley told *Survey* readers. "They write no letters. They visit no lawgivers in their homes in the long vacation of Congress from July to December. They demand no pledges from candidates. They join no political parties in times of political stress. They punish no political enemies. They buttonhole no lawgivers. They carry on no publicity campaign." Babies may lack for these things, but Kelley, it is clear, had a good sense for the levers of political power that a lobbyist needed to employ to effect change. *Ibid.*

opportunities for organized groups to influence politics...Political reforms weakened the parties, but this merely increased the ability of self-serving groups to influence the system, regardless of the public interest.” In the words of another historian cited by Danbom, John Whiteclay Chambers, “in their search for a larger public interest, progressives inadvertently contributed to the growth of the interest-group democracy they bemoaned.”⁷⁹⁹

The Twenties were the apotheosis of this transformation. “The 1920s,” Lynn Dumenil argues in *The Modern Temper*, “saw the systematizing of lobbying that caused a permanent change in the political process.” William Allen White, for one, thought that lobbying was an auspicious development – It made government more accessible to all. “One has but to reach out his hand to become effective in it,” he wrote in 1924. “Democracy never was so near the people as it is” today. But this innovation came with a cost. “The more suffragists behaved as simply another interest group, trading a principle there for an advantage here,” argued William O’Neill in his 1971 history of feminism, *Everyone Was Brave*, “the less capable they became of preserving what had brought them into politics to begin with. In a sense, suffragists and social reformers were depleting their moral capital.”⁸⁰⁰

As Danbom argues, citing O’Neill, what was true of women’s groups “applies in some degree to virtually every progressive group.” As more and more organizations entered the lobbying game on behalf of a particular constituency, it became harder and harder to maintain the progressive idea of a public interest against a variety of competing special interests. In opening the door to lobbying, the progressives helped to facilitate the philosophical shift away

⁷⁹⁹ Danbom, 179.

⁸⁰⁰ O’Neill quoted in Danbom, 179.

from the progressive concept of a public interest to the more modern conception of a government as broker state.⁸⁰¹

They also, Lynn Dumenil argues, helped to encourage the type of disgust with the political process that turned the engaged citizens of the Progressive Era into the disinterested consumers of more recent times. Lobbying, argued another Donald Wilhelm article, “operates to disfranchise the individual citizen so unfortunate as to be unrepresented by any of them.” Because of these “Washington Soviets,” Wilhelm argued, “the average citizen has half-consciously sensed his individual impotence.” As a result, “less than sixty percent of us take the trouble to cast our votes.” In the words of one disgruntled Klansman of the period, “Everybody knows that politicians nowadays cater to all kinds of ‘elements’ mostly selfish, some corrupt, and some definitely anti-American. They cater to the German vote, the Catholic Vote, the Jewish vote, the Italian vote, the bootleg vote, the vice vote, and sometimes even to the violently criminal vote.” Wherever you stood in the political spectrum, left or right, the growth of systematized lobbying gave citizens of all stripes the increasing perception that the game was rigged.⁸⁰²

The Taint of Newberryism

Also working to discourage citizens from politics were the sordid campaign finance revelations that had been unearthed by the Kenyon Committee during the Election of 1920. The extravagant spending by Wood and Harding, the direct bribes that were unearthed in Frank Lowden’s Missouri campaign – these, to progressives, were a problem that must be addressed, or

⁸⁰¹ Ibid.

⁸⁰² Dumenil, 50-54, 211.

the entire American experiment was at risk. “We have traveled further over the road of money in politics in 100 years than Rome traveled in 500 years,” lamented William Borah. “It is assumed that men become radicals because they are naturally criminal, or because they have been bribed by Russian gold, or because they have not been properly Americanized,” similarly argued H.L. Mencken. “But the thing that actually moves them, nine times out of ten, is simply the conviction that the Government they suffer under is unbearably and incurably corrupt.” A radical, he argued “is not a bad citizens turning to crime; he is a good citizen driven to despair.”⁸⁰³

Soon enough, dark dealings within the Harding administration would furnish several poster children in the fight against government corruption. But in the early years of the Harding era, the most compelling exhibit of money in politics was Senator Truman H. Newberry of Michigan, the same Senator who had been vilified by name in the Democratic platform of 1920. In a 1918 Republican primary against Henry Ford, Newberry – a former Secretary of the Navy under Taft – spent between ten and twenty times the \$10,000 maximum that had been set in the 1910 Federal Corrupt Practices Act. (Michigan state law prescribed an even lower acceptable figure – 25% of the anticipated salary of the position, which amounted to approximately \$3750.) While Newberry went off to Congress, Henry Ford used his considerable pull to get an official investigation launched, one that – with the help of evidence culled by Ford-hired detectives -- brought multiple indictments and a lower court conviction against the sitting Senator and 133 accomplices in March 1920.⁸⁰⁴

⁸⁰³ Ashby, 38. Mencken, 106. Lest this sound too idealistic to his readership, Mencken soon qualified his position. “I am not a radical. I believe that all government is evil, and that trying to improve it is largely a waste of time.” Mencken, 109.

⁸⁰⁴ Ashby, 37. Murray, *The Politics of Normalcy*, 82-83. *Newberry v. US 256 US 232 (1921)*. The Election Case of Truman H. Newberry of Michigan,” United States Senate (http://www.senate.gov/artandhistory/history/common/contested_elections/102Ford_Newberry.htm)

But in a 1921 5-4 decision, *U.S. v. Newberry*, written by Justice James McClark Reynolds, the Supreme Court determined that Congress had no constitutional authority under either Article 1, Section 4 or the Seventeenth Amendment to set spending limits on primaries or nomination proceedings – only general elections – and thus the spending limits in the Federal Corrupt Practices Act were unconstitutional. One of the concurring opinions, written by Justice Mahlon Pitney and joined by Louis Brandeis, agreed there were irregularities as to how the case against Newberry was brought, but found the stance of the Court hugely troubling. “That a government whose essential character is republican...has no power by appropriate laws to secure this election from the influence of violence, of corruption, and of fraud, is a proposition so startling as to arrest attention and demand the gravest consideration.”⁸⁰⁵

Either way, Truman Newberry’s conviction was overturned...in the court of law. In the court of public opinion, his fate was still to be decided. As the 1920 platform attests, Democrats saw an easy chance to score political points against the Republican majority by complaining about Newberry, and they did so with a relish – arguing that seating him was an offense to the august institution of the Senate. James Heflin of Alabama decried “the slimy trail of the boodle serpent” that Newberry left in his wake. Oscar Underwood of Kentucky argued his presence put the whole Republican Party under indictment. Other Democrats argued his presence in the Senate was a first step “into ruin and oblivion.”⁸⁰⁶

⁸⁰⁵ *Newberry v. US* 256 US 232 (1921). The Election Case of Truman H. Newberry of Michigan,” United States Senate (http://www.senate.gov/artandhistory/history/common/contested_elections/102Ford_Newberry.htm) This constitutional ban on campaign finance laws for primaries lasted until the *US v. Classic* decision in 1941. Anthony Corrado, *Campaign Finance Reform: A Sourcebook* (Harrisonburg: R.R. Donnelly, 2007), 29.

⁸⁰⁶ Murray, *The Politics of Normalcy*, 82-83.

Old Guard Republicans, meanwhile, rallied around one of their own. Newberry was a Navy man whose sons served in the war, argued Michigan's other Republican Senator, Charles Townsend, while Henry Ford was a pacifist whose sons did not. What more did you need to know? For his part, the president, a former Senate colleague of Newberry's, didn't play the veteran card, but Harding did conspicuously embrace the Senator by inviting him to golf, a private dinner, and a seat in the White House box at the theater. "Hardly a day passes," declared *The Searchlight in Congress* in disgust, "when the Washington newspapers do not report some parlor or dining room event in which Newberry commingled with the elite."⁸⁰⁷

What gave the case more than a partisan resonance was the opposition of Republican progressives – most notably Borah, La Follette, Norris, and Kenyon – to the seating of Newberry. William Borah in particular became, according to the *Baltimore Sun*, "a mountain of strength against Newberryism." "The Newberry case," the Senator wrote a constituent, "is in many respects the most intolerable thing which has happened in the whole history of the Senate." To another, he called it "one of the most deplorable things which has happened as I see it since I have been in public life, indefensible and intolerable it seems to me from any possible standpoint. Neither Party interest nor anything else can justify such a fearful moral breakdown in politics." *The Searchlight* agreed. The whole sordid case, it opined, revealed "the political morals of the ruling group at the lowest ebb in the history of the Republic."⁸⁰⁸

⁸⁰⁷ Ashby, 38. "Harding and Newberry," *The Searchlight on Congress*, December 31, 1921 (Vol. VI, No. 7), 5.

⁸⁰⁸ Borah to William Burke, January 20, 1922. Borah to Ray McKaig, January 13, 1922. WJB, Box 118: Newberry Case. Harding and Newberry," *The Searchlight on Congress*, 5. Ashby, 38. Notably missing in the Newberry fight was Hiram Johnson, who later confessed to missing "the bitterness or even the importance of the Newberry contest." Waiting until the last moment to return from California, he got stuck in a blizzard that resulted in him missing the vote. "I have but myself to blame. I'll take my medicine as best I can," he told a friend – although not before procuring a formal note from the Pennsylvania Railroad stating that, yes, Johnson had in fact been sidelined by a blizzard. *Ibid.*

On January 10, 1922, Borah delivered a wrathful hour-long address to the Congress about why the Senator from Michigan should not be seated, in which he excoriated “the leprous disease of venality [which] has fastened itself upon the body politic though the cursed customs and evil practices which seem to luxuriate in the soil of free peoples.” La Follette, meanwhile, called Newberry’s conduct “reprehensible” and “injurious,” and argued that the question at hand was “whether it is possible to buy a seat in the United States Senate for a quarter of a million to half a million dollars.” Because of the progressive pushback, what should have been an easy partisan vote for Republicans became suddenly contested. The final vote was a much-closer-than-expected 46 to 41 in favor of Newberry, though it came with a censure of his campaign finance misdeeds as unbecoming “the honor and dignity of the Senate.”⁸⁰⁹

For Democrats and progressives, this was a tactical defeat, with Borah particularly disgusted by the outcome of the vote. “We find the defendant guilty, therefore, he is acquitted,” he summed up the resolution. Deeming its passage “one of the most significant in the whole history of American politics,” Borah hoped that it would “serve to awaken the people to greater vigilance, for the cure of these things at last lies back with the masses.” But, in terms of keeping the corruption charge alive against the Old Guard, the Newberry incident turned out to be a strategic victory – especially after a letter from Harding to Newberry congratulating him leaked to the press. “Many comments are to be heard to the effect that the admission of Mr. Newberry is a disgrace to the Senate,” argued TNR in an editorial called “The Senate: Pay As You Enter,” “and there are cartoons picturing Uncle Sam gazing mournfully at a huge splotch of mud on the

⁸⁰⁹ William Borah, “The Newberry Case,” January 10, 1922. WJB Box 118: Newberry Case. La Follette, 1038. Ashby, 38-39. One of the deciding votes in favor of Newberry’s seating came from the Senate’s newest member, George Wharton Pepper of Pennsylvania, who had just been elected to replace the now deceased Boies Penrose. Pepper was not only courted by the Old Guard and the President, he was summarily sent out of the Senate chambers as soon as Borah began his anti-Newberry tirade.

Senate door. As if there were not sufficient mud already floating about in a body which could muster forty-six votes in favor of seating a beneficiary of corruption.” Newberry, stung by all the criticism and deeply unpopular by this point in any event, resigned his seat in November of 1922. In the midterm elections that month, only two pro-Newberry Senators on the ballot were returned to office.⁸¹⁰

Along with the Harding scandals to come, the Newberry imbroglio set the stage for a revision of the Federal Corrupt Practices Act in 1925. While this new Act still could not extend to primaries for constitutional reasons, the revised FCPA strengthened disclosure requirements considerably. All House and Senate candidates and multi-state political committees now had to file quarterly reports that included the source of every donation above \$100. In a concession to changing times, it also raised the limit for Senate races to \$25,000. (House races remained at \$5000. If a state law set a lower maximum, it still took precedence.) In addition, banks and corporations under federal charter “were expressly forbidden” from donating to political campaigns. Unfortunately for combatants of congressional corruption, both enforcement and compliance remained haphazard at best in the years to come. In the entire history of the act, only two men were denied their congressional seats for going over the limits – William Scott Vare of Pennsylvania and Frank L. Smith of Illinois, both Republicans who ran for the Senate in 1926.⁸¹¹

First, Mr. Vare. Pennsylvania had always been a state particularly susceptible to political bossism, as evidenced by the iron grip, in their day, of both Matthew Quay and Boies Penrose over the state. But, when Penrose died in 1921, it left a battle for succession in the Keystone

⁸¹⁰ Borah to William Burke, January 20, 1922. Borah to Robert Ruark, April 12, 1922. WJB, Box 118: Newberry Case. Murray, 82-83. “The Senate: Pay As You Enter,” *The New Republic*, January 25, 1922, 239. La Follette, 1038.

⁸¹¹ Corrado, 29. Samuel J. Astorino, “The Contested Senate Election of William Scott Vare,” *Pennsylvania History*, Vol. 28, No. 2 (April, 1961), 196.

State between the (Andrew) Mellon machine, which controlled Pittsburgh, and the Vares, who ran Philadelphia. (This confusion, along with a nationwide electoral surge for progressives in 1922, helped to pave the way for Governor Gifford Pinchot.) William Scott Vare and his two older brothers – both deceased by 1922 – were scions of the Philadelphia machine, and collectively known as the “Dukes of South Philadelphia.”⁸¹²

In 1926, Vare decided to challenge Penrose’s successor, George Wharton Pepper, for his Senate seat. To block the move, the Mellon interests backed Senator Pepper. And, further confusing matters, Governor Pinchot – who was term-limited – decided to make a run for the seat also. (All three were Republicans. This being Pennsylvania, the Democrat in the race, former Wilson Secretary of Labor William B. Wilson, never stood a chance.) As the only Wet in the race, Vare managed to win by over 100,000 votes, with Pepper coming in second. “I have just taken a very thorough licking, running a poor third in a three cornered race,” a demoralized Gifford Pinchot wrote his nephew. “The man who won is a wet gangster who represents everything that is bad in Pennsylvania. The man who ran second was the candidate of the great special interests and the respectables who want to stand well with the powers that be.”⁸¹³

But rumors of excessive spending and other campaign illegalities prompted Senator James Reed, a Missouri Democrat, to ask for a formal inquiry into the spending situation in Pennsylvania (and Illinois, where Frank L. Smith won a similarly dubious victory.) The conclusions drawn by this investigation put the case of Truman Newberry to shame. In 1918, Newberry was thought to have spent as much as \$200,000 to win over Henry Ford. By 1926, the Mellon-financed Pepper ticket had spent \$1.8 million in the primary, the Vare machine

⁸¹² Astorino, 187-190.

⁸¹³ Astorino, 187-190. Lowitt, 386. Miller, *Gifford Pinchot*, 261.

\$789,000. (Pinchot had spent \$187,000, William Wilson, uncontested on the Democratic side, only \$10,000.) In an editorial, an aghast George Norris deemed these figures abhorrent to the “national conscience” and a threat “to the fundamental principles that underlie every free government,” and argued that “the only remedy the country has is to demand of the Senate that it refuse to seat” Vare. This set up a quandary of its own, for, however much Vare spent, Mellon had doubled it for Pepper, so Norris, a Republican, pleaded with the “honest, patriotic citizens of Pennsylvania” to vote for William B. Wilson, Democrat, in the general election. Norris then went on a whirlwind election tour of the Keystone State, visiting as many as seven cities a day to stump against Vare. Vare still won the seat, although he ran well below the rest of his ticket and lost by 50,000 votes outside of Philadelphia – suggesting some of that old machine magic might have taken place in the city of brotherly love.⁸¹⁴

In any case, Senator Norris did not accept Vare’s victory as legitimate. In December of 1926, he argued that his seating would mean “the domination of the Senate and the entire country by political machines, corrupt and immoral.”⁸¹⁵ Vare’s hopes took another blow the following month when Governor Pinchot, in the customary letter of certification, argued Vare hadn’t really been “duly chosen” since “his nomination was partly bought and partly stolen.” William B. Wilson made his own objections known in March 1927, and the Senate voted 56-30, on a resolution submitted by Norris, not to seat Vare until a full investigation was completed by the Reed Committee. That took over two years, but on December 6th, 1929, another resolution introduced against Vare by George Norris passed 58-22. A subsequent resolution to seat William

⁸¹⁴ Lowitt, 387-390.

⁸¹⁵ Lowitt, 391-392. Norris also refused to go to the traditional White House breakfast conference on account of Vare (and Smith), since “Vermont maple syrup and buckwheat cakes have no charm for me if the object is bridging the chasm made by...fraud and corruption.” Lowitt, 391-392.

B. Wilson failed 66-15, at which point yet another would-be Pennsylvania political boss, textile manufacturer Joseph R. Grundy, took the seat.⁸¹⁶

As for Frank L. Smith of Illinois, here was another situation where winning the Republican nomination was tantamount to general election victory, and, in a rematch of the 1920 Senate election, Smith had managed to beat the sitting senator, William B. McKinley (no relation to the ex-president.) But Smith, the Chairman of the Illinois Commerce Commission overseeing public utilities, had not only spent \$400,000 in the race – He had taken \$125,000 from Chicago utilities magnate Samuel Insull, which, in that simpler time, suggested all sorts of unsavory collusion.⁸¹⁷

This \$125,000 donation was a particularly egregious offense to George Norris, who at the time was leading the fight for public ownership of the Muscle Shoals power plant, and once again he threw himself into the case. “These stupendous figures stagger the imagination of the ordinary citizen,” Norris exclaimed on the Senate floor. As for Insull, “[i]t is quite apparent,” Norris argued, “that his interest in the Senate of the United States is a financial one. He is interested in what he can get out of it. Can any citizen of the United States look upon conditions such as these without a feeling of regret, of horror, and even with shame?” When McKinley died in December 1926, a month after the election, the Governor of Illinois replaced him with Senator-Elect Smith. (“If after the holidays on your approach to the Capitol,” Harold Ickes told Hiram Johnson, “you detect an unpleasant and unusual smell, please be advised that it will probably be Colonel Frank L. Smith with the appointment to your august body of Governor Len

⁸¹⁶ Lowitt, 390-392. Astorino, 190-199. Miller, *Gifford Pinchot*, 261. The argument put forth in Vare’s defense – that the spending at issue was primary spending and thus, according to the *US v. Newberry* decision, was outside the bounds of the corrupt practices act was actually correct, from a legal perspective. The Senate refused to seat him regardless.

⁸¹⁷ Lowitt, 393-394.

Small in his pocket.”) But here again, on a vote of 48-33, the Senate refused to seat Smith until an investigation could be conducted. Unlike Vare, Smith gave up the fight relatively early, in February of 1928, at which point Otis F. Glenn defeated future Chicago mayor (and assassination victim) Anton Cermak for the long-empty seat.⁸¹⁸

“Money has come to be the moving power of American politics,” lamented William Borah in August of 1921. “Let us hope that...exposure will arouse the whole country to the necessity of dealing with a problem which has assumed the proportion of a great national evil.” But the Newberry and Smith-Vare battles aside, progressives lost the war when it came to keeping money out of politics in the New Era. “The news item to the effect that the two parties are to spend twenty million in this campaign seems incredible,” Borah said seven years later, in August 1928. “It is impossible to spend twenty million dollars in this campaign without transgressing every rule of decency and common honesty. It would be nothing less than an attempt to debauch the American electorate.” And it would not be stopping any time soon.⁸¹⁹

The Harding Scandals

The Newberry and Smith-Vare cases may have riled the feathers of congressional progressives, but they were but bookends to the corruption scandals that emerged from the misdeeds of the Harding administration. Before all was said and done, the malfeasance within the Harding White House would result in several prolonged Senate investigations, jaw-dropping testimony, multiple resignations, a handful of suicides, the first conviction of a Cabinet member

⁸¹⁸ “Norris Denounces Vare-Smith Costs,” *The New York Times*, December 7, 1927. Lowitt, 394-395. Ickes to Johnson, December 21, 1926. HLI Box 33: Hiram Johnson.

⁸¹⁹ William Borah, “Speech at Fairfield,” August 13, 1921. Borah Box 779: Speeches 1919-1922. William Borah, “For the Press – August 3, 1929,” WJB Box 782: 1928 Speeches.

in American history, the gradual unveiling of an even grander conspiracy that drenched the entire Republican Party in oil, and a shadow over an otherwise extremely popular president and his legacy that would heretofore be impossible to shake. And yet, while newspapers and onlookers would cover the scandals like they were the Greatest Show on Earth, progressives, try as they might, were never very successful in making political hay from the sordid revelations. To a cynical generation who had seen the idealism of the Great War devolve into a sad joke, who had begun the decade witnessing even the national pastime being fixed, and who had to break the law with regularity just to indulge in a drink, the Harding scandals were less a shocking blow to good, clean government and more just another good, old-fashioned entertainment.

While hints of the darkest scandal, Teapot Dome, began to leak out as early as April 1922, the first of the illegalities to come to full flower was the Veterans Bureau Scandal perpetrated by one Charles R. Forbes. Forbes was a charismatic huckster who had first met the Hardings in 1915, when the Senator and the Duchess were visiting Hawaii and he – only fifteen years after deserting the army for four years – was now in charge of building a naval base at Pearl Harbor. With poker skills and charming words, Forbes was able to woo his way into the hearts of both Hardings on that trip. Five years later, after Forbes had served with distinction in France and won a Distinguished Service Medal, he reconnected with Warren Harding, and helped to swing the Washington delegation at the 1920 convention to his side. On the advice of his wife, the president appointed Forbes head of the Bureau of War Risk Insurance, which after the passage of an August 1921 consolidation bill (yet another of the items Harding had asked for in his April address to Congress) became the Veteran's Bureau.⁸²⁰

⁸²⁰ Russell, 256, 425, 522. Dean, 139-140.

In keeping with the sheer number of veterans now out and about two years after the World War, the Bureau was granted the biggest budget of any federal department in 1921 – close to half a billion dollars a year. Forbes set himself to grifting as much as of this as he possibly could -- according to a later Senate investigation, as much as \$2 million. Given control of the Army's surplus warehouses in Perryville, Maryland, he began to sell all of the equipment and supplies therein below-cost to private firms (or, in the case of the alcohol and drugs on storage, to less savory entities), taking a percentage of the cut each time. (One Boston firm paid Forbes \$600,000 for an estimated \$5 to \$7 million of supplies.) Granted the authority to determine where future veteran's hospitals would be built, Forbes first set up a dummy architectural department that overcharged the government for shoddy proposals, then awarded the contracts only to those private contractors who gave him massive kickbacks. He also gave imaginary jobs on the Bureau's payroll to friends and cronies. And when he wasn't on extended, profligate junkets to tour fake hospital sites, he cut a playboy swath through Washington, publicly spending and gambling far more than his modest \$10,000 salary should ever be able to withstand. Meanwhile, thousands of legitimate veterans' claims went unprocessed.⁸²¹

Given the scale of Forbes' graft, and the sheer audacity with which he flouted the law, it was likely only a matter of time before he got caught. As it was, the president's surgeon general and personal physician, Charles Sawyer, got wind of the corruption and informed Harding in February, 1923. When the president asked his old friend for an explanation of why he was apparently liquidating the army's reserves in Perryville, Forbes first gave the dubious explanation that it simply cost too much to store supplies there. But this time, the charm offensive failed. A few days later, Harding called Forbes to the White House again, where, as

⁸²¹ Russell, 522-525. Dean, 140-141.

noted before, he was seen by a visitor shaking him by the throat. In the end, the president allowed Forbes to resign and hide out in Europe, but the abrupt resignation – phoned in from Paris – caught the eye of Congress. Soon thereafter, the Senate called for a formal inquiry into dirty dealings at the Veteran’s Bureau. Twelve days later, Forbes’ general counsel, Charles Cramer, killed himself in the bathroom of his home – the same Wyoming Avenue home, it so happened, where Warren and Florence Harding had resided before the White House. The Harding scandals were on.⁸²²

The Senate began its formal investigation into Forbes’ activities in October 1923, during which his misdoings were exposed by one of his old partners-in-crime, Elias Mortimer, whose wife Kate had cleaned out the bank account and gone off to Europe with the defendant. In February 1924, Forbes was indicted for conspiracy to defraud the government. His trial in Chicago took place the following winter, with Mortimer the star witness, and Forbes was convicted and sentenced to two years and a \$10,000 fine. He served one year and eight months at Leavenworth.⁸²³

Another esteemed veteran turned ne’er-do-well in the Harding administration was Lt. Colonel Thomas W. Miller, a former Delaware Congressman, war hero, American Legion co-founder, and chairman of the Republican National Campaign Committee. In 1921, Miller was appointed the Alien Property Custodian, meaning the government official who oversaw all the property, trusts, and assets that had been confiscated from German nationals during the war. One of these assets was roughly 49% of the American Metal Company – worth \$6 million – that had

⁸²² Dean, 140-141. Russell, 554-558. Dean 140-141. Murray, *Politics of Normalcy*, 102-103.

⁸²³ Russell, 629. Anthony, 492-493. Allen, 129-130.

been owned by a German bank. Converted into bonds by an earlier Alien Property Custodian, A. Mitchell Palmer, these company's shares were now worth approximately \$7 million.⁸²⁴

In September 1921, a Swiss national named Robert Merton came to America claiming that a corporation owned by his family had, in a verbal transaction, bought out the German's shares of the company in March 1917, one month before America entered the war. Through Wall Street connections, Merton was introduced to former Roosevelt and Wood campaign manager, John King, who brought him to meet the Alien Property Custodian and Harry Daugherty's #2, Jess Smith, in New York. Within a week, Miller had delivered the \$7 million in assets to Merton, who then gave King \$391,000 in bonds and \$50,000 cash. This "finder's fee" very quickly looked to be a bribe when King subsequently gave \$50,000 to Miller and \$224,000 to Jess Smith "for expediting the claim," \$50,000 of which eventually ended up in a joint bank account shared with Attorney General Harry Daugherty, and \$40,000 (in bonds) of which went to Harry's brother Mal.⁸²⁵

By 1922, there were also rumors that a Massachusetts lawyer and good friend of Miller's, Edward Thurston, was the man to see in order to make similar such bribes to the Custodian for other confiscated property. In any case, in 1926, Lt. Col. Miller was indicted, along with John King and Harry Daugherty, with conspiracy to defraud the government. A year later, in a second trial he would be convicted and spend eighteen months in prison. Daugherty, for his part, managed to beat the rap both times despite pleading the fifth, but not before it came out that he just happened to have burned all of the records associated with the particular joint bank account in question in 1925. As for Jess Smith, he couldn't be indicted because, in the second suicide to

⁸²⁴ Russell, 440, 450, 511.

⁸²⁵ Ibid.

rock Harding's administration, he had killed himself with a gunshot to the head in the early morning hours of May 30th, 1923.⁸²⁶

The question is still open as to exactly why Jess Smith killed himself, or even if he killed himself at all. (The first official on the scene was Bureau of Investigation head William "Billy" Burns, another member of the Ohio Gang, who promptly misplaced the murder weapon. In addition, while there was no autopsy conducted, the bullet apparently entered the left side of Smith's skull. Smith was right-handed.) Before his death, Smith had burned all of his personal papers, a strangely common occurrence among members of the Ohio Gang. It is clear that, as Harry Daugherty's roommate and friend since childhood (and, some rumored, lover), Smith knew of most of the misdeeds going on in the administration. Along with their H-Street abode, he and Daugherty also shared another property, what became notorious as the "Little Green House on K Street," where they purportedly sold pardons, paroles, and liquor permits and stashed much of their ill-gotten lucre. In a later Senate investigation, Smith's ex-wife, Roxy Stinson (with whom he had remained on friendly terms), would tell the world much of what she heard and knew about Smith and Daugherty's escapades, including the fears Smith had that he was being followed in his final days.⁸²⁷

On the other hand, Smith was apparently very sickly (he suffered from diabetes, and was recovering badly from an appendectomy) at the time of his death. He was also particularly depressed at the time – since, just before his death, Warren Harding had effectively banned him

⁸²⁶ Arthur Altridge, "Sidelights on Alien Property," *The Searchlight on Congress*, June 30, 1922 (Vol. VII, No. 1), 20. Russell, 512-515, 568-569. Allen, 130-132.

⁸²⁷ McCartney, 71-73, 233-235. Dean, 144. Daugherty and Smith also made \$180,000 by having an associate show illegal screenings of the "battle of the century," the July 1921 boxing match between Jack Dempsey and Georges Carpentier, around the country. Transporting films of prize fights across state lines had officially been made illegal in 1912, two years after Jack Johnson had defeated James J. Jeffries, a white man. Southerners in Congress had decided this was a film that should not travel around much. *Ibid.*

from the White House premises. Smith had always been a regular visitor in the past, poker parties and otherwise, and he had been a favorite companion of the First Lady's. But he was also indiscreet – “running with a gay crowd, attending all sorts of parties...using the Attorney General's car until all hours of the night,” as the president put it to Harry Daugherty. And, after the Forbes scandal broke, Smith was a very visible symbol of the perhaps not-quite-kosher activities of the administration. As such, Harding told Daugherty to tell Smith he was not welcome to join the forthcoming presidential trip to Alaska, and in fact should probably leave Washington in all due haste. Upon hearing the ultimatum, Jess Smith – if it was in fact a suicide – instead chose to depart this mortal realm at the end of the month. (Alice Longworth thought the cause of death “Harding of the arteries.”)⁸²⁸

In any case, however Jess Smith perished, the president himself would not be long in following. On June 20th, 1923, Harding left Union Station aboard the *Superb* for the start of what was to be a two-month “Voyage of Understanding” – part campaign tour, part chance to get out of Washington while the scandals simmered – up to Alaska and through the West. Along for much of the trip was Secretary of Commerce Herbert Hoover, Secretary of Agriculture Henry Wallace, the new Secretary of the Interior, Hubert Work, Speaker of the House Frederic Gillett, and William Allen White, who later reported the president seemed to be sickly and acting erratically. Hoover also thought the president “exceedingly nervous and distraught.” One day, Hoover remembered, “Harding asked me to come to his cabin. He plumped at me the question: ‘If you knew of a great scandal in our administration, would you for the good of the country and the party expose it publicly or would you bury it?’”

⁸²⁸ Anthony, 403-405. Murray, *Politics of Normalcy*, 104. McCartney, 144. Daugherty later complained that Smith's suicide “was the very worst thing he could have done to me, for it deprived me of a living refutation of the charges and innuendo leveled at me.” Anthony, 407-408.

My natural reply was “Publish it, and at least get credit for integrity on your side.” He remarked that this method might be politically dangerous. I asked for more particulars. He said that he had received some rumors of irregularities, centering around [Jess] Smith, in connection with cases in the Department of Justice. After a painful session he told Smith that he would be arrested in the morning. Smith went home, burned all his papers, and committed suicide. Harding gave me no information about what Smith had been up to. I asked what Daugherty’s relations to the affairs were. He abruptly dried up and never raised the question again.⁸²⁹

Harding, Hoover thought “grew more nervous as the trip continued.” After touring the Alaska territory and western Canada, the president – in an eerie moment reminiscent of his predecessor’s struggles through the West – faltered in the midst of a pro-conservation speech in Seattle, dropping his prepared remarks all over the floor. Hoover, who had written the speech give or take a few of Harding’s “usual three-dollar words and sonorous phrases,” also wondered why Harding kept saying “Nebraska” instead of “Alaska.” It would be the president’s last address. In San Francisco a few days later – August 2nd, 1923 – Harding died of what was thought to be a cerebral hemorrhage or apoplexy at the age of 57. (The First Lady refused to allow any autopsy, but later doctors believed the cause of death was a heart attack.)⁸³⁰

Late that night, in Plymouth Notch, New Hampshire, Vice-President Calvin Coolidge took the oath of office by candlelight, as administered by his father John Coolidge, the local notary public. The Voyage of Understanding had now become Warren Harding’s funeral train. Millions of grieving Americans came out to see the *Superb* pass by as it wended its way back East to Marion, Ohio. There, before President Coolidge, Chief Justice Taft, and such luminaries as Thomas Edison and Henry Ford, the 29th President was laid to rest. A week later, on August 11th, Florence Harding returned to the White House, where, while Coolidge chivalrously gave

⁸²⁹ Russell, 574. Hoover, 49-50. According to Hoover, Harding spent the whole trip playing bridge from breakfast until after midnight. “There were only four bridge players in the party,” said the Secretary of Commerce, “and we soon set up shifts so that one at a time had some relief. For some reason I developed a distaste for bridge on this journey and never played it again.” Ibid.

⁸³⁰ Hoover, 51-52. McCartney, 146-150. Russell, 589-592.

her the space she needed, the Duchess spent the next five days sorting through and burning most of her husband's papers. A few short months after that, the biggest and most-defining of the Harding scandals would break wide open.⁸³¹

Tempest from a Teapot

In the spring of 1922, soon after having the Veterans Bureau buy a potential hospital site in Excelsior Springs, Missouri for \$90,000 (it was worth \$35,000), Charlie Forbes confessed to his associate, Elias Mortimer, that he had his eye on bigger fish. Soon, he told the man whose wife he stole and who would eventually put him behind bars, Albert Fall would step down and Harding would name Forbes the Secretary of the Interior, where the *real* money was at. As it played out, Forbes never got the chance to move to Interior -- his criminal empire at the Veterans Bureau collapsed before then. In any case, Albert Fall was already two steps ahead of him.⁸³²

Like Woodrow Wilson, a president he despised, Albert Fall of New Mexico was another good hater. Fall never forgave the former president for making a political speech against his reelection to the Senate in 1918 the same week – unbeknownst to Wilson – that Fall had lost his daughter and only son to the influenza plague. Similarly, as a rancher barely removed from the Wild West – in his earlier days, Fall had run-ins with Pat Garrett, Billy the Kid, and John Wesley Hardin – he detested the dictates of federal bureaucrats from the East, like former head of the Forest Service Gifford Pinchot, who thought they could tell him what he could and couldn't do with his property. In 1911, Fall had written Pinchot warning him that he would “rue the day” that the Forest Service stepped in and prevented Fall from grazing twice as many sheep as was allotted on public lands. And so, once he was named Harding's Secretary of the Interior, Fall

⁸³¹ McCartney, 155-157. David Greenberg, *Calvin Coolidge* (New York: Henry Holt, 2006), 44. Russell, 595-605.

⁸³² Russell, 526.

very quickly planned to use his position to thumb his nose at the conservationist busybodies he had loathed for so long. “I don’t know how succeeding generations will do it – maybe they will use the energy of the sun or the sea wave – but they will live better than we do,” Fall once said. “I stand for opening up every resource.”⁸³³

For Gifford Pinchot, the feeling was mutual – In fact, he thought Harding’s appointment of Fall was a particular slap in the face, given that he had very publicly played the part of the Loyal Roosevelt Progressive against Harold Ickes during the election. And so, even as Pinchot’s former conservationist lieutenant in Washington, Harry Slattery, vowed to keep a close eye on the new Secretary of the Interior’s doings, Pinchot wired a friend that Fall “has been with the exploitation gang...Trouble ahead.”⁸³⁴

Trouble indeed. Albert Fall came into office at Interior Secretary with grand designs for his Department. As a personal screw-you to the conservationists, he wanted to take control of Pinchot’s precious Forest Service, which was then a part of the Department of Agriculture, and effectively destroy it. Fall also planned to open every single part of the country over which the federal government had jurisdiction, be it national parks, lands promised to Native American tribes, or the Alaska Territory, to private concerns. Among these were the rich oil fields at Elk Hills and Buena Vista, California and Teapot Dome, Wyoming, which the Navy was holding as reserves for national security purposes. Jake Hamon, the Oklahoma oilman and Harding backer who had effectively bought the Interior Secretary position for himself before getting shot by his

⁸³³ McCartney, 32-33, 65-68, 85. Noggle, *Teapot Dome*, 23-24.

⁸³⁴ McCartney, 66.

mistress, also planned to use these public oil fields for private gain, but had died before he could realize his investment. Now, Albert Fall had much the same plan.⁸³⁵

First things first, Fall had to acquire control of the naval reserves from the Navy Department. And so, on April 1st, 1921, less than a month into his new position, Fall asked Secretary of the Navy Edwin Denby to hand these reserves over to Interior. Denby, who had no love for conservationists either, did so almost immediately, telling his staff that Fall's power-play "was full of dynamite. I don't want anything to do with it." Some of Denby's underlings at the time, including Theodore Roosevelt, Jr., presumed Albert Fall was an honorable man and voiced no objections to the transfer – even after Harry Slattery warned him that something troubling seemed to be afoot. Those in the Navy Department who did kick up a fuss about the oil grab, on Fall's orders to Denby, were quickly shuttled out of Washington and buried in dead-end jobs elsewhere in the Navy. In any case, President Harding signed the transfer of the oil fields from Denby over to Fall on May 31st, 1921.⁸³⁶

As it happened, Albert Fall, who as a longtime public servant was generally strapped for cash, wanted to make improvements to his Three Falls Ranch in New Mexico, including buying up some of the nearby properties in order to secure water rights for his place. And so he secured a loan from fabulously wealthy oil man Edward Doheny – \$100,000 in cash, to be exact, transferred to Fall via a black bag carried by Doheny's son Ned. A year later, in May of 1922, Fall would receive close to \$230,000 in sequentially numbered US Liberty Bonds from another oil baron, Harry Sinclair, the first of several such payments. In between these two payouts, Fall was also visited in New Mexico by the Chairman of Standard Oil of Indiana, Robert Stewart,

⁸³⁵ McCartney, 66-67.

⁸³⁶ Ibid, 84-87.

who wanted to purchase the rights to the oil-rich Salt Creek fields, adjacent to Teapot Dome, from another wealthy individual, Harry Blackmer. Theoretically, this deal could not happen due to the same anti-trust laws that had broken up John D. Rockefeller's Standard Oil into constituent parts, like Standard Oil of Indiana, in the first place. But soon after this meeting, at which presumably a fee was extracted, Fall met with Daugherty and eliminated any possible legal impediment to the transaction.⁸³⁷

A month before Sinclair's bonds were paid, in April of 1922, Albert Fall announced that, because private interests had already drained much of the naval reserves by way of diagonal drilling offsets (not true), he would lease the California reserves to companies who could get out whatever oil was left. Though he did not announce it, the Elk Hills and Buena Vista leases would in fact be going to Edward Doheny's Pan American Petroleum and Transport Company. A few days later, the *Wall Street Journal* broke the story that Fall was also leasing the Teapot Dome fields to the Mammoth Oil Company, a recently-created subsidiary of Harry Sinclair's Sinclair Oil. This, effused the *Journal* in a front-page story "marks one of the greatest petroleum undertakings of the age and signalizes a notable departure on the part of the government in seeking partnership with private capital for the working of government-owned natural resources." In neither transfer was there anything resembling competitive bidding.⁸³⁸

Up to this point, Gifford Pinchot and Harry Slattery had mainly been fighting Fall's attempt to hijack the Forest Service from the Department of Agriculture. This crusade, waged mainly in the newspapers and on the golf course, where Secretary of Agriculture Henry Wallace had the president's ear (and Fall, unfortunately for him not a golfer, did not), was for the most

⁸³⁷ McCartney, 93-104.

⁸³⁸ Noggle, *Teapot Dome*, 35-36.

part a successful one. Pinchot later remembered Harding telling him that “[y]ou are absolutely wrong in opposing the transfer of the national forests, but I pay you the compliment of saying that [Fall] cannot put it over against your opposition.” Nonetheless, the revelation of the oil leases changed the game. In April of 1922, just before news officially leaked, Harry Slattery went to Senator Robert La Follette asking him to begin a formal Senate inquiry into the oil matter. At first, La Follette suggested that Borah or Hiram Johnson might be a better point man for this sort of effort. But, after asking around, he too discovered that Navy officers who were against the transfers had a penchant for showing up in new jobs far away from Washington.⁸³⁹

And so, on April 21, 1922, La Follette called for a formal Senate inquiry into the leasing of the naval reserves to private interests. “I am going just as far as I can in the charges I make,” La Follette told Slattery a week later, “I can’t prove that there has been corruption but if we get this investigation I am confident that it will be shown.” La Follette then repaired to the Senate floor and formally asked that a Senate committee “be authorized to investigate this entire subject of leases upon naval reserves.” “We cannot permit a record to be made here which will parallel the record of Mr. Ballinger,” La Follette argued, citing the controversy that had taken place between conservationists and the Interior Department during the Taft administration. Now, it looked like Interior was “the sluiceway for a large part of the corruption to which this government of ours is subjected.” America should know “who were the real organizers of the Mammoth Oil Co. who were to be favored by the Government with a special privilege in value beyond the dreams of Croesus.” The following day, the Senate adopted La Follette’s resolution unanimously.⁸⁴⁰

⁸³⁹ Noggle, *Teapot Dome*, 28-29, 34-35.

⁸⁴⁰ Noggle, *Teapot Dome*, 40-42.

At first, Harding seemed unperturbed by the call for an investigation. “This wasn’t the first time that this rumor has come to me,” the president told his Chair of the Shipping Board, former ad man Albert Lasker. “but if Albert Fall isn’t an honest man I’m not fit to be president of the United States.” Fall worked to further assuage everyone’s fears through various document dumps. He sent Harding an intentionally boring and obfuscatory 75-page-report on the lease transfers – which he knew the president likely wouldn’t be able to make head or tail of. This, the president sent on to the Senate, saying it “was submitted to me prior to the adoption thereof, and the policy decided upon and the subsequent acts have at all times had my entire approval.” Fall also sent along to the Senate committee thousands of pages of extraneous maps, surveys, memos, and charts to help bury any wrongdoing in a mountain of bureaucratic paperwork.⁸⁴¹

Still, while as of yet no corruption had been uncovered, and none would be for a year to come, the La Follette resolution knocked Albert Fall back on his heels. Until this point, his grand consolidation plans had been continuing to unfold as planned, with Harding agreeing to transfer control of Alaska over to the rapacity of Interior as well. In a July 1922 Cabinet meeting, however, Secretary of Agriculture Henry Wallace threatened to “expose the case against Fall, his colleagues, forests, oil and everything to the nation” if the Forest Service was sent to Interior. At that point, Harding decided not to approve the transfer. And, while he wrote to Fall in October 1922 that he had “no concern about Wyoming oil matters” and that he was “confident you have adopted the correct policy and will carry it through in a way altogether to be approved,” the president also began to distance himself from Interior’s policies in general. In January of 1923,

⁸⁴¹ McCartney, 114-115.

believing his consolidation attempts had failed and he had made out as well as he likely would, Albert Fall resigned as Interior Secretary and returned to the Three Falls Ranch.⁸⁴²

The scandal took another turn for the baroque when the two editors of the *Denver Post*, Frederick Bonfils and H.H. Tammen, heard word from a disgruntled oil lobbyist that Harry Sinclair had begun buying up all of the private holdings around the Teapot Dome field. They dispatched their best reporter, one D.F. Stackelbeck, to New Mexico, who soon reported that apparently the Secretary of the Interior had come into a good deal of money of late. In the catbird seat now, the editors of the *Post* ran an editorial calling the Teapot deal “one of the baldest public-land grabs in history.” They then contacted Harry Sinclair, and told him to expect more of the same sort of hard-hitting watchdog journalism...unless he saw fit to pay them one million dollars. Sinclair balked at first, then made the payment. *The Denver Post* never posted an unkind word about Harry Sinclair or the Teapot scandal ever again. And Bonfils, after the payout had been made, soon found himself one of the guests on Harding’s ill-fated Voyage of Understanding.⁸⁴³

During all of this, the Senate was getting its ducks in a row for its formal inquiry. In offering his resolution, Senator La Follette had shrewdly asked for an investigation not from the Naval Affairs Committee, which was brimming over with Old Guard administration loyalists, but in the Public Lands Committee, which included among its number progressive Republicans George Norris, Edwin Ladd, and Peter Norbeck, as well as progressive Democrat Thomas Walsh of Montana. Along with committee member John B. Kendrick of Wyoming, who was hearing from angry and frozen-out-of-the-deal oil interests back home that something shady had

⁸⁴² McCartney, 121-122, 140.

⁸⁴³ *Ibid.*, 125-127, 139-131.

occurred, and new Senator Burton Wheeler of Montana, who had been enlisted to the cause at the December 1922 meeting of progressives, La Follette prevailed upon Walsh to head up the investigation. Senator Walsh was considered one of the best lawyers in the Senate, but he was reluctant to take the reins – He had seen the size of the document dump that had been carted over to Congress, he was already serving on more committees than any other Senator, and he, being another man of the West, had no real truck with conservationists anyway. Nonetheless, the Montana Senator agreed to do it, and for the next several years – much to the consternation of the guilty parties – he would remain steadfastly dogged to his duty, even when other Senators would likely have given up shop.⁸⁴⁴

The actual Senate investigation did not begin until October 1923, after the resignation of Albert Fall, the deaths of Jess Smith and Warren Harding, and well after news of the lease transfers had petered out in the press. By then, the chair of the Public Lands Committee, administration loyalist Reed Smoot of Utah, had commissioned his own study arguing (wrongly) that Teapot Dome had been all but tapped out before the lease transfer anyway. With no money seemingly involved, the public's interest in the scandal ebbed even further. Albert Fall was the first to testify, followed by Secretary of the Navy Edwin Denby and the two oilmen, Harry Sinclair and Edward Doheny. While Doheny admitted he'd given Fall some cattle, there were no other revelations of note. After a week, the Committee took a month's recess, and it seemed the investigation would be a non-starter.⁸⁴⁵

But there was one major loose end, which Senator Walsh heard about through a mutual friend of *Denver Post* reporter D.F. Stackelbeck, who was still irritated his reporting got spiked –

⁸⁴⁴ Wheeler, *Yankee from the West*, 217. Noggle, *Teapot Dome*, 43-44. McCartney, 110, 116-118.

⁸⁴⁵ McCartney, 169-174.

How had Albert Fall come into all of this money? When the Senate investigation started asking questions to this effect, Fall began to panic and – following the advice of Edward Doheny -- asked a wealthy friend, newspaper publisher Edward B “Ned” McLean, to agree to say he lent him the money. Soon thereafter, Fall was visited in Washington by some high-ranking Republican officials, including former party chair Will Hays – now head of the Motion Picture Producers and Distributors of America (better known today as the MPAA) – and two of the leading Republicans on the committee, Reed Smoot and Irvine Lenroot of Wisconsin, as well as Harry Sinclair and a Sinclair lawyer. Perhaps with their help, perhaps without – the stories differ – Fall drafted a letter for the Committee saying that Ned McLean had been the source of the loans.⁸⁴⁶

When this was announced, here again was a moment where the investigation could have run its course. McLean was known as both a generous and an eccentric sort, and he was clearly fond of Fall and the rest of the Harding administration. But Senator Walsh wanted to hear it from McLean personally, especially since Walsh knew from his own girlfriend – Washington society dame Daisy Harriman – that McLean was in fact flat broke. “Much of Washington thought [Walsh] obsessed, a reformer become fanatic,” journalist Mark Sullivan later wrote. “Throughout the country the oil investigation as a spectacle teetered toward the status of a comedy; in the newspapers there was a trace of jeering.” When Walsh asked McLean to testify, the publisher’s lawyer, A. Mitchell Palmer, informed the Committee that McLean was too sick to make an appearance, and could not leave his current location of Palm Springs, Florida. (Also with

⁸⁴⁶ McCartney, 183-186.

McLean in Palm Springs at the time: Albert Fall, who had checked in at a hotel under an assumed name, and Coolidge's new private secretary, C. Bascom Slemp.)⁸⁴⁷

If the witness would not come before the Committee, the Committee would come before the witness. In January 1924, Senator Walsh went down to Palm Beach to interview McLean personally. In the face of Walsh's probing questions, McLean said that, yes, he'd written \$100,000 in checks to Fall, but they had all come back a few days later uncashed. The plot thickened when Archie Roosevelt, son of the former president and brother to Assistant Secretary of the Navy Theodore Roosevelt, Jr., came before the Committee to say, first, that his boss, Harry Sinclair of Sinclair Oil, had just run off to Europe, and, second, that he'd heard Sinclair had paid Albert Fall \$68,000. (The following witness, Sinclair's private secretary G.D. Wahlberg, tried to argue that Roosevelt had misheard, and in fact Sinclair had given Fall "six to eight cows." The Committee did not buy it.) That same month, Edward Doheny testified that he had lent Fall \$100,000, in a black bag delivered his by son, but, of course, it had nothing to do with the lease transfers a year later. And, besides, \$100,000 was a pittance to a man of Mr. Doheny's wealth. The Committee did not buy that either.⁸⁴⁸

Now, the Teapot Dome scandal was front-page news all over the country, to the point of possibly damaging Calvin Coolidge's electoral chances in the coming November. And so, when Coolidge got word (from one of his men on the committee, Irvine Lenroot) that Senator Walsh was about to call for the firing of Secretary of the Navy Denby, as well as a presidential resolution canceling the leases, the president preempted him by announcing the appointment of "special counsel of high rank, drawn from both political parties" to look further into the scandal.

⁸⁴⁷ Ibid, 187-191.

⁸⁴⁸ Ibid, 193, 196-199, 202-203.

The Senate passed Walsh's resolution regardless, which Coolidge ignored. But Coolidge wasn't the only presidential aspirant in danger of being drenched with oil. At the provoking of Senator James Reed of Missouri, who desired the coming Democratic nomination for himself, Edward Doheny roiled the national press with more damaging testimony in January 1924 – he admitted to having had paid William Gibbs McAdoo \$250,000 in legal fees since 1921.⁸⁴⁹

With the president now committed to an investigation, the dominoes began to drop. On February 2nd, Fall once again appeared before the Walsh committee and, this time, invoked his Fifth Amendment rights. Six days later, Borah made the case on the Senate floor for Edwin Denby's impeachment. "The Senate has been in the past the scene of many notable controversies," he argued. "but I venture to express the opinion that no situation more humiliating, more demoralizing, and to some extent more discouraging has ever been here for our consideration or the consideration of those who have gone before:

Vigilant observers have known for a long time how subtle and how powerful have been selfish and sinister interests in achieving their schemes and in gratifying their sordid ambitions here at the Capital. But few, if any, dreamed that they had actually placed a price upon the national defense and upon national honor itself.⁸⁵⁰

Ten days after Borah's speech, on February 18th, Denby resigned from the Coolidge administration. The following week, Walsh's Montana colleague, Senator Burton Wheeler – in what he later deemed "the most important speech of my career" – called for an official Senate investigation into why Attorney General Harry Daugherty, of the "Department of Easy Virtue," had done nothing to arrest or prosecute the Interior Secretary. "Here the Congress of the United States had appropriated one million dollars for the detection and prosecution of crime," Wheeler

⁸⁴⁹ Ibid, 209-210, 212-213.

⁸⁵⁰ William Borah, "The Denby Resolution – Impeachment," February 8, 1924. *Congressional Record*, 85493-176.

roared, and “instead of trying to detect the greatest crooks and those guilty of the greatest crimes against the nation that have ever been perpetrated, we find the Department of Justice protecting them.” As such, evidence suggests “that the Attorney General of the United States, now occupying the highest legal position in the government, is guilty of many crimes.” Wheeler’s resolution passed 66-1.⁸⁵¹

The following month, on March 12, Wheeler’s investigations began with his star witness – Roxy Stinson, the ex-wife of Jess Smith – who testified in lurid detail about the gifts Smith and Daugherty had been up to in the Little Green House on K Street, and of the fear Smith held just prior to his suicide that the gig would soon be up. “Jess Smith gave his life for Harry Daugherty,” Stinson testified, “he absolutely adored him.” Stinson’s five days of testimony became a media circus of sorts. The hearing, according to the *Washington Times*, “had all the atmosphere of a murder trial, combined with the bated breath excitement of the opening of King Tut’s tomb – the King Tut in this instance being poor Jess Smith.”⁸⁵²

Wheeler followed up Stinson with Gaston Means, one of Billy Burns’ cronies at the Bureau of Investigation and an inveterate storyteller. (He would later “write” a sensation-causing 1930 book – it was ghostwritten – *The Strange Death of President Harding*, which claimed the president has been poisoned by his wife.) “Means had a brilliant mind,” Wheeler later wrote of his witness, “and could have distinguished himself if he had used it in constructive channels. But you never knew when he was lying.” Means, who was also working as a paid mole in the Wheeler investigation for Billy Burns, peddled more dark, mostly uncorroborated tales of criminality within the Ohio Gang. ‘The rascally Means was more trouble to us than he was

⁸⁵¹ Wheeler, 213-214. McCartney, 214-215. 228-229

⁸⁵² Wheeler, 224-225. McCartney, 234-235.

worth,” Wheeler argued, but his tales helped to keep the pressure cooking on the Coolidge administration.⁸⁵³

When Daugherty refused to hand over records to the Wheeler Committee – claiming they were being demanded by Senators “who spent last summer in Russia with their Soviet friends” – Coolidge had had enough. The president forced his resignation from office on March 28th, 1924. Billy Burns left the Bureau of Investigation a month later, having been pushed out by new Attorney General Harlan Fiske Stone.⁸⁵⁴

Before leaving office, the Attorney General tried to fire back at Senator Wheeler by falsely accusing him, in his Montana lawyer days, of taking pay from an oilman to represent his interests before the Department of the Interior. The smear did not take. “It is safe to say,” Felix Frankfurter wrote in *The Nation*, “that never in the history of our country have congressional investigators had to contend with such powerful odds... There is no substantial basis for criticism of the investigations of Senators Walsh and Wheeler.” “They’re trying to stop you,” Justice Brandeis told Wheeler, “Don’t let them stop you, because that’s all they’re trying to do!”⁸⁵⁵

Immediately a “Wheeler Defense Committee” of prominent progressives was formed by Norman Hapgood and Basil Manly to help the Senator pay his legal fees – It ended up raising \$15,000. A Senate committee headed by William Borah looked into the charges and found not even “the slightest evidence of criminal intent,” and Borah himself called the attempt “a sad, sorry story.” In 1925, a Montana jury acquitted Wheeler of the trumped-up charge after only ten

⁸⁵³Wheeler, 226-227. McCartney, 234-235. Gaston Means would die in prison in 1937, Wheeler recounts in his memoirs, “after being convicted of providing fake clues in the Lindbergh kidnapping.”

⁸⁵⁴Ibid. Wheeler, Daugherty would later write, was “the communist leader of the Senate... Wheeler is no more a Democrat than Stalin, his comrade in Moscow.” To the last, Daugherty deemed himself “the first public official that was thrown to the wolves by orders of the red borers of America.” Wheeler, 230.

⁸⁵⁵ Wheeler, 234, 236.

minutes of deliberation. “The story of this prosecution against Senator Wheeler,” argued his Montana colleague Tom Walsh, who also represented Wheeler in trial, “makes a black chapter in the history of American jurisprudence.” Telegraphed an ailing Robert La Follette to his former running mate after the verdict: “[E]very decent self-respecting American citizen must bow his head with shame in the face of the established fact that the leaders of a political party and its highest responsible public officials have prostituted a great department of government to subvert justice, shield the guilty, and convict an honest man of crime.”⁸⁵⁶

In the summer of 1924, meanwhile, having “uncovered corruption without parallel in the history of the country,” Thomas Walsh brought his own hearings came to a close. “Corruption in public life is a vice that eats into the very structure of our system,” Walsh told a national radio audience. “Exposure of it is a service of the highest order and...swift, certain, and condign punishment is the only cure for it outside of moral regeneration.” But, after the salacious testimony of Roxy Stinson, the nation had once again begun to lose interest. That July, in the midst of the Democratic convention, Albert Fall, Harry Sinclair, Edward Doheny, and Ned Doheny were indicted for bribery and fraud. The following November, Calvin Coolidge would easily coast to victory in the 1924 election.⁸⁵⁷

Even after the public lost interest, there was still some mopping up to do. In March 1925, the special counsels appointed by Coolidge – Republican Owen Roberts and Democrat Atlee

⁸⁵⁶ Among the progressive notables on the Wheeler Defense Committee were William Allen White, Josephus Daniels, Oswald Garrison Villard, Jane Addams, Harold Ickes, Father John A. Ryan, Donald Richberg, Norman Thomas, Roger Baldwin, Paul Kellog, J.A.H. Hopkins, John Haynes Holmes, Louis F. Post, Herbert Croly, Henry Mencken, and Felix Frankfurter. “Wheeler Defense Committee,” May 6, 1925. WJB Box 193: Wheeler Trial. Wheeler, 242. William Borah, “For the Press,” April 25, 1925. WJB Box 780: Speeches. “Prosecution of Wheeler Scored by 2 Senators,” *Chicago Tribune*, March 15, 1926. Borah Box 219: Wheeler Trial. “The Wheeler Acquittal,” *Literary Digest*, May 9, 1925, 13. “Senator Wheeler’s Acquittal,” *The Outlook*, May 6, 1925, 8. Robert M. La Follette to Burton Wheeler, April 24, 1925, Borah Box 193: Wheeler Trial.

⁸⁵⁷ McCartney, 235, 244.

Pomerene – argued before a Sinclair-friendly judge in Cheyenne, Wyoming that the Elk Hills and Teapot Dome leases should be voided. Sinclair won that round on his home turf, but the US Circuit Court of Appeals soon overturned the decision, and, in September 1926, the Supreme Court ruled that the leases were “tainted with corruption” and should be voided. At long last, the oil reserves were back in the hands of the government. In October 1927, Harry Sinclair and Albert Fall were tried for criminal conspiracy – which resulted in a mistrial when a juror blabbed that Sinclair was buying off jury members with “an automobile as long as a block.” A few years later, in October of 1929, Albert Fall was convicted of bribery and sentenced to one year in prison and a \$100,000 fine. He served nine months and nine days, and became the first Cabinet member in history to be convicted of a crime.⁸⁵⁸

But, even after the leases had been returned, there was still one more loose end.

While helping the two independent prosecutors to build their case in the summer of 1924, a Secret Service agent, Thomas Foster, noticed that, back in May 1922, Sinclair paid Fall \$230,000 in sequentially numbered Liberty Bonds. As it happened, similar bonds kept popping up all over the course of the investigation – After leaving Interior, Albert Fall had been paid \$25,000 in bonds by Harry Sinclair to visit Russia and help open doors there for his oil company. Similarly, Will Hays had testified that Sinclair had given him \$75,000 in bonds to help pay down the \$1 million in debt the Republican Party held after the election of 1920. All of these bonds were part of the same sequentially numbered set, and they had all been bought by something called the Continental Trading Company. Following this trail led the Secret Service to a Toronto lawyer named H.S. Osler, who said that he was the sole owner of Continental, that all the records

⁸⁵⁸ McCartney, 250-255, 263-264, 313.

had been destroyed, and that he didn't know, except by reputation, any of the people he was being asked about. But Harry Sinclair's former secretary, G.D. Wahlberg – the same man who had told the Walsh committee of “six to eight cows” – said that, yes, of course Osler knew Harry Sinclair. They talked all the time.⁸⁵⁹

When Foster went back to Toronto with the lie revealed, Osler admitted that Continental had been created for some “oil clients” to handle a transaction involving a Colonel A.E. Humphreys of Denver, Colorado. Foster then interviewed Humphreys, who told of another dark conspiracy afoot. At the Vanderbilt Hotel in New York in 1921, Humphreys had met with Osler and the four partners of Continental -- Harry Sinclair, Robert Stewart of Standard Oil of Indiana, Harry Blackmer, the Chairman of Midwest Refining, and James O'Neill, the president of Prairie Oil and Gas. He had sold these four prominent oilmen 33,333,333 barrels of oil at \$1.50 a barrel, who had then sold it to their respective companies at \$1.75 a barrel – creating an instant profit of \$8 billion. Taking 2 percent off the top as his fee, Osler had then converted \$3 million of this sum into Liberty Bonds, and handed them out to the respective oilmen.⁸⁶⁰

In other words, four of the most respected oil barons in the country had defrauded their stockholders of millions to create a slush fund for their own personal use. When Roberts and Pomerene tried to incorporate these revelations into their Cheyenne case, they found that Osler had gone off to safari in Africa, Sinclair had already taken the fifth, and Blackmer, Stewart, and O'Neill all just happened to be in Europe and out of the reach of a subpoena.⁸⁶¹

⁸⁵⁹ McCartney, 241-243.

⁸⁶⁰ McCartney, 243, 252. Colonel Humphreys would die of an apparent self-inflicted gunshot wound to the head in May, 1927..

⁸⁶¹ McCartney, 284.

In January 1928, prompted by a *St. Louis Post-Dispatch* reporter who had been connecting the dots himself, Senator George Norris called for a further investigation into the Continental Trading Company, to be once again headed by his fellow committeeman Senator Walsh. Walsh was sixty-eight and tired by this point, and he didn't think the investigation would gain much traction in the public eye in the midst of Coolidge prosperity. But he once again took up the standard. After establishing a link between Fall, Sinclair, and the bonds, Walsh called Standard Oil of Indiana's Robert Stewart to the stand and asked him about the bonds. Stewart refused to answer, claiming, "[t]hat is none of your business, Senator, nor is it the business of this committee." For his recalcitrance, Stewart – like Sinclair before him – was threatened with contempt of Congress, charges his high-priced lawyers would spend the next several weeks fighting.⁸⁶²

In the meantime, Walsh did a better job eviscerating his next witness, former Republican National Chairman Will Hays. Over the course of the investigation, Secret Service men had noticed that \$300,000 of the offending, sequentially-numbered Liberty bonds had ended up in the RNC's account. When Walsh asked Hays how those had got there, Hays testified that Sinclair had given him \$260,000 in bonds in November 1923 to help pay down the 1920 campaign debt. It soon came out that Hays had split up these bonds among several Republican fundraisers – T. Coleman du Pont, former treasurer of the committee; Harding Secretary of War John Weeks; Fred Upham, another former treasurer of the committee; and John T. Pratt – who sold them to prospective donors for their cash equivalent. In other words, Will Hays and the Republican Party had effectively presided over a money-laundering operation for the dirty bonds. Upon this revelation, Senator Borah immediately began an effort to have small-dollar Republican donors

⁸⁶² McCartney, 259-261

pay back Sinclair to rehabilitate the party. “For the party to keep the money after it is known how it was secured is to endorse the manner of securing it,” he argued. “[W]hen the facts are revealed we ought to have the courage to deal with the situation ourselves and not permit it to be said that we are conniving at the wrongdoing.” In the end, he only raised about \$8000, which he eventually returned.⁸⁶³

Even more intriguing from the Senate’s perspective, among the files of John T. Pratt was a handwritten note listing the amount of bonds that had gone to various party officials. It listed \$50,000 going to a “Candy” or “Andy.” This brought the “greatest Secretary of the Treasury since Alexander Hamilton,” “Andy” Mellon, into the fray. Appearing before the Committee, Mellon admitted that Will Hays had tried to offer him \$50,000 in Liberty Bonds by way of Harry Sinclair, but Mellon had refused, “because I would be making a subscription that was not what it was reported to be.” When asked why he had never mentioned these bonds over the past five years of investigation, Mellon replied that he “can’t follow all these investigations. I have troubles of my own and much work to do.” Secretary Mellon being a very important man, the Committee took this dubious rationale at face value.⁸⁶⁴

Secretary Mellon wasn’t the only man of means for whom the rules seemed different. Harry Sinclair already had nine months of jail time in front of him for contempt of the Senate and jury tampering in he and Fall’s first trial. But in April 1928, with the best lawyers money could buy at his disposal, he was found not guilty of fraud and bribery by a jury. “Why, everybody in the United States and even the Supreme Court knows he is guilty,” George Norris

⁸⁶³ McCartney, 274-276. Borah to W.S. Johnson, March 19, 1928, Borah Box 256: Newspapers. Borah to Nicholas Ifft, April 21, 1928, Borah Box 256: Newspapers.

⁸⁶⁴ McCartney, 277-280.

spat in disgust. “He has too much money to be convicted. We ought to pass a law now to the effect that no man worth a hundred million dollars should ever be tried for any crime.” Hearing the news that Sinclair was out of legal trouble for good, another fellow with a good bit of money to his name, Robert Stewart, showed the other directors of Standard Oil of Indiana the \$759,500 in Continental Liberty bonds he had always had in his safe. Stewart never did go to prison, but he did make one key mistake. When he returned to the Senate witness chair to remove the threat of the contempt charge, Senator Bronson Cutting asked him what his boss, John D. Rockefeller, Jr., might think of Stewart defrauding stockholders. Stewart replied “I don’t know, and I don’t care.” Embezzlement aside, Rockefeller did not like this display of contempt from his chairman, and he worked to have him fired at the next shareholder meeting.⁸⁶⁵

Through the many years of investigations into Teapot Dome and Continental, there was always the potential for one more unindicted co-conspirator. And while he was never brought officially into the investigation, and to this day has not been definitively tied to any wrongdoing, there is still some circumstantial evidence to suggest that Warren Gamaliel Harding also had his hands in the till. Among others, C. V. Berryman, the son-in-law of *Denver Post* editor Frederick Bonfils, claimed that it was Harding who first met with the two editors to get them to “let up on that oil business in Wyoming,” and who later convinced Harry Sinclair to pay their asked-for \$1 million in blackmail.⁸⁶⁶

And then there was the matter of the *Marion Star*, Harding’s old newspaper. Two days before the President left on his fatal trip, he was visited by newspaper publishers Roy Moore and Louis H. Brush, the latter of whom happened to be a friend of Harry Daugherty and the top

⁸⁶⁵ McCartney, 287-288, 290, 298-299.

⁸⁶⁶ McCartney, 139-140.

Republican fundraiser in Ohio. They offered to buy the president's old newspaper for \$500,000 – roughly \$375,000 more than they had recently paid for a comparably-sized paper in Albuquerque. Harding – whose salary was \$73,000 a year – took the deal immediately, and the two men promised to pay the president shortly...in Liberty Bonds. Harding then told his stockbroker to buy \$500,000 of stocks for him on margins. The name on Harding's account was Walter Ferguson, one of his Secret Service men. Was this \$500,000 a thank you from Harry Sinclair for playing ball? Why did Harding use a fake name on his stock account? Did Florence Harding burn her husband's papers on account of his many extramarital trysts, or was he involved in something else?⁸⁶⁷

“My dear Senator,” William Allen White, wondering much the same, wrote to Thomas Walsh in March 1928, “[d]id you ever think that big lot of Liberty Bonds found in Harding's estate...might have come there by way of the Continental Jackpot?” Walsh did think it possible, and looked into it. His investigators ultimately found \$380,000 in Liberty bonds in the Harding's estate -- but the serial numbers did not match up with the usual sets of Continental activity. Of course, over five million of the original \$8 million slush fund was never found anywhere.⁸⁶⁸

Whether or not Harding was personally involved in the criminality of his administration, progressives – Gifford Pinchot, Harry Slattery, Robert La Follette, George Norris, and especially Thomas Walsh – had initiated and led an investigation that uncovered flagrant illegalities by oil companies and government officials both, a conspiracy that reached right into the heart of federal land policy. “To tell you the truth about it, Frank,” Borah wrote a friend in February 1924, as the Teapot Dome scandal began to inflict casualties in the administration, “I have been so

⁸⁶⁷ McCartney, 145-146.

⁸⁶⁸ McCartney, 284-285.

demoralized...that I have hardly permitted myself to think about it. I must say that it dampens my ardor for anything in politics in the future. I do not know where the fearful, sordid trail will lead to nor what the consequences are to be. I never supposed that the Capitol at Washington would become a cesspool for such miserable transactions.” While he thought the situation “indescribable and almost intolerable,” Borah could at least console himself “with the thought that it will lead to a heroic effort upon the part of the people and public men who see things right to clean up.”⁸⁶⁹

Unfortunately, no such heroic effort of the people came about. However baroque the details, this was a black-and-white case of dirty dealings by what, ten years earlier, would have been deemed an “Oil Trust.” Once their interest was piqued, the newspapers went along for the ride and reported the scandals as front-page news, thus doing their part to inform and enlighten public opinion. And yet, the public seemed to grow disinterested with the scandals. “For God’s Sake, Americans, Wake Up!,” screamed a 1922 editorial in *The Searchlight on Congress* when the first of the scandals broke. But at best, columnists such as Will Rogers would later write of the “great morality panic of 1924” like it was just another passing New Era fad, like crosswords and Mahjong. And even then, this “morality panic” didn’t register much at the ballot box. When given a chance to make 1924 a referendum on the Harding scandals and 1928 one on the corruption within the Republican Party, the general population of America mostly just shrugged, and returned the offending administrations into power in overwhelming numbers.⁸⁷⁰

⁸⁶⁹ Borah to Frank T. Wyman, February 29, 1924. WJB, Box 170: 1923-24: Frank T. Wyman. Borah to Oscar Foote, March 1, 1924. WJB Box 161: Newspapers. Borah to Abner P. Hayes, February 26, 1924, WJB Box 169: Teapot Dome.

⁸⁷⁰ Murray, *The Politics of Normalcy*, 133. Lynn Haines, “For God’s Sake, Americans, Wake Up!” *The Searchlight on Congress*, May 31st, 1922, 3. Noggle, *Teapot Dome* vii.

“What does all this mean?” H.L. Mencken wrote in 1924, surveying the election results and summing up the progressives’ dilemma. “That the people of the United States are *not* against robbing the Government? I suspect as much. More, I have suspected it for years. Yet more, I have argued it for years...They are not in favor of stealing *per se*, but stealing from the Government somehow seems to them less reprehensible than other kinds.” “The plain fact,” wrote Mencken in another column, “is that the American people are not against corruption. They do not loathe the successful thief, but admire him. It is precisely the most corrupt political machines that are the most secure.”⁸⁷¹

What was the point in standing up for the public interest if, in the end, nobody seemed to care? That was another unanswered question of Teapot Dome that would continue to haunt progressives.

⁸⁷¹ Mencken, 120-121, 159-160.

CHAPTER SIX: LEGACIES OF THE SCARE

PROGRESSIVES, CIVIL LIBERTIES, AND LABOR

“It may seem incredible to many, but to me the most vital problem in American politics at the present time is the preservation of the great guarantees of civil liberty, found in our constitution, and so long supposed to be secure and indispensable.” – William Borah, 1921⁸⁷²

“One of the master delusions of the American people is to the effect that they are in favor of free speech. They are actually almost unanimously against it.” – H.L. Mencken, 1925⁸⁷³

“A liberal journal has recently stated: ‘Within a year after the war began the old causes were gone, and we were steadily forced back from our advanced positions – public ownership and enfranchisement of labor, economic freedom, industrial cooperation, and political equality for the black man with the white man, for the alien with the citizen – these were all abandoned like war trenches on the Western Front, and we found ourselves fighting in the last ditch for the primary bases of democratic society, the civil liberties proclaimed in the Declaration of Independence and guaranteed in the Constitution.’” – Jane Addams, 1930⁸⁷⁴

“Although divided over the war and bowed by repression, progressives were not broken. They were busy laying down the defense of free speech as a cornerstone of the new progressive politics. Out of the darkness, new stars were beginning to twinkle.” – Alan Dawley, Changing the World.⁸⁷⁵

In working to roll back the excesses of the immediate postwar period, progressives gained a newfound appreciation for both the importance and the need to defend civil liberties, including the right to organize. But in the process, many progressives lost something else – their faith in the general rightness of the masses, and their sense of identification with the American people as a whole. And so, even as progressives phrased their early defenses of civil liberties as being necessary to the public interest – a diversity of opinion being necessary to the formation of sound policy – their gradual alienation from the people at large also propelled them closer to a defense of civil liberties based on notions of conscience and individual freedom.

⁸⁷² Borah, “Constitutional Morality,” American Legion, June 2, 1921. Box 99: Newspapers.

⁸⁷³ Paul L. Murphy, *The Meaning of Freedom of Speech: First Amendment Freedoms from Wilson to FDR* (Westport: Greenwood Press, 1972), 106.

⁸⁷⁴ Addams, *Second Twenty Years*, 159. Also quoted in Dawley, 160.

⁸⁷⁵ Dawley, *Changing the World*, 160.

The Education of Jane Addams

In her 1922 volume *Peace and Bread*, of which excerpts were printed in *The Survey*, Jane Addams looked back at her experience as a pacifist during the World War with a shiver. “From the very beginning of the great war, as the members of our group gradually became defined from the rest of the community,” Addams recalled, “each one felt increasingly the sense of isolation which rapidly developed after the United States entered the war into that destroying effect of ‘aloneness,’ if I may so describe the opposite of mass consciousness.” For Addams and her fellow pacifists, this separation from the war fervor was not felt as a triumphant stand of principle, but a tortured alienation from the people at large. “We never ceased to miss the unquestioning comradeship experienced by our fellow citizens during the war,” Addams remembered, “nor to feel curiously outside the enchantment given to any human emotion when it is shared by millions of others. The force of the majority was so overwhelming that it seemed not only impossible to hold one’s own against it, but at moments absolutely unnatural, and one secretly yearned to participate in ‘the folly of all mankind.’”⁸⁷⁶

As she recalls, the pressures on Addams and the pacifists were enormous. On one hand, many of their longtime progressive and intellectual allies, from President Wilson (who had “kept us out of war”) to John Dewey and *The New Republic*, were now openly deriding the pacifist cause. “We were constantly told by our friends that to stand aside from the war mood of the country was to surrender all possibility of future influence,” said Addams, “that we were committing intellectual suicide, and would never again be trusted as responsible people or judicious advisers. Who were we to differ with able statesmen, with men of sensitive conscience

⁸⁷⁶ Jane Addams, “Peace and Bread,” *The Survey*, Jan. 28, 1922, 663.

who also absolutely abhorred war, but were convinced that this war for the preservation of democracy would make all future wars impossible?”

As a result, Addams worried deeply that she had made a mistake somewhere down the line in her thinking. “There were moments when the pacifist yielded to the suggestion that keeping himself out of war, refusing to take part in its enthusiasms, was but pure quietism, an acute failure to adjust himself to the moral world...Every student of our time had become more or less a disciple of pragmatism and its great teachers in the United States had come out for the war and defended their positions with skill and philosophic acumen. There were moments when one longed desperately for reconciliation with one’s friends and fellow citizens; in the words of Amiel, ‘Not to remain at variance with existence.’”⁸⁷⁷

Even more jarring, some of the most basic tenets of the progressive faith seemed undermined by what was occurring. Wasn’t educated and enlightened public opinion meant to be the fulcrum that would move the world? Instead, Addams and the pacifists discovered that public opinion – stoked to nationalistic fervor “in the interest of war propaganda” – was now a spear directed against them. “We certainly had none of the internal contentment of the doctrinaire, the ineffable solace of the self-righteous, which was imputed to us,” she recalled. “No one knew better than we how feeble and futile we were against the impregnable weight of public opinion, the appalling imperviousness, the coagulation of motives, the universal confusion of a world at war.” Indeed, Addams ascribed “the large number of deaths among the older pacifists” to this grievous state of affairs, for “[m]ore than the normal amount of nervous energy must be consumed in holding one’s own in a hostile world.” In sum, she wrote: “Solitude has always had

⁸⁷⁷ Ibid, 703, 705.

its demons, harder to withstand than the snares of the world, and the unnatural desert into which the pacifist was summarily cast out seemed to be peopled with them.”⁸⁷⁸

Amid this wasteland of loneliness and confusion to which the pacifists had summarily been expelled, Addams and her colleagues wrestled with the prior tenets of their progressive philosophy. “In the hours of doubt and self-distrust,” wrote Addams, “the question again and again arises: Has the individual, or a very small group, the right to stand out against millions of his fellow countrymen? Is there not great value in mass judgment and in instinctive mass enthusiasm, and even if one were right a thousand times over in conviction, was he not absolutely wrong in abstaining from this communion with his fellows? The misunderstanding on the part of old friends and associates and the charge of lack of patriotism was far easier to bear than those dark periods of faint-heartedness.”⁸⁷⁹

And yet, in those dark moments of self-questioning, Addams and other progressives began to foster a new appreciation for the importance of the individual against society. “We could not, however, lose the conviction that as all other forms of growth begin with a variation from the mass, so the moral changes in human affairs may also begin with a differing group or individual, sometimes with the one who at best is designated as a crank and a freak and in sterner moments is imprisoned as an atheist or a traitor.”

Perhaps, it seemed to Addams, both the pragmatic experts and the vast majority of public opinion *were* wrong, and thus it behooved progressive men and women of conscience to stay true to their own beliefs, and to endure both the contempt of ones’ peers and the calumny and hatred

⁸⁷⁸ Ibid, 706.

⁸⁷⁹ Ibid, 703.

of the masses in so doing. From the intellectual exile of the pacifists during the Great War, Addams observed, “it therefore came about that the ability to hold one’s own against mass suggestion, to honestly differ from the convictions and enthusiasms of ones best friends, did in moments of crisis come to depend upon the categorical belief that a man’s primary allegiance is to his vision of the truth and that he is under obligation to affirm it.”⁸⁸⁰

Addams was by no means alone in this crisis of confidence – other pacifists and progressives who found themselves on the wrong end of public opinion during the war came to similar conclusions. As Frederic Howe put it in 1926, “Liberty was as dear to me as another kind of patriotism was dear to other hundred per cent Americans. And when I saw liberty laid prostrate by those from whom I had expected protection, when I found my kind of Americanism under suspicion, if not denounced as criminal, when I saw my government using its power in a hysteria of fear, to crush civil and political liberties, when I saw these things, much of my belief in men, in the political state, and in my own America all but died. I think it died for millions of others.”⁸⁸¹

Even progressives who had gone along with the war effort at the time were now reconsidering their relationship with the public at large. “Many of us,” wrote Chicago lawyer Donald Richberg in 1930, “now can look back upon the heroic efforts of La Follette and Norris in the Senate...of women like Jane Addams, and feel a little small and ashamed that, even if we did not join with those who scowled and spat upon them...yet we watched them through troubled, puzzled eyes.” Because of the war and reaction, Richberg said, “to doubt, to question the wisdom of the powers that be, to advance new and disturbing ideas, had ceased to be an act

⁸⁸⁰ Ibid, 703, 707.

⁸⁸¹ Frederic Howe, “Where are the Pre-War Radicals? A Response,” *The Survey*, April 1, 1926, 50.

of virtue, the proof of an aspiring spirit. Such attitudes were ‘radical’ and ‘destructive.’ Progressivism was losing its supreme asset – respectability.”⁸⁸²

In other words, progressives, who once thought of themselves as the vanguard of the people, now began to define themselves in opposition to the masses. This new stance would complicate many of the beliefs about the power and efficacy of enlightened public opinion that progressivism had always relied upon.

Prisoners of Conscience

“[O]urs is a constitutional freedom where the popular will is supreme,” Warren Harding had intoned in his inaugural address of March 1921, “and minorities are sacredly protected.” But merely saying such did not make it so. (In fact this pronouncement tickled H.L. Mencken pink. Upon hearing it, Mencken wrote, “I abandon myself to a mirth that transcends, perhaps, the seemly, and send picture postcards of A. Mitchell Palmer and the Atlanta Penitentiary to all of my enemies who happen to be Socialists.”) And so, even as Harding called for normalcy and restoration, 1921 began with several residual legacies of the Red Scare left to sort out. Political prisoners remained behind bars. Repressive laws remained on the books. And, at least for another three months, A. Mitchell Palmer remained in office.⁸⁸³

Taking the last first, now that the wartime and Red Scare fervor had subsided, the Senate had some hard questions for Wilson’s overzealous Attorney General. The previous May, as Palmer’s grand visions of a White House bid had begun unraveling thanks to a May Day without incident, twelve prominent lawyers – among them Felix Frankfurter, Zechariah Chafee, Frank

⁸⁸² McGerr, 308.

⁸⁸³ Mencken, 39.

Walsh, Francis Fisher Kane, Swinburne Hale, and Roscoe Pound – penned a prosecutorial brief entitled *To The American People, Report Upon the Illegal Practices of the Department of Justice*. “Under the guise of a campaign for the suppression of radical activities,” it argued, “the office of the Attorney General...has committed continual illegal acts.” Along with the misuse of propaganda and *agents provocateurs*, these illegal acts included violations of the Fourth (“arrests without warrant” and “unreasonable searches and seizures”), Fifth (“compelling persons to be witnesses against themselves”) and Eighth (“cruel and unusual punishment”) Amendments to the Constitution.⁸⁸⁴

“We make no argument in favor of any radical doctrine as such, whether Socialist, Communist, or Anarchist,” argued these eminent lawyers. “Nor do we now raise any question as to the Constitutional protection of free speech and a free press.” Instead the brief focused on “the utterly illegal acts by those charged with the highest duty of enforcing the laws – acts which have caused widespread suffering and unrest, have struck at the foundation of American free institutions, and have brought the name of our country into disrepute.”⁸⁸⁵

Among those persuaded by this brief was Montana Senator and future Teapot Dome prosecutor Thomas Walsh, who had been mostly silent about civil liberties abuses in the past. While he continued to remain a good Democrat during the remainder of the doomed campaign season, Walsh called for an official Senate investigation into the Justice Department’s behavior the month after Harding’s election, on December 10, 1920. Harold Ickes, for one, found hope in

⁸⁸⁴Geoffrey Stone, *Perilous Times: Free Speech in Wartime from the Sedition Act of 1798 to the War on Terrorism* (New York: W.W. Norton, 2004), 225. J. Leonard Bates, *Senator Thomas J. Walsh of Montana: Law and Public Affairs, from TR to FDR*. (Chicago: University of Illinois Press, 1999), 190. Kennedy, *Over Here*, 288. R.G. Brown *et al*, *To The American People, Report Upon the Illegal Practices of the Department of Justice* (Washington DC: National Popular Government League, 1920), 3-7.

⁸⁸⁵ *Ibid*, 3-4.

the fact “that a Senator of Mr. Walsh’s political faith should have had the courage and right feeling to initiate such action.” Similarly, argued *The New Republic*, the story of Palmerism “must not be allowed to end with...[the] cowardly refusal by the Attorney-General to face the facts of his own wrongdoing.” Naturally, the authors of the *To the American People* were similarly moved. “Unless the methods used by the Department of Justice are severely condemned by Congress and the American people,” warned Zechariah Chafee in January 1921, “they will be repeated in future emergencies.”⁸⁸⁶

Soon thereafter, the Senate Judiciary Committee formed a subcommittee to look into the matter. Chaired by Republican Thomas Sterling of South Dakota, the subcommittee also included Democrat William King of Utah, Walsh, and Borah. The star witness in the ensuing hearings, of course, was an unrepentant Palmer. Pounding on the table for effect, the Attorney General sidestepped the damning legal case against him, basically, by challenging the Senators’ right to question the umbrella of protection he had provided. “I apologize for nothing that the Department of Justice has done in this matter,” he exclaimed, “I glory in it. I point with pride and enthusiasm to the results of that work.”⁸⁸⁷

As for the legal issues, Palmer argued, if “some of my agents out in the field...were a little rough and unkind, or short and curt, with these alien agitators, whom they observed seeking to destroy their homes, their religion, and their country, I think it might be well overlooked in the general good to the country which has come of it.” Undeterred, Walsh wondered how Palmer could have possibly thought that warrants should only be obtained “if absolutely necessary.” “It

⁸⁸⁶ Bates, 190-191. “Palmer Pleads Guilty,” *The New Republic*, January 19, 1921 (Vol. XXV, No. 320), 217. David Williams, “The Bureau of Investigation and Its Critics, 1919-1921: The Origins of Federal Political Surveillance,” *The Journal of American History*, Dec. 1981 (Vol. 68, No. 3), 560.

⁸⁸⁷ Bates, 191. Kennedy, 290. “Turn the Light on Palmer!” *The Nation*, February 2, 1921 (Vol. 112, No. 2900), 164.

is difficult to conceive,” Walsh said, echoing arguments Louis Post’s lieutenants had made in the Department of Labor, “how one bred to the law could ever have promulgated such an order.”⁸⁸⁸

Palmer’s appeal to order went over like a lead balloon in the progressive press. “*The Nation* has no animus against Mr. Palmer personally,” it argued after the Attorney General’s appearance, “but the evil he did will live after him unless some action is taken to condemn the sinister and illegal methods that he injected in to the Department of Justice.” But the Attorney General had a sympathetic ear across the aisle in Senator Sterling, who had authored his own, even more stringent Sedition Act in 1919. (Passed in the Senate and defeated in the House, the Sterling Act gave more powers to the Postmaster General to criminalize offending mail, and, on account of broad and vague wording, even made it illegal to advocate for a constitutional amendment.) The Subcommittee soon divided on whether to censure Palmer, with the Republican Sterling advocating no further action and the Democrat Walsh calling for a condemnation of Wilson’s Attorney General. Both reports went to the full Judiciary Committee, where, a year later, Walsh’s proposal failed 7-4, with the four votes coming from Walsh, Borah, George Norris, and Democrat Henry Ashurst of Arizona.⁸⁸⁹

Even as Palmer avoided legal consequence, many of those who had run afoul of the authorities during the war and its aftermath remained behind bars, and none were so esteemed as Prisoner 9653, the first federal convict to run for president in American history. “Christmas and New Years have gone by,” the editors of *The New Republic* reminded their readers in their first issue of the new decade, “and Debs is still in jail”:

⁸⁸⁸ Bates, 191. Kennedy, 290.

⁸⁸⁹ “Turn the Light on Palmer,” *The Nation*, 164. “Sterling on Sedition,” *The Searchlight on Congress*, December 31, 1919 (Vol. IV, No. 8), 7. Bates, 192.

His imprisonment serves no purpose, either good or bad. From the point of view of expediency, it will cast a shadow over the exit of this administration, and it will leave a bitter taste in the mouths of those who were generous enough to swallow its idealism whole. From the point of view of the law, we are in fact no longer at war, and to keep in jail a man whose acts would not have been punishable in peace times is legalism of the smallest caliber. From the point of view of common decency, of morality, there is this to be said of the imprisonment of Debs – that it is a crime, a falsehood, and an act of which no honorable government would be guilty.”⁸⁹⁰

In March of 1920, Republican Joseph France of Maryland had put forward a Senate resolution arguing that, especially since the war was over, “the further prosecution and imprisonment of the United States of...a body of political prisoners is contrary to the democratic idealism and traditions of freedom to which our country is committed,” and thus “immediate pardon and amnesty” should be granted “to all prisoners whose religious, political, or economic beliefs only” had been cause for their incarceration. This too, the Sterling subcommittee took up after Harding’s election, calling witnesses ranging from Senator France to A. Mitchell Palmer to Samuel Gompers to Marvin Gates Sperry, head of the Soldiers’ and Sailors’ Legion.⁸⁹¹

“I feel that it was unwise,” Senator France argued in his statement beginning the hearings, “for us to enter upon the policy of attempting to preserve our constitutional Government by flagrant violation of a constitutional principle.” Samuel Gompers, after spending several minutes noting the patriotism of the American Federation of Labor for the record, decried the Espionage Act and argued it was time “to see this Republic of ours as soon as possible return to the normal relations of life and labor and relations and government,” including giving an amnesty and pardon to political prisoners. Marvin Sperry took only a few moments of the subcommittee’s time, declaring “[t]he United States is the most powerful country in the world,

⁸⁹⁰ *The New Republic*, January 5, 1921 (Vol. XXV, No. 318), 153-154

⁸⁹¹ “Amnesty and Pardon for Political Prisoners: Hearings Before a Subcommittee of the Senate Judiciary Committee on S.J. Res 171, United States Senate,” (Washington: Government Printing Office, 1921), 5. “The Soldiers and Sailors Legion” was distinct from the American Legion, Sperry testified, because “[w]e are strictly privates. We do not take any officers in our organization that held a commission.” *Ibid*, 46.

and we think they could extend an act of generosity and mercy to the political prisoners this Christmas.”⁸⁹²

For his part, A. Mitchell Palmer testified that 580 convictions and 315 pending cases had been brought under the Espionage Act, and, of those, 199 had been pardoned or commuted by Wilson and approximately 130 of these convicted offenders were still serving time. Nonetheless, Palmer argued, a general amnesty or pardon wasn’t required because the Department of Justice was working its way through all the cases anyway, and those deserving a pardon had already been, or would soon be, granted one. “Every case before us,” he assured the Committee, “has been carefully considered by its own facts” In fact, Palmer argued, “the conviction of only 580 persons out of a hundred millions, in all the heat and worry of war times...always seemed to me a very striking evidence of the manner in which we have protected the rights of the people during the war, and with the small number now remaining in the penitentiary, there can hardly be said to be any political prisoner problem in America.”⁸⁹³

When the Sterling subcommittee wrapped up its hearings, it once again took no action on the pending resolution. And so, even as Palmer promised that every case was receiving its due consideration, Debs and over a hundred others remained in federal prison. The incarceration of Debs, a beloved martyr figure to socialists and progressives alike, seemed a particular sin against the government, and inspired many to Christ metaphors. “I had never met Debs” before he arrived at the Atlanta Penitentiary, Secretary of the AFL’s Amnesty Committee Lucy Robbins testified before the subcommittee, but the “fact is that ever since he came there he is considered a man that is actually a saint or a Jesus Christ,”

⁸⁹² Ibid, 6, 9-15, 46-47.

⁸⁹³ Ibid, 83.

because when the night comes and the work is over, he goes into the yard where all the men, the criminals, come around him, and for each one he has a word to tell them. For each he has word to awaken in them a human spirit, the feeling that has been lost for years and years, of those murderers...I am sure that a man of that kind could never be accused in any way that he could be harmful to any country or to any man existing in the world. He surely could never propagate crime, he could not propagate violence. It is not in his nature. Even if he would attempt to say it, he could never say it. He can only say good things, and he can bring out the best that is in the worst kind of criminal.

There has been a man there, that has been convicted – I do not know whether it is proper to tell you all these things, but I cannot help doing so when it is brought before this committee – there is a colored man there convicted of murder. He has been in that penitentiary for years. They could never break that man’s spirit. There was murder in his eyes and murder in his heart. The only means they used against him was a club; knocked him down and threw him into solitary confinement. One time Debs found him swooning in blood. He picks him up, and takes George over to the hospital ward, and he takes care of him. Today that boy is like a lamb. He will obey any rules in the prison. He will do anything that is asked of him, because he has become a man, a human being. It is that spirit that prevails wherever Debs is, and I am sure it is actually a crime to keep a man of that type behind iron bars...

Debs will prefer any time to stay in jail and to see the younger man go out. That is his plea at all times. He will say, ‘Never mind me. I can do my work right here just as well as in any other place.’ And that is Debs. To keep a man of that sort there is a crime. He is there now about 15 months; not too strong in health, and yet he will not receive or accept any privileges for himself, even with regard to food, because he will not permit that any of the other criminals, any of the other prisoners are there, should feel that he is an exception and that he is treated better than they are; and he suffers with his stomach, suffers with his health, but will not accept any privileges of any kind, even with regard to food. And to feel that there have been lies and accusations against him, statements against him of trouble because he has been against this country, it is hard to believe. I am absolutely sure it is not so, because there is not a country in the world that Debs loves more than the United States, and I am sure that a man of that kind has a right to express his opinion at all times, and particularly now, when the war is over and that emergency is past, he surely ought to be released at once.⁸⁹⁴

However much a beatific Christ figure to those he inspired, the incarcerated Debs was suffused with doubts and fighting a losing battle against despair. Cut off from both his family and his life work, he grappled with a sense of isolation that felt like “suffocation and being buried alive.” Out in the world, meanwhile, newly christened Communists like William Z. Foster belittled Debs as a sellout, and part of “the petty-bourgeois united front.” (To this, Debs replied,

⁸⁹⁴ Ibid, 25-26. Senator Sterling was unmoved by Robbin’s testimony. Debs, Sterling argued, has said he was “[p]roud of those who have been convicted of aiding and abetting another who had evaded the draft. Proud of them!” Ibid, 29.

“you may be right in your criticism of my position and I may be wrong, as I have often been before. Having no Vatican in Moscow to guide me I must follow the light I have.”) Watching the Socialist struggle degenerate into internecine feuds, he was haunted by dreams where “all about me were ashes...nothing left but ashes.” “I suppose it is because I *see* the heights I must *feel* the depths,” Debs wrote his brother Theodore, confessing there were times when his “heart is the very heart and center of all the sadness and sorrow, all the pain and misery, and all the suffering and agony in the world.” The election results further embittered him. “The people can have anything they want,” he wrote, “The trouble is they do not want anything. At least they vote that way on election day.” Debs’ paramour, Mabel Curry, wrote to Upton Sinclair that “Gene can’t stand many more months.” Making things even worse for the old socialist, when Debs lashed out at Wilson just before the end of his term, Wilson and Palmer enacted a punitive gag order prohibiting him from speaking in public.⁸⁹⁵

While it may not have seemed like it at the time, Election Day was actually the beginning of the end of Debs’ trials. Whatever his faults, Warren Harding didn’t share Wilson’s penchant for nursing grievances, and within the first month of his administration, Debs was secretly shuttled to Washington to meet with Attorney General Harry Daugherty – who, like the First Lady and Secretary of Commerce Herbert Hoover, opposed clemency – and other members of the administration.⁸⁹⁶ (In his memoirs, Daugherty, a notorious red-baiter at any other time, remarked that “I had never met a man of more appealing personality than Eugene V. Debs.”) When word leaked of this meeting, the American Legion was livid. Any clemency “would do

⁸⁹⁵ Salvatore, 316-325. Weinstein, 322. Ernest Freeberg, *Democracy’s Prisoner: Eugene V. Debs, the Great War, and the Right to Dissent* (Cambridge: Harvard, 2008), 281.

⁸⁹⁶ On the pro-amnesty side in the Harding administration were Charles Evans Hughes and Will Hays. Freeberg, 292.

more to license a wholesale disregard of law and order than any one act the President might take,” Legion commander John Emery warned Harding. If he took this action, it would “draw the fire of ex-service men” and “set off a fight to the finish.” Such talk forced Harding to back down on his original plan to release Debs on Independence Day.⁸⁹⁷

His hopes dashed, Debs began to fall back into despair and started cutting himself off even further from the outside world. In the meantime, progressives and socialists pushed back. The newly re-formed American Civil Liberties Union, under Roger Baldwin, petitioned for his release. Warren Harding was called upon twice by his old paperboy from Marion, Ohio, Norman Thomas, imploring the president to release Debs. “I am asking you to break the hate, and the war psychology,” Lincoln Steffens wrote Harding, “do the free, uncalled for, magnificent Thing.” Notable progressives like Robert La Follette, Basil Manly, and Alice Paul wrote editorials urging readers to support the amnesty campaign “if you feel that free speech is worth preserving in America.” And even rising film star Mae West petitioned the White House to encourage Debs’ release.⁸⁹⁸

At one point over the summer, Oswald Villard, Father John Ryan, and William Allen White led another delegation of progressives to meet with the President. When Harding said he was considering the matter, one of the guests, a social worker, yelled, “Mr. President, that’s no way to answer us. We demand a yes-or-no answer now!” Replied Harding: “My dear woman, you may demand anything you please out of Warren Harding. He will not resent it. But the

⁸⁹⁷ Salvatore, 326-327. Harry Daugherty, *The Inside Story of the Warren Harding Tragedy* (New York: Churchill Company, 1932), 120. Russell, 462. At this March meeting, Debs was met at Union Station by Daugherty’s right-hand man, Jess Smith, who took him to and from the White House. On the way back to the train, Smith asked Debs if he needed anything. When Debs said he wished he could get toothpicks in the penitentiary, Smith made a stop to procure them. Russell.

⁸⁹⁸ Murphy, *Meaning of Freedom of Speech*, 134-135. Salvatore, 326-327. Freeberg, 286, 292. Palmer, 57.

President of the United States has the right to keep his own counsel, and the office I occupy forbids me to reply to you as I should like to do if I were elsewhere!” To a Socialist delegation expecting a tense meeting, however, Harding seemed surprisingly sympathetic to their cause, and urged them to keep up the outside pressure. In November 1921, the White House was picketed by Debs supporters carrying a petition signed by 300,000 and endorsed by 700 organizations, and waving banners reading “Allied Nations, We Congratulate You for Releasing Political Prisoners. The United States Alone Keeps Them in Prison.”⁸⁹⁹

If Harding seemed to suggest he was inclined to free Debs, his Attorney General did not follow suit. “In this country there is now being disseminated an extensive propaganda to dignify the crimes committed by many persons who are now in prison for disloyal conduct,” Daugherty told the American Bar Association in August, 1921. This propaganda, he argued, had now infected “very well-meaning people, among whom are ministers of the gospel, teachers, editors, and college professors, to say nothing of that vast number of sentimentalists who always stand ready to make heroes out of criminals whenever the opportunity offers.” These “well-meaning persons seem to have acquired the idea from the phrases ‘political offenses’ and ‘political prisoners’ that all the really dangerous radical believers” in prison “are heroes for conscience’s sake and somehow akin to the martyrs of old...[S]uch is not the case.”⁹⁰⁰

The idea of “political offenses,” Daugherty continued, was a product of the Old World, but it had no place in a democracy like the United States, where agitators can find redress through the political process. “Changes are to be wrought through the constitutional organs of

⁸⁹⁹ Russell, 462-463. Freeberg, 286-287, 291.

⁹⁰⁰ Freeberg, 287. Harry Daugherty, “Address to the American Bar Association,” August 31, 1921. *Congressional Record*, September 21, 1921. 68785-21849, 10.

government, and by the orderly processes of law...If any citizen dislikes the law under which he is living, his relief is through the legislative department of Government.” In short, the Attorney General argued, if “laws are obnoxious to the people, it is their province to repeal them. Until they are repealed they must be observed and enforced without fear or favor. The Government will endure on the rock of law enforcement, or perish in the quicksands of lawlessness.”⁹⁰¹

In private, Daugherty – who, of course, would have his own struggle with the quicksands of lawlessness a few years hence – was also troubled by Debs’ refusal to ask for a pardon or admit he was in the wrong. In the final reckoning, though, the Attorney General, arguing Debs had probably suffered enough, agreed with Harding that he should let the old man go. And so on December 23, 1921 -- so that “he could eat Christmas dinner with his wife” – the president commuted Debs’ sentence, and that of 24 other political prisoners. This “spirit of clemency,” Harding told a stunned friend, was part of what he was “trying to do here in Washington.”⁹⁰²

As Debs walked out of the Atlanta Penitentiary, over 2300 of his fellow inmates – released from their cell block by the warden for the occasion – roared out their affection for their fellow prisoner. A tearful Debs embraced them back, then got in a car that would take him to the train station and an eventual meeting with the president. Before boarding the train for Washington, Debs pulled out the standard-issue five dollar bill given him by the prison upon release, and sent it off to the committee to release Nicola Sacco and Bartolomeo Vanzetti. Upon arriving at the White House, the aged Socialist was warmly greeted by the Old Guard President. “I have heard so damned much about you, Mr. Debs,” said Harding, “that now I am very glad to meet you personally.” After a private meeting between the two, Debs, just before departing to his

⁹⁰¹ Ibid, 11-14.

⁹⁰² Freeberg, 291-294.

home in Terra Haute, Indiana, told the press that “Mr. Harding appears to me to be a kind gentleman. We understand each other perfectly.”⁹⁰³

The freeing of Debs removed the most visible and potent symbol of the political prisoner issue. And it forced a strategic shift on the part of the ACLU and other progressives – from pushing for general amnesty for the 76 remaining political prisoners in Leavenworth prison, as they had done in the past, to calling for individual pardons. But many progressives thought amnesty was the ground that should be fought on, since a pardon presumed guilt, and thus did not uphold a constitutional principle of free speech. Oswald Villard, for one, was not happy with this shift. “Something very definite and important will have been lost by the American people if they persist in regarding amnesty as a matter of mercy or at best a grudging recognition that to release a few prisoners may silence an annoying clamor,” he wrote. Since “all progress begins in a protest against generally accepted opinion,” it would be “socially disastrous to punish it by legal penalties.”⁹⁰⁴

William Borah agreed. To an American Legion officer who wrote the Senator to decry Debs’ release, Borah said he “would not myself have granted the pardon of Debs upon the principle and for the reasons given out by the pardoning power...I was in favor at the close of the

⁹⁰³ Salvatore, 327-328. Russell, 486-487. One of the harshest critics of Debs release was the *New York Times*, who in an editorial lashed out at the decision and the “well-meaning people,” to use Harry Daugherty’s earlier phrase, who had called for it. “If he had been a mere ordinary murderer,” the NYT ranted, “the radicals and the swarm of sentimentalists wouldn’t have lifted a finger for him. His crime was far worse and more dangerous. He sought to murder the state. At once the loose lips of the sentimental squad overflowed with words. The Rev. Cream Cheeses, the weekly organs of nursery revolution, the miscellaneous small fry of weak heads and leaky lachrymal ducts, and the whole Socialist Party worked their hardest to deliver from the jail that he was sanctifying this martyr of ‘free speech.’” Quoted in *The Survey*, January 7, 1922, 556

⁹⁰⁴ Murphy, *Meaning of Freedom of Speech*, 135. *The New Republic*, on the other hand, argued that amnesty was a matter of preserving the public order. Because of the continued incarcerations, it argued, “the disposition to regard political methods as futile, to conceive force as the only remedy for wrong, is growing among people of radical mind. To them the continued imprisonment of these men for offences touching the rights of free speech, press, or assembly, through which alone can peaceful reformation be achieved, is a proof of the impotence of political methods, a challenge, and an outrage.” “The Case for Amnesty,” *The New Republic*, July 20, 1921, 203.

war, and am now in favor, of a general amnesty of all political prisoners.” Borah contended that “no government, no class of men, and no views are so sacred that they ought not to be subject to criticism.” “There isn’t anything more shameless in the history of free speech,” he told one St. Louis editor, “than the treatment of the United States of these men who are now in penitentiary in violation of the most fundamental rights known to the free citizen.” Noting that among the people who could be convicted under the Espionage Act were not only Daniel Webster and Abraham Lincoln, for publicly condemning the Mexican War, but “some of the most prominent members of the government” six months before America joined the Great War, Borah continued to advocate for a general amnesty. “[I]nstead of persecuting men with ideas to express,” he said, “we should hire halls for them.”⁹⁰⁵

The ACLU continued to work on Harding to release the remaining prisoners, even though many of those still held were fundamentally committed to amnesty and railed against the new pardon strategy. In October of 1922, the president said he would release any prisoner who promised “to be law-abiding...and not encourage, advocate, or be willfully connected with lawlessness in any form.” Few took the deal. Nonetheless, on August 2nd, 1923, only weeks before his death along the Voyage of Understanding, Harding released sixteen more federal prisoners, leaving thirty-six behind bars.⁹⁰⁶

⁹⁰⁵ Ibid. Borah to Dan L. Lindsley, January 17, 1922, WJB Box 105: Amnesty for Political Prisoners. Ashby, 29. Borah to Casper Yost, April 28, 1923. WJB, Box 140: Newspapers. Borah to *Des Moines Capital*, March 23, 1923, WJB Box 110: Newspapers. William Borah, “Political Prisoners,” March 11, 1923, WJB Box 166: Speeches 1923-1924.

⁹⁰⁶ Murphy, *Meaning of Freedom of Speech*, 136. Progressives were not alone in calling for action from Harding. Senator George Wharton Pepper, a Philadelphia lawyer and Old Guard conservative, conducted his own study of the political prisoner cases and argued many should not be held at all. William Borah, “Political Prisoners,” March 11, 1923

At the state level, the fight for amnesty won a considerable blow when Al Smith won back the Governor's mansion in New York in November 1922. Smith, it will be remembered, had vetoed some of the more stringent anti-sedition laws – the “Lusk laws” coming out of the state legislature in his previous term – before losing the 1920 election to Republican Nathan Miller. Taking office on January 1st, 1923, Governor Smith planned to continue where he left off.

On New Year's Day, Governor Smith immediately called for the repeal of the Lusk laws Miller had passed during the interregnum. “I am firm in my belief,” he told the legislature, “that the law passed at the last session...which requires the teachers of our public schools to submit to a loyalty test is a direct violation of the letter and spirit of the laws of our State...It is wrong in principle. It is a violation of the spirit of our constitution, and it is an unwarranted interference with freedom of opinion – one of the foundation stones of democratic government.” Smith was aided in this veto call by the fact that the architect of the Lusk Laws had lost his luster since 1920, for in 1921, Clayton Lusk came under suspicion of accepting bribes. “The savior of society has been caught with the goods,” editorialized the *New Republic* with a squeal of *schadenfreude*. “[T]he inquisitor is in the sweatbox. But more than this, the complete turning of public opinion is a sign of the recovery of public health.”⁹⁰⁷

Seventeen days after the returning Governor's veto call, and arguing that “political progress results from the clash of conflicting opinions,” Smith released James L. “Big Jim” Larkin, one of the most notable political prisoners in the state. “I pardon Larkin,” the Governor said, “not because of agreement with his views, but despite my disagreement with them...the safety of the state is affirmatively impaired by the imposition of such a sentence for such a case.”

⁹⁰⁷ Murphy, *Meaning of Freedom of Speech*, 136-137. “One Hundred Per Cent,” *The Survey*, February 15, 1923, 619. *The New Republic*, August 10, 1921 (Vol. XXVII, No. 349), 282.

“We are still listening,” said *Collier’s Weekly*, “for President Harding to say about the political prisoners in Leavenworth words as bold and ringing as those that Governor Al Smith of New York spoke in pardoning Big Jim Larkin.”⁹⁰⁸

By August of that year, Harding would speak no more. And the ascension of Calvin Coolidge to the presidency – who had made his name standing for public order after the Boston police strike – awoke trepidation among civil liberties advocates. In fact, Coolidge was ready to just get rid of the problem. After an appointed three-member committee gave him the needed political clearance, he released all of the remaining federal political prisoners on December 15th, 1923. Even though the language was framed as a pardon instead of an amnesty, Senator Borah thought the president “had performed a most distinct service to the most fundamental principle of free government.” The release, Borah told the press, was a “vindication of the right of free speech and free press, and of that spirit which moved the fathers to incorporate that sublime principle in the Constitution.”⁹⁰⁹

The Laws and the Court

Time and again, Borah invoked the constitution to plead the case for the political prisoners. He did much the same in his attempts to repeal the laws that had put them in jail. “May I trespass upon your time long enough to read from an ancient document known as the Constitution of the United States,” he told one New York audience in 1923. “It is so simple and so plain that a man need not be a lawyer in order to understand it.” Citing the First Amendment, Borah contended that “every clause, every line, every paragraph of that Great Charter obtains in

⁹⁰⁸ Ibid.

⁹⁰⁹ Ibid. Noggle, *Into the Twenties*, 114. William Borah, “For the Press, Dec. 15, 1923,” WJB.

time of war just the same as in time of peace.” Thus, he argued, the Espionage Act of 1917 is, and always had been, unconstitutional. As he put it to one Idaho constituent, “I opposed to the utmost of my ability and voted against all provisions of the Espionage law providing punishment for expressions or opinions either by speech or in writing. I thought then, and I think now, that such provisions were contrary to the letter of the Constitution, and I know they were contrary to the spirit of our institutions and at war with the whole theory of free government.”⁹¹⁰

As it happened, repealing the Sedition Act amendments to the Espionage Act was not a particularly contentious question. Even A. Mitchell Palmer, who still believed some sort of law “against the attempt or threat to injure or destroy the government of the United States by force of violence” was necessary, told the Senate investigatory subcommittee that he “went on record... within 30 days after I became Attorney General in favor of the repeal of the espionage act.” (By this, Palmer meant the Sedition amendments.) As such, the Sedition Act amendments were taken up by Congress soon after Harding’s election, and repealed on December 13, 1920.⁹¹¹

But not everyone agreed it was time to roll back sedition laws. In the summer of 1921, Senator Thomas Sterling tried once again to pass his more stringent Sedition Act, which had passed the Senate but failed in the House the year before. The Sterling bill “will clamp the lid on free speech tighter than ever,” the ACLU warned in a mass mailing. “It must be stopped, and will be if Senate leaders say the word.” The Union knew just the right Senate leader to go to. “I know that you are opposed to measures of this character,” ACLU co-director Albert DeSilver wrote

⁹¹⁰ William Borah, “Political Prisoners,” March 11, 1923, WJB Box 166: Speeches 1923-1924, 12-13. Borah to Dan L. Lindsley, January 17, 1922, WJB Box 105: Amnesty for Political Prisoners.

⁹¹¹ “Amnesty and Pardon for Political Prisoners,” US Senate, 83. Stone, 230.

Borah when the Sterling bill was reported, “and I write to inquire what useful steps can, in your opinion, be taken at this time to insure against its passage.”⁹¹²

DeSilver wasn't the only concerned citizen asking Borah to move into action against Sterling's sedition law. “I want to go on record as vigorously opposed to this bill and any other bill which would further curtail the rights of the people, or interfere with the constitutional rights of free speech, free press, and free assemblage,” wrote a banker from Buffalo to Borah. “Let us do away with un-American propaganda, masked as ‘pure’ Americanism.” “You can imagine how I feel in the matter,” Oswald Villard wrote the Idaho Senator. “[S]uch legislation is utterly unnecessary and...constitutes a grave danger to our institutions through the possibility of its arousing the very evils it purports to prevent.” In the words of one Wellesley professor to Borah, “it seems foolish to urge you to oppose the Sterling Sedition Bill, since all your political life indicates that you will do so gladly and without urging. No one wants it save a few old ladies – and some of your colleagues. Palmerism has seen its day.”⁹¹³

Borah was inclined to agree. “I am very much opposed to the Sterling Sedition bill,” he told Villard, “and I do not believe it has any chance of passing, although of course, there are some who are very much in favor of it.” Nonetheless, to further weaken its chances, Borah introduced an amendment to the Sterling bill calling for a five-year prison sentence, or a \$10,000 fine, for any “officer, agent, or employee of the United States in the civil, military, or naval service who injures, oppresses, threatens, or intimidates any person in the free exercise or

⁹¹² “Civil Liberty! Will Wolves Guard the Sheep?”, *Industry*, April 15, 1922, 13-14. Albert DeSilver to Borah, May 28, 1921. WJB, Box 102: Sterling Sedition Bill.

⁹¹³ William Taylor to Borah, June 11, 1921. WJB, Box 102: Sterling Sedition Bill. Villard to Borah, June 23, 1921. WJB, Box 102: Sterling Sedition Bill. Horace B. English to Borah, June 11, 1921. Box 102: Sterling Sedition Bill.

enjoyment of any right or privilege secured or guaranteed to him by the Constitution or laws of the United States.”⁹¹⁴

The amendment also criminalized attempts “by force, threat, intimidation, order, advice, or otherwise...to prevent any person from freely exercising his rights, privilege, or immunity by lawful means to advance, promote, agitate for, or discuss any amendment to the Constitution of the United States.” And it banned any warrantless attempt to search a room, seize papers, or otherwise “enter a hall, room, or other premises for the purpose of obstructing, interfering with, or breaking up any meeting.” “Glad to see you put out a fine amendment,” Villard wrote Borah. *The Survey* similarly thought Borah’s “very interesting amendment” to the Sterling bill would “pull its teeth’ so far as practical enforcement was concerned.” This “admirable move,” the ACLU’s DeSilver thought, “will make some of those who favored Senator Sterling’s bill hesitate about starting the debate on it.”⁹¹⁵

But even if the Sterling sedition bill could not pass, the original Espionage Act remained on the books, including the provision, Title XII, allowing for censoring of the mail. In September 1921, after the Sterling issue had died down, Roger Baldwin wrote Borah reminding him that “when certain matters in connection with foreign affairs were out of the way, you would stand sponsor for the repeal” of Title XII. Borah asked the ACLU to draft a bill for him, which the Union’s co-director, Albert DeSilver, sent along in early October. “I know that I do not need to suggest to you the dangers which inhere,” in Title XII, he wrote to Borah. “Such vague powers

⁹¹⁴ Borah to Villard, June 24, 1921. WJB, Box 102: Sterling Sedition Bill. S.1375 Amendment, June 6, 1921. Box 102: Sterling Sedition Bill.

⁹¹⁵ S.1375 Amendment, June 6, 1921. Box 102: Sterling Sedition Bill. Villard to Borah, June 23, 1921. WJB, Box 102: Sterling Sedition Bill. “The New Sterling Bill,” *The Survey*, June 25, 1921, 428. Albert DeSilver to Boah, June 11, 1921. WJB, Box 102: Sterling Sedition Bill.

should not reside in administrative officials in peace time, it seems to me.” This exchange of letters was enough to get Borah listed in Elizabeth Kirkpatrick Dilling’s lurid 1934 anti-communist expose, *The Red Network*, as a “pro-Soviet” sleeper agent. But the bill, if Borah ever in fact introduced it, didn’t go anywhere. The Espionage Act, while amended in 1940 and thereafter, remains law up to the present day.⁹¹⁶

“It sometimes seems that the less law one knows,” Borah said in a March 1923 speech on political prisoners, “the better he understands the Constitution!” In fact, the civil liberties protections Borah and others assumed were stated unequivocally in the First Amendment were to be litigated often during the 1920’s. In most cases, the forces of reaction would win the day, while either dissents or the legal reasoning involved would carve out space for later rulings in defense of civil liberties.⁹¹⁷

The same month Harding ascended to the White House, the Supreme Court handed down a 7-2 decision, Justices Louis Brandeis and Oliver Wendell Holmes dissenting, in the case of *US Ex Rel. Milwaukee Social Democratic Pub. Co. v. Burlson*. This case emerged from Wilson Postmaster General Albert Sidney Burlson’s used of his Espionage Act powers to silence Victor Berger’s Socialist newspaper, the *Milwaukee Leader* – the bone of contention being that Burlson, deeming past issues worthy of censorship, blocked mailing of all subsequent issues of *The Leader* as well. Could the Postmaster General issue a blanket ban of a publication based on previously published material? “It would not be possible for the United States to maintain a reader in every newspaper office of the country, to approve in advance each issue before it

⁹¹⁶ Baldwin to Borah, September 26, 1921. WJB, Box 92: Espionage (1920-1921). Borah to Baldwin, September 27, 1921. WJB, Box 92: Espionage (1920-1921). Albert DeSilver to Borah, October 7, 1921. WJB, Box 92: Espionage (1920-1921). Elizabeth Kirkpatrick Dilling, *The Red Network: A Who’s Who Handbook of Radicalism for Patriots*, (Chicago: Ayers Publishing, 1934), 266.

⁹¹⁷ William Borah, “Political Prisoners,” March 11, 1923, WJB Box 166: Speeches 1923-1924, 12-13.

should be allowed to enter the mails,” argued Justice John Hessin Clarke, writing for the majority. Instead of re-applying for their mail permit, Clarke argued, Berger and the *Leader* “preferred this futile litigation, undertaken upon the theory that a government competent to wage war against its foreign enemies was powerless against its insidious foes at home.”⁹¹⁸

Progressives vehemently disagreed. In his dissent, Justice Brandeis wrote that “[i]f, under the Constitution, administrative officers may, as a mere incident of the peace-time administration of their departments, be vested with the power to issue such orders as this, there is little of substance in our bill of rights, and in every extension of governmental functions lurks a new danger to civil liberty.” “No more vicious and dangerous decision has ever been handed down by the Supreme Court of the United States,” proclaimed *The Nation*, who saw its own existence at stake. “[A]ny ordinary publication would be ruined. This is not a war-time decision. It grants permanent despotic power to one single government official.” “[W]ithout any jury, without any court,” Zechariah Chafee argued in the same magazine, a Postmaster General “can punish by extinction a periodical which ventures to discuss problems of sex and family life when he considers obscene though many others think them valuable.” No other decision, Chafee concurred, “has gone so far in sustaining governmental powers over the press.”⁹¹⁹

The following year saw the first of several decisions of note in the civil liberties space that revolved around the appropriate application of due process. First was the case of *Ng Fung Ho v. White*, in which four men of Chinese descent challenged their deportation, two of them on the grounds that they were American citizens. Justice Brandeis, writing the unanimous opinion

⁹¹⁸ *US Ex Rel. Milwaukee Social Democratic Pub. Co. v. Burlison*, 255 U.S. 407 (1921).

⁹¹⁹ *Ibid.* *The Nation*, March 16, 1921 (Vol. 112, No. 2906), 391. Zechariah Chafee, Jr., “The Milwaukee Leader Case,” *The Nation*, March 23, 1921 (Vol. 112, No. 2907), 428-429.

of the court in May 1922, agreed. “To deport one who so claims to be a citizen,” he wrote, “obviously deprives him of liberty.” The Court reversed the deportation order of the two probable citizens, arguing that they were “entitled to a judicial determination of their claims” under the due process clause of the Fifth Amendment.⁹²⁰

In February 1923, the Court heard the case of *Meyer v. Nebraska*, a 7-2 decision that would have broad implications for the future of jurisprudence. The case arose from the May 1920 arrest of a Nebraska schoolteacher, Robert Meyer, for instructing his students in the German language – He was caught by a local attorney having a fourth-grader read the story of Jacob’s Ladder from the Bible in German. This was a violation of Nebraska’s Siman Act, passed in April 1919, which forbid instruction in or of any language other than English. In June 1923, conservative Justice James McReynolds, writing for the seven member majority, argued the Siman Act violated the due process clause of the Fourteenth Amendment, in that it infringed on both Meyer’s right-to-work and parents’ right to determine the course of their children’s education.⁹²¹

For several decades, as perhaps best embodied in the *Lochner* case of 1905, the Court had determined that the due process clause in the Fourteenth Amendment guaranteed liberty of contract and the rights of property, but this had previously mainly been used to uphold the rights of corporations and to block progressive regulations of them. But McReynolds’ application of the same clause to guarantee Meyer’s right to work as an educator was relatively new ground for the Court. “While this court has not attempted to define with exactness the liberty thus

⁹²⁰ *Ng Fung Ho v. White* - 259 U.S. 276 (1922). Paulson, 187.

⁹²¹ Capozzola, 194-197.

guaranteed,” McReynolds wrote, “the term has received much consideration and some of the included things have been definitely stated”:

Without doubt, it denotes not merely freedom from bodily restraint but also the right of the individual to contract, to engage in any of the common occupations of life, to acquire useful knowledge, to marry, establish a home and bring up children, to worship God according to the dictates of his own conscience, and generally to enjoy those privileges long recognized at common law as essential to the orderly pursuit of happiness by free men... The established doctrine is that this liberty may not be interfered with, under the guise of protecting the public interest, by legislative action which is arbitrary or without reasonable relation to some purpose within the competency of the State to effect.⁹²²

“That the State may do much, go very far, indeed, in order to improve the quality of its citizens, physically, mentally and morally, is clear,” Justice McReynolds concluded, “but the individual has certain fundamental rights which must be respected. The protection of the Constitution extends to all, to those who speak other languages as well as to those born with English on the tongue. Perhaps it would be highly advantageous if all had ready understanding of our ordinary speech, but this cannot be coerced by methods which conflict with the Constitution -- a desirable end cannot be promoted by prohibited means.”⁹²³

The Court expanded on this reasoning two years later in *Pierce v. Society of Sisters*, a unanimous decision overturning Oregon’s 1922 Compulsory Education Law, which mandated that all students between the ages of eight and sixteen attend public schools. Educator John Dewey had argued this Oregon law “seems to strike at the root of American toleration and trust

⁹²² Ibid. *Meyer v. Nebraska* - 262 U.S. 390 (1923).

⁹²³ Ibid. One of the two dissenting justices in the case was Oliver Wendell Holmes. “It is with hesitation and unwillingness that I differ from my brethren with regard to a law like this,” Justice Holmes wrote, “but I cannot bring my mind to believe that, in some circumstances... the statute might not be regarded as a reasonable or even necessary method of reaching the desired result... No one would doubt that a teacher might be forbidden to teach many things, and the only criterion of his liberty under the Constitution that I can think of is “whether, considering the end in view, the statute passes the bounds of reason and assumes the character of a merely arbitrary fiat.” *Bartels v. Iowa* - 262 U.S. 404 (1923) In 1927, the Court would find similarly in the case of *Farrington v. Tokushige*, which disallowed mandatory permits in Hawaii that were required for teaching in a foreign language. *Farrington v. Tokushige*, 273 U.S. 284 (1927).¹

and good faith.” Writing again for the majority Justice McReynolds argued that the parochial and Catholic schools bringing the case “have business and property for which they claim protection” under the Fourteenth Amendment’s due process clause, and which “are threatened with destruction through the unwarranted compulsion which appellants are exercising over present and prospective patrons of their schools.” In addition, McReynolds argued, “[u]nder the doctrine of *Meyer v. Nebraska*...we think it entirely plain that the Act of 1922 unreasonably interferes with the liberty of parents and guardians to direct the upbringing and education of children.”⁹²⁴

The *Pierce* decision, Felix Frankfurter argued, rendered “immediate service on behalf of the essential spirit of liberalism.” It and *Meyer* would pay dividends further down the road as well. In taking these first tentative steps to expand the Fourteenth Amendment’s due process clause to personal rights other than liberty of contract, the Court unwittingly fashioned the beginnings of the legal reasoning that would flower in later seminal cases such as *Loving v. Virginia*, *Griswold v. Connecticut*, and *Roe v. Wade*. This broadening of the Fourteenth Amendment’s applicability was also evident in one of the major civil liberties cases of the decade, and the first in which the ACLU would play a substantive role, *Gitlow v. New York*.⁹²⁵

In 1919, as part of the November sweep conducted by A. Mitchell Palmer and New York authorities, Socialist-turned-Communist Benjamin Gitlow had been arrested and charged under New York’s criminal anarchy law for passing out *The Revolutionary Age*, a pamphlet which included “The Left Wing Manifesto,” a statement of Socialist philosophy which included the expected overthrow of capitalism. (“A dull document,” according to TNR. “Any agitator who

⁹²⁴ *Pierce v. Society of Sisters* - 268 U.S. 510 (1925). John T. McGreevey, *Catholicism and American Freedom* (New York: W.W. Norton, 2003), 182.

⁹²⁵ McGreevey, 182. Justia.com, “Development of the Right to Privacy,” <http://law.justia.com/constitution/us/amendment-14/30-right-of-privacy.html>

read these thirty-four pages to a mob would not stir them to violence, except possibly against himself.”) Gitlow was defended in Court by two lawyers from the National Civil Liberties Bureau, Charles Recht and Walter Nelles, as well as one of the great defenders of the age, Clarence Darrow. “Oh, I know you are innocent,” Darrow told Gitlow upon taking the case sight unseen, “but they have the country steamed up. Everybody is against the Reds.” Darrow argued in the subsequent trial that there should be “no fetters on the thoughts and actions and dreams and ideals of men, even the most despised of them. Whatever I think of their prudence, whatever I think of their judgment, I am for the dreamers.” In February of 1920, the judge and the jury were not. Gitlow was convicted and given the maximum sentence of five to ten years.⁹²⁶

Once it had wended its way to the Supreme Court, one of the ACLU’s top lawyers, Walter Pollak, joined Walter Nelles as Gitlow’s remaining counsel. Pollak and Nelles argued to an unsympathetic Court that New York’s criminal anarchy law violated Gitlow’s First Amendment right to free speech. Only three years earlier, in 1922, the Court had determined once again in the case of *Prudential Insurance Co. v. Cheek* that First Amendment protections did not carry over into state law. But this, Pollak argued, was a problem, because the due process clause of the Fourteenth Amendment should extend First Amendment protections to state law.⁹²⁷

The final 7-2 majority opinion in *Gitlow v. New York*, written by the newest member of the Court, Justice Edward T. Sanford, upheld Benjamin Gitlow’s earlier conviction, on the grounds that “a State may punish utterances endangering the foundations of organized

⁹²⁶ Ronald K.L. Collins and Sam Chaltain, *We Must Not Be Afraid to Be Free: Stories of Free Expression in America* (New York: Oxford University Press, 2011), 25-26. “The Gitlow Case,” *The New Republic*, July 1, 1925, 141. Nancy Cornwell, *Freedom of the Press: Rights and Liberties Under the Law* (Santa Barbara: ABC-CLIO, 2004), 86-87.

⁹²⁷ Cornwell. Collins and Chaltain, 28-32. When Pollak asked the Court for an extra fifteen minutes to make his opening case, Oliver Wendell Holmes – once a recipient of a mail bomb – was heard to say in a loud whisper, “I’ll see him in Hell first.” The request was denied. Collins and Chaltain, 32.

government and threatening its overthrow by unlawful means.” But, in making this determination, the Court also argued that “for present purposes we may and do assume that freedom of speech and of the press – which are protected by the First Amendment from abridgment by Congress – are among the fundamental personal rights and 'liberties' protected by the due process clause of the Fourteenth Amendment from impairment by the States.” Oliver Wendell Holmes and Louis Brandeis, writing in dissent, agreed that “the general principle of free speech, it seems to me, must be taken to be included in the Fourteenth Amendment, in view of the scope that has been given to the word ‘liberty’ as there used.” They thought Gitlow’s conviction should be overturned, on the grounds that it did not meet the “clear and present danger” test established in *Schenck*.⁹²⁸

Either way, the Court had now taken the unprecedented step of extending First Amendment protections to the States. In the words of TNR – who otherwise thought that Gitlow’s conviction showed America has “lost vision and courage; The Left Wing Manifesto is a tepid hash of the Communist Manifesto of Marx and Engels” – a “profit and loss account of the Gitlow case shows one new gain, the possibility of federal protection against state suppression. A more liberal Court may prevent a checker-board nation, with ultra-conservative states into which moderately radical Americans come at peril of imprisonment for sedition.” One of the legal minds greatly perturbed by this shift was Charles Warren, soon to be Calvin Coolidge’s rejected candidate for Attorney General. “This most recent development,” he argued in 1925, “may well awaken serious thoughts as to whether there is not danger that the ‘liberty’ of the States is being unduly sacrificed to this new conception of ‘liberty’ of the individual...If the doctrine of the case is carried to its logical and inevitable conclusion, every one of the rights contained in the Bill of

⁹²⁸ *Gitlow v. People of State of New York* 268 U.S. 652 (1925). Collins and Chaltain, 32.

Rights ought to be and must be included within the definition of ‘liberty,’ and must be guaranteed by the Fourteenth Amendment against deprivation by a State ‘without due process of law.’” And so they would be.⁹²⁹

Another notable victory-in-defeat for the ACLU and civil liberties advocates occurred in the 1927 case of *Whitney v. California*. Here again, the defendant was a Communist who had been arrested in November 1919 and was convicted under a state criminal anarchy law. This time, the agitator in question was California social worker Charlotte Anita Whitney, who had been charged with “criminal syndicalism” for advocating the Communist Labor Party and the workers’ overthrow of capitalism. And once again, Walter Nelles and Walter Pollak of the ACLU represented Whitney before the highest court in the land.⁹³⁰

Anita Whitney lost her appeal 9-0, with Justice Sanford, writing for seven members, concluding that “the freedom of speech which is secured by the Constitution does not confer an absolute right to speak, without responsibility, whatever one may choose.” As such, “a State in the exercise of its police power may punish those who abuse this freedom by utterances inimical to the public welfare, tending to incite to crime, disturb the public peace, or endanger the foundations of organized government and threaten its overthrow by unlawful means.” In short, the Majority concluded, “[w]e find no repugnancy in the Syndicalism Act as applied in this case to either the due process or equal protection clauses of the Fourteenth Amendment on any of the grounds upon which its validity has been here challenged.”⁹³¹

⁹²⁹ “The Gitlow Case,” *The New Republic*, July 1, 1925, 142. Collins and Chaltain, 33.

⁹³⁰ *Whitney v. California*, 274 U.S. 357 (1927).

⁹³¹ *Ibid.*

However, in a concurring opinion, Louis Brandeis argued for he and Oliver Wendell Holmes that they were “unable to assent to the suggestion in the opinion of the Court that assembling with a political party, formed to advocate the desirability of a proletarian revolution by mass action at some date necessarily far in the future, is not a right within the protection of the Fourteenth Amendment.” (Instead, they upheld the conviction on other evidence of a criminal conspiracy.) In short, the “clear and present danger” test, Brandeis argued, was being too broadly applied.⁹³²

“Despite arguments to the contrary which had seemed to me persuasive,” Brandeis argued, returning to the *Meyer*, *Pierce*, and *Gitlow* cases, “it is settled that the due process clause of the Fourteenth Amendment applies to matters of substantive law as well as to matters of procedure. Thus, all fundamental rights comprised within the term liberty are protected by the Federal Constitution from invasion by the States. The right of free speech, the right to teach, and the right of assembly are, of course, fundamental rights.” Moreover, he continued:

Those who won our independence believed that the final end of the State was to make men free to develop their faculties... They valued liberty both as an end, and as a means. They believed liberty to be the secret of happiness, and courage to be the secret of liberty. They believed that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth; that, without free speech and assembly, discussion would be futile; that, with them, discussion affords ordinarily adequate protection against the dissemination of noxious doctrine; that the greatest menace to freedom is an inert people; that public discussion is a political duty, and that this should be a fundamental principle of the American government.⁹³³

“Fear of serious injury,” Brandeis and Holmes argued, “cannot alone justify suppression of free speech and assembly. Men feared witches and burnt women. It is the function of speech to free men from the bondage of irrational fears. To justify suppression of free speech, there must

⁹³² Ibid.

⁹³³ Ibid.

be reasonable ground to fear that serious evil will result if free speech is practiced. There must be reasonable ground to believe that the danger apprehended is imminent. There must be reasonable ground to believe that the evil to be prevented is a serious one.” In short, “[t]he fact that speech is likely to result in some violence or in destruction of property is not enough to justify its suppression. There must be the probability of serious injury to the State.” Otherwise, “the remedy to be applied is more speech, not enforced silence.”⁹³⁴

With the *Whitney* case, as with *Gitlow*, civil libertarians lost the battle and won the war. Justice Brandeis’s concurrence would go down in legal history as one of the more eloquent summations of the importance of free speech in case law. (In fact, much of Brandeis’s most memorable language was originally meant to be a dissent in the 1927 case of *Ruthenberg v. Michigan*, upholding the conviction of Communist Charles Ruthenberg under a similar criminal anarchy law. But Ruthenberg died before the opinions were published and the case was voided.)⁹³⁵

But even if together, the ACLU, civil libertarians, and the progressive members of the Court had succeeded in establishing the sanctity of free speech and the authority of the First Amendment over state law, there were still notable and grotesque limits to their vision of what constituted individual liberties. Take for example, the now-notorious 1927 case of *Buck v. Bell*.

Born in 1906 in Charlottesville, Virginia, Carrie Buck was a young woman to whom life had been decidedly unkind. Born to a father who abandoned her and a mother, Emma, who reportedly worked as a prostitute, Carrie was given to foster parents and upstanding members of

⁹³⁴ Ibid.

⁹³⁵ Ronald Colins and David Skover, “Curious Concurrence: Justice Brandeis’s vote in *Whitney v. California*,” 2005 *Supreme Court Review* 333.

the community, J.T. and Alice Dobbs, at the age of three. She attended school through the sixth grade, and then became a maid and helper to the Dobbs family. When Carrie was 14, her foster father, a local police officer, succeeded in getting her biological mother Emma committed on the grounds of feeble-mindedness. In 1923, at the age of seventeen, Carrie was raped by the Dobbs' nephew, Clarence Garland. And, in January of 1924, two months before giving birth to a daughter, Vivian, from this rape, Carrie herself was committed by the Dobbs to the Virginia Colony for Epileptics and Feeble-Minded. There, it was determined by eugenicists that traits like feeble-mindedness, "moral delinquency," and promiscuity had been passed down three generations, from Emma to Carrie to Vivian Buck – the latter because, at the age of seven months, Vivian had given a nurse a look that was "not quite normal." (In another tragedy in a life full of them, Vivian, actually considered a "bright" child who made the school honor roll, would perish at the age of eight from intestinal illness.)⁹³⁶

And so, Carrie was slated to become the first mandatory sterilization performed under Virginia's new 1924 Sterilization Law. As it happened, the major proponent of this sterilization law was the Superintendent of the Virginia Colony, Dr. Charles Priddy – who up to that point had been conducting illegal sterilizations under the auspices of "pelvic disease." And, so to strengthen the statute and protect the Colony from liability, Priddy specifically chose Carrie's situation as a test case to go before the courts. Enlisting a former member of the Colony Board and friend-of-a-friend Irving Whitehead to go through the motions as counsel for the ostensibly feeble-minded plaintiff, Priddy put forth a challenge to the law that argued Carrie's sterilization would be "void under the Fourteenth amendment as denying to the plaintiff in error due process

⁹³⁶ John Warren Akin, "Inherited Realities: Oliver Wendell Holmes, Jr., and *Buck v. Bell*," *The Tower*, Spring 2009 (Vol. 1, No 2), 1-6. Stephen Jay Gould, "Carrie Buck's Daughter," *Natural History*, July-August, 2002. Paul Lombardo, *Three Generations, No Imbeciles: Eugenics, the Supreme Court, and Buck v. Bell* (Baltimore: John Hopkins, 2008), ix-xi, 1-6.

of the law and equal protection of the laws.” Priddy died of Hodgkin’s disease before the case reached the Supreme Court, and so the new superintendent of the Virginia Colony, James H. Bell, became the defendant.⁹³⁷

In May 1927, Oliver Wendell Holmes – who was on record as a supporter of eugenics – penned a decision for the eight-member majority that even his colleagues thought was “brutal.” (Justice Pierce Butler, a conservative Irish Catholic, silently dissented.) “We have seen more than once that the public welfare may call upon the best citizens for their lives,” noted the Civil War veteran:

It would be strange if it could not call upon those who already sap the strength of the State for these lesser sacrifices, often not felt to be such by those concerned, in order to prevent our being swamped with incompetence. It is better for all the world if, instead of waiting to execute degenerate offspring for crime or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccination is broad enough to cover cutting the Fallopian tubes... Three generations of imbeciles are enough.⁹³⁸

As for the due process question, Holmes barely addressed it. “It is the usual last resort of constitutional arguments to point out shortcomings of this sort,” he harrumphed. And, besides, “so far as the operations enable those who otherwise must be kept confined to be returned to the world, and thus open the asylum to others, the equality aimed at will be more nearly reached.”⁹³⁹

On October 19, 1927, Carrie Buck’s fallopian tubes were removed. She would be the first of over eight thousand men and women legally sterilized in the Commonwealth of Virginia, the

⁹³⁷ Ibid. William Leuchtenburg, *The Supreme Court Reborn: The Constitutional Revolution in the Age of Roosevelt* (New York: Oxford University Press, 1995), 7-11.

⁹³⁸ *Buck v. Bell - 274 U.S. 200* (1927) Regarding Butler’s dissent, Holmes said, “Butler knows this is good law, I wonder whether he will have the courage to vote with us in spite of his religion.” The infamous “three generations” language was suggested to Holmes by another supporter of eugenics, Chief Justice William Howard Taft. Leuchtenburg, 15, 20.

⁹³⁹ *Buck v. Bell - 274 U.S. 200* (1927)

most outside of the considerably more populous state of California. (The total number of sterilizations across the country was roughly 65,000.) Among them would be Carrie's sister Doris, who was hospitalized for "appendicitis" at the age of 16 and did not find out until 1979, at the age of 67, why she and her husband were never able to have children. Before she died in alone in a nursing home in 1983, Carrie Buck was interviewed by researchers and historians, and found to be of normal intelligence.⁹⁴⁰

While later generations would condemn Holmes' lazy reasoning in *Buck v. Bell*, especially after it was cited as a defense by lawyers representing Nazis at Nuremberg, the civil libertarians of the time were universally silent. Neither the ACLU, under Baldwin, nor the NAACP, under DuBois, objected to the decision. Neither *The New Republic* nor *The Nation* made any editorial comment. For all their grasping towards "a new conception of liberty of the individual," in Charles Warren's words, the progressives and civil libertarians of the 1920's still felt Theodore Roosevelt's dire forebodings of "race suicide" were a more fundamental concern to society than was Carrie Buck's control of her own body.⁹⁴¹

The Shoemaker and the Fish-Peddler

While progressives of the Twenties may not have been attuned to the plight of Carrie Buck, the grim fate of Italian anarchists Nicola Sacco and Bartolomeo Vanzetti was a *cause célèbre* throughout much of the Twenties. In fact, the many well-publicized legal discrepancies attending their case, and their ultimate execution on August 23, 1927, did more than almost any other event of the decade to embitter progressives on both the judicial system and American

⁹⁴⁰ Leuchtenburg, *The Supreme Court Reborn*, 23-25. Lonardo, i-vi.

⁹⁴¹ Ellen Chesler, *Woman of Valor: Margaret Sanger and the Birth Control Movement in America* (New York: Simon & Schuster, 1992), 485.

public opinion at large. “Nothing since World War I,” wrote historian Eric Foner in 1977, “so shook the liberal faith in the workings of American institutions or the self-sufficiency of the rule of law.” “No single act,” argued William Leuchtenburg, “did more to turn liberal intellectuals to radicalism.”⁹⁴²

Both supporters of Luigi Galleani, the Italian anarchist whose compatriots had sent out the fifteen mail bombs to A. Mitchell Palmer and others in 1919, Nicola Sacco and Bartolomeo Vanzetti were taken from a streetcar and arrested in West Bridgewater, Massachusetts on the evening of May 5th, 1920. Apparently presuming they were being arrested for their radicalism – not a wild presumption given it was the week of May Day, and the Attorney General had promised everyone fireworks – both men lied about their anarchism, their whereabouts, and their companions that night, as well as their earlier failure to register for the draft in 1917, when they had both fled to Mexico. Both Sacco and Vanzetti were carrying firearms at the time, a .32 Colt Automatic and a .38 Harrington and Richardson pistol respectively. Also in Vanzetti’s pocket were a handful of shotgun shells, and in Sacco’s pocket was a flier announcing an upcoming anarchist lecture by Vanzetti.⁹⁴³

As this handbill attested, Sacco, a cobbler at a shoe factory with a wife and children, and Vanzetti, an itinerant but well-read fish peddler, were both active in anarchist circles. In lying to the police like this, Sacco and Vanzetti may have been thinking about their fellow anarchist Andrea Salsedo, whose prolonged two-month detention in New York City Vanzetti had only just returned from looking into. Two days before Vanzetti’s arrest, Salsedo had, in the midst of an

⁹⁴² Eric Foner, “Sacco and Vanzetti,” *The Nation*, August 20, 1977, 141. Leuchtenburg, *The Perils of Prosperity*, 82.

⁹⁴³ Arthur Warner, “Sacco-Vanzetti – A Reasonable Doubt,” *The Nation*, September 28, 1921 (Vol. 113, No. 2934), 344. Foner, “Sacco and Vanzetti,” 136.

interrogation by federal agents, somehow fallen to his death from a fourteen-story window, soon after allegedly fingering the Galleanists in and around Lynn, Massachusetts as the architects of the 1919 bombings.⁹⁴⁴

In any case, the police had more than radicalism on their minds anyway, for a robbery and double murder had occurred three weeks earlier, on the afternoon of April 15th, 1920, in nearby South Braintree, Massachusetts. Then, two Italian men had shot and killed Fredrick Parmenter and Alessandro Beradelli, a paymaster and guard at the Slater & Morrill shoe factory, grabbed the \$15,776.51 they were carrying, and absconded in a getaway car carrying three other men that arrived as soon as the foul deed was done. Since the authorities knew of an Italian radical with a car in the area, one Mike Boda (a.k.a. Mario Buda), they wanted to talk to him. Instead, they found Sacco and Vanzetti, who had just left the garage where Boda's car was under repair. Sacco and Vanzetti also claimed not to know Boda, which added to the "consciousness of guilt" they were charged with from then on.⁹⁴⁵

Since a previous attempted robbery at a shoe factory in Bridgewater had involved a man firing a shotgun, Bartolomeo Vanzetti – on account of the shells found in his pocket – was quickly tried on June 1920 of that earlier crime. The defense brought forth almost a dozen witnesses that put Vanzetti in Plymouth, Massachusetts on the day of the robbery, but, within a month, Vanzetti – who did not take the stand in his own defense, to avoid the radicalism charge – was found guilty regardless. The judge, Webster Thayer, sentenced him to 12 to 15 years. Two months later, on September 11th, 1920, Sacco and Vanzetti were indicted for the Braintree

⁹⁴⁴ Foner, 136. Lloyd Chiasson, *Illusive Shadows: Justice, Media, and Socially Significant American Trials* (Westport: Greenwood, 2003), 104.

⁹⁴⁵ *Ibid.*

murders. And five days later, possibly as retaliation for this indictment, Mike Boda, just before fleeing to Naples, allegedly set off the bomb that killed 39 on Wall Street.⁹⁴⁶

A year later, on May 31st, 1921, Sacco and Vanzetti were tried for the Braintree murders in the Boston suburb of Dedham. And, whether the two men were innocent or guilty in the end, the proceedings very quickly took on the air for many of an out-and-out railroading. Prosecutors delivered multiple witnesses putting Sacco at the scene of the crime – only, it turned out, Sacco had previously been shown to these witnesses by the police in a lineup of one. One eyewitness pegged Vanzetti as the getaway driver, but others had testified the wheelman as having markedly paler features and no moustache. Another testified that he clearly saw Sacco in the getaway car, but then confessed on cross-examination that he had in fact run away as soon as the shots were fired. Yet another “thought at the first glance that the man was a Portuguese fellow named Tony that he knew,” before testifying it was instead, definitively, Sacco. And yet another complained to a Quincy shopkeeper afterward that “the Government took me down [to jail] and want me to recognize those men and I don't know a thing about them. I have never seen them and I can't recognize them.” None of these witnesses knew Sacco or Vanzetti personally.⁹⁴⁷

The heart of the state's case was the .32 slug pulled from the corpse of the guard, which State Police Captain William Proctor testified “was consistent with being fired” from Sacco's pistol. It later came out that Captain Proctor had been coached by the prosecution. “Had I been asked the direct question: whether I had found any affirmative evidence whether this so-called mortal bullet had passed through this particular Sacco's pistol,” Captain Proctor later confessed

⁹⁴⁶ Chiasson, 110. Gage, 325-326.

⁹⁴⁷ Frankfurter. Chiasson, 106-107. Foner, 137. Felix Frankfurter, “The Case of Sacco and Vanzetti,” *The Atlantic Monthly*, March 1927. Reprinted at <http://www.theatlantic.com/magazine/archive/1927/03/the-case-of-sacco-and-vanzetti/6625/>

in an October 1923 affidavit, “I should have answered then, as I do now without hesitation, in the negative.” The prosecution also claimed that Vanzetti was in possession of the dead guard’s gun. There was no evidence of this being the case. As for the nearly \$16,000 in missing funds, it played no part at all in the prosecution.⁹⁴⁸

Meanwhile, the defense – led by one Fred Moore of California, a Socialist who specialized in defending radicals and thus no friend of the Court – provided thirteen witnesses putting Vanzetti in the fish market at the time of the crime, and several others who testified that Sacco had gone to, and was seen at, the Italian consulate in Boston that day obtaining a passport. To explain their initial lies to the police, around which the “consciousness of guilt” argument was formed, Sacco and Vanzetti revealed themselves to be anarchists, further damning them in many observers’ eyes – especially when the prosecutor got Sacco going about his new homeland. “I thought here a man was free, free to give his own opinion, not to be put in prison for it as in the Spanish Inquisition” Sacco said on the stand. “But I found that too, was wrong; men of education were put in prison, kept there for years, like Debs, put there because he was a Socialist and dared to work for the labor classes. The capitalists didn’t want the working class to get up. They do not want our children to go to high school or Harvard.”⁹⁴⁹

Judge Webster Thayer, now presiding over his second case involving Vanzetti, was a Dartmouth man, but he was not one to cotton to such seditious talk in his courtroom. “Oh how unfortunate that any such doctrine,” he had written after the anarchist bombings of 1919, “so destructive in its character and so revolutionary in all its tendencies should ever have reached the

⁹⁴⁸ Ibid. Elizabeth Glendower Evans, “New Light on a Bad Business,” *The New Republic*, December 26, 1923, 117.

⁹⁴⁹ Foner, 137. Warner, 345. Moshik Temkin, *The Sacco-Vanzetti Affair: America on Trial* (New Haven: Yale University Press, 2009), 12.

sacred shores of these United States!” A month before the first Vanzetti case, Judge Thayer had lectured a jury who had decided to acquit one Segris Zagroff. “Gentlemen, how did you arrive at such a verdict?” he berated them. “Did you consider the information that the defendant gave to the police officers...that he was a Bolshevist and that there should be a revolution in this country?” And during the Sacco-Vanzetti trial, he told a friend at the Worcester Golf Club (who later told humorist Robert Benchley, who then swore an affidavit to this effect) that “a bunch of parlor radicals are trying to get those Italian bastards off. I’ll see them hanged and I’d like to hang a few dozen of the radicals too...No Bolsheviki could intimidate Web Thayer!”⁹⁵⁰

In any event, Judge Thayer had the two defendants sit in a metal cage in the center of the courtroom throughout the proceedings. According to *Boston Globe* writer Frank Sibley, Thayer said of defense counsel Fred Moore that “no longhaired anarchist from California is going to run my court!” He gave the prosecution free rein to delve not only into Sacco and Vanzetti’s political beliefs, but into their earlier trip to Mexico to avoid the draft. He then began his summation to the jury by telling them that “the Commonwealth of Massachusetts called upon you to render a most important service. Although you knew that such service would be arduous, painful, and tiresome, yet you, like the true soldier, responded to that call in the spirit of supreme American loyalty. There is no better word in the English language than ‘loyalty.’”⁹⁵¹

Judge Thayer’s inferences from the bench worked their magic: After a seven week trial, Sacco and Vanzetti were found guilty. “The verdict caused great surprise among persons who followed the trial,” reported John Nicholas Bffel at the time in *The New Republic*. “[B]ecause of

⁹⁵⁰ Bruce Watson, *Sacco and Vanzetti: The Men, The Murders, and the Judgment of Mankind* (London: Penguin, 2007), 117-118. Chiasson, 114 .

⁹⁵¹ Theodore Grippio, *With Malice Aforethought: The Execution of Nicola Sacco and Bartolomeo Vanzetti* (Bloomington: iUniverse, 2011), 183. Frankfurter.

the wide conflict in the testimony of identification witnesses, many persons believed that the jury must either acquit the defendants or fail to reach an agreement.” Clarence Skinner noted in *The Survey* the “persistent belief on the part of many” that the trial had been “an endeavor to railroad innocent men to death because they are radicals.” “When in the face of this evidence, the jury brought in a verdict of guilty,” wrote Elizabeth Glendower Evans in *The Nation*, “one has a confused sense of *non sequitur*, such as one feels when a prestidigitator produces a rabbit out of a hat.”⁹⁵²

These articles aside, when the Sacco and Vanzetti case had begun, one Socialist reporter from New York sent to cover it reported back that “there’s no story in it. Just two wops in a jam.” Their conviction was noted in the papers, but over the next few years, as Judge Thayer singlehandedly rejected any and all motions to reopen the case – according to Massachusetts law, the presiding judge held the power to determine whether a new case was warranted – the plight of Sacco and Vanzetti was a story only followed by the radical press, the ACLU, agents of J. Edgar Hoover’s Bureau of Investigation (who saw it as a window onto potential subversive activity), and a few well-meaning Bostonian matriarchs, such as Elizabeth Glendower Evans, who took on the cause of the two men and reported often in *The Nation* and *The Survey*. H.L. Mencken had cited the case as yet another unremarkable bout of hypocrisy in American law, and author John Dos Passos had been active with the Defense Committee since 1920, but otherwise the press, progressive or otherwise, was mostly silent.⁹⁵³

⁹⁵² John Nicholas Beffell, “The Sacco-Vanzetti Verdict,” *The New Republic*, August 10, 1921, 299. Clarence Skinner, “The Sacco-Vanzetti Case,” June 25, 1921, 431-432. Elizabeth Glendower Evans, “The Sacco and Vanzetti Cases,” *The Nation*, June 15, 1921, 843.

⁹⁵³ Francis Russell, “America’s Dreyfus Case,” *The New York Review of Books*, February 4, 1982. Elizabeth Glendower Evans, “Sacco and Vanzetti,” June 15, 1926, 364-365, 393. Temkin, 21-22.

But the case began to heat up once again in November 1925 when a cellmate of Sacco's, Celestino Madeiros, confessed that he had committed the crime, along with a Providence-backed gang led by one Joe Morelli, who happened to look remarkably like Nicola Sacco. In fact, defense lawyers soon discovered, this Joe Morelli was already under federal indictment for five similar shoe factory robberies, he carried a .32 pistol, and when the defense team looked into the gang's whereabouts on the fateful evening, none of them had any alibis that could hold up. But, on October 23, 1926, after defense lawyers had put forward a motion to retry the case based on this confession, Judge Thayer – for the seventh and final time – denied it. “The decision of this capitalistic judicial tribunal is not surprising,” wrote Eugene Debs in a statement released the month of his death. “It accords perfectly with the tragical farce and the farcical tragedy of the entire trial of these two absolutely innocent and shamefully persecuted working men.” The following April, the Massachusetts Supreme Court refused to get involved for the second time, meaning Judge Thayer's sentence stood: death by electric chair. As the Judge bragged to a friend at a Dartmouth football game, “Did you see what I did with those anarchistic bastards?”⁹⁵⁴

The following month, May 1927, Harvard law professor Felix Frankfurter, who had been aware of the case since the early days through his wife's friendship with Elizabeth Glendower Evans, released an article for *The Atlantic Monthly* and a book, *The Case of Sacco and Vanzetti*. In both, he carefully laid out the reasons why the two men had received a prejudicial trial, and exposed Judge Thayer as a partisan. The judge's seventh denial, Frankfurter wrote, “cannot accurately be described otherwise than as a farrago of misquotations, misrepresentations, suppressions, and mutilations. The disinterested inquirer could not possibly derive from it a true

⁹⁵⁴ Foner, 137. Chiasson, 110. Temkin, 22. *Sacco & Vanzetti*, John Davis, ed. (New York: Ocean Press, 2004), 58. When asked why he confessed to the crime, Madeiros said, “I seen Sacco's wife come up here with the kids and I felt sorry for the kids.” Frankfurter.

knowledge of the new evidence that was submitted to him as the basis for a new trial. The opinion is literally honeycombed with demonstrable errors, and a spirit alien to judicial utterance permeates the whole.”⁹⁵⁵

Along with awakening other progressives to the injustices of the case, Frankfurter’s article suddenly gave Sacco and Vanzetti a frisson of both respectability and newsworthiness. (It also encouraged the police to secretly wiretap Frankfurter’s phone.) Within the next few months, the case would become a worldwide sensation, with everyone from Albert Einstein and Charlie Chaplin to H.G Wells and Helen Keller calling for Sacco and Vanzetti’s freedom. Frankfurter and the Sacco-Vanzetti Defense Committee deliberately worked to mainstream the two Italian radicals, by downplaying their anarchism and instead recasting them merely as two poor victims of injustice and intolerance. (Frankfurter even asked the ACLU to stand down. “I hope very deeply you will do nothing until after the Sacco-Vanzetti case is out of the way completely,” he wrote. “If the Civil Liberties Union and other like-minded organizations now come in, it is bound to be entangled with the efforts on behalf of Sacco and Vanzetti, and all such entanglements will hurt the cause of these men. I speak from a great deal of attention to the situation and a detailed familiarity, I believe, with the governing forces of the community.”)⁹⁵⁶

For his part, William Allen White entreated with these same governing forces, urging them to reassess the case. “I now know why the witches were persecuted and hanged by upright and godless people,” White wrote Governor Alvin Fuller of Massachusetts in June 1927. “This is a tremendously important case for America. It seems to me that our courts would be vastly more

⁹⁵⁵ Temkin, 31. Frankfurter. The article was first meant to appear in *The New Republic*, but Croly and Frankfurter agreed that placing it in *The Atlantic Monthly*, a more conservative magazine, would have more impact. Temkin.

⁹⁵⁶ Temkin, 34-35.

discredited before the world if we executed innocent men than they would be if we refrained to execute innocent men when there was even a shadow of doubt as to their guilt. Pardon this intrusion but this case seems to be wider than your state. It is America and America's justice which is on trial." Such attention from media figures and progressives prompted Fuller to appoint a three-man commission to ensure that justice had been done. This consisted of the president of Harvard, Abbott Lawrence Lowell, the president of MIT, Samuel Stratton, and a former judge, Robert Grant. These forces of respectability apparently decided to close ranks around Judge Thayer, and they – and Governor Fuller – decreed that there was “no sufficient justification for executive intervention.”⁹⁵⁷

Observers were aghast at this final shoe dropping. “This is a matter of life and death, not only for Sacco and Vanzetti but for the civilization that Harvard University is supposed to represent,” wrote John Dos Passos – who followed the Sacco-Vanzetti case with particular passion – in an open letter to Lowell. “As a Harvard man I want to protest most solemnly against your smirching of the university...with the foul crime against humanity and civilization to which you have made yourself aghast.” The governor, *New York World* columnist Heywood Broun argued, had “no intention in all his investigation but to put a new and higher polish upon the proceedings. He called old men from high places” – including Lowell, the president of “Hangman’s House” – “to stand behind his chair so that he might seem to speak with all the high authority of a high priest or a Pilate.” Deadpanned Broun, who would soon be fired by *World* editor Ralph Pulitzer for his many vociferous editorials about the case, “What more can the

⁹⁵⁷ White to Gov. A.T. Fuller, June 1, 1927. White, *Selected Letters*, 272. “I am sorry for Lowell, whom I believe I know rather well,” English social-psychologist Graham Wallas wrote Walter Lippmann after the fact. “He is public-spirited, with a vast amount of administrative drive, but if one goes for a long walk with him one finds him a little stupid. He will suffer horribly over the Sacco-Vanzetti business.” Steel, 232.

immigrants from Italy expect? It is not every prisoner who has a president of Harvard throw on the switch for him.”⁹⁵⁸

It wasn't just at the *World* where emotions ran hot. Around the world, from London to Paris to Casablanca to Uruguay, boycotts were called, strikes were held, American flags were burned, and deadly riots broke out. In an attempt to use these international protests as leverage, Jane Addams appealed to Chairman of the Senate Foreign Affairs Committee, William Borah, to call for a halt to the executions. This was not the sort of argument that worked well on him. “[I]t would be a national humiliation, a shameless cowardly compromise of national courage, to pay the slightest attention to foreign protests or mob protests at home,” he responded. “We all you know your fine devotion to humanity, but neither humanity nor peace can be served by deferring to foreign interference, which is an impudent and willful challenge to our sense of decency and dignity and ought to be dealt with accordingly.” *The Nation* was aghast. “What an extraordinary and often how disappointing a public man is William E. Borah!” it exclaimed. “Any petty agent of the National Security League might have penned these lines.” Nonetheless, two days after responding to Addams, Borah did offer the Sacco-Vanzetti Defense Committee his services.⁹⁵⁹

By then, it was too late. On August 23, 1927, as crowds of picketers waited outside and American Legion members sang “The Star Spangled Banner” – Nicola Sacco and Bartolomeo Vanzetti were executed. “Massachusetts has taken two lives with a vindictiveness and brutality

⁹⁵⁸ Foner, 137. Murphy, *Meaning of Freedom of Speech*, 165. One person who was fine with Brown's dismissal from the *World* was his colleague, Walter Lippmann. The paper, he told a friend, “has been very much more effective because we have not been drowned out by Heywood's soprano. There are a few times when a crisis is so great that a paper, if it's to be any use at all, must speak with one voice... The question has been whether Heywood or the editorial page was to be the voice of the New York *World* in Massachusetts. It's idle to pretend that the public, way up there, would separate Heywood from the paper, as a small minority here in New York who knew the inside and made the necessary discount. But the great mass of boobs who are milling around have no such inside knowledge, and when they hear Heywood say that Governor Fuller never intended to do justice, they conclude simply that we're an organ of one of the propaganda committees and that nothing we say need be listened to.” Steel, 231.

⁹⁵⁹ *The Nation*, August 31, 1927 (Vol. 125, No. 3243), 189. Ashby, 215.

unsurpassed in our history,” argued Oswald Garrison Villard and Freda Kirchway in an editorial entitled “Massachusetts the Murderer.” People “will speak for years to come with horror of a State in which two men could be executed after seven years of monstrous torture.” This “legal murder,” they argued, “strengthened the hands of violence and of all those persons who believe that the world can be reformed only by bombs and bloodshed. Everywhere they have made peaceful men and women despair that progress may be achieved without force...How crass, how degrading it all is!”⁹⁶⁰

The editors of *The New Republic* agreed. More than just a legal murder, they wrote, the execution of Sacco and Vanzetti was a “betrayal of the faith in reason which is inherent in the composition of a liberal and humane state.” “The representatives of the most reputable and highly educated public opinion in Massachusetts...felt impelled to manufacture out of thousands of questionable particular decisions a rope of certainty strong enough to be used as a hangman’s cord.” As a result, “what will suffer is the confidence of all classes in an appeal to reason for the correction of alleged wrongs and grievances. They have impaired the authority of reason in public life...Public opinion has submitted to this betrayal of its own hygienic principle.”⁹⁶¹

As a result, TNR argued, the execution of Sacco and Vanzetti was particularly fatal to the hopes of liberals and progressives. “Their comrades in anarchy will, of course, do their best to apotheosize them as the victims of a ruthless and deliberate class conspiracy...[But f]rom the point of the view of the liberals, the judicial execution of Sacco and Vanzetti is a far more hopeless tragedy than it is from the point of view of the anarchists. For the cause of justice and fair-dealing in the execution of the criminal laws in which liberals were interested is a cause

⁹⁶⁰ Watson. “Massachusetts the Murderer,” *The Nation*, August 31, 1927 (Vol. 125, No. 3243), 192-193.

⁹⁶¹ “Penalties of the Sacco-Vanzetti Execution,” *The New Republic*, September 7, 1927, 57-59.

which is already supposed to have been won...The liberal defenders of the two Italians have, in failing to save the lives of the defendants, lost practically all that they were fighting for.”⁹⁶²

No wonder, as Edmund Wilson put it, the executions “made the liberals lose their bearings.” Or, as Upton Sinclair put it in *Boston*, his fictional retelling of the Sacco and Vanzetti story, “Don’t you see the glory of this case? It kills off the liberals.” The executions induced a “period of depression and heart searching” among progressives, argued Jane Addams three years later. “Some of us felt that the outcome of the Sacco and Vanzetti case threw away an opportunity unique in the history of the United States for demonstrating that we are here attaining a conception of justice broad and fundamental enough to span the reach of our population and their kinsfolk throughout the world.” The verdict “forced me,” later wrote Robert Morss Lovett, “to accept a doctrine which I had always repudiated as partisan tactics – the class war.”⁹⁶³

Now, TNR, argued, it behooved progressives to realize “from the tragic deaths of Sacco and Vanzetti that American public opinion is still suffering from an ugly disease which is all the more dangerous because it brings with it the delusion of moral vitality and physical health.

Messrs Fuller and Lowell would never have attempted to deny Sacco and Vanzetti the benefit of the doubt except in atmosphere created by the class prejudices, the snobbishness, the confused landmarks, the inertia and the weak complaisance of educated American opinion... Fundamentally, it confuses intelligence with the definition and with the emotional affirmation of accepted principles rather than with a relentless and indefatigable habit and method of inquiry.⁹⁶⁴

⁹⁶² Ibid.

⁹⁶³ Foner, “Sacco and Vanzetti,” 141. Leuchtenburg, *Perils of Prosperity*, 82. Addams, *Second Twenty Years*, 338-339. Schlesinger, *Crisis of the Old Order*, 141.

⁹⁶⁴ Ibid.

“Such a confusion is fatal,” TNR concluded, “for it exposes public opinion almost wholly unprotected to the assaults of propaganda.” In other words, the executions of Sacco and Vanzetti were an indictment of public opinion itself. “Remember, please,” wrote Heywood Broun on the first anniversary of the executions, “that the commotion against the Italian agitators was not confined to any single class in Massachusetts...A majority supported the verdict.” Indeed, Broun continued, “it no longer seems to me that the injustice done may fairly be blamed upon the State of Massachusetts singled out from all the rest...There are scores of American communities in which Sacco and Vanzetti might have been killed with just as much goodwill.” “We stand defeated America,” author John Dos Passos would later write of the Sacco and Vanzetti trial:

“[A]ll right you have won you will kill the brave men our friends tonight.

there is nothing left to do we are beaten...

America our nation has been beaten by strangers who have turned our language inside out who have taken the clean words our fathers spoke and made them slimy and foul

their hired men sit on the judge’s bench they sit back with their feet on the tables under the dome of the State House they are ignorant of our beliefs they have the dollars the guns the armed forces the powerplants

they have built the electric chair and hired the executioner to throw the switch all right we are two nations America our nation has been beaten by strangers who have bought the laws and fenced off the meadows and cut down the woods for pulp and turned our pleasant cities into slums and sweated the wealth out of our people and when they want to they hire the executioner to throw the switch⁹⁶⁵

For Dos Passos, as for many others, the illusion of a public interest that was independent of class interests was gone.

One writer who seemed reluctant to let the case shake his faith was former TNR editor Walter Lippmann, who had left for the *New York World* in 1921. When the Lowell Committee

⁹⁶⁵ Ibid. “It seems to Heywood Broun,” *The Nation*, August 22, 1928 (Vol. 127, No. 3294), 171. John Dos Passos, “The Big Money,” in *USA* (New York: Modern Library, 1937), 460–464.

issued its final decision, Lippmann deemed its report one of “fairness, consideration, shrewdness, and coolness” and thought the Governor should simply commute the Sacco and Vanzetti sentences to life imprisonment. He backtracked on this some four days later, after an angry visit from Felix Frankfurter, arguing that since “multitudes of open-minded men remain unconvinced,” it would be “bad public policy to execute two men about whose guilt a large part of the public had serious doubts.” Nonetheless, after the two men were executed, Lippmann, in an editorial entitled “Patriotic Service,” congratulated everyone involved – the Lowell Committee for doing “a disagreeable duty bravely” and being “willing to stake their reputations, to sacrifice their comfort, to face danger, in an effort to get at the truth,” and Frankfurter and the defense committee for working to “uphold the rights of the humblest and most despised.”⁹⁶⁶

Lippmann’s tone-deaf response to the executions lost him some friends. The recently fired Heywood Broun called him “the greatest carrier of water on both shoulders since Rebecca at the well.” Another *World* colleague, the later noir author James M. Cain, thought the “logic-chopping” editorial in question revealed that Lippmann had approached the executions as “an intellectual exercise, nothing more.” Writing several years later, a still livid Amos Pinchot argued the “important thing [in Lippman’s piece] is that the contending factions should be united by a common appreciation of Walter Lippmann’s fairness.” “Everybody up here was with you,” Judge Learned Hand wrote Lippmann from New Hampshire, trying to cheer him up, “except Felix, to whom it was monstrous because even hypothetically it assumed that the report could be treated as emanating from human beings at all.”⁹⁶⁷

⁹⁶⁶ Steel, 229-231.

⁹⁶⁷ Steel, 231-232.

Dwelling on the case further, Lippmann told Hand that he had “not been so troubled about anything since 1919, when against what I really believe was my own deepest and best feeling I let irritation against Wilson’s stupidity push me into intransigent opposition to the Treaty”:

The Sacco case was particularly difficult because I had so confidently assumed that the Lowell report would in no event mean the death penalty. The briefness of the time allowed for reaching an opinion, the atmosphere of horror and the very real danger of Red violence followed by White violence, made me feel as if we were being rushed into the gravest kind of decision without freedom of mind to consider it. You know that I was never convinced that they were innocent. At the end my feeling was a) that Sacco might be guilty and Vanzetti less probably, b) that the evidence against both was insufficient, c) that the trial was almost certainly conducted in a prejudiced atmosphere, d) that the Governor, though probably sincere within his lights, was infected with the psychology of class conflict which the case had provoked, e) that a commutation was the wiser course even though one could sympathize with the Governor’s difficulty in yielding after the threats had been made.⁹⁶⁸

The fundamental problem for Lippmann, was that the members of the Lowell Committee, esteemed college presidents and such, were exactly the sorts of dispassionate public experts that, according to his 1922 book *Public Opinion*, should have come to the wisest conclusion. The fact that they apparently didn’t – that the case didn’t seem to have been decided with the public interest in mind at all – was a cognitive dissonance for Lippmann that he would have to grapple with for some time to come. Regardless, within two years, Lippmann settled himself back into the new mainstream opinion and argued that both Sacco and Vanzetti were innocent. “If Sacco and Vanzetti were professional bandits,’ Lippmann wrote for a back-of-the-book blurb for a reprint of Felix Frankfurter’s *The Case of Sacco and Vanzetti*, “then historians and biographers who attempt to deduce character from personal documents might as well shut up shop. By every test that I know for judging character, these are the letters of innocent men.”⁹⁶⁹

⁹⁶⁸ Steel, 232-233.

⁹⁶⁹ Steel, 233.

But were they? To the present day, a sometimes heated debate continues on the presumed innocence or guilt of Sacco and Vanzetti. In 2005, a 1929 letter written by Upton Sinclair, soon after the publication of *Boston*, was unearthed that reopened the old wounds once again. In it Sinclair speaks of a meeting he had with Fred Moore, Sacco and Vanzetti's original lawyer, in Denver while researching the book. "I face the most difficult ethical problem of my life...Alone in a hotel room with Fred," Sinclair wrote, "I begged him to tell me the full truth. He then told me that the men were guilty and he told me in every detail how he had framed a set of alibis for them." But Moore also said Sacco and Vanzetti never actually told him they had committed the crime, and Sinclair thought the pair's former lawyer may just have been "brooding on his wrongs." In 1998, a manuscript emerged written by Joe Morelli, whose gang was accused of the crime by Sacco's cellmate. Morelli had confessed to the crime in 1931, but rescinded the confession four years later – In this manuscript, he called Sacco and Vanzetti "cold-blooded killers," and that he "knew of their racket." Joe's brother Frank, on the other hand, was quoted in a 1973 gangland memoir saying that "we killed those guys in the robbery, [and t]hese two greaseballs took it on the chin...That shows you how much justice there really is."⁹⁷⁰

Clearly, given the Galleanist bombings of 1919 and Mario Buda's likely involvement in the Wall Street bombing, Sacco and Vanzetti were associated with men who were not above – indeed, actively believed in and endorsed – violence as a political tool. Nonetheless, at a certain level, these questions are beside the point. As the editors of *The New Republic* put it after the executions, their magazine never "assumed the innocence of the accused and executed men. It has only declared that they never received a fair trial." Whether the State put two innocent men

⁹⁷⁰"Sinclair Letter Turns Out to Be Another Expose," *Los Angeles Times*, December 24, 2005. "Sacco and Vanzetti: Guilty After All?" NPR, March 4, 2006. <http://www.npr.org/templates/story/story.php?storyId=5245754> "Penalties of the Sacco-Vanzetti Execution," TNR.. Watson, 363-365.

to death or the system tried to frame two guilty men, the end effect was the same: A stunned generation of progressives and intellectuals felt even further alienated from both the legal system and public opinion, which were supposed to be the fulcrum and lever of justice and progress in the world.⁹⁷¹

The Shame of America

One progressive dismayed – but not at all surprised – by the Sacco and Vanzetti verdict was *Crisis* editor W.E.B. Du Bois. “We who are black can sympathize with Sacco and Vanzetti and their friends more than other Americans,” he wrote soon after the executions. “We are used to being convicted because of our race and opinions regardless of our proven guilt. We are used to seeing judge, jury, and public opinion lay down the rule: ‘Better ten innocent Negroes lynched, than one guilty go free.’”⁹⁷²

Throughout the Twenties, Du Bois and the NAACP had been fighting to end the scourge of lynching in American life. While not much was expected from the new administration coming to power in March 1921 on this front, the overwhelming Republican majorities in both House of Congress, as well as the recent victories of Prohibition and Suffrage, suggested there may be some opportunity for progressive change for African Americans under Warren Harding. “If the American people can stop long enough to change the Constitution to decide whether the American people shall drink or not, or 6,000,000 people shall vote,” argued *The Crisis*, “they can

⁹⁷¹ Gage, 327-328. “Penalties of the Sacco-Vanzetti Execution,” TNR.

⁹⁷² Lewis, *W.E.B. Du Bois*, 250.

at least stop long enough to change the Constitution to say whether 12,000,000 people can live in safety.”⁹⁷³

And, indeed at first, it seemed there might be cause for hope. Much more than his predecessor, who had openly admired *Birth of a Nation* and went out of his way to re-segregate the White House, President Harding, in his first year in office, took his opportunities to speak out against lynching and on behalf of civil rights. In his April 1921 address to Congress, as noted previously, he urged House and Senate “to wipe the stain of barbaric lynching from the banners of a free and orderly representative democracy.” In June 1921, the president wrote the NAACP’s James Weldon Johnson endorsing the idea of “a commission embracing representatives of both races” to “bring about the most satisfactory adjustment of relations between the races.” (In the end both Harding and Coolidge endorsed this commission plan, but nothing came of it.) And in October 1921, while receiving an honorary law degree at the University of Alabama, Harding became the first president since the Civil War to address the issue of civil rights – and to condemn lynching – in a Southern state.⁹⁷⁴

To a segregated Birmingham crowd of 30,000 – 20,000 whites and 10,000 blacks – Harding gave a speech on race relations that, for the most part, echoed the conditions laid down in Booker T. Washington’s Atlanta Compromise of 1895. Condemning the practice of lynching, the president argued that there should be “no occasion for great and permanent differentiation” on political and economic matters between the races, but everyone should recognize “the absolute divergence in things social and racial.” “When I suggest the possibility of economic

⁹⁷³ Phillip Dray, *At the Hands of Persons Unknown: The Lynching of Black America* (New York: Modern Library, 2002), 258.

⁹⁷⁴ Warren Harding to James Weldon Johnson, June 18, 1921. Warren Harding Papers, LOC.

equality between the races, I mean it in precisely the same way and to the same extent that I would mean it if I spoke of equality of economic opportunity as between members of the same race,” argued Harding. “Whether you like it or not,” the president told a crowd of cheering African-Americans and sullen Southern whites, “unless our democracy is a lie, you must stand for that equality.”⁹⁷⁵

That being said, Harding thought “it would be helpful to have the word ‘equality’ eliminated from this consideration; to have it accepted on both sides that this is not a question of social equality, but a question of recognizing a fundamental, eternal, and inescapable difference”:

Let the black man vote when he is fit to vote, prohibit the white man voting when he is unfit to vote...Especially I would appeal to the self-respect of the colored race. I would inculcate in it the wish to improve itself as a distinct race, with a heredity, a set of traditions, an array of aspirations all its own. Out of such racial ambitions and pride will come natural segregations, without narrowing any rights...

[A] black man cannot be a white man, and that he does not need and should not aspire to be much like a white man as possible in order to accomplish the best that is possible for him. He should seek to be, and he should be encourage to be, the best possible black man, and not the best possible imitation of a white man.⁹⁷⁶

Possibly as a show of good intentions and magnanimity, Harding also argued that African-Americans should begin to look outside the Republican Party for leadership. “Just as I do not wish the South to be politically entirely of one party,” he told the Birmingham audience, “so I do not want the colored people to be entirely one party. I wish that both the tradition of a solid Democratic South and the tradition of a solidly Republican black race might be broken up.

⁹⁷⁵ Russell, 472-473. “The Negro’s Status Declared by the President,” *The Literary Digest*, November 19, 1921 (Vol. LXXI, No. 8), 1.

⁹⁷⁶ *Ibid.*

Neither political sectionalism nor any system of rigid groupings of the people will in the long run prosper our country.”⁹⁷⁷

Instead Harding called for an America where “black men will regard themselves as full participants in the benefits and duties of American citizenship, when they will vote for Democratic candidates, if they prefer the Democratic policy on tariff or taxation, or foreign relations, or what-not; and when they will vote for the Republican ticket only for like reasons. We cannot go on, as we have gone one for more than half a century, with one great section of our population, numbering as many people as the entire population of some significant countries of Europe, set off from real contribution to solving our national issues, because of a division on race lines.”⁹⁷⁸

In retrospect, this seems like rather tepid messaging, and by even as early as the following May – when Harding gave a speech dedicating the Lincoln Memorial – the president then avoided making any further pronouncements on race relations to a segregated crowd. But, at the time, having presidents address issues of race before a mixed Southern crowd was not considered normalcy. “It has taken sixty years for a President of the United States – a Republican President – to pick up the broken threads of understanding as they fell from the cold hand of the martyred Lincoln,” gushed the *Birmingham News*, who thought Harding’s statement was “was a message of vital importance to the South, the nation, and the world.” The *New York Globe* called Harding’s Birmingham address “the most important and the most intelligent statement of the right approach to the negro problem sponsored by any public man in a generation.”⁹⁷⁹

⁹⁷⁷ Ibid.

⁹⁷⁸ Ibid.

⁹⁷⁹ Ibid.

Nor did opponents of the speech take it as tepid. “[T]o encourage the negro, who in some States, as in my own, exceeds the white population, to strive through every political avenue to be placed upon an equality with the whites,” suggested Senator Pat Harrison of Mississippi, “is a blow to the white civilization of the country that will take years to combat.” Similarly, Senator Tom Heflin of Alabama thought “God Almighty has fixt limits and boundary lines between the races, and no Republican living can improve upon His handiwork.” The *Nashville Banner* reminded Harding that “[i]t irritates the South to be lectured on its alleged ill-treatment of the Negro,” while the *Montgomery Journal*, in an editorial entitled “The President’s Mistake,” pointed out that “the South resents intermeddling, whether that intermeddling comes from high or low.”⁹⁸⁰

While the Birmingham address was mostly lauded in the African-American press, one of the harshest critics of Harding’s words – perhaps because he had been fighting this exact delineation of the Color Line since at least the 1903 publication of *The Souls of Black Folk* – was W.E.B. Du Bois and *The Crisis*. To be sure, Du Bois applauded the president’s call for the right to vote, education, and economic justice for all people. “In this the President made a braver, clearer utterance than Theodore Roosevelt ever dared to make, or than William Taft or William McKinley ever dreamed of. For this let us give him every ounce of credit he deserves.” That being said, Du Bois’s thought Harding’s remarks on social equality would “pledge the nation, the Negro race and the world to a doctrine so utterly inadmissible in the twentieth century, in a Republic of free citizens and in an age of Humanity that one stands aghast at the motives and the reasons for the pronouncement.”⁹⁸¹

⁹⁸⁰ Ibid. Russell, 473.

⁹⁸¹ W.E.B. Du Bois, “President Harding and Social Equality,” *The Crisis*, December 1921. Reprinted at <http://teachingamericanhistory.org/library/index.asp?document=1129>

Cede the prospect of social equality, Du Bois argued, and all is lost. “No system of social uplift which begins by denying the manhood of a man can end by giving him a free ballot, a real education and a just wage... To deny this fact is to throw open the door of the world to a future of hatred, war and murder such as never yet has staggered a bowed and crucified humanity.” Nor did Du Bois believe that the race pride evoked by Harding was a sign of positive progress. “For the day that Black men love Black men simply because they are Black, is the day they will hate White men simply because they are White.”⁹⁸²

In short, while it was a promising sign to see the president address race relations in a comprehensive fashion, in effect Harding’s address was doubly irritating to Du Bois. It not only hearkened back to the Atlanta Compromise philosophy of Booker T. Washington, which Du Bois had spent much of his professional life railing against. It also incorporated the notion of a distinct and separate race pride that was gaining adherents for one of Du Bois’s main rivals in the Twenties, Marcus Garvey.

If the president and Du Bois could not see eye to eye on the overarching project of race relations, they could at least agree that lynching, in Harding’s words, was “a very sore spot on our boast of civilization.” And so, working with the NAACP, Congressman Leonidas Dyer, a white Republican from East St. Louis representing a majority black district, re-introduced the Dyer Anti-Lynching Bill on April 11, 1921. First introduced in 1919, Dyer’s legislation was the first anti-lynching bill in Congress seen since 1900, when the last and only black member of Congress for decades, George H. White of North Carolina, had introduced one that went nowhere. Defining lynching as any murder committed by three or more people, the Dyer bill

⁹⁸² Ibid.

proposed a \$5000 fine or jail time (from five years to life) for any sheriff or law enforcement official who refused to protect prisoners from justice or prosecute lynchers after the fact. It also mandated that the federal government could step in as the prosecuting authority if the county or state failed to take action, and that counties where lynching took place would be forced to pay \$10,000 to the family of the victim.⁹⁸³

The urgency for federal action on the issue was underscored the following month, when another race riot – not unlike the conflagrations of the Red Summer two years earlier – erupted in the oil boom town of Tulsa, Oklahoma, home to one of the more affluent African-American communities in the South. On Memorial Day, some sort of misunderstanding had occurred in the elevator of the Drexel Building in downtown Tulsa between a nineteen-year-old black shoe shiner, Dick Rowland, and a seventeen-year-old white elevator operator, Sarah Page. Be it due to a lover’s quarrel, an accidental slip, or something more unsavory, a nearby clothing store clerk heard a scream and saw Rowland hurriedly exiting the elevator. (The fact that both were at the Drexel Building on Memorial Day, a holiday, suggests the two might have scheduled a meeting.) Sarah subsequently gave a statement to the police which – like many of the documents surrounding the Tulsa riots – is lost to history, although the lackadaisical response of the Tulsa police suggests an assault was unlikely. In any event, from the volatile spark of “an impudent Negro, a hysterical girl, and a yellow journal,” in the words of Oklahoma’s Adjutant General, one of the grimmest race riots in American history would be set afire.⁹⁸⁴

⁹⁸³ Dray, 260-261.

⁹⁸⁴ Scott Ellsworth, “The Tulsa Race Riot,” The Center for Racial Justice. (<http://www.tulsareparations.org/TulsaRiot.htm>) “Tulsa,” *The Nation*, June 15, 1921 (Vol.112, No. 2919) 839.

The next day, May 31st, 1921, Rowland was taken into custody by a white detective and one of the two African-American cops on the force. Upon hearing the news, the *Tulsa Tribune*, in an article which seems to have been deliberately removed from the record – it was summarized in a 1946 master’s thesis on the incident – blared the headline “Nab Negro for Attacking Girl in Elevator” in its afternoon edition. Newsboys screamed “A Negro assaults a white girl!” on the street and, though this is also unclear due to the destroyed evidence, the *Tribune* also seems to have run an editorial along the lines of “To Lynch Negro Tonight.” Soon, according to one white resident, “talk of lynching spread like a prairie fire,” and by evening, a crowd of hundreds had amassed in front of the Tulsa County Courthouse.⁹⁸⁵

Around 9pm, twenty-five African American men from Greenwood, a reasonably affluent black neighborhood referred to as the “Negro Wall Street” or “Little Africa” by disparaging white residents, arrived at the Courthouse with shotguns and rifles and offered to aid authorities in the protection of Dick Rowland. The police declined and these men left to patrol the streets by car – a visible reminder that the African American community would not cower in the face of a lynching. Now, many whites entered a state of panic, running home to get guns and even trying to break into the local Armory. By 10pm, as two thousand whites buzzed around the Tulsa Courthouse, another armed contingent of African American men arrived to offer their services. “Nigger, what are you doing with that pistol?” one white man screamed at a black veteran of the World War. “I’m going to use if I have to,” replied the veteran. When the white man lunged for the army-issue revolver, a struggle ensued and a shot rang out. Then, in the words of the sheriff, “all hell broke loose.”⁹⁸⁶

⁹⁸⁵ Ibid.

⁹⁸⁶ Ibid. Walter White, “The Eruption of Tulsa,” *The Nation*, June 29, 1921 (Vol. 112, No. 2921), 910.

Immediately the steps of the Tulsa Courthouse turned into a firing range and bloodbath, with as many as a dozen dead or wounded. As the heavily outgunned African-Americans began retreating back to Greenwood, they were followed by a raging crowd of whites, who began breaking into sporting goods stores for more weaponry and sounding the clarion call of “Nigger fight!” in nearby movie theaters. In the ensuing bloodlust, Dick Rowland, still under police protection, was mostly forgotten, and survived the long evening intact. For the next several hours, the fighting would be concentrated along the Frisco railroad tracks separating the black neighborhood of Greenwood from the white areas of town. As wild rumors abounded of trains headed to Tulsa with hundreds of black reinforcements, all-white National Guard units organized ostensibly to keep the peace, but more accurately to act as the vanguard of white forces against a perceived black uprising.⁹⁸⁷

At one in the morning, the first fires were lit – Soon all of Greenwood, one of the most impressive and successful black communities in the South – would be looted and aflame, including dozens of African American-owned businesses and the recently completed Mount Zion Baptist Church. (Whites turned back the Tulsa Fire Department’s attempts to quell the fires, so they instead worked to keep it from spreading into white neighborhoods.) At 2am, blacks defending Greenwood thought they had beaten back the advance, but three hours later, after some sort of still-undetermined signal that could have been a train whistle, whites spilled over the Frisco tracks in force – systematically looting, burning, and killing.⁹⁸⁸

⁹⁸⁷ Ibid.

⁹⁸⁸ Ibid. James S. Hirsch, *Riot and Remembrance: The Tulsa Race War and Its Legacy* (New York: Houghton Mifflin, 2002).

The African-American community was outnumbered, and those families that had not already evacuated – and did not resist the onslaught -- were rounded up into hastily-formed internment camps. In the skies above, planes flew over Greenwood, apparently – although again reports vary on this front – firing and dropping sticks of dynamite. African-Americans defending the church, and using its belfry as a vantage, were forced to retreat when white rioters aimed a machine gun at them. Some were shot in the back while fleeing for their lives. Others, like World War veteran “Peg Leg” Taylor, followed the advice of Claude McKay’s “If We Must Die” and made suicide stands to take down as many of the invaders as possible before they, too, were surrounded and killed.⁹⁸⁹

By noon the next day, as the State Police arrived and the fires died out, a thirty-six block area of Greenwood had been burned to the ground, leaving 10,000 homeless. Among the casualties to the fire were 1256 homes, churches, businesses, two black newspapers – *The Tulsa Star* and *The Oklahoma Sun* – a library, a school, and the Frissell Memorial Hospital, which at the time of its burning had been filled with wounded black men and women. The official death toll was 38 dead – 28 blacks, 10 whites – but the actual number was far about that, perhaps as many as 300. (It is impossible to say, particularly since many of the African-American dead were thrown into unmarked graves.) Approximately 800 were treated at hospitals with injuries, although again this is an undercount because only the white hospitals survived the conflagration.⁹⁹⁰

To *The Nation*, disgusted at the “terrible race riot” that had taken place, the “smoking ruins of Tulsa” proved the lie of Harding’s Normalcy. “If Mr. Harding is to be President of the

⁹⁸⁹ Ibid.

⁹⁹⁰ Hirsch, 6.

whole nation, if he is to do anything about that ‘sweetest concord’ which today is a figment of his imagination, he should insist upon an immediate inquiry into the color problem.” *The New Republic* similarly saw in the Tulsa riots “the deliberate sacrifice of law and order and civil rights to the passion of patriotism or the greed of business... bearing its proper fruit.” “The Negroes are coming into a sense of solidarity,” TNR said of Tulsa the following week, in an editorial entitled “Moving Toward Race War.” “[T]he spirit of collective resistance is abroad in the Negro population... Mob law and peonage, as every intelligent person now recognizes, can be maintained only at the cost of increasing race bitterness, breaking out sporadically in manifestations of race war.”⁹⁹¹

Looking back on the riots in 1926, Du Bois told of how “White Tulsa and all the countryside armed for war. They came down to black Tulsa with machine guns and airplanes. It was real war: murder, fire, rape, theft. The same sort of thing that gained the *Croix de Guerre* in the World War. They killed unarmed men, women, children. They left sobbing despair and black ruin.” And, writing for *The Nation*, soon after the incident, Walter White prophesied that Tulsa, if crimes like lynching were allowed to persist, was only a taste of things to come. “What is America going to do after such a horrible carnage,” he asked, “one that for sheer brutality and murderous anarchy cannot be surpassed by any of the crimes now being charged to the Bolsheviki in Russia? How much longer will America allow these pogroms to continue unchecked?”

There is a lesson in the Tulsa affair for every American who fatuously believes that Negroes will always be the meek and submissive creatures that circumstances have forced them to be during the past three hundred years. Dick Rowland was an ordinary bootblack with no standing in the

⁹⁹¹ “Tulsa,” *The Nation*, June 15, 1921 (Vol. 112, No. 2919) 839. “The Week,” *The New Republic*, June 15, 1921 (Vol. XXVII, No. 341), 58. “Moving Toward Race War,” *The New Republic*, June 22, 1921 (Vol. XXVII, No. 342, 96-97).

community. But when his life was threatened by a mob of whites, every one of the 15,000 Negroes of Tulsa, rich and poor, educated and illiterate, was willing to die to protect Dick Rowland. Perhaps America is waiting for a nationwide Tulsa to wake her. Who knows?⁹⁹²

Fortunately for the nation, Congressman Dyer had a presidentially-endorsed legislative remedy ready to go in the Dyer bill. “Having myself passed through the throes of our nation’s most destructive race riot and massacre in the Tulsa holocaust,” wrote A.J. Smitherman, the displaced former editor of the *Tulsa Star*, to President Harding and the Senate Judiciary Committee, “having lost a life-time’s accumulation at the hands of the mob, and forced into exile with my wife and five children to escape lynching...may I not on behalf of other victims of mob hysteria and for the sake of the future security of our country urge an early and favorable report of the so-called Dyer anti-lynching bill now awaiting consideration of your committee?” Smitherman asked this “in the name of God and justice; in the name of the 4,097 souls American mobs have murdered since 1885; in the name of those who sacrificed life and property in the Tulsa riot and massacre to prevent the very thing that the Dyer Bill would penalize under federal statute; [and] in the name of the future peace and security of our common country.”⁹⁹³

Through 1921 and 1922, both Dyer and the NAACP’s James Weldon Johnson lobbied aggressively for the bill throughout the House and Senate. “Lynching is murder, but it is also more than murder,” Johnson wrote in his form letter to every interested party. “This bill is aimed against lynching not only as murder but as anarchy.” “For nearly two years, during the periods which Congress was in session,” Johnson remembered in his autobiography, “I spent the greater part of my time in Washington. I tramped the corridors of the Capitol and the two office buildings so constantly that toward the end I could, I think, have been able to find my way about

⁹⁹² “Tulsa,” *The Crisis*, April 1926, 269. Walter White, “The Eruption of Tulsa,” 910.

⁹⁹³ A.J. Smitherman to Senate Judiciary Committee, undated, WJB Box 127: Anti-Lynching Bill.

blindfolded...I saw and talked with every man in Congress who was interested in the bill or who, I thought, could be won over to it” Reporting in to Walter White about his lobbying efforts, Johnson told him, “I am pouring into them as much of our dope as they will hold.”⁹⁹⁴

Southern House Democrats, meanwhile – even though well outnumbered after the Harding sweep – were not particularly enthused by the Dyer bill, and they used every tool they could in Roberts’ Rules of Order to block the bill. In December of 1921, when the legislation first came up for debate, enough Southerners refused to show up that the House could not make quorum, and Speaker Gillett was forced to lock the doors and issue warrants for the missing congressmen.⁹⁹⁵

Forced to debate Dyer’s bill in January, 1922, Democrats latched onto what one of the NAACP’s legal advisors, Albert Pillsbury, had warned was the bill’s weak link – its constitutionality. Pointing to the Tenth Amendment, which reserved powers to the states, and the Supreme Court’s 1873 Slaughterhouse decision, which circumscribed the Fourteenth Amendment’s reach over state behavior, opponents of the bill asked where the federal government managed to obtain prosecutorial authority over lynchers in the states. Supporters argued this was a point for the courts, not the legislature, to decide, and, in any case, the Dyer bill was in accord with other recent laws like Prohibition, the Espionage and Sedition Acts, and the Mann Act and Harrison Narcotics Act regulating prostitution and opiates respectively.⁹⁹⁶

⁹⁹⁴ James Weldon Johnson, Letter of Support, January 21, 1922. NAACP Papers, Library of Congress. James Weldon Johnson, *Along This Way: The Autobiography of James Weldon Johnson* (New York: Da Capo Press, 2000), 362-363. Dray, 267.

⁹⁹⁵ Dray, 265-266.

⁹⁹⁶ Dray, 263-264.

Leading the Democratic response on the floor was Congressman Hatton Sumners of Dallas, Texas, later to be Chair of the House Judiciary Committee for sixteen years. Mostly, Sumners trafficked in the usual racist tropes to fight the bill. “Only a short time ago,” he averred, speaking of the African-Americans who thronged the balconies to watch the debates, “their ancestors roamed the jungles of Africa in absolute savagery...[Y]ou do not know where the beast is among them. Somewhere in that black mass of people is the man who would outrage your wife or your child, and every man who lives in the country knows it.”⁹⁹⁷

Sumners took particular delight in using the constitutional argument to try to hoist Dyer supporters by their own petard. “I say to you can you cannot pass this bill unless you pass it under the influence of the same spirit which this bill denounces, viz, the mob spirit,” he argued. “You say that the folks down in the South are not doing this thing fast enough, and the folks in the South say the officers are not doing this thing fast enough, and you each get ropes and they go after the criminal and you go after the Constitution.” Speaking to Dyer directly, Sumner declared that “the Constitution of the United States stands at the door, guarding the governmental integrity of the States, the plan and the philosophy of our system of government, and the gentleman from Missouri, rope in hand, is appealing to you to help him lynch the Constitution.”⁹⁹⁸

The vociferous attacks of Sumners and the other Southerners aside, the House of Representatives passed the Dyer Bill on January 26th, 1922 by a vote of 231 to 119, with eight Democrats, all but one from the North, voting in favor and 74 abstaining. Now, the focus of the

⁹⁹⁷ Dray, 264.

⁹⁹⁸ Office of the House Clerk, “Anti-Lynching Legislation Renewed,” *Black Americans in Congress* (<http://baic.house.gov/historical-essays/essay.html?intID=5&intSectionID=29>)

NAACP turned to the Senate, where the filibuster would make passage a heavier lift. To grease the wheels, *The Crisis* emphasized that Republicans had, with sympathetic Northern Democrats, the two-thirds votes necessary to beat a filibuster if they tried. As such, Republicans were “responsible absolutely for the success or the failure of the Dyer Anti-Lynching Bill.” If it did not pass, Du Bois argued, “any Negro who votes for the Republican Party at the next election writes himself down as a gullible fool.”⁹⁹⁹

But first the bill had to get out of the Senate Judiciary Committee, where a man many thought would be a natural champion of the bill turned out to be against it. “Honorable William E. Borah,” columnist Heywood Broun telegraphed on behalf of the New York Civic Club in May 1922: “Lynching...is a denial of everything that America stands for and represents the basest and most abhorrent form of anarchy. We call upon you to help wipe this disgrace to our country by using every legitimate means.” “I agree with you absolutely that lynching is a relic of barbarism,” Senate William Borah replied, “and I stand ready to do anything which will effectively deal with it...if you can find a leading lawyer in New York City who will cite me to the constitutional provisions.” Borah – one of the crucial votes on Judiciary – was not buying the constitutionality argument.¹⁰⁰⁰

Throughout late 1921 and early 1922, the NAACP and other progressives bombarded Borah with arguments to help change his mind. James Weldon Johnson sent along the NAACP’s recent report on “Thirty Years of Lynching in the United States,” and offered to put Borah in

⁹⁹⁹ Ibid, Dray, 266. “The Dyer Bill in the Senate,” *The Crisis*, April 1922 (Vol. 23, No. 6), 248. “The Dyer Bill in the Senate,” *The Crisis*, April 1922 (Vol. 23, No. 6), 248. Among the 119 no votes were four future Speakers of the House: John Nance Garner of Texas, Joseph Byrns of Tennessee, William Bankhead of Alabama, and Sam Rayburn of Texas. *Black Americans in Congress*.

¹⁰⁰⁰ Heywood Broun to William Borah, May 18, 1922. Borah to Heywood Broun, May 18, 1922. WJB Box 127: Anti-Lynching Bill.

touch with Congressman Dyer and a number of other legal experts supporting the bill. Moorfield Storey, president of the NAACP and former president of the American Bar Association, sent Borah his brief, based on Justice Brandeis's dissent in the 1920 *Gilbert v. Minnesota* case, arguing that "if the right to free speech is a privilege which belonged to every citizen of the United States even before the Fourteenth Amendment or even the First Amendment, *a fortiori* the rights to life, liberty, and property must be secured to the citizens of the United States."¹⁰⁰¹

Dora Ogan, President of the Women's Republican Club, also shared her "surprise and disappointment" with Borah at his stance. "I cannot believe that senators of the United States will so stultify themselves," she wrote the Senator, "and at the same time assume responsibility for the continuance of the inhuman orgies of lynching. That the government of a civilized nation should deliberate as to whether it will or will not continue to torture, and burn at the stake, its men and WOMEN citizens is a spectacle to which the world will point with horrified amazement... Sodom and Gomorrah had nothing on the U.S.A. of today." Ernest Gruening, an editor at the *Nation*, alerted Borah in June 1922 that "within the last month, there have been a dozen lynchings including five burnings at the stake... If some form of anti-lynching bill is not passed by this Congress, it is unlikely ever to be, for it is not probable that the Republicans will ever again have so large a majority of both Houses." *The Nation* itself editorialized that "[i]t is the first and most elemental function of a government to protect human life – and no barriers of legalistic quibbling should prevent our abolishing the supreme anachronism of civilization."¹⁰⁰²

¹⁰⁰¹ James Weldon Johnson to William Borah, May 29th, 1922. James Weldon Johnson to William Borah, March 13, 1922. Moorfield Storey to William Borah, May 19th, 1922. WJB Box 127: Anti-Lynching Bill.

¹⁰⁰² Dorah Ogan to William Borah, undated. Ernest Gruening to William Borah, June 2, 1922. WJB Box 127: Anti-Lynching Bill. "The Anti-Lynching Bill," *The Nation*, June 7th, 1922 (Vol. 114, No. 2970), 664. The burnings had occurred in Kirvin, Texas, where three African-Americans were covered in oil and set on fire after a seventeen-year-old white girl was found with her throat slit. Two white men were arrested for the crime the following day, since

True to form, Borah only dug his heels in deeper. “No one wants to deal with this subject, I think, more than I do,” he replied to Gruening, “But I can’t find a shred of principle upon which to hang this measure under the Constitution. I have put a vast amount of time on it during the last six weeks and given it the best there was in me, and I can find no authority whatever for the law.” To an African-American correspondent, Borah argued that passing an unconstitutional bill “will not help your people and...will only add another chapter of insincerity and disgrace to our dealing with the negro question since the war.” To the editor of the *Boston Transcript*, he argued that he did not want “to prostitute my intellectual integrity in trying to pass bills which we have no authority to pass”:

We have reached a point in our constitutional history where we must intelligently consider the proposition of redistributing the power between the State and the national government...I should like to see this great question of whether or not we shall redistribute our powers openly and candidly and intelligently presented to the people. I have no doubt at all that under the Constitution of the United States as it now stands, our attempt to deal with the lynching proposition would be a farce and another exhibition of lawlessness upon the part of Congress without anything gained in the end.¹⁰⁰³

In the end, Borah agreed not to actively stand in the way of the Dyer bill if it could pass the Senate Judiciary Committee without his vote. And so it did, eight to six, with Borah opposing the measure. But, with the constitutionality of the bill still in question, the Dyer Bill needed a powerful shepherd to guide it through the Senate floor, and Borah had already removed himself from consideration.¹⁰⁰⁴

their footprints were all over the crime scene, but they talked their way out of it with the sheriff and quickly left town for good. Dray, 268-269.

¹⁰⁰³ William Borah to Ernest Gruening, May 19, 1922. William Borah to Hayes McKinney, May 22, 1922. William Borah to James T. Williams, June 8, 1922. WJB Box 127: Anti-Lynching Bill. Borah, at one point, even began trafficking in the same smarmy arguments preferred by Hatton Sumners. “The Congressman who votes for a law which he believes to be unconstitutional...are the lawless brothers of those who, under more trying circumstances, take the law into their own hands and join the mob.” When Moorfield Storey asked him to retract the comment, Borah said he did not think “the language I actually used...is spoken offensively...[T]here is nothing more offensive to me, Mr. Story, as a Senator than to have people write and tell me that it is not my business to inquire into the constitutionality of a measure.” William Borah to Moorfield Storey, June 21, 1922. WJB Box 127: Anti-Lynching.

¹⁰⁰⁴ Dray, 268.

When asked by Walter White, Senator Hiram Johnson affirmed that he insisted “upon the enforcement of the law and abhor its violation. There is no worse blot on our civilization than mob violence and lynching.” As such, he was “very glad to do what lies in my power in behalf of this measure.” But Hiram Johnson – who had called African-Americans a “shiftless and stupid set” in private and written “that perhaps our idea of the...brotherhood of man as applied to our citizens of African descent may be a little wrong” – was not particularly active in guiding the bill either. George Norris was generally progressive on issues of race relations. “There are good and bad people in all races,” Norris said in 1922, “and there is as much sense in torturing one race as there would be in persecuting people with red hair, or every one with blue eyes.” But while averse to lynching, Norris hadn’t even formed an opinion on the Dyer legislation – He was waiting for it to come to a vote. So eventually, the NAACP turned to the Senate Majority Leader, Henry Cabot Lodge, and reminded him that Republicans had relied on the black vote in its corner for sixty years now. Congressman Dyer even took an unprecedented trip to Massachusetts to call for the defeat of his party colleague if the anti-lynching bill did not pass.¹⁰⁰⁵

When Senate debate opened on the bill on September 21, 1922, however, the introducer was not Henry Cabot Lodge but Senator Samuel Shortridge of California, a new member of the Senate almost completely unversed in procedural warfare. “My heart sank as I thought of the gap between a Borah and a Shortridge,” James Weldon Johnson later remembered. Very quickly, Senate Democrats left the chamber en masse, then called for a quorum which no longer existed – effectively shunting the bill until after the midterm elections. The sheer ineptitude of Shortridge, Johnson and others surmised, meant that the fix against the bill was in.¹⁰⁰⁶

¹⁰⁰⁵ “Senator Hiram Johnson,” *The Crisis*, September 1922 (Vol. 24, No. 5), 216-217. Ashby, 249-250. Greenbaum, 34. Dray, 266-267.

¹⁰⁰⁶ Dray, 269.

Nonetheless, in November 1922, supporters of the bill made the full-court press on behalf of the Dyer bill. A petition signed by 24 governors, 39 mayors, 47 lawyers and judges, 88 bishops, 29 college presidents and countless other prominent names was delivered to the Senate. In the meantime, the NAACP and the Anti-Lynching Crusaders, a women's organization founded by activist Mary Talbert in 1922, also embarked on a widespread advertising campaign denouncing lynching as "The Shame of America" and urging readers to contact their senators immediately for passage of the Dyer bill. "Do you know that the United States is the Only Land on Earth where human beings are Burned At the Stake?" it informed the over two million readers of eleven separate papers, including the *New York Times*, *New York World*, *Chicago Daily News*, *Washington Star*, *Cleveland Plain Dealer*, and *Atlanta Constitution*. "In Four Years, 1918-1921, Twenty-Eight People were Publicly BURNED BY AMERICAN MOBS. 3436 People Lynched 1889 to 1922." The "Shame of America" ads also noted that only 17% of lynchings occurred after an accused rape, and that "88 Women Have Been Lynched in the United States and the Lynchers Go Unpunished." The two organizations – calling this "the most amazing advertisement ever paid for and printed in any newspaper" – paid close to \$7000 on the campaign.¹⁰⁰⁷

On November 27th, 1922, the Dyer bill again came to the floor, whereupon it was immediately greeted by a Senate filibuster led by Minority Leader Oscar Underwood of Alabama. "I now inform you," Underwood told the *New York Evening Globe*, "that this bill is not going to become law at this session of Congress." The Republicans, meanwhile, scarcely

¹⁰⁰⁷ Dray, 269-270. Angelica Mungarro, "How did Black Women Promote the Dyer Anti-Lynching Bill, 1918-1923," *Women and Social Movements in the United States 1600-2000*, February 2002 (<http://womhist.alexanderstreet.com/lynch/intro.htm>). "The Shame of America," *New York Times*, November 23, 1922—American Social History Project. (<http://historymatters.gmu.edu/d/6786>) "Who Checked Lynching," *The Crisis*, February 1925 (Vol. 29, No. 4), 154. "The Cost," *The Crisis*, January 1923 (Vol. 25, No. 3), 106.

seemed to mind. Instead of upping the ante on the filibuster – by forcing Democrats to hold the floor around the clock, for example – the Senate Majority mainly just shrugged. “We cannot pass this bill in this Congress,” Lodge eventually announced, agreeing to pull the bill until the next Congress. When James Weldon Johnson angrily called out Senator Lodge for his lackadaisical response to the filibuster, Lodge just as angrily responded that he never promised to get the bill through a filibuster in the first place. Either way, the Dyer Bill was dead in the current Congress. President Harding’s secretary, George Christian, wrote Johnson soon after the defeat, hoping “that our colored citizens will justly place the responsibility for this where it belongs, to wit, upon the Democratic minority.”¹⁰⁰⁸

W.E.B. Du Bois and the NAACP were beside themselves. “The Republicans did not try to pass the Dyer bill,” he wrote in *The Crisis* of January 1923. “The Republicans never intended to pass the Dyer bill, unless they could do so without a fight, and without appearing publicly to defend the rights of the Negro race.” The defeat of the legislation, Du Bois argued, represented an indictment of “that century-old attempt at government of, by, and for the people which today stands before the world convicted of failure...It is the failure and the disgrace of the white people of the United States.” And there would be consequences. Granted it was the Democrats who, in the end, had “lynched the anti-lynching bill.” Nevertheless, “[i]n the next two years, the Republican party expects us to forget that they have failed and deceived us; but if we Black voters, male and female, forget what the Republican party did to the Dyer bill, we deserve disfranchisement now and forever.”¹⁰⁰⁹

¹⁰⁰⁸ Dray, 271-272. George Christian to James Weldon Johnson, December 8, 1922. NAACP Papers, Library of Congress. Reprinted at http://www.digitalhistory.uh.edu/learning_history/lynching/harding_secretary.cfm

¹⁰⁰⁹ “Intentions,” “Loss,” “Gain,” “The Democrats” *The Crisis*, January 1923 (Vol. 25, No. 3), 103-105.

As if on cue, the first day of January 1923 saw another large-scale racial incident begin in the small community of Rosewood, Florida, which was home to twenty-five to thirty African-American families, or around 350 people. That day, Fannie Taylor, a 22-year-old woman in the nearby white community of Sumner, reported being beaten by a black man. (Other eyewitnesses had seen a white man, who was not her husband James, enter the Taylor home that morning.) As word spread through Sumner of the incident, a possible suspect was named in Jesse Hunter, a black convict who had recently escaped a chain gang and was rumored to have fled toward Rosewood. Soon enough, a bloodthirsty white posse had formed up and, by the evening of New Year's Day, they had committed their first murder in Sam Carter, a local blacksmith who admitted under duress to helping a fugitive escape. (Whether that fugitive was Jesse Hunter or Fannie Taylor's white lover, a fellow Mason, depends on who is telling the story.)¹⁰¹⁰

For the next two days, this white posse scoured the Rosewood area for Jesse Hunter. Among their travels they met Sylvester Carrier, a black man who refused to leave Rosewood when ordered to do so. Sensing trouble, Sylvester encouraged members of the community to gather at his mother Sarah's two-story residence. There, on January 4th, a fire broke out between whites still searching for Jesse Hunter and 25-30 African Americans barricaded in the Carrier home, lasting until early into the morning of January 5th and leaving two white men and both Sylvester and Sarah Carrier dead. As word spread, hundreds of whites from surrounding communities descended on Rosewood, setting fire to the village and murdering at least three more African-Americans on the way. On Saturday, January 6th, many of the African-American families of Rosewood managed to escape via train, never to return. On Sunday, January 7th, whites burned the entire town – three churches, a school, a Masonic Hall, dozens of homes – to

¹⁰¹⁰ Maxine Jones *et al*, "A Documented History of the Incident Which Occurred at Rosewood, Florida in 1923," Florida Board of Regents, 1993. (<http://www.displaysforschools.com/rosewoodrp.html>)

the ground. The official death toll was six blacks and two whites, although rumors linger of many more fatalities occurring. With the exception of one home and one general store owned by John Wright, a white merchant in town (who, unbeknownst to the marauders, had helped many of the African-American families escape), the town of Rosewood, Florida effectively ceased to exist.¹⁰¹¹

The Dyer Anti-Lynching bill would be introduced in the next few Congresses. “Practically everyone,” Du Bois wrote in October 1923, “recognizes now that the Congress has the power, by appropriate legislation, to enforce that part of the 14th Amendment of the Constitution of the United States, which says that no State ‘shall deny to any person within its jurisdiction the equal protection of its law.’ Our right to do this...is the same upon which we acted in providing a law for the enforcement of the 18th Amendment.” But never again, despite the best efforts of the NAACP, would it even pass the House.¹⁰¹²

Nonetheless, Du Bois thought the failed campaign still had some effect on public opinion, even in the South. When the number of lynchings in America dropped from 64 in 1921 and 60 in 1922 to 28 in 1923 and 16 in 1924, Du Bois – with the caveat that “probably hundreds of other lynchings have never been reported” – argued that “the NAACP with the Dyer bill put the fear of God into the Southern mob and drove the logic of the lynching disgrace out of the head of the civilized South.” This was not a solution, he emphasized. “Lynching is not yet stopped. It is simply curbed temporarily. Nothing will stop it but federal law. The Dyer bill must pass.” But as a legislative priority, even as the NAACP continued to support the bill and draw

¹⁰¹¹ Ibid.

¹⁰¹² “Fourteenth Annual Convention,” *The Crisis*, October 1923 (Vol. 26, No. 6), 260.

attention to lynchings as they happened, the issue was effectively tabled in Congress for decades.¹⁰¹³

As for the constitutional consternation of Senator Borah, Du Bois was not quite ready to let that betrayal drop. In August of 1926, Du Bois published an open letter to Borah asking why the Idaho Senator had apparently made a speech opposing the Thirteenth, Fourteenth, and Fifteenth Amendments. “Personally,” wrote DuBois, “I am unable to conceive that a man of your breadth and knowledge of world events and sympathy with the struggling classes can except from your sympathy the twelve million Negroes of the United States.” In reply – also published in *The Crisis* – Borah said he “had said nothing about the thirteenth amendment,” which had ended slavery. “[H]ad I been speaking of it at all, I should have said it was altogether the right and noble thing to do.” In a subsequent article, Borah argued that passing the fifteenth amendment, giving African-Americans the right to vote, “at the time it was written was a mistake. It came before the hot passions of the Civil War had cooled.” Instead, Borah argued, the country should have followed Lincoln’s notion, voiced just before his assassination, of granting the vote to “the very intelligent and those who served our cause as soldiers.” By “educating and preparing the Negro for his new duties and responsibilities in citizenship,” this policy “would have been better for all concerned, for the white and the black and for the whole country.”¹⁰¹⁴

“[A]ll of this is a discussion of history,” Borah clarified. “The Negro has made great progress, all things considered, during the last fifty years:

¹⁰¹³ “Who Checked Lynching,” *The Crisis*, February 1925 (Vol. 29, No. 4), 154. With the exception of the aberrational year of 1926, the number of lynchings in America continued to decline through the Twenties. “There is no doubt” the 34 lynchings in 1926, Du Bois argued, was due to “the fear of the Dyer bill” being “removed from the minds of the murderers. This is but a louder call for Federal legislation.” “Lynching,” *The Crisis*, February 1927 (Vol. 33, No. 4), 180.

¹⁰¹⁴ “Borah,” *The Crisis*, August 1926 (Vol. 23, No. 4), 166. William Borah, “Negro Suffrage,” *The Crisis*, January, 1927, 132-133.

He is particularly entitled to credit for, amid all his adverse circumstances...[showing] little, or no inclination to join with those political sects which rail at constitutional government...

It was an almost insuperable task imposed upon the South but, considering all things, I believe the South has acted quite as well with the Negro as the North. We have been just as intolerant as the South. We have employed the mob also. We have played politics with the Negro... We should seek to secure rights and justice to the Negro. But I would do so in recognition of the real facts rather than upon the basis of political expediency and at the expense of the physical and moral advancement of the Negro...

This is a problem of great national interest and can only be satisfactorily solved by complete cooperation between the North and the South. Such bills as...the Dyer Anti-lynching bill were and are founded upon a wholly false theory.”¹⁰¹⁵

In a separate editorial, Du Bois pushed back against Borah’s argument, pointing out correctly “that it was the black voter” in the Reconstruction period “that gave the South the public school, democratic government and the beginnings of modern legislation for social uplift.” Nonetheless, Borah’s thoughts on the Reconstruction amendments suggest that the Senator’s views on the constitutionality of the Dyer anti-lynching bill were at least partially infused with an undercurrent of racism and condescension. As Walter White put it, he could never understand “the extraordinary attitudes of several Western senators who were regarded as liberals on economic questions but who have been among the most injurious to the Negroes’ cause.” Borah’s position rankled even further in the late Twenties, when he not only became an outspoken advocate of Prohibition, which relied on an expansive definition of federal power, but seemed to suggest to confidants, with an eye to the 1928 presidential race, that he was glad his stance on the Dyer bill had enhanced his support among Southern whites.¹⁰¹⁶

In any event, with the legislative door apparently closed, the NAACP instead turned to the courts to achieve progress in race relations. The primary architect of desegregation, Charles Hamilton Houston, and his legal lieutenants Thurgood Marshall and Oliver Hill would not join

¹⁰¹⁵ William Borah, “Negro Suffrage,” *The Crisis*, January, 1927, 132-133.

¹⁰¹⁶ “The War Amendments,” *The Crisis*, January, 1927, 127-128. Ashby, 245-246, 250, 254-255.

the organization or begin their long march to *Brown v. Board of Education* until the 1930s. But the NAACP did score significant legal victories in 1925 and 1926 with the successful defense of Dr. Ossian Sweet, an African-American doctor in Detroit, and his brother Henry, on charges of murder.

In May 1925, Ossian Sweet, a young doctor working at the local black hospital, and his wife Gladys bought a house on the corner of Garland and Charlevoix avenues in Detroit, in what was then a predominantly white neighborhood. They moved into their new home in September, at which point, their new white neighbors went right to work. After receiving abusive and threatening phone calls that included death threats, Ossian left his young daughter at his mother's house, then organized a dinner party the next night with several friends. That evening, a large crowd of whites gathered outside the Sweet residence and began throwing rocks and bricks. From an upstairs window, Ossian's younger brother Henry Sweet and others opened fire, killing one white man, Leon Breiner, and wounding another. The police soon showed up and arrested everyone in the house.¹⁰¹⁷

Dr. Ossian Sweet had expected trouble. As a child in Florida, he had witnessed both the burning alive of a black teenager and the chilling, glad-handing behavior of the white crowd after the deed. As a student at Howard University, he had seen the violence of the 1919 Washington DC race riot up close. As a newlywed studying in Paris, he had raged as the American Hospital, to whom he had made a sizable donation, refused to admit his wife Gladys when their baby was due. And as a new homeowner, Sweet had read of another black doctor in Detroit, Alexander Turner, who had been forcibly expelled from his new home by a white mob in June 1925. So,

¹⁰¹⁷ Dray, 283-284.

when the inevitable harassing phone calls began, Dr. Sweet had not moved his furniture into his new home. He had brought guns. “I have to die a man or live a coward,” he had told his brother Otis before making the move.¹⁰¹⁸

At the time, the NAACP’s Walter White and James Weldon Johnson were looking to make more headway against housing discrimination and restrictive covenants, and the Sweet case seemed like a promising avenue in that regard. In order to have a white face to lead the defense, the organization went to the most famous criminal defense lawyer in America, who had just recently even further embellished his name squaring against William Jennings Bryan in Dayton, Tennessee. A longtime civil rights advocate whom even as unsparing a critic as DuBois thought “absolutely lacking in racial consciousness,” Clarence Darrow took the case right away. He soon arrived in Detroit with Arthur Garfield Hays of the ACLU in tow. The Sweets were also fortunate in the judge assigned to the case, future Governor and Supreme Court Justice Frank Murphy, who would write a memorable dissent to the *Korematsu* decision legitimating Japanese internment during World War II. In his own way, Judge Murphy – who thought Darrow was “the most Christ-like man I have ever known” and that seeing him defend the Sweets was the “greatest experience of my life” – would be as favorable to the defense as Judge Thayer had been to the prosecution over in Dedham, Massachusetts, allowing Darrow the latitude to put on another of his great performances.¹⁰¹⁹

Going laboriously over Dr. Sweet’s previous traumatic experiences, Darrow used the trial to indict the culture of fear that rampant and unchecked lynching had produced. “What did he do

¹⁰¹⁸ Dray, 287-290.

¹⁰¹⁹ Dray, 286-287. Doug Linder, “Melting Hearts of Stone: Clarence Darrow and the Sweet Trials,” *Famous American Trials: The Sweet Trial* (<http://law2.umkc.edu/faculty/projects/ftrials/trialheroes/Darrowmelting.html>)

it for, gentlemen?” Darrow asked the jury in his closing summation. “Were you born yesterday or does the State think you were born yesterday? Why did he do it? He did it because he knew that the infinite forces of the universe had painted his face black; he did it because he knew that the white man hated him although they would let him work. That is why he did it. I don’t need any argument for that, and I don’t need any evidence for it, and you know it.” Warming to his theme, Darrow concluded:

Any reason to expect trouble? Yes. Imagine your face is black, would you have expected trouble? Why, why? He is an intelligent man, he knew the history of his race, he knew that looking back to the terrible years that have marked their history he could see his answer; loaded like sardines in a box in the mid-decks of steamers and brought forcibly from their African homes, half of them dying in the voyage; he knew they were sold like chattels as slaves and were compelled to work without pay; he knew that families were separated when it paid the master to sell them; he knew that even after he had got liberty under the Constitution and the law, he knew that the bodies of dead Negroes were hanging from the limbs of trees of every state in the Union where they had been killed by the mob; he knew that in every state of the Union telegraph poles had been decorated by the bodies of Negroes dangling to ropes on account of race hatred and nothing else; he knew they had been tied to stakes in free America and a fire built around living human beings until they roasted to death; he knew they had been driven from their homes in the north and in great cities and here in Detroit, and he was there not only to defend himself and his home and his friends, but to stand for the integrity and independence of the abused race to which he belonged, and I say, gentlemen, you may send him to prison if you like, but you will only crown him as a hero who fought a brave fight against fearful odds, a fight for the right, for justice, for freedom, and his name will live and be honored when most of us are forgotten.¹⁰²⁰

Whether it was due to Darrow’s silver tongue or not, the jury in the Sweet case deadlocked, and Judge Murphy was forced to call a mistrial. The following May, defending Henry Sweet, Darrow covered the same territory in similarly lyrical terms. “I believe the life of the Negro race has been a life of tragedy, of injustice, of oppression,” Darrow said at the end of his eloquent eight-hour summation. “The law had made him equal – but man has not. And after all, the last analysis is what man has done. Gentlemen...Not one of their color sits on this jury. Their fate is in the hands of twelve whites. Their eyes are fixed on you, their hearts go out to

¹⁰²⁰ “Closing Argument of Clarence Darrow in the Case of People v. Ossian Sweet,” November 24-25, 1925. (<http://law2.umkc.edu/faculty/projects/ftrials/sweet/Darrowsumm1.html>)

you, and their hopes hang on your verdict. I ask you on behalf of the defendant, on behalf of this great state and this great city which must face this problem and face it squarely, I ask you in the name of progress and of the human race to return a verdict of not guilty.”¹⁰²¹

This time, the jury complied, and Henry Sweet was acquitted by a jury of twelve white men. Darrow’s summation, which moved James Weldon Johnson to tears, would be distributed across the country by the NAACP. Johnson called it ““the most dramatic court trial involving the fundamental rights of the Negro in his whole history in this country,” while poet Langston Hughes deemed Darrow’s closing argument “one of the greatest in the history of American jurisprudence.” *The Nation* thought the trial “probably the fairest ever accorded a Negro in this country.” From his jail cell in Charlestown, Massachusetts, Bartolomeo Vanzetti thought the acquittal showed the capability of change. “Darrow said... ‘if you have progressed a little, you shall acquit these Negroes. And the jury acquitted them.’”¹⁰²²

The Sweet trial was more than just a rhetorical victory. Henry Sweet’s acquittal, recalled Walter White in his memoirs, “broke the wave of attacks on the homes of Negroes, and there have fortunately been only a few isolated instances of this type of mob violence in the years since the Sweet case.” If the doors of Congress were closed to change, then, the Sweet trial illustrated, the NAACP could still make some headway in the courts.¹⁰²³

¹⁰²¹ Dray, 292. “Closing Argument of Clarence Darrow in the Case of People v. Henry Sweet,” May 11, 1926. (<http://law2.umkc.edu/faculty/projects/ftrials/sweet/darrowsummation.html>)

¹⁰²² Dray, 292. James Weldon Johnson, “Detroit,” *The Crisis*, July 1926. Linder.

¹⁰²³ Walter White, *A Man Called White: The Autobiography of Walter White* (Athens: University of Georgia Press, 1995), 79. Unfortunately, the end of the story was not as happy for Dr. Sweet. His infant daughter died from tuberculosis soon after the trial. Gladys would perish from the same disease in 1928, at the age of 27. In March 1960, at the age of 65, Dr. Sweet would kill himself with a shot to the head. Patricia Zacharias, “I Have to Die a Man or Live a Coward – The Saga of Dr. Ossian Sweet,” *The Detroit News*, February 12, 2001.

The Right to Organize

Just as civil liberties violations during the Red Scare had gone hand in hand, more often than not, with labor repression, the American Civil Liberties Union – the Union part was not accidental – aimed in the Twenties to protect the rights of labor as well as the rights of dissidents. In fact, after leaving prison for refusing the draft in July 1919, Baldwin had promptly joined the Wobblies and spent several months working his fingers to the bone in various hard jobs around the country. (When discussing this period later in life, Baldwin would cite one of Clarence Darrow’s more memorable maxims: “I am a friend of the working man, and I’d rather be his friend than be one.”)¹⁰²⁴

This experience – not to mention seeing the NCLB’s offices raided soon after publishing *The Truth About the I.W.W* – cemented to Baldwin that the right to free speech and the right to organize were fundamentally inseparable. “Whether the industrial struggle will be waged without resort to violence,” he wrote in 1923, “depends entirely upon how far the right of agitation of new ideas can be won and held by the militant forces of labor and their allies.” That right of agitation, in the 1920’s, would be under constant threat. “The effort to suppress workers’ organization,” wrote *The New Republic* in 1926, “is one of the most profoundly demoralizing tendencies in the United States of our generation.” And while the immediate post-war period is remembered as a more fertile period for labor unrest, the 1920’s would in fact see major and often violent coal, textile, and railroad strikes – so much so that, in 1922, Secretary of Labor James Davis feared the nation was “on the verge of industrial collapse.” “The days are most trying,” First Lady confided to her journal that same year, “and I have not made up my mind that

¹⁰²⁴ Cottrell, 100-110. Baldwin referenced the Darrow joke in a September 1974 remembrance of James Cannon. <http://www.spartacus.schoolnet.co.uk/USAbaldwinR.htm>

the days of the war had no harder problems to meet than the present time.” In all of these uprisings, the ACLU and other progressive civil libertarians would play a hand.¹⁰²⁵

Within weeks of its January 1920 formation, the ACLU dispatched several organizers and a freelance journalist, John L. Spivak, into the unfriendly terrain of Appalachian coal country to help miners there organize under the auspices of the United Mine Workers. Overworked in a backbreaking job and often paid in scrip, these miners were ripe for unionization, especially after they missed out on the 27-cent wage increase negotiated to end the 1919 coal strike. The UMW was equally eager to unionize them, since non-union mines that continued to produce coal had eroded the union’s bargaining position during that coal strike. As such, John L. Lewis sent along his best men and women, including the venerable Mother Jones, to organize the Tug River valley along the border of West Virginia and Kentucky.¹⁰²⁶

By mid-May, the UMW had succeeded in organizing around 3000 miners in the coal-producing counties. But standing athwart their attempts were the mine operators and their hired army, the Baldwin-Felts Detective Agency. Soon, operators began firing miners who held a union card and forcibly evicting them and their families from company housing. In short, conditions on the ground were ugly. Do not be “under the impression that there is some semblance of legal procedure here,” Spivak warned Baldwin in his report. “There is not. You can’t hold a meeting here, get pinched and then fight it out in the courts...[Y]ou’ll never live to see the courts...The state is on the verge of civil war, due to the suppression of the Constitutional

¹⁰²⁵ Murphy, *The Meaning of Freedom of Speech*, 133, 137-138. “Passaic – A Social Waste,” *The New Republic*, May 5, 1926, 316. Robert H. Zieger, *Republicans and Labor: 1919-1929* (Lexington: University of Kentucky Press, 1969), 109.

¹⁰²⁶ Murphy, *The Meaning of Freedom of Speech*, 138-139. Lon Savage, *Thunder in the Mountains: The West Virginia Mine War, 1920-1921* (Pittsburgh: University of Pennsylvania Press, 1990), 14.

rights of free speech and free assemblage. That's where you come in – or are rather are supposed to come in, for the Union, besides sending me down, has *not* come in.”¹⁰²⁷

The truth of Spivak's words became clear on May 19th, 1920, when a deadly firefight erupted in the town of Matewan, West Virginia. That morning, Baldwin-Felts detectives – among them Albert and Lee Felts, younger brothers to founding partner Thomas Felts – arrived in Matewan to evict miners from a nearby camp owned by the Red Jacket Coal Company. On the way back to the train station after this deed, the Baldwin-Felts boys were stopped by the chief of police Sid Hatfield, who sided with the miners. (The Felts had tried to buy off Hatfield earlier to the tune of \$300, but the sheriff – who bragged of being a descendant of *those* Hatfields – was not for sale.) Sheriff Hatfield told the detectives that their agency had no authority for these actions, and that he held a warrant for Felts' arrest. Albert Felts pulled out his own warrant for Hatfield's arrest, and as words were exchanged, Mayor Cabell Testerman – who supported Hatfield and the strikers – stepped in to defuse the situation. Surrounding this increasingly escalating episode were a contingent of armed miners, there to back Hatfield and get the interlopers out of Matewan. Eventually, shots were fired, and within two minutes, ten men lay dead, including Mayor Testerman, two miners and seven Baldwin-Felts operatives, among them Albert and Lee Felts.¹⁰²⁸

One man who survived the carnage of Matewan was the 27-year-old Sheriff Hatfield, who, already well-liked, now became an instant folk hero. Miners spoke of “Two-Gun Sid,” the “Terror of the Tug,” the man who had stood up to the mining interests and not only walked out

¹⁰²⁷ Ibid, 139. Robert Shogan, *The Battle of Blair Mountain: The Story of America's Largest Labor Uprising* (Boulder: Westview Press, 2004), 46-47, 66-67.

¹⁰²⁸ Robert Michael Smith, *From Blackjacks to Briefcases: A History of Commercialized Strikebreaking* (Athens: Ohio University Press, 2003), 31-32. Savage, 19-21. Seven years earlier, Albert Felts had been one of the hired guns for management that precipitated the 1914 Ludlow Massacre in Colorado.

unscathed, but killed two Felts for good measure. While the ACLU tried unsuccessfully to secure assistance for the miners from state or federal authorities, the UMW made a silent film about “Smilin’ Sid” – mainly Hatfield walking around the mining camps and looking like a leader – which was then shown at recruiting drives. Thousands more miners answered the call, including 90% of the nearby Stone Mountain Coal Company, swelling the number of union miners to 6000 and giving the UMW enough leverage to declare a coal strike in the region on July 1st, 1920. At which point, what had begun in a firefight became a protracted war.¹⁰²⁹

When UMW officials called for the same 27-cent increase enjoyed by miners on the other side of the state, coal operators in the Tug Valley turned a strike into a lockout, quickly replacing the strikers with immigrant and African-American labor. Even though the strike would effectively stop coal production in the area over the summer and last two full years, the mines were running back at normal efficiency by the end of 1920. In the meantime, 3000 miners, their movements sharply circumscribed by state police, lived in a ramshackle tent city, relying on food from the UMW. Violence flared up routinely between the sides, as in August 1920 when a three-hour firefight resulted in seven more deaths and dozens injured – prompting Woodrow Wilson, against the protests of the ACLU, to send in federal troops that would remain in the area until February 1921. That July, union official Frank Keeney stated that there had been over one hundred deaths since the strike began.¹⁰³⁰

In January 1921, once the streets had been cleared of miners and Baldwin-Felts agents spoiling for a fight, the trial of Sid Hatfield for the Matewan massacre deaths began in nearby

¹⁰²⁹ Savage, 50. Murphy, *Meaning of Freedom of Speech*, 139. Smith, *From Blackjacks to Briefcases*, 31-32. “Matewan: Bloody Showdown on the Road to Union Rights,” *American Postal Worker Magazine*, May/June 2010.

¹⁰³⁰ Murphy, *Freedom of Speech*, 140-141. Otis K. Rice and Stephen W. Brown, *West Virginia: A History* (Lexington: University of Kentucky Press, 1993), 231.

Williamson, West Virginia. The UMW organized the defense, while Roger Baldwin and the ACLU conducted publicity for the trial – but neither was particularly needed. Still a folk hero in the region, Hatfield was acquitted by a jury of his (admiring or frightened) peers in March 1921, after a nine week trial. Thomas Felts, still seething after the death of his two brothers, vowed vengeance on the young sheriff. Four months later, Hatfield and his friend Ed Chambers were told to report to a different courthouse in Welch, West Virginia to answer to separate violence-related charges. There, on August 1st, 1921, Hatfield and Chambers, climbing the courthouse stairs with their wives in tow, were gunned down by assassins.¹⁰³¹

The murders of Hatfield and Chambers further inflamed a situation that was already spiraling out of control. In May 1921, union forces had surrounded and besieged strikebreakers in the town of Merrimack, who eventually began firing back. After this “Three Days Battle,” which resulted in an estimated twenty deaths per side, Ephraim Morgan, the new Governor of West Virginia, declared martial law in Mingo County on the first anniversary of the Matewan massacre. Morgan then began using state police and deputized private agents to break up potential union meetings, halt distribution of the UMW’s newspaper, *The West Virginia Federationist*, and arrest any troublemakers. Two months later, on July 8, 1921, state police raided the union’s main office and arrested the UMW officials there for unlawful assemblage. The ACLU promptly protested these arrests and, expecting no favorable reply from Harding, urged the Senate to look into the situation.¹⁰³²

With the assassination of Hatfield, meanwhile, talk began circulating among the miners of a march on nearby Logan County, where the sheriff, Don Claflin, was as anti-union as

¹⁰³¹ Smith, *From Blackjacks to Briefcases*, 33-35. Murphy, *Freedom of Speech*, 139-140.

¹⁰³² Ibid. Shogan, 117, 123.

Hatfield had been pro-miner. (It helped that he was on retainer from the Logan Coal Operators Association.) Fearing a bloodbath, 91-year-old Mother Jones urged the miners to stand down, claiming she had a telegram from President Harding decreeing “that my good offices will be used to forever eliminate the gunmen system from the state of West Virginia.” But her gambit was exposed within hours by a telegram to Harding’s secretary at the White House, and Mother Jones – deemed a “sellout” and a “traitor” by the angry miners – was sidelined. She promptly left West Virginia for Washington to try to stave off federal intervention instead.¹⁰³³

On August 24th, a contingent of over 10,000 miners, wearing red bandannas and, often, uniforms from the World War, began a 65-mile march toward Logan. There, Sheriff Claflin – promising that “no armed mob will cross the Logan county line” – had deputized a private army of around 3000 strikebreakers, all of whom were now strategically deployed around Blair Mountain along the path of the march. He also had at his disposal cars, machine guns, landmines, and reconnaissance biplanes to monitor the marchers as they drew near. The board was set for what would become known as the Battle of Blair Mountain, the largest armed labor conflict in American history.¹⁰³⁴

Hoping to prevent a catastrophe and warning of miners “inflamed and irritated by speeches of radical officers and leaders,” Governor Morgan implored President Harding to send 1000 federal troops and aircraft to defuse the situation. Harding and Secretary of War John Weeks instead sent Brigadier General Harry Bandholtz to West Virginia, who promptly met with union leaders Frank Keeney and Fred Mooney and warned them to stop the attack. Meanwhile, the War Department also sent General William “Billy” Mitchell to Kanawaha Field near

¹⁰³³ Shogan, 170-171, 178.

¹⁰³⁴ “The Battle of Blair Mountain,” *American Postal Worker Magazine*, May/June 2010. Shogan, 167.

Charleston, West Virginia in case air operations were needed. At the time, Mitchell was working hard to make the case for a strong national air force, and he saw a potential test case in the Blair Mountain situation. “All this could be left to the air service,” Mitchell told the press, “[i]f I can get orders I can move in the necessary forces in three hours.” His plan? Mustard gas. “You’d understand we wouldn’t try to kill people at first. We’d drop gas all over the place. If they refused to disperse then we’d open up with artillery preparation and everything.”¹⁰³⁵

While Mitchell plotted his dramatic air raid, Keeney and Mooney finally caught up with the main pack of marchers and told them about Bandholtz’s threat of federal intervention. Once it was determined that this particular telegram, unlike Mother Jones’s earlier missive, was real – one of the miners had fortunately happened to serve under Bandholtz in the Philippine War – the miners decided to stand down. “Boys, we can’t fight Uncle Sam, you know that as well as I do,” one union man noted. And, so, on Saturday, August 27th, the miners broke off their march and began to head back.¹⁰³⁶

Sheriff Claflin was still spoiling for a fight, however, and on that same day, he sent a contingent of deputies to the nearby town of Clothier to arrest a group of union men there. A firefight soon erupted that claimed two lives and, by the following day, rumors of a bloodbath in Clothier had become a *casus belli*. As marchers turned back around and started heading for Logan again and Claflin’s anti-union forces – now wearing white armbands to differentiate themselves from the red bandannas – were buttressed by volunteers organized by the American Legion, Governor Morgan frantically wired the White House for aid. On Tuesday, Harding

¹⁰³⁵ Shogan, 175, 179-180.

¹⁰³⁶ Shogan, 180-182.

issued a proclamation calling for “all persons engaged in said unlawful and insurrectionary proceedings to disperse and retire peaceably,” or federal troops would follow.¹⁰³⁷

Over the next several days, Harding’s proclamation would be air-dropped all over the region surrounding Blair Mountain, and mostly ignored. Instead, union forces, estimated at around 9000 strong, attempted several incursions into Chaflin’s defenses around the mountain, mostly to no avail for the same reason the World War had turned into a stalemate of bloody trenches only a few years before – the suppressing fire of defenders’ machine guns discouraged forward progress. Meanwhile, Chaflin’s three biplanes dropped tear gas and pipe bombs on the encroaching miners, although to surprisingly little effect. By Thursday, the Army Air Service was flying over the battles in West Virginia, although, since the bloodthirsty Billy Mitchell had been replaced by the more conservative Major General Charles T. Menoher, the Army restricted their sorties to reconnaissance only. The fighting on the ground continued until Saturday, when 2100 federal troops appeared under the command of Brigadier General Bandholtz to break up the fighting. The precise death toll of the Battle of Blair Mountain was never ascertained, but estimates range between 20 and 50.¹⁰³⁸

“An army of miners,” TNR reported about the incident after the dust had settled, “had learned to believe, from the example of coal operators who employ private gunmen and pay a county \$32,700 a year to help it maintain deputy sheriffs, that the best answer to violence is violence. And this they will continue to believe until the coal operators themselves have been reduced to a state of civilization.” After the Battle, however, the coal operators got the best of the situation. With the union army disbanded, Governor Morgan quickly convened grand juries and

¹⁰³⁷ Shogan, 183-187.

¹⁰³⁸ Shogan, 188-209.

issued indictments against the UMW leadership for treason and conspiracy to riot, among other crimes.¹⁰³⁹

By the time the Senate Education and Labor Committee, under Chairman William Kenyon, finally began looking into the situation in West Virginia, Don Chaflin had disappeared for an extended vacation and the mine wars had begun to taper off. The Committee's final report on the subject was an indecisive document that blamed labor and capital equally for the recent unpleasantness. They were "two determined bodies trying to enforce what they believe are rights, which rights are diametrically opposed to one another, and we have the situation of an irresistible force meeting an immovable body. In such case," the Kenyon Committee concluded, "there can be nothing but trouble." In the months and years to come, even as the ACLU successfully procured acquittals for UMW leaders indicted for treason, operators consolidated their hold over the mines of West Virginia and the strike was, eventually, broken.¹⁰⁴⁰

While the West Virginia coals wars were petering out, the troubles for coal elsewhere around the country were just beginning. As Herbert Hoover put it in his memoirs, "the coal industry was filled with grief, woe, and waste." Overexpansion during the war and the rise of oil and electrical power meant, to Hoover, "too many mines and too many men in the industry." The next campaign began eight months after the Battle of Blair Mountain, in April 1922, as the two-year deal to end the 1919 coal strike was set to expire. Operators – looking to reduce production for the peacetime era – wanted the UMW to accept a 20 percent wage cut. Instead, the Mine Workers called for a nationwide coal strike in both the bituminous and anthracite fields. (Anthracite, or "hard coal," has a higher carbon percentage than the more abundant bituminous,

¹⁰³⁹ *The New Republic*, September 7, 1921 (Vol. XXVIII, No. 353), 28. Murphy, *Freedom of Speech*, 141.

¹⁰⁴⁰ Murphy, *Freedom of Speech*, 141. Shogan, 212.

or “soft coal”. It also burns hotter or cleaner.). Over 400,000 bituminous and 150,000 anthracite coal miners in the US and Canada walked off the job.¹⁰⁴¹

The UMW faced an uphill PR battle in any event, but the union, and labor in general, soon lost an enormous amount of public goodwill after the June 1922 Herrin Massacre, which the *St. Louis Globe-Democrat* deemed “the most brutal and horrifying crime that has ever stained the garment of organized labor.”¹⁰⁴²

The trouble had begun a few months earlier in September, 1921, when a Cornell-trained civil engineer named William Lester, owner of the Southern Illinois Coal Company, purchased a strip mine in the union town of Herrin, Illinois. Opening in November, the mine was yet to turn back a profit by the time the coal strike began in 1922, so Lester – still deeply in debt from the transaction – appealed to local union officials to work out a deal to keep the mine running. It was agreed, possibly on account of money changing hands, that Lester could continue to extract bituminous coal from the mine, so long as he didn’t ship it or sell it. But the strike itself had drastically increased the price of coal, and when Lester discovered he could make a quick \$250,000 from the newly-extracted coal, he broke his word and started selling.¹⁰⁴³

William Lester was playing a dangerous game in a town as heavily unionized as Herrin. But when the local union officials complained, he fired all of his union miners and brought in strikebreakers and private guards to keep the mine running. Even the insult of the broken pledge notwithstanding, miners were worried Lester’s actions would initiate a race to the bottom that would have all the surrounding mines re-staffing with scabs in short order. When miners asked

¹⁰⁴¹ Hoover, 70. Murphy, *Freedom of Speech*, 144. Russell, 537.

¹⁰⁴² Paul M. Angle, *Bloody Williamson: A Chapter in American Lawlessness* (New York: Alfred A. Knopf, 1952), 3

¹⁰⁴³ Angle, 11-12.

the head office what the status of these new strikebreaking workers was, John L. Lewis replied via telegram that “[r]epresentatives of our organization are justified in treating this crowd as an outlaw organization and in viewing its members in the same light as any other strikebreaker.”¹⁰⁴⁴

On June 21st, after reading the Lewis telegram aloud, several hundred miners gathered in Herrin’s cemetery marched on the Lester mine. A firefight ensued, with mine guards killing two union miners and mortally wounding a third before they retreated in to the mine with the strikebreakers. After an all-night siege, the mine superintendent and strikebreakers, realizing they were trapped, raised a white flag the next day and agreed to a truce. But, as the defeated mine employees were being marched to the county line, a second promise was broken. “The only way to free the county of strikebreakers is to kill them all off and stop the breed,” declared one embittered old-timer. “I’ve lost my sleep four or five nights watching these scab sons-of-bitches and I’m going to see them taken care of.”¹⁰⁴⁵

Soon thereafter, the union miners degenerated into a lynch mob. They killed the wounded mine superintendent, C.K. McDowell, first. (“There goes your goddamned superintendent,” one miner boasted. “That’s what we are going to do to you fellows too.”) Then they brought the rest of the prisoners to a barbed wire fence off the beaten path and released them as shooting practice. (“Here’s where you run the gauntlet. Now, damn you, let’s see how fast you can run between here and Chicago, you damn stumblebums!”) As guards and strikebreakers ran like hell, bloodying themselves as they tried to clamber over the barbwire fence, the union men commenced the slaughter. Many were shot to death along the fence, another one was grabbed and lynched. Even making it past the barbed wire was no guarantee of safety. Six of the Lester

¹⁰⁴⁴ Angle, 13-14, 19.

¹⁰⁴⁵ Angle, 21-23, 4-5.

men were captured and told to crawl on hands and knees to Herrin cemetery as children screamed “Scab!” at them. There, before a crowd of roughly two hundred, they were tied together, beaten, tortured, urinated upon, and eventually had their throats slit. When one man begged for water in this final stage of the massacre, a woman with a baby declared, “I’ll see you in Hell before you get any water.” She then stepped down hard on his bloody wound.¹⁰⁴⁶

Counting the three dead union miners, twenty-three were murdered in the Herrin Massacre. In terms of legal and community repercussions, there were few. The funerals of the slain miners were attended by thousands, while the strikebreakers were interred in a potter’s field. Those ultimately tried for the murders were all acquitted by a local jury. A coroner’s jury blamed the murders on “acts direct and indirect of officials of the Southern Illinois Coal Company.”¹⁰⁴⁷

But, in terms of public relations, the Herrin massacre was an absolute disaster. Newspapers across the country called massacre a symphony of “bestial horrors” and an “archdeed of savagery.” President Harding decried the “Herrin butchery.” “No crime ever committed could be more inhuman or revolting in its nature,” thundered a Republican Congressman from West Virginia on the house floor. “I doubt if any German atrocities were perpetrated...that were more horrible, more shocking, more inexcusable than the atrocities of which I just read,” argued Democratic Senator Henry Lee Myers of Montana. This was “anarchy, pure and simple...defiance of all constitutional law and authority.” The National Coal Association spread lurid thirty-eight page pamphlets recounting the massacre all across the country, while the *Chicago Journal of Commerce* began a running count on its front page of

¹⁰⁴⁶ Angle, 6-8.

¹⁰⁴⁷ Angle, 25-29.

“Days Since Herrin.” The Associated Employers of Indianapolis, with a day of the massacre, urged all of its members to write the Governor of Illinois “urging him to afford the fullest possible protection to life and property in the legitimate mining of coal, notwithstanding the miner’s union.”¹⁰⁴⁸

Even notwithstanding the public opprobrium that followed the Herrin massacre, the UMW faced heavy obstacles in their 1922 strike. For one, since work stoppages tended to increase the price of coal in an industry that was grappling with overproduction anyway, the UMW’s strikes did not cause the operators nearly as much grief as they would in normal circumstances. For another, the long-entrenched mine operators enjoyed considerable power in crucial coal-producing states like Pennsylvania – where they held the advantage of being able to deputize a privatized Coal and Iron Police since the end of the Civil War. The operators also had a crucial ally in the president of the United States. Harding originally thought capital’s intransigence brought on the strike, but by the summer of 1922, he sent telegrams to state governors endorsing the use of strikebreakers around the country and promising “the assurance of the prompt and full support of the Federal Government whenever and wherever you find your own agencies of law and order inadequate to meet the situation.” Despite all these obstacles, after five months out, John L. Lewis and the UMW did manage to secure a one-year contract that maintained 1920 wage levels, as well as promises of constructive legislation that would emerge from a newly-formed United States Coal Commission.¹⁰⁴⁹

¹⁰⁴⁸ Russell, 546. Angle, 30-32, 37. Carroll Binder, “Herrin – Murder Trial or Holy Cause?” *The Nation*, October 11, 1922 (Vol. 115, No. 2988), 357-358.

¹⁰⁴⁹ Hoover, 70. Murphy, *Meaning of Freedom of Speech*, 144-147. Ashby, 46. Melvyn Dubosky and Warren Van Tine, *John L. Lewis: A Biography* (Chicago: University of Illinois, 1986), 68-69. Zieger, 127. Russell, 544-545.

Although announced by President Harding in mid-August of 1922, the Coal Commission had originally been the idea of the new Chair of the Senate's Education and Labor Committee, William Borah. (As noted earlier, William Kenyon accepted the federal judgeship that had been offered him to break the power of the Senate farm bloc.) When the strike had first been called, Borah announced that "the government must take over in some way the management and control of the coal fields of the United States." But the Idaho Senator had been a critic of the government control of railroads during the war, and, as he admitted later in the decade, he did not where to find "the constitutional power to do effectively what we want to do." Over in the Commerce Department, Herbert Hoover wanted coal operators to come together in voluntary association to agree on a fair price and handle the problems of production. The Committee of '48, meanwhile, urged Borah and the administration to launch a congressional investigation into depredations by the coal industry. In the end, Borah and Harding both settled upon the usual, time-honored path of least resistance to a tough political problem, and established a bipartisan, seven member commission, chaired by conservative mining engineer John Hays Hammond, to assess the problem and recommend legislation.¹⁰⁵⁰

True to form, the Coal Commission was, in the words of one historian, a "harmless, vaguely constituted, and ultimately almost forgotten body." Its final report, issued a year later, argued that the government should continue investigating the problem. "[I]f no constructive program is to result, if no statute is to be enacted or no legislation and control to be had," Borah said in disgust, "I myself do not care to have any interest in it." Working with the League for Industrial Democracy, a socialist organization, the ACLU took the opportunity of the Commission to create a Committee of Inquiry on Coal and Civil Liberties, which included Father

¹⁰⁵⁰ Ashby, 41-45.

John Ryan, Kate Claghorn, and Zechariah Chafee. The Committee's final report, *The Denial of Civil Liberties in the Coal Fields*, was proffered to the government commission, but had little more than a rhetorical impact on its conclusions.¹⁰⁵¹

Since the Commission was at best a stalling action, coal faced the same industry-wide problems when the one-year contract expired in September 1923, and both signs began gearing up for another wave of strikes, violence, and repression. But, after initiating a strike in August, the UMW caught a lucky break when America's new president, Calvin Coolidge – uneager to grapple with such a political hot potato a year before an election – effectively threw the coal problem into the lap of Pennsylvania's new governor, Gifford Pinchot. (Pinchot had written Coolidge imploring him to take action. The president instead suggested Pinchot act as his mediator, then promised the nation it would all be worked out before the winter.)¹⁰⁵²

Coolidge had created a win-win political situation for himself – either Pinchot managed to solve the seemingly intractable coal crisis, or the blame of failure redounded on the upstart progressive from Pennsylvania. As it happened, Pinchot rose to the occasion and negotiated a deal with operators that included for miners an eight hour day, a ten percent wage increase, and an official recognition of the UMW and the right to bargain collectively. (In return, the UMW abandoned their attempt to automatically deduct union dues from members' wages through a “check-off system.”) The successful deal propelled Pinchot back to national recognition overnight, and scored for the governor a place on the cover of the recently established

¹⁰⁵¹ Ashby, 45. Murphy, *Meaning of Freedom of Speech*, 145.

¹⁰⁵² Murphy, *Meaning of Freedom of Speech*, 147. Miller, *Gifford Pinchot*, 264.

newsmagazine, TIME. To his proud brother Amos, Pinchot was now “the only person in the country that stands a show of taking the nomination away from Coolidge.”¹⁰⁵³

“Uncle Gifford...did a real statesmanlike thing in the matter of the coal strike, a thing that required good nerve and true vision,” Hiram Johnson wrote Harold Ickes after the deal was announced. “[T]he politicians in Washington were laughing in their sleeves, and saying they had handed him a lemon. He did mighty well.” After spending a weekend with the governor and his wife, Ickes reported to Johnson that “Gifford was entirely wise to President Coolidge whom he holds in even less esteem than do you and I...He realized fully that he was being handled a brick that was too hot for those who were holding it. The national administration had a patient on his hands which it preferred to see die in someone else’s hospital. Apparently the settlement of the strike, in the manner which it was settled, hasn’t brought any joy to the national administration.”¹⁰⁵⁴

But one observer who saw Coolidge’s shrewd handoff of the coal situation to Pinchot for what it was was the Sage of Baltimore. “The coal strike was shoved off on Pinchot,” Mencken wrote “who will remain a hero until the coal bills come in, i.e. until about the time the Coolidge campaign really gets under weight.” William Allen White also wrote Pinchot to applaud his “righteous act and...fine service to your country,” but similarly warned the Governor that he “certainly did put the trimmings on your presidential boom if you had any.” “I was pleased beyond words with what you did in every detail, but the country wasn’t,” White explained:

Big newspaper people soft-pedaled it, they didn’t like your wage increase and the eight-hour-day. The country is reactionary – against labor, middle-class conscious. The red-baiters have so

¹⁰⁵³ Ibid. Zieger, 155.

¹⁰⁵⁴ Zieger, 152-156. Ickes to Johnson, and September 24, 1923. HLI Box 33: Hiram Johnson. Johnson to Ickes, October 2, 1923. HLI Box 33: Hiram Johnson.

thoroughly scared the people, with the bogie of Bolshevism, that any public man who takes any public attitude in favor of organized labor, or any other kind of labor as far as that is concerned, does so at his tremendous peril politically. A dozen or fifteen years ago your actions would have made you a heroic figure in American politics. Idealism, altruism, or whatever you want to call it, was on an ascendant wave. Now, the tide is washing out.¹⁰⁵⁵

“I thought we had reached the nadir last year,” White sighed, but “there is no sane, strong progressive undercurrent out here.” Instead, there “is rural rage, and a sort of fascists’ hatred and suspicion and a paralyzing poison of super-national patriotism which responds to the touch of the scoundrel in the Ku Klux Klan, and makes it rather difficult to get ideas of constructive progressive change into the hearts of the folks.”¹⁰⁵⁶

White, as we shall see, had recently been forced to come to terms with the costs of being publicly pro-labor. As for Governor Pinchot, he made a yeoman’s effort during his gubernatorial term to level the playing field for the coal miners’ union, including halving his state’s Coal and Iron Police Force and initiating formal inquiries into continued suppression of civil liberties in the Pennsylvania coal fields. But he and mine laborers were facing a losing battle. Even as John L. Lewis and the UMW, working with Herbert Hoover behind the scenes, agreed to the three-year “Jacksonville agreement” establishing a *détente* in the coal wars in 1924, the open shop gained headway in the coal industry in Pennsylvania and nationwide, and the union began to bleed membership.¹⁰⁵⁷

And when Governor Pinchot was replaced by a Mellon conservative, John S. Fisher, in 1927, the keystone state soon returned to the old ways of doing business with a vengeance. That

¹⁰⁵⁵ Mencken, 70. White to Gifford Pinchot, September 11, 1923. White, *Selected Letters*, 237-238.

¹⁰⁵⁶ Ibid.

¹⁰⁵⁷ Murphy, *Meaning of Freedom of Speech*, 147-148. _Dubosky and Van Tine, 81-82. Zieger, 228-232. Hoover called the Jacksonville agreement, which secured a three-year promise of industrial peace for no drop in wages, “one of the most statesmanlike labor settlements in many years,” while the UMW’s official newspaper said its signing “will go down in history as one of the [UMW’s] red letter days.” Zieger, 232.

year, the Pittsburgh Coal Company, the Bethlehem Mines Corporation, and other powerful Pennsylvania mining businesses broke the Jacksonville agreement, substantially reduced wages, broke off contact with the UMW, and brought in as many as 175,000 strikebreakers from afar, all protected by a newly revived and expanded Coal and Iron Police. Initiating another strike in retaliation, John L. Lewis complained in Pennsylvania of “a reign of terror and intimidation inaugurated that excelled for brutality and lawlessness any union-busting endeavor this nation has witnessed in recent years.”¹⁰⁵⁸

Progressives on the scene agreed. “All day long,” remarked Burton Wheeler after a visit to the fields, “I have listened to heartrending stories of women evicted from their homes by the coal companies. I heard pitiful pleas of little children crying for bread. I stood aghast as I heard most amazing stories from men brutally beaten by private policemen. It has been a shocking and nerve-racking experience.” Congressman Fiorello La Guardia told reporters he had “never seen such thought-out, deliberate cruelty in my life...Imagine, gentlemen, a private army with its private jails, where the miners are unlawfully detained and viciously assaulted!...I have been preaching Americanism as I understand it, where justice and freedom and law and order prevail, but these miners and their families don’t even get a shadow of it.”¹⁰⁵⁹

The savagery in Pennsylvania was brought home to readers of *The Nation* by the February 1929 murder of John Barkoski, a pro-union miner beaten to death by the Coal and Iron Police. When Barkoski died, *The Nation* reported, “his hands were swollen to twice their size from warding off blows, his nose was fractured, his entire rib structure was broken, and his lungs

¹⁰⁵⁸ Ibid. “Labor Unsheathes the Sword,” *The New Republic*, November 30, 1927, 31-33. *The Nation*, February 27th, 1929 (Vol. 128, No. 3321), 243. David Montgomery, *Fall of the House of Labor: The Workplace, the State, and American Labor Activism 1865-1925* (New York: Cambridge University Press, 1991), 408. Dan Rottenberg, *In the Kingdom of Coal: An American Family and the Rock that Changed the World* (New York: Routledge, 2003), 142.

¹⁰⁵⁹ Zinn, *La Guardia in Congress*, 147-148

were punctured in many places.” That much-reported murder, along with calls for a Senate investigation by Hiram Johnson, continued pressure by the ACLU, and especially the return of Governor Pinchot in 1931, would begin to ease the labor wars in Pennsylvania. Nonetheless, the UMW had been thrust back on its heels over the course of the decade. By 1925, the amount of soft coal mined by union workers had dropped from 72 percent in 1919 to 40 percent. The union saw its membership fall from 400,000 in 1919 to under 100,000 in 1928.¹⁰⁶⁰

In the mines of the West, the IWW saw scarcely less violence or more success in the latter half of the decade. A Colorado strike action in 1927 had already garnered national press in part because of nineteen-year-old Amelia Milka Sablich, a.k.a. “Flaming Milka,” a young woman in a red flannel dress who urged the strikers on (“They can’t dig coal with bayonets!”) and been forcibly arrested for her stand. When, in November of that year, six picketing IWW strikers were shot dead and twenty more injured by Colorado state police, what became known as the Columbine Mine Massacre drew further condemnation from across the country.¹⁰⁶¹

The Colorado action would be one of the last gasps of a dying organization. Already grievously wounded by the repression of the Red Scare and its aftermath, including the 1921 flight of founder Big Bill Haywood to Russia, the Industrial Workers of the World saw much of its membership and many of its leading lights, like William Z. Foster, leave for the newly formed Communist Party. In early 1923, the IWW called for a general strike in Los Angeles, and soon 3000 longshoremen had walked off the job and closed down the port. Law enforcement – led by LA police chief Louis Oaks and his “Wobbly Squad” – responded with mass arrests, first of

¹⁰⁶⁰ Zinn, *La Guardia in Congress*, 148. *Nation*, February 27th, 1929 (Vol. 128, No. 3321), 243.

¹⁰⁶¹ Melvyn Dubosky, *We Shall Be All: A History of the International Workers of the World* (Chicago: University of Illinois, 2000), 255-266. Murphy, *Freedom of Speech*, 158-159.

IWW leadership and later of 400 strikers, who were kept in specially constructed “bull pens” to hold them all.¹⁰⁶²

At this point, ACLU member Upton Sinclair and three others got themselves arrested by trying to read a crowd of policemen and prisoners the First Amendment and the Declaration of Independence. (The fourth ACLU man, Hugh Hardyman, only got out “This is a most delightful climate!” before being carried off with the others.) The ACLU immediately filed suit for unlawful arrest, and eventually managed to strike a deal that got Sinclair, his three accessories, and all but 28 of 600 IWW members released without charges. The ensuing media brouhaha also resulted in Chief Oaks being fired and the official establishment of a southern California branch of the ACLU. As for the IWW, a 1924 schism further divided the organization, and by 1928, it was functionally non-existent. At the official convention that year, seven unions sent along a total of eight delegates.¹⁰⁶³

The textile industry also witnessed its share of labor flare-ups in the 1920s. 1924 saw 6000 members of the Associated Silk Workers walk out in Paterson, New Jersey, a textiles town that had seen more than its fair share of strikes and repression over the previous two decades. Soon thereafter, fifty police, nightsticks at the ready, smashed up a meeting of 600 strikers and made eleven arrests, including ACLU head Roger Baldwin. In the ensuing legal fight, the New Jersey Supreme Court reversed the convictions of Baldwin and the others and disputed the relevance of the 1796 unlawful assembly law which police had relied upon.¹⁰⁶⁴

¹⁰⁶² Ibid.

¹⁰⁶³ Dubosky, 266. Murphy, *Freedom of Speech*, 158-159.

¹⁰⁶⁴ Murphy, *Freedom of Speech*, 152-153.

Over a year later, in January of 1926, 16,000 textiles workers in nearby Passaic, New Jersey responded to a ten percent wage cut by striking for, among other things, higher wages, a forty-four hour week, and recognition of their union. Led by Albert Weisbord, a recent Harvard Law graduate, the Passaic strike was the first major labor action organized by the Communist Party, paving the way for later efforts in New Bedford, Massachusetts in 1928 and Gastonia, North Carolina in 1929. And here too law enforcement, under the leadership of Chief Richard Zober, reacted with a heavy hand, including mass arrests, beatings, fire hoses, and tear gas. “Nearly all of the energy and resources of those who are aroused by the plight of the Passaic workers,” commented *The New Republic*, “is absorbed in the struggle for civil liberties. And the greater part of the energies of the public officials who have concerned themselves with the strike is diverted away from any attempt to find a solution by the attempt to suppress the challenge.”¹⁰⁶⁵

After three months of this well-publicized violence – during which Senator Borah began calling for a Senate investigation – authorities began reading strikers the Riot Act, an 1864 law prohibiting public assemblies. Among those arrested under the Act were Weisbord and ACLU member Norman Thomas, giving the organization the in it needed to pose a legal challenge to the police abuses. The ACLU eventually secured an injunction against the police to keep them from breaking up union meetings, but while the free speech battle was won, the overall war was lost. The Passaic strike, which eventually moved out of the hands of the Communists and into the realm of the more conservative AFL, ended in failure in 1927.¹⁰⁶⁶

¹⁰⁶⁵ Murphy, *Freedom of Speech*, 155-156. “Passaic – A Social Waste,” *The New Republic*, May 5, 1926, 316.

¹⁰⁶⁶ Ibid.

After the coal strike, the largest labor action of the decade occurred in the summer and fall of 1922, when 400,000 railroad workers walked off the job to protest a seven cent (12.5%) wage cut decreed by the Railway Labor Board, the organization created as part of the 1920 Esch-Cummins Act to regulate labor disputes in the railroad industry. (This 12.5% cut followed a similar 12.5% cut, which railroad unions had agreed to, the previous year.) Railroad operators quickly began staffing trains with strikebreakers and preparing to break the railway shop unions for good. President Harding – believing that “[i]t is a very great menace to have two great nationwide strikes on hand at one time” -- urged a settlement highly favorable to industry in July 1922. But management – sensing victory – turned it down by a vote of 265-2. Railroad workers, meanwhile, took revenge by leaving trains in the lurch. Along with coal and steel languishing in the stockyards and thousands of pounds of fruit left to perish in the summer heat, 2500 passengers were left stranded in the Arizona desert, 500 more found themselves stuck in Ogden, Utah, and others were left for four days in the 113-degree wasteland of Needles, California.¹⁰⁶⁷

Coupled with the Herrin Massacre the same summer, stories of senior citizens collapsing from the heat and babies being born on abandoned trains left the labor movement in a public relations bind. But, in September 1922, the administration responded with an overreach of its own when Attorney General Harry Daugherty had a sympathetic District Court judge, James H. Wilkerson, declare a sweeping injunction against the railroad shopmen. The injunction accused shopmen of 17,000 crimes and banned them from picketing, loitering or congregating near

¹⁰⁶⁷ Russell, 537, 544-546. Murphy, *Freedom of Speech*, 159. Zieger, 120. Colin John Davis, *Power at Odds: The 1922 National Railroad Shopmen's Strike* (Chicago: University of Illinois, 1997), 112-114.

railroad property, or even communicating “in letters, circulars, telegrams, telephones, or word of mouth, or through interviews in the paper” about the strike.¹⁰⁶⁸

The railroad strike, Daugherty explained in his memoirs, was the “supreme test” of the Harding administration. “[T]his country, in my judgment,” he wrote, “has never passed through a graver crisis. The principles involved were fundamental to our existence as a free people.” To the Attorney General, both the railroad and the coal strikes were clearly concocted by “the Red agents of the Soviet Government.” “Here indeed was a conspiracy worthy of Lenin and Zinoviev,” he intoned. “The Red borers controlled the Shop Craft Unions.” If they succeeded, “our time-tables and freight rates would be made out in Moscow. And the first step would be taken in a revolution to overthrow our government and substitute a Soviet regime. No more subtle and dangerous move was ever made by a group of American citizens since the foundation of the Republic.”¹⁰⁶⁹

Among those not cognizant of this Red Menace, apparently, were Herbert Hoover, Charles Evans Hughes, and Albert Fall, all of whom openly assailed the injunction in a Cabinet meeting, with Hoover in particular “outraged by its obvious transgression of the most rudimentary rights of man.” Samuel Gompers, who declared the injunction was in violation of “every constitutional guarantee of free speech, free press, and free assemblage,” contemplated initiating a general strike in protest of the injunction, but instead encouraged a sympathetic congressman to launch an impeachment of Daugherty in the House. (It failed, 204-77.) As counsel for the railway unions, Donald Richberg argued before Judge Wilkerson that decisions by the Railway Labor Board had no binding power over unions, and that, regardless, Daugherty

¹⁰⁶⁸ Russell, 547. Leuchtenburg, *Perils of Prosperity*, 99. Davis, 130. Schlesinger, *Crisis of the Old Order*, 51.

¹⁰⁶⁹ Daugherty, 122-127.

had no right to use his office to promote the open shop. Judge Wilkerson responded by extending the injunction.¹⁰⁷⁰

Both progressive and conservative constitutionalists in the Senate, as represented by William Borah and George Wharton Pepper respectively, decried the injunction as an executive overreach. Newspapers and magazines fearful of the new precedent, such as *Editor and Publisher*, thought “the constitutional guarantees of a free press and free citizenship...were taken away last Saturday when the First Amendment to the Constitution was abridged by federal injunction.” Other progressives were also incensed. “On the face of it the order is in flat restraint of freedom of speech,” summed up *The New Republic*.¹⁰⁷¹

In the face of this criticism, Attorney General Daugherty doubled down. “It must be remembered,” he declared in a fiery October 1922 speech in Canton, Ohio, “that freedom of speech guaranteed under the Constitution is NOT that freedom of speech which incites mob violence, destruction of life and property, and attacks on Government. That is NOT what our forefathers intended.” Minority rights were fine, he contended, but “the minority has no right to promote civil war, impoverish a nation, deprive a people of those things to which they are entitled under the law, or to ignore and seek to withhold from the majority rights as equal as those enjoyed by the majority.” As such, the injunction “protects the rights not only of government, but of all the people.”¹⁰⁷²

¹⁰⁷⁰ Zieger, 140-142. Russell, 547-548. Burner, 177. Davis, 134.

¹⁰⁷¹ Ibid. Murphy, *Meaning of Freedom of Speech*, 161. “The Week,” *The New Republic*, September 20, 1922 (Vol. 32, No. 407), 81.

¹⁰⁷² “Address at Canton Ohio,” Harry Daugherty, October 21, 1922, 11-14. Murphy, *Meaning of Freedom of Speech*, 161.

Ten years later, in 1932, Senator George Norris and House member Fiorello LaGuardia would pass a legislative response to Daugherty's argument with the Norris-LaGuardia Act, barring injunctions and banning yellow-dog contracts, or contracts that mandated employees never join a union. For now, illegal or no, the injunction passed just as the railroad strike was beginning to break up regardless – Donald Richberg thought it more “an injunction to prevent the settlement of a strike.” By November, most of the shopmen had returned to work. Richberg and Hoover, meanwhile, began working with labor and executives respectively on a successor to the Railway Labor Board, which culminated in the passage of the Railway Labor Act in 1926. It replaced the Board with a nonbinding Board of Mediation that guaranteed collective bargaining and cooling-off periods before a strike.¹⁰⁷³

One progressive who became personally entangled with the repression of civil liberties during the railroad strike was *Emporia Gazette* editor William Allen White. In July of 1922, White's friend – Governor Henry Allen of Kansas – banned strikers from picketing in his state. Believing this an “infamous infraction of the right of free press and free speech,” White printed a series of pro-strike posters and put them up in his shop window, reading: “We are for the striking railroad men fifty per cent. We are for a living wage and fair working conditions.” (White didn't go 100% for the strikers, he explained, “because I honestly believe that the strikers have a good cause but an unfortunate strike.”) For this transgression, White was arrested, immediately drawing responses of aid from the ACLU, William Borah, and Felix Frankfurter.¹⁰⁷⁴

¹⁰⁷³ Zieger, 139. Burner, 177-178.

¹⁰⁷⁴ Murphy, *Meaning of Freedom of Speech*, 162-163. William Allen White to William Borah, August 3, 1922. White, *Selected Letters*, 227-228.

In response, White penned an editorial, called “To an Anxious Friend,” which later won the Pulitzer Prize. “You tell me that law is above freedom of utterance,” it argued:

And I reply that you can have no wise laws nor free entertainment of wise laws unless there is free expression of the wisdom of the people - and, alas, their folly with it. But if there is freedom, folly will die of its own poison, and the wisdom will survive. That is the history of the race. It is proof of man's kinship with God. You say that freedom of utterance is not for time of stress, and I reply with the sad truth that only in time of stress is freedom of utterance in danger. No one questions it in calm days, because it is not needed. And the reverse is true also; only when free utterance is suppressed is it needed, and when it is needed, it is most vital to justice...

This state today is in more danger from suppression than from violence, because, in the end, suppression leads to violence. Violence, indeed, is the child of suppression... So, dear friend, put fear out of your heart. This nation will survive, this state will prosper, the orderly business of life will go forward if only men can speak in whatever way given them to utter what their hearts hold - by voice, by posted card, by letter, or by press. Reason has never failed men. Only force and repression have made the wrecks in the world.¹⁰⁷⁵

White was eager to get his case taken to the Supreme Court as a test case, and urged the Attorney General of Kansas to give him “a trial, an immediate trial... Don’t dismiss this case. Don’t fail to appear. Don’t give the effect of laying down. Go to it. Try it with all your heart and let’s see where the right and wrong is in this matter. If I am convicted, I’ll appeal to the Supreme Court and there will have fairly able counsel.” But, ultimately, White never got his test case – the Kansas Attorney General, not looking for any further publicity, dropped the charges.¹⁰⁷⁶

Earlier in 1922, William Allen White had told a friend that he saw “no reason why any boy over eighteen should be denied hearing the doctrine of Taft, of Debs, of Harding, of Wilson, of the Nation, of the reactionary New York Times, of the Appeal to Reason, or of the organ of the National Chamber of Commerce. In fact, I think the more he gets from all sides the better

¹⁰⁷⁵ William Allen White, “To an Anxious Friend,” *Emporia Gazette*, July 27, 1922.

¹⁰⁷⁶ White to Richard Hopkins, November 7, 1922. White, *Selected Letters*, 230.

boy he will be. I should say that it is an open fight and a clear field and the fellow that convinces the boys and girls is entitled to them.”¹⁰⁷⁷

These sorts of free-market arguments for civil liberties would make much more headway over the course of the Twenties than would the actual right to organize, which suffered grievously during the decade. The United Mine Workers and Wobblies were not the only unions to bleed members – In total, union membership would decrease by 20 percent over the course of the decade, from one in every five workers to one in every eight. This was due to several reasons, among them being that the ACLU and progressives were not the only ones framing the labor issue in terms of personal liberty.¹⁰⁷⁸

The idea of the “open shop” had been percolating for decades, for as long as employers had fought to prevent the unionization of their workplaces. But after the strike wave of 1919 and early 1920, the open shop movement began to coalesce among employers across the country with renewed fervor. “American business men are preparing to take a definite and united stand on the labor question,” reported the Chamber of Commerce that summer, announcing an alliance with the National Association of Manufacturers to establish “the right of an employer to deal with his own men without the interference of outside agents.” (The Chamber’s affiliates endorsed the ensuing open-shop measures by a vote of 1665 to 4.)¹⁰⁷⁹

“[O]nly through the principles of the open shop as distinguished from the dominance and arbitrary control of the union labor leaders,” argued Judge Elbert Gary of US Steel, one of the

¹⁰⁷⁷ White to W.L. Huggins, March 30, 1922. White, *Selected Letters*, 222.

¹⁰⁷⁸ Brown, 13.

¹⁰⁷⁹ Allen M. Wakstein, “The Origins of the Open-Shop Movement, 1919-1920,” *The Journal of American History*, Vol. 51, No. 3 (Dec., 1964), pp. 460-475. John Hennen, *The Americanization of West Virginia: Creating a Modern Industrial State* (Lexington: University Press of Kentucky, 1996), 109-112.

movement's more prominent spokespersons, could the full promise of American industry would be realized. In January of 1921, a convention of open-shop advocates in Chicago organized by Judge Gary redubbed the open shop "the American plan," declaring that employers had the responsibility to "protect all employees in the American right to earn a livelihood." Two months later, one journalist argued, the "open shop" had been endorsed by "23 national associations of industry, 540 employers' organizations in 247 cities of 44 states, and 1665 local chambers of commerce" – as well as the new president, who thought it "the right of every free American to labor without any other's leave."¹⁰⁸⁰

Public relations nightmares like the Herrin massacre and the abandoned railroad passengers also gave ammunition to those who aspired to make the open shop a civil liberties cause. "Where whole communities openly sympathize with ruthless murder of inoffensive people in the exercise of the right to earn a livelihood," argued General John J. Pershing on July 4th, "it is imperative that public opinion should demand that the strong arm of the law...take action." A *Chicago Tribune* reporter covering the Herrin trials wrote that "the murder charge will be lost sight of...the cause of the open shop versus union labor will be the central issue." "So long and to the extent that I can speak for the government of the United States," Attorney General Harry Daugherty told the nation in 1922, upon announcing his famous injunction, "I will use the power of the government to prevent the labor unions of the country from destroying the open shop."¹⁰⁸¹

The open shop argument left some progressives, otherwise amenable to civil liberties issues, in a bind. Herbert Hoover thought the open shop an "obvious attempt to destroy union

¹⁰⁸⁰ Allen M. Wakstein, "The Origins of the Open-Shop Movement, 1919-1920," *The Journal of American History*, Vol. 51, No. 3 (Dec., 1964), pp. 460-475.

¹⁰⁸¹ Angle, 30-32. Carroll Binder, "Herrin – Murder Trial or Holy Cause?" *The Nation*, October 11, 1922 (Vol. 115, No. 2988), 357-358.

organization,” while William Allen White called it a “conspiracy to put American laboring men into serfdom.” White also thought that Abraham Lincoln would be against the open-shop movement, because “the unions have done more for labor than any other one force in the last hundred years, excepting perhaps, universal education” and that “the Christian view of Lincoln would try to encourage the unions to give them more and more power and make their membership more and more intelligent.”¹⁰⁸²

But to acknowledge where the open shop idea broke down – on the issue of yellow-dog contracts – would be to concede that the reality of industrial power could and did overwhelm the rhetoric of the public interest. “I have always found,” William Borah wrote one constituent, “that there were invariably two sides to a controversy between labor and capital, and in dealing with it I have endeavored not to be an advocate or attorney for either side. I may have failed but I did the best I could.” Similarly, William Allen White argued to Secretary of Labor John Davis that “somewhere between forty and sixty per cent of the trouble with the workmen is in the boss.” The average of fifty percent was not accidental. To stand successfully against the open shop movement, progressives would have had to abandon their notion of the public interest and fight fully on behalf of a class – labor. That was not a leap that all felt comfortable making.¹⁰⁸³

Professional Patriots

The open shop was not the only contested battleground over the meaning of certain rights in the 1920’s, and Harry Daugherty wasn’t the only man in America to still fear a Bolshevik uprising. Just as progressives re-girded for battle on behalf of civil liberties and social progress in

¹⁰⁸² Zieger, 75. White to C.H. Howard, February 10, 1921.

¹⁰⁸³ Borah to W.A. Heiss, January 9, 1920. WJB, Box 87: Railway Matters. White to James J. Davis, June 18, 1921. White, *Selected Letters*, 215, 218.

the Harding era, the Bureau of Investigation and its private sector allies, the 100% American organizations of the postwar period, maintained their own crusades on behalf of law and order.¹⁰⁸⁴

While A. Mitchell Palmer began the Harding years as a target of congressional inquiry, the Red-hunting bureaucracy he and J. Edgar Hoover had constructed still existed within the Justice Department. When Harding came into office, it became the new toy of William J. “Billy” Burns, a private detective and friend of Daugherty’s named the new head of the Bureau of Investigation. As noted earlier, Burns and his pathologically untruthful lieutenant, Gaston Means, were both caught up in the activities of the Ohio Gang – Burns was the first man on the scene at the strange suicide of Jess Smith. He was also, not unlike his predecessor, a man who saw Reds around every corner. “[R]adicalism is becoming stronger every day in this country,” Burns warned the Allied Patriotic Societies in New York in February of 1923, in part because of “parlor Bolsheviks” like “this American Civil Liberties Union of New York... Whenever we seek to suppress these radicals, a civil liberties union promptly gets busy.”¹⁰⁸⁵

The “tragic fate of Mr. Burns,” as *The New York World* argued, is that he was sounding the tocsin of impending revolution at a time when most of the nation was plumb sick of hearing about the Red Menace. “He is the only man in the United States who can still see that famous Red Revolution coming,” the *World* remarked. “He has shown that liberals are capturing some of the colleges, that radicals are occasionally allowed to speak on street corners, that the Civil Liberties Union has defended free speech for communists as well as for other people. But he has

¹⁰⁸⁴ According to historian Nancy Cott, “[a]t least twenty-five and perhaps as many as twice that number of ultra-patriotic societies operated in the 1920s, acting as a vanguard of reaction.” Cott, 250.

¹⁰⁸⁵ Murphy, *Meaning of Freedom of Speech*, 184-187.

failed miserably to arouse the citizens to a sense of their own danger...It is the tragic fate of Mr. Burns that nobody is aware of it but himself.”¹⁰⁸⁶

Actually, that wasn't quite true. Burns still had many fellow travelers of his own, especially among patriotic organizations like the American Legion, the Daughters of the American Revolution, and the National Civic Federation, still headed by polemicist Ralph Easley. It was with the fundraising aid and material support of this last organization that Burns initiated an August 1922 raid of a Communist Party convention in Bridgman, Michigan, which netted the arrest of close to two dozen Communists, including William Z. Foster.¹⁰⁸⁷

But the Bridgman raid posed several problems for Burns. For one, while the assembled Communists were ostensibly guilty of flouting Michigan's state law against criminal syndicalism, the Bureau – for much the same reasons the Dyer anti-lynching law was considered unconstitutional by some – actually had no federal jurisdiction to intervene in the case. Attorney General Palmer had rarely had official legal recourse to act either, but, without Red Scare hysteria in the background anymore, this type of extralegal activity seemed even more blatant. “No overt criminal act of any sort is charged,” averred the ACLU. “No evidence is offered except the doctrines advocated by the Communists...While we thoroughly disagree with the Communist attitude toward free speech, with their melodramatic secret tactics and with their talk about revolutionary violence, we shall defend their right to meet and to speak as they choose.”¹⁰⁸⁸

¹⁰⁸⁶ Murphy, *Meaning of Freedom of Speech*, 187-188.

¹⁰⁸⁷ Ibid.

¹⁰⁸⁸ Ibid. Gage, 299-300.

For another, while Burns and the Bureau had hoped to find some evidence from the Bridgman raid that tied the Communists to the still unsolved Wall Street bombing of two years prior, the only bombshells dropped in the subsequent legal proceedings exploded in the Bureau's face. In the February 1923 depositions preceding William Z. Foster's trial, one Albert Bailin confessed to being a longtime *agent provocateur* for Burns and his private detective agency. According to Bailin, he had created a false paper trail to tie the Communists to the Wall Street Bombing, and even written and sent bomb threats of his own, at the behest of Burns and his lieutenants, who were eager to "create newspaper publicity, so the bankers would raise a larger fund than they have already raised to investigate the Wall Street explosion." Bailin could prove his reports to the Bureau were falsified, and both his stories and his charges lined up with rumors about another Burns witness, William Linde, who had been arrested to much fanfare in December 1921 as the presumed architect of the Wall Street bombings, only to turn out to be a liar.¹⁰⁸⁹

Foster's defense never put Bailin on the stand, since both his radical background and his admitted confession of lying frequently made him a potentially dangerous and unreliable witness for cross-examination. In any case, the damage to Burns' reputation was done. And, proving yet again how times had changed since the height of the Red Scare, the Foster jury ultimately deadlocked. "The six on my side did not believe that the Communist Party advocated violence," the jury's lone female member told the *Times*, "The other six believed it did. That was all there was to it." To her, "the stage setting of the prosecution seemed overplayed with such a display of

¹⁰⁸⁹ Gage, 304, 282.

detectives and undercover men that it appeared more like trying to railroad Foster than like prosecuting him.”¹⁰⁹⁰

A more successful case for the Bureau of Investigation in the early 1920’s was the conviction of Pan-African nationalist Marcus Garvey for mail fraud. The seeds of Garvey’s downfall had been sown in October 1919, when J. Edgar Hoover had initiated an investigation into the charismatic leader. “Garvey is a West-Indian Negro and in addition to his activities in endeavoring to establish the Black Star Line Steamship Corporation he has also been particularly active among the radical elements in New York City in agitating the Negro movement,” Hoover wrote in a Bureau memorandum. “Unfortunately, however, he has not as yet violated any federal law whereby he could be proceeded against on the grounds of being an undesirable alien, from the point of view of deportation. It occurs to me, however...that there might be some proceeding against him for fraud in connection with his Black Star Line propaganda.” To start building a case, Hoover asked “Agent P-138” and “Agent 800” to begin burrowing into Garvey’s organization – the only two African-American agents Hoover would hire for the next forty years.¹⁰⁹¹

Garvey had no allies with the NAACP, who thought him a dangerous and ignorant rabble-rouser. In *The Crisis*, Du Bois had gone from deeming Garvey “an extraordinary leader of men” in 1920 to “a little fat black man, ugly, but with intelligent eyes and a big head” in February 1923. (For his part, Garvey thought Du Bois “a lazy dependent mulatto” and the NAACP “a group that hates the Negro blood in their veins.”) In fact, NAACP officials and other

¹⁰⁹⁰ Gage, 305-306.

¹⁰⁹¹ J. Edgar Hoover to Special Agent Ridgeley, October 11, 1919. Robert A. Hill, ed. *The Marcus Garvey and Universal Negro Improvement Association Papers, Volume II, 27 August 1919 - 31 August 1920*. Berkeley and Los Angeles: University of California Press, 1983. Reprinted at American Experience: Marcus Garvey http://www.pbs.org/wgbh/amex/garvey/filmmore/ps_fbi.html Lewis, *W.E.B. Du Bois*, 68.

notable African-American leaders – although Du Bois, James Weldon Johnson and A. Phillip Randolph chose not to sign aboard – wrote Attorney General Daugherty calling Garvey an “unconsidered menace to harmonious race relationships,” particularly after Garvey began meeting with the Ku Klux Klan. (“Between the Ku Klux Klan and the Moorfield Storey National Association for the Advancement of ‘Certain’ People,” Garvey had said afterwards, “give me the Klan for their honesty of purpose toward the Negro.”) Deeming Garvey’s UNIA as comprised of “the most primitive ignorant element of West Indian and American Negroes...Negro sharks and ignorant Negro fanatics,” they urged Daugherty to “use his full influence completely to disband and extirpate this vicious movement, and that he vigorously and speedily push the government’s case against Marcus Garvey for using the mails to defraud.” In short, “Marcus Garvey is intolerant of free speech when it is exercised in criticism of him and his movement, his followers seeking to prevent such by threats and violence.”¹⁰⁹²

After several years of investigation by the Bureau, Garvey was indicted and tried for mail fraud in May 1923. The “great difficulty” with Garvey, as Du Bois had written in 1920, before the two men’s relationship had completely soured, “is that he had absolutely no business sense, no *flair* for real organization and his general objects are so shot through with bombast and exaggeration that it is difficult to pin them down for examination.” So it was with the finances of the Black Star Line, which had folded in April 1922. Before the end of the Line, Garvey had sent out fliers suggesting the business was in considerably better shape than it was, and featuring pictures of a ship – the S.S. *Phyllis Wheatley* – that had not in fact been purchased yet. While prosecutors labored to suggest criminal intent from what had mainly been business

¹⁰⁹² Miller, *New World Coming*, 115. Lewis, *W.E.B. DuBois*, 68, 80-83. Harry Pace *et al* to Harry Daugherty, January 12, 1923. Amy Jacques-Garvey, ed. *Philosophy & Opinions of Marcus Garvey*. New York: Athenaeum, 1969. Reprinted at American Experience: Marcus Garvey http://www.pbs.org/wgbh/amex/garvey/filmmore/ps_go.html

grandstanding, Garvey chose to serve as his own lawyer during the case and generally made a hash of it. (“If Garvey conducted his business as he did his trial,” one paper noted, “there is little wonder it failed.”) Found guilty in June 1923 – a verdict he forever henceforth blamed on a Jewish conspiracy -- Garvey was sentenced to five years in prison. After serving time in the Atlanta federal penitentiary, his sentence was commuted by Calvin Coolidge in 1927 and he was deported to Jamaica, never to return.¹⁰⁹³

Another man soon to be exiled by Coolidge was Billy Burns, who was forced from the Bureau of Investigation by new Attorney General Harlan Fiske Stone soon after the March 1924 ousting of Burns’ old benefactor, Harry Daugherty. (Burns would later go to jail for jury tampering in the first trial of oilman Harry Sinclair for the Teapot Dome bribes.) “There is always the possibility that a secret police may become a menace to free government and free institutions,” Attorney General Stone announced in May 1923, upon his reorganization of the Bureau. “It is important that [the Bureau’s] activities be strictly limited to those functions for which it was created and its agents themselves be not above the law or beyond its reach.” As such, Stone declared, from now on, the Bureau “is not concerned with political or other opinions of individuals. It is concerned only with their conduct, and then only with such conduct as is forbidden by the laws of the United States.”¹⁰⁹⁴

Holding the Bureau to this new standard would be its newly-appointed chief, J. Edgar Hoover. “I could conceive of nothing more despicable nor demoralizing then to have public funds of this country used for the purpose of shadowing people who are engaged in legitimate practices in accordance with the constitution...[and] laws of the country,” the new Bureau head

¹⁰⁹³ Lewis, *W.E.B. Du Bois*, 68. Miller, *New World Coming*, 115

¹⁰⁹⁴ Murphy, *Freedom of Speech*, 188.

piously intoned. Soon thereafter, however, Hoover was back to business as usual. “We never knew,” Roger Baldwin declared later in life, “about the way that Hoover’s FBI kept track of us after the 1924 reform announcements. They never stopped watching us.”¹⁰⁹⁵

If J. Edgar Hoover and the Bureau were officially tasked with keeping tabs on America’s various malcontents, other members of the Harding and Coolidge administrations took on similar efforts as more of a freelance hobby. In Evanston, Illinois in the spring of 1923, Charles Dawes – Harding’s Budget Director and eventually Calvin Coolidge’s running mate and vice-president – formed his own ultrapatriotic organization, the Minute Men of the Constitution, to stand for “the renewal and building up of respect for law and the Constitution of the United States” and against “the arrogance and lawlessness of certain unworthy leaders of special groups,” meaning the labor movement. “We are entirely non-partisan,” explained Dawes to the press, “and we shall not hesitate to oppose any politician who shilly-shallies and yields to the demands of various aggressive minority organizations.” What minorities he had in mind was evidenced by the fourth plank of the Minute Men platform – endorsing “the right of a citizen to work without unlawful interference” – and he soon bragged to the president that, thanks to his Minute Men, “the labor and political demagogues are already keeping their damned mouths shut.” For his part, Harding told Dawes that the Duchess liked their black-and-white cockades, and professed his hope and understanding that the Minute Men were simply a healthy, patriotic outfit that would not cause any trouble with labor before the coming election.¹⁰⁹⁶

¹⁰⁹⁵ Gage, 322. Theodore Kornweibel, *Seeing Red: Federal Campaigns Against Black Militancy, 1919-1925* (Indianapolis: Indiana University Press, 1999), 176.

¹⁰⁹⁶ Zieger, 76-77. “Mr. Dawes and His Minute Men,” *The Literary Digest*, May 26, 1923, 15.

Another government official active in fighting those he presumed disloyal was Brigadier-General Amos A. Fries, head of the War Department's Chemical Warfare Service, which had been created during the World War to oversee and maintain the nation's new gas and chemical weapons arsenal. Taking none too kindly to all the talk of pacifism and disarmament emanating from women's groups, Fries announced in December 1922 that pacifist groups were "financed, inspired, and directed from Moscow...to establish communism in America." The following year, Fries and the Chemical Warfare Department's librarian, Lucia Maxwell, drew up what became known as the Spider-Web Chart – a chart that aimed to document the ties of fifteen women's organizations and twenty-nine prominent women leaders to socialism. Announcing at its head that "the Socialist-Pacifist movement in America is an Absolutely Fundamental and Integral Part of International Socialism" – this was a quote from the Lusk Committee report – the Spider Web chart named as members of the grand conspiracy Florence Kelley, Belle La Follette, Margaret Dreier Robins, Freda Kirchwey, and Emma Wold and such organizations as the WJCC, the League of Women Voters, the General Federation of Women's Clubs, the American Association of University Women, the National Consumers League, the Women's Christian Temperance Union, and the Women's International League for Peace and Freedom. Along with making it to Edgar Hoover's desk, the Spider Web chart was circulated by organizations like the American Defense Society and eventually printed in Henry Ford's *Dearborn Independent*.¹⁰⁹⁷

In naming everyone from the Temperance Union to the YWCA, Fries had cast a wide net, and soon the head of the WJCC officially complained to Secretary of War Weeks about this "contemptible attack on the women's organizations of the country." Weeks put the blame on Maxwell, the department librarian, and ordered all copies of the offending chart destroyed – but

¹⁰⁹⁷ Murphy, *Meaning of Freedom of Speech*, 191-192. Cott, 248-249, 242.

by now it had been taken up as gospel by all of the many private patriotic organizations still in existence. Joining the organizations formed during the war or soon after, like the American Legion, National Security League, American Defense Society, and National Civic Federation, were many more of similar cast and ambition, including the American Citizenship Foundation (established 1923), the United States Flag Association (1924), the National Patriotic Council (1924), and Sentinels of the Republic (1926).¹⁰⁹⁸

Of these, the most prominent remained the American Legion, who continued its assault on those it deemed threats to the republic throughout the decade. To Arthur Warner, who penned a multipart series for *The Nation* in 1921 entitled “The Truth about the American Legion,” the veterans’ organization was an unofficial fourth branch of government, a “super-government” hell-bent on “hysterical super-patriotism” that aimed “to perpetuate the war psychology as its contribution to peace.” While “present tendencies in the American Legion appear to be away from the violence and intimidation” of 1919, Warner warned, the 600,000 member organization “is still imbued with the spirit of repression and coercion, of prejudice and unreason, which the war nourished; but it has to heed the cry of ‘Back to normal!’ which the rest of the community is raising, and is beginning to clothe the nakedness of its purposes in peace-time garments.”¹⁰⁹⁹

Normalcy did pose some problems for the Legion, not the least the demise of its old sparring partner, the IWW. Nonetheless, the organization set out in peace time on several Americanizing projects to keep the flame alive. “The people of our land little realize the enormous constructive Americanism program undertaken by the Legion,” national director

¹⁰⁹⁸ Cott, 250. Noggle, *Into the Twenties*, 118-119.

¹⁰⁹⁹ Arthur Warner, “The Truth About the American Legion,” *The Nation*, July 6, 1921 (Vol. 113, No. 2922), 7. Arthur Warner, “The Truth About the American Legion,” *The Nation*, July 13, 1921 (Vol. 113, No. 2923), 35.

Garland Powell boasted to William Borah in 1923. These included night schools “for the benefit of our illiterates and the foreign born who desire to become American citizens,” playgrounds and recreation centers to foster physical education, and endowing chairs and scholarships in Americanism and the study of the constitution. Borah was unimpressed. “[W]ith the utmost respect of your organization,” the Senator replied, “I think the attitude you have taken with reference to the political prisoners is distinctly in violation of the most fundamental principles of Americanism...the right of free speech, of a free press, and of peaceable assemblage, in peace or in war, is indispensable to any conception of Americanism as I understand it.”¹¹⁰⁰

This was not the first time the Legion had been called out by Senator Borah. When the American Legion asked him to compose an editorial on “Constitutional Morality” in June 1921, Borah’s piece argued that “the most vital problem in American politics at the present time is the preservation of the great guarantees of civil liberty, found in our constitution and so long supposed to be secure and indispensable.” Borah’s editorial also attacked the behavior of “the political pharisees – the man who is always professing great devotion to the Constitution and always betraying it, or disregarding it,” and who is “constantly expressing the fear that the people may have their minds poisoned by false doctrines; hence the necessity of censoring the press and circumscribing public meetings and arbitrarily punishing men for expressing ‘dangerous’ views.” Similarly, William Allen White responded to a Legion member looking for similar validation that he did “not feel that we need much of a ‘line of defense against the advance of radicalism.’ The radical is a poor fish who doesn’t get anywhere. The real danger is your conservative, your reactionary, and he is getting somewhere. He is liable to have this country by the throat” In short, White argued, “I wish the Legion would get a little more excited

¹¹⁰⁰ Garland Powell to William Borah, November 1, 1923. WJB Box 139 – Miscellaneous. William Borah to Garland Powell, November 5, 1923. WJB, Box 139 – Miscellaneous.

about the dangers of respectable conservatism and insidious reaction and run out a first line of defense against some of those ginks.”¹¹⁰¹

The Legion begged to differ. “The American Legion can never watch unconcerned the abuse of freedom of speech,” the organization argued in their anti-pacifist pamphlet, *Preparedness versus Pacifism*. “[T]he right of the entire nation to free speech may be endangered by the flagrant abuse of the right by a few,” such as those who did not “realize the priceless value of the Constitution...and the danger of carelessly departing from its spirit and purpose.” Among these ne’er-do-wells, Garland Powell argued in 1924, was the ACLU – “These people are advocating ‘free speech,’ speech of the kind that would allow the advocacy of the overthrow of a government by forces of arms...Free speech up to a certain point is an excellent thing, but free speech that would destroy our nation and the servicemen who defended it cannot be tolerated.” To the Legion, pacifists and civil libertarians were “free-speech fakers,” and they should and must be silenced for the good of the nation. (As such every Legion convention from 1920 to 1962 officially deemed the ACLU an un-American organization.)¹¹⁰²

Still, just as Billy Burns’ raid on the Bridgman Communists were viewed quite differently than had been the Palmer Raids during the Red Scare, the breast-beating of the super-patriots did not have the same impact on the public mind as the decade progressed. “Americans have become apathetic to the monotonous appeal of the patriotic exhorter,” a Legion committee bemoaned in 1925. “The utmost ingenuity is frequently necessary to obtain publicity.” To

¹¹⁰¹ Borah, “Constitutional Morality,” American Legion, June 2, 1921. Box 99: Newspapers. White to C.T. Start, October 7, 1921. White, *Selected Letters*, 221.

¹¹⁰² Murphy, *Meaning of Freedom of Speech*, 203-205. Larry Ceplair, *Anti-Communism in Twentieth Century America: A Critical History* (Santa Barbara: ABC-CLIO, 2011), 241. Among those the Legion sought to silence, or at least keep away from American shores, was Albert Einstein. In one Los Angeles member’s words, Einstein was merely a “pacifist traveling in the guise of a mathematician.” Ibid.

change this, the Legion began working to root out un-Americanism in the schools. Along with sister organizations like the Better American Federation and the National Civic Federation, who wanted to excise those “seeking to de-Americanize our institutions and sap the foundations of the Constitution,” the Legion worked to get *The Nation* and *The New Republic* removed from schools and public libraries, along with books by such radicals as Upton Sinclair, Jane Addams, and Henry George. They also worked to create their own pro-American school textbook, the two-volume *The Story of Our American People*, by Charles F. Horne, that aimed to “inspire the children with patriotism, preach on every page a vivid love of America and preserve the old patriotic legends.” (In the section on the Alien and Sedition Acts of John Adams’ time, it was explained that “[t]he moment that anyone threatens to do injury so as to compel others to adopt his views...he becomes a criminal.”) Few school systems adopted Horne’s textbooks, which were widely panned by journals and educators alike. To one reviewer, they were “so maudlin and sentimental about ‘our’ virtues and ‘our’ superiority to the rest of the world that if universally used ‘our’ next generation would behave like an insufferable cad toward the rest of the world.”¹¹⁰³

By the end of the 1920’s, the progressives and the patriotic organizations were still locked in mutual enmity. On one hand, many notable progressives – among them Herbert Croly, Felix Frankfurter, Fiorello La Guardia, Raymond and Margaret Dreier Robins, Harry Emerson Fosdick, William Allen White, Arthur Schlesinger, Paul Kellogg, Amos Pinchot, and W.E.B. DuBois – publicly endorsed the publication of writer Norman Hapgood’s 1927 muckraking expose, *Professional Patriots* (“An Exposure of the Personalities, Methods, and Objectives

¹¹⁰³ John Higham, *Strangers in the Land: Patterns of American Nativism, 1860-1925* (New Brunswick: Rutgers University Press, 1955), 326. Leuchtenburg, *Perils of Prosperity*, 80-81. Murphy, *Meaning of Freedom of Speech*, 209-211, 217.

Involved in the Organized Effort to Exploit Patriotic Impulses in These United States During and After the Late War.”) Delineating the many intemperate actions and statements made by, and industrial backers of, the patriotic organizations, Hapgood’s tome concluded that “insofar as their activities represent privileged interests masquerading as patriots, and insofar as they inspire suppression of those with whom they disagree, their activities should be condemned as hostile to the country’s interests.” On the other, the Daughters of the American Revolution had by 1927 circulated a blacklist, entitled *The Common Enemy*, to its affiliates, consisting of over 200 left-minded individuals and sixty organizations that were not to be allowed to speak at DAR events. Arguing that “Communism, Bolshevism, Socialism, Liberalism and Ultra-Pacifism tend to the same ends,” the blacklist included Jane Addams, Carrie Chapman Catt, Clarence Darrow, Felix Frankfurter, Florence Kelley, William Allen White, David Starr Jordan and organizations ranging from the YMCA to the NAACP.¹¹⁰⁴

“You will find pretty generally over the United States that editors and public men will not endorse this foolish and malicious attack upon people like Jane Addams, Mrs. Catt, Florence Kelley, and others,” William Allen White wrote the President-General of DAR about *The Common Enemy*. “There is no reason why men of my type, liberals who hate communism with a deep loathing, should not work with the D.A.R. But at one stroke of the pen, when you endorse the circular which puts under the ban the officers of every women’s civic organization of the country, most of the inter-church organizations and the message boards, the D.A.R. has isolated itself in the work of making a better, fairer, lovelier America and must not complain if its isolation draws upon it the fire which is directed to those superpatriots who see no good save in

¹¹⁰⁴ Norman Hapgood, *Professional Patriots* (New York: Albert and Charles Boni, 1927), iii-vii. Murphy, *Meaning of Freedom of Speech*, 198-199. In 1924, *The New Republic* had published a similar multi-part exposé of the “Professional Patriots” by Sidney Howard. Sidney Howard, “Our Professional Patriots,” *The New Republic*, September 17, 1924 (Vol. 40, No. 511), 71-72.

their own endeavors and tolerate no associations except those of their own cast and class and kind.” For her part, Carrie Chapman Catt responded to *The Common Enemy* in an open letter published in the League of Women Voter’s journal, *The Woman Citizen*. “Surprising as it may seem to you,” Catt argued, “in libraries and laboratories among psychologists and experts on inheritance, the D.A.R. is now considered an interesting “case.”:

These men of science say that the qualities which led the Fathers to live and die for certain ideas, new in their time, have become atrophied in the Daughters. They say that while the Fathers tolerantly recognized the right of others to their own opinions as a part of God's law of progress, never pausing, you their Daughters, declare that whatever is, must forever be, and assume a petrified standpatness on that pronouncement. The great liberties the Fathers established were free thought, freedom of religious worship, free speech, free press, and free assemblage... [But scientists] say you have slipped out of the camp of your Fathers and into that of "in spite of others," where, curiously, you praise the Fathers, but condemn that which made them worth of praise.¹¹⁰⁵

The Daughters would have been doing the nation a great service in exposing a Bolshevik conspiracy, Catt argued, if they had any evidence of such. As it was, the DAR “has not unearthed a single Bolshevik nor discovered any evidence of a plot that the newspapers had not previously given the public. Instead it has made slanderous, mendacious and brutal attacks on thousands of women who never saw a Bolshevik in their lives.” Catt took particular reproach at the treatment of Jane Addams, “one of the greatest women this republic of ours has produced.” Citing endorsements of Addams’ decades of good works, Catt declared she’d “take the evidence of Newton D. Baker, Democrat, and President Coolidge, Republican, as to her integrity, rather than the wild ravings of such a pamphlet as you have circulated.” In short, Catt concluded, “there is no excuse whatsoever for calling those who differ with you Bolsheviks, Reds and conspirators

¹¹⁰⁵ White to Mrs. Alfred Brosseau, August 11, 1927. White, *Selected Letters*, 279-280. Carrie Chapman Catt, "An Open Letter to the D.A.R.," *The Woman Citizen* (July 1927), 10-12, 41-42.

aiming to tear down the nation...you impugn the motives, assail the honor, question the intelligence, [and] malign the representatives of honorable organizations.”¹¹⁰⁶

While Catt responded to the DAR blacklist with a righteous wrath, many progressives returned fire through sardonic contempt. “Dear Fellow-Conspirator,” began the invitation to *The Nation*’s blacklist party of May 1928, “We notice that your name appears on the Roll of Honor drawn up by the Daughters of the American Revolution and their allies, the Key Men of America. Some call this Honor Roll a blacklist. It includes United States Senators, Communists, Ministers, Socialists, Republicans, Editors, Housewives, Lawyers – most of us, in fact.” In reply, William Allen White argued his inclusion on the blacklist was a “great fortune...If a good name is rather to be chosen than great riches, a place on the D.A.R. blacklist is better than a license to steal in a mint, or to have a hand in the Continental Trading Company’s jackpot.” In fact, former *World* columnist Heywood Broun was irritated he had been left off the blacklist, and told *The Nation* he would be suing the DAR for libel for leaving him off. At the May 10th party in New York City, over a thousand watched as Clarence Darrow and Arthur Garfield Hays, both blacklisted, litigated Broun’s suit – the leading character witness was Groucho Marx.¹¹⁰⁷

The Nation’s gala was not a one-off event. The following year, a “Free Speech Rally” was held in Boston with Harvard professor Arthur Schlesinger, whose history textbooks had been deemed un-American, acting as “Chief Roastmaster and Master of Revelries.” Among those seated at the head table before a crowd of 700 was Margaret Sanger, wearing a gag as she had been forbidden to speak in the city.¹¹⁰⁸

¹¹⁰⁶ Catt, “An Open Letter to the D.A.R.”

¹¹⁰⁷ White to Ruth Stout, May 4, 1928. White, *Selected Letters*, 283. Murphy, *Meaning of Freedom of Speech*, 202-203.

¹¹⁰⁸ Murphy, *Meaning of Freedom of Speech*, 203.

These sorts of highly sardonic celebrations helped to maintain the *esprit de corps* of embattled progressives and civil libertarians, but they also suggested how they perceived themselves by the end of the decade. To wit, progressives no longer saw themselves as the vanguard of the great mass of American people, but as members of an often-persecuted minority. “America is no longer a free country in the old sense,” Katherine Fullerton Gerould wrote in 1922, “and liberty is increasingly a mere rhetorical figure...everywhere, on every hand, free speech is choked off in one direction or another.” Instead of appealing to the good nature of the public, Fullerton argued, “the only way an American citizen who is really interested in all the social problems of his country can preserve any freedom of expression is to choose the mob that is most sympathetic to him, and abide under the shadow of that mob.”¹¹⁰⁹

“I do know I owe far more to the American Civil Liberties Union than the Union owes to me,” Arthur Garfield Hays wrote in his memoir, in part because “[w]ork for the Union has required me to keep abreast of various radical movements and to learn something of their history and philosophy. It has brought me into contact with a variety of circles, usually the poor, defenseless, and unpopular, always the dissenters and persecuted. It has shielded me from the corroding influence of the particular groups who would normally be my associates.” By the end of the decade, many on the left felt closer to the poor, defenseless, and unpopular than they did the public at large. “The tone of intellectual pronouncements,” as historian Leon Fink put it of the progressives, “gradually shifted from a confident (if somewhat presumptuous) association with the democratic public to feelings of concern, revulsion, and even open resistance to the will of the nonintellectual multitude.”¹¹¹⁰

¹¹⁰⁹ Brown, 6.

¹¹¹⁰ Hays, *City Lawyer*, 227. Leon Fink, *Progressive Intellectuals and the Dilemma of Democratic Commitment* (Cambridge: Harvard University Press, 1997), 26.

To be sure, progressives would not completely drop the public interest case for civil liberties. As Congressman La Guardia declared in a 1928 speech on the subject, “if the future of our Republic depends on the suppression of free speech, there is no future. The right to criticize public officials is not only wholesome, but necessary in a republic.” That being said, on political prisoners, on lynching, on Sacco and Vanzetti, on labor issues, time and again, American institutions and the American public had come down against the progressives in the twenties, and by 1929 many on the Left had come around to the world weary cynicism of Mencken.¹¹¹¹

The Sage of Baltimore had begun the decade scoffing at the “naïve and charming belief” among progressives “in the intrinsic integrity and passion for justice of the great masses of plain men,” and the “laudable superstition that an unveiling of the facts would send them into tantrums of indignation.” These superstitions, Mencken argued, “spit boorishly into the very eye of the facts...[T]here is actually no such nobility in the public breast.” In fact, he argued, “it is one of the hardest things in the world...to stir up public indignation against legal injustice, for the mob is always in favor of the man giving the show, and the more violently he flogs his victims the better it likes it and him.” After a decade in the trenches, it seemed to many progressives that, rather than trusting to enlightened public interest, laws and institutions needed to be forged and maintained that would protect individuals of conscience from the wrath of the public instead.¹¹¹²

¹¹¹¹ Zinn, *La Guardia in Congress*, 104.

¹¹¹² Mencken, *A Carnival of Buncombe*, 29, 22.

CHAPTER SEVEN: AMERICA AND THE WORLD

PROGRESSIVES AND THE FOREIGN POLICY OF THE 1920s

*“In the 1920s the United States was more profoundly engaged in international matters than in any peacetime era in its history.” – Warren Cohen, *Empire without Tears*¹¹¹³*

“The United States of America, caught in a traditional distrust and dislike of ‘foreign entanglements,’ abandons the solemn covenants made in her name, restricts her immigration, increases her tariffs, and refuses to consider her war loans as part of an international responsibility.” -- Jane Addams, 1924¹¹¹⁴

“An armed world is a fighting world.” – William Borah, 1921¹¹¹⁵

The League of Nations fight strengthened the progressive nationalists in the Senate and helped them to articulate a comprehensive view of foreign policy that emphasized self-determination, national integrity, and anti-imperialism. They would bring this philosophy to bear on all the foreign policy issues of the decade. In concert with a powerful women’s movement now fully dedicated to the twin causes of disarmament and outlawing war, Senate progressives would work to establish an international peace that relied almost exclusively on the power of enlightened public opinion. But the issue of immigration restriction would test the limits of progressive thought of the period, just as the growing power of the American dollar would undermine all progressives’ many attempts to preserve the republic by avoiding entangling alliances.

The Sins of the Colonel

“It won’t be long now before our new president will take hold,” Harold Ickes wrote Senator Hiram Johnson in late February of 1921, two weeks before the inauguration of Warren Harding, and it “seems to me that you and he are so diametrically opposed in your social and

¹¹¹³ Warren Cohen, *Empire Without Tears: America’s Foreign Relations 1921-1933* (New York: Alfred A. Knopf, 1987), xii.

¹¹¹⁴ Jane Addams, “Whoso Liveth to Himself,” *The Survey*, January 15, 1924 (Vol. LI, No. 8)

¹¹¹⁵ Borah to Clyde Hanson, October 8, 1921. WJB, Box 91: Disarmament Conference.

political views that it will be impossible for you to travel the same path very long.” Nonetheless, Ickes warned his friend not to be too vocal in his opposition at first, lest he be accused of ruining the new president’s honeymoon period out of sheer sour grapes. “It seems to me that the inevitable opposition to Harding within his own party will make greater headway in the long run by giving him plenty of rope to hang himself with. That he will do this seems to me to be inevitable and the day will come when the opposition to him within his own party will be so widespread and so bitter that it will not lie in anyone’s mouth to accuse any leader of having deliberately created that opposition.”¹¹¹⁶

A solid plan – but, already within a week of the inauguration, all bets were off. After Warren Harding took his first Cabinet meeting, he – on the advice of Secretary of State Hughes and Secretary of the Interior Fall – sent a message to the Senate urging immediate ratification of the Thomson–Urrutia Treaty, which paid Colombia the sum of \$25 million in exchange for recognition of Panama’s independence, with the implicit message being that the United States was now sorry that the Roosevelt administration had facilitated Panama’s revolt in 1903 in order to build the Panama canal.¹¹¹⁷

The last time the treaty had come up, in 1914, it had included a specific apology – “sincere regret” – for America’s actions. This did not sit well with Theodore Roosevelt, who was livid that Wilson and Secretary of State Bryan had even negotiated such a thing. In a letter dashed off to the Senate Foreign Relations Committee, and in his first public attack on the Wilson administration to that point, Roosevelt deemed the treaty “a crime against the United States, an attack upon the honor of the United States.” His administration, he argued had been

¹¹¹⁶ Ickes to Johnson, February 23, 1921. HLI Box 33: Hiram Johnson.

¹¹¹⁷ “Harding’s Cabinet Meets First Time,” *New York Times*, March 9, 1921.

“not only open but absolutely straight...Every action we took was in accordance with the highest principles of public and private morality,” and paying Colombia any amount, Roosevelt roared, would be tantamount to “the payment of blackmail.” (Explaining his contribution to the Panamanian revolt more directly to a friend, Roosevelt exclaimed “I simply lifted my foot!”) And so Henry Cabot Lodge and Senate Republicans blocked its ratification, and, with the Great War breaking out the following month, foreign policy attentions turned elsewhere.¹¹¹⁸

But now, with Colonel Roosevelt passed on – and, more importantly, with vast crude oil deposits having been discovered in the still-irritated nation of Colombia between 1916 and 1919 – the situation had changed. Beginning in 1920, soon after Standard Oil of New Jersey had purchased the holdings of the Tropical Oil Company in Colombia, James W. Flanagan, the operating manager of Jersey Standard’s affiliate in the region, had begun smoothing the way for passage of the treaty, namely by bringing Colombia’s minister to the United States, Carlos Urrutia, to meet with Senator Albert Fall of New Mexico, as well as Henry Cabot Lodge and Warren Harding. As it happened, the government of Colombia had to approve the transfer of Tropical Oil over to Jersey Standard, and, well, \$25 million from the American government could certainly help matters in that regard.¹¹¹⁹

Disregarding his advice of a fortnight earlier, Ickes now pressed the Senator from California to engage on the Colombia issue. “The *Chicago Tribune* has been vigorously opposing this Treaty,” Ickes told Johnson, “first, on the ground that it would be an affront to the memory of Theodore Roosevelt, and, second, that it would be an admission of guilt on the part of

¹¹¹⁸ Johnson, *Peace Progressives*, 116-117. Edmund Morris, *Colonel Roosevelt* (New York: Random House, 2010), 358-359. John Milton Cooper, *The Warrior and the Priest* (Cambridge: Belknap Press, 1983), 272.

¹¹¹⁹ Gerald Nash, *United States Oil Policy, 1890-1964: Business and Government in Twentieth Century America* (Pittsburgh: University of Pittsburgh Press, 1968), 69-70.

the United States.” Johnson agreed, but remained less optimistic than Ickes about the prospects of a successful opposition. “Of course, there’s nothing else to do except to fight the Columbian Treaty,” he replied. “When you read...Roosevelt’s words concerning it, it seems incredible that the first act of this new administration shall be to put this thing over.” That being said, Johnson argued, “[t]he majority of the Foreign Relations Committee has about faced, and with the tremendous oil interests behind the measures and the power of the President’s office, the treaty will doubtless be ratified.”¹¹²⁰

Ickes and Johnson were not the only ones irate about Harding’s first action in office. “For Heaven’s sake, can’t we beat the Colombia Treaty?” William Borah exclaimed to the editor of the *Boston Transcript*. “What a smearing, smirching, humiliating thing it would be to pass that.” This “very unfair and unjust Treaty,” Borah told another correspondent, “will put the brand of shame upon our country and of dishonor upon the name of Roosevelt.” Writing to Arthur H. Vandenberg, the editor of the *Grand Rapids Herald*, Borah implored the future Senator from Michigan to “give us some good editorials on this matter. Let us make the fight of our lives not only to preserve the honor of a great name, but also the honor of our own country. This Treaty is based upon charges of bad faith and dishonorable conduct, for which there is no evidence...It is utterly astounding to me that, after seventeen years of fighting this unconscionable piece of blackmail, we should now turn about, and not only confess to the infamous charges, but stultify ourselves.” For his part, Senator George Norris was fine with an apology to Colombia – he was one of the few Republican progressives to concede wrongdoing on Roosevelt’s part – but

¹¹²⁰ Ickes to Johnson, March 11, 1921. Johnson to Ickes, March 12, 1921. HLI Box 33: Hiram Johnson.

thought, since this was basically about Colombian oil, “let the oil, rather than the Treasury of the United States, pay for the smiles we are trying to get.”¹¹²¹

“We must strike fast and strike hard,” Borah concluded to Vandenberg, “for the lobbying behind this thing is simply stupendous.” And so he did -- Arguing that “Theodore Roosevelt was not a common adventurer and John Hay was not a liar,” Borah tried to amend the treaty on the floor with a statement declaring that “neither said payment nor anything obtained in the treaty shall be...regarded as an admission that the secession of Panama...was in any way aided...by the United States.” Borah’s amendment failed 49-39, and, with the votes of many Republicans who had assailed the treaty seven years earlier, the Senate passed the Treaty in April, 69-19. After passage, Hiram Johnson gave an address on the floor of the Senate designed “in a straightforward fashion to make plain the rotten attitude of our leaders.” Why, asked Johnson, do “we have \$25,000,000 to squander in the first act that a Republican administration does...if it was a blackmail demand for seventeen years, tell me, some of you gentlemen whose views have undergone a remarkable metamorphosis, tell me when the blackmail demand shed its awful outer garment and became a rosy-hued request.” Here, Johnson was speaking to the Old Guard Republicans of the Senate Foreign Relations Committee – Lodge, Albert Fall, Frank Brandegee, and Porter McCumber – who had attacked the treaty in writing in 1917 and now, four years later, supported it.¹¹²²

Johnson’s speech, he told Ickes, “got under the skin of the men who denounced the Treaty as blackmail, and then put it over under blind partisanship.” It also received exactly the

¹¹²¹ Borah to Jas. Williams, Jr., March 28, 1921. WJB, Box 99: Newspapers. Borah to M.E. Morrow, March 19, 1921. Borah to A.H. Vandenberg, March 17, 1921. WJB, Box 90: Columbian Treaty. Lowitt, 144-145.

¹¹²² Borah to A.H. Vandenberg, March 17, 1921. Marian C. McKenna, *Borah* (Ann Arbor: University of Michigan Press, 1961), 174-175. James W. Owens, “Hiram Johnson at Large Again,” *The New Republic*, May 25, 1921, 378. Lower, 171.

sort of press Ickes had warned the Senator about. Johnson, James W. Owens argued in *The New Republic*, has “marked his escape from the prison builded of policies and political ambitions which he entered rebelliously last June, when Mr. Harding was nominated for president.” Now, “even before the President has got his new eight-foot bed and had made himself otherwise comfortable,” Johnson had broken with the administration and reverted to form. “In the first place, fist-shaking defiance based on solid conviction; in the second place, the company of the old insurgent-progressives; and in the precious and tremendous third place, defense of the memory of Roosevelt, and the corollary of appeal to the emotions of some millions of Rooseveltians.” Hiram Johnson, Owen concluded “went to it with the rush of a Niagara. Out in the open before the world as a rebel, but his Republicanism undiluted. Escape! Freedom! Opportunity!”¹¹²³

Johnson was incensed about Owens’ article, which he deemed a “left-handed smash, founded in falsehood,” and took the opportunity to pick a scab from the 1920 election. “This holy publication can see nothing wrong in a Hoover, who begged the people of the United States to vote for Harding in order that we might go into the League of Nations.” Johnson still thought his nemesis in California “an intellectual crook” and “unfit for the Cabinet” -- not that he expected *TNR*, “in its internationalism and its blind idolatry of a Hoover,” to see it thus. “[W]e cannot expect anything more, I presume, of the *New Republic* than we can expect of the *New York Times* or the *New York World*, and I am really sorry for this.”¹¹²⁴

¹¹²³ Johnson to Ickes, May 14, 1921. HLI Box 33: Hiram Johnson. Owens, “Hiram Johnson at Large Again,” 378-379.

¹¹²⁴ Johnson to Ickes, May 31, 1921. HLI. Box 33: Hiram Johnson. Lower, 180.

While arguing to Johnson that the TNR article “did have the grace to say that your speech was the best upon the subject, that it expressed your honest convictions; that you, personally, are fearless and that you are the only in man in sight for leadership of the great republican majority,” Ickes agreed that the magazine had indulged incessantly in uncritical adulation of the Great Engineer. “I neither respect nor trust Hoover,” he told Johnson. “I don’t think he has any political principles. I think he is out for Hoover and will go along with anyone who will advance his personal interests.” As for the Colombia treaty, Ickes thought the whole affair “a most disgraceful proceeding,” and troubling for what it portended. “The Senate is docile enough to do anything the administration wants if its action on the Colombian Treaty is any indication of its temper,” Ickes thought. Johnson concurred. “We have now a Senate more subservient, more servile, and more contemptibly sycophantic than the Senate has ever been during my residence here,” he fumed.¹¹²⁵

The story of the Thomson–Urrutia Treaty’s passage is illuminating of American foreign policy in the Twenties, and progressives’ relationship to it, in several ways. First, the fact that Harding’s first initiative was a long-stalled treaty suggests the highlighted importance of foreign policy in the decade. “Far from isolation,” historian William Appleman Williams wrote while working to debunk “The Legend of Isolationism in the 1920’s,” “the foreign relations of the United States from 1920 through 1932 were marked by express and extended involvement with – and intervention in the affairs of – other nations of the world.” “In the 1920s,” writes historian

¹¹²⁵ Ickes to Johnson, June 8, 1921. HLI Box 33: Hiram Johnson. Ickes to Johnson, May 21, 1921. HLI Box 33: Hiram Johnson. Lower, 172.

Warren Cohen, “the United States was more profoundly engaged in international matters than in any peacetime era in its history.”¹¹²⁶

Second, the fact that this first act of Harding’s was related to encouraging foreign crude oil production is not an accident. In the Twenties, after the 1921-22 recession receded, the United States became both the world’s leading exporter and the world’s largest consumer and importer of raw materials (and the second biggest importer overall, after Great Britain.) Automobile exports rose from \$303 million in 1920 to \$541.4 million by 1929. The export of petroleum and petroleum products rose from \$161 million to \$561 million over the same period. Over that time, the export of rubber products surged by 600%. And, as these domestic automobile-related industries surged, the Harding and Coolidge administrations – especially Senator Johnson’s nemesis, Herbert Hoover – worked increasingly frantically to ensure America enjoyed unfettered access to key raw materials like crude oil and rubber. (In fact, a month after passage of the Colombia treaty, the Harding administration successfully killed a tariff on foreign oil imports.)¹¹²⁷

Third, the dispute over the Colombia treaty followed to form the usual concerns of William Borah and the Senate “peace progressives,” who, as during the League of Nations fight, were most concerned over the decade with preserving American nationalism, retaining the export value of American ideals, and fighting anti-imperialism, in that order. (In this case, while they used the anti-imperialist Big Oil argument, their love of nationalism and preserving American honor clearly trumped any serious consideration of the imperialistic urges that may have guided Roosevelt’s Big Stick diplomacy in the first place.) And, as in many of the foreign policy issues

¹¹²⁶ Carter, 46. Cohen, xii.

¹¹²⁷ Cohen, 24-27. Nash, 153.

of the decade, Senator Borah, with his attempted amendment, would manage to worm his way to the center of the issue. This is true particularly after Borah succeeded Henry Cabot Lodge as Chair of the Senate Foreign Relations Committee in 1925.¹¹²⁸

And, fourth, the Senate progressives would on occasion find themselves at loggerheads with other progressives, in this case James Owens of *The New Republic*, who embraced the new internationalism. “Whether we care for it or not,” Jane Addams wrote in 1930, “our own experiences are more and more influenced by the experiences of widely scattered people; the modern world is developing an almost mystic consciousness of the continuity and interdependence of mankind.” “The hope of the world today,” John Haynes Holmes argued similarly in 1927, “is not to be found in any one nation and people anywhere but in all nations and peoples everywhere.”¹¹²⁹

This new internationalist spirit among progressives – evidenced in everything from the growth of women’s international organizations to the Interchurch World Movement of 1919, which embraced “the vision of a united church uniting a divided world” – had its origins in the works of two writers who had not survived 1919 – Randolph Bourne and Walter Weyl. “In a world which has dreamed of internationalism,” Bourne had argued in his “Transnational America” essay of 1916, “we find that we have all unawares been building up the first international nation,” by allowing immigrants from all the world’s shores. As such, “only America... can lead in this cosmopolitan enterprise” for the world. So, Bourne argued, “let us make something of this trans-national spirit instead of outlawing it. Already we are living this

¹¹²⁸ Addams, 8-9. Johnson, *Peace Progressives*, 116-117.

¹¹²⁹ Addams, *Second Twenty Years*, John Haynes Holmes, “Where are the Pre-War Radicals?” *The Survey*, February 1, 1926.

cosmopolitan America. What we need is everywhere a vivid consciousness of the new ideal. Deliberate headway must be made against the survivals of the melting-pot ideal for the promise of American life.” Similarly, Walter Weyl had argued in his book *The End of the War*, it is time to “leave behind our old Americanism to find abroad a new and broader Americanism: an Internationalism.” This spirit of internationalism, as we have previously seen, took heavy blows in the failure of the League of Nations and the Red Scare, but it was a dream that still persisted among many progressives, especially among those who had been active in the Suffrage movement.¹¹³⁰

It was also a spirit, as we have also seen, that was anathema to the progressive nationalists in the Senate, whose foreign policy philosophy was briefly and ably summed up in an exchange of letters between Lawrence Abbott, editor of *The Outlook*, and William Borah. “The older I grow,” Abbott wrote to Borah, “the more I become a strong Nationalist. I do not believe in the weak and visionary internationalism whose advocates think that all mankind should live in a kind of gigantic Oneida community. It seems to me that a more reasonable analogy is that every nation should perfect itself as highly as possible, and then should live with other nations in the amity with which vigorous and highly developed families live with other equally highly developed families in a neighborhood.” Responding to Abbott, Borah echoed his argument back to him. “I am like you, the older I grow, the more I become a strong nationalist....This is my doctrine, Mr. Abbott:”

I am just as much in favor of this nation doing its duty as a member of the family of nations as any man can be. But I want it to perform that duty as a great powerful moral force, disentangled, but nevertheless in thorough amity and most complete harmony with other powers. I think, Mr. Abbott, what we need now in international affairs is a distinct leadership upon the part of this great nation, not an entanglement, not alliances, but a creed of international honor, morality,

¹¹³⁰ Noggle, *Into the Twenties*, 174. Bourne, “Transnational America,” *Atlantic Monthly*, 118 (July 1916), 86-97. Dawley, 191.

decency, and justice, and back of that creed a great nation like ours. I would rather have the mobilized moral forces of the world behind such a leadership than all the armies and navies which could be gathered together upon the land or sea.”¹¹³¹

Borah strongly disagreed with the notion that believing in nationalism as such made him an isolationist. “The League people like to argue,” Borah told another correspondent, “that because we do not propose to be tied into political commitments and entanglements we therefore are not concerned with the affairs of the world and not disposed to serve humanity where we can. The United States has always been interested in the affairs of the world and always will be.” But how to respond to those affairs was a question that these two groups, internationalists and nationalists, would have to forge an uneasy peace on, issue by issue, in order to move forward during the decade.¹¹³²

Guarding the Back Door

Perhaps the most obvious crux of difference between the progressive internationalists and the Senate nationalists in the Twenties was on the continuing issue of the League of Nations. Particularly after pro-Leaguers Charles Evans Hughes and Herbert Hoover entered Harding’s cabinet, the former irreconcilables kept waiting for the other shoe to drop. “Instead of going into the League of Nations gaily by the front door,” Hiram Johnson grumbled to Harold Ickes in May 1921, “apparently, we are going to sneak in by the back door.” Ickes concurred. “During the campaign I felt that Harding’s position was such that he could jump either way once he was in the White House and since March 4 he certainly jumped in different directions,” he replied. “The Lord only knows where he will end up finally in our international relations, but my guess is that we will be in the League of Nations in some way at some time.” Writing in April 1921, Borah

¹¹³¹ Steel, 189. Lawrence F. Abbott to Borah, November 23, 1922. WJB, Box 112: Foreign Affairs Misc. Borah to Lawrence F. Abbot, November 25, 1922. WJB, Box 112: Foreign Affairs Misc.

¹¹³² Borah to G.H. Boynton, October 30, 1925. WJB Box 188: Newspapers.

had much the same thought: “Having failed to enter the front door and having received the open condemnation of the people,” he argued, “the plan [for the League] seems to be now to enter the back door.” After all, if leading Republicans would change their vote on the Colombian Treaty, who was to say they now wouldn’t do the same on the Treaty of Versailles?¹¹³³

In fact, the Senate irreconcilables were right to worry. According to Charles Evans Hughes later in life, Harding thought coming into office that “we would ratify the Treaty of Versailles, with reservations, and enter the League with reservations,” while Hoover had promised Colonel Edward House after the election that “pro-League Republicans expect to make the fight of their lives.” In the first weeks of the new administration, Harding asked Hughes to go see Frank Brandegee of Connecticut on the Foreign Relations Committee, who had proved pliable on the Colombian treaty, and see what he thought about reopening the League question. Not this time – Senator Brandegee told Hughes that “ratification of the Treaty of Versailles in any form is impossible,” and warned the president that the Senate Republicans would bolt his administration for good if he attempted to force it on them. Hughes then contemplated resigning his position, but eventually decided to stay since the Senate would not accept “participation in the League on any terms.”¹¹³⁴

With the Treaty of Versailles apparently dead, Senator Philander Knox of Pennsylvania introduced a resolution the day after Harding’s address to Congress, calling for an official end of hostilities between the United States and Germany. This passed quickly, and with the House version became the Knox-Porter Resolution, which Harding signed on July 1st, 1921. But a peace

¹¹³³ Johnson to Ickes, May 10, 1921. Ickes to Johnson, May 12, 1921. HLI Box 33: Hiram Johnson. Borah to Arshag Mahdesian, April 9, 1921. WJB, Box 93: Foreign Affairs, 1920-1291.

¹¹³⁴ Wimer and Wimer, 13-15.

treaty still needed to be devised – a responsibility which fell upon Hughes. (Hughes had suggested resubmitting the Versailles Treaty with the League of Nations scrubbed and additional reservations included, but advisors in the Senate balked at this as well.) And so, he assembled a treaty that let America avail of all the “rights, privileges, indemnities, reparations, and advantages” of the Treaty of Versailles, without any of the encumbering responsibilities. “The United States,” read Article Two, Section Two, “shall not be bound by...any provisions of that Treaty...which related to the Covenant of the League of Nations, nor shall the United States be bound by any action taken by the League of Nations.” This was signed by both America and Germany on August 25th, and became known as the Treaty of Berlin.¹¹³⁵

Even this language was not removed enough from Versailles for William Borah, who thought, by citing the rights and advantages favorably, the United States gave “its moral sanction” to a treaty that “comes as near creating a complete autocracy based upon military force.” The Versailles Treaty, Borah told the Senate, “is the most pronounced negation of...moral law which has yet been crystallized into form by the hand of man.” Anything less than a full repudiation of it, he warned, opened America to “every conceivable question which can arise in Europe.” Senator La Follette, for his part, wondered aloud why the Harding administration was focused on “foreign policy, in which the international bankers and imperialist of Wall Street have billions at stake.” Nonetheless, the Senate Foreign Relations Committee took

¹¹³⁵ Wimer and Wimer, 16-18. “US Peace Treaty with Germany,” August 25, 1921. Back when the League of Nations had seemed a viable option, Harding had urged Lodge to slow-walk any resolution ending the war, since “that sort of action might make it more difficult to effectively prevent the ultimate program we decide upon regarding the League of Nations.” Wimer & Wimer, 16.

only two days to peruse the Treaty of Berlin before voting it out 9-1, with only Borah dissenting. (La Follette was not on Foreign Relations.)¹¹³⁶

The treaty's smooth sailing through the Senate was interrupted, however, by a ghost from the past who took its bilateral approach as a personal insult. "It is not to be wondered that this Treaty was so readily and rapidly negotiated and agreed upon," former President Wilson wrote his closest Senate ally, Carter Glass of Virginia. "It is of the sort most familiar and most easily understood in Berlin, inasmuch as it is based upon the old Prussian principle of sacrificing the interests of every other nation, whether friend or foe, in order to gain your own object. We now figure as the pupils of Prussia." Wilson urged Glass to organize the Democrats in opposition, after which "I will be glad to put at their disposal the utmost resources of my thought and judgment. Otherwise, I should not feel justified in adding such a responsibility to the present tasks of my brain."¹¹³⁷

Glass tried valiantly to rally the Democrats in opposition, and managed at least to delay the vote several times as Republicans worried if the balance of Wilson Democrats and ornery progressives could defeat the treaty. (Democrats took a particular relish in reading Henry Cabot Lodge's earlier words from the League fight back to him: "We cannot make peace except in company with our Allies. It would brand us with everlasting dishonor and bring ruin to us also if we undertook a separate peace.")¹¹³⁸

¹¹³⁶ Johnson, *Peace Progressives*, 167-168. "Borah Speaks for Humanity," *The Searchlight on Congress*, October 1921 (Vol. 6, No. 5), 19-20. Wimer and Wimer, 19.

¹¹³⁷ Wimer and Wimer, 19.

¹¹³⁸ Wimer and Wimer, 18-24.

Nonetheless, on October 18th, 1921, the Treaty of Berlin passed easily, 66-20. Fourteen Democrats voted for the final treaty, including Minority Leader Oscar Underwood and former Minority Leader Gilbert Hitchcock, who had led the Democratic fight for the League in the previous Congress. (From his house on S Street, Wilson asked for the full list of fourteen, so he knew exactly who to despise forever after. “I have washed my hands of them entirely forever,” he told Breckinridge Long.) Senators Borah and La Follette joined the majority of Democrats in opposition, while George Norris, who was sick at the time, missed the vote but had already announced his opposition. Hiram Johnson, for his part, happily voted for the Treaty. “I remember very vividly that Mr. Hughes desired to take us into the League of Nations, and the restraining hand of the President prevented him. I recall that Mr. Hughes desired to send back to us the Versailles Treaty...and again it was the power of the President which prevented it.” Now at last, Johnson averred, “We have accomplished all that we fought for.”¹¹³⁹

William Borah was not so sure. From the early days of the Harding administration, there had been talk of restructuring the debt of America’s former allies from the Great War, which stood somewhere between \$10 and \$11 billion. After Secretary Mellon asked the Senate for the power to exchange long-term bonds for demand notes from the former Allies, Robert La Follette had introduced a resolution early in 1921 forbidding the administration from refunding the British debt without a vote from Congress. Mellon’s request made it out of the Senate Finance Committee, and La Follette’s resolution was buried there by Boies Penrose. So La Follette issued a minority report arguing that “no man has ever lived who should be intrusted with such a gigantic responsibility...No man should ever be given such untrammled control over the finances of this country and the destinies of other nations.” Instead, the Senate allowed Mellon to

¹¹³⁹ Wimer and Wimer, 18-24. “Final Vote on the Treaty,” *The Searchlight on Congress*, October 1921 (Vol. 6, No. 5), 6.

convene a commission on the subject instead – This commission chose to favorably restructure England’s war debt in 1923. This decision, La Follette declared in a front-page editorial in his magazine, would “foster and stimulate imperialism” by allowing Britain to “extend their monstrous schemes of conquest” and forcing America to support the “vastly over-extended and shaky structure of the British empire.”¹¹⁴⁰

For his part, Borah was “absolutely opposed to the cancellation of the debt, or any part of it, or to the forgiving of the interest,” since “[t]here would be no difficulty about these governments paying the debts which they justly owe if they would curtail their armaments and settle down and go to work.” He was not alone in this assessment. “In view of the recent [armaments by Britain and France],” wrote former Senator Albert Beveridge to Borah, “the pleas that these nations are not able to pay even the interest on our debt does not appear to me to be convincing.” Harold Ickes thought similarly. “Raymond Robins tells me he has written you advising you to fight the proposal of the administration to refund the debts of Europe and I believe his advice is sound,” he wrote Hiram Johnson in June 1921. “I don’t believe our people are in any mood to assume further financial burdens for Europe. I don’t think it is sound economics for us to do so. We need our own capital for the development of our own industries and the greatest contribution we can make to the prosperity of the world is for us, ourselves, to become prosperous.”¹¹⁴¹

Nonetheless, William Borah’s had an altogether different concern about debt restructuring, which he confided to Beveridge. “[W]ithout accusing anybody individually,”

¹¹⁴⁰ La Follette, 1030-1031.

¹¹⁴¹ Borah to Calvin Keller, October 29, 1921. WJB, Box 94: Funding of Foreign Debt. Albert Beveridge to Borah, June 25, 1921. WJB, Box 94: Funding of Foreign Debt. Ickes to Hiram Johnson, June 30, 1921.

Borah wrote, “the Senegambian in this woodpile is the thought and hope in some places that another back door has been found to the League. Imperial finance is to my mind about as objectionable as militarism.” The situation became even more fraught in January 1923 when the Treaty of Versailles brought on another European crisis. After the Weimar Republic defaulted on its reparations payments, French forces initiated a two-year occupation of the resource-rich Ruhr valley in Germany as recompense, with the intention of extracting German coal, iron, and steel for themselves. (While legal under the Treaty, this action prompted an international outcry and sent the German currency spiraling into hyperinflation.) To address the ensuing crisis, a committee led by Chicago banker and former Harding Budget Director Charles Dawes concocted a plan in 1923 that included a restructuring of Germany’s repayment schedule and a \$200 million loan to Germany, \$110 million of which was ultimately floated by the United States. This “Dawes Plan” – America pays Germany, Germany pays France and England, France and England pay the United States, with international banks taking a cut at each stage – was accepted by all parties involved over the course of 1924, and France pulled back her troops the following summer.¹¹⁴²

The Dawes Plan ultimately garnered its namesake the Nobel Prize, but it was less well-taken by Senate progressives. Henrik Shipstead called it a “gold brick loaded with dynamite” and wondered “why is it not stipulated in the contract that Europe disarm before she gets the money.” Robert La Follette thought the plan was the obvious product of a committee “entirely controlled by Morgan influences.” And George Norris, looking back on the plan from the vantage of 1931, argued that it was devised “mostly by international bankers to enforce as much of the Versailles Treaty as they thought the world, and particularly Germany could stand.” Writing in 1958,

¹¹⁴² Borah to Albert Beveridge, June 28, 1921. WJB, Box 94: Funding of Foreign Debt. Cohen, *Empire Without Tears*, 32-33.

historian William Leuchtenburg argued “[i]t would have made equal sense for the United States to have taken the money out of one drawer in the Treasury and put it into another.” Nonetheless, whatever enterprises American dollars may have been used to fund around the world, neither the restructuring of allied debts nor the Dawes Plan ended up being exactly the back door to the League that Borah had feared.¹¹⁴³

But the threat was still not quite past. In his inauguration address, Warren Harding had equivocated in Gamaliel on the issue of the League. (On one hand, “a world supergovernment is contrary to everything we cherish and can have no sanction by our Republic.” On the other, “we are ready to associate ourselves with the nations of the world, great and small, for conference.”) But he had also been firm and specific in his endorsement of a World Court. America, Harding said, “would gladly join in that expressed conscience of progress, which seeks to clarify and write the laws of international relationship, and establish a world court for the disposition of such justiciable questions as nations are agreed to submit thereto.”¹¹⁴⁴

As noted previously, an association of nations based on law conformed more to the wishes of conservative internationalists like Elihu Root, Charles Evans Hughes, and William Howard Taft. And, given it was now the best thing going, progressive internationalists rallied behind the court plan as well. The National Women’s Trade Union League, for example, adopted a resolution advocating “a permanent international court representative of peoples as well as governments for the settlement of international disputes” in June 1921. By 1923, it had joined with the National Council for the Prevention of War, a broad umbrella peace organization encompassing twenty-eight diverse groups, ranging from the Women’s International League for

¹¹⁴³ Johnson, *Peace Progressives*, 161. Lowitt, 529. Leuchtenburg, *Perils of Prosperity*, 110-111.

¹¹⁴⁴ Warren Harding, “Inaugural Address,” March 4, 1921.

Peace and Freedom to the American School Citizenship League, and including members such as the American Association of University Women, the International Association of Machinists, the National Education Association, and the Women's Christian Temperance Union. As part of its "Law Not War Day" platform – held in 2000 communities each year on July 28th, the day the World War had begun – the National Council urged American participation in the World Court.¹¹⁴⁵

Even Borah himself – strangely enough for someone who prized American independence above all else – was not averse to a World Court if it had the power to adjudicate disputes between nations and, more importantly, was not tied in any way to the League of Nations. (This, as we shall see later, was integral to his Outlawry of War plan.) But the World Court that came into being in January of 1922 had arisen directly out of Article XIV of the League Compact, which called for "the establishment of a Permanent Court of International Justice." As such, to Borah, it was conceived in original sin, and was merely another iniquitous tool of the League to further its own devious and imperialistic ends. "I am in favor of a real international judicial tribunal," he argued. "I am not in favor of an international political tribunal masquerading in the guise of a judicial tribunal. I am not in favor of a court which shall be under the thumb of the European Premiers." To Borah, this "Court is inseparably a part of the League. It is tied to it in every conceivable way that we would tie a tribunal of this kind to a political institution."¹¹⁴⁶

In the summer of 1922, facing pressure from the Federal Council of Churches and other progressive internationalists to become more involved with both the League and the Court, the

¹¹⁴⁵ Robert D. Accinelli, "Was there a 'New' Harding? Warren G. Harding and the World Court Issue, 1920-1933", *Ohio History Review*, Vol. 84 (Autumn 1975), 175. "National Women's Trade Union League and Outlawry of War," *Life and Labor Bulletin*, August 1923 (Vol. 1, No. 12), 1-2.

¹¹⁴⁶ "The Covenant of the League of Nations," June 28, 1919. Johnson, *Peace Progressives*, 171. Vinson, 74-75, 80. Borah to Edward Whiting, December 10, 1925, WJB Box 219: World Court.

administration sent State Department liaisons to sit in on the League's meetings, and began using Chief Justice William Howard Taft as an unofficial go-between with the League's leadership to feel out the question of America joining the World Court. By the following February, Secretary of State Hughes had drafted a resolution for membership that included specific reservations emphasizing that America's joining the Court was no indication of its stance on the League. President Harding sent this draft on to the Senate on February 24, 1923, where – it being close to adjournment – it was tabled by the Foreign Relations Committee for the following session.¹¹⁴⁷

Progressive internationalists and the peace movement strongly rallied behind Harding's move, with the Federal Council of Churches pushing their 20,000 member congregations to lobby the Senate, and pacifists making the case around the country for the Court on "Law-Not-War" Day. But anti-League forces felt blindsided by the president. "The glorification of the World Court is an attempt to draw a red herring across the trail of the great domestic issues," declared Senator La Follette. It "is a part of the cleverly-conceived plan of the International Bankers to entangle the United States in the affairs of Europe." Deeming the Court "the League in disguised and diluted form," La Follette and Borah began making plans for a summer speaking tour against it. Harding, argued the Hearst-owned *New York American*, wanted to "put the United States in a position of obedience to a Supreme Court chosen by and controlled by the League of Nations. Having refused to be led into the League of Nations through the front door, the American people are now to be squeezed in through the kitchen door." Exultant Democrats argued that Harding, in the words of Gilbert Hitchcock, was having America join the League "on the installment plan." (This was too slow for Woodrow Wilson, who from his sickbed penned a

¹¹⁴⁷ Accinelli, 168-173.

letter calling for immediate American entry into the Court with none of Hughes' anti-League reservations.)¹¹⁴⁸

Over the next few months, as domestic scandals rather than foreign policy began to move to the fore in Washington, Harding insisted that America would not join the League “by the side door, or the back door, or the cellar door.” Instead, he proposed simply and unilaterally separating the Court from the League, which Hughes and others thought might not go over well with the current members of those two organizations. On the first stop of the Voyage of Understanding, Harding put this plan forward, and – perhaps thinking of the ill-fated western tour of his predecessor – promised a St. Louis audience that “I shall not attempt to coerce the Senate of the United States. I shall make no demand upon the people. I shall not try to impose my will upon anybody or any person. I shall embark on no crusade.” Harold Ickes, for one, was dumbstruck by the president’s new position, which alienated pro-League forces without swaying any irreconcilables. “It has been unseasonably and unreasonably hot here for several days and I may be suffering from the heat,” Ickes wrote to Senator Johnson the day after Harding’s speech, “but it does seem to me that this is the damndest fool proposition in the way of international relations and cooperation that has yet been advanced...[Harding] has deserted his ground and is now occupying an entirely new position which to me seems utterly untenable from any American point of view and impractical as a matter of international politics.”¹¹⁴⁹

Soon thereafter, the president was dead. In his last address, published two days before his passing, Harding declared he “would be insensible to duty and violate all the sentiments of my heart and all my convictions if I failed to urge American support of the Permanent Court of

¹¹⁴⁸ Robert La Follette, “Release for Morning Papers,” April 26, 1923, RLF Box 201: World Court. Accinelli, 175.

¹¹⁴⁹ Ickes to Johnson, June 22, 1923. HLI Box 33: Hiram Johnson.

International Justice. ‘I do not know that such a Court will be unfailing in the avoidance of war, but I know it is a step in the right direction and will prove an advance toward international peace for which the reflective conscience of mankind is calling.’¹¹⁵⁰

With the president’s death, the idea of joining the World Court was put on the back burner while the nation confronted the depths of the Harding scandals. But it did not slumber completely. Two months before the president’s passing, wealthy philanthropist and former *Ladies Home Journal* editor Edward Bok had put forward what became known as the Bok Peace Prize, a \$100,000 grant to “the American individual or organization presenting the best practicable plan by which the United States may cooperate with other nations for the achievement and preservation of world peace.” “This is the psychological time,” Bok argued in announcing his prize, “to crystallize public opinion on the question of the United States’ responsibility for preventing wars.” (*The Crisis*’s succinct answer to Bok: “Stop despising men. Stop hating and suspecting ‘foreigners’ and fearing yellow men and enslaving brown and black men...If white men believed Negroes were men ever as they are, they would not murder each other in order to mortgage the labor and raw material of Asia and Africa”)¹¹⁵¹

In February 1924, after over 22,000 submissions, the Bok committee chose Peace Plan No. 1469, a relatively straightforward solution by an academic named Charles Levermore. His plan: Cooperate with the League of Nations without joining, and adhere to the World Court. “Five-sixths of all nations, including about four-fifths of mankind, have already created a world

¹¹⁵⁰ Accinelli, 177-178. “Harding the Apostle of Peace,” *Literary Digest*, August 11, 1923.

¹¹⁵¹ Vinson, 53-54. “Bok Peace Plan Debate, April 11, 1924,” Columbia Law Library (http://library.law.columbia.edu/ttp/TTP_Bok.htm) Hannah White-Catlin, “Mr. Bok Sets Us Talking,” *The Survey*, January 15, 1924 (Vol. LI, No. 8), 371. Charles Levermore, “Peace Plan No. 1469,” *The Survey*, January 15, 1924 (Vol. LI, No. 8), 372, 417. “Mr. Bok,” *The Crisis*, October 1923 (Vol. 26, No. 6), 249.

organization,” Levermore noted. “Therefore, the only possible path to cooperation in which the United States can take an increasing share is that which leads toward the some form of agreement with the world as now organized, called the League of Nations. By sheer force of social international gravitation such cooperation becomes inevitable.” Furthermore, “an immediately practicable step is the Senate’s approval of the proposal that the United States adhere to the Permanent Court of International Justice.”¹¹⁵²

Charles Levermore and the Bok Committee were not alone in calling for increased American involvement on the World Court. 83% of newspaper editors, according to a poll conducted by the Bok committee, also approved Court membership, as did both party platforms in 1924. The following year, the World Court issue moved to the fore once more when new Secretary of State Frank Kellogg, arguing that “civilized nations are now beginning to recognize the real principles of international law,” reintroduced the treaty into the Senate. “[D]id you ever such a sordid, nation-wide, corrupting, common, ordinary lying propaganda as is now going on for this World Court,” Borah exclaimed to one correspondent. “It is as corrupt and un-American as it would be to stand at the polls with dollar bills in your hand.” On the floor, the Idaho Senator again argued that this Court was merely the legal arm of the League, designed to rubber-stamp the “unrighteous fruit of the vicious secret treaties.” While the elder La Follette had passed on, his son, recent arrival to the Senate Bob La Follette, Jr., spoke out against the Court as well, as did Farmer-Labor Senator Henrik Shipstead of Iowa, who argued its purpose was “to decide that loot acquired as a result of the last war has been legally acquired.”¹¹⁵³

¹¹⁵² Ibid.

¹¹⁵³ Borah to O.K. Davis, December 10, 1925. WJB Box 219: World Court. Vinson, 105. Johnson, *Peace Progressives*, 172-173.

While Borah could not defeat the World Court treaty this time – it passed 76-17 – he did manage to load it up in committee with various poison pill reservations, including giving America veto power over any case that involved the United States – something the rest of the Court’s members would never consent to. Threatening the Court would “put this country into Europe,” Borah pledged after the vote to devote “every inch of energy and ability I have to this cause from now on,” including acting as “America’s new Paul Revere” to warn the people about this new threat to their independence.

Hiram Johnson – who thought the Court victory meant that “we have taken our first stop and that we’ll ultimately now go into the League” – was one with little faith in Borah’s staying power on this issue. A year earlier, when Borah had made a similar rhetorical rally to arms about the Court issue, Johnson “noticed too, as always happens with Borah, that after making one speech he was assailed by the League of Nations men and he then retired to Idaho:”

From this friendly retreat he has indulged in one fulmination praising economy and Coolidge. Probably from Jenkins Cross Roads or Main Street of Babbitsville he will deliver a Philippic upon the World Court, but will take extraordinary pains to see that it is not offensive to the World Court people and that it may be utilized by Mr. Mellon and Mr. Coolidge. If the fight on the League of Nations had been left to him, this is just what would have happened with that epochal struggle. His leadership in the present instance... will result as his efforts, when he has undertaken anything in the past, always have resulted – either in compromise or surrender, and, if not either of these in utter and irretrievable defeat.

He is, however, the only man in the Senate with any pretense to Progressivism who can get great publicity now, and while it is true he gets this by virtue of the fact that he is Mr. Mellon’s man and Mr. Coolidge’s spokesman, nevertheless I think it a good thing for the cause, for it does, after all, give some publicity occasionally to a little of that in which we believe.”¹¹⁵⁴

In this case, Johnson’s cynicism about his colleague may have been slightly unfair, since Borah’s poison pills did in fact work their magic. Coolidge, knowing neither the Senate nor the

¹¹⁵⁴ Johnson to Ickes, February 1, 1926. HLI Box 33: Hiram Johnson. Johnson to Ickes, July 20, 1925. HLI Box 33: Hiram Johnson.

other Court members would be willing to back down over the issue of the extra reservations, simply tabled the treaty for good. In her study of the foreign policy of the 1920's, *Populist Nationalism*, historian Karen Miller gives credit to Borah and Johnson both for the defeat of the League and the Court. These men, and the small band of progressive irreconcilables they led, were able “to effectively thwart the will of three presidents. Not only were these men of complex ideas; they were remarkably skillful practitioners of institutional politics.” Even if, by the end, they had grown more than a little sick of each other.¹¹⁵⁵

Disarming the World

William Borah was no isolationist. He knew that, if he wanted to succeed in keeping America free of European entanglements, he would have to offer an alternative to the League and the Court through which the United States could involve itself in international affairs. So when the League of Nations took up the issue of arms limitation in 1920, Borah put forward an alternative plan that would attempt to wrestle with the issue of disarmament without compromising American independence or integrity. It was the first step in what would become one of the major progressive and foreign policy accomplishments of the decade.¹¹⁵⁶

On December 14th, 1920, six weeks after Harding's election, Borah introduced a resolution urging the President to call a conference of England, Japan, and the United States – the three major naval powers of the time – to discuss the prospect of “promptly entering into an understanding or agreement by which the naval expenditures and building programs... shall be substantially reduced annually during the next five years.” The resolution passed the Senate 54-

¹¹⁵⁵ Ashby, 202-204. Miller, *Populist Nationalism*, xiii.

¹¹⁵⁶ Greenbaum, 193. Ashby, 105.

0, but it went down with the naval bill to which it was attached – Wilson had opposed Borah’s idea, since it included no provision for joining the League.¹¹⁵⁷

Nonetheless, Borah had lit a spark, and – particularly after the idea of a disarmament conference was seconded by two men with impeccable military credentials, John J. Pershing (on December 29th) and former Army Chief of Staff Tasker Bliss (on January 11th, 1921) – that spark became a public relations brushfire. By the time Borah reintroduced the resolution on April 13th, 1921, it had, in the words of *The Searchlight on Congress*, “aroused a public opinion that was irresistible.” This time, Borah’s resolution passed the Senate 74-0 on May 26th and the House 330-4 on June 29th. Borah, exulted *The Searchlight* in July, had “won perhaps the greatest legislative victory ever achieved in America. What comes of it must depend on the sincerity and statesmanship of those into whose hands the whole epoch-making matter has now passed. Borah has done his part: He is an outstanding world figure.”¹¹⁵⁸

“In my opinion, the beginning of peace is disarmament,” Borah explained his gambit to one correspondent. “A world armed to the teeth cannot be other than a fighting world. We do not pauperize ourselves to maintain great armies and we do not build vast navies merely for exhibition. They are built and maintained for the purpose of destruction...In other words, armaments beget not only pauperized communities and nations, but they beget suspicion, jealousy, hate, and finally, war.” And since “there is no possible chance to disarm by land so long as the Versailles Treaty is in existence,” Borah explained to another, America and the world nevertheless still had the power to “disarm by sea. For there is no one building a navy, or

¹¹⁵⁷ Ibid. Raymond Leslie Buell, *The Washington Conference* (New York: D. Appleton and Company, 1922), 147. Lawrence Lenz, *Power and Policy: America’s First Steps to Superpower, 1889-1922* (New York: Algora, 2008), 226-227.

¹¹⁵⁸ Ibid. “Borah,” *The Searchlight on Congress*, July 1921 (Volume VI, Number 2), 13.

purporting to build a navy, except Great Britain, the United States and Japan. If they see fit to disarm, or to reduce their armaments to a minimum, by sea, it will go a long way toward relieving the human family of the burdens and the crushing militarism fixed upon it by the Versailles Treaty.”¹¹⁵⁹

As important for Borah’s purposes were the effects disarmament would have on restraining taxes, minimizing debt, and slowing the growth of the federal government. “Our current expenditures for the national government,” he explained to one constituent, “are running from \$4,500,000,000 to \$5,000,000,000 annually. Like a watchman upon his beat, we are hunting now in Congress for something more to tax....How can you reduce taxes unless you reduce expenditures? And how can you reduce expenditures unless you stop paying out money for that which constitutes the bulk of expenditures?” To Borah, “taxes have been the cause of more revolutions and more break-downs in government than any other one thing.” “We are being literally demoralized and sterilized in our industrial life by reason of taxes,” he told another. “It is practically impossible to secure any relief along this line, except through disarmament. 90% of our taxes go for war, either past or anticipated.”¹¹⁶⁰

Just as taxes were destabilizing, a large public debt, Borah thought in true Jeffersonian fashion, was inherently demoralizing. “We now have a public indebtedness upon the part of the

¹¹⁵⁹ Borah to Hejmert A. Swenson, July 1, 1921. WJB, Box 92: Disarmament – Pennsylvania. Borah to Frank S. Dunshee, June 22, 1921. WJB, Box 87: Versailles Treaty. Although he made it less often, Borah also had a national security argument for disarmament. “I am in favor of a Navy which will make us secure, whatever it costs,” he told James T. Williams of the *Boston Evening Transcript*. “But I want to know that it is a fighting Navy, an efficient Navy, and not a dress-parade Navy. We are building sixteen battleships that will still cost \$640,000,000. If you just cut out two of these battleships, we could have eighty submarines, forty on either ocean, which would be infinitely more for a wall for America than the battleships, in my judgment.” Borah to James T. Williams, February 1, 1921. WJB, Box 92: Disarmament – MA.

¹¹⁶⁰ Borah to Herbert Myrick, October 5, 1921. WJB. Borah to R.E. Knapp, March 14, 1921. WJB, Box 91: Disarmament – Idaho.

national government of about \$24,000,000,000,” he argued. “Who could calculate the drudgery, the misery, the deprivation, the insanity, the crime and the suicide involved in the struggle for the payment of this sum? There is nothing so onerous, so deadening, so sterilizing, to human energy, so demoralizing to the morale of a people, as an unbearable public debt like this...Ninety-three cents out of every dollar of this sum represents war – wars past or anticipated. Our expenditures for the army and navy annually are equal to the annual reparation obligations of Germany...Only seven cents out of every dollar goes for all other governmental activities.”¹¹⁶¹

That being said, the only way disarmament could possibly happen, Borah thought, is by way of the traditional progressive method of leveraging public opinion. “War scares, based upon secret knowledge, are the common instruments for those who would keep a Nation in a fighting frame of mind,” he argued. “Already it has been suggested by high authority that knowledge is within the possession of the Government which makes it very dangerous to consider disarmament.” The reduction of arms can only succeed, Borah argued to William Allen White, “through the driving power of public opinion. Governments are inherently against disarmament, the people are unalterably for it.”¹¹⁶²

Borah was adamant on this point, and it runs through virtually all of his letters on the subject. “The only hope for disarmament,” he wrote to one constituent “is in organized public opinion. If the matter is left to a fight with the bureaucrats in Washington, there will be no chance for success.” “[G]reat social and moral revolutions, such as the breaking down of the military power and military spirit,” he told another, “cannot be accomplished other than through mass movement.” “This is the people’s fight,” he told yet another, “and the people will have to

¹¹⁶¹ Borah to Sunset Magazine, November 2, 1921. WJB, Box 99: Newspapers.

¹¹⁶² Borah to Swenson, July 1, 1921. Borah to William Allen White, July 5, 1921. WJB, Box 98: Misc.

make it.” To make any dent in the world’s weaponry, he argued to Stanford President David Starr Jordan, “we ought to organize and direct public opinion as we never have before. The subtle influences which are always scheming against things of this kind are active... There are bureaucrats here who expect to wake up any morning and hear the Japanese guns battering away at the Capitol.”¹¹⁶³

As it happened, an organized army of volunteers was ready to help Borah leverage public opinion for disarmament and against war in the women’s movement. Already, Jane Addams and Carrie Chapman Catt had formed the 6000-member Women’s International League for Peace and Freedom (WILPF) in 1915 in response to the outbreak of the World War. Now, new pacifist organizations arose from the old suffrage networks to stand alongside WILPF, including the Women’s Peace Union, established in 1921 by former suffragists. A “Woman Army against War,” announced Fanny Garrison Villard (mother of *The Nation* editor), “is taking shape a tidal wave of disarmament sentiment... Within a month this supreme women movement has so made itself felt as to frighten out of a reluctant Congress approval of the Borah resolution for a disarmament conference.” “Thousands of thinking women,” wrote Dora Haines in *The Searchlight on Congress* of May 1921, “are preparing to play their part in the saving of civilization.”¹¹⁶⁴

According to Maud Wood Park, head of the League of Women Voters and Women’s Joint Congressional Committee, her members were ““interested in peace almost to the exclusion of any other topic” in the first two years after suffrage. The rank-and-file members of the League

¹¹⁶³ Borah to Frank H. Ainworth, March 14, 1921. WJB, Box 90: Disarmament. Borah to Edward L. Hardy, November 7, 1921. WJB, Box 90: Disarmament. Borah to Percy Willis, August 29, 191. WJB, Box 91: Disarmament. Borah to David Starr Jordan, October 27, 1921. WJB, Box 91: Disarmament Conference.

¹¹⁶⁴ Fanny Garrison Villard, “The Woman Army Against War,” *The Searchlight on Congress* (Vol. 5, No. 12), 15-17. Dora Haines, “The Challenge of Women to Congress,” *The Searchlight on Congress* (Vol. 5, No. 12), 11.

and Alice Paul's National Women's Party, soon to break on differing approaches to securing equal rights for women, were as one on this issue. In fact, the most discussed topic at the 1921 LWV convention was disarmament, prompted when Carrie Chapman Catt forewent her prepared remarks on "Psychologies of Political Progress" and delivered instead an impromptu address to "compel action in Washington." "The people in this room tonight," she proclaimed, "were there no others interested in all the world, could put an end to war if they put themselves to it...let us make a resolution, each and every one of us, to consecrate ourselves individually and collectively to the business of putting war out of the world."¹¹⁶⁵

A disarmament resolution brought up at the 1921 NWP convention was ultimately voted down, due to the belief among Party leadership that the organization should remain exclusively dedicated to the issue of women's equality. Nonetheless, it was mostly NWP members, among them Belle La Follette, who gathered to form the Women's Committee for World Disarmament (WCWD), headed by Emma Wold. "We women have the power to compel disarmament," La Follette told a Christmas 1920 open-air meeting of the soon-to-be-formed organization. "We need not plead nor beg. We have the ballot...And here on this day precious to the Christian world, at the very door of the Capitol of our beloved nation, we vow to use our voices to defeat those senators and representatives in Congress who stand for Militarism and War and to elect senators and representatives who stand for Peace and Disarmament."¹¹⁶⁶

Immediately upon its formation, the WCWD worked to make Easter Sunday, March 27th, 1921, Disarmament Day – Borah was the lead speaker at the Washington event -- and planned a Disarmament Week in late May. Working alongside the WILPF and other women's

¹¹⁶⁵ Brown, *Setting a Course*, 64-66. Cott, 243-245.

¹¹⁶⁶ Cott, 70-71. La Follette, 1029-1030.

organizations like the Women’s Christian Temperance Union and the National Federation of Business and Professional Women’s Clubs, the WCWD held mass meetings in sixteen states, established chapters in twice as many, and dispatched delegations of women to appeal to the president in person. Alongside the WCWD grew a sister organization in 1921, the National Council on Limitation of Armaments, which eventually became the aforementioned National Council for Prevention of War.¹¹⁶⁷

Looking back on the twenties, Frederick Libby, head of the National Council, argued that at least two-thirds of the peace movement in America had been women. They, argued peace activist Laura Puffer Morgan, “are instinctively more interested than men in humanitarian projects and matters of the common welfare because they have more leisure for study and activity, because they have fewer financial entanglements, and as a result a more objective viewpoint and greater moral courage – in other words, because they are freer.” A women’s organization, thought Alice Park of the WILPF and NWP, “will be able to do things to forward world peace that perhaps cannot be done in any other way.” “It has evidently got to be the women who stop war,” argued one member of the Women’s Peace Union, “men are too steeped in tradition to brave such a break.”¹¹⁶⁸

¹¹⁶⁷ Brown, *Setting a Course*, 64-66. Fanny Garrison Villard, “The Woman Army Against War,” 15. Cott, 243-245. In one set of correspondence from October 1921, WCWD chairwomen Emma Wold sent Senator Borah a limerick that was going around the movement:

There was a young lady quite charming
Who said ‘But this new is alarming.
To spoon is great fun
But it cannot be done
Without arms, and the world is disarming”

Replied Borah, “The last quotation in your letter rather alarms me. If that idea gets abroad, I fear it will entirely disorganize and demoralize the support of the women.” Emma Wold to Borah, October 25, 1921. WJB, Box 91: Disarmament – DC. Borah to Emma Wold, October 26, 1921. WJB, Box 91: Disarmament – DC.

¹¹⁶⁸ Ibid. Harriet Hyman Alonso, *The Women’s Peace Union and the Outlawry of War, 1921-1942* (Knoxville: University of Tennessee Press, 1989), 21.

To some advocates of disarmament, real peace was never possible until women had a full voice in politics. “For centuries men have conducted the governments of the world,” Dora Haines wrote in *The Searchlight*. “The result is a stricken world, war-weakened, with bankruptcy in the background. Civilization itself is threatened. In this crisis women are preparing to take a hand. They have trusted male politicians as long as it can safely be done.” To fix this problem, Haines argued, Congress needed more women members immediately. “Congress, man-made and man-minded, while talking disarmament, is proceeding upon the theory that we must be prepared for war. Women believe down deep and through and through...that continued armaments, even without fighting, will break the back and crush the soul of humanity...What women will soon understand, and men apparently cannot...[is that] if our political affairs were conducted openly, honestly, and democratically, no special interest, nor any combination of the beneficiaries of war, could exert their selfish power to profit by plunging the world into war.”¹¹⁶⁹

With the fully mobilized force of the former suffragists’ organizations behind it, the issue took the nation by storm in 1921. “The question of international disarmament,” wrote William Allen White, “is the biggest question before mankind today.” Borah -- the Senator, notes historian John Chambers Vinson, who had “lately been the chief opponent of peace through the League,” was now “the leading advocate in a great crusade to save the nation at once from the peril of war and the pain of taxes...Indeed, [Borah] had wrought something of a miracle. The desire for disarmament and peace, previously resembling a stagnant pool, had been transformed into a rushing river. Soon it was to assume the proportions of a tidal wave as it gained the enthusiastic support of the press, peace societies, churches, civic clubs, and women’s organizations all over the nation.” Borah, as *The Searchlight on Congress* put it in November

¹¹⁶⁹ Doris Haines, “The Challenge of Women to Congress,” *The Searchlight on Congress* (Vol. 5, No. 12), 11-14.

1921, “has become the great apostle of world peace. He sees the evils of military and commercial imperialism as no one before him has ever visioned their immediate and ultimate consequences to humanity.”¹¹⁷⁰

Harding, meanwhile – who had supported Woodrow Wilson’s call to expand the Navy in 1916 and was on record as supporting “the largest navy anyone has cared to suggest,” in the words of *The Searchlight* – now felt increasing pressure to include disarmament as a cornerstone of normalcy. Al Jolson, who had sung the virtues of Harding on the campaign trail the year before, now proposed to the president that he “start the song of peace thinly coated with ragtime, a-echoing though the land.” (“Take away the gun/from every mother’s son/We’re taught by God above/to Forgive, forget, and love/The weary world is waiting for/Peace, forevermore/So take away the gun/From ev’ry mother’s son/and put an end to war.”)¹¹⁷¹

Given this push in both the public and in Congress, Warren Harding had no choice but to accede to the idea of a disarmament conference, and so, for maximum impact, he and Hughes decided to go Borah one farther. On July 11, 1921, the State Department extended invitations to England and Japan, as well as France and Italy, to discuss the issues of naval disarmament and Far East policy in a conference that would begin one day after the third anniversary of the Armistice. Because several other nations had spheres of influence in the East, the nations of China, Holland, Belgium, and Portugal were also invited to send representatives to the convention. Borah was dismayed. “The more nations called in,” he had argued to *New York World* editor Herbert Bayard Swope when proposing his original resolution, “the more the

¹¹⁷⁰ William Allen White to Borah, July 2, 1921. WJB, Box 98: Misc. Vinson, 38. “Borah at the Heights,” *The Searchlight on Congress*, October 1921 (Vol. 6, No. 5), 6.

¹¹⁷¹ Ashby, 106. Lynn Haines and Henry Raymond Mussey, “Harding’s Military Record,” *The Searchlight on Congress*, August 1920 (Vol. 5, No. 3), 19.

situation will be involved, the more chance for delay and jugglery, and the less opportunity to fix responsibility for delay or for defeat... There is no possible reason for including France or Italy in a Navel disarmament program, for neither one of them has any Navy to cause serious consideration.” And the presence of so many of the former World War allies – including those without navies of any account – exacerbated Borah’s fears that the disarmament conference would now become yet another “back door” into the League. Other pacifists jested that bringing top-ranking French and English military officers like Ferdinand Foch and Douglas Haig together to discuss disarmament was “like sending butchers to a vegetarian conference.”¹¹⁷²

Nonetheless, if this assembly of nine nations is where the world was to make its stand on disarmament, Borah thought, it behooved the public to apply maximum pressure there. “[I]t would seem that something in the nature of a propaganda is going out of Washington,” Borah argued to the editors of *Farm and Home Magazine*, “calculated, if not intended, to wholly discourage the people and break down the entire morale of this movement”:

The people are being almost daily advised that they must not expect too much from the Conference, that the outlook is discouraging, and that we must not allow our hopes to rise too high... It would seem to me that it would be better to arouse public interest and gear the morale of the cause to the highest pitch, knowing full well that just in proportion that that is done shall we make progress. When the Great War was on, everything, songs, movies, public addresses, proclamations, days of prayer, were utilized to put the public uncompromisingly and enthusiastically behind the cause. Is this movement, which, if effective, means nothing less than the preservation of civilization, less important than the preparation of the indiscriminate destruction of your fellow men?

Is there any way to win this great fight except through the power of public opinion? Is anyone so fatuous as to believe that it will as the result alone of official initiative? Yet this subtle and sinister campaign, calculated to discourage the people, goes on...

With anything like a sane policy, there is no reason why the United States and Japan should ever have trouble. We are a different people, speak a different language, and have somewhat different

¹¹⁷² Buell, 147-148. Borah to Herbert Bayard Swope, December 31, 1920. WJB, Box 112: Four-Power Treaty. Vinson, 42-43. Emma Wold to Borah, October 25, 1921. WJB, Box 91: Disarmament – DC.

standards of life, but we are two great peoples. But if every time Japan builds a battleship we feel compelled to build two...how long will it be until the people of both countries are saturated with suspicion, jealousy, fear and hate. And thus follow the sea for war...¹¹⁷³

“You can organize all the leagues which the human mind can conceive of and you can establish your international courts,” Borah concluded. “But if the world is to be an armed world, it will be a fighting world. Your courts and leagues will disappear under the glare of the first gun that is fired.”¹¹⁷⁴

In fact, the Harding administration also thought the moment was right for impressive and decisive action. On Armistice Day, November 11th, 1921, the Unknown Soldier was interred in Arlington Cemetery – a ceremony which had moved the attending Woodrow Wilson to tears when the crowd had cheered for him once more. “They seek him,” Ida Tarbell wrote of the crowd’s spontaneous reaction to Wilson that cold morning. “He means something to them; they don’t quite know what. He is a living link with their noblest phase.” On the next day, President Harding and Secretary of State Hughes furthered the compliment by beginning the first day of the Washington disarmament conference in Wilsonian fashion. This meeting, Harding declared in his opening remarks, is “an earnest of the awakened consciences of twentieth century civilization...a coming together, from all parts of the earth, to apply the better attributes of mankind to minimize the faults of our international relationships.”¹¹⁷⁵

“War,” the president argued, “has grown progressively cruel and more destructive from the first recorded conflict to this pregnant day, and the reverse order would more become our boasted civilization.” Thus, while ensuring the crowd (and the anti-Leaguers of America) that “I

¹¹⁷³ Borah to Herbert Myrick, October 5, 1921. WJB.

¹¹⁷⁴ Ibid.

¹¹⁷⁵ Smith, *When the Cheering Stopped*, 191-194. *Conference on the Limitation of Armament* (Washington: Government Printing Office, 1922), 45-46.

do not mean surrendered rights, or narrowed freedom, or denied aspirations, or ignored national necessities,” Harding urged the congregated diplomats to “a sober contemplation of the existing order and the realization that there can be no cure without sacrifice, not by one of us but by all of us.” Following the president’s opening address, Secretary of State Hughes ignited a firestorm when, in his own remarks – which everyone had assumed would be compromised of similar diplomatic niceties – he enumerated the exact sacrifices America expected the world to make.¹¹⁷⁶

“We can no longer content ourselves with investigations, with statistics, with reports, with the circumlocution of inquiry,” Hughes told the assembled diplomats. “The essential facts are sufficiently known. The time has come, and this Conference has been called, not for general resolutions or mutual advice but for action.” And so Hughes proposed “that for a period of not less than ten years there should be no further construction of capital ships.” He then prescribed, that America, British, and Japanese ships be maintained at a 5:5:3 ratio respectively. To accomplish this, America proposed to scrap thirty of its own capital ships – half old, half under construction – in return for Britain and Japan sinking nineteen and seventeen of their ships respectively. “Thus, under this plan,” concluded the Secretary of State to an audience now shocked awake, “there would be immediately destroyed, of the navies of the three Powers, 66 capital fighting ships, built and building, with a tonnage of 1,878,043.”¹¹⁷⁷

The mood in the conference hall after Hughes speech was electric. A “tornado of cheering” ensued, according to one report. The Secretary of State, noted one wag, had just sunk

¹¹⁷⁶ Ibid, 46-47.

¹¹⁷⁷ Ibid, 62-64. While Hughes delivered his plan, the First Lord of the British Admiralty, Lord David Beatty, looked – according to one reporter – like “a bulldog, sleeping on a sunny doorstep, who had been poked in the stomach by the impudent foot of an itinerate soap-cavasser.” Leuchtenburg, *Perils of Prosperity*, 113.

more English ships “than all the admirals of the world had destroyed in a cycle of centuries.” Progressive journals, who had waxed cynical about the conference before it had begun, were equally dumbstruck. “Not in modern times has there been so clear and so astounding and so brilliant a feat in statecraft,” exclaimed Oswald Villard. “It is good to be an American when conservative American leaders employ methods of open diplomacy and propose reductions in armament which are positively revolutionary,” opined *The Nation*. “If Mr. Hughes’ naval holiday does not guarantee peace, it is a long step toward it...[and i]f the public opinion of mankind can win a victory for a naval holiday it may obtain the other conditions of peace.” The Secretary of State, applauded *The New Republic*, “has justified the confidence of his friends and well-wishers by starting the Conference off with a bold and deep plunge into the waters of disarmament...Mr. Hughes’ leadership...[has engendered] an atmosphere in which a great and enduring work of public statesmanship can be accomplished.” Sensing where the public mood now was on this question, presidential aspirant William McAdoo published an editorial calling Hughes’s opening bid “admirable” and arguing further for the complete abolition of navies, “except for such light craft as may be needed for coastal defense purposes...If all nations are without navies, all will be secure from attack by water and the seas will become, as God intended them to be, the great highways of peaceful intercourse between the peoples of the Earth.”¹¹⁷⁸

But if progressives were moved by Hughes’ grand kickoff to the disarmament conference, they were less pleased when the gathered diplomats got down to brass tacks and old habits began to reemerge. “It is called a conference for the limitation of armaments,” wrote Lynn Haines in *The Searchlight*. “In reality it is more a meeting of world war strategists. No

¹¹⁷⁸ Leuchtenburg, *Perils of Prosperity*, 113. Michael Wreszin, *Oswald Garrison Villard: Pacifist at War* (Bloomington: Indiana University Press, 1965), 172. *The Nation*, November 23, 1921 (Vol. CXIII, No. 2942), 583. “The Atmosphere of Achievement,” *The New Republic*, November 23, 1921 (Vol. 28, No. 364), 360-362. William McAdoo, “Let Us Abolish Navies,” *The Searchlight on Congress*, November 30, 1921 (Vol. VI, No. 6), 11.

internationally known advocate of peace is there. No woman, pleading for the sanctity and safety of the race, is there. All the greatest and most brilliantly blind of the old-school diplomats are there. Their deliberations are guarded and guided by militarism. The uniform and regalia of the battlefield are everywhere.” To Nathaniel Peffer, writing in *The Nation*, “the farce of the plenary session with all its rodomontade of peace cynically flung in the face of a world haggard with the suffering of one war and the fear of another” had been exposed by the rest of the Conference, with its “jockeying for position and diplomatic Huckstering behind closed doors in the best Foreign Office manner.” At the very best, “a maze of detail,” wrote Adolf Berle in *The Survey*, “has overcast the initial splendor of the conference.”¹¹⁷⁹

Sure enough, along with securing the naval holiday originally outlined, the Washington Conference also resulted in two agreements that carried a whiff of the old Versailles deal-making – a Four-Power Treaty, among England, Japan, France, and the United States, to consult with each other on matters regarding the Pacific, and a Nine-Power Treaty, among all nations assembled, to preserve the Open Door policy with regard to their respective spheres of influence in China. The usual suspects were livid that the Washington Conference had instead become the site of old world deal-making. “The American people have asked for bread and they have been given a stone,” declared Borah of the two ensuing treaties, and American negotiators – who had negotiated the treaties behind closed doors – have “kept the word of promise to the ear and broken it to the heart.” To Borah, the Four-Power Treaty was “far more vicious than the League of Nations...It is simply linking us up with the depredators in the Far East.” “I am frank to say,”

¹¹⁷⁹ Lynn Haines, “The Disarmament Conference,” *The Searchlight on Congress*, November 30, 1921 (Vol. VI, No. 6), 10. Nathaniel Peffer, “Jockeying at Washington,” *The Nation*, December 21, 1921 (Vol. 113, No. 2946), 724. Adolf Berle, “Bread and Guns,” *The Survey*, February 4 1922, 723.

he even ventured to one correspondent, “that as between the League of Nations and this Alliance, I would prefer to try the League.”¹¹⁸⁰

Pointing to Article II of the Four-Power Treaty, which argued that all four signatories would consult with each other about potential threats in the region, Borah compared it to the iniquitous Article XI of Versailles. It would create a four-power armada in the Pacific, Borah argued, “compared with which the Spanish Armada was an insignificant affair...[T]he practical carrying out of Article 2 [would mean] the assembling of the armed forces of the four great powers of the world.” Without further steps taken toward disarmament, Borah argued, “alliances and leagues and understandings and associations of nations organized for the purpose of peace...become a league for war...League covenants, associations, and understandings are construed one way when vast armaments are at hand and another after armaments have been put aside.” As for the Nine-Power Treaty, it was “nothing but a naked combination of military powers to dominate the Orient,” one that would soon be intent on “underwriting...imperialism in the Pacific.” Meanwhile, “the Conference has not touched a single weapon of war with which the next war will be fought if it should come. Submarines, poisonous gas, airbombs, aeroplanes, and so forth, are uncontrolled and unregulated.”¹¹⁸¹

To Senator La Follette, the two treaties – “hatched in secret” under “the cloak of a conference made possible by a worldwide sentiment for disarmament” – recalled the alliances that had forced the world into global conflict in 1914. “For the United States,” he argued, “to

¹¹⁸⁰Johnson, *Peace Progressives*, 168-169. Borah to Elizabeth Black, December 15, 1921. WJB, Box 112: Four-Power Treaty. Borah to H.A. Lawson, December 19, 1921. WJB, Box 112: Four-Power Treaty. Borah to John N. Harman, January 2, 1922. WJB, Box 112: Four-Power Treaty. Borah to H.L. Schneider, January 3, 1922. WJB, Box 112: Four-Power Treaty.

¹¹⁸¹ “Debating the Pacific Pact,” *The Searchlight on Congress*, December 31, 1921 (Vol. VI, No. 7), 12-13. Johnson, *Peace Progressives*, 169. Borah to Hugh MacCallum, December 16, 1921. WJB, Box 112: Four-Power Treaty. Borah to Mrs. J.C. Saltzman, December 13, 1921. WJB, Box 112: Four-Power Treaty.

enter into an alliance with the only great imperialist nations which survived the war is a rash substitute for the peaceful, anti-imperialist American policy, tested by a century and a quarter, and based upon friendship with all nations and entangling alliances with none.” Looking at the men who had served as American negotiators for the treaties – Hughes, Elihu Root, Henry Cabot Lodge, and Oscar Underwood, La Follette argued they had been designed by “representatives of the imperialistic policies of the big banking interests.” As it was, the Four-Power Treaty, La Follette concluded, had “all the iniquities of the League of Nations covenant with none of the virtues claimed for that document by its advocates.” Hiram Johnson echoed La Follette’s evocation of Washington’s Farewell Address, as well as his concerns that men like Hughes, a man of “diabolical cunning,” had orchestrated the treaties.¹¹⁸²

Johnson’s reservations were shared by other progressives, including his friend Harold Ickes. “I haven’t made a deep study of the proposed four power treaty,” Ickes wrote the Senator, “and I confess that my judgment with respect to it is not very clear. On the whole my feeling is one of distrust...Certainly this proposed treaty represents a radical departure from our traditional American policy in international affairs.” Ickes found the deal with Japan particularly troubling. “I dislike and mistrust Japan. I wouldn’t believe a Japanese diplomat under oath...I think the United States did a shameful thing at Versailles in betraying China on the Shantung issue and, so far as I’m personally concerned, the proof is distinctly upon the proponents of any treaty of alliance between the United States and Japan.” In *The Nation*, Nathaniel Peffer concluded that the Nine-Power Treaty meant “America will not only have suffered an immeasurable defeat in

¹¹⁸² “Debating the Pacific Pact,” *The Searchlight on Congress*, 13. Johnson, *Peace Progressives*, 169. La Follette, 1037.

diplomacy; it will have committed a shameful act of betrayal against the Chinese, a people whose cause it had voluntarily sponsored.”¹¹⁸³

Still, not all progressive-minded observers shared these concerns. “The Four Power Treaty is an imperfect and in some minor respects a dubious arrangement,” editorialized *The New Republic*. But “it builds up an effective, immediate barrier against war without committing the United States to the guaranteeing of doubtful land frontiers or to any egregious offenses against national rights.” As for the Nine-Power Pact, TNR thought it “wiser...to accept the Concert as a step in a promising direction and then work for its extension rather than reject it in favor of the adoption of an irreconcilable and non-cooperative policy by the American government.” The larger pacifist organizations were inclined to agree. “Agreements looking toward peace will provoke other agreements for peace,” S.E. Nicholson of the National Council for Reduction of Armaments wrote to Borah. “The value of the Four-Power Treaty lies in its announced purpose. If it fails and one or more nations violate its terms, the nations are in no worse condition than they were before, but there is a chance that they will not only observe the terms of their agreement, but in doing so will set an example to other nations that is bound to be contagious.” At the very least, Adolf Berle argued in *The Survey*, “when passions run high it will give an opportunity for the quieter voices to be heard, and for excitement to die before killing begins.”¹¹⁸⁴

As it was, the treaty passed the Senate 67-27, with Borah, La Follette, Johnson, and Joseph France joining 23 Democrats in opposition. (George Norris voted for passage, to the great

¹¹⁸³ Ickes to Johnson, March 7, 1922. HLI Box 33: Hiram Johnson. Nathaniel Peffer, “Jockeying in Washington,” *The Nation*, 725.

¹¹⁸⁴ “American Obligations under the Treaty,” *The New Republic*, December 28, 1921 (Vol. 39, No. 369), 113-114. S.E. Nicholson to Borah, March 20, 1922. WJB, Box 112: Four-Power Treaty. Adolf Berle, “Bread and Guns,” *The Survey*, February 11, 1922, 754-756.

dismay of La Follette. “It was a great tug to have him leave us in this fight,” the Senator confided to a friend. “It is the first time we have been separated on any important issue since he came to the Senate.”) The Women’s Committee for World Disarmament, declaring victory after passage of the arms reductions, disbanded.¹¹⁸⁵

The Outlawry of War

As his dismay over the final fruits of the Washington Conference suggested, Senator Borah was still looking for a way to engage in international diplomacy without snaring America in any sort of entangling pacts or alliances, least of all anything that smacked of the League of Nations. “I feel...indeed as I have always felt, that we have our obligations as a member of the family of nations and that we cannot in justice to ourselves and to humanity disregard these obligations,” Borah wrote one friend in 1923. “My objection to many programs which have been proposed is that they commit us in advance to political obligations and hamper us when the hour comes as to the wisest course which we should pursue. But I would be shortsighted and foolish indeed to say that American must not confer with other powers when world interests are involved because we are a part of the world.”¹¹⁸⁶

To square this circle, he, and many other progressives of the period, eventually saw a potential way forward in the Outlawry of War movement. “I have no doubt the state of society was such at one time that it was thought impossible to outlaw murder,” Borah explained to one constituent. “We can outlaw war if the public mind can be educated up to it and it can be.”¹¹⁸⁷

¹¹⁸⁵ La Follette, 1037-1038. Cott, 246.

¹¹⁸⁶ Vinson, 52.

¹¹⁸⁷ William Borah to Arthur Pound, June 26, 1924, WJB Box 148: 1923-24.

The Outlawry of War was an idea first concocted by Salmon O. Levinson, an enterprising Chicago lawyer, in March of 1918. “If it is lawful to do a thing,” Levinson inquired to the readers of *The New Republic* that month, “why make such a cry about its being done? If war is legal, why object to militarism, which is a necessary effect of the legality of war rather than, as is popularly assumed, the cause of war?...As long as international law continues to legalize war all nations are moral accessories before the fact to ‘collective murder.’” However, if the world were to make war *illegal* as it had with dueling, and a subject to be adjudicated by a powerful international Court, Levinson argued, the calculus becomes very different. “War, though made illegal, might still conceivably occur but it would be branded as a crime and the force of the world would be organized to deal with the criminal...[R]eduction of armaments would occur as a matter of course to the point required to protect domestic tranquility and other intra-national needs...Moreover, the elimination of war would automatically sweep away most of the present vexing international questions. The problems of contraband, blockade, in short the freedom of the seas, buffer states, the so-called balance of power, the sanctity of neutrality treaties, integrity of small nations, the ‘rectification of boundaries,’ are created by the existence of war and have no significance under peace conditions.”¹¹⁸⁸

Having formulated this idea, Levinson spent the next several years working to promote it. He quickly garnered a key philosophical endorsement from John Dewey, who thought the argument “simple and understandable.” “Like all really simple and intelligible propositions,” Dewey wrote in the introduction to a 1921 pamphlet on the idea, “it goes to the root of the situation. Above all it does more than any other plan yet proposed to provide natural and orderly

¹¹⁸⁸ Vinson, 59-62. Leuchtenburg, *The Perils of Prosperity*, 116. Salmon O. Levinson, “The Legal Status of War,” *The New Republic*, March 9, 1918, 171-173.

agencies for enlightening the peoples regarding disputes among nations, and for concentrating all the moral forces of the world against modern war, the abomination of abominations.” In short, by making the law illegal, the great force of public opinion could finally work against ending it for good. “It does not follow that all wars will automatically cease,” Dewey argued in a 1923 editorial on the subject:

Crimes continue after there are laws against them. But for the average person law is almost a measure of morality. Ask almost anyone except someone who has given the matter thought why something is wrong and he will reply that it is wrong because it is against the law. The law has been a great educative force in fixing the moral beliefs and sentiments of men. As long as war is lawful it will be right to a great many persons...Outlaw war and the sentiment that it is criminal to resort to war will be strengthened. At present the pacifist in time of war is looked upon with suspicion by his fellow citizens; he is thought dangerous, almost, if not quite a criminal. Outlaw war and provide a world court to try all disputes that are not settled by conference and the militarist becomes the criminal, and the upholder of peace is the good and useful citizen.”¹¹⁸⁹

Another key early adopter of Levinson’s Outlawry plan was former Roosevelt progressive Raymond Robins. “The people of the world are ready and eager for the next step in the slow advance from savagery toward international civilization,” Robins argued in his own introduction to the Outlawry pamphlet. “They want war unmasked and declared in international law to be what it in fact is, the supreme enemy of the human race...They want war outlawed as a crime against the law of nations and the life of humanity.” “As long as war continues to be the only method whereby nations can compel the settlement of international disputes,” Robins wrote in 1923, “just so long does war serve a social function, and however bloody, cruel, and destructive, war will continue to remain because it is the only way...Internationally shall we live by violence or by law? Between these two we have to choose. There is no third alternative.”¹¹⁹⁰

¹¹⁸⁹John Dewey, “Introduction,” in Salmon O. Levinson, *The Outlawry of War*. (American Committee for the Outlawry of War, 1921. John Dewey, “Ridding the World of War,” *Life and Labor Bulletin*, August 1923, 2.

¹¹⁹⁰Raymond Robins, “Introduction,” in Salmon O. Levinson, *The Outlawry of War*, 1921. “Raymond Robins on the Next Step in Civilization,” *Life and Labor Bulletin*, August 1923, 3.

Robins also enlisted his wife Margaret Dreier Robins, head of the Women's Trade Union League, to the cause, and the WTUL, working with the other members of the National Council, helped to promote Levinson's idea at Law Not War day and other anti-war festivities. Once again, the full force of the women's peace movement was brought to bear on the issue. "Women won suffrage," argued Alice Park, "women won prohibition. Now women are putting through the outlawry of war." The Women's Peace Union, an anti-League, pro-peace organization, began devoting all of its efforts to passing a constitutional amendment outlawing war, and then some: In 1924, the WPU pushed for a amendment removing Congress's power to declare war. One particularly active and notable supporter of Outlawry was Ohio judge and peace activist Florence Allen, the first woman elected to a state Supreme Court. "Outlawry of war is not only the ideal for whose attainment we must strive," she wrote in 1925, "but...a practical and indispensable part of the machinery necessary to establish a warless world... We cannot stop war so long as we sanction its use."¹¹⁹¹

While harboring some reservations about the idea's practicality – among other things, she preferred the creation of a Department of Peace within the State Department – Carrie Chapman Catt thought Outlawry could revive the "spiritual strength of the World." In 1925, Catt became the first Chairwoman of the newly-founded Committee on the Cause and Cure of War, a coalition of nine women's organizations including the WTUL, AAUW, League of Women

¹¹⁹¹ *Life and Labor Bulletin*, August 1923. Alonso, *Women's Peace Union*, 28. Harriet Hyman Alonso, *Peace as a Women's Issue: A History of the U.S. Movement for World Peace and Women's Rights* (Syracuse: Syracuse University Press, 1993), 117-118. Brown, 65. Florence Allen, "If War Were a Crime," *The Survey*, August 1, 1925, 477-478.

Voters, Women's Christian Temperance Union, and General Federation of Women's Clubs, that continued to advocate for outlawry and disarmament.¹¹⁹²

Dewey, Robins, and the women's peace movement were early and important allies, but to have a decisive policy impact, the Outlawry plan needed a sponsor in Congress. And so, once William Borah put forward his original call for a disarmament conference, Levinson and other Outlawry advocates began to work on him. "I have always maintained that although you were an 'irreconcilable' in the League fight," Levinson wrote to Borah in February 1921 while sending him his plan, "you were as strongly in favor of the world peace movement on a practical basis as any man in the United States Senate." For his part, Dewey explicitly endorsed Outlawry as the solution to the Gordian knot Borah had been grappling with. Americans "don't want entanglement in European affairs, and at the same time they want the United States to do its part in international cooperation," Dewey wrote Borah in May 1922. "It seems to me that the man who first takes the leadership in a constructive movement at the present time will put himself in a position to go as far in politics as he may wish, even to the presidency, and that you are far better situated to lead this movement than anyone else."¹¹⁹³

Similarly, Doremus Scudder of the Greater Boston Federation of Churches and Religious Organizations wrote to Borah a month later, urging him to act. "I do not believe that any previous proposal concerning international relations ever issued in this country has met with such immediate and widespread acceptance," Scudder argued, noting the endorsement of the

¹¹⁹² Carrie Chapman Catt, "The Outlawry of War," *Annals of the American Academy of Political and Social Science*, July 1928 (Vol. 138), 157-163. Susan Zeiger, "Finding a Cure for War: Women's Politics and the Peace Movement in the 1920s," *Journal of Social History*, Vol. 24, No. 1 (Autumn, 1990), 69-86.

¹¹⁹³ Salmon Levinson to William Borah, February 21, 1921. WJB, Box 91: Disarmament – Illinois. John Dewey to William Borah, March 6, 1922. WJB Box 117: Levinson, S.O. Vinson, 63-64.

National Committee, the YWCA, WILPF, Federal Council of Churches, the LWP, fifty presidents and professors, and even the American Legion. “I trust that you may in this thinking this matter over,” Scudder concluded, “be guided by the great Directing Spirit of history to take the right and wise step in this crisis in human affairs.”¹¹⁹⁴

Directing Spirit or no, Borah was indeed intrigued by the idea, but he remained worried about the enforcement issue. Could public opinion alone prevent nations from going to war? The last thing Borah wanted was Levinson’s original plan, which argued that the League of Nations could help to enforce the edict. Eventually, however, Borah came around to the idea of an international Court – completely separate from the existing World Court – that had the power to deem individuals guilty of warmongering, at which point the nations which were home to these criminals would actually try the offenders.¹¹⁹⁵

This was the plan Borah officially put forward in a Senate resolution on February 14, 1923. It first called for a universal treaty that declared war “a public crime under the law of nations” and called for every nation “to indict and punish its own international war breeders or instigators and war profiteers.” It also called for the creation and adoption of a “code of international laws of peace based upon equality and justice between nations.” Finally, to create “a judicial substitute for war,” the resolution authorized the creation of a court – modeled on the US Supreme Court – “to hear and decide all purely international controversies as defined by the code, or arising under treaties” Its authority rested not on the power of force but upon “the compelling power of enlightened public opinion.” Pushing the plan a year later in identical editorials for *The Christian Century*, *The Central Christian Advocate*, *the Pacific Christian*

¹¹⁹⁴ Doremus Scudder to Borah, June 20, 1922. WJB, Box 112: Four-Power Treaty.

¹¹⁹⁵ Vinson, 67-70.

Advocate, and *The New Republic*, Borah argued “that the first successful step in the ending of war is to declare it a crime, to array against it the moral and legal condemnation of mankind – to outlaw it – to place it outside the place of respectability, of legality – to brand it as a criminal monstrosity. Other steps will follow.”¹¹⁹⁶

Borah once again received extravagant praise for this new idea among peace advocates. To the *New York Evening Post*'s Mark Sullivan, Borah had made himself “the principal leader of world thought in the field of the relations of the nations with each other, a pioneer in a new conception of international relations.” But others found the Outlawry plan less satisfying. “Abolishing war means abolishing the power of the interests that in each country control the destiny of society [through] the ownership and control of certain entities,” thought Amos Pinchot. “Those who own and control these things control society.” As such, outlawry, like disarmament before it, was mainly just telling people “to bite at the stick with which they are struck” rather than the hand wielding it.¹¹⁹⁷

A particularly virulent critic of the Outlawry plan was Walter Lippmann, who assailed it in a long essay in the August 1923 issue of *The Atlantic Monthly*. Now that Borah was advocating Outlawry against the World Court, he argued, the phrase “outlawry of war” had been “employed in order to strengthen a league before there was a League. It was used to defeat the League after there was a League, and to advocate an international court before there was a Court. Now that the Court has been created, it is being used to defeat the Court and to advocate another court which does not exist.” Now, “Mr. Borah’s confirmed objections to a superstate sleep comfortably with his demand for a Supreme Court of the World, modeled on our Federal

¹¹⁹⁶ Vinson, 74-75, 87.

¹¹⁹⁷ Vinson, 78. Ashby, 75.

Supreme Court, having its gigantic power in conflicts between states...A position so illogical must be a political accident.”¹¹⁹⁸

In short, Lippmann thought the whole Outlawry movement was absurd. “[I]f you have the right to go to war for what you call your liberty, and the right to go to war because you think an attack is imminent, it would be a stupid Foreign Office indeed which could not legalize any war it thought necessary or desirable. The only war outlawed under this plan is a war openly announced to be a war of aggression. There are no such wars.” Moreover, Lippmann thought, “the notion that a judicial process in a court is the only method of peace is fantastic. Mr. Borah, every day of his life, is engaged in adjusting disputes...If he believed that the only alternative to war was resort to the courts, he would not be wasting his talents in a nonjudicial body like the United States Senate. He would either be a judge or arguing before judges.” In short, “if diplomacy is a necessary method of maintaining peace, then no plan which does not provide for it can be an effective plan to abolish war.”¹¹⁹⁹

Among those persuaded by Lippmann’s devastating critique was Senator Hiram Johnson. “I read Lippmann’s article very carefully,” Johnson told Harold Ickes. “I resent his article because of my affection for Raymond, and the fact that it seemed to me in certain phases practically to demolish the plan Raymond presents. In any argument and on anything I would prefer Raymond Robins to prevail rather than Walter Lippmann.” That being said, Johnson admitted his doubts. “I am fearful this scheme is chimerical, and not only that, but it would involve a super-legislature and a super-court wholly at variance with the genius of our institutions and outlaw only those wars which would never occur anyway.” As for Ickes, who

¹¹⁹⁸ Walter Lippmann, “The Outlawry of War,” in Lippmann, *Men of Destiny*, 165-166.

¹¹⁹⁹ Lippmann, *Men of Destiny*, 175, 178-179.

noticed the idea “seems really to be taking hold with a good many people,” he could not figure how the “‘Outlawry of War’ scheme would fit in with the Versailles Treaty, but off-hand it would seem to me that a revision of that Treaty would have to precede the drafting of an International code outlawing war.”¹²⁰⁰

Like Lippmann, Johnson and Ickes were also confused about the differences between the Court, which Borah had opposed, and this new court, which Borah now supported. “I am not all surprised at what you say about Borah espousing the World Court...He is as variable as the wind and as fickle as a maiden,” Johnson told Ickes. “I have no faith in Borah’s espousal of that cause, and I believe he would as readily drop it as he changed his position upon international affairs to seize it when he thought we were at low ebb last year.” When Raymond Robins explained to Ickes in 1925 that he was supporting the World Court only if its members agreed to outlaw war within two years, Ickes and Johnson were left perplexed and irritated by Robins’ maneuvering. “Raymond assured me,” Ickes told the Senator, “that he was as unalterably opposed as ever to the League of Nations and the World Court. He insisted that the whole object of the compromise agreement...was to divide the pro-court advocates into two groups and that has been done.” “What a tangled web we weave,” Johnson replied. “Robins’ idea...I take it from your letter, is by putting up a job on someone else, deceiving those with whom you agree to act, and voting ultimately a lie. In the days of the Stuarts this kind of public activity was justified by one great party and to it was applied by the other term ‘Jesuitical,’ which in the succeeding centuries has

¹²⁰⁰ Johnson to Ickes, August 6, 1923. HLI Box 33: Hiram Johnson. Ickes to Johnson, April 26, 1923. HLI Box 33: Hiram Johnson.

been the designation of crooked and treacherous policy.” Either way, Johnson thought, it “leaves him pretty nastily naked intellectually.”¹²⁰¹

Borah had to fight off a similar conflation of goals when former Columbia history professor James Shotwell – who, with Lippmann, had been a member of Wilson’s Inquiry during the war and helped to fashion the Fourteen Points, and who now served as director of the Carnegie Endowment for International Peace’s economics and history division – began to push the Outlawry idea as an argument for American participation in the League of Nations and the World Court. While the peace movement and its aims of disarmament and international goodwill were “gaining strength in America,” Shotwell argued in *The Survey* in 1924, “the refusal of the United States to cooperate in the work of the League of Nations...constituted an almost insuperable obstacle to their practical realization.” So Shotwell and a “small group of Americans,” mostly from the Carnegie Endowment, had drafted a new treaty with Outlawry as its centerpiece, “which the Council of the League of Nations has accepted from their hands and placed before the leading governments of the world for their consideration.” This fusion of Outlawry and Wilsonism came to be known in 1925 as the Harmony Peace Plan, and while it would help to tie the various factions of the peace movement together for a time, Borah never signed aboard, and the two groups of backers eventually went their separate ways.¹²⁰²

¹²⁰¹ Johnson to Ickes, October 8, 1923. HLI Box 33: Hiram Johnson. Johnson to Ickes, October 2, 1923. HLI Box 33: Hiram Johnson. Ickes to Johnson, September 4, 1925 Box 33: Hiram Johnson. HLI. Johnson to Ickes, September 10, 1925 Box 33: Hiram Johnson. HLI. “The trouble with you is you are too far removed from the Puritan strain that I suppose you have in you,” responded Ickes. “If you were a good time old Puritan and a regular church attendant, especially if you solemnly passed the plate on Sundays, you wouldn’t revolt the way you do at deceiving one’s friends in order to overcome one’s enemies. Fortunately the destinies of the country are safe in the hands of those good old Puritans of undiluted stock and pillars of the church, Silent Cal and anything but silent General Dawes.” Ickes to Johnson, September 15, 1925. HLI Box 33: Hiram Johnson.

¹²⁰² Vinson, 96-103. David Swanson, *When the World Outlawed War* (Washington: eBookit, 2011). James T. Shotwell, “Security and Disarmament,” *The Survey*, August 1, 1924 (Vol. LII, No. 9), 483-486. David Steigerwald, *Wilsonian Idealism in America* (Ithaca: Cornell University Press, 1994), 107-108.

Nonetheless, it was Professor Shotwell, along with his Carnegie and Columbia colleague Nicholas Murray Butler, who brought Outlawry to the next stage of fruition in 1927. On a visit to France, Shotwell suggested the notion to the French Foreign Minister, Aristide Briand, who was eager to form some sort of alliance with the United States. On April 6th, 1927 – the tenth anniversary of American entry into the Great War – Briand sent a letter to the American people (drafted by Shotwell) suggesting that the two nations agree to renounce “war as an instrument of national policy.” “If there were any need for those two great democracies to give high testimony to their desire for peace, and to furnish other peoples an example more solemn still,” Briand’s letter argued, “France would be willing to subscribe publicly with the United States to any mutual engagement tending to ‘outlaw war,’ to use an American expression, between these two countries.”¹²⁰³

Two weeks later, Nicholas Murray Butler implored America to take notice of Briand’s “epoch-marking offer” in a letter published in the *New York Times*. Noting that Briand had sent an open letter rather than a diplomatic communiqué, Butler suggested that France was trying “to ascertain whether the will to peace really exists among the people of the United States... Where and how could we find a more fitting tribute to the memory of those whose lives were given in that stupendous struggle,” he argued, speaking of the World War, “than by taking a solemn compact with that nation more severely stricken by that war, for the formal and definite renunciation of war itself as an instrument of national policy?”¹²⁰⁴

¹²⁰³ Harold Josephson, *James T. Shotwell and the Rise of Internationalism in America* (Cranberry: Associated University Presses, 1975), 71. Glenn Hastedt, *Encyclopedia of American Foreign Policy* (New York: Facts on File, 2004), 274. Gerald Leinwand, *1927: High Tide of the 1920s* (New York: Four Walls Eight Windows, 2001), 121.

¹²⁰⁴ Nicholas Murray Butler, “Briand Proposes Eternal Peace with U.S.,” *New York Times*, April 25, 1927.

Secretary of State Kellogg and Calvin Coolidge had also noted the fact that Briand's letter was public, and they did not appreciate either the French Foreign Minister or the Carnegie Endowment trying to jam them up. (In fact, Kellogg and Coolidge contemplated indicting Shotwell and Butler under the Logan Act, which forbade private citizens from negotiating with foreign governments, before concluding that would cause even more of a stir.) William Borah also disliked the bilateral approach to outlawry, especially since the chances of the United States and France ever going to war were negligible. As a counter-offer, Borah suggested and ultimately convinced Kellogg to offer a multilateral treaty instead, open to any nation who wanted to join the movement to renounce war. This Kellogg proffered back to France on December 28th, 1927 – much to the irritation of Briand, who had simply wanted to lock the United States into a bilateral alliance, and who now found the powerful groundswell of public opinion he had hoped to capitalize on turned back at him.¹²⁰⁵

And so on August 27, 1928, Kellogg, Briand, and representatives from thirteen other nations – including England, Italy, Japan, and Germany – signed the Pact of Paris, declaring “in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it, as an instrument of national policy in their relations with one another.” From now on, these nations announced, “the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.” Eventually, sixty-four nations would join the Pact. A satisfied William Borah declared the Kellogg-Briand pact “the only kind of treaty the United States could sign.”¹²⁰⁶

¹²⁰⁵ Leinwand, 122-123. Vinson, 132-148.

¹²⁰⁶ “The Kellogg-Briand Pact,” 1928. Vinson, 1.

But first, of course (and as Borah well knew), the Treaty had to get through the Senate. To make it happen, the peace movement again moved into full gear. “The women of this Nation,” argued Carrie Chapman Catt, “are more united in their endorsement of this treaty than we have ever known them to be on any other question.” Beginning in September, Catt pushed each affiliate of the Committee on the Cause and Cure of War to get their senators on record as supporting the pact. At each meeting of the Committee, of which there were over 10,000, a resolution calling upon the Senate to pass the treaty was adopted – Laid end to end, Catt told Borah, these 10,000 resolutions would stretch almost two miles. While Catt remained doubtful of its potential impact on ending war, the Pact, she argued, “will go far to prepare the way for disarmament. Such a treaty...must produce a psychological reaction that will give a new viewpoint to politics and lend a bolder spirit to disarmament conferences.” It was, in short “a mighty stride toward peace.”¹²⁰⁷

Like the original Outlawry plan, the Kellogg-Briand Pact had its share of critics. “It did not seem possible that the State Department could have been spending its efforts on a project so obviously absurd as this one seemed to be,” Walter Lippmann scoffed in the *New York World*, arguing it was ridiculous that “Europe should scrap its whole system of security based on the enforcement of peace and accept in its place a pious, self-denying ordinance that no nation will disturb the peace.” The Kellogg-Briand Pact and “the renunciation of war,” he concluded, were “excellent devices for stopping wars that nobody intends to wage.” Former irreconcilable James Reed of Missouri deemed the Pact an “international kiss,” while former Wilson ally Carter Glass of Virginia, while agreeing to vote for ratification, was “not willing that anybody in Virginia

¹²⁰⁷ Vinson, 163-164. Catt, “The Outlawry of War,” 162. Brown, 66.

think that [he was] simple enough to suppose that it is worth a postage stamp in the direction of accomplishing a permanent peace.”¹²⁰⁸

Nonetheless, since its opponents presumed it was at best a harmless rhetorical gesture, the Senate ratified the Treaty 85-1 in January of 1929. (The sole no vote was John J. Blaine of Wisconsin.) It went into effect the following July, after all the original signatories had ratified it. “I think it is not too much to say that the Kellogg Pact,” declared Judge Florence Allen, “would not have been ratified in this country if women had not been voting.” Democratic Senator Robert Wagner of New York, elected to that body in 1926, was similarly moved. While he thought the treaty should have gone farther – it “fails to denounce war as a crime” and “fails to outlaw war,” he pointed out correctly – Wagner suggested the Kellogg-Briand Pact “gives basis to the hope that public opinion, successful in its first effort at treaty making, may push on to more substantial victories.” “Here, at last,” he argued, “we have a treaty which may be said to have its birth in popular initiative and its approval in a popular referendum.”¹²⁰⁹

Jane Addams also thought the pact a much-needed victory for the increasingly troubled progressive engine of enlightened public opinion. “This comprehensive treaty,” she argued in 1930, “illustrates, as nothing in all history has done, the genuine movement for peace taking place all over the world. It has been endorsed and ratified by government officials and voted upon favorably by hard-headed, even by hard-boiled politicians.” Nonetheless, Addams thought, there was still much hard work to do. “The difficulties ahead lie in the enforcement of this high resolve and unless it is to prove an example, like the Prohibition Amendment, of government

¹²⁰⁸ Steel, 254-255. Leinwand, 123. “War will not be abolished between the nations,” Lippmann argued, “until its political equivalent has been created, until there is an international government strong enough to preserve order, and wise enough to welcome changes in that order. We may never live to see that. We may not wish to see it. But that, and nothing less, is what international peace will cost.” Ibid.

¹²⁰⁹ Hastedt, 274. Brown, 66. Vinson, 172-173.

action outrunning public opinion, every effort for popular backing must be made along both educational and empirical lines.” The enforcement problem would rear its head the following year, when Japan attacked one of its fellow signatories, China, in Manchuria, beginning the terrible conflagration that would come to be known as World War II. But even before then, there were signs that the “parchment peace” would not hold. In the first vote taken after the treaty’s ratification in January 1929, despite the vociferous objections of Senate progressives and the peace movement, the Senate appropriated \$274 million for fifteen new heavy cruisers.¹²¹⁰

The Temptations of Empire

Before he passed away too soon in 1919, Walter Weyl had warned in *The End of the War* that America is “as likely to become imperialistic as are other nations.” “After the war, we too have a victory to win, over ourselves,” Weyl wrote. “Unless we achieve that victory, here, at home, we may become an aggressive and imperialistic power, a menace to the nations...”:

[W]e have been gradually strengthening our strategic positions in the approved English, Russian, and German manner. We have acquired Hawaii to protect our Western shores, the Canal Zone to permit the passage of our warships from Atlantic to Pacific, and finally, in order to maintain our supremacy in the Caribbean and to guard the Canal Zone, we have taken over Porto Rico, a few naval stations in Cuba, and the Danish West Indies, and have acquired a quasi-protectorate over Nicaragua, Hayti, and Santo Domingo. We seem to be moving toward some form of domination, open or concealed, partial or complete, over all Caribbean countries. Moreover, while strengthening our defenses, we have also begun to enter the phase of financial imperialism... Today, we are coming into a new phase in which, unless we change conditions, we shall desire to take our part in a furious international struggle for spoils.¹²¹¹

“The war,” Weyl concluded, “has immensely increased this danger of an eventual American imperialism... Never before have we been so likely to become a danger to ourselves

¹²¹⁰ Addams, *Second Twenty Years*, 219. Leuchtenburg, *Perils of Prosperity*, 116. Hastedt, 274. Johnson, *Peace Progressives*, 2-3.

¹²¹¹ Weyl, *The End of the War*, 299-300.

and to the world. It is no man's fault nor even the nation's, but the inevitable result of our own economic development." Walter Lippmann wrote similarly in 1926. "We continue to think of ourselves as a great, expanding world power," he noted. "Our imperialism is more or less unconscious." In the years after the war, America's potential imperial entanglements moved into the visible realm, as progressives who had felt cheated by the sordid realpolitik that had ended the war to end all wars now saw bad intentions and economic determinism rife throughout America's diplomacy. "Our State Department," wrote Frederick Howe, "was thinking in terms of oil in Mesopotamia, of oil in Mexico, of gold and railroads in Haiti and Santo Domingo."¹²¹²

The peace progressives in the Senate were inclined to agree. In fact, one of the reasons they remained distrustful of entangling alliances was because, in the words of George Norris, even "we ourselves have not shown the right kind of spirit that a civilized country ought to show to those who are weak and those who cannot defend themselves." William Borah thought it telling in 1922 that "[w]henver a dependent people are discovered to be in the possession of vast natural resources...immediately some great nation feels a benevolent desire to go in there and lift them up. I do not believe in that doctrine at all. I think each people have in a measure got to work out their own salvation." Throughout the decade, Norris, Borah, and other progressive nationalists would work to uphold not just the independence and integrity of the United States, but the self-determination and nationhood of other countries as well. "The peril to the white race," Borah argued in 1925, "is not the yellow or the brown race, but the oppressive and imperialistic attitude of the white race toward these races."¹²¹³

¹²¹² Weyl, *The End of the War*, 300-301. Steel, 238. Dawley, *Changing the World*, 303.

¹²¹³ Johnson, *Peace Progressives*, 171. Ashby, 115, 109.

The 1920 election had furnished a prime example of that imperialistic attitude when Democratic vice-presidential candidate Franklin Roosevelt had openly bragged of writing the Haitian constitution. In fact, United States Marines under the command of Admiral William Caperton and General Smedley Darlington Butler, a grizzled veteran of everything from the Philippine War to the Boxer Rebellion (and thus nominally under Roosevelt, as Assistant Secretary of the Navy) had occupied and effectively run the country since 1915, when they were sent in to restore order after the overthrow and violent death of Haitian president Vibron Guillaume Sam, the seventh president of Haiti in seven years. After dissolving the legislature and rewriting the Haitian constitution, General Butler and the Marines worked to prop up the foreign investment-friendly puppet regime of Sudre Dartiguenave. In 1918, even as American attentions looked across the Atlantic to the war to make the world safe for democracy, Haitian insurgents known as Cacos rebelled. By the time the Cacos rebellion was put down in 1919, with the death of rebel leader Charlemagne Peralte, roughly 3000 Haitians (and possibly as many as 11,500) were dead, as were thirteen Americans. This massive discrepancy in the casualty rate, Oswald Villard argued, “was the completest proof that it was not war that was waged in Haiti.”¹²¹⁴

In 1920, the situation in Haiti received a more thorough accounting in the American press thanks to James Weldon Johnson. Johnson conducted an investigation into the origins and conduct of the American occupation for the NAACP, which was subsequently published in *The Crisis*, *The Nation*, and as a standalone book, *Self-Determining Haiti*. “To know the reasons for the present political situation in Haiti,” Weldon explained, “it is necessary, among other things, to know that the National City Bank of New York is very much interested in Haiti...and that Mr. R. L. Farnham, vice-president of the National City Bank, is virtually the representative of the

¹²¹⁴ Pietrusza, 132-133. Johnson, *Peace Progressives*, 114. Mary Renda, *Taking Haiti: Military Occupation and the Culture of US Imperialism, 1915-1940* (Chapel Hill: University of North Carolina Press, 2001), 10-14.

State Department in matters relating to the island republic.” National City Bank (today, Citibank), Weldon explained, had taken over the Haitian National Bank in 1910, and since even before the 1915 coup had been using the power of the American government to protect its investment in the region. After going over the unsavory details of the American occupation and pacification, Johnson concluded that “[t]he United States has failed in Haiti. It should get out as well and as quickly as it can and restore to the Haitian people their independence and sovereignty.” Johnson’s reporting was buttressed by Herbert Seligmann, who told readers of *The Nation* how “Haiti has been regarded and has been treated as conquered territory...Machine guns have been turned into crowds of unarmed natives, and United States marines have, by accounts which several of them gave me in casual conversation, not troubled to investigate how many were killed or wounded.”¹²¹⁵

In fact, the United States Marines held both sides of the island of Hispaniola when Harding came into office. In 1916, one year after landing in Haiti, Admiral Caperton and the Marines entered Santo Domingo (today, the Dominican Republic) after the US-friendly government of Juan Isidro Jiménez Peraya fell to opposition forces. When Dominicans refused to recognize a puppet government similar to Dartiguenave’s in Haiti, Admiral Caperton abolished the Dominican Congress and installed Captain Harry Shepherd Knapp as Military Governor.¹²¹⁶

Taking advantage of the media furor that accompanied Franklin Roosevelt’s impolitic boast in 1920, Hiram Johnson called for a special investigation into both occupations in February, 1921. Around the same time, Oswald Villard, his fellow *Nation* editor Ernest

¹²¹⁵ James Weldon Johnson, *Self-Determining Haiti* (New York: The Nation, 1920), 5-6. James Weldon Johnson, “The Truth about Haiti. An N.A.A.C.P. Investigation.” *The Crisis* 5 (September 1920):224. Pietrusza, 133.

¹²¹⁶ Johnson, *Peace Progressives*, 114.

Gruening, and Moorfield Storey created the Haiti and Santo Domingo Independence Society to further press the issue. In response, the Senate authorized a special committee, the US Select Committee on Haiti and Santo Domingo, to investigate the twin occupations in Hispaniola. Chaired by Republican Medill McCormick of Maryland, the Committee conducted inquiries into both situations over 1921 and 1922. During these investigations, at which James Weldon Johnson and Ernest Gruening testified, the NAACP implored its members to demand of Washington that they “withdraw the United States army from Haiti and...treat black republics in the way white republics want to be treated.”¹²¹⁷

In *The Nation*, meanwhile, Gruening publicized the revelations of atrocities – “murder of women and children, wholesale killing of prisoners, torture with red-hot irons, the ‘water cure,’ arson, robbery, violence of every kind – they constitute a stain on American honor. If this report does not arouse the American people then its conscience is indeed dead.” *The New Republic* was only slightly more measured: “There is nothing in the worst annals of imperialism to exceed the savage callousness of the behavior of our forces in Haiti, as charged by responsible men and never refuted.” But even though the records of the special committee came to several thousand pages, the fix had been in all along. Senator McCormick had written an article in 1920 entitled “Our Failure in Haiti,” which argued that “[w]e are there, and ought to be there for twenty years.” That was also the final conclusion of the select committee, albeit with a few minor administrative changes.¹²¹⁸

¹²¹⁷ Leon Pamphile, *Haitians and African Americans: A Heritage of Tragedy and Hope* (Gainesville: University Press of Florida, 2001), 119. Johnson, *Peace Progressives*, 114-115. Hans Schmidt, *The United States Occupation of Haiti, 1915-1934* (Rutgers: Rutgers University Press, 1971), 121-122. Robert David Johnson, *Ernest Gruening and the American Dissenting Tradition* (Cambridge: Harvard University Press, 1998), 37, 41. The Select Committee also included Atlee Pomerene (D-OH), Tasker Oddie (R-NV), William King (D-UT), and Philander Knox (R-PA), although King and Knox did not take part. Schmidt, 121.

¹²¹⁸ “Haiti Speaks,” *The Nation*, May 18th, 1921 (Vol. 112, No. 2915), 708. “Imperialism in Haiti,” *The New Republic*, June 29th, 1921, 128. Schmidt, 121-122..

This was not good enough for the progressives in the Senate. “I confess I am at an utter loss to understand the policy of this government toward Haiti and Santo Domingo,” Senator Borah wrote a friend in 1922. “It is not only impracticable should we view the matter wholly as a matter of expediency, but more than that, it is contrary to every principle which we profess as a government or as a people.” To another correspondent, Borah lamented that “we are wandering these days from those principles without which we cannot continue as a republic.” Borah thought “the manner of our taking possession of the Island and the method by which we have governed the Island are intolerable under any theory of our constitutional government.” What is more, he believed the people of Haiti “are capable now [of self-government], and so do they.” In short, he argued, “the whole Latin –American countries look upon us as imperialistic, cruel, and hypocritical...by reason of such acts as ours in Nicaragua, Haiti and Santo Domingo. [A small force of American troops had been stationed in Managua, Nicaragua since 1912.] This is one of the main reasons why it seems to me so essential that we change our policy, not alone for the sake of our own honor and for the sake of our principles, but also for the sake of the friendship and esteem of the whole South American continent.”¹²¹⁹

In early 1922, the Senate progressives rallied around an amendment to the naval appropriations bill put forward by William King of Utah that would cut off all federal funding for the Haitian occupation. King, a Wilson Democrat, admitted he did not want to litigate the origins of the invasion – he mainly just wanted to save some money in the naval budget. And so Borah took the lead, deeming the American occupation “sheer brutal despotism,” a “shameless tyranny,” and “exactly the authority which any military despot has over a helpless people” – all

¹²¹⁹ Borah to Frederick M. Webb, May 31, 1922. WJB Box 114: 1921-22: Haiti and Caribbean Situation. Borah to Aug. Peterson, June 28th, 1922. WJB Box 114: 1921-22: Haiti and Caribbean Situation Ashby, 115. Borah to Octavio Elias Moscoso, May 5th, 1922. WJB Box 114: 1921-22: Haiti and Caribbean Situation.

fueled by predatory financial interests. “We go to Haiti ostensibly to restore law and order,” he scoffed, and “[w]e immediately begin the wrecking of their form of government” The uplift argument was a canard as well, Borah said, since even in America, in “one big city 90,000 remained out of school last winter because they could not have the clothes necessary to enable them to go.” The United States was doing the bidding of the National City Bank, argued George Norris, taking up the standard, with “the American Navy and the American Army...the guaranties that the bonds shall be paid in full.”

When we stand before the world as one of the leading nations of civilization and take advantage of a poor, weak, ignorant nation...and perform the little tricks that we have been performing there, we ought to withdraw in shame and humiliation. All these things are being charged up in history against us. All over South America they know about it, and we are gaining every day in the reputation...that we are trying to conquer the balance of this continent and that we intend in the end to take all without their consent under our flag and under our jurisdiction. It is no defense to say that these people are barbarous, not fit for self-government, and therefore we must take charge of them.¹²²⁰

Nonetheless, many Senators otherwise sympathetic to the cause of exiting Haiti, such as Joseph France of Maryland, thought it an unwise precedent to dictate foreign policy through the power of the purse, since “general legislative matters should not be passed upon in connection with appropriations bills.” Others thought it prudent to wait for the McCormick committee to offer its final report. And others still, particularly those of the Southern Democratic persuasion, had no desire to vote on the independence of a majority black nation. And so the King amendment went down to defeat, 43-9, with a goodly part of the Senate abstaining. Among the nine votes in favor were Borah, Norris, Johnson, La Follette, Edwin Ladd, and Thomas Walsh.¹²²¹

¹²²⁰ Johnson, *Peace Progressives*, 115. Johnson, *Ernest Gruening*, 41-42. Lowitt, 145-146.

¹²²¹ Johnson, *Ernest Gruening*, 42. Johnson, *Peace Progressives*, 116. Ashby, 104-105.

Despite the failure of the King amendment, progressives continue to rally on the issue of Haiti. In April 1922, *Nation* editor Ernest Gruening – who had become personally invested in the fight – released a report condemning the Haiti occupation under the auspices of the Foreign Policy Association, which included the signatures of Zechariah Chafee and Felix Frankfurter. The following month, he organized a May Day speech at Carnegie Hall on the issue by William Borah, which drew a crowd of 3500 and a nationwide audience by radio. (Borah calling the actions of the Marines “a disgrace to the American people” precipitated a minute-long ovation. In response, supporters of the occupation placed a full-page ad in the *New York Herald* praising the Marines for their uplift of Haiti.)¹²²²

For his part, President Harding had campaigned against imperialism in Haiti and the Dominican Republic in 1920, even before Franklin Roosevelt’s blunder. Discussing the issue with candidate Harding on the Marion front porch in August, 1920, James Weldon Johnson noted that the Ohio Senator “looked upon the Haitian matter as a gift right off the Christmas tree. He could not conceal his delight.” Soon thereafter, in a speech on August 28, 1920, Harding declared that Woodrow Wilson had “made enemies of those who should be our friends” and “rightfully discredited our country as their trusted neighbor.” If he became president, Harding promised never to “misuse the power of the executive to cover with a veil of secrecy repeated acts of unwarranted interference in the domestic affairs of the little Republics of the Western Hemisphere.” And, in fact, President Harding did initiate the machinery for a military withdrawal from the Dominican Republic as early as June 1921, although troops did not leave in full until September 1924, and the nation remained in the nominal control of American financial

¹²²² Johnson, *Ernest Gruening*, 42-44. Ashby, 116. In September 1922, Oswald Villard was forced to let Gruening go from *The Nation* due to money troubles (and due to his single-minded focus on his Haiti activities.) The two men parted amicably. Johnson, *Ernest Gruening*, 44-45.

interests until well after. Harding and Secretary of State Hughes also pulled troops from Camaguey, Cuba in 1922, to help normalize relations there, and began laying the groundwork for a withdrawal from Nicaragua, which did not occur in full until August 1925. In December 1922, Hughes presided over a Washington conference of Central-American nations where all agreed not to recognize any governments in the region that arose from coups.¹²²³

But Harding never pulled troops out of Haiti -- if anything, American control over that nation was only consolidated during his administration. And so progressives spent the rest of the decade continuing to rail against American involvement there. In 1926, an interracial delegation of WILPF members, headed by Emily Greene Balch, and the International Council of Women of the Darker Races initiated their own investigation in Haiti. They released a report detailing the considerable corruption, human suffering, racism, and civil liberties abuses they uncovered as a result of “American despotism,” and called for an immediate end to the occupation. The situation in Haiti, they concluded, was “a clear challenge to all who believe in the fundamental principle upon which the United States is founded, that government should rest upon the consent of the governed.” The case of Haiti, the WILPF argued, illustrated that there “has been for some time a drift toward imperialism” by the United States, “a movement veiled and therefore the more dangerous, dangerous to the liberty of our neighbors, dangerous to our democracy.”¹²²⁴

Nonetheless, at the end of the decade, progressives remained stymied by the continuing occupation. Though he thought it “a great wrong being consummated,” Borah lamented in April

¹²²³ Pamphile, 13, 119. Kenneth J. Grieb, “Warren G. Harding and the Dominican Republic U.S. Withdrawal, 1921-1932,” *Journal of Inter-American Studies*, Vol. 11, No. 3 (Jul., 1969), 425-440. Robert Kagan, *A Twilight Struggle: American Power and Nicaragua, 1977-1980* (New York: Free Press, 1996), 7. David F. Schmitz, *Henry L. Stimson: The First Wise Man* (Wilmington: Scholarly Resources, 2001), 50.

¹²²⁴ Pamphile, 119. Dawley, *Changing the World*, 302. Kristen E. Gwinn, *Emily Greene Balch: The Long Road to Internationalism* (Chicago: University of Illinois Press, 2010), 136-139.

1928 that he did not know “what we can do in the way of effectuating any change in the situation.” When riots broke out in Port-au-Prince in December 1929, Borah found himself making the same arguments on the Senate floor he had made seven years earlier in the fight over the King amendment, once again to no avail. As it was, the Haiti occupation would continue until 1934, when Franklin Roosevelt – atoning for his early imperialism at last – ended American military involvement there.¹²²⁵

Senate progressives were slightly more successful in their campaigns against the two major Latin American policy flare-ups of the Coolidge years, in Mexico and Nicaragua respectively. Tensions with Mexico had been high since the Wilson administration, which had occupied Veracruz in 1914 and sent 4800 troops under General John J. Pershing to chase Pancho Villa in 1916. By early 1921, the new presidents of the United States and Mexico, Warren Harding and Álvaro Obregón, eyed each other warily across the border, with Harding (and his Secretary of the Interior, Albert Fall) eager to secure and enhance US oil interests in the region and Obregón, who had taken power in an election following a 1920 coup, desiring American recognition and help with his nation’s massive debt. (In the midst of a decade of revolution, Mexico had been in default on its bonds since 1913.)¹²²⁶

In May 1921, Secretary of State Hughes offered the Obregón government recognition if they waived Article 27 from the Mexican Constitution, which argued that “natural resources in national territory are property of the nation” and thus could be nationalized and/or confiscated from American industries at any time. Mexico balked, but the seeds of a later deal were laid

¹²²⁵ Johnson, *Peace Progressives*, 141.

¹²²⁶ Linda Biesele Hall, *Oil, Banks, and Politics: The United States and Post-Revolutionary Mexico, 1917-1924* (Austin: University of Texas Press, 1995), 51-59.

when the Mexican Supreme Court deemed that Article 27 was not retroactive and did not apply to natural resources already being extracted. And so in 1922, Obregón's finance minister, Adolfo de la Huerta and Thomas Lamont of JP Morgan, speaking on behalf of an international coalition of bankers (and, by extension, the United States government) agreed to a deal in which Mexico would, among other things, begin to pay back its debts and agree to re-privatizing their railroads. The following year, in the Bucareli Treaty of 1923, the United States agreed to recognize the Obregón government in return for certain concessions, including an agreement that Article 27 did not apply to United States oil ventures begun before 1917. (As part of the deal, oilman Edwin Doheny – the largest US oil interest in Mexico – magnanimously threw in a \$5 million loan for the cash-strapped Mexican government.)¹²²⁷

Before the treaty could be ratified, however, Obregón's successor as president, Plutarco Elías Calles, threw it out, and began moving to aggressively implement Article 27 against American oil interests, including demanding they exchange their land titles for fifty year leases. New Secretary of State Frank Kellogg then swung into action, declaring that Calles' actions, "lacking in the essential elements of justice usual in the law and procedure of nations," struck "at the very root of the system of property rights which lies at the basis of all civilized society." Kellogg's fits of pique stirred the Senate progressives to action. "The truth is," William Borah told a group of journalists in December 1926, "that effort is being made to get this country into a shameless, cowardly, little war with Mexico." Arguing that oil interests likely intended to "steal oil lands in Mexico without anybody knowing it, or anybody finding it out," George Norris introduced and passed a resolution calling upon the State Department to release all

¹²²⁷ Hall, 88-89. Merrill Rippy, *Oil and the Mexican Revolution* (Leiden: E.J. Brill, 1972), 119-122. Johnson, *Peace Progressives*, 121. Rippy, 164-165.

correspondence pertaining to the issue of American oil titles in Mexico, while Borah asked Kellogg to appear before the Senate Foreign Relations Committee to discuss the issue.¹²²⁸

By then, the situation in Mexico had been compounded by a slowly unfolding crisis in Nicaragua. In 1925, one year after the election of a fusion government consisting of Conservative Carlos Solórzano as President and Liberal Juan Sacasa as Vice-President, the contingent of American Marines that had been stationed in Managua since 1912 finally left Nicaraguan soil. But, the following year, violence erupted again when the loser in that 1924 election, an even-more Conservative Emilio Chamorro, led a coup that forced Solórzano to resign and Sacasa to flee to Guatemala. As a result, Calvin Coolidge sent troops back into Nicaragua to restore order – by the spring of 1927, 3000 Marines were stationed there. Since US policy was not to recognize coup-created governments (as agreed in the non-binding 1922 Washington Conference), Chamorro resigned in favor of an ally, Adolfo Díaz. This Díaz government was then recognized by Secretary Kellogg and the Coolidge administration, even though Liberal forces under the deposed Juan Sacasa had by then set up an alternative government. When Sacasa appealed to Kellogg for recognition, the Secretary of State replied that Díaz was now head of Nicaragua and that, if he threatened otherwise, America “could not consider him other than a revolutionist.” Complicating matters even further, when the Marines arrived, the Liberals were well on their way to retaking Managua, and so now American forces faced the unenviable task of buttressing the Conservative Díaz government, while the Calles administration in Mexico officially recognized and backed the Liberal Sacasa government.¹²²⁹

¹²²⁸ Steel, 237-238. Johnson, *Peace Progressives*, 122. Ashby, 210. Lowitt, 369-370.

¹²²⁹ Steel, 236-237. Johnson, *Peace Progressives*, 126-127. Ashby, 208-209. Don M. Coerver and Linda Biesele Hall, *Tangled Destinies: Latin America and the United States* (Albuquerque: University of New Mexico Press, 1999), 78.

Progressives were surprisingly divided on the renewed Marine presence in Nicaragua. Recent events, argued Walter Lippmann in the *New York World*, proved that Nicaragua was “not an independent republic, that its government is the creature of the State Department, that management of its finances and the direction of its domestic and foreign affairs are determined not in Nicaragua but in Wall Street.” Burton Wheeler declared that the Coolidge administration was “simply bullying the Nicaraguan people because Nicaragua is a small nation,” and submitted two resolutions, one calling for recognition of the former Solórzano-Sacasa government and the other calling for an investigation into concessions given to American firms in the region. But Borah – while publicly breaking with the administration by calling for recognition of the Sacasa government -- thought that, in this case, American troops had been rightfully called back in to a tense situation to protect American lives and property, and that they should withdraw as soon as the situation was “reasonably safe.” Either way, progressives were fearful that, in George Norris’ words, Coolidge and Kellogg were “anxious to make what they call a ‘firm stand’ in Nicaragua in order to impress Mexico” -- in other words, that the Nicaraguan standoff would devolve into either a proxy war with Mexico or a *casus belli* for an actual war with Mexico.¹²³⁰

Appearing before the Senate Foreign Relations Committee at Borah’s request on January 12, 1927, Kellogg aggravated his public relations problem by making the ill-advised mistake of pulling a Palmer. Presenting a report entitled “Bolshevik Aims and Policies in Mexico and Central America” Kellogg argued that “the Bolshevik leaders have had very definite ideas with respect to the role which Moscow and Latin America are to play in the general program of world revolution” In short, Kellogg argued, the Calles and Sacasa governments were an arm of the Comintern in Moscow. Their overarching ambition: To “set up as one of their fundamental tasks

¹²³⁰ Ibid

the destruction of what they term American Imperialism as a necessary prerequisite to the successful development of the international revolutionary movement of the New World – Thus, Latin America and Mexico are conceived as a base of activity against the United States.”¹²³¹

Kellogg was virtually laughed out of the room. “[E]ver since the Swedes up in Minnesota threw him out of the Senate,” wrote Burton Wheeler, “Kellogg has been seeing a red behind every bush.” Soon thereafter, Wheeler, attacking Kellogg’s “faulty logic” and “fevered imagination,” called on Kellogg to resign. The *New York Times* attacked Kellogg’s “singular lack of perspective” and thought it “humiliating” that the State Department “stands in dread of the hands of Soviet Russia.” In a series of editorials, Walter Lippmann argued that what was at work throughout Mexico and Latin America was the “desire to assert the national independence and the dignity of an inferior race,” and that “the thing which the ignoramuses call bolshevism in these countries is in essence nationalism, and the whole world is in ferment with it.” “All this talk by ‘Nervous Nelly’ of communistic plots and propaganda,” wrote Harold Ickes to Hiram Johnson two days after the hearing, “gives me a feeling, half of amusement and half of illness. Bolshevism is the most famous red herring of all time.” The bigger issue here, thought Ickes, was that “[w]e paint ourselves as the most peaceful country in the world, we criticize other nations for foreign aggression, for imperialism, for disregarding the rights of weaker nations and yet we reveal ourselves as being no less a bully than the greatest bully of them all.”¹²³²

Two weeks after Kellogg’s testimony, on January 25th, 1927, Borah helped to steer a resolution put forward by Arkansas Democrat and Senate Minority Leader Joseph Robinson

¹²³¹ Johnson, *Peace Progressives*, 123. Marcelo Villegas, “Moscow, Mexico – and Morrow,” *The Outlook*, October 24, 1928, 1009-1011.

¹²³² Johnson, *Peace Progressives*, 123. Steel, 237-238. Ickes to Johnson, January 14, 1927. HLI Box 33: Hiram Johnson.

calling for arbitration with Mexico, which passed the Senate 79-0. (This was a weaker version of a resolution put forward by Lynn Frazier of North Dakota, which attempted to block Coolidge sending in the armed forces during a congressional recess.) Borah then called for the Foreign Relations Committee to investigate the situation directly. When his own committee rejected the proposal on a 10-8 vote, Borah corresponded with Calles directly, asking him for the same information he had requested of the State Department about American oil interests operating in Mexico. This Calles provided, prompting administration regulars to call for Borah's prosecution under the Logan Act. "As Chairman of the Senate Foreign Relations Committee," Borah replied to one heckler in New Haven who had brought up the charge, "I have a right to get my information from any source I wish. This I propose to do, and I know of no power that can stop me. We have not yet got Mussolini in the United States." Borah would spend the rest of the year working to learn Spanish so he could start getting a better sense of the situation on the ground in Latin America.¹²³³

By this point, Coolidge and Kellogg were looking for a graceful exit from both foreign policy snafus. And so the president appointed JP Morgan banker (and his Amherst college classmate) Dwight Morrow as the new Ambassador to Mexico and former Taft Secretary of War Henry L. Stimson as Coolidge's man in Nicaragua, both of whom were given the latitude to reach any deal possible. "My only instructions," Coolidge told Morrow, "are to keep us out of war." To Stimson, the president asked that "[i]f you find a chance to straighten the matter out, I want you to do so." Kellogg had one additional reservation for Stimson: Whatever arrangement he came to should not have to go through the damnable Senate.¹²³⁴

¹²³³ Ashby, 210-212. Johnson, *Peace Progressives*, 124-125, 132.

¹²³⁴ Ashby, 213. David Greenberg, *Calvin Coolidge* (New York: Henry Holt, 2006), 119. Schmitz, 54. Johnson, *Peace Progressives*, 126, 129-130.

Young Bob La Follette thought the appointment of a JP Morgan banker to sort out the Mexico situation was “the most flagrant avowal of domination by the international bankers which any President has ever dared to make.” (For his part, Borah endorsed the move.) But as it turned out, Morrow was the right man for the job. Bringing such leading lights as Charles Lindbergh (eventually to become his son-in-law) and Will Rogers to Mexico City as part of his charm offensive, Morrow managed to enamor himself with the local population and convince the Calles government to accept an agreement roughly akin to the earlier Bucareli compact – Oil companies could hold titles on lands acquired before 1917, and would have to procure leases for those acquired after then. By 1928, passions had eased greatly along the border, and Morrow could happily call Calles, deemed a Bolshevik agent by the Secretary of State only a year previously, “the best President the country has had since [Porfiro] Díaz.”¹²³⁵

While the situation in Mexico slowly resolved, the tensions did cause two press brouhahas of note. First, when Calvin Coolidge grew tired of anti-administration articles on the issue from the *New York World* and other outlets, he called for reporters to clear all their stories on Mexico with the government before publication. “It has not been the custom in America to let government officials edit newspapers,” replied an irate Walter Lippman. “It is not going to be the custom”:

‘There is a name for the kind of press Mr. Coolidge seems to desire. It is called a reptile press. This is a press which takes its inspiration from government officials and from great business interests. It prints what those in power wish to have printed. It suppresses what they wish to have suppressed. It puts out as news those facts which help its masters to accomplish what they are after. Its comments on affairs consist in putting a good face on whatever the interests which control it are doing. It makes no independent investigation of the facts. It takes what is handed to it and it does what it is told to do.’¹²³⁶

¹²³⁵ Johnson, *Peace Progressives*, 126. Greenberg, 119.

¹²³⁶ Steel, 239.

Meanwhile, Senator George Norris was incensed to discover while reading a Hearst newspaper in late 1927, that he, William Borah, Bob La Follette, and Thomas Heflin had all been on the Calles government's payroll – Norris had apparently received \$350,000 in the total of \$1.2 million in bribes. A special Senate committee soon followed, which found that the charges had been conjured out of thin air. Nonetheless, Norris took the opportunity to read his reply to William Randolph Hearst into the Congressional Record. "A fair analysis of the recent articles published in the Hearst papers," Norris declared, "...that you are not only unfair and dishonest, but that you are entirely without honor. These articles show, on the face, a constant attempt...to practice deception on the American people...[and] to excite an animosity and a hatred on the part of our people against the Mexican Government." Norris declined to sue Hearst, who apparently had been trying to recreate the same publishers' magic that had helped to furnish the Spanish-American War. In any case, the following year, when it was reported that Norris and Borah had both been paid \$100,000 each from the Comintern in Moscow, the same Senate committee exonerated them once more.¹²³⁷

While Dwight Morrow managed to defuse a second Mexican war, Henry Stimson faced a heavier lift. When he arrived in Nicaragua, he found the Díaz government on its last legs and the Liberal forces sure to overrun the capital city were it not for the presence of the Marines. Since, the last time American troops had withdrawn, "the country learned nothing in the way of self-government and within twenty five days...there was a *coup d'état*," Stimson thought the answer for Nicaragua lay in "constructive American intervention which would endeavor to lead the country nearer to self-government." And so he struck a deal with the Díaz government, the

¹²³⁷ Lowitt, 370-372.

Samasa government in exile, and the top Liberal general, José Moncada, known as the Tipitapa accords, that the current government would step down and that American forces would oversee a fair election in 1928. Thus, Stimson told the State Department in May, 1927, “the civil war in Nicaragua is definitely ended.”¹²³⁸

Unfortunately, one of General Moncada’s lieutenants, Augusto Sandino – whom Stimson had dismissed as a member of the “bandit fringe” – refused to abide by the deal and began to escalate his guerilla attacks on American troops and Nicaraguan Conservatives. As the situation became increasingly violent, Coolidge dispatched additional troops under General Frank McCoy to oversee the “election-monitoring” efforts in Nicaragua, raising the number to 3700 Marines in-country, accompanied by five cruisers and 1500 sailors offshore. Meanwhile, the rhetoric in the Senate grew more heated. The Sandinists were only “called bandits,” declared progressive Senator C.C. Dill of Washington, “because they would not sell their ammunition and their right to fight for what they believed to be self-government in their own country.” Burton Wheeler argued Sandino’s forces were fighting for “exactly the same principles of liberty and free government” as the patriots at Lexington and Concord.¹²³⁹

George Norris, comparing Sandino’s guerilla army to Washington at Valley Forge, asked why American Marines were there “to destroy human life, to burn villages, to bomb innocent women and children from the air.” The answer, he argued, was to teach Nicaragua “not to contravene the rights of American oil companies.” The United States Marines, the Senator

¹²³⁸ Johnson, *Peace Progressives*, 130-131., Schmitz, 54-61. It probably didn’t help matters that Stimson personally thought Nicaraguans “were not fitted for the responsibilities that go with independence and still less fitted for popular self-government,” and that Latin Americans in general were “admittedly like children and unable to maintain the obligations which go with independence.” Stimson would carry these same condescending attitudes into his next position, as Governor-General of the Philippines. Schmitz, 54, 61.

¹²³⁹ Schmitz, 57. Coerver and Hall, 78. Johnson, *Peace Progressives*, 134-138.

maintained, should not be “a collection agency for Wall Street or any other interest,” and those who gambled in Nicaragua have “no right to ask the Government to go to war in order to collect it.” As it was, by acting “as a Great Colossus,” America’s troops in the region were trampling “under military foot every doctrine of democracy” and besmirching the nation “with bloody disgrace.” And Borah, who supported the Sacasa government-in-exile rather than the Sandino insurgency, conceded that American Marines until 1925 “had kept in power those who represented not the people...so much as the foreign capitalists who were investing in Nicaragua.” That being said, he alone of the peace progressives argued for maintaining the troops in Nicaragua until the election – Otherwise, “we would leave the Liberals in Nicaragua absolutely subject to the dictation and the power of those who had driven them out prior to the time that Díaz had become president.”¹²⁴⁰

In the end, the 1928 election was won by General Moncada of the Liberals – and yet Sandino’s guerilla campaign persisted. Over the course of that year, Wisconsin Senator John J. Blaine had put forward two resolutions of note – the first arguing that American citizens and industries abroad had to obey the laws of their location, and the second – like the King amendment on Haiti in 1922 – calling for a proscription on funding the military effort in Nicaragua as of Christmas 1928. Both went down to defeat, but on February 22nd, 1929, C.C. Dill introduced a variation on the latter amendment once again, arguing that, with the Nicaraguan election come and gone, it was time to stand down. Dill’s amendment passed 38-30 before administration forces figured out what was going on and – after leaning heavily on South Carolina’s two Democrats to change their vote or lose \$350,000 for Charleston Harbor – re-voted the amendment down in a special session the following day, 48-32. This, historian Robert

¹²⁴⁰ Lowitt, 373-375. Johnson, *Peace Progressives*, 134-138.

David Johnson notes in his study of the peace progressives, “marked the first occasion in American history on which a branch of Congress had cut off funding for an overseas military conflict still in progress.” Nonetheless, US Marines, while beginning to draw down in 1931, remained in Nicaragua until January 2nd, 1933 – one day after the inauguration of Juan Sacasa, the recognized president at last. The following year, Augusto Sandino would be assassinated, in violation of a safe-conduct agreement, by Nicaragua’s US-trained National Guard, headed by Anastasio Somoza – soon to be the dictator of Nicaragua for two decades.¹²⁴¹

Surveying the events in Mexico and Nicaragua with Hiram Johnson in January 1927, Harold Ickes called into question the American behavior that he thought precipitated both diplomatic crises. To Ickes, the “Nicaraguan situation...[was] particularly distasteful”:

I haven’t seen anything to date to prove the assertion that our intervention in that country was necessary in order to protect American lives and property. Even in cases where American lives and property are endangered I have often wondered to what extent our government should go in order to protect our business adventurers. If I go into another country because I see a chance of making an extraordinary profit it would seem to me that I ought to be willing to assume whatever personal risk is involved. Of course, there are practical limits to any theory, but, generally speaking, I don’t see why you should be called upon to spend your money and risk your life to protect me in my deliberately chosen pursuit of large profits.

But waiving this point... Why do we have to land marines, censor news, disarm inhabitants, and chase belligerents in Nicaragua?... What concern is it of ours and what right have we to decide for the Nicaraguans at the point of a pistol who their president should be? It seems to me that the furthest we have the right to go is to assure ourselves that whoever is in control of the government, legally acquired American rights will be safeguarded. It is difficult for me to believe that such assurances could not have been secured from Sacasa as well as from Diaz.

We all hate a bully and this country of ours seems to be occupying very completely the role of a bully with respect to Nicaragua. Of course, there is no doubt about our being able to determine the result in that country, but it looks to me to be a case of losing even if we win. We will lose in the accumulation of distrust and misunderstanding that we will add to throughout Central and South America. We will lose even more in world opinion because we will be accused, and justly so, of cant and hypocrisy....

¹²⁴¹ Coerver and Hall, 78. Johnson, *Peace Progressives*, 135, 1-2. Greenberg, 121.

Is American to be committed to an indefensible policy in Nicaragua merely because a nervous Secretary of State and an inadequate President commit us to that policy without our knowledge or consent? That is the theory on which ghastly wars have been waged and millions of men slain throughout the ages. Who are Coolidge and Kellogg? Why should they have the right and power to sign in blank a check against the moral and spiritual resources of America that America is bound to honor although America has not been consulted? Why should we back them up merely because they have made fools of themselves and are playing fast and loose with our foreign affairs? What a salutary thing it would be for future Coolidges and Kelloggs if America, instead of following through on a course which America did not chart, should order these misguided pilots of ours to take a different tack...

The administration complains of Mexican aid and comfort given to Sacasa. Why hasn't Mexico as much right in Nicaragua as we have?...As to Mexico I haven't any doubt that matters will be adjusted to the satisfaction of the Standard Oil Company...What right have we to dictate to Mexico its policy with reference to the holding of lands and mineral and oil rights?¹²⁴²

"I hope that some day, some time," Ickes concluded, "some great power will really point the way to international understanding, good-will and peace by its own real consideration of the rights of other nations and by its forbearance under seeming provocation. I wish the United States might be the country thus to point the way. If we don't do it, if we continue to bully weaker nations, what real hope is there that the world can ever be composed of anything but selfish, grasping, warring nations?"¹²⁴³

That was the question that progressives would continue to grapple with over the course of the decade. And it didn't apply only to the nations of Latin America. As best they could, the progressive nationalists in the Senate tried to accord the American rights of self-determination and non-interference to all nations who desired them. "How shall the rights of small nations be guarded or maintained?" Borah told the Jewish Congress in 1927. "It is not war between the great powers but the spoliation of the weak nations which seem the most vital and imminent in international affairs at this time." This included the colonial assets of the French and British

¹²⁴² Ickes to Johnson, January 14, 1927. HLI Box 33: Hiram Johnson.

¹²⁴³ Ibid.

Empires. “In my opinion,” Borah wrote in 1925, “there will never be any peace among the Syrian people or in that region of country until the specific pledge made to the Syrian people during the war is in good faith carried out. The Syrian people are entitled to their independence and to the right of self-government and the pledge have being made to that effect should be kept.”¹²⁴⁴

In April 1921, one month into the Harding presidency, George Norris put forward a resolution protesting the continued British suppression in Ireland. While Britain was acting in “violation of every rule of war, peace, or humanity,” the Irish, according to Norris, deserved to be accorded “the same freedom, the same liberty that by the will of Almighty God and the sacrifices of our forefathers we ourselves enjoy.” Norris had previously served, along with Jane Addams, Frederic Howe, and Norman Thomas, on the American Commission on Conditions in Ireland, also known as the “Villard Commission” due to its primary backer, which had investigated accounts of British atrocities in Ireland.¹²⁴⁵

That same month, Robert La Follette followed with his own resolution forcing the Harding administration to recognize Irish independence, arguing that America must lead in “the establishment of new nations throughout the world founded upon the consent of the governed.” (Henry Cabot Lodge bottled it up in committee.) And Senator Borah – who thought “that too much praise cannot be given for the service which the Irish race in America rendered to America in the League fight” – argued “it is for the interest of England, certainly for the interest of Ireland, and for the interest of the peace of the world, that the Irish question should be settled in

¹²⁴⁴ William Borah, “For the Press,” February 20th, 1927. Borah to The Syrian Society of America, November 12, 1925. WJB Box 201: Foreign Affairs – Misc.

¹²⁴⁵ Lowitt, 142. Wreszin, 141-142.

accordance with 700 year old demands of Ireland...So long as they exist as a people, they will demand their liberty...I voted for the independence of the Philippines,” he concluded, “and I would like to see the Irish free.” The following year, 1922, saw the Irish Free State – minus six provinces in Ulster – created. India received less attention than Ireland from the Senate progressives, but it did not go completely unnoticed. Wisconsin Senator John J. Blaine continually urged the Senate to pass a resolution supporting India, “mindful of the struggle for independence that gave birth to our Republic,” and blaming the British for “the most atrocious conduct known to history.” It never passed.¹²⁴⁶

Perhaps the best example of the peace progressives’ agnostic approach to other nations during the decade was their fight to extend recognition to Soviet Russia, a nation on which progressive views ran the gamut during the Twenties. On one hand, Woodrow Wilson, in one of his last published essays, argued that the Bolshevik revolution was a cautionary tale for the democracies of the world. “The world has been made safe for democracy,” the former president argued, “But democracy has not yet made the world safe against irrational revolution. That supreme task, which is nothing less than the salvation of civilization, now faces democracy, insistent, imperative.” On the other was muckraker Lincoln Steffens’ oft-quoted statement after a trip to Bolshevik Russia, “I have seen the future, and it works!” and the effusive endorsements of the regime by Social Gospel ministers like Harry Ward and Sherwood Eddy. “[I]f what I have seen with my eyes and heard with my ears in Russia is Bolshevism,” wrote W.E.B. Du Bois from Moscow in November 1926, “I am a Bolshevik.” At the very least, Jane Addams argued in 1930, “it would seem obvious that the most important condition for the peaceful and fruitful development of the world would be at the lowest, a theory of live and let live between countries

¹²⁴⁶ Johnson, *Peace Progressives*, 118-119, 157. Borah to John E. Milholland, January 13, 1921. WJB, Box 96: Irish Question. Borah to James H. Lyons, January 31, 1921. WJB, Box 96: Irish Question.

organized on different economic systems.” That is the theory which the Senate progressives tried to bring to bear on the Soviet Union.¹²⁴⁷

As noted earlier, Johnson, Borah, La Follette, and Norris, among others, had all been harsh critics of Wilson’s Polar Bear Expedition in 1919. “I can’t help but believe,” Borah told one constituent, “that the most short-sighted, selfish policy that was ever practiced toward one people by another, has been the policy of this Government toward Russia from the hour the old regime broke down.” The Idaho Senator thought “our sacrifice of our boys in Russia the most remarkable instance of wholesale murder that has ever took place by reason of the action of a free government. We have no business in Russia. There is positively no justification for our being there.” When told that this position made him a potential Bolshevik lover, Borah argued he had not “defended the...Bolshevists unless it be considered defending them to have objected to sending our troops there to shoot them down. While I do not believe in their practices I do not consider it our business to go there and engage in bloody riots with them.”¹²⁴⁸

Arguing for recognition of Russia throughout the decade (to no avail), Borah continually made the point that the behavior of the Bolshevik regime in Russia was irrelevant. “For one hundred and fifty years we traded with Russia at a time when she we governed by an autocratic, militaristic and brutal regime,” he noted in 1920. “We never complained of the fact that the Czar was in the habit of putting his people into Siberia to freeze and die in exile, and that he was shooting them when they became restless about their conditions; we kept on trading. In other words, we have never made the question of our trade depend upon whether the government was

¹²⁴⁷ Woodrow Wilson, “The Road Away from Revolution,” (New York: Atlantic Monthly Press, 1923). Schlesinger, *Crisis of the Old Order*, 93-95, 142. *The Crisis*, November 1926, 8. Addams, *Second Twenty Years*, 390.

¹²⁴⁸ Borah to John Spargo, March 28, 1921. WJB Box 101: 1919-1920 Russian Matters. Borah to C.H. Putnam, July 22, 1919. WJB, Box 87: Russian Matters. Noggle, *Into the Twenties*, 143-144.

a government we liked or not, and no sane people ever did such things.” Three years later, Borah told a constituent that recognizing Russia, “instead of helping bolshevism...will tend to destroy bolshevism. Anything which restores normal conditions will help to destroy bolshevism. Bolshevism has been greatly aided and helped by the course which the Allies have pursued towards Russia since the war.” Nonetheless, Borah contended, the question of how recognition affected bolshevism was beside the point:

Of course, wrongs have been committed in Russia. No one defends them. But that is not a controlling proposition in the matter of recognition. We have recognized Turkey for the last hundred years, didn't even break with her during the War, and yet, under official authority, literally thousands of Christians have been murdered in Turkey by the Turkish government. On the day that the priest was condemned to execution, thirteen Germans were shot down in Germany, unarmed and helpless, by an invader. That didn't have any bearing upon our continued recognition of France. For years and years the British government shot and killed Irishmen, priests and everybody else, but it didn't cause a break with our government.¹²⁴⁹

In sum, Borah, argued, “[t]he basis of recognition rests upon a principle wholly aside from these cruelties which may be practiced.” Harold Ickes thought similarly. “I believe Russia should be recognized,” he told Hiram Johnson in December 1923. “I had always thought that it was a well-established principle of international relationships that the question of recognition depended upon the apparent stability of the government of the country proposed to be recognized and not upon the form of government of that country...We never had any difficulty in recognizing the Tsarist regime; we never recalled our Ambassadors when pogroms were instituted against the Jews; we have recognized the bloody Turks and yet we cannot recognize Russia which, even if mistakenly and haltingly, is reaching out toward a popular form of government.” As Burton Wheeler put it after a 1923 visit to Russia – during a long Senate recess

¹²⁴⁹ Borah to Marcus Day, December 10, 1920. WJB, Box 95: Foreign Affairs 1920-1921. Borah to Orrin S. Good, May 7, 1923. WJB Box 144: 1922-23 Russian Matters. When it came to recognizing nationhood, religion and ethnicity did not matter to Borah either. “I observe you say ‘Everyone knows that these Bolsheviks are Jews, all of them,’” he responded to one letter-writer from New York. “Perhaps so. What of it? Shall we refuse to recognize a government because its principal men are Jews? Are we going to revive the infamous intolerance of the Dark Ages? It is wholly immaterial to me whether the leading men of Russia are Jews or not.” Borah to Robert Green, June 5, 1922. WJB *Borah Box 121: 1921-22: Russian Situation*.

that also saw Robert La Follette, Edwin Ladd, and Smith Brookhart visit Moscow – the USSR appeared to be “the most stable government in Europe today,” and thus deserved American recognition. Besides, Wheeler later explained, “I had discovered on my trip that Britain and France were buying cotton from us and reselling it to the Russians at a profit...it was silly for us not to recognize the Soviets when doing business with them might help pull us out of a growing depression.”¹²⁵⁰

While Borah never succeeded in extending recognition to Soviet Russia, his attempts led the Kremlin in Moscow to think of the Idaho Senator as their most likely ally in the United States. As historian Robert David Johnson put it, Borah in the late 1920’s “functioned as a de facto Secretary of State in dealing with the Soviet Union,” working to release American prisoners, end the persecution of Catholics, and otherwise interact with the regime while Frank Kellogg and Hoover Secretary of State Henry Stimson remained silent. In fact, Borah held a similarly sterling reputation in China, where his “reputation for liberalism and anti-imperialism,” noted one correspondent, “was nowhere greater.”¹²⁵¹

Over the course of the Twenties, from the Nine-Power Treaty on, Borah had argued that the Open Door was “contrary to the spirit of the times and the modern conception of national integrity.” When the Kuomintang nationalist movement began to take hold and Senators worried about Bolshevik influence, Borah argued that, as in Mexico and Nicaragua, it was not radicalism “but the spirit of nationalism which is aflame.” And he wasn’t bashful about attacking the bad behavior of American interests in the Middle Kingdom, such as when he called the “American

¹²⁵⁰ Borah to Marcus Day, December 10, 1920. WJB, Box 95: Foreign Affairs 1920-1921. Ickes to Johnson, December 7, 1923. HLI Box 33: Hiram Johnson. Johnson, *Peace Progressives*, 144. Wheeler, 202.

¹²⁵¹ Johnson, *Peace Progressives*, 146-148.

Chamber of Commerce...part of the imperialistic combine which would oppress and exploit the Chinese people and charge the result of their offenses to someone else.” “The truth is that China,” Borah argued in 1925, “tortured and demoralized by the imperialism of a few nations beginning with the vicious opium war and running down to this day, has at last, like the worm, turned. Unless these imperialistic nations see fit to conform their practices in the future with the wave of nationalism in China, we have only seen the beginning of this trouble.”¹²⁵²

When Kellogg briefly dispatched American Marines to Shanghai in 1927 to protect Americans there, Borah urged the State Department not to use the opportunity to interfere with Chinese politics. “The most magnificent scene in the world is to see a great people, after years of turmoil and strife and oppression by outside powers, coming into their own,” Borah proclaimed. “The nationalistic spirit, in my judgment is uniting these people and I look to see them ultimately accomplish their complete redemption as a great power and take their rightful place among the family of nations.” George Norris, meanwhile, asked the Coolidge administration to declare that “we sympathize with those who believe that foreigners should not make laws for an unwilling people, simply because they are too weak to defend themselves.”¹²⁵³

Instead of engaging in entangling alliances or the building of empire, Borah and the peace progressives, in Jeffersonian fashion, urged the State Department to recognize all nations’ rights of self-determination and non-interference, and then to conduct trade with them. The “one fundamental thing which must be done in order to restore anything like economic sanity or business prosperity in this country,” Borah argued soon after the war, was to “restore trade

¹²⁵² Ibid. William Borah, “For the Press,” June 27, 1925. WJB. Box 780: Speeches. Borah to Frederic William Wile, June 8, 1925. WJB Box 187: Newspapers.

¹²⁵³ William Borah, “For the Press,” January 27, 1927. Johnson, *Peace Progressives*, 146-148..

relations with the different nations of the earth, and get things back to normal conditions in the world of commercial trade..” That following year, he argued the best path to prosperity and normalcy was for the Harding administration “to find markets for our products. That can only be done by opening up the channels of trade between all Nations of the world. There are some people in this world who would rather see bankruptcy than to trade with the Russian government... There are those who would rather see bankruptcy than to restore immediately and promptly our business relations, and therefore our trade relations, with Germany – and they have largely had their way. But you will pardon me for saying I have not been one of them.”¹²⁵⁴

It is for this reason that Borah, unlike many of his allies in the farm bloc, resisted the Emergency Tariff of 1921, and why he was the only Republican vote against the Fordney-McCumber Tariff of 1922 (although Norris and La Follette, both abstentions, said they would have also voted against the bill.) “It would be like putting a porous-plaster upon a cancer,” Borah argued in 1921. “Tariff is alright. The principle is alright. But the things from which we are suffering now are not to be cured in that way... What we want is the restoration of trade throughout the world.” The idea of higher tariffs, Ickes told Hiram Johnson similarly, “leaves me stone cold. I thought it was axiomatic that a creditor nation must of necessity be a free trade nation, but it seems we are going to prove all history and economic theory wrong.”¹²⁵⁵

They were and they weren’t. “A creditor nation unwilling to absorb more imports than exports,” historian William Leuchtenburg noted in *The Perils of Prosperity*, “the United States maintained world trade by private investment of dollars abroad.” As waves of tourists, flush with

¹²⁵⁴ Borah to D.J. Bisthan, December 5, 1920. WJB, Box 98: Misc. Borah to Mark Austin, July 11, 1921. WJB, Box 89.

¹²⁵⁵ “Your Government at Work,” *The Searchlight on Congress*, August 31, 1922, 6. Borah to Mark Austin, July 11, 1921. WJB, Box 89. Ickes to Johnson, June 30, 1921. HLI Box 33: Hiram Johnson.

cash, visited the Old World, “American dollars,” writes Leuchtenberg, “developed rubber plantations in the Dutch East Indies, built American branch factories in Scandinavia, mined tin in Bolivia, and drilled oil wells in the Middle East.” Between 1919 and 1929 around \$12 billion American dollars ventured overseas, mostly in the form of loans.¹²⁵⁶

For one, this made for a deeply unstable world economy, almost entirely dependent on continued capital investment abroad by the United States and American corporations. When that capital flow dried up at the onset of the Great Depression, the world economy collapsed soon thereafter. For another, American investment overseas led to an explosion of multi-national corporations. The decade saw over \$4 billion in direct investments overseas, and by 1929 over 1300 corporations owned wholly or in part by American interests were active in Europe. For decades, progressives had tried to constrain bad behavior by their ancient adversary, the Trust, by either growing the American government to regulate them (the New Nationalism) or breaking them up into smaller parts (the New Freedom). But now, even as Senate progressives worked to maintain the inviolable integrity of nations, corporations were spilling over and beyond the nation-state and gaining footholds across multiple continents.¹²⁵⁷

In the Commerce Department, the Great Engineer was semi-cognizant of both of these world-historical developments. In March 1922, Hoover and Hughes pushed Harding to issue a series of federal guidelines for loans overseas – While there was no penalty for non-compliance, from now on foreign loans, it was argued, ought to be approved by the State Department first. Hoover wanted this government oversight to make sure the money was going to efficient,

¹²⁵⁶ Leuchtenburg, *The Perils of Prosperity*, 111-112.

¹²⁵⁷ Ibid. Cohen, *Empire Without Tears*, 36-37.

worthwhile, and constructive endeavors, while Hughes didn't want private money undermining diplomatic attempts to isolate the Soviet Union or other potential adversaries. Either way, government oversight of loans was extensive, but not particularly effective at regulating the flow of capital. Hoover was also worried that the growth of corporations with multi-national holdings would eventually result in stronger global competitors and American jobs shipped overseas, and he urged these businesses to voluntarily make investments that were also in the public interest – say, investing in the infrastructure of underdeveloped China rather than backing the machinations of Japanese imperialists.¹²⁵⁸

Hoover's fears for America's long-term future proved as prescient as his ability to alter the behavior of business interests was ineffective. The money – much to Hoover's consternation – pooled where the easy, low-risk profits were, not where it may have potentially made most sense from a diplomatic or public interest perspective to invest. Despite government oversight of loans and Hoover's prodding, “[a]t no time in the 1920s,” notes historian Warren Cohen, “did the government exercise effective control over American economic activity abroad.”¹²⁵⁹

The sheer importance of American capital to the global economy had one additional effect as well. It enmeshed America in the dealings of the rest of the world as thoroughly as any alliance, pact or League ever could. Senator Borah was right to worry, as he told Albert Beveridge in 1921, that “[i]mperial finance is...as objectionable as militarism.” Because even as he and the other Senate progressives worked desperately to avoid entangling alliances or imperialistic behavior in the political sphere, the flow of money in the absence of normal trade created for America, in Cohen's word, an “Empire Without Tears,” in which “the dollar, if not

¹²⁵⁸ Cohen, *Empire Without Tears*, 30-33, 36-38.

¹²⁵⁹ *Ibid.*

the flag, could be found wherever the sun might shine at any given moment.” By the end of the decade, Cohen writes, “[o]fficially or otherwise, the government of the United States had to participate in every major political or economic conference in the world to protect its interests.”¹²⁶⁰

Immigrant Indigestion

In the same 1927 letter to Hiram Johnson that Harold Ickes, discussing Nicaragua and Mexico, bemoaned imperialistic and “bullying” behavior by the United States and lamented that America was not leading the way to “international understanding, good-will, and peace,” Ickes also took a brief digression into the status of Japanese immigrants. “I have always believed that California was well within her rights in forbidding the Japanese to own land,” Ickes told one of the authors of that particular policy. “I don’t believe American culture and Japanese culture can effectively amalgamate and for that reason California was performing a real service to the whole country in setting up a barrier on the Pacific Coast. I believe in letting foreign nations alone and in asserting our own right to be let alone...[I]f our national and state governments choose to exercise their unquestioned sovereign power to limit or to destroy altogether the rights of foreigners in this country than other countries have exactly the same right with respect to Americans and American rights within their national domains.”¹²⁶¹

In other words, a restrictive immigration policy here at home was perfectly in keeping with the anti-imperialism and nationalism that informed progressives on other matters. “I am in full sympathy with your plan and your purpose,” William Borah told John S. Chambers,

¹²⁶⁰ Ibid, 44.

¹²⁶¹ Ickes to Johnson, January 14, 1927. HLI Box 33: Hiram Johnson.

chairman of the executive committee of the Japanese Exclusion League of California, in 1921. “I am in favor of saying to Japan courteously, but conclusively, that while we respect her as a great nation and shall always be glad to live in terms of utmost harmony with her, we will absolutely determine who shall own property and be citizens of this country. Even if Japan objected to this treatment of her former citizens, Borah told another constituent, “there is one thing that every people must reserve absolutely, and that is the right to say who shall hold real estate within the Nation’s boundaries and who shall be admitted as immigrants.”¹²⁶²

The Senate progressives’ blindness on the issue of immigration was a tragic lacuna in their otherwise humanist philosophy, and their discussions of the issue often exposed the limits of their tolerance. To take just two examples, George Norris argued for “more stringent laws to bar the undesirable foreigner” and Borah attempted in 1927 and 1928 to add Mexican immigrants to the 1924 restriction act, since it “was a mistake to limit certain other countries to the quota and leave Mexican immigrants out. We certainly do not want them as citizens.” But they were not alone in this unfortunate oversight. Even before the World War, as settlement house workers like Jane Addams extolled the “immigrant gifts” new arrivals brought to American life and writers like Horace Kallen and Randolph Bourne were singing the praises of group differences and the cosmopolitan American of transnational stock, there had been progressive stirrings in the direction of immigration restriction.¹²⁶³

“Freedom of migration from one country to another, *The New Republic* opined in 1916, “appears to be one of the elements of nineteenth-century liberalism that is fated to disappear.” In

¹²⁶²Borah to John Chambers, November 19, 1920. WJB, Box 83: Japanese Question. Borah to G. Sponberg, April 25, 1921. WJB, Box 96: “Japanese Question.”

¹²⁶³Ashby, 248. “Doubtless, there are many good people in Mexico,” Borah extemporized in the same letter, “but they do not seem to come here.” Borah to W.G. Swendsen, January 9, 1928. WJB Box 248: Immigration.

the first fifteen years of the twentieth century, over fifteen million immigrants had entered the United States, many of them from Southern and Eastern Europe. Now, suggested TNR, with “[t]he responsibility of the state for the welfare of its individual members...progressively increasing,” American “democracy...cannot permit...social ills to be aggravated by excessive immigration.” These sorts of philosophical musings were soon amplified and exacerbated by the hyper-nationalism and anti-German hysteria of the War period, which saw even the ostensibly progressive President of the United States declare that the “infinitely malignant” Hyphenates must be “crushed out.” (Wilson carried this attitude into the postwar period: “Hyphens are the knives that are being stuck into this document,” he lamented of the Versailles Treaty.)¹²⁶⁴

Meanwhile, across the country, American citizens were bombarded by George Creel’s Committee of Public Information with grotesque caricatures of the German Hun in the midst of rapine, and the Enemy did not appear to make a friendly neighbor. “Shall we permit the bestial hordes who ravished Belgium women [sic] and bayoneted little children to make their homes where American womanhood is sacred and where innocent childhood is loved?” asked the National Civic Foundation in 1918. “There is no doubt,” Jane Addams wrote after the dust had settled, “that the immigrant population in the United States suffered from a sense of ostracism during the war, which, in spite of their many difficulties, their sorrows and despairs, they had never encountered in such universal fashion.”¹²⁶⁵

Adding further fuel to the fire were the theoretically science-based warnings of writers like amateur anthropologist Madison Grant, whose 1916 volume *The Passing of the Great Race* – which aimed to “rouse...Americans to the overwhelming importance of race and to the folly of

¹²⁶⁴ Higham, 121, 301-302. Barry, *Rising Tide*, 154. Leuchtenburg, *Perils of Prosperity*, 204-205.

¹²⁶⁵ Higham, 306. Addams, *Second Twenty Years*, 263-264.

the ‘Melting Pot’ theory” – remained a popular book into the early Twenties. Dividing the peoples of Europe into the “Alpine,” “Mediterranean,” and “Nordic Races,” Grant warned that “the American [had] sold his birthright in a continent to solve a labor problem. Instead of retaining political control and making citizenship an honorable and valued privilege, he intrusted the government of his country and the maintenance of his ideals to races who have never yet succeeded in governing themselves, much less anyone else.” As a result, “the man of the old stock is being crowded out of many country districts by these foreigners, just as he is today being literally driven off the streets of New York City by the swarms of Polish Jews. These immigrants adopt the language of the native American, they wear his clothes, they steal his name, and they are beginning to take his women, but they seldom adopt his religion or understand his ideals.” In short, Grant argued, “democracy is fatal to progress when two races of unequal value live side by side.”¹²⁶⁶

Grant’s fears were further expounded on by Harvard-educated history professor Lothrop Stoddard in his 1920 book *The Rising Tide of Color Against White World Supremacy*. (Grant wrote the introduction.) “We stand at a crisis – the supreme crisis of the ages,” Stoddard told his readers. “If white civilization goes down, the white race is irretrievably ruined. It will be swamped by the triumphant colored races, who will obliterate the white man by elimination or absorption...if the present drift be not changed, we whites are all ultimately doomed.” Fortunately, “the horrors of the war, the disappointment of the peace, the terror of Bolshevism, and the rising tide of color have knocked a good deal of the nonsense out of us,” Stoddard thought.¹²⁶⁷

¹²⁶⁶ Ibid. Madison Grant, *The Passing of the Great Race* (New York: Charles Scribner’s Sons, 1922), xxviii, 10, 13.

¹²⁶⁷ Leuchtenburg, *Perils of Prosperity*, 204-205. Lothrop Stoddard, *The Rising Tide of Color Against White World Supremacy* (New York: Charles Scribner’s Sons, 1922), 299-308.

To meet this race crisis head-on, along with thoroughly revising “the wretched Versailles business,” and forsaking “our tacit assumption of permanent domination over Asia,” Stoddard prescribed immigration restriction right away. “[E]ven within the white world, migrations of lower human types like those which have worked such havoc in the United States must be rigorously curtailed. Such migrations upset standards, sterilize better stocks, increase low types, and compromise national futures more than war, revolutions, or native deterioration.” Grant and Stoddard’s pseudo-scientific arguments were given even more play in the *Saturday Evening Post*. Immigration left unrestricted, influential *Post* writer Kenneth Roberts argued, would make of Americans “a hybrid race of people as worthless and futile as the good-for-nothing mongrels of Central American and Southeastern Europe.” Among the millions of converts to this line of reasoning was Calvin Coolidge, who affirmed in 1921 that “biological laws show us that Nordics deteriorate when mixed with other races.”¹²⁶⁸

The virulent racism in these arguments is impossible to ignore, and the works and popularity of Grant and Stoddard testify to historian John Higham’s thesis in his classic 1955 study of immigration and nativism in America, *Strangers in the Land* – that the immigration restriction of the “Tribal Twenties” was the end result of an upsurge in racial nationalism in America. Certainly the Red Scare, with its anti-Bolshevik hysteria, well-publicized mass deportations like Palmer’s Ark, and accompanying explosion of “100% American” organizations, compounded the hyper-nationalism of the war, made “Americanization” a very different project, and sent immigration restriction well on the path to legislative victory. Because A. Mitchell Palmer “tried to throw the nation into a panic, making it believe that every immigrant was a potential Bolshevik and bomb thrower,” Edward Hale Bierstadt wrote in *The*

¹²⁶⁸ Ibid. Barry, *Rising Tide*, 154. Higham, 318.

New Republic in 1921, “Americanization and anti-radicalism became interchangeable terms.” This lumping tendency drove Jane Addams to distraction, who railed against it in February 1920, as the fevers of the Scare were beginning to burn out. “The application of a collective judgment in regard to aliens in the United States is particularly stupid,” she wrote, since immigrants “are not only quite as diversified in their political opinions as those of us forming the remaining millions of the population, but they are in fact more highly differentiated from each other by race, tradition, religion, and European background than the rest of us can possibly be, even although we are as diverse as the cracker in Georgia and the Yankee in Maine.”¹²⁶⁹

But it is important to note that simple prejudice, however potent, isn’t the whole story. In fact, some of the targets of one-hundred-percenters’ wrath in 1919 and 1920 also backed immigration restriction, namely labor and the African-American community. “Every citizen of the United States should make protest against the influx of people from other countries,” AFL-CIO head Samuel Gompers wrote in April 1921, since “[s]o many immigrants coming into this country will break down the standard of living of our people.” Gompers did not indulge in specious racial arguments to explain his stance. Rather, he saw unrestricted immigration as the sharp point of the spear that would eventually force the open shop on all of American labor. “Shutting out from our shores the poor of other nations and races is caused by the law of necessity and self-protection consequent upon our industrial system,” Gompers explained:

Labor does not desire to erect a wall around our country and prevent the poor of other nations from entering. It does not declare that America is for Americans alone, but it does insist that there should be and must be some restriction of immigration that will prevent disintegration of American economic standards.

¹²⁶⁹ Higham, 7-11, 264. Edward Hale Bierstadt, “Pseudo-Americanization,” *The New Republic*, May 25th, 1921, 371-373. Jane Addams, “Nationalism, a Dogma?” *The Survey*, February 7, 1920, 524-526.

Those who favor unrestricted immigration care nothing for the people. They are simply desirous of flooding the country with unskilled as well as skilled labor of other lands for the purpose of breaking down American standards. You must not forget that if low wages, long hours of employment and unbearable working conditions are signs of prosperity China and India would be the greatest commercial and industrial countries in the world. They have no strikes in China. It is the utopia of the 'open shop.' America, however, where men are free to voice their desires for greater and still greater advancement in economic conditions, is the greatest country on earth. Its people live better than anywhere else, and the trade unions are responsible for maintaining those standards.¹²⁷⁰

Similarly, A. Philip Randolph, soon to found the Brotherhood of Sleeping Car Porters in 1925 and become a leading figure in the civil rights movement, argued in 1924 that “instead of reducing immigration to two percent of the 1890 quota, we favor reducing it to nothing... We favor shutting out the Germans from Germany, the Italians from Italy... the Hindus from India, the Chinese from China, and even the Negroes from the West Indies. This country is suffering from immigrant indigestion... It is time to call a halt on this grand rush for American gold which over-floods the labor market, resulting in lowering the standard of living, race-riots, and general social degradation. The excessive immigration is against the interests of the masses of all races and nationalities in the country – both foreign and native.”¹²⁷¹

While opinion was not unanimous – the NAACP’s Walter White for example, opposed immigration restriction – Randolph was not the only prominent African-American leader thinking thus. As the *Chicago Defender* put it in January 1924, “It is vitally important to keep the immigration gates partly closed until our working class gets a chance to prove our worth in occupations other than those found on plantations. The scarcity of labor creates the demand. With the average American white man's turn of mind, the white foreign laborer is given

¹²⁷⁰ Samuel Gompers to J.H. Reiter, April 28, 1921. H. Keith Thompson Collection, The Hoover Institute. Reprinted at “Samuel Gompers – The Voice of Labor,” CWA Local 4250, Chicago, Illinois. (<http://www.cwalocal4250.org/politicalaction/binarydata/The%20Voice%20of%20Labor.pdf>)

¹²⁷¹ Daryl Scott, “Immigrant Indigestion: A. Philip Randolph, Radical and Restrictionist,” *Center for Immigration Studies*, June 1999. (<http://www.cis.org/articles/1999/back699.html>)

preference over the black home product. When the former is not available, the latter gets an inning.”¹²⁷²

Although he always remained dismissive of “the worship of the Nordic totem,” W.E.B. Du Bois also eventually came around to this way of thinking. Writing in January 1920, Du Bois called the push for restriction a “despicable and indefensible drive against all foreigners [to shut] the gates of opportunity to the outcasts and victims of Europe.” But by 1925, Du Bois wrote in *The New Negro* that “despite the inhumanity” of immigration restriction, “American Negroes are silently elated at this policy. As long as the northern lords of industries of the white land could import cheap white labor from Europe, they could encourage the color line in industry and leave the Negroes as peons and serfs at the mercy of the white South. But to-day with the cutting down of foreign immigration the Negro becomes the best source of cheap labor for the industries of the white land. The bidding for his services gives him a tremendous sword to wield against the Bourbon South and by means of wholesale migration he is wielding it.” In sum, Du Bois conceded, revisiting the topic again in 1929, “the stopping of the importing of cheap white labor on any terms has been the economic salvation of American black labor.”¹²⁷³

In any case, immigration restriction had a full head of steam behind it by the time of Harding’s election. Leading the charge in the House of Representatives was Republican Congressman Albert Johnson of Washington, a former newspaperman who had been elected in 1912 after leading an armed revolt against an IWW lumber-mill strike in the community of Gray’s Harbor. Elected with a promise to run the Wobblies and other radicals out of the country,

¹²⁷²Scott, “Immigration Indigestion.”

¹²⁷³Ibid. Lewis, 90-91. Alain Locke, ed. *The New Negro, An Interpretation* (New York: Albert and Charles Boni, 1925), XX. “Old School Black Perspectives on Immigration,” *Booker Rising*. May 2006 (http://www.bookerrising.net/2006/05/old-school-black-perspectives-on_12.html).

Johnson had been chomping at the bit to pass immigration restriction since he had arrived in Congress, and he now found a sympathetic ear in President-Elect Warren Harding. To court German and Irish votes in 1920, Harding had downplayed most nativist talk during the election season, although he happily endorsed Asian exclusion while in California. Otherwise, Harding had usually placed the blame for “hyphenated-Americans” on “American neglect.” “We talked of the American melting pot over the fires of freedom,” he told one group of foreign-born visitors to the front porch in Marion, “but we did not apply that fierce flame of patriotic devotion needed to fuse all into the pure metal of Americanism.”¹²⁷⁴

Congressman Johnson moved a stopgap bill forward in the lame duck Congress following the 1920 election. That bill, suspending all immigration except for close relatives of resident aliens for one year, passed the House 296-4. Its Senate counterpart was introduced by William P. Dillingham of Vermont, who had chaired the Dillingham Commission from 1907-1911, a Senate investigation into immigration which ultimately declared that immigrants from Southern and Eastern Europe were less assimilable than other Europeans. Dillingham instead proposed a system whereby the number of European immigrants per year would be limited to five percent of however many immigrants of that nationality lived in America in 1910, according to that year’s Census. Immigration from Canada and Mexico was left untouched, as was immigration from Asia, which had already been snuffed out in years prior by the 1882 Chinese Exclusion Act and the 1907 Gentlemen’s Agreement with Japan.¹²⁷⁵

¹²⁷⁴ Higham, 177-178. Hans P. Vought, *The Bully Pulpit and the Melting Pot: American Presidents and the Immigrant, 1897-1933* (Macon: Mercer University Press, 2004), 165-167.

¹²⁷⁵ Higham, 308-311, 319.

Dillingham's bill also passed easily, and in conference the House dropped the total suspension plan in exchange for the yearly quota being lowered to three percent – thus allowing for approximately 350,000 immigrants a year. This bill then went off to the desk of Woodrow Wilson, who, for reasons unknown – be it post-election despair or a stricken conscience – chose never to sign it. Once Harding had entered the Oval Office, the Johnson-Dillingham bill was quickly introduced and passed – there was no recorded vote in the House, the Senate voted in favor 78-1 – and the new president signed it into law in May of 1921. “[T]he real un-Americanism, therein the great treason,” Harding told the *American Legion Weekly*, had been native-born Americans not working to fully Americanize new immigrants. Nonetheless, “we must not take any more of these strangers in a given time than we can make comfortable.”¹²⁷⁶

The Emergency Quota Act went into effect in June 1921, prompting chaos in American ports each month as dozens of steamships loaded with hopeful immigrants sprinted to the docks before the quota filled. Disgusted with the “gross injustice” of sending immigrants back who had liquidated everything they had just to get to America, Ellis Island Commissioner Frederick Wallis resigned in protest soon thereafter. Harding, noting his “own distress has been very great over some of the specific instances which have been reported to me,” urged his immigration officials to move inspections overseas to ensure a more humane application of the quota. When this system was put into effect, even strong opponents of immigration restriction, like *Survey* writer Edith Terry Bremer, conceded it was an improvement. “Thus,” she noted in 1925, “the fruitless breaking up of homes, the useless squandering of ‘toil money,’ and finally the sickening

¹²⁷⁶ Ibid. US State Department Office of the Historian, “The Immigration Act of 1924” (<http://history.state.gov/milestones/1921-1936/ImmigrationAct>). Vought, 169.

anxiety ending in heart-break, a familiar experience for ‘detained aliens’ in the old scheme, is enormously decreased.”¹²⁷⁷

The 1921 Act, originally set to run for one year, was extended for two more years in May 1922. In the meantime, Congressman Albert Johnson began pushing the House Committee on Immigration to work on a more permanent immigration restriction bill. Working with nativist luminaries like Madison Grant, Lothrop Stoddard, Kenneth Roberts, eugenicist Harry Laughlin, and well-connected New York Anti-Semite John B. Trevor, Johnson used the Committee to lay the groundwork for the tightening of the quota system.¹²⁷⁸

By early 1923, Johnson’s Committee had penned a bill which made the current system permanent, reduced the quotas from three percent to two percent, and moved back the Census basis for these quotas from 1910 to 1890, a year that saw considerably less in the way of immigrants from Southern and Eastern Europe. It also altered the calculation of the quota so that it was based on the total American population in 1890, rather than just the foreign-born population, further prejudicing the figures in favor of English, Germans, and Irish stock and against Poles, Slavs, Greeks, and Italians. In practice, this meant over 51,000 Germans, 34,000 English, and 28,500 Irish could come to America every year. But the Italian quota dropped from 42,000 to 4000, the Polish quota from 31,000 to 6000, the Greek quota from 3000 to 100. No nation in Africa could send over 100 people either. In addition, immigration from Japan – already curtailed by the 1907 Gentlemen’s Agreement – was now officially banned.¹²⁷⁹

¹²⁷⁷ Vought, 170-177. Edith Terry Bremer, “How the Immigration Law Works,” *The Survey*, January 15, 1925 (Vol. LII, No. 8), 441.

¹²⁷⁸ Higham, 312-316.

¹²⁷⁹ Higham, 322-323. Zinn, *The Twentieth Century*, 105. *Statistical Abstract of the United States* (Washington, D.C. Government Printing Office, 1929), 100. (Reprinted at: <http://historymatters.gmu.edu/d/5078>)

With labor costs rising, irate business interests were able to get the bill stalled for a year. But by early 1924 the legislation passed through both houses of Congress easily – 322-71 in the House, 62-6 in the Senate – and was signed into law as “a protection to the wage earners of this country” by Calvin Coolidge in May. Secretary of Labor John Davis, a strong advocate of restriction, told Coolidge that “this is the most important [bill to] which you will attach your signature during your term. History will record it as one of the greatest acts of your administration.” The 1924 law had an immediate effect, slashing the number of immigrants entering the country by over half within one year, from 357,803 in 1923-1924 to 164,667 in 1924-25. It would also mark the beginning of a forty-year-period when the doors of the nation were effectively closed to many of the huddled masses yearning to breathe free. As one triumphant Nordic enthusiast proclaimed after the vote, “The passage of the Immigration Act of 1924 marks the close of an epoch in the history of the United States.” The law had a particularly tragic effect in the years before and during World War II, when Jewish families frantically trying to escape the genocide taking place in Germany and Eastern Europe were turned back from safe harbor, time and time again.¹²⁸⁰

And yet, many of the usual progressive suspects heartily endorsed the restriction bills. William Borah, Hiram Norris, George Norris, Smith Brookhart, and Thomas Walsh all voted for the 1924 act, while Robert La Follette and Burton Wheeler were among the abstainers. “I am in favor of a drastic immigration law to prevent this country from being overrun with foreigners,” Borah told one constituent. Among the many letters of support the Senator received for this position were a thank you from the Allied Patriotic Societies of America, a proclamation from the workers of Omaha Nebraska endorsing restriction “in justice to ourselves and the Nation that

¹²⁸⁰ Higham, 323-325. Zieger, 84-85. Murray, *The 103rd Ballot*, 7. Desmond King and Rogers Smith, *Still a House Divided: Race and Politics in Obama's America* (Princeton: Princeton University Press, 2011), 70.

will over run with the unemployed,” and one warning from Brooklyn Mary Cannon, who told Borah “women have the vote now, and if the Government does not do something to stop these beasts entering the country, there will be trouble for the politicians, and the Italian vote, the murderer’s vote, will be a negligible quantity.” Harold Ickes, meanwhile, declared himself “in favor of excluding the Japanese as well as other Asiatics. I think we have enough of a race problem in this country now,” he wrote in 1924, “and we haven’t shown enough aptitude in dealing with that one to warrant us in undertaking an additional burden of the same sort.”¹²⁸¹

So who opposed the immigration restriction acts, other than the affected immigrants themselves? The most effective opposition at the time assuredly came from conservatives and business interests. Judge Elbert Gary, the apostle of the open shop, thought restricted immigration “one of the worst things that this country has ever done for itself economically,” while T. Coleman Du Pont chalked it all up to “sheer Red hysteria, nothing more.” Business groups lobbied Congress to recognize “[w]e need every respectable, ambitious and industrial person the world can spare,” while the Illinois Manufacturers Association argued that “the final action [by Congress] will have considerable to do with the success or failure of the open shop movement.” The *Wall Street Journal* also believed the push for restriction was a result of the unions, and wondered aloud in 1920, “[i]s there any connection between restricted immigration and the closed shop?” Senator LeRoy Percy of Mississippi, who had served on the Dillingham Commission, warned that “the crippling of the manpower of the nation is the one thing that will check its prosperity, check it effectually, and for an indefinite duration.” And Secretary of State Hughes, frowning at the bill for diplomatic rather than economic reasons, thought the 1924 Act

¹²⁸¹ Zinn, *La Guardia in Congress*, 90. Borah to Jacob Blakeman, March 28, 1924. WJB, Box 154: Immigration. George S. Ford to Borah, December 27, 1920. WJB, Box 95: Immigration. Nebraska workers to Borah, December 7, 1920. WJB, Box 95: Immigration. Mary J. Cannon to Borah, December 16, 1920. WJB, Box 95: Immigration. Ickes to Philip Elting, Esq., April 25, 1924. HLI, Box 34: Hiram Johnson Campaign ‘E’

“a sorry business and I am greatly depressed. It has undone the work of the Washington Conference and implanted the seeds of an antagonism which are sure to bear fruit in the future.”¹²⁸²

In Congress, the most vociferous dissenters against immigration restriction were representatives from immigrant-heavy districts in the belt between New York and Chicago – perhaps most notably Congressman Fiorello La Guardia, son of a Jewish mother and Italian father, who thought restriction was “the creation of a narrow mind, nurtured by a hating heart” and who informed Secretary of Labor Davis that his enforcement of it was “cruel, inhuman, narrow-minded, prejudiced.”¹²⁸³

The 1924 bill, La Guardia told the House, “is unscientific, because it does not fit with the economic condition of the country, because it is the result of narrow-mindedness and bigotry, and because it is inspired, prompted, and urged by influences...who have a fixed obsession on Anglo-Saxon superiority.” “Is not the country made up of immigrants no matter what period of history you take?” La Guardia queried his colleagues. When fellow New York representative Bertrand Snell condescended to La Guardia about the worthiness of his Northern and Western European stock, La Guardia replied that “I hope you can understand my pride when I say the distinguished navigator of the race of my ancestors came to this continent two hundred years before yours landed at Plymouth Rock.” When the tide began to turn for good, La Guardia offered an amendment to change the quota year from 1890 to 1920, but it was easily struck down before passage. Two years later, La Guardia was equally unable to stop another bill put forward by Albert Johnson that extended from five to seven years the time that any immigrant could be

¹²⁸² Leuchtenburg, *Perils of Prosperity*, 206-207. Zieger, 80-81. Barry, *Rising Tide*, 140.

¹²⁸³ Ashby, 249. Zinn, *La Guardia in Congress*, 86.

deported for such reasons as insanity, “chronic alcoholism,” or “constitutional psychopathic inferiority.”¹²⁸⁴

In these battles, *La Guardia* did not fight completely alone. His Manhattan colleague, Congressman Samuel Dickstein – anticipating a trope of the Second World War – recounted to the House a tale of wartime bravery, and then gave the names of the eight heroic soldiers involved: “John Bilitzko, Lonnie Moscow, Aloizi Nagowski, Isaac Rabinowitz, Epifanio Affatato, Wasyl Kolonczyk, Daniel Mosckowitz, and Antony Sclafoni.” Minnesota Congressman Ole Kvale warned the House “of the kind of the hyphenates you had better worry about. A new breed that is fast springing up and they are your native-born, dollar-a-year, loud-mouthed, flag-waving, 100% paytriotic graft-Americans. These and not your Americans of foreign blood and language are the menace to America today.” (Despite this zinger, Kvale voted for the final bill.)¹²⁸⁵

Robert Clancy of Detroit was glad to see that so many “Members of this House with names as Irish as Paddy’s pig, are taking the floor these days to attack once more as their kind has attacked for seven bloody centuries the fearful fallacy of chosen peoples and inferior peoples.” He reminded his colleagues that, not so long ago, it was the Germans and the Irish who were the “riff-raff, unassimilables, ‘foreign devils,’ swine not fit to associate with the great chosen people.” And a few urban papers – although assuredly not the *New York Times* – echoed the message of this handful of embattled representatives. The *Brooklyn Citizen* deemed the legislation “disgraceful and unworthy of America,” while the *New York World* argued the bill would mean the “closing the haven of refuge to the oppressed.” And the *Boston Globe* wrote that

¹²⁸⁴ Zinn, *La Guardia in Congress*, 86-91, 94.

¹²⁸⁵ *Ibid.*

“the immigrants coming into Boston” in 1921 have “a light in their eyes that is good to see and a smile that stirs the slumbering pulse of human brotherhood.”¹²⁸⁶

Among the old-line progressives, the figures most likely to be in sympathy with the arguments against immigration restriction were the settlement house and social workers who comprised the bulk of the readership of *The Survey*, most of whom spent their careers interacting with newly-arrived immigrants. “The Johnson bill,” it editorialized, “is based on an unfortunate racial animosity, is supported by unsound evidence, and would tend to undo the most earnest efforts for Americanization and international friendship.” In a February 1922 article for that magazine, “Americans by Choice,” John Palmer Gavit, attempted to destroy for good “the legendary presumption of some change for the worse in recent years in the inherent character-quality of immigration to this country... There has been no such change.” Gavit then painstakingly explained the fallacies that had misguided the Dillingham Commission in 1907 – namely that the Commission never bothered to ascertain how long the immigrants they studied had been here. “The major, not to say exclusively controlling fact in the political absorption of the immigrant,” Gavit concluded, “is *length of residence*. The longer an individual lives in America the more likely he is to seek some active membership therein.”¹²⁸⁷

Similarly, a December 1923 article by biologist H.S. Jennings turned the pseudo-scientific arguments of eugenicist Harry Laughlin back on the nativists. Looking at the “groups of the foreign-born who, in proportion to their share in the total population of the United States,

¹²⁸⁶ Robert H. Clancy, April 8, 1924, *Congressional Record*, 68th Congress, 1st Session (Washington DC: Government Printing Office, 1924), vol. 65, 5929–5932. Reprinted at <http://historymatters.gmu.edu/d/5079> Marion Marzolf. “Americanizing the Melting Pot: The Media as Megaphone for the Restrictionists,” in Catherine Covert and John D. Stevens, ed. *Mass Media Between the Wars: Perceptions of Cultural Tension, 1918-1941* (Syracuse: Syracuse University Press, 1984), 111-112.

¹²⁸⁷ “The Common Welfare,” *The Survey*, March 15, 1924, 677. John Palmer Gavit, “Americans by Choice,” *The Survey*, February 25, 1922, 815-821, 867.

contribute the largest numbers of inmates to custodial institutions,” Jennings found that the Irish led in “Insanity” and “Dependency” and the English were first in “Epilepsy” and second in “Feeble-mindedness.” “All the lines of evidence presented,” Jennings concluded, “thus converge upon Ireland as the chief source of defectives. The general upshot is of a character to discourage attempts to regulate immigration on the basis of race and nationality so far as Europeans are concerned. He would be a hardy politician who framed a law designed to discriminate against Ireland.”¹²⁸⁸

Along with poking holes in the nativists’ arguments, writers in *The Survey* also worked to salvage some progressive form of Americanization. “Since the fevered days of the war there has been an immense amount of flag waving and drum beating in the name of Americanization,” Robert Bruère wrote in the April 1923 issue. But Americanization is “not flag raising and ‘patriotic’ howling.’...[It] is a slow, patient and unsensational educative process.” True Americanizers, Bruère argued, citing the success of the California Commission on Immigration and Housing, “sought knowledge chiefly from the immigrants themselves. They respected the soul of the immigrant...They stood firmly against that form of Americanization ‘which hands to the immigrant some things which he is supposed to swallow. They sought to understand and to preserve ‘the best national cultural elements in art, literature, music, science, the crafts’ which the immigrants had to contribute to our American life.” In a series of 1920 articles deeming immigrants “the Strength of America,” Simon J. Lubin and Christina Krysto argued similarly. Americanization “should lift the inhabitants of America, foreign born and native born alike, to a plane which is worthy of the best nation, and in turn make that nation worthy of being the home of the best developed people.” But “patriotic perversion,” they argued, had made a “menace” of

¹²⁸⁸ H.S. Jennings, “Undesirable Aliens,” *The Survey*, December 15, 1923, 309-312, 323.

the project: “It is only the political perverts of Americanization who would force citizenship upon anyone.”¹²⁸⁹

The Survey also continued its inquiries into how best to achieve Americanization, including publishing reviews in each issue on recent studies in the field. If “isolated zones could be prescribed for immigrants,” suggested John Valentine in March 1922, “so those of different nationalities should not be contiguous but interspersed with native American zones, the process of Americanization would work splendidly. Who can estimate the tremendous effect an American birthday party, for example, may have on an Italian boy?...A year of visits by social workers will not work such wonders as that neighborly invitation of the Jones to the kid of the Italian family who lives in the rear cottage next door.” However improbable Valentine’s specific plan, he and many others continued to argue in *The Survey* that, yes, immigrants were in fact assimilable into American life.¹²⁹⁰

On the eve of passage, Edith Terry Bremer wrote a scathing article for *The Survey* which tried to ascertain the “Human Consequences of the Pending Bill.” “On every fundamental premise,” Bremer argued, “this new bill strikes at important social attitudes upon which our democratic thought and social institutions have been built... The ‘Nordic superiority’ myth which has been floating about the halls of Congress for a long time, for which many congressmen have felt a sneaking friendliness while reluctant to recognize it in public, has suddenly become the basis of the immigration policy of what is still the greatest ‘receiving country’ in the world.” As a result of the “thinly veiled discrimination, which fastens the stigma of social incompetence, of

¹²⁸⁹ Robert Bruère, “Do Americans Want Americanization?” *The Survey*, April 15, 1923, 75-76. Simon J. Lubin and Christina Krysto, “The Strength of America: V. The Menace of Americanization,” February 21, 1920, 610-612.

¹²⁹⁰ John Valentine, “Of the Second Generation,” *The Survey*, March 18, 1922, 957.

cultural inferiority” on all non-native-born Americans, Bremer warned, the world would feel intense “disillusionment and lasting bitterness.” Along with dividing families, disrupting labor markets and “normal assimilation processes,” and causing “personal disaster” to millions of people, “[t]his immigration bill would throw the wholesome social evolution in America into violent reverse. The United States is made to declare for discrimination. Sensitiveness, rivalry, suspicion are bred by it.” “This nation may be ‘saved for posterity’,” Bremer concluded, but “[i]t may be that our children will view matters in a different light. Perhaps posterity will not thank us after all.”¹²⁹¹

As for the dean of social workers, Jane Addams once again saw the traumatic experiences of the war at work in immigration restriction. The Quota Act, Addams argued, was “the nation’s massive attempt to draw its traditional forces together.” It came about because, “as a nation we had become during the war overconfident of our own nobility of purpose and had learned to distrust all foreigners as ‘unworthy’... Self-righteousness has perhaps been responsible for more cruelty from the strong to the weak, from the good to the erring than any other human trait.” Along with Wilsonian hubris, Addams also wondered if the desire for conformity she herself had felt the brunt of was another reason for “our contemptuous attitude toward immigrants who differ from us... Everyone wants to be like his neighbors, which is doubtless an amiable quality, but leading to one of the chief dangers of democracy – the tyranny of the herd mind.”¹²⁹²

Still, Addams did suggest some silver linings to come from immigration restriction. For one, she wrote, “there is no doubt that whatever its evils the shutting off of immigration has given the immigrant groups already here, a breathing space.” For another, perhaps a subsiding

¹²⁹¹ Edith Terry Bremer, “Immigration: A Look Ahead,” *The Survey*, May 15, 1924 (Vol. LII, No. 4), 207-210.

¹²⁹² Addams, *Second Twenty Years*, 263-264, 289.

fear of encroaching immigrant hordes in America would help the country finally take the next necessary steps toward social progress. “The immigrant is continually blamed for conditions for which the community is responsible,” Addams argued:

There is no doubt that America has failed to make legislative provisions against those evils as other countries have done, partly because the average citizen holds a contemptuous attitude toward the ‘foreigner’ and is not stirred to action on his behalf. This may account for the fact that the United States has been so unaccountably slow in legislation designed to protect industrial workers.

For instance, if we compare our country with others in regard to Old-Age Insurance, the record is most astonishing. Some form of pension legislation for the aged has been enacted in fourteen countries since the beginning of the World War, and still a larger number secured such legislation in the two preceding decades. If we ask why the United States has been so slow in this world-wide undertaking, may we not fairly say it is because we are less concerned for the old age of our immigrant laborer than the other countries are for their own kinsfolk, and we thus overcome the strong democratic tendency we are supposed to possess?¹²⁹³

“Is our understanding slower for those whose background is alien to our own,” Addams wondered, “so that we have allowed ourselves to become indifferent to old people, surrounded too often by poverty and neglect, while Europe, out of its more slender resources, takes care of them?”¹²⁹⁴

Addams’ question is a hypothetical one. Still, it is curious to note that, when America subsequently took on its own great social experiment in old age insurance, it occurred at a time when fears of an alien Bolshevism had been replaced with a begrudging regard for a homegrown Popular Front, and newly-arriving masses of immigrants could no longer be forced into the role of either scabs or scapegoats.

¹²⁹³ Ibid, 301, 288.

¹²⁹⁴ Ibid, 301.

CHAPTER EIGHT: THE DUTY TO REVOLT

PROGRESSIVES AND THE ELECTION OF 1924

“Very few are thinking of revolution, and yet in the minds of many Americans there is going on a process that is akin to revolution, since the Third Party Movement is an American substitute for revolution.” – George Henry Payne, 1924¹²⁹⁵

“I like Silence and Success better than Socialism and Sovietism. Brains mean more to Business than a Brainstorm. They produce results without making so much noise. I prefer Coolidge to Chaos, and according to the present political situation, there isn’t any other choice in this election.” – E. Bliss, Regal Shoe Company advertisement, 1924¹²⁹⁶

“The La Follette movement has never died.” – Rexford Tugwell, 1937¹²⁹⁷

Spurred by a seeming revival in progressive fortunes in the 1922 midterms and the unfurling revelations of systemic corruption in the White House, progressives in both the Republican and Democratic parties began to believe a sea change was possible in the election of 1924. But the death of Harding and ascent of Coolidge, the disastrous Democratic convention in Madison Square Garden, and the formation of an independent third party bid behind Robert M. La Follette would each work to scramble the political picture. The American electorate, seemingly on the verge of a repudiation of normalcy in 1922, would have to make a decade-defining choice between “Coolidge or Chaos” in 1924.

Indian Summer

As good a day for Warren Harding and the Republicans had been Election Day 1920, the midterm elections of November 1922 saw much of their earlier landslide undone, effectively knocking normalcy and the Grand Old Party squarely back on their heels. “The more than seven million majority given to President Harding has been wiped out,” lamented the *New York Times*. “The demonstration of disapproval for the Administration was unmistakable.” While they

¹²⁹⁵ George Henry Payne, “The Third Party Movement,” *The Forum*, September 1923, 1924.

¹²⁹⁶ MacKay, 164-165.

¹²⁹⁷ MacKay, 260.

retained control of the House and Senate, Republicans lost seven Senate seats and seventy seats in the House, cutting their Congressional majorities to ten and twenty-three respectively. TNR noted, with no small amount of *schadenfreude*, that “there will have to be a remarkable overturn in the next two years to make it possible for the Republicans even to consider Mr. Harding for the presidency again.” The GOP, they argued the following week, “can no longer count on putting through anything it pleases, with surplus votes to spare. It will have to look to its defences, through the next two years.” Democrats, meanwhile, were ecstatic at being back in the game, thanks in large part to yeoman’s work by their National Chairman, Cordell Hull of Tennessee. “What a wonderful victory we won in November!” exclaimed William McAdoo to Franklin Roosevelt. “But this is mere circumstance to what we can do to the Republican reactionaries and standpatters in 1924 if the Democratic Party convinces the country during the next two years that it is truly a liberal and progressive party.”¹²⁹⁸

McAdoo wasn’t the only person who saw a revival of progressivism in the 1922 returns. Old Guard Republicans were as troubled by the character of the returns as much as the sheer losses they absorbed. The first signs of trouble for the Harding administration emerged during the primary season, when Roosevelt Progressive Albert Beveridge knocked out Harding ally Harry New in the Indiana Senate primary, Gifford Pinchot squeezed out a Pennsylvania gubernatorial victory over the Penrose and Mellon machines, and Porter McCumber of North Dakota – namesake of the 1922 Fordney-McCumber tariff – lost his primary to Lynn Frazier, who quickly took a place alongside the Senate peace progressives. Also joining him on the left wing of the Senate in 1922 were Democrats Burton Wheeler of Minnesota and Clarence

¹²⁹⁸ Zinn, *La Guardia in Congress*, 65-66. Murray, *Politics of Normalcy*, 84-85. “The Threat of a Third Party,” *The New Republic*, November 15, 1922 (Vol. 32, No. 415), 288. Schlesinger, *Crisis of the Old Order*, 95.

Cleveland (C.C.) Dill of Washington, Henrik Shipstead of the Farmer-Labor Party, and Republicans Robert Beecher Howell of Nebraska and Smith Wildman Brookhart of Iowa. (Brookhart, who had won a special election to fill the seat vacated by William Kenyon when the farm bloc leader took a federal judgeship, explained that his middle-name “is my mother’s name, but it is also notice to the standpatters that I am one Progressive who won’t be tamed.”) And even as most Republicans struggled, Hiram Johnson and Robert La Follette coasted to easy victories. Now, bemoaned the *York Times*, “the balance of power will be held by the progressive-radical group led by Senator La Follette.”¹²⁹⁹

The same dynamic held in the House as well. Veteran congressman Joseph Fordney, the other namesake of a tariff that many agrarian interests despised, lost the Michigan seat he had been holding for twenty-four years. In New York, meanwhile, Fiorello La Guardia – after fighting last-minute charges from his opponent that he was a secret Anti-Semite – won back the East Harlem seat he had resigned in 1919 to serve as President of the New York City Board of Aldermen. While nominally a member of the Republican Party, La Guardia explained to the *New York World* that “I stand for the Republicanism of Abraham Lincoln, and let me tell you that the average Republican east of the Mississippi doesn’t know anything more about Abraham Lincoln than Henry Ford knows about the Talmud. I am a Progressive.” To further underline the point, La Guardia declared on the day of La Follette’s primary victory in Wisconsin that “he was

¹²⁹⁹ Murray, *Politics of Normalcy*, 84-85, 118. Miller, *Gifford Pinchot*, 256-257. Johnson, *Peace Progressives*, 106-110. Zinn, *La Guardia in Congress*, 65-66. While Albert Beveridge won the Indiana primary, he lost the general election to former Governor Samuel Ralston, who enjoyed considerable Klan support, and was one of the few progressives to lose in 1922. “The defeat of Beveridge is painful to everyone who bears in mind the sacrifices Beveridge has made to the progressive cause,” TNR eulogized when the returns were in. “Yet in a way it clears the air. The progressivism of 1912, which Beveridge represents, is not the progressivism of 1922, and still less that of 1924.” “The Week,” *The New Republic*, November 15, 1922 (Vol. 32, No. 415), 286.

always known as a radical, yet three-fourths of every reform and every forward-looking piece of legislation ever advocated by him have been written into the laws of this country.”¹³⁰⁰

Another New Yorker returning to his old job on Election Day 1922 was Al Smith, who destroyed sitting Governor Nathan Miller, the man who had beaten him two years earlier, by close to three to one. “Nowhere except in Wisconsin,” noted *The Nation*, “where the badgers seem to have tried to make it unanimous for their Bob La Follette – early returns gave him a ten-to-one lead – did any candidate ride on such a tide of personal popularity.” (La Follette ended up winning 80% of the vote.) “The overwhelming personal triumph of Al Smith,” wrote a similarly enthused *TNR*, “is a testimony to the good judgment of men that a democracy exhibits when it gets a chance... It is not to be forgotten that Smith vetoed the Lusk bills when the panic over the imaginary revolution was at its height, while Miller signed them when the panic was abating and it would have been safe for him to follow the dictates of common sense.”¹³⁰¹

In short, the 1922 midterms, in historian David Joseph Goldberg’s eloquent phrasing, seemed an “Indian Summer” of progressivism. And while clearly happy about the results, the editors of *TNR* were at a loss to describe exactly what had happened on Election Day. On one hand, they deemed it “a convictionless, Tweedledum election – a triumph, not of liberalism or any other body of conviction, but of personalities and local issues, diverse and conflicting.” At the same time, they conceded “the voting is heartening and encouraging to all Liberals, for its

¹³⁰⁰ Murray, *The 103rd Ballot*, 30. Zinn, *La Guardia in Congress*, 63.

¹³⁰¹ *The Nation*, November 15, 1922 (Vol. 115, No. 2993), 511. “The Week,” *The New Republic*, November 15, 1922 (Vol. 32, No. 415), 286-287.

shows not only the spread of the agrarian movement but that all through the land the voters are thinking.”¹³⁰²

Agrarian discontent certainly had a lot to do with the intensity of the Republican rollback. By 1922, the economy had begun to recover from its post-war slump, but the general prosperity for which the decade is usually remembered had not yet begun in earnest. And regardless of the overarching trends, the nation’s farmers were in particularly dire straits, and would remain so throughout the decade. (Hence, the creation of William Kenyon’s farm bloc in the first place.)

After a prosperous wartime for farmers, 1920 and 1921 saw over a million farmsteads undergo foreclosure or bankruptcy, as the purchasing power of farmers effectively collapsed thanks to domestic overproduction – a trend that would only be exacerbated by the adoption of farm machinery like tractors in the 1920s – and lessening European demand with the end of the war. Wool dropped from 60 cents a pound in 1918 to less than 20 cents a pound in 1920. Corn, at \$1.88 a bushel in August 1919, was 42 cents a bushel by late 1921. Wheat, once \$2.50 a bushel, was less than a dollar a bushel by the same time. In this environment, the pro-business posture of the Harding administration was not looked kindly upon by the nation’s farmers, even at times when their interests seemed to coincide. Farmers had split on the Republicans’ high tariff policy: While much of the farm bloc supported it, the American Farm Bureau Federation thought it would raise the prices of farm equipment and raw materials, while discouraging crop exports. In the end, high tariff policy would not succeed in restoring agricultural prosperity.¹³⁰³

¹³⁰² Goldberg, *Discontented America*, 57. “The Outs are In Again,” *The New Republic*, November 15th, 1922, 285. “The Week,” *The New Republic*, November 15, 1922 (Vol. 32, No. 415), 286.

¹³⁰³ Soule, 99-100. Brinkley, *American History*, 646. Edward S. Kaplan, “The Fordney-McCumber Tariff of 1922,” *Encyclopedia of Economic History*, February 2010 (<http://eh.net/encyclopedia/article/kaplan.fordney>)

But it was not just agrarian interests angry at the Harding administration in 1922. While the White House scandals would not break until the following year, already the Republicans had been tainted by the Newberry case. In September, Harding had taken a stand for fiscal discipline and vetoed a widely popular \$4 billion “Bonus Bill” providing all World War veterans with a bonus of \$1 a day for time served in the army and \$1.25 per day served overseas. (The attempt to override the veto fell four votes short in the Senate. Standing with the president on this issue were Borah and the farm bloc.) That same month, Congress passed the Fordney-McCumber tariff, opening up fault lines throughout the country as every business and farm interest in America lobbied to secure the most favorable rates for their given industry. Eastern seaboard Republicans and the Western farm bloc also spent much of the summer dueling over one of Harding’s personal pet projects, a proposed ship subsidy bill allocating \$30 million to support a private merchant marine. And, perhaps most importantly, the summer and fall of 1922 had seen both the coal and railroad strikes flare up across the country and the administration respond with the Daugherty injunction, alienating laborers and suggesting to everyone that perhaps normalcy was not taking root. Once one factors in that the sitting president’s party normally loses congressional seats in a midterm election, and that 1918 and 1920 had both been wave elections for the Republicans, some level of GOP retrenchment in 1922 was inevitable.¹³⁰⁴

Nonetheless, progressives were recharged by the apparent repudiation of normalcy at the ballot box. “We are really elated at the outcome of this election,” Oswald Villard wrote to Senator Borah, “and with the exception of one or two States, the results seem exactly what we should have wished. It’s a magnificent beginning, isn’t it?” Borah agreed “It was a most significant election indeed... We ought to get ready to do some great things during the next two

¹³⁰⁴ Murray, *Politics of Normalcy*, 65-70, 74-75.

years.” “The recent election gave promise of renewed vitality for a force in American politics which has been submerged for many years,” TNR declared in an editorial entitled “Progressivism Reborn.” While the electoral reaction to Harding was definitely inchoate and not “a permanent conversion to progressivism...because it did spring up spontaneously in so many different localities without the benefit of any national agitation or any central direction, it may well prove to be the expression of a permanently effective popular political and social impulse. It may endure as no other revolt against stand-pattism has endured since the formation of the Republican Party.”¹³⁰⁵

But, for this “New Birth of Progressivism” to achieve anything, progressives had to organize. “[T]oday the three most conspicuous insurgents in the Senate, Johnson, Borah, and La Follette, all play lone hands,” TNR had argued in an earlier editorial. This would not do anymore. “When Theodore Roosevelt became President he...nationalized progressivism by identifying in the minds of many of his fellow citizens American national fulfillment with a progressive outlook and program...It is the job of progressive leaders to undertake this conversion [once more]. Until they restore to progressivism the common meaning and impulse which it possessed in 1911-1912, the American nation will remain politically stalled.”¹³⁰⁶

The three potential leaders earmarked by TNR agreed, but they themselves were not sure of the path forward. “[T]here will be stirring times in the next year or two,” wrote Hiram Johnson to Harold Ickes after the election, and “the way is open for Progressive activity and Progressive leadership.” But the “lines of the Progressive activity ought to be well marked...I

¹³⁰⁵ Oswald Villard to Borah, November 16th, 1922. WJB Box 120: Political – Misc. Borah to Oswald Villard, November 17th, 1922. WJB Box 120: Political – Misc “Progressivism Reborn,” *The New Republic*, December 13, 1922 (Vol. 33, No. 419), 56-57..

¹³⁰⁶ “A Nation Stalled,” *The New Republic*, November 8, 1922 (Vol. 32, No. 414), 264-266.

have grown very accustomed to hearing people talk about a ‘constructive program,’ but in the last few years, I have observed none. I would like a constructive program that would solve our economic ills and cure the pain of the world, but as I have said to you more than once, I haven’t either the ability or vision to perfect one. Unfortunately, my fellows seem to be in the same category.” The month after the election, to figure out that potential program, Senator La Follette convened his summit of congressional progressives in Washington in the hopes of forming a new controlling bloc. “There is an amount of political circumspection and good sense about this procedure which is rare in American progressive politics,” thought TNR. This “was a gathering of cool-headed and hard-headed politicians,” not woolly-headed dreamers, and that boded well for the future.¹³⁰⁷

Along with organizing in Congress, progressives also thought it was time once again to think about forging a third party comprised of farmers and laborers and fused together by progressivism. “Labor is getting into a fighting mood,” suggested *The Nation* in August 1922, after the first wave of primaries. “The farmers are slowly beginning to awaken to their real opportunities.” “The farmers and the industrial laborers are suspicious of each other,” noted TNR. “Yes, but in less degree than formerly. The election of Shipstead in Minnesota shows that farmers and laborers can work together... The material for a new national democratic political movement is available.” William Allen White, who saw his frenemy, Governor Henry Allen of Kansas, go down to defeat for supporting the railroad strike, also thought it looked like “the discontented farmer and the aspiring laborer have got together.” So too did Frederic Howe, who

¹³⁰⁷ Johnson to Ickes, November 14, 1922. HLI Box 33: Hiram Johnson. “Progressivism Reborn,” *The New Republic*, 56-57. Johnson took particular relish at the defeat of Senators Frank Kellogg of Minnesota (soon to be Coolidge’s Secretary of State) and Miles Poindexter of Washington, “both of whom in 1912 were rated as progressives. I wonder if the fact the fact that they forgot their progressivism had anything to do with their defeat?” Ibid.

a few years later noted that “[t]he election of 1922 showed that labor could mobilize its power. It showed the possibility of union with the farmers.”¹³⁰⁸

By January 1923, TNR was even more strident for a new party along these lines. “As long as the progressives carry on their fight within the Republican and Democratic folds, they will find themselves frustrated...Progressivism has no meaning and no future, unless it becomes a permanently aggressive, challenging and leavening influence in American society and politics...All the important constructive movements in American politics have used new parties as their indispensable instruments.” In short, “it may take a long time to bring about an effective farmer-labor coalition, but come it eventually will...In order to accomplish its purposes the farmer-labor coalition will have gradually to broaden and nationalize its program...It cannot succeed unless it works a progressive outlook into the American national consciousness.”¹³⁰⁹

As it happens, some people were already working on it.

Now is the Time...

In September 1921, fourteen months before TNR’s call for a third party uniting farmers and laborers, the executive committee of the Socialist Party had sent out an invitation “To All Labor Unions, Farmers’ Organizations, and Other Economic Political, Cooperative, and Fraternal Organizations of the Producing Class.” “The present situation is so grave that all honest and progressive labor men must realize the necessity of some common understanding,” they

¹³⁰⁸ “The Duty to Revolt,” *The Nation*, August 9th, 1921 (Vol. 115, No. 2979), 140. “New Parties for Old,” *The New Republic*, November 22nd, 1922 (Vol 32, No. 416), 320-322. Murray, *The 103rd Ballot*, 31. Howe, 336.

¹³⁰⁹ “Why a Progressive Party?” *The New Republic*, January 3rd, 1923 (Vol. 33, No. 422), 134-136.

argued. “In this crisis the one imperative need is Unity. The forces of every progressive, liberal, and radical organization of the workers must be mobilized.”¹³¹⁰

Soon thereafter, the heads of the sixteen largest railroad unions in America put out a very similar call to arms. “There has been no common understanding to bind the working of all walks of life together,” they declared. “For lack of this common understanding we have been divided and betrayed.” As such, the railroad unions invited the “progressive elements in the industrial and political life of our Nation...to discuss and adopt a fundamental economic program designed to restore to the people the sovereignty that is rightly theirs, to make effective the purpose for which our Government is established, to secure to all men the enjoyment of the gain which their industry produces.”¹³¹¹

This conference – the first Conference for Progressive Political Action (CPPA) – took place at a Masonic Hall in Chicago on February 21st and 22nd, 1922. Attending this meeting were representatives from fifty labor unions, farmers groups such as the Non-Partisan League, delegations from the Socialist and Farmer-Labor Parties, and the progressive Committee of ’48, as well as a smattering of other reform organizations ranging from the single-taxers to the National Catholic Welfare Council. From this conference arose a general statement of principles, an “Address to the American People,” which followed the form of the Declaration of Independence, including a list of “repeated injuries and usurpations by the servants of...oligarchy in both the dominant parties”:

They have stifled free speech, throttled free press and denied the sacred right of assembly.

¹³¹⁰ “A Call for United Action,” *The Socialist World*, September 1921 (Vol. 2, No. 8), 7-8. Reprinted at <http://www.marxists.org/history/usa/parties/spusa/1921/0900-spanec-unitedaction.pdf>

¹³¹¹ MacKay, 60-62.

They have sanctioned wholesale corruption of the electorate by seating in the Senate of the United States, Newberry, its most notorious beneficiary.

They have used the Federal Reserve system, controlling the life blood of the nation's credit, as an instrument to deflate and crush farmers and independent business men and cause nationwide unemployment.

They have obstructed every honest effort to relieve the distress of Agriculture thus caused, and have used every influence to secure betrayal of the farmers' interests.

They have conscripted four million men and boys while they permitted corporations and individuals to extort unconscionable war profits and have sacrificed the soldiers' just demands for equitable compensation to the dictates of Mellonism and the selfish interests of tax-dodging capitalists and war profiteers.

They have abolished the taxes upon excess profits of corporations and have reduced the taxes upon the incomes of millionaires.

They have squandered the resources of the nation in wasteful and fraudulent contracts and subsidies.

They have permitted the railroads, the arteries of the nation, to be operated not for service but for speculative gain, and, after subsidizing them heavily and guaranteeing their income, have allowed them to be looted by financial manipulation and by contracts to corporations controlled by favored railroad directors.

They have engaged in a campaign of ruthless imperialism in Haiti and San Domingo and have permitted the arms and resources of the United States to be used to crush nations and peoples struggling for freedom and self-government.

They have through the Courts nullified righteous laws of state and nation for the protection of human rights and exalted judge-made laws above the statutes.

They have permitted organized crimes and conspiracies of Trusts to go unhampered and have turned the sword of the Anti-Trust Law only against organizations of farmers and industrial workers.

They have held in prison men convicted of no crimes and have pardoned without warrant notorious profiteers and monopolists.

They have used the Army and the troops and police forces of states and cities to crush labor in its struggles to secure rights guaranteed by the Constitution.

They have prostituted the highest offices of government as channels of pernicious propaganda.

They have surrendered Americanism to Garyism, creating new privileges and immunities for capital and trampling under foot the rights of man.¹³¹²

¹³¹² Mackay, 267-269. "An Address to the American People," CPPA, *The Socialist World*, February 1922 (Vol. 3, No. 2), 3-4.

“We therefore, CITIZENS OF THE UNITED STATES OF AMERICA,” concluded the general statement, “declare that...[the] present usurpation by the invisible government of plutocracy and privilege must be broken, that this can be best accomplished by united political action suited to the peculiar conditions and needs of each section and state; and that to this end, we do hereby pledge ourselves to organize for the coming campaign in every state and congressional district so that this may become once more in very truth a GOVERNMENT OF THE PEOPLE, FOR THE PEOPLE, AND BY THE PEOPLE.” To this end, the various assembled members of the CPPA went right to work. It “carried on a vigorous fight in the congressional elections of 1922,” reported the new organization’s secretary, Frederic Howe, three years later. “We prepared political instructions for primaries and elections; unions were circularized; the labor executives sent their best men into strategic States – Wisconsin, Minnesota, Iowa, Montana. They demonstrated real political ability. As a result, a half-dozen men were elected to the United States Senate, and nearly fifty to the Lower House.”¹³¹³

While Howe downplayed their importance in *Confessions of a Reformer*, the Socialists comprised some of the CPPA’s most potent shock troops. As historian Kenneth MacKay noted in 1947, “the importance of the Socialists in the CPPA must not be minimized...They had the local organizations which could provide the framework for the construction of the new party, and, moreover, unlike many of the promoters of a progressive party, whose enthusiasm exceeded their experience, they had rich knowledge of how to conduct campaigns, in meeting the tactics of the old parties, in exchanging blow for blow in practical politics.” Perhaps most importantly for future purposes, the Socialists were already on the ballot all over the country, meaning the new

¹³¹³ Ibid. Howe, 335.

organization would not have to spend its time handling that time- and work-intensive aspect of a campaign.¹³¹⁴

The month after the 1922 midterms, even as the Washington meeting of progressive members of Congress organized by Robert La Follette and Basil Manly of the People's Legislative Service (also on the CPPA's National Committee) drew most of the headlines, the CPPA reconvened in Cleveland, Ohio to begin discussing plans for 1924. This time, the organization adopted a short platform that included establishing direct primaries in every state, abolishing the electoral college, government ownership of the railroads, coal mines, and public utilities, price support for farmers, higher tax rates on the rich, payment of a veterans' bonus, protective legislation for women, "State action to insure maximum benefit of Federal maternity and infancy acts," and, in one of its most controversial planks, "that Congress end the practice of the Courts to declare legislation unconstitutional." The conference also tossed out four delegates sent along by the Worker's Party – i.e., the Communists – in order to keep the new organization free from any taint of Bolshevism. ("The "SP" [Socialist Party] is trying to become the tail end of any sort of organization as an excuse to hide from the contempt of the working class of the nation," seethed *The Worker* after this snub.)¹³¹⁵

The biggest issue at the Cleveland meeting was on future strategy, with moderates – particularly the railroad brotherhoods – advocating a strategy of running primary candidates in the established parties, and the "Socialists, left-wings and the intellectuals" (including the Forty-Eighters) desiring to establish an official, separate third party. A proposal put forward by the

¹³¹⁴ MacKay, 55.

¹³¹⁵ MacKay, 70-71. "Ruthenberg Raises Demand for Seating the Four Delegates of the Workers Party (First Day Proceedings), *The Worker*, December 23, 1922 (Vol. 5, No. 254), 2. Reprinted at <http://www.marxists.org/history/usa/parties/cpusa/1922/12/1211-worker-cppadayone.pdf>

Farmer-Labor Party arguing for “independent political action by the agricultural and industrial workers through a party of their own” was defeated by a vote of 52-64. Peeved by this result, the Socialists’ Executive Committee nonetheless voted 38-12 to stay affiliated with the CPPA, and assigned Morris Hillquit, Victor Berger, and Bertha Hale White as official delegates to the new organization. The Farmer-Labor Party, however, left the CPPA and called for a new meeting of organizations interested in a third party to convene in Chicago in July. There, the agrarian-minded FLP was essentially the victim of an organized and well-orchestrated hostile takeover by the Worker’s Party, who held marching orders from the Comintern to prevent any endorsement of the bourgeois La Follette.¹³¹⁶

The CPPA would not meet again until February 1924. In the meantime, while the more conservative labor elements of the coalition gravitated toward the idea of nominating Democrat William Gibbs McAdoo, J.A.H. Hopkins and the Committee of ’48 looked to find an interested progressive standard-bearer for a third party challenge. While Robert La Follette was the natural choice, Hopkins presumed – based on his 1920 rejection of the nomination in Chicago and a 1921 kerfuffle involving the People’s Legislative Service not reprinting articles from the Forty-Eighters’ news bulletin – that the Wisconsin Senator was not interested. And so, in late 1921, Hopkins began to ascertain the inclinations of the next best candidate, William Borah, who was gracious but noncommittal.¹³¹⁷

In August 1922, a small public Borah boomlet emerged when *The Nation* – disgusted with the special interest grasping that had attended tariff negotiations in Congress – published an

¹³¹⁶ Weinstein, 295. MacKay, 70-71. “Ruthenberg Raises Demand for Seating the Four Delegates of the Workers Party (First Day Proceedings), *The Worker*, December 23, 1922 (Vol. 5, No. 254), 2. “Conference of Progressive Political Action,” Marxists Internet Archive. (<http://www.marxists.org/history/usa/eam/other/cppa/cppa.html>)

¹³¹⁷ Ashby, 124.

editorial entitled “The Duty to Revolt,” urging the Idaho Senator to break away from the Republicans and lead a third party effort. “Who can read the news from Washington,” the journal asked, “and not feel that the time has come for men everywhere to raise the banner of revolt?”:

Dishonest, incompetent to govern, without vision at home abroad, without any domestic program whatsoever, and without men of any moral or political stature – this sums up Democrats as well as Republicans. The only question of importance is how much longer the American people are going to be stupid enough sheep to stand it.

All that the situation calls for is to plant the banner of revolt. There is no doubt whatever in our minds that if Senator William E. Borah should rise in his seat in the Senate and announce that he had cut loose from the body of death which is the Republican Party and would henceforth lead a new party, people would acclaim him as a Moses, even without waiting to read his platform and to assay it to see if it were liberal or radical or slightly progressive.

The old parties are but creatures of a worn-out and rotten economic system. There is no hope from them. And yet the country is astir, waiting the signal for revolt. In this situation a great responsibility rests upon Senator Borah, to whom Liberals and Radicals and even many conservatives are turning as to a savior.”¹³¹⁸

This editorial did not come completely out of the blue. In May of 1922, as the primary returns began to evince a progressive pattern, Ernest Gruening had told the Senator that “all eyes will be increasingly upon you...we hope the day will not be far off when circumstances will make it possible for you definitely and militantly to assume the leadership, either of a new party or one of the rejuvenated old parties.” To Villard, Gruening noted that Borah “thinks he is the man to lead the fight. There is no question about that.” In June, Borah confessed to one correspondent that “[e]ither one, or both, of the old parties must undergo a complete rehabilitation...or the people will organize another party.” That July, Borah made this same statement in public, telling *The Literary Digest* that while “maybe “out of the old Parties will come a new party under the old name,” he was “convinced...that there must be a new political party.” Later that month, after talking with the Senator, Oswald Villard told another

¹³¹⁸ “The Duty to Revolt,” *The Nation*, August 9th, 1921 (Vol. 115, No. 2979), 140. Ashby, 120.

correspondent that Borah “is ready to cut loose as soon as the sinews of war can be organized and the plan is laid out.”¹³¹⁹

And so, after publication of “The Duty to Revolt,” Villard passed the editorial along to Borah, with a personal note. “I am still firmly of the opinion that if you will raise the banner of revolt yourself the right means and a great army of workers will flock to you at once,” he told Borah. “*Please* live up to the responsibility which we have put upon you...and sound the tocsin.” Letters of support began filing in from across the country, including from newspaper editors Arthur Vandenberg of the *Grand Rapids Herald* and Frank Knox of the *Manchester Union-Leader*. “I don’t know whether you will ever be President, but I do know you are big enough and courageous enough,” Knox wrote Borah. “In these days of wobbling, of indecision and ineptitude it is inspiring to have one clear voice whose tones are never shaded or softened by expediency.” In his responses to these, Borah mostly played it coy. “Questions pending here in the Senate have been so pressing and so momentous that I can say to you most candidly I have given my entire time and thought to them rather than to any Party movement,” Borah responded to one such missive, rather disingenuously. To Knox, he was more honest. “With reference to the third party, Frank,” he wrote, “a person would need about at least a million dollars to pay the actual necessary expenses of the organization. Now, I enjoy a salary of \$625.00 a month. It costs me all the way from \$800 to \$1,000 a month to live. So I have concluded to dedicate the balance to the upbuilding of a third party.”¹³²⁰

¹³¹⁹ Ernest Gruening to Borah, May 18th, 1922. WJB Box 120: Political –Misc. Ashby, 120-121. Borah to A.W. Kellogg, June 15th, 1922. WJB Box 120: Political – Misc.

¹³²⁰ Oswald Villard to William Borah, August 9th, 1922. WJB Box 120: 1921-22: Politics: Personal
Frank Knox to Borah, August 9th, 1922. W JB Box 120: Political –Third Party Movement. Borah to Wm T. Clarke, August 29th, 1922. WJB Box 120: Political –Third Party Movement. Borah to Frank Knox, August 11th, 1922. WJB Box 120: Political –Third Party Movement.

Also among the letter-writers to Borah after “The Duty to Revolt” was J.A.H. Hopkins, who had continued to work the Senator over on this issue since the previous November. On letterhead reading “The Committee of 48 functioning as The Liberal Party,” Hopkins urged Borah to share his thoughts about fronting the effort. “I think I understand perfectly well the reasons why you have refrained so far from stating anything about your future plans,” Hopkins told the Senator. “I hope, however, that you will appreciate that anything you care to say to me will be considered purely personal.”¹³²¹

Again, Borah was gracious but noncommittal – This dance continued until the early months of 1923, when Hopkins thought it time to fish or cut bait. “[I write] very frankly to inquire,” Hopkins asked Borah in February, “whether you have reached any conclusion as to when and how the new party campaign for 1924 should be launched, [and] when approximately you will be ready to discuss this with us.” “You have assured me that you are thoroughly in harmony with what we are doing,” he wrote Borah the following month, “and you will appreciate the importance of putting me in a position of either being able to deny or affirm” the Senator’s involvement. Finally, Hopkins got a definitive answer: “With reference to the third party movement and how we can best promote the issues in which I am interested, I am only too anxious to discuss this,” Borah replied, putting the onus of the work on the Committee. No “man can afford to join a party and then declare himself a candidate for President...he ought to be drafted and there ought not to be any mistake about the drafting.”¹³²²

¹³²¹ J.A.H. Hopkins to Borah, August 11th, 1922. WJB Box 120: Political –Third Party Movement.

¹³²² J.A.H. Hopkins to Borah, February 19th, 1923. WJB Box 142: Political – Third Party Movement. Ashby, 125-126.

Borah, it seemed, was ready to accept leadership of a new party if it looked to be demanded of him. In a face-to-face meeting in April 1923 – one which Hopkins afterwards transcribed from memory and had Borah review his recounting – Hopkins concurred with Borah that “a presidential candidate should not nominate himself but be drafted.” Borah, meanwhile, said he was “ready to be of service” to the new party, and was “willing to serve entirely irrespective of whether I am a candidate or not.” If the press asked what was going on, Borah would say that “the candidate should be drafted,” while Hopkins would say the Committee was “proceeding in a way that it seems to you necessary and that you have drafted me for your candidate.” In sum, Borah told Hopkins to “certainly” continue on the path outlined, as it “it will be the means of building up your movement, and I think if we keep in close touch with one another, there will be no difficulty in our agreeing as to what should be done and when we should do it.”¹³²³

After this meeting, Hopkins had new letterhead printed up that was emblazoned with “William E. Borah for President National Campaign Committee 1924” and included a box reading “Resolved: That the National Executive Committee of the Committee of ’48 hereby proposes SENATOR WILLIAM E. BORAH as the Presidential candidate of the Progressive voters of these United States in 1924 on the Platform of the Committee of 48.” But the Senator suddenly seemed to catch cold feet. He was not “a candidate for President and did not want to be so considered,” Borah wrote Hopkins one week after their April 6th meeting. “[M]y course these days is not the Presidential course.” Hopkins at first presumed that Borah “emphasizing the fact that you are not putting yourself forward as a Presidential candidate” was all part of the agreement – nudge, nudge, wink, wink – and so continued to proceed on “the matter discussed

¹³²³ Ashby, 126-128.

with you in Washington the other day...I have already made great progress.” Over the next few months, Hopkins continued to remind Borah of their arrangement – “our talk in Washington” – and tried to push him closer to announcing his intentions. “You may be right in feeling that the time has not yet arrived for speaking out in court,” Hopkins wrote in July 1923, “but...don’t overlook the fact that the sentiment for you is wide and deep and only requires a public statement from you along the lines we have already discussed to be awakened into action.” Hopkins also enlisted his fellow CPPA members, Lynn and Dora Haines of *The Searchlight on Congress*, to get the Senator on record, to no avail.¹³²⁴

When Borah told Hopkins (and other correspondents) in October 1923 that Henry Ford being the third party nominee was “the most certain thing in politics,” an exasperated Hopkins asked the Senator when he would “be in a position to publicly cooperate with us in the organization of our new party convention in 1924?” Two months later, in December, Hopkins – writing on standard “Committee of ‘48” stationery again – chose to mince words no longer. Noting the “persistent and it seems to me malicious attempt in certain quarters” to name Borah as Calvin Coolidge’s likely running mate, Hopkins asked the Senator where he stood on various issues on the Forty-Eighters’ platform. The Farmer-Labor Party would be meeting in convention in May, Hopkins noted, “and for my own satisfaction and information I should like an even clearer understanding with you than has resulted from our previous interviews in respect to these developments...I would appreciate a frank statement from you as to when you will consider it appropriate to authorize the introduction of your name...as a candidate for its Presidential nomination, or for a renomination to your present office as the candidate of the Progressive Party in Idaho.” To this, Borah responded definitively. “I am not a candidate for President,” he wrote

¹³²⁴ Ashby, 129-131. J.A.H. Hopkins to Borah, July 20th, 1923. WJB Box 120: Political – 3rd Party Movement.

Hopkins, “and do not expect to be. I see no facts or circumstances at the present time which would justify my permitting or authorizing my name to be used. As I wrote to you sometime ago, Hopkins, I do not want to encourage any third party, or any other party so far as that is concerned, using my name in connection with the Presidency.”¹³²⁵

In effect, J.A.H. Hopkins and the Committee had lost well over a year, much effort, and sizable stationery expenses chasing Borah to be their third-party nominee, only to fall victim to the same vacillating nature that often enraged his Senate colleagues. So, in January 1924, Hopkins moved on to his next possible choice, George Norris. “[N]othing would give me greater pleasure to see you or Sen. La Follette step to the front,” Hopkins wrote the Senator from Nebraska, but Norris, while appreciative of the offer, argued that a third party could “do more harm than good. It would have a tendency to increase the already outrageously partisan spirits.” With only eleven months until Election Day, Hopkins was back at Square One.¹³²⁶

Why did Borah string along Hopkins for so long? Part of it was likely just the Senator’s nature – his often-maddening tendency to disappear in the clutch. “[W]hen his every previous step indicated that he would be there,” *The Outlook* wrote of him in 1927, “he was not there.” Writing about the Senator in 1962, Claude Bowers, who spent the 1920’s as a Democratic editor at the *New York World*, remembered how Borah “would gallantly march up to the enemy’s guns and seem about to take them by storm, and then mystifyingly, he would wheel around and march

¹³²⁵ Borah to Frank Johnesse, October 19th, 1923. WJB Box 142: Political – 3rd Party Movement. J.A.H. Hopkins to Borah, December 10, 1923. Borah to J.A.H. Hopkins, December 11, 1923. WJB Box 153: J.A.H. Hopkins. Frank Johnesse, one of Borah’s Idaho allies (and a Third Party supporter), called the Senator “entirely wrong when you say that Ford can have the Third Party nomination. . . You must remember that a Third Party conference will be made up largely of organized labor with which he is not popular. He is very popular of course with the masses, but with the conference delegates it would be quite different.” Frank Johnesse to Borah, October 26, 1923. WJB, Box 142: Politics – Idaho, Misc.

¹³²⁶ Ashby, 136.

back again.” Also, in contemporaneous letters to others, Borah – who did not follow Theodore Roosevelt out of the party in 1912 – conceded he would rather fix the Republicans than build a new party out of whole cloth. “A third party may come,” he wrote to one correspondent in December 1922, “but I am thoroughly in favor myself of proceeding now along the line of working out things which we want to accomplish inside the old Party. So far as I can see it is quite as practicable to rehabilitate the old Party as it is to build a new one...in my opinion, parties are not made, they grow.”¹³²⁷

But, in this case, there were important political developments to factor in as well – namely the August 1923 death of Warren Harding. Suddenly, it seemed, there was a power vacuum in the Republican Party, and Borah and others thought they could take advantage of the new political calculus. “[T]he situation is acutely alive,” Ernest Gruening wrote Borah the week of the president’s death. Now was the “strategic moment” for a “definite move toward real political progress...You, Senator are the man to lead it.” Borah agreed it was time “to make a most determined effort...to liberalize the political program of the future...I am ready to go into it for all there is in it.” That same month, the Senator wrote to one of his key Outlawry allies, Raymond Robins, and argued that “by reason of extraordinary conditions, we are now in a position to put forward a program and, to do so with success, of real progressive principles and policies. I know the country is ready for it. The economic situation is breaking up all party lines and breaking away from all past precedents, and I really believe we have an opportunity to

¹³²⁷ Ashby, 118. Borah to Magnus Martinson, December 15, 1922. WJB, Box 142: Politics – 3rd Party Movement. Sounding the same theme in 1927, Borah declared that “There are times when a complete break with one’s party may be justifiable. But my experience and my observation has been that you can fight just as long and more effectively inside your party than you can outside.” Ashby, 119.

liberalize the whole political situation...I feel very keenly that opportunity is knocking at the door of the liberalists of this country.”¹³²⁸

If so, many observers thought Borah had a strange way of showing it. As Hopkins had pointed out in his letters, the Senator spent much of the fall and winter of 1923 cozying up to Calvin Coolidge, whom Borah deemed “a man of ability and courage” in December. Clearly, Borah was trying to get the new president to come around to his views on issues such as the Outlawry of War. This was a two-way street, as Coolidge – by no means a certainty at first for the 1924 nomination – wanted to show he was amenable to the left wing of his party, and inviting Borah to the White House for frequent lunches was an easy way to do it.¹³²⁹

Other progressive Republicans, however, could not be wooed so easily.

Hiram and Goliath

Writing to Harold Ickes in March 1923, on the eve of a European trip designed in part to buttress his presidential bona fides, Senator Hiram Johnson had no illusions about the uphill task that would face him if he tried to wrest a sitting president for the Republican nomination. “I have no doubt that President Harding will be a candidate for renomination,” he wrote. “I am under no illusions about myself. I would not at present get into the position of active candidacy, and as I view the situation at present, I could not with any hope of success, because of the power there is in the White House, make fight for nomination.” Still, he asked Ickes to start brainstorming about how to move the progressive agenda forward. “If I get into a national contest, and I do not

¹³²⁸ Ashby, 118, 135-136. Borah to Robins, August 25, 1923. WJB, Box 142: Politics – Misc.

¹³²⁹ Ashby, 137.

necessarily mean a personal candidacy, I am most anxious that you and I go together and see if some results along the fundamentals upon which we agree, can...be accomplished. It may be that our contest will be futile, and that we'll have to bide our time for another four years." Still, Johnson advised Ickes to "keep on the alert," as he "did not believe any individual has sufficient vision to tell what may happen in 1924."¹³³⁰

Echoing Johnson's general sentiment about unknowability – "[a]ll any one can do is watch the situation carefully and be prepared to take advantage of any favorable circumstance that may arise." – Ickes accepted the Senator's charge. "I need not assure you that my dearest wish is to see you President," he replied to Johnson. "I certainly hope that in the next national contest I will be fighting under your leadership." A month later, Ickes outlined what he believed would be Harding's reelection strategy to the overseas Johnson. "I understand that the Harding people are expecting to rely upon the returned prosperity of the country as the issue that will put him over again," he wrote. "Restricted immigration has resulted in a scarcity of labor which in its turn has brought about an increase in wages with consequent enhanced buying power, which means a better market at better prices for foodstuffs and manufactured articles. The Harding idea is to let this situation alone and ignore the demand from the manufacturers to let down the immigration bars." Ickes conceded this wasn't "bad campaign strategy if it will work," and that "there is no denying the fact that the country is in much better shape economically than it was eighteen months ago."¹³³¹

¹³³⁰ Johnson to Ickes, March 5, 1923. HLI Box 33: Hiram Johnson.

¹³³¹ Ickes to Johnson, April 10, 1923. HLI Box 33: Hiram Johnson. Ickes to Johnson, April 26, 1923. HLI Box 33: Hiram Johnson.

That being said, Ickes saw a potential opportunity for Johnson in the burgeoning issue of entry into the World Court. “It seems to me that people are again thinking very deeply on the International situation. The International Court proposition looks [defensible] especially to those people who have been in favor all along to entering the League of Nations.” This, to Ickes as to many others, seemed yet another backdoor into American participation in the League, and “[i]f we are going to enter the League of Nations...I would prefer to do it by the front door instead of by sneaking in the back door.” Nonetheless, the Court fight provided the perfect opportunity to set the stage for a Johnson presidential bid. “It may be that the fight you led against the League of Nations will have to be made over again and this time it may be the main issue in the contest for the Republican nomination,” Ickes told Johnson. “If the fight has to be made than I know of no one [as] well qualified as yourself to lead.”¹³³²

A month later, Ickes backed off the idea of using the Court as a primary platform, since “[t]here doesn’t seem to be a great deal of interest in the world court proposition just now.” But he revisited the issue with Johnson in June 1923, after Harding – on the first stop of his Voyage of Understanding in St. Louis – promised to work with the Senate and offered to completely and unilaterally dissociate the Court from the League. “I am simply astounded at the new proposition made by the president,” Ickes wrote to Johnson the night after Harding’s speech. “It seems to me that he has quite effectively crawled out on a limb which, in due course, will be neatly cut off between him and the tree trunk. He has always been weak and vacillating, given to compromising to the point where neither side is satisfied, but it seems to me that in this instance he has surpassed his own past endeavors along this line.” Now, it seemed, Hiram Johnson might

¹³³² Ickes to Johnson, April 26, 1923. HLI Box 33: Hiram Johnson.

have a platform to run on due to “this wonderful scheme of handing our future, internationally, over to a group of men in the selection of whom we would, as a nation, have no voice at all.”¹³³³

Two months later, the political landscape shifted again. “How quickly the whole face of things can change,” Ickes wrote to Johnson. “Only a week ago we regarded as inevitable the renomination of President Harding and now he has passed entirely from the stage.”:

Coolidge is now president. He doesn't seem like a personality at all to me. I don't believe he does to the country at large. If this be true then the field is an open one with you by far the strongest man in sight. I told you in New York that as matters stood I did not believe you ought to become a candidate for the presidency...But what now? It seems to me that events, beyond your control, have forced your hand and that you not only will have to be a candidate, but that you will go into the contest with a very real chance of success.”¹³³⁴

“Politically, things are likely to move fast,” Ickes warned. “New combinations will be in the making and I hope that you will allow nothing to hold you back from facing the situation and taking advantage of any favorable development.” Ickes was especially worried about Johnson's fellow Californian and 1920 nemesis returning to the fray. “Most of all, I am curious to see what line Hoover will now take. Will he continue in the cabinet and thus tie himself to Coolidge, as he did to Harding, or will he think he has a chance for the nomination, resign from the cabinet and start out on an active campaign? I think he is the man to be watched carefully and checkmated every time he starts to make a move. If he can get away with it he won't have any hesitation in trying to capitalize Harding's last illness and death for his own personal and political advantage.”¹³³⁵

¹³³³ Ickes to Johnson, June 22, 1923. HLI Box 33: Hiram Johnson.

¹³³⁴ Ickes to Johnson, August 3, 1923. HLI Box 33: Hiram Johnson.

¹³³⁵ Ibid.

Whatever Hoover's plans were, he would have to contend with his new boss first. In his first weeks in office, President Coolidge made two moves that suggested to all observers he was planning an aggressive run for the 1924 nomination. "The first important act of Dr. Coolidge, after the crown settled over his ears," noted H.L. Mencken, was to appoint as his personal secretary – the equivalent of today's Chief of Staff – Congressman C. Bascom Slep of Virginia, a man known for his aptitude at securing southern delegates by means both fair and foul. "[W]hatever his merits as a husband and a father," Mencken wrote, Slep "is surely no statesman; he is a politician pure and simple, and he has specialized in the herding of Republican jobholders in the South. His appointment thus indicates a plain effort to line up these cattle for 1924." *The Crisis* thought the choice of Slep – who "has physically kicked Negroes even out of his own party convention" and "brazenly declared himself opposed to Negro suffrage" – "is a blow so serious and fatal that we have not ceased to gasp at it." Surveying the arguments against Slep, the recently-established *TIME Magazine* noted first, "that he was appointed...to round up Southern delegates for Mr. Coolidge," second, "that he is a 'Lily White' politician trying to make the Republican organization in the South white, by divorcing it from the Negro element," third, that "he has been accused, not without reason, of selling appointments, if not for his private gain, at least for the Party purse," and, fourth, "that his name is C. Bascom Slep."¹³³⁶

Second, Coolidge, as noted earlier, threw the political hand grenade that was the continuing negotiations in the coal industry into the lap of the new Governor of Pennsylvania, Gifford Pinchot – effectively marginalizing Pinchot's chances to run no matter what happened. Either Pinchot failed and America spent a harsh winter without coal, or he succeeded and Pinchot would be blamed for the rising cost of coal.

¹³³⁶ Mencken, 65. "Slep," *The Nation*, October 1923 (Vol. 26, No. 6), 248-249. "C. Bascom Slep," *TIME*, August 27th, 1923.

“Despite all the Coolidge stuff in the newspapers,” writer and old Roosevelt Progressive George Henry Payne wrote to Ickes after these twin moves, “I find that people are not impressed except the small financial element who love a Reactionary more than they love their country. There is increasing indignation over the appointment of Mr. Slemph, and the passing of the coal strike to Governor Pinchot has been taken as an evidence of his avoidance of difficult problems.” Ickes agreed on both counts. “The appointment of Mr. Slemph by President Coolidge was strong enough evidence of his political ideals and the kind of politics he is prepared to play in order to win the nomination. It is a slap in the face to every citizen who does not believe in the domination and control of Republican Party affairs by patronage controlled southern delegates. As you suggest, his failure to do anything in the coal strike is an instance of his disinclination to tackle a difficult problem.”¹³³⁷

Still, both moves evinced a certain political savvy on the part of the new president as well. “It seems to me that your real difficulty with Coolidge,” Ickes wrote to Hiram Johnson, “will be that you will be opposing a man that won’t fight back. He is the greatest static statesman in American history. It will be hard to set up an argument with a man who won’t argue or fight[,] with a man whose idea of motion is a comfortable arm chair. I think Coolidge is even less disposed than Harding was to join issue or to do anything that he can by any possibility avoid doing.” H.L. Mencken agreed, and by September 1923 he was already calling the race for the Republican nomination over. “There will be no vain and vexatious gabble about World Courts and other such scare-yokels. The Government will function in a silent and inoffensive manner.” With Slemph securing the South for Coolidge, “[d]elegate after delegate will march up and dive in the tank. The Hon. Hiram Johnson, the California *Citrus aurantifolia*, will sweat more and more

¹³³⁷ George Henry Payne to Ickes, September 19, 1923. Ickes to George Henry Payne, September 25, 1923. HLI. HLI.

citric acid...All the other aspirants will fade and deliquesce.” Coolidge, the Sage of Baltimore concluded less than two months into the new administration, would be the obvious nominee.¹³³⁸

Senator Johnson had no illusions about the uphill fight ahead of him if he should run. “There is little new to report to you,” Johnson wrote Ickes in August, “except that among the ‘old guard’ here there is absolute agreement that they’ll have to dispose of one individual in order that they may, without difficulty, re-nominate Mr. Coolidge. You can guess who that individual is. Everybody is being lined up that can be lined up, and as usual, the politicians are deciding the fate of the Nation without reckoning upon the people.” Before committing to a candidacy, Johnson wanted Ickes to feel out some of the other old Roosevelt Progressives and see where they stood on the question of his candidacy.¹³³⁹

Ickes soon reported back that Governor Pinchot was in the Johnson camp. “I told both Gifford and Mrs. Pinchot on separate occasions that, in my judgment, you would have to be a candidate for the presidency,” Ickes wrote, “and their reaction was practically the same. Both of them were very glad indeed to learn of such a possibility. They both feel that Coolidge ought not to be nominated to succeed himself and they both expressed fervent hope that you would get in the fight and stay in to the finish.” Johnson was “immensely pleased with what you had to say about Uncle Gifford,” particularly after Ickes told the Senator that Pinchot was crucial to Coolidge’s nomination strategy. “I was told yesterday what is supposed to be the general outline of campaign plans by the Coolidge people, Ickes reported in. “Their idea is that they can carry New England and hold the south. They believe they will have Gifford with them in Pennsylvania....In their tactics they are not considering anyone but yourself. Their whole effort

¹³³⁸ Ickes to Johnson, September 7, 1923. HLI Box 33: Hiram Johnson.. Mencken, 69.

¹³³⁹ Johnson to Ickes, August 17, 1923. HLI Box 33: Hiram Johnson.

is to divide the anti-Johnson sentiment as much as possible...[but] they are reckoning without their host so far as Pinchot is concerned.”¹³⁴⁰

Pinchot further aided Johnson – and scored some political payback for being dumped with the coal issue – by attacking Coolidge’s lax enforcement of Prohibition. “I write to inquire what the Governor of Pennsylvania means by persisting in making the front pages of newspapers throughout the country,” Ickes jested with his old friend. “That last wallop you handed ‘Silent Cal’ must have well nigh loosened his back teeth. Of course you are dead right when you say that the state authorities cannot enforce the Volstead Act without federal cooperation and you are even more right when you charge that the federal administration of the Volstead Act is shot through with bribery and corruption.” Two weeks later, Ickes suggested to Pinchot that the Pennsylvania Governor was “having more fun just now than any other man in public life. You have taken on not only the national administration, but two United States Senators, the Secretary of the Treasury and the standpat republican machine. You are courageous, but I believe you can lick them all to a frazzle in your back yard and here’s hoping that you will do it.” To Johnson Ickes remarked that “the thing has been breaking beautifully lately with Gifford hammering on the law enforcement issue and being regarded generally as all but an avowed candidate for president. It means that you won’t have to set the pace and that, of course, is highly desirable. I don’t think there is any doubt that Coolidge is losing strength gradually, but unmistakably and if the impression once gets abroad that he is nothing but a sly wire puller he will have a hard road ahead of him.”¹³⁴¹

¹³⁴⁰ Ickes to Johnson, September 24, 1923. HLI Box 33: Hiram Johnson. Ickes to Johnson, September 26, 1923. HLI Box 33: Hiram Johnson.

¹³⁴¹ Ickes to Gifford Pinchot, October 17, 1923. HLI Box 37: Gifford Pinchot. Ickes to Gifford Pinchot, October 30, 1923. HLI, Box 37: Gifford Pinchot. Ickes to Johnson, October 19, 1923. HLI Box 33: Hiram Johnson.

If Johnson and Ickes could rely on the Governor of Pennsylvania, the former Governor of Kansas, Henry Allen, seemed to have defected to the Coolidge side. "It seems to me that Gifford put the Prohibition question up pretty strongly to Coolidge and I am not surprised that Coolidge's friends are incensed over the matter," Ickes told Johnson in mid-October. That being said, "our old friend, Henry Allen, lunched with 'Silent Cal' yesterday and then rushed into print criticizing Gifford's speech. From what I gather...Henry Allen would not be adverse to running for vice-president on the Coolidge ticket. I have always liked Henry personally...but I am disgusted at his apparently headlong plunge into the Coolidge camp." Writing Kansas off, Johnson replied that it was "just like Henry Allen to be licking the boots of power... Henry's activities are never observable until they have been purchased in some fashion." A week later, Ickes confirmed Johnson's suspicions. According to Raymond Robins, Ickes wrote, "all the Republican political forces in Kansas are lined up with Henry and are for Coolidge on the basis of Henry's going on the ticket with him."¹³⁴²

As it happened, Colonel Robins was a man weighing heavily on Johnson's mind. "I'm worried about Raymond," he told Ickes, "because of my great affection for him. I would like him, if we go into this fight, to be with me and with me prominently. I cannot say to him, because it would be neither fair to him nor honest to myself, that I would adopt his plan for the outlawry of war. The most I could say...is I would ever hold myself open to conviction, ready to listen sympathetically to him and more than sympathetically, affectionately." A week later, Johnson repeated to Ickes his concern about Robins. "I do hope that my failure to espouse his particular plan will not affect him at all. If I go into a fight, I do want him with me, but beyond

¹³⁴² Ickes to Johnson, October 16, 1923 Box 33: Hiram Johnson. HLI. Johnson to Ickes, October 16, 1923 Box 33: Hiram Johnson. HLI. Ickes to Johnson, October 24, 1923. HLI Box 33: Hiram Johnson.

that I would not for the world have anything spoil the long friendship which has existed between us.” Three weeks later, Johnson was on the verge of pleading. “I have worried a great deal about Raymond,” he told Ickes once more. “I haven’t any desire to take a position of opposition to his scheme, and I have not thought of doing so, and cannot conceive of any set of circumstances which would require it...Of course I could not make his plan an issue in the campaign. The fact that he has not written to me in response to my letter makes me think that this he deems a condition precedent to support and it makes me feel very sorry, indeed.”¹³⁴³

In response, Ickes told the bereft Johnson that Raymond Robins was probably a no-go. “The only thing that is worrying him,” Ickes replied, “is, of course, the ‘Outlawry of War’ proposition. He says he has been devoting several months of time to speaking in advocacy of this proposition. He appreciates your entire frankness and sincerity in the matter, but he is afraid that some time during the campaign, unless your mind changes, you will be forced to declare against the plan just as you have against other schemes for international cooperation and he wonders in what position you will then stand with the people before whom he has been appearing as an advocate.” To his sister, Robins confessed he was not particularly happy about being outside the “Uncle Hi” camp. But “with the promises to free the Politicals [political prisoners] and to recognize Russia and to give aid and comfort to the Outlawry of War program by Coolidge I am in quite a quandary. I am working with Borah and as He Hates Johnson it is a bit of a twist.”¹³⁴⁴

William Allen White was another old Roosevelt Republican who would not be joining Johnson and Ickes at Armageddon on account of foreign policy issues. “I am sorry I can’t line up

¹³⁴³ Johnson to Ickes, October 2, 1923. Johnson to Ickes, October 8, 1923. Johnson to Ickes, October 27, 1923. HLI Box 33: Hiram Johnson.

¹³⁴⁴ Ickes to Johnson, October 16, 1923. HLI. Salzman, 314.

for Hiram Johnson,” he wrote to a friend, “I am so entirely opposed to his position on foreign relations and am so thoroughly convinced he will make that the major issue of his campaign and if elected, make it his major activity – his isolation policy – that I can’t go with him. Heaven knows, I’d like to! I admire his courage and am proud of his character and admire him greatly personally. But I feel nearer to Pinchot on the whole than Johnson.”¹³⁴⁵

Before embarking on this next crusade, Johnson worked hard to secure the support of his friend and publicity man the last go-round, Albert Lasker. “[W]e embark upon a mighty troubled sea,” Johnson wrote Lasker in a discursive thirteen-page letter to the advertising guru. “We will be buffeted by politicians and press alike, our motives will be misconstrued, our actions will be distorted, our words will be misrepresented, but we will be men; and if in the end defeat comes, we can accept it with equanimity and philosophy, say good-by forever to our ambitions and live our lives in the consciousness that we fought a good fight, our fight, as we saw the light.” Johnson knew that he was a longshot and “that my kind of politics, “merely fighting one’s way through without regard to power or influence, with no thought of strategy, standing only for that in which I believe and contemptuously rejecting all overtures to soft pedaling, depending solely upon people, rather than politicians or press, may not be appealing. I realize it makes success doubtful and difficult; but unfortunately it is the only way I know. Politicians distrust me, the press apparently fears my activity. I am where I am because I have never heeded either; and this very fact,” he confessed candidly, “will probably prevent me from ever going higher.”¹³⁴⁶

Lasker joined the Johnson team nonetheless. In fact, Lasker had previously cut a deal with former President Harding before his death – If Harding supported Hiram Johnson’s Senate

¹³⁴⁵ White to Paul Ewert, January 2, 1924. White, *Selected Letters*, 239.

¹³⁴⁶ Johnson to Albert Lasker, October 4, 1923. HLI,

campaign in 1928, Lasker would help Harding get reelected. This Harding agreed to, provided Lasker could convince Johnson not to run for the presidency in 1924, and so Lasker had immediately left for Europe to catch up with the Senator overseas and talk him out of running. Soon thereafter, Harding died, effectively nullifying any previous arrangement.¹³⁴⁷

With the board set, Hiram Johnson officially announced his candidacy for the Republican nomination in mid-November of 1923. In a statement drafted by George Henry Payne, Johnson pledged to represent the “overwhelming numbers of Republicans who fear the Republican Party has been captured by the forces of reaction and who themselves cry for a party of Progressivism through which to express themselves.” Moreover, he argued, someone must stand up against “the effort now being made to inopportune, and I believe disastrously, plunge America into European affairs.” “Reaction and Progress must fight it out again in the Republican Party,” the Senator averred, and while “I question not men now but their philosophy of government,” Johnson concluded that only a Republican party animated “with the broad understanding, vision, and human sympathy of progressivism can solve our present day problems.” Johnson’s plan – not unlike Theodore Roosevelt’s in 1912 – was to challenge the sitting president in every open primary. But to indicate to everyone he was still a mainstream Republican, Johnson named as his campaign manager Frank Hitchcock, who had previously run the 1908 Taft and 1916 Hughes bids.¹³⁴⁸

¹³⁴⁷ Johnson to Lasker, October 4, 1923. HLI, Box 35: Albert Lasker. Jeffrey L. Cruikshank & Arthur Schultz, *The Man who Sold America: The Amazing (But True!) Story of Albert D. Lasker* (Boston: Harvard Business School Press, 2010), 235-236.

¹³⁴⁸ George Henry Payne to Ickes, October 30, 1923. HLI, Box 36: George Henry Payne. “Progressivism – The Vintage of 1924,” *The New Republic*, November 23, 1923, 4. “Hitchcock to Run Hiram Johnson’s Fight,” *New York Times*, November 27, 1923.

Had Senator Johnson expected the leading progressive journals to rally behind his candidacy – he hadn't – he would have been vastly disappointed. One year before *The Nation* begged Borah to run as a third party candidate, it had published a retrospective of Johnson's years in office by one George P. West that suggested the California Senator had consistently knifed other progressives to get ahead. "In justice to Johnson," West offered backhandedly, "it should be said that he was never a radical, that he is not a profound thinker or a wide reader, and that his conception of politics has in it something of a sporting-page conception in which pugnacity is a major virtue, with red blood and guts as the true criteria of a proper man." In the first issue after Johnson's announcement, *The Nation* was similarly cruel. "Hiram Johnson has tossed his hat into the ring," it yawned, "but somehow none of the ringside spectators seem excited about it":

Most of them probably thought that the hat had been lying in the ring lo, these many years. Almost every speech which the Senator from California has made in the last eight or ten years has been rather in the way of practice at presidential hat-tossing. Ten years ago...Hiram Johnson stood out as a fighting progressive with a record of real wrestling-matches with the Southern Pacific Railroad Company. Today he seems merely the familiar politician who ducked the Newberry issue, raised his voice in a piteous plea for protection for California lemons, and took his full share of patronage under the Harding Administration – from the same "materialist, stolid, and stubborn men" in whom he now suddenly discovers such "irreconcilable differences."¹³⁴⁹

The New Republic was slightly more circumspect, arguing that "Senator Johnson's announcement is the first attempt since the extinction of the Progressive party to expound progressivism in a form available for national popular consumption." That being said, they ridiculed "the almost ridiculous vagueness of Senator Johnson's account of what voters will get

¹³⁴⁹ George P. West, "Hiram Johnson: After Twelve Years," *The Nation*, August 9th, 1922 (Vol. 115, No. 2979), 142-144. *The Nation*, November 28, 1923 (Vol. 117, No. 3047), 593. Johnson briefly replied to the West piece in a later issue, calling it a "nasty, untrue, and malicious attack" and the "expression of the malice and mendacity of a disgruntled and defeated postmaster in the corrupt expenditure of money in politics." The article would not hurt his prospects in California, Johnson said, but "it can only affect the estimation in which people have held *The Nation*." Johnson's former personal secretary, F.R. Havenner, also responded at length. "In Defense of Hiram Johnson," *The Nation*, August 22nd, 1922 (Vol. 155, No. 2980), 166-167.

if they elect the spokesman of progressivism. It may be well for progressivism to proclaim that it is a philosophy, but if it is a philosophy minus a program it will be and should be devoid of political poignancy.” Johnson, TNR argued, “is reluctant to specify what progressivism means in relation to domestic policy for one very good reason...He is afraid to choose and to risk his candidacy on the success of his combination of choices.”¹³⁵⁰

While Johnson took to the campaign trail, and party regulars began to attack him as a disloyal Republican who had walked out in 1912 and helped to elect Wilson, Calvin Coolidge ignored the California Senator. Instead, he worked to neutralize one of the other serious dangers to his candidacy by inviting automaker Henry Ford over to the White House for a discussion. This talk may or may not have involved an agreement to let Ford purchase the government-owned nitrate plant and unfinished dam at Muscle Shoals, Alabama – something Ford had coveted since 1921. Whether there was a specific quid pro quo or not, Coolidge urged Congress in his December 6th Annual Message that the Muscle Shoals complex be sold. Twelve days later, on December 18th, Ford surprised many by declared that he “would never for a moment think of running against Calvin Coolidge for President on any ticket whatever.” Johnson, among others, was quick to suggest the payoff. “Henry Ford has declared for Mr. Coolidge because, as he says, Mr. Coolidge is 'safe,' scoffed the Senator. “Immediately the part of the press of the country representing special privileges, which has always denounced and caricatured Mr. Ford, gives him a certificate of character and with open arms welcomes him to its ranks. Perhaps the time is

¹³⁵⁰ “Progressivism – The Vintage of 1924,” *The New Republic*, November 23, 1923, 4-6. The platform Johnson eventually put out in January of 1924 consisted of opposition to the Mellon tax rates, the League of Nations, the World Court, and the administration’s Mexico policy and support for the Bonus Bill and McNary-Haugenism. “The Republican Alternative,” *TIME Magazine*, January 14th, 1924.

propitious for Emma Goldman and Bill Haywood to return, declare for Mr. Coolidge and be acclaimed by the same special privilege press.”¹³⁵¹

For his part, Ickes put on a good face for his allies in the Johnson camp. “So far as Hiram Johnson is concerned he is in the fight to the finish and I have never seen him in better fighting trim, both physically and intellectually,” he wrote to Pinchot in December. But to the candidate himself, Ickes admitted his doubts. “I don’t like the feeling of things,” he told the Senator. “The Coolidge people are working busily in every possible direction and they have the advantage of control of the organization pretty generally throughout the country. We seem to be standing still and to stand still in this kind of a fight means to slip.” The only way forward, Ickes suggested, was a “smashing, driving, relentless campaign... The only way we can counter is to rally public sentiment.” In their reporting on the election in January 1924, TIME agreed that Johnson was coming out of the box “badly handicapped,” and that, while the Senator “is apparently undismayed by the great start which Coolidge has taken from him...[t]o the less partisan observers it seems that Johnson’s chances depend on a ‘break.’”¹³⁵²

Before the month ran out, such a “break” presented itself in the revelations emerging from the Teapot Dome scandal. Even as both Thomas Walsh and C. Bascom Slep ventured down to Palm Beach, Florida to visit Ned McLean, and Edwin Doheny told Congress of his \$100,000 “little black bag” donation to Albert Fall, Ickes urged Johnson to take the lead in tying Coolidge to the corruption. “Teapot Dome is going to be a heavy load for Mr. Coolidge to

¹³⁵¹ Samuel Colcord, “Hiram Johnson’s Claim,” *New York Times*, November 21, 1923. C.S. Hammond, “Hiram Johnson’s Claims,” *New York Times*, December 11, 1923. Murray, *The 103rd Ballot*, 38. Calvin Coolidge, “First Annual Message to Congress, December 6th, 1923 “National Affairs: Johnson on Ford,” TIME Magazine, December 31st, 1923.

¹³⁵² Ickes to Gifford Pinchot, December 6, 1923. HLI, Box 37: Gifford Pinchot. Ickes to Johnson, December 22, 1923. HLI Box 33: Hiram Johnson. “The New Road,” TIME Magazine, January 7th, 1924.

carry,” he wrote Pinchot. “[H]e sat in as a member of the cabinet when the deal was considered and approved. And he has retained in his own cabinet and administration men of whom the least that can be said is that they didn’t know enough, as representatives of the public, to protect the public interests against a bunch of crooked oil operators.” Now, Ickes thought, Johnson could make his campaign by using the corruption card against the sitting president. “It begins to look as if Coolidge were going to be permitted to avoid any political damage from the Teapot Dome scandal,” Ickes wrote the Senator. “I believe a great opportunity is being lost. Coolidge ought to be made to bear his share of the load.”¹³⁵³

Ickes kept up the pressure into February, telegramming Johnson that “[e]veryone [is] talking about Teapot Dome scandal and it is become increasingly important issue. On this issue you are not yet in the picture.” Three weeks later, Ickes suggested Johnson take the fight to the Senate floor. “Don’t you think it is about time to go after Slep in a vigorous speech?...[T]he President is slipping as a result of the oil scandal in Washington...I think he can be tied up hard and fast through Slep, so hard and fast that he won’t have a wiggle left in him.” (Along with visiting McLean in Palm Beach, Slep, it came out, had speculated in Sinclair oil stocks while a member of the House.) Coolidge “is a perfect product of the system,” Ickes pleaded again in March. “He is part and parcel of a rotten and corrupt administration....I think a terrific smash out to be taken at Slep...I don’t think the case against Slep has been driven into people’s consciousness.”¹³⁵⁴

¹³⁵³ Ickes to Gifford Pinchot, January 23, 1924. Box 38: Gifford Pinchot. Ickes to Johnson, January 24, 1924. HLI Box 33: Hiram Johnson.

¹³⁵⁴ Ickes to Johnson, February 9, 1924. HLI Box 33: Hiram Johnson. Ickes to Johnson, March 21, 1924. HLI Box 33: Hiram Johnson.

Johnson, however, refused to engage on this front, apparently since he thought “the psychology would be bad.” In truth, the Senator’s psychology was taking a beating on the campaign trail. The problems had begun when Johnson had tried once again to patch things up with his old friend Raymond Robins. “I have been hoping in the last two months that I might see you personally,” he wired Robins. “I have despaired of catching up with you...I am wiring you therefore, assuming the privileges of our dear old friendship, asking you if you will not unite with me in this campaign.” Robins’ reply was curt and cutting. “Your telegram received. We do not agree on what seems to me fundamental in depending campaign. I regret this more than I can say.”¹³⁵⁵

Adding insult to injury, it began to seem to Johnson that, as with Henry Allen, his friend had betrayed him for a payoff. Once Robins was seen aboard Coolidge on the presidential yacht, *The Mayflower*, Johnson told Ickes, the word in Washington was that “the Borah Resolution for recognition of Russia would soon be passed with the consent of the Administration, thereafter Coolidge would recognize Russia, and it was agreed Robins should be appointed Ambassador to that country. I don’t know how true this is. I repeat it to you, simply as it was told to me.” By April, Raymond Robins was *persona non grata* to Ickes and Johnson both, with Ickes confessing a “deep disgust” for his former friend. “Of course, Raymond has a right to be for Coolidge if he can bring himself to such a state of mind and he has a right to accept the President’s hospitality. What gets my goat is that he affects to regard with unutterable scorn functions such as these. He derides them, laughs at his hosts and seeks to give the appearance of being infinitely above such affairs. He then jumps the fastest train to Washington so as not to miss one of them. He pretends

¹³⁵⁵ Ickes to Johnson, March 21, 1924. HLI. Johnson to Ickes, January 25, 1924. HLI. Ickes to Johnson, January 26, 1924. HLI. Johnson to Ickes, Said Ickes of the exchange, “I confess that I can’t follow him in his mental processes at this time. I don’t agree with him at all as you know.”

to be against Coolidge and yet accepts his hospitality. He joins one of the President's social outings and then jeers at his host and his social efforts. What the hell!"¹³⁵⁶

The onus of Robins' apparent betrayal was only a foretaste of the depressing primary season to come. "Senator Johnson has been carrying on a campaign mainly of criticism and condemnation," reported *The Outlook* in April, "but he has not made the impression upon the Republican voters that he did four years ago." That was putting it charitably. In state after state, Hiram Johnson would make barely a dent against the Coolidge onslaught. In New Jersey, Coolidge won by a factor of eight or nine to one. In Pennsylvania, Governor Gifford Pinchot's candidacy as a delegate to the convention was defeated by a Coolidge man. In Maine, Missouri, Washington, Connecticut, Oklahoma, Ohio – all across the country, Coolidge swept primaries and state conventions instructed their delegates to vote for the sitting president. Only in South Dakota did Johnson manage to eke out a narrow win of a few hundred votes – giving him all of ten delegates. (Even then, he was wrathful in victory, denouncing "the most reckless and shameless use of money...by the President.") Political journalists looking for apt metaphors found several on the trail, from Johnson's voice giving out, forcing an early end to a Midwest speaking tour, to his campaign car skidding at a railroad crossing and almost being obliterated by an oncoming Michigan Central freight train.¹³⁵⁷

While Johnson continued his doomed mission from coast to coast, Ickes tried everything to rally support behind the Senator. To Jane Addams, he sent a "summary of legislation particularly affecting women and the home enacted in California." To Dry voters wondering

¹³⁵⁶ January 28, 1924. HLI. Ickes to Johnson, April 17, 1924. HLI Box 33: Hiram Johnson.

¹³⁵⁷ "What do the Primaries Signify," *The Outlook*, April 9th, 1924, 582. "National Affairs: Boom," *TIME Magazine*, April 14th, 1924. "Pre-Convention," *TIME Magazine*, May 5th, 1924. "National Affairs: Close," *TIME Magazine*, April 14th, 1924.

where Johnson stood on prohibition, Ickes promised Johnson “would enforce the law and do it on the square.” When *The New Republic* editorialized that Republicans were remaining silent on the Teapot Dome issue, Ickes angrily fired off a letter to Herbert Croly arguing that Johnson has “arraigned the unholy alliance between crooked big business and crooked politics and has demanded a thorough cleaning of the Republican house...in this fight...he has had no more help from *The New Republic* than he has personally had, let us say, from *The New York Times*. Not only this, but apparently you haven’t even known that Senator Johnson, with inspiring courage, has been carrying on a fight, the supposed lack of which you earnestly deplore.” (To this, Croly responded with a vicious dismissal: “By Republicans in that article we obviously meant the attitude of the organization of the Party and those Republicans associated with it. The success of Senator Johnson’s campaign with the nomination indicates very clearly how few Republicans, that is in any but three or four states in the northwest, favor that kind of thing.”) Eventually, Ickes was even begrudgingly ready to accept what support he could get from the Ku Klux Klan. “I suppose I have as strong feelings as anyone but I have never yet reached the point where I refused to support a candidate of my choice because someone I didn’t happen to like was also supporting him...And so in this campaign.”¹³⁵⁸

Despite all his efforts, Ickes couldn’t even win his home state of Illinois for Johnson. “We had the same damn old gang to fight here as in former years, every machine henchmen in this neck of the woods had out his knife,” reported an Ickes ally from Murphysboro. Another

¹³⁵⁸ Ickes to Addams, March 12, 1924. HLI, Box 34: Hiram Johnson Campaign ‘A’ Ickes to George W. McColley, December 20, 1923. HLI, Box 34: Hiram Johnson Campaign ‘Mc’ Ickes to Croly, April 17, 1924. HLI, Box 34: Hiram Johnson Campaign ‘R’ Croly to Ickes, April 24, 1924. HLI, Box 34: Hiram Johnson Campaign ‘R’ Harold Ickes to Fay Ickes, March 3, 1924. HLI, Box 34: Hiram Johnson Campaign ‘I’ Klan and VFW member Fay Ickes (no relation) further suggested to Ickes “that the Senator when he travels thru Michigan and especially Indiana, that he have a Klansman with him, as he could meet the other Klansmen and help the Senator along.” Ickes demurred. Fay Ickes to Harold Ickes, February 22, 1924. HLI, Box 34: Hiram Johnson Campaign ‘I’

from Macomb, Illinois explained that “the farmer vote through the country did not turn out owing to the uncertainty that exists caused by the money stringency, which I may state to you is serious...if they voted for their choice Senator Johnson and not succeed they might incur the enmity of the banks.”¹³⁵⁹

The unkindest cut of all came in early May, when even California – with the aid of Herbert Hoover, who garnered his revenge on Johnson for 1920 by running the president’s primary operations in the state – moved into Coolidge’s corner by over 50,000 votes. “Of course, I am broken-hearted over the result in California,” Ickes told Johnson. “I had hoped even against hope that your own state would not disgrace itself.” Now, Ickes began to wonder “whether there is ever any use trying to fight the people’s battles.”:

You went into that state practically single-handed against a corrupt and strongly entrenched politico-business machine that was a disgrace to the state. You put that machine out of business. You cleaned out the state administration and made California the most progressive and forward looking of any of the states in the country...You did more than this: You put California on the map nationally. One would think that, regardless of results in other states, and disregarding any other consideration whatsoever, California would lose no opportunity to show to you its appreciation for the very real service that you have performed.

Yet a narrow-souled, small-minded time serving politician, with neither character nor ability, with no single public achievement to his credit, is given the preference vote. And people wonder why we have bad government, why our political ideals are so low and why men prefer to take their chances with the political machine rather than with the people themselves.

And yet what can a man do except to keep up the fight for what he believes in? You have tried to do what you thought was the right thing to do and you will just naturally have to go on doing the right thing regardless of political consequences to yourself. People are ungrateful; they forget easily; they follow false gods and yet one has to go on fighting for them just the same. It is just these qualities that make them need champions. Like children, they require protection against themselves.

As for being defeated you aren’t defeated. All the political machines and all the voters in the world can’t defeat any man. He can only defeat himself. In my political experience I have seen many a man apparently irretrievably beaten, but I have also seen these same men fight their way

¹³⁵⁹ Zardia Crain to Ickes, April 21, 1924. HLI, Box 34: Hiram Johnson Campaign ‘C’ Philip Elting, Esq. to Ickes, April 21, 1924. HLI, Box 34: Hiram Johnson Campaign ‘E’

back. No man is ever beaten who keeps up the fight. You still have your two good fists left and the wonderful courage that has carried you through the cruelest political fight I have ever seen a man engage in. This engagement has gone overwhelmingly against you, but you haven't been defeated in the war because you still have those same two good fists and your high spirits. And may I say in passing that you also still have devoted and loyal friends who are glad and willing to face the future with you."¹³⁶⁰

Johnson would not give up the fight, but he would spend much of the rest of the 1924 campaign season licking wounds and grinding axes. In the meantime, the Coolidge machine rolled on.

Coronation in Cleveland

On June 10th, one month after Coolidge's victory in California, the 1924 Republican Convention opened in Cleveland, at a time when most of America's attention was focused on the Leopold & Loeb trial unfolding in Chicago. Unlike the fiasco the Democrats were soon to unleash on an unsuspecting America from Madison Square Garden, it, noted *The New Republic*, "contain[ed] no surprises. From first to last, it was disingenuous, cold, and conservative." To former Secretary of the Navy Josephus Daniels, the Cleveland convention was "already cut and dried...[and] done up in moth balls to prevent injury." However predetermined the result, it soon became clear to all assembled that, with Boies Penrose in his grave three years, Will Hays in Hollywood, and Henry Cabot Lodge wandering the floor looking lost and bereft – one observer thought Lodge looked "like someone unemployed" – the usual faces of the Old Guard were no longer behind the wheel.¹³⁶¹

¹³⁶⁰ Hoover, 56. Murray, *The 103rd Ballot*, 225. Ickes to Johnson, May 8, 1924. HLI Box 33: Hiram Johnson.

¹³⁶¹ Sobel, 285. Murray, *The 103rd Ballot*, 225-230. "The Week," *The New Republic*, June 25th, 1924 (Vol. 39, No. 499), 109. La Follette, 1107.

Instead, the convention was almost completely controlled by Coolidge and his business-minded allies. The new Republican Party chairman was longtime Coolidge backer William Butler, a wealthy Massachusetts textile manufacturer, who, TNR thought, “was so dictatorial and arrogant that even machine politicians, accustomed to their serfdom and prepared to kiss the hand which wields the whip, found his overbearing attitude unendurable.” Before the end of the year, Lodge would be dead, and Butler would be appointed to his Senate seat.¹³⁶²

And, right down the line, the new power behind the Republican throne made itself known. “The mass of the convention,” wrote William Hard in *The Nation*, “perceived that Mr. Butler was making the Republican Party less and less in the image of a political party and more and more in the image of a patriotic, efficient, businesslike rotary club.” William Allen White, noting the presence of Secretary of the Treasury Andrew Mellon in the Pennsylvania delegation, declared that “for the first time, the owners of America were appearing in Republican conventions.” Oswald Villard, watching the opening invocation, was tickled in light of Teapot Dome by the bishop’s call that “the crooked shall be made straight,” and noted that the deity being appealed to was “the God of business success, the God of special privilege, the God of the exploitation of the masses on behalf of the big-business masters of the Republican Party.” Clearly, argued TNR, “the big business interests which in the past have exerted their influence through deputies...at Cleveland came out in the open and themselves made their demands.”¹³⁶³

¹³⁶² “The Week,” TNR, 6/25/24.

¹³⁶³ William Hard, “Coo with Coolidge,” *The Nation*, June 25th, 1924, 729. MacKay, 93-94. Oswald Garrison Villard, “The Convention of the Fit-to-Rule,” *The Nation*, June 25th, 1924 (Vol. 118, No. 3077), 730. TNR did qualify their remarks about the “business men’s bloc” by noting that theirs was a “victory by default... The Republican party is disorganized, disheartened, and leaderless...their victory is not a tribute to their strength but to their opponent’s weakness.” “The Week,” June 25th, 1924.

The convention certainly moved with a business-like efficiency. On the second day of the convention, June 11th, the 1924 platform – a sober-minded, innocuous document – was reported to the floor and accepted. After a preamble that eulogized the “reverent memory of Warren G. Harding” and reminded America of the tumult of the Wilson years, the platform endorsed “rigid economy in government,” lower taxes and higher tariffs, investment in roads and waterways, America’s joining the World Court, and the continuance of Harding’s policies with regard to disarmament and immigration restriction. Sidestepping a pit trap that would ensnare the Democrats, the document said nothing about the Ku Klux Klan other than a general statement that “[t]he Republican Party reaffirms its unyielding devotion to orderly government under the guarantees embodied in the constitution.”¹³⁶⁴

For progressives, there were nods to conservation, an anti-lynching law, the eight-hour-day, increased regulation (but not ownership) of public utilities, and protective legislation for women, as well a promise to root out “dishonesty and corruption” and support “clean and honest government” – although the platform also took pains to emphasize that corruption was a problem of “both parties.” (“It is a grave wrong,” the platform warned Democrats and progressives “against...patriotic men and women [in government] to strive indiscriminately to besmirch the names of the innocent and undermine the confidence of the people in the government under which they live.”) While recognizing “the fundamental national problem” facing agriculture and blaming it on Wilsonism, the platform prescribed higher tariffs, opening foreign markets, “reduction in taxes, steady employment in industry, and stability in business,” along with a few rhetorical flourishes in the direction of cooperative marketing and McNary-Haugenism. Perhaps the most important lines in the platform were these: “The prosperity of the American nation rests

¹³⁶⁴ Murray, *The 103rd Ballot*, 228. “Republican Party Platform of 1924,” Reprinted at The American Presidency Project (<http://www.presidency.ucsb.edu/ws/index.php?pid=29636>)

on the vigor of private initiative which has bred a spirit of independence. The Republican Party stands now, as always, against all attempts to put the government into business.”¹³⁶⁵

As in 1920, the platform impressed few. *The New York Times* thought it “not only verbose but labored,” and recommended instead: “Coolidge, that’s all.” To *The New Republic*, the “wordy platform was written as usual for the sole purpose of catching as many votes as possible.” In fact, the platform was more noteworthy to the editors of TNR for what it did not contain. “With the single exception of the World Court,” they noted, “it evaded every important question...The prohibition question was dodged. The Ku Klux issue was evaded with a statement so mild as to be meaningless. The Japanese exclusion aspect of the immigration law was ignored.” The closest thing to passion in this “dull and dispiriting document” was the evocation of the “protective tariff...The farmers were actually assured that they are in fact pretty well off and that the tariff is responsible for this happy state. Cynical contempt for the intelligence of the people could hardly be carried much further than this.”¹³⁶⁶

As usual, the delegation from Wisconsin had tried to put forward a completely different platform for the Republicans – one composed by La Follette – but they were laughed out of the platform committee, and their progressive-minded minority report was dismissed just as contemptuously on the floor by the assembled delegates. In making the case, Congressman Henry Cooper of Wisconsin reminded the assembled Republicans that 26 of the 31 planks Wisconsin had put forward since 1908 were now the law of the land. It didn’t take. The Wisconsin planks, particularly the one calling for government ownership of the railroads, were booed down. When the convention band, led by John Phillip Sousa, began to play “Hail, Hail,

¹³⁶⁵ Ibid.

¹³⁶⁶ Sobel, 284. “The Week,” June 25th, 1924, 109-110. La Follette, 1107-1109.

the Gang's All Here" to ease the tension, the crowd began to croon "All except Wisconsin, All except Wisconsin." To Villard, "the Wisconsin representatives blew the breath of life into the proceedings, redeemed the convention from the subserviency of a herd of soulless delegates, and quickened our faith in the survival in America of truth and honesty, reason and courage." He reminded his readers that Wisconsin "is always in advance of the party," and that "if another party does not get ahead of them," the Republicans will be "talking about these same issues a few years hence." But Villard was one of the few sympathetic observers there.¹³⁶⁷

Wisconsin made no friends on the floor on the morning of the third and final day of the convention either. After the president of the University of Michigan, Marion Burton, extolled the virtues of Calvin Coolidge, the convention erupted into a party that included everyone but Wisconsin. (The delegates ignored the continual cries of "Stand up, Wisconsin!" until Sousa played "The Star-Spangled Banner.") Then, the Republicans took the first and only presidential ballot of the convention: Coolidge led with 1065 votes, while La Follette had thirty-four (from Wisconsin and North Dakota), and Hiram Johnson ten (his winnings from South Dakota.) After the vote was taken, the floor called for unanimity, which Wisconsin refused to offer – prompting the chair to announce in oxymoronic fashion that "with the exception of a very few voices the nomination of Calvin Coolidge for President of the United States is made unanimous."¹³⁶⁸

Only in the afternoon of the third day, when it came time to choose a vice-presidential nominee, did the officious and business-like tone of the proceedings to that point begin to slip. Throughout the convention, party leaders – among them Nicholas Murray Butler, Secretaries Andrew Mellon and John Weeks, Speaker Frederic Gillett, and a smattering of other Old Guard

¹³⁶⁷ Murray, *The 103rd Ballot*, 227. Villard, "The Convention of the Fit-to-Rule," 731.

¹³⁶⁸ Murray, *The 103rd Ballot*, 228. Sobel, 286.

senators and representatives – had been trying to pick a good running mate for Silent Cal. (After one marathon session that lasted until four in the morning, Senator Harry New of Indiana declared “I am going off to bed. The kind of man you are looking for as vice-president was crucified nineteen hundred years ago.”) After talking with Coolidge, William Butler said the president wanted William Borah as his running mate, since having a progressive of note would balance the ticket. When Butler asked the assembled wise men what they thought of Borah, Secretary of War Weeks began spewing forth expletives, while Secretary Mellon shrugged and answered, “I never think of him unless somebody mentions his name.”¹³⁶⁹

But Borah wanted no part of it, and, as the convention story went, when the president called the Idaho Senator to offer him a place on the ticket he replied “At which end?” (To a friend, Borah confessed he “had no desire to sit mute and be a figure head for four long years; in fact, I would die of nervous prostrations.” To another, he argued that “one of the saddest things in the world was for a person to attempt suicide and not succeed but maim himself for life. Politically, I think that is just what the [vice-presidency] would be.”) The convention then turned to 1920 also-ran Frank Lowden of Illinois, who was nominated on the second ballot and announced to the world – except Lowden had no desire for the post either. By his third telegram unequivocally refusing the position, Republicans realized they had to go into a special evening session to pick someone else.¹³⁷⁰

At this session, names began popping up all through the convention hall – the farm bloc wanted William Kenyon, the Klan wanted James Watson of Indiana, Chairman Butler thought

¹³⁶⁹ McKenna, 208-210.

¹³⁷⁰ Sobel, 286. Vinson, 88. Murray, *The 103rd Ballot*, 228-229. Borah to Hon. A.T. Cole, October 10, 1923. WJB, Box 142: Politics – Misc.

Herbert Hoover made the most sense. But the business-minded representatives running the show desired one of their own: Chicago banker, former Budget director, Open Shop advocate, and originator of the Dawes plan Charles Dawes. On the third ballot, Dawes has 682 ½ votes, while his nearest competitor, Herbert Hoover, had only 234 1/2. And so, in what the nominee called “about the most unexpected thing in my life,” Charles Dawes found himself on the Republican ticket.¹³⁷¹

Temperamentally, the choice of the fiery, hot-blooded “Hell and Maria” Dawes well offset the prim, taciturn Coolidge – As one wag put it, “Coolidge and Dawes, Coolidge and Dawes, one for the freezes, and one for the thaws.” But, in terms of political orientation, it was now a conservative businessman backing a business-minded conservative. His inclusion, noted TNR, “shatters the last hope that any spark of liberalism will be found inside the ranks of the Republican Party this year.” Oswald Villard called the choice of Dawes “the greatest political blunder of all from the point of view of vote-getting,” while his journal called the choice “eminently fitting. If there is a rotary club or a chamber of commerce in America whose members are not swooning with joy at this beatification of big business...we should like to know which it is. No other man so well personifies the opposition of big business to union labor. We don’t see how anybody could have slapped the face of the American Federation of Labor more deliberately.”¹³⁷²

To *The New Republic*, the net result of the Cleveland Convention...will be to commit the Republican Party to a much more explicit and extensive support of big business as distinguished

¹³⁷¹ Murray, *The 103rd Ballot*, 229.

¹³⁷² Murray, *The 103rd Ballot*, 238. “The Week,” June 25th, 1924, 110. Villard, “The Convention of the Fit-to-Rule,” 732. “Editorial Paragraphs,” *The Nation*, June 25th, 1924 (Vol. 118, No. 3077), 721.

from small business, and of industry as distinguished from agriculture, than it ever has accepted in the past.” Clearly, “the advocates of the divine right of industry have become the most aggressive, self-confident and articulate faction among the Republicans.” Now, with a Coolidge-Dawes ticket and “with Mellon as economic spiritual advisor...they can for the present make the Republican Party smell like a Chamber of Commerce.” William Hard also saw “a new Republican Party” in Cleveland. “Gone were the emotionality of Lincoln, the dare-devilry of Blaine, the humanity of Hanna, the impetuosity of Roosevelt; instead there were a rising calculation, preciseness, scientific management, and autocratic orders from the planning room.” Oswald Villard was more succinct. “After three days one is inevitably forced to the conclusion that there is no longer any republic in America, or any democracy. We are ruled by a king and his name is Bunk.”¹³⁷³

“There never has been a time in our lives,” Hiram Johnson wrote Ickes of the Cleveland convention, “that big business has been so firmly in the saddle, and so determined in its activities.” In fact, he argued, “the invincible alliance of crooked big business and crooked politics will not brook the slightest opposition even from their former favorites, and the alliance has not only been admonishing, but punishing those who dare in any matter vote against the sacrosanct program which it has given to Coolidge.” Among those on the outs, Johnson noted with a certain relish, were “the pseudo-progressives...[Those] who have crawled during our campaign, and who were received during that period so graciously, have been kicked as viciously and as thoroughly as under the old Taft regime.”¹³⁷⁴

¹³⁷³ “The Business Man’s Bloc,” *The New Republic*, June 25th, 1924 (Vol. 39, No. 499), 113-115. William Hard, “Coo with Coolidge,” 729. Villard, “The Convention of the Fit-to-Rule,” 732.

¹³⁷⁴ Johnson to Ickes, June 10, 1924. HLI Box 33: Hiram Johnson.

That is with one exception, which Johnson noted with both exasperation and envy: Borah. “He is able to run with the hare and hunt with the hounds in a fashion that I believe no other man in politics has ever equaled,” Johnson told Ickes of his colleague:

He has been the spokesman for Mellon and he is praised by LaFollette...He has been the constant adviser of Coolidge, and the beautiful child of the *New Republic* and other parlor liberals. The World Sunday published a table of votes of senators for or against Coolidge and the policies that have been given Coolidge. It looked like a baseball score. There was only one man who batted 100% for Coolidge, and that was Borah of Idaho.¹³⁷⁵

“I admire the ability, perhaps you would call it cunning, with which Borah can be upon both sides and get away with it,” concluded Johnson. “I think it is the most remarkable exhibition we have ever seen in our politics.” In a letter the following month, Johnson marveled at an article he “read in the *New Republic* that there were really only two Progressives, LaFollette and Borah. And yet I observe the latter, not only voting against the Child Labor amendment, but actually the leading exponent of Mr. Mellon and voting in favor of the Mellon Tax Plan, and the chief adviser with Mr. Dwight Morrow of President Coolidge. With such contrary exponents of Progressivism as LaFollette and Borah held out to us by our omniscient intellectuals, the ordinary intellect may be pardoned a bit of confusion.”¹³⁷⁶

Borah aside, Johnson asked Ickes whether “it might be a good time for some of the old Progressives to get together, not for the purpose of bolting the Republican Party, nor for the purpose of fighting Coolidge, but simply to keep in touch with one another upon the general idea of Progressivism. It has been suggested that William Allen White, Henry Allen...Pinchot, Payne, yourself, Robins, myself, and such others as might be appropriate, get together in a kind of love fest at a dinner or luncheon, so that there might be some sort of cohesion of the progressive

¹³⁷⁵ Ibid.

¹³⁷⁶ Ibid. Johnson to Ickes, July 14, 1924. HLI Box 33: Hiram Johnson.

forces in the country.” At the very least, thought Johnson, it might be a good idea to prevent “the wild-eyed radicals of the La Follette group” to lay claim to the name. And in any case, the California Senator argued, “it seems ridiculous that men who on many points have a similarity of views, have let their forces be dissipated and destroyed, because upon a single point they may not agree. However, this is perhaps the mental attitude of our so-called Progressives and probably always will be.”¹³⁷⁷

Ickes was even more disgusted than Johnson with the goings-on in Cleveland. “I never had the slightest intention of voting for Coolidge,” he told his friend. “It would have been much easier for me to support Harding in 1920.” The convention, Ickes thought, had exposed that there “is a distinct cleavage now. The futility of attempting to reform the Republican Party from the inside, to make it voluntarily progressive, must appeal to any open minded man as being quite futile. To work for Coolidge and help to keep him in the White House is to sin against the light; is to kill republican-progressivism and put reaction in the seat of power; is to advocate what we have against all our political lives...there is a higher duty than that of mere party loyalty. There is a duty to the principles that we believe in.”¹³⁷⁸

The nomination of Dawes only cemented Ickes’ resolve. “No one can any longer have any doubt about the Republican Party and what it really represents. It is the party of reaction and it glories in its shame...The issue is straighter and more definite than any issue we have ever faced not even excepting 1912.” There was no way Ickes was going to “vote for the political bell-hop who is at the present moment masquerading as a President.” Arguing that the “futility of attempting to reform the party from within must appeal to every reasonable mind,” Ickes told his

¹³⁷⁷ Johnson to Ickes, June 10, 1924. HLI Box 33: Hiram Johnson.

¹³⁷⁸ Ickes to Johnson, June 11, 1924. HLI Box 33: Hiram Johnson.

friend he was done forever with the party of Lincoln and Roosevelt. “My present disposition is to curse the Republican Party and all its works and leave it for good and all.”¹³⁷⁹

As for the old Roosevelt Progressives, Ickes thought the group was unsalvageable and any meeting a “futile gesture.” “[P]ersonally, I don’t see the use,” he told Johnson. On one hand “some of those who naturally would be invited and who ought normally to attend wouldn’t come because they are so busy being regular that they would be afraid of being caught playing hookey.” On the other, given the political predilections of Robins and White, the group would assuredly try to go on record as endorsing Coolidge. Upon further consideration, Johnson agreed with Ickes that “the calling of the old Progressives together is wholly useless... Indeed, there are not any Progressives left. We have a mild sort of protestant, who in reality hopes and prays he may exchange his protest for an office bestowed by the regulars or for a pat on the back by them.” Now, Johnson sighed, the so-called progressives were people like “Borah, who plays both ends against the middle,” and “our friend, Raymond, posing as the people, and longing for a place in the sun with selected few. We’ll forget the suggestion about those who once were our Progressive brethren.”¹³⁸⁰

¹³⁷⁹ Ickes to Johnson, June 11, 1924. Ickes to Johnson, July 15, 1924. Ickes to Johnson, June 13, 1924. HLI Box 33: Hiram Johnson.

¹³⁸⁰ Ickes to Johnson, June 13, 1924. HLI Box 33: Hiram Johnson. Johnson to Ickes, June 16, 1924. HLI Box 33: Hiram Johnson. When George Henry Payne asked Ickes about a possible Progressive summit, Ickes gave a similar answer. “Just after Harding and Coolidge were nominated in 1920,” he replied, “we had a conference at the University Club. We gathered up every one we could find in a hurry. Allen, White... Pinchot, Robins, and others. We counted the survivors, felt of our wounds and decided that whatever happened we would have frequent conferences and stay together. And we haven’t met since. I ventured to predict at that meeting that there wouldn’t be another conference. With the sole exception of myself all of those conferees supported Harding and Coolidge and helped to give us the most corrupt administration in the history of the country. Since then some of them have learned to like the medicine that was forced down their throats at that time. I doubt if we could get many of them to sit around the same table now. Many of them would be afraid that Coolidge would hear of it and turn them over his knee for a sound spanking.” Ickes to George Henry Payne, June 13, 1924. HLI, Box 36: George Henry Payne.

Nonetheless, Johnson told Ickes, “I see myself in the next four years as a pretty lonely individual.”¹³⁸¹

Schism in the Democracy

Meanwhile, on the other side of the aisle, spirits were high. After the midterm results in 1922, and especially after Teapot Dome began to leak, the coming presidential election looked in all likelihood to be a Democratic year. “We have the next election in the hollow of our hand,” bragged WIB financier Bernard Baruch, while Congressman John Nance Garner of Texas thought “Teapot Dome is giving us sufficient fuel to heat up the entire country.” Even on the eve of the 1924 convention, TNR thought that “the Democratic leaders are clearly suffering from over-confidence. They believe they are sure to win, and like all politicians under these circumstances they will be no more liberal or courageous than they have to be.” But, first, the party had to find a candidate to rally behind, which would prove no small feat. If the Republicans had shown the nation the ascendancy of the business class, the Democrats would become an unfortunate case study of the intensity and animosity animating the culture wars of 1924.¹³⁸²

After losing the 1920 nomination primarily on account of his indecision – which arose from a sense of duty to his ailing father-in-law, Woodrow Wilson – William Gibbs McAdoo was determined not to make the same mistake in 1924. Now based in California, where he gained the favor of local boss James D. Phelan, McAdoo spent the 1922 election season campaigning for congressional Democrats in the West and building up both his name recognition and his bullpen

¹³⁸¹ Ibid.

¹³⁸² Murray, *The 103rd Ballot*, 33. “The Week,” *The New Republic*, July 2nd, 1924 (Vol. 39, No. 500), 140. One savvy Democratic observer who wasn’t as sure of victory was Cordell Hull, the architect of the 1922 midterm strategy. In April 1923, he warned of “overconfidence, dereliction, mismanagement, or mistakes on the part of Democratic leaders.” “Victory next fall is in the hands of the Democrats themselves,” he argued a year later. “I trust we keep out of sinkholes in the meantime.” Ibid.

of potential allies. As soon as the midterms were over, he began to build his organization for the coming fight, comprised mostly of fellow former Wilson men, the most notable of which was Baruch. By June 1923, H.L. Mencken lamented that the coming presidential election was undoubtedly going to be a McAdoo versus Harding contest, which, Mencken thought, “would bring us one step nearer...to the goal toward which American politics have been moving for years past: the amalgamation of the two great parties. Both have lost their old vitality, all their old reality...[their only difference] is their division on sectional lines. In the South the morons still vote the straight Democratic ticket.”¹³⁸³

Mencken’s “moron” comment speaks to the significant cultural divide that McAdoo, or any Democratic contender, would have to bridge. While Mencken was a proud and avowed Baltimore Wet, McAdoo was particularly popular in the South and West on account of his steadfast Dryness over the years. From America’s earliest days, saloons had been the political meeting place of choice for parties out of power, be they colonial revolutionaries or Irish immigrants, and so the Dry vs. Wet issue had never been just about alcohol. But by the mid-1920’s it had become a loaded signifier for other deep cultural schisms in American life.¹³⁸⁴

In effect, the real question was about who was really in the driver’s seat in modern America. Supporters of Prohibition in rural America often viewed themselves as the hardy, Protestant, and 100% American native stock that comprised the backbone of the republic – men and women who stood for respecting the law, the flag, and the literal truth of the Bible. By contrast, Wets were thought be lawbreakers, the teeming immigrants of the festering cities, or at

¹³⁸³ Murray, *The 103rd Ballot*, 40-43. Mencken, 59.

¹³⁸⁴ Kevin C. Murphy, “Public Virtues, Public Vices: Republicanism and the Tavern,” 2001 (<http://www.kevincmurphy.com/RepublicanTavern.htm>)

best, the intellectuals and parlor Bolsheviks who thought themselves too smart and all-knowing to heed the Word as it was written. A list of bootleggers, evangelist Billy Sunday argued in 1921, “reads like a page of directories from Italy and Greece.” Conversely, urban Wets saw themselves as modern, tolerant, and cosmopolitan folk, and – not unlike Mencken – looked on rural Drys as ignorant and backwards “Booboisee” who spent their leisure time doing ridiculous things in white hoods.¹³⁸⁵

That these stereotypes were broad (and often misleading – as historian Kenneth Jackson has noted, the Ku Klux Klan emerged in many a Northern city as well) did not diminish the intensity of feeling behind them. In effect, the passions that animated the anti-German and anti-Red sentiment of the war and post-war eras became sublimated into the liquor issue, and the question of Prohibition became fraught with geographic (urban vs. rural), religious (Protestant vs. Catholic), and racial (native vs. immigrant) import. Compounding matters even further, Prohibition also took on the quality of a religious crusade, with notable speakers like Sunday and William Jennings Bryan, the longtime kingmaker of the Democratic Party, freely invoking the Bible to make the case for casting out the demon rum. One did not compromise with the Devil, or his consorts.¹³⁸⁶

Another indicator that the lines between Wet and Dry were not as well demarcated as stereotypes suggest was the presidential candidacy of Senator Oscar Underwood of Alabama. Hailing from the Deep South, Underwood was for state’s rights, the League of Nations, and the World Court and resolutely against Big Government, women’s suffrage, the Ku Klux Klan, and Prohibition. To Bryan, Senator Underwood was an “anti-progressive” and a “tool of Wall

¹³⁸⁵ Murray, *The 103rd Ballot*, 9.

¹³⁸⁶ Kenneth Jackson, *The Ku Klux Klan in the City* (New York: Oxford University Press), 1967.

Street,” a “New York candidate living in the South.” To the Klan, he was the “Jew, jug, and Jesuit” candidate. While never pulling much of a following outside of his native state, Underwood would be a particular thorn in the side of McAdoo, particularly once he vowed to get an anti-Klan plank into the Democratic platform of 1924.¹³⁸⁷

When it came to the Klan, McAdoo at times wasn’t shy about voicing an oblique criticism of the organization. (After all, his principal benefactors, James Phelan and Bernard Baruch, were Catholic and Jewish respectively.) When specifically asked about his stance at a Georgia campaign stop in March 1923, he replied that he stood “four-square with respect to this and every other order, on the immutable guarantee of liberty contained in the first paragraph of the Constitution of the United States, that is, for freedom of speech, freedom of the press, freedom of religious worship, and the right of peaceable assemblage.” That being said, McAdoo never castigated the Klan by name either. Upon his official announcement that he was running in 1923, *The Nation* thought him a decent choice on some issues. “Unfortunately, he has hitherto avoided the issue of the Klan, and he cannot be unaware that in the South he is coming to be generally regarded as the Ku Klux Klan’s candidate.”¹³⁸⁸

The Klan issue would continue to nettle McAdoo, but it would be a slicker substance than beer that would cause his campaign to truly start unraveling. On February 2nd, 1924, upon hearing the news that Woodrow Wilson was at death’s door, McAdoo and his wife Eleanor boarded a train in Los Angeles for Washington to pay their last respects. If McAdoo was looking forward to being free of his father-in-law’s shadow at last, he did not have long to savor the

¹³⁸⁷ Murray, *The 103rd Ballot*, 50-53.

¹³⁸⁸ Ibid, 88. “National Affairs: A Flat Reply,” TIME Magazine, March 24, 1924. *The Nation*, November 28, 1923 (Vol. 117, No. 3047), 593.

moment. At a stop in Albuquerque, the McAdoos were informed that President Wilson had perished. What's more, newspapers were breaking the story of Edwin Doheny's testimony before the Walsh Committee the week before, when the oilman had admitted to keeping McAdoo on the payroll to the tune of \$250,000. Urban newspapers immediately began dancing on McAdoo's grave – the joke being that McAdoo would now be attending two Washington funerals this week, Wilson's and his own – while party leaders began asking him to withdraw from the field. “You are no longer available as a candidate,” a grieved Thomas Walsh told his friend.¹³⁸⁹

Having been derailed in 1920, McAdoo refused to cede the field without a fight this time. “McAdoo is mad,” wrote one of his advisors, Breckinridge Long, in his diary on February 8th. “He is full of fight. He is swearing mad. He is just as profane as I get when I get mad. He is cursing and swearing, damning every opponent and every obstacle.” As such, the campaign immediately went on the offensive. McAdoo himself appeared before the Walsh committee on February 11th arguing that the payments were for proper legal services and nothing more. A week later, on February 18th, McAdoo gave a fire-and-brimstone speech in Chicago to three hundred supporters gathered from forty states, promising, in the words of the resolution passed at the event, to “accept the leadership of the Progressive Democracy of the nation.”¹³⁹⁰

But even after the successful Chicago pep rally, the air began to let out of the McAdoo balloon over the next few months. In his review of Mary Synon's election-year bio *McAdoo: The Man and his Times, A Panorama in Democracy* – entitled “McAdoo, Plunger” – *Nation* writer Harry Elmer Barnes joked that “the unforeseen ramifications of the oleaginous archaeology initiated by Senator La Follette and executed by Senators Walsh, Wheeler, and others seem

¹³⁸⁹ Murray, *The 103rd Ballot*, 45.

¹³⁹⁰ *Ibid*, 46-48.

likely to have converted this book, intended as a prompt and opportune campaign biography, into a political obituary.” To fight this emerging storyline, the McAdoo camp began to campaign aggressively everywhere for delegates, thus – much like General Leonard Wood in 1920 – aggravating several of the favorite son candidates in the 1924 hunt. When McAdoo marched into Georgia in March 1924 and, with the aid of the Klan, subsequently thumped Alabama’s Oscar Underwood by a two-to-one margin in the state, he both gained a lasting enemy in Underwood and fueled the whispers nationwide that he was in fact the Ku Klux’s Kandidate. McAdoo stoked further animosities by rushing headlong into Missouri (Senator James Reed’s territory), Illinois (the backyard of Chicago boss George Brennan), and Ohio, where he was decisively defeated by the presidential candidate of 1920, Governor Cox, by a count of three to one.¹³⁹¹

While McAdoo’s forays into everyone else’s territory made him the delegate leader heading into the Democratic convention in New York City, it didn’t alter progressive opinion of his candidacy. “We must state our opinion,” *The Nation* editorialized in June 1924, “that Mr. McAdoo’s nomination would be a moral disaster for the whole country. It would mean that a great party had overlooked offenses against good taste and decency which ought never to be overlooked. He sold his influence as the son-in-law of the President to Doheny and to others.” As for the legal services claim, “no legal services could be worth such a fee.” In short, McAdoo’s continued bid was “another proof of that decay of moral sensibility in America which tolerates the candidacy of Calvin Coolidge, who never lifted a finger to drive the rascals out. Surely the next proper step if such as these prevail would be to auction off the Presidency from the steps of the Capitol at Washington to the highest bidder.”¹³⁹²

¹³⁹¹ Ibid, 48-49, 53-54, 86-87. Harry Elmer Barnes, “McAdoo, Plunger,” *The Nation*, June 25th, 1924 (Vol. 118, No. 3077), 741.

¹³⁹² “The Case for Mr. McAdoo,” *The Nation*, June 25th, 1924 (Vol. 118, No. 3077), 741.

In addition, the oil gusher soaking McAdoo's candidacy encouraged several other favorite sons to enter the presidential contest, including the esteemed Senator Carter Glass of Virginia, the Klan-backed Governor of Indiana, Samuel Ralston; the younger brother of the Great Commoner, Charles Bryan of Nebraska, and the relatively unknown former Ambassador to Britain, John W. Davis of West Virginia. But the person it most helped was the candidate that urban Wets had rallied around from the start, and who McAdoo's followers most despised, Governor Al Smith of New York.¹³⁹³

As soon as Smith decisively took back the New York governorship in 1922, his name started being mentioned among the possible presidential candidates. That being said, however enamored he was in New York, the governor's baggage in a national race was considerable. "We have frequently expressed our admiration of Governor Smith as a man and as an executive," wrote TNR in November 1923. "He is courageous, honest, and a genuine democrat. We regard as unworthy of America the religious intolerance that would dismiss forthwith his claims to consideration as a candidate for the presidency on the one ground that he is a Catholic. But a Roman Catholic candidate on a *wet* platform is about as good a definition of unavailability as could be devised. Anybody could beat such a combination – even Nicholas Murray Butler."¹³⁹⁴

Charles Francis Murphy, the boss of Tammany Hall, wanted to make a go of it regardless. For decades, Tammany had backed Smith – as a backbencher state assemblyman in 1903, as Democratic floor leader in 1911, as Speaker of the Assembly in 1913, as sheriff of New York City in 1915, President of the Board of Aldermen in 1917, and as Governor in 1918. But the organization, recognizing Smith's talent, had also kept him from the dirtier side of the

¹³⁹³ Murray, *The 103rd Ballot*, 72-75.

¹³⁹⁴ "The Week," *The New Republic*, November 28th, 1923 (Vol. 37, No. 469), 3-4

patronage business and instead gave him free rein to do what he did best. In the wake of the 1911 Triangle Fire, a disaster which saw 146 garment workers, mostly women under the age of 25, consumed by fire or forced to leap to their death – all because the factory’s owners had locked the doors of their ninth floor sweatshop on the way out – Smith proved that the Tammany machine and progressive reform could co-exist together. Working with State Senator Robert Wagner and social worker Frances Perkins, who would become one of Governor Smith’s key aides, Smith publicized the disaster and pushed through worker protections and fire safety laws that would become models for the nation.¹³⁹⁵

By 1924, Smith was a nationally-known figure with impeccable progressive credentials – and yet, as a Catholic, Wet New Yorker of Irish, German, and Italian descent, he was also the worst nightmare of a not-inconsiderable percentage of the Democratic Party. Moreover, Smith was not the type of fellow to tone it down for potentially hostile audiences. Quite the contrary, the Governor was proud of who he was and from where he hailed – Wherever Smith went after 1920, a band would strike up “The Sidewalks of New York” soon enough. He claimed to hold a degree of FFM (Fulton Fish Market), wore his trademark derby hat everywhere he went, consistently pronounced words in Noo Yawkese (for example, “orspital” (hospital), “foist” (first), “poisun” (person), “soivice” (service), “woik” (work) and “raddio” (radio)), and proudly proclaimed he’d “rather be a lamppost on Park Row than the Governor of California.” If all this weren’t frightening enough to the hinterlands, Smith was also very publicly Wet. “Wouldn’t you like to have your foot on the rail,” he once waxed nostalgic to a reporter, “and blow the foam off some suds?” Smith thought he was off the record then, but, in 1923, he was certainly on the

¹³⁹⁵ Murray, *The 103rd Ballot*, 59-60. “The Triangle Fire,’ *The American Experience* (<http://www.pbs.org/wgbh/americanexperience/features/introduction/triangle-intro/>) According to Franklin Roosevelt, “Murphy always made it a point to keep Al honest. He never let Smith get smeared or tangled up with any of the dirty deals...because he thought he was a capable fellow and could go far.” Murray, *The 103rd Ballot*, 62.

record when he signed the repeal of the Mullan-Gage Act, which was New York's state-level version of the Volstead Act. Prohibitionists across the nation were aghast that the Empire State, so often a trend leader across the nation, had taken the first step toward repeal. "Governor Smith has simply dishonored his office and disgraced himself," declared William Jennings Bryan, "he cannot lead the nation back to wallow in the mire."¹³⁹⁶

All of that being said, Boss Murphy still wanted to see Smith in the White House, if nothing else than as an example to the nation that a Catholic could be President. So, from 1922 to 1924, he met with some of his fellow Northern Democratic bosses, like George Brennan of Chicago, James McGuffey of Pennsylvania, Albert Ritchie of Maryland, and Tom Taggart of Indiana, in an attempt to build an anti-McAdoo coalition around Smith. But before Murphy could see his plans come to fruition, he perished of a heart attack in April of 1924.¹³⁹⁷

With Murphy's death, "the brains went out of Tammany Hall," noted journalist Arthur Krock, and consensus in the political media was that Smith's brief foray into the presidential field was now over. But, while visibly distraught at the loss of his mentor, Smith had no plans to stand down. He and his close-knit political team – Joseph Proskauer, Belle Moskowitz, and Robert Moses, all of whom were of Jewish descent, and thus as suspect as their candidate to the eyes of many – knew they needed to find someone new to front the Smith candidacy. They needed a Dry, WASP-y Protestant that could mend fences with the rest of the party. They needed Franklin Delano Roosevelt.¹³⁹⁸

¹³⁹⁶ Murray, *The 103rd Ballot*, 59, 63, 65. Robert Slayton, *Empire Statesman: The Rise and Redemption of Al Smith* (New York: Free Press, 2001), 109, 166, 194. Goldberg, *Discontented America*, 175.

¹³⁹⁷ Murray, *The 103rd Ballot*, 66-68.

¹³⁹⁸ *Ibid.*

Despite his bungling of the Haiti issue, Roosevelt's energetic performance on the campaign trail had been one of the few silver linings for the Democratic Party coming out of 1920. But in August 1921, while vacationing at his usual family retreat on Canada's Campobello Island, fate struck an unkind blow. One day after a long, strenuous sail to the island, the 39-year-old Roosevelt fell into the cold waters of the Bay of Fundy. "I never felt anything so cold as that water," he later recalled. The day after that, the Roosevelt family spent several exhausting hours fighting a nearby forest fire, which the hardy Franklin followed up with a two-mile jog and swim. ("I didn't get the usual reaction, the glow I'd expected.") Sorting through the mail that evening in his wet bathing suit, Roosevelt suddenly felt light-headed – "I'd never felt quite that way before" – and retired to bed, believing he had contracted a "slight case of lumbago." The next morning, he woke up feverish, aching all over, and with his left leg feeling sluggish. By the afternoon, that leg was dead weight. By the next morning, both legs had gone numb – yet also extremely sensitive to even the slightest touch – and the fever-wracked Roosevelt could no longer stand.¹³⁹⁹

As it happened, one of the most eminent surgeons in America, William Keen, was vacationing nearby. A pioneer in brain surgery, Dr. Keen had secretly operated on Grover Cleveland in 1893 to remove a cancerous lesion from the then-president's jaw. Now, he diagnosed the ailing Roosevelt with "a clot of blood from a sudden congestion – settled in the lower spinal cord." In the weeks to come, as Roosevelt remained feverish, paralyzed from the waist down, and in intense pain, doctors at Presbyterian Hospital in New York diagnosed the President with paralytic poliomyelitis, or polio, a viral scourge that would prey on thousands of Americans a year before Dr. Jonas Salk's development of a vaccine in 1955. In 2003, doctors

¹³⁹⁹ Schlesinger, *Crisis of the Old Order*, 367. Armond S. Goldman *et al*, "What was the cause of Franklin Delano Roosevelt's paralytic illness?," *Journal of Medical Biography*, Vol. 11, November 2003, 232-240.

reviewing Roosevelt's case suggested that his condition might well have been Guillain–Barré syndrome, a rare autoimmune disorder after an infection in which the body's immune system attacks the patient's nervous system instead. In either case, the remainder of 1921 and 1922 would be some of the bleakest days Franklin and Eleanor Roosevelt would ever know, and, despite his best efforts, Roosevelt would never walk unassisted again.¹⁴⁰⁰

By early 1924, Roosevelt – after years of physical therapy and soul-searching – had begun to take an active interest in Democratic politics once more. “It seems to me that we have got to nominate a really progressive, if not a radical Democrat,” he wrote one friend. “[I]f I did not still have these crutches I should throw my own hat in the ring.” Although he originally supported his fellow Wilson alumnus McAdoo, Roosevelt was among those who thought the taint of Teapot Dome would be impossible to overcome. Roosevelt also thought Smith was too parochial a candidate to win the nomination in 1924 – “we might be able to get him the nomination in 1928” – and that signing the Mullan-Gage repeal had been a political mistake. (Despite his secret stash of “Old Reserve,” Roosevelt was publicly Dry.) But the Smith candidacy still presented him an opportunity to get back into the game, and to repair relations with the Tammany wing of the New York Democratic Party, whom Roosevelt had often feuded with during his brief time in the State Senate. (In fact, Roosevelt had run against the Tammany candidate for Senate in the 1914 Democratic primary, and had gotten thrashed by a three to one margin.) And so, on May 1st, 1924, Roosevelt accepted the post of Smith's national chairman.¹⁴⁰¹

¹⁴⁰⁰ Goldman, et al. “When the President is the Patient,” College of Physicians of Philadelphia (<http://www.healthmedialab.com/html/president/index.html>) “Polio Disease: Questions and Answers,” Centers for Disease Control (<http://www.cdc.gov/vaccines/vpd-vac/polio/dis-faqs.htm>) Schlesinger, *Crisis of the Old Order*, 368-376.

¹⁴⁰¹ Schlesinger, *Crisis of the Old Order*, 376. Murray, *The 103rd Ballot*, 68, 89. Finan, 238-239.

While Roosevelt and Smith tried to temper the Governor's image some for national consumption – “No matter what we think of the Volstead Law,” Smith now said, convincing no one, “it is the law of the land and we must support it” – the Governor still remained very much a local candidate. Wetness and Catholicism were each high hurdles on their own for a potential nominee – Taken together, they seemed nearly insurmountable. Even H.L. Mencken, who, as in 1920, believed the Democrats could win if they got behind “a safe and incurable wet of national reputation...and make the campaign on a beer-wagon,” thought Smith's candidacy “obviously hopeless: the day he was nominated the Methodist Ku Kluxers of every State south of the Potomac would begin building forces along the coast to repel the Pope.” It didn't help matters that, while possessing an impressive mastery of issues affecting the urban realm, Smith could barely feign interest on topics like the League of Nations or agricultural policy.¹⁴⁰²

Still, Smith mustered his own cache of delegates before the convention, most of them from the Northeast Corridor, but also from a primary win in the Wet state of Wisconsin. (“I don't even know anybody way out there,” remarked the Governor, “I've never been there, nor in Minnesota.”) In Minnesota, Colorado, Michigan, and Pennsylvania, Smith was also strong enough to fight McAdoo to a draw, usually forcing either uninstructed or split delegations or declarations in favor of a neutral favorite son. And, unlike the hyper-aggressive McAdoo, Smith's more laid-back candidacy hadn't made enemies of favorite sons like James Cox in Ohio, and Oscar Underwood in Alabama, or powerful bosses like George Brennan in Illinois and Tom Taggart in Indiana – suggesting that if the balloting continued for awhile, Governor Smith would be in a better opportunity to capitalize.¹⁴⁰³

¹⁴⁰² Murray, *The 103rd Ballot*, 70-71. Mencken, 72.

¹⁴⁰³ Murray, *The 103rd Ballot*, 85-91.

By the eve of the Democratic convention in New York City, McAdoo was the clear frontrunner with 270 delegates, but Smith was in the hunt with 126 of his own, and the vast majority were either with favorite sons (220) or uncommitted (over 1000). In short, anything could happen. Since “Smith is too wet [and] McAdoo is too oily,” *The Nation* predicted “a compromise agreement by exhaustion upon some man whom the American people would never in the world of their own free choice pick for the Presidency.” H.L. Mencken also guessed – as early as October 1923, in fact – the Democrats would likely find themselves impaled and writhing on the horns of Wet and Dry. “Whoever is nominated by the Democrats will be a palpable fraud,” Mencken mordantly predicted. “No even half-honest man has any more chance of getting the nomination than a Chinaman.” But, as cynical as he was, even Mencken couldn’t have predicted that the assembled Democrats in New York would so publicly and appallingly commit political suicide.¹⁴⁰⁴

Escape from New York

“This thing has got to come to an end,” begged Democratic humorist Will Rogers a week into the ensuing fiasco, “New York invited you as guests, not to live.” In years to come, Rogers quipped, when little children asked their fathers if they were in the war, they would reply, “No, son, but I went through the New York Convention.” Mencken harrumphed that the “convention is almost as vain and idiotic as a golf tournament or a disarmament conference.” Journalist Arthur Krock deemed the unfolding Democratic nightmare “a snarling, cursing, tedious, tenuous, suicidal, homicidal roughhouse.” Lippmann thought the Democrats had taught America “more at firsthand about the really dangerous problems of America” and “learned more of the actual

¹⁴⁰⁴ Ibid. “Editorial Paragraphs,” *The Nation*, July 2nd, 1924 (Vol. 119, No. 3078), 1. Mencken, 72.

motives which move the great masses of men than anyone of this generation thought possible.”

“No man or woman who attended the Convention of 1924 in the old Madison Square Garden will ever forget it,” Daniel Roper, one of McAdoo’s lieutenants, said later in life. “This country has never seen its like and is not likely to see its like again.” Over three decades later, Al Smith’s daughter still remembered those sixteen days with a shudder. “Traits that I do not like to think of as American played too great a part that year,” she winced.¹⁴⁰⁵

And, for the first time in history, the convention had all been broadcast nationwide through the miracle of radio.

From the start, nothing seemed to go right for the Democrats in New York. The month before the Democracy convened at the old Garden, the Barnum and Bailey circus had been in town, and, in the stifling heat wave that accompanied the overcrowded convention, the smell of the circus animals lingered throughout the entire proceedings. While clearly Smith territory, New York had also been home to William McAdoo for many years – he had been instrumental in the creation of two underground tunnels for the Hudson and Manhattan Railroad (today, the PATH trains). But McAdoo’s rural supporters were less used to the vertiginous chasms and hustle and bustle of Gotham – “I’d sure hate to be a dog or a boy in New York,” said one – and Smith-adoring locals took many an opportunity to make fun of the drawling, countrified “apple-knockers” and “turd-kickers.”¹⁴⁰⁶

¹⁴⁰⁵ Leuchtenburg, *Perils of Prosperity*, 134. Miller, 167. Slayton, 215. “The Ballot Brawl of 1924,” *Washington Post*, March 4, 2008, C1. Brown, 21. Murray, *The 103rd Ballot*, xiii.

¹⁴⁰⁶ Miller, 167. Murray, *The 103rd Ballot*, 97, 105-106. Leuchtenburg, *The Perils of Prosperity*, 133.

Even attempts by the City to be neighborly often backfired. A statue of “Father Knickerbocker” placed above the Hotel Astor to welcome guests was, to the disgust of Dry visitors, holding a mug of beer. A group of fundamentalist Texans who wanted to find out which block on the “Avenue of States” had been given to their home found themselves face-to-face with St. Patrick’s Cathedral. Others looking for a church on Sunday were encouraged to attend Riverside Church, where they were regaled by Harry Emerson Fosdick, America’s foremost apostle of Modernism and enemy of Fundamentalism. Others still wandered about only to be confronted by the sight of Wall Street or Tammany Hall – ancient and foreboding symbols of the Enemy – or any number of speakeasies and nightclubs.¹⁴⁰⁷

Visiting delegates weren’t safe in the Garden either. At one point, the convention band inadvertently tried to accompany a pro-McAdoo demonstration by southern Democrats with the song “Marching Through Georgia.” And at any time, the upper galleries were crowded with rowdy New Yorkers – Smith supporters, all – who would rain down ridicule and opprobrium upon the convention floor whenever events took a McAdoo turn, to the point where even the Smith campaign tried to tamp them down. Even notwithstanding the Manichean proportions of the Prohibition and Catholic issues, these experiences hardened rural delegates’ hearts against Smith, just as the intolerance and public machinations of the Klan – on Independence Day, as the convention wended into its tenth day, 20,000 Klansmen would rally against Smith at Long Branch, New Jersey – hardened Smith delegates against McAdoo. As the nominating contest became less and less a friendly political rivalry among fellow Democrats and more a holy war

¹⁴⁰⁷ Ibid.

for America's future, delegates on both sides became increasingly intransigent, refusing to change their vote on ballot after ballot after ballot.¹⁴⁰⁸

Further compounding matters were the idiosyncrasies of the convention rules. The two-thirds rule – providing that the eventual nominee must garner two-thirds of the total vote, or 732 delegates – was a stumbling block for McAdoo, who, while usually polling first, had made too many enemies to get over the hump. But the unit rule, which decreed (if a given delegation had been instructed by their state party to use it) that a nominee got an entire state's vote if he held a majority of that state's delegates, further kept McAdoo's forces from dissipating to other candidates. Taken in total, it was a recipe for grinding stalemate that would result in over a hundred ballots being cast – close to doubling the previous record of fifty-seven, set by the 1860 Democratic convention in Charleston, South Carolina.¹⁴⁰⁹

The first day of the convention, Tuesday, June 24th, was deceptively calm, with introductory speeches by noted orator Senator Pat Harrison of Mississippi, who decried the “saturnalia of corruption” in the Harding White House, and the hometown mayor, John Francis Hylan. (When an English visitor in the galleries complained of being bored, an American reporter told him, “Just wait, those are Democrats down there.”) The second day started off relatively normally as well, with Senator Thomas Walsh being named the permanent chairman. As the prosecutor of Teapot Dome, his presence not only suggested Democratic rectitude in the face of Republican corruption, but also a fusion of the two warring campaigns – Walsh was an anti-Klan Catholic from the West who had previously supported McAdoo. As such, it was the last savvy public relations move of the convention. And even then, many of the pros of Walsh's

¹⁴⁰⁸ Leuchtenburg. Murray, *The 103rd Ballot*, 108-109, 210.

¹⁴⁰⁹ Murray, *The 103rd Ballot*, 90, 92, 112-113, 181.

appointment would be overshadowed by the increasingly ornery Senator having to become ever more heavy-handed with the gavel over the next fortnight. At one point, Walsh banged the gavel so hard the mallet broke off and struck a nearby observer in the head.¹⁴¹⁰

Soon after Walsh's ascension, the official nominations of candidates began, which encompassed the next three days. The order being alphabetical, Alabama went first, with Forney Johnston, a young lawyer and former senator's son, putting Oscar Underwood's name into consideration. Over the course of his nominating speech, Johnston also called for a plank in the Democratic platform denouncing the Klan, at which point a twenty-five minute demonstration broke out among Smith supporters while the delegates along "McAdoo Alley" sat sullen. When the roll of states got to California, boss James Phelan gave a florid fifty-minute nominating speech for McAdoo that was deemed by observers "the worst speech never heard." It, according to others, nearly "stampeded the convention of Smith" and would have killed "Thomas Jefferson running on a ticket with Andrew Jackson." Long before Phelan got to his closing, the galleries were desperately screaming "Name your man! Name your man!" When he finally Mc'did, McAdoo forces festooned with buttons and hatbands reading "Mc'll do!" broke out in an hour-long celebration, chanting "we don't care what the Easterners do; the South and West are for McAdoo!" In response, the galleries bellowed "Ku Ku, McAdoo!" and "No oil on Al!" The situation was only just beginning to get out of hand.¹⁴¹¹

The third day offered for many Democrats what would be the lasting highlight of the convention. When the roll of states reached Connecticut, the delegation yielded to their neighbor New York, meaning, everyone knew with bated breath, it was time for Al Smith's official

¹⁴¹⁰ Ibid, 112, 116-122. "The Week," *The New Republic*, July 2nd, 1924 (Vol. 39, No. 500), 140.

¹⁴¹¹ Ibid, 123-127.

nomination. The deliverer of this good news to the galleries, on account of his relative stardom and offsetting attributes to the candidate, was Smith's campaign manager, Franklin Roosevelt. (When Joseph Proskauer first pitched the idea to Smith, the candidate asked, "For God's Sake, why?" Proskauer replied, "Because you're a Bowery mick and he's a Protestant patrician and he'll take some of the curse off of you.") Helped by his teenage son Jimmy, whose arm he gripped so hard it bruised, Roosevelt slowly made his way to the lectern on crutches. Once there – Joseph Guffey of Pennsylvania had already tested that "the pulpit" could bear Roosevelt's weight – he threw his head back and turned on the FDR charm, winning the McAdoo crowd over right away by gently admonishing the galleries above. Then, delivering a speech written by Proskauer (although Roosevelt would rarely admit to it later), Roosevelt praised Al Smith as "the Happy Warrior of the political battlefield," a moniker, derived from Wordsworth, that would stick to Smith as surely as "The Sidewalks of New York" had in 1920. The Smith crowd loved every minute of it, and the McAdoo crowd was quietly impressed – Franklin Roosevelt was back. Thus followed a rowdy celebration of over an hour, as Smith forces paraded up and down the aisles while McAdoo's delegates defended their state standards to prevent them from being carried into the pro-Smith entourage. "Yesterday's protracted outburst showed that Smith could carry New York – or more accurately that it carry Tammany Hall," reported the *New York Times*. "It did not show that he could carry the Democratic National Convention."¹⁴¹²

The roll of states continued into the rainy fourth day, as numerous favorite sons got their moment in the sun. By the morning of the fifth day – Saturday, June 28th – sixteen presidential candidates had been nominated by forty-three speakers. The convention was already running two days longer than the Republicans had in Cleveland, and the balloting hadn't even begun. Even

¹⁴¹² Murray, *The 103rd Ballot*, 129-131, 137. Slayton, 209-211. Finan, 178-179.

worse for the Democrats, Saturday was the day that a contentious debate that had been dividing the platform committee all week finally spilled out onto the floor.¹⁴¹³

As always, much of the Democratic Party platform of 1924 was to be expected. Like the Republican document, it began in eulogy – this time for the fallen Woodrow Wilson, “whose spirit and influence will live on through the ages.” Like many a Democratic platform in the past, it called for “equal rights to all and special privilege to none” and denounced Republican tariff policy, deeming Fordney-McCumber “the most unjust, unscientific and dishonest tariff tax measure ever enacted in our history...It heavily increases the cost of living, penalizes agriculture, corrupts the government, fosters paternalism and, in the long run, does not benefit the very interests for which it was intended.”¹⁴¹⁴

Encouraging voters to compare the Harding years to the early days of Wilson, much was made of the “political depravity” unearthed by the administration scandals. “Never before in our history has the government been so tainted by corruption and never has an administration so utterly failed.” On prohibition, the platform faulted Harding’s lax enforcement and declared that Democrats would “respect and enforce the constitution and all law.” Otherwise, the platform called for “the spirit of local self-government,” stronger campaign finance regulations “to prevent Newberryism and the election evils disclosed by recent investigations,” immigration restriction, disarmament, conservation, investment in highways and aviation, protective laws for women, public works projects to offset unemployment, and support of collective bargaining. In sum, it declared, “[t]he republican party is concerned chiefly with material things; the democratic

¹⁴¹³ Murray, *The 103rd Ballot*, 139-140.

¹⁴¹⁴ “Democratic Party Platform of 1924,” June 24, 1924. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=29593>

party is concerned chiefly with human rights...The democratic party stands for remedial legislation and progress. The republican party stands still.”¹⁴¹⁵

Perusing the final document, TNR, was nonplussed, deeming it a “timid document” and a “political catch-all. It is firm and decisive only on issues concerning which there is no internal strife within the party, and of these there are very few.” But, whatever the platform’s merits or faults, they were quickly overshadowed by the disputes over what was not included. William Jennings Bryan, who had been mostly ignored at the 1920 convention in San Francisco, had come to New York with his own platform, which included a stronger Dry plank and which he had run by McAdoo. After many hours of debate on the platform committee, it was not included. Former Secretary of War Newton Baker, meanwhile, wanted to replace language calling for a referendum on the League of Nations with an endorsement of immediate entry into the League. But most Democrats didn’t want to stake another election on this issue, and so, despite a barnburner of a speech on the convention floor, Baker’s minority report went down on Saturday by a vote of 353 ½ to 742 ½. This left the most contentious question – what to do about the Klan.¹⁴¹⁶

From the beginning of the campaign, Oscar Underwood of Alabama had wanted a plank in the Democratic platform specifically condemning the Klan by name, just as the 1856 platform had condemned the Know-Nothing party – “a party claiming to be exclusively American” – as a “secret political society.” Bryan and McAdoo, on the other hand – hoping to remove the Klan as an issue – wanted a general condemnation of “any effort to arouse religious or racial dissension”

¹⁴¹⁵ Ibid.

¹⁴¹⁶ “The Week,” *The New Republic*, July 9th, 1924 (Vol. 39, No. 501), 167. Murray, *The 103rd Ballot*, 143-144, 153-154. To allow for more delegates to attend, Democrats sometimes gave each delegate a half vote, a quarter vote, or even less. The abysmal situation in the Garden in 1924 encouraged them to rethink this policy.

without specifically mentioning the Invisible Empire. For long days and nights the platform committee had wrestled over this issue, nearly coming to blows more than once. When the committee finally voted 40-14 to include the generic proposal in the platform, the anti-Klan forces promised to bring a minority report to the floor.¹⁴¹⁷

As soon as the anti-Klan plank was read, the floor and the galleries both went into full hysteria. Walsh tried to mitigate the fever pitch by announcing several hours of debate on the League issue first, but by the time pro- and anti-Klan speakers began making their remarks late in the evening, the assembled Democrats were cheering and hissing with abandon. The wall of noise became particularly intense during the remarks of Andrew C. Erwin, the former mayor of Athens, Georgia. Expecting pro-Klan nostrums from the Georgian, the galleries booed Erwin mercilessly – until the room slowly started to realize that Erwin was actually *denouncing* the Klan, at which point a lusty cheer erupted from up above even as McAdoo Alley wailed with rage. When Erwin went back to his seat, only one member of the Georgian delegation stood to welcome him.¹⁴¹⁸

The last speech on the Klan issue was delivered by William Jennings Bryan, who pleaded with anti-Klan delegates that everyone could agree if only the three words “Ku Klux Klan” were left out of the platform. It went over like a lead balloon. The galleries were so vociferous in their booing of the Great Commoner that Bryan had to stop three times. On the third such interruption, Walsh rose up and began gaveling and screaming in fury to quiet the balconies down. Rattled, Bryan slipped into the cadences of the church and implored the unruly congregation “in the name

¹⁴¹⁷ "Democratic Party Platform of 1856," June 2, 1856. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=29576>. "Democratic Party Platform of 1924." Murray, *The 103rd Ballot*, 144-147.

¹⁴¹⁸ Murray, *The 103rd Ballot*, 150-156.

of the Son of God and Savior of the world. Christians, stop fighting and let us get together and save the world from the materialism that robs life of its spiritual values.” The crowd was having none of it, and Bryan retreated to a chair on the platform, too tired to walk back to his seat with Florida. It wasn’t even his worst speech of the convention.¹⁴¹⁹

Just after 11:30 at night, the convention began its vote on the Klan issue, and all was confusion. Each delegation broke out into shouting, shoving, and even fist fights as the issue was debated amongst themselves. Americans across the country blanched at the fury and indescribable noise coming over the radio. Votes had to be counted and counted again as delegates decided to switch their position. Miss Marion Colley, granddaughter of the Confederacy’s Secretary of State, Robert Toombs, and the only member of the Georgia delegation to welcome back Mayor Erwin, shouted “I’m against the Klan!” before the irate men around her pushed her into a No vote against the amendment. (The next day, she told reporters she was still “in favor of the minority report and against the Klan.”) At nearly two in the morning, the final vote was determined to be 541 $\frac{3}{20}$ for the anti-Klan plank, and 542 $\frac{3}{20}$ against – it had failed by one vote.¹⁴²⁰

In effect, before the balloting had even begun, the Democrats had torn themselves apart before a nationwide audience. “Saturday will always remain burned in my memory as long as I live,” noted Will Rogers, “as being the day when I heard the most religion preached, and the least practiced, of any day in the world’s history.” And while Oswald Villard was thrilled to see so many delegates “prefer to have their party wrecked... than to have it silent in the presence of a sin that threatens the very fundamentals of American life,” most of the politicians on hand

¹⁴¹⁹ Ibid, 157-159.

¹⁴²⁰ Ibid, 159-161.

lamented that Democrats had self-immolated over an issue on which few of the principals had ever wanted to engage. Like McAdoo, Bryan, and many of the favorite sons, Franklin Roosevelt saw little to be gained over a fight on the Klan – it merely accentuated Smith’s Catholicism – and even Smith later conceded the push to name the organization was a bad idea. But once the issue had been named and unleashed, passions had flared on both sides of the divide, and no one wanted to back down. The animosity unleashed on Saturday night would continue to fester over the remainder of the convention, making the balloting even more of a Sisyphean task for all involved. In the words of TNR’s John W. Owens, after the Klan vote “the Convention entered a form of insanity, and became divided into a pack of bull dogs.”¹⁴²¹

On the sixth day, the bull dogs rested. On the seventh, Monday, June 30th – the day the convention was supposed to end – the balloting finally began. “Alabama casts twenty fo-ah votes for Oscah Dubble-yuh Undddawood!” drawled Governor William Brandon, for the first of 102 times, to start the vote – creating an instant catch-phrase across the country. (For years later, a resolute man or woman would be considered “as steady as Alabama for Underwood.”) With 732 votes needed for victory, McAdoo had 431 ½ votes to Smith’s 241 on the first ballot, with the rest scattered among favorite sons. (240 of Smith’s 241 first-ballot delegates had voted to name the Klan the Saturday before, just as a high percentage of McAdoo delegates had voted not to.) By midnight on Monday, fifteen roll calls later, McAdoo had 479 votes, Smith had 305 ½. Tuesday saw fifteen more roll calls and, other than a brief 56 vote rally for John W. Davis of West Virginia, there were no noticeable shifts in the deadlock. By Tuesday night, McAdoo stood at 415 ½, Smith 323 ½ Davis 126 ½, with no hope of compromise in sight.¹⁴²²

¹⁴²¹ Ibid, 154, 162, 164. John W. Owens, “Now That It’s Over,” *The New Republic*, July 23, 1924 (Vol. 39, No. 503), 229.

¹⁴²² Ibid, 166-171. Miller, *New World Coming*, 167.

The eighth day, Wednesday, July 2nd, began much as the previous ones had, until, on the thirty-eighth ballot, William Jennings Bryan asked permission of the convention to explain his vote. Then, calling for party unity, Bryan explained there were a number of great candidates the Democrats could get behind – except he explicitly refrained from mentioning Carter Glass (who refused to cede his Virginia delegation to McAdoo), John W. Davis (whom Bryan had earlier called “a Wall Street man” and “the lawyer from J.P. Morgan,” prompting one woman to ask him, “Who’s McAdoo the lawyer for?”), and, of course, Al Smith, who as a Wet, Bryan thought must be stopped. Immediately the jeers came pouring down from the galleries. For an hour, the Great Commoner feuded with the audience. He was cheered only when he said that this would likely be his last Democratic convention. When Bryan finally gave up a podium, the convention was even less united than it had been before. “This man must be for another candidate than McAdoo,” suggested one New York delegate, while one reporter deadpanned that the howling galleries had perhaps convinced Bryan of the existence of evolution’s missing link. Franklin Roosevelt merely lamented that “Bryan has killed poor McAdoo, and he hasn’t done himself any good.” Twenty-eight years after he had first electrified a Democratic convention with the “Cross of Gold” speech, Bryan left the stage a caricature of his former self.¹⁴²³

And so the death march resumed. At first it seemed Bryan’s speech only had the apparent effect of losing McAdoo half a vote, dropping his total from 444 ½ to 444. (Smith remained at 321.) But, after their display during Bryan’s oration, many of the non-New York delegates were sick of the rambunctiousness of the balcony. After a recess until Wednesday night, McAdoo jumped up to 499 votes on the thirty-ninth ballot and to 505 on the fortieth ballot – over the psychologically important number of 500 and just under the majority mark of 550. But he lost

¹⁴²³ Ibid, 172-175.

fractions of a vote on the forty-first and the forty-second ballot, and the evening adjourned.

McAdoo has passed the 500 mark,” Roosevelt confidently declared to the press, “and he may go higher, but he will never pass the majority mark.”¹⁴²⁴

On the ninth day, the situation was static once again. Thursday, July 3rd saw the most ballots called in American history – nineteen – and a brief boom for Indiana Governor Samuel Ralston, but when the sixty-first ballot was finished at one in the morning, Ralston had fallen back down to earth and nothing had changed. Compounding the stalemate was the increasing sense among the favorite sons that, at this point, a compromise candidate would have to be chosen, and few wanted to remove their name from consideration. One who did on the tenth day, however, was Ralston, who had been the stalking horse for Indiana boss Tom Taggart and who, being sickly, had never wanted the job anyway – but Indiana then split its votes 20/10 for McAdoo and Smith. James Cox also removed his name on Independence Day, but the crucial state of Ohio merely shifted its votes to another favorite son, Newton Baker. On the 67th ballot, Will Rogers got his first vote for president from a member of the Arizona delegation, and on the 69th, McAdoo reached his convention high of 530. But on the seventieth ballot, McAdoo receded once more and, when the gavel came down at 12:20am, there was no end in sight.¹⁴²⁵

The situation for the Democrats had become critical. Aside from the catastrophe on the radio, even Democratic delegates were now leaving town in disgust, among them Congressman and McAdoo supporter John Nance Garner of Texas, who proclaimed “Hell, this convention won’t nominate a candidate in a hundred ballots!” “I never dreamed it would be anything like this,” one exhausted woman told those around her. “I’m through with politics.” Franklin

¹⁴²⁴ Ibid, 176-179.

¹⁴²⁵ Ibid, 180-187.

Roosevelt was among those now looking for a way out, as was his candidate. In fact, Smith had hoped to speak to the convention on Independence Day, stand up for himself and his religion, and then announce his withdrawal – but irate McAdoo forces had shouted down Roosevelt’s request for Smith to speak. And even as Smith was now willing to compromise, McAdoo was digging in even further. “I fear for the man who would approach Mr. McAdoo,” one of his lieutenants declared. “He is like General Grant and is going to fight it out on this line if it takes all summer.”¹⁴²⁶

As the remaining amassed delegates began to grind down in despair, Saturday, July 5th saw only seven ballots. On the seventy-seventh, McAdoo had 513 votes, Smith 367, Davis 76 ½, Underwood 47 ½ Glass 27, Robinson (of Arkansas) 24, Ritchie (of Maryland) 16 ½ -- meaning McAdoo still did not have a majority of the convention, and Smith had exactly the third he needed to forever deny McAdoo the nomination. All parties now agreed to a “harmony conference” over the weekend to sort out the situation – in effect creating a “smoke-filled room” akin to the one that had nominated Harding four years earlier. But McAdoo showed little inclination to deal, and, so after two days of marathon meetings, Monday, July 7th dawned with no deal in place and every other candidate now loathing the frontrunner. As a result, McAdoo saw his number of votes dwindle down to the true believers. On the eighty-seventh ballot at 11:45pm – which was the last of the evening, on account of the sad death from blood poisoning of the president’s son, Calvin Coolidge, Jr. – McAdoo led Smith, 361 ½ to 336 ½.¹⁴²⁷

Tuesday, July 8th – the fourteenth day – saw a morning boom for Indiana Governor Samuel Ralston, who had removed his name from contention the week before. Nonetheless,

¹⁴²⁶ Ibid, 182, 186-187.

¹⁴²⁷ Ibid, 188-195

McAdoo delegates looking for another safe harbor fled to the standard of the Klan-supported governor, and by the ninety-third ballot Tuesday afternoon, Smith had 355 ½, McAdoo 314, and Ralston 196 ¼. But Ralston was adamant about not wanting the job – he would perish the following year – and so the convention took another recess to assess the situation. For the first time, Smith gamely and McAdoo reluctantly met face-to-face for over an hour to plan a joint withdrawal and agree on a candidate. That meeting ended in doubt, but that evening, Franklin Roosevelt announced to the remnants of the convention that “Governor Smith authorizes me to say that immediately upon the withdrawal by Mr. McAdoo of his name, Governor Smith will withdraw his name also.” Desperation then began to emanate from the McAdoo hardliners. “Before God, before Christ, we want McAdoo!” bellowed one Arizona delegate. But while the McAdoo faithful stayed true, Ralston’s former delegates began to move toward John W. Davis. On the 99th ballot, the count was McAdoo 353, Smith 353, Davis 210, Underwood 39 ½, Glass 38, Meredith (of Iowa) 37, Robinson 25, Ritchie 17 ½.¹⁴²⁸

At this point, well after two in the morning, McAdoo then announced that “if I should withdraw my name from the Convention I should betray the trust confided to me by the people in many states which have sent delegates here to support me. And yet I am unwilling to contribute to a continuation of a hopeless deadlock. Therefore, I have determined to leave my friends and supporters free to take such action as, in their judgment, may best serve the interests of the party.” Instead of withdrawing, McAdoo had released his delegates – a final thumb of the nose at the Smith contingent. Nonetheless, eager to see the ramifications of McAdoo’s announcement, the convention called a 100th ballot. At four in the morning, the count was Smith 351 ½, Davis 210, McAdoo 190, Meredith 75 ½, Thomas Walsh 52 ½, Robinson 46, and Owen (of Oklahoma)

¹⁴²⁸ Ibid, 195-200.

20. Even now, there was still no candidate, and nobody knew what to do. When William Jennings Bryan asked for consent to speak, a disgusted crowd booed him down.¹⁴²⁹

While the convention delegate had been fighting in the trenches Monday and Tuesday, the 1920 presidential candidate, James Cox, had returned from Ohio to build a compromise boom for Davis of West Virginia, a man whom everyone seemed to agree would be satisfactory with the exception of William Jennings Bryan. (Again, Bryan loathed him for his lawyerly connections to Wall Street. For this reason, Mencken – overestimating Bryan’s waning influence – had told his readers that “John W. Davis will never be nominated.”) On the afternoon of Wednesday, July 9th, as delegates were tired, despairing, and late to file in – another Alabama delegate besides Governor Brandon announced the twenty-foah votes for Underwood – Cox’s efforts began to pay dividends. The 101st ballot saw Davis at 316, Underwood at 229 ½, Meredith at 130, Smith at 121, Walsh at 98, Glass at 59, McAdoo at 52, and Robinson at 22 ½. Finally, the end was in sight. Even as Bryan raced all over the floor bellowing that “the convention must not nominate a Wall Street man,” the 102nd ballot saw Davis rise to 415 ½. At 3pm on the fifteenth day and the 103rd ballot, John W. Davis finally, mercifully became the Democratic candidate with 844 votes over Underwood’s 102 ½. When a newspaperman congratulated Davis on his victory, the candidate replied, “Thanks, but you know how much it is worth.”¹⁴³⁰

Even then, the convention still had to pick a vice-president. With the presidential balloting finally done, delegates all over the room began to call out for Thomas Walsh to join the ticket. Wanting no further part of the proceedings, Walsh suddenly adjourned the convention and

¹⁴²⁹ Ibid, 200-201.

¹⁴³⁰ Ibid, 202-207, 221. Schlesinger, *Crisis of the Old Order*, 100.

left town, leaving a note to be read to the floor proclaiming he would refuse the vice-presidential nod under any circumstances. (In this decision, he had been aided by his Montana friend and colleague Burton Wheeler, who asked him point-blank, “What would you rather be – a defeated candidate for Vice President or a re-elected Senator?”) The Democracy would have to look elsewhere for a running mate for Davis.¹⁴³¹

The next and final day of the convention, Thursday, July 10th, Congressman Alben Barkley of Kentucky held the gavel. After a slew of names were put forward, Al Smith was finally given his chance to speak to the delegates, and, while he promised to “take off my coat and vest” and work hard for the ticket – which was more than McAdoo, who immediately fled for Europe, would do – the hard edge of his defensive speech alienated the crowd on the way out. Even as John W. Davis also stepped to the platform and gave a more endearing speech, the problem of the vice-presidency lingered – Few even seemed to want it. An afternoon of party elders eventually came up with Charles W. Bryan of Nebraska – younger brother of William – to balance the Eastern Wall Street lawyer on the top of the ticket. (When the younger Bryan was told the news, he replied, “Quit your kidding.”) At 1:10am Friday morning, Bryan’s name was officially put into contention, and the exhausted delegations, after some confusion, began to move their votes to his column. When Bryan had received 740 votes, eight more than needed, the convention – at 2:30 in the morning – abruptly drew to a close.¹⁴³²

“The two factions lost everything that they had fought for,” wrote a stunned Mencken about the selection of Davis. “It was as if Germany and France, after warring over Alsace-Lorraine for centuries, should hand it over to England.” (Mencken also hoped his editors would

¹⁴³¹ Murray, *The 103rd Ballot*, 208-213. Wheeler, *Yankee from the West*, 249.

¹⁴³² Murray, *The 103rd Ballot*, 208-213.

know to reverse the line about Davis never being nominated in his last dispatch.) Still, the very Wet Mencken was delighted to see the very Dry Great Commoner brought so low by the proceedings. “They not only shoved his arch-enemy, Davis down his throat; they shoved his brother, the Nebraska John the Baptist, after Davis, and so made it impossible for him to yell. This joke upon Bryan was worth all the long sessions, all the lost sleep, all the hard usage of the *gluteus maximus* I shall be snickering over it many long years. I shall recall it upon the scaffold, and so shock the sheriff with a macabre smirk.” As it happened, Bryan was delighted by the choice of his brother. “The age of miracles has not passed,” he declared, urging “Charley” to join the Wall Street-headed ticket. This abrupt turnaround, joked writer Clinton W. Gilbert, made it clear that “[i]f monkeys had votes Mr. Bryan would be a champion of evolution.” Nonetheless, taken in total, the 1924 convention had been Bryan’s Waterloo. “I have never been so humiliated in all my life,” he later tearfully confessed to Senator Heflin of the experience. It would indeed be his last convention.¹⁴³³

Bryan wasn’t the only man to meet his political demise in Madison Square Garden. For his truculence in defeat as much as for his reluctance to bend the knee at any point in the proceedings, William McAdoo lost any hope of being considered a viable presidential contender in the future. McAdoo, thought *The Nation*, “took his terrible disappointment with poor grace indeed – and gave no evidence of being a generous loser. Much of the delay of the convention was due to his obstinate refusal to see what was plain from the start to every unprejudiced observer – that he could not win.” Al Smith, on the other hand, took his defeat “in such excellent spirit” that he seemed “a more sympathetic figure than ever.” The most compelling figure to emerge from the wreckage of New York, however, was Franklin D. Roosevelt. To the

¹⁴³³ Mencken, 81-82. Murray, *The 103rd Ballot*, 212, 223. “Editorial Paragraphs,” *The Nation*, July 23rd, 1924 (Vol. 119, No. 3081), 85-86. Schlesinger, *Crisis of the Old Order*, 376-378. Levine, 324.

Democratic *New York World*, he was “the real hero...the one leader commanding the respect and admiration of delegations from all sections.” Kansas City boss Tom Pendergast, the man who would later pluck Harry Truman from obscurity and start him on the road to the White House, thought Roosevelt “the most magnetic personality of any individual I have ever met, and I predict he will be...the Democratic candidate in 1928.”¹⁴³⁴

As for the Democratic candidate in 1924 – former Solicitor General, Ambassador to England, and president of the American Bar Association John W. Davis – progressives were charitable to the man but unenthusiastic about his candidacy. *The New Republic* deemed his nomination “an inglorious and insignificant ending of the bitter and significant contest between the Smith and the McAdoo factions...From the progressive point of view his high character and his eminent abilities are simply irrelevant.” In a separate editorial, TNR, who thought Thomas Walsh was the best choice for the Democrats, argued that “Coolidge is an arid conservative who makes conservatism repellent. Mr. Davis is an engaging conservative who makes it attractive.” Neither, they thought, was a particularly good choice for America in 1924.¹⁴³⁵

From the sidelines, Harold Ickes also saw similarities between the two major-party candidates. “Davis is at least an upstanding man,” he wrote Hiram Johnson, “and when he serves the house of Morgan he charges for his services. Coolidge is an even more facile servant of the same master, but he does it for nothing.” For Senator Johnson, the “choice with the major parties is merely the way in which you wish to enter the House of Morgan, whether by Wall Street with Dwight Morrow, or by Broad Street with Dan Lamont.” Still, he noted, “[h]ow true was Grant’s

¹⁴³⁴ “Editorial Paragraphs,” *The Nation*, July 23rd, 1924 (Vol. 119, No. 3081), 85.

¹⁴³⁵ “The Week,” *The New Republic*, July 23rd, 1924 (Vol. 39, No. 503), 219. “John W. Davis,” *The New Republic*, July 23rd, 1924 (Vol. 39, No. 503), 225.

exclamation that the Democratic Party could be relied upon at the right time to do the wrong thing.” For his part, Mencken looked askance at the Democratic candidate with his usual leery eye. “He used to work for J. Pierpont Morgan, and he has himself said that he is proud of the fact,” noted Mencken. “I knew a man once who was proud of his skill at biting off little dog’s tails.” As for his term as head of the ABA, Mencken noted it “coincided exactly with a revolt against the wholesale invasions of the Bill of Rights that were begun under Wilson...Dr. Davis took no part in it. To this day he has uttered no word about it. Is he in favor of shoving men into jail without jury trials, or is he against it? No one knows.”¹⁴³⁶

The Nation agreed that Davis was at least a man of presidential timbre. Before the New York fiasco had even gotten under way, the magazine had suggested him as the best potential compromise candidate – “He has presence, dignity, force; he is in the best sense a gentleman.” But they too thought a Wall Street lawyer didn’t fit the need of the nation in 1924, and for both TNR and *The Nation*, there was now only one compelling choice. “The need of today,” argued the latter “is a four-square man as to whose sincerity there can be no question, who shall have given proof that he is ready to pay any price for his beliefs and that he is unselfishly devoted to the public interest. Such a man is today to be found in neither Republican nor Democratic camps, for Robert La Follette has already left the former.”¹⁴³⁷

Fighting Bob

One of the few places in America where the Coolidge operation had completely run aground during the 1924 Republican primaries was in Wisconsin. There, even with the president

¹⁴³⁶Ickes to Johnson, July 15, 1924. HLP. Johnson to Ickes, July 14, 1924. HLP. Leuchtenburg, *Perils of Prosperity*, 135. Mencken, 85, 98. Dan Lamont was Secretary of War under Grover Cleveland and a banker of some repute.

¹⁴³⁷ “Cleveland, Wilson, ?,” *The Nation*, July 2nd, 1924 (Vol. 119, No. 3078), 4.

and Hiram Johnson on the ballot, Robert La Follette had won two-thirds of the vote simply through write-ins. “La Follette,” commented the *New York World* on that April 1924 victory, “is the only man now on the political horizon who can lead hosts in an independent pilgrimage.” And even though the Senator was in fading health, he was eager to take up such a standard if neither of the two major parties chose a progressive nominee. With the Republican convention in Cleveland no doubt in the hands of reactionaries, La Follette queried his old friend, William Jennings Bryan, about the potential goings-on among Democrats in early June. “If you care to do so,” La Follette wrote Bryan, “I will be pleased to have your judgment as to the probable outcome at New York.” Bryan, of course, had no clue what he was in for, and, as the Democratic convention dragged on, La Follette dispatched his son Bob to New York to keep an eye on the proceedings. If the deadlocked Democrats chose a conservative, the Senator was ready to run.¹⁴³⁸

That being said, La Follette did not want his third party attempt to get tarnished out of the box with the Bolshevik brush. In fact, William Mahoney, the head of the Farmer-Labor Party, had begun trying to draft La Follette as their candidate well before their June 1924 convention in St. Paul, Minnesota. This was not quite the same Farmer-Labor movement that had experienced a Communist takeover in Chicago – In fact, Mahoney and his powerful Minnesota branch of the FLP had refused to send delegates to that ill-fated 1923 convention. But Mahoney had nonetheless allowed the Worker’s Party a place at the table, provided they remained a minority and were open about their status. This FLP also had the support of J.A.H. Hopkins – who had earlier pushed Borah to throw his hat in the ring at St. Paul – as well as both the Forty-Eighters and the Socialists. The more conservative labor wing of the CPPA, as well as Samuel Gompers’ AFL, however, were less enthused, and pushed La Follette to renounce this movement – which

¹⁴³⁸ La Follette, 1095-1096, 1103-1104.

the Wisconsin Senator eventually did. “I have no doubt that very many of those who have participated in bringing about the St. Paul Convention have been actuated by the purest desire to promote genuine political and economic progress,” La Follette wrote. Nevertheless, he added, “those who have had charge of the arrangements for this convention have committed the fatal error of making the Communists an integral part of their organization.”:

The Communists have admittedly entered into this political movement not for the purpose of curing, by means of the ballot, the evils which afflict the American people, but only to divide and confuse the Progressive movement and create a condition of chaos favorable to their ultimate aims. Their real purpose is to establish by revolutionary action a dictatorship of the proletariat, which is absolutely repugnant to democratic ideals and to all American aspirations...

Reposing complete confidence in the soundness of the deliberate judgment of the American people, I have no apprehension that the Communist Party can ever command any considerable support in this country. I do not question their right, under the Constitution, to submit their issues to the people, but I most emphatically protest against their being admitted into the councils of any body of progressive voters...

Not only are the Communists the mortal enemies of the progressive movement and democratic ideals, but, under the cloak of such extremists, the reactionary interests find the best opportunity to plant their spies and provocatory agents for the purpose of confusing and destroying true progressive movements.¹⁴³⁹

“I have devoted many years of my life to an effort to solve the problems which confront the American people by the ballot and not by force,” concluded La Follette. “I have fought steadfastly to achieve this end, and I shall not abandon this fight as long as I may live. I believe, - therefore, that all progressives should refuse to participate in any movement which makes common cause with any Communist organization.”¹⁴⁴⁰

As a result of La Follette’s open letter, the Committee of ’48 subsequently separated all ties from the Farmer-Labor party as well. In the end, the St. Paul convention included less than 400 delegates, most of them heralding from the Worker’s Party. Their eventual nominee, Duncan

¹⁴³⁹ Weinstein, 297-299, 304-313. La Follette, 1101-1103.

¹⁴⁴⁰ Ibid, 1103-1104.

McDonald, returned the Senator's scorn. "If the man who frowned on this gathering has gone over to the crowd that plundered the public domain at Teapot Dome and acted as bootleggers down in Washington, then it is our right to return the compliment. If he calls us reds then by God he is 'yellow.'" As it happened, La Follette's dismissal of the Communists turned out to be opportune for them. Soon after the St. Paul convention, the Comintern in Moscow officially decreed that the Worker's Party involvement in any coalition third party attempt should be repudiated.¹⁴⁴¹

The Conference on Progressive Political Action, on the other hand, had from the start steadfastly kept Communists out of their gatherings. And, at their third meeting in February 1924, the associated members – the railroad unions, the Committee of '48, the Socialists – began laying the groundwork for a political convention in July to choose a coalition candidate for a third party bid. Joining them in the spring of 1924 was the Women's Committee for Political Action (WCPA), an organization initially led by Carrie Chapman Catt and including Charlotte Perkins Gilman, female Forty-Eighters, journalists like *The Nation's* Freda Kirchwey, and various members of the National Women's Party, among them suffragists Harriet Stanton Blatch (daughter of Elizabeth Cady Stanton) and La Follette family ally Zona Gale. At a May 1924 conference in Washington DC, timed to coincide with the end of an international WILPF meeting in the same city, the WCPA created a platform advocating international peace, public ownership of the railroads and natural resources, defense of civil liberties, various welfare and protective measures, and the election of "a substantial woman's bloc in Congress."¹⁴⁴²

¹⁴⁴¹ "Why the Committee of '48 Has Withdrawn from the St. Paul June 17th Convention," RLF Box 203: 1924 Campaign. Weinstein, 320-321.

¹⁴⁴² "Conference of Progressive Political Action," Marxists Internet Archive. (<http://www.marxists.org/history/usa/eam/other/cppa/cppa.html>) Cott, 251-252.

By the time the CPPA conference opened in Cleveland on Independence Day – in the same building where the Republicans had recently nominated Coolidge – the WCPA had members from forty-two states, was organized in twenty-five, and could send thirty-six delegates from seventeen states to the proceedings, where they joined roughly 1000 delegates from the various coalition members of the CPPA and around 9000 more young faces. If “the Republican convention was a gathering of Babbitts [and] the Democratic a meeting of Southern gentlemen and Northern sportsmen and politicians,” noted a reporter from the *New York Herald Tribune*, “this is a gathering of students” – including sizable contingents from Columbia, Harvard, Yale, Dartmouth, Vassar, Barnard, and Union Theological Seminary. The average delegate, the *Herald-Tribune* estimated, was under forty. Meanwhile, representing the other end of the generational spectrum in Cleveland was Jacob Coxey, the seventy-year-old Ohioan who had led “Coxey’s Army” of unemployed to Washington in 1894.¹⁴⁴³

The conference still harbored the occasional crank – one fellow claiming to represent “The Migratory Workers of America,” James Francis Murphy, kept trying to steal the nomination from La Follette; another Forty-Eighter from Boston, known as “Old Sock Joe” wanted official planks forcing Klansmen to wear their hoods round the clock and suspending Prohibition for ten days a year. But most on hand were eager to send La Follette on his way with a maximum of patriotism and a minimum of fuss. As the credentials committee kicked out William Mahoney of the Farmer-Labor Party and burly guards blocked the way of any Communists trying to infiltrate the proceedings – outside, they protested “the worst reactionary political convention held that year” – delegates continually made reference to the Declaration of Independence, the Constitution, and the Gettysburg Address. Compared to the Democratic

¹⁴⁴³ Cott, 252-253. Mackay, 110-111. Schlesinger, *Crisis of the Old Order*, 101-102.

shenanigans playing out on the radio as well – the local station WJAX transmitted from Cleveland while New York was in recess – the CPPA seemed a relatively calm and statesmanlike affair.¹⁴⁴⁴

In fact, most of the in-fighting in Cleveland had occurred beforehand in committee, between the moderates who still just wanted an independent candidacy, and the Socialists who wanted the explicit construction of a third party. When La Follette sent word from Washington that he agreed to accept the nomination of the conference – New York had not finished its decision-making, but after seventy ballots it was looking less and less likely that any progressive Democrat would be chosen – the union men wanted to immediately endorse his candidacy, while Morris Hillquit and the Socialists thought the convention should go through the usual party-building steps of naming official credentials, resolutions, and delegates first. Hillquit won that fight – the immediate declaration for La Follette was ruled out of order – but overall he and the Socialists lost the war. Since May, La Follette had been adamant against constructing an official third party, since he thought it would jeopardize “the election of every progressive Senator & Representative in Congress candidates in 1924 – the men who now hold the balance of power in both houses and into whose hands will be committed the issue if the Presidency is thrown into the House.” The Socialists fought this in committee, sometimes bitterly, but with La Follette against a third party their hands were tied.¹⁴⁴⁵

On the evening of the first day of the conference, Bob La Follette, Jr, speaking on behalf of his father, read the nominee’s statement. “I stand for an honest realignment in American politics,” La Follette announced, “confident that the people in November will take such action as

¹⁴⁴⁴ Mackay, 114-116. La Follette, 1111-1112.

¹⁴⁴⁵ Mackay, 119-120. La Follette, 1111-1113.

will insure the creation of a new party in which all Progressives may unite...Permanent political parties have been born in this country, after, and not before national campaigns, and they have come from the people, not from the proclamations of individual leaders...If the hour is at hand for the birth of a new political party, the American people next November will register their will and their united purpose by a vote of such magnitude that a new political party will be inevitable.” Instead La Follette announced on behalf of his father, “I shall submit my name as an Independent Progressive candidate for President...My appeal will be addressed to every class of the people in every section of the country. I am a candidate upon the basis of my public record as a member of the House of Representatives, as Governor of Wisconsin, and as a member of the United States Senate. I shall stand upon that record exactly as it is written, and shall give my support only to such progressive principles as are in harmony with it.”¹⁴⁴⁶

The following day, July 5th – as Democrats huddled together for their ill-fated “harmony conference” – a series of CPPA coalition members officially nominated La Follette, including E.J. Manion of the railroad brotherhoods, Morris Hillquit for the Socialists, George Lefkowitz for the farmers, Mabel Costigan and Harriet Stanton Blatch for the WPCA, and William Pickens, an African-American delegate, for the NAACP. Also among the speakers at the convention were Senator Henrik Shipstead and Republican Fiorello La Guardia, who, speaking on behalf of the other New York – “Avenue A and 116th Street instead of Broad and Wall” – declared he would “rather be right than regular.” La Follette was then nominated by acclamation by the assembled

¹⁴⁴⁶ La Follette, 1113-1114.

convention, as was his platform – the same platform Republicans had roundly rejected in Cleveland the month before.¹⁴⁴⁷

Arguing that the “great issue before the American people today is the control of government and industry by private monopoly,” the Progressive platform called for a “complete housecleaning” at Justice and Interior, “recovery of the navy’s oil reserves” and “vigorous prosecution of all public officials, private citizens, and corporations that participated in these transactions.” With Teapot Dome out of the way, it called for public ownership of water power and natural resources, as well as of the railroads “with definite safeguards against bureaucratic control” – the latter phrase a compromise between moderates and Socialists.¹⁴⁴⁸

With regard to taxes, it deemed the “Mellon tax plan... a device to relieve multi-millionaires at the expense of other tax payers,” and called for lower taxes on “moderate incomes,” higher estate and excess profits taxes, and the publication, with proper safeguards, of all tax returns. The platform also called for “drastic reduction” of the Fordney McCumber tariff, disarmament, Outlawry, and a revision of the Versailles Treaty, cooperation in agriculture, the abolition of the labor injunction, passage of a Child Labor amendment to the Constitution, a bonus for veterans, and a “deep waterway from the Great Lakes to the sea.” Perhaps most controversial, it called for abolishing the Electoral College, extending the initiative and referendum to the federal government, mandating a popular referendum for any war not

¹⁴⁴⁷ Mackay, 115, 121. Nancy Unger, *Fighting Bob La Follette: The Righteous Reformer* (Chapel Hill: University of North Carolina Press, 2000), 288. Lawrence Levine, *Defender of the Faith: William Jennings Bryan: The Last Decade 1915-1925* (Cambridge: Harvard University Press, 1987), 293.

¹⁴⁴⁸ Unger 289-290. MacKay, 143-148. "Progressive Party Platform of 1924," November 4, 1924. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=29618>.

involving an invasion by outside forces, a congressional veto over the Supreme Court, and the election of all judges for ten year terms.¹⁴⁴⁹

Perhaps equally telling is what the platform did not include. For example, while much was made of the ancient evils of monopoly, the forward-looking provision in the Democratic platform calling for public works projects in times of unemployment was not included. In short, the initial platform was very much a La Follette document, reflecting more the Senator's personal crusades over the decades rather than many of the issues which had brought progressives together to found the CPPA in the first place.

The committee report on resolutions, also adopted by the conference, did cover some of the ground missed by La Follette, such as the "unqualified enforcement of the constitutional guarantees of freedom of speech, press, and assemblage," the "removal of legal discriminations against women by measures not prejudicial to legislation necessary for the protection of women and for the advancement of social welfare," freedom for the Irish and Philippine people, and a denunciation of US policy toward "Haiti, San Domingo, Nicaragua, and other nations of Central and South America." But, in total, the progressive platform still remained silent about African-American rights, Prohibition, and the Klan. (On this last question, La Follette made his position clear in early August of 1924, when he declared in a press release that he "always stood without reservation against any discrimination between races, classes, and creeds" and was "unalterably opposed to the evident purposes of the secret organization known as the Ku Klux Klan...It has within its own body the seeds of its death.")¹⁴⁵⁰

¹⁴⁴⁹ Ibid.

¹⁴⁵⁰ Unger, 290. MacKay, 270-273. La Follette, 1119-1120.

Many of the attendees knew they faced an uphill battle going against the two established parties. Nonetheless, the assembled delegates left Cleveland after two days with a spring in their step. “There are moments in human history which shape the destiny of nations and of mankind,” mused delegate Albert F. Coyle in the *Locomotive Engineer’s Journal*, “Columbus pleading for the support of Queen Isabella, Caesar plunging across the Rubicon, Constantine crossing the Milvian Bridge, Luther facing the prelates at Worms, Cromwell picking up the mace of power from the Speaker’s table, and Hancock placing his signature upon the Declaration of Independence...so with us as we listened to Robert M. LaFollette, junior, read the great document in which his father pledged his fidelity to the people’s cause and consented to take leadership in a political crusade to regain the ‘freedom and prosperity and happiness of the American people.’” It was altogether possible, Coyle told the locomotive engineers of America, that “historians of the future may record” the CPPA conference in Cleveland “as the turning point in American democracy.”¹⁴⁵¹

The New Republic and *The Nation* were also very supportive of what they saw in Cleveland, with the editors of both ultimately becoming active in the fall campaign. This was the vision of a third party that had animated their very similar discussions in 1920 – a party of farmers and laborers fused together and led by a progressive vanguard. Still, it is interesting to note how the description of the movement had changed in four years. “Progressivism, it cannot be too often insisted,” argued TNR when surveying “The Meaning of the La Follette Candidacy,” “has ceased to be a matter of good intentions, liberal ideas and empty or ambiguous public spirit. It has become of necessity the organized effort of the classes who live on the fruits

¹⁴⁵¹ Mackay, 123.

of their own physical or intellectual labor to have their interests and outlook more thoroughly considered in the conduct of American business and politics.”¹⁴⁵²

In other words, the idea of the Public Interest, once one of the fundamentals of progressivism, was giving way to the view of government as a broker state among competing interests. The Farmer-Labor Party, the editors of TNR noted in August 1924, “looked novel in 1920 because...according to [the] orthodox theory it was the duty of an American citizen to act politically, irrespective of his economic interests and occupations. The Democratic and Republican parties were composed of self-sufficient individuals who, on the whole, voted as a sense of patriotic duty dictated, and who should not and could not be organized or moved by any appeals except their devotion to the public interest.”¹⁴⁵³

But now, argued TNR, the situation was different. “The American citizen who lives in the highly organized, classified and industrialized society of today cannot remain socially equal and politically free unless he forms a part of conscious economic and professional groups, and unless he finds his own place in the commonwealth as a conscious and articulate member of one or more such groups.” The only way America could remain “a society which escapes from becoming the victim of class divisions,” the journal now argued, “[is] by fully recognizing their existence and by understanding, promoting and finally adjusting these conflicting activities. If there is any other orderly method of accomplishing this result, which is equally plausible and promising, we do not know what it is.” In short, TNR argued, comparing the Progressive insurgencies of Roosevelt and La Follette, “the enlightened, disinterested, and classless public

¹⁴⁵² “The Meaning of the La Follette Candidacy,” *The New Republic*, July 16th, 1924 (Vol. 39, No. 502), 197.

¹⁴⁵³ “The Farmer-Labor Idea,” *The New Republic*, July 30th, 1924 (Vol. 39, No. 504), 257.

opinion upon which the Roosevelt Progressives counted simply does not exist to the extent which the success of a progressive program demands.”¹⁴⁵⁴

Compared to the two leading progressive journals, H. L. Mencken was unsurprisingly less sanguine about the prospects of the Cleveland convention. “If all these guests could agree upon one brand,” Mencken argued, “LaFollette would carry twenty-five States, including Illinois and New York. But they simply can’t. For Progressives are like Christians in this: that they hate one another far more than they hate the heathen. The devil doesn’t have to fight the Catholics: he leaves the business to the Ku Klux, i.e. to the Methodists and Baptists. Just so the Progressives devour one another, to the delight and edification of the Babbitts.” By Election Day, Mencken predicted, “the whole pack will be in chaos, and dog will be eating dog.”¹⁴⁵⁵

The choice of La Follette’s running mate was not made at the CPPA, nor was it decided two days later when the Socialist Party officially and separately endorsed La Follette as well. (This separate nomination was the idea of Eugene Debs, who thought the Socialists should make sure to preserve their independence as a third party. Nonetheless, Debs praised La Follette as someone who “all his life had stood up like a man for the right according to his light; he has been shamefully maligned, ostracized, and persecuted by the predatory powers of the plutocracy yet his bitterest foe had never dared to question his personal integrity or his personal rectitude.”) La Follette first asked Justice Louis Brandeis to join him on the ticket, who kindly but firmly declined. (“It would have been a great adventure but it could hardly be expected that Louis would make it,” Belle La Follette wrote a friend. “With Bob it is the logic of his life... With

¹⁴⁵⁴ Ibid. “Progressivism – 1912 and 1924,” *The New Republic*, August 13, 1924, (Vol. 39, No. 506), 313.

¹⁴⁵⁵ Mencken, 100.

Louis it would be stepping into a new field.”) Raymond Robins, firmly (if reluctantly) in the Coolidge camp, also turned down a private offer from La Follette.¹⁴⁵⁶

Instead, the nomination went to Democrat Burton Wheeler of Montana, who made his availability known when he told the press that he could “not support any candidate representing the House of Morgan,” meaning John W. Davis. Wheeler’s first instinct, he recounted in his memoirs years later, was to turn down La Follette’s offer as well, since while “La Follette insisted that the Progressive ticket could get nine or ten million votes...I said he would be lucky to get 5,000,000 votes.” When La Follette argued the ticket could capture the labor vote in the East just as well as the West, Wheeler insisted the “political bosses in those states will take the laboring people away from you like taking candy from a baby.” Nonetheless, when the Montana Senator heard whispers from Ray Stannard Baker that the Attorney General’s office would indict him on another trumped-up charge if he dared to join the Progressive ticket, Wheeler immediately reconsidered and signed aboard with La Follette. “I changed my mind because I refused to let Daugherty and his crowd blackmail me for the rest of my life,” the Senator later wrote.¹⁴⁵⁷

Officially accepting his place on the ticket on July 19th, Wheeler announced he was still “a Democrat but not a Wall Street Democrat” – much to the consternation of the third-party builders. While he would oppose any man “who bears the brand of the dollar sign,” Wheeler would still campaign for progressive Democrats like his state colleague, Thomas Walsh. But, Wheeler declared, he could not support “either the Republican candidates, who frankly admit their reactionary standpat policies, or the Democratic candidate who may claim in well-chosen

¹⁴⁵⁶ La Follette, 1115-1116. Salzman, 316-317.

¹⁴⁵⁷ MacKay, 135-136. Wheeler, *Yankee from the West*, 250-251.

phrases that he is a progressive but whose training and constant association belie any such pretension. Between Davis and Coolidge there is only a choice for conservatives to make.”¹⁴⁵⁸

The implication of Wheeler’s statement was clear. For progressives, and any other American who desired to stand athwart the tide of normalcy, the only choice in the race was La Follette-Wheeler.

In fact, that’s exactly the distinction the Republicans wanted to draw as well.

Coolidge or Chaos

“In the campaign which is before me,” Charles G. Dawes told the assembled Republicans in Cleveland upon receiving the vice-presidential nomination, “I pledge myself to adhere to the truth and to the common sense conclusions to be drawn therefrom. As to the demagogue on the stump, whatever may be his party, I want it distinctly understood that in the coming campaign I ask no quarter and will give none.” With that declaration, General “Hell and Maria” Dawes embarked on a 15,000-mile, 100-speech tour all across the country, during which the top of the ticket, Calvin Coolidge, remained ensconced in the White House – “Coolidge sat tight and held his peace,” was the weekly refrain in TIME’s election coverage. Throughout this whirlwind tour, Dawes virtually ignored his Democratic opponent and concentrated almost all of his rhetorical fire on Robert La Follette. “The scheme of General Dawes is simple,” wrote Mencken, summing up the future Nobel prize winner’s oft-repeated appeal to the crowds. “[W]hen his argument needs it, he lies. I point to his endless denunciations of Dr. LaFollette as the candidate of the Communists. No one knows better than Dawes that LaFollette repudiated the Communists long

¹⁴⁵⁸ Ibid.

before his nomination, and that they are bitterly against him today...In brief, Dawes is a fraud.”¹⁴⁵⁹

Nonetheless, the brunt of the Republican general election campaign was taken right out of the A. Mitchell Palmer playbook. At each successive campaign stop, Dawes focused on painting the Wisconsin Senator as a radical and un-American menace, aligned with in intention if not actually a card-carrying member of the Bolsheviks in Russia. In his stump speech, Dawes began by telling audiences that he had hoped to spend the campaign talking about the budget, But “like a thief in the night, a great issue has stolen upon the consciences and minds of the American people – an issue nobody expected – the issue of the Constitution of the United States, which...is being assailed by Robert M. La Follette.” “La Follettism in this campaign,” Dawes declared, “represents demagogism animated by the vicious purpose of undermining the constitutional foundation of this Republic” – a “red menace” – and “unless patriotic citizens arouse themselves...the foundations of the Republic may be torn away.”¹⁴⁶⁰

The fact that La Follette – the “master demagogue” – was by necessity running as a Socialist on most tickets was just icing on the cake for Dawes. “A man is known by the company he keeps,” Dawes told a crowd of 100,000 in Evanston, Illinois, and “Robert M. La Follette [is] leading the army of extreme radicalism.” While patriots across American history had “struggled to establish and maintain our constitutional principles,” Dawes argued, La Follette wanted voters “to follow into an attack upon them, massed behind an aggressive personality, [and] a heterogeneous collection of those opposing the existing order of things, the greatest section of

¹⁴⁵⁹ Donald Richberg, “De-Bunking Mr. Dawes,” *The New Republic*, July 9th, 1924. RLF Box 203: 1924 Convention. “Alarums and Excursions,” *TIME*, September 29, 1924. Mencken, 103.

¹⁴⁶⁰ “Dawes in Wisconsin Calls La Follette ‘Master Demagogue,’” *The New York Times*, September 12, 1924. “Dawes Denounces Political Pee-Wits,” *The New York Times*, September 21, 1924.

which, the Socialists, fly the red flag.” The argument that “La Follette has gone over to the Socialists” was repeated *ad nauseum* by state and local Republican Party officials anywhere where the progressives were forced to run on the Socialist ticket.¹⁴⁶¹

As evidence of La Follette’s un-American radicalism, Dawes pointed most often to the plank advocating a congressional veto over Supreme Court decisions. When asked “the paramount issue of the campaign” the week before the election, Dawes argued that normal discussion of issues – the World Court, tariffs, etc. – had all been “subordinated in public attention” over the course of the campaign “because Robert M. La Follette, in an attempt to amalgamate all the organized forces in our citizenry opposed to the present order of things in our country, has launched an assault on our constitutional form of government with a proposal to strip the Supreme Court of its power.” “La Follette and the Socialists,” Dawes argued, were “striving by one blow to disrupt our present balanced form of government and to make Congress supreme.” Such a doctrine “would be disastrous,” for the “bill of inalienable individual rights, the general recognition of which is the foundation of civilization, would under the La Follette proposition be at the mercy of Congress.” Thus did Dawes shrewdly amalgamate the concerns of civil libertarians and the rhetoric of the Red Scare.¹⁴⁶²

In sum, Dawes argued, the choice of the election was “Coolidge or Chaos” – The American people could either stand with “leaders like Coolidge...who get up and preach common sense to you,” or get behind the “political blatherskites and pee-wits” who were endangering the foundations of the republic and “running over this country preaching all things

¹⁴⁶¹ “Strikes at La Follette,” *New York Times*, August 20, 1924. “Asserts La Follette Is Now a Socialist,” October 6th 1924.

¹⁴⁶² “La Follette Plank A Peril, Says Dawes,” *The New York Times*, October 29, 1924. Mackay, 163-164.

to all men.” Voters, he said at another point, must decide whether to “stand on the rock of common sense with Calvin Coolidge, or upon the sinking sands of socialism with Robert M. La Follette.” As for Davis and Bryan, they were no choice at all – The Democrats, Dawes declared, had gone for the “straddle...with one conservative and one radical on its ticket, hoping to get votes by avoiding the issue.” Even some La Follette supporters saw the election in those terms. “The actual combatants are the Hon. Mr. La Follette and the Hon. Mr. Coolidge,” wrote Mencken of the campaign. “Dr Coolidge is for the Haves and Dr. La Follette is for the Have Nots.” Davis meanwhile was, “in a very real sense, not in the fight at all: he is simply a sort of bystander...He is simply concealed in the crowd, like a bootlegger at a wedding.”¹⁴⁶³

Nonetheless, the “radical” on the Democratic ticket was used as a further bludgeon against La Follette and Wheeler. In *The North American Review* and other magazines, Republican writers put forward the elite-tailored version of the “Coolidge or Chaos” argument, which was that voting for La Follette would throw the election into the House of Representatives. “The campaign has resolved,” argued the editors of *The Review*, “into a contest, not between the Republican Party and the Democratic Party, not between Coolidge and Davis, but between Coolidge and No Election. That is the sole practical issue.” Only “a vote for Coolidge would be a vote for a President to be elected by the people.” Otherwise, the ensuing House negotiations would mean an empty White House on March 5th, 1925, after which “there could not fail to be...immeasurable confusion and utter chaos, with all attendant evils, the very recital of which would be little short of terrifying, spelling, in the grave words of Senator Borah, ‘as tragic a situation, as, outside of actual war, could arise in a republic.’” After this interregnum

¹⁴⁶³ “Coolidge or Chaos,” Dawes Tell West,” *The New York Times*, September 26, 1924. “Strikes at La Follette,” *New York Times*, August 20, 1924. Schlesinger, *Crisis of the Old Order*, 60. Mencken, 97.

of despair, the argument went, congressional Democrats and progressives would eventually conspire to choose Charles Bryan as the next president. Summing up this contention for the layman, TIME put it as follows: “A vote for La Follette is a vote for Bryan. A vote for Davis is a vote for Bryan. A vote for Coolidge is a vote for Coolidge.”¹⁴⁶⁴

The relentless Republican focus on the progressives even drew consternation from the Democrat in the race, who thought Dawes was making “a new bogey man” out of La Follette – “a Red who will certainly get you like the goblins if you do not look out.” “He is wearing a fur cap and a long red robe,” John W. Davis warned his audiences, “and on his breast his name is written in characters such as we rarely see in the United States, and they point to him and tell you, ‘He is a Bolshevik!’ And when his cape falls down and he lays down his red gown, you find that he is none other than our familiar friend Senator Bob La Follette.” At another point, Davis quipped that, while the standard of the 1912 progressive was a Bull Moose, the 1924 animal of choice should be a salamander, “for no other animal could live in a heat so red as General Dawes depicted.” As for the “Coolidge or Chaos” argument, Davis suggested instead “Coolidge, *Then* Chaos,” just as America had already witnessed from the “heedless and helpless and rudderless” Harding administration.¹⁴⁶⁵

Especially for the first few months, Davis criticized La Follette less often than Dawes, although he too was a severe and relentless critic of the Court-veto plan. “My real objection,” he explained, “is not that it is leading us on to Moscow, but that it is trying to take back to London,” away from the “American system of government under a written constitution” and back toward

¹⁴⁶⁴ “The Paramount Issue: Coolidge or Chaos,” *The North American Review*, Vol. 220, No. 824 (Sep., 1924), pp. 1-9. Richardson, *Others*, 210. MacKay, 168.

¹⁴⁶⁵ “Davis Defends La Follette as Republican ‘Bogey Man,’ *The Sunday Morning Star* (Wilmington, Delaware), September 28th, 1924, A1. “Davis in Indiana Hits Chaos Slogan,” *The New York Times*, October 12, 1924.

“the English theory that Parliament is supreme.” The Bill of Rights, Davis argued instead, “are too sacred to leave to Congresses or to Legislatures, and we write them for that reason into the body of our written Constitution.” Nonetheless, Davis took particular pains to separate his critique from the one made by Dawes. “[B]efore Senator La Follette can make that proposal good,” Davis noted, “he must carry a majority of the Electoral College...when I pick up my atlas and look at the map of the United States I cannot lie awake nights with the shaking ague for fear a Red is going to get me before the morning sun rises. And I cannot accept that, my friends, as the cardinal issue in this campaign.” As *The Nation* said in gratitude, “Mr. Davis is a corporation lawyer...But for all that Mr. Davis is too well-informed to stomach Mr. Dawes’ twaddle.”¹⁴⁶⁶

Nonetheless, Republicans continued to paint La Follette in crimson throughout the election. “All the old machinery of the notorious Creel Information Bureau,” lamented the Steuben Society, a German-American patriotic society formed at the height of the Scare, “was dragged out of its obscurity and set up anew to belch forth an avalanche of vituperation and mendacity.” Indeed, if General Dawes used the campaign’s Socialist ties to paint La Follette as an agent of Bolshevism, many of his Republican understudies skipped the middleman entirely. The head of the Pennsylvania Manufacturers Association warned that the Progressive ticket were “a Lenin and Trotsky with a formidable band of followers made up of the vicious, ignorant, and discontented element, openly organized for battle.” Among those insisting that proceeds from La Follette events were financing the operations of Soviet ne’er-do-wells were California Congressman Walter Lineberger and Shipping Board chairman T.V. O’Connor, the latter of whom insisted that “a large amount of money has been sent from Russia through Mexico to aid the campaign.” (When later asked under oath about this claim, O’Connor later said “I believe it

¹⁴⁶⁶ Ibid. “Editorial Paragraphs,” *The Nation*, October 8th, 1924 (Vol. 119, No. 3092), 348.

in my own heart, though I have no way to prove it.”) In *The Saturday Evening Post*, a much-discussed article entitled “Let X = La Follette” declared definitively that “the Worker’s Party, which is now the William Z. Foster party, are now actively canvassing for La Follette” – in fact, they were actively disparaging the Wisconsin Senator at every opportunity.¹⁴⁶⁷

While excessively dedicated to the anti-La Follette cause, *The Saturday Evening Post* was far from the only periodical to paint the progressive insurgency in an ugly light. With the exception of the Scripps papers, whose owners were longtime La Follette supporters, and the Hearst papers, whose owner was a longtime promoter of a third party with himself at the head, most journals across the country were of a decidedly anti-La Follette persuasion. (The Hearst empire ultimately endorsed Coolidge.) “In this campaign the capitalist newspapers could tell the public any lies they pleased and we were helpless,” groused Upton Sinclair after the election, noting one in particular, printed by the *Los Angeles Times*, declaring that La Follette had handed out miniature champagne bottles “made in Germany” to an audience in Pasadena. In fact, painting La Follette as a pro-German Wet, and his adherents as swarthy, skeezy-looking urban foreigners, was a popular pastime in opposition newspapers – at least in the formerly McAdoo-friendly South and West. In the former pro-Smith bastions of the East, newspapers instead painted La Follette voters as unsophisticated agrarian country bumpkins, just like the ones that had recently descended on New York City *en masse*.¹⁴⁶⁸

As La Follette’s candidacy became increasingly tied to Socialists and Soviets, some of the old resentments from the war and post war periods began to flare up anew. “Six years ago, La Follette was an enemy to the country, a foe of the army and navy,” reminded the 35th Division

¹⁴⁶⁷ MacKay, 162, 164-165, 167. Wheeler, *Yankee from the West*, 263.

¹⁴⁶⁸ MacKay, 208-212.

Association, while a “Republican Service League [to] scotch La Follettism” arose under the leadership of a prominent member of the American Legion. In Rahway, New Jersey, La Follette supporter and editor Louis Budenz saw a thousand-member mob descend on his home, headed by veterans in uniform and carrying a coffin, yelling “Kill the Socialist!” In Darien, Connecticut, a preacher was exiled from town for speaking on behalf of the Progressive ticket and “insulting the people of the United States.” In Washington, a Socialist who was arrested for touting the ticket was told by the authorities that “maybe La Follette can get you out of this.” And, when 213 college professors announced their support of the independent ticket, the *Cincinnati Enquirer* – a Republican journal – urged they be fired for being “attached to recognized heresies.”¹⁴⁶⁹

These sorts of civil liberties abuses were endemic along the trail, especially, according to historian Kenneth MacKay, “around factory towns and industrial centers where the Socialists and Progressives had made inroads or were active in campaigning.” Joining these efforts this time around was the Klan, who – while allowing members to vote their conscience between the two major parties -- nonetheless deemed La Follettism “the most pernicious thing in the political life of America.” The Wisconsin Senator, gravely intoned Imperial Wizard Hiram Wesley Evans, wanted to “destroy the people’s confidence in this, the soundest, the greatest and the best government on earth.”¹⁴⁷⁰

Just as prevalent as these more explicit efforts at intimidation were warnings on the factory floor that voting for La Follette would mean trouble for workers. Next to “Coolidge or Chaos” and “Keep Cool with Coolidge,” the most oft-heard Coolidge slogan on the campaign was “A Vote for La Follette is a Vote for Hard Times.” According to the ACLU’s Roger

¹⁴⁶⁹ Ibid.

¹⁴⁷⁰ MacKay, 162-173, 215.

Baldwin, who was monitoring election efforts in Connecticut, La Follette lost the state in part because “foremen told workers they would lose their jobs if they did not vote for Coolidge.” This ultimatum was often heard repeated across the country, from Washington to West Virginia. One railroad machinist who tried to affix a La Follette pamphlet next to the Coolidge-Dawes propaganda already on the company bulletin board was promptly fired for his misdeed. In his memoirs, Arthur Hays remembered consoling one La Follette volunteer who “made the best speech of my life last night and lost lots of votes.” What happened, asked Hays? The volunteer’s Republican opponent – “a clever Irishman” – said of La Follette, “I like that fellow. I like his ideals. I like what he stands for. I wish I could afford to make such a fight”:

Now you folks are clerks and stenographers and factory workers and such-like. This fellow says that big business controls this country. He’s right and it’s a damn shame. Now big business says that if Coolidge don’t win, we’ll have hard times and lose our jobs, and I guess those fellows know. I can’t afford to take the chance. Can you?¹⁴⁷¹

Similarly, after the election, Burton Wheeler asked his friend Joseph P. Kennedy how he had managed to hold Democrats in line in Massachusetts. “We scared hell out of them,” Kennedy replied. “We told them that a Progressive Party victory would close all the mills and factories. And in South Boston we told the Irish that the La Follette program would destroy their Church.”¹⁴⁷²

Farmers in the Northwest, meanwhile, were informed that all the workers who would be let go if Coolidge lost would affect their business negatively as well. As it happened, the election of 1924 coincided with the first substantive rise in farm prices that farmers had seen since the

¹⁴⁷¹ MacKay, 162-173, 215. Wheeler, *Yankee from the West*, 264.

¹⁴⁷² Wheeler, *Yankee from the West*, 253. Joseph Kennedy also gave Wheeler an anonymous \$1000 donation and provided him with a Rolls-Royce and private chauffeur throughout the candidate’s New England swing. “It occurred to me later on,” Wheeler wrote in his memoirs, “that Kennedy actually might have been trying to undermine me in this fashion.” Wheeler, 252.

war. Between July and October 1924, the price of hogs leapt from seven to eleven dollars a head. Over the course of 1924, grain prices rose from \$0.97 to \$1.40 in Duluth, from \$1.07 to \$1.43 in Chicago, and to over \$1.50 a bushel in Minneapolis – in part because, thanks to the cash-on-hand provided by the Dawes Plan, European demand was rising once again. As Burton Wheeler commented after all was said and done, “it is always hard to beat the pocketbook as an election issue.”¹⁴⁷³

The Contested Inheritance

While Joseph Kennedy worked to keep Massachusetts Democrats in line and General Dawes rallied the faithful against the potentially resurgent Red menace, Republicans also worked to draft the ghost of Colonel Roosevelt to the Coolidge cause. The president’s wartime remark that La Follette was “one of the most potent enemies of this country and a most sinister enemy of democracy” received multiple reprintings during the campaign season. The president’s sister, Corinne Roosevelt Robinson, told the papers that her brother was a “prophet of unity” while La Follette was a divider – “[U]nder the false name of Progressive this Socialist upholds class cleavage and socialism and all ‘isms’ which discontent brings to a banner such as his.” James. R. Garfield, son of the assassinated president and Roosevelt’s former Secretary of the Interior, called Coolidge “the new exponent of Progressivism and the friend of democracy,” while “La Follette is not Progressive; he is Radical. He is not a builder as was Roosevelt; he is a destroyer as was Karl Marx.”¹⁴⁷⁴

¹⁴⁷³ MacKay, 205. Wheeler, *Yankee from the West*, 264-265.

¹⁴⁷⁴ Mackay, 162. “Assails La Follette as Roosevelt’s Foe,” *New York Times*, October 5th, 1924. “Says La Follette Fought Roosevelt,” *New York Times*, October 22nd, 1924.

These efforts to enlist the former president from the grave culminated in a September 1924 statement penned by Raymond Robins and signed by forty-seven other former Roosevelt Progressives, including Garfield, Henry Allen, social worker Frances Kellor, and prominent newspaper editors Frank Knox, Chester Rowell, and E.A. Van Valkenberg. The purpose of the 1912 Progressive movement, it argued, “was to improve American institutions, not to substitute others for them. It stood for political and social justice, not economic revolution. It believed in democracy, not Socialism. It sought the welfare of all the people, not the welfare of class against class.” La Follette’s candidacy, on the other hand, was obviously a “class party” being used by the Socialists “as a step toward their goal of economic revolution based on class war.” At best, its hope was “to deadlock the electoral college and prevent an election by the people.” And so it fell to the Colonel’s former comrades “to vindicate the memory of Theodore Roosevelt by repudiating this attempt of frustrated ambition to promote the class cleavage in class politics, which Roosevelt spent his life to prevent.”¹⁴⁷⁵

In truth, Robins – who thought Coolidge would support Outlawry – was playing the type of close political hand for which his friends Harold Ickes and Hiram Johnson thought him so untrustworthy. As noted earlier, before the CPPA convention, La Follette had even asked Robins to be his running mate, but Robins had turned him down, since he was “opposed to many of his domestic planks – government ownership of the railroads, for example – and also to his absurd proposal for a referendum on peace or war.” Nonetheless, Robins had privately told his sister Elizabeth that the Coolidge-Dawes ticket was “the apotheosis of reaction in American politics. If the voters stand for it, they will stand for anything. I regard the ticket as: Coolidge & Dawes, The Gold Dust Twins, Address Wall St.” And, during the election campaign, Robins wrote his sister

¹⁴⁷⁵ Salzman, 316-317. “48 Roosevelt Aids Repudiate 3d Party,” *The New York Times*, September 15, 1924.

that “[d]eep in my heart, I have a real regret, not to be with brave courageous old Robert Marion La Follette. He is the veteran of the progressive movement in American politics.” Two months later he again voiced his discomfort to her. “I am the only nationally known Progressive of the Roosevelt Adventure of 1912 who is leading the battle for Coolidge. I am finding some strange bed-fellows – but such is the brutal game of politics.”¹⁴⁷⁶

To other Roosevelt Progressives, Robins’ statement wasn’t normal politics at all, but an abject betrayal of the cause and a “confession of the bankruptcy of progressivism in the Republican Party.” “I was a follower of Roosevelt, but I thought I was so for Principle’s sake,” one correspondent wrote Robins. But Robins and his co-signers were “hero worshippers... Hardly a one would but have supported Taft just as heartily if Roosevelt was not running...And now these men and women give out a statement primarily intended to help Coolidge, who by all standards is the most completely reactionary candidate who has been before the people in this generation.”¹⁴⁷⁷

“I will wait until the final statement of the battle scarred heroes of Armageddon appears before I finally make up my mind,” a furious Harold Ickes told Hiram Johnson while the Robins statement was still being circulated for signatures. “But a sizzling statement is beginning to ferment in my bosom and I am afraid I will have to give it expression one of these days.” At that point still undeclared, Ickes confessed to his friend that this latest salvo might well be the straw that broke the camel’s back. “I have stuck on in the Republican Party hoping against hope that we might be able to make it progressive from the inside,” he said. “I have cherished political association within the party with yourself and those other old progressives who stood together

¹⁴⁷⁶ Salzman, 316-317.

¹⁴⁷⁷ Ibid.

and went down together in 1912 and 1916. But when I see Raymond and Van Valkenburg and Garfield and Henry Allen... falling on their bellies to lick the hand that has struck them I am filled with inexpressible disgust and an almost over-powering inclination to pack my playthings and go off with the lunatic fringe.”¹⁴⁷⁸

Besides, Ickes thought, if Coolidge wins “there will be a natural drifting together of the La Follette Progressives and the Democrats. The Republican Party will then be the conservative party and the new Democratic-Progressive Party will be the Progressive Party. I know how many flaws can be picked in this statement and yet it seems to me, largely speaking, the present natural trend.” Ickes argued much the same to George Henry Payne. “I think I see an impending break-up coming,” he explained to his friend. “If I am correct in this view the Republican Party will be the conservative party in the future and there will be a liberal party composed of the present Democratic part, except such conservatives as go over into the Republican Party, and the La Follette Progressives.” While Ickes “had expected to sit on the sidelines” since he didn’t even “like La Follette personally” he told Payne, “the statement that appeared recently over the signatures of such heroes of Armageddon as Raymond Robins, Henry J. Allen et al delivering the progressives of the country, by influence at least, to Coolidge is more than I can stand.”¹⁴⁷⁹

With Robins’ fusillade, Ickes’ break with the Republican Party was complete. “All I can say about Raymond Robins is that you had him sized up better than I had,” Ickes told Senator Johnson after the statement had been published. “I don’t see how further stultification politically is possible for him...he has plumbed the depths.” The Senator, meanwhile, had no names to offer

¹⁴⁷⁸ Ickes to Johnson, September 9, 1924. HLI Box 33: Hiram Johnson.

¹⁴⁷⁹ Ickes to Johnson, September 9, 1924. HLI. Ickes to George Henry Payne, September 22, 1924. HLI, Box 36: George Henry Payne.

Ickes for a statement of rebuttal. “The difficulty is that all of the prominent progressives who were leaders of our Armageddon army in 1912 are so anxious for office, and so mad to bask in the sunlight of power,” Johnson confided, “that they will accept anything. Most of them, too, [are] heartily ashamed of having been irregular once in their lives, and are atoning for their offense by an added subserviency to those they once denounced.” That being said, Johnson – like his colleague George Norris, stayed regular as well, although both were well-known to be sympathetic to La Follette.¹⁴⁸⁰

And so Ickes fired off his own angry response to the press, denouncing the “hymn of hate” his fellow Progressives had published. If La Follette didn’t stand for the ideals of 1912, Ickes argued, “certainly no other individual or political group does.” Along with requesting “a frank account of what they have done...to uphold the Roosevelt tradition,” Ickes asked these “self-appointed defenders of the faith [to] interpret the oil scandals of the present Republican administration in the light of the Roosevelt tradition,” since their statement said “nary a word about the little black satchel with its hundred thousand dollars...or of the little green house on K Street, or of the Veterans’ Bureau scandal.” Nor, Ickes noted, did it mention “the Mellonaire tax plan” or “the Columbian blackmail treaty.”¹⁴⁸¹

Perhaps most egregiously, in Ickes eyes, the signers had failed “another test of real progressivism when Hiram W. Johnson ran as a candidate at the primaries.” Then, these “limping heroes of Armageddon, some of them openly and others by their silence, chose to support a proven corrupt administration as against Roosevelt’s companion in arms...Bull

¹⁴⁸⁰ Ickes to Johnson, September 18, 1924. HLI Box 33: Hiram Johnson. Johnson to Ickes, September 13, 1924. HLI Box 33: Hiram Johnson.

¹⁴⁸¹ Undated statement, Harold Ickes. HLI, Box 35: La Follette Campaign. “Attacks Bull Moose for Backing Coolidge,” *The New York Times*, October 5th, 1924.

Moosers had been transmuted into Bull Mousers.” In short, he concluded, “[t]rue progressivism is a matter of deeds and not of mere words, however indignantly expressed. Those who vouched for Mr. Harding as a Progressive...those who helped to throw Hiram Johnson to the reactionary lions; those who can blink at corruption of government at Washington that has never been equaled in American history, are ill-fitted to constitute themselves trustees of progressivism.”¹⁴⁸²

Just as he had gauged Progressive sentiment for James Cox in 1920, Ickes again cast out a net far and wide to see where his fellow Roosevelt supporters in 1912 were leaning in 1924. “Most of the people in this vicinity that have Progressive leanings,” George Henry Payne reported in from New York City, “are shouting for La Follette,” though it helped that the people running the Davis campaign there “are the grandest collection of boneheads that were ever gotten together in a campaign headquarters.” In Chicago, meanwhile, one insurance man found that “people engaged in business” – like him – were for Coolidge, while “La Follette unquestionably is popular among laboring men.” But La Follette, this correspondent argued, was “a man who never could see more than one side to any question,” and an election decided by the House “would be disastrous to every man engaged in business and working for a living, however much one might welcome it as just punishment for Republican misdeeds.” Another Chicagoan thought “the prosperity of the country...will induce many to vote for Coolidge” and the “only real La Follette talk is done by some Germans who are always crabbing anyway.” The “intelligent average workman,” argued this writer, knows “that a vote for La Follette is a vote for the radicals and reds, whose power in office would make a drastic change in our present prosperity... Always

¹⁴⁸² Ibid.

remember that the Progressives are Republicans at heart when occasions like the present arise.”¹⁴⁸³

Outside Chicago, however, reports from Illinois were more promising for Progressives. “I may be somewhat over shooting the mark,” wrote Zardia Crain from Murphysboro, “but from what I can...[tell] the progressive movement is going much stronger than it did for Teddy in 1912, especially among our laborers and farmers...90% of the working class, it seems to me, will support La Follette and Wheeler.” Crain, a La Follette supporter himself, told Ickes that Nebraska, Kansas, and Iowa seemed similarly pro-Progressive. “LaFollette will carry the farmer and labor vote in this locality also a great many Democrats who have been doing a little thinking for themselves,” wrote in another former Progressive from Atlanta, Illinois. Reporting in from Rockford, one attorney thought “there is no doubt that Coolidge will carry this county,” though “La Follette will run way ahead of Davis.” But “[i]f we have a killing frost,” he suggested, “La Follette will get a much larger following than he will if the frost holds off.”¹⁴⁸⁴

To assess the situation in California, Ickes turned to Senator Johnson, who gave him little reason for hope. “La Follette will get a very large vote in this State,” Johnson reported, “and if his campaign were in appropriate hands he might be a very dangerous contender.” But “those who come to the front of the campaign do not commend themselves to the ordinary man very highly.” La Follette’s candidacy was further hampered by a 4-3 decision by the California Supreme Court kicking Independent electors off the ballot and forcing the Senator to run as a

¹⁴⁸³ George Henry Payne to Ickes, September 18, 1924. HLI, Box 36: George Henry Payne. Albert O. Anderson to Ickes, September 15, 1924. HLI, Box 34: Hiram Johnson Campaign ‘A’ Ernst C. Dittman to Ickes, September 18, 1924. HLI, Box 34: Hiram Johnson Campaign ‘D’

¹⁴⁸⁴ Zardia Crain to Ickes, September 12, 1924. HLI, Box 34: Hiram Johnson Campaign ‘C’ G.G. Chittick to Ickes, September 12, 1924. HLI, Box 34: Hiram Johnson Campaign ‘C’

Socialist. Publicly, Hiram Johnson denounced the decision as “unjustified by the law, contrary to public policy, and of most harmful consequence. It is decisions such as this that undermine public confidence in the courts.” To Ickes privately, Johnson noted that, as a result of the decision, “I do not think there is much doubt about what this State will do.”¹⁴⁸⁵

Even as Ickes surveyed his political contacts, Paul Kellogg of *The Survey* aspired to put together a more formal rebuttal to the Robins Progressives’ grasping of the Roosevelt inheritance. “I have a notion that it should be both racy and vigorous,” Kellogg told Arthur Garfield Hays of such a proposed statement, arguing it should “subtly convey to the public that they are merely the exhaust and we are the real steam” of the 1912 Progressives “in putting ourselves into the La Follette movement.” Hays thought it was an excellent idea, but since he was tied up with campaign matters, he suggested Amos Pinchot or Harold Ickes take the lead in drafting one. Together with input from Donald Richberg, the two put a counter-statement together which eventually included the signatures of forty-two former Bull Moosers, including Ickes, Pinchot, Richberg, Kellogg, Hays, George Record, Fremont Older, and Jane Addams, who told Ickes she was “very glad to sign my name to the document, although I always wince a little at the terms of political abuse, even when men deserve them!”¹⁴⁸⁶

Rather than being a Roosevelt Progressive, this counter-statement argued, Calvin Coolidge was “a protégé of Murray Crane,” the Massachusetts politician who served on the Republican National Committee in 1912 and who was “foremost in the plot that...deprived

¹⁴⁸⁵ Johnson to Ickes, September 22, 1924. HLI Box 33: Hiram Johnson. “Editorial Paragraphs,” *The Nation*, October 8th, 1924 (Vol. 119, No. 3092), 347-348.

¹⁴⁸⁶ Paul Kellogg to Arthur G. Hays, October 8, 1924. HLI, Box 35: La Follette Campaign. Arthur G. Hays to Paul Kellogg, October 15, 1924. HLI, Box 35: La Follette Campaign. Amos Pinchot to Ickes, October 13, 1924. HLI, Box 35: La Follette Campaign. Ickes to Amos Pinchot, October 13, 1924. HLI, Box 35: La Follette Campaign. Addams to Ickes, October 14, 1924. HLI, Box 35: La Follette Campaign.

Theodore Roosevelt of the nomination that was his by right.” Moreover, as president, Coolidge had “never by express statement or by intimation... voiced even conventional regret” over the various Harding scandals. The “traduced, vilified, and plotted against” La Follette, on the other hand, “has stood his ground and has come out of each contest stronger and bigger and more trusted by ‘just folks.’”¹⁴⁸⁷

As such, this counter-statement concluded, it was the Wisconsin Senator, not Silent Cal, who was the real heir of Roosevelt. To underscore the point, the La Follette Progressives counteracted the World War-era bromides of Roosevelt with a 1911 editorial from *The Outlook*, in which the Bull Moose complemented the “extraordinary work that has been accomplished in the State of Wisconsin under the lead of Senator La Follette” – work that Roosevelt blessed as being in “the true progressive spirit.” After visiting the state, Roosevelt gushed, he felt like congratulating not just the locals but “the country as a whole because it has, in the state of Wisconsin, a pioneer blazing the way along which we Americans must make our civic and industrial advance during the next few decades.”¹⁴⁸⁸

In response to this response, Robins and Valkenberg – along with fifty other Roosevelt Progressives this time – penned an additional statement in late October, to commemorate the late

¹⁴⁸⁷ “42 Bull Moosers for La Follette,” *The New York Times*, October 24, 1924.

¹⁴⁸⁸ Ibid. “Theodore Roosevelt on LaFollette and Wisconsin” (undated press release) HLI, Box 35: La Follette Campaign. Two prominent Progressives who stayed neutral in the back-and-forth between the two camps were Gifford Pinchot and William Allen White. Pinchot, rumored to be a signer of the Robins statement at first, told Ickes that he “did not sign that pronouncement mainly because any statement by Progressives at this stage of the game ought to be a Progressive statement and not a mere denunciation. Moreover, LaFollette has done magnificent work for conservation, and I don’t propose to forget it.” As for White, while he ostensibly favored Coolidge, he also told Bob Jr in March 1924 that his father should “make the fight of his life for his health. Never before have we needed him so badly. It seems as if the army amassed around the idea of a just government for all Americans is mobilizing fast and getting in training for the fight. We cannot lose the General without confusion, discouragement, and a long time of waiting, perhaps another generation. I have fought so long that I am anxious to see even in the sunset some sign of victory.” Gifford Pinchot to Ickes, September 26, 1924. HLI, Box 38: Gifford Pinchot. White to La Follette, Jr., March 29, 1924. White, *Selected Letters*, 239.

Roosevelt's birthday, reaffirming that the Bull Moose would vote for Silent Cal. "We denounce the use of the name Progressive by Senator La Follette, the Socialists, and other extremists," it argued. "If Roosevelt were here today, the Socialists would never have had the hardihood to pervert the Progressive name." Moreover, Robins et al declared "with complete assurance that he would be vigorously supporting Calvin Coolidge, who exemplifies the elemental principles of Theodore Roosevelt in behalf of democratic civilization and human progress."¹⁴⁸⁹

Sounding the same chord in TNR just before the election, California newspaper editor and old Progressive Chester Rowell, once a close ally of Hiram Johnson, argued, quite disingenuously, that "nearly all those who were most conspicuous in the Roosevelt movement of 1912 are now for Coolidge....[as are] the main body of the Progressive voters of that time" La Follette's bid, Rowell continued, was merely an attempt to form "a third party avowedly founded on class. Now, I may be archaic, palaeocrystic, obsolete, Byzantine, mid-Victorian, and all the other back-number epithets in the thesaurus, but I am not ready to accept class as the basis of political division in America."¹⁴⁹⁰

While progressives and Progressives wrestled over the legacy of Roosevelt, another high-level defection to the Davis camp caused similar consternation on the left. "I shall vote for Mr. Davis because he is the only man who can be elected in place of Mr. Coolidge, and I do not wish directly or indirectly to give the present administration another term of power," argued Walter Lippmann in TNR. "I shall vote for him because I believe that in this post-war world of fierce nationalisms his strong Jeffersonian bias against the concentration and exaggeration of government is more genuinely liberal than much that goes by the name of liberalism." The La

¹⁴⁸⁹ "Old Progressives Out for Coolidge," *The New York Times*, October 27, 1924.

¹⁴⁹⁰ Chester Rowell, "Why I Shall Vote for Coolidge," October 29th, 1924 (Vol. 40, No. 517), 219-220.

Follette crowd, Lippmann thought, were tilting at windmills, since “it seems extremely unlikely that La Follette will break the solid South and almost as unlikely that the Southern Democrats will coalesce...with the Eastern Republicans.” Besides, Lippmann wrote, belying his earlier days as a Rooseveltian New Nationalist “even though I warmly respect Mr. La Follette, I do not like the main drift of his preaching. His political program is almost violently nationalistic and centralizing; that seems to me reactionary and illiberal.”¹⁴⁹¹

If anything, Lippmann was soft-pedaling his criticism of La Follette in TNR. In the *New York World* – a Democratic paper – he was much more strident. “A vote for La Follette is a vote for Coolidge,” he wrote. “A vote to disrupt the Democratic party is a vote to make the reaction supreme.” La Follette, Lippmann insisted, had “united the conservatives and divided the progressives...paralyzed the liberals and revived the reactionaries...muddled every issue, dragged a red herring across every trail, and done his complete and most effective best to insure the re-election of Coolidge.” In launching this assault on the third party bid, Lippmann was in part heeding the advice of the 1920 Democratic candidate, James Cox, who told him that, for the Democrats, “the all-important thing is the defeat of La Follette.” Nonetheless, Lippmann’s stance enraged the progressives supporting the Wisconsin Senator. While not calling him out by name, Lippmann’s old colleagues at TNR deemed his argument “a painfully opportunist doctrine. Since when has a vote in favor of the principles and men you believe in become ‘a vote thrown away’? Must millions of Americans go on forever supporting one of two parties neither of which they approve, neither of which differs from the other just because it is difficult for a third party to win the first election in which it appears?”¹⁴⁹²

¹⁴⁹¹ Walter Lippmann, “Why I Shall Vote for Davis,” October 29th, 1924 (Vol. 40, No. 517), 218-219. Steel, 226-227.

¹⁴⁹² Steel, 226-227. “The Week,” *The New Republic*, October 15, 1924 (Vol. 40, No. 515), 153.

In another editorial just before the election, TNR took the fight to Lippmann directly. Their former colleague, they argued, was rationalizing towards an already-decided viewpoint – As such his view of parties “is framed to guarantee the survival of Mr. Davis’s party.” To “justify a progressive like himself in voting against La Follette,” they argued, Lippmann was attributing “a long life after death to certain structural forms in the two existing parties. He fails to attribute sufficient vitality to the destructive and constructive possibilities of an economic and political ferment, which just in so far as it spreads will furnish economic groups with sufficient motive and momentum to break through old partitions and set free new political forces.” In short, TNR argued, Lippmann was playing it safe to satisfy his new Democratic bosses.¹⁴⁹³

Particularly irate by Lippmann’s stance was Felix Frankfurter, who began to fire off angry letters to the *World* at a weekly clip. “Coolidge and Davis had nothing to offer...except things substantially as is,” pleaded Frankfurter. “The forces that are struggling and groping behind La Follette are, at least, struggling and groping for a dream.” Lippmann was unmoved, and after publishing the first few harangues decided to cut his friend off. “I am exercising an editorial right to close a correspondence in which the correspondent has no further claim upon your space,” he replied to Frankfurter. “Your letter has been published. *The World* has made its reply. We do not wish to conduct an argument with you.”¹⁴⁹⁴

If the Robins Progressives wanted Coolidge because they were leery of the notion of a class party, Lippmann – after the events of recent years – urged Davis in part because he no longer wanted to see a strong and centralized federal government that could be bent to the whims

¹⁴⁹³ “Barriers to Progressivism,” *The New Republic*, November 5, 1924 (Vol. 40, No. 518), 240-242..

¹⁴⁹⁴ Steel, 226-227.

of the masses. “You must not complicate your government beyond the capacity of its electorate to understand it,” he warned. “If you do, it will escape all control, turn corrupt and tyrannical, lose the popular confidence, offer real security to no man, and in the end it will let loose all the submerged antagonisms within the state.” Because of this, and because the increasingly foreign-policy-focused editor thought La Follette’s view of the world was immature and archaic – a combination of “American irresponsibility and isolation with provocative statements about the policies of France and England” – Lippmann chose to cast his vote for John W. Davis.¹⁴⁹⁵

Reds, Pinks, Blues, and Yellows

With the might of both established parties and such formidable campaign weaponry arrayed against them, few political observers harbored illusions about the unlikely odds of La Follette and Wheeler winning the White House. “None of us for a moment thought we had a chance to win,” remembered Phil La Follette later, with the possible exception of his father. Nonetheless, the La Follette-Wheeler campaign inspired progressives and many others – the “Reds, the Pinks, the Blues, and the Yellows,” according to the *Saturday Evening Post*’s “Let X=La Follette” savaging of the campaign – to hope against hope during the fall of 1924, even as decisions and events during the campaign contrived to make an uphill battle even harder.¹⁴⁹⁶

“More than any other factor,” historian Kenneth MacKay concluded in his 1947 study of the campaign, “the lack of funds curtailed the activities of the Progressives in 1924.” And, indeed, the lack of steady financing affected every aspect of the campaign effort. David Niles,

¹⁴⁹⁵ Ibid. Lippmann, “Why I Shall Vote for Davis,” 219.

¹⁴⁹⁶ Unger, 296. Mackay, 166.

the head of La Follette-Wheeler's Campaign Speakers Bureau, soon found that his outfit had a budget of only \$5,000 to work with instead of the \$50,000 promised. According to an official Senate inquiry into 1924 campaign spending -- chaired by William Borah -- Republicans raised \$4,360,378, Democrats \$821,037, and the Progressives only \$221,977. Put another way, La Follette and Wheeler were outspent almost four to one by the Democrats and almost twenty to one by the incumbents -- and that's only the money that was counted. Labor lawyer Frank Walsh, La Follette's official representative before the Borah committee, estimated the Republican had really spent \$15,700,000 -- 92% of which he argued was raised from industrialists and bankers, and 71% of which was raised in sums larger than \$1000. Whatever was actually spent by the Coolidge-Dawes campaign, the official numbers put out by the Borah committee are likely on the low end.¹⁴⁹⁷

Unfortunately for the Progressives, their primary constituencies -- laborers and farmers -- usually had no money to give. And compounding the persistent cash flow problems was the fact that the campaign had no organization at all in many parts of the country. Outside of Wisconsin and Montana, where La Follette and Wheeler had built their respective state machines, and states like North Dakota and Minnesota, where the Non-Partisan League still had extant operations, the campaign was dependent almost entirely on the Socialists, who were already on the ballot in forty-four states and who had become proficient at running a disciplined campaign effort on a scant budget. (This posed its own problems, since many voters fond of La Follette still looked askance at voting for the party of Debs.) Touring the West -- ostensibly La Follette's stronghold

¹⁴⁹⁷ MacKay, 184-186, 189-190. Wheeler, 263. The Progressives hurt their cause on the campaign finance front by accusing Republicans of having the Federal Reserve underwrite the expense of the Coolidge campaign -- a charge backed by several telegrams attesting to that fact. While La Follette held "grave doubts of their authenticity," the campaign made the argument regardless, and was forced to eat crow when it became clear these telegrams were a hoax. MacKay, 192.

– with Wheeler, Oswald Villard often found “only the merest skeletons of what a fighting political force should be.”¹⁴⁹⁸

Nor, because of the decision to forego a third party, were their often state or local tickets to add ballast to the La Follette-Wheeler efforts. Occasionally the third party would endorse a majority party candidate, as they did William Borah in Idaho. But often times there were no satisfactory options in the race, and even potential candidates were loath to take the third party leap of faith. As one candidate for office complained to the campaign, “If I declare for La Follette, I cut myself off from my own party, and I cannot join the La Follette party because you have not got any.” As such, he had “everything to lose and nothing to gain” by running down-ballot. This, noted Socialist writer Alfred Baker Lewis, was “the weak spot of the La Follette campaign.” And even in some cases where there were down-ballot candidates, such as Montana and Nebraska, speakers like Wheeler ended up campaigning against their own ticket, in favor of progressive incumbents like Thomas Walsh and George Norris. “The defeat of Walsh,” Wheeler declared despite there being a slate of La Follette electors on the Farmer-Labor ticket, “would be looked upon by the country as a repudiation of his magnificent fight against corruption in Washington.”¹⁴⁹⁹

As a result of this lack of organization and dearth of candidates in most sections of the country, La Follette’s efforts were often dependent almost entirely on volunteers, many of whom, being single-minded idealists of one kind or another, were of questionable worth to the campaign. Arthur Hays recalled several bewildered farmers, at the end of a long pro-La Follette oration by an egghead progressive or doctrinaire socialist, asking what all of this had to do with

¹⁴⁹⁸ MacKay, 176-179, 194, 196.

¹⁴⁹⁹ Ibid. McKenna, 212. Wheeler, 259-260.

the price of hogs. Similarly, campaign staffer Lionel Popkin took a survey of the various La Follette events happening in New York City one evening. In Union Station, he found a drunk La Follette orator taking credit for the Teapot Dome revelations. (“What the hell did Bob La Follette have to do with that? I’m the man who showed up the scoundrels. Me!”) Elsewhere, an old Wobbly urged voters to yell “Hooray for Bob La Follette!” at their polling places, and then take an axe to the ballot box. (“That the sort of direct action that will count, fellow workers!”) In Columbus Circle, another fellow – “an unfrocked priest from the Pacific Coast” – was amusing his Irish audience by deploring the English, while at 96th and Broadway, a volunteer was telling workers that, under the new regime, the posh homes lining West End Ave. and Riverside Drive would be theirs for the taking. Recounting Popkin’s ill-fated Gotham voyage in his memoirs, Hays noted a joke going around the campaign then: The La Follette emblem was the Liberty Bell, and “the crack is getting larger every day!”¹⁵⁰⁰

Early in the campaign season, it was hoped that both the financial and organizational constraints faced by the Progressives would be leavened by the unprecedented endorsement of the American Federation of Labor in August, 1924 – the first time in history the labor group ever officially endorsed a presidential ticket. This endorsement was an indicator of both the more explicitly class-based nature of La Follette’s insurgency in 1924, and the sheer desperation which opponents of normalcy felt that year. Twelve times since 1885, the AFL had voted down resolutions in favor of a third party, and Samuel Gompers had spent his entire career attacking the Socialists and reaffirming the non-partisan nature of his organization. But, once the Democrats turned away pro-labor planks to their own platform and chose a scion of Wall Street

¹⁵⁰⁰ Ibid. Hays, *City Lawyer*, 201, 269-270.

as their candidate, the ailing Gompers confessed that “it looks as if we are forced to turn to La Follette...there is no other way.”¹⁵⁰¹

And so, while noting that “cooperation hereby urged is not a pledge of identification with an independent party movement or third party” and that “we do not accept government as the solution of the problems of life,” the AFL announced their support of La Follette and Wheeler as two men – an “independent Republican” and an “independent Democrat” – who “throughout their whole political careers stood steadfast in defense of the rights and interests of wage earners and farmers.” (As to the Socialists, Gompers reiterated in an editorial that “These candidates have the support of minority groups, in themselves of no great importance, but with which we are and have been in the sharpest kind of disagreement. We shall continue to oppose those doctrines at all times.”)¹⁵⁰²

With the endorsement of the AFL – a clear sign “that the Old Guard in the Federation is weakening,” noted *The Nation* – La Follette and Wheeler ostensibly gained the support of a three-million member organization that could further rally urban workers to the progressive standard. As such, *The New Republic* thought “Senator La Follette’s chances of polling a large vote in the eastern cities...much improved.” H.L. Mencken begged to differ. The endorsement “will be worth vastly less” than three million votes, Mencken argued, “for, labor, in America, seems quite unable to function politically...In November, I dare say, hundreds of thousands of union men will cast their votes for the Hon. Charles G. Dawes, perhaps the most bold and bloodthirsty enemy of unionism ever heard of in American politics.”:

¹⁵⁰¹ MacKay, 150-154. Levine, 316.

¹⁵⁰² Ibid.

[L]abor leaders, in the Republic, are mainly mountebanks who are for themselves long before and after they are for labor...But perhaps the political impotence of labor is due more largely to the fact that the American workingman, like every other American, has ambitions, and is thus disinclined to think of himself as a workingman. In other words, he refuses to be class conscious. What he usually hopes is that on some near tomorrow, he will be able to escape from work and go into business for himself, and so begin oppressing his late colleagues.¹⁵⁰³

“LaFollette’s real strength,” Mencken argued, is unorganized labor. “It is there that discontent is greatest, for the Federation and the brotherhoods are wholly selfish, and not only refuse to help the poor fellows without their ranks, but even give capital a hand in oppressing them...The White House anterooms are already filled with labor leaders, eager to kiss hands and pledge their fealty.”¹⁵⁰⁴

Whatever the merits of Mencken’s overall description of labor, he was ultimately correct about the value of the AFL endorsement. While Gompers urged trade unionists to support “these two friends of freedom, progress, and true democracy” right up until Election Day, overall the AFL was a casual ally at best, only mustering up \$25,000 nationwide to dedicate to the cause. “I personally and the Socialist Party ticket in New York State got very little support from the A.F. of L,” remembered Norman Thomas, a candidate for Governor of New York that year. “As a matter of fact, the La Follette ticket nationally got less support as the campaign wore on from the A.F. of L. than was expected.” In fact, just before the election, the New York City executive committee of the Trades and Labor Council switched their support from La Follette to Davis, since “La Follette has no chance to be elected.” Despite the early hopes of progressives that the endorsement would be a game changer, the AFL’s support proved to be something of a non-

¹⁵⁰³ “Editorial Paragraphs,” *The Nation*, August 13, 1924 (Vol. 119, No. 3084), 153. “The Week,” *The New Republic*, August 13, 1924 (Vol. 39, No. 506), 309. MacKay, 199-200. Mencken, 87-90.

¹⁵⁰⁴ Mencken, 87-90.

factor. Other major unions – most notably John L. Lewis’s United Mine Workers – threw in with Coolidge from the start.¹⁵⁰⁵

Short of money, organization, and allies, the campaign also had to deal with the problem of La Follette’s infirm health, which prevented him from taking to the campaign trail as vigorously as hoped. To combat this, one of the first official acts of the campaign, coordinated by Bob La Follette, Jr., was what the *New York Evening Journal* deemed “a unique experiment in American politics”: a Labor Day speech specifically written for and delivered by a nationwide radio broadcast – arguably the first such campaign address in American history. While the address was estimated to have reached several million voters, the technical hassles and prohibitive cost (\$3500) of arranging such a nationwide broadcast cost the campaign more than it was worth. And, after decades of theatrical speaking and gesticulating on the stump, the senator was not at all accustomed to the new technology, and much of the La Follette magic did not translate over the airwaves. As Arthur Hays recalled, “for an orator of the old school like La Follette, the whole business seemed so much gimcrackery. He was used to striding up and down the platform when he spoke. It fretted him to have to stand close to the microphone.” (By contrast, the reticent, undemonstrative Coolidge had a voice for the radio and not much else. The campaign’s final days saw the president deliver a radio address to the largest network then ever assembled – twenty stations.)¹⁵⁰⁶

¹⁵⁰⁵ “Gomper’s Last Call for La Follette,” *New York Times*, November 2, 1924. “Editorial Paragraphs,” *The Nation*, August 13, 1924 (Vol. 119, No. 3084), 153. “The Week,” *The New Republic*, August 13, 1924 (Vol. 39, No. 506), 309. MacKay, 199-200. Wheeler, *Yankee from the West*, 263. Leuchtenburg, *Perils of Prosperity*, 131.

¹⁵⁰⁶ MacKay, 156. Hays, *City Lawyer*, 273. La Follette, 1125-1126. “I will say,” jested La Follette of the experience, “that I never had a more respectful hearing or fewer interruptions.” Listening to La Follette over the radio, his daughter Fola “had the sense of space being absolutely annihilated, and much of the time I could not realize that you were not actually inside the machine from which the voice came.” La Follette, 1127-1128.

La Follette's radio address was followed by a campaign innovation borrowed from the Socialists, the fund-raising political rally. At an extravaganza on September 18th, 1924, 14,000 supporters crammed into Madison Square Garden, and approximately 7000 listened over loudspeakers outside, to hear the candidate, as well as supporters like Arthur Garfield Hays and Norman Thomas, discourse. (According to Thomas, the Democrats were “the party of the Espionage Law, the cruel and illegal anti-Red raids, the spy system, the war frauds, child labor in the South, A. Mitchell Palmer, and his anti-labor injunctions,” and the Republicans were “the party of Forbes, Fall, and Daugherty, the party of Judge Gary and company-owned towns, the party of big business and big injunctions against labor.”) While half the seats inside the Garden were free, the other half cost anywhere between 55 cents and \$2.50, thus raising almost \$13,000 for the continually cash-strapped campaign. Future La Follette stops would follow similar pricing systems.¹⁵⁰⁷

In the end, Senator La Follette ended up conducting a twenty city speaking tour beginning on October 6th in Rochester, New York – well after Davis and Dawes had gone out on the stump. After events in Scranton and Newark, La Follette swung through a multi-city tour of the Midwest – Detroit, Cincinnati, Chicago (where he was introduced by Jane Addams), Kansas City, St. Louis, Des Moines, Minneapolis, Sioux Falls, Omaha, Rock Island, and Peoria. Then, due both to lack of funds and the sense that the West was La Follette-Wheeler country regardless – a critical mistake, thought Burton Wheeler – the candidate returned East for the concluding week of the campaign, stopping in Syracuse, Baltimore, Brooklyn, Schenectady, Boston, and, finally, Cleveland, the site of the original convention. At each stop, the Senator railed against the evils of monopoly, the dangers of “big business,” and the corruption of Teapot Dome – with

¹⁵⁰⁷ La Follette, 1128. Zinn, *La Guardia in Congress*, 82.

special attention given to farm issues during the Midwest swing and anti-imperialism in the German-American stronghold of Cincinnati. “The tour, taking it all in all,” wrote John W. Owens for *The Baltimore Sun*, “is a marvelous performance. This old man, charging entrenched enemies with the furious abandon of a romantic young cavalier, and the throngs of men and women massing in city after city to hear him, and to gladly to give mites of money to aid him, what has there been in politics in years that is comparable?”¹⁵⁰⁸

The more vigorous Burton Wheeler, meanwhile, went on his own speaking tour in September and October, covering 17,000 miles across twenty-six states. Beginning in Boston – Coolidge’s home base – Wheeler ventured up to Portland before wending his way through Rhode Island, Connecticut, and New York. He then head west through Illinois, Minnesota, Iowa, Nebraska, and Montana to the Northwest. After working his way down California – the largest event being before 12,000 at the Los Angeles Bowl, which one enthusiastic paper called “the greatest demonstration received by a candidate in the history of California” – Wheeler cut back through Arizona, New Mexico, Texas, Nebraska, and Oklahoma before making several final campaign stops in Chicago, New York, and Baltimore.¹⁵⁰⁹

Despite La Follette’s many rhetorical talents, Wheeler turned out to be the better campaigner of the two candidates – for while the old Wisconsin progressive would often get caught up in abstract diatribes about the evils of monopoly, Wheeler focused like a laser beam on the issue of corruption in the White House. “Let’s see who is destroying this government of ours,” he would exclaim. “Is it the farmers, the laborers, or the merchants of the country? Or is it the Daughertys, the Falls, and the Dohenys?” Continually referring to Coolidge and Davis as the

¹⁵⁰⁸ MacKay, 156-159. La Follette, 1130-1140.

¹⁵⁰⁹ Wheeler, *Yankee of the West*, 252-263.

“Gold Dust Twins,” Wheeler defied his audience to “name a single national administration in American history that was as venal, as corrupt, and as careless of the rights of American citizens” as the one currently in power. “Stop government by special privilege,” Wheeler concluded, “and you stop government by corruption.”¹⁵¹⁰

“He is doing extremely good work, quiet, modest and unassuming yet dramatic to a remarkable degree by his simple straightforward narrative of Teapot Dome and the Daugherty scandals,” Oswald Villard – working as Assistant National Treasurer for the campaign – reported to La Follette of his running mate. “I have never seen audiences more fascinated, or that listened more closely and attentively.” Wheeler got particularly good mileage out of debating an empty chair or cross-examining a straw dummy about Teapot Dome and various other campaign issues. “You knew all about the oil scandals and the Ohio gang, didn’t you?” Wheeler would ask. Then, after the ensuing silence, he would add, “Well, knowing all these things, you kept quiet, didn’t you? And now you have the reputation of being a strong, silent man, haven’t you?” Here, Wheeler told voters, was America’s “Silent Cal.”¹⁵¹¹

The lack of resources on hand necessitated another political campaign first, as Belle La Follette became the first candidate’s spouse in American history to go on her own speaking tour. Traveling through New York, New Jersey, Pennsylvania, and Connecticut, Mrs. La Follette forewent “technical politics” to speak to her audiences “neighbor to neighbor, friend to friend. I want especially to speak to you women...to talk things over with you, get your views, answer your questions, and see if we can’t mutually understand and agree.” As “the distaff side of the La

¹⁵¹⁰ Wheeler, *Yankee of the West*, 255. La Follette, 1138-1139. MacKay, 176. Murray, *The Politics of Normalcy*, 138.

¹⁵¹¹ Ibid. Schlesinger, *Crisis of the Old Order*, 101. Hays, *City Lawyer*, 271.

Follette party,” Belle La Follette emphasized her husband’s more conservative take on reform. “He never advocates a reform that experience has not shown is needed,” he noted, arguing that while she was more radical the Senator was “almost old fashioned in his worship of our institutions.”¹⁵¹²

All of these official campaign efforts were buttressed by the work of the various La Follette-Wheeler campaign headquarters, run by Wisconsin Congressman John Nelson in Chicago, Gilbert Roe in New York, and Basil Manley and Bob La Follette, Jr. in Washington. Director of Publicity Ernest Gruening churned out press releases, while the varied members of the original CPPA coalition – railroad brotherhoods, socialists, farmers, and forty-eighters – amplified the message in their respective journalistic organs, as did *The Nation* and *The New Republic*. Similarly, aiding La Follette’s pitch to America’s women voters was the former Women’s Committee for Political Action, now reconstituted as the Women’s Division of the La Follette-Wheeler campaign. (It maintained a separate identity “because when a woman’s organization joins a man’s,” said member Isabelle Kendig, “the men always are elected to the outstanding posts and given the real jobs.”) The Women’s Committee helped to secure speakers like Harriet Stanton Blatch and Jane Addams for the campaign.¹⁵¹³

Along with introducing La Follette in Chicago, Addams published a piece in the September 10, 1924 issue of *The New Republic* detailing “Why I Shall Vote for La Follette.” Addams recalled how, during her time at Hull House, when she was “represented by corrupt aldermen in a city council...the political air of Wisconsin filled my lungs like a breath from the mountain tops of the finest American tradition.” She now “rejoice[d] in an opportunity to work

¹⁵¹² La Follette, 1129.

¹⁵¹³ Ibid. MacKay, 149. Cott, 253.

for ‘progressive political action’ under a leader who has, since 1898, successfully led a progressive movement inevitably expanding through a quarter of a century.” La Follette, Addams concluded, was “welding together...the forward-looking voters, whether they have called themselves Socialists or liberals, proletarians or agriculturists... They hope under the leadership of this wise man – who combines so remarkably the abilities of the expert with those of the statesmen – to integrate their cooperating experiences into a progressively efficient political activity.”¹⁵¹⁴

“Why I Shall Vote for La Follette” subsequently became a regular feature in *The New Republic* up until the election. Also participating were Wisconsin economist John Commons, Zona Gale, Edward T. Devine, Norman Hapgood, and Felix Frankfurter. “I wrote a piece about La Follette and said of his program that I probably disagreed with nineteen out of twenty planks,” Frankfurter recalled at the end of his life. “The specific program of La Follette meant nothing to me, but the general direction in which he was going meant everything to me.” In the final installment of the series, TNR editor Herbert Croly recapitulated the class-consciousness argument his magazine made upon the nomination of La Follette. (“So far, then, from deploring or fearing the organization of a farmer-labor party, I believe it to be the fitting instrument of the orderly but sufficiently thorough-going readjustment of American political and economic life.”) The week of the election, the magazine’s anonymous editorial voice, declared that a “vote for Mr. Coolidge...affirms the ideal of an arrested America. A vote for Mr. Davis, no matter what the intentions of the voter, affirms an irresponsible and drifting America. A vote for Mr. La Follette affirms a progressive America, which is fully aware of its inherited national purpose and

¹⁵¹⁴ Jane Addams, “Why I Shall Vote For La Follette,” September 10, 1924 (Vol. 40, No. 510), 36-37.

is not afraid to demand those changes in conduct, institutions, and ideas which are necessary to redeem it.”¹⁵¹⁵

TNR also argued over the course of the campaign season that a successful La Follette bid would likely mean one of the two major parties – probably the Democrats – would break up and disappear. “The La Follette vote will be large,” the journal reported in October. “In many of the polls he is almost keeping abreast of Coolidge... If it does destroy one of the two older parties, the Democracy will surely be selected for sacrifice.” True, Democrats could always rely on a Solid South for votes, but – should La Follette win -- “[i]s there any reason why the Solid South and the conservative Republicans should not form a new coalition in order to fight the common enemy and to regain control of the government? If the Solid South should form a coalition with conservative groups in the rest of the country, it would preserve its own solidarity intact, while at the same time it would unite with the other elements in American political and social life which are most congenial to it.”¹⁵¹⁶

White southerners may not abandon the Democratic Party just yet, but W.E.B. Du Bois and *The Crisis* were urging African-Americans to rethink voting Republican. Ever since the failure of the Dyer anti-lynching bill in the Harding Congress, *The Crisis* had begun to advocate for ending the long-standing relationship between African-American voters and the party of Lincoln. “The trend toward a Third Party is irresistible,” argued *The Crisis* in January 1923.

¹⁵¹⁵ John Commons, “La Follette and Wisconsin” September 17, 1924 (Vol. 40, No. 511), 63-65. Zona Gale, “Why I Shall Vote for La Follette – III,” *The New Republic*, October 1, 1924 (Vol. 40, No. 513), 115-116. Edward T. Devine, “Why I Shall Vote for La Follette – IV,” *The New Republic*, October 8, 1924 (Vol. 40, No. 514), 137-138. Norman Hapgood, “Why I Shall Vote for La Follette – V,” *The New Republic*, October 15, 1924 (Vol. 40, No. 515), 168-169. Felix Frankfurter, “Why I Shall Vote for La Follette – VI,” *The New Republic*, October 22, 1924 (Vol. 40, No. 516), 199-200. Frankfurter, 197, 199. Herbert Croly, “Why I shall Vote for La Follette,” *The New Republic*, October 29, 1924 (Vol. 40, No. 517), 218-219. “The Week,” *The New Republic*, November 5th, 1924 (Vol. 40, No. 518), 234.

¹⁵¹⁶ “The Democratic vs. A Progressive Party,” *The New Republic*, October 8, 1924 (Vol. 40, No. 514), 131-132.

“Our duty is clear...Can any Negro voter in the future support the Democratic or Republican party in national elections without writing himself down as an ass?” Writing in the magazine in June of that year, former Assistant Attorney General William Lewis urged that “colored citizens in this country should take a leaf, or a chapter, out of the history of Irish in American politics. Be ‘agin’ the party in power...There is nothing sacred about party designation. Our debt of gratitude to the Republican Party has long since been paid with compound interest.”¹⁵¹⁷

The prospects for a break grew stronger with the death of Warren Harding, who, if nothing else, had at least tried to broach the issue of race relations in Birmingham. “He was not a great man,” editorialized *The Crisis* upon his death with genuine affection, “but he was something just as rare – a gentleman; a man gently bred, good and kind and yearning for peace. If there ran in his veins any bit of the blood of Africa...it would explain much of the spirit of sympathy and forgiveness in the heart of this over-worked servant of the people.” Coolidge, on the other hand, rubbed African Americans who met with him – as he rubbed many other visitors who met with him – as distant and standoffish.¹⁵¹⁸

By August 1924, Du Bois argued it was “manifestly impossible” for African-Americans to “vote a straight ticket for either” of the two major parties. “Our vote must be primarily a matter of individual candidates for office.” Similarly, James Weldon Johnson declared in October that “the only way for the Negro to begin to gain political importance and power is by smashing [the] ‘Gentlemen’s Agreement’ between Republicans and Democrats. “He must absolutely destroy the idea that because a man’s face is dark he has the word ‘Republican’

¹⁵¹⁷ “Third Parties” *The Crisis*, January 1923 (Vol. 25, No. 3), 105. William H. Lewis, “Letter to the Editor,” *The Crisis*, June 1923, 34.

¹⁵¹⁸ “The President,” *The Crisis*, September 1923 (Vol. 26, No. 5), 199.

indelibly written across his forehead. He must keep politicians uncertain as to how he will vote.”¹⁵¹⁹

While Du Bois thought it “inexcusable” that the La Follette platform had nothing to say about African-American rights and thus apparently “no convictions as to the rights of Black Folk,” he also thought “[f]or the uplift of the world this is one of the best programs ever laid down by a political party in America. It can be carried out and still leave black folk and brown and yellow disinherited from many of its benefits. It can triumph and by its very triumph bring new tyrannies upon hated minorities. And yet despite this it will be far better than the present America.” A more unqualified endorsement came from Col. Roscoe Conkling Simmons, one of the more prominent African-American orators of his day and usually a stalwart of the Colored Division of the Republican National Committee’s Speakers Bureau. “Senator La Follette,” proclaimed Simmons, “is the hope of the Negro race,” prompting so many African-Americans to volunteer for the cause that the La Follette campaign had no idea how to put everyone to work.¹⁵²⁰

La Follette and Wheeler also enjoyed the support of numerous other progressives of note, among them Florence Kelley, John Dewey, Paul Kellogg, Donald Richberg, and Helen Keller, who praised La Follette’s “courage and vision and unyielding determination to find a sensible, just way out of the evils which threaten this country.” As noted earlier, Harold Ickes, despite believing it “foolish and futile” not to build “a new party movement” and feeling “a very real hesitation in taking a step politically that is likely to change radically my whole political life,”

¹⁵¹⁹ “Public Statement of the 15th Annual Conference,” *The Crisis*, August 1924 (Vol. 28, No. 4), 151-153. James Weldon Johnson, “The Gentlemen’s Agreement and the Negro Vote,” *The Crisis*, October 1924 (Vol. 28, No. 6), 262-264.

¹⁵²⁰ “La Follette,” *The Crisis*, August 1924 (Vol. 28, No. 4), 154. Unger, 291.

also joined the La Follette cause. And, of course, the La Follette-Wheeler campaign inspired millions of laborers and farmers across the country, who formed ad hoc groups such as the “La Follette Clerical Workers Progressive League,” the “Illinois Negro Progressive Club,” and the “Farmers’ Progressive Conference of Illinois” to back their candidate. Among those rallying to the cause were the down-on-his-luck California oil worker Frank Nixon and his eleven-year-old-son Dick. Holding the White House himself a half-century later, Nixon would still call La Follette’s *Autobiography* one of his three favorite books.¹⁵²¹

Judging from the journals, the progressives began to feel a sense of momentum behind La Follette’s candidacy over the course of the campaign, even despite the long odds. “All the La Follette news is good news,” gushed *The Nation* roughly a month before the election:

Iowa is so certain for La Follette that, according to reliable reports, a group of the leading Wall Street financiers has hastily called together at a luncheon in mid-September, at which they pledged a large sum of money to buy Iowa back for Coolidge. But the most amazing news comes from California. At the outset of the campaign no one dared hope that this reactionary State would turn toward La Follette...the Hearst and *Literary Digest* polls show an amazing turning to La Follette, even in Los Angeles. More than that, Gus Karger, the anti-La Follette correspondent of the Taft Cincinnati paper, wires from California that the State is now La Follette’s. In New-York the tide is turning from Coolidge...Chairman Shaver’s admission that if the election were held today it would go into the House is further convincing proof of the growth of the La Follette movement. Even in a border State like Maryland the amount of support for La Follette is causing the Davis managers the greatest concern.¹⁵²²

In short, *The Nation* effused, “the tidal wave is growing.” Three weeks later, Oswald Villard reported to his readers that “it is curious how many men one meets who are convinced that La Follette will be the next President.” Adding that he was “convinced by personal

¹⁵²¹ Unger, 291-292. Ickes to John M. Nelson, September 29, 1924. HLI, Box 36: N Miscellany Ickes to Hiram Johnson, September 9, 1924. HLI Box 33: Hiram Johnson. La Follette Clerical Workers Progressive League, “Why Clerical Workers Should Support La Follette and Wheeler.” Illinois Negro Progressive Club, “Why We Are for La Follette,” undated. Hiram Vrooman, “Why Farmers Should Vote for LaFollette,” undated. RLF Box 203: 1924 Campaign.

¹⁵²² “Editorial Paragraphs,” *The Nation*, October 1st, 1924 (Vol. 119, No. 3091), 320.

observation that Mr. Dawes helps the La Follette cause,” Villard insisted that “Minnesota, South Dakota, Nebraska, Iowa – the deeper I penetrated into the Mid-West the brighter seems the outlook for Robert La Follette. I am now certain that if the election were held tomorrow he would carry every one of those States, in addition to North Dakota, Montana, and Washington. Wherever I have been, save only Kansas, the outlook seems brighter than the political analyses of the various newspapers portray it.” By the eve of the election, Villard seemed convinced the time of reckoning was at hand. “Republican big business has considerably lost its grip in this contest,” he argued, comparing the election to the eve of the Civil War. “As the John Brown raid was the curtain-raiser in 1859, so is this the peaceful curtain-raiser in 1924. The long struggle from Bull Run to Appomattox is just ahead.”¹⁵²³

The editors of *TNR* kept a slightly more level head, but they too began to prophesy a considerable showing for the Wisconsin Senator. “Nearly all the political experts now predict that the election will be thrown into the House,” the journal declared in mid-October. “It seems certain that fewer popular votes will be cast for Davis than for either of his rivals,” they reported a fortnight later. Commenting on a later *Literary Digest* poll that put Coolidge far ahead of both contenders (with La Follette running second) and suggested La Follette would win no state but his own, *TNR* argued “it is certainly incorrect and misleading. It seems clear that the lists of voters from which an expression of opinion was solicited were heavily weighted in Coolidge’s favor.”¹⁵²⁴

¹⁵²³ Ibid. Oswald Villard, “The Winning of the West,” *The Nation*, October 22, 1924 (Vol. 119, No. 3094), 435-436. Oswald Villard, “Summing up the Campaign,” *The Nation*, October 29th, 1924 (Vol. 119, No. 3095), 461.

¹⁵²⁴ “The Week,” *The New Republic*, October 15, 1924 (Vol. 40, No. 515), 153. “The Week,” *The New Republic*, October 29th, 1924 (Vol. 40, No. 517), 209.

Perhaps the best indicator of the emotional pull many felt toward La Follette's campaign in 1924 was that it even managed to warm the heart of the Grinch from Baltimore. Going over the options at the close of the campaign, Mencken returned last to "the Wisconsin Red, with his pockets stuffed with Soviet gold. I shall vote for him unhesitatingly, and for a plain reason: he is the best man in the running, *as a man*":

There is no ring in his nose. Nobody owns him. Nobody bosses him. Nobody even advises him. Right or wrong, he has stood on his own bottom, firmly and resolutely, since the day he was first heard of in politics, battling for his ideas in good weather and bad, facing great odds gladly, going against his own followers as well as with his followers, taking his own line always and sticking to it with superb courage and resolution.

Suppose all Americans were like LaFollette? What a country it would be! No more depressing goose-stepping. No more gorillas in hysterical herds. No more trimming and trembling. Does it matter what his ideas are? Personally, I am against four-fifths of them... You may fancy them or you may dislike them, but you can't get away from the fact that they are whooped by a man who, as politicians go among us, is almost miraculously frank, courageous, honest, and first-rate."¹⁵²⁵

As a testament to La Follette's character, Mencken reminded his readers of the Senator's situation during the World War. "His colleagues, eager to escape contamination, avoided him; he was reviled from end to end of the country; all the popularity and influence that he had built up by years of struggle vanished almost completely. Try to imagine any other American politician in that situation. How long would it have taken him to grab a flag and begin howling with the pack?...But LaFollette stuck...he held fast to his convictions, simply, tenaciously, and like a man." Even to a man as curmudgeonly as the Sage of Baltimore, La Follette's candidacy held out the promise of an American nation that would live up to its best ideals.¹⁵²⁶

But, however momentarily inspiring the radiance of that sunlit dream, to Mencken it was a dream nonetheless. "LaFollette will be defeated tomorrow, as he deserves to be defeated in a

¹⁵²⁵ Mencken, 117.

¹⁵²⁶ Ibid, 117-118.

land of goose-steppers and rubber stamps,” he concluded. “The robes of Washington and Lincoln will be draped about a man who plays the game according to the American rules.”¹⁵²⁷

The Second Landslide

When America had spoken and all the votes had been counted, Mencken’s cynicism was once again rewarded. La Follette and “the Hon. Mr. Wheeler,” he wrote, were “beaten so badly that little remains of him save a grease spot. Anon the friends of Mr. Daugherty, aided by the friends of Mr. Coolidge, will mop up the grease spot, put it on trial, and try to railroad it to jail.” With a shrug of resignation, *The New Republic* concurred. “Some of the Progressive leaders have issued public statements in which they placed a cheerful interpretation on the outcome of the recent election,” the editors wrote, “but by so doing they are either fooling themselves or trying to fool other people...The overwhelming success of Mr. Coolidge and the Republican Party signified a clear and emphatic popular repudiation of Progressivism.” Coolidge’s support “was both deep as a well and as wide as a church door,” conceded *The Nation* in an editorial entitled, “Business wins.” “Will Rogers put it exactly when he said that the United States voted to be let alone...’Business as usual’ and a cessation of politics was the slogan that carried.” The back pages of TNR carried a satirical story by Felix Ray of one Elmer Durkin, a newsdealer in the town of Woppington who was the only vote anybody knew for La Follette. “I wish I knew who the other guys were that voted for La Follette in this town,” lamented Elmer as his friends came by to “pay [their] disrespects.” “We ought to hire a nice, roomy telephone booth and stage a

¹⁵²⁷ Ibid.

mass meeting.” When asked whether or not he loves America, Elmer replied, “I love it as much as the next guy, but I don’t like it very well. Anyhow, not today.”¹⁵²⁸

This, *TIME* noted in their own post-election write-up, was “the Second Landslide... In 1920, the country voted out war and the League of Nations – and voted in Harding and the Republicans. In 1924, the country voted out LaFollette and radicalism – and voted in Coolidge and the Republicans again.” In total, Coolidge won 35 states and 382 electoral votes, more than twice the haul of his two competitors. Davis won twelve southern states – the eleven states of the Confederacy and Oklahoma – and 136 electoral votes. La Follette took only Wisconsin, and its thirteen votes. In fact, absent Wisconsin, the final electoral map looked much the same as 1920, with only Oklahoma, Tennessee, and Kentucky switching sides – the prior two for Coolidge, the latter for Davis. In terms of votes, Coolidge won 15.3 million votes and 54% of the vote, Davis 8.3 million and 29%, and La Follette 4.8 million and 17% – the third-best third-party showing in American history, after Roosevelt in 1912 and Ross Perot in 1992, but still considerably less than the Wisconsin Senator had hoped for.¹⁵²⁹

Diving deeper into the numbers, La Follette came in second to Coolidge in eleven western states – California, Idaho, Iowa, Minnesota, Montana, Nevada, North Dakota, Oregon, South Dakota, Washington, and Wyoming. While the Progressives pulled over 20% in America’s nine largest cities and showed strength in working-class enclaves like Pittsburgh, Passaic, Paterson, and Rochester – thanks in no small part to the Socialist organizations on the ground there -- the independents only won one county east of the Mississippi not in Wisconsin –

¹⁵²⁸ Mencken, 120-121. “The Possible Consolation,” *The New Republic*, November 19th, 1924 (Vol. 40, No. 520), 285. “Business Wins,” *The Nation*, November 12th, 1924 (Vol. 119, No. 3097), 510.

¹⁵²⁹ “The Second Landslide,” *TIME*, November 17th, 1924. MacKay, 220.

Clinton, Illinois. (Fiorello La Guardia, however, did win re-election in New York City on a La Follette-Wheeler ticket.) Comparing the La Follette showing to the Debs vote in 1920, historian Kenneth MacKay estimated that the third party garnered around one million Socialist votes, two and a half million farm votes, and around 200,000 votes from railroad brotherhoods.¹⁵³⁰

While Silent Cal won handily, he did not provide much in the way of coattails. The Republicans gained four seats for a 54-42 advantage of the Democrats, but after factoring in deaths and retirements, this gave them only one more Senator than in 1922. While Farmer-Labor Senator Magnus Johnson of Minnesota lost the seat he had won in a 1923 special election, among the Senate progressives re-elected for another term were William Borah, George Norris, Thomas Walsh and Smith Brookhart. The Republican tide was more dramatic in the House, where they picked up 22 more seats for Speaker-to-be Nicholas Longworth of Ohio for a 247-183 advantage – The previous Speaker, Frederic Gillett, won the Senate seat previously occupied by Democrat David Walsh of Massachusetts. Meanwhile in the Governor's races, Al Smith won re-election in New York over Theodore Roosevelt Jr. by 100,000 votes – roughly the same number that Norman Thomas pulled on the Socialist ticket, while William Allen White, running for governor of Kansas on a Klan protest ticket, came in third, with less than half the votes of the ultimate winner, the Klan-supported Republican, Ben Paulen.¹⁵³¹

Despite the relatively small impact of the results in Congress, the victory for Coolidge was, by all accounts, decisive. "It was a famous victory," exulted Chief Justice William Howard

¹⁵³⁰ Cott, 253-254. La Follette, 1148-1149. MacKay, 224-226. Zinn, *La Guardia in Congress*, 84. Vote fraud may have played a factor in a few of these counties – perhaps most notably in Ohio, where the Progressives received exactly zero votes in several Cleveland precincts despite various citizens declaring they had voted for them. But calls for an investigation into fraud never coalesced into anything meaningful. MacKay.

¹⁵³¹ Jack Wayne Traylor, "William Allen White's 1924 Gubernatorial Campaign," *Kansas Historical Quarterly*, Summer 1976 (Vol. 42, No. 2, pp 180-191).

Taft. “This country is no country for radicalism. I think it is really the most conservative country in the world.” A disgusted Hiram Johnson was inclined to agree. “The victory is overwhelming,” he wrote to Ickes. “The outlanders, pariahs, and outcasts like yourself and myself have the choice between devoting ourselves to our private occupations, becoming a part of what we know is the crooked political machine, or speaking when opportunity offers our fruitless opposition. I take it there is not much doubt about which of the three roads you and I will follow.”¹⁵³²

In the last weeks before the election, Harold Ickes had reconciled himself to a Coolidge victory and hoped it might “more quickly” bring about the “substantially new party alignment of Democrats and La Follette Progressives” he had envisioned. But he didn’t expect the types of overwhelming margins Silent Cal would receive. As such, he thought the election represented the victory of “subnormalcy” and “a great day for reaction...If Coolidge had a wooden leg than it would have been acclaimed throughout the country that no one was qualified to be president who didn’t have a wooden leg.” Now, on account of the landslide, “Mediocrity is king...When Harding was elected I thought the country couldn’t sink any lower. I find I was mistaken...[I]t used to be our proud boast that any native born American might become president of the United States. In the light of the recent election it can now be affirmed.”¹⁵³³

Parsing the defeat, Ickes and Johnson both took the opportunity to nurse their grievances. “All I can say is that Raymond couldn’t fall much lower than the place he now occupies in my estimation,” Ickes had told Johnson just before the election. Now, the enmity grew stronger. “Robins’ exultant voice came to me over the telephone the other day,” he reported to the Senator,

¹⁵³² Schlesinger, *Crisis of the Old Order*, 60. Johnson to Ickes, November 7, 1924. HLI Box 33: Hiram Johnson.

¹⁵³³ Ickes to William H. Stephens, October 14, 1924. HLI, Box 35: La Follette Campaign. Ickes to Johnson, October 17, 1924. HLI Box 33: Hiram Johnson.

“but I didn’t prolong the conversation on my part or encourage its continuance on his. He did manage to tell me, however, ‘it was the biggest thing I ever put over.’” “The fact of the matter is,” Ickes wrote in a separate letter, “I don’t think any of us can ever depend upon him again.” As for himself, Ickes told Johnson that “you were very wise to keep strictly to the side lines. I suppose I was a fool to do otherwise, but I couldn’t sit still after Raymond and his associates... undertook in the name of Roosevelt to deliver the old progressive vote to the mannequin from Northampton...As an active force in politics it seems to me that my future is all past.”¹⁵³⁴

Senator Johnson was also irritated by Robins and his “honeyed words,” but he preferred to vent his spleen over his colleague from Idaho. “I note a dispatch this morning that Borah is to succeed Lodge as the Republican leader in the Senate. This I think entirely appropriate. On the one hand he can dance a jig on Wall Street with Dwight Morrow as his partner, and on the other he can scowl with Wheeler and La Follette, and he even may pursue a third policy and march with the southern democrats for states rights. With his capacity for doing all three at the same time and being feared by nobody, he ought to make Raymond Robins his secretary and vicarious orator, and lead the Republican Party in Congress.” Ickes concurred with Johnson’s assessment, “With Raymond to tell him what to do and leave undone,” he replied, Borah “will now outlaw war, whatever that means...If Hughes didn’t seem to have such a tight hold on his job Raymond might even grow whiskers and be made Secretary of State. He is almost as sanctimonious as Hughes, and his political morals are fully as elastic.”¹⁵³⁵

¹⁵³⁴ Ickes to Johnson, November 11, 1924. HLI Box 33: Hiram Johnson. Ickes to Johnson, November 1, 1924. HLI Box 33: Hiram Johnson.

¹⁵³⁵ Johnson to Ickes, October 25, 1924. HLI Box 33: Hiram Johnson. Johnson to Ickes, November 7, 1924. HLI Box 33: Hiram Johnson. Ickes to Johnson, November 11, 1924. HLI Box 33: Hiram Johnson.

The progressive apostate on the Democratic side seemed as sanguine as Robins about the Coolidge victory. “If to know exactly what you want and where you are going is the prime virtue in politics,” Walter Lippmann wrote the morning after the election, “then Coolidge and Dawes deserved to win. *The World* salutes the victors!” Meanwhile, many Democrats, like Ickes and Johnson, began to descend into the same sort of internecine bickering that had made a fiasco of the New York convention. The month after the election, Franklin Roosevelt – building a web of party influence that would serve him well in the years to come – sent a letter to all the delegates of that ill-fated convention, asking in which direction the party should now move. The Republicans were clearly “for conservatism, for the control of the social and economic structure of the country by a small minority of hand-picked associates.” But, “in the minds of the average voter the Democratic Party has today no definite constructive aims.” What now should the Democracy stand for?¹⁵³⁶

Much to Roosevelt’s chagrin, the responses were all over the map. Senator Carter Glass thought the party was shot through with “La Follette-ism and Bryan-ism,” and far too radical for most voters. Senator C.C. Dill, on the other hand, thought it far too conservative. William Jennings Bryan wanted the party to forsake completely the wet urban East. One Illinois Democrat lamented that there was nothing to do “except wait for the Republican Party to blow up.” While Roosevelt himself thought Democrats had to become “by definite policy, the Party of constructive progress, before we can attract a larger following,” he too began to come around to this latter way of thinking. Before the election returns, Franklin Roosevelt had told Eleanor that a Coolidge victory would mean “we shall be so darned sick of [the] conservatism of the old money-controlled crowd in four years that we [will] get a real progressive landslide in 1928.”

¹⁵³⁶ Steel, 226-227. Schlesinger, *Crisis of the Old Order*, 102-104.

But, in the face of such an overwhelming Republican victory, his resolve began to crumble. “Much as we Democrats may be the party of honesty and progress,” he now decided, “the people will not turn out the Republicans while wages are good and markets are booming.” The “stone wall which we all face at present moment is, of course, the complacency of the multitude of voters,” he eventually concluded. “I do not look for a Democratic president until after the 1932 election.”¹⁵³⁷

Looking at the sorry state of the Democrats, the editors of TNR concurred with Franklin Roosevelt’s basic assessment, while taking one last opportunity to thumb their nose at Lippmann. “The *World* attributes Davis’s poor showing to ‘treachery’ by McAdoo Democrats who did nothing or less than nothing to aid him,” sneered the journal. “But a simpler explanation is just as probable. Thousands of progressive Democrats voted for La Follette because Davis was too conservative. Thousands of conservative Democrats voted for Coolidge because they had been frightened into hysterics by the possibility of a La Follette victory..[This] is the fate which is to be expected for a party which does not know, and cannot make up its mind, whether it is progressive or conservative.” As for 1928, TNR thought the ascendancy of Al Smith as “the solitary leader of the Democracy” only meant the party was likely to “repeat its near-suicide of 1924” in New York on a larger scale. Besides, since “the fires of conviction having burned themselves out long ago,” Democrats were just as likely to pick a conservative in 1928, since “[t]oday conservatism’s black appears to be the winning color.”¹⁵³⁸

For *The New Republic*, the only “Possible Consolation” of the Coolidge rout was that conservatism was now irrefutably in control. Republicans, in the minds of voters, were now

¹⁵³⁷ Schlesinger, *Crisis of the Old Order*, 102-104, 376-378. Levine, 322.

¹⁵³⁸ “The Week,” *The New Republic*, November 19th, 1924 (Vol. 40, No. 520), 282-283.

“peculiarly responsible for things as they are and for making things as they are convertible into cash prosperity for a majority of the voters.” Although progressives “failed emphatically to win the confidence of the American people during the recent campaign,” their fight committed the Republican “party to its support of plutocracy and placed the plutocracy itself on trial”:

The question of the adequacy of government by and for business and its effect on the welfare of the American people has broken through the barriers into the arena of party politics, and there we believe it is bound to remain—the chief bone of contention. The Progressive success in provoking so many million American citizens to ignore the sacred party loyalties and allow their votes to be determined by conservative fears and economic purposes has resulted for the moment in an overwhelming endorsement of the business man's state, but there are other elections to follow. The trial will be continued, and sooner or later, the verdict will be reversed.

Government by business in America, like the imperial government of Napoleon III in France, now derives its authority not from effective general consent but from a plebiscite in which millions of citizens were scared or fooled into voting affirmatively. The day will come when it will fall by a plebiscite. The voters when they lose confidence in the Republicans as, by the essential conditions of the game of party politics, they must eventually do, will, as a consequence of the election, also be disgusted with the business man's government whose interests the Republican party frankly represents.¹⁵³⁹

“If the Progressive protest is as necessary as they think it is,” TNR concluded, “and their analysis of the sickness of American industrialism is correct, they can await the ultimate turn of the tide with confidence.” In their pursuit of normalcy, Americans “have lost their former conviction without substituting anything positive in its place, and in their ignorance and doubt they voted for what they took to be their interests and the best chance of social stability. But in their own souls there is no stability,” and eventually the tide would turn again. “This outlook may or may not console many Progressives for their overwhelming defeat at the polls this year, but if it proves to be true, it may prove to be decisive in favor of the ultimate triumph of the Progressive cause.”¹⁵⁴⁰

¹⁵³⁹ The Possible Consolation,” *The New Republic*, November 19th, 1924 (Vol. 40, No. 520), 285..

¹⁵⁴⁰ Ibid.

While acknowledging the bitterness of the defeat, *The Nation* took a similarly philosophic turn. “We thought the prairies were beginning to catch fire, and so they did at the edges, but the blaze must be fanned a good deal yet before it will drive the coyotes and the timber-wolves into the open. This year the back-fires easily held the flames in check.” Nonetheless, La Follette and Wheeler, given their lack of resources and organization and the power of the forces arrayed against them, had delivered a “magnificent achievement...Against incredible odds, they took their cause to the people. It gained steadily and what they accomplished will endure to their lasting renown.” As for the future, the editors of *The Nation*, were “not at all sure that four years more of the crass materialism now enthroned in Washington, of the soulless Republican exploitation of the people for the benefit of the rich and privileged, of the licensing of corruptionists to proceed if only they do not caught, and of the loosing of our financial imperialism upon the world will not bring about an early reaction and a bitter awakening for the masses. We do not – we cannot lose heart.”¹⁵⁴¹

Even the redoubtable Mencken agreed with that basic assessment. Yes, seeing Coolidge and particularly General Dawes win so gloriously was an affront to progressive values. “But let us not commit the error, so common among Progressives of all wings, of shuddering over it too piously, of seeing in it too much of the lamentable. Dawes...is very typical of the America in which he lives, and in particular of the business America now triumphant. His ethical ideas are simple and devoid of cant. He believes that any man deserves whatever he can get. That is also the notion of at least 98 per cent of his countrymen.” Besides as Mencken had argued before the election, “[t]he day good Cal is elected every thieving scoundrel in the Republican party will

¹⁵⁴¹ “Business Wins,” *The Nation*, November 12th, 1924 (Vol. 119, No. 3097), 510

burst into hosannas... There will follow, for a year or two, a reign of mirth in Washington, wilder and merrier even, than that of Harding's time. And then there will come an explosion."¹⁵⁴²

For his part, W.E.B. Du Bois lamented that La Follette and Wheeler, two "unusually honest and straight-forward men," had been beaten. But in *The Crisis*, Du Bois saw in the 1924 results reasons for hope. True, a million of Coolidge's fifteen million votes came from African-Americans – "a last pathetic appeal for justice in the face of unparalleled flouting of black men by this administration." Du Bois predicted that, if the Dyer bill did not soon pass, Republicans "will lose more and more of its black voters as years go." But 500,000 African-Americans also voted for La Follette, "a splendid and far-reaching gesture" to a third party that "has come to stay, and the Negro recognizes its fine platform and finer leaders." And approximately the same number had voted for Democrats in the northern states, including Harlem voting by over a 10,000 vote margin to help put Al Smith over the top. Thus, Du Bois concluded, 1924 marked a year "in which Negroes voted with greater intelligence and finer discrimination than ever before."¹⁵⁴³

Some of the participants in the campaign were at peace with the third party showing as well. Burton Wheeler, who had never expected much of a better showing, declared after the results were in that "the wonder is not that so many millions were intimidated and voted for Coolidge but that so many millions stood by their convictions and voted the Independent ticket." Arthur Garfield Hays took solace in a fight hard-waged as well. "For all its comedy of errors," he wrote in his memoirs, "that campaign of 1924 gave to us who actively participated in it a deeper love for democracy and the decent human beings who make up the rank and file. We

¹⁵⁴² Mencken, *A Carnival of Buncombe*, 123, 105.

¹⁵⁴³ Lewis, 241-242. *The Crisis*, December 1924 (Vol. 29, No. 2), 55-56.

made all sorts of stupid mistakes, we were outsmarted time and again by professional politicians and renegade liberals as well, but somewhere, somehow, we got five million folk to stand up and be counted. ‘There was something where there had been nothing.’ Still he added, “La Follette never recovered from the disappointment of the ’24 campaign.”¹⁵⁴⁴

To be sure, the Wisconsin Senator put on a brave face. “Providence willing,” he told an adoring crowd in Madison after the election, “I believe that I shall last long enough to see the nation freed from its economic slavery and the government returned to the people.” When campaign advisors spoke bitterly of organized labor’s failure to fully back the campaign, La Follette called them out for their “lack of understanding.” “Those pay checks are all that stand between starvation for those workers and their families,” he admonished them. “You are asking too much of them.” Upon his return to the Senate for the lame duck December session, he was gracious in defeat, although he confessed to his sister that “[i]t was not easy to face the old gang with the election just over and every state lost except Wisconsin. But I sailed in my head up & all smiles. You [may] be sure I would give any outward evidence of the taste in my mouth.” A few months later, in the opening session of 1925, the Republicans would try to strip La Follette and the remaining heretics of their seniority. “As for my committee assignments,” the Wisconsin Senator told a reporter, “if I were removed from all committees I would still find plenty of work to do in the Senate.”¹⁵⁴⁵

But, soon, La Follette’s health began to fail for the final time. In June 1925, La Follette became bedridden. “I am at peace with the world,” he told his son Bob Jr., “but there is a lot of work I could still do. I don’t know how the people will feel toward me, but I shall take to the

¹⁵⁴⁴ Wheeler, *Yankee from the West*, 264-265. Hays, 275.

¹⁵⁴⁵ La Follette, 1146-1147, 1150-1151.

grave my love for them which has sustained me through life.” On the morning of June 18th, 1925 – four days after his seventieth birthday – the already ailing La Follette experienced a severe heart attack.¹⁵⁴⁶

Five hours later, with his family gathered around him, the Wisconsin Senator passed away at his home in Washington DC. “It is hard to say the right thing about Bob La Follette,” said Borah upon hearing the news. “You know he lived 150 years.” “His was the voice of justice and humanity, calling God’s common people to battle righteousness,” eulogized La Follette’s old friend George Norris. “He blazed the path through the wilderness of suspicion and doubt, leading the way to a higher civilization, a nobler life, a happier day.” Elsewhere, Norris deemed La Follette’s passing “the most serious loss that honest Government could sustain.” When La Follette’s family cleared out his Senate desk, they found written on a piece of scratch paper, “I would be remembered as one who in the world’s darkest hours kept a clean conscience and stood to the end for the ideals of American democracy.”¹⁵⁴⁷

As for the independent party movement that had rallied around La Follette’s candidacy it lasted scarcely as long as the Senator. In February 1925, the CPPA reconvened in Chicago, ostensibly to discuss their future plans. To Socialist Morris Hillquit, remembering the scene in his memoirs, it seemed the convention had been convened to “bury Caesar, not to praise him.” Complicating matters, the varying members of the CPPA coalition had only been reconfirmed in their prior opinions by the 1924 showing – The railroad brotherhoods and labor organizers thought the La Follette-Wheeler bid had proved that a third party would never work, while the

¹⁵⁴⁶ La Follette, 1166-1174.

¹⁵⁴⁷ Ibid. Leuchtenburg, *Perils of Prosperity*, 139-140. Frederic Babcock, “Norris of Nebraska,” *The Nation*, December 21, 1927 (Vol. 125, No. 3259), 705. Lowitt, 287. Unger, xix.

Forty-Eighters, Socialists, and Farmer-Labor elements thought it proved a third party, with boots on the ground all across the country, was a necessary prerequisite to success. “If five million voters were not enough,” pleaded Hillquit to the railroad brotherhoods, “will you wait until we have swept the country...Did you start your trade unions on that practice?”¹⁵⁴⁸

Also pleading the case for a continued coalition party movement was an ailing Eugene V. Debs, making his first appearance before a CPPA convention. To Hillquit, the frail, sickly old man “seemed like a ghost of reproach from their past...calling them back to the glorious days of struggle and idealism.” “Do you know that all the progress in the whole world’s history has been made by minorities,” Debs told the assembled delegates. “I have somehow been fortunately all my life in the minority. I have thought again and again that if I ever find myself in the majority I will know that I have outlived myself.” Yes, a third party would be an uphill endeavor. If organized, “it must expect from the very beginning to be misrepresented and ridiculed and traduced in every possible way, but if it consists of those who are the living representatives of its principles, it will make progress in spite of that, and in due course of time, it will sweep into triumph.”¹⁵⁴⁹

The gathered convention was awed into silence during Debs’ address. But, nonetheless, upon adjournment of that session, the railroad brotherhoods and other unions decided to leave the organization. Later that evening, the Socialists and the Farmer-Labor Party began to feud over the character of the new party, with the former desiring an explicitly class-based party organized along vocational lines and the latter preferring a more traditional party system. When the Socialist organizational proposal failed 93-64, they too left the dwindling coalition.

¹⁵⁴⁸ Mackay, 231, 235. Zinn, *La Guardia in Congress*, 159-160.

¹⁵⁴⁹ MacKay, 233-234.

Eventually, the only ones left were the Forty-Eighters. Oswald Villard and Arthur Garfield Hays remained active in the movement through 1925 and 1926, with Villard co-writing a Declaration of Progressive Faith in 1926 for a third party convention that never happened – only seven states even showed any interest in gathering. By November 1927, the third-party dream was officially over, and the National Progressive Headquarters closed its doors. “Sooner or later,” wrote Mercer Johnston of Maryland in explaining the decision, “the principles for which the Progressives fought in 1924 will assume definite militant form.” That day had clearly not yet arrived. “Throughout this period,” noted Donald Richberg, looking back, “the progressive forces had only the vaguest ideas of where they were going.”¹⁵⁵⁰

Even if the message didn’t take, Eugene Debs’ plea before the CPPA was one of the old Socialist’s last hurrahs. Since leaving prison, he had remained a symbol of the old Socialist spirit to many across the county. “You and I belong to different schools of socialism,” wrote fish-peddler Bartolomeo Vanzetti to Debs from his Massachusetts prison cell in 1923, “[b]ut you are my Teacher...I am positive that if a minority would follow your practical example the reality of tomorrow would be above the dreams of many dreamers.” Nonetheless, in his final years Debs had been increasingly sidelined by his old party as a venerable and well-meaning relic. “What he does not realize is that his imprisonment is an old story and he is not the drawing card he once was,” party secretary Bertha Hale White complained to Hillquit in the summer of 1925. “The old speeches will not do...I made it as emphatic as I could, saying his old speeches were familiar to every person who would be at his meetings.” What’s more, White argued, “Gene’s psychology is all wrong...the old *Appeal* days and methods are of the past.” One longtime admirer of Debs saw him speak in 1925 and was shocked at the ill health and lack of vitality in the man. “Had the

¹⁵⁵⁰ Mackay, 238-241. Schlesinger, *Crisis of the Old Order*, 102.

lecture been delivered by anyone other than Debs,” he reported sadly, “many in the audience would have walked out.” Increasingly sick throughout 1926, the old man spent time in Bermuda and the Lindlahr Sanitarium in Elmhurst, Illinois to regain his strength. But at Lindlahr, on October 20th, 1925, Eugene Victor Debs passed away of heart failure, also at the age of seventy. “The death of so great a mind and so brave a heart,” wrote W.E.B. Du Bois in *The Crisis*, is a calamity to this poor nation.”¹⁵⁵¹

La Follette and Debs were but two of the fixtures in American political life to pass on within two years of the 1924 election. The day after Election Day, Henry Cabot Lodge – who had seemed so lost at the Cleveland convention after being purposefully sidelined by Coolidge forces – suffered a severe stroke. He joined his old nemesis Woodrow Wilson beyond the veil four days later on November 9th, 1924, at the age of 74. The following month, Debs’ old rival Samuel Gompers, also age 74, suffered a heart attack in Mexico City while attending a meeting of the Pan-American Federation of Labor. Desiring to die on American soil, Gompers was sent on the fastest train available back to the United States. He perished on December 13th, 1924, in San Antonio, Texas. Seven months later, and five days after the conclusion of the Scopes Trial in Tennessee in which he was prominently featured, William Jennings Bryan died in his sleep at the age of sixty-five, on July 26th, 1925.¹⁵⁵²

With Theodore Roosevelt and Woodrow Wilson already gone, many of the remaining pillars that had shaped the American political landscape for decades had now all crumbled away. The world, it seemed, was changing – New political forces were in charge and a New Era was

¹⁵⁵¹ Salvatore, 338-341. “Eugene Debs,” *The Crisis*, December 1926, 65. One month before his execution, Vanzetti wrote Debs’ brother Theodore, telling him that “[s]ince my mother’s death, very few women gave me a sense of maternal love and protection as the one I felt in Gene’s presence, and no other man.” Salvatore, 343.

¹⁵⁵² “Senator Lodge Dies, Victim of Stroke,” *The New York Times*, November 10th, 1924. Rowland Hill Harvey, *Samuel Gompers: Champion of the Toiling Masses* (Stanford: Stanford University Press, 1935), 335-336. Levine,

coming to light. Those left to continue the fight would be forced to dwell often on the question that had haunted Robert La Follette in the last months of his life.

“I believe in democracy,” he had said in 1925, near the end, while lying on his office couch with a troubled look. “But will it ever work?”¹⁵⁵³

¹⁵⁵³ Schlesinger, *Crisis of the Old Order*, 102.

PART THREE: A NEW ERA

“We went to war to make an end to militarism, and there is more militarism than ever before.

We went to war to make the world safe for democracy, and there is less democracy than ever before.

We went to war to dethrone autocracy and special privilege, and they thrive everywhere throughout the world today.

We went to war to win the friendship of the world, and they hate us today.

We went to war to purify the soul of America, and instead we only drugged it.

We went to war to awaken the American people to the idealistic concepts of liberty, justice, and fraternity, and instead we awakened them only to the mad pursuit of money.”

– George Norris, 1927¹⁵⁵⁴

¹⁵⁵⁴ Frederic Babcock, “Norris of Nebraska,” *The Nation*, December 21, 1927 (Vol. 125, No. 3259), 705-706. Greenbaum, 37.

CHAPTER NINE: THE BUSINESS OF AMERICA

PROGRESSIVES AND THE BUSINESS CULTURE

“What the country needs – just at this present juncture – is neither a college president nor a lot of monkeying with foreign affairs, but a good – sound – economical – business – administration, that will give us a chance to have something like a decent turnover.” – George Babbitt (Sinclair Lewis), 1922¹⁵⁵⁵

“Business seems to be in the saddle. Let us see what it can make of the job.” – Harper’s, 1925¹⁵⁵⁶

“Our whole business system would break down in a day if there was not a high sense of moral responsibility in our business world... You cannot extend the mastery of the government over the daily working life of a people without at the same time making it the master of the people’s souls and thoughts.” – Herbert Hoover, 1928¹⁵⁵⁷

“The early Twenties brought the American people to their knees in worship at the shrine of private business and industry. It was said and accepted without question by millions of Americans that private enterprise could do no wrong.” – George Norris, 1945.¹⁵⁵⁸

The election of Coolidge both reflected and accelerated trends that had begun under his predecessor – the ascendance of the business class in American politics, and the enthronement of business culture at the center of American life. As Warren Harding and Calvin Coolidge – and their top two lieutenants, Herbert Hoover and Andrew Mellon – aimed to remake American government in the mold of industry, the nation’s financiers and industrialists outlined their vision for the new America and the values that would sustain her.

Two Brooms, Two Presidents

“More business in government and less government in business” had been a common refrain of Senator Warren Harding’s during the 1920 campaign. In an article by that name for the

¹⁵⁵⁵ Wynn, 215-216.

¹⁵⁵⁶ Murray, *The 103rd Ballot*, 259.

¹⁵⁵⁷ Dumenil, 38.

¹⁵⁵⁸ Norris, *Fighting Liberal*, 245.

November 1920 issue of *The World's Work*, the Republican candidate explained exactly what he meant by this. “Unfortunate indeed is the misapplication of the term ‘progressive,’” Harding argued, “because progression may mean moving forwards as well as moving backwards or sideways.” Real progressives, he suggested, would put more emphasis on deeds rather than lofty words. “I value the crusader. But I value men and women and nations who see the tasks to be done and do them. Because of this, I find idealism in building firm foundations for the economic life of our country, and some idealism in the conception of an administrative government which serves its people well, with thrift, economy, and efficiency, rather than badly by prodigality, experimentation, and slipshoddiness.” The Wilson administration, on the other hand, was an example of what not to do. It had “tinkered and bungled with American business until American business has been put into anxiety rather than expectancy, and darkness rather than light.”¹⁵⁵⁹

“American business is not some selfish, privilege-seeking monster,” Harding maintained. “The agitator who so describes it, and the statesman who treats it with abuse and suspicion, forget that American business is the daily labor of the whole people and the clothes upon their backs and three meals a day...American business is a vast fabric woven through the upgoing years by the daily tasks of a faithful, virtuous people. It is a blind idealist, indeed, who can find no thrill in that magnificent tapestry, and one blind indeed who recklessly pulls at the threads to unravel it.” Thus, moving forward, candidate Harding pledged that his administration would “instead of experiments establish a close understanding between American government and

¹⁵⁵⁹ Warren Harding, “Less Government in Business and More Business in Government,” *The World's Work*, November, 1920 (Vol. 41, No. 1), 25-26. As it happens, Franklin Roosevelt was arguing similarly on the 1920 campaign trail. “[U]nless we set our own house in order and, by American constitutional means, make our government as efficient as we would conduct our own private individual businesses...it will mean simply the spread of doctrines which seek to effect a change by unconstitutional means.” A year earlier, in 1919, Roosevelt had argued that “Competitive genius...is the key to the manufacturing world; stifled by over-regulation, or confiscated by law, industry dies...In Heaven’s name, do not brain industry with the club of politics.” Schlesinger, *Crisis of the Old Order*, 358-359.

American business so that one may serve and the other obey and seek cooperation...America is proud of her business methods. We have squeezed out of our method of doing business a good deal of inefficiency and waste. I think it would be pretty fine piece of idealism to squeeze inefficiency and waste out of our administrative government.” If we did, Harding concluded, “[g]reat and glorious achievements may present themselves to us for the future,” and, in the end, isn’t that what real progressives wanted?¹⁵⁶⁰

Three months later, the President of the Central Trust Company of Illinois, celebrated World War veteran Charles G. Dawes gave a very highly regarded speech at the tenth annual Trust Companies banquet at the Waldorf-Astoria Hotel in New York. This followed the publication by Dawes of an article that had gotten the now-president-elect’s attention, “How the President Could Save a Billion Dollars.” The wartime tax rates, Dawes proclaimed, were “throttling the industries and the commerce and the labor of our country,” a consequence not just of Wilson’s largesse but of a “disgraceful business system” in government “which we have allowed to grow up without hindrance for over a hundred years[.]”¹⁵⁶¹

This, Dawes contested, had to change. “The money is being lost in mad administration, and it is the duty of the next President of the United States to give this government, for the first time, a business head.” Moreover, any “man who endeavors to make it difficult for the next President of the United States to call the very best business men he can get into the service...is just as much a traitor to the country as a man who in time of war...would rail against sending our big and large and fine soldiers to the front because it would make a little runt jealous.” The

¹⁵⁶⁰ Ibid, 27.

¹⁵⁶¹ Bascom N Timmons, *Portrait of an American: Charles G. Dawes* (New York: Henry Holt & Company 1953), 200. Charles G. Dawes, “Lift the Dead Hand of Taxation,” February 17th, 1921, in *Banking: Journal of the American Bankers Association*, March, 1921 (Vol. 8, No. 9), 604, 614. Sobel, 290.

March 1921 issue of *Trust Companies*, a publication of the American Bankers Association, thought Dawes' address "masterful" and "one of the strongest indictments ever made against Government maladministration and lack of ordinary business principles at Washington." The emcee of the event gushed that "if General Dawes is appointed to head a commission to reorganize the Business methods of the Government, it will make an epoch in the history of this Nation."¹⁵⁶²

That epoch began on June 10, 1921 when the Budget and Accounting Act was signed into law, creating for the first time a Bureau of the Budget (now the Office of Management and Budget) and a General Accounting Office (now the Government Accountability Office), and mandating that the president from now herein present a yearly budget to the Congress. In fact, that purported master of profligacy, Woodrow Wilson, had earlier called for just such a budget bill. But he vetoed the final product Congress gave him in 1919 because it also created a Comptroller General in the legislative branch with the power to audit federal spending. Wilson thought this an unconstitutional restraint on executive power, and, when the bill passed again in 1921 by a Republican Congress for a Republican President, there was no longer any such provision. To take on the job of America's first Budget Director, Harding turned to Dawes – his original choice for Secretary of the Treasury, based on Dawes' "How to Save a Billion Dollars" article – who agreed provided he could return to the private sector after one year.¹⁵⁶³

¹⁵⁶² Ibid. "Business Methods in Government Administration," *Trust Companies*, March 1921 (Vol. 32, No. 3), 245.

¹⁵⁶³ Kenneth R. Mayer, *With the Stroke of a Pen: Executive Orders and Presidential Power* (Princeton: Princeton University Press, 2001), 119. Murray, *The Harding Era*, 174. Timmons, 200.

Three weeks into the new position, on June 29th, 1921, General Dawes brought together “the entire business administration” – the president, the Cabinet, and 1200 other top department heads and federal higher-ups – for the first meeting of the Business Organization of the Government. This was not a speech but “a talk...as business men, a part of the business administration to which I belong, which for the first time commences functioning under a president of a business corporation who is also the president of the United States.” By creating a budget office, Dawes argued, “the President is simply putting into effect for the first time in this country a condition which exists in any business corporation.” He urged every person in the room who would aid him in his quest to minimize waste and inefficiency and bring sound business principles to government to stand up and be counted. And so they did, to a man.¹⁵⁶⁴

The meetings of the Business Organization of the Government became a twice-yearly ritual, in January and June, throughout the Twenties. “There is no reason why, because the Government of the United States does the largest business in the world, it should be the worst conducted,” Dawes told the assembled at the second such meeting in January 1922, especially given “there is no finer body of business men in this country than these underpaid men of talent confronting me.” Nonetheless, to prove the extent of the problem, Dawes showed the audience two brooms – one Army-issue, one Navy-issue. “Now, the Army had 350,000 of these brooms in surplus,” Dawes noted. “The Navy needed 18,000 brooms. It could have had the Army brooms for nothing but because they were wrapped with twine instead of wire, the Navy wouldn’t take them as a gift.” If this had happened in the private sector, Dawes argued, “the mere knowledge of

¹⁵⁶⁴ Murray, *The Harding Era*, 175. Michael Schudson, *The Good Citizen: A History of American Civic Life* (New York: Free Press, 1998), 210.

it in the body of the business organization would drive the man guilty of it out of his position.”¹⁵⁶⁵

In December 1921, General Dawes tried to ensure that any bill put forward by the executive branch that would cost the nation money ran through his department first. But he was forced to back down in the face of an angry Cabinet, who resented this encroachment by the Budget Director between themselves and the President. Nonetheless, after a year of fighting with various Cabinet members and department heads to reduce costs, Dawes put together a budget for 1923 that was \$1.5 billion less than the last Wilson budget of 1921. In point of fact, the 1922 budget came in \$1.4 billion less than 1921 and the 1923 budget came in a full \$2 billion less – in no small part thanks to savings from disarmament. “We have got used to accepting a large measure of waste and inefficiency in government with a degree of philosophy that could scarcely be exceeded by an ancient Egyptian living under the Pharaohs,” argued *The Literary Digest* in 1923. “Perhaps men like Dawes and Hoover are forerunners of the new race.” Similarly, the *Commercial and Financial Chronicle* noted that “[t]he Government is now on the way to an orderly and healthy system of business management, thanks to the courage and ability of General Dawes, and the prompt and unqualified cooperation of the President.”¹⁵⁶⁶

Choosing General Herbert M. Lord, the chief finance officer of the Army, as his hand-picked successor, Dawes returned to private life after his year was up, taking with him only the

¹⁵⁶⁵ Charles G. Dawes, “Business Organization of the Government,” in Basil Gordon Byron and Frederic Rene Coudert, ed., *America Speaks: A Library of the Best Spoken Thought in Business and the Professions* (New York: J.J. Little & Ives, 1928), 117-118, 128. Dean, 106-107. Timmons, 206.

¹⁵⁶⁶ Murray, *The Harding Era*, 177. Ronald Allen Goldberg, *America in the Twenties* (Syracuse: Syracuse University Press, 2001), 31. “The First Year of the Budget of the United States, by Charles G. Dawes,” *The North American Review*, June 1923, 857. Charles G. Dawes, *The First Year of the Budget* (New York: Harper & Brothers, 1923), 239. Fred Rogers Fairchild, “Dawes’ Budget of the United States,” *The Quarterly Journal of Economics*, Feb. 1924 (Vol. 38, No. 2), 338. Timmons. 209.

sign on his door and the two brooms. Introducing Lord at the Business Organization of the Government meeting of July 1922, Harding congratulated his government on a job well done, and insisted they continue the effort. “Our country is now one of the few in the world which is not paying is at it goes,” he told the assembled, “and I must regard with disfavor any tendency to interfere with this condition or to increase taxes.” General Lord, meanwhile, who would later begin to talk of the American government as a “corporate organization with 115,000,000 stockholders,” promised to continue the legacy of his predecessor, who he deemed a “providential choice” for the position. As for Dawes, he published his diary of the year as a 1923 book, *The First Year of the Budget of the United States*. “This book is the review of a great undertaking,” declared *The Quarterly Journal of Economics* in their otherwise-positive assessment, “but it is not a great book.”¹⁵⁶⁷

Calvin Coolidge was a fan nonetheless. “I am for economy,” he had said during the Business Organization meeting that coincided with the 1924 election campaign. “After that, I am for more economy.” At the end of the year, after he had been overwhelmingly returned to office, Coolidge told Congress that “the government can do more to remedy the economic ills of the people by a system of rigid economy in public expenditure than can be accomplished through any other action.” To this task, and perhaps no other, Coolidge devoted himself.¹⁵⁶⁸

As president, he turned the twice-yearly meetings of the “Business Organization of the Government” from a staid business conference in the Interior Department into a

¹⁵⁶⁷ Ibid. “Harding Demands Pay As You Go Policy,” *New York Times*, July 12, 1922. “Coolidge Asks Cut of Federal Costs to \$3,000,000,000,” *The New York Times*, January 27, 1925. Fred Rogers Fairchild, “Dawes’ Budget of the United States,” *The Quarterly Journal of Economics*, Feb. 1924 (Vol. 38, No. 2), 338.

¹⁵⁶⁸ “Hard Yankee Fact,” *The New York Times*, July 2nd, 1924. “The Coolidge Gospel of Parsimony,” *The New Republic*, December 17th, 1924 (Vol. 41, No. 524), 79-81.

festive gala-type experience, with the Marine Corps band playing songs to enliven the mood. From January 1925 until the final meeting in January 1929, they were also broadcast nationwide on the radio, to be heard “by the invisible audience in whose interests we are gathered.” (Coolidge had wanted to start this practice in June 1924, but at the time the Democrats had been self-immolating in New York.) “Every dollar that is saved by careful administration,” Coolidge told the Business Organization and a radio audience in January 1925, the first meeting after the election, “adds to the amount by which taxes may be reduced in the future...I had rather talk of saving pennies and save them than theorize to millions and save nothing.”¹⁵⁶⁹

To *The New Republic*, this “Coolidge Gospel of Parsimony” – later generations would use the term “austerity” – was admirably sincere, at least. But “is scrupulous parsimony in public expenditure,” the journal asked, really “the most effective contribution which the government can make to the welfare of the American people?” In fact, TNR argued, it was “private capitalism run mad...The logical result of Mr. Coolidge’s policy of parsimony in governmental expenditure would be its abandonment of regulative and social activities which both federal and state governments are now conducting at a very heavy expense.” Coolidge was not calling for better service from the government, but rather “diminished expenditures, irrespective of deserts, or diminished activities” – His position “implicitly denounces any attempt by the government to remedy economic and social evils which involves public expenditure...When he declares that the best way for the government to cure economic evils is to cut down its expenditures, what he

¹⁵⁶⁹ Jerry Wallace, *Calvin Coolidge: Our First Radio President* (Calvin Coolidge Memorial Foundation, 2008), 18-19. Kaiology, “The Business Organization of the Government,” *Kai’s Coolidge Blog*, December 19, 2010 (<http://kaiology.wordpress.com/2010/12/19/the-business-organization-of-the-government/>) “Coolidge Asks Cut of Federal Costs to \$3,000,000,000,” *The New York Times*, January 27, 1925.

really means is that the best way for the government to cure economic ills is to let them alone.”¹⁵⁷⁰

Perhaps in response to this line of argument, Coolidge would sometimes temper his remarks with nods to the important functions of government. “To conduct the business of Government so as to bring the greatest possible benefit to the people is to honor our constitutional obligations,” Coolidge told the Business Organization in June 1925. “Constructive economy in the business of Government is for the benefit of the people.” Six months later, at the next gathering, Coolidge conceded that “[m]erely to reduce the expenses of the Government might not in itself be beneficial...No civilized community would close its schools, abolish its courts, disband its police force, or discontinue its fire department. Such action could not be counted as gain, but as irreparable loss.” The goal, Coolidge insisted, was “national efficiency....It is not through selfishness or wastefulness or arrogance, but through self-denial, conservation, and service that we shall build up the American spirit.”¹⁵⁷¹

Self-denial is not usually considered a virtue that was in abundance during the Coolidge prosperity, which is why the president so well exemplified the moniker given to him by William Allen White – “A Puritan in Babylon,” the still, calm center of the storm during an age of transformation and Ballyhoo. And, while seeming so lackadaisical about many of his presidential responsibilities, Coolidge would succeed in this, the one endeavor he thought so fundamental. Over the course of his presidency, the federal budget would continue in the self-abnegating trajectory originated by Harding, remaining the same size at relatively \$4 billion a year, while

¹⁵⁷⁰ “The Coolidge Gospel of Parsimony,” *The New Republic*, December 17th, 1924 (Vol. 41, No. 524), 79-81.

¹⁵⁷¹ Calvin Coolidge, “Address at a Meeting of the Business Organization of Government,” June 22nd, 1925, *The American Presidency Project* (<http://www.presidency.ucsb.edu/ws/index.php?pid=406>) “Text of the President’s Budget Speech,” *New York Times*, January 31, 1926.

taxes were reduced and national debt would decrease from \$22.3 billion to \$16.9 billion. In addition, Coolidge would enact the early reform that Dawes had called for in December 1921, establishing the Budget office as a central clearinghouse for executive legislation.¹⁵⁷²

In this as is in many other ways, much as the agenda put forward by John F. Kennedy in the 1960's only came into fruition under Lyndon Johnson, Calvin Coolidge consummated the business-minded trends initiated by Warren Harding. Under his administration, less government in business and more business in government would reach its apotheosis.

A Puritan in Babylon

“No one can contemplate current conditions without finding much that is satisfying and still more that is encouraging,” began Calvin Coolidge in his inaugural address of March 4th, 1925 – also the first to be broadcast nationwide via the radio. “Already we have sufficiently rearranged our domestic affairs so that confidence has returned, business has revived, and we appear to be entering an era of prosperity which is gradually reaching into every part of the Nation.” Moreover, “[u]nder the helpful influences of restrictive immigration and a protective tariff, employment is plentiful, the rate of pay is high, and wage earners are in a state of contentment seldom before seen.”¹⁵⁷³

In short, normalcy was working, and the American people had voted for more of it. After an extended discussion of international affairs emphasizing the nation's independence and desire

¹⁵⁷² Goldberg, *America in the Twenties*, 60. Soule, 323. Mayer, 120.

¹⁵⁷³ Calvin Coolidge, “Inaugural Address,” March 4th, 1925. (<http://www.bartleby.com/124/pres47.html>)

for peace, Coolidge emphasized to foe and friend alike that “[t]his Administration has come into power with a very clear and definite mandate from the people,” and, as such, they expected from Republicans in Congress “such unity of action as will make the party majority an effective instrument of government.” What’s more, Coolidge averred, La Follettism had been roundly rejected:

The expression of the popular will in favor of maintaining our constitutional guarantees was overwhelming and decisive. There was a manifestation of such faith in the integrity of the courts that we can consider that issue rejected for some time to come. Likewise, the policy of public ownership of railroads and certain electric utilities met with unmistakable defeat. The people declared that they wanted their rights to have not a political but a judicial determination, and their independence and freedom continued and supported by having the ownership and control of their property, not in the Government, but in their own hands. As they always do when they have a fair chance, the people demonstrated that they are sound and are determined to have a sound government.¹⁵⁷⁴

“The last election showed that appeals to class and nationality had little effect,” Coolidge concluded. “We were all found loyal to a common citizenship.” Instead, he maintained, the American people had voted “with the greatest clearness” for “economy in public expenditure with reduction and reform of taxation... Every dollar that we carelessly waste means that their life will be so much the more meager. Every dollar that we prudently save means that their life will be so much the more abundant. Economy is idealism in its most practical form.” This was the great task before the nation – “not to secure new advantages but to maintain those which we already possess” – to continue normalcy, as the American people had demanded at the ballot box.¹⁵⁷⁵

While ideologically on the same page as his predecessor, in terms of temperament Coolidge was quite a different bird altogether. For one, while Harding was a sociable sort of the

¹⁵⁷⁴ Ibid.

¹⁵⁷⁵ Ibid.

hail-fellow-well-met variety, the very embodiment of a small-town newspaperman, Coolidge was a shy and reticent man. While the friends he made were often lifelong ones – his college classmate Dwight Morrow, for example – and while Coolidge continued the Harding tradition of meeting visitors to the White House at lunch, the president did not let newcomers past his psychological defenses easily, and thus often seemed visibly awkward around people he did not know. “When I was a little fellow,” he once told another friend, Frank Stearns, “as long ago as I can remember, I would go into a panic if I heard strange voices in the house. I felt I just couldn’t meet the people and shake hands with them...the hardest thing in the world was to have to go through the kitchen door and give them a greeting...I’m all right with old friends, but every time I meet a stranger, I’ve got to go through the old kitchen door, back home, and it’s not easy.” (Perhaps in part for this reason, Coolidge was also, in the words of *Film Classic* magazine, “the first national executive to depend on motion pictures as his sole recreation.” Sitting in the dark and taking in a film was a much more relaxing pastime for someone of Coolidge’s shy disposition than the poker games that marked Harding’s tenure.)¹⁵⁷⁶

However shy from the onset, Coolidge was further scarred by the death of his mother Victoria (who died when he was 13) and sister Abbie (who perished five years later). As such Coolidge possessed many of the earmarks of a man whose adult personality had been formed in grief. As Edmund Starling noted, his “outward reticence and aloofness were part of a protective shell” to separate himself from the world. In fact, the president’s taciturn nature concealed a sense of humor that was mordant, ironic about the ways that the world can be embittering, and often even caustic. “Mr. Coolidge,” wrote Will Rogers, “has a more subtle humor than almost any public man I have ever met.” He could also be prone to black moods, short-tempered, and, in

¹⁵⁷⁶ Greenberg, 19, 56, 58.

his penchant for nicknames and practical jokes, even cruel to his subordinates. (For example, Coolidge, who called his butler Thomas Roach “Bug,” would ring the buzzer informing his staff he was on his way, then go out for a walk.) The White House Chief Usher, Ike Hoover, argued that his staff was often in “fear and trembling, lest they lose their jobs” and “a state of constant anxiety” on account of the president’s temper.¹⁵⁷⁷

If anything, two further losses compounded these traits during Coolidge’s time in office. In the summer of 1924, the president’s beloved son Calvin Jr., after developing a blister playing tennis with his brother, acquired a case of severe blood poisoning. Naturally, he received the best medical attention of the time at both the White House and later Walter Reed hospital. To cheer Calvin Jr., Coolidge gave him a rabbit he had caught on the grounds and a family heirloom – a locket that contained a picture of his own mother Victoria and a lock of her hair. Neither medical science nor these totems worked. A fortnight after that casual tennis game, Calvin Coolidge, Jr. was dead at the age of sixteen, his fate soon broadcast to the momentarily-quiet Democratic conventioners at Madison Square Garden. “The president was a stricken man,” Edmund Starling remembered, “going about as if in a dream.” And so, even as Charles Dawes raced coast to coast to vilify La Folletteism and whip up praise for Coolidge, the president was benumbed to it all. “I don’t know why such a price was exacted for occupying the White House,” Coolidge later wrote of his son’s death. “When he went, the power and the glory of the presidency went with him.” By all accounts, the president lapsed in to a deep despair upon Cal Jr.’s passing, and

¹⁵⁷⁷ Greenberg, 8, 17, 59.

the death of his stern Yankee father John in 1926, at the age of 81, only added further weight to the president's grief.¹⁵⁷⁸

The president's more outgoing wife, Grace Coolidge, shared these trials, of course. But, unlike the Duchess, who had been both privy to and an active counselor in Warren Harding's political decisions, Coolidge, while undeniably enamored of her, tended to keep his spouse at an arm's distance. "Grace, we don't give that information out promiscuously," the president told the First Lady once, when she asked about his schedule. When Coolidge announced in 1928 that he would not run for another term, Grace Coolidge found out about it from the newspapermen asking her opinion on the matter. ("What announcement?" was her initial reply.)¹⁵⁷⁹

However, quiet by nature, Coolidge was also a canny fellow when it came to politics and the arts of political theater, and was an especially pioneering figure in the White House when it came to using newsreels, radio, and the photo-op. ("It was a joke among the photographers," one journalist remembered, "that Mr. Coolidge would don any attire or assume any pose that would produce an interesting picture. He was never too busy to be photographed.") And so, working with fellow Amherst graduate Bruce Barton, one of the master publicists of his day, as well as, less often, with pioneering advertiser Edward Bernays, Coolidge worked to make of his defects political virtues and to cultivate the aura of "Silent Cal." "Less than five percent of the people of America today are doing 95 percent of the talking," Barton wrote in *Collier's* while Coolidge was still governor of Massachusetts. "[B]ut the great majority of Americans are neither radicals

¹⁵⁷⁸ Greenberg, 97-98, 154-155. David Farber, "Calvin Coolidge," in Brinkley and Dyer, *The American Presidency*, 328.

¹⁵⁷⁹ Greenberg, 59, 138. Coolidge, according to historian David Farber, also "commanded" his wife "that she not drive, ride horseback, wear slacks, or state any political view." Brinkley, *The American Presidency*, 330.

nor reactionaries. They are middle-of-the-road folks who own their own homes and work hard...Coolidge belongs with that crowd.”¹⁵⁸⁰

Throughout his presidency, Coolidge and Barton would continue to refine the “Silent Cal” mystique, giving the president an alter ego of the archetypal strong, silent man of action that the real Coolidge was all too happy to embody. When one society matriarch told the president that “I made a bet today that I could get more than two words out of you,” Coolidge replied, “You lose.” The president could be “silent in five languages,” as one wag put it. “A crowd of us in Cambridge sat around one night after dinner,” Felix Frankfurter remembered late in life, “and the game was what single word most comprehensively conveyed the quality of Coolidge. I think the prize was awarded to my wife. She said ‘Arid.’” And, when Coolidge himself died in early 1933 – just before Franklin Roosevelt would begin to overturn his legacy of budgetary retrenchment – humorist Dorothy Parker famously quipped, “How could they tell?”¹⁵⁸¹

In fact, Coolidge – if you knew him or it was his business to know you – wasn’t particularly silent at all. Cordell Hull noted he “talked freely and easily...and was as affable as I could have wished.” Twice a week, on Tuesdays and Fridays, Coolidge would hold private press conferences at which he would prove quite chatty – although he received the questions written in advance and often spoke on background in the guise of “White House spokesman” And, as Harold Ickes told Hiram Johnson during one of his anti-Coolidge tirades, Sam Blythe of *The Saturday Evening Post* had called Coolidge “one of the most talkative men he had ever met in public life.” “The Coolidge tactics are plain enough and they aren’t lacking in cleverness,” Ickes told Johnson. “He will sit still and say as little as possible so as not to give the opposition any

¹⁵⁸⁰ Greenberg, 7, 34-35, 64.

¹⁵⁸¹ Greenberg, 8-10. Frankfurter, 193.

opening that can be avoided...[H]is taciturnity is either a hesitation to commit himself or stage acting or a combination of both.”¹⁵⁸²

Ickes was on to something. Coolidge’s silence was not just a selling point for publicity purposes – It was often a negotiating strategy as well. “Nine tenths of a president’s callers at the White House want something they ought not to have,” Coolidge advised his successor. “If you keep still, they will run down in three or four minutes. If you even cough or smile they will start up all over again.” To Bernard Baruch, Coolidge said his manner of leadership was to “say only ‘yes’ or ‘no’ to people. Even this is too much. It winds them up for twenty minutes or more.” This hands-off approach extended to Coolidge’s work habits as well. While Harding had spent long days and nights struggling to keep up with his responsibilities, Coolidge only put in a few hours of work each morning before settling in for an afternoon nap. (Anyone who had to work into the night to finish a day’s work, Coolidge told his Secret Service man, probably wasn’t particularly intelligent.) To the readers of his autobiography, Coolidge advised as the “first rule of action” to “never do...anything that someone else can do for you.”¹⁵⁸³

Indeed, the president’s penchant for inaction was a legendary in some circles as his taciturnity. Coolidge’s restraint in word and deed, wrote Walter Lippmann, were a tonic for a nation that “can afford luxury and are buying it furiously, largely on the installment plan...At a time when Puritanism as a way of life is at its lowest ebb among the people, the people are delight with a Puritan as their national symbol..[Through Coolidge] we have attained a Puritanism de luxe in which it is possible to praise the classic virtues while continuing to enjoy

¹⁵⁸² Greenberg, 9, 62-63. Harold Ickes to Hiram Johnson, September 24, 1923. HLI Box 33: Hiram Johnson.

¹⁵⁸³ Greenberg, 9, 56-57. Farber, “Calvin Coolidge,” in Brinkley and Dyer, *The American Presidency*, 330.

all the modern conveniences.” More to the point, Lippmann argued, it is important to recognize that “Mr. Coolidge’s genius for inactivity is developed to a very high point,” and was not at all just a reflex of habit, but part and parcel of his philosophy of government. “It is far from being an indolent activity,” Lippmann argued. “It is a grim, determined, alert inactivity which keeps Mr. Coolidge occupied constantly:”

Nobody has ever worked harder at inactivity, with such force of character, with such unremitting attention to detail, with such conscientious devotion to the task. Inactivity is a political philosophy and a party program with Coolidge, and nobody should mistake his unflinching adherence to it for a soft and easy desire to let things slide. Mr. Coolidge’s inactivity is not merely the absence of activity. It is on the contrary a steady application to the task of neutralizing and thwarting political activity where there are signs of life.¹⁵⁸⁴

Just as impressive to Lippmann was Coolidge’s amazing mastery of the “art of deflating interest... The naïve statesmen of the pre-Coolidge era imagined that it was desirable to interest the people in their government, that indignation at evil was useful. Mr. Coolidge is more sophisticated. He has discovered the value of diverting attention from the government, and with an exquisite subtlety that amounts to genius, he has used dullness and boredom as political devices.” Take, Lippmann noted, the example of Teapot Dome, which theoretically should have destroyed Coolidge’s administration from Day 1:

They hit his party an awful blow. They knocked three members out of his Cabinet and covered them with disgrace. And what happened? Did Mr. Coolidge defend his Cabinet? He did not. Did he prosecute the grafters? Not very fiercely. He managed to get the public so bored that they could bear it no longer, and to make the Democrats thoroughly disliked for raising such a dull row. It was superb. To every yawp Mr. Coolidge can match a yawn.¹⁵⁸⁵

H.L. Mencken also came around to the same line of thinking. After the 1924 election, Mencken thought the president, “for all the high encomiums lavished upon him, at bottom

¹⁵⁸⁴ Lippmann, *Men of Destiny*, 13.

¹⁵⁸⁵ *Ibid*, 13-14.

simply a cheap and trashy fellow, deficient in sense and almost devoid of any notion of honor – in brief, a dreadful little cad.” By late 1927, Mencken argued that Coolidge “will pass from the Presidency as he came to it – a dull and docile drudge, loving the more tedious forms of ease, without imagination. . . Human existence, as he sees it, is something to be got through with the least possible labor and fretting. His ideal day is one on which nothing whatever happens.” As for the major pressing issues of the day, Coolidge’s “characteristic way of dealing with them is simply to evade them, as a sensible man evades an insurance solicitor or his wife’s relatives.”¹⁵⁸⁶

But, reflecting on Coolidge once again at his death in 1933, Mencken divined the method to his madness. “His record as President, in fact, is almost a blank. No one remembers anything that he did or anything that he said,” Mencken claimed. But “Coolidge, whatever his faults otherwise, was at all events the complete antithesis of the bombastic pedagogue, Wilson. . . If the day ever comes when Jefferson’s writings are heeded at last, and we reduce government to its simplest terms, it may very well happen that Cal’s bones now resting inconspicuously in the Vermont granite will come to be revered as those of a man who really did the nation some service.”¹⁵⁸⁷

William Allen White also thought Coolidge’s laconic approach to the presidency was the whole point of the exercise. “I didn’t expect you to like the Coolidge book,” he wrote to Harold Ickes of *A Puritan in Babylon*, “and yet I do think the old man is a mystic. Old Scrooge was a mystic. He had faith in the divine character of wealth as much as Lincoln in the divine character of man.” Ebenezer Scrooge and Coolidge, White contended, “both believe that Commerce is a sacrosanct matter. They are whirling dervishes of business, just as blind in their faith as

¹⁵⁸⁶ Mencken, *A Carnival of Buncombe*, 114-115, 125-127.

¹⁵⁸⁷ *Ibid.*, 135.

Roosevelt and La Follette were blind in their faith in the people and in the nobility of man and the righteousness of the judgments of God. The fact that I don't agree with this thesis doesn't blind me to the fact that he is crazy about it, sincerely, genuinely, terribly crazy."¹⁵⁸⁸

So it was that “the business of America is business” became the phrase most often associated with Calvin Coolidge in the American public mind. (In fact, this is a misquote: “The chief business of the American people is business,” Coolidge had told an assembled gathering of newspaper editors in January 1925, while going on to argue, in similarly tautological and Gamalielese fashion, that “the chief ideal of the American people is idealism.”) Just as the Business Organization of the Government was the one aspect of the job that seemed to kindle his passions, it was espousing the principles of hard work, thrift, economy, efficiency, and non-interference in the private sector that seemed to move Coolidge to his loftiest feats of rhetoric. “The man who builds a factory builds a temple,” he declared. “The man who works there worships there.” If nothing else, the president – and the two most important of his inherited lieutenants, Herbert Hoover and Andy Mellon – would do what they could to knock down the barriers separating this new church from the state.¹⁵⁸⁹

Hoover and Mellon

When Herbert Hoover took the job of Harding's Commerce Secretary in March 1921, he soon found that the previous occupants of the position – even those who held the job before 1913, when the Departments of Commerce and Labor had split into two – had often worked

¹⁵⁸⁸ White to Ickes, March 18, 1926. White, *Selected Letters*, 255.

¹⁵⁸⁹ Cyndi Bittinger, “The Business of America is Business?” Calvin Coolidge Memorial Foundation (http://www.calvin-coolidge.org/html/the_business_of_america_is_bus.html). Farber, “Calvin Coolidge,” in Brinkley and Dyer, *The American Presidency*, 325. Schlesinger, *Crisis of the Old Order*, 57.

Coolidge hours. “Oscar Straus, one of my predecessors [under Teddy Roosevelt],” Hoover recalled in his memoirs, “told me that my job would not require more than two hours a day. Indeed, that was all the time that the former Secretaries devoted to it. Putting the fish to bed at night and turning on the lights around the coast were possibly the major concepts of the office.”¹⁵⁹⁰

But Hoover, always the ambitious sort, had a grander vision. Having secured from the president the condition that he could range farther afield in the administration than had previous Commerce Secretaries, the Great Engineer immediately began to fashion himself an empire. In his first week on the job, Hoover – a firm believer in the value of educating public opinion – built his own independent publicity department that could get word out about the feats to come. (Within six months, according to one of Hoover’s top lieutenants, it had put out “more than enough [press releases] to put 18 columns of type up and down the Washington Monument.”) After two weeks, he had created an advisory committee of top businessmen and labor officials to help set the course for the expanding department, and to help it “more nearly meet the needs of the American business public than it does at present.” While the solution to the “great economic difficulties that we inherit from the war” must depend “on the initiative of our own people,” Hoover declared, “the rate of recovery can be expedited by greater co-operation in the community, and with the community by the government.”¹⁵⁹¹

To further enable this cooperation, Hoover began co-opting unused departments and functions from around the administration – for example, the Bureau of Custom Statistics from

¹⁵⁹⁰ Hoover, 42.

¹⁵⁹¹ Hoover, 41-42. Ronald K. Murray, “Herbert Hoover and the Harding Cabinet,” in Hawley, ed. *Herbert Hoover as Secretary of Commerce*, 12, 21-23. Hawley, “Herbert Hoover,” 124.

the Treasury Department, the Weather Bureau from Agriculture, and the Bureau of Mines and Patent Office from Interior. This annexing behavior helped to further Hoover's reputation in Washington, in the words of banker and Mellon aide S. Parker Gilbert, as "Secretary of Commerce and Under-Secretary of all other Departments." It also occasionally incurred the wrath of his fellow Cabinet members, most notably Secretary of Agriculture Henry C. Wallace, who conspired with the otherwise obsequious Labor Secretary, John W. Davis, to prevent the poaching of the Bureau of Markets and Bureau of Labor Statistics. What Hoover couldn't have, he replicated. Soon Commerce was putting out its own economic data, the *Survey of Current Business*, which was published in 160 newspapers across the country and became a well-used staple of the weekly business section. (One businessman at Goodyear deemed the *Survey* "the most important step in our industrial life since the inauguration of the Federal Reserve System.") Similarly, Hoover tried to wrest control of the child welfare issue from Grace Abbott and the Children's Bureau by forming and leading the American Child Health Association throughout the decade, which conducted surveys of public health resources in various cities and pushed for reforms and upgrades where they were lacking.¹⁵⁹²

In the midst of assembling his organization, and while Charles Dawes was penning his diary about his year as Budget Director, Hoover published his own manifesto about his vision of and designs for American government. Entitled *American Individualism*, this well-received (and in fact rather trite) 1922 book was mostly a paean to the American republican tradition, as opposed to the other "great social philosophies ...at struggle in the world for ascendancy," from Autocracy to "Communism, Socialism, and Syndicalism." ("I have taken great pleasure from reading it," a convalescing Franklin Roosevelt noted of Hoover's book.) From his experience

¹⁵⁹² Michael Stoff, "Herbert Hoover," in Brinkley and Dyer, *The American Presidency*, 335. Schlesinger, *Crisis of the Old Order*, 84. Hawley, ed., 23. Hawley, "Herbert Hoover," 121, 128. Hoover, 97-100. Burner, 162.

overseas during the war, Hoover claimed to have come in contact with all of these conflicting traditions, and from these experiences “emerge[d] an individualist – an unashamed individualist. But let me say also that I am an American individualist. For America has been steadily developing the ideals that constitute progressive individualism.”¹⁵⁹³

Only in America, Hoover contended, was individualism more than just the *laissez-faire* of classical liberalism. In the United States, he argued “while we build our society upon the attainment of the individual, we shall safeguard to every individual an equality of opportunity to take that position in the community to which his intelligence, character, ability, and ambition entitle him.” Here, “we keep the social solution free from frozen strata of classes...we shall stimulate effort of each individual to achievement...[and] through an enlarging sense of responsibility and understanding we shall assist him to this attainment; while he in turn must stand up to the emery wheel of competition.” In short, so long as equality of opportunity and the virtues of service and responsibility were upheld, Hoover argued, America’s specific blend of merit-based individualism would lead the world forward, even as other forms of radicalism and reaction would inevitably falter. “The one source of human progress,” the Great Engineer pronounced, was “that each individual shall be given the chance and stimulation for development of the best with which he has been endowed in heart and mind.” As he put it in a different forum, “I have great respect for human invention and its ability, on one hand, to solve almost anything after a little experience with it, and, on the other, to evade most regulation.”¹⁵⁹⁴

¹⁵⁹³ Herbert Hoover, *American Individualism* (New York: Doubleday and Page, 1922). Reprinted by the Herbert Hoover Presidential Library Association (http://www.hooverassociation.org/hoover/american_individualism.php) Schlesinger, *Crisis of the Old Order*, 372.

¹⁵⁹⁴ *Ibid.* Burner, 169.

While the bulk of the text was spent delineating the specific strengths of American individualism, Hoover's hopes for the future were rather more grounded on the idea of cooperation, or as it later became known, associationalism. "Today business organization is moving strongly toward cooperation," Hoover argued. "There are in the cooperative great hopes that we can even gain in individuality, equality of opportunity, and an enlarged field for initiative, and at the same time reduce many of the great wastes of over reckless competition in production and distribution." This was distinct from Socialism, Hoover added, because "Cooperation in its current economic sense represents the initiative of self-interest blended with a sense of service, for nobody belongs to a cooperative who is not striving to sell his products or services for more or striving to buy from others for less or striving to make his income more secure." And while cooperation was flourishing in the private sector, government had not yet caught on to its full promise. "We have already granted relief to labor organizations and to agriculture from some forms of regulation," argued Hoover. "There is, however, a large field of cooperative possibilities far outside agriculture that are needlessly hampered." Promoting this cooperation where possible would become the mission of Hoover's revitalized Commerce department.¹⁵⁹⁵

One of Hoover's first attempts to test the benefits of cooperation came in August 1921, when, in the face of a worsening recession, he asked the President to call together a Conference on Unemployment. Harding obliged, and nine days later "three hundred leaders from production, distribution, banking, construction, labor, and agriculture," as Hoover remembered them in his memoirs, were invited to come together in Washington in September to grapple with the both the immediate unemployment crisis and the long-term issue of reconstructing the post-war economy.

¹⁵⁹⁵ Ibid.

(These leaders were handpicked by Hoover, although Harding rejected his first list of attendees until the Secretary of Commerce included more women.) “The remedies for these matters must, in the largest degree, lie outside of legislation,” Hoover told the gathered in his opening remarks. “It is not consonant with the spirit of institutions of the American people that a demand should be made upon the public treasury for the solution of every difficulty.” Instead, “a large degree of solution” to unemployment “could be expected through the mobilization of the fine, cooperative action of our manufacturers and employers, of our public bodies and local authorities.” In so doing, the congregated leaders would not just help the unemployed. They would have “again demonstrated that independence and ability of action amongst our own people that saves government from that ultimate paternalism which would undermine our whole political system.”¹⁵⁹⁶

In his relief work during the war, Hoover had seen time and again the power of organized and concerted voluntary activity to help feed hungry people. This, in effect, was the same principle he wanted to bring to bear on American unemployment. But, while Hoover did manage to convince some companies to initiate “workshare”-type programs to spread work-hours among multiple employees, most of the fruits of the September conference came from the gardens of government. Under Hoover’s “personal direction,” a Bureau of Unemployment – a “vigorous organization with headquarters in the Department” – was established to help coordinate efforts and raise and disperse private funds to help the jobless. And, as Hoover remembered, “[w]e developed cooperation between the Federal, state, and municipal governments to increase public works,” which is not quite the same thing as bringing the public and private sectors together in common solution. When unemployment did recede, it had little to do with any result of Hoover’s

¹⁵⁹⁶ Hoover, 45-46. Hawley, ed., 25. Vincent Gaddis, *Herbert Hoover, Unemployment, and the Public Sphere: A Conceptual History, 1919-1933* (Lanham: University Press of America, 2005), 12-19.

Conference, and more to do with the rising tide that accompanied Coolidge prosperity. Writing in 1928, Oswald Villard observed that Hoover's preference for "conferences and cooperation to legislative compulsion" worked better on paper than in fact – "in the matter of the unemployment problem, for which [Hoover] called a conference in the fall of 1921, there has been no following up of the matter, and no results beyond the acquiring of useful data."¹⁵⁹⁷

Just as in the foreign policy arena, where, as earlier noted, Hoover found it impossible to encourage American companies to invest in places where the needs of national, global, or public interest outweighed the likelihood of low-risk, secure profits, the Secretary of Commerce often found it was harder than it looked to get companies to move in a direction that didn't necessarily reflect their economic self-interest, and that arguments based on such ideals as service and public responsibility often fell on deaf ears. When Hoover suggested to a gathering of insurers in January 1923 that they potentially consider creating some sort of system of unemployment insurance, he found that "the companies did not wish even to experiment with it." When he tried to implore railway executives to come to a deal that would end the 1922 railroad strike, he received a "freezing reception" from them. When, working hand-in-glove with John L. Lewis, Hoover fashioned the three-year "Jacksonville agreement" in 1924 to maintain labor peace in the coal industry, he could do nothing when operators in Pennsylvania and elsewhere began blatantly ignoring the agreement in 1927.¹⁵⁹⁸

¹⁵⁹⁷ Hoover, 46. Oswald Villard, "Herbert C. Hoover," *The Nation*, February 29th, 1928 (Vol. 126, No. 3269), 234-237. Hoover's decision to put this new Unemployment Bureau in Commerce, rather than where it probably belonged in Labor, irritated the Secretary of Labor, John W. Davis, who had taken a backseat to Hoover throughout the proceedings. As one wag put it: "At the conference on unemployment...the best and only example of the unemployed present was the Secretary of Labor." Hawley, ed., 26.

¹⁵⁹⁸ Hoover, 102, 106. Zieger, 228-232.

The same dynamic came into play when Harding and Hoover lobbied for the eight-hour-day in the steel industry in 1922. In May of that year, Hoover addressed a White House dinner of forty-one prominent steel manufacturers, telling them that a study of the facts by his department had concluded that the twelve-hour day and eighty-four hour week were both “barbaric” and “uneconomic,” and that paying the workers the same amount for an eight-hour day would prove just as efficient. This address by the Great Engineer received yet another frigid reception. “[A] number of the manufacturers, such as Charles M. Schwab and Judge Elbert H. Gary, resented my statement,” Hoover recalled, “asserting that it was ‘unsocial and uneconomic.’ We had some bitter discussion... The President, to bring the acrid debate to an end, finally persuaded the group to set up a committee to ‘investigate,’ under the chairmanship of Judge Gary. I left the dinner much disheartened, in less than a good humor.” In fact, Harding had warned him this would happen. “I would infinitely prefer to announce a thing accomplished,” the president told Hoover before the dinner, “than to make public the intention to seek the accomplishment.”¹⁵⁹⁹

Now in charge of a proposed commission to look into something he had no intention of ever doing, Judge Elbert Gary proceeded to slow-walk it into oblivion. In the meantime, Hoover worked to keep “the pot boiling in the press” by encouraging the Federated American Engineering Societies, of which he was president, to compile a report on the inefficiency of the twelve-hour-day. When this report was released in November 1922, Hoover applauded the “unanimity of the whole engineering profession in their demonstration that from a technical point of view there is no difficulty with what was obviously necessary from a social point of view.” He also ghostwrote a foreword to the report, on behalf of President Harding, further condemning the twelve-hour day. Hoover and his lieutenants also pushed the eight-hour day in

¹⁵⁹⁹ Hoover, 102-103. Zieger, 100-102.

the newspapers, and with key stakeholders like newly-elected Governor of Pennsylvania Gifford Pinchot and powerful financiers Owen Young and Dwight Morrow.¹⁶⁰⁰

If the steel operators felt threatened by these public relations gambits, they didn't show it. In May 1923, Gary and Schwab finally brought forth a report from their committee, which declared that getting rid of the twelve-hour day was unfeasible, uneconomic, and unpopular with steelworkers, who apparently relished working the extra four hours. Moving to the eight-hour-day, it contended, would mean that steel prices would go up by 15 percent. And, besides, the steel industry couldn't possibly shorten hours on account of the government-created labor shortage – only by ending immigration restriction would such a thing even be attainable. “The steel industry has no intention of reforming itself,” summed up TNR of this particular report. “That’s the way it always is,” added *The Nation*. “We cannot abandon the twelve-hour day in bad times because the industry cannot afford it and we must not in good times because prosperity must not be checked.”¹⁶⁰¹

In response to this industry proclamation, the Secretary of Commerce ghostwrote another letter from the president “expressing great disappointment” at the committee’s conclusions, and then “gave it to the press.” “The public reaction was so severe against the industry,” Hoover proclaimed in his memoirs, “that Judge Gary called another meeting of the committee and backed down entirely.” By early July, as Hoover and Harding were aboard the *Voyage of Understanding* on the way to Alaska, Harding announced the capitulation in a speech in Tacoma, Washington. By the end of the year, steel had forsaken the twelve-hour day. This, Hoover wrote,

¹⁶⁰⁰ Hoover, 104. Zieger, 102-103.

¹⁶⁰¹ Zieger, 104. “The Week,” *The New Republic*, June 6th, 1923 (Vol. 35, No. 444), 30. “Editorial Paragraphs” *The Nation*, June 6th, 1923 (Vol. 116, No. 3022), 643.

was a triumph of the associational idea. It “was accomplished by the influence of public opinion and the efforts of the workers in a free democracy, without the aid of a single law.”¹⁶⁰²

Well, not exactly. By any reckoning, the steel industry did not voluntarily give up the twelve-hour-day because it was moved by either the spirit of service or by a clear-cut demonstration of the facts. It had been pressed into it. In fact, Hoover’s memoirs leave out one key part of the story and obfuscate another. While denouncing the committee’s report, Harding and Hoover’s letter also expressed the hope “that these questions of social importance should be solved by action inside the industries themselves” – in other words, the president and Secretary of Commerce had made a not-very-implicit threat of a government intercession on the issue if steel did not move decisively to end the twelve-hour day on its own.¹⁶⁰³

In addition, the Harding-Hoover letter was released to the public *after* Judge Gary had backed down, not before. In fact, if anything it seemed Judge Gary was trying to bide for time in his concession, if not asking for a quid pro quo on immigration restriction. He wrote the president that his industry would end the twelve hour day “at the earliest time practicable,” which would be “when, as you stated, ‘there is a surplus of labor available.’” But, following the advice he had given Hoover before the May 1922 dinner, Harding jammed the steel men up. He immediately announced the abolition of the twelve-hour day as if it were a *fait accompli*, forcing steel – particularly after the president had become a martyr – to hold to the promise.¹⁶⁰⁴

¹⁶⁰² Hoover, 104-105. Hawley, ed., 27-30. On account of it being Breaking News, Hoover had to quickly write in the paragraphs of the Tacoma speech involving steel, and when Harding got to them, Hoover recalled, the president “stumbled badly over my entirely different vocabulary and diction. During a period of applause which followed my segment, he turned to me and said: ‘Why don’t you learn to write the same English that I do?’ That would have required a special vocabulary for embellishment purposes.” Hoover, 104.

¹⁶⁰³ Zieger, 104-106. “Steel Chiefs Give Pledge to Harding to End 12-Hour Day,” *The New York Times*, July 6th, 1923. “Gompers Calls It ‘Bluff,’” *The New York Times*, July 7th, 1923.

¹⁶⁰⁴ Ibid.

While Hoover perhaps overstated the ability to push businessmen to do much of anything when it didn't seem in their economic self-interest, he nonetheless brought the cooperative ideal to full flower during his tenure at Commerce. "We are passing from a period of extreme individualistic action into a period of associational activities," he noted in 1924. If these associations "cooperate together for voluntary enforcement of high standards, we shall have proceeded far along the road of the elimination of government from business." That same year, arguing against cases brought forth by the Justice Department against business associations, Hoover encouraged the Supreme Court to open "the door to reasonable cooperation in matters of public interest," which the Court did the following year in two cases involving the maple flooring and cement industries. He then encouraged these trade associations to set up voluntary "codes of business practice and ethics that would eliminate abuses and make for higher standards," and to begin policing themselves for violation of these codes. In part as a result, the number of associations in America nearly tripled over the course of the decade, from around 700 in 1919 to over 2000 in 1929.¹⁶⁰⁵

In his eight years at Commerce, Hoover also held over 1200 conferences urging the adoption of industry-wide standards and common practices to eliminate waste and inefficiencies. For example, he encouraged automobile manufacturers to agree on a standard bolt, nut, pipe, and wheel size, and, at the 1924 National Conference on Highway Safety, to promote safe practices and develop common rules of the road – red means stop, green means go – for traffic control. He also set up as many as 229 committees during this time – covering, by Hoover's reckoning, three thousand items ranging from building materials and bedsprings to plumbing fixtures and electrical sockets – to help industries simplify their standards and specifications. Hoover thought

¹⁶⁰⁵ Leuchtenburg, *Herbert Hoover*, 64. Hoover, 170-173. Hawley, "Herbert Hoover," 136, 139.

the “man who has a standard automobile, a standard telephone, a standard bathtub, a standard electric light, a standard radio, and one and one-half hours less average daily labor is more of a man and has a fuller life and more individuality than he has without them.” As part of this work, the Bureau of Standards under Hoover became, in his words, “one of the largest physics laboratories in the world.”¹⁶⁰⁶

Concerned that lack of “adequate housing for people of lesser incomes” was “thriving food for bolshevism,” and that the American ideal of home ownership was falling by the wayside, Hoover also initiated a Building and Housing Division in his department to publicize, standardize and simplify best practices in the housing industry. After calling “a national conference of public officials and technical experts” and appointing a “committee to formulate a standard building code,” the Commerce Department urged the implementation of this standard code, as well as zoning laws to keep industrial, commercial, and residential areas separate, in towns and cities all across America. Hoover also set up an American Construction Council, led by Franklin Roosevelt, to further encourage the promulgation of industry standards, although the two men soon differed over tactics: Roosevelt wanted Hoover to use his power to force recalcitrant companies to toe the line, while Hoover desired to keep everything voluntary and cooperative – and thus not particularly productive.¹⁶⁰⁷

¹⁶⁰⁶ Leuchtenburg, *Herbert Hoover*, 55. Hoover, 66-67. Hawley, ed., 24. Hawley, “Herbert Hoover,” 131. Burner, 162. To test the need for standardization in rules of the road, Hoover’s department “sent an automobile from New York to San Francisco and another from San Francisco to New York. The drive of each car had orders to follow scrupulously the laws of his own state and municipality. One of them was arrested eighteen times, the other twenty-two times, for violations of laws which differed from their own. The two together met with sixteen actual accidents and avoided scores of potential ones only because of their driving skill (and quick breaks from home-state laws.)” Hoover, 72-73.

¹⁶⁰⁷ Hoover, 92-96. Leuchtenburg, *Herbert Hoover*, 54-55. To be fair, Roosevelt could talk out of both sides of his mouth on this. “Mr. Hoover has always shown a most disquieting desire to investigate everything on every conceivable subject under Heaven,” he once commiserated with one Master of Industry. “He has also shown in his own Department a most alarming desire to issue regulations and to tell businessmen generally how to conduct their affairs.” Leuchtenburg, *Herbert Hoover*, 74.

Cars were not the only mode of transport to receive the Hoover treatment. Beginning in 1922 – with, naturally, a conference of all the affected parties – the Great Engineer began to advocate for the promotion of commercial aviation in America – mainly through subcontracting mail delivery to private firms and encouraging the construction of airports around the country. (In these efforts, he was aided by General William “Billy” Mitchell, who, in the years after being disallowed from dropping mustard gas on West Virginia miners, continued to proselytize for expanded air power.) After a committee headed by Dwight Morrow promoted Hoover’s conclusions, and Congress passed a civil aviation law in 1926, Hoover formed an Aviation Bureau and mandated lights, radio, and weather services at all newly constructing landing pads. “Within a year after the establishment of the Aviation Division,” Hoover later boasted, “we had 4,000 miles of fully equipped airways; 10,000 miles more in preparatory stages; 864 airports in operation, and 144 more cities stirred up to the point of letting contracts for such facilities.”¹⁶⁰⁸

As in aviation, so too in radio. When Hoover took office, only KDKA in Pittsburgh and WGY in Schenectady were broadcasting. Six months later, 318 more stations had sprung up alongside them. By 1926, the airwaves were divided amongst 536 broadcasting stations, 553 land stations and 1902 ship stations for naval purposes, and over 15,000 amateur broadcasters. Here again, Hoover’s original voluntarist efforts to divide bandwidth sanely and equitably broke down, turning the radio into a “Tower of Babel.” When Aimee Semple McPherson, the popular Los Angeles-based radio evangelist, refused to stay on one wavelength, Hoover invoked federal authority and shut her down. (“Please order your minions of Satan to leave my station alone,” McPherson telegraphed Hoover. “You cannot expect the Almighty to abide by your wavelength nonsense. When I offer my prayers to Him I must fit into His wave reception.”) Even Coolidge,

¹⁶⁰⁸ Hoover, 132-135. William Leuchtenburg, *Herbert Hoover*, 53-54.

no friend of federal interference, conceded that “[t]his important public function has drifted into such chaos, as seems likely, if not remedied to destroy its great value.”¹⁶⁰⁹

Meanwhile, Members of Congress approached the burgeoning technology of radio with the same trepidation that would mark a later generation of politicians’ attempts to make sense of the Internet. “I do not think, sir,” complained Key Pittman of Nevada, “that in the fourteen years I have been here there has ever been a question before the Senate that in the very nature of the thing Senators can know so little about as this subject.” (The Supreme Court was scarcely less dumbfounded. “Interpreting the law on this subject is something like trying to interpret the law of the occult,” complained Chief Justice William Howard Taft. “It seems like dealing with something supernatural. I want to put it off as long as possible.”)¹⁶¹⁰

That being said, in 1927, Congress passed a Radio Act penned by progressive Senator C.C. Dill of Washington and, on the House side, Rep. William White of Maine. On the urging of William Borah, who worried about the ramifications of executive branch oversight over the airwaves, this Act transferred the power of licensing radio stations out of Commerce and into a newly created Federal Radio Commission (later the Federal Communications Commission.) While George Norris had fought and lost to see full public ownership of the airwaves, the Act did demand that the FRC ensure that licenses were doled out with the virtues of “public interest, convenience, and necessity” in mind. In theory, this was to ensure that corporations could not obtain a stranglehold over the airwaves. In practice, it was usually invoked to keep Socialists, Communists, and other potential ne’er-do-wells from receiving licenses. “To the man in the street,” said the *Washington Post*, this was “the most important legislation of the session.” “With

¹⁶⁰⁹ Hoover, 139-143. Goodman, “The Radio Act of 1927 as a Product of Progressivism.” Greenberg, 131.

¹⁶¹⁰ Goodman. Catherine L. Covert. “We May Hear Too Much: American Sensibility and the Response to Radio, 1919-1924,” in Covert and Stevens, ed., 199.

all its faults,” Hoover concluded of the system he had pushed for and successfully acquired by 1927, “the private ownership [of radio] has proved far superior in its enterprise, its entertainment, and its use in public debate and in public service to the government-owned systems of Europe.”¹⁶¹¹

Surveying Hoover’s domain in September, 1925, *The New Republic*’s TRB noted with admiration “how extraordinarily extensive is [Hoover’s] impress upon the government outside of his own Department”:

There is reason to doubt whether in the whole history of the American government a Cabinet officer has engaged in such wide diversity of activities or covered quite so much ground. The plain fact is that no vital problem, whether in the foreign or the domestic field, arises in this administration in the handling of which Mr. Hoover does not have a real – and very often a leading – part. There is more Hoover in the administration than anyone else...[T]here is more Hoover in the administration than there is Coolidge.¹⁶¹²

William Hard was another progressive who was impressed by the Secretary’s performance. “Mr. Hoover has evolved the public-private department,” he wrote in 1928. “He has evoked the public-private citizen.” In fact, it’s an open question at which point Hoover’s power in the administration reached its zenith. On one hand, the Coolidge years saw Hoover’s most potent nemesis in the Cabinet, Henry C. Wallace, replaced with the more pliable William Jardine. (Wallace died in office in October 1924, ten days before the election.) On the other, Coolidge’s ascent meant Hoover generally lost the sympathetic ear of the president. While Warren Harding had been awed and even cowed by his Commerce Secretary’s intellect, Coolidge instead thought of Hoover derisively as “Wonder Boy,” and was much more inclined to turn to another pro-business voice in his administration instead – That would be the “greatest

¹⁶¹¹ Goodman. Greenberg, 132. Hoover, 147.

¹⁶¹² Leuchtenburg, *Herbert Hoover*, 63-64. “Washington Notes,” *The New Republic*, September 2, 1925 (Vol. 44, No. 561), 43.

Secretary of the Treasury since Alexander Hamilton,” as he was so often called: Andrew W. Mellon.¹⁶¹³

As one of the world’s richest men, “in every instinct a country banker” in Hoover’s words, and someone who came into public life after a long and successful career as a banker and investor, the austere, forbidding Andrew Mellon was removed from the rest of the Harding and Coolidge administrations by age, income, and general disposition. Mellon thought Harding, as a former small-town newspaper editor, was a small man beneath the stature of his position. He felt Attorney General Daugherty was a political hack who kept trying to staff up the Treasury Department with crooked appointees. (As a Pennsylvanian in the Knox and Penrose era, however, Mellon himself was no stranger to the arts of patronage.) And he liked least the grasping Hoover, with his annexing raids and publicity bureau, whom he thought “too much of an engineer.” (Mellon got on better with General Dawes during his year as Budget Director, as well as the unobtrusive, business-minded Coolidge.)¹⁶¹⁴

Nonetheless, Mellon agreed with the general thrust of both the Harding and Coolidge administrations. “The government is just a business,” Mellon wrote in 1924, “and can and should be run on business principles.” One of Mellon’s first acts in 1921 was to encourage the Federal Reserve to lower interest rates, raised after the war, from 7% to 5%. This would encourage investment and consumption – not to mention speculation in the stock market – over savings, thereby working to get capital flowing in the economy. It also allowed Secretary Mellon to

¹⁶¹³ Dumenil, 38. Hawley, “Herbert Hoover,” 136. Hawley, ed., 37.

¹⁶¹⁴ Hoover, 60. David Cannadine, *Mellon: An American Life* (New York: Alfred A. Knopf, 2006), 280.

renegotiate the federal government's outstanding loans with lower rates and longer repayment plans, thus saving the country close to \$200 million a year.¹⁶¹⁵

These savings aside, Treasury's main part to play in establishing business principles, Mellon thought, was to secure lower taxes on incomes. "There is no reason," the Secretary declared in his own quickie administration book, 1924's *Taxation: The People's Business*, "why the question of taxes should not be approached from a non-partisan and business viewpoint." To Mellon, that means organizing the tax rates more efficiently than they had been in the past. "It seems difficult for some to understand that high rates of taxation do not necessarily mean large revenue to the Government, and that more revenue may often be obtained by lower rates...Experience has shown that the present high rates of surtax are bringing in each year progressively less revenue of government." While the most efficient rate was still unknown, Mellon contended that "by cutting the surtaxes in half, the Government, when the full effect of the reduction is felt, will receive more revenue from the owners of large incomes at the lower rates of tax than it would have been received at the higher rates." This, he argued, was the "same business principle" that allowed Henry Ford to make "more money out of pricing his cars at \$380 than at \$3000."¹⁶¹⁶

Along with it being good for government revenues, Mellon also thought high tax rates sapped the virtues that kept the economy and the nation moving forward. "Any man of energy and initiative in this country can get what he wants out of life," Mellon argued. "But when that initiative is crippled by legislation or by a tax system which denies him the right to receive a

¹⁶¹⁵ Cannadine, 286-287. Schlesinger, *Crisis of the Old Order*, 62. Andrew Mellon, *Taxation: The People's Business* (New York: MacMillan Company, 1924), 17.

¹⁶¹⁶ Mellon, 15-17.

reasonable share of his earnings, then he will no longer exert himself, and the country will be deprived of the energy on which its continued greatness depends.” Among progressives, this line of thinking was shared in the Senate by William Borah, who despised taxes with a Jeffersonian vituperation. “So long as the government grabs all the surplus that a man makes,” the Idaho Senator wrote one constituent, “there is not very much incentive to make.”¹⁶¹⁷

And so, beginning in 1921, Mellon began working to scale back the tax rates left over from the Wilson years. The original plan the Secretary put forward lowered the surtax rate on America’s highest incomes from 65% to 25%, after a one-year holdover at 32%. Mellon’s 1921 plan also ended the excess profits tax on corporations, which had been passed as a war measure and was hugely unpopular with business groups, and suggesting replacing it with a slightly higher corporate tax rate instead (from 10% to 12.5%).¹⁶¹⁸

“The design,” as Hiram Johnson explained Mellon’s plan to Harold Ickes in August 1921, “is to relieve the big fellows of the taxes they have had to pay, and it is done upon the theory that it is only in this fashion money will be invested in business.” And although it took several bites at the apple over the course of the decade, with tax revisions passing in 1921, 1924, and 1926, Mellon eventually got very close to what he asked for. Opposition from the Farm Bloc tempered the original Revenue Act of 1921 to include higher exemptions for lower incomes – from \$1000 to \$1500 for a single person and \$2000 to \$2500 for a couple – and a smaller decrease to the highest surtax, from 65% to 50%. In 1924, the highest surtax rate came down to 40%, but House progressives, working with Democrats led by John Nance Garner of Texas, were

¹⁶¹⁷ Zinn, *La Guardia in Congress*, 149-150. Borah to O.L. Roberts, August 29, 1921. WJB, Box 98: Misc.

¹⁶¹⁸ Cannadine, 287-289. Roy Gillespie Blakey and Gladys C. Blakey, *The Federal Income Tax* (Clarke: Lawbook Exchange, 2006), 191.

able to use rules changes to add a higher estate tax (from 25% to 40%) on estates over \$10 million and a gift tax (to keep the estate provisions enforceable.) The third time proved the charm for Mellon, for in 1926, the demoralized progressives and Democrats finally capitulated in full. The Revenue Act of that year brought the highest surtax and the estate tax down to 20% (meaning a tax rate of 25% on the highest earners), and ended the gift tax that had gone in effect in 1924. “I have never seen from a political standpoint,” vented Harold Ickes to a friend after the dust had settled, “any more absurd exhibition than the eagerness of the Democrats in Congress, supposed to contain the leadership and brains of the party, trying to out-mellon Mellon in reducing the tax rate on the very large incomes. After such an exhibition I really don’t see how the Democrats can consider it worthwhile to pretend that they are a separate party.”¹⁶¹⁹

From the start, Ickes had thought the “Mellonaire” plan was designed to help the rich at the expense of everyone else. “[T]hose who enjoy incomes of less than \$66,000 might also like an opportunity to make investments which they cannot make in view of the income taxes they are called upon to pay,” Ickes replied to his friend. Writing in 1921, Ickes also thought the Mellon tax plan was political suicide. “It will make a fine campaign argument for the Democrats to point to the fact that the Republican Congress was so careful to reduce the taxes of the Rockefellers and the Morgans. I take it that Mr. Mellon and other members of the President’s cabinet will be greatly benefited by the proposed radical reductions...and I don’t suppose the Democrats will fail to emphasize the fact.”¹⁶²⁰

¹⁶¹⁹Johnson to Ickes, August 13, 1921. HLI Box 33: Hiram Johnson. Cannadine, 287-88, 315. Schlesinger, *Crisis of the Old Order*, 98. Leuchtenburg, *Perils of Prosperity*, 98. Ickes to Benjamin F. Proctor, February 15, 1926. HLI, Box 36: P Miscellany.

¹⁶²⁰Ickes to Johnson, September 23, 1921. HLI Box 33: Hiram Johnson. Ickes to Johnson, August 11, 1921 Box 33: Hiram Johnson.

Especially given that Andrew Mellon was the third highest taxpayer in the country (after John D. Rockefeller and Henry Ford), Ickes was not the only one to intimate that the Treasury Secretary was operating on behalf of his class rather than his country. “I am not going to have my people who work in the shoe factories of Lynn and in the mills of Lawrence and the leather industry of Peabody,” railed Congressman William Connery of Massachusetts in 1923, “in these days of so-called Republican prosperity when they are working but three days in the week think that I am in accord with the provisions of this bill... When I see a provision in this Mellon tax bill which is going to save Mr. Mellon himself \$800,000 on his income tax and his brother \$600,000 on his, I cannot give it my support.” “Mr. Mellon himself,” George Norris argued of the 1925 iteration of the plan, “gets a larger personal reduction than the aggregate of practically all the taxpayers in the state of Nebraska.” That same year, Fiorello La Guardia suggested that Mellon was trying to follow the biblical injunction of Mark 4:25: “For he that hath, to him shall be given; and he that hath not, from him shall be taken even that which he hath.” Higher taxes on the highest incomes, La Guardia argued, citing Teapot Dome, are “consistent with the progress of the Republic. Let us be frank about this... The danger of the concentration of enormous fortunes in a few hands is quite obvious – We are now witnesses to a national scandal, the result of enormous fortunes.”¹⁶²¹

These sorts of arguments, Secretary Mellon argued in response, were tantamount to class war. “I have never viewed taxation as a means of rewarding one class of taxpayers or punishing another,” he wrote in *Taxation: The People’s Business*. “If such a point of view ever controls our public policy, the traditions of freedom, justice, and equality of opportunity, which are the distinguishing characteristics of our American civilization, will have disappeared and in their

¹⁶²¹ Schlesinger, *Crisis of the Old Order*, 62. Zinn, *The Twentieth Century*, 109. Zinn, *La Guardia in Congress*, 150, 161.

place we shall have class legislation with all its attendant evils.” Nonetheless, Mellon did agree that “[t]he fairness of taxing more lightly income from wages [and] salaries or from investments is beyond question”:

In the first case, the income is uncertain and limited in duration; sickness or death destroys it and old age diminishes it; in the other, the source of income continues; the income may be disposed of during a man’s life and it descends to his heirs. Surely we can afford to make a distinction between the people whose only capital is their mental and physical energy and the people whose income is derived from investments. Such a distinction would mean much to millions of American workers and would be an added inspiration to the man who must provide a competence during his few productive years to care for himself and his family when his earnings capacity is at an end.¹⁶²²

In the meantime, the Treasury Secretary worked to lower his own investment-laden tax bill as much as possible, receiving a ten-point memo from the IRS Commissioner – “[p]ursuant to your request” – “setting forth the various ways by which an individual may legally avoid tax.” Mellon himself partook of five of the commissioner’s suggestions, and then hired the tax expert sent along by the IRS to handle his own personal returns.¹⁶²³

This was hardly the only seeming conflict of interest Mellon was involved in. The Secretary later claimed that, when he joined the administration, he separated himself completely from his business investments. “I have not concerned myself with their affairs,” he intoned, “and I have not endeavored to control or dictate their operations in any way.” In fact, Mellon often pitched the companies he was investing in for federal contracts – He specifically asked Secretary of State Hughes to choose a Mellon-affiliated construction company to build a bridge in China, and encouraged House committee members to maintain appropriations for projects involving the Mellon-affiliated Gulf Oil. When everyone in Washington was haggling and bartering for favorable rates in the Fordney-McCumber tariff deliberations, the Secretary did not stay aloof

¹⁶²² Cannadine, 354. Mellon, 11. Tax History Project: The Income Tax Arrives 1913-1932 (<http://www.taxhistory.org/www/website.nsf/Web/THM1901?OpenDocument>)

¹⁶²³ Schlesinger, *Crisis of the Old Order*, 62-63.

from the process – He worked to throw up protectionist walls buttressing his aluminum company, Alcoa, while keeping raw materials from Canada needed for another industrial abrasives company, Carborundum, on the free list. In short, “More Business in Government” was taken quite literally by the Treasury Secretary.¹⁶²⁴

In any case, the lower Mellon tax cuts did not really result in additional tax revenues coming in until 1928. That year, coinciding with the unprecedented wave of prosperity that saw GNP increase by an average of 4.7% a year between 1922 and 1929, tax receipts brought in 1.16 billion into the federal coffers, as compared to 1.08 billion in 1920. During the decade, the portion of income taxes paid by the poorest Americans – those making less than \$5000 a year – decreased from 15.4% of the total tax burden in 1920 to 1.4% in 1928. Over the same period, the share of the burden paid by the wealthiest Americans – those making over \$100,000 a year – rose from 29.9% to 61.1%. (It helped that there were four times as many Americans in this bracket by the end of the 1920’s.)¹⁶²⁵

“While the poor did not grow poorer” over this period, in the words of economist and historian George Soule, surveying the effect of the Mellon tax rates, “the rich grew richer more rapidly than the poor did,” exacerbating income equality throughout the land. The top 1% of earners owned close to 15% of the nation’s total income by 1929, and the top 5% of Americans owned over 26% -- increases of 19% and 14% respectively over their share in 1923. And while the poorest Americans only saw a one percent gain in their income after taxes as a result of the Mellon cuts, the nation’s millionaires received 31% more thanks to the Mellon plan. Over the

¹⁶²⁴ Cannadine, 297.

¹⁶²⁵ US Department of Treasury, “Statistics of Income,” annual 1920-1928. Reprinted in Veronique de Rugy, “1920’s Income Tax Cuts Sparked Economic Growth and Raised Federal Revenues,” Cato Institute, March 2003 (<http://www.cato.org/publications/commentary/1920s-income-tax-cuts-sparked-economic-growth-raised-federal-revenues>)

same time period, manufacturers only saw a 1.4% increase in real wages per year, while stockholders, until the bottom fell out in 1929, saw a 16.4% gain per year. By the end of the boom, the top one-tenth of one percent held the same amount of income as the 42 percent at the bottom, and the top 60,000 families has as much in savings as the bottom 25 million.¹⁶²⁶

Just as the effects of the Coolidge prosperity were more pronounced at the top of the economy, the boom times did not reach every American at the bottom. Farmers in particular had a rough go during the decade, seeing their share of the national income drop from 16% to 9% and crop acreage shrink for the first time in American history. (“Farmers have never made money,” shrugged President Coolidge. “I don’t believe we can do much about it.”) With the labor movement at best stagnating and often losing by attrition, the average worker’s salary remained under \$1500 a year throughout the decade, and the average work week remained over fifty hours a week – with many businesses aiming to keep it that way. (“Nothing breeds radicalism more quickly than unhappiness unless it is leisure,” averred the National Association of Manufacturers in 1929.) Thanks in part to new technologies, standardization, and “scientific management” practices in the workplace, manufacturing output per man-hour increased by 32% over the Coolidge years – but hourly wages only increased by eight percent. Instead, most of the money flowed into corporate profits, which rose 80% over the Coolidge boom – over twice as fast as productivity. On Wall Street, where sales on the New York Stock Exchange nearly quintupled between 1923 to 1928 (from 236 million shares to 1125 million shares) and more than doubled in market value (from \$27 billion in 1925 to \$67 billion in 1929), profits of financial institutions rose by 150%. While great for those at the top, the fact that these profits did not translate into manifestly higher wages for ordinary citizens helped to augment the lack of

¹⁶²⁶ Soule, 317. Howard Zinn, *The Twentieth Century* (New York: Perennial, 2003), 107. Schlesinger, *Crisis of the Old Order*, 66-68.

purchasing power, and thus the imbalance between production and consumer demand, that would perpetuate hard times in the decade to come.¹⁶²⁷

Nonetheless, once the Coolidge prosperity took hold, it seemed for many, even on the lowest rungs of economic life, that – with Hoover fostering public-private partnerships, Mellon lowering tax rates, and Coolidge encouraging continued parsimony in government – the world was moving in the right direction. Notwithstanding those left out of the boom, GNP increased by 40% between 1922 and 1928, per capita income by nearly 30%, and industrial production by 70%. “Never before, here or anywhere else,” proclaimed the *Wall Street Journal* near the end of the boom, “has a government been so completely fused with business.” Perhaps, even some progressives began to wonder, the businessmen had been right all along.¹⁶²⁸

Business Triumphant

“Among the nations of the earth today America stands for one idea: Business,” declared Edward Earle Purinton in *The Independent* in 1921. “[I]n this fact lies, potentially, the salvation of the world. Through business properly conceived, managed, and conducted, the human race is finally to be redeemed.” The spiritual language in this quote was not unique. As prosperity took hold in the New Era and the values of sound business and commerce were increasingly enthroned at the center of American life, they began to seep into all other aspects of the culture as well. “The successful businessman,” spat H.L. Mencken, “enjoys the public respect and adulation that elsewhere bathe only bishops and generals.”¹⁶²⁹

¹⁶²⁷ Leuchtenburg, *The Perils of Prosperity*, 101. Schlesinger, *Crisis of the Old Order*, 66-68, 111-112.

¹⁶²⁸ Dumenil, 36. Brinkley and Dyer, *The American Presidency*, 325, 336. Greenberg, 73.

¹⁶²⁹ Dumenil, 32. Edward Earle Purinton, “Big Ideas from Big Business,” *The Independent*, April 16, 1921, in Stuart A. Kallen, ed., *The Roaring Twenties* (San Diego: Greenhaven Press, 2002), 35.

“America has become almost hopelessly enamored of a religion that is little more than a sanctified commercialism,” complained New York bishop Charles Fiske in 1927. “It is hard in this day to differentiate between religious aspiration and business prosperity. Our conception of God is that he is a sort of Magnified Rotarian [and] Efficiency has become the greatest of Christian Virtues...Protestantism in America seems to be degenerating into a sort of Babsonian cult, which cannot distinguish between what is offered to God and what is accomplished for the glory of America and the furtherance of business enterprise.” The reference to “Babsonian” refers to Roger Babson, a prominent promulgator of investment advice in the 1920’s and later founder of Babson College. In his 1920 book, *Religion and Business*, Babson had declared that “the best religion is that which makes its people most efficient, most productive, most useful, and most worthwhile. This is the test which men demand in business and our religion must pass the same test.” Similarly, Babson argued, sidestepping any biblical argument about rich men, camels, and needles, “[t]he thing which bothered Jesus in connection with material possession was those who came to Him were not interested in producing more but rather in a redistribution of what was already produced.”¹⁶³⁰

This Babsonian creed of Jesus Christ as the consummate businessman reached its fulfillment in *The Man Nobody Knows*, a 1925 book by ad man, Congregational minister’s son, and Coolidge confidant Bruce Barton. The Son of God was the “founder of modern business,” Barton argued. He had “picked up twelve men from the bottom ranks of business and forged them into an organization that conquered the world.” And so it befell ambitious executives of the New Era to aspire to His example, since “every one of the ‘principles of modern salesmanship’ on which business men so much pride themselves are brilliantly exemplified in Jesus’ talk and

¹⁶³⁰ Charles Fiske, “The Confessions of a Penitent and Puzzled Parson,” *Scribners*, December, 1927, 657-663. Dumenil, 170-171. Brown, 168. Danbom, 233-234.

work.” While delineating Christ’s leadership virtues, Barton, ever the incisive ad man, also played to the biases of much of his audience while retelling the Gospels. “In the fashionable circles of Jerusalem it was quite the thing to make fun of Nazareth – its crudities of custom and speech, its simplicity of manner,” Barton wrote, in a passage sure to resonate with the McAdooites of the land. “‘Can any good thing come out of Nazareth?’ they asked derisively when the report spread that a new prophet had arisen in that country town.”¹⁶³¹

One city dweller not impressed with Barton’s tome was Gilbert Seldes, who reviewed the book for *The New Republic*. “The first judgment of this book,” wrote Seldes, “is that the author is a man so fanatic about American business that he must reduce his Savior to the terms of the executive and organizer and go-getter. He is presented, in effect, a Rotarian Jesus for the edification of Rotarians.” “Although he labors it manfully,” Seldes argued, Barton “somehow fails to persuade you that a Buick Service Station is a temple of the Lord...[and] to suggest that...hotels are based on a sheer love of humanity is ridiculous, and a little insulting.” It seems most of the nation disagreed. *The Man Nobody Knows* was the best-selling book in America for two years straight, prompting Barton to pen a sequel, *The Book Nobody Knows*, which brought a similar businessman’s eye to the Bible. “The fruit was good to eat,” Barton has Eve, the First Consumer, saying of the fated apple, “she had an eye to food values.”¹⁶³²

¹⁶³¹ Greenberg, 73. Richard Fried, *The Man Everybody Knew: Bruce Barton and the Making of Modern America* (Chicago: Ivan Dee, 2005), 8-9. Bruce Barton, *The Man Everybody Knows*, (New York, Bobbs-Merill Company, 1925). Danbom, 235. Apparently, Barton meant every word of this. “Like a modern Sir Galahad,” one of his contemporaries in the advertising world observed, Barton’s “strength was the strength of ten men because his heart was pure. He was sincere.” Roland Marchand, *Creating the Corporate Soul: The Rise of Public Relations and Corporate Imagery in American Big Business* (Berkeley: University of California Press, 2000), 134.

¹⁶³² Gilbert Seldes, “Service,” *The New Republic*, July 15th, 1925 (Vol. 43, No. 554), 207. David Greenberg, “The Forgotten Imagemeister,” *Washington Monthly*, April 2006. Danbom, 235.

Barton's attempt to infuse American spirituality with the business ethic was not confined to his famous books. As a partner at the advertising firm of Barton, Durstine, and Osborn (BDO) – better known, after the 1928 merger with the George Batten Company, as BBDO – Barton spearheaded transformative publicity campaigns for some of the largest corporations in America, including General Motors and General Electric.¹⁶³³

On behalf of General Motors, Barton turned to another father figure, General Washington. According to the Barton-penned ads, the father of our country “knew that Distance was the enemy which menaced the new republic most... Only transportation could make a United States.” Barton also encouraged General Motors to drop the word “Corporation” from its ads and instead become “a Famous Family,” who helped in “making the nation a neighborhood.” BDO ads emphasized that “more than 68,000 investors own General Motors... [and] more than 18,000 stockholders are women – mothers, sisters, wives.” They depicted families enjoying picnics, or ministers and doctors making their rounds in General Motors automobiles, the latter only getting to the sickbed of a dying girl in time thanks to his sturdy, dependable vehicle.¹⁶³⁴

For General Electric, Barton's firm emphasized the liberation from toil and drudgery the electric power and light availed. “Women suffrage made the American woman the political equal of her man,” one such ad declared. “The little switch which commands the great servant Electricity is making her workshop the equal of her man's.” Other advertisements noted how “a friendly lamp invites confidences,” illuminating those moments in the late evening “when the hearts of mothers and daughters draw close, and sons discover that father are pals,” or when a

¹⁶³³ Marchand, 130.

¹⁶³⁴ Marchand, 139-145.

young child is scared of the dark. “The letters G-E,” another ad proclaimed, showing the famous General Electric symbol, “are more than a trademark. They are an emblem of service – the initials of a friend.” In both campaigns, the implications were clear – Big Business was not some impersonal entity devoted to profits, but a friend and neighbor who existed only to serve the American people.¹⁶³⁵

In many ways, this was not just advertising talk, but a groping towards a new understanding of society. Now that business was in the driver’s seat, business leaders, some began to argue, had certain responsibilities borne out of *noblesse oblige*. “The basic remedy for the evils of industrialism and hence for strikes,” department store magnate Edward Filene suggested in 1922, “lies in making business a profession – that is, in realizing, in act as well in thought, that a business has no right to make a profit except as it serves the community.” Once constructed in such a way, Filene announced, “the modern business system, despised and derided by innumerable reformers, will be both the inspiration and the instrument of the social progress of the future.” In short, as Filene put it in 1924, “business in order to be good business must itself be conducted as a public service... Good social policies are the surest recipe for big and continuous profits.” “We know that real success in business is not attained by the expense of others,” asserted the vice-president of New York’s Chemical National Bank. “Business can succeed only in the long run by acquiring and holding the goodwill of people.” GE head Owen Young argued that his class of executives “no longer feels the obligation to take from labor for the benefit of capital, nor to take from the public the benefit of both, but rather to administer wisely and fairly in the interest of all.”¹⁶³⁶

¹⁶³⁵ Marchand, 152-160.

¹⁶³⁶ Edward Filene, “Why Men Strike,” in Byron and Coudert, ed., 153. Dumenil, 33-34. Danbom, 236-237. Brown, 9. Schlesinger, *Crisis of the Old Order*, 73.

Thus the 1920's were the heyday of what became known as "welfare capitalism," a system, in the words of historian Lizabeth Cohen, where "the enlightened corporation, not the labor union or the state, would spearhead the creation of a more benign industrial society." Throughout the decade, corporations worked to stave off both labor unionism and governmental interference by offering better working conditions and benefits like pensions, group insurance plans, and stock in the company. Businesses created wage incentive systems to encourage individual workers to be more productive, founded company unions to keep out more traditional forms of worker organization, and worked to engage the community and foster employee loyalty through sports teams and other extracurricular activities. The welfare capitalist vision, while never fully attained, was articulated by a labor economist of the period as follows:

If the worker has a toothache, the company dentist will cure it; if he has a headache...he can get treatment from the company doctor; if he...needs an operation, the company doctor will help him find a more competent surgeon; in some cases, the company optometrist will measure him for glasses, and the company chiropodist will treat his corns. If he has legal difficulties, he can obtain free advice from the company's lawyer;...if he wishes to save money, the company will act as an agent for a bank, deduct the money from his pay check, deposit it in the bank, and do the book-keeping for him; if he needs to borrow money, the company will lend it to him at a low rate of interest; if he wishes to own a house, the company will build one for him and sell it to him on easy terms, or help him to borrow the money to build it himself.¹⁶³⁷

Perhaps the most notable welfare capitalist of the era was America's most popular businessman – and, indeed, one of the most popular Americans of the time, period – Henry Ford. In 1914, Ford had moved his workforce to the eight-hour-day – thus helping to alleviate at least some of the tedium of working an assembly line job – raised wages to the unheard-of \$5 an hour (from \$2.34, provided workers consented to some intrusive inquiries about their home life), and instituted a profit-sharing system, thereby helping Ford workers to be able to afford Ford cars on the installment plan. Ford also opened an Americanization school for immigrants in his Detroit

¹⁶³⁷ Cohen, *Making a New Deal*, 161-180, 182-183.

factory that graduated 16,000 Ford employees in its first five years. (Since Ford, following the suggestion of scientific management theorist Frederick Winslow Taylor, had pioneered the use of the assembly line, his company often hired unskilled immigrant laborers because he could.)¹⁶³⁸

“I do not consider the machines which bear my name simply as machines,” Ford argued in his 1922 autobiography *My Life and Work*, published the same year he decided to cut his employees’ work week down from six days to five. “I take them as concrete evidence of the working out of a theory of business, which I hope is something more than a theory of business--a theory that looks toward making this world a better place in which to live.” For too long, Ford thought, business had been mischaracterized. “It has been thought that business existed for profit,” he wrote. “That is wrong. Business exists for service.” As such, “[a]ll that the Ford industries have done – all that I have done – is to endeavour to evidence by works that service comes before profit and that the sort of business which makes the world better for its presence is a noble profession.”¹⁶³⁹

It was this sort of talk that prompted Lincoln Steffens to say in 1924 that Ford was a “reformer without politics,” even a “radical.” The man himself thought he was by no means a reformer – “there is entirely too much attempt at reforming in the world.” Nonetheless, Ford argued that this project was his real *Life and Work*. “The money that I make is inconsequent,” he wrote:

¹⁶³⁸ Daniel M.G. Raff, “Ford Welfare Capitalism in its Economic Context,” in Sanford M. Jacoby, ed., *Masters to Managers: Historical and Comparative Perspectives on American Employers* (New York: Columbia University Press, 1991), 99.

¹⁶³⁹ Daniel Gross, “The Slow Death of Welfare Capitalism,” *Slate*, September 3rd, 2004. Henry Ford, *My Life and Work* (New York: Garden City Publishing, 1922), 1-3, 270-271.

Money is useful only as it serves to forward by practical example the principle that business is justified only as it serves, that it must always give more to the community than it takes away, and that unless everybody benefits by the existence of a business then that business should not exist...I want to prove it so that all of us may have more, and that all of us may live better by increasing the service rendered by all businesses. Poverty cannot be abolished by formula; it can be abolished only by hard and intelligent work.¹⁶⁴⁰

“We are, in effect, an experimental station to prove a principle,” Ford argued. “That we do make money is only further proof that we are right.” This experiment was important, Ford contended, in part because there was a great danger in “a whole country...thinking that Washington is a sort of heaven and behind its clouds dwell omniscience and omnipotence[. It means] you are educating that country into a dependent state of mind which augurs ill for the future. Our help does not come from Washington, but from ourselves.” As such, Ford argued, the “slogan of ‘less government in business and more business in government is a very good one’ – provided business lived up to its responsibilities of service.¹⁶⁴¹

Reviewing *My Life and Work* for *The Nation*, Edward Filene deemed it “one of the most significant books of this generation...I conceive it to be my public duty to do everything in my power to bring it to the attention of the widest possible public.” While disagreeing with Ford on most public issues – “I think he has been misled and hoodwinked in his warfare against the Jew. I cannot follow him in his adventures in currency reform. I am not sure that his autocratic control of his employees is a sound basis for an industry that is to endure.” – Filene thought it spectacularly important that Ford had illustrated that “a business man may render his greatest public service in and through his private business. We business men are too prone to regard our

¹⁶⁴⁰ Murray, *The 103rd Ballot*, 264. Ford, 7, 272-273.

¹⁶⁴¹ Ibid.

businesses as private ventures out of which we can make money... We are likely to forget... that statesmanship in business is more important than philanthropy outside business.”¹⁶⁴²

What is more, Filene argued, Ford’s philosophy illustrated the path of progress that America must follow. A “Fordized America,” he wrote, would “ultimately make possible a much shorter workingday. It would make possible higher real wages. It would give mankind a margin of leisure now unknown. Men would be able to spend, say, five hours a day in providing food, clothing, shelter, and insurance against the future, and still have five hours left to devote to an avocation that would broaden the mind and give every man’s latent creative abilities a congenial outlet.” In short, Filene declared, “[t]he higher real wages and the shorter hours which the Ford philosophy makes possible would give men that economic freedom which is the starting point of all other kinds of freedom.”¹⁶⁴³

Of course, some of the men working under Henry Ford found less freedom in the system than Filene intimated. “Ye get the wages, but ye sell your soul at Ford’s,” an English immigrant told Edmund Wilson of his experience. “Ye’re worked like a slave all day, and when ye get out ye’re too tired to do anything – ye go to sleep on the car comin’ home... It’s worse than the army, I tell ye – ye’re badgered and victimized all the time. You get wise to the army after a while, but at Ford’s ye never know where ye’re at. One day ye can go down the aisle and the next day they’ll tell ye to get the hell out of it. In one department, they’ll ask ye why the hell ye haven’t got gloves on and in another why the hell ye’re wearing them... A man checks ‘is brains and ‘is freedom at the door when he goes to work at Ford’s... I’m tryin’ to forget about it.”¹⁶⁴⁴

¹⁶⁴² Edward Filene, “Ford: Pioneer, Not Superman,” *The Nation*, January 3rd, 1923 (Vol. 116, No. 3000), 17.

¹⁶⁴³ *Ibid.*

¹⁶⁴⁴ Edmund Wilson, *The American Earthquake*, in Kallen, ed., 65-66.

In any case, Henry Ford further expounded on his vision in 1926, with a follow-up book entitled *Today and Tomorrow*. Again, the automaker emphasized that business was intended to serve, not profit. “One cannot hope to live *on* a community, but *in* a community,” he wrote, noting that his company had “never put in a plant without raising purchasing power and standards of living.” In fact, Ford had thought the majority of his fellow executives were beginning to take a wrong turn. In the Coolidge era, he declared, “[t]he face of business is bowed toward the stockholder and not toward the consumer, and this means the denial of the primary purpose of industry.” Running a business to maximize profits, Ford suggested, was heading for trouble. “The profit motive, although it is supposed to be hard-headed and practical, is really not practical at all, because it has as its objectives the increasing of prices to the consumer and the decreasing of wages, and therefore it constantly narrows its markets and eventually strangles itself,” leading to depression. Rather than being inordinately focused on profits, Ford insisted, the businessman must first and foremost be a sound administrator over his domain.¹⁶⁴⁵

“And there we are,” noted Stuart Chase, summing up Ford’s vision in his review of *Today and Tomorrow* for *The Nation*. “The machine brought to heel at last, but run by engineers subject only to referendum of the public as reflected in its buying power. The government is invited to keep out and stay out, along with bankers, trade unions, reformers, charitable undertakings of all kinds” – This, Chase argued, was the “industrial Utopia of the modern Croesus.” But “can we resign ourselves without further scrutiny to the stewardship of the engineer-business man?” Chase asked. “What earnest have we that the Ford tradition will animate all our engineer-overlords after we have meekly handed over the earth to them?” It is a

¹⁶⁴⁵ Stuart Chase, “Henry Ford’s Utopia,” *The Nation*, July 21st, 1926 (Vol. 123, No. 3185), 53.

system that might work well in boom times, Chase thought, but only in those times – “Which is not saying that my children will not live under it.”¹⁶⁴⁶

In fact, even during the Coolidge prosperity, the call to service never escaped very far from the profit motive. In *Religion and Business*, Roger Babson implored business executives “to develop efficiency, accumulate capital, and work toward other capitalistic ends; but by using some force other than the incentive of profit.” But he also conceded that “[m]anufacturers and merchants are learning that to succeed permanently they must talk service, whatever may be their religious opinions.” And just as Hoover had trouble getting businesses to do things voluntarily that were not in their immediate self interest, few companies had either the resources or the desire to work to achieve Ford’s vision of a state benevolently administered by business-minded technocrats. “You know employers do a great many things for their employees, just because they want to be men, and they want to have sympathy with them,” Chicago printer Thomas Donnelly told a Senate committee. When pressed on this point during testimony, Donnelly exclaimed “If I gave my altruistic spirit full rein I would be broke in a month!”¹⁶⁴⁷

“The average American business man,” Bishop Fiske argued in his “Puzzled Parson” piece of 1927, “has been encouraged to believe himself religious if he sings long and loud the duty of service, and insists that, unlike virtue which is its own reward, service (with a large S) brings monetary returns of a real material worth.” And yet, just as businessmen – at least rhetorically – aspired to the value of service, so too did many who had followed service as a calling now aspire to the values of business. “[W]elfare work,” Bishop Fiske declared, “has been

¹⁶⁴⁶ Ibid.

¹⁶⁴⁷ Roger Babson, *Religion and Business* (New York: MacMillan Company, 1921), 207. Danbom, 166-167, 236-237.

commercialized and professionalized to such an extent that a special kind of appeal is now made for its support – an appeal to pride of patronage from wealth, and often to fears of radicalism as well... The proportion of publicity to actual accomplishment is appalling in volume. We have caught the spirit of the trade associations.”¹⁶⁴⁸

Something similar was happening in the field of social work as well. In the January 1921 *Survey* symposium on “What Must Be Done to Make This a More Livable World?” several correspondents argued for a more scientific and business-like approach to the profession. “Why not a long step ahead toward a more united and intelligent profession of social workers?” queried David Holbrook of the American Association for Organizing Family Social Work. “Social Service,” a University of Toronto Social Science professor argued, “has been built on the abiding foundations of human sympathy, but with insufficient knowledge and limited ideals.”¹⁶⁴⁹

Some of the old-timers begged to differ. “As settlements like the rest of social effort became professionalized,” Wellesley college professor and reformer Vita Scudder wrote of the 1920’s, “my interest, though not my loyalty, waned a little.” She compared the difference between the rising generation of business-minded “social workers” and the social reformers of her day as being akin to that “between a salaried clergy and the mendicant orders who had become fools for Christ.” Similarly, in explaining why younger settlement house workers no longer wanted to live within the communities they serviced, social reformer Albert Kennedy noted in 1933 that the new generation think “of themselves as professional men and women, rendering a specific service desired by the neighborhood, however paid for, rather than as ‘neighbors’ or ‘social explorers’ ... At bottom the revolt is against the grain of sentimentalism,

¹⁶⁴⁸ Fiske, “Confessions,” 657-663.

¹⁶⁴⁹ “What Else Must Be Done to Make This a Livable World?” *The Survey*, January 1st, 1921, 503, 501.

about the people worked with and the task in itself, which the older generation still cherishes and finds serviceable.¹⁶⁵⁰

To Jane Addams, the dean of the settlement house movement, the new emphasis on business-minded professionalism and expertise in social work meant valuable virtues were being lost. Remembering how she spoke to the National Conference of Social Work in 1924 on the issue of toothaches, Addams noted that “[h]appily this effort is quite devoid of any social theory, but if one should be attached to it I predicted that most of the social workers would be frightened and feel that they must drop it. We are quite willing to work hard at the abolition of a toothache, but not willing to discuss social theory, and if a powerful newspaper called the effort Bolshevistic, so filled with terror have certain words become, that doubtless a few social workers would be found to say: ‘We don’t really approve of dental clinics; and, of course, we do not extend their services to adults who might be radicals; we are only experimenting with baby teeth.’”¹⁶⁵¹

It wasn’t just in religion and social work where business mores, virtues, and analogies bubbled to the fore. As historian Dorothy Brown notes, business made itself heard in education as well. “Just as truly as a manufacturing plant,” a Columbia Teachers College professor of the time argued, America’s schools “must work up all its raw material so as to make it maximally useful.” “For a long time all boys were trained to be President,” Muncie, Indiana’s school board president told sociologists Robert and Helen Merrell Lynd. “Then for a while we trained them all to be professional men. Now we are training boys to get jobs.” In August 1928, a writer in *The American Mercury* half-ridiculed, half-lamented the explosion of business schools, “the biggest

¹⁶⁵⁰ Chambers, 123-124.

¹⁶⁵¹ Addams, *The Second Twenty Years at Hull House*, 156.

money-getters in the world of the intellect,” and their course offerings – among them “Business Barometers,” “Analysis of Financial Reports,” and “Advanced Problems in Sales Administration.” In fact, even labor leaders were beginning to look to business for leadership. “[D]istrust and hostility toward the business system wanes,” declared the UMW’s John L. Lewis in 1925, “as it is becoming better understood how the general prosperity and individual and family welfare of modern peoples has been insured by the use of capital in production to multiply the productive power of man’s labor, whether by hand or brain.”¹⁶⁵²

Across the board, business was now moving to the center of American life. “What is the finest game? Business,” declared a writer in the *Independent*. “The soundest science? Business. The truest art? Business. The fullest education? Business. The cleanest philanthropy? Business. The sanest religion? Business.” The American businessman, argued the *Chicago Tribune* in 1927, “has the whole country resting on his shoulders and if he weakens everybody is miserable. He keeps the country going...he commercializes everything and makes it possible to exist.” Citing *Middletown*, Stuart Chase argued in his 1929 book *Prosperity: Fact or Myth* that the period between 1922 and 1929 had seen “the emergence of the business man as the dictator of our destinies...he has ousted the statesman, the priest, the philosopher, as the creator of standards of ethics and behavior” to become “the final authority on the conduct of American society.” The United States was now “resting her civilization on the ideas of businessmen,” declared historian James Truslow Adams, in his tome *Our Business Civilization*. In 1928 and 1929, TIME founder Henry Luce began planning a follow-up magazine, *Fortune*, to document the reach and attainments of American business at its height. “Accurately, vividly, and concretely to describe

¹⁶⁵² Brown, 132. Dumenil, 33-34. Arlington J. Stone, “The Dawn of a New Science,” *The American Mercury*, August 1928, 446, in Mowry, ed., 10-14.

Modern Business is the greatest journalistic assignment in history,” Luce proclaimed in his prospectus. The magazine went to print in February 1930, four months after the Wall Street Crash.¹⁶⁵³

During the 1924 election season, when the ascendancy of businessmen over the Republican Party became an obvious and inescapable fact, TNR warned about what the emerging “businessman’s bloc” meant for politics and society. Unlike the corporate interests of the McKinley era, it argued, “the business man of today has lost his innocence. He is conscious of living in a society in which the interests of different economic groups no longer coincide”:

His status in his own eyes is not so much that of an individual manufacturer or trader or of a citizen, but that of the member of a class whose common interests need to be defended or asserted....[Businessmen] are beginning to have the feeling and the outlook of a class who by their intrinsic qualities, their training and their peculiarly important stake in the community are entitled to rule. They are already strongly entrenched in the prevailing system of law and its interpretation. They own the most powerful and prosperous newspapers and operate the most effective vehicles of general publicity. They are headstrong, self-confident and impatient of artful political dodging. They have no sympathy or imagination about the interests and states of mind of those sections and classes which lie outside their own immediate experience. They realize that they are a minority, but they propose to compensate for this defect. They expect to dominate the government in part by their energy and competence, in part by skillful propaganda, in part by sheer determination, and last but not least by their ability to bring on, whenever their opponents triumph, a period of business depression and economic deprivation.¹⁶⁵⁴

“The increasing domination of the Republican party by a business man’s bloc,” TNR concluded, “is not the expression of an accidental or ephemeral fact. It is the political result of the victorious industrialism of American life, of the emerging class-consciousness of the

¹⁶⁵³ Brown, 11. Edward Earl Purinton, “Big Ideas for Big Business,” *The Independent*, April 16th, 1921, 395, in Mowry, ed., 3-10. Allen, *Only Yesterday*, 138. Stuart Chase, *Prosperity: Fact or Myth* (New York: C. Boni, 1929), 40. Alan Brinkley, *The Publisher: Henry Luce and his American Century* (New York: Alfred Knopf, 2010), 148-153.

¹⁶⁵⁴ “The Business Man’s Bloc,” *The New Republic*, June 25th, 1924 (Vol. 39, No. 499), 113-115.

business man, of his prodigious material resources, of his conviction of his own importance.” The business bloc now in charge “believe in big profits, big fortunes, big business and plenty of it as the clue to the welfare of the American democracy. They intend to govern the country as if this belief were true, and to prove their contention by condemning any other form of government to economic disaster. Politicians will hereafter have to become either their servants or their masters.”¹⁶⁵⁵

Similarly, in the same magazine a year later, Alvin Johnson warned of “the emerging business aristocracy” that had moved to the center of American life. “Men who have reached high position within their own organization by practice of the art of combination will not find difficulty in applying the same art to relations with other organizations.” As a result, Johnson argued, “Business and government are coming to be related like the two sides of a dollar. They are not identical, nor necessarily harmonious. But conflict is excluded... We hear more and more often the demand for a ‘business government.’ Perhaps we may come to live under such a government before the world is much older. Not that we shall see it. No doubt we shall still be trying to catch up on the Constitution when the lords of the business world are laying the adamantine but invisible foundations of a new political economic order athwart our ancient highways.”¹⁶⁵⁶

Many progressives expressed disgust at the emerging order. “Life is something more than a matter of business,” said Gifford Pinchot, “No man can make his life what it ought to be by living it merely on a business basis. There are things higher than business.” George Norris

¹⁶⁵⁵ Ibid.

¹⁶⁵⁶ Alvin Johnson, “The Emerging Business Aristocracy,” *The New Republic*, July 15, 1925 (Vol. 43, No. 554), 201-202.

prophesied of a more direct threat to the prevailing philosophy than mere existential malaise. A day will come, he warned darkly in 1921, “when you fellows who think more of big business than you do of your religion will be on your bended knees to such men as shall follow me – because I shall not be here then – praying for protection against the mob. The men who are called radicals and progressives now will be the conservatives to whom the weeping, suffering world will plead for justice; and it may be that pendulum will have swung so far that justice will be impossible.” But, for much of the decade, it seemed that day of reckoning would never come. “It is now a government, by, for, and of Big Business,” lamented Oswald Villard in 1927.¹⁶⁵⁷

Like Villard, Herbert Croly, Frederick Howe, and others, some progressives responded to this ascendancy by counter-organizing, and identifying themselves more closely than ever before to the aspirations of labor. But others, including many that had been otherwise averse to corporate power in the past, began to be swayed by the prospects of a business-led society.

In 1925, William Allen White deemed the Chambers of Commerce “the outfit that has to be put in its proper place in this country, taken down from the throne, and made ordinary voting American citizens instead of assuming to rule the land by their eminent respectability.” (At the time, he was turning down an invitation to speak to the Wichita Junior Chamber of Commerce. “A Junior Chamber of Commerce makes my feet hurt,” he wrote. “Why now let the young people have a little indiscretion, a few years of gay irresponsibility? Why harness them to a plug hat early in life?”)¹⁶⁵⁸

¹⁶⁵⁷ Schlesinger, *Crisis of the Old Order*, 117. Lowitt, 192. Dollena Joy Humes, *Oswald Garrison Villard: Liberal of the 1920s* (Syracuse: Syracuse University Press, 1960), 155.

¹⁶⁵⁸ White to Henry J. Allen, June 11, 1925. White, *Selected Letters*, 249. Dawley, 317.

But two years later, White began to relent. “As times change, we change with them and business also has changed,” he conceded in 1927. “The business that Bryan and Roosevelt railed at in their days is not the business of today.” Now “managers” were in charge rather than “the old barons,” and since the problems of the world “are essentially engineers’ problems,” he argued, perhaps that was for the best. Walter Lippmann, who had been advocating for an America led by a class of experts since the publication of his 1922 book *Public Opinion*, especially welcomed this brave new world. “The more or less unconscious and unplanned activities of business men,” he declared in 1928, “are for once more novel, more daring, and in general more revolutionary than the theories of the progressives.”¹⁶⁵⁹

Even Lincoln Steffens, the venerable muckraker who had made his name railing against corporate corruption and malfeasance – the same man who had returned from Russia arguing he had seen the future and it worked – became a believer in the possibilities of this new economic order. “Big business in America,” he wrote, “is producing what the Socialists held up as their goal; food, shelter and clothing for all. You will see it during the Hoover administration.”¹⁶⁶⁰

¹⁶⁵⁹ Dawley, 317. Ashby, 70. Leuchtenburg, *the Perils of Prosperity*, 201.

¹⁶⁶⁰ Leuchtenburg, *the Perils of Prosperity*, 201.

CHAPTER TEN: CULTURE AND CONSUMPTION

PROGRESSIVES AND THE CULTURE OF THE TWENTIES

“That high and increasing standards of living and comfort should be the first of considerations in public mind and in government needs no apology.” – Herbert Hoover, 1922¹⁶⁶¹

“Too much prosperity, too many moving-picture shows, too much gaudy fiction have colored the taste and manners of so many Nebraskans of the future.” – Willa Cather¹⁶⁶²

“The right use of leisure is the gravest social problem in the United States.” – Leon Whipple, The Survey, 1922.¹⁶⁶³

“The right to play is the final clause in the charter of democracy. The people are king – et le roi s’amuse.” – Edward Duffus, The Independent, 1924.¹⁶⁶⁴

“It is a stiff job that democracy lays upon the brains of her citizens.” – The Survey, 1923¹⁶⁶⁵

*“Prohibition is an awful flop.
We like it.
It can’t stop what it’s meant to stop.
We like it.
It’s left a trail of graft and slime,
It don’t prohibit worth a dime,
It’s filled our land with vice and crime,
Nevertheless, we’re for it.” – Frankin P. Adams¹⁶⁶⁶*

“I hate reformers. They raise my blood pressure.” – Dorothy Parker, 1922¹⁶⁶⁷

With the tide of prosperity lifting so many boats, with shortened work days and electricity opening up more hours for play, with the war and post-war experiences disenchanting so many with progressive calls to morality and idealism, and with new transportation and communications networks spreading information, music, and fads more quickly

¹⁶⁶¹ Herbert Hoover, *American Individualism* (New York: Doubleday and Page, 1922), 32.

¹⁶⁶² Paulson, 224.

¹⁶⁶³ Leon Whipple, “Freedom of Books,” *The Survey*, November 1922, 189.

¹⁶⁶⁴ Robert L. Duffus, “The Age of Play,” *The Independent*, December 20th, 1924, 539, in Mowry, ed., 44-46.

¹⁶⁶⁵ “The Struggle for Facts,” *The Survey*, January 15, 1923.

¹⁶⁶⁶ Eliot Asinof, *1919: America’s Loss of Innocence* (New York: Donald I Fine, 1990), 225.

¹⁶⁶⁷ Dorothy Parker, “Reformers – A Hymn of Hate,” in Heywood Broun, et al., *Nonsenseorship* (New York: GP Putnam & Sons, 1922).

than ever before, the Twenties saw a new culture of leisure, consumption, and libertinism flourish. On one hand progressives looked warily at these developments, especially as the acids of modernity began to eat away at the long-cherished tenets of their faith. On the other hand, they were just as uncomfortable in many ways with the fundamentalist response to these emerging cultural mores. Caught in a pincer movement between New and Old, despairing progressives labored to salvage what they could of their earlier programs and principles of reform.

A Distracted Nation

“Every day, in every way, I am getting better and better.” This was the once-ubiquitous catch-phrase of Emile Coue, the French psychologist and promoter of autosuggestion who became a national sensation in America in the early 1920’s. A believer in the Placebo Effect, Coue encouraged men and women to say this phrase to themselves every day and every night, and it would bring forth happier times. Progressives may have winced at the idea of Harding Normalcy and Coolidge Prosperity being thought of as better times, but plenty of Americans of the period felt there was reason for optimism. As the nation’s businessmen applauded the virtues of efficiency and service, and the Coolidge administration steered the ship of state ever more definitively into business-friendly waters, “America,” in the words of F. Scott Fitzgerald, “was going on the greatest, gaudiest spree in history.”¹⁶⁶⁸

The most important facilitator for this burgeoning culture of consumption was the general sense of prosperity that came over the nation after 1923. While the American population increased only by nine percent in the Twenties, the ranks of the unemployed dropped from 4.3 million in 1921 to two million in 1927. Meanwhile, individual income grew by 21%, and soon forty percent of American families were making over \$2000 a year – enough to partake of the

¹⁶⁶⁸ Joshua Zeitz, *Flapper: A Madcap Story of Sex, Style, Celebrity, and the Women Who Made America Modern* (New York: Three Rivers, 2006), 56. Schlesinger, *Crisis of the Old Order*, 145.

many new consumer goods available. As a result, recreational spending jumped by 300% over the Twenties.¹⁶⁶⁹

Even those who did not have money on hand could now purchase desired goods through the installment plan. According to historian Nancy Cott, 1925 saw American consumers purchase over 66% of furniture and gas stoves, and 75% of “cars, pianos, washing machines, sewing machines, mechanical refrigerators, phonographs, vacuum cleaners, and radios” using credit. Conservative-minded creditors worried that “[s]elling goods at the expense of safe credit tends to cheapen it, to make serious losses, and to disturb business morals... Making it easy for people to buy beyond their needs or to buy before they have saved enough to gratify their wishes tends to encourage a condition that hurts the human morale and supports a form of transaction for which credit is not primarily intended.” But these were whispers in the wind. Over the course of the decade, 75% of the nation’s radios and 60% of its cars and furniture were purchased in this manner.¹⁶⁷⁰

As a result, there were twenty times more cars in America in 1931 as there were in 1913. Put another way, the ratio of automobiles to Americans – 1 to 265 in 1910 – had dropped to 1 to 6 by 1928, with over twenty percent of families now enjoying their own vehicle. Having a car opened up the possibility of commuting to work from the suburbs. As such, 750,000 houses were built a year between 1922 and 1929, with the regions around large cities seeing the largest boom – the New York City area grew faster than 28 other states combined.¹⁶⁷¹

¹⁶⁶⁹ Soule, *Prosperity Decade*, 317. Zinn, *The Twentieth Century*, 106. Dumenil, 77.

¹⁶⁷⁰ Cott, 146. Hawthorne Daniel, *The Worlds Work*, January 1926, 329, in Mowry, ed, 32-33. Leuchtenburg, *The Perils of Prosperity*, 197.

¹⁶⁷¹ Dumenil, 77. Cott, 145. Goldberg, *Discontented America*, 89.

This new aristocratic privilege of mobility was intoxicating. “I had started something that I could not stop gracefully or consistently,” one small-town banker told *The Atlantic Monthly* in his 1925 “Confessions of an Automobilst.” “My thrift habits were steadily giving way to spendthrift habits....The result upon the individual is to break down his sense of values. Whether he will or no, he must spend money at every turn. Having succumbed to the lure of the car, he is quite helpless thereafter.” This, the author argued, portended a troubling national problem. True, “the automobile stands unique as the most extravagant piece of machinery ever devised for the pleasure of man.” But “[m]any families are living on the brink of danger all the time. They are car-poor. Savings is impossible. The joy of security in the future is sacrificed for the pleasure of the moment. And with the pleasure of the moment is mingled the constant anxiety entailed by living beyond one’s means...The thoughts in the minds of many workers is not how much they can save, but how long it will be before they can have a motor.”¹⁶⁷²

Automobiles not only conferred mobility, but privacy from parents, chaperones, and other prying eyes. The number of cars with a top jumped from 10% in 1919 to 83% in 1927, offering – much to the consternation of some reformers – myriad new opportunities for would-be lotharios of any age. (Compounding this troubling trend toward debauched virtue were the hemlines of the decade, which were rising in part to facilitate driving.)¹⁶⁷³

With 17 million homes wired for electricity by 1929, the decade also saw the sale of five million washing machines (to 25% of households), close to seven million vacuum cleaners (to 37% of households), and over fifteen million electric irons (80% of families). The sales of radio

¹⁶⁷² William Ashdown, “Confessions of an Automobilst,” *Atlantic Monthly*, June, 1925, 786, in Mowry, ed., 47-51.

¹⁶⁷³ Ibid. Barry, *Rising Tide*, 137. Amos St. Germain, “The Flowering of Mass Society,” in Lawrence R. Broer and John D. Walther, ed. *Dancing Fools and Weary Blues: The Great Escape of the Twenties* (Bowling Green: Bowling Green State University Press, 1990), 28.

sets went from \$60 million in 1922 to \$852 million in 1929 – an increase of 1400%, reaching 40% of all families by the end of the decade. Americans also took more interest in the movies, with weekly attendance at films doubling over the Twenties to between 100 and 115 million at 20,500 theaters across the country. Chain stores too witnessed phenomenal growth in the decade, as did the canned or pre-packaged foods and ready-to-wear clothes they offered. Already by 1923, F.W. Woolsworth had 1500 stores across America, with Rexall drug stores and the Great Atlantic and Pacific Tea Company also increasing in number. Between 1918 and 1929, the number of chain stores in America grew from 29,000 to 160,000. From 1917 to 1927, sales at drug stores increased 124%, at chain grocery stores by 287%, and at clothing stores by 425%.¹⁶⁷⁴

Along with new technologies and economies of scale, also driving consumption patterns in the decade were a seemingly newfound susceptibility to fads. “It is difficult to assign an exact date for the beginning of the Age of Play,” argued an author in *The Independent* in 1924 – but it was clear that Age had dawned in America. “One of the striking characteristics of the era of Coolidge Prosperity,” recalled Frederick Lewis Allen in *Only Yesterday*, his popular 1931 retrospective of the decade just passed, “was the unparalleled rapidity and unanimity with which millions of men and women turned their attention, their talk, and their emotional interest upon a series of tremendous trifles – a heavyweight boxing-match, a murder trial, a new automobile model, a transatlantic flight.”¹⁶⁷⁵

A nationwide Mah Jongg craze that began in 1922, for example, resulted in more Mah Jongg sets sold in 1923 than even radios. “From fifty thousand tables strewn with green

¹⁶⁷⁴ Brown, *Setting a Course*, 7-8. 106-107. Leuchtenburg, *Perils of Prosperity*, 196. Cott, 146-147. St. Germain, 30.

¹⁶⁷⁵ Robert L. Duffus, “The Age of Play,” *The Independent*, December 20th, 1924, 539, in Mowry, ed., 44-46. Lewis, *Only Yesterday*, 161.

Bamboos and fallen Dragons comes a nightly chorus, *Pung!*” wrote Charles Merz in *The New Republic* of this sudden boom. The game had conquered America in only a few months, he argued, because “it is a novelty – in a land where novelty ranks next to Godliness...Mah Jongg was just The Newest Thing on Broadway.” By the end of the year, Merz predicted, America would “forget we ever saw a Six Bamboo...Some new pastime from the Argentine [will be] all the rage.” Merz was almost right. “This year those who do not want to play Mah Jong no longer have to play to keep up Mah Jong appearances,” the Grey Lady reported in August 1924.

“Instead, it is now the thing one does, if one wants to do it...It has definitely passed beyond its bijou period.” Instead, the next big thing was crossword puzzles, which, although they had been around since 1913, took the country by storm beginning that year. Two young publishers, Richard L. Simon and Max Lincoln Schuster, came upon the idea of putting a book of puzzles together for Simon’s young cousin. “No one concerned,” reported a writer a year later, “had the faintest suspicion that they were launching something over which the country would go mad.” In the next six years, Simon & Schuster would sell two million copies of their crossword puzzle book around the world, including 750,000 in the United States. Later in the decade, marathon dancing and flagpole sitting would take the pole position among America’s strange new pastimes.¹⁶⁷⁶

To sate the public’s increasing desire to be entertained, tabloid newspapers, or “jazz journalism,” also enjoyed considerable growth over the period. Beginning with the *New York Daily News* (founded 1919), the Twenties saw an explosion of lurid, photo-heavy periodicals,

¹⁶⁷⁶ Allen, *Only Yesterday*, 164-166, 194. Barry, *Rising Tide*, 136. Charles Merz, “Mah Jongg,” *The New Republic*, August 1st, 1923 (Vol. 35, No. 452), 255-256. “The Rise and Present Peril of Mah Jong,” *The New York Times*, August 10th, 1924, in Mowry, ed. 70. Allan Harding, “Why We Have Gone Mad Over Crossword Puzzles,” *The American Magazine*, March 1925, 28.

such as William Randolph Hearst's *Daily Mirror* and Bernarr Macfadden's *Evening Graphic*, that emphasized sex, violence, and scandal to a degree unfathomable to earlier generations.

Looking at circulation numbers in 1927, TNR estimated that the three main tabloid journals had picked up close to 1.6 million readers since 1921, even as other upstanding New York newspapers – the *Mail*, the *Globe*, the *Commercial* – had gone under or, as in the case of the *New York Herald-Tribune*, been bought up and consolidated with rivals. (This consolidation was a national trend. Daily papers dropped from 2580 to 2001 between 1914 and 1926, and by 1927, as Frederick Lewis Allen notes, “fifty-five chains controlled 230 daily papers with a combined circulation of over 13,000,000.”)¹⁶⁷⁷

Over the course of the decade, these tabloid journals – and their more staid competitors, eager to keep up – would bring all manner of sensation and scandal into American homes. 1920 saw the divorce of America's sweetheart, Mary Pickford, and her subsequent remarriage to Douglas Fairbanks, Sr., as well as the collapse of the financial schemes – documented in detail in the *Boston Post* – of Boston-based entrepreneur Charles Ponzi. The following year brought the trial of Hollywood comedian Fatty Arbuckle, who was charged with the rape and murder of Virginia Rappe, a woman found dead at a party at his house. It was claimed by the media that Arbuckle, among other sordid acts, had crushed Rappe to death under his massive bulk. After two mistrials, Arbuckle was acquitted in his third trial in April 1922 – there was no evidence connecting him to her murder, and it seems likely she died of some combination of prior health problems and bad bootleg alcohol. But he lost badly in the court of public opinion, and his career

¹⁶⁷⁷ Ralph Giordano, *Satan in the Dance Hall: Rev. John Roach Straton, Social Dancing, and Morality in 1920's New York City* (Lanham: Scarecrow Press, 2008), 116. Kathleen Morgan Drowne and Robert Huber, *American Popular Culture Through History: The 1920s* (Westport: Greenwood Press, 2004), 25. “Who Reads the Tabloids?” *The New Republic*, May 25th, 1927 (Vol. 51, No. 651), 6-7. Allen, *Only Yesterday*, 163.

in Hollywood was effectively destroyed. Meanwhile, Hearst bragged that Arbuckle's trials "sold more newspapers than any event since the sinking of the Lusitania."¹⁶⁷⁸

Two years later, the next "trial of the century" involved Nathan Leopold, 19, and Richard Loeb, 18, two scions of wealthy Chicago families that were indicted for the "thrill killing" murder of 14-year-old Bobby Franks. As the nation watched in rapt attention, Clarence Darrow – the best counsel money could buy – successfully got Leopold & Loeb's sentence reduced to life imprisonment in 1924, mainly by arguing the two amoral youths were stunted products of their environment. In 1926, the next scandal du jour was the trial of Frances Noel Stevens Hall, who was indicted (and eventually acquitted) for the 1922 murder of her husband, Reverend Edward Wheeler Hall, and his alleged mistress, Mrs. Eleanor Mills of the church choir. Among the correspondents continually reporting in on the sordid Hall-Mills affair were evangelist Billy Sunday and New York-based preacher John Roach Straton, a.k.a. the "Fundamentalist Pope." Similarly, in 1928 Queens housewife Ruth Snyder and her lover, corset salesman Judd Gray, were tried, convicted, and executed for the premeditated murder of her husband Albert. Both the Hall-Mills and Snyder trials received voluminous play in the tabloids and regular newspapers.¹⁶⁷⁹

If there was no prurient trial available to garner readers, there was always another sensational story out there somewhere. In 1922, news of the discovery by Howard Carter and Lord Earl Carnarvon of King Tutankhamun's tomb grabbed the world's attention, prompting a flood of Egyptian themed fashions and advertisements in 1923. In 1925, newspapers flocked to

¹⁶⁷⁸ Drowne and Huber, 25. Giordano, 117. Kristofer Allfeldt, *Crime and the Rise of Modern America: A History from 1865-1941* (New York: Routledge, 2011), 17. Marion Elizabeth Rodgers, annotations to H.L. Mencken, *Notes on Democracy* (New York: Dissident Books, 2009), 194.

¹⁶⁷⁹ Ibid. Allen, *Only Yesterday*, 123-127. Stanley Walker, "The Fundamentalist Pope," *The American Mercury*, July 26 (Vol. 8, No. 31), 257-265.

cover a different sort of underground burial. Floyd Collins, a Kentucky man, got stuck 125 feet deep in Mammoth Cave after a cave-in dropped a large rock on his foot. Even as authorities labored to get him out, a local writer from the *Louisville Courier-Journal* crawled through the cave to interview the trapped man. Collins' eventual death in February 1925 – eighteen days after being trapped and before he could be saved – even received front-page attention from *The New York Times*. As Charles Merz later pointed out in *TNR*, a North Carolina cave-in the following month, which killed 53 miners, got nowhere near the same amount of ink.¹⁶⁸⁰

That same year, the *Evening Graphic* devoted considerable copy to the marriage and divorce of New York society figure Kip Rhineland and his laundress, Alice Jones – the aghast Rhineland family had forced the break when they discovered Jones' father was black. To aid in their coverage and sales, the *Evening Graphic* developed “composographs” – composite photographs – of Jones (in reality a model, tinted to appear mulatto) stripping topless before the court. Sales shot through the roof. In 1926, radio evangelist Aimee Semple McPherson disappeared from a California beach, only to show up a month later in Mexico. She claimed to have been kidnapped, although evidence suggests she instead had run off with her radio engineer – the same one provided by Herbert Hoover to keep her on one wavelength. Either way, the nation eagerly devoured the story, as they did the brief, sordid marriage and separation in 1926 of high school student Frances Heenan “Peaches” Browning, age 15, and her “Daddy,” real-

¹⁶⁸⁰ Ibid. Mary Rekas, “Old World, New World: America Meets Tutankhamen,” University of Virginia, May 2000 (<http://xroads.virginia.edu/~ug00/rekas/tut/main.htm>). Allen, *Only Yesterday*, 168-169.

estate mogul Edward Browning, 58. Here again, “composographs,” the photoshops of their day, were used to titillating effect.¹⁶⁸¹

In 1927, the tabloids not only tuned into the Sacco and Vanzetti trial but the illness and death of another young Italian taken before his time -- Rudolph Alfonzo Raffaele Pierre Filibert Guglielmi di Valentina d'Antonguolla, a.k.a. Rudolph Valentino, arguably the first film celebrity to receive the hero's treatment upon his death. Composographs were once again employed to show the smoldering star of *The Sheik*, mostly naked, resting in bed and dying with peritonitis. Indeed, the *Evening Graphic* even reported Valentino's death before his time. When the end did finally come for Valentino, at the young age of 31, the story was national news. Some observers grumbled that the death of the former president of Harvard, Charles William Eliot, around the same time resulted in very little comparable press coverage. But, then again, Eliot's death had not resulted in thousands of grief-stricken fans around the world, including more than one suicide. And Charles William Eliot didn't look anything like Rudolf Valentino.¹⁶⁸²

While one film star passed on in 1927, another fell from grace, as America also turned its attention to the divorce of Charlie Chaplin from his second wife, Lita Grey. Almost two decades younger than her husband, Lilita – her original name, and one of many details to suggest author Vladimir Nabokov had had the Chaplin story in mind for his later classic – had become pregnant with Chaplin's child out of wedlock at the age of sixteen. Grey's 52-page divorce filing went into lurid detail about the married couple's woes, noting that Chaplin had not only offered to pay for an abortion, but that the “defendant has solicited, urged, and demanded that plaintiff submit

¹⁶⁸¹ Daniel Mark Epstein: *Sister Aimee: The Life of Aimee Semple McPherson* (Orlando: Harcourt Brace, 1993). 296-317. Allen, 189. Mark Adams, *Mr. America: How Muscular Millionaire Bernarr McFadden Transformed the Nation Through Sex, Salad, and the Ultimate Starvation Diet* (New York: HarperCollins, 2009), 140-141.

¹⁶⁸² Allen, *Only Yesterday*, 184. Emily Leider, *Dark Lover: The Life and Death of Rudolf Valentino* (New York: Faber and Faber, 2003), 282-288.

to, perform, and commit such acts and things for the gratification of defendant's said abnormal, unnatural, perverted, and degenerate sexual desires, as to be too revolting, indecent, and immoral to set forth in detail in this complaint." (At the time, fellatio was illegal under California's criminal sodomy law.) Within three days of being filed at the court, *The Complaint of Lita* was being sold on street corners and, of course, covered in the papers.¹⁶⁸³

In every case, the American public seemed to delight in, if not wallow in, these tabloid tales of bad behavior or unfortunate happenstance – which aggravated some progressives to no end. “The combination between the courts and the tabloids has produced a situation for which there is really no precedence,” exclaimed Walter Lippmann in disgust. “If you take the succession of cases – Arbuckle, Rhineland, Hall-Mills, Browning, and Chaplin – and consider how they are worked up by officers of the law, by lawyers and journalists...how they are exploited for profit, it is evident that what we have here is a series of national spectacles put on for the amusement of the crowd...The whole atmosphere of them is fraudulent. They are produced by swindlers for suckers.” Arguing the same in sardonic fashion, Charles Merz reminded TNR readers that “the Roman Coliseum was a national institution. If we are to have a circus of our own, let us develop it with the high purpose and creative effort worthy of a most resourceful nation. Let us have the biggest, noisiest, bloodiest murder trials the human imagination can conceive.”¹⁶⁸⁴

To Lippmann especially, the salacious appetites of the American public was yet another indicator that public opinion, informed or otherwise, was not perhaps the best compass to steer

¹⁶⁸³ Joyce Milton, *Tramp: The Life of Charlie Chaplin* (New York: Da Capo Press, 1998), 270-279.

¹⁶⁸⁴ Steel, 208. Allerfeldt, 17.

reform by. As such he suggested that some amount of censorship should be applied for the sake of the common good. This Lippmann applied to the arts as well. When New York police closed down *Vanities*, the popular showgirl revue orchestrated by Earl Carroll on Broadway, Lippmann thought it appropriate punishment for a show that “aimed to provide the maximum erotic excitement the law will permit.” The closing would help to “discourage the too-rapid advance of competitive smut,” Lippmann suggested. “These modern spectacles are not ribald. They are not gay. They are not searching. They are not profound. They are a lazy and solitary and safe indulgence in the vices of others.”¹⁶⁸⁵

Often, Lippmann’s problem with the public appetite was less about salaciousness than poor taste – If a classic work of art or literature proved titillating, so be it. In defense of a performance of *Love for Love*, a play by Restoration playwright William Congreve, for example, Lippmann argued to one correspondent that “I should oppose the suppression of *Love for Love* as I should oppose the suppression of nude statuary at the Museum, of Boccaccio, or of the *Arabian Nights*, or Rabelais.” In short, he argued, if “somebody with taste and intelligence and a sense of the value of a free and searching theatre” didn’t decide what was worthy of censorship and what wasn’t, “the line will most certainly sooner or later drawn by fools and philistines.”¹⁶⁸⁶

But even as Lippmann manned the ramparts of high culture, some of his contemporaries were finding worth in the new spectacles of the Twenties – among them critic Edmund Wilson and writer Joseph Wood Krutch, both of whom were known to attend and enjoy Earl Carroll’s *Vanities*, the *Ziegfeld Follies*, and similar works. Along the same lines, in 1924 Harvard-

¹⁶⁸⁵ Steel, 209.

¹⁶⁸⁶ Ibid.

educated journalist and arts critic Gilbert Seldes, the man who had panned Bruce Barton's *The Man Nobody Knows*, published *The 7 Lively Arts*, an appreciation of "Slapstick Moving Pictures, Comic Strips, Revues, Musical Comedy...Slang Humor, Popular Songs, [and] Vaudeville." The "lively arts as they exist in America today" Seldes maintained, "are entertaining, interesting, and important," and his book aimed to pay homage to some of their most talented exemplars, among them Charlie Chaplin, Al Jolson, Irving Berlin, Krazy Kat, and Florenz Ziegfeld.¹⁶⁸⁷

Unfortunately, Seldes argued, "there exists a 'genteel tradition' about the arts which has prevented any just appreciation of the popular arts, and that these have therefore missed the corrective criticism given to the serious arts, receiving only abuse...[T]herefore the pretentious intellectual is as much responsible as anyone for what is actually absurd and vulgar in the lively arts." In effect, Seldes was arguing, contra Lippmann, that the often ribald spectacles of the period had their own inherent worth, and that the real threat to art of any period was the spiritually deadening tsk-tsking of genteel society. Speaking of the Keystone Kops, Seldes noted that "simple and sophisticated people have looked directly at the slap-stick screen and loved it for itself alone; in between are the people who can see nothing without the lorgnettes of prejudice provided by fashion and gentility." Slapstick, he argued, "is one of the few places where the genteel tradition does not operate, where fantasy is liberated, where imagination is still riotous and healthy." In this defense of what were commonly considered low art forms, Seldes anticipated the cultural criticism of later generations, who took popular culture much more seriously, and who cared less about the provenance of art and more about its impact.¹⁶⁸⁸

¹⁶⁸⁷ "Revue and Other Vanities: The Commodification of Fantasy in the 1920s," available at <http://www1.assumption.edu/ahc/vanities/default.html>. Gilbert Seldes, *The 7 Lively Arts* (New York: Harper & Brothers, 1924), xvii-xix.

¹⁶⁸⁸ Seldes, xvii-xix, 21-24.

Like Lippmann and Seldes, progressives were of different minds on the question of censorship. As the worldwide fame of Rudolf Valentino attests, Hollywood embraced the allure of the sensual in the 1920s, and created stars out of the likes of Valentino, Theda Bara, and “It Girl” Clara Bow mainly by virtue of their sex appeal. As historian Nancy Cott notes, the film line-up in back-to-back-weeks in the middle of the decade consisted of titles like *The Daring Years*, *Sinners in Silk*, *Women who Give*, *The Price She Paid*, *Name the Man*, *Rouged Lips*, and *The Queen of Sin*. One film of the time, *Flaming Youth*, was billed as an orgy of “neckers, petters, white kisses, red kisses, pleasure-mad daughters [and] sensation-craving mothers.” Another promised “brilliant men, beautiful jazz babies, champagne baths, midnight revels, petting parties in the purple dawn, all ending in one terrific smashing climax that makes you gasp.” In *The New Republic*, Lloyd Lewis told of how “an American woman may spend her afternoon alone” at the movie theater: “Romantic music, usually played with a high degree of mechanical excellence, gives her a pleasant sensation of tingling. Her husband is busy elsewhere; and on this music, as on a mildly erotic bridge, she can let her fancies slip through the darkened atmosphere to the screen, where they can drift in romantic amours with handsome stars...the blue dusk of the ‘de luxe’ house has dissolved the Puritan strictures she had absorbed as a child.”¹⁶⁸⁹

This, coupled with the opprobrium accompanying the Fairbanks/Pickford, Arbuckle, and Chaplin scandals, prompted some reformers and church groups to push for government oversight over the motion picture industry, most notably the Federal Motion Picture Council, organized in 1925 under the auspices of the Presbyterian Church. By 1921, over 100 bills to regulate movies

¹⁶⁸⁹ Leuchtenburg, *Perils of Prosperity*, 169. Cott, 150. Dumenil, 134. Lloyd Lewis, “The Deluxe Picture Palace,” *The New Republic*, March 27th, 1929, 175, in Mowry, ed., 56-59.

had been introduced in 37 state legislatures, and over the decade as a whole six proposals to regulate films were introduced into Congress, none of which managed to take hold.¹⁶⁹⁰

In most cases, these efforts were deflected by the ascendance of former Republican Chairman and Harding Postmaster General Will Hays to the head of the Motion Picture Producers and Distributors of America (MPPDA) in March 1922. In 1930, to forestall governmental interference, and taking a page from both the example of baseball, over which commissioner and former Judge Kennesaw Mountain Landis now presided after the Black Sox Scandal of 1919, and then-President Hoover's theory of voluntary association, the industry adopted the Hays Code, a set of self-policing guidelines to keep the content of films on the up and up. It would remain in place until 1968.¹⁶⁹¹

One of the most vociferous voices in the public sphere against movie censorship was Congressman Fiorello La Guardia. If such a bill ever passed, he argued, it would very quickly turn into a tool against reform. "Why...do you suppose the men behind this censorship law care how long a kiss lasts or whether the villain uses a gun or an axe?" he queried in 1921. "What they do care about is that the motion picture is the most marvelous educator in the world today. And if films are shown that will teach people the truth about government, about war, about civics, about prisons, and factories and tenements and every phase of life that touches their rights and their happiness, there will be trouble." "Censorship has always been the handmaid of oppression," La Guardia argued similarly to the *New York Evening Journal* in 1922. "Censorship is an agency for the prevention of thought:

¹⁶⁹⁰ Leuchtenburg, *Perils of Prosperity*, 169. Cott, 150. Mark Fackler. "Moral Guardians of the Movies and the Social Responsibility of the Press," in Covert and Stephens, 183-184.

¹⁶⁹¹ Ibid.

Think of a film illustrating to the millions of American people the quantity of food produced in this country, and how it is monopolized by a few and kept in storage so as to keep prices high; how prices are artificially fixed; how much good food is permitted to rot, while many cannot afford the mere necessities of life. Think of a picture giving the history of a lump of coal. Showing how it is mined and transported, what part of it goes to pay for labor and what big majority goes to the coupons cut by persons thousands of miles away who have taken no risks and contributed no thought, no labor, no effort towards its production. Think of a picture showing how public officials are selected by a hand-picked convention controlled by those who profit in the exploitation of the masses.¹⁶⁹²

La Guardia's grand vision of a reform-minded cinema was one shared by many other progressives. In 1916, Mary Gray Peck had told the General Federation of Women's Clubs that movies could be a "grand social worker" – "Motion pictures are going to save our civilization from the destruction which has successively overwhelmed every civilization of the past." "I have wondered, Hays," Senator Borah wrote the former Postmaster General in 1926, "if a great work could not be done for the downtrodden and despoiled of the earth through the movies. If it could be shown what has been going on and is going on in Syria, if it could be revealed what is going on in India...if the exploitation of children in Asia by foreign powers could be made known, would not these things work up such public opinion that the brutal practices would have to cease?"¹⁶⁹³

The dean of progressives agreed. Yes, Jane Addams wrote in 1930, "it is...said that a certain sort of young man tests a girl's resistance by what she will stand for in a movie, and that he boasts it is possible, by a continuous selection of movies, to undermine a girl's standards, a new type of seduction as it were." But whatever the misuses of the medium, Addams argued, "[i]t is no small achievement that millions of men, women, and children with no hope for opportunity for travel, are still easily familiar with ships on wide seas, with a moon shining on

¹⁶⁹² Zinn, *La Guardia in Congress*, 51-52, 98.

¹⁶⁹³ McGerr, *A Fierce Discontent*, 271. Borah to Will Hays, February 19th, 1925. WJB Box 211: Movie Legislation.

snow-capped mountains, with the rice fields of China, and the temples in India and Egypt...From my own experience I should say that one of the most beneficent features of the movie is the recreation and release it offers to old people. I recall an old Scotchwoman whose declining years were quite made over by the movies....Her old eyes would shine with the light of youth as she told us of yet another wonderful experience in this world of ours which she never had a chance to explore until she was about to leave it.”¹⁶⁹⁴

In sum, Addams argued at another point, the promise of cinema for education was “too splendid at rock bottom to allow the little evil to control and destroy it.” Similar arguments could be heard in progressive circles about radio. “The day of universal culture has dawned at last,” effused Joseph Hart in *The Survey* of the new medium in 1922. “No longer can Gopher Prairie say ‘Nothing ever happens in this town.’ As much happens there these days, as on any central Broadway in the universe, if one but has the necessary individual head-set. Right truthfully does the poet sing: ‘We live in the day of marvels!’” Radio, Hart declared, delivered the “promise of culture for all...If any one remains uncultured, today, it will be against the combined efforts of the world.” In short, here, in “a means of instantaneous communication to all the peoples of the earth,” was the greatest tool for leveraging public opinion toward “universal understanding, sympathy, and peace” ever created. “The welfare of mankind demands that its mechanisms shall be employed in the service of those great social ideals and knowledges which truly release the peoples of the earth from their ancient exclusions.”¹⁶⁹⁵

Film, radio, the automobile, electricity, the telephone – These inventions worked to transform both Americans’ daily existence and their conception of the world in profound ways,

¹⁶⁹⁴ Addams, *Second Twenty Years*, 376-377.

¹⁶⁹⁵ McGerr. Joseph Hart, “Radiating Culture,” *The Survey*, March 18, 1922, 948.

and, if harnessed properly, suggested even greater potential changes on the horizon. “To an intellectual class that watched their native religion turn to fundamentalism, patriotism to chauvinism, and politics to reaction,” wrote historian Dorothy Ross of the decade, “science appeared to be the one pure and sustaining discipline in the modern world.” In his 1927 book *The Rise of American Civilization*, noted historian Charles Beard put science and technology at the very center of the American story. “[W]hat is called Western or modern civilization by way of contrast with the civilization of the Orient or Mediaeval times,” he wrote, “is at bottom a civilization that rests upon machinery and science as distinguished from one founded on agriculture or handcraft commerce. It is in reality a technological civilization” that “threatens to overcome and transform the whole globe.”¹⁶⁹⁶

Reflecting both this new centrality of science and technology in American life and the prospects they engendered for continued social transformation, *Amazing Stories*, the first magazine dedicated solely to science fiction – or “scientifiction,” as its founder, writer and inventor Hugo Gernsback, deemed it – launched in March 1926. “By scientifiction,” Gernsback told his readers in the opening issue, “I mean the Jules Verne, H.G. Wells, and Edgar Allan Poe type of story – a charming romance intermingled with scientific fact and prophetic vision...Not only do these amazing tales make tremendously interesting reading – they are also very instructive. They supply knowledge that we might not otherwise obtain – and they supply it in a very palatable form.” Unfortunately for Gernsback’s vision, he soon discovered that science fantasy stories – along the lines of Edgar Rice Burrough’s already-established *A Princess of*

¹⁶⁹⁶ Fink, 37. Walter Lippmann, *A Preface to Morals* (New York: MacMillan Company, 1929), 218.

Mars series – still sold better than science fiction, and that his sales dropped precipitously whenever he tried to forego the lurid covers painted by illustrator Frank R. Paul.¹⁶⁹⁷

The following year, on May 21, 1927, science fiction seemed to become reality as airmail aviator Charles Lindbergh – answering a \$25,000 challenge put up by Frenchman Raymond Orteig in 1919 – piloted *The Spirit of St. Louis* from New York to Paris in 33 ½ hours, achieving the first solo transatlantic crossing in history. Faced with an actual, honest-to-goodness world-historical moment after years of breathless Ballyhoo, newspapers reached new heights of effusive praise to commemorate the moment. Lindbergh “has performed the greatest feat of a solitary man in the records of the human race!” declared the *New York Evening World*. “He has exalted the race of men!” proclaimed *The Baltimore Sun*. *The New York Times* deemed Lindbergh’s flight among the greatest stories of all time, along with “Adam eating the apple” and “the discovery of Moses in the bulrushes...Lindbergh’s flight, the suspense of it, the daring of it, the triumph and the glory of it...these are the stuff that makes immortal news.” To another author, it proved that morality and the old American virtues weren’t dead, “that we are *not* rotten at the core, but morally sound and sweet and good!”¹⁶⁹⁸

In a 33 ½ hour span that would change both his life and the world, the Lone Eagle had seemingly collapsed space and time forever. “Nature can’t bully us indefinitely with wind and wave and perils of vast oceans,” exulted Heywood Broun after Lindbergh’s flight. “One of our boys has put the angry sea in her place. The big pond, hey? Why, after this it is a puddle and we

¹⁶⁹⁷ Michelle Herwald, “Anticipating the Unexpected: *Amazing Stories* in the Interwar Years,” in Covert and Stevens, ed., 39-40. Mike Ashley, *Time Machines: The Story of the Science-Fiction Pulp Magazines from the Beginning to 1950* (Liverpool: Liverpool University Press, 2000), 48-56.

¹⁶⁹⁸ Leinwand, 243-247. Mary B. Mullett, “The Biggest Thing That Lindbergh Has Done,” *The American Magazine*, October 1927, 106, in Mowry ,ed., 82-83.

may step across as neatly as Elizabeth upon the cloak of Walter Raleigh.” But even as Lindbergh’s daring feat, and the new technologies that had accompanied him, augured fantastic new possibilities for human progress, scientific breakthroughs also seemed to be unraveling the basic tenets of progressivism as a public philosophy, including the very notion of reason itself.

The Descent of Man

From the start, progressivism, in all of its many incarnations, had relied on faith in human reason, educability, and improvement and the lever of educated public opinion to effect change. The traumatic experiences of the war and post-war periods had already shaken progressives’ beliefs in many of these fundamental precepts about their fellow men and women. Augmenting these doubts in the New Era were the scientific writings in vogue at the time, which further cast long shadows across the foundations of the progressive faith.

One of the most substantial assaults on these foundations had begun in 1909 in Worcester, Massachusetts. At the behest of eminent American psychologist and president of Clark University G. Stanley Hall, controversial Viennese psychologist Sigmund Freud – the “Darwin of the mind,” as one contemporary labeled him in 1913 – and his young protégé Carl Jung came to America that year to give five lectures at Clark on his theories of psychoanalysis. An early American proponent of Freud’s theories of sexuality and the unconscious, Hall had written favorably of his guest in his own 1904 study *Adolescence* – a two-part work one notable reviewer deemed as being “chock-full of errors, masturbation, and Jesus” and written by a “mad man.” Freud himself thought President Hall was “something of a Kingmaker,” and, indeed, those 1909 lectures, well-publicized by Hall and attended by such esteemed American minds as

William James, became the launching point for Freud's later meteoric ascendance in the United States.¹⁶⁹⁹

After Freud returned home to the Old World, his standard was taken up by a New York-based psychoanalyst named A.A. Brill, who, since 1907, had made popularizing Freud's writings his *raison d'être*. After translating several of Freud's works into English, Brill published *Fundamental Conceptions of Psychoanalysis* in 1921, which was a summary of his introductory class lectures on the subject at NYU. "The unconscious according to Freud," Brill explained in the first of these, "includes all the psychic manifestations of which the person is not aware. It is made up of psychic processes which have been crowded out of consciousness from the very beginnings of childhood; they are the primitive impulses that have been inhibited and sublimated in the development of the child. The child is originally a primitive being; it is like a little animal, and as it gradually gives up the gross animal instincts, it represses them."¹⁷⁰⁰

As such, Brill explained, "an occurrence in one's life, at the age of fifty, for instance, may be traced back to some childhood repression; there is always some subtle and intimate connection in our present emotional experience with something that occurred in the past." In other words, men and women were not beings motivated by reason, but rather by their own unconscious desires. They were seething cauldrons of ancient repression, and thus fundamentally irrational creatures.¹⁷⁰¹

¹⁶⁹⁹ Peter Gay, *Freud: A Life for our Time* (New York: W.W. Norton, 1998), 206-212. Paul Robinson, *Freud and his Critics* (Berkeley: University of California Press, 1993), 67. Barry, *Rising Tide*, 136.

¹⁷⁰⁰ Gay, 209. A.A. Brill, *Fundamental Conceptions of Psychoanalysis* (New York: Harcourt, Brace, and Company, 1921), 14-15.

¹⁷⁰¹ Ibid.

By the start of the Twenties, education in American had taken the Freudian turn, through books like Wilfrid Lay's *The Child's Unconscious Mind*, published in 1919. It was time for educators, Lay argued, to "accept the fundamental postulate of the new psychology and frankly admit the existence in each and every human of an unconscious (sometimes called subconscious and sometimes co-conscious mentality.) This implies not only that each of us has mental states that never enter consciousness but also that these unconscious states are not only states or conditions or dispositions, arrangements of something inert, but are *activities*, energies or groups of forces which are operating by mechanisms of which only the special student knows anything definite at all. The ordinary person knows practically nothing of the detailed workings of these activities." As such, in the words of education historian Lawrence Cremin, "[t]eachers were urged to recognize the *unconscious* as the real source of motivation and behavior in themselves and their students. The essential task of education was seen as one of *sublimating* the child's *repressed* emotions into socially useful channels."¹⁷⁰²

While not relying on a strictly Freudian analysis, New York State Supreme Court Justice Benjamin Cardozo explained how the same subconscious impulses affected the law in his influential 1921 book, *The Nature of the Judicial Process*, which helped to foment the "legal realism" movement. "[T]he whole subject matter of jurisprudence," Justice Cardozo asserted, "is more plastic, more malleable, the molds less definitively cast, the bounds of right and wrong less preordained and constant, than most of us, without the aid of some such analysis, have been accustomed to believe."¹⁷⁰³

¹⁷⁰² Wilfrid Lay, *The Child's Unconscious Mind: The Relations of Psychoanalysis to Education* (New York: Dodd, Mead, and Company, 1920), 4. Noggle, *Into the Twenties*, 175.

¹⁷⁰³ Benjamin N. Cardozo, *The Nature of the Judicial Process* (New Haven: Yale University Press, 1921), 160.

This was because, Cardozo argued, there was a “creative element in the judicial process” – when “the judge assumes the function of a lawgiver” – that often played out when deciding a case where the development of the law seemed at a critical juncture. In these moments, the judge determined the case not just based on precedent or even on reason, but on “forces which they do not recognize and cannot name, [that] have been tugging at them – inherited instincts, traditional beliefs, acquired convictions.” “Deep below consciousness are other forces, the likes and the dislikes, the predilections and the prejudices, the complex of instincts and emotions and habits and convictions, which make the man, whether he be litigant or judge.” Like it or not, Cardozo argued, “[n]o effort or revolution of the mind will overthrow utterly and at all times the empire of these subconscious loyalties.” At best, a good judge could be trained to be aware of his own fallibility, to help “emancipate him from the suggestive power of individual dislikes and prepossessions” and “broaden the group to which his subconscious loyalties are due.”¹⁷⁰⁴

And education and the law were not alone. By the beginning of the Twenties, Freudian ideas and language were spreading like wildfire throughout the entirety of American culture. “Whereas psychoanalysis is as wonderful a discovery in mental science, as let us say, the X-Ray in surgery,” A.A. Brill warned his readers in 1921, “it can be utilized only by persons who have been trained in anatomy and pathology...It cannot cure cancer, it cannot make an adjustable citizen out of a defective ‘radical,’ it cannot return an errant young husband to a neurotic elderly lady...in fine it cannot make a normal person out of an idiot, and does not give a philosophy of life to a person who has not brains enough to formulate one himself.”¹⁷⁰⁵

¹⁷⁰⁴ Cardozo, 11, 160-166, 175-176.

¹⁷⁰⁵ Brill, iv.

But the floodgates had opened, and, as historian William Leuchtenburg notes, “[i]n the years after the war, psychology became a national mania... People talked knowingly of ‘libido,’ ‘defense mechanism,’ and ‘fixation,’ confused the subconscious with the unconscious, repression with suppression, and dealt with the torturously difficult theories of Freud and of psychoanalysis as though they were simple ideas readily grasped after a few moments’ explanation.” As a result, Freud’s influence was felt everywhere. Among the books hitting the stands at the time, Leuchtenberg points out, were the *Psychology of Golf*, the *Psychology of the Poet Shelley*, and the *Psychology of Selling Life Insurance*. Former progressive heroes like Ralph Waldo Emerson and Henry David Thoreau were now retroactively diagnosed in print as being “chilled, under-sexed valetudinarians.” “If there is anything you do not understand in human life,” novelist Sherwood Anderson proclaimed in his 1925 novel *Dark Laughter*, “consult the works of Dr. Freud.” Which one could now do through mail-order catalog, via titles such as *Psychoanalysis By Mail*, *Psychoanalysis Self-Applied*, *Ten Thousand Dreams Interpreted*, and *Sex Problems Solved*. “[J]ust one person in fifty has any glimmer of what sex is,” one of F. Scott Fitzgerald’s flapper protagonists complains in 1920’s *This Side of Paradise*. “I’m hipped on Freud and all that.”¹⁷⁰⁶

Old-line progressives watched this proliferation of Freudian ideas with a combination of bewilderment and disgust. Asked about the failure of progressivism in 1926, Charlotte Perkins Gilman complained of “the radicals I know” who now “wallow in Freudian Psycho-analysis, which has the combined advantages of wide popular appeal in its subject matter, an imposing technology, and profitable use of business.” Pondering the same question, Norman Thomas declared “[i]t is this generation which rather than a few individuals is most at fault. We have

¹⁷⁰⁶ Leuchtenburg, *The Perils of Prosperity*, 165, 168. Brown, 38. Zeitz, 56. Allen, *Only Yesterday*, 79.

replaced creation with introspection and laugh at the Victorians upon whose stock of ideas we still draw without as yet having added one great new organizing principle or basic concept of our own.”¹⁷⁰⁷

Even as Sigmund Freud’s theories of the self were entering the popular consciousness, the work of another psychologist, James B. Watson, was also gaining adherents. As a doctoral student at the University of Chicago, Watson, writing his 1903 thesis on the ability of rats to learn a maze, had been struck by the experiments of Ivan Pavlov, who had shown that, through conditioning, he could make a dog salivate merely by ringing a bell. Soon thereafter, Watson began to apply the same hypotheses to humans. Most notoriously, he and his graduate student Rosalie Rayner successfully conditioned an eleven-month-old child, “Little Albert,” to be terrified of rats by clanging on a steel bar behind his head every time a white rat (or, sometimes, a bunny) was produced. Watson thought this experiment proved that fear was as potent as the sex drive in conditioning, thereby proving Freud wrong in some details. He mused that when Albert grew up and was scared of fur coats, some wrong-headed psychoanalyst would wrongly try to find a sexual basis for this phobia. As it happened, Albert never did grow up. Never unconditioned from this phobia, he perished from hydrocephalus at the age of six.¹⁷⁰⁸

In his 1914 work *Behaviorism*, Watson argued that his field was the only real and scientific form of psychology, since other schools, focusing on “consciousness,” were really just looking for the soul. “[T]he old psychology,” he argued, “is dominated by a kind of subtle

¹⁷⁰⁷ Charlotte Perkins Gilman, “Where are the Pre-War Radicals?” *The Survey*, February 1, 1926. Norman Thomas, *ibid.*

¹⁷⁰⁸ Kerry W. Buckley, *Mechanical Man: John B. Watson and the Beginnings of Behaviorism* (New York: Guilford Press, 1989), 87, 122-124. Hall P. Beck, et al, “Finding little Albert: A journey to John B. Watson’s infant laboratory,” *American Psychologist*, Vol 64 (7), October 2009, 605-614.

religious philosophy...No one knows just how the idea of a soul or the supernatural started. It probably had its origins in the general laziness of mankind.” But once one stopped focusing on introspection and focused solely on scientifically verifiable stimulus and response, psychology became a real discipline. And that discipline showed fear to be a powerful, if not the most powerful, influence in a human’s life. “An examination of the psychological history of people,” Dr. Watson contended, “will show that behavior has always been easily controlled by fear stimuli. If the fear element were dropped out of any religion, that religion would not long survive.”¹⁷⁰⁹

As William Leuchtenburg notes, it was “not until its third edition in 1925 that behaviorism – the idea that man was nothing but a machine responding to stimuli – took the country by storm.” By then, Watson – responding to some errant stimuli himself -- had been forced out of his teaching position at Johns Hopkins as a result of an illicit affair with Rayner. Instead, he had found a new home with the J. Walter Thompson ad agency, where he had begun attempting to put his theories into practice.¹⁷¹⁰

The Problem of Public Opinion

If Freud and Watson’s emphases on the base and irrational urges driving humankind were troubling to some, others saw opportunity in the new paradigm, including Freud’s own nephew, adman Edward Bernays. Having honed his public relation skills before the war as press representative for the first American tour of the Ballet Russe and during the war as a bureau chief under George Creel at the Committee of Public Information, Bernays set out after the war to apply his famous uncle’s psychoanalytic nostrums to the practice of selling soap. “The most

¹⁷⁰⁹ John B. Watson, *Behaviorism* (New York: People’s Institute, 1924), 3-5.

¹⁷¹⁰ Leuchtenburg, *Perils of Prosperity*, 163, 197.

significant social, political, and industrial fact about the present century,” he argued, “is the increased attention which is paid to public opinion.” But “these discussions of public opinion,” he contended, were skipping over “the application of their findings to everyday use. None had taken up the working relationship between private policies and public opinion.”¹⁷¹¹

This Bernays set out to do, not only in his work for his clients -- among them Ivory Soap and the American Tobacco Company – but in his two books of the decade, 1923’s *Crystallizing Public Opinion* and 1928’s *Propaganda*. In the first of these, which aimed to “stimulate a scientific attitude toward the study of public relations,” Bernays described the role and newfound importance of the “public relations counsel.” “No single profession within the last ten years,” he argued, “has extended its field of usefulness more remarkably and touched upon intimate and important aspects of the everyday life of the world more significantly.” For the first half of the book, Bernays laid out the importance and social utility of his job – noting, for example, that because of Henry Wadsworth Longfellow, everybody knows Paul Revere warned Colonial Massachusetts that the British were coming, but nobody has any clue who the other two riders were that fateful Boston evening.¹⁷¹²

More troubling for progressive purposes was the second half of the book, in which Bernays discussed the behavior of “The Group and Herd.” “The public relations counsel,” he argued, “must deal with the fact that persons who have little knowledge of a subject almost invariably form definite and positive judgments upon that subject.” Citing the practice of witch-burning in the Middle Ages, Bernays argued that most everyone holds ideas in “logic-proof

¹⁷¹¹ Larry Tye, *The Father of Spin: Edward L. Bernays and the Birth of Public Relations* (New York: Henry Holt, 1998), 13-24. Danbom, 238. Fink, 32-33. Edward Bernays, *Crystallizing Public Opinion* (New York: Boni and Liveright, 1923), 34.

¹⁷¹² Bernays, *Crystallizing Public Opinion*, 12, 47-49.

compartments” where “prejudice superseded logic.” As such the vociferous differences between atheists and believers or liberals and conservatives had little to do with logical argument at all. “[T]he fundamental assumptions of the antagonists...are derived from herd-suggestions...[Each] finds in consequence the rationality of his position flawless and is quite incapable of detecting in it the fallacies which are obvious to his opponent, to whom that particular series of assumptions has not been rendered acceptable by herd suggestion.” As such, when a commonly-held opinion “accords with our own beliefs we call it an expression of the public conscience. When, however, it runs contrary to our beliefs we call it the regimentation of the public mind and are inclined to ascribe to it insidious propaganda.”¹⁷¹³

In short, Bernays argued, man was not a rational being per se, but rather a creature particularly susceptible to herd thinking. “We may sincerely think that we vote the Republican ticket because we have thought out the issues of the political campaign and reached our decision in the cold-blooded exercise of judgment,” he argued. “The fact remains that it is just as likely that we voted the Republican ticket because we did so the year before or because the Republican platform contains a declaration of principle, no matter how vague, which awakens profound emotional response in us, or because our neighbor whom we do not like happens to be a Democrat.”¹⁷¹⁴

This herd mentality, Bernays continued, was a manifestation of Freudian impulses. “The tendency” of an individual’s “instincts and desires which are...ruled out of conduct, when the conditions are favorable, [is] to seek some avenue of release and satisfaction. To the individual

¹⁷¹³ Bernays, *Crystallizing Public Opinion*, 63, 67-69.

¹⁷¹⁴ Bernays, *Crystallizing Public Opinion*, 107.

most of these avenues of release are closed. He cannot, for example, indulge his instinct of pugnacity without running foul of the law. The only release which the individual can have is one which commands, however briefly, the approval of his fellows.” Crowd psychology, Bernays argued, citing psychologist Everett Dean Martin, is ““the result of forces hidden in a personal and unconscious psyche of the members of the crowd, forces which are merely released by social gatherings of a certain sort.’ The crowd enables the individual to express himself according to his desire and without restraint.”¹⁷¹⁵

Because of this allegiance to the herd, two things became true. For one, Bernays argued, the “average citizen is the world’s most efficient censor. His own mind is the greatest barrier between him and the facts. His own ‘logic-proof compartments,’ his own absolutism are the obstacles which prevent him from seeing in terms of experience and thought rather than in terms of group reaction.” For another, Bernays argued – citing the work of another psychologist, William Trotter – an individual’s desire to remain in the herd resulted in certain characteristics of particular interest to the public relations man. For example, ““he is intolerant and fearful of solitude, physical or mental’ ...Man is never so much at home as when on the bandwagon,” or ““[h]e is more sensitive to the voice of the herd than to any other influence,”” or ““[h]e is remarkably susceptible to leadership.””¹⁷¹⁶

Along with the “seven primary instincts” identified by Freudian psychoanalysts – “flight-fear, repulsion-disgust, curiosity-wonder, pugnacity-anger, self-display-elation, self-abasement-subjection, [and] parental-love-tenderness,” – these herd concerns were the traits that a good

¹⁷¹⁵ Bernays, *Crystallizing Public Opinion*, 101-102.

¹⁷¹⁶ Bernays, *Crystallizing Public Opinion*, 122, 108-109.

public relations representative should exploit. “People accept the facts that come to them through existing channels. They like to hear new things in accustomed ways. They have neither the time nor the inclination to search for facts that are not readily available to them.” In short, Bernays argued, “[t]he appeal to the instincts and the universal desires is the basic method through which he produces his results.”¹⁷¹⁷

Bernays concluded *Crystallizing Public Opinion* with a vaguely perfunctory appeal to use these new powers for good. “It is certain that the power of public opinion is constantly increasing and will keep on increasing,” he wrote. “The danger which this development contains for a progressive ennobling of human society and a progressive heightening of human culture is apparent. The duty of the higher strata of society – the cultivated, the learned, the expert, the intellectual – is therefore clear. They must inject moral and spiritual motives into public opinion. Public opinion must become public conscience.”¹⁷¹⁸

Fair enough. But instead, Bernays, like so many of his contemporaries, used these newfound powers to sell things. As historian of advertising Roland Marchand points out, the 1920s saw a dramatic rise in “scare copy”: “Known in trade jargon as ‘the negative appeal,’ scare copy sought to jolt the potential consumer into a new consciousness by enacting dramatic episodes of social failures and accusing judgments. Jobs were lost, romances cut short, and marriages threatened. Germs attacked, cars skidded out of control, and neighbors cast disapproving glances.” Arguably the *ne plus ultra* of this technique in the 1920s was Listerine’s “halitosis” campaign, which turned sales of the antiseptic mouthwash from \$100,000 a year in 1920 and 1921 to over \$4 million a year in 1927. Depicting various instances, usually involving

¹⁷¹⁷ Ibid, 152, 137-138, 173.

¹⁷¹⁸ Ibid, 217.

the opposite sex, when bad breath – now given the scientific-sounding name “halitosis” – had resulted in disaster, Listerine ads, Marchand writes, “took the form of quick-tempo sociodramas in which readers were invited to identify with temporary victims in tragedies of social shame.” Playing on both the desire for sex and the fear of rejection, Listerine’s campaign showed both the promise and the potency of advertisers’ expanded tool kit.¹⁷¹⁹

As for Bernays himself, among other endeavors he put forward a “saturation campaign” for “transparent velvet” to “titillate the spending emotions of 3 ½ million women, all potential customers” on behalf of Sidney Blumenthal. He also pioneered the use of “happenings” to encourage sales – those who missed out were out of the loop, and thus subject to the ridicule of their peers. In this manner, he argued, “the public receives the desired impression, often without being conscious of it.” Clarence Darrow told readers of *The American Mercury* in 1925 of the “psychological artillery” and subliminal arts of persuasion now gracing advertising textbooks. “There must be enough desire in any particular instance to over-balance all other obstacles and make the man desire to do the thing more for some reason – either concealed or expressed – than he desires not to do it,” one such tome read. “The whole question is, can the salesman produce this much desire?” One way to do it is look “a prospect straight in the eye, *it gives him no chance to reason or reflect*. An idea is planted on the subjective mind. It is not analyzed. It is not compared with some past experience. *It is taken as truth*.” That same year, Stuart Chase did the math for TNR and figured out that “[i]n America one dollar is spent to educate consumers in

¹⁷¹⁹ Roland Marchand, *Advertising the American Dream: Making Way for Modernity, 1920-1940* (Berkeley: University of California Press, 1995), 14, 18-20. William Leach, *Land of Desire: Merchants, Power, and the Rise of a New American Culture* (New York: First Vintage Books, 1994), 321. Dumenil, 90-91.

what they may or may not want to buy, for every 70 cents that is spent for all other kinds of education – primary, secondary, high school, university.”¹⁷²⁰

By the time of his 1928 follow-up tome *Propaganda*, Bernays, his once-emerging profession now enthroned, was even more dismissive of the old progressive notion of individual self-improvement through enlightened reason. “The conscious and intelligent manipulation of the organized habits and opinions of the masses,” he now argued, “is an important element in democratic society. Those who manipulate this unseen mechanism of society constitute an invisible government which is the true ruling power of our country.” The “executive arm” of this ruling cabal was propaganda. “Universal literacy was supposed to educate the common man to control his environment,” Bernays contended. “Once he could read and write he would have a mind fit to rule. So ran the democratic doctrine. But instead of a mind, universal literacy has given him rubber stamps, rubber stamps inked with advertising slogans, with editorials, with published scientific data, with the trivialities of the tabloids and the platitudes of history, but quite innocent of original thought.”¹⁷²¹

To take an example, Bernays offered the Klan. “When an Imperial Wizard, sensing what is perhaps hunger for an ideal, offers a picture of a nation all Nordic and nationalistic, the common man of the older American stock, feeling himself elbowed out of his rightful position and prosperity by the newer immigrant stocks, grasps the picture which fits in so neatly with his prejudices, and makes it his own. He buys the sheet and pillowcase costume, and bands with his fellows by the thousand into a huge group powerful enough to swing state elections and to throw

¹⁷²⁰ Ibid. Clarence Darrow, “Salesmanship,” *The American Mercury*, August 1925, in Mowry, ed., 17-25. Stuart Chase, “The Tragedy of Waste,” *The New Republic*, August 19th, 1925, in Mowry, ed., 15-17.

¹⁷²¹ Edward Bernays, *Propaganda* (New York: H. Liveright, 1928), 37, 48.

a ponderous monkey wrench into a national convention.” No matter what aspect of American life one was talking about – “[c]harity, as well as business, and politics, and literature” – all “have had to adopt propaganda, for the public must be regimented into giving money just as it must be regimented into tuberculosis prophylaxis.” In every case, the “mind of the people [was] made up for it by the group leaders in whom it believes and those whose persons who understood the manipulation of public opinion. It is composed of inherited prejudices and symbols and clichés and verbal formulas supplied to them by their leaders.”¹⁷²²

The most supportive fellow traveler of Bernays among the progressive intelligentsia, and a source he cited often in *Crystallizing Public Opinion*, was Walter Lippmann. Like Bernays, Lippmann had been influenced by Freud’s theories out of the gate. In 1913, he had invited Freud’s apostle, A.A. Brill, to Mabel Dodge’s famous salon in Greenwich Village to further get the word out among New York’s intellectual class. His book that same year, *A Preface to Politics*, and its 1914 follow-up *Drift and Mastery* both showed the influence of Freud’s ideas. “I cannot help feeling,” Lippmann declared of Freud in 1915, “that for his illumination, for his steadiness and brilliancy of mind, he may rank among the greatest who have contributed to thought.”¹⁷²³

As his biographer, Ronald Steel, notes, Lippmann understood from very early on that the Freudian view of man posed a problem for progressives, one he tried to address in *A Preface to Politics*. “Instead of trying to crush badness we must turn the power behind it to good account,” Lippmann wrote. “Instead of tabooing our impulses, we must direct them” toward “civilizing opportunities.” In other words, Lippmann argued in 1913, human beings could still be improved,

¹⁷²² Bernays, *Propaganda*, 53. Fink, 33.

¹⁷²³ Leuchtenburg, *Perils of Prosperity*, 164. Steel, 48. Gay, 209.

but it was an improvement that must take account of the Freudian architecture of the brain. It could only be done by recognizing man's fundamental irrationality and "supplying our passions with civilized interests." (Hence, Lippmann's two-tiered approach to censorship noted earlier.) As the Twenties progressed, however, Lippmann became increasingly pessimistic about the ability of the public to reason their way toward an enlightened public opinion.¹⁷²⁴

At first, Lippmann confined his critique of public opinion to the inability of journalists to report the news. In August 1920, as the flames of the Red Scare were at last cooling to embers, he and Charles Merz published "A Test of the News" in *The New Republic*, which examined in detail the coverage of the Russian Revolution and its aftermath in the *New York Times*. "It is admitted that a sound public opinion cannot exist without access to the news," they contended. "There is today a widespread and a growing doubt whether there exists such an access to the news about contentious affairs." Since the *Times* was "as great as any newspaper in America and far greater than the majority" – indeed, it was "one of the really great newspapers of the world" – Lippmann and Merz argued it was the best medium for examining the news as a whole.¹⁷²⁵

After reading through "thirty-six months and over one thousand issues" of the paper – "without animus against the *Times*, and with much admiration for its many excellent qualities" – Lippmann and Merz were forced to conclude that "[f]rom the point of view of professional journalism the reporting of the Russian Revolution is nothing short of a disaster. On the essential questions the net effect was almost always misleading, and misleading news is worse than none at all." To wit, the *Times* had consistently underestimated the durability of the Bolshevik

¹⁷²⁴ Steel, 47-48.

¹⁷²⁵ Walter Lippmann and Charles Merz, "A Test of the News," *The New Republic*, August 4, 1920 (Vol. 32, No. 296), 1. Schudson, 212-214

government and overestimated the strength of counter-revolutionary White forces: “[W]hen Kolchak, Deniken, and Yudenitch were moving forward, they were always on the point of capturing Petrograd or Moscow; when they were retreating along the whole line (if they got into the news at all) they were always about to make a fresh stand.” There had also been much inflated reporting of the Red Peril variety – that the Bolsheviks, for example, were planning to invade Poland any minute: “The German Peril as the reason for intervention ceased with the armistice; the Red Peril almost immediately afterwards supplanted it.”¹⁷²⁶

In short, Lippmann and Merz concluded, “[t]he news as a whole is dominated by the hopes of the men who composed the news organization... The chief censor and the chief propagandist were hope and fear in the minds of reporters and editors. They wanted to win the war, they wanted to ward off bolshevism... For subjective reasons they accepted and believed most of what they were told by the State Department... and the agents and adherents of the old regime all over Europe.” These reporters and editors had displayed a “boundless credulity, and an untiring readiness to be gulled, and on many occasions... a downright lack of common sense.” In other words, journalists weren’t bad people – they, as per human nature, had just seen what they wanted to see. They had “surrendered the fundamental tradition of good journalism by failing to resist the editorial invasion of its news columns.”¹⁷²⁷

In ascribing the faults of news coverage to the inherent subjectivity of journalists, Lippmann and Merz were pointing in the direction of the former’s later works of the decade. For now, they argued, reporters and editors “were performing the supreme duty in a democracy of

¹⁷²⁶ Ibid, 2-4. “A Test of the News: Some Criticisms,” *The New Republic*, September 8th, 1920 (Vol. 24, No. 301), 32.

¹⁷²⁷ Ibid.

supplying the information on which public opinion feeds, and they were derelict in that duty...[W]hatever the excuses, the apologies, and the extenuation, the fact remains that a great people in a supreme crisis could not secure the minimum of necessary information on a supremely important event.” As such, a “fundamental task of the Twentieth Century” was “the insurance to a free people of such supply of news that a free government can be successfully administered.” This question, they concluded, “touches the core of democracy, for without reliable and disinterested news, representative government is a farce.” Arguing much the same in 1924, a despairing George Creel lamented that “the very existence of a forceful, effective public opinion is much to be doubted...[T]he noise and unintelligibility of a large portion of the press, the lack of trustworthy information, the dreary routine of mudslinging that passes for political discussion...have killed public opinion, or rather deafened it, confused it, bored it, disgusted it.”¹⁷²⁸

Lippmann and Merz’s critique of the press built on a book Lippmann released the same year, *Liberty and the News* – which was mostly reprints of *Atlantic Monthly* articles he had written in 1919 and 1920. “Everywhere to-day men are conscious that somehow they must deal with questions more intricate than any that church or school has prepared them to understand,” Lippmann argued. “Increasingly they know that they cannot understand them if the facts are not quickly and steadily available.” The question facing the country, he declared, was “whether government by consent could survive in a time when the manufacture of consent is an unregulated private enterprise. For in an exact sense the present crisis of western democracy is a crisis in journalism”:

¹⁷²⁸ Ibid. Fink, 31-32.

All that the sharpest critics of democracy have alleged is true, if there is no steady supply of trustworthy and relevant news. Incompetence and aimlessness, corruption and disloyalty, panic and disaster must come to any people which is denied an assured access to the facts. No one can manage anything on pap. Neither can a people.”¹⁷²⁹

In *Liberty and the News*, Lippmann argued that the problem with journalism was not corruption per se – although there was much of that also – but the belief that “edification was more important than veracity.” In other words, all too many journalists and editors thought that their job was not to report the news as it happened, but to tell the public “what is good for it.” The solution to this crisis, therefore, was more disinterested newsmen who have been trained to “seek the truth, to reveal it and publish it...[who] care more for that than the privilege of arguing about ideas in a fog of uncertainty.” In the “Test of the News,” however, Lippmann and Merz suggested that it was not just bad prioritizing but the unconscious biases of journalists that were diminishing the reliability of news coverage. Both of these contentions – that the human brain was necessarily subjective and irrational and that a disinterested class of experts was needed to move forward – were further developed by Lippmann’s in several books over the course of the decade.¹⁷³⁰

In arguably his most influential book, 1922’s *Public Opinion*, Lippmann moved the onus of malformed public opinion away from journalists and towards what he now thought a more fundamental problem with democratic life. “[T]he troubles of the press,” he now argued, “like the troubles of representative government, be it territorial or functional, like the troubles of industry, be it capitalist, cooperative, or communist, go back to a common source: to the failure of self-governing people to transcend their casual experience and their prejudice.” This was why “governments, schools, newspapers, and churches make such small headway against the more

¹⁷²⁹ Lippmann, *Liberty and the News*, 4-5, 11.

¹⁷³⁰ *Ibid*, 8-9, 103-104.

obvious failings of democracy, against violent prejudice, apathy, preference for the curious trivial as against the dull important, and the hunger for sideshows and three legged calves. This is the primary defect of popular government...all its other defects can, I believe, be traced to this one.”¹⁷³¹

Reflecting all the discontent and disenchantment he and his contemporaries had experienced in the post-war years, Lippmann’s *Public Opinion* was a dagger aimed at the heart of several long-standing progressive certainties. “[I]t is no longer possible,” he contended, “to believe in the original dogma of democracy; that the knowledge needed for the management of human affairs comes up spontaneously from the human heart.” This was not only because, in a complicated age, it was impossible for the average man or woman to learn everything they needed to know, but because, being fundamentally irrational, they did not even live in and experience the same reality as one another. Bringing Freud’s arguments to bear on Plato’s cave, Lippmann argued that “the casual fact, the creative imagination, the will to believe” all conspired to create “a counterfeit of reality” or “pseudo-environment” in which people lived out their days. “[I]t is clear enough that under certain conditions men respond as powerfully to fictions as they do to realities, and that in many ways they help to create the very fictions to which they respond.” On “subjects of great public importance,” reason was not in the driver’s seat – instead, “the threads of memory and emotion are in a snarl.”¹⁷³²

The average human, Lippmann argued, saw the world not in terms of reality but through half-formed stereotypes. As such, “[t]he common interests very largely elude public opinion entirely, and can be managed only by a specialized class.” And so the intentions of enlightened

¹⁷³¹ Walter Lippmann, *Public Opinion* (New York: MacMillan Company, 1922), 229-230.

¹⁷³² Danbom, 228. Steel, 183. Lippmann, *Public Opinion*, 10, 254.

statesmen should not be “to burden every citizen with expert opinions on all questions, but to push that burden away from him towards the responsible administrator.”¹⁷³³

Lippmann continued this line of argument even more emphatically in his 1925 follow-up, *The Phantom Public*. Progressives had always assumed that if the average voter would only “read and more better newspapers, if only he would listen to more lectures and read more reports, he would be gradually trained to direct public affairs. The whole assumption is false...No scheme of education can equip him in advance for all the problems of mankind.” Thus, “the problems that vex democracy seem to be unmanageable by democratic methods.” “If the voter cannot grasp the details of the problems of the day because he has not the time, the interest, or the knowledge, he will not have a better public opinion because he is asked to express his opinion more often.”¹⁷³⁴

Democracy and the idea of the public were mystical notions, Lippmann argued, and the entire engine of progressivism to that point – enlightened public opinion changing the world – was based on ephemera, the phantom of the title. “The work of the world goes on continually without conscious direction from public opinion,” he concluded. “For though we may prefer to believe that the aim of popular action should be to do justice or promote the true, the beautiful, and the good, the belief will not maintain itself in the face of plain experience. The public does not know in most cases what specifically is the truth and the justice of the case, and men are not agreed on what is beautiful and good. Nor does the public rouse itself normally at the existence of evil.” In fact, “when public opinion attempts to govern directly it is either a failure or a

¹⁷³³ Danbom, 228. Steel, 183. Lippmann, *Public Opinion*, 250.

¹⁷³⁴ Steel, 212-214. Clinton Rossiter and James Lare, ed. *The Essential Lippmann: A Political Philosopher for Liberal Democracy* (Cambridge: Harvard University Press, 1963), 113.

tyranny.” Instead, the real task of democratic government fell to enlightened administrators who could broker among competing visions of the world, and then channel public opinion toward constructive problems. “The public must be put in its place so that it may exercise its powers, but no less and perhaps even more, so that each of us may live free of the trampling and the roar of a bewildering herd.”¹⁷³⁵

Lippmann’s sustained assault on the foundations of progressive philosophy did not go unnoticed. “No completer picture of the hopeless inability of the average member of the human race to grasp the vital problems of the day has been painted,” Ernest Gruening wrote of *Public Opinion* in *The Nation*. “Mr. Lippmann’s treatment is almost wholly objective... With these major premises there can be no disagreement.” A shaken William Borah told the *New York World* that *The Phantom Public* was “one of those rare books which startles one into a realization of how stupendous is the task before us as a people if we are to carry a successful conclusion the work initiated in 1789.” H.L. Mencken, meanwhile, was happy to discover after reading the same book that Lippmann, “having started out with such high hopes for democracy... [had] come to the conclusion that the masses are ignorant and unteachable.” “There are few living, I think,” Justice Oliver Wendell Holmes wrote one correspondent of Lippmann, “who so discern and articulate the nuances of the human mind.”¹⁷³⁶

For his part, John Dewey deemed *Public Opinion* “perhaps the most effective indictment of democracy as currently conceived ever penned” and gamely tried to defend democracy from

¹⁷³⁵ Rossiter, ed., 109-110. Steel, 212-214. Dawley, *Changing the World*, 316.

¹⁷³⁶ Ernest Gruening, “Public Opinion and Democracy,” *The Nation*, July 26th, 1922 (Vol. 115, No. 2977), 97-98. Wilfred McClay, “Introduction,” in Lippmann, *The Phantom Public* (New Brunswick: Transaction, 1993), xix. Christopher Lasch, *The True and Only Heaven: Progress and Its Critics* (New York: Norton, 1991), 361. Steel, 183-184.

Lippmann's critique in his own 1927 work, *The Public and his Problems*, based on a 1926 lecture series at Kenyon College. Through much of the book, Dewey suggested that Lippmann's basic analysis was correct. "There was a time when a man might entertain a few general political principles and apply them with some confidence. A citizen believed in states' rights or in a centralized federal government, in free trade or protection." But now, Dewey conceded, the "social situation has been so changed by the factors of an industrial age that traditional general principles have little practical meaning. They persist as emotional cries rather than as reasoned ideas." Given this problem, "the conditions upon which depends the emergence of the Public from its eclipse" were so tenuous that it "will seem close to denial of the possibility of realizing the idea of a democratic public." In fact, some could argue "that the democratic movement was essentially transitional. It marked the passage from feudal institutions to industrialism, and was coincident with the transfer of power from landed proprietors...to captains of industry."¹⁷³⁷

But Dewey was not ready to give up just yet. "It is not that there is no public, no large body of persons having a common interest in the consequences of social transactions," he argued. "There is too much public, a public too diffused and scattered and too intricate in composition. And there are too many publics...and each one of them crosses the others and generates its own group of persons especially affected with little to hold these different publics together in an integrated whole." The key, to Dewey, was refining the tools of communication between these publics. "We have the physical tools of communication as never before...Till the Great Society is converted into a Great Community, the Public will remain in eclipse. Communication can alone create a great community." To Dewey, this communicating was democracy in action – true to his pragmatist philosophy, democracy was not an ideal but a

¹⁷³⁷ Schudson, 214. John Dewey, *The Public and Its Problems* (New York: Henry Holt, 1927), 131-133, 204-205.

process. “Democracy...is a name for a life of free and enriching communion. It had its seer in Walt Whitman. It will have its consummation when free social inquiry is indissolubly wedded to the art of full and moving communication.”¹⁷³⁸

This required not only harnessing new technologies, but restoring the face-to-face dialogues of local communities – or, as he put it in Dewey-speak, “the flow of social intelligence when that circulates by word of mouth from one to another in the communication of the local community. That and that only gives reality to public opinion. We lie, as Emerson said, in the lap of an immense intelligence. But that intelligence is dormant and its communications are broken, inarticulate, and faint until it possesses the local community as its medium.”¹⁷³⁹

However hopeful, Dewey’s prescription for restoring democracy and faith in public opinion was more aspirational than it was useful. As historian Michael Schudson writes, “*The Public and Its Problems* never clarified how the old-time community could practically be restored in the Great Society nor, if it could, how it could be made compatible with modernity, science, and liberalism.” Dewey did, however, ably point out the dangers in Lippmann’s call for rule by a disinterested expert class. This, he argued, would just be another scheme of aristocracy reminiscent of Plato’s philosopher-kings, and the “final obstacle in the way of any aristocratic rule is that in the absence of an articulate voice on the part of the masses, the best do not and cannot remain the best, the wise cease to be wise.” At best, “a class of experts is inevitably so removed from common interests as to become a class with private interests and private knowledge, which in social matters is not knowledge at all.” At worst, these experts could only

¹⁷³⁸ Dewey, *The Public and Its Problems*, 137, 141-142, 183-184.

¹⁷³⁹ *Ibid.*, 218-219.

rule “if the intellectuals became the willing tools of big economic interests.” (Besides, as Lippmann himself conceded in the year *The Public and Its Problems* was published, this rule by disinterested experts had been tried with the Sacco and Vanzetti case and found wanting.) Instead of ceding the future to a managerial class, Dewey wanted to see “the improvement of the methods and conditions of debate, discussion and persuasion. That is *the* problem of the public.”¹⁷⁴⁰

Triumph of the Cynics

Despite Dewey’s good faith attempt to plead for the democratic project, his guarded optimism in humankind was not much in vogue during the New Era. More attuned to the spirit of the times was the gleeful misanthropy of Henry Louis Mencken. “Man, at his best, remains a sort of one-lunged animal, never completely rounded and perfect as a cockroach, say, is perfect,” Mencken argued in 1923. “If he shows one valuable quality, it is almost unheard of for him to show any other... The artist, nine times out of ten, is a dead-beat and given to the debauching of virgins, so-called. The patriot is a bigot, and more often than not, a bounder and a poltroon. The man of physical bravery is often on a level, intellectually, with a Baptist clergyman. The intellectual giant has bad kidneys and cannot thread a needle. In all my years of search in this world... I have never met a thoroughly moral man who was honorable.”¹⁷⁴¹

Mencken of course, had been contemptuous of democracy and public opinion before it was fashionable. To take one of innumerable examples, in 1920 Mencken had applauded General Leonard Wood’s “genuine desire to find out what would be to the public interest, i.e. to the public as he understands the word, i.e. to the propertied classes and their kept idealists, of whom

¹⁷⁴⁰ Ibid, 205-208. Schudson, 214-216.

¹⁷⁴¹ Alastair Cooke, ed. *The Vintage Mencken* (New York: Vintage Books, 1983), 126-127.

I have the honor to be one.” In the New Era, Mencken’s time had come. “His name, already the war cry of the younger generation, is beginning to penetrate all quarters, even the most holy and reverend,” proclaimed one writer in 1921. “One finds him everywhere.” F. Scott Fitzgerald declared that he valued no man’s opinion more.¹⁷⁴²

By 1926, with the world seemingly come around to his point of view, Mencken published arguably his most full-throated attack on these cherished idols of progressivism. “Democratic man,” he announced in his 1926 book *Notes on Democracy*, “began as an ideal being, full of ineffable virtues and romantic wrongs – in brief as Rousseau’s noble savage...The fact continues to have important consequences to this day”:

It remains impossible, as it was in the Eighteenth Century, to separate the democratic idea from the theory that there is a mystical merit, an esoteric and ineradicable rectitude, in the man at the bottom of the scale – that inferiority, by some strange magic, becomes a sort of superiority – nay the superiority of superiorities...Down there, one hears, lies a deep, illimitable reservoir of righteousness and wisdom. What baffles statesmen is to be solved by the people, instantly and by a sort of seraphic intuition. Their yearnings are pure; they alone are capable of a perfect patriotism; in them is the only hope of peace and happiness on this lugubrious ball! The cure for the evils of democracy is more democracy!¹⁷⁴³

This belief, Mencken contended, “is now more preposterous than ever before,” for “[t]he dictatorship of the proletariat, tried here and there, has turned out to be – if I may venture a prejudiced judgment – somewhat impracticable. Even the most advanced Liberals, observing the thing in being, have been moved to cough sadly behind their hands.” It wasn’t just experience that suggested such, Mencken argued, but science. “Man comes into the world weak and naked, and almost as devoid of intelligence as an oyster,” he wrote, citing John B. Watson and the Behaviorists, “but he brings with him a highly complex and sensitive susceptibility to

¹⁷⁴² Mencken, *A Carnival of Buncombe*, 13. Lasch, 361.

¹⁷⁴³ H.L. Mencken, *Notes on Democracy* (New York: Dissident Books, 2009), 29.

fear... Make a loud noise behind an infant just born, and it will shake like a Sunday-school superintendent taken in adultery.” This innate fear, Mencken argued, was why “the plain people, under democracy, never vote *for* anything, but always *against* something,” which “explains, in large measure the tendency of democratic states to pass over statesmen of genuine imagination and sound ability in favor of colourless mediocrities. The former are shining marks, and so it is easy for demagogues to bring them down; the latter are preferred because it is impossible to fear them.”¹⁷⁴⁴

Mencken also invoked Freud to explain the innate flaws of *Homo Boobiens*, although “[i]n these sad days, when every flapper has read Freud and ponders on the libido, there is no need, I take it, for me to explain” the effects of hormones on the human mind – Suffice to say “the new child psychology confirms the observations of the Freudians, and reinforces their allegation that even the most tender and innocent infant may be worthy of suspicion.” These inherent human flaws, for Mencken, were most evident in the agrarian “yokel.” “They may be safely assumed, I believe, to represent the lowest caste among civilized men. They are the closest, both in their avocations and in their mental processes, to primeval man... The yokel hates everyone who is not a yokel – and is afraid of everyone. He is democratic man in the altogether... The city proletarian may be flustered and run amok by ideas – ideas without any sense, true enough, but still ideas. The yokel has room in his head for only one. That is the idea that God regards him fondly, and has a high respect for him – that all other men are out of favour in heaven and abandoned to the devil.” As such, “Democracy, as a political scheme, may be

¹⁷⁴⁴ Ibid, 31-32, 38, 40-41.

defined as a device for releasing this hatred born of envy, and for giving it the force and dignity of law.”¹⁷⁴⁵

Educating most men out of this primordial state, Mencken sighed, was quite impossible. “Of the sciences, as of the fine arts, the average human being, even in the most literate and civilized of modern States, is as ignorant as the horned cattle in the fields...Such things lie beyond his capacity for learning, and he has no curiosity about them.” Nor was a moral education of much use, for most of the time “the common man...has no yearning for moral perfection. What ails him in that department is simply fear of punishment, which is to say, fear of his neighbours. He has, in safe privacy, the morals of a variety actor.” Does the average human desire liberty? Of course not. “The truth is that the common man’s love of liberty, like his love of sense, justice, and truth, is almost wholly imaginary...[H]e is not actually happy when free; he is uncomfortable, a bit alarmed, and intolerably lonely. He longs for the warm, reassuring smell of the herd, and is willing to take the herdsman with it.” In short, all of this, Mencken said, was “man on the nether levels:”

Such is the pet and glory of democratic states. Human progress passes him by...He still believes in ghosts, and has only shifted his belief in witches to the political sphere. He is still a slave to priests, and trembles before their preposterous magic. He is lazy, improvident and unclean...He can imagine nothing beautiful and he can grasp nothing true. Whenever he is confronted by a choice between two ideas, the one sound and the other not, he chooses almost infallibly, and by a sort of pathological compulsion, the one that is not...What is worth knowing he doesn’t know and doesn’t want to know; what he knows is not true.¹⁷⁴⁶

To Mencken, not even the simple Christian faith of Democratic man redeemed him. “I simply answer, What faith? Is it argued by any rational man that the debased Christianity cherished by the mob in all the Christian countries of to-day has any colourable likeness to the

¹⁷⁴⁵ Ibid, 44, 46-47, 121.

¹⁷⁴⁶ Ibid, 62-65, 117-119.

body of ideas preached by Christ? The plain fact is that this bogus Christianity has no more relation to the system of Christ than it has to the system of Aristotle. It is the invention of Paul and his attendant rabble-rousers – a body of men exactly comparable to the corps of evangelical pastors of to-day, which is to say, a body devoid of sense and lamentably indifferent to common honesty.” Most contemporary Christians, Mencken declared, “would be repelled by Christ’s simple and magnificent reduction of the duties of man to the duties of a gentleman.”¹⁷⁴⁷

From the average American to Christianity, no sacred cow, as ever, was safe from Mencken’s withering pen in *Notes from Democracy*. Public opinion? “Public opinion, in its raw state, gushes out in the immemorial form of the mob’s fears. It is piped to central factories, and there it is flavoured and coloured and put into cans.” Progressivism? At least earlier despotisms had “refrained from attempts to abolish sin, poverty, stupidity, cowardice, and other such immutable realities...Now, each and every human problem swings into the range of practical politics. The worst and oldest of them may be solved facily by traveling bands of lady Ph.D.’s, each bearing the mandate of a Legislature of kept men, all unfaithful to their protectors.” What of the long-cherished pursuit of happiness? “Here the irony that lies under all human aspiration shows itself: the quest for happiness, as always, brings only unhappiness in the end.”¹⁷⁴⁸

In Mencken’s final analysis, the only positive attribute of American democracy was that it was a carnival of the grotesque. “Try to imagine anything more heroically absurd! What grotesque false pretences! What a parade of obvious imbecilities! What a welter of fraud! But is fraud unamusing?...I offer the spectacle of Americans jailed for reading the Bill of Rights as perhaps the most gaudily humorous ever witnessed in the modern world.” In sum, Mencken

¹⁷⁴⁷ Ibid, 66-67.

¹⁷⁴⁸ Ibid, 143, 148, 155.

concluded, for all its faults “I enjoy democracy immensely. It is incomparably idiotic, and hence incomparably amusing.”¹⁷⁴⁹

Mencken’s *Notes on Democracy* was not saying anything particularly new. Along with the recent revelations of Freud and Watson, it drew on criticisms of democracy that were derived from de Tocqueville and Nietzsche and had been mirrored by Bernays and Lippmann. As *The Nation* argued, the book was “essentially a burlesque translation of Mr. Mencken’s personal prejudices in favor of the Rabelaisian life into the form of a social manifesto... The effect is a huge practical joke on the last century and a half in that highly civilized preposterous vein which is Mencken’s genius.” Still, Mencken’s mordant jester’s tone and idol-smashing approach to every topic was, by all accounts, enormously influential. Indeed, his cynicism was all the more corrosive to progressive values for being proven, time and time again, to be prescient. After *Notes on Democracy* was published, Lippmann called Mencken “the most powerful personal influence upon this whole generation of educated people,” and thought his writings had had “an extraordinarily cleansing and vitalizing effect,” while Edmund Wilson called the book “quite remarkable... a sort of obverse of Whitman’s *Leaves of Grass*.” Naturally, the book was more popular in the urban centers that shared its prejudices. While *Notes on Democracy* did not sell particularly well nationwide, one reporter encountered seven different New York City subway riders lugging a copy around in the space of a few hours.¹⁷⁵⁰

¹⁷⁴⁹ Ibid, 156-157. “Try to imagine monarchy jailing subjects for maintaining the divine right of Kings! Or Christianity damning a believer for arguing that Jesus Christ was the Son of God! This last, perhaps, has been done: anything is possible in that direction.” Ibid.

¹⁷⁵⁰ Marion Elizabeth Rodgers, “Introduction,” in Mencken, *Notes on Democracy*, 8, 12, 18. Benjamin Stolberg, “Walter Lippmann, Connoisseur of Public Life,” *The Nation*, December 7, 1927 (Vol. 125, No. 3257), 640.

That cynicism – about man, democracy, values, and idealism in general – could be found throughout the culture of the Twenties. 1922 saw the publication of Harold Stearns' *Civilization of the United States*, a compendium by thirty authors (including Mencken on politics, Zechariah Chafee on the law, Frederic Howe on immigrants, and George Soule on radicalism) surveying all the various corners of American culture and finding hypocrisy regnant in most every one. “[I]n most every branch of American life there is a sharp dichotomy between preaching and practice,” Stearns noted in his introductory essay. “we let not our right hand know what our left hand doeth...there are certain abstractions which are sacred to us, and if we fall short of these external standards in our private life, that is no reason for submitting them to a fresh examination; rather we are to worship them the more vociferously to show our sense of sin” As a result, “in actual practice the moral code resolves itself into the one cardinal heresy of being found out, with the chief sanction enforcing it, the fear of what people will say.”¹⁷⁵¹

What’s more, Stearns and his team of scholars concluded, “the most moving and pathetic fact in the social life of America today is emotional and aesthetic starvation... We have no heritages or traditions to which to cling except those that have already withered in our hands and turned to dust.” If “these main contentions seem severe or pessimistic,” Stearns shrugged, “the answer must be: we do not write to please; we strive only to understand and to state as clearly as we can.” Besides, “whatever our defects, we Americans, we have one virtue and perhaps a saving virtue – we still know how to laugh at ourselves.” Reviewing the tome for *The New Republic*, Horace Kallen – who thought the book missed the dynamism of American life – noted that “[i]f thirty American intellectuals are to be believed, their country is in a bad way indeed. Its blacks are so very, very black, and its whites so dirty gray.” With only a very few exceptions,

¹⁷⁵¹ Harold Stearns, ed. *Civilization in the United States* (New York: Harcourt, Brace, and Company, 1922), vii-ix.

“there is nothing, it would seem, except Puritanism, materialism, vulgarity and wealth in which the United States excels.”¹⁷⁵²

This same cynicism was also rife through the literature of the period. In the words of F. Scott Fitzgerald, a lost generation of Americans had come to adulthood “to find all Gods dead, all wars fought, all faiths in man shaken.” In June 1920, just as he left London for Paris, where an impressive host of disillusioned American writers, poets, and artists had decamped in the years after the war, expatriate Ezra Pound lamented in “Hugh Selwyn Mauberly” the millions who had perished for no reason in the World War – “the best, among them/ For an old bitch gone in the teeth / For a botched civilization.” In 1922’s “The Wasteland” and 1925’s “The Hollow Men,” T.S. Eliot conjured a bleak, nightmare world where death always looms, and there are no more dreams or ideals left to sustain life – “This is dead land / This is cactus land.” Here in “the broken jaw of our lost kingdoms,” the world would end “Not with a bang but a whimper.”¹⁷⁵³

Poets like Pound and Eliot expressed this existential despair and disgust with civilization in its purest form. But it could be found in countless other writers of the period as well – in the broken, battle-scarred veterans of Ernest Hemingway and the cruel and careless flappers of F. Scott Fitzgerald. In a 1922 “Interpretive Survey of Recent Fiction,” literature critic Henry Canby summed up what he saw as the basic plot of the emerging literature of discontent. “At the age of seven or thereabout [the author] sees through his parents and characterizes them in a phrase. At fourteen he sees through his education and begins to dodge it. At eighteen he sees through morality and steps over it. At twenty he loses respect for his home town, and at twenty-one

¹⁷⁵² Ibid. Horace Kallen, “The Newest Reaction,” *The New Republic*, March 8th, 1922 (Vol. 30, No. 379), 54-57.

¹⁷⁵³ Schlesinger, *Crisis of the Old Order*, 145. Steel, 258. Ezra Pound, “Hugh Selwyn Mauberly” (<http://www.poets.org/viewmedia.php/prmMID/15422>). T.S. Eliot, “The Wasteland,” 1922. T.S. Eliot, “The Hollow Men,” 1925.

discovers that our social and economic system is ridiculous. At twenty-three his story ends because the author has run through society to date and does not know what to do next.” Among others, this prescient summary encapsulates much of Thomas Wolfe’s well-regarded 1929 novel *Look Homeward, Angel*, about the author’s dissatisfied youth in a fictional version of Asheville, North Carolina.¹⁷⁵⁴

At best, writers urged their readers to forsake attempts to improve a broken civilization and just enjoy life. Asked how best to make the world a livable place in 1921, *Winesburg, Ohio* author Sherwood Anderson suggested his contemporaries should drop out and form a “leisure class.” “I want to hear less about the future splendid physical growth of towns, factories or farms and more about trees, dogs, race horses, and people,” he argued. To accomplish this, Anderson advised “a body of healthy young men and women to agree to quit working – to loaf, to refuse to be hurried or try to get on in the world – in short, to become intense individualists. Something of the kind must happen if we are ever to bring color and a flair into our modern life.” “The next time a Politician goes spouting off about what this country needs,” advised Will Rogers in 1925, “either hit him with a tubercular Tomato or lay right back in your seat and go to sleep. Because THIS COUNTRY HAS GOT TOO BIG TO NEED A DAMN THING.” Similarly, *Main Street* author Sinclair Lewis argued in the same venue as Anderson for “a sense of humor, and a sense of beauty!” He urged readers of *The Survey* to refuse aid “to the spiritual demagogues who are campaigning for a blue-law Sunday, for an *Alles Streng Verboten* regime which would cause normal persons to turn against all reforms fine and sound.”¹⁷⁵⁵

¹⁷⁵⁴ Henry Canby, “The Young Romantics: An Interpretive Survey of Recent Fiction,” *Century*, February 1922, in Brown, 18. Lippmann, *A Preface to Morals*, 17.

¹⁷⁵⁵ “What Else Must Be Done to Make This a Livable World?” *The Survey*, January 1st, 1921, 499, 504. Higham, *Strangers in the Land*, 326.

While other writers are now better remembered, Sinclair Lewis was the bestselling fiction author of the decade, the first American author to win the Nobel Prize in Literature (in 1930), and the only author of the Twenties to have two of his works feature as the top-selling book of the year – *Main Street* in 1921 and *Elmer Gantry* in 1927. Instead of the searching literary despair that marked many of his contemporaries, Lewis was more a cynic of the Mencken mold, and, according to Robert Morss Lovett, he and Mencken had become the “most read and considered interpreters in American life.” In effect, his books were muckraking tomes, except – unlike, say, Upton Sinclair, who wrote thinly-veiled fictional takes on Teapot Dome and the Sacco-Vanzetti case in 1927’s *Oil!* and 1928’s *Boston* respectively – Lewis, time and again, instead set his sights on skewering daily life in Middle America.¹⁷⁵⁶

Released in October 1920, *Main Street*, Lewis’ satirical novel loosely based on his life growing up in Sauk Centre, Minnesota, was something of a phenomenon through 1921, selling over 415,000 copies. It tells the story of Carol Kennicott, an aspiring young reformer who marries a doctor and moves to the small Everytown of Gopher Prairie only to discover that the stultifying pedestrian values of the community thwart her every attempt to modernize the place. Much of the plot unfolds as an *Invasion of the Body Snatchers*-like tale of creeping suburban conformity, whereby every attempt by Carol to bring progress to Gopher Prairie, Minnesota is ultimately subverted and subsumed by the overpowering inertia of small-town Normalcy.¹⁷⁵⁷

Throughout the book, and perhaps accounting for some of its broad appeal, Lewis gently satirizes the progressive foibles of his main character. Early in *Main Street*, he describes Carol

¹⁷⁵⁶ *Publisher’s Weekly*, “Best Selling Books of the 1920.” Reprinted at Printed Pages, July 29, 2008 (<http://printedpages.wordpress.com/2008/07/29/best-selling-books-of-the-1920s/>) Lasch, 361.

¹⁷⁵⁷ Richard Lingeman, *Sinclair Lewis: Rebel from Main Street* (New York: Random House, 2002), 155-157.

thinking of herself as a “great liberator” who “enjoyed being aloof. . . She wanted, just now, to have a cell in a settlement-house, like a nun without the bother of a black robe, and be kind, and read Bernard Shaw, and enormously improve a horde of grateful poor.” As one of Carol’s few progressive-minded friends in town chides her later in the book, “You sneer so easily. I’m sorry, but I do think there’s something essentially cheap in your attitude. Especially about religion. If you must know, you’re not a sound reformer at all. You’re an impossibilist. And you give up too easily. You gave up on the new city-hall, the anti-fly campaign, club papers, the library board, the dramatic association – just because we didn’t graduate into Ibsen the very first thing. You want perfection all at once.”¹⁷⁵⁸

But these moments aside, the focus of Lewis’ most withering satire is rather clearly not on Carol Kennicott’s good intentions, but the soul-crushing drabness of small-town American life. “It was not only the unsparing unapologetic ugliness and the rigid straightness which overwhelmed her,” Lewis writes of Carol’s first view of the eponymous Main Street. “It was the planlessness, the flimsy temporariness of the buildings, their faded unpleasant colors. The street was cluttered with electric-light poles, telephone poles, gasoline pumps for motor cars, boxes of goods. Each man has built with the most valiant disregard for all the others.” Throughout the book, seemingly good-natured residents of the town continually espouse the virtues of Harding normalcy to Carol. “I certainly hope you don’t class yourself with a lot of trouble-making labor leaders,” says one. “Democracy is all right theoretically, and I’ll admit there are industrial injustices, but I’d rather have them than see the world reduced to a dead level of mediocrity.” “All this profit-sharing and welfare work and insurance and old-age pension is simply poppycock,” pronounces another. “Enfeebles a workman’s independence – and wastes a lot of

¹⁷⁵⁸ Sinclair Lewis, *Main Street* (New York: Signet Classic, 1920), 10-11, 263.

honest profit... [T]hese suffragettes and God knows what all buttinskis there are that are trying to tell a business man how to run his business, and some of these college professors are just about as bad, the whole kit and bilin' of 'em are nothing in God's world but socialism in disguise!"¹⁷⁵⁹

Writing Sinclair Lewis in 1920, William Allen White, well known as a champion of small-town values, gushed wildly over the book. "It has been years since I have read anything so splendidly conceived and so skillfully executed as *Main Street*," the Sage of Emporia proclaimed. "I don't know where in literature you will find a better American, or more typical, than Dr. Will Kennicott. Of course, Gopher Prairie is my habitat... If I were a millionaire, I should buy a thousand of those books and send them to my friends, and then I would go bribe the legislature of Kansas to make 'Main Street' compulsory reading in the public schools. No American has done a greater service for his country in any sort of literature."¹⁷⁶⁰

But White, it seems, missed much of the satire. Will Kennicott – Carol's doctor husband – is also the character who, when Carol complains about a Non-Partisan League member not being allowed to speak in town, eventually screams at her, "That'll be all from you!":

I've stood for your sneering at this town, and saying how ugly and dull it is... But one thing I'm not going to stand: I'm not going to stand my own wife being seditious. You can camouflage all you want to, but you know darn well that these radicals, as you call 'em, are opposed to the war, and let me tell you right here and now, and you and all these long-haired men and short-haired women can beef all you want to, but we're going to take these fellows, and, if they ain't patriotic, we're going to make them be patriotic. And – Lord knows I never thought I'd have to say this to my own wife – but if you go defending these fellows, then the same thing applies to you! Next thing, I suppose you'll be yapping about free speech. Free speech! There's too much free speech and free gas and free beer and free love and all the rest of your damned mouthy freedom, and if I had my way I'd make you folks live up to the established rules of decency[.]¹⁷⁶¹

¹⁷⁵⁹ Ibid, 197-198, 53.

¹⁷⁶⁰ White to Sinclair Lewis, November 23, 1920. White, *Selected Letters*, 211-212.

¹⁷⁶¹ Lewis, *Main Street*, 403-404.

Eventually Carol leaves her husband for a time and moves back to Washington DC. There, she gains “not information about office-systems and labor unions but renewed courage, that amiable contempt called poise. Her glimpse of tasks involving millions of people and a score of nations reduced Main Street from bloated importance to its actual pettiness.”¹⁷⁶²

Similarly, it’s hard to imagine White nodding along in agreement to Carol’s devastating summary of life in Gopher Prairie midway through the book: “With such a small-town life a [Will] Kennicott...is content,” she (and Lewis) argue, “but there are also hundreds of thousands, particularly women and young men, who are not at all content”:

The more intelligent young people (and the fortunate widows!) flee to the cities with agility and, despite the fictional tradition, resolutely stay there, seldom returning even for holidays. The most protesting patriots of the town leave them in old age, if they can afford it, and go to live in California or in the cities.

The reason, Carol insisted, is not a whiskered rusticity. It is nothing so amusing!

It is an unimaginatively standardized background, a sluggishness of speech and manners, a rigid ruling of the spirit by the desire to appear respectable. It is contentment...the contentment of the quiet dead, who are scornful of the living, for their restless walking. It is negation canonized as the one positive virtue. It is the prohibition of happiness. It is slavery self-sought and self-defended. It is dullness made God.

A savorless people, gulping tasteless food, and sitting afterward, coatless and thoughtless, in rocking-chairs prickly with inane decorations, listening to mechanical music, saying mechanical things about the excellence of Ford automobiles, and viewing themselves as the greatest race in the world...She felt herself being ironed into glossy mediocrity, and she rebelled, in fear.

The respectability of the Gopher Prairies, said Carol, is reinforced by vows of poverty and chastity in the matter of knowledge. Except for half a dozen in each town the citizens are proud of that achievement of ignorance which it is so easy to come by. To be ‘intellectual’ or ‘artistic’ or, in their own words, to be ‘highbrow,’ is to be priggish and of dubious virtue.¹⁷⁶³

¹⁷⁶² Ibid, 413.

¹⁷⁶³ Ibid, 257-258.

And it was not just Gopher Prairie. “Nine-tenths of the American towns are so alike that it is the completest boredom to wander from one to another,” Carol concluded. “Always, west of Pittsburgh, and often, east of it, there is the same lumber yard, the same railroad station, the same Ford garage, the same creamery, the same box-like houses and two-story shops.” Given passages like these, it is hard to see Lewis as much of a booster for small-town America.¹⁷⁶⁴

Nonetheless, *Main Street* was not a fluke. His 1922 follow-up, *Babbitt*, also managed to be an incisive, even arguably mean-spirited satire that nonetheless enjoyed plaudits from the people being satirized. It tells the story of George F. Babbitt, an occasionally Walter Mitty-like realtor who lives out his days in the town of Zenith – slightly larger than Gopher Prairie – trying to succeed in business and in life by going to Booster Club meetings and church religiously and generally doing what he’s supposed to. Like Will Kennicott before him, Babbitt aims to be resolutely, almost aggressively “normal,” in the Harding sense, in everything he does. At one point, in one of the most satirical monologues in the book, Babbitt gives a speech to the Zenith Real Estate Board on “Our Ideal Citizen.” “I picture him first and foremost as being busier than a bird-dog,” Babbitt tells his audience of similarly-minded businessmen, “not wasting a lot of good time in day-dreaming or going to sassiety teas or kicking about things that are none of his business, but putting the zip into some store or profession or art.”:

With all modesty, I want to stand up here as a representative business man and gently whisper, “Here’s our kind of folks! Here’s the specifications of the Standardized American Citizen! Here’s the new generation of Americans: fellows with hair on their chests and smiles in their eyes and adding-machines in their offices. We’re not doing any boasting, but we like ourselves firstrate, and if you don’t like us, look out—better get under cover before the cyclone hits town!”...

I tell you, Zenith and her sister-cities are producing a new type of civilization. There are many resemblances between Zenith and these other burgs, and I’m darn glad of it! The extraordinary,

¹⁷⁶⁴ Ibid, 260-261.

growing, and sane standardization of stores, offices, streets, hotels, clothes, and newspapers throughout the United States shows how strong and enduring a type is ours...

Every intelligent person knows that Zenith manufactures more condensed milk and evaporated cream, more paper boxes, and more lighting-fixtures, than any other city in the United States, if not in the world. But it is not so universally known that we also stand second in the manufacture of package butter, sixth in the giant realm of motors and automobiles, and somewhere about third in cheese, leather findings, tar roofing, breakfast food, and overalls!...

But the way of the righteous is not all roses. Before I close I must call your attention to a problem we have to face, this coming year. The worst menace to sound government is not the avowed socialists but a lot of cowards who work under cover—the long-haired gentry who call themselves “liberals” and “radicals” and “non-partisan” and “intelligentsia” and God only knows how many other trick names! Irresponsible teachers and professors constitute the worst of this whole gang, and I am ashamed to say that several of them are on the faculty of our great State University! The U. is my own Alma Mater, and I am proud to be known as an alumni, but there are certain instructors there who seem to think we ought to turn the conduct of the nation over to hoboes and roustabouts.

Those profs are the snakes to be scotched—they and all their milk-and-water ilk! The American business man is generous to a fault, but one thing he does demand of all teachers and lecturers and journalists: if we’re going to pay them our good money, they’ve got to help us by selling efficiency and whooping it up for rational prosperity! And when it comes to these blab-mouth, faultfinding, pessimistic, cynical University teachers, let me tell you that during this golden coming year it’s just as much our duty to bring influence to have those cusses fired as it is to sell all the real estate and gather in all the good shekels we can.

Not till that is done will our sons and daughters see that the ideal of American manhood and culture isn’t a lot of cranks sitting around chewing the rag about their Rights and their Wrongs, but a God-fearing, hustling, successful, two-fisted Regular Guy, who belongs to some church with pep and piety to it, who belongs to the Boosters or the Rotarians or the Kiwanis, to the Elks or Moose or Red Men or Knights of Columbus or any one of a score of organizations of good, jolly, kidding, laughing, sweating, upstanding, lend-a-handing Royal Good Fellows, who plays hard and works hard, and whose answer to his critics is a square-toed boot that’ll teach the grouches and smart alecks to respect the He-man and get out and root for Uncle Samuel, U.S.A.!¹⁷⁶⁵

H.L. Mencken, for one, ate of this all up with a spoon. “I know of no American novel that more accurately presents the real America,” he raved in *The Smart Set*. “As an old professor of Babbitt, I welcome him as an almost-perfect specimen, a genuine museum piece. Every American city swarms with his brothers... They are the Leading Citizens, the speakers at banquets, the profiteers, the corrupters of politics, the supporters of evangelical Christianity, the

¹⁷⁶⁵ Sinclair Lewis, *Babbitt* (New York: Harcourt Brace, 1922), 181-188. Lingeman, 192-193.

peers of the realm. Babbitt is their archetype.” Study Babbitt, Mencken declared, “and you will know better what is the matter with the land we live in than you would know after plowing through a thousand such volumes as Walter Lippmann’s ‘Public Opinion.’ What Lippmann tried to do as a professor, laboriously and without imagination, Lewis has here done as an artist with a few vivid strokes.”¹⁷⁶⁶

But even as Mencken applauded Lewis’s satire, the official organ of the Chamber of Commerce urged its readers to “Dare to be Babbitt!...Good Rotarians live orderly lives, and save money, and go to church, and play golf, and send their children to school...Would not the world be better with more Babbitts and few of those who cry ‘Babbitt!’?” Similarly, an editorial by a businessman in *American Magazine* channeled George F. Babbitt in a way that would have filled Mencken with a devilish mirth. Entitled “Why I Never Hire Brilliant Men,” it argued, as historian John Barry notes, that “business and life are built upon successful mediocrity.”¹⁷⁶⁷

Despite increasingly grappling with the demons of alcoholism, Lewis was remarkably prolific over the course of the decade. His 1925 book *Arrowsmith*, about the coming-of-age of a young doctor (and by extension a satirical inquiry into the careerism of the evolving medical establishment) won the Pulitzer Prize, which Lewis turned down. 1926 saw Lewis publish *Mantrap*, a love triangle and adventure novel set in the Saskatchewan, 1928 a long-form piece called *The Man Who Knew Coolidge* – a series of Babbitt-esque lectures delivered on a train by a fellow who had once met the president, and 1929 *Dodsworth*, about a retiree and his wife journeying through Europe and discovering the expat life. But his most popular book in the

¹⁷⁶⁶ Brown, 17. H.L. Mencken, “Portrait of an American Citizen,” *The Smart Set*, September, 1922 (Vol. 69, No 1), 138-139.

¹⁷⁶⁷ Barry, *Rising Tide*, 141.

second half of the decade was 1927's *Elmer Gantry*, which Lewis dedicated to Mencken, and which applied the same muckraking satire of his first few books to the character of a ne'er-do-well preacher.¹⁷⁶⁸

A dissolute former college football star from the Baptist-founded Terwillinger College, Elmer “Hell-cat” Gantry “got everything from the church and Sunday School” growing up “except, perhaps, any longing whatever for democracy and kindness and reason.” Nonetheless, he eventually becomes a minister both for all the wrong reasons – namely, the sense of power he enjoys over the flock while preaching (“Never knew I could spiel like that! Easy as football!”) – and by them. (Gantry plagiarizes one of his early sermons from an “atheistic” classmate.) He then spends the rest of the book having various misadventures that cast ignominy on evangelical religion and its adherents, including sleeping around and eventually falling in with an Aimee Semple McPherson-like evangelist named Sharon Falconer. (“It was not her eloquence but her healing of the sick which raised Sharon to such eminence that she promised to become the most renowned evangelist in America. People were tired of eloquence; and the whole evangelist business was limited, since even the most ardent were not likely to be saved more than three or four times. But they could be healed constantly, and of the same disease.”)¹⁷⁶⁹

Throughout the book, Gantry remains an out-and-out charlatan who knows his sermons are “pure and uncontaminated bunk. No one could deny his theories because none of his theories meant anything. It did not matter what he said, so long as he kept them listening; and he enjoyed the buoyance of his power as he bespelled his classes with long, involved, fruity sentences

¹⁷⁶⁸ Leinwand, 282-283. Lingeman, 258-262, 270. Sinclair Lewis, “The Man Who Knew Coolidge,” *The American Mercury*, January 1928 (Vol. 13, No. 49), 1-21.

¹⁷⁶⁹ Sinclair Lewis, *Elmer Gantry* (New York: Harcourt, 1927), 11, 34, 61-62, 65, 208.

rhapsodic as perfume advertisements.” Gantry is also an obvious hypocrite, as were his more ardent followers. In one sermon, Gantry “explained that hatred was low. However, for the benefit of the more leathery and zealous deacons down front, he permitted them to hate all Catholics, all persons who failed to believe in hell and immersion, and all rich mortgage-holders[.]”

Anticipating Lewis’s later book about fascism in America, *It Can’t Happen Here*, both the lies and hypocrisies help Gantry to climb the ranks over the course of the novel. By the end, he has become not just the pastor of a Methodist church in New York City – not unlike John Roach Straton – but the head of the National Association for the Purification of Art and the Press (NAPAP). “Dear Lord, they work is yet begun!” Gantry proclaims in the novel’s final moments. “We shall yet make these United States a moral nation!”¹⁷⁷⁰

As Lewis biographer Richard Lingeman colorfully put it, “*Elmer Gantry* hit America like a Sunday punch in the jaw.” Lewis, a TIME cover story decreed, “whose position as National Champion Castigator is challenged only by his fellow idealist, Critic Henry Louis Mencken, has made another large round-up of grunting, whining, roaring, mewling, driveling snouting creatures – of fiction – which, like an infuriated swineherd, he can beat, goad, tweak, tail-twist, eye-jab, belly-thwack, spatter with sty-filth, and consign to perdition...This time, the Castigator, instead of exerting his greatest efforts,” however, had singled “out the biggest boar in sight and hound[ed] him into a gratifyingly slimy slough.” The nation’s men of faith were not amused. While *Gantry* very quickly became the best-selling fiction book of 1927, there would be no threading the needle between satire and the satirized this time. John Roach Straton called the book “bunk” and the “figments of a disordered imagination.” William Allen White, who had so loved *Main Street*, thought God had struck Lewis’ artistic side dead. From the echoes of Lewis’

¹⁷⁷⁰ Ibid, 224, 100. Lingeman, 295-296.

original Gopher Prairie, Sauk Center Congregational Church's minister C.S. Sparkles, who had recently helped to bury the author's father, said that *Elmer Gantry* showed that "the unclean mind of the author" was "dead – dead to goodness and purity and righteousness." H.L. Mencken, meanwhile, stood up for the book, although he told his friend Lewis in private it was equivalent to *Babbitt*, "except the last 30,000 words, which you wrote in a state of liquor."¹⁷⁷¹

Lippmann was also highly critical of Lewis, and not just for *Elmer Gantry*. While an admirer of Mencken's, Lippmann had worried that the Sage of Baltimore's caustic, often insult-heavy approach was eating through any chance at ever fixing the problems of public opinion. As *The Nation*'s Benjamin Stolberg aptly summed up the crux of Lippmann's Mencken problem, "at bottom Mr. Mencken's joke on democracy is Mr. Lippmann's dilemma with it." "Have we the right to believe that human reason can uncover the mechanism of unreason, and so in the end master it?" Lippmann asked Judge Learned Hand soon after publishing *Public Opinion*. Given that "the rate at which science expands is much slower than the pace of politics," it seemed unlikely to him. "I think the Hearsts will overwhelm us before they are tamed... But there is one thing I'm sure of... We can't beat the Hearsts by using their methods, as Mencken, for example, thinks. We'd merely be Hearsts in the end. We have to do the other thing, even if we get licked."¹⁷⁷²

The satires of Sinclair Lewis, Lippmann believed, carried all the same dangers as Mencken without the upside. "Mr. Mencken is a true metropolitan," Lippmann argued in a vicious June 1927 essay soon after *Elmer Gantry* was published. "Mr. Lewis is a half-baked

¹⁷⁷¹ Lingeman, 300-303, 295. "Bible Boar," *TIME Magazine*, March 14, 1927.

¹⁷⁷² Benjamin Stolberg, "Walter Lippmann, Connoisseur of Public Life," *The Nation*, December 7, 1927 (Vol. 125, No. 3257), 640. Steel, 183-184.

metropolitan. He has just arrived in the big city. He has the new sophistication of one who is bursting to write the folks back home and let them know what tremendous fellows we are who live in the great capitals.” More than anything, Lippmann argued, Lewis was a “mere inventor of new prejudices” and “a revolted provincial...too much a part of the revolt he describes ever for long to understand it.” “Mr. Lewis has an extraordinary talent for inventing stereotypes,” Lippmann conceded. “He has prospered by inventing and marketing useful devices for seeing the American scene quickly. His psychological inventions are being used by millions of Americans to express their new, disillusioned sense of America. They are wholly mechanical and they are completely standardized now that they have passed into common use...A Babbitt is no longer a man; he is a prejudice.”¹⁷⁷³

Having said all that, Lippmann thought *Elmer Gantry* was a new low. “It is the study of a fundamentalist clergyman in the United States, portrayed as utterly evil in order to injure the fundamentalists. The calumny is elaborate and deliberate...It is intellectually of a piece with the sort of propaganda which says that John Smith is an atheist, and that he beats his wife...in “Elmer Gantry” the revolted Puritan has become fanatical. The book is a witch-burning to make an atheist holiday.” In fact, Lippmann was so infuriated by *Elmer Gantry* that he broke ties with his mutual publisher, Harcourt Brace, informing them they did “not provide any longer the right medium for such books as I write.”¹⁷⁷⁴

Lippmann’s reading of Lewis is incisive with regard to stereotypes and prejudices, as is his venomous evisceration of *Gantry*, a book Lewis ultimately pieced together between alcoholic binges. And yet, his distinction between the Mencken and Lewis brands of cynicism doesn’t

¹⁷⁷³ Lippmann, *Men of Destiny*, 72-84. Steel, 259-260.

¹⁷⁷⁴ Ibid.

really measure up. The problem with Lewis, Lippmann maintained in his essay, was that there “is no evidence in his writing that he knows or cares much about the good things which the world city contains, as Mr. Mencken does with his German music, his fine sense of learning, and his taste for speculation about *genus homo* apart from his manifestations on Main Street.” In other words, Mencken seemed to the manor born while Lewis reeked with the flop sweat of a striver. “One comes to feel,” argued *The Nation*’s Benjamin Stolberg in an equally acute 1927 dissection of Lippmann, “that he is more sophisticated and astute than wise, more competent than sound...His urbanity protests a little; it is a trifle pompous. A certain condescension, a touch of civilized conceit defends his observations.”¹⁷⁷⁵

There is a reason, Stolberg argued “why Mr. Lippmann never quite satisfies. Mr. Lippmann is afraid. He is afraid to venture beyond sophistication to its conclusions. He is afraid to leave the *noblesse oblige* of the open mind.” Stolberg’s cutting critique rings all the more true when one considers that Lippmann was all too happy to indulge his Lewis-like cynicism in private. “My own mind has been getting steadily anti-democratic,” he confessed to Learned Hand in 1925. “The size of the electorate, the impossibility of educating it sufficiently, the fierce ignorance of these millions of semi-literate, priest-ridden and parson-ridden people have gotten me to the point where I want to confine the actions of majorities.” Lippmann may have preferred to sadly shake his head while Mencken and Lewis cackled at the flames, but all three had built the same funeral pyre for the progressive conception of democracy.¹⁷⁷⁶

Scopes and the Schism

¹⁷⁷⁵ Lippmann, *Men of Destiny*, 72-86. Stolberg, “Walter Lippmann, Connoisseur of Public Life,” 639. Steel, 217.

¹⁷⁷⁶ *Ibid.* Steel, 217.

Lippmann's 1925 letter to Judge Hand about "parson-ridden people" was written in reaction to one of the significant cultural flashpoints of the decade: the Scopes Trial, in which a high-school science teacher, John Scopes of Dayton, Tennessee, was accused and ultimately convicted of violating the state's statute barring the teaching of evolution in public schools. With the Scopes trial, several cultural trends of the period converged, among them the widening schisms between both the religious and the secular-minded and, within Christianity, fundamentalists and modernists; the increasing faith in science and its demystifying of human origins, the growing contempt in elite intellectual circles – fueled by Mencken, *Main Street*, and the Madison Square Garden disaster of 1924 – for the agrarian "yokel," and the public and the press's penchant for ballyhoo and the amusing distraction.

In reflecting on that sweltering summer in Dayton, perhaps it is best to begin with what the Scopes trial was not. As historian Edward Larson noted in his 1998 re-telling of the case, *Summer of the Gods*, beginning with Frederick Lewis Allen's 1931 bestseller *Only Yesterday*, through the triumphalist writings of Richard Hofstadter and other Consensus historians of the 1950's, and culminating in the 1955 play and subsequent 1960 movie *Inherit the Wind*, which like Arthur Miller's *The Crucible* bent American history in service against McCarthyism, the Scopes Trial has often been depicted incorrectly. From these sources, it is remembered as the moment when the forces of science, Modernity, and liberalism – spearheaded by prosecutor Clarence Darrow – prevented the unjust persecution of a devoted schoolteacher, and won a smashing triumph over an aged and broken William Jennings Bryan and the archaic worldview of biblical literalists. The Scopes Trial "was Fundamentalism's last stand," argued a 1939 college textbook, *The Story of Religion in America*. It "dealt a deathblow to Fundamentalism,"

concurrent author Irving Stone in 1941 -- which would be news to anyone who experienced the religious revivals of the 1970s and thereafter.¹⁷⁷⁷

In fact, the battle lines were not as clearly drawn that summer in Dayton, and fundamentalists didn't seem to think the Scopes trial was much of a defeat at all. (Indeed, they won the case.) Rather the trial worked to further widen the cultural conflicts of the day and hasten the continuing movement of progressivism away from its roots as a religious-tinged philosophy of moral improvement and towards its more modern, secular incarnation.

Like so much else in the decade, the split between fundamentalists and modernists in the Christian church had been greatly exacerbated by the experience of the War and its aftermath. Charles Darwin's theory of evolution through natural selection had of course been a source of contention in the Christian tradition ever since the publication of *On the Origin of Species* in 1859, and the years 1910-1915 had seen the publication of *The Fundamentals*, a twelve-volume series of pamphlets edited by A.C. Dixon and financed by a Southern California millionaire that encouraged a return to a strict, literal reading of the Bible. Nonetheless, it was the experience of first the war, followed by the upheavals of the post-war period, that firmly drove a wedge between the fundamentalist and modernist wings of Christianity.¹⁷⁷⁸

Before and even during the War, fundamentalist-leaning thinkers ranged from the pacifist-minded Bryan, who resigned as Wilson's Secretary of State to protest the increasing militancy of the administration, to the bloodthirsty Billy Sunday, who spoke of Hell as a

¹⁷⁷⁷ Edward Larson, *Summer of the Gods: The Scopes Trial and America's Continuing Debate Over Science and Religion* (Cambridge: Harvard University Press, 1998), 225-229.

¹⁷⁷⁸ George Marsden, *Fundamentalism and American Culture* (New York: Oxford University Press), 2006, 7-8, 118-120.

German-made creation and advocated the summary execution of suspected radicals. But as the World War progressed, fundamentalists – like everyone else – were continually exhorted to stand against the German menace in all its manifestations, including its increasingly secular Kultur. “The Kaiser boldly threw down the gage of battle – infidel Germany against the believing world – Kultur against Christianity – the Gospel of Hate against the Gospel of Love,” proclaimed *The King’s Business*, a religious publication of the time. “Never did Crusader lift battle-ax in holier war against the Saracen than is waged by our soldiers of the cross against the German.”¹⁷⁷⁹

Whipped into a frenzy against the Hun, fundamentalists continued their holy battle for the soul of America into the post-war period, when the twin menaces of creeping Bolshevism and loosening morals suggested the nation was in danger of descending into Babylon. “It must be remembered that America was born of moral progenitors and founded on an eternally moral foundation,” David S. Kennedy, editor of *The Presbyterian*, argued in an essay entitled “The American Crisis”:

Her ancestors were Christian of a high order, purified by fire, and washed in blood. Her foundation is the Bible, the infallible Word of God. The decalogue written by the finger of God is her perfect guide in her religious and social life. There has been some weakening of this moral standard in the thought and life of America. This is the result of an age of luxury within and freedom of conflict from without. There is but one remedy: the nation must return to her standard of the Word of God. She must believe, love and live her Bible. This will require the counteraction of that German destructive criticism which has found its way into the religious and moral thought of our people as the conception and propaganda of the *Reds* have found their way with poisoning and overthrowing influence into their civil and industrial life. The Bible and the God of the Bible is our only hope.¹⁷⁸⁰

“America is narrowed to a choice,” Kennedy averred. “She must restore the Bible to its historic place in the family, the day school, the college and university, the church and Sabbath – school, and thus through daily life and thought revive and build up her moral life and faith, or

¹⁷⁷⁹ Marsden, 150-151.

¹⁷⁸⁰ Marsden, 159.

else she might collapse and fail the world in this crucial age.” Put another way, America now desperately needed “fundamentalists,” argued Baptist editor Curtis Lee Laws, coining a term, “to do battle royal for The Fundamentals.” Among these, declared the editor of *The Fundamentals* himself, A.C. Dixon, had to be a stand against evolution – the pernicious theory granting “the strong and fit the scientific right to destroy the weak and unfit” – which had been embraced in Germany and led to the many atrocities of the Great War. America had always been about “defending the weak from the aggression of the strong,” and so it had to be now. This fight against evolution, Dixon proclaimed, was part of “the conflict of the ages, darkness vs. light, Cain vs. Abel, autocracy vs. civilized democracy.”¹⁷⁸¹

Arrayed to take up this standard for the Bible and America were such notable figures as John Roach Straton, who had been waging his own battle against loose morals in New York City for some time and who, in 1924, won a notable Carnegie Hall debate over evolution against Unitarian minister Charles Francis Potter; Billy Sunday, the most popular evangelist in America, William Jennings Bryan, never one to miss a good crusade for the soul of the nation, and Princeton theologian John Gresham Machen, whose 1923 book *Christianity and Liberalism* laid down the fundamentalist argument for academic circles.¹⁷⁸²

“[T]he great redemptive religion which has always been known as Christianity,” Machen informed his readers, “is battling against a totally diverse type of religious belief, which is only the more destructive of the Christian faith because it makes use of traditional Christian terminology. This modern non-redemptive religion is called ‘modernism’ or ‘liberalism,’” even

¹⁷⁸¹ Marsden, 159-161. As Marsden notes, tensions between Fundamentalists and Modernists were particularly strong in the Presbyterian and Baptist churches both of which were broad and diverse enough congregations to accommodate rural Southern and urban Northern wings.

¹⁷⁸² Larson, 123.

though, Machen maintained, “[t]he movement designated as ‘liberalism’ is ‘liberal’ only to its friends; to its opponents it seems to involve a narrow ignoring of many relevant facts.” It is only right and proper in the contemporary age, Machen argued, to bring scientific ideas to bear on all facets of life. But, in trying to make Christianity compatible with science, Modernists had thrown the baby out with the bathwater – “In trying to remove from Christianity everything that could possibly be objected to in the name of science,” he concluded, “the apologist has really abandoned what he started out to defend.”¹⁷⁸³

The Modernists, meanwhile, including such figures as Harry Emerson Fosdick of New York and Shailer Mathews, dean of the University of Chicago divinity school, felt equally aggrieved about what they perceived as an attack on their liberal and tolerant approach to Christianity. Modernism, Mathews argued in his 1924 rebuttal to Machen, *The Faith of Modernism*, “is the use of the methods of modern science, to find, state and use the permanent and central values of inherited orthodoxy in meeting the needs of a modern world...Modernists endeavor to reach beliefs and their application in the same way that chemists or historians reach and apply their conclusions.” As such, Modernism was the “use of scientific, historical, and social method in understanding and applying evangelical Christianity to the needs of living persons.” The Bible, he argued, did not need necessarily have to be read literally – It could be taken as “a trustworthy record of a developing experience with God that nourishes our faith.” Similarly, Christianity, Mathews argued, was not just blind adherence to ancient doctrines but the “process of an ever growing experience with God.”¹⁷⁸⁴

¹⁷⁸³ John Gresham Machen, *Christianity and Liberalism* (USA: The Trustees, 1923), 2-3, 6-7.

¹⁷⁸⁴ Shailer Matthews, *The Faith of Modernism* (New York: Macmillan Company, 1925), 22-23. Marsden, 176-177.

Even if you disagreed with the Modernist approach, Fosdick sermonized in 1922, surely there was room for both Fundamentalists and Modernists to flourish under the banner of Christ, as they had in the years before the war. But, Fosdick argued, “the Fundamentalist program is essentially illiberal and intolerant.” It aimed “to drive out of the evangelical churches men and women of liberal opinions...if the Fundamentalists should succeed, then out of the Christian Church would go some of the best Christian life and consecration of this generation—multitudes of men and women, devout and reverent Christians, who need the church and whom the church needs.” Now, Fosdick argued, was not the time for a turf war. “The present world situation smells to heaven! And now, in the presence of colossal problems, which must be solved in Christ’s name and for Christ’s sake, the Fundamentalists propose to drive out from the Christian churches all the consecrated souls who do not agree with their theory of inspiration. What immeasurable folly!”¹⁷⁸⁵

In effect, the difference between fundamentalists and modernists mirrored the difference between originalist and progressive readings of the Constitution, or formalist and realist understandings of American law. The Fundamentalists saw the Bible as the literal truth of God and following it to the letter the sign of a good Christian, while the Modernists saw it as a holy text nonetheless rooted in history and culture, and thought being a Christian was more about embracing and reflecting the values of the Savior in life, rather than blindly adhering to the Word. “To make belief in Genesis and belief in Christ stand or fall together is absurd,” one Modernist argued.¹⁷⁸⁶

¹⁷⁸⁵ Harry Emerson Fosdick, “Shall the Fundamentalists Win?” *Christian Work* 102 (June 10, 1922): 716–722. Reprinted at <http://historymatters.gmu.edu/d/5070/>

¹⁷⁸⁶ Larson, 118.

Nonetheless, Fundamentalists did not believe their movement to be opposed to science, nor would they necessarily agree with Fosdick that their fight against evolution was inherently conservative. As Edward Larson notes, many Americans had long ago conflated Darwin's theory with the Social Darwinism that had followed in its wake, and as such "associated Darwinian natural selection, as it applied to people, with a survival-of-the-fittest mentality that justified laissez-faire capitalism, imperialism, and militarism." Evolution, Bryan argued in 1904, was "the merciless law by which the strong crowd out and kill off the weak." Standing against it was completely in tune with the stances Bryan had taken all his life. In his 1922 book *In His Image*, a series of lectures on his faith, Bryan explained further his contempt for the Darwinian idea:

Darwin's doctrine leads logically to war and to the worship of Nietzsche's "Superman"; the Bible tells us of the Prince of Peace and heralds the coming of the glad day when swords shall be beaten into ploughshares and when nations shall learn war no more.

Darwin's teachings drag industry down to the brute level and excite a savage struggle for selfish advantage; the Bible presents the claims of a universal brotherhood in which men will unite their efforts in the spirit of friendship.

As hope deferreth maketh the heart sick, so the doctrine of Darwin benumbs altruistic effort by prolonging indefinitely the time needed for reforms; the Bible assures us of the triumph of every righteous cause, reveals to the eye of faith the invisible hosts that fight on the side of Jehovah and proclaims the swift fulfillment of God's decrees...

Darwinism enthrones selfishness; the Bible crowns love as the greatest force in the world.¹⁷⁸⁷

"My father taught me to believe in Democracy as well as Christianity," Bryan said near the end of his days. Fighting evolution, in his eyes, was fighting for both. Nor was the Great Commoner opposed to the general march of science. True, he once wrote that "it is better to trust in the Rock of Ages than to know the age of rocks; it is better for one to know that he is close to the Heavenly Father than to know how far the stars in the heavens are apart." But, as he said

¹⁷⁸⁷ Marsden, 176-177. Larson, 27, 37. William Jennings Bryan, *In His Image* (New York: Fleming H. Revell, 1922), 132-135.

elsewhere in *In His Image*: “Have faith in mankind. It is easier today for one to be helpful to the whole world than it was a few centuries ago to be helpful to the inhabitants of a single valley.”¹⁷⁸⁸

Just as the religious impulses driving Bryan and the Fundamentalists to Dayton were more complicated than the *Inherit the Wind* model suggests, so too was the relationship of the pro-evolution forces to science. On one hand, many supporters of evolution pointed to “Piltdown Man” – the pieces of skull unearthed in 1912 from a gravel pit in Piltdown, England – as definitive proof of Darwin’s theory at the time. Bryan, meanwhile, scoffed in 1923 that when scientists “find a stray tooth in a gravel pit, they hold a conclave and fashion a creature such as they suppose the possessor of the tooth to have been, and then they shout derisively at Moses...Men who would not cross the street to save a soul have traveled across the world in search of skeletons.” Though the world did not find out for sure until 1953, this round posthumously went to Bryan – Piltdown Man had been an elaborate hoax, in which someone had artificially aged human and orangutan bones to create a “missing link.”¹⁷⁸⁹

Evolution advocates of the time could not be expected to see through a hoax that confounded many of the world’s preeminent scientists for forty years. Nonetheless, John Hunter’s *A Civic Biology* – the 1914 textbook from which John Scopes taught evolution – held some rather suspect notions of science in its pages as well. Two pages after discussing Darwin, Hunter explains the “five races or varieties of man, each very different from the others,” with “the highest type of all, the Caucasians, represented by the civilized white inhabitants of Europe and America.” Later on in the textbook, Hunter extrapolated from Darwinism to make the case

¹⁷⁸⁸ Leuchtenburg, 219. Carter, 82.

¹⁷⁸⁹ Larson, 29-32.

for eugenics: “If the stock of domesticated animals can be improved, it is not unfair to ask if the health and vigor of the future generations of men and women on the earth might be improved by applying to them the laws of selection.” Certain diseases such as tuberculosis and syphilis are “not only unfair but criminal to hand down to posterity. The science of being well-born is called eugenics.”¹⁷⁹⁰

To make his case, Hunter informed students of the Jukes and Kallikak families:

Studies have been made on a number of different families in this country, in which mental and moral defects were present in one or both of the original parents. The "Jukes" family is a notorious example. The first mother is known as "Margaret, the mother of criminals." In seventy-five years the progeny of the original generation has cost the state of New York over a million and a quarter dollars, besides giving over to the care of prisons and asylums considerably over a hundred feeble-minded, alcoholic, immoral, or criminal persons. Another case recently studied is the "Kallikak" family. This family has been traced back to the War of the Revolution, when a young soldier named Martin Kallikak seduced a feeble-minded girl. She had a feeble-minded son from whom there have been to the present time 480 descendants. Of these 33 were sexually immoral, 24 confirmed drunkards, 3 epileptics, and 143 feeble-minded. The man who started this terrible line of immorality and feeble-mindedness later married a normal Quaker girl. From this couple a line of 496 descendants have come, with no cases of feeble-mindedness. The evidence and the moral speak for themselves!¹⁷⁹¹

“Hundreds of families such as those described above exist today,” the textbook further explained, “spreading disease, immorality, and crime to all parts of this country. The cost to society of such families is very severe... They not only do harm to others by corrupting, stealing, or spreading disease, but they are actually protected and cared for by the state out of public money. Largely for them the poorhouse and the asylum exist. They take from society, but they give nothing return. They are true parasites.” And “The Remedy,” as *Civic Biology* helpfully suggested? “If such people were lower animals, we would probably kill them off to prevent them

¹⁷⁹⁰ Carter, 95. George William Hunter, *A Civic Biology Presented in Problems* (New York: American Book Company, 1914), 193-196, 261-263. Courtesy of the Clarence Darrow Collection: http://darrow.law.umn.edu/documents/Hunter_Civic_Biology_1914.pdf

¹⁷⁹¹ Ibid, 263.

from spreading. Humanity will not allow this, but we do have the remedy of separating the sexes in asylums or other places and in various ways preventing intermarriage and the possibilities of perpetuating such a low and degenerate race.” In sum, Scopes’ textbook had come very far afield from just a basic explanation of Darwin’s theory of evolution, and introduced exactly the sorts of normative and anti-democratic claims that Bryan had fretted about.¹⁷⁹²

In any case, high school teacher John T. Scopes was arrested in May 1925 for violating the Butler Act, a first-of-its-kind law that passed in February of that year prohibiting the teaching of evolution. (Fourteen other states had introduced similar legislation.) But, here again, the facts of the case belie the inexorable clash-of-cultures view of the trial that would become popular in later years, especially after *Inherit the Wind* portrayed angry townspeople pulling the defendant from class. In reality, and in response to the Butler Act, the American Civil Liberties Union, continuing its postwar defense of academic freedom all across the country, placed an ad in the *Chattanooga Times* “looking for a Tennessee teacher who is willing to accept our services in testing this law in the courts. Our lawyers think a friendly test can be arranged without costing a teacher his or her job. Distinguished counsel have volunteered their services. All we need now is a willing client.”¹⁷⁹³

In Knoxville, educators shrugged. “Our teachers have a hard enough time teaching the children how to distinguish between plant and animal life,” one superintendent noted. But in the small, struggling mining and railroad town of Dayton, Tennessee, a mine manager named George W. Rappleyea saw in the ACLU request an opportunity for civic boosterism and much-needed publicity for the town. After feeling out some of the town fathers, such as school

¹⁷⁹² Ibid.

¹⁷⁹³ Larson, 82-83.

superintendent Walter White and local drugstore owner Frank Robinson, Rappleyea pitched the idea first to two local lawyers, Herbert and Sue Hicks, and then to Scopes, who taught general science – not biology – and helped to coach the football team. When Scopes agreed to be “arrested” by the brothers Hicks, Rappleyea informed the ACLU, who quickly accepted the offer and even agreed to pay the prosecution’s expenses, and Robinson called the papers. “Something has happened that going to put Dayton on the map!” White exulted to a local reporter.¹⁷⁹⁴

Did it ever. The ACLU had hoped Scopes’ prosecution could form the beginning of a legal strategy to overcome the Butler Act. But their plans went awry as soon as Bryan, sensing a possible great debate emerging over evolution in Dayton, asked the prosecution if he could join their team – despite not having taken a case in over thirty years. (“I shall, of course, serve without compensation,” he noted.) Once Bryan was on board, Clarence Darrow – who took every opportunity to badger the Great Commoner – wanted in as well. A lifelong agnostic, Darrow thought the Christian notions of original sin and salvation were “a very dangerous doctrine” and “silly, impossible, and wicked.” “It is not the bad people I fear so much as the good people,” he once said to a group of prisoners. “When a person is sure that he is good, he is nearly hopeless; he gets cruel – he believes in punishment.” The Book of Genesis, Darrow thought, had filled man with the “idea of his importance,” while the theory of evolution helped men become “gentler, kindlier, and more humane toward all the infinite forms of being that live with us, and must die with us.” (Darrow, it should be noted, had no truck with eugenicists.)¹⁷⁹⁵

Along with New York lawyer Dudley Field Malone – and much to the consternation of the ACLU, who felt they had now completely lost control of events – Darrow wired Scopes’

¹⁷⁹⁴ Larson, 88-91.

¹⁷⁹⁵ Larson, 71-72, 98-100, 135.

defense team offering his services “without fees or expenses.” For publicity purposes, Rappleyea and Dayton’s other boosters had hoped H.G. Wells would mount the defense, but the famed defender of Leopold & Loeb was an excellent second option. The day after his services were accepted, Darrow – telegraphing his legal strategy – began to lob rhetorical grenades at Bryan. “Nero tried to kill Christianity with persecution and law,” he averred. “Bryan would block enlightenment with law. Had Mr. Bryan’s ideas of what a man may do towards free thinking existed throughout history, we would still be hanging and burning witches and punishing persons who thought the earth was round.”¹⁷⁹⁶

To the delight of Dayton’s townsfolk, the trial was now a full-fledged media circus – monkeys soon adorned all the shops on Main Street, as well as the police motorcycle (“Monkeyville Police”) and town delivery van (“Monkeyville Express.”) The town prepared for 30,000 visitors, although in the end 3000 came to the trial – among them H.L. Mencken, who declared that Dayton “greatly surprised me. I expected to find a squalid Southern village, with darkies snoozing on the houseblocks, pigs rooting under the houses and the inhabitants full of hookworm and malaria. What I found was a country town full of charm and even beauty.” After Scopes was formally indicted – thanks to the testimony of students who Scopes had coached to help the case go forward -- both the prosecution and the defense looked to bolster their case with experts. The problem was Bryan and the prosecution, now including Tom Stewart, the attorney general of Dayton’s district, could not find any scientists who wanted to go on record against evolution. And the defense – now augmented with ACLU veteran Arthur Garfield Hays – could

¹⁷⁹⁶ Larson, 102-103.

find few notable defenders of evolution who wanted to be upstaged by a man as controversial as Darrow.¹⁷⁹⁷

When the trial began in July, the actual legal arguments being made for and against Scopes were relatively cut and dried. This was a question of majority rule, the prosecution noted. The duly elected representatives of Tennessee had passed a statute outlawing the teaching of evolution in private schools, as was their right based on substantive legal precedent. As such, Stewart argued, “Mr. Scopes might have taken his stand on the street corners and expounded until he became hoarse, but he cannot go into the public schools...and teach his theory.” Darrow and the defense, meanwhile, emphasized the issue of church and state separation. (For the same reason, Darrow continually argued the customary pre-trial prayer each day was prejudicial.) “[T]he people of Tennessee adopted a constitution, and they made it broad and plain, and said that the people of Tennessee should always enjoy religious freedom in its broadest terms,” Darrow told the court, “so I assume that no legislature could fix a course of study which violated that.”¹⁷⁹⁸

Of course, both Bryan and Darrow had bigger fish to fry, and the innocence or guilt of John Scopes was only a convenient excuse to have a great debate. “If evolution wins, Christianity goes,” Bryan prophesied. “There is not a scientist in all the world who can trace one single species to any other...And yet they call us ignoramuses and bigots because we do not throw away our Bible.” Most scientists, Bryan contended, “do not believe there is a God or personal immortality, and they want to teach that to these children.” Darrow, meanwhile, declared that “Scopes isn’t on trial, civilization is on trial” and that the fundamentalists aimed “to

¹⁷⁹⁷ Larson, 93, 105, 108, 129-132, 134-136.

¹⁷⁹⁸ Larson, 162-163.

kindle religious bigotry and hate” by putting their beliefs over everyone else’s. “The state of Tennessee... has no more right to teach the Bible as the divine book than that the Koran is one, or the book of Mormon, or the book of Confucius, or the Buddha, or the Essays of Emerson. There is nothing else, your Honor, that has caused the difference of opinion, of bitterness, of hatred, of war, of cruelty, that religion has caused.”¹⁷⁹⁹

The defining moment of the Scopes trial occurred on its seventh day, after the court had reconvened outside due to concerns about the heat and the size of the crowd, and after Mencken and many of the journalists in attendance, presuming a guilty verdict was a foregone conclusion, had left town. Then, even as the prosecution urged him to reconsider, William Jennings Bryan took the stand at the request of Darrow and Arthur Hays. (“They came here to try revealed religion,” Bryan had said. “I am here to defend it, and they can ask me any questions they please.”) Thus proceeded two hours of testimony in which Darrow, using every trick in his lawyerly arsenal, badgered Bryan with numerous questions designed to expose the absurdities of biblical literalism. Did God really create the world in seven days? Did He really make Eve from Adam’s Rib? When God stopped the world for Joshua, did He stop the Earth or the Sun? Was the Earth really only 4000 years old? Was Jonah really swallowed by a whale? Where did Cain’s wife come from? And so forth. Bryan tried to answer as best he could, but eventually wore down under the barrage, increasingly declaring he did not know or care about the answer – He just kept the faith. “I am simply trying to protect the word of God against the greatest atheist or agnostic in the United States!” Bryan bellowed at one point. “The only purpose Mr. Darrow has is to slur the Bible,” he said near the end, to which the Darrow replied his purpose was “examining your

¹⁷⁹⁹ Jeffrey P. Moran, *The Scopes Trial: A Brief History with Documents* (New York: Palgrave, 2002), 44. Douglas O. Linder, “State vs. John D. Scopes (“The Monkey Trial”), University of Missouri-Kansas City Famous Cases (<http://law2.umkc.edu/faculty/projects/ftrials/scopes/evolut.htm>) Larson, 160-164.

fool ideas that no intelligent Christian on earth believes.” As Darrow later wrote to Mencken, “I made up my mind to show the country what an ignoramus he was and I succeeded.”¹⁸⁰⁰

The jury never even heard Darrow’s evisceration of Bryan, and in the end, the defense encouraged them in a verdict of guilty to preserve the case for an appeal. (Wanting the whole thing to go away, the Tennessee Supreme Court later overturned Scopes’ conviction on a technicality and convinced the state Attorney General to drop the charges.) As far as the jury of public opinion goes, most newspapermen agreed that Darrow had succeeded in making the Great Commoner and the Fundamentalists look silly – but also thought the Great Crusade was by no means over. “The trial at Dayton is no more than an opening skirmish,” reported *The Literary Digest* in its coverage of the coverage, “and other papers and commentators agree that it may mark the beginning of a great fight between the Fundamentalists and the Modernists.” Bryan seemed ready for such a fight. Angered by the demeaning experience but flush with victory in the actual case, he began prepping an anti-evolution speech that he planned to deliver all over the country. By the end of the week, however, he was dead. “God aimed at Darrow, missed, and hit Bryan instead,” quipped Mencken in print. Privately, he allegedly exclaimed “We killed the son-of-a-bitch!”¹⁸⁰¹

Reflecting on the Scopes trial five years later, Jane Addams argued with characteristic magnanimity that, more than anything else, it had been an opportunity for “Education by the Current Event,” or what later generations would call a “teachable moment.” The trial had “brought before the entire country a public discussion of fundamentalism versus evolution,” she argued. “While there was no doubt that the overwhelming public opinion concerning the

¹⁸⁰⁰ Moran, 46-47. Larson, 188-190.

¹⁸⁰¹ Larson, 192-199, 202.

Tennessee trial was on the side of liberality both in politics and religion, the group of so-called narrow-minded men had made their own contribution to our national education.” For one, “they had asserted the actuality of religion. It is always difficult to convince youth that reality reaches upward as well as outward, and that the higher planes of life contain anything but chilly sentiments.” For another, and as per Dewey, they had managed to bring two diverse publics in American life into communication. “Nothing could have been further from the experiences and mental processes of the intelligentsia of a cosmopolitan city and these mountaineers, nothing more diverse than the two methods of approach to the time-old question of the origin of man. Only a molten current event,” such as the Scopes trial, “could have accomplished a simultaneous discussion upon the same theme by these two bodies of people.”¹⁸⁰²

For many other progressives, however, the Scopes trial had just been a sideshow that further confirmed them in their biases. Walter Lippmann, for example, saw in it yet another flaw in democracy. “[I]n Tennessee the people used their power to prevent their own children from learning, not merely the doctrine of evolution, but the spirit and method by which learning is possible... They had founded popular government on the faith in popular education, and they had used the prerogatives of democracy to destroy the hopes of democracy.” In short, he wrote, “the votes of a majority do not settle anything here and they are entitled to no respect whatever.” *The New Republic*, meanwhile, deemed the trial “a trivial thing full of humbuggery and hypocrisy.” The case should have been open and shut – the law was on the books, and Scopes willfully broke it. But by prosecuting Bryan in such a manner, TNR said, what Darrow and the defense had

¹⁸⁰² Addams, *Second Twenty Years*, 383-384.

“succeeded in doing is to cheapen not only the trial but the issue by subordinating both of them to the exigencies of theatrical newspaper publicity.”¹⁸⁰³

Despite Darrow’s bad behavior, however, TNR thought the trial, and the law that had precipitated it, made clear that something was seriously wrong with “the prevailing system of clerical and religious training. Some day American opinion will realize that the supposed Christian culture which the average minister now receives in the denominational schools is the most serious obstacle in America to human liberation and enlightenment.” The church, they concluded, “will continue to lose prestige until it prepares itself for its social responsibilities by squaring its accounts with contemporary technology and science.”¹⁸⁰⁴

Two decades earlier, progressives could look to the pope’s 1893 encyclical *Rerum Novarum*, to the Social Gospel of Walter Rauschenbusch, and to religious reformers like Father John Ryan and feel that the Church was with them in their quest to remold the state for the better. But, in forcing a decision between religion and science, or more to the point between the apparently hopelessly retrograde fundamentalism of Bryan and the acerbic agnosticism of Darrow, Mencken, and the Smart Set, the Scopes trial worked to further alienate a generation from their Christian reformist roots. “[R]eform lost its most powerful public appeal and its strongest potential adhesive when it became separated from Christianity,” historian David Danbom has argued. “Nothing else – not science, nor nationalism, nor some vague commitment to the public interest – would ever work as well... The day when Christianity and liberalism were separated was a sad one for reform in this country, for it cost it much of its force, power, and

¹⁸⁰³ Lippmann, *Men of Destiny*, 49. Steel, 217-219. Larson, 202. “The Baiting of Judge Raulston,” *The New Republic*, July 29th, 1925 (Vol. 43, No. 556), 249-250.

¹⁸⁰⁴ “The Baiting of Judge Raulston,” TNR, 250.

idealism.” And having already come to doubt the fundamental tenets of democracy, progressivism, and even reason itself over the course of the decade, thinkers in the Twenties now increasingly saw faith as no fallback.¹⁸⁰⁵

Not with a Bang, But a Whimper

Two popular books of 1929 eloquently dramatized the spiritual and existential crisis that many progressives now wrestled with. One was another Lippmann creation, *A Preface to Morals*, which went through six editions in its first year and became a pick of the Book of the Month club. “Among those who no longer believe in the religion of their fathers, some are proudly defiant, and many are indifferent,” Lippmann argued. “But there are also a few, perhaps an increasing number, who feel that there is a vacancy in their lives... When such men put their feelings into words they are likely to say that, having lost their faith, they have lost the certainty that their lives are significant, and that it matters what they do with their lives.”¹⁸⁰⁶

To wit, Lippmann maintained, “[t]he acids of modernity are dissolving the usages and the sanctions to which men once habitually conformed.” As a result, all too many men and women were now staring into the abyss Nietzsche had warned about in 1882 when he had declared – in despair rather than victory – that God is dead. “The objective moral certitudes have dissolved, and in the liberal philosophy there is nothing to take their place.”¹⁸⁰⁷

Reviewing the recent conflict between Fundamentalists and Modernists, Lippmann praised Machen’s *Christianity and Liberalism* and argued that it was the Fundamentalists who

¹⁸⁰⁵ Danbom, 227.

¹⁸⁰⁶ Steel, 263. Lippmann, *A Preface to Morals*, 3.

¹⁸⁰⁷ Lippmann, *A Preface to Morals*, 298, 107.

had the fairer point. “Something quite fundamental is left out of the modernist creeds,” he argued. “That something is the most abiding of all experiences of religion, namely, the conviction that the religion comes from God...The Bible to our ancestors was not simply,” as the Modernists contended, “a book of wisdom. It was a book of wisdom backed by the power of God himself...[It] could not be wrong. But once it is allowed that each man may select from the Bible as he sees fit, judging each passage by his own notions of what is ‘abiding,’ you have stripped the Scriptures of their authority to command men’s confidence and to compel their obedience.” That being said, the Fundamentalists, mostly Baptists and Presbyterians as they were, had their own issue to contend with – the Catholic Church. Fundamentalists like Machen, as one Father Riggs had put it “cannot, while remaining loyal to the (Protestant) reformers...set limits to destructive criticism of the Bible without making an un-Protestant appeal to tradition.”¹⁸⁰⁸

Either way, “[t]he modern man has ceased to believe” in the Gospels “but he has not ceased to be credulous, and the need to believe haunts him.” According to Lippmann, men and women were also now haunted by an overabundance of freedom. “We have come to see that Huxley was right when he said that ‘a man’s worst difficulties begin when he is able to do as he likes”:

The evidences of these greater difficulties lie all about us: in the brave and brilliant atheists who have defied the Methodist God, and have become very nervous; in the women who have emancipated themselves from the tyranny of fathers, husbands, and homes, and with the intermittent but expensive help of a psychoanalyst, are now enduring liberty as interior decorators; in the young men and women who are world-weary at twenty-two; in the multitudes who drug themselves with pleasure...These are the prisoners who have been released. They ought to be very happy. They ought to be serene and composed. They are free to make their own lives. There are no conventions, no tabus, no gods, priests, princes, fathers, or revelation which they

¹⁸⁰⁸ Lippmann, *A Preface to Morals*, 44-45, 32.

must accept. Yet the result is not so good as they thought it would be. The prison door is wide open. They stagger out into trackless space under a blinding sun. They find it nerve-racking.¹⁸⁰⁹

“It is all very well to talk about being the captain of your soul,” said Lippmann. “It is hard, and only a few heroes, saints, and geniuses have been the captains of their souls for any extended period of their lives.” (In this, Lippmann was echoing a line from Ernest Hemingway’s 1926 novel, *The Sun Also Rises*: “It’s awfully easy to be hard-boiled about everything in the daytime, but at night it is another thing.”) Instead, Lippmann argued, “[m]ost men, after a little freedom, have preferred authority with the consoling assurances and the economy of effort which it brings.” They look “to find the shrine of some new god, of any cult however newfangled, where he can kneel and be comforted, put on manacles to keep his hands from trembling, ensconce himself in some citadel where it is safe and warm.”¹⁸¹⁰

In the modern age, however, the post-war generation had nowhere to turn for this much desired consolation. The men and women of Modernity “have seen through the religion of nature to which the early romantics turned for consolation. They have heard too much about the brutality of natural selection to feel, as Wordsworth did, that pleasant landscapes are divine... They cannot make a religion of science like the post-Darwinians because they do not understand modern science... As for the religion of progress, that is preempted by George F. Babbitt and the Rotary Club, and the religion of humanity is utterly unacceptable to those who have to ride in the subways during the rush hour.”¹⁸¹¹

¹⁸⁰⁹ Lippmann, *A Preface to Morals*, 8-9, 6-7.

¹⁸¹⁰ Lippmann, *A Preface to Morals*, 13, 8-9. Ernest Hemingway, *The Sun Also Rises* (New York: Charles Scribner’s Sons, 1926), 42.

¹⁸¹¹ Lippmann, *A Preface to Morals*, 17.

Nor would Lippmann's earlier hope for a disinterested ruling class of experts be able to solve this spiritual crisis of leadership. Man cannot "look to his betters for guidance," he lamented. "The American social system is migratory, revolutionary, and protestant. It provides no recognized leaders and no clear standards of conduct. No one" – much to Lippmann's chagrin "is recognized as the interpreter of morals and the arbiter of taste. There is no social hierarchy, there is no acknowledged ruling class, no well-known system of rights and duties, no code of manners. There are smart sets, first families, and successful people...but these leaders have no real authority in morals or in matters of taste because they themselves have few standards that are not the fashions of a season."¹⁸¹²

The acids of modernity, Lippmann warned, were not only eating into the souls of a generation, but their very selves. "Novelties crowd the consciousness of modern men," he argued. "The machinery of intelligence, the press, the radio, the moving picture, have enormously multiplied the number of unseen events and strange people and queer doings with which he has to be concerned...These experiences come to him having no beginning, no middle, and no end, mere flashes of publicity playing fitfully upon a dark tangle of circumstances." Coupled with the disappearance of God, this overloading of unnecessary stimuli, this constant drip-drip-drip of information, meant that "[t]he modern man is unable any longer to think of himself as a single personality approaching an everlasting judgment. He is one man to-day and another to-morrow, one person here and another there. He does not feel he knows himself. He is sure that no one else knows him at all...He is moved by impulses which he feels but cannot

¹⁸¹² Lippmann, *A Preface to Morals*, 61.

describe. There are dark depths in his nature which no one has ever explored... The precise nuances of his likes and dislikes have become very important.”¹⁸¹³

As a result, Lippmann argued, man would have to accept the “vast indifference of the universe to his own fate,” and rebuild a new set of values based on humanism, a “religion of the spirit” that emphasized living virtuously in the moment. “[T]he mature man would take the world as it comes, and within himself remain quite unperturbed. When he acted, he would know that he was only testing an hypothesis, and if it failed, he would know that he made a mistake,” something “he would be quite prepared for” because “his intelligence would be disentangled from his hopes”:

Would he be hopeful? Not if to be hopeful was to expect the world to submit rather soon to his vanity. Would he be hopeless? Hope is an expectation of favors to come, and he would take his delights here and now. Since nothing gnawed at his vitals, neither doubt, nor ambition, nor frustration, nor fear, he would move easily through life. And so whether he saw the thing as comedy, or high tragedy, or plain farce, he would affirm that it is what it is, and that the wise man can enjoy it.¹⁸¹⁴

However worthwhile a road map to a satisfying life, Lippmann’s prescription for humanity – stoic detachment and resigned acceptance to an unchanging and existentially indifferent world – suggests how low progressive hopes had fallen over the course of a decade. The author of *Drift and Mastery* now seemed to be suggesting that mankind embrace passivity and forget the possibility of change, except inasmuch as one could apply it to oneself.

In any case, as Ronald Steel notes in his biography of Lippmann, *A Preface to Morals* struck a chord with a disillusioned generation. William Allen White deemed it a “serious book,

¹⁸¹³ Lippmann, *A Preface to Morals*, 60, 106.

¹⁸¹⁴ Lippmann, *A Preface to Morals*, 308-309. Schlesinger, *Crisis of the Old Order*, 150-152. Steel, 262-263.

but beautifully written and simply written... There isn't a paragraph in it that the average intelligent American cannot understand, and to me that is everything about a book." Oliver Wendell Holmes called it "a noble performance" and critic Harold Laski thought it "simply masterful." Edmund Wilson, in a highly favorable appreciation of the book for *The New Republic*, did worry that "the point of view which Lippmann commends seems to exclude intense feelings of any kind, and even to err on the side of complacency." But he still thought it "far and away Walter Lippmann's best book...in thought, it shows a new competence, a new inspiration even...[I]t is both outspoken and persuasive in bringing news which has been uneasily awaited."¹⁸¹⁵

The Nation's William Seagle liked it less, arguing that its driving impulse was Neo-Victorian and agreeing with Wilson that Lippmann's call for a disinterestedness of the soul was tantamount to drift – "The implication seems to be that all will be for the best in the most rapidly self-improving of worlds." Nonetheless, Seagle conceded, "Mr. Lippmann's mood has certainly changed since he wrote '*The Phantom Public*.'" From Rome, philosopher George Santayana suggested that was an "admirable book" by a "brave philosopher," but it could possibly be read as "an epilogue to all possible moralities and all possible religions." Meanwhile, H.L. Mencken told his readers that Lippmann's book "shows a new maturity...It blazes clear tracks through a wilderness of ancient sophistries, some of them divinely inspired...There is cunning writing in it, and incisive thinking."¹⁸¹⁶

¹⁸¹⁵ Steel, 263. Edmund Wilson, "An Antidote to Despair," *The New Republic*, July 10th, 1929 (Vol. 59, No. 762), 210-211.

¹⁸¹⁶ William Seagle, "A Popular Moralist," *The Nation*, August 7th, 1929 (Vol. 129, No. 3344), 148. Steel, 265. H.L. Mencken, "Man and the Universe," *The American Mercury*, July 1929, 379-380.

That being said, Mencken, turning serious for a moment, thought *A Preface to Morals* “comes to a conclusion that is anything but satisfying.” The book assumes “the present is an age of moral chaos...But is this really true? I presume to doubt it. There is no more moral chaos today than there has been in other ages. The great fundamentals still survive: honor, truthfulness, courage, indomitability, charity, decency. What we lose is simply trash – the accumulated rubbish of centuries of bad government and insane theology.” Honor, Mencken declared, “has no more to do with religion, whether high or low, than it has to do with mathematics. It is, in a deep sense, the very antithesis of religion. It is civilized man’s answer to a God whose arbitrary mandates and taboos were framed for peasants.” Honor “looks inward, not outward. Its impulse is inward, and so is its reward. And so, also, are the impulse and reward of truthfulness, courage, charity, and common decency.” In other words, Mencken did not share the spiritual dilemma of Lippmann because he never assumed or expected anything more from the world. While many progressives saw their hopes and dreams crushed by the inexorable realities of the decade, Mencken saw only his biases confirmed.¹⁸¹⁷

Mencken aside, many clearly took Lippmann’s tome as a carefully thought-out and on-point critique of the spiritual dilemma of the times. Another similar such work published the same year – expanded from a 1927 *Atlantic Monthly* article – was *The Modern Temper*, by *Nation* theater critic Joseph Wood Krutch. “Of all the dirges composed for the death of the once-familiar human spirit,” writes historian Loren Baritz, *The Modern Temper* “was the most gentle, persuasive, immensely sad, and influential.”¹⁸¹⁸

¹⁸¹⁷ Mencken, “Man and the Universe,” 380.

¹⁸¹⁸ Loren Baritz, *The Culture of the Twenties* (New York: Bobbs-Merrill, 1970), 355.

Citing Freud, Krutch began by arguing that “the baby in its mother’s womb is the happiest of living creatures. Into his consciousness no conflict has yet entered, for he knows no limitation to his desires and the universe is exactly as he wishes it to be.” This blissful state continues in early childhood, when the child is “carefully protected from any knowledge of the cruelties and complexities of life; he is led to suppose that the moral order is simple and clear, that virtue triumphs...He is prevented from realizing how inextricably what men call good and evil are intertwined, how careless is Nature of those values called mercy and justice and righteousness which men have come, in her despite, to value.” As with children, Krutch argued, so too with races, individuals, and cultures: “As civilization grows older it too has more and more facts thrust upon its consciousness and is compelled to abandon one after another, quite as the child does, certain illusions which have been dear to it...The universe becomes more and more what experience has revealed, less and less what imagination has created.”¹⁸¹⁹

This was the terrifying point, Krutch argued, that Western civilization had now reached. “Illusions have been lost one by one. God, instead of disappearing in an instant, has retreated step by step and surrendered gradually his control of the universe,” and even though “there are thousands who, unable to bear the thought of losing him completely, still fancy that they can distinguish the uncertain outlines of a misty figure...man is left more and more alone in a universe to which he is completely alien.”¹⁸²⁰

In other words, much as in the dark tales Howard Phillips Lovecraft was then conjuring from his Victorian manse in Providence, Rhode Island, the inexorable progress of science had

¹⁸¹⁹ Joseph Krutch, “The Modern Temper,” *The Atlantic Monthly* (February, 1927), 167-175. Reprinted in Baritz, 356-357.

¹⁸²⁰ *Ibid*, 380.

stripped away the veil from man's eyes and left him quaking in the face of cosmic indifference. Before, Krutch argued, man "had believed in even his darkest moments that the universe was rational if only he could grasp its rationality." But now "there is no reason to suppose that his own life has any more meaning than the life of the humblest insect that crawls from one annihilation to another." Educated people could no longer ignore the fact that "Nature, in her blind thirst for life, has filled every possible cranny of the rotting earth with some sort of fantastic creature, and among them man is but one – perhaps the most miserable of all, because he is the only one in whom the instinct of life falters long enough to enable it to ask the question 'Why?'"¹⁸²¹

Worse, as science yielded more and more inexorable conclusions like tumblers in a lock, "man seems caught in a dilemma which his intellect has devised," and contemporary civilization was now trapped next to the "black abyss." "Time was when the scientist, the poet, and the philosopher walked hand in hand... But the world of modern science is one in which the intellect alone can rejoice. The mind leaps, and leaps perhaps with a sort of elation, through the immensities of space, but the spirit, frightened and cold, longs to have once more above its head the inverted bowl beyond which may lie whatever paradise its desires may create." But civilization was no longer a happy, ignorant child. The universe had been demystified, and shown to be callous and indifferent to man's fate, and there could be no unlearning what had been learned. "[H]aunted by ghosts from a dead world and not yet at home in [his] own," Man "has arrived at a point where he can no longer delude himself as to the extent of his predicament."¹⁸²²

¹⁸²¹ Ibid.

¹⁸²² Ibid, 366-371.

This, Krutch argued, was the Modern Temper, and “only in the bleak, tortuous complexities of a T.S. Eliot” did poetry manage to give it expression. As a result “[t]here impends for the human spirit either extinction or a readjustment more stupendous than any made before.” And, all too likely, that readjustment could only come through the decline and fall of contemporary civilization and a new Dark Ages, through which a more primitive culture – the Communists, perhaps – could restore the veil of ignorance. “The world may be rejuvenated one way or another,” Krutch concluded, “but we will not. Skepticism has entered too deeply into our souls ever to be replaced by faith.” In the final analysis, “ours is a lost cause, and there is no place for us in the natural universe.” Still, we “should rather die as men than live as animals.”¹⁸²³

As Mencken summed up Krutch’s thesis in *The Modern Temper*, “he is really quite ready for the coroner.” But as with *A Preface to Morals*, a generation responded to the dark portent in Krutch’s musings. “This book deals candidly, and without offering a solution, with the despair which has beset intelligent people in recent years,” wrote Bertrand Russell in his review of the book for *The Nation*. Robert Morss Lovett called *The Modern Temper* “a masterpiece of clear thinking and interesting presentation.” Writing in *The Forum*, Granville Hicks deemed the book a concise distillation of the despair floating around the culture of the time. “The views he expresses are those tacitly assumed by the majority of contemporary writers, and the temper he describes is, it seems to me, responsible not only for the impotence of many men of talent but

¹⁸²³Ibid. Schlesinger, *Crisis of the Old Order*, 151-152. H.L. Mencken, “What Is It All About?” *The American Mercury*, June, 1929, 251-252.

also for the way in which true genius is being perverted into strange and sometimes disgusting channels.”¹⁸²⁴

Hicks didn't necessarily agree with Krutch's pessimistic outlook, however, and concluded that “what we regard as the modern attitude of inconsolable despair is merely the injured expression usually attendant upon disillusionment.” Russell, who found his own solace through the steady advance of knowledge but thought that despair was driving the culture “toward something rather hard and rather inhuman,” agreed that “the disenchantment with which the book deals is... a passing malady, most noticeable among those who have had an old-fashioned literary education, whose values therefore come out of the past; to them, the new world seems very bleak, but I doubt whether it will seem so to those accustomed to it both by their education and by their professional activities.”¹⁸²⁵

And Mencken, who for a decade had gleefully played the role of the skeleton at the progressive feast, now found himself once again talking another reformer off the ledge. Krutch, he argued, “simply can't shake off the Christian delusion that human life is animated by some transcendental and grandiose purpose, that a mysterious divine plan runs through it, that there are lessons in it for philosophers, which is to say, for theologians.” This, in a word, was, baloney:

The one demonstrable aim of man is to hang on gallantly to his ball of mud, whirling through space. That hanging on, viewed realistically, is a superb adventure, and it has bred and developed, within the brief span of human history, a series of qualities that are sturdy, useful and noble. Will they diminish as man learns better tricks, and hence hangs on more securely, and has a safer and pleasanter ride? Are they diminishing today? I see no indication of it. On the contrary, it seems to

¹⁸²⁴ Mencken, “What Is It All About?,” 251. Bertrand Russell, “Disenchantment,” April 10th, 1929 (Vol. 128, No. 3327), 428. Robert Morss Lovett, “Essays and Criticism,” *The Bookman*, June, 1929, 439. Granville Hicks, “Days of Despair,” *The Forum*, June, 1929, 308.

¹⁸²⁵ Hicks, “Days of Despair,” 308. Russell, “Disenchantment,” 428.

me that there is a steady improvement. The notion to the contrary arises out of a sentimental nostalgia for the old facile certainties, like that of a grown woman for her dolls.

Dr. Krutch somewhere speaks of an increasing "meanness of human life"—as I recall it, in a passage dealing with Shakespeare. That is more bolony. Human life is quite as spacious and charming today as ever it was. Shakespeare himself, compared to Wagner, lived like a pig. Aristotle, compared to Einstein, was an ignoramus. Is it a sign of decay that the Greek tragedies no longer make us tremble? Plainly not. It is a sign that we are better men than the Greeks were. They never invented anything half so ingenious as the printing press or the photographic camera. They never discovered anything as important as the cell. They never produced a political document to compare to the Bill of Rights. Their governments were transitory and corrupt, their wars were bloody and idiotic, their pleasures were barbaric, and their comforts were those of prisoners in a chain-gang.¹⁸²⁶

“I do not argue here,” Mencken concluded, “that the present age has brought in complete human felicity; I do not even argue that it is better than any age of the past, for I believe that the Eighteenth Century, in more than one way, was superior to it. But that it is dull and mean, and that its ideas are vain and invalid— this I deny in a voice of brass.” As for Krutch’s lament that science had exposed too many harsh secrets, Mencken queried “What could be more ridiculous? If it had enabled us to see nothing save the flatulent imbecility of theology it would have served us far better than any light that ever dazzled the past. To be sure, we still have wars and politicians, but is it nothing to have got rid of gods and ghosts?”¹⁸²⁷

The despair of so many of the progressive generation notwithstanding, Mencken wasn’t the only one who saw reasons for optimism – or at least considerably less pessimism – in the current state of things. Many Americans who had been treated as and considered second-class citizens in the old days also saw new promise in the culture of the New Era.

New World and a New Woman

¹⁸²⁶ Mencken, “What Is It All About?,” 251

¹⁸²⁷ Ibid.

“I would like to say a few things about my generation.” So began 23-year-old Yale graduate John F. Carter, Jr. – later a journalist, State Department economist, and NBC radio commentator – in the September 1920 issue of the *Atlantic Monthly*, in answer to a recent article decrying the habits and mores of “these wild young people” in America today. “In the first place, I would like to observe that the older generation had certainly pretty well ruined this world before passing it on to us. They give us this Thing, knocked to pieces, leaky, red-hot, threatening to blow up; and then they are surprised that we don’t accept it with the same attitude of pretty, decorous enthusiasm with which they received it...nicely painted, smoothly running, practically fool-proof.”¹⁸²⁸

Back when the elders were young, Carter declared, life “was bright and pleasant,” and everyone could believe in the pieties of progressivism:

[T]hey had their little tinpot ideals, their sweet little visions, their naive enthusiasms, their nice little set of beliefs...Man was a noble and perfectible creature. Women were angels (whom they smugly sweated in their industries and prostituted in their slums). Right was downing might. The nobility and the divine mission of the race were factors that led our fathers to work wholeheartedly for a millennium, which they caught a glimpse of just around the turn of the century. Why, there were Hague Tribunals! International peace was at last assured.¹⁸²⁹

Everything back then, “masked by ingrained hypocrisy and prudishness, seemed simple, beautiful, inevitable.” But now, Carter proclaimed, “my generation is disillusionized, and, I think, to a certain extent, brutalized, by the cataclysm which *their* complacent folly engendered...We have in our unregenerate youth learned the practicality and the cynicism that is safe only in unregenerate old age. We have been forced to become realists overnight, instead of idealists, as was our birthright.” In short,” Carter argued, anticipating Krutch almost a decade

¹⁸²⁸ John F. Carter, “‘These Wild Young People,’ By One of Them,” *The Atlantic Monthly*, September, 1920, 301-304. Reprinted in Baritz, 268-275.

¹⁸²⁹ Ibid.

later, “we have seen the inherent beastliness of the human race revealed in an infernal apocalypse.”¹⁸³⁰

So, “forced to live in an atmosphere of ‘tomorrow we die,’” Carter asked, didn’t it make sense that his generation had decided to drink and be merry? Every other generation in human history, he pointed out, has thought the one after them had gone to Hell. The only real difference this time was “our devastating and brutal frankness... We are frank with each other, frank, or pretty nearly so, with our elders, frank in the way we feel toward life and this badly damaged world. It may be disquieting and misleading habit, but is it a bad one?” Whether it was or not was beside the point – it was now a fact of life. Oh, Carter noted, speaking of the older generation, “[t]hey’ll *make* us good. Prohibition is put through to stop our drinking, and hasn’t stopped it. Bryan has plans to curtail our philanderings, and he won’t do any good... The oldsters stand dramatically with fingers and toes and noses pressed against the bursting dykes. Let them!...[W]e shall not trouble ourselves very much about them any more.”¹⁸³¹

Precocious Ivy League-educated twentysomethings have a tendency of purporting to speak for their generation. But in this case, Carter was probably on to something. As historian Paula Fass noted in her study on the subject, “[i]n the 1920s youth appeared suddenly, dramatically, even menacingly on the social scene... Youth suddenly became a social problem.” One writer in 1924 declared that “‘Something ails’ the youth of today. This opinion was in evidence for several years before the Great War, and since the War it has become an alarmed conviction.” As Devere Allen, the editor of *Young Democracy*, told *The Survey* on New Year’s Day 1921, his generation “had seen something of the works of the fathers during the last few

¹⁸³⁰ Ibid.

¹⁸³¹ Ibid.

years and it has not found them altogether edifying.” Young people were now “examining social institutions to the very bottom as the preliminary to a thorough housecleaning.” As a result, “social progress” moving forward “will depend largely on the opportunities young people find.” In short, Allen argued, “we have abundant evidence of a world-wide revolt of youth.”¹⁸³²

To be fair, this revolt had not begun with the collapse at Versailles, or even with American entry into the World War. In 1913, according to *Current Opinion*, it was already “Sex O’Clock in America.” The following year, a writer in *The Atlantic Monthly* bemoaned the “Repeal of Reticence” happening nationwide. In June 1917, only two months after American entry into the war, then-journalist Ray Stannard Baker (age 47) was disgusted by what he had seen on a trip to Minneapolis – “a whole common people rolling carelessly and extravagantly up and down these streets in automobiles, crowding insipid ‘movie’ shows by the tens of thousands – there are seventy-six such houses in this one city – or else drinking unutterable hogsheads of sickly sweet drinks or eating decorated ice cream at candy shops and drugstores! All overdressed! All overeating! All overspending!” Baker hoped entry into the War might set things right. “We need trouble and stress!” he wrote. “I thought once it could be done by some voluntary revolt from comfort and propriety...But it was not enough. The whirlwind had to come.”¹⁸³³

By New Era standards, the Minneapolis street scene Baker had complained about was almost comically innocent. But even before the 1920s began, working-class women in the cities had already adopted what would become known as the “flapper” look and lifestyle – short skirts,

¹⁸³² Paula Fass, *The Damned and the Beautiful: American Youth in the 1920s* (New York: Oxford University Press, 1977), 6, 13. Devere Allen, “What Else Must Be Done to Make This a Livable World?” *The Survey*, January 1st, 1921, 498.

¹⁸³³ McGerr, 261. Zeitz, 23. McGerr, 282.

bobbed-hair, make-up, and unescorted evenings involving alcohol, cigarettes, dancing, and sundry other licentiousness.

In early 1920, young author F. Scott Fitzgerald would make the cultural phenomenon official with the publication of his coming-of-age tale *This Side of Paradise* – which had its female characters wearing sleeveless “petting shirts” and mouthing “Girls Gone Wild” bromides like “I’ve kissed dozens of men, I suppose I’ll kiss a dozen more,” and “I’m just full of the devil.” “None of the Victorian mothers,” Fitzgerald declared in a line cited by Frederick Lewis Allen eleven years later, “had any idea how casually their daughters were accustomed to be kissed.” Along with sparking a good bit of consternation, *The Side of Paradise* sold 40,000 copies – not nearly as well as *Main Street* but enough to make an impression – and quickly earned Fitzgerald such monikers as “Flapperdom’s Fiction Ace,” America’s “Expert on Flappers,” the “Flapper King,” and “the recognized spokesman of the younger generation – the dancing, flirting, frivolling, lightly philosophizing young America.”¹⁸³⁴

“I sometimes wonder whether the flapper made me or I made her,” Fitzgerald once said afterwards. The answer was the former – The word “flapper” first came into existence in 1915. But in chronicling their meteoric ascent in youth culture, Fitzgerald gave an intellectual imprimatur to what had been an organic working-class movement and awoke elite opinion to the rumblings from below. “Smoking, dancing like Voodoo devotees, dressing décolleté, ‘petting,’ and ‘drinking’, wrote one college student in 1922, “[w]e do these things because *we honestly enjoy the attendant physical sensations.*” “[A]rmed with sexual knowledge,” she told the *Ohio*

¹⁸³⁴ Zeitz, 23, 39,

State Lantern, she “kisses the boys, she smokes with them, drinks with them, and why? Because the feeling of comradeship is running rampant.”¹⁸³⁵

Ohio State was not alone. One study of female college students found that 92 percent admitted to “petting” or “spooning.” Sociologists Robert and Helen Merrill Lynd reported from Muncie, Indiana that a third of teenage girls – liberated from the front porch by that chariot of Satan, the automobile – admitted to attending “petting parties.” Writing in *The Survey* in 1925, Eleanor Roland Wembridge reported in “Petting and the Campus” that senior and junior women “did not advise young classmen not to pet – they merely advised them to be moderate about it, not lose their heads, not go too far.” That suggestion didn’t always take. The Kinsey report, published three decades later, found that the number of women born after 1900 who admitted to premarital sex before the age of twenty-five jumped to over one in three – 36% -- as opposed to 14% of women born before 1900. Women’s sexual enjoyment showed a corresponding leap.¹⁸³⁶

“Is ‘the old-fashioned girl,’ with all that she stands for in sweetness, modesty, and innocence, in danger of becoming extinct?” queried the *Literary Digest* in a May 1921 roundtable. “Or was she really no better nor worse than the ‘up-to-date’ girl – who, in turn, will become ‘the old-fashioned girl’ to a later generation? Is it even possible, as a small but impressive minority would have us believe, that the girl of to-day has certain new virtues of ‘frankness, sincerity, seriousness of purpose,’ lives on a ‘higher level of morality,’ and is on the whole ‘more clean-minded and clean-lived’ than her predecessors?”¹⁸³⁷

¹⁸³⁵ Zeitz, 38, 46-47. Barry, 136. *Rising Tide*, Cott, 150.

¹⁸³⁶ Zeitz, 46-47. Dumenil, 136. Eleanor Rowland Wembridge, “Petting and the Campus,” *The Survey*, July 1st, 1925, in Mowry, ed., 175-178.

¹⁸³⁷ “Is the Younger Generation in Peril?,” *The Literary Digest*, May 14th, 1921 (Vol. 69, No. 7), 9-12. Reprinted in Baritz, 251-252.

To be sure, quite a few observers of the period were in the aghast column. The *Educational Journal* told of students in Indiana being “jazzed to death,” while another correspondent in a subsequent roundtable on the same issue warned that “Society is not only undergoing a revolution, it is experiencing a devil-ution. Not only is it undergoing, but it is going under... Women paint and powder and drink and smoke, and become an easy prey to a certain class of well-groomed and well-fed high livers whose chief business is to pluck the blush of innocence from off the cheek of maidenhood and put a blister there.”¹⁸³⁸

A number of progressives of a certain age were also within this camp. “Excessive indulgence in sex-waste has imperiled the life of the race,” argued Charlotte Perkins Gilman, who lamented that “Man is the only animal using this function out of season.” In 1922, a writer in *The Survey* urged settlement houses to begin hiring younger women to “go among the poor girls and give them a good time of it – young workers who dance and play games and who will bring them in touch with the sort of young men who don’t accost them in the subways.”¹⁸³⁹

Senator Hiram Johnson was also disturbed – and mystified – by the new libertinism. “Now, you can call me by all the names you want, and designate me old fogey,” he wrote his son Hiram, Jr. after attending a boxing match where women were present, “but really, I prefer the womanhood of old to the non-child-bearing, smoking, drinking and neurotic creature sitting at the ring side in admiration of the nakedness of two horrible human beasts.” While Senator Johnson thought the view of the anti-suffragists “that we have unsexed them with suffrage, equal rights, etc.” was nonsense, “there has been some subtle change in womanhood, a change which I

¹⁸³⁸ Brown, 133, 167, 181.

¹⁸³⁹ Leuchtenburg, *Perils of Prosperity*, 161-162. “The Decrepit Social Worker,” *The Survey*, January 14th, 1922, 585

cannot accurately define, but which I know exists.” William Allen White, also a concerned party, thought the problem might just be boredom. “The next time I hear of a man or woman going wrong,” he told the editor of the *Topeka Capital*, “I am going to look and see if that man or woman isn’t bored to a nice, crisp brown and see if he wasn’t seeking excitement rather than anything else.”¹⁸⁴⁰

Jane Addams, meanwhile, once again saw the effect of the World War at work in the new morality. “It was impossible...that experiences of war should not have made changes,” she noted in 1930, arguing that “under the post-war conditions young people demanded personal happiness as theirs by right, decried sentimentalism and exalted sex.; they were opposed to all hampering social conventions and even to established reticences.” Lamentably, “in their revolt against Victorian prudery, against innuendoes and distrust of natural impulses,” Addams thought “the younger generation had “made a cult of frankness.” “Freudian theories as to dangers of repression,” she wrote, “were seized upon by agencies of publicity, by half-baked lecturers and by writers on the new psychology and finally interpreted by reckless youth as a warning against self-control.”¹⁸⁴¹

What disturbed Addams most about the young men and women she met was not their lack of morals but their desire to fit in – “the spirit of conformity” had become “a sort of protective coloring” – as well as their utter disinterest in the old, progressive notion of freedom as enlightened citizens engaging in self-government. After WILPF’s trip to Haiti, Addams recalled, the committee “had come back to urge public opinion in favor of self-government of

¹⁸⁴⁰ Hiram Johnson to Hiram Johnson, Jr., July 2nd, 1921. Johnson, 105. Ashby, 22. White to Marco Morrow, February 7, 1921. White, *Selected Letters*, 214.

¹⁸⁴¹ Addams, *Second Twenty Years*, 192-194.

Haiti,” and tried to enlist a magazine who had expressed interest in the plight of the island nation to take up the cause. “Political liberty, however, seemed of no consequence to this journal, so committed to the liberty of individual, and as we talked to them about it we seemed to be speaking two different languages. Apparently, to this set of people...freedom meant unlimited opportunities for self-development...The desired freedom and development was always associated in some way with the breaking down of sex taboos and with the establishment of new standards of marriage.”¹⁸⁴²

Disappointed as she was by these conversations, Addams conceded that “[o]ur self-righteousness was pretty well disabled when we were reminded by the Youth Movement that of all the generations of men who have lived upon the face of the earth, our generation has the least claim to advise the next. The responsible adults living in the world in 1914 had been unable to avert the great war which resulted in the annihilation of ten million young men.”¹⁸⁴³

For all the tsk-tsking and disappointment felt by older progressives, others saw in the loosening of conventional morality and the ascendance of this New Woman something much more healthy and fundamental happening in the culture – the rise of a real equality between the sexes. In 1925, Bruce Bliven – by then the editor of *The New Republic* – wrote an imaginary interview with “Flapper Jane,” a 19-year-old whose minister thought her “a perfectly horrible example of wild youth – paint, cigarettes, cocktails, petting parties” and whatnot. When Bliven asked his construct why she behaved this way, Jane answered:

In a way, it’s just all honesty. Women have come down off the pedestal lately. They are tired of this mysterious feminine charm stuff. Maybe it all goes with independence, earning your own

¹⁸⁴² Addams, *Second Twenty Years*, 195-196.

¹⁸⁴³ Addams, *Second Twenty Years*, 202-203.

living and voting and all that. There was always a bit of the harem in that cover-up-your-arms-and-legs business, don't you think? Women still want to be lived, but they want it on a 50-50 basis, which includes being admired for the qualities they really possess.¹⁸⁴⁴

In short, Bliven suggested, “a good deal more smoke than fire” surrounded the controversy over the new sexuality. “Women have highly resolved that they are just as good as men, and intend to be treated so.” The Ohio State co-ed who had confessed her petting in 1922 concurred. “The girl does not stand aloof,” she explained of the new social mores. “She and the man meet on common ground.” Similarly, writing in “These Modern Women,” a collection of essays published in *The Nation* in 1926 and 1927 under the auspices of editor Freda Kirchwey, psychoanalyst Beatrice Hinkle saw an obvious double standard at work in all the consternation about flappers and women’s liberated sexuality. “A general weakening of traditional standards of ethics and morals has long been observed in other activities – in business affairs and in the world of men’s relations with each other,” she noted. “These aspects of morality belong to the masculine world in particular and produce little agitation, while the upheaval in sex morals particularly affects the feminine world” and was thus receiving all the attention. “We see women assuming the right to act as their impulses dictate with much the same freedom that men have enjoyed for so long...The old morality has failed and is disintegrating fast.”¹⁸⁴⁵

This, Hinkle argued, was both a welcome development and a reflection of another, more fundamental change in American life. “[T]his overthrow of old customs and sex ideals,” Hinkle argued, “must be chiefly attributed to the economic independence of women brought about through the industrialism of our age...As long as women were dependent upon men for the support of themselves and their children there could be no development of a real morality, for the

¹⁸⁴⁴ Zeitz, 7. Bruce Bliven, “The Great Disrobing of Flapper Jane,” *The New Republic*, September 9th, 1925 (Vol. 44, No. 562), 65-67.

¹⁸⁴⁵ *Ibid.* Cott, 150, 155. Beatrice Hinkle, “Women and the New Morality,” in Baritz, 280-288.

love and feelings of the woman were so intermingled with her economic necessities that the higher love impulse was largely undifferentiated from the impulse of self-preservation.”¹⁸⁴⁶

In other words, young women’s libertine attitude toward sex was not just a reflection of a young generation’s amoral world-weariness. Rather, it was one of the most controversial facets of a more encompassing and important transformation. Having at last secured the vote after over a century of struggle, women now reached towards more equality in other facets of American life. To make that happen, some facets of the neo-Victorian culture of pre-war progressivism had to change.

In the 1920’s, women were more likely to have received a college education and to hold down a wage-earning job than ever before. (In fact, the percentage of women in the workforce decreased once more in the 1930s as a result of the Depression.) While only eight percent of 18-22 year-olds attended college in 1920 (up from four percent in 1910), women among this number rose from forty percent in 1910 to close to half in 1920. Women also rose from six percent of PhDs in 1900 to eighteen percent of the total in 1930. The number of women working in “professional service,” where they comprised forty percent of the total workforce, rose from 8.2 percent to 14.2 percent in 1930, much of it attributable to the women-dominated professional fields of teaching, nursing, and social work. Factoring in the third of all working women who worked as domestic help and the nineteen percent who held clerical and sales jobs, the total percentage of working women rose from 20.6% of all women in 1900 to 25.3% in 1930. In total

¹⁸⁴⁶ Baritz, 282

the number of women working outside the home rose by 27% over the decade, from 8.3 million in 1920 to 10.6 million in 1930. By 1927, women comprised one in five wage-earners.¹⁸⁴⁷

One of the most pronounced transformations in this regard was the number of married women working outside the home, which rose from fifteen percent of the female labor force in 1900 to 29 percent in 1930 – six times faster than the comparable rate for single women over the same period. While this still only amounted to ten percent of married women, the rise of the two-income household accompanied other changes happening in the home. The 1920's saw the ideal of “companionate marriage” become embraced by the culture at large, meaning that, instead of two persons who had simply come to a mutually satisfactory and beneficial social arrangement, husbands and wives were now meant to be true friends and lovers. They should take pleasure in each other's company rather than just tolerating each other out of conjugal duty.¹⁸⁴⁸

“[M]arriage has now become the entrance into a fuller and richer life,” argued social scientist Phyllis Blanchard, “an opportunity for sharing joys and sorrows with a mate who will not merely be a protector or a provider but an all-around companion.” Now that women “are demanding positive values of marriage” and “setting higher ideals than ever before and will probably not be content unless they realize them,” she suggested, “[t]he modern union of man and women is visioned as a perfect consummation of both personalities that will involve every phase of mutual living.” “The nuptial relation must be kept romantic,” recommended birth

¹⁸⁴⁷ Cott, 40, 217-219. Dumenil, 112. Miller, *New World Coming*, 255. Brown,

¹⁸⁴⁸ Cott, 148, 156-158, 183

control advocate Margaret Sanger similarly. “Do not be afraid to take the brakes off your heart, to surrender yourself to love. Unclamp this emotion; let it have full, healthy exercise.”¹⁸⁴⁹

Writing in *The Nation* in 1924, Joseph Wood Krutch, not yet afflicted with the existential terrors of *The Modern Temper*, argued that this new ideal of marriage made life more interesting, but also created new expectations that must be satisfied. “As long as marriage is a matter of contract,” Krutch argued, “the importance of the inward harmony of personalities is of the slightest, for children may be begotten and reared whether the parents love or hate. As long as passion is generally conceded to be a shameful concession to unregenerate humanity, the average man is not likely to be concerned if he finds that the ideal of the poets is not realized in his own nuptial couch.” But now, Krutch concluded, the stakes were higher, for “when love is free and unashamed then it is made ten times more difficult, for lives are recognized as frank failures which once would have seemed useful and satisfactory.” Thus fiction was more important than ever – As “the record of individual souls in search of a successful way of life,” it now constituted “the best and perhaps only really important material for the study of that art of life which grows ever more complicated as we demand that it be more complete and beautiful.”¹⁸⁵⁰

“The distinguished feature of the modern family,” Ernest Groves and William Ogburn argued similarly in their 1928 book *American Marriage and Family Relationships*, “will be affection. The new family will be more difficult, maintaining higher standards that test character

¹⁸⁴⁹ Cott, 148, 156-158, 183. Brown, 103. As Nancy Cott notes in *The Grounding of Modern Feminism*, like so many other reforms of the period, these new ideals of marriage and family were in some ways double-edged swords for women. Once marriage was reconceived as the be-all, end-all of companionship, women who chose not to partake of the institution were now considered suspect. “Once female sexual drives were acknowledged,” she writes, “the woman who did not marry was looked at in a new light...The woman who stepped out of line in the nineteenth century had often been sexually slurred as promiscuous, but in the twentieth century she would increasingly be condemned as a lesbian.” Ibid.

¹⁸⁵⁰ Joseph Wood Krutch, “New Morals for Old: Modern Love and Modern Fiction,” *The Nation*, June 25th, 1924 (Vol. 118, No. 3077), 435-436.

more severely, but it will offer richer fruit for the satisfying of human needs.” This new vision of family life extended not only to the relations between husband and wife but also to parent and child – instead of a household run by and catered to the whims of a domineering patriarch, now, social scientists, argued, the child should be the focus of the home. “It is the child’s right,” wrote J.F. Hayden in 1926’s *The Art of Marriage*, “to be wanted, and to have a chance to grow up under conditions assuring the proper mental, spiritual, and physical health.”¹⁸⁵¹

For every child to be wanted, however, usually required some sort of planning on the part of families. Accompanying both the rise of this new ideal of family and the decreased cultural inhibitions on matters of sex was a growing debate over access to birth control. A 1922 study taken by the Bureau of Social Hygiene Committee found that three-fourths of the one thousand married women surveyed approved of “voluntary parenthood,” as it was called then, and almost all the middle-class respondents had taken advantage of contraception of some kind or another. Robert and Helen Merrill Lynd, in their study of Muncie, Indiana, found a class divide on the question: Middle-class couples took birth control “for granted” and working-class families, due to either ignorance or religious belief, did not.¹⁸⁵²

Birth control, thought Charlotte Perkins Gilman, was “a free ticket for selfish and fruitless indulgence, and an aid in the lamentable behavior of our times, affecting both men and women.” But for renowned contraception advocate Margaret Sanger, access to birth control had very little to do with enjoyment of sex at all. Rather, in her 1920 book *Woman and the New Race* and the 1922 follow-up *The Pivot of Civilization*, Sanger argued instead that birth control was

¹⁸⁵¹ Fass, 53.

¹⁸⁵² Brown, 117.

integral to feminism and the true emancipation of women, if not the freedom of the entire world.¹⁸⁵³

“The most far-reaching social development of modern times is the revolt against sex servitude,” Sanger wrote in the first of these. “The most important force in the remaking of the world is a free motherhood.” An active Socialist (and one of eleven children) who had opened the first birth control clinic in America in 1916 and founded both the *Birth Control Review* and the American Birth Control League in 1921, Sanger declared that woman had “chained herself to her place in society and the family through the maternal functions of her nature” and become a “brood animal for the masculine civilizations of the world.” “Unenlightened, submissive maternity” had thus “perpetuated the tyrannies of the Earth,” by creating the overpopulation – “Battalions of unwanted babies” – which had spawned “war, famine, poverty, and oppression of the workers.” As such, “the most immoral practice of the day is breeding too many children.”¹⁸⁵⁴

But now, however, “woman is rising in fundamental revolt...Millions of women are asserting their right to voluntary motherhood. They are determined to decide for themselves whether they shall become mothers, under what conditions and when.” This, Sanger argued, was “for woman the key to the temple of liberty,” with which she could “pay the debt” caused by overpopulation and “consciously and intelligently *undo* that disaster and create a new and a better order.” In other words, almost all of the ills of the world, from poverty to militarism to the subjugation of workers and women, would continue until contraception was widely available. “We must, therefore, not permit an increase in population that we are not prepared to care for to

¹⁸⁵³ Dumenil, 138. Brown, 113-114.

¹⁸⁵⁴ “The Week,” *The New Republic*, November 9, 1921 (Vol. 28, No. 362), 308. Margaret Sanger, *Woman and the New Race* (New York: Brentanos, 1920), 3-6, 24-25, 30, 78.

the best advantage—that we are not prepared to do justice to, educationally and economically. We must popularize birth control thinking. We must not leave it haphazardly to be the privilege of the already privileged. We must put this means of freedom and growth into the hands of the masses.”¹⁸⁵⁵

As long been charged against Sanger ever since, there is a touch of the eugenicist in her prescription. In her discussion of immigrants in the United States, Sanger is mostly quite complimentary of new arrivals – men and women who “bring in their hearts a desire for freedom from all the tyrannies that afflict the earth....They have the simple faith that in America they will find equality, liberty, and an opportunity for a decent livelihood. And they have something else. The cell plasms of these people are freighted with the potentialities of the best in Old World civilization. They come from lands rich in the traditions of courage, of art, music, letters, science and philosophy.” Americans, meanwhile, had hailed these new arrivals as “a lot of ignorant foreigners,’ we have shouted at, hustled and kicked them. Our industries have taken advantage of their ignorance of the country’s way to take their toil in mills and mines and factories at starvation wages... We have huddled them together like rabbits to multiply their numbers and their misery. Instead of saying that we Americanize them, we should confess that we animalize them.”¹⁸⁵⁶

Nonetheless, Sanger also spends a good bit of time delineating the ethnic composition of these new immigrants, and arguing that voluntary motherhood was the vehicle by which to enhance and ensure racial purity. “Motherhood, when free to choose the father, free to choose the

¹⁸⁵⁵ Ibid. Among these ills, Sanger notes, is abortion. ““If the laws against imparting knowledge of scientific birth control were repealed, nearly all of the 1,000,000 or 2,000,000 women who undergo abortions in the United States each year would escape the agony of the surgeon’s instruments and the long trail of disease, suffering and death which so often follows.” Ibid, 67.

¹⁸⁵⁶ Ibid, 19-20.

time and the number of children who shall result from the union, automatically works in wondrous ways. It refuses to bring forth weaklings; refuses to bring forth slaves...It withholds the unfit, brings forth the fit...Instinctively it avoids all those things which multiply racial handicaps.” Allow mothers to choose when to have a child, Sanger asserted, as “it will save the precious metals of racial culture, fused into an amalgam of physical perfection, mental strength and spiritual progress. Such an American race, containing the best of all racial elements, could give to the world a vision and a leadership beyond our present imagination.”¹⁸⁵⁷

Sanger would hit the eugenics note more stridently as the decade progressed. As historian Dorothy Brown points out, by 1922, in *The Pivot of Civilization*, Sanger was decrying “the lack of balance between the birthrate of the unfit and the fit” and by 1925 was writing that “those parents who are least fit to reproduce the race are having the largest number of children, while people of wealth, leisure, and education are having small families.” Not for nothing was Dr. Lothrop Stoddard, author of *The Rising Tide of Color*, on the Board of the American Birth Control League.¹⁸⁵⁸

It was on this eugenics argument for birth control that Catholic Church officials, such as Archbishop Patrick Joseph Hayes of New York, made their stance against the movement. “The Christ-Child did not stay His own entrance into this mortal life because His mother was poor, roofless, and without provision for the morrow,” Hayes told the faithful in December 1921. “Even though some little angels in the flesh, through the moral, mental, or physical deformity of parents, may appear to human eyes hideous, misshapen, a blot on civilized society, we must not lose sight...that under and within such visible malformation there lives an immortal soul to be

¹⁸⁵⁷ Ibid, 24.

¹⁸⁵⁸ Brown, 113-116.

saved and glorified for all eternity among the blessed in Heaven.” In short, contraception was an interference with the laws of nature and the will of God. “To take life after its inception is a horrible crime,” he averred, “but to prevent human life that the Creator is about to bring into being is satanic.”¹⁸⁵⁹

That Christmas of 1921, the issue of birth control had a reason to be foremost on the Archbishop’s mind. Urged on by Hayes, who thought Sanger and her fellow birth control advocates were advocating “the degradation of the moral life of the entire social body,” New York police had broken up what was meant to be America’s first conference on birth control at the Town Hall Theater in New York in November 1921, and arrested Sanger and another speaker. This attempt to silence Sanger backfired massively. “I consider my arrest in violation of every principle of liberty that America stands for,” an unbowed Sanger told the press, “and I shall take this case to the highest courts, if necessary, to preclude the possibility of it ever happening again.”¹⁸⁶⁰

The following day, a Judge dismissed the case against Sanger on the grounds that no crime was committed. Nonetheless, as the ACLU and other civil liberties advocates flocked to Sanger’s standard, the Town Hall incident sparked a considerable publicity wave for the cause. “The attempted denial of the open forum to birth control shows the fundamental weakness” of the Church’s position, editorialized TNR. “There would be no divorce laws in the United States, if the same opposition could have its way.” To help ease the sudden controversy, Hayes agreed

¹⁸⁵⁹ “Archbishop Hayes on Birth Control,” *The New York Times*, December 8th, 1921. “The Sin of Birth Control,” *The New Republic*, December 28th, 1921 (Vol. 29, No. 369), 116.

¹⁸⁶⁰ “The Town Hall Raid” *The Margaret Sangers Paper Project*, Spring 2001 (No. 27).
http://www.nyu.edu/projects/sanger/secure/newsletter/articles/town_hall_raid.html

to send a representative to debate Sanger on the issue the week after the Town Hall raid, further drumming up publicity.¹⁸⁶¹

Sanger also took the opportunity of Hayes' Christmas letter to respond once more. The Archbishop "knows no more about the fact of the immorality of the soul than the rest of us human beings," she wrote, and "we who are trying to better humanity fundamentally believe that a healthy, happy human race is more in keeping with the laws of God than disease, misery and poverty perpetuating themselves generation after generation." In her autobiography, Sanger noted the "columns and columns" of free ink birth control had gained as a result of "the blundering of the opposition." Now, instead of her having to wrestle the ghost of Anthony Comstock and other moral reformers aghast at the idea of free love, "[i]t was now a battle of a republic against the machinations of the hierarchy of the Roman Catholic Church."¹⁸⁶²

While Sanger's pivot against the Catholic Church in 1921 served to amplify the movement (and brought it in accord with a number of other cultural happenings in the decade, few of them progressive), a later alliance worked less well. In 1925, she made common cause with the decidedly un-Socialist American Medical Association, securing their public endorsement of contraception in exchange for an ABCL proclamation that "instruction in Birth Control should be given by the medical profession... We do not favor the indiscriminate diffusion of unreliable and unsafe Birth Control advice." She also offered, in the words of *The Survey*, "to place the direction of the medical activities of the American Birth Control League in the hands of a representative medical group." In return, the medical community – whose eminent

¹⁸⁶¹ "Birth Control and War," *The Survey*, November 19th, 1921, 267. "Birth Control and Taboo," *The New Republic*, November 30th, 1921 (Vol. 29, No. 365), 90. "The Town Hall Raid," *The Margaret Sanger Papers Project*.

¹⁸⁶² "Mrs. Sanger Replies to Archbishop Hayes," *The New York Times*, December 20th, 1921. "The Town Hall Raid," *The Margaret Sanger Papers Project*.

scholars attended the 1925 birth control conference in droves – lauded “the splendid work of Ms. Margaret Sanger, the pioneer and leader of the birth control movement in America. Under difficulties and vicissitudes which would have completely disheartened a less courageous soul, she has kept up the fight and won a succession of victories which even a few years would have seemed impossible.” Even as the praise flowed both ways, this April 1925 conference had the mood of a handoff. As *The Survey* reported, “Now it is up to the doctors.” But while the medical establishment effectively pushed Sanger out of the forefront of her own cause, the AMA did very little to move the issue forward from then on.¹⁸⁶³

Unlike Sanger’s ABCL, Mary Ware Dennett’s Voluntary Parenthood League – a sister organization with which Sanger held an uneasy relationship – preferred an inside game. Until their dissolution in 1927, the League lobbied legislatures for the repeal of state and federal indecency laws that prevented open and frank discussion of birth control and abortion, usually by emphasizing women’s rights and the type of maternalist arguments that had worked so well to pass the Sheppard-Towner Act. Their letterhead argued that obscenity laws “besmirch...the question of intelligent parenthood by including it with penalized indecencies,” and that they should be repealed “so that the birth of children may occur with due regard to health...income, choice, environment, and the well-being of the community.”¹⁸⁶⁴

While the Voluntary Parenthood League aspired to less confrontational tactics than Sanger’s ABCL, they had an equally hard time moving Congress on the issue of birth control. One week after the inauguration of Warren Harding, Dennett wrote William Borah asking him to take up the subject of repealing obscenity laws. Soon thereafter, the Senator’s office was deluged

¹⁸⁶³ Brown, 113-116. “Up to the Doctors,” *The Survey*, April 15th, 1925, 73.

¹⁸⁶⁴ Brown, 81, 116-117. Mary Ware Dennett to Borah, March 11, 1921. WJB, Box 104: Voluntary Parenthood.

with postcards and letters on the subject. “The application of scientific knowledge in this field,” argued one, “is more important and far-reaching, I believe, than any other single issue now up for consideration.” “In view of the opinion of many deep students of sociology that the high birth rate among the poor classes must be checked” suggested another, “it seems deplorable that there are laws which brand as a felony the giving of information by means of which such restriction might be brought about.” One “Woman Physician” from Minnesota told Borah how she had “seen the need of intelligent Birth Control in a great many pathetic instances. Sponsoring this Bill would be a very real contribution to the progress of civilization, and towards the solution of some of our most heart rending national problems.”¹⁸⁶⁵

Several others appealed to Borah’s new status as America’s champion of disarmament and argued that repealing the obscenity laws would be “one more proof of the progressive open-mindedness that has characterized your activities in the Senate.” “[Y]our proposal for a naval holiday make[s] it easy to believe that in you the women of the country have found a leader on whom they count to take this step in freeing them from an outworn code,” one writer suggested. “I hope that in you we have found that friend who will not be under the dominion of this tabu.” “This is bill is so in line with modern thought,” concluded another from Pittsburgh, “that you need for no reason hesitate to stand back of it. On the contrary you would be regarded with the highest esteem by those who have admired your courage for your stand on disarmament, economy of the inaugural, and other matters of importance.” The Idaho Senator was unmoved by these appeals – In fact, he didn’t even reply to Dennett personally. “Senator Borah directs me to

¹⁸⁶⁵ Hilda H. Noyes to Borah, March 11, 1921. WJB, Box 104: Voluntary Parenthood. John A. Perou to Borah, March 23, 1921. WJB, Box 104: Voluntary Parenthood. Undated postcard. WJB, Box 104: Voluntary Parenthood.

say that he is so crowded with other matters of importance that it is impossible for him to agree at this time to take any more work,” read the form response.¹⁸⁶⁶

This was not Dennett’s first rejection. In fact, she had been looking for a sponsor for the legislation since 1919, to no avail. Joseph France of Maryland, one of the only physicians in the Senate, seemed interested but also didn’t think he had the time. George Norris was a supporter of the bill, but thought the unpopularity of his other progressive stances on the Judiciary Committee made him a poor champion for the issue. France and Norris had sent Dennett ping-ponging back and forth to various potential sponsors – Thomas Sterling, William Dillingham, Morris Sheppard, Arthur Capper, William Kenyon – all of whom would deliberate for awhile than tell the League that, while they were in sympathy with the cause, they just did not have the time to take up this legislation. (“I’m mighty sorry,” said Senator Kenyon in a representative response, “but I am just loaded down with bills that are taking every moment of my time.”)¹⁸⁶⁷

Undeterred, Dennett and the VPL instead began to work on Will Hays, then still Harding’s Postmaster General, to enlist him in the cause of liberalizing mail codes. When Hays left Washington for Hollywood, however, Dennett turned her attention back to the Congress. Borah, in typically exasperating fashion, suggested to the League that he might be able to append the legislation to another bill, calling for stricter mail controls on race track betting materials, if it made it out of the Judiciary committee to the floor – but he then helped to kill the race track bill

¹⁸⁶⁶ Beatrix F. Kalish to Borah, March 9, 1921. WJB, Box 104: Voluntary Parenthood. Mrs. Ruth W. Porter to Borah, March 17, 1921. WJB, Box 104: Voluntary Parenthood. Mrs. Carl J. Fechheimer to Borah, Undated. WJB, Box 104: Voluntary Parenthood. Borah Secretary to Mary Ware Dennett, March 11, 1921. WJB, Box 104: Voluntary Parenthood.

¹⁸⁶⁷ Mary Ware Dennett, *Birth Control Laws* (New York: F.H. Hitchcock, 1926), 294-298. Excerpted in Robert H. Bremner, ed. *Children and Youth in America: A Documentary History, Volume II 1866-1932* (London: Oxford University Press, 1971), 159-161.

in committee. Finally, after the 1922 midterms, she at last secured the sponsorship of Albert Cummins of Iowa and lame duck Representative John Kissel of New York, but the Cummins-Kissel bill received no attention before the session ended, in part because a quorum on the Judiciary Committee had suddenly disappeared when Cummins said he was bringing the bill to a vote. (“They just faded away,” he told Dennett after the fact.)¹⁸⁶⁸

With new House sponsor William Vaile of Colorado, the Cummins-Vaile bill was reintroduced in January 1924, and once again, members of the Judiciary Committee received multitudes of letters pro- and con-. “When the universal trend of intelligent people is to get and make use of the contraceptive knowledge which the laws forbid,” the VPL asked in a twelve-day “daily dozen” series of talking points in favor of the bill, “— that is to become law-breakers — is it not high time to change the law?” Cummins-Vaile, they argued, would give “first class medical experts... a lawful and decent opportunity” to offer “dignified, reliable, scientific, hygienic information” instead being of “obliged to resort to the undignified process of bootlegging their scientific teaching.” In short, the VPL asserted, “[t]his country is founded upon faith in the people. Does Congress wish to maintain laws which repudiate that faith?”¹⁸⁶⁹

These appeals to science and sophistication were lost on the opposition. “I hope, my dear Sir, that you are not one of the ‘sophisticated’ Congressman,” Marguerite Stewart, head of the National Christian League for the Promotion of Purity, wrote Borah. Rather than being archaic nostrums, Stewart argued, the laws on the books had held back the “flood of the old world obscenities and immoralities” which had “made of the French nation the moral and physical

¹⁸⁶⁸ Dennett, 294-298. Cathy Moran Hajo, “Voluntary Parenthood League,” *Encyclopedia of Birth Control* (Santa Barbara: ABC-CLIO, 2001), 262.

¹⁸⁶⁹ Mary Ware Dennett to William Borah, February 18th, 1925. WJB Box 177: Cummins-Vaile Bill.

plague-spot of Christendom.” “For many years the French people have practiced birth control by contraceptive methods and have taught it to all comers. Today she is in the death-grip with venereal disease and a rapidly falling birth-rate which threatens national extinction.” “[T]he practices this literature is intended to teach,” another argued, “are in violation of the law of God as expressed in both religion and nature and cannot but be fraught with serious danger to the individual, the home and our country.” “Will you be treating us as your children,” the East St. Louis Woman’s Club asked the Senate, “when you place in our hands knowledge that would make us a nation of moral degenerates?”¹⁸⁷⁰

When hearings were held in April and May of 1924 on the Cummins-Vaile bill – the May date was added to appease irate Catholics – Marguerite Stewart was one of those who testified against the bill. She was joined by someone who carried more weight in progressive circles, Father John Ryan of the National Catholic Welfare Council. In 1916, Ryan had argued that “limitation of these families through these practices is injurious to the race” and “debasement to those who employ them, inasmuch as they lead inevitably to loss of reverence for the marital relation, loss of respect for the conjugal partner, and loss of faith in the sacredness of the nuptial bond.” The use of birth control, Ryan continued, “leads inevitably to an increase of softness, luxury, and materialism and to a decrease of mental and moral discipline, of endurance, and of the power of achievement.”¹⁸⁷¹

¹⁸⁷⁰ Ibid. Margarita A. Stewart to William Borah, February 6th, 1924. WJB, Box 148: Birth Control. Mrs. Edward I. Cudahy to William Borah, February 22nd, 1923. WJB Box 129: Birth Control. Mrs. John M. Sullivan to William Borah, March 25th, 1924. WJB Box: 148: Birth Control

¹⁸⁷¹ John A. Ryan, “Family Limitation and the Church and Birth Control” (New York: Paulist Press, 1916), 6-8. Leslie Woodcock Tentler, *Catholics and Contraception: An American History* (Ithaca: Cornell University Press, 2004), 47.

An old-school progressive argument reminiscent of Colonel Roosevelt, but one wonders if the committee was even listening. As one of Sanger's aides reported back about the debate, the Cummins-Vaile bill had become "the laughing stock of the cloakroom." Eventually, in January 1925, Cummins – now the Chairman of the Judiciary – moved the bill through his committee without a report, whereupon it still languished on the floor, never came to a vote, and thus died at the end of the session in March.¹⁸⁷²

A dismayed Dennett folded up shop, ceding the issue to Sanger's ABCL – either way, the birth control issue was stymied for the time being. "The way out of the ethical difficulty," a writer in *The Survey* argued in 1923, "seems to lie in recognizing that the sex function serves as high a purpose, if associated with genuine affection and exercised in moderation, in making human happiness as in making human beings." While conforming to the companionate ideal and the sensibilities of the younger generation, a number of progressives and politicians were not yet ready to make that leap.¹⁸⁷³

While the question of birth control separated old and new progressives, the animosity it engendered was relatively minute compared to one of the major clashes of the decade involving the emergence of the New Woman – the furor over the Equal Rights Amendment. Looking back at the decade, one WTUL organizer lamented how she and her fellow progressives "had to lay aside the work they were doing to improve conditions for women and spend their time combating the equal rights amendment." No other issue so divided the former suffrage movement against itself in the 1920s.¹⁸⁷⁴

¹⁸⁷² Dennett, 248. Esther Katz, ed., *The Selected Papers of Margaret Sanger, Volume 1: The Woman Rebel 1900-1928* (Chicago: University of Illinois Press, 2002), 438-439.

¹⁸⁷³ Brown, 116. "The Question of Birth Control," *The Survey*, October 15th, 1923, 112.

¹⁸⁷⁴ Chambers, 77-79.

The controversy over the Equal Right Amendment began not just in differing approaches to reform but lingering resentments from the suffrage battle. In 1914, 29-year-old suffragist Alice Paul had led a dissatisfied contingent out of the National American Woman Suffrage Organization (NAWSA) and formed the Congressional Union, soon renamed the National Women's Party (NWP). As the more militant wing of the movement, Paul's NWP adopted protest strategies from the British campaign for suffrage, such as hunger strikes and protests of the Wilson administration during wartime, which unnerved the often older and more staid reformers of NAWSA, who thought NWP methods were ultimately counterproductive.¹⁸⁷⁵

Paul made further enemies through both her single-minded focus and her iron-fisted approach to the NWP. Reporting on the 1921 Party convention, *The Nation's* Freda Kirchwey, in an article entitled "Alice Paul Pulls the Strings," deplored what she saw there – "[T]he leaders acted on the amiable contempt for their followers, the rank and file, either cynically or enthusiastically, watched the wishes of their leaders become the law of the convention:"

The rank and file...do not know what their party will do; they only know that no action was taken in behalf of the Negro women, who have not yet got the vote in spite of the Nineteenth Amendment; that birth control and maternity endowment and most of the questions that stir the minds of modern women were ignored; that disarmament was ruled out; and that the program finally adopted – the majority report of the resolutions committee – declared vaguely against 'legal disabilities' and for 'equality' leaving the future definitions of those terms and their translation into action to the executive board.¹⁸⁷⁶

Eventually, Kirchwey reported, both birth control advocates and a delegation of African-American women got a chance to be heard on the control floor. But "they were simply an interruption, an obstacle to the smooth working of the machine... The attitude of Alice Paul and

¹⁸⁷⁵Dumenil, 99-100. John Hansen, "National Woman's Party," *The Social Welfare History Project* (<http://www.socialwelfarehistory.com/organizations/national-womans-party/>) Cott, 122-123.

¹⁸⁷⁶ Freda Kirchwey, "Alice Paul Pulls the Strings," *The Nation*, March 2nd, 1921 (Vol. 112, No. 2904), 332-333.

her supporters toward these disturbers of the peace – Negro women and birth control advocates alike – was the attitude of all established authorities. ‘Why do these people harass us?’ asked Miss Paul. ‘Why do they want to spoil our convention?’ The answer that never occurred to her was this: ‘For the same reason that made you disturb the peace and harass the authorities in your peculiarly effective and irritating way: because they want to further the cause they believe in.’¹⁸⁷⁷

These tensions – simmering throughout 1921 and 1922 as the NWP publicly worked out its amendment strategy – boiled over in November 1923. Then, in a ceremony at Seneca Falls, New York to commemorate the seventy-fifth anniversary of the signing of the Declaration of Sentiments, the NWP unfurled its new “Lucretia Mott Amendment.” It read: “Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction.” This amendment, argued supporter Crystal Eastman, “would blot out of every law book in the land...sweep out of every dusty court-room...[and] erase from every judge’s mind that centuries-old precedent as to women’s inferiority and dependence and need for protection; [and] substitute for it at one blow the simple new precedent of equality.” There was no path forward, Eastman argued, “so long as women are classed with children and minors in industrial legislation.”¹⁸⁷⁸

Older reformers and trade unions balked at this line of reasoning. In a debate for *The Survey*, New York reformer and Al Smith confidante Frances Perkins – who had been crucial in passing the 1911 Triangle Fire Reforms that augured a wave of protective laws across the nation – argued they had been “initiated because of observed and striking facts: namely, the overwork, exploitation, and unhealthful surroundings of the working women who crowded into factories in

¹⁸⁷⁷ Ibid.

¹⁸⁷⁸ Cott, 125. Brown, 60-62.

the latter part of the nineteenth century.” Everything from the “traditional and usual height of a workbench,” which was “based on the average male stature and is too high for the comfort of the average woman worker,” to the fact that women were often left out of unionization efforts, Perkins noted, argued in support of protective legislation. “[T]o compete fairly with men who have by habit and greater experience most of the advantages in any competitive struggle,” she concluded, protective legislation was a woman’s “only hope of a reasonably satisfactory life in industry...on the basis of the prevention of fatigue by short hours, good wages, and healthful conditions.”¹⁸⁷⁹

Florence Kelley, the head of the National Consumers’ League and a longtime advocate for protective legislation, was particularly livid at the NWP. “There is at this moment an insanity prevalent among women where we would least expect it,” she wrote to Roscoe Pound, Dean of Harvard Law School, about what she would later call the “miserable amendment.” “The insanity expresses itself in eager demands for identical treatment with that according to men.” Such “[b]lanket amendments to the U.S. Constitution,” Kelley declared at another venue, were “monstrosities” and “atrocities” that threatened all the decades of work her National Consumers’ League, the WTUL, and other progressive groups had put in to secure protective legislation for women in the workplace. “The Supreme Court definitions of ‘equal rights’ in the so-called ‘Negro’ amendments,” she wrote Lavinia Dock in 1923, ‘have been consistently injurious, first, to the Negroes, and afterward to White women and children...I am in principle averse to giving the Court any fresh opportunities to interpret ambiguous terms.’” In a list of “Twenty Questions” Kelley circulated to members of Congress in response, she asked Members to consider what effect their amendment would have on both protective legislation and a host of other areas. “Will

¹⁸⁷⁹ France Perkins, “Do Women in Industry Need Special Protection?” *The Survey*, February 15th, 1926 (Vol. 55, No. 10), 529-531.

husbands need to continue to support their wives?” she asked. “Can deserting husbands be brought back and compelled to support wife and child?” “Will women be subject to conscription?” “What will become of the penalties (a) for seduction? (b) for violation of the Mann Act? (c) for rape?”¹⁸⁸⁰

To Kelley and her colleagues, the Mott Amendment and its adherents were also pouring salt on another painful wound. In April 1923, the Supreme Court overturned a minimum-wage law for women in the District of Columbia in the *Adkins v. Children’s Hospital* decision, penned by Harding appointee George Sutherland – later one of the nemeses of Franklin Roosevelt’s New Deal. This 5-3 decision (with Brandeis abstaining and Chief Justice Taft and Holmes in opposition for different reasons) concluded, in the manner of the *Lochner* case, that this proposed minimum wage interfered with the liberty of contract purportedly upheld by the due process clause of the Fourteenth Amendment. In fact, the Court went so far as to call the law “a naked, arbitrary exercise of power” by the State – Rather than serve any social benefit, it was deemed “simply and exclusively a price-fixing law, confined to adult women...who are legally as capable of contracting for themselves as men.”¹⁸⁸¹

That was the rub. In fact, Justice Sutherland, speaking for the Court, also suggested that it might be time to revisit the Court’s 1908 decision in *Muller v. Oregon*, which had upheld a law mandating that women could work no longer than ten hours a day. “The ancient inequality of the sexes, otherwise than physical...has continued ‘with diminishing intensity,’” the *Adkins* decision

¹⁸⁸⁰ Brown, 60-62. Florence Kelley to Roscoe Pound, June 3rd, 1921. Sklar, ed., 265. Florence Kelley to Lavinia Dock, November 24th, 1923, 326-327. Florence Kelley to William Borah, December 4th, 1923. WJB Box 152: Equal Rights Amendment. As a result of the Mott Amendment, Kelley also asked Paul to remove her name from the advisory commission of the NWP in October 1921. Florence Kelley to Alice Paul, October 14th, 1921. Sklar, ed. 272.

¹⁸⁸¹ Clarke, 68-70. *Adkins v. Children’s Hospital* - 261 U.S. 525 (1923).

read. “In view of the great – not to say revolutionary – changes which have taken place since that utterance, in the contractual, political and civil status of women, culminating in the Nineteenth Amendment, it is not unreasonable to say that these differences have now come almost, if not quite, to the vanishing point.” In fact, “the present day trend of legislation, as well as that of common thought and usage,” Sutherland declared, was towards women being “accorded emancipation from the old doctrine that she must be given special protection or be subjected to special restraint in her contractual and civil relationships.”¹⁸⁸²

Progressives were stunned by the verdict. “The minimum wage decision is the most severe blow which progressive American labor legislation has yet received at the hands of the Supreme Court,” wrote Henry Seeger in *The Survey*. “[I]t was not a new and untried experiment that was to be passed upon... The decision involved rather a reversal of what had come to be accepted as an established constitutional principle.” Louis Hart, the Governor of Washington, noted that the case “if it results in the wiping out of our minimum wage laws may be in its effect upon our economic and industrial life second only to the famous Dred Scott decision.” Samuel Gompers said the Court had “trampled” the law “underfoot, together with the great army of women wage-earners of our country.” “Every genuine lover of justice and every competent student of industry has been shocked by the decision,” wrote Father John A. Ryan, arguing the Court had stepped far outside its bounds. “The business of the judge is to interpret law,” Ryan thought, “not to determine legislative policy. “*Adkins*, lamented Frances Perkins, “is a most

¹⁸⁸² *Adkins v. Children’s Hospital* - 261 U.S. 525 (1923). In his dissent, Chief Justice Taft, a traditional rather than a business conservative, argued that “the Nineteenth Amendment did not change the physical strength or limitations of women upon which the decision in *Muller v. Oregon* rests.” Oliver Wendell Holmes argued similarly in his own rejection of the Court’s decision-making. “It will need more than the Nineteenth Amendment,” he wrote, “to convince me that there are no differences between men and women or that legislation cannot take those differences into account.” Chambers, 68-70.

surprising and shocking step backward in the history of social legislation in the United States.”¹⁸⁸³

In the years prior to the *Adkins* decision, Florence Kelley and the League had fought to see twenty-four states adopt minimum wage laws – twelve before the War, twelve after. When the *Adkins* case came up, Kelly had put the full force of the League into fighting it, and, once he offered his services, had Felix Frankfurter “jumping high jumps twice daily” on its behalf. But, as Frankfurter told Kelley aide Mary Dewson after the verdict had been handed down, “Molly, you must learn that if the U.S. Supreme Court says a red rose is green, it is green. That’s final.” And the reformers had not only lost this case. They now saw the work of their lives in danger of being overturned by the Court – of nine men and no women, as Kelley noted – in the very near future. In fact, *Adkins* paved the way for similar state laws being overturned all across the country – By 1930, the number of states with minimum wage laws (excluding the District of Columbia) dwindled down to six. The National Woman’s Party, meanwhile, applauded the *Adkins* decision as a step forward for women and equality. “[O]ne can feel that at last the world is beginning to realize that women are adult human beings,” Alice Paul said of the verdict. It was in this climate that, eight months later, the NWP put forward the Mott amendment, which threatened to accelerate even further the rollback of protective legislation.¹⁸⁸⁴

Especially in the face of *Adkins*, old-time reformers were enraged. “I could not help comparing you as you sat there, sheltered, safe, beautifully guarded against even the ugliness of life, with the women for whom you demand ‘freedom of contract,’” an irate Alice Hamilton, the

¹⁸⁸³ “The Minimum Wage – What Next?,” *The Survey*, May 15th, 1923, 215-222, 256-261. John A. Ryan, “Our Self-Amending Constitution,” *The Survey*, August 1st, 1923, 480-481.

¹⁸⁸⁴ Chambers, 68-70. Brown, 86. J. Stanley Lemons, *The Woman Citizen: Social Feminism in the 1920s* (Charlottesville: University Press of Virginia, 1973), 143-144. Alice Paul, “The Minimum Wage – What’s Next?” *The Survey*, May 15th, 1923, 256.

former Hull House settlement worker who in 1919 had become the first woman on Harvard's faculty, wrote to one ERA proponent. "[T]he great army of waitresses and hotel chambermaids, unorganized, utterly ignorant of ways of making their grievances known, working long hours and living wretchedly" would be the victims of the NWP's line of thinking, she argued. Similarly, Mabel Leslie of the WTUL thought ERA's backers were "merely theoretical ultra-feminists who [did] not have to work for a living," while one AFL member suggested its supporters would view things differently after one day in the mines or at a piecing machine.¹⁸⁸⁵

In fact, Paul – who herself had advocated for protective legislation at an earlier time – had originally urged Massachusetts members fighting for a state-level ERA in 1921 to "be very certain that none of the legislation which you introduce in any way disturbs any protective legislation that may have been passed in your state for the welfare of women":

I do not think we want to interfere in any way with the so called welfare legislation that has been passed at the instance of the Consumers League and other organizations for the purpose of protecting women from night work and from too long hours of labor... That is, it seems to me, when there is an inequality in which the position of women is better than that of men, we do not want to bring that standard for women down to that of men, but want, on the contrary, to bring that of men up to the standard existing for women.¹⁸⁸⁶

But, in the final analysis, Paul and her allies found the principle of equality before the law too fundamental to hedge on behalf of earlier gains. "Would you regard it as 'protection'," NWP member Harriet Stanton Blatch asked Anne Martin, a woman running for Senate in 1918, "were you when elected to the Senate excluded from debates extending over eight hours, taking place Saturday afternoons or at night?" For similar reasons, Blatch thought, "in many highly paid trades women have been pushed into the lower grades of work, limited in earning capacity, if not

¹⁸⁸⁵ Chambers, 77-79.

¹⁸⁸⁶ Cott, 120-121.

shut out of the trade entirely by these so-called protective laws.” By November 1921, Paul told a friend she no longer believed in “special protective labor legislation for women. It seems to me that protective labor legislation should be enacted for women and men alike in a trade or in a geographical district and not along sex lines. I think that enacting labor laws along sex lines is erecting another handicap for women in the economic struggle.”¹⁸⁸⁷

Clearly, there was more than a hint of sexism in the arguments put forward by some opponents of the amendment, even among ostensibly progressive ones. “Both the Catholic Church and the women trade union leaders,” Father John Ryan argued in a 1929 pamphlet on the subject, “approach this question from the side of experience and the facts of human nature.” Citing Pope Leo XIII’s Encyclical on the Condition of Labor, Ryan argued that “wage earning women are a special class, having needs which are peculiar to that class. These should be taken care of by appropriate and special legislation. This is realism and common sense.” Protective legislation, he argued, “recognizes certain actual inequalities, weaknesses if you will, of physique and of capacity for organization.” As such, he argued the NWP’s position seemed to be borne of “a feeling of resentment against the male sex... Instead of striving to provide women with those conditions, economic, social, legislative, and other which will assure them reasonable opportunities for living their lives and performing their functions as women, the feminists would

¹⁸⁸⁷ Cott, 121-122. Anne Martin, while arguing that “[n]o man or woman can deny the justice of the admirable laws they seek,” told *Nation* readers in 1922 that both sides in the ERA fight were missing the forest for the trees. Trying to change the laws, she argued, was “taking the shadow for the substance” – what women should do is get themselves elected and make the laws. “Why continue to stand at the doors of Congress and State legislatures begging men to vote for our new equality laws?...Is it not more direct, more educational, more ‘equalizing,’ to put women into power, pledged to the aims of women, than it is to use the ‘indirect influence,’ the ‘womanly appeal’ of ante-suffrage days?” Anne Martin, “Equality Laws vs. Women in Government,” *The Nation*, August 16th, 1922, 165-166.

have them become merely bad imitators of men... It would mean the destruction of the family and the race.”¹⁸⁸⁸

In any case, even more than the birth control issue, the fight over the ERA – and the appropriate path forward for women at issue – set former allies at odds. “The American woman’s movement,” Frances Kellor said in 1923,” and her interest in great moral and social questions, is splintered into a hundred fragments under as many warring leaders.” Congress, meanwhile, remained as aloof from the Equal Rights Amendment discussion as it had on voluntary parenthood. While introduced by Kansas Republican Charles Curtis in the Senate and Daniel Anthony – Susan B. Anthony’s nephew – in the House in 1923, and subsequently introduced every year thereafter, the ERA would languish in committee for decades.¹⁸⁸⁹

In the meantime, the culture of the Twenties continued to move away from the protectionism favored by old-line progressives and toward the perspective of the National Women’s Party. The New Woman, to borrow a phrase later used to describe Ginger Rogers, could do everything men could do, backwards and with high heels on. 1920 saw film star Mary Pickford join with Douglas Fairbanks, D.W. Griffith, and Charlie Chaplin as partners of United Artists, making her a cool millionaire. In 1926, American Gertrude Ederle made headlines around the world by becoming the first woman to swim the English Channel. Two years later, in 1928, Amelia Earhart repeated Lindbergh’s solo flight across the Atlantic, while Margaret Mead became an instant sensation and one of the world’s most renowned anthropologists with the

¹⁸⁸⁸ John A. Ryan, “The Equal Rights Amendment in Relation to Protective Legislation for Women,” 1929. WJB Box 792: Reference Material.

¹⁸⁸⁹ Dumenil, 101. When asked about it by the National Council of Catholic Women, Senator Borah said he was still mulling it over, but “have not yet been able to see either the necessity or the virtue of this proposed amendment. I am not sure but what it would be a detriment as you suggest to many women of the country.” William Borah to Mrs. Michael Gavin, November 30, 1923. WJB Box 152: Equal Rights Amendment.

publication of her book, *Coming of Age in Samoa*. In the pages of *The New Yorker* and at the lunch table of the Algonquin Hotel, writer and poet Dorothy Parker – who embodied the New Woman much more than ever did F. Scott’s Fitzgerald’s parade of vapid, alluring flappers – displayed a biting wit and caustic insight to rival Mencken’s. “If I abstain from fun and such / I’ll probably amount to much,” she wrote in her 1926 poetry debut, *Enough Rope*, summing up the spirit of the age, “But I shall stay the way I am / Because I do not give a damn.”¹⁸⁹⁰

To be sure, the social and political equality of the New Woman was in many ways still wishful thinking, and in fact the rhetoric of emancipation often imposed new strictures on women. Moving into the workplace usually meant women were now expected to bring home pay *and* maintain the vision of the domestic ideal, while, of course, remaining alluring for her husband. In fact, the sale of cosmetics and make-up increased dramatically in the Twenties, in a testament to changing traditions, the allure of the movies, and the same psychological tool kit advertisers had used to make Listerine mouthwash a standard in every bathroom. By 1929, according to sociologist Robert Lynd, the cosmetics industry was spending more on advertisements than either the food or car industries.¹⁸⁹¹

Similarly, new household appliances that should have made life easier, like the oven and the vacuum cleaner, came hand-in-hand with higher expectations of cleanliness and domestic bliss. “When will women, patient creatures,” asked Anne Martin, the aforementioned Senate candidate of 1918, “see clearly enough to protest against...the pictures of themselves as wives and mothers appropriately arrayed in housewives’ uniforms, working oil, gas, and electric stoves, furnaces, carpet-sweepers, washing machines and clothes-wringers, or cooking and serving

¹⁸⁹⁰ Cott, 215. Brown, 45-47. Dorothy Parker, *Enough Rope* (New York: Liveright, 1926), 91.

¹⁸⁹¹ Dumenil, 90-91. Brown, 105. Cott, 174.

various foods – all the wares of the advertisers – with sweet, seraphic smiles on their faces? As if they never had, or wanted another thought!” If and when they did, it would not be thanks to advertisers, who – given the oft-cited statistic of the time that women made 80% of consumer decisions for the home – worked feverishly to merge the emerging ideals of the New Woman and companionate marriage with a need for their products. “Today’s woman gets what she wants,” one *Chicago Tribune* ad read, “The vote. Slim sheaths of silk to replace voluminous petticoats. Glassware in sapphire blue or glowing amber. The right to a career. Soap to match her bathroom’s color scheme.”¹⁸⁹²

Nonetheless, there was more to the New Woman than an advertiser’s marketing strategy, or a Fitzgerald novella. The grasping towards a new equality was very real, and, though many of the fundamentals of that new equality would take decades to reach fruition, if indeed they ever were, the aspirations toward them were hard-felt by the younger generation in the 1920’s – belying the intense cynicism that took hold of so many older progressives’ hearts during the New Era.

A similar dynamic could be witnessed north of 96th Street in Manhattan, where, in noted contrast to the despair and world-weary cynicism emanating from Paris, the Algonquin, and other bastions of white literary culture, a generation of African-American authors, poets, artists, and musicians were flourishing as never before. “Negro life is not only establishing new contacts and founding new centers, it is finding a new soul,” wrote Howard University professor of philosophy Alain Locke in the foreword to 1925’s *The New Negro*, a seminal anthology that offered all of America “the first fruits of the Negro Renaissance.” “There is a fresh spiritual and

¹⁸⁹² Cott, 172-173. Dumenil, 129.

cultural focusing. We have, as the heralding sign, an unusual outburst of creative expression.” In short, just as there was a New Woman, there was a New Negro as well.¹⁸⁹³

In many ways, Harlem was full of optimism for the same reasons so many white artists were crippled with despair. While many white writers and poets bemoaned what they viewed as the collapse of the old, neo-Victorian, Protestant civilization, African-American artists felt liberated at last from the yoke of its hypocrisies. They saw instead the crumbling of a broken, desiccated culture that had fought for democracy overseas while treating them like second-class citizens at home. Similarly, while whites had seen their hopes die in the World War and its aftermath, many African-Americans came out of the conflagration determined to stand up and be counted. To many in white America, Woodrow Wilson was the tragic “peace messiah,” who had promised so much and yet broken the heart of the world at Versailles. To African-Americans, he was the southern Democrat who had re-segregated the White House. If white America had decided to forsake the puritanical rectitude of a Wilson in exchange for the humble joviality of a Warren Harding, well, all the better.¹⁸⁹⁴

Compounding this sense of new opportunity among African Americans was the Great Migration – A generation of black men and women was moving North into the cities, and escaping the very real repressions of the South. This was “a deliberate flight not only from countryside to city,” wrote Locke, “but from a medieval America to modern.” Even more inspiring, this cultural renaissance was all happening in what had fast become one of the most exciting and diverse places on the planet. African-American neighborhoods in cities were of course nothing new, but Harlem was something else altogether. “Here in Manhattan is not

¹⁸⁹³ Alain Locke, ed. *The New Negro, An Interpretation* (New York: Albert and Charles Boni, 1925), xi, xxvii

¹⁸⁹⁴ Nathan Irvin Huggins, *Harlem Renaissance* (New York: Oxford, 1971), 52-55, 57-60.

merely the largest Negro community in the world,” Locke noted, “but the first concentration in history of so many diverse elements of Negro life. It has attracted the African, the West Indian, the Negro American; has brought together the Negro of the North and the Negro of the South; the man from the city and the man from the town and village; the peasant, the student, the business man, the professional man, artist, poet, musician, adventurer and worker, preacher and criminal, exploiter and social outcast.”¹⁸⁹⁵

In the great melting pot, Locke argued, the New Negro was taking control of his own destiny. “He resents being spoken of as a social ward or minor, even by his own, and to being regarded a chronic patient, for the sociological clinic, the sick man of American Democracy. For the same reasons, he himself is through with those social nostrums and panaceas, the so-called ‘solutions’ of his ‘problem,’ with which he and the country have been so liberally dosed in the past.” Instead, Locke proclaimed, the way forward was through “belief in the efficacy of collective effort, in race co-operation. This deep feeling of race is at present in the mainspring of Negro life...As a world phenomenon this wider race consciousness is a different thing from the much asserted rising tide of color... Whether it actually brings into being new Armadas of conflict or argosies of cultural exchange and enlightenment can only be decided by the attitude of the dominant races in an era of critical change.” Regardless, Locke argued, “if in our lifetime the Negro should not be able to celebrate his full initiation into American democracy, he can at least, on the warrant of these things, celebrate the attainment of a significant and satisfying new phase of group development, and with it a spiritual Coming of Age.”¹⁸⁹⁶

¹⁸⁹⁵ Locke, 6.

¹⁸⁹⁶ Locke, ed., 12-16.

Alain Locke himself was not so much a product of the Harlem Renaissance as its designated chronicler. The year before *The New Negro* was published, Paul Kellogg approached Locke, a Washington DC native, to help put together a Harlem-themed issue of *The Survey Graphic* (*The Survey's* more color- and image-intensive monthly issue.) It appeared on stands in March 1925, and eventually in longer form became the influential *New Negro* anthology. Locke seized this chance to act as the harbinger of goings-on in Harlem, recruiting, in the words of one historian, “a Who’s Who among black American artists, intellectuals, and scholars.” Along with poets like Langston Hughes, Claude McKay, and Countee Cullen, authors like Zora Neale Hurston and Jesse Toomer, and sympathetic whites like Kellogg and reclusive Philadelphia art collector Albert Barnes, Locke also turned to the staff of *The Crisis*, including James Weldon Johnson, art critic Jessie Fauset (whom Hughes deemed as integral to the Renaissance as Locke, and who, as the discoverer of so many Harlem talents, likely should have been the woman Kellogg turned to to assemble the *Survey's* special issue), and the Dean himself, W.E.B. DuBois, whose *Souls of Black Folk* had been arguably the last state of the union of Black America before *The New Negro*.¹⁸⁹⁷

In donating an essay for *The New Negro* (albeit one previously published in *Foreign Affairs*), DuBois bestowed his benediction on the nascent Harlem Renaissance – and yet he looked at the phenomenon with older and less optimistic eyes. In his contribution, Du Bois revisited his 1903 book and its central contention that “the problem of the twentieth century is the problem of the color line.” After surveying the European colonial systems that still held sway in Africa – the empires of Portugal, France, England, and Belgium – he concluded that this was still true, with one major caveat, in part because his generation had failed at Versailles. “To some

¹⁸⁹⁷ Locke, ed., x-xiii, xxii.

persons – to more human beings than ever before – at one time in the world’s history,” he wrote, “there came during the Great War, during those terrible years of 1917 and 1918, a vision of the Glory of Sacrifice, a dream of a world greater, sweeter, more beautiful and more honest than ever before; a world without war, without poverty and without hate. I am glad it came. Even though it was a mirage it was eternally true.” Until that dream was realized, Du Bois argued, African Americans should beware the illusion of fulfillment.¹⁸⁹⁸

More to the point, in a subtle rebuke to Locke’s evocation of race-consciousness and race-pride – which to DuBois carried troubling resonances of the philosophy of his nemesis, Marcus Garvey – he now argued that the color line was the problem of the world because it accorded with a more fundamental schism. “Most men would agree that our present problem of problems was not the Color Problem,” he now argued, “but what we call Labor, the problem of allocating work and income in the tremendous and increasingly intricate world-embracing industrial machine that our civilization has built.” In other words, it was the fight between labor and capital, rather than any Lothrop Stoddard-like clash of prideful races, that would guide the future. To take just one example, DuBois argued that the troubles in Liberia were “not because the republic is black, but because the world has failed in this same battle; because organized industry owns and rules England, France, Germany, America, and Heaven...unless the world escapes, the world as well as Liberia will die; and if Liberia lives it will be because the World is reborn as in that vision splendid of 1918.”¹⁸⁹⁹

¹⁸⁹⁸ Locke, ed., 412-413.

¹⁸⁹⁹ Locke, ed., 385, 414.

But DuBois, like reformers such as Florence Kelley and Charlotte Perkins Gilman, were of an older generation. “It was characteristic of the Jazz Age,” F. Scott Fitzgerald wrote, looking back on the decade from the vantage of 1931, “that it had no interest in politics at all.” For young men and women in Harlem, as in all of New York City – a city that doubled in population between 1910 and 1930 – the world was now, and the city was Modernity itself.

With both the publishing and music industries flourishing as never before, and with the new technologies of radio and the movies broadcasting city culture to the rest of the world, New York in the 1920’s consolidated its position over Boston, Chicago, Baltimore, and other cities as the cultural center of America (and, by extension, the known universe.) “The whole world revolves around New York,” said Duke Ellington late in life, remembering his heydays as one of the early popularizers of jazz in the 1920’s. “Very little happens anywhere unless someone in New York presses a button.” There, under the tolerant eye of Mayor Jimmy Walker, a quick-witted, sociable, and often sozzled *bon vivant* from Tammany Hall, men and women, whites and blacks, straight and gay people all gathered together to drink, dance, socialize, and forge a new culture from the ashes of the old. America was “the most powerful nation” in the world, wrote Fitzgerald, “Who could tell us anymore what was fashionable and what was fun?” The world had been broken, but it could be remade. And in a decade that began with more Americans living in cities for the first time in its history, who better to lead the way as the vanguard than New York, New York?¹⁹⁰⁰

¹⁹⁰⁰ Ann Douglas, *Terrible Honesty: Mongrel Manhattan in the 1920’s* (New York: Farrar, Strauss, & Giroux, 1995), 15-18. While he and his wife Zelda would spend much of the decade traveling through Europe, Fitzgerald’s heart was always in New York. In 1929, while “riding in a taxi one afternoon between very tall buildings under a mauve and rosy sky,” Fitzgerald “began to bawl because I had everything I wanted and knew I would never be so happy again.” Douglas, 18.

To be sure, the breakdown of old barriers in New York can be vastly overstated. As historian Nathan Huggins noted in his seminal 1971 book on the Harlem Renaissance, there was a good bit of cultural tourism going on at the time, with white Americans venturing up to the metaphorical borderlands of Harlem in much the same way other whites still crossed literal borders into Indian land or Mexico. “Men who sensed they were slaves to moral codes,” Huggins argued, “that they were cramped, and confided by guilt-producing norms which threatened to make them emotional cripples, found Harlem a tonic and a release...”

How convenient! It was merely a taxi trip to the exotic for most white New Yorkers. In cabarets decorated with tropical and jungle motifs – some of them replicas of southern plantations – they heard jazz, that almost forbidden music...The downtown spectator tried to encompass the looseness and freedom of dance...Into its vortex white ladies and gentlemen were pulled, to dance the jungle dance...It was a cheap trip. No safari! Daylight and a taxi ride rediscovered New York City, no tropic jungle.¹⁹⁰¹

“So viewed,” Huggins argued, “Harlem was a means of soft rebellion for those who rejected the Babbitry and sterility of their lives, yet could not find within their familiar culture the genius to redefine themselves in more human and vital terms. The Negro was their subversive agent – his music, manners, and speech...Negroes were that essential self one somehow lost on the way to civility, ghosts of one’s primal nature whose very nearness could spark electric race-memory of pure sensation untouched by self-consciousness and doubt.”¹⁹⁰²

Huggins point is well-taken. In *The Survey*, one author described jazz as “a joyous revolt from convention, custom, authority, boredom, even sorry – from everything that would confine the soul of man and hinder its riding free on the air. The Negroes who invented it...weren’t capable of satire or deception. Jazz was their explosive attempt to cast off the blues and be happy, carefree happy even in the midst of sordidness and sorrow.” A decade later, Langston

¹⁹⁰¹ Huggins, 89-90.

¹⁹⁰² Huggins, 91-92.

Hughes would talk of “the tourist invasion of Harlem” that occurred “[d]uring the height of the New Negro era.” “Every night the limousines pulled up” between 130th and 140th Streets, remembered Harlem singer Bricktop, “and the rich whites would get out all dolled up in their furs and jewels.”¹⁹⁰³

And yet, just as with the emergence of the New Woman, something new was being forged in Manhattan and in other cities across the country. The avatars of this new culture may have spoken a language that seemed foreign to older progressives, and emphasized social and cultural liberation rather than political transformation, but the changes were real nonetheless. The likes of Walter Lippmann and Joseph Wood Krutch might be staring into an existential abyss, but for many younger Americans, there were still reasons for hope for the future. The youth culture may have been much less politically idealistic and concerned with matters of the world than its predecessor, but it still envisioned fundamental transformations happening in American life. And, however hedonistic at times, it was, perhaps, more honest, more tolerant, and more human.

There was bound to be a reaction.

The Empire and the Experiment

If old-line progressives were perturbed by the riotous youth culture erupting beneath their feet, they also looked askance at the response of many defenders of tradition in embracing the Ku Klux Klan. In effect, the Klan – like many of the wartime and post-war ultrapatriotic

¹⁹⁰³ J.A. Rogers, “Jazz at Home,” *The Survey*, March 1st, 1925, 665, in Mowry, ed., 67-69. George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World 1890-1940* (New York: Basic Books, 1994), 310, 246.

organizations with whom it shared a common vision and membership – was both a cracked funhouse mirror version of the old progressive movement and a cruel rebuke to the values they had long held dear. Hadn't the progressive theory of change always rested on a great mass of ordinary Americans, mobilized by public opinion to take arms against a presumed social ill? Well, here they were, and with robes, masks, and funny names to boot.

Although in many ways a reaction to the new culture of modernity, the Klan also had its own debts to modern life. For one, this iteration of the Klan arose out of a deliberate attempt to mobilize public opinion through the cinema. In 1915, D.W. Griffith's *Birth of a Nation* – based on Thomas Dixon's novel *The Clansman* – heralded a new era in filmmaking. But it also presented to America a now-embarrassing whitewash of post-Civil War history in which the original, Reconstruction-era Klan fought to defend such virtues as honor and chastity from the rapine of marauding Yankees and bestial African-Americans. "The real purpose of my film was to revolutionize northern sentiment by presentation of history," Dixon declared. "Every man who comes out of our theaters is a Southern partisan for life."¹⁹⁰⁴

Well, not every man. "If history bore no relation to life, this motion picture could well be reviewed and applauded as a spectacle," wrote Francis Hackett in *The New Republic*. But, as it is, the film "recklessly distorts negro crimes, gives them a disproportionate place in life, and colors them dishonestly to inflame the ignorant and the credulous." In short, he argued, "this film is aggressively vicious and defamatory. It is spiritual assassination. It degrades the censors that passed it and the white race that endures it." On the other hand, Woodrow Wilson, who knew Dixon from his days at John Hopkins, was among the credulous. "It's like writing history with

¹⁹⁰⁴ Barry, *Rising Tide*, 141.

lightning,” he proclaimed after a White House viewing. “My only regret is that it is all so terribly true.”¹⁹⁰⁵

Also a fan of the film was one William Joseph Simmons, who, just before the film’s Atlanta premiere, ascended nearby Stone Mountain – already earmarked to be the site of a confederate Civil War memorial. (It would not be completed until 1972.) There, with a burning cross and a bible open to Romans 12:1 (“I beseech you therefore, brethren, by the mercies of God that ye present your bodies a living sacrifice, holy, acceptable unto God, which is your reasonable service”), he declared the Klan reborn.¹⁹⁰⁶

Its Atlanta roots notwithstanding, this Klan was not the southern-dominated movement its predecessor had been, nor was its primary focus on policing African-Americans to respect white authority. At its height in 1923 and 1924 – before the 1925 conviction of a Klan higher-up on charges of rape and murder sent membership into a death spiral – the organization boasted three million members and perhaps considerably more – estimates range from 4.5 million to as many as eight million. By then, its reach extended throughout the Midwest to the Northwest and even into the heart of the enemy, New York City. The most potent Klan strongholds were Indiana and Ohio, with Texas, Arkansas, Oklahoma, Colorado, Oregon, and the inland empire of California

¹⁹⁰⁵ Ibid. Francis Hackett, “Brotherly Love,” *The New Republic*, March 20th, 1915 (Vol. 2, No 20), 185.

¹⁹⁰⁶ Ibid. Nancy MacLean, *Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan* (New York: Oxford University Press, 1994), 4-5. “Stone Mountain History,” Stone Mountain Memorial Association. (<http://www.stonemountainpark.org/text/Stone%20Mountain%20History.pdf>) The origins of the second Klan are also often tied to the 1915 lynching of Jewish businessman Leo Frank for the suspected rape and murder of his employee Mary Phagan. But according to historian Thomas Pegram in 2011, “[d]espite claims to the contrary, historians have found no firm connections between the lynchers, who called themselves the Knights of Mary Phagan, and the revived Knights of the Ku Klux Klan that organized later the same year in Atlanta.” Thomas R. Pegram, *One Hundred Percent American: The Rebirth and Decline of the Ku Klux Klan in the 1920s* (Lanham, Ivan R. Dee, 2011), 158-159.

all under its sway as well. Many of these regions had very few African-Americans for local whites to be railing against.¹⁹⁰⁷

In fact, the Klan did not develop organically as a social protest movement. It was, in short, a pyramid scheme. Its founder, Simmons, was a member of the Woodsmen of the World (and a “Colonel” in that organization, and no other) who had always wanted to bring back his father’s “fraternal order.” So, in order to build membership for his revitalized Klan, Simmons outsourced his organization-building to the auspices of the Southern Publicity Association. Together, they came up with a scheme whereby joining the Klan cost a member ten dollars -- two of which went to Simmons, four of which went to the SPA, and four of which to whomever had managed to recruit the new member into the ranks of the Invisible Empire.¹⁹⁰⁸

These recruiters – given the name “kleagles” – had every incentive to drum up new membership. This they did at first by farming existing networks of fraternal orders, such as the Masons and Elks, to enlist in the new cause, often setting up screenings of *Birth of a Nation* to help seal the deal. They also appealed to more recent violence, such as the 1915 lynching of Jewish businessman Leo Frank for the alleged rape of his employee, Mary Phagan, and the prospect of a race war after the 1921 Tulsa riots. Soon thereafter, men began flocking to the organization. In early 1920, the Klan went from a few thousand members to 100,000 in a matter of months. “In all my years of experience in organization work,” one SPA member told Colonel

¹⁹⁰⁷ MacLean, 5. Higham, *Strangers in the Land*, 297. Zinn, *The Twentieth Century*, 105. Barry, *Rising Tide*, 142.

¹⁹⁰⁸ Jackson, *Ku Klux Klan in the City*, 5. Barry, 141-142. McLean, 4-7. One Klansman cited in Judge Ben Lindsey’s 1925 article in *The Survey* condemning the Klan said: “I was in the grocery store business, but I quit. I make more money selling this Klan stuff than I ever could selling groceries. You see, it is like this: I find a fellow that hates the Jews, that’s his ‘bug’; another fellow hates the Catholics, that’s his ‘bug’; another, the Negroes; another, the foreigners. I sell the Klan ‘bugs’ to every one of them. I get my commission. It’s a great business and easy money.” Judge Ben Lindsey, “My Fight with the Ku Klux Klan,” *The Survey*, June 1st, 1925 (Vol. 54, No. 5), 321.

Simmons, “I have never seen anything equal to the clamor throughout the nation for the Klan.”¹⁹⁰⁹

It likely helped membership that, rather than being a terrorist organization that conducted raids on its prey at night, the Klan of the 1920s was mostly the type of humdrum fraternal order that George Babbitt would not have felt out of place in, and for all the venom the organization directed against Catholics, immigrants, and Wets, its members’ hoods were often more closely akin to a Shriner’s fez. Unlike its earlier and later incarnations, this Klan held family picnics, conducted parades, and did good works in the community, from collecting donations for the poor to policing their own membership for drunks and deserters. They even sponsored such offshoots as the Women of the Ku Klux Klan, the Junior Ku Klux Klan (for teenage boys), the Tri-K Girls (for teenage girls), and the Ku Klux Kiddies.¹⁹¹⁰

In other words, the Klan was primarily a community organization – albeit one with a profound loathing for Catholics, immigrants, and drinkers – and its goal was ostensibly one of preserving the status quo from the forces of change. “Nordic Americans,” wrote Imperial Wizard Hiram Wesley Evans in 1926, “for the last generation have found themselves increasingly uncomfortable and finally deeply distressed.” They had experienced “first confusion in thought and opinion, a groping hesitancy about national affairs and private life alike,” followed by “futility in religion” and a “moral breakdown... One by one all our traditional moral standards

¹⁹⁰⁹ Ibid. Pegram, 7. Kleagles were but the start of the Klan’s fantastical nomenclature. In one of his many anti-Klan tirades, ex-Senator LeRoy Percy of Mississippi – proving the Klan had no monopoly on casual racism – ridiculed the “Genii, Grand Dragons, Hydras of Realms, Grand Goblins, Grand Titans and Furies of Provinces, Giants, Exalted Cyclops, and Terrors of Klantons” that composed the organization. Percy, a Mississippi conservative who held no truck with this new organization in his midst, called these titles akin to “some colored society... And yet keeping a brother in black out of the order, the only people who can really enjoy it. Don’t you know that no full grown white man ought to be allowed to indulge in that stuff?” Barry, 152.

¹⁹¹⁰ MacLean, 6-7. Pegram, 4. Kathleen M. Blee, *Women of the Klan: Racism and Gender in the 1920s* (Berkeley: University of California Press, 1991), 3-8, 158-159.

went by the boards, or were so disregarded that they ceased to be binding. The sacredness of our Sabbath, of our homes, of chastity, and finally even of our right to teach our children in our own schools fundamental facts and truths were torn away from us.”¹⁹¹¹

The Klan, Evans argued, merely wanted to restore the balance. “[T]he Nordic American today,” he continued, “is a stranger in large parts of the land his fathers gave him”:

Our falling birth rate, the result of all this, is proof of our distress. We no longer feel that we can be fair to children we bring into the world, unless we can make sure from the start that they shall have capital or education or both, so that they never need compete with those who now fill the lower rungs of the ladder of success. We no longer dare risk letting our youth ‘make its own way’ in the conditions under which we live...

‘We are a movement of the plain people, very weak in the matter of culture, intellectual support, and trained leadership. We are demanding...a return to power into the hands of the everyday, not highly cultured, not overly intellectualized, but entirely unspoiled and not de-Americanized, average citizen of the old stock. Our members and leaders are all of this class – the opposition of the intellectuals and liberals who held the leadership [and] betrayed Americanism...is almost automatic.’¹⁹¹²

“This is undoubtedly a weakness,” Evans said, “It lays us open to the charge of being ‘hicks’ and ‘rubes’ and ‘drivers of second hand Fords.’ We admit it...Every popular movement has suffered from just this handicap, yet the popular movements have been the mainsprings of progress, and have usually had to win against the ‘best people’ of their time.” One former WKKK member from Indiana interviewed by historian Kathleen Blee concurred with the contours of Evans’ argument. “All the better people” were in the Klan, she told Blee. “Store

¹⁹¹¹ Hofstadter, *Age of Reform*, 294-296. While never as violent as either its predecessor or successor, the Klan of the 1920s was nonetheless linked to some grotesque episodes of violence. One of the most notorious was the torture and murder of Filmore Watt Daniels and Thomas F. Richards in Mer Rouge, Louisiana, two good-time white planters who scoffed at the Klan and purportedly shared the attentions of African-American women. They were set upon by masked men after a picnic, and their horribly mutilated bodies were found four months later. While the Klan was never officially tied to the murders, “the belief is nearly universal,” argued *The New Republic*, “that the local Ku Klux Klan committed the crime and shielded the murders.” The ensuing firestorm helped to end the organization early in Louisiana. Jackson, *Ku Klux Klan in the City*, 86-87. Barry, *Rising Tide*, 147-152. “Ku Klux and Crime,” *The New Republic* January 17th, 1923 (Vol. 33, No. 424), 189-190. Hiram Wesley Evans, “The Klan’s Fight for Americanism,” *The North American Review*, March, 1926, 33, in Mowry, ed., 136-145.

¹⁹¹² Ibid.

owners, teachers, farmers...the good people all belonged to the Klan...They were going to clean up government, and they were going to improve the school books...loaded with Catholicism. The pope was dictating what was being taught to the children, and therefore they were being impressed with the wrong things.” While in many ways a reaction to the candidacy of Al Smith, the Klan’s full-throated support of Wilson progressive William McAdoo in 1924, instead of, say, a more conservative candidate like Samuel Ralston of Indiana, suggests that the Klan didn’t think of themselves as reactionaries, but, as Evans said, one of the “mainsprings of progress.”¹⁹¹³

It is for this reason that some progressives were wary of attacking the Klan’s fundamental purpose. Wasn’t this the type of reform movement many progressives had been calling for? While the editors of TNR argued in 1923 that the Klan was exceedingly dangerous because it operated in secret and was thus liable to move outside the law – “[t]here is no room for the secret political society in a civilized state” – they also conceded that “[t]he motives that lead men to attach themselves to the Klan are simple, and in the vast majority of cases, we believe honorable.” (In 1921, they had been less charitable of the group’s “Kludds, its Klokards, and its Kleagles,” but still deemed the organization “feeble-minded...rather than evil-minded.”) “It is easy to laugh at the absurdities of the Klan, its childish follies, its illiterate nomenclature, its fallacious conception of law and order,” wrote Edward Devine in *The Survey* in 1922. “But it is not easily laughed out of existence. Close at hand it is serious. It has a certain dignity of purpose. It is not sheer bigotry or stupidity or charlatanry or fraud.” Reporting on the organization a week later from a different Texas town, Devine, while harboring “no desire to whitewash its white robes,” found “more anti-Catholic sentiment...that appeared to be the case in the first community studied” but not much to suggest the “Ku Klux movement hereabouts is...conspicuously anti-

¹⁹¹³ Ibid. Blee, 2. In fact, the Pope was not a supporter of evolution.

Negro. The few Negroes with whom I have had an opportunity to talk are not greatly disturbed by it so far as the security of their own people is concerned.”¹⁹¹⁴

Devine’s dispatches prompted a flurry of disbelieving letters to *The Survey*. The Klan’s constitution, noted the president of Atlanta University, Edward Ware, specifically called for the maintenance of white supremacy. “And yet Mr. Devine gains the impression that the Ku Klux movement ‘is not conspicuously anti-Negro.’ Probably the Klan is not against the Negro who...meekly submits to any limitation the dominant race chooses to impose. But how about the intelligent, progressive, self-respecting Negro of independent spirit, the man who has ambitions and aspirations for himself and for his people? I think we can safely say that there will not be much love wasted between that man and the Ku Klux Klan.” The Klan was “an institution of prejudice,” Ware concluded. “It glories the past and attempts to establish by ritual and ceremony and unquestioning devotion to the institutions and customs of the past.” Like the movement against evolution in the schools, it was “symptomatic of a deadening conservatism which is the worst enemy of progress.”¹⁹¹⁵

Another writer – “A Texan” – was even less charitable about Devine’s “semi-apologetic articles.” “His conclusions are like the man who never saw France except when the steamer came close enough to the shore of Brittany where he saw red trousered men and women with uptucked skirts washing clothes. His description thereafter of France was that it was a country where all

¹⁹¹⁴ “Ku Klux and Crime,” *The New Republic* January 17th, 1923 (Vol. 33, No. 424), 189-190. “The K.K.K.,” *The New Republic*, September 21, 1921 (Vol. 28, No. 355), 88-89. Edward T. Devine, “The Klan in Texas,” *The Survey*, April 1, 1922, 11. Edward T. Devine, “More about the Klan,” *The Survey*, April 8, 1922, 42. “The Ku Klux Klan,” wrote the editors of TNR, “holds that the dearest values in American life are Protestantism; white supremacy, in America and the world; Anglo-Saxon legal institutions; the system of free enterprise, or since the word no longer carries a reproach, capitalism. These are respectable values.” Ibid.

¹⁹¹⁵ Edward T. Ware, “The Ku Klux Klan,” *The Survey*, May 13, 1922, 251.

men wore red pants and all the women tucked up their skirts.” On the ground, this writer argued, the Klan looked quite different. “As a fomenter of private hatreds; as a feeder of the flames of religious prejudice, as a breeder of suspicion between friends and neighbors; as a creator of dangerous secret political corruption; as a destroyer of community solidarity; as a fomenter of strife and conflict at a time when our national life is at stake, the Ku Klux Klan is a menace so terrible that I cannot conceive how Mr. Devine should even damn it with faint praise.” It had “sowed dragon’s teeth – and monsters are already springing up where they sowed.”¹⁹¹⁶

Of course, there were many other progressives, many of whom had stood with Al Smith or Robert La Follette in the 1924 election, who stood vociferously against the Klan – Judge Ben Lindsey staged a lonely war against Klan control of Colorado and Harold Ickes even got himself into a fistfight at a Klan parade. Well before the organization began to grow exponentially in the Harding era, W.E.B. DuBois and the NAACP had sounded the tocsin that the Klan had risen again and urged the Justice Department to look into the organization. But, even in opposition, progressives had to contend with its strange and dismaying popularity. “To make a case against a birthplace, a religion, or a race is wickedly un-American and cowardly,” William Allen White wrote in 1921, deeming the Klan “a cheap screw outfit.” But he still saw the Klan sweep across his beloved Kansas with a gale force, and, when both major-party candidates for Governor in 1924 received Klan backing, he decided to run himself on an anti-Klan protest ticket. Ultimately, White garnered 150,000 votes and placed third, and was reasonably satisfied with that result. “The way the Catholics and Jews and colored people were persecuted by the Klan in Kansas was

¹⁹¹⁶ “A Texan”, “The Ku Klux Klan,” *The Survey*, May 13, 1922, 251.

a dirty shame, and I couldn't rest under it," he told one friend after election day. "I put on my war paint and feathers and went out."¹⁹¹⁷

But as White told Oswald Villard when the votes were in, even among natural constituents of Robert La Follette, the Imperial Empire had exerted a greater pull on Kansas laborers than the progressive hero of Wisconsin. "If I had come out for La Follette, I would have lost half of my strength," White wrote. "Here was a funny thing: labor in the Middle West is shot through with the Ku Klux Klan. It voted for Coolidge, a lot of it, because Coolidge was right on the Pope. I didn't get much of it because I was wrong on the Pope. And LaFollette lost about forty per cent of his normal vote because of the Klan." The Socialists, meanwhile, were coming to a similar dismal conclusion. In the *Socialist World* of December 1923, August Claessens, formerly one of the five New York state representatives expelled on account of his party, lamented the ascendance of the Klan even as parties of the left continually struggled through. All their life Socialists had been waiting for a popular reform movement to spring up organically from the people, and when it did, it came with white hoods and breathless conspiracies involving the insidious reach of Catholicism.¹⁹¹⁸

¹⁹¹⁷ Judge Ben Lindsey, "My Fight with the Ku Klux Klan," *The Survey*, June 1st, 1925 (Vol. 54, No. 5), 271-274, 319-321. "The Ku Klux Klan Are Riding Again!" *The Crisis*, March 1919 (Vol. 17, No. 5), 229-231. Lewis, *W.E.b. Du Bois*, 80-81. White to Herbert Swope, September 17, 1921. White, *Selected Letters*, 220. White to Charles Curtis, November 10, 1924. White, *Selected Letters*, 244-245. As Harold Ickes' son Raymond remembered the incident, he and his father had stopped to take in a Klan parade in Ohio. "We were standing in the front rank," Raymond recalled, "and along came this parade of peaked-hooded characters. Ahead of it was an individual carrying the American flag. As the flag passed – as was the custom in those days – Dad took off his hat. As soon as the flag had gone by, he put it back on again. A minute or two after that, one of the these thugs came alongside, reached over and got Dad's hat and said 'Take off your hat – I'm an American.' Dad said, 'I'm an American too, you son-of-a-bitch!,' hit him in the face and retrieved his hat." T.H. Watkins, *Righteous Pilgrim: The Life and Times of Harold Ickes, 1874-1952* (New York: Henry Holt, 1990), 198. Ickes also applauded White's gubernatorial run, telling him "I have been more than ever proud to know you. I feel about the Klan exactly as you do. I hate bigotry, intolerance, and ignorance under whatever guise[.]" Ickes to William Allen White, September 22, 1924. HLI Box 41: William Allen White

¹⁹¹⁸ White to Villard, November 19, 1924. White, *Selected Letters*, 246. Salvatore, 337.

Even as progressives witnessed the Klan proliferate throughout the country, they also had to contend with the seeming collapse of what Calvin Coolidge called the “greatest social experiment of modern times”: Prohibition. “To hold the Progressives responsible for Prohibition would be to do them an injustice,” historian Richard Hofstadter wrote in an oft-cited passage of *The Age of Reform*, since “men of an urbane cast of mind, whether conservatives or Progressives in their politics, had been generally antagonistic, or at the very least suspicious of the pre-War drive toward Prohibition.” Passed along country roads by the “rural-evangelical virus,” Hofstadter wrote in a line that has stuck, “Prohibition, in the Twenties, was the skeleton at the feast, a grim reminder of the moral frenzy that so many wished to forget, a ludicrous caricature of the reforming impulse, of the Yankee-Protestant notion that it is both possible and desirable to moralize private life through public action.”¹⁹¹⁹

This is a simplification – Prohibition numbered among its advocates plenty of urban social reformers and settlement house workers, while Senator Oscar Underwood was by no means the only Wet below the Mason-Dixon line – but there is considerable truth in it. As a speaker at the 1915 Anti-Saloon League convention put it in a telling remark, the “pure stream of country sentiment and township morals” that Prohibition embodied was needed to “flush out the cesspools of cities.” “The saloon will take the shirt from the back of a shivering man,” evangelist Billy Sunday had exhorted his followers. “It will take the coffin from under the dead. It will take the milk from the breast of the poor mother who is the wife of a drinking man. It will take the crust of bread from the hand of the hungry child. It cares for nothing but itself – for its dirty

¹⁹¹⁹ Behr, 3. Hofstadter, *Age of Reform*, 289-290.

profits. It will keep your boy out of college. It will make your daughter a prostitute. It will bury your wife in the potter's field. It will send you to hell."¹⁹²⁰

It is also true, however, as historian James Timberlake writes, that "prohibition was actually written into the Constitution as a progressive reform. As an integral part of the Progressive Movement, prohibition drew on the same moral idealism and sought to deal with the same basic problems" – namely to forge better citizens and eliminate the poverty, abuse, and despair that accompanied overdrinking. As Mark Lender and Edward Martin note in their 1982 history of *Drinking in America*, "[u]rban Progressives viewed temperance as a means to alleviate poverty and to clean up the political corruption spread through insidious saloons," where machines like Tammany Hall had often worked their magic.¹⁹²¹

In any case, as noted in Chapter Three, when the Eighteenth Amendment went into effect in January 1920, there was a great rejoicing in many corners that, after a century and a half of wrangling with the beast, America had at last turned a corner. Prohibition, boasted the president of Washington and Lee University, was "the longest and most effective step forward in the uplift of the human race ever taken by any civilized nation." But only a year and a half into what Herbert Hoover would later famously deem "the Noble Experiment," huge cracks in the Drywall were showing. And even if it did manage to mitigate drinking in some sectors of society, Prohibition also taught its supporters, progressive and otherwise, a good many hard lessons about the laws of unintended consequences.¹⁹²²

¹⁹²⁰ Pietrusza, 158.

¹⁹²¹ Leuchtenburg, *Perils of Prosperity*, 213. James H. Timberlake, *Prohibition and the Progressive Movement, 1900-1920* (Cambridge, : Harvard University Press, 1963), 1-2. Lender and Martin, 125.

¹⁹²² Leuchtenburg, *Perils of Prosperity*, 213.

“On paper it was unbeatable,” Philadelphia lawyer T. Henry Walnut wrote in *The Survey* in 1922. “Every drop of the liquor in storage was under lock and key to be released only upon proper authority to proper persons. The manufacture and smuggling of liquor was suppressed and the sale for beverage purposes barred. The most ardent dry could ask no more. The only flaw in the thing was that it didn’t work.” In an argument that would be expanded on in a 1923 book, *Prohibition and its Enforcement*, Walnut argued that “within a year there was a general spirit of distrust and a demoralization of enforcement. It was a matter of bewilderment that a dry law could live in surroundings so universally wet...For a year and a half we had this melodrama of lawlessness. There seemed to be no popular support for prohibition.”¹⁹²³

The New Republic was inclined to agree. While declaring its support for “the cause known as the Temperance Movement,” the editors argued in October 1922 – less than three years into the Noble Experiment – that “the immediate question is what is possible, even remotely possible in this direction through prohibition by national law.” The ban on alcohol was flagrantly broken everywhere, they argued, and “the people of the United States are now paying the penalty in a vast and wide increase in law breaking and consequent diminution of respect for law.” As such, “the present law is a source of weakness and corruption which amount to a national scandal.” Touring the country debating the issue with Senator Smith Brookhart, Arthur Garfield Hays would make a similar point. “I had a drink before I came here,” he deadpanned to open his remarks. When this invariably got a laugh, Hays said “That’s the trouble with prohibition. As long as I admit that I help a seller break the law and you laugh at it, prohibition can’t be enforced.”¹⁹²⁴

¹⁹²³ T. Henry Walnut, “Beating About the Prohibition Bush,” *The Survey*, April 29th, 1922, 153-155.

¹⁹²⁴ “The Enforcement of Prohibition,” *The New Republic*, October 18th, 1922, 185-187. Hays, *City Lawyer*, 244.

This absurdity was inescapable in much of the nation. “[T]he Prohibitionists; the Fathers of Bootlegging,” Dorothy Parker wrote in 1922 poem on “Social Reformers, “fixed things all up pretty for us; Now that they have dried up the country, You can hardly get a drink unless you go in and order one.” Even in the White House, it seemed, this double standard applied. It was well known that the man in charge of enforcing the Volstead Act, Secretary of the Treasury Andrew Mellon, had until very recently held considerable shares of the Overholt Distillery in Pennsylvania. (Mellon liquidated his stock upon taking office.) His colleague in the Justice Department, Harry Daugherty, was eventually found to be profiting through the sale of liquor permits at the Little Green House on K Street. And their boss? While officially Dry in public, Harding’s proclivities were also not the best kept secret. “I am not a prohibitionist,” candidate Harding had shrugged with his characteristic aw-shucks honesty, “and have never pretended to be. I do claim to be a temperance man. I do not approach this question from a moral viewpoint, because I am unable to see it as a great moral question.”¹⁹²⁵

This popular perception aside, several studies then and now seem to indicate that Prohibition was in fact somewhat successful in curbing drinking. “Death from alcoholism took a terrific tumble in 1920,” *The Literary Digest* averred after Prohibition’s first year. Martha Bruere’s 1927 study *Does Prohibition Work?* and Evangeline Booth’s 1928 *Some Have Stopped Drinking* – two admittedly anecdote-driven inquiries by members of the social work community – both suggested poverty and violence had gone down in the slums. “All through the American Belt,” Bruere’s study concluded, “wherever the Americans of the earlier immigrations are still in control, our reports show that prohibition works.” Similarly, economists Irving Fisher and Clark Warburton, in 1930’s *The “Noble Experiment”* and 1932’s *The Economic Results of Prohibition*,

¹⁹²⁵ Dorothy Parker, “Reformers – A Hymn of Hate.” Behr, 163. Miller, *Gifford Pinchot*, 202-203. Pietrusza, 159.

argued that both alcoholism mortality rates and the amount of money spent on booze by urban workers decreased markedly after 1920. Later studies by historians of cirrhosis deaths and annual alcohol consumption rates seem to support these findings. “These data,” write historians Mark Lender and James Martin, “buttress the conclusion that Americans must have been drinking less than ever before during prohibition, probably just under a gallon of absolute alcohol per capita annually.”¹⁹²⁶

Perhaps one of the reasons this relative success went unnoticed is that Wet areas of the country stayed unapologetically Wet, not the least the culture-producing capital of New York City. In *Terrible Honesty*, her in-depth exploration of the writers, artists, and opinion-makers of 1920s Manhattan, historian Ann Douglas discovered that “almost one-third of my protagonists were alcoholics or problem drinkers; the usual figure for the percentage of alcoholics to non-alcoholics in America is 10 percent.” (As Robert Ripley, one of the writers in Douglas’ study, was wont to mention, the name of “Manhattan” was possibly derived from the Lenape word *Manahachtanienk*, meaning “Place of Drunkenness,” or where the Delaware Indians – just before being offered a lousy proposition – first encountered Dutch alcohol.)¹⁹²⁷

In fact, rather than preventing drinking in New York and other cities, Prohibition helped to fuel the cultural transformations that so unnerved the prohibitionists. By making criminals of virtually everyone, Prohibition in the neighborhood of Times Square, writes historian George Chauncey in his study *Gay New York*, “resulted instead in the *expansion* of the sexual underworld and undermined the ability of the police and anti-vice societies to control it”:

¹⁹²⁶ Behr, 147. Lender and Martin, 136-139. Chambers, 139.

¹⁹²⁷ Douglas, 23-24.

The economic pressures Prohibition put on the hotel industry by depriving it of liquor-related profits, for instance, led some of the second-class hotels in the West Forties to begin permitting prostitutes and speakeasies to operate out of their premises. Prohibition also drove many of the district's elegant restaurants, cabarets, and roof gardens out of business, for such establishments had depended even more heavily on liquor sales for their profitability. They were replaced, on the one hand, by cheap cafeterias and restaurants whose profits depended on a high turnover rate rather than a high liquor-based profit margin, and, on the other hand, by nightclubs and speakeasies whose profitability depended *wholly* on illegal liquor sales.¹⁹²⁸

“Instead of purifying the nation by drawing a strict boundary between the acceptable and the unacceptable,” Chauncey concludes, “it threatened to blur those boundaries by encouraging more normally law-abiding citizens to break the law, to regard the police as their enemies, and to question the law’s moral authority.” The proliferation of speakeasies – by 1922, there were 5000 in New York; by 1927, over 30,000 – only accelerated the pace of change. Speakeasies, Chauncey writes, encouraged “middle-class men and women to interact even more casually and to experiment further with the norms governing acceptable public sociability...[They] eroded the boundaries between respectability and criminality, public and private...[and] encouraged behavior that flouted public morality.”¹⁹²⁹

One of the positive aspects of putting everyone on the wrong side of the law, Chauncey notes, was the increased tolerance towards – and even public fascination with – gays and lesbians. As with whites’ late-night taxis to Harlem, there was an element of the exotic here. “If whites were intrigued by the ‘primitivism’ of black culture,” Chauncey notes, “heterosexuals were equally intrigued by the ‘perversity of gay culture.’” And so the drag balls that had arisen in Greenwich Village a decade earlier now became hugely popular, drawing crowds of thousands. “[I]t was fashionable for the intelligentsia and the social leaders of both Harlem and the downtown area,” Langston Hughes recalled of one such Uptown ball, “to occupy boxes...and

¹⁹²⁸ Chauncey, 305-306.

¹⁹²⁹ Chauncey, 306-308. Behr, 87.

look down from above at the queerly assorted throng on the dancing floor.” By the early 1930’s, drag balls had even moved into Madison Square Garden and the Astor Hotel. This is emphatically not what the Prohibitionists had intended.¹⁹³⁰

Nor did they intend the rise of organized crime that followed in the wake of the Noble Experiment. New York, for example, saw the likes of Frank Costello, Dutch Schultz, Lucky Luciano, Jack “Legs” Diamond, Meyer Lansky, and Arnold Rothstein profit mightily from the booming business of bootlegging. Cities in the East and Midwest experienced the growth of similar crime syndicates, from that of Enoch “Nucky” Johnson in Atlantic City to the Purple Gang of Detroit to George Remus in Cincinnati. On the West Coast, there was less in the way of organized crime as a result of Prohibition, but still a good bit of the unorganized kind.¹⁹³¹

At the peak of his power, the most notorious gangster in America, Chicago’s Al Capone, employed close to a thousand men and brought in hundreds of millions of dollars a year through prostitution, racketeering, and, of course, the sale of liquor. In the years in which “Public Enemy Number One” consolidated his gangland empire over his rivals, Cook County saw between 350 and 400 murders and around 100 bombings a year – over the course of the entire Noble Experiment, 800 gangsters were killed in Chicago in shootouts. Among the most notorious of these was the “St. Valentine’s Day Massacre” of 1929, in which seven associates of George “Bugs” Moran, the Irish-American who ran Chicago’s North Side, were brutally shot and killed by unknown assailants, some of whom were dressed up as police officers. Soon thereafter,

¹⁹³⁰ Chauncey, 310.

¹⁹³¹ Behr, 87, 160. Nate Hendley, *American Gangsters Then and Now: An Encyclopedia* (Santa Barbara: ABC-CLIO, 2010), 199. Kenneth Rose, *American Women and the Repeal of Prohibition* (New York: New York University Press, 1996), 47.

President-elect Hoover pledged to add 400 more Prohibition agents and ask Congress for \$2.5 million more in funding, the implication being that taking down Capone was a top priority.¹⁹³²

Hoover's investment eventually paid off, thanks to the hard work of Elliot Ness and the "Untouchables." But it also reemphasized how expensive Prohibition turned out to be. The powerful head of the Anti-Saloon League, Wayne Wheeler, had prophesied that enforcement would cost no more than \$5 million. In 1921, it in fact cost the federal government \$6.35 million, increasing to \$8.5 million in 1924, and over \$16 million by 1932. As early as 1923, and even under the administration-wide mandate to keep government costs down, Secretary Mellon informed Congress that the Prohibition unit might need as much as \$28 million. States, meanwhile – especially the Wet ones where crime was often centered – felt no inclination to take on any of this financial burden. Thirty of the 48 states allocated no money at all to enforcement, the other 18 a combined \$550,000. To remedy this, author E.B. White suggested the government nationalize speakeasies. "In that manner, the citizenry would be assured liquor of a uniformly high quality, and the enormous cost of dry enforcement could be met by the profits from the sale of drinks."¹⁹³³

As crime and costs rose, so too did the number of arrests – from 34,000 in 1921 to 68,000 in 1924, to 74,000 in 1932 – and thus the judicial system increasingly found itself overburdened. Eventually, 90% of federal prohibition cases were expedited through a "bargain day" system, whereby violators could receive lower fines and jail terms if they pled guilty. In part because of the lucrative nature of bootlegging, Prohibition enforcement also became shot through with

¹⁹³² Lender and Martin, 141-142. Andrew Sinclair, *Prohibition, The Era of Excess* (New York: Little, Brown, 1962), 222. Behr, 177. Jonathan Eig, *Get Capone: The Secret Plot that Captured America's Most Wanted Gangster* (New York: Simon & Schuster, 2010), 187-194.

¹⁹³³ Rose, 47. Lender and Martin, 154. Leuchtenburg, *Perils of Prosperity*, 215.

corruption. While Prohibition agent Izzy Einstein – the “master hooch-hound” and “the man of a thousand disguises” – and his rotund partner Moe Smith became national celebrities due to their chameleonic tendencies and dedication to the job (“Would you like to sell a pint of whiskey to a deserving prohibition agent?” was one of Einstein’s pre-arrest catch phrases), more than a few agents decided instead to opt out of strict enforcement and go where the money was at. In the first six years of the Noble Experiment, 750 federal Prohibition agents were dismissed for delinquency or misconduct. Surveying the agents she was often forced to deal with, Assistant Attorney General Mabel Walker Willebrandt deemed many of them “as devoid of honesty and integrity as the bootlegging fraternity” and “no more fit to be trusted with a commission to enforce the laws of the United States and to carry a gun than the notorious bandit Jesse James.” Congressman La Guardia, meanwhile, argued, not unpersuasively, that “the importation of liquor into this country is of such magnitude...that it could not carry on without the knowledge if not the connivance of the authorities entrusted with the enforcement of the law.”¹⁹³⁴

The low quality of federal agents helped to further diminish the Noble Experiment in Americans’ eyes, particularly after incidents such as the 1924 raid on the home of Portland businessman A.G. Labbe. Then, agents – some of them ex-cons – armed with a suspect warrant broke up a society party on slim pretenses and found little-to-no alcohol on the premises. In a decade newly attuned to the importance of civil liberties, this sort of harassment of otherwise upstanding citizens seemed particularly detestable. “Prohibition,” argued Clarence Darrow, “is an outrageous and senseless invasion of the personal liberty of millions of intelligent and

¹⁹³⁴ Rose, 46-49. Behr, 154-156. “Einstein, Rum Sleuth,” *The New York Times*, March 26th, 1922, in Mowry, ed. 107-108. Zinn, *La Guardia in Congress*, 154.

temperate persons who see nothing dangerous or immoral in the consumption of alcoholic beverages.”¹⁹³⁵

And there was the problem with the product itself. All too often, strains of bootleg alcohol hit the market during Prohibition that were much more of a health risk than the actual stuff. Among the adulterated booze in circulation during the time, notes historian William Leuchtenburg, were “Jamaica ginger, better known as ‘jake,’ which paralyzed thousands; Jackass Brandy, which caused internal bleeding; Soda Pop Moon from Philadelphia, containing poisonous isopropyl alcohol; Panther Whiskey, based on esters and fuel oil; [and] Yack Yack Bourbon from Chicago, which blended iodine and burnt sugar.” “Who drinks bootleg drinks with Death,” the *New York Times* warned in 1923, but drinkers didn’t care. By 1926, according to Mabel Walker Willebrandt, 660,000 gallons a month of these sorts of hooch were sold to thirsty American customers. The first of these above, Jamaica Ginger, had been an over-the-counter headache medicine and digestive aid that was 70% alcohol. After being tampered with by bootlegger chemists to bypass federal inspection, the substance afflicted over 35,000 Americans in 1930 with the “Jake Walk” -- a paralytic shuffle arising from the fact that sufferers of the “Jake Leg Blues” could no longer feel their extremities, occasionally resulting in permanent injury. In 1927, a Prohibition Bureau study found that fully 98 percent of 480,000 gallons of confiscated liquor in New York contained poisons, usually wood alcohol. By that same year, historian Edward Behr estimates, over 50,000 men and women had died from adulterated alcohol poisoning. These figures also need to be added to the moral calculus of Prohibition.¹⁹³⁶

¹⁹³⁵ Lender and Martin, 155.

¹⁹³⁶ Leuchtenburg, *Perils of Prosperity*, 214. Roy A. Haynes, *The New York Times*, July 26th, 1923, in Mowry, ed. 103-104. Behr, 85, 163, 221-222. J Parascandola, “The Public Health Service and Jamaica ginger paralysis in the 1930’s,” *Public Health Reports*, May-June 1995, 110(3), 361-363.

As the Noble Experiment seemed to grow ever more ridiculous and pernicious as a public policy in the cities, the stridency of the issue in politics, on both sides of the divide, grew ever more pronounced. “Not one American in a hundred is actively interested in the League of Nations,” wrote the irredeemable Wet Henry Mencken in 1924, “not one in a thousand is noticeably wrought up about the petty stealings of the friends of Dr. Daugherty; not one in ten thousand ever shows any excitement about States’ rights. But Prohibition is talked of everywhere, endlessly and with passion, and especially it is talked of in the big cities.” Even though urban centers grew to despise the law, many also agreed with Senator Morris Shepherd’s contention that “there is as much chance of repealing the Eighteenth Amendment as there is for a hummingbird to fly to the planet Mars with the Washington Monument tied to its tale.” Will Rogers explained this paradox thusly: “If you think this country ain’t dry, you just watch ‘em vote,” he noted, “and if you think this country ain’t wet, you just watch ‘em drink... You see, when they vote, it’s counted, but when they drink, it ain’t.” By 1928, the outgoing Mabel Willebrandt, in her book *The Inside of Prohibition*, called it with good justification “the only real political issue of the whole nation.”¹⁹³⁷

As discussed in Chapter Eight, this was another legacy of Prohibition -- its increasing potency as a divisive cultural issue in American politics. The seemingly unbridgeable chasm that had yawned before the Democratic Party in 1924 would, by 1928, engulf the general election. On one hand, urban politicians increasingly began to extol the virtues of drinking and deplore the vices of Puritanism. “The more advanced a country is, the higher its alcoholic content,” suggested Congressman George Tinkham of Massachusetts. “The government which stands against the founder of Christianity cannot survive,” Senator David Walsh of Massachusetts often

¹⁹³⁷ Mencken, *Carnival of Buncombe*, 104. Dumenl, 231-232. Asinof, 225. David E. Kyvig, “Women Against Prohibition,” *American Quarterly*, Vol. 28, No. 4 (Autumn, 1976), pp. 465. Behr, 162.

asserted in a clever turnaround. “If Christ came back and performed the Cana miracle again, he would be jailed and possibly crucified again.” If the Coolidge White House didn’t sound “a terrible blast against the potential danger of weakening law and order and good morals,” a nervous William Allen White wrote a friend in 1926, “Prohibition is pretty badly up against it in the East. We, in the West, are safe no matter what happens.”¹⁹³⁸

On the other hand, the nation’s rural Drys were in no mood to waver. “I often see it said, even by ministers, that the Prohibition Amendment does not represent general public opinion and for that reason is less entitled to support,” wrote social worker Frederic Almy to *The Survey* in 1926. “It does not in cities, but in the country the approval is almost universal.” Prohibition, Walter Lippmann wrote in 1927, had “become much more than a mere question of regulating the liquor traffic. It involves a test of strength between social orders.” The Amendment, he argued, “is the rock on which the evangelical church militant is founded, and with it are involved a whole way of life with an ancient tradition. The overcoming of the Eighteenth Amendment would mean the emergence of the cities as the dominant force in America, dominant politically and socially as they are already dominant economically.” As such, Prohibition became the proxy war through which this urban-rural conflict raged.¹⁹³⁹

As Prohibition moved to the center of the national discussion, some progressives became even more disgusted with the state of contemporary politics. In 1929, Hiram Johnson – “more or less tepidly” a Dry – told Ickes that “I personally have no use for liquor, and I abominate its use in others to excess. I do resent, however, that the sole test of character in this Republic, the sole

¹⁹³⁸ Leuchtenburg, *Perils of Prosperity*, 213, 217. White to C.G. Christgau, July 29, 1926. White, *Selected Letters*, 263.

¹⁹³⁹ Frederic Almy, “18th Amendment Practically Unanimous,” *The Survey*, July 15th, 1926, 424. Lippmann, *Men of Destiny*, 30-31.

right to hold office, the only trait in public men, shall be a mad enthusiasm to disembowel one who may, either, occasionally or habitually, drink. There is another thing about it that is reprehensible, and that is the ecclesiastical government. We have it now, and have it to the full.” Ickes concurred. “I have long been of the opinion that the prohibition amendment and the Volstead Act, from the general point of view of the country, are of the most vicious bits of legislation that have been passed in our time,” he responded. “Under cover of the highly ‘moral’ question of prohibition the thimble-riggers and the body-snatchers drive ahead without fear of check...And so far as I can see we are going to have this red herring...with us for years to come.”¹⁹⁴⁰

Johnson and Ickes held a particular disregard for the Anti-Saloon League, who, the latter wrote in 1926, “have become as corrupt as the old saloon politicians.” And they saw the shrill moral outrage now attending the Prohibition debate as yet another character flaw in their mutual frenemy, Raymond Robins. “Raymond...seems to be tilting his lance these days against all critics and opponents of the Eighteenth Amendment and the Volstead Act,” an exasperated Ickes wrote his friend in 1926. “I was literally dragged by main force to hear him make a speech on the subject at the City Club last week.” Johnson was equally disgusted, arguing that, in the Wet-Dry political climate of 1928 and 1929, “[s]uch men as Borah and Robins, undoubtedly, are in their element. They can cunningly play any game, aye they can violate any principle or tenet, and have it entirely forgiven when they shout at the top of their lungs ‘dry.’”¹⁹⁴¹

¹⁹⁴⁰ Johnson to Ickes, March 8, 1929. HLI Box 34: Hiram Johnson, 1929-1930. Ickes to Johnson, April 6, 1929. HLI, Box 34: Hiram Johnson 1929-1930.

¹⁹⁴¹ Ickes to Johnson, October 20, 1926. HLI Box 33: Hiram Johnson. Ickes to Johnson, December 21, 1926. HLI Box 33: Hiram Johnson. Johnson to Ickes, March 8, 1929. HLI, Box 34: Hiram Johnson, 1929-1930.

As Senator Johnson's screed attests, Robins thought Prohibition was a decisive victory in the "age-long struggle of civilization against primitive appetite," and that it was intimately bound up with the similar drive to Outlaw War. As for the Idaho Senator, he supported the Noble Experiment for the same reason he was for the Bill of Rights – they were in the Constitution. "So long as the Eighteenth Amendment stands as a part of the fundamental law of our country," he wrote to a constituent the week before Prohibition went into effect, "it is the duty of every good citizen, in my judgment, to see that it is upheld and maintained in letter and in spirit. There is no other basis upon which we can build orderly society than that of obedience to the law." Borah would sound this theme continually for the remainder of the decade. "So long as the Constitution remains as it is," he told another correspondent in 1926, "there is only one thing for us to do, and that is, to uphold and enforce it."¹⁹⁴²

Borah's overriding allegiance to the founding document extended to Prohibition's enforcement too, particularly with regard to the Fourth Amendment prohibiting the unlawful search and seizure of property. "It will never do," he wrote one Dry minister in 1921, "for the prohibitionists of this country to take the position that in enforcing the 18th Amendment we have got to disregard the other amendments to the constitution." When Borah was deemed insufficiently Dry by some for this stance, he replied that he was "just as conscientiously in favor of enforcing the Eighteenth Amendment as you are. But I have taken an oath to support the entire

¹⁹⁴² Salzman, 322. Borah to Rev. Paul R. Hickok, January 10, 1920. WJB, Box 87: Prohibition. Borah to A.T. Cole, December 8th, 1926. WJB, Box 237: Prohibition. In a September 1928 letter to Ickes, Hiram Johnson angrily eviscerated Borah's continual reliance on this sort of argument. "It's amusing to read of Borah talking about farm relief," wrote Johnson. "He had bitterly opposed the McNary Haugen bill, of course upon 'constitutional' grounds. He has always found some 'constitutional' objection where he wished to align himself with privilege. It was he who made the argument upon the floor of the Senate upon 'constitutional' grounds against the Senate resolution calling for the resignation of Denby, and it was he who thus protected Daugherty to the very last moment. It was upon 'constitutional' grounds that he could not be for the Child-Labor Bill, and on 'constitutional' grounds, as well, that originally he opposed woman suffrage; but the very ground upon which he opposed woman suffrage was the ground upon which he favored prohibition." Johnson to Ickes, September 29th, 1928. HLI Box 33: Hiram Johnson.

Constitution of the United States and it is just as impossible for me to violate that oath as I assume it would be for you to violate an oath which you had taken.”¹⁹⁴³

In any case, few doubted Borah’s commitment to the cause. In print, the Senator deplored “the pauperism, the insanity, the suicides, the broken families, the cries flowing in one constant steady stream from drink.” In April 1927, he took part in a notable debate against Columbia president Nicholas Murray Butler at Boston’s Symphony Hall on the question of whether the Republican Party should embrace repeal in its platform in 1928. While sounding the same argument that Prohibition must be upheld so long as it was in the Constitution, which Butler conceded, Borah also made the proactive case for Prohibition. “I believe the Republican Party should declare for the Amendment and for its enforcement,” he argued, “and make the same sublime and daring fight against this evil that it made against the evils of slavery, two evils which the immortal Lincoln associated together as the greatest evils of the human race.” Besides, America could not know how well Prohibition was working, he declared, until a generation had past.¹⁹⁴⁴

Borah also thought that the Noble Experiment had, since its passage, been continually hamstrung by a lack of federal commitment. “If there is no real sentiment and conviction behind the effort of those who duty it is to enforce the law, of course, there will be no enforcement,” he wrote in 1926. “I do not think the Prohibition amendment has ever had behind it the official obligations of the government in the matter of enforcement.” As such, in early 1928, Borah

¹⁹⁴³ Borah to Rev. Edwin Deacon, Fairfield, Idaho, September 13, 1921. WJB Box 100: 1920-21 Prohibition. Borah to H.M. Holverson, Boise, Idaho, November 4, 1921. WJB Box 100: 1920-21 Prohibition.

¹⁹⁴⁴ Ashby, 257. Leinwand, 80. Lender and Martin, 149. That same month saw another high-profile debate over Prohibition at Carnegie Hall – this one between Clarence Darrow and an ailing Wayne Wheeler, head of the Anti-Saloon League. Wheeler would perish five months later, in September 1927 – marking the second Dry icon in two years to die relatively soon after crossing swords with Darrow. Behr, 224-225.

circulated a questionnaire to possible 1928 presidential candidates asking them to come forward and declare for a “vigorous and faithful enforcement” of Prohibition, and citing the state of New York as a particular problem area. Pressing Borah on the line of argument, an aggravated Fiorello La Guardia asked his colleague – who was notoriously against high government expenditures – why he did not recommend “\$200,000,000 a year as a starter for prohibition enforcement?”:

Considering the area and population of the country, prohibition cannot be enforced with less than 100,000 Federal agents as a starter... Prohibition, like charity, should commence at home. You have forty-three Counties in your State and I am reliably informed by some of the boys who served in the Army with me during the World War, that liquor can be obtained in every county of the state... Idaho has an estimated present population of 534,000 and an area of 83,888 square miles. I am sure that you will agree that ten Federal prohibition agents for every thousand square miles is a ridiculously low figure. Bootleggers and law violators not working on any fixed hourly schedule require vigilance at all hours of the night and day. Therefore, ten men per thousand square miles working in two shifts instead of three, would require at least 1660 men for the State of Idaho. At the present time Idaho, Montana, and Utah compose one Prohibition District... This allows an average of 60,000 square miles. No wonder so many people vote dry in that section of the country.¹⁹⁴⁵

“[I]f the champions of prohibition are not willing to assume the burden of enforcing it as you desire, vigorously and faithfully,” La Guardia concluded, “then the thing to do is what some of us are advocating, to repeal the amendment and legislate accordingly.” Borah didn’t bite, except to say that “there is no reason why you should not address these questions to the respective candidates” in 1928.¹⁹⁴⁶

Borah, it seems clear, saw himself as one of those potential candidates for 1928, which is one reason he gravitated so strongly to the Prohibition issue in the later Twenties – he clearly seemed to think it was the issue on which he could mass a national campaign. In November

¹⁹⁴⁵ Borah to A.T. Cole, December 8th, 1926. WJB, Box 237: Prohibition. La Guardia to Borah, February 11th, 1928. WJB Box 260: Political – Personal.

¹⁹⁴⁶ Ibid. Borah to La Guardia, February 13th, 1928. WJB Box 260: Political – Personal.

1927, he had his major speeches on the Noble Experiment circulated as a pamphlet. “Senator Borah, after having been a professional Liberal, is now a professional Prohibitionist,” spat H.L. Mencken in disgust. Borah’s new overriding Dryness also further exacerbated tensions in the flailing “Borah bloc” in the Senate, particularly as the two members from Wisconsin, John J. Blaine and Bob La Follette, Jr., leaned Wet. Prohibition is “not the only pebble on the beach,” George Norris argued to smooth things over among the cantankerous crew. It didn’t take. By December 1927, with Borah now on a dry crusade, the progressive bloc had fallen apart. That month, Bob La Follette rued the “determination on the part of each to stand by his own convictions no matter what the progressive bloc proposed.” The “Progressives Cannot Agree on Big Issues,” editorialized the *New York Sun* as the Senate bloc dissipated at last.¹⁹⁴⁷

When it came to the Noble Experiment, Borah also illustrated how malleable his much-professed devotion to the Constitution could be. “No state can be dry while the Interstate Commerce clause of the Constitution remains,” the Senator intoned, “unless there is a prohibition which covers all states.” This was the sort of federal reasoning the Senator had long rejected on the issue of the Dyer anti-lynching bill, where Borah, noted Walter White, had “persistently and consistently used his oratory and reputation as an authority on constitutional law to oppose federal anti-lynching laws and other legislation of that character.” Worse, according to Raymond Robins, Borah seemed to indicate he had opposed the Dyer bill in order to garner white Southern support for his own possible presidential bid.¹⁹⁴⁸

Whatever his reasons, Borah was not the only prominent progressive to keep the faith on Prohibition. Another was William Allen White, who thought that it was a necessary step to

¹⁹⁴⁷ Ashby, 257, 234-235.

¹⁹⁴⁸ Ashby, 254-256.

accommodate life in the Machine Age. “It all comes down to the definition of liberty, doesn’t it?” he wrote one friend in 1927:

I have tried to indicate my feeling that liberties are inexorably restricted as civilization becomes more complex. The liberty to drink what one wants to drink, and to buy it where one wants to buy it, is a perfectly defensible liberty in a simple civilization. But in a complex civilization, that liberty is not defensible because, although we will both admit that not more than ten persons drink to excess, the presence of ten persons in a hundred, a hundred persons in ten thousand, ten thousand persons in a million...this number endangers the lives, property, and security of too many people. Machinery requires a calm, steady nerve. Poisoned nerves at throttles, levers, and key places make a tremendous waste in a complicated civilization, hence it is the duty of the nine people who do not overdrink, as it seems to me, to give up their liberty so far as drink goes for the good not of the one man who abuses the privilege but for the ten thousands who are his potential victims. That is the whole philosophy of prohibition. If it cannot stand on that, it goes.¹⁹⁴⁹

Still, White suggested, it was possible that “with the many substitutes for boredom which civilization is presenting, that is the radio, the moving picture, the cheap automobile, and a diverting entertainment [that] man many...lose his vicious appetite for alcohol and use it wisely as they do around the Mediterranean where they have become immunized to alcohol.” Were that the case, then America could stand down on the issue. Until then, White was a Dry, but not one against looking the other way here or there. In the spirit of hospitality, he promised to “get police protection” for H.L. Mencken from the Governor should he visit Emporia, “so that you could bring in a bottle of life-sustaining hooch, and hang on to it as long as you wanted to, and as often as you pleased.”¹⁹⁵⁰

White’s argument that humankind must change its habits in the Machine Age were shared by other advocates of the Noble Experiment. One of the “Two Principal Reasons for Prohibition,” one Dry pamphlet argued, was that “18,000,000 automobiles beside trucks and other traffic, make the return of alcohol as a beverage under any name, impossible. People would

¹⁹⁴⁹ White to Gabriel Wells, February 26, 1927 White, *Selected Letters*, 266-267. White to Mencken, April 29, 1922. White, *Selected Letters*, 224.

¹⁹⁵⁰ Ibid. White to Mencken, April 29, 1922. White, *Selected Letters*, 224.

be afraid to use their autos or buy more. The loss in life, money and employment would be immense. OUR LARGEST labor employing industry WOULD FAIL.” Indeed it might, since, as Henry Ford told the *Pictorial Review*, “if booze ever comes back to the U.S., I am through with manufacturing. I would not be bothered with the problem of handling over 200,000 men and trying to pay them wages which the saloons would take away from them. I wouldn’t be interested in putting autos in the hands of a generation soggy with drink.” And as Jane Addams noted in 1930, “Automobile accidents are multiplied, not only by the man who is intoxicated but even more by the man whose few drinks have made him recklessly eager to take chances and have evoked within him a certain exhibitionism of daredevil courage. If it ever comes to a forced choice between automobiles and liquor, there would be little doubt, I imagine, as to which would be preferred.” For that reason among others, Addams argued, repeal of Prohibition was a non-starter. “the increased speed and mechanization of life, not only in transportation but our daily living, requires the protection it affords.”¹⁹⁵¹

Like many settlement house workers, Addams had an intimate knowledge of how drinking had impacted working-class families. “It is hard to exaggerate,” she wrote, “what excessive drinking did in the way of disturbing domestic relations and orderly family life.” It was important, Addams argued, not just for these families for the positive development of young men and women that drinking be stopped. “The imaginative powers, the sense that life possesses variety and color, are realized most easily in moments of pleasure and comradeship,” she argued. “All day long the young people work at factories... Only in moments of recreation does their sense of individuality expand; they are then able to reveal, as at no other time, that hidden self which is so important to each of us.” Before Prohibition, “happiness and release from reality

¹⁹⁵¹ Carrie Erickson, “The Two Principal Reasons for Prohibition,” undated. WJB Box 260: Prohibition. Behr, 150. Addams, *Second Twenty Years*, 253-254, 260.

were associated with drinking... There is no doubt that more wholesome outlets are gradually being substituted in spite of the fact that many young men are very eager to demonstrate their superiority to law.” What of the youth culture? “We know indeed that a great many young people are drinking at the present moment solely from a sense of bravado. Each generation looks for a method with which it may defy the conventions and startle its elders.” But, Addams maintained, “this braggadocio movement is spending itself... Many flappers are afraid to drive with men who carry hip flasks.”¹⁹⁵²

Clearly, Addams conceded, much had gone wrong with Prohibition in its first ten years. “It is hard to tell just when we began to observe the social changes, due to lax enforcement or to the general conviction that it was possible to ‘get away with it,’” she wrote, but clearly the law lost the force of authority. Meanwhile, the “bootlegging situation came to resemble that in the early Pennsylvania oil fields not only in its economic structure but in its ruthlessness and widespread terrorism.” Similarly, the “development of political corruption” could not be ignored, nor could the corruption of law enforcement – “The most optimistic citizen... could scarcely be proud of the role the police play in the Chicago situation.”¹⁹⁵³

Nonetheless, America could not and should not turn back. “To give it up now, or to modify seriously the Eighteenth Amendment, would be to obtain not even a negative result, and would mean that we never could be clear as to the real effect of national prohibition.” The precedent for Prohibition, she argued, was Reconstruction – another time “in which the Federal government was obliged to administer a law in the midst of a population averse to enforcement.”

¹⁹⁵² Addams, *Second Twenty Years*, 229, 225-226, 253-254.

¹⁹⁵³ Addams, *Second Twenty Years*, 233, 237.

However unpopular the Reconstruction Amendments were at the time, “could anyone say that...[they were] not to the great advantage of the citizens of the United States, nor deny that after two generations of even pseudo freedom the negroes have had an enormous advantage over their forbears?” “Our experiment in the United States is being watched all over the world,” she argued, and America should see it through.¹⁹⁵⁴

In fact, W.E.B. DuBois supported the Noble Experiment because he thought it would help result in stricter federal enforcement of those Reconstruction Amendments. As noted in Chapter Six, DuBois and other leaders of the NAACP looked to the constitutional powers asserted to enforce Prohibition to be used to back a federal anti-lynching law. Prohibition was popular among other African-American leaders as well. “[T]he corruption of the Negro vote has been through the use of liquor plentifully served,” A. Phillip Randolph and Chandler Owen argued in their journal *The Messenger* before enactment. “Prohibition is a promise, a splendid promise to the masses of working people.”¹⁹⁵⁵

By the end of the Twenties, that promise looks rather less bright. Instead, the Noble Experiment had come to seem to many a condescending imposition – one that had violated individual liberty, inflated criminality and corruption, swallowed up public resources and distorted American politics, exacerbated the rural-urban divide, and further soured Americans on reform and respect for the law. Jane Addams continued to support Prohibition despite its many flaws, but as she told students at Rockford College in 1931, “May I warn you against doing good to people, and trying to make others good by law? One does good, if at all, with people, not to

¹⁹⁵⁴ Addams, *Second Twenty Years*, 257, 259, 260.

¹⁹⁵⁵ Michael Lerner, *Dry Manhattan: Prohibition in New York City* (Cambridge: Harvard University Press, 2007), 35.

people.” By the end of 1933, four years after Pauline Sabin had organized the Women’s Organization for National Prohibition Reform – which become the largest organization for repeal and a group that by December 1931 had more members than the Women’s Christian Temperance Union, the nation would concur – and end the Experiment for good.¹⁹⁵⁶

For alcohol, that is. In 1922, the same year *The New Republic* and *The Survey* were voicing their doubts about the Prohibition regime, Congress passed the Jones-Miller Act, which, for the first time, criminalized illegal possession of cocaine and narcotics with a fine of \$5000 and up to ten years in prison. This legislation gave teeth to the 1914 Harrison Act, which had instead prescribed tax penalties to stop the illegal import, export, and manufacture of said drugs. (The illegal possession and use of opium had previously been banned in the 1909 Opium Exclusion Act.) This 1922 Act, exulted Joseph Chamberlain in *The Survey*, “strengthened very materially the arm of the executive department in the crusade against the narcotic evil...[and] the executive department itself is certain to make vigorous use of the new weapons at its disposal.” Chamberlain was correct: Eight years later, in 1930, the Department of the Treasury would create a separate Federal Bureau of Narcotics to enforce the Jones-Miller provisions, and a new devastatingly costly and destructive Prohibition regime was well under way.¹⁹⁵⁷

While passage of the Jones-Miller bill in 1922 “shows a strong public sentiment against the traffic in narcotics,” Chamberlain cautioned readers of *The Survey* that “the fight against narcotics is not over.” Indeed, it never would be.¹⁹⁵⁸

¹⁹⁵⁶ Chambers, 108. Rose, 74-80. Kyvig, 468-474.

¹⁹⁵⁷ Wilbur Miller, ed., *The Social History of Crime and Punishment in America* (Washington DC: SAGE, 2012), 778. Joseph P. Chamberlain, “New Weapons in the War Against Narcotics,” *The Survey*, June 15th, 1922, 400.

¹⁹⁵⁸ Chamberlain, 400.

CHAPTER ELEVEN: NEW DEAL COMING

PROGRESSIVES AND THE ORIGINS OF THE NEW DEAL

“Practically all the things we’ve done in the Federal Government are like things Al Smith did as Governor of New York.” – Franklin Roosevelt, 1936¹⁹⁵⁹

“Almost every legal and political argument of the great court fight in 1937 was anticipated back in 1923 and 1924.” – Clarke Chambers, Seedtime of Reform, 1963¹⁹⁶⁰

Even in the unfavorable climate of the twenties, some progressives pushed forward against considerable headwinds in an effort to keep the fires of reform burning. Although expressed by progressives, many ideas that would become central to the later New Deal were ignored by policymakers amid Harding Normalcy and Coolidge Prosperity. Nonetheless, in the Children’s Bureau, in Al Smith’s Albany, in the Tennessee Valley and in front of the Supreme Court, reformers sowed and nurtured reforms that would only reach flower in the decade to come.

A Taste of Things to Come

The wheels were coming off. “Unemployment in many industries is at hand,” the *Survey* grimly reported in December. “Factories are working on part time. Some are closed...The working forces of many establishments are being demobilized or kept on part time.” By the following June, *TNR* declared matter-of-factly that the “nation is suffering from unemployment and depression” and urged the administration to do something, anything, to remedy the situation – That is, unless it wanted to prove that ‘the business theory of government’ is a delusion.” *The Nation* emphatically agreed. “It is high time for public action,” it argued that September. “Workers deprived of work have few resources; the more fortunate will pile up debt at neighborhood stores, the less fortunate will water the soup and mend old garments with still

¹⁹⁵⁹ Francis Perkins, *The Roosevelt I Knew* (New York: Penguin Classics, 2011), 150.

¹⁹⁶⁰ Chambers, 75.

older patches. In critical years, the children's growth will be stunted; in the heart-breaking struggle not only their parents' happiness but their self-respect will go. Some of the unemployed will become unemployable. And society will pay a price no expert accountant can ever reckon."¹⁹⁶¹

Nonetheless, the months that followed would be, in the president's words, "the winter of the greatest unemployment in the history of our country." "Distress prevailed in every city," recalled Herbert Hoover, "soup lines had been formed." The Crisis," Secretary of the Treasury Andrew Mellon reminisced later, "was one of the most severe this country has ever experienced."¹⁹⁶²

This depression, as Mellon deemed it, was the "Crisis of 1921."

As discussed in Chapter Nine, the eventual administration response to the severe depression of 1921-1922, in which somewhere between 3.5 and six million Americans found themselves out of work, was Herbert Hoover's conference on unemployment. Here, the Secretary's pattern of relying first and foremost on the power of voluntary and cooperative public-private association to solve national problems was established. Before the conference was held, Hoover told an aide that, more than just working to provide short-term relief, the conference would "tackle the fundamentals of unemployment." But the low-impact, associational model of response sat fine with his boss. "It is fair to say to you that you are not asked to solve the long controverted problems of the social system," Warren Harding had told the gathered at

¹⁹⁶¹ "Unemployment," *The Survey*, December 4th, 1920, 353. "Depression: A Way Out," *The New Republic*, June 1st, 1921 (Vol. 27, No. 339), 8-9. "At Least We Get Something to Eat," *The Nation*, September 7th, 1921 (Vol. 113, No. 2931), 254.

¹⁹⁶² "Unemployment Ended," *The Survey*, June 15th, 1922, 387. Zieger, 96. Cannadine, 278.

the unemployment conference. “We have builded the America of today on the fundamentals of economic, industrial, and political life which made us what we are, and the temple requires no remaking now...I would have little enthusiasm for any proposed relief which seeks either palliation or tonic from the public treasury.”¹⁹⁶³

But even as Harding limited the scope of the unemployment inquiry, there were other remedies being urged in the progressive press. “Unemployment is a risk of industry, as measurable and as recurrent as fire losses or work accidents,” argued William Chenery in *The Survey* of October 1921. “The most important device which society has developed for protection against risk is insurance. Hazards of the sea which used to be termed ‘acts of God’ are now covered by insurance. Promoters of sporting events assure their investments...Almost every human risk is provided for by means of insurance.” Why not take a page from England and other nations, Chenery asked, and have the conference set up a system of unemployment insurance for America? Taking the idea off the table, he argued, “was like telling a group of citizens who had come together to devise means of dealing with fire losses that they must not consider insurance.”¹⁹⁶⁴

As Chenery’s invocation of Great Britain suggests, *The Survey* was not treading new ground here. Ten years earlier, Great Britain had established a system of national unemployment and health insurance with the National Insurance Act of 1911, which Italy and Norway had copied. Nations such as Switzerland, Belgium, and Denmark had unemployment insurance experiments dating to even earlier, while Germany’s ad hoc social insurance system had roots

¹⁹⁶³ William Chenery, “Unemployment at Washington,” *The Survey*, October 8th, 1921, 42-43. Zieger, 89. Chambers, 171. Udo Sautter, *Three Cheers for the Unemployed: Government and Unemployment Before the New Deal* (New York: Cambridge University Press, 1991), 142.

¹⁹⁶⁴ Ibid.

dating back to Bismarck. The week before Chenery's piece, noted Wisconsin economist and La Follette advisor John Commons had laid out the history and potential future of unemployment insurance in America for *Survey* readers. Explaining the features of the unemployment insurance bill recently introduced in Wisconsin, Commons advocated the creation of a "mutual insurance company...created, operated, and managed solely by the employers," which they could pay into and pay out as they decided, as supervised by a state insurance board. "In other words," Commons explained, "the system proposed is exactly like that of the workman's accident compensation law of this state...It is a capitalistic scheme. It avoids the socialistic scheme, in that the state does not go into the insurance business...It induces the business man to make a profit or avoid a loss by efficient labor management. It places the compensation so low that the workman has no expectation of more than enough to pay his rent."¹⁹⁶⁵

Commons' emphasis on a private sector solution here was not just an anticipation of Hoover's associationalism. Along with Louis Brandeis, eminent economists like Wisconsin's Richard Ely, and one of his students, John B. Andrews – who eventually became the moving force behind the organization – Commons had founded the American Association of Labor Legislation in 1909 to bring economists' insights to bear on the social problems of the day. In practice, this often meant taking up the social insurance standard gaining adherents overseas and applying it to the United States. In 1915, the AALL had proposed a compulsory health insurance system in 1915, not unlike Great Britain's, that eventually went down to defeat in New York State in 1919 – a year in which comparisons to other nations' good works were out of fashion. (The following year, the American Medical Association stated its public opposition to any form

¹⁹⁶⁵ Rodgers, 222-224, 251-254. John R. Commons, "Unemployment: Compensation and Prevention," *The Survey*, October 1st, 1921, 5-9.

of national or state-run health insurance system going forward.) Scarred but smarter, Commons – urged on by organizations like Margaret Dreier Robins’ Women’s Trade Union League and Florence Kelley’s National Consumer League – took up the unemployment question instead, with an eye to the tenor of the times and a renewed understanding of the importance of public relations.¹⁹⁶⁶

Along with unemployment insurance, progressive observers also strongly endorsed the idea of public works spending to accelerate growth and put people back to work in 1921. “Cities and states and the nation itself,” Chenery argued, “ought to undertake with all possible expedition needed public improvements. No other measure for counteracting the effects of the economic depression is so inviting and none is more valid.” “I suggested sometime ago – and there seems to be some hope that it will be carried out,” Senator Borah wrote a constituent in November 1921, “that the government start work upon a number of our irrigation projects with a view of giving employment to the unemployed.” When pitching this plan to Hoover two months earlier, Borah underscored that “it gives work to large number of unemployed” while providing “acreage for the making of homes for increasing the production in this country.” In short, Borah argued, it would be one “of the most practical and desirable things we could do.”¹⁹⁶⁷

In January 1922, *The Survey* published an article, “Public Works for the Unemployed,” in which – relying on conclusions drawn at the International Conference on Unemployment a

¹⁹⁶⁶ Ibid. Chambers, 171-175. J. Dennis Chase, “The American Association for Labor Legislation and the Institutional Tradition in National Health Insurance,” *Journal of Economic Issues*, December 1994 (Vol. 28, No. 4), 1063-1090. Social Security Online – History (<http://www.ssa.gov/history/1900.html>).

¹⁹⁶⁷ William Chenery, “Unemployment at Washington,” 42-43. Borah to W.W. Crist, November 9, 1921. WJB, Box 98: Misc. Borah to Hoover, September 1, 1921. WJB, Box 104: Unemployment Problem. “I assume that the Government will, in taking care of the unemployed, seek to find them work rather than to engage in the demoralizing program of feeding them without work,” Borah also told Hoover. “The only sane and wholesome and decent way to treat an American citizen when he is in want of food is to find him labor and work so that he may pay for his food and not accept it at the hand of charity.” Ibid.

decade earlier – it further laid out its vision of how a sound public works program would be constructed. Relief works, it argued in typically progressive fashion, had to be useful and “of such nature as permanently to increase the wealth of the community” – such as drainage and irrigation, parks and forests, highways, reservoirs, and sanitation – or it would be “a source of degeneration to the workers.” (“It is not in human nature for a man to put forth his full strength in work which he knows has been artificially created.”) Public works should also be well-planned – and not just a response to crisis – and workers should both be fairly compensated and well-chosen, preferably with the aid of local aid societies. (It would not do “to supply odd jobs to large numbers of casual laborers, many of whom may have drifted in from out of town, while at the same time, good steady workers with families are undergoing a forced process of degeneration into the casual class.”)¹⁹⁶⁸

Like unemployment insurance, however, the calls for a systematic federal public works program would diminish as the Crisis of 1921, and subsequent strike wave of 1922, faded into Coolidge Prosperity. The insurance bill Commons had advocated didn’t even manage to pass in the nation’s laboratory of Wisconsin until 1932. A bill to establish a Senate committee to look into the question of public works, meanwhile, was introduced by Senator Joseph Frelinghuysen of New Jersey and reported favorably out of committee in February 1923 – but that is as far as it went. The congressional term ended the following month, with no action taken. Another public works bill put forward by William Kenyon and Congressman F.N. Zihlman of Maryland, which *The Nation* argued, “at least promised a beginning of better things,” was also stillborn.¹⁹⁶⁹

¹⁹⁶⁸ “Public Works for the Unemployed,” *The Survey*, January 14th, 1922.

¹⁹⁶⁹ Chambers, 175. Father John A. Ryan to Borah, February 8th, 1923. WJB Box 130: Committee – Frelinghuysen Bill. *The Conductor and Brakeman*, February 1923 (Vol. 40), 423. “Editorial Paragraphs,” *The Nation*, July 19th, 1922 (Vol. 115, No. 2976), 56. Chambers, 172.

In 1926, with Coolidge prosperity in full flower, Isaac M. Rubinow – the theorist whose 1913 book *Social Insurance* had helped bring the subject to progressive attention – argued it was perhaps time to raise the question again. Social insurance, Rubinow argued in *The Survey*, was “a system of insurance established by law, and with the assistance of governmental powers, to protect the working masses against the common vicissitudes of life which ordinarily lead to loss of income and consequent misery and distress.” The fact that the United States had not yet forged such a system, he conceded, was proof to many “that America, of all countries, does not need it; that the phenomenal prosperity of this, the richest country in the world, has made unnecessary a type of legislation which impoverished Europe is forced to depend upon.” But this view, Rubinow argued, was naïve, and did not take into account the obvious income inequalities and disparities of wealth that persisted despite the general prosperity. “One cannot sweep away the ocean of human misery with a charitable broom,” he warned.¹⁹⁷⁰

What was needed, Rubinow argued, was “a Social Insurance Revival.” “If the somewhat naïve optimism of benevolent and continuous social progress which was so rampant a decade ago received its setback in 1917,” he argued, “it is just as unwise to assume...that as a result of the World War must come a complete breakdown of western civilization. It seems to me that in 1926 we are again ready to plan on lines of social progress not very much different from those we believed in ten years ago.” In the twenties, at least, that revival for the most part did not occur. Organizations like the AALL, WTUL, and the National Conference of Social Work worked hard to draw attention to continued poverty in the midst of Coolidge prosperity, and *The Survey*'s Paul Kellogg argued in 1929 that “no nation is economically healthy and solvent which does not set a fair bottom level below which it shall not let the hazards and vicissitudes of

¹⁹⁷⁰ I.M. Rubinow, “Needed: A Social Insurance Revival,” *The Survey*, May 15th, 1926, 233-234.

modern organized production press down on the individual and the family.” But, for the most part, these pleas fell on deaf ears. As one reformer put it, remembering the decade, “Utopia needed no social insurance.”¹⁹⁷¹

While public works, social insurance and related ideas like old-age insurance languished, historian Clarke Chambers noted in his 1963 study of the New Deal’s roots, other avenues of reform instead moved to the fore. “Labor preferred restriction on immigration as a way to protect wage standards and reduce unemployment,” write Chambers, “business fancied higher tariffs, trade associational activity, and tax cuts to shake loose investment capital; agriculture turned to various schemes, most notably the proposals known as McNary-Haugenism, to uplift the farm segment of the economy.”¹⁹⁷²

And yet, not all the programs and reforms that would form Franklin Roosevelt’s New Deal in the decade to come were completely foreign to the 1920’s. (Indeed, as more than one later reformer noted, the New Deal owed a considerable debt to the La Follette-Wheeler platform of 1924, just as earlier Progressive Era reforms had echoed Governor La Follette’s achievements in Wisconsin.) Some of the later New Deal reforms lay quiescent, but on others reformers struggled mightily to gain ground, unknowingly paving the way for future gains in a less prosperous era. One of the most important of these was the very notion of a federal welfare state itself.

The General Welfare

¹⁹⁷¹ Chambers, 159-160, 179-180.

¹⁹⁷² Chambers, 172.

Even as Warren Harding took office in March 1921 aiming to bring more business to government and less government to business, former suffragists, flush with victory after passage of the Nineteenth Amendment, entered the decade with a very different vision of government in mind. With regard to foreign policy, as previously noted, the women's movement embraced the call to disarmament and, eventually, the Outlawry of War. As for the domestic agenda, the newly formed League of Women Voters drew up the following list during the election of 1920:

1. Sheppard-Towner (Maternity and Infancy Protection).
2. Constitutional amendment to abolish child labor.
3. Adequate funding for the Children's Bureau.
4. A federal Department of Education
5. Federal aid to combat illiteracy and to raise basic teachers' salaries.
6. Compulsory civic education in the schools.
7. Federal regulation of food marketing and distribution.
8. Federal aid for home economics training.
9. Women representatives on all federal commissions.
10. A federal-state employment service with a women's department (headed by a woman.)
11. An end to discrimination against women in the Civil Service.
12. Public funding for sex hygiene education.
13. American citizenship for American-born women who married alien men and identical naturalization procedures for men and women.¹⁹⁷³

This was a very different vision of the federal government's role than what Harding or even Herbert Hoover, with his network of voluntary associations, had in mind. And, in fact, women reformers had already established a beachhead in the federal government to make real some of these reforms with the Children's Bureau, which had been created in 1912. Through the hard work of Wilson-era Bureau chief Julia Lathrop and others, the number of states with child hygiene or child welfare divisions leapt from eight in 1917 to thirty-five in 1920. By 1921, when former settlement house worker and head of the Bureau's child labor department Grace Abbott took the reins, the Children's Bureau was an established force in the federal government, ready

¹⁹⁷³ Paulson, 199-200.

to effect even more change at the national and state level on behalf of American's youngest citizens. As historian Robyn Muncy notes, "the use of federal power to build up public social services at the expense of private agencies clearly distinguished the goals of the Children's Bureau from those at the Commerce Department. At precisely the time that Hoover and his men were using federal influence to empower private trade associations, women in the Children's Bureau were swinging their resources into public institutions...Nowhere were the competing views of the state more obvious or more apparently gender-related."¹⁹⁷⁴

With the passage of the Sheppard-Towner Act in November 1921 – which provided \$1.5 million in 1922 and \$1.25 million a year thereafter in federal grant money to support state-level child and maternal health programs – Grace Abbott and the Bureau had not only the mandate but the resources to build an infrastructure of support for child and maternal health programs across the country. "Once states opted into the Sheppard-Towner system of matching subsidies," historian Theda Skocpol has noted – and by 1923 forty states had – "the 1921 act had the effect of reinforcing and spreading a nationwide system of 'permanent administrative units that would promote child welfare reforms.'" Spurred by these federal investments – and the voluminous literature put out by the Bureau – states were thus encouraged to play a more formative role in the health and well-being of mothers and small children, including setting up a system of monitoring mortality rates and encouraging the provision of public health information and services. In effect, Abbott and the Bureau were helping to forge a new public health network

¹⁹⁷⁴ Muncy, 108. Lemons, *The Woman Citizen*, 144.

under the rubric of government, rather than through charities, settlement houses, and private social work.¹⁹⁷⁵

The Bureau Chief was quite explicit about her vision. “If we are to have...universal protection for all children,” Grace Abbott told the National Conference of Social Work in 1924, “public aid must be enlisted...If we set before us the ideal of reducing to the lowest possible level our present unnecessarily high infant mortality and of assuring real physical fitness for all children, public participation in the program becomes absolutely necessary.” “Our political philosophy is grounded in fear,” she argued of those who saw the overreach of government in the Bureau’s work. “We have been taught that the government is best which governs least and that that government is least dangerous which is nearest to us...[But w]e do not today hear people saying that the abandonment of the county insane asylum, the county jail, or the county poorhouse is a direct blow at the foundation principle of local responsibility in government. It was, however, exactly so denounced when Dorothea Dix began her agitation for state and national provision for the insane.”¹⁹⁷⁶

In short, just as the schooling of children had eventually come to be considered a public issue, so too with the health and wellbeing of they and their mothers. “We are not guided by the past in our social thinking,” Abbott concluded. “We cannot be guided by the past in the adaptation of political machinery to social needs not understood nor given recognition at the time

¹⁹⁷⁵ Skocpol, 507-510. Skocpol is quoting another historian, Sheila Rothman, who argues: “To receive federal funds, a state had not only to approve matching funds, but also to establish a state agency that would coordinate its health programs with the Children’s Bureau. And this agency had to be a separate unit...Further this agency had to spawn county agencies, mini-departments of child hygiene to administer the funds. All of this was intended to bring into being a powerful and pervasive network of governmental bodies whose *exclusive* concern was child welfare.” Skocpol, 508.

¹⁹⁷⁶ John Sorensen & Judith Sealander, ed., *The Grace Abbott Reader* (Lincoln: University of Nebraska Press, 2008), 43-45.

that machinery was set up. We shall have to do our own thinking and assume responsibility for what we do or fail to do for the children of the present.” This was a more progressive statement than is usually remembered of Harding appointees.¹⁹⁷⁷

Over in the Commerce Department, Secretary Hoover did not disagree with Abbott’s goals. “Every child delinquent in body, education, or character,” he told the American Child Hygiene Association in 1920, “is a charge upon the community as a whole and a menace to the community itself.” As that meeting, he had offered his own “program for American children,” which, according to *The Survey*, emphasized “problems of birth, health, housing, food supply, education, labor, and legislation.” Some of its solutions – such as educating public opinion about good health and nutrition practices – seemed very akin to what the Children’s Bureau was trying to do. (“The investigations of the Food Administration during the war,” Hoover noted, “showed a woeful lack of appreciation of the need of milk for children, generally in the poorer section of the larger cities. Any study of the nutritional problem for children in the city quickly divides itself into malnutrition due to poverty, and that due to ignorance on the part of parents.”)¹⁹⁷⁸

But Hoover did take issue with the methodology of federal intervention – although, in the end, he liked even less that the Bureau was operating outside his own bureaucratic fiefdom. In 1929, the Sheppard-Towner Maternity and Infancy Act was allowed to lapse, partly because the continued opposition of the American Medical Association, and partly because male politicians no longer held the same fear of a woman’s voting bloc. The following year, to the shock and dismay of women reformers, then-President Hoover transitioned much of the remaining powers

¹⁹⁷⁷ Ibid.

¹⁹⁷⁸ Bertha Taylor Voorhorst, “Hoover and the Children,” *The Survey*, November 13th, 1920, 247.

of the Bureau to the male-dominated Public Health Service. The move, argued a wrathful Florence Kelley in *The Nation*, “served to reveal clearly at last President Hoover’s long ill-concealed intention to dismember and destroy the federal Children’s Bureau.”¹⁹⁷⁹

While Hoover’s empire-building instincts may have overwhelmed his sense of political economy in the end, others thought the vision of government put forward by Abbott was disastrous to the republic no matter where such programs were housed. “Back of this unpretentious, simple looking bill today,” asserted Republican Congressman Frank Greene of Vermont during debate over Sheppard-Towner, “are the agencies that for a long time have been persistently and insidiously working to incorporate into our American system of public policy...Government supervision of mothers; Government care and maintenance of infants; Government control of education; Government control of training for vocations; Government regulation of employment, the hours, holidays, wages, accident insurance and all; Government insurance against unemployment; Government old-age pensions.”¹⁹⁸⁰

Similarly, a Massachusetts doctor, highlighted in anti-Sheppard-Towner pamphlets put out by the “Massachusetts Civic Alliance,” called the bill “the camel’s head in the tent, soon to be followed by the rest of the camel.” “Maternity Benefits is paternalism, communism,

¹⁹⁷⁹ Muncy, 146-148. Chambers, 51. Florence Kelley, “Save the Children,” *The Nation*, December 10th, 1930 (Vol. 131, No. 3414), 643-644. “Hoover’s support for maternal and infant health programs *in the Public Health Service*,” argues Robyn Muncy, “revealed that competition between [male and female] professional cultures was truly central in the fight over Sheppard-Towner. Herbert Hoover was, after all, the draftsman of the associative state. If commitment to budget-cutting, anti-communism, states’ rights theory, and such business values as competition, economy, efficiency, and the profit motive could suffice to explain the downfall of Sheppard-Towner, then Hoover would have opposed maternal and infant health programs *in any agency*. But he did not...The differences between the approach of the Children’s Bureau and the Public Health Service to maternal and infant health had everything to do with their contrasting professional cultures and the very different sorts of public policies that those cultures encouraged.” *Ibid.*

¹⁹⁸⁰ Skocpol, 501.

Sovietism, and all the other isms of the kind condensed into one,” he warned. “It is the entering wedge for all the various forms of compulsory insurance...It makes white man the equal of the Indian, a ward of the state.” Cornelia Gibbs, a “mother of four,” member of the DAR and the American Child Hygiene Association, and director of The Babies Milk Fund, deemed Sheppard-Towner “a fraudulent pretense in the name of motherhood, that...provides nothing but offices, salaries, and traveling expenses for amateur investigators of motherhood and nothing of real benefit to mothers themselves. To put such power in the hands of those controlling Federal Bureaus, who will be entrenched behind red tape for all time to come, is to my mind a great menace to our institutions.” If the bill passed, she warned, “I cannot see anything ahead but caring for the individual from the cradle to the grave.”¹⁹⁸¹

One Senator who concurred with these fears of big government and encroaching bureaucracy was William Borah – if he and the former suffragists were allies on disarmament, a great gulf existed between them on matters of domestic import. “For twenty-five years there has been a tremendous propaganda in this country, organized and unorganized, to convince the American people that the panacea for all evils is government regulation,” he told one constituent in 1921. “We have, as a result, built up a bureaucratic spirit throughout the country and a bureaucracy at Washington that has no equal in the world...if there was any form of government more burdensome, more sterilizing, as to the energies and capacity of the people, or more venal and corrupt than a bureaucratic form of government, God in His infinite mercy had not permitted it to curse the human family.” Before Sheppard-Towner, he grimaced, “we have been content

¹⁹⁸¹ “Maternity Benefits, Socialized Medicine,” Massachusetts Civic Alliance. WJB, Box 101: Sheppard-Towner Bill. Cornelia Gibbs to Borah, April 26, 1921. WJB, Box 101: Sheppard-Towner Bill.

with taking charge of the child at its birth. We now propose to have the government anticipate matters and look after the possibilities prior to birth.”¹⁹⁸²

In Jeffersonian fashion, Borah – with one major and already-noted exception – continued to rail against this centralizing tendency throughout the decade. ““The truth is we are building up a bureaucracy here in Washington which reaches out and puts almost every mental and physical activity known to man in straight jackets,” Borah lamented in 1922 – clearly before finding renewed religion on the Prohibition question. “What the people back home get as a result is a few more salaried officers and less efficient government.” To an admirer from Selma, Alabama, Borah predicted that “[i]f we travel the course in the next fifty years that we have in the last fifty, we shall have practically wiped out State lines and established a bureaucracy in our Capitol.”¹⁹⁸³

In a April 1925 speech, Borah delivered one of his most robust and vehement attacks against this emerging vision of government. “Nowhere and in no way,” he proclaimed, “is this vicious program of change for change’s sake, this fatuous stumbling in governmental affairs more pronounced than in the gradual but certain destruction of the States and the centering of all power, all government activities at Washington.”:

No political party in Washington seems willing to stand against this subtle revolution, against this un-American, undemocratic program. As a result of well organized and venal propaganda on the one hand and sheer political expediency on the other, we are building up a bureaucratic form of government – the most expensive, the most burdensome, the most inefficient and the most arbitrary form of government which thus far has ever been permitted to torture the human family.

Every conceivable thing relating to human activity is being given over to bureaus administered from Washington. This results in waste and inefficiency touching all local or state affairs which

¹⁹⁸² Borah to Wm. M. Morgan, July 30, 1921. *WJB*, Box 98: Misc.

¹⁹⁸³ Borah to Ezra Howard, Pioneerville, Idaho, July 5, 1922. *WJB Box 114: 1921-22: Integrity of the States*. Borah to Martin L. Calhoun, Selma, AL, July 11, 1922 *WJB Box 114: 1921-22: Integrity of the States*.

in itself is burdensome and bad enough. But its capital offense is that of undermining the confidence and destroying the capacity of the citizen to assume and meet the duties and obligations of citizenship. The right, the authority, of the people to manage and control their own affairs of an immediate and local nature, affairs peculiar to the community or the State, is a right beyond all price. There is nothing for which the people can afford to exchange it. It is the only real democratic principle found in our entire structure of government. It means more to the happiness, to the dignity and power of those Lincoln lovingly styled the ‘common people’ than any other right or privilege they are permitted to enjoy. Destroy it and the average citizen becomes the victim of bureaucratic interference – tortured with its persistent leering upon the affairs of his daily life and burdened and exploited by its chronic inefficiency and habitual waste...

The remorseless urge of centralization, the insatiable maw of bureaucracy, are depriving more and more the people of all voice, all rights touching home and hearthstone, of family and neighbors. There is not a practice, custom, or habit but must soon be censored from Washington. There is not in all the relationship of parent and child, of family and home, anything sufficiently private or sacred to exempt it from the furtive eye of the special agent. I venture to say that coming generations when they awake to the deliberate robbery, to the unconscionable devastation of their heritage of local self-government, and begin to suffer the tortures and burdens of such a system as will follow, will denounce in the unmeasured terms of a defrauded people those who have cowardly frittered away their rights.¹⁹⁸⁴

“Let it not be forgotten,” Borah concluded, “that local self-government is the citizen’s citadel of political power. Dislodged from this he becomes a political tramp, the helpless victim of arbitrary rule. Local self-government is the great political university where the average person is trained for the civic obligations which all sooner or later must assume if we are to continue a republic. Initiative, a sense of responsibility, political character, a feeling that they are a part of the government, and patriotism are all born of that daily contact with government which local self-government alone can furnish.” Put another way, the enthronement of federal government in daily affairs, Borah thought, would undermine the civic republican emphases on virtue, citizenship, and self-government that were central to the older progressive vision.¹⁹⁸⁵

With his later position on Prohibition, Borah’s concerns are easy to lampoon as sheer hypocrisy. But he was not the only progressive to think thus. “I used to think that a ‘radical’ was

¹⁹⁸⁴ William Borah, Speech to the Isaak Walton League, Chicago Illinois, April 4th, 1925. WJB Box 780 Speeches.

¹⁹⁸⁵ Ibid.

a person who...stood out valiantly – and even a bit wildly and frantically – against all avoidable encroachments upon individual life by that arch-foe of individuality and personality, that greatest of all necessary evils, the State,” William Hard told *The Survey* in 1926. “I have lived to see my error”:

The ‘radical’ of this moment – dominantly – is not so much interested in trying to weaken the power of the State to enslave the thinker and the worker as he is in vainly trying to strengthen the power of the State to enslave the manager and the capitalist.

I say ‘vainly.’ At Washington we see bureau after bureau, commission after commission, founded by the energies of ‘radicals’ and dominated now – and used against ‘radicals’ – by reactionaries.

This is so; and it is bound to be so; for the plain simple reason that more ‘reactionaries’ than ‘radicals’ can pay their railroad fare to Washington to see to it.¹⁹⁸⁶

“Those who take the sword will perish by the sword,” Hard warned, “and those who lay hold of government excessively to serve their purposes will ultimately perish excessively by government; for government in essence is nothing but coercion, nothing but the sword.” Disgusted that the red in radical was now a “red-tape-worm,” Hard argued that “[c]ontemporary ‘radicalism’, trying governmentally to enslave its enemies, can end only be enslaving itself. It needs to transfer its emphasis from more commissions to more emancipations, from more bureaus of governmental inquiry to more equalities of governmental behavior, from more laws to more repeals of more laws.”¹⁹⁸⁷

With regards to Sheppard-Towner, the editors of *The New Republic* thought all of this was sheer hysteria, mostly put forward by irate physicians afraid of threats to their “medical liberty.” To the “certain Massachusetts physicians who argue that ‘this bill leads to control by the state, or socialism; socialism leads to bolshevism, and bolshevism leads to anarchy,’” TNR

¹⁹⁸⁶ William Hard, “Where are the Pre-War Radicals,” *The Survey*, February 1, 1926, 538-539.

¹⁹⁸⁷ Ibid.

reminded them that “in the United States, which all of us loyally declare to be the most enlightened and the most humane country in the world, 25,000 die in childbirth every year... There would seem to be a good case for paternalism, when the milk of maternalism turns so sour.” (As for those who cited excessive government costs, the journal reminded readers that the entire Sheppard-Towner appropriation was “from one twentieth to one-tenth of the cost of a battleship.”)¹⁹⁸⁸

This was not bureaucratic legislation, they maintained – In stimulating cooperation between the federal government and states, “it is in fact one of the least bureaucratic measures ever put before Congress.” And while critics assailed the structure of the bill, “those who have the most powerful conceivable claim upon the interest of the nation are dying by the ten thousand, needlessly.” Grace Abbott argued similarly in 1924. To those who saw in Sheppard-Towner the shadows of “socialized medicine, as the beginnings of state medicine, as a program supplied by Moscow,” she asked “the real question: ‘Can the general health of children be safeguarded by any other method?’ there is no answer.” Borah was having none of it. “Under the guise of serving the public in some laudable, or humanitarian, enterprise,” he wrote in 1924, “we are changing our whole structure of government.” “Of course, every sane man and wholesome woman is in favor of protecting children,” he argued, but it would avail the next generation very little “if the method we adopt... destroys the blessed old Republic whose blessings they are supposed to inherit.”¹⁹⁸⁹

¹⁹⁸⁸ “The Maternity Bill,” *The New Republic*, April 17th, 1921 (Vol. 26, No. 334), 252-253.

¹⁹⁸⁹ “Ibid. Sorensen & Sealander, ed., 43-45. Borah to Editor of the *Cleveland Times*, June 4th, 1924. WJB Box 162: 1923-1924: Newspapers.

This same question of the appropriate role of the federal government reared again in the 1920's fight over Item No. 4 on the LWV's national agenda, the creation of a Department of Education. "[W]e wish to let you know what is wanted is a DEPARTMENT OF EDUCATION," the head of the Virginia LWV wrote to Senator Borah in December 1920. "We want an expert in education, in the new and larger sense, which makes it the chief medium for human welfare and national unity in the United States." "To accomplish a great national purpose there must be a national center from which shall radiate national influence," argued a pamphlet from the National Committee for a Department of Education. "The evidence is perfectly clear that states individually cannot furnish that equality of opportunity which is fundamental to our government." The powerful General Federation of Women's Clubs also "unanimously endorsed a Department of Education in the cabinet...we oppose the subordination of Education to other interests, for we feel that Education aside from its inherent value underwrites the material prosperity of the nation and deserves a separate department."¹⁹⁹⁰

A bill creating a Department of Education had been introduced by Senator Hoke Smith of Georgia and Republican Congressman Horace Mann Towner of Iowa (also the co-sponsor of the Sheppard-Towner Act) in both January and May 1919, in the 65th and 66th Congresses respectively. Along with establishing a federal Department of Education, it provided an appropriation of \$100 million – "\$7,500,000 for the removal of literacy; \$7,500,000 for Americanization; \$20,000,000 for physical education, including health education and sanitation, \$15,000,000 for the preparation of public school teachers; \$50,000,00 for equalizing educational opportunities in the states." "The wealth of one state is \$14,000 for each child of school age,

¹⁹⁹⁰ Elle Marcus Marx to Borah, December 20, 1920. WJB, Box 92: Educational Matters. "Facts about the Educational Bill," National Committee for a Department of Education, February 1921. WJB, Box 101: Smith-Towner Act. Mrs. Edward Franklin White to Borah, June 1, 1921. WJB, Box 101: Smith-Towner Act.

while that of another state is only \$2000,” the National Committee noted of this last measure, and so “the greatest need for improvement in education is found where there is the least taxable wealth.”¹⁹⁹¹

The Smith-Towner bill was crafted in such a way as to minimize the emphasis on centralization – the Senate sponsor was, after all, a Georgia Democrat – but critics railed against it regardless. This measure, one northern opponent argued, would “take money from those parts of the country which educate their children and spend it on those who do not.” Senator William King of Utah, meanwhile, thought the legislation would make “States...mere appendages to the Federal Government, not sovereignties possessing sovereign powers and charged with sovereign responsibilities.”¹⁹⁹²

With Hoke Smith replaced by Tom Watson in 1920 (who himself died in 1922, paving the way for the one-day appointment of 87-year-old suffragist and white supremacist Rebecca Felton, the first woman senator, however briefly, in American history), the Smith-Towner bill was reincarnated in 1921 as the Towner-Sterling bill, with Senator Thomas Sterling of South Dakota taking Smith’s place. When Horace Mann Towner accepted Harding’s offer of the Governorship of Puerto Rico in 1923, the bill subsequently became the Sterling-Reed bill in 1924, with new House sponsor David Reed of New York. Finally, a slimmed down version of the bill, creating a federal Department of Education with only a \$1.5 million appropriation, was

¹⁹⁹¹ “Facts about the Educational Bill.” Douglas J. Slawson, *The Department of Education Battle, 1918-1932: Public Schools, Catholic Schools, and the Social Order* (Notre Dame: University of Notre Dame Press, 2005), 23, 32, 39.

¹⁹⁹² Slawson, 32, 39.

introduced in December 1925 by Reed and Senator Charles Curtis. But Curtis-Reed, like its several predecessors, remained bottled up in committee.¹⁹⁹³

This was in part because Borah, who took the gavel of the Senate's Education and Labor Committee upon William Kenyon's departure in 1922, hated the idea. "I am thoroughly in favor," he wrote, "of the national government doing its part in the work of affording sufficient educational advantages and facilities for the American people." "As a general proposition," he told one constituent in 1922, "I am opposed to bureaucracy and bureaucratic control generally, and I think it is a very serious matter to consider putting our educational matters under such a system." To others, he was more emphatic. A federal department of education, he argued, would "direct, guide, and control the whole educational system from the mother's knee to the final departure from campus" and effectively make Washington "omnipotent in educational affairs... Why not confess at once that we have become a people utterly without initiative, self-reliance, or self-help and fall down like savages of old before some bureaucratic head and ask for salvation?" To another correspondent, he averred that there "isn't anything more serious in this country now than this centralization of all power and the domination of all human activities by the bureaucrats." "I can not imagine anything more deadening to initiative, to responsible citizenship, and to the ultimate welfare of the common people," he declared to yet another. If such a department were created, he said, borrowing an analogy offered to him during the Sheppard-Towner debate, "I know the bureau, like the camel, once its nose is under the tent, is soon in the middle of the enclosure." "Once you establish a Federal department of education, and in a startlingly brief time it will come to dominate completely and in detail your states in all

¹⁹⁹³ Slawson, 79-80. Richard Gribble, *An Archbishop for the People: The Life of Edward J. Hanna* (Mahwah: Paulist Press, 2006), 216-218, 222-225.

matters of education,” he argued in a 1926 speech on the subject. “That is the unbroken history of Federal bureaus.”¹⁹⁹⁴

In this fight, Borah had a powerful ally in the Catholic Church, who saw the Smith-Towner bill and its subsequent incarnations as a dire threat to parochial schools. As such, the National Catholic Welfare Council were early and consistent opponents of the measure. “Any one with an ounce of common sense,” argued Father James Ryan in 1924, “knows that when the Federal Government divides \$100,000,000 among the States for educational, or any other purpose, it will insist upon a regulation of the manner in which the money is spent, and that would amount to a dictatorship.” “The philosophy behind this idea,” Ryan told one thousand Catholic women at the Hotel Astor, “is that the child does not belong to the parents, but to the State.” While Ryan conceded that education was of national import, “some of our well-meaning but rather poorly informed men in public life fail to detect the great difference between ‘national’ and ‘nationalization.’”¹⁹⁹⁵

With the Church engaged on this fight, it did not take long for the education question to become another proxy for the religious and culture wars engulfing the decade. “We look to your committee to report the bill out speedily,” one “One Hundred Per Cent American” wrote Borah in 1924, “and we are confident that it will pass and become law by a substantial majority, despite all the wire pulling, lobbying, threats, thuggery, and Jesuitical manipulation of the alien forces

¹⁹⁹⁴ Borah to Frank Burroughs, December 29th, 1923. WJB Box 168: Sterling-Towner-Reed Bill. Borah to O.F. North, March 23, 1922. WJB Box 125: 1921-22: Towner-Sterling Bill. Ashby, 67-68. Borah to Jesse M. Chase, March 10th, 1922, WJB Box 125: 1921-22: Towner-Sterling Bill. Borah to Elizabeth Russum, January 2nd, 1925. WJB Box 177: Education Legislation. Borah to O.O. Haga, November 23rd, 1923, WJB Box 144: 1922-23 Sterling-Towner Bill. Speech, March 12, 1926th. WJB Borah Box 201: Educational Legislation.

¹⁹⁹⁵ Slawson, 243-244. “Fears Federal Rule in Education Bill,” *The New York Times*, December 12th, 1924. Father James Ryan can be readily confused with Father John A. Ryan, who spoke out against birth control – they are two different people.

opposed to our public schools, and to the Towner-Sterling bill in support of our public schools.”¹⁹⁹⁶

W.E.B. DuBois and the NAACP also opposed the Smith-Towner legislation, in this case because it hewed too closely to state’s rights. In allowing federal funds to be distributed “in like manner as the funds provided by State and local authorities for the same purpose,” *The Crisis* argued, the bill would help preserve an educational system in the South that “spends only the miserably inadequate sum of \$10.32 a head on the education of white children and only \$2.89 for each colored child.” Decrying the “vicious provisions of a great bill,” *The Crisis* thought it not a “proposal to decrease illiteracy” but a “bill to encourage lynching, peonage, and ignorance in the South by perpetuating the present educational discrimination against ignorant and helpless Negroes. Shame on the men, women, and national organizations which have loaned their names and influence to this travesty on educational justice.” Any bill that tried “to make ignorance among Negroes permanent while white children are educated from the proceeds of taxes paid by Negro citizens,” the journal declared, was “a disgrace so unspeakable that it deserves the denunciation of every decent American citizen.” “If this is National Education – God keep us in ignorance.”¹⁹⁹⁷

In a October 1923 op-ed for *The Crisis*, Florence Kelley also argued that the education bill, with its free handout of federal money without conditions, should be opposed in its current form. Breaking with the WJCC – “the ablest body of women at work for legislation in this

¹⁹⁹⁶ “One Hundred Per Cent American” to Borah, undated. WJB Box 168: Sterling-Towner-Reed Bill. The Catholic Church and its “medieval, autocratic, political system, which is in form an absolute monarchy,” this correspondent argued, “cannot bear the light of reason, logic, or history.” Ibid.

¹⁹⁹⁷ “Vicious Proposals of a Great Bill,” *The Crisis*, February, 1922 (Vol. 23, No. 4), 152-153. “The Sterling-Towner Bill,” *The Crisis*, April 1922 (Vol. 23, No. 6), 248. “The Sterling Discrimination Bill,” *The Crisis*, March 1924 (Vol. 27, No. 5) 199-202.

country” – Kelley believed these same clauses forced “all enlightened citizens to opposed it as actively as they push the Anti-Lynching bill.” Schools in the South, Kelley wrote, had “been for a half century America’s one great monument to incompetence... Instead of requiring a State to modernize its Constitution first and get its federal money afterwards, it is to get the money anyhow. But why should this be? Why should such ultra laggard states be treated with ultra laxity?” Kelley underlined that she was very much for a national role in education – “Illiteracy must go and for this Federal aid is absolutely necessary. But *this* bill must be fundamentally rewritten, or it will do more harm than good, confirming ancient evils, while experimenting with reforms that, if properly safeguarded, might prove of great value.”¹⁹⁹⁸

One of the most important opponents of the Department of Education measure was the president, Warren Harding, if only because it did not accord with his own plan for consolidation and restructuring. In his April 1921 message to Congress, Harding – keeping faith on his election-year promise to progressives – called for one single Department of Welfare, comprising health, education, and labor, “where the whole field could be surveyed and where their interrelationships could be properly appraised.” This, the president argued, “would make for increased effectiveness, economy, and intelligence of direction.” “In creating a department, it should be made plain that there is no purpose to invade fields which the states have occupied,” assured Harding. “There need be no fear of undue centralization or of creating a federal bureaucracy to dominate affairs better left in state control.” In any event, Harding concluded, “we must ever resist the growing demand on the federal treasury for the performance of service for which the state is obligated to its citizenship.”¹⁹⁹⁹

¹⁹⁹⁸ Florence Kelley, “The Sterling Discrimination Bill,” *The Crisis*, October, 1923 (Vol. 26, No. 6), 250-255.

¹⁹⁹⁹ Edward T. Devine, “The President’s Message,” *The Survey*, April 23rd, 1921, 105.

“All honor to the chief executive of the nation,” wrote Edward Devine in *The Survey*, “for insisting upon this and for striving to make the federal activities affecting the public welfare more effective.” In the meantime, Harding’s call for a broader reorganization of the Cabinet gave the National Catholic Welfare Council and others fundamentally opposed to a federal department of education a safe harbor – Groups could oppose Smith-Towner and its variations because they were supporting the president. In any case, Harding’s reorganization plan never materialized. Senator Kenyon introduced the plan in his committee in May 1921, but by October Harding seemed to be indicating that he had been moved against his original idea. At the 300th anniversary of the landing at Plymouth Rock, Harding bemoaned “the supreme centralization of power at home.” “The one outstanding danger today,” he told the assembled, “is the tendency to turn to Washington for the things which are the tasks or the duties of the forty-eight commonwealths.” The reorganization bill languished as other issues took the fore for the remainder of Harding’s presidency, and Coolidge never thought such a Department was a priority in any case. The reorganization would eventually occur several decades later, under Dwight Eisenhower.²⁰⁰⁰

The Sidewalks of Albany

Even as many reformers pushed to increase the federal domain over health, education, and welfare, other progressives were working to help fashion a new model of government in Albany, New York. There, Governor Al Smith and his top political lieutenants were attempting a fusion of the reform and Tammany approaches to politics that would echo well into the decade to come. “Practically all the things we’ve done in the Federal Government,” President Franklin

²⁰⁰⁰ Ibid. Slawson, 80-89.

Roosevelt would later tell Frances Perkins in 1936, “are like things Al Smith did as Governor of New York.”²⁰⁰¹

In previous decades, urban progressives and ethnic political machines had almost invariably looked warily at one another. Smith, notes one of his biographers, Robert Slayton, “came from an era of polar choices: elite reformers who would handle the budget with integrity and honesty, but often ignored the needs of many of their constituents, or machine bosses, who approached the city’s coffers as a starving man would a Roman bacchanal, but assiduously made sure that the poor and working classes were cared for. Al Smith pursued a third vision, and eventually realized it. In this version, administrative reform became the servant of social justice, because it permitted more money to be spent on the poor and fostered support for a fair and effective government.” As Arthur Schlesinger Jr. put in *The Crisis of the Old Order*, “Smith stood for a social welfare liberalism, indifferent to the concentration of wealth, uninterested in basic change, but concerned with protecting the individual against the hazards of industrial society.”²⁰⁰²

In the words of the Governor himself, as he put it to readers of *The Survey* in 1923, “[i]t has been my thought that within the limits of constitutional government there is much room for adaption to the daily, homely needs of those who are really the backbone of the state – its men women and children. I have expressed many times my conviction that the state is not its rivers or forests or railroads or properties, but that it is made up of living, breathing, thinking human

²⁰⁰¹ Francis Perkins, *The Roosevelt I Knew* (New York: Penguin Classics, 2011), 150.

²⁰⁰² Slayton, 160. Schlesinger, *Crisis of the Old Order*, 96-98. This dichotomy is also the central thesis of John Bunker’s seminal 1973 study, *Urban Liberalism and Progressive Reform*.

beings, and that it is the duty of the state to do everything in its power to make life more livable and conditions more equitable for them.”²⁰⁰³

Of course, Al Smith was not the only urban progressive moving towards a new paradigm in government. In his 1913 book *A Preface to Politics*, Walter Lippmann had scandalized his progressive readers by arguing that “Tammany has a better perception of human need, and comes nearer to being what a government should be, than any scheme yet proposed by a group of ‘uptown good government’ reformers.” And Congressman Fiorello La Guardia, another urban progressive hailing from the Sidewalks of New York, also argued that the true worth of government was not based solely on efficiency, the moral uplift of citizens, or its ability to uphold abstract values by enlightening public opinion, but on how well that government actually responded to real human problems and fulfilled real human needs.²⁰⁰⁴

At one point in the decade, La Guardia asked Coolidge Secretary of Agriculture (and Herbert Hoover protégé) William Jardine to look into the high cost of meat. When Jardine responded with information on how to conserve meat, La Guardia flew into a rage. “I asked for help and you send me a bulletin. The people of New York City cannot feed their children on Department bulletins.” This attempt to enlighten public opinion on meat usage, La Guardia remonstrated, “are of no use to the tenement dwellers of this great city. The housewives of New York have been trained by hard experience on the economical use of meat. What we want is the help of your department on the meat profiteers who are keeping the hard-working people of this

²⁰⁰³ Alfred E. Smith, “Goals of Government,” *The Survey*, January 1st, 1923 (Vol. 49, No. 7), 419-420.

²⁰⁰⁴ Steel, 47-48. Lippmann may have anticipated the turn towards urban or welfare liberalism, but he himself did not go along with it. “Sharing the conservative hostility to government intervention,” biographer Ronald Steel wrote of his subject, Lippmann “had opposed the child-labor amendment, a federal guarantee of civil rights, and early payment of veterans’ bonuses. When a bill came up to provide pensions for widows and orphans of veterans he declared that such special-interest groups posed a ‘menace not only to the budget but to popular government itself.’” Steel, 288-289.

city from obtaining proper nourishment.” When appearing before a housing commission at which two Catholic priests testified about the horrors of the slums, La Guardia told the committee their testimony “stands out in glaring contrast to the learned college professors, scientific experts, figure-jugglers, and truth-distorters who attempted to confuse the issues and make the Commission believe that there is no shortage in housing. You cannot feed babies on statistics, nor house families in blue prints, no better conditions on theories. The time has come when housing must be regulated as a public utility.” “The State is a living force,” Al Smith had argued similarly. “It must have the understanding to clothe itself with human understanding of the daily, living needs of those whom it is created to serve.”²⁰⁰⁵

In any case, while this new urban liberalism was not embodied by any one person, Governor Al Smith was the right man at the right time to apply this philosophy statewide. His political education for that job had arguably begun in 1911, when, as Assembly Leader, he played a central role in orchestrating New York’s response to the readily preventable Triangle Shirtwaist Fire, which had claimed 146 lives mainly because of locked doors and a lack of fire safety. As noted in Chapter Eight, up to that point Smith had been considered by most to be just another machine politician. But working alongside his fellow urban progressive Robert Wagner (who became a Senator from New York in 1926, and is best remembered for the pro-labor Wagner Act of the New Deal), labor leader Samuel Gompers, and social reformer Frances Perkins on the state commission investigating the tragedy, Smith showed that – if given leeway

²⁰⁰⁵ Zinn, *The Twentieth Century*, 108. Zinn, *La Guardia in Congress*, 73. Slayton, 170.

– a Tammany man could also lead the vanguard of reform. Fifty-six labor laws were passed in the four years after the Triangle fire.²⁰⁰⁶

The Triangle Commission was important in other regards as well. It brought Smith into contact with a host of prominent women reformers, among them Florence Kelley and Rose Schneiderman of New York's WTUL. It made real – to Smith and everyone else involved – how directly and decisively government laws and regulations, or the lack thereof, could impact the lives of those in need. And it cemented Smith's lifelong friendship and reliance upon Perkins, who had come to Albany in 1910 to advocate for protective legislation on behalf of the National Consumers League, and who ended up serving as Smith's chief investigator during the Triangle proceedings. During those investigations, Perkins brought Smith to the factories at early morning so he could meet and talk with the women coming off the ten-hour night shift. Until his withdrawal from public life, Smith would seek out Perkins's advice on countless issues involving labor and human welfare, and in 1920 he appointed her to New York's Industrial Commission to serve as his go-between with New York's labor community. When people asked the key to Smith's success, wags would remark that “he knew Frances Perkins and she was a book.”²⁰⁰⁷

Perkins knew other books too. It was she who, in 1918 – near the end of Smith's first run for governor, against Republican Charles Whitman – introduced him to Belle Moskowitz, “an able, high-minded woman of energy and shrewdness” that would become arguably the most influential of his inner circle of advisors. (The only other person who came close, Judge Joseph Proskauer, thought Moskowitz “one of the most brilliant women I ever knew.”) One New York

²⁰⁰⁶ Murray, *The 103rd Ballot*, 59-60. Schlesinger, *Crisis of the Old Order*, 96-98. John Thomas McGuire, “Two Feminist Visions: Social Justice Feminism and Equal Rights, 1899-1940,” *Pennsylvania History*, Autumn 2004 (Vol. 71, No. 4), 445-478.

²⁰⁰⁷ Perkins, 22. Slayton, 181-182.

political observer thought Moskowitz the “quintessential secretary,” but he had fallen for the ruse that Moskowitz liked to project. A former social worker who had been active in the progressive movement to reform New York’s dance halls, “Mrs. M,” as Smith called her, in fact served as the Governor’s unofficial brains trust, policy advisor, speechwriter, campaign manager, and publicist as needed. “What do you think, Mrs. M?” became a common refrain at any meeting with the governor. Indeed, when Moskowitz perished in January 1933 of an embolism at the relatively young age of 55, Smith – by then a private citizen once more – was shattered, and emotionally withdrew from a possible campaign for the New York mayoralty. She, he told reporters, was “the greatest brain of anybody I knew”²⁰⁰⁸

Smith’s Tammany background notwithstanding, it is likely not a coincidence that the American governor whose tenure most augured the shape of the later New Deal was also the one who had worked alongside women reformers for a decade before taking the State House, and who placed both his trust and the formation of his policy in the hands of Perkins and Moskowitz, both of whom shared close ties to larger networks of suffragists and social reformers. One of the largest was the Women’s Joint Legislative Conference (WJLC), a consortium of New York’s women’s groups organized in 1918 to promote social welfare legislation “as a remedy for the existing deplorable conditions under which one-half of the women are working.” Among the leading lights of the WJLC over the course of the Twenties were the WTUL’s Rose Schneiderman, Florence Kelley aide Molly Dewson, and Eleanor Roosevelt, all of whom would help to inform the governor’s policies.²⁰⁰⁹

²⁰⁰⁸ Perkins, 49-50. Elizabeth Israels Perry, *Belle Moskowitz: Feminine Politics and Exercise of Power in the Age of Alfred E. Smith* (New York, Oxford University Press, 1987), 115-120. Slayton, 129-130. Kevin C. Murphy, “Lost Warrior: Al Smith and the Fall of Tammany,” M.A. Thesis 2002 (<http://www.kevincmurphy.com/alsmith.htm>)

²⁰⁰⁹ McGuire. “Favors Bill for Women,” *New York Times*, January 26th, 1920. McGuire.

Their influence is reflected in Governor Smith first-term agenda, which called for a minimum wage, maternity insurance, an inquiry into the high cost of milk, extended workmen's compensation to cover occupational diseases, prison reform, improving access to health care professionals in rural areas, and the eight-hour day for women – Ultimately, with a strong push from the WJLC, the nine-hour day (and 54 hour week) passed in Smith's first term. "Probably in no other state," argues historian Clarke Chambers, "was there such a vigorous proponent of protective labor legislation as Governor Alfred E. Smith." "We must enact more stringent and more universal laws for the protection of the health, comfort, welfare, and efficiency of our people," Governor Smith said, echoing the words of countless social reformers.²⁰¹⁰

In fact, one of Smith's most notable achievements in his first term (1918-1920) arose from a meeting between Moskowitz and Perkins. Then, Moskowitz suggested that Smith put forward a comprehensive post-war reconstruction plan for the state of New York. The Reconstruction Commission which resulted, chaired by Smith protégé Robert Moses and with Moskowitz as Executive Secretary (and architect), included such luminaries as Bernard Baruch, Felix Adler, the head of the Federal Reserve, and the head of General Electric. Among the issues it covered were health, education, labor, and – particularly important to former Assemblyman Smith – the reorganization of New York's state government. ("Of all the men" in attendance, Elihu Root had said while presiding over New York's 1915 constitutional convention, "Alfred E. Smith was the most informed on the business of the State.") While very few of Smith recommendations would become law in that first term, the commission gave the Governor a

²⁰¹⁰ Schlesinger, *Crisis of the Old Order*, 97-98. Finan, 121. Chambers, 64-65.

blueprint to follow over the rest of the twenties, and helped solidify his national reputation as a canny administrator with a vision.²⁰¹¹

Re-elected in 1922 after the two-year Nathan Miller interregnum, Smith served as Governor of New York for the next six years. From \$7 million in 1918-1919, his first year in office, Smith increased the state's spending on education to \$70 million in 1926-1927, a factor of ten. By 1928, it took up close to half the budget. With education a state priority, both the average salary of New York teachers and the enrollment of high school students doubled, and rural areas saw their school infrastructure drastically improve. Governor Smith (and Moskowitz, who headed the public relations drive) also fought for and got passed a \$50 million bond measure to improve the state's hospitals and asylums and a \$100 million bond to develop a public works program. With Frances Perkins' aid, he hired the largest team of labor inspectors in America – more than Michigan, Ohio, and Pennsylvania combined – and ensured that labor regulations were respected in New York's workplaces and factories.²⁰¹²

Giving his ambitious aide Robert Moses loose rein, the Governor also established a State Council of Parks that worked to transform the landscape of the Empire State. From virtually nothing, New York's park system, by the end of the Smith's term, included 70 parks numbering 125,000 acres, among them 9700 acres of public beaches on Long Island. Smith also increased spending on highway infrastructure by a factor of five from his first term, leading to the creation of three thousand miles of roads across the state. After making the very savvy political choice of choosing former Governor Charles Evans Hughes to lead the commission, Smith also got his

²⁰¹¹ Slayton, 131-132. Schlesinger, *Crisis of the Old Order*, 96-98.

²⁰¹² Slayton, 162-163, 170-175, 180-183. Finan, 189-190.

state reorganization plan passed, which included a consolidation of agencies, a streamlined budget process, and the short ballot, meaning that only the top government spots – governor, lieutenant governor, comptroller and attorney general – ran for election. “As governor,” Norman Thomas later said of Smith’s eight years in the State House, “I thought him much better than Roosevelt.”²⁰¹³

There were limits to the Governor’s liberalism. Confronted with skyrocketing rents, mass evictions, and a clear housing shortage in New York City, Smith decided, in Hoover-voluntarist fashion, to work harder to “encourage capital to come back into the building field.” (“There is no legislation to make houses grow on empty lots,” he said, even if “home, everyone must have.”) Along with tax credits and a state housing bank offering low-interest loans to encourage new construction, Smith eventually opted to create an agency “to establish a permanent housing policy for the state. Such a policy does not necessarily mean the building of homes by the state, but it does mean the establishment of housing standards and of local development.” This particular strategy, however – which borrowed Secretary Hoover’s emphases on setting standards and encouraging private industry to fill the void – did little to ameliorate the state’s housing problem. A more direct intervention in the market was rent control, which passed in New York and many other states and cities after the War – including Washington DC, where it even enjoyed the support of Calvin Coolidge – as an “emergency” solution to the housing shortage. Most of these controls did not last the decade, however.²⁰¹⁴

²⁰¹³ Ibid.

²⁰¹⁴ Slayton, 172-173. Chambers, 35-37. Alfred E. Smith, “A Housing Policy for New York,” *The Survey*, October 2nd, 1920 (), 3-4. In fact, it was Smith’s housing commission that *La Guardia* was railing at when he decried the practice of trying to feed babies on statistics. Zinn, *La Guardia in Congress*, 73. Gail Radford, *Modern Housing for America: Policy Struggles in the New Deal Era* (Chicago: University of Chicago Press, 1996), 46-48.

Nonetheless, Smith was not only transforming New York State during the Twenties. He was winning reelection by increasingly thumping margins, and showing that, at least at the state level, his mold of urban liberalism resonated with voters. “Al Smith had demonstrated while he was the standard bearer that social and humanitarian legislation would always bring popular support,” Frances Perkins wrote later in life. Little wonder that his eventual successor, Franklin Roosevelt, had been watching carefully. Roosevelt, Perkins wrote, “was to carry on those ideas. He believed in them. He wanted to do what Al had done, and perhaps do it better.”²⁰¹⁵

For the Child, Against the Court

However much a silver lining in many regards, Al Smith’s New York is also the state where a decisive chapter in yet another progressive frustration of the decade took place: It was the turning-point in the battle for a Child Labor Amendment. That fight illustrated once again how reformers, with women leading the way, were envisioning a new federal commitment to ensuring the welfare of its citizens. And it also epitomized the same sort of frustrations with the Supreme Court that would push President Franklin Roosevelt to suggest his ill-fated “court-packing” scheme a decade later. As Clarke Chambers notes: “Almost every legal and political argument of the great court fight in 1937 was anticipated back in 1923 and 1924.”²⁰¹⁶

The trouble began in May of 1922 with the Supreme Court’s 8-1 decision in the case of *Bailey v. Drexel Furniture Company*, which overturned the 1919 Child Labor Tax Law putting a heavy tax on goods created through child labor. In 1916, Congress had passed the Keating-Owen Act, which, relying on powers granted through the Commerce Clause, forbade the transportation of products created using child labor across state lines. The Supreme Court found Keating-Owen

²⁰¹⁵ Perkins, 48-49.

²⁰¹⁶ Chambers, 75.

unconstitutional in 1918, under their 5-4 decision in *Hammer v. Dagenhart*, and so in 1919 a new act was passed that replaced the ban with a tax.²⁰¹⁷

Taking up the case of a North Carolina furniture company who had been penalized for hiring a boy younger than fourteen and who subsequently brought suit, Chief Justice Taft and the Court declared that Drexel Furniture Company had the right of it: Congress could pass taxes for excise purposes, but not to be used as a specific penalty. In this case, Taft wrote for the Court, the tax “provides a heavy exaction for a departure from a detailed and specified course of conduct in business.” However laudable the desire to end child labor, “a court must be blind not to see that the so-called tax is imposed to stop the employment of children within the age limits prescribed. Its prohibitory and regulatory effect and purpose are palpable,” and thus, Taft argued, must be ruled unconstitutional. Not to do so “would be to break down all constitutional limitation of the powers of Congress and completely wipe out the sovereignty of the States.”²⁰¹⁸

Progressives were dumbfounded. Writing in TNR, Edward S. Corwin argued that Taft was misapplying John Marshall’s famous dictum from *McCulloch v. Maryland* – that “the power to tax is the power to destroy” – in a way that undermined the “sovereignty of the national government within the field of its granted powers.” From now on, “any effort on the part of Congress to bring within its control matters heretofore falling to the states, raises the question of valid motive. The notion of the cooperation of the national government and the states in the furtherance of the general welfare... has apparently dropped out of view.” In *The Nation*, Raymond Buell argued the Court, by “imposing restraints on the power of Congress to levy

²⁰¹⁷ Hugh D. Hindman, *Child Labor: An American History* (New York: M.E. Sharpe, 2002), 65-73. *Bailey v. Drexel Furniture Company* - 259 U.S. 20 (1922).

²⁰¹⁸ *Bailey v. Drexel Furniture Company* - 259 U.S. 20 (1922). While the *Drexel* decision seemed to confirm progressives’ worst fears about the appointment of William Howard Taft as Chief Justice, the decision was 8-1 and included Louis Brandeis and Oliver Wendell Holmes in the majority. The lone dissenter was John H. Clarke.

taxes,” was entering novel territory. “In the light” of this decision, “it is not at all improbable that the court will nullify the Dyer anti-lynching bill, if enacted; and the Maternity and Smith-Towner educational laws, on the grounds that they infringe on State’s rights.”²⁰¹⁹

Now cut off on the legislative front twice by the Court, the anti-child labor advocates who constituted the National Child Labor Committee (NCLC) – an organization founded in 1904 by such progressive stalwarts as Jane Addams, Florence Kelley, and Lillian Wald – began looking towards a constitutional fix. After the *Drexel* verdict, NCLC General Secretary Owen Lovejoy asked the Board whether they wanted to pursue an amendment strategy. While some members, such as former Children’s Bureau Chief Julia Lathrop, thought that the current “popular distaste for governmental activity” would hamstring any attempt in that direction, the Board overall voted to proceed regardless.²⁰²⁰

Incensed that the NCLC Board could be so divided – it was a “shadow of its former self” and had “defaulted all leadership in this crisis,” she told friends and former colleagues – Florence Kelley began looking for new allies to take on the fight for a child labor amendment. This included enlisting the WJCC and her own organization, the NCL – which rejected a potential amendment, 5-5. Felix Frankfurter also harbored doubts about the strategy. Concerned about “the fashioning of responsible citizenship,” he told *New Republic* readers “[i]t is too easy to look to Washington and a centralized administration for the correction of all our national

²⁰¹⁹ Edward Corwin, “The Child Labor Decision,” *The New Republic*, July 12th, 1922, 177-179. Raymond Leslie Buell, “Reforming the Supreme Court,” *The Nation*, June 14th, 1922 (Vol. 114, No. 2971), 714-716. In *McCulloch v. Maryland*, Marshall was arguing that the state of Maryland could not tax the Bank of the United States, so in arguing that that doctrine applied here, Corwin argued, Taft was completely reversing it. “Never was a quotation more entirely misapplied.” Corwin.

²⁰²⁰ Chambers, 33-34. “National Child Labor Committee (NCLC),” Harvard University Library Open Collections (<http://ocp.hul.harvard.edu/ww/nclc.html>)

shortcomings” and thought it better to engage public opinion against the practice. Over at the American Federation of Labor, meanwhile, Samuel Gompers was sympathetic to doing *something*, but thought an amendment would be a heavy lift and preferred instead Robert La Follette’s recent proposal for constraining the Court’s powers, a variation of which would prove so much trouble for the Wisconsin Senator in the 1924 election. Nonetheless, in June 1922 Gompers formed, with Kelley and others, the “Permanent Conference for the Abolition of Child Labor” and insisted that, if Congress didn’t act, it would support an amendment. When Gompers and other members of the Conference testified to that effect before the House Judiciary Committee, the Congressmen on hand shrugged and argued their hands were tied. “It is amazing and astounding that it should be necessary to ask Congress to protect childhood,” Gompers told the press. Now “we have a fight on our hands, strange and mid-Victorian as that may seem.”²⁰²¹

Florence Kelley, meanwhile, thought anything less than a constitutional amendment was a waste of time, and that the AFL was an “infelicitous banner bearer for children” regardless. (“We must certainly get disentangled from the leadership of Mr. Gompers,” she complained to a friend. “It is worse than anything I had imagined. Whether the futility is caused by incompetence or chicanery the net result is the same, and is intolerable.”) Compounding Kelley’s irritation was the fact that progressives could not agree on the wording of the proposed amendment. Owen Lovejoy and the NCLC desired language granting “concurrent” powers to both states and the federal government, in order to encourage states to pass their own laws and avoid the constitutional controversies that had ensnared other reforms, while Kelley and others did not want to see the amendment watered down in any way. While anti-child-labor advocates fought

²⁰²¹ Chambers, 33-34. Felix Frankfurter, “Child Labor and the Court,” *The New Republic*, July 6th, 1922 (Vol. 31, No, 399), 248-250. “Organizes for Law to End Child Labor,” *The New York Times*, June 2nd, 1922

amongst themselves, sometimes quite virulently, about these constitutional issues, 1923 faded to 1924, further dulling the prospects for the quick ratification of any amendment. While forty-two state legislatures were scheduled to meet in 1923, only fourteen would do so in 1924.²⁰²²

In the meantime, everyone from Robert La Follette to Herbert Hoover to Henry Cabot Lodge had endorsed the measure. “Child labor and poverty are inevitably bound together,” Children’s Bureau Chief Grace Abbott had told wavering Congressmen, “and if you continue to use the labor of children as the treatment for the social disease of poverty, you will have both poverty and child labor to the end of time.” Even President Harding came out for a child labor amendment, telling Congress in December 1922 that, since “the decision of the Supreme Court has put this problem outside the proper domain of Federal regulation,” he recommended “the submission of such an amendment... We ought to amend to meet the demands of the people when sanctioned by deliberate public opinion.”²⁰²³

So when an amendment – with Coolidge’s tepid endorsement – was at last introduced in Congress in April 1924, it passed within two months – 297-69 in the House, 61-23 in the Senate – particularly since it was an election year and the final burden of making it law would fall on the states. The final amendment consisted of two sections: First, that “Congress shall have power to limit, regulate and prohibit the labor of persons under 18 years of age” – a victory for Florence Kelley, who had pressed hard for the eighteen year cutoff rather than sixteen years. And second, that “[t]he power of the several states is unimpaired by this article” except as “to the extent necessary to give effect to legislation enacted by Congress,” a language to soothe constitutional

²⁰²² Chambers, 35-37.

²⁰²³ Lemons, *The Woman Citizen*, 220. Chambers, 57. Raymond Garfield Fuller, *Child Labor and the Constitution* (New York: Thomas Crowell Company, 1923), 252.

concerns and make it clear the amendment should be a floor, not a ceiling, for restrictions on child labor. (Strict constitutionalists were not appeased, with Borah once again in opposition to the bill's centralizing tendencies.)²⁰²⁴

With the amendment now being sent to the States, *The Survey* noted with a sigh, “the familiar bogeys...of states’ rights, the prohibition analogy, the grasping bureaucrats of Washington, the sacred right of the 17-year-old farmer boy to pick blueberries on the hill, and all the rest – will no doubt troop from state capital to state capital to do their worst.” And so it was. “They have taken our women away from us by constitutional amendment,” one opponent proclaimed. “They have taken our liquor away from us, and now they want to take our children.” The NCLC found itself fighting the argument, in Owen Lovejoy’s words, that “no girl under eighteen would be able to wash dishes and no boy could crank up the family Ford.” In *The Survey*, Felix Adler lamented “the Child Labor Panic” which seemingly took hold of the nation. “It is one of the terrible problems of democracy that great masses of the people are asked to decide questions on which they have not the facts,” he argued. “There is wild talk about Moscow giving orders to the National Child Labor Committee.”²⁰²⁵

Organizations like the National Association of Manufacturers and the US Chamber of Commerce – as well as, to rural reformers’ dismay, the American Farm Bureau Federation and

²⁰²⁴ Lemons, *The Woman Citizen*, 220. Raymond Garfield Fuller, *Child Labor and the Constitution* (New York: Thomas Crowell Company, 1923), 252. Robert A. Dahl, *A Preface to Democratic Theory* (Chicago: University of Chicago, 1956), 106. “A 20th Amendment?” *TIME*, January 5th, 1925. Chambers, 37, 40. Ashby, 66. “Here you are, a Jeffersonian Democrat, the cardinal principle of which doctrine was the integrity of the states,” Borah responded to one constituent demanding action on the amendment, “urging me, a Hamiltonian Republican, to support a constitutional amendment enabling the national government to deal with the children of the State. Strange times, these are. But I think I can encourage you to expect favorable action, as the women always get nowadays what they ask for.” Borah to Eve Hunt Dockery, March 7th, 1924. WJB Box 150: Child Labor.

²⁰²⁵ Chambers, 37-38. Brown, 57. Judith Sealander, *The Failed Century of the Child: Governing America’s Young in the Twentieth Century* (New York: Cambridge University Press, 2003), 151. Felix Adler, “The Child Labor Panic,” *The Survey*, February 15th, 1925 (Vol. 53, No. 10), 565-567.

the Grange – whipped up opposition to the amendment. So too did the nation’s many “professional patriots,” such as the Sentinels of the Republic. This amendment, “seeks to substitute national control, directed from Washington, for local and parental control, to bring about the nationalization of our children, and to make the child the ward of the Nation,” warned the Sentinels. “It is a highly socialistic measure – an assault against individual liberty,” and to pass it would be “to fasten upon ourselves the shackles of that kind of Bureaucratic Autocracy which ruined Germany.” The child labor question, another such group maintained, was “a Trojan horse concealing Bolsheviks, Communists, Socialists, and all that traitorous and destructive brood.” Jane Addams was told by one New York employer that the amendment would make of America a “vast kindergarten.” In her memoirs of the decade, she later wrote of a talk in the course of that campaign to a group of professional men, most of them with a college background”:

[They] asked me to state categorically the author of the Child Labor Amendment and the city in which it was written. To my reply that the bill had been drawn by a professor in the University of Pennsylvania, and that he had probably been in Philadelphia when he wrote it although he may have been in Washington in conference with the Child Labor Committee, they asked me whether I could make an affidavit to those statements, otherwise they would have to believe what they had been authoritatively told that the amendment had been written by Trotsky in Moscow. There was no discussion and the arguments of such a constitutional amendment could not be entered into, because all the time was taken talking about this preposterous statement which seemed to them so important.²⁰²⁶

Another vociferous opponent of the amendment – despite the long-stated support of Father John A. Ryan for national anti-child labor measures – was the Catholic Church, who saw in it a stalking horse for the same federal encroachment that would result in a Department of Education. Along with all the other forces arrayed against the bill, the Church’s opposition

²⁰²⁶ Chambers, 37-38. White to Henry J. Allen, June 11, 1925. White, *Selected Letters*, 249. Lemons, *The Woman Citizen*, 220-221. Sentinels of the Republic to Borah. WJB Box 150: Child Labor. Addams, *Second Twenty Years*, 158-159.

helped to make Massachusetts, normally fertile terrain for progressive legislation, the first bloodbath for the amendment. Sent to an “advisory referendum” by squeamish state representatives, the child labor bill lost by almost three to one – 250,000 for, 700,000 against.²⁰²⁷

After Massachusetts, the amendment ran up a string of defeats in Georgia, North Carolina, Oklahoma, South Carolina, Texas, and Kansas, where William Allen White had argued “it was grotesque folly” to even attempt putting such a reform forward. “We are in a slough of reaction,” White warned. “It is the height of folly to push humanitarian measures at this time and give their opponents the prestige of defeat.” By the time the amendment reached the crucial state of New York in January 1925, it had passed in only three states – Arkansas, Arizona, and California – and lost in seven, and advocates for the legislation were tired and frustrated by the whirlwind of opposition, real and manufactured, they had encountered. “Is there any living Democrat in this state, beside the Governor and the State Department of Labor,” Florence Kelley complained to Frances Perkins, “who is right on the Children’s Amendment?”²⁰²⁸

As it happened, Governor Smith – a Catholic – was also wavering. While declaring his own support for the amendment, Smith recommended it too go to a referendum. Kelley fumed that Governor Smith had “gone over to the enemy,” but the damage was done. The State Assembly never even let it get as far as that, and without the reform bellwether of the Empire State behind the measure, the child labor amendment was effectively defeated. By the end of 1925, forty-two state legislatures had met and only one additional state – the ever-reliable Wisconsin – had ratified. By 1930, only six states had passed the measure. The NCLC,

²⁰²⁷ Chambers, 40-41.

²⁰²⁸ Ibid, 42-44. Kelley was asking Perkins in order to help sway the *New York World* to the cause. “Walter [Lippmann], I feel, is a lost soul on this subject and will definitely have to be re-educated from A to Z.” Kelley to Frances Perkins, December 4th, 1924. Sklar, ed., 354-355.

meanwhile, had effectively given up the fight in 1926, when Owen Lovejoy retired and was replaced by his more cautious assistant, Wiley Swift. “From now on,” said Swift in 1927, “the movement will be more gradual and necessarily less spectacular.” Florence Kelley was beside herself. “Why, why, did I ever help to start the National Child Labor Committee?” she lamented to Lillian Wald.²⁰²⁹

It was not lost on Kelley or any of the other child labor advocates that an amendment was only necessary because the Supreme Court had struck down the Child Labor Tax Law in *Bailey v. Drexel* and the Keating-Owen Act in *Hammer v. Dagenhart*. For much of the Progressive Era, as perhaps best represented by the 1905 *Lochner* case, reformers had seen the Court protect the rights of corporations under the Fourteenth Amendment, while consistently striking down any attempts to rein them in. The 5-4 decision in *U.S. v. Newberry*, scaling back campaign finance reforms in 1921, was yet another troubling example. “[I]t is high time,” Raymond Buell told *Nation* readers in 1922, “that the actual extent of its powers be reexamined.” The Court’s decision in *Adkins vs. Children’s Hospital* the following year, which Felix Frankfurter later described as the “death knell” of social legislation, only reconfirmed to many progressives that it was time to take more drastic action.²⁰³⁰

“The Supreme Court of the United States is not a hereditary body,” wrote Buell. “It does not represent privilege. Nevertheless it exercises much the same power as the House of Lords, and it is just as likely to lose touch with public opinion because of the cloistered life in which it was sheltered, and because of the conservatism which constant contact with musty legal precedents inevitable gives.” Getting rid of judicial review entirely, however, “would remove a

²⁰²⁹ Ibid, 42-44, 46. Lemons, *The Woman Citizen*, 146-147.

²⁰³⁰ Raymond Leslie Buell, “Reforming the Supreme Court,” 714-716. Chambers, 68-70.

desirable check on the domination of Congress by special interests, whether they be Agricultural blocs, American Legions, or Anti-Saloon Leagues” and “deprive the country of the services of the one branch of our Government where learning and intellect are conspicuous.” The popular election of judges was troubling too, since “such a reform would drag the court into politics more than ever,” as would subjecting judicial decisions to recall, as Theodore Roosevelt had once suggested. The most reasonable way forward, Buell concluded, “would be to require unanimity or at least a two-thirds majority before the court could set aside a law on the ground of unconstitutionality.” Since Congress already had the power to alter the size and scope of the Court, this would not even require an amendment.²⁰³¹

Buell was not alone in calling for reform. The “general tendency of all the recent decisions of the superior and puissant Nine...toward shoving the man down and lifting the dollar up,” in H.L. Mencken’s words, was inescapable. In 1922, Samuel Gompers and the AFL officially endorsed a constitutional amendment – soon put forward by Congressman James Frear of Wisconsin and later to be included in the La Follette-Wheeler platform of 1924 – providing that a Supreme Court decision on constitutionality could be overridden by two-thirds of Congress. Father John A. Ryan, arguing that “a law shall not be nullified unless its unconstitutional character is beyond reasonable doubt,” supported the idea of a seven-judge supermajority required to determine a bill unconstitutional. “The time has come in the United States,” argued Governor George Hunt of Arkansas after the *Adkins* decision, “for the people of this country to take back from the Supreme Court the unwarranted authority usurped by it in declaring acts of Congress unconstitutional.” William Sweet, the Governor of Colorado, said he

²⁰³¹ Ibid.

“would heartily approve an amendment to the constitution making it impossible for the Supreme Court to set aside an act of Congress.”²⁰³²

Even Senator Borah, who agreed with the Court on the child labor decision and who was so finely attuned to any threats to the constitutional order, thought it time, for the Court’s own sake, to rein in the powers of the Judiciary. While he disagreed with the AFL-La Follette approach of a congressional veto, he thought requiring a seven-Judge supermajority was sufficiently within the bounds of the law and introduced legislation to that effect.. “Everyone must experience a feeling of deep regret,” he said in November 1923, “when the Supreme Court of the United States announces a decision involving some great constitutional question wherein five judges hold on view and four take the opposite view.” This bill “is not an attack upon the Supreme Court,” Borah insisted. “Anything which would relieve the Supreme Court of the embarrassment, of the odium, of a five to four decision would be distinctly to the ultimate advantage of that institution.” Borah’s bill was warmly welcomed by Florence Kelley and the National Consumers League, who had urged him to take up the cause. “No one else speaks with such authority as yourself,” Kelley wrote Borah, “on the need that seven Justices should concur in order to hold a law unconstitutional.” Fiorello La Guardia, agreeing to introduce the Borah bill in the House, called it “one of the first steps the progressive group intends to make.”²⁰³³

The Borah bill never moved forward through Congress, and the decisive defeat of the La Follette-Wheeler ticket in 1924 closed the door on judicial reform for the time being.

²⁰³² Ashby, 31. “The Minimum Wage – What Next?”, *The Survey*, May 15th, 1923, 215-222, 256-261. Zinn, *La Guardia in Congress*, 71.

²⁰³³ Borah Press Release, November 8th, 1923. WJB Box 133: General Info. Florence Kelley to Borah. WJB Box 136: Invitations – New York City. Ashby, 33.

Nonetheless, the urge to reform the Court still burned in the hearts of many progressives. Deeming *Adkins* “chapter three of the Dred Scott decision” (with chapter two being *Dagenhart* and *Drexel*), Kelley told Julia Lathrop that she was “more than ever firmly convinced that we must have women in all federal courts; and Borah’s 7-2 requirement; and an effective restriction upon the due process clause which no one has hitherto succeeded in framing.” Kelley -- citing Roscoe Pound’s 1921 volume *The Spirit of the Common Law* – argued to another correspondent that the Court was too small, and that it “should be strengthened by the addition of several competent, learned women,” including Judge Florence Allen of Ohio. As it was, “monopoly of making and unmaking, teaching, interpreting, applying, administering, and enforcing the law by either sex has been hitherto eminently unsuccessful.” In *The Survey*, Kelley further developed this line of argument, telling its readers that the “monopoly of jurisprudence by men must, therefore, be replaced by just representation of women on the bench, at the bar, in the American Bar Association, and in the state associations, and by their admission to the law schools.”²⁰³⁴

While Kelley and other reformers advocated expanding the Court to as many as eighteen Justices, legal-minded progressives urged caution. Roscoe Pound himself thought “legislative revision of judicial action” was a dangerous precedent. (He did concede, however, that the discussion of reforms might help to facilitate “a better judicial frame of mind.”) Felix Frankfurter also remained un-persuaded. “The 7 to 2 proposal will not come off,” he told Kelley, “and at the rate at which the Sutherlands and the Butlers are being appointed to the Court, it wouldn’t do any good if it did.” And Zechariah Chafee reminded his fellow progressives that the Court was ostensibly the last bastion of civil liberties as well. Weakening the Court’s ability to declare laws

²⁰³⁴ Kelley to Julia Lathrop, April 21st, 1923. Sklar, ed. 312. Kelley to James Haight, May 19th, 1923. Sklar, ed. 313-314. Florence Kelley, “The Minimum Wage – What Next?”, *The Survey*, May 15th, 1923, 222.

unconstitutional could have unfortunate unintended consequences if bills violating personal rights and liberties made it through the legislatures.²⁰³⁵

There the matter lay for the remainder of the decade. But the question would come up again.

The Rivers Give, The Rivers Take

Even as the Court fight stalled in 1924, one of the most successful legislative harbingers of the New Deal reached a turning point. That same year, Senator George Norris – after a lonely fight against one of the most powerful and prestigious men of the era – turned back Henry Ford’s private bid for the Muscle-Shoals nitrate plant in Alabama. “I did not ask for the job of leading in the battle,” Norris later recalled in his memoirs. “I felt deeply I lacked the strength, the time, and the technical background to discharge that task creditably.” But just as Senator Thomas Walsh, despite his initial desires, took on the burden of prosecuting Teapot Dome and carried it through to wherever it led him, Norris led the way in first preventing private ownership of Muscle-Shoals, and then encouraging public development of the plant to bring power to the entire Tennessee Valley. By the end of the decade, thanks to Norris and, in the House, Fiorello La Guardia, Congress had already passed what would later become known in the New Deal as the TVA.²⁰³⁶

The Muscle Shoals complex, resting at the navigation head of the Tennessee River, had originally been developed using federal funds during the World War. The National Defense Act of 1916 called for the creation of domestic nitrate plants in case America had to join the conflict,

²⁰³⁵ Chambers, 73-76.

²⁰³⁶ Norris, *Fighting Liberal*, 245-246.

and in September 1917, Woodrow Wilson chose Muscle Shoals as the site for such a factory, along with the necessary power plant to keep it running. (Nitrates are used in the production of both explosives and fertilizer. Previously, America had relied on Chile for these nitrates.) By the time of the Armistice, the government had invested \$106 million into the site. Two nitrate plants had been built, and work had begun on what would later be known as the Wilson Dam, which when completed in 1925 would be the largest concrete dam in the world. In 1921, however, new Secretary of War John Weeks announced that, with the war over and with President Harding desiring to reduce government expenditures as much as possible, the unfinished Muscle Shoals site was now up for sale to any private interest who would grant a fair return.²⁰³⁷

Henry Ford saw a golden opportunity. In July 1921, he made an offer for the Muscle Shoals complex -- \$5 million for the two nitrate plants and a 100-year lease on the power plant -- paying 4% interest on the \$17 million the government had already sunk into it, plus \$66,476 to amortize the cost of the plants after a century had passed. The deal also stipulated that the government would complete the dam and power plant fifteen miles upriver, and that Ford would produce 40,000 tons of nitrogen a year, which would be sold at an eight percent profit. "Let me have this and I will make it a wonderful development," Ford said, "something that will open the eyes of the world."²⁰³⁸

While other offers were also submitted, including a competing one by the Alabama Power Company, it was Ford's that struck the national imagination. Local farmers, hoping to procure cheap fertilizer and, more importantly, to see Ford unleash the same magic in Alabama

²⁰³⁷ Lowitt, 197-199, 203.

²⁰³⁸ Ibid, 197, 200-202.

he had brought to Detroit, looked forward to seeing the Great Man develop the project. “A river that is rolling its way to the sea without working is to Mr. Ford a river in disorder,” said Paul Kellogg in *The Survey*, quoting another writer, “and he longs to put it in order by making it work.” “Henry Ford, with Thomas A. Edison, will inaugurate – for the common folk of America – the Hydro-Electric-Chemical Age,” another writer gushed. “At Muscle Shoals we will witness the culmination of centuries of patient research into the mysteries of Nature.”²⁰³⁹

Other observers weren't so sure. While not necessarily averse to the offer at first, Gifford Pinchot saw through Ford's gambit right away, noting that “for the water-power itself Mr. Ford would pay nothing” and that the offer was “seven parts waterpower to one part fertilizer.” (He would later call it “one of the most outrageous pieces of piracy against the property of the people” he had seen in his career.) William Borah also had “not been impressed” by Ford's offer since “there were no guarantees behind it...Ford doesn't really agree to do anything. He seems to feel that his reputation for doing things is sufficient.” And granted oversight of the deal once it ended up before the Agriculture and Forestry Committee, George Norris – despite considerable pressure to just sign off on it – instead initiated several months of hearings into the question, during which he began to believe that more could be made from the Muscle Shoals site as well.²⁰⁴⁰

“I came to the conclusion gradually,” he wrote after the fact, “that the possibilities were infinitely greater than had been first contemplated.” While nitrates were important for explosives in war and fertilizer in peace, “there were other goals much to be desired...I had come to the conclusion that many of the streams in the United States, flowing from the mountains through

²⁰³⁹ Ibid. Paul Kellogg, “The Play of a Big Man with a Little River,” *The Survey*, March 1st, 1924, 637.

²⁰⁴⁰ Lowitt, 202, 215. Borah to E.H. Dewey, August 18th, 1922. WJB: Muscle Shoals.

the meadows to the sea, presented the opportunity to produce great amounts of electricity for the homes and factories of the nation...It has seemed always to me that the development and conservation of such resources ought to be under public control, public operation, and public ownership.”²⁰⁴¹

In April 1922, Norris’ committee rejected all private offers for the site except Ford’s unanimously and rejected Ford’s offer by a vote of 7-9. That same month, as a counter to Ford’s offer, Norris put forward a bill suggesting that a public corporation own and operate Muscle Shoals on behalf of the government, and not just for nitrates, but as a flood control site and source of power. At the time, Norris was introducing the bill mainly just to establish a baseline to better evaluate the Ford proposal. But by June 1922 – while not casting any aspersions toward the Great Man himself – the Senator had become quite convinced that the Ford deal was bunk. Even just considering the costs to date, Ford was offering to pay \$5 million upfront for a site that taxpayers had already invested \$106 million in, and “I am against any corporation or any man getting for a mere bagatelle what cost the taxpayers of the United States \$106,000,000.” More to the point, the government was about to cede over 4600 acres of prime real estate to Ford for the sole intent of making fertilizer, when it was clear the site – as Ford well knew – could be better used as a source of hydroelectric power. The deal on the table even had the government paying the bulk of the costs of maintaining the dams for the century that Ford and his heirs grew even wealthier from the power that could be produced at Muscle-Shoals.²⁰⁴²

²⁰⁴¹ Norris, 248-249.

²⁰⁴² Lowitt, 207-209.

Norris's almost single-handed blocking of the deal enraged both Ford and many of the Alabama farmers who had wanted to see his Miracle City on the Tennessee River, as well as powerful lobbies like the American Farm Bureau Federation. "I was burned in effigy in some communities because of my fight against his offer," Norris recalled in his memoirs. "Threats against my life, to which I paid no attention, were quite common." In February 1923, even the Nebraska State House turned against their Senator – It passed a resolution urging its members to support the offer and requesting Ford visit their state for the purposes of hydroelectric development. (Norris's angry response: "I am unwilling to give away the birthright of millions of unborn citizens for the enrichment of private corporations at the expense of the taxpayers of America.") But by 1924, with the rapacity of the private interests involved in the Teapot Dome affair becoming ever clearer, Norris' fight for public ownership of Muscle Shoals began to gain adherents among his Senate colleagues, members of the conservation community, and the League of Women Voters, who in 1922 almost passed a resolution supporting Ford's offer, but by 1925 – thanks in good part to the hard work of reformer Mabel Costigan – had firmly swung into Norris' camp. Newton Baker, the Secretary of War who had presided over the initial construction at Muscle Shoals, now declared that "no project to take that power out of the hands of the Government would interest me."²⁰⁴³

Henry Ford, meanwhile, likely took up his offer with Calvin Coolidge in a private White House meeting in late 1923. That December, after Ford had renounced a third party bid and openly endorsed Coolidge, the president called on Congress to close the deal on Muscle Shoals. In March, the House moved to action on Coolidge's request, passing a bill out of the Military Affairs Committee that mirrored Henry Ford's request exactly. "Ford wrote this bill," Fiorello La

²⁰⁴³ Lowitt, 209-210, 212. Norris, 256. Lemons, *The Woman Citizen*, 131-133.

Guardia exclaimed in the five-day floor debate on Muscle Shoals, “and you cannot get away from that.” The Muscle Shoals property, he argued, could follow one of two precedents – that of Niagara Falls or that of the Panama Canal. “The Niagara power was grabbed by greedy, selfish corporations, assisted by favored legislation, and this gift of nature, this great water power is turned into dividends for these companies, and the people must pay excessive rates for power, current, and light. The Panama Canal, on the other hand, stands as a monument to government operation.”²⁰⁴⁴

While Norris had mostly refrained from casting aspersions at Ford directly, La Guardia felt no such compunction. This was a man, he argued, who with “hatred in his heart...based on his ignorance of history, literature and religion,” continually conducted “a nefarious warfare against the Jews not only of America but of the whole world.” If the House passed this bill, it would be “bowing to money...and if you pass this bill you should replace that flag on the wall of this house with a great big dollar sign...Why, gentlemen, this proposition makes the Teapot Dome look like petty larceny.” Unperturbed, the House passed the Ford offer 227-142.²⁰⁴⁵

But the bill still had to get through the Senate, and there George Norris bottled it up in the Agriculture and Forestry Committee, while continuing to drum up support against the deal. “The Senate of the United States,” reported TNR in April 1924, “is now considering a bill which many intelligent people believe will, if made a law, ultimately create a national scandal beside which the affair of the naval oil leases will seem a very teapot tempest indeed.” The month prior, *The Survey* ran a special issue on “Giant Power” which further drew progressive attention to the

²⁰⁴⁴ Lowitt, 210-211. Zinn, *La Guardia in Congress*, 124-125.

²⁰⁴⁵ Zinn, *La Guardia in Congress*, 124-125. Sobel, 243.

importance of energy, the question of public versus private ownership, and case of Muscle Shoals. “The forces for good and evil latent in Giant Power,” wrote Robert Bruere, introducing the issue, “surpass those ushered in when Watts’ engine harnessed coal to the looms of England.” “From the power field perhaps more than any other quarter,” wrote Gifford Pinchot, “we can expect in the near future the most substantial aid in raising the standard of living, in eliminating the physical drudgery of life, and in winning the age-long struggle against poverty.” Al Smith, in his contribution, argued for “state development, under state ownership and state control” of public power, with – Niagara Falls being in New York – the emphasis on state, although “we will be far from selfish. In fact, we will be ready to link...up as a unit to any possible national power development; provided, of course, as it would be natural for us to seek that the interests of the state of New York and her people in the ownership of this water power be thoroughly safeguarded.”²⁰⁴⁶

Meanwhile, by inquiring into a possible Coolidge-Ford quid pro quo and other matters, Norris and his committee (who now favored his position) were able to stall the deal through the 1924 election season, although not before Oscar Underwood of Alabama got a resolution passed calling for solution as soon as the next Congress convened. Henry Ford was sick of waiting. Disgruntled by the treatment he and his offer received, Ford rescinded it in October 1924. Coolidge, for one, was embarrassed by the way the Great Man had been treated. “If anything were needed to demonstrate the almost utter incapacity of the national government to deal with

²⁰⁴⁶ Lowitt, 212-214. “Muscle Shoals: A Scandal in the Making?” *The New Republic*, April 23rd, 1924 (Vol. 38, No. 490), 220-221. Robert W. Bruere, “Pandora’s Box,” *The Survey*, March 1st, 1924 (Vol. 51, No. 11), 557. Gifford Pinchot, “Giant Power,” *The Survey*, March 1st, 1924 (Vol. 51, No. 11), 561-562. Alfred E. Smith, “The Stake of the Public,” *The Survey*, March 1st, 1924 (Vol. 51, No. 11), 574-576.

an industrial and commercial property,” he fumed in his 1925 State of the Union, “it has been provided by this experience.”²⁰⁴⁷

While Ford had left the stage, the fate of Muscle Shoals was still very much up in the air. As soon as Congress returned after the election in December, Senator Underwood of Alabama put forward a new bill authorizing Coolidge to lease the nitrate plants to a private corporation – most likely the Alabama Power Company – for the sole purpose of creating nitrates, which would translate into cheap fertilizer for farmers. Norris’s plan of multi-purpose development and public ownership of Muscle Shoals, said Underwood, was “a good bill if what you want is only hydro-electric power” and woolly-headed bureaucrats running the operation into the ground. His plan, however, gave “all the property at Muscle Shoals to the national defense and to the production of fertilizer.” Norris emphatically disagreed. If the Underwood bill passed, he argued, “it will ultimately be recognized as a rape upon the Treasury of the United States, a gold brick to the American farmer, and the giving of a concession of untold value to some corporation... a concession so great that it will make Teapot Dome look like a pin head. Doheny and Sinclair will soon realize they were only pikers when they spent hundreds of thousands of dollars for the corrupting of private officials and the hiring of ex-public officials when a greater property is going to be conveyed to some private interest through the legislative channel without the expenditure of a dollar.”²⁰⁴⁸

There was a better way forward, the Nebraska Senator averred. “We are not legislating for today, Senators; we are setting up a milepost in the history, not only of our country, but of

²⁰⁴⁷ Lowitt, 212-214. Zinn, *La Guardia in Congress*, 126. Sobel, 243.

²⁰⁴⁸ Lowitt, 244-250.

civilization. We are going to say by our action on this bill...whether it shall be a marker for human progress, more happiness, and greater democracy, or whether we are going to relegate ourselves and our prosperity to the control of combinations and trusts.” Echoing Norris on the House side, La Guardia declared in January 1925 that “the quicker we decide to take God’s gift to the people of America and operate it for the enjoyment of all the people instead of for the profit of private corporations, the better it will be for the people of this country.” “Muscle Shoals is a water-power project first, and incidentally a nitrogen plant,” La Guardia emphasized in March. “There is no use fooling ourselves, and there is no use continuing to fool the farmer.”²⁰⁴⁹

From January to March 1925, the end of the Congressional term, the fate of Muscle Shoals would depend on the outcome of a parliamentary chess match between Senators Norris and Underwood. First, the two combatants kept overwriting the pertinent legislation with their respective plans for Muscle Shoals via the amendment process. (Much of the Senate was agnostic as to the ultimate fate of Muscle Shoals, only that someone, somehow, develop the property and put the issue to rest.) After several back and forth substitutions, Underwood won this initial round, getting his revised amendment to Norris’s amendment approved by the Senate. When Underwood’s plan passed the Senate 50-30, Norris presumed he had been beaten. As per the norm, the bill then went to conference with the House of Representatives. Since Underwood was in the Democratic minority, he did not serve as a Senate conferee – and Norris, who had been chosen to head the Senate side delegation, provided he supported the Senate’s position – asked for a unanimous consent request not to serve, which was granted. (Underwood thought this was a gallant move on his opponent’s part.)²⁰⁵⁰

²⁰⁴⁹ Zinn, *La Guardia in Congress*, 126-127.

²⁰⁵⁰ Lowitt, 253-257.

But then things hit a snag. On the House side, the only Muscle Shoals bill that had passed was the one from March 1923, supporting Henry Ford's no longer extant offer. The Underwood bill, meanwhile, had never been approved by Norris' committee – only by the entire Senate as an amendment. And so, when the conference report came back to the Senate in February, Norris noticed there were relatively insignificant issues in the bill – on the construction of navigation locks, for example – which had never been addressed in either the House or the Senate versions of the legislation and had been thus included in the conference. This, Norris argued, meant the conferees had not just conferred on the two standing bills, but actively legislated – which was against the rules of Congress. He complained this was out of order and Senate leadership, disliking the possible precedent involved and fearing Norris's threat to derail anything the Coolidge administration put forward, agreed. After a 45-41 vote sustaining the Chair's dismissal, the bill got sent back to conference. The conferees returned a new version of the report that solved the problem on February 26th, but a week later, the Senate adjourned without action on Muscle Shoals – thus killing the Underwood measure in that Congress. By the hair of a whisker, and only through Norris's strict reliance on Senate rules, the site remained in public hands.²⁰⁵¹

In March 1925, sick of the machinations attending the issue thus far, Calvin Coolidge authorized a board of inquiry to look into what to do with Muscle Shoals, thus preempting an attempt by Senator Underwood to try his bill again in the next session. When that board effectively punted – as one member summed up its findings to Herbert Hoover, “lease it if you can, and if you can't lease, then run it” – Coolidge then urged Congress in January 1926 to create a joint committee to look into finding a lessee for the property, a plan that was shepherded

²⁰⁵¹ Lowitt, 255-258. The congressional rule about no new inclusions in conference is usually one honored in the breach.

through the Senate by Senator Thomas Heflin of Alabama. This new joint committee entertained various offers for the complex, with senators on the committee supporting the bids of power companies and House members preferring the offer of the American Cyanamid Company, a nitrates manufacturer.²⁰⁵²

All the while, Norris and La Guardia continued to rail in their respective Houses for public ownership of Muscle Shoals. “You cannot find any corporation in business for love, for philanthropy, or for patriotism,” La Guardia insisted. “The lessee will want to make money and they will make it on the farmers and the consumers.” Norris, meanwhile, had chemists testify before his committee that using cyanamide to make fertilizer, a process which required water power, was now outdated – Nitrates could be made from synthetic ammonia more cheaply and easily. Norris thus continued to urge that hydroelectric power, flood control and navigation be the determining factors in Muscle Shoals’ fate.²⁰⁵³

And so the battle wended on until the spring of 1928, when another government ownership resolution put forward by Norris and La Guardia came to a vote. “The Government owns Muscle Shoals now,” Norris proclaimed, “it operates it now, and the question is, Shall we turn it over to private monopoly or shall we keep it for all the people?” As before, many Senators cared less about how power was generated at the site and more that power was generated there at all, so by continually being a thorn in the side of any private concern attempting to take over the plant, Norris had made public ownership the most likely game in town. In March 1928, he and La Guardia’s resolution passed the Senate and House. Two months

²⁰⁵² Ibid, 330-342.

²⁰⁵³ Ibid. Zinn, *La Guardia in Congress*, 128-130. Norris, 261-262.

later, after conference, the resolution passed by 43-37 and 211-147 respectively. Tiring of the whole matter and desiring not to make an election year issue of Muscle Shoals, Coolidge chose to pocket-veto the resolution. But, thanks primarily to George Norris, a precedent had been set, even during the business-friendly Coolidge era, for public ownership and development of Muscle Shoals and the Tennessee Valley. The fight would continue into the next two presidential administrations.²⁰⁵⁴

“I know you are sufficient unto yourself, and that you require from those who care for you neither expressions of unstinted admiration, nor protestations of affection,” Hiram Johnson wrote Norris after the dust had settled, “but, my dear George, I cannot tell you how your courageous and patriotic stand increased my respect and added to my love for you.” In fact, because Norris had waged his lonely fight for public development for so long, Hiram Johnson – with House co-sponsor and California colleague Philip Swing – were more easily able to gather support for their own legislation, calling for a dam on the Colorado River for flood control, irrigation, and power purposes.²⁰⁵⁵

Contemporaneously with Norris’s fight for Muscle-Shoals, Johnson and Swing, from 1922 to 1928, pushed for a Boulder Dam which could rein in the Colorado and bring irrigated water and cheap power to the West. Their fellow Californian, Herbert Hoover, had helped pave the way in 1922 by acting as Chair of the Colorado River Commission. Then Hoover, combining his love of engineering with his fondness for voluntary associations, orchestrated an agreement among the seven states involved – California, Nevada, Wyoming, Colorado, Utah, New Mexico

²⁰⁵⁴ Lowitt, 340-347. Zinn, *La Guardia in Congress*, 130-134.

²⁰⁵⁵ Lowitt, 351-352.

and Arizona – although the latter state later balked at the deal. “Mr. Hoover talks like a man about interstate treaties,” William Hard told *Survey* readers in 1924. “He talks like a boy about making a dam in the Colorado River.” But Hoover’s fondness for the Boulder Dam project should not be construed as an endorsement of public power – in this case, the generated power would be sold to private companies. “[T]he distribution of the power by the government was pure Socialism,” Hoover argued. “Such exponents of these doctrines as Senator Norris, La Follette, and Borah, together with Gifford Pinchot and John Dewey,” he argued, “no doubt hoped for the growth of Socialism inch by inch.” When Norris’ Muscle Shoals bill passed Congress again in 1931, then-President Hoover vetoed it, declaring he was “firmly opposed to the Government entering into any business the major purpose of which is competition with our citizens.”²⁰⁵⁶

In any case, after Johnson tweaked the Boulder Dam bill to give Arizona and Nevada more access to power and proceeds from power sales, the House and Senate passed Johnson’s legislation in December 1928, and Coolidge – who actually supported this particular project – signed it into law before the New Year. Speaking on the Boulder Dam in 1927, Fiorello La Guardia said it would be “a monument to the civilization of this era...the Boulder Dam project will demonstrate how cheaply power can be generated and once we demonstrate how nature may be harnessed and power generated at a low cost, it will break the control of the Power Trust and

²⁰⁵⁶ “The Drama of the Colorado,” *The New Republic*, April 1st, 1925 (Vol. 42, No. 529), 147-149. William Hard, “Giant Negotiations for Giant Power,” *The Survey*, March 1st, 1924, 577-580. Hoover, 174, 303-305. In that same interview with William Hard, Hoover made light of his public persona as the apostle of efficiency in a response to a member of the National Women’s Scenery Conservation League, who thought a dam threatened a waterfall under their protection. “Some waterfalls,” Hoover replied, “are in the wrong place, where few people can see them. Moreover, in many waterfalls the same effect could be secured by a smaller expenditure of water. Waterfalls could be constructed with a view to their better public availability as scenery, and the sheet of water used to produce the scenic effect could be much thinner. We could save water and we could also have waterfalls in better locations if we handled the subject of waterfalls with the aid of human intelligence added to the resources of nature. Scenically as well as industrially we can be better off through the civilizing of our rivers.” Ibid.

it will bring relief to the entire country.” After passage, Norris called it “at once one of the most important, humane, and justifiable pieces of legislation that had been put on the statute books for many years.”²⁰⁵⁷

Johnson’s push for the Boulder Dam had been stymied for years by two forces, the first being private power interests. “It is the opposition of Insull, and those similarly minded, that is most dangerous in the Boulder Dam Project,” Johnson wrote Ickes in the summer of 1927. “I fear it will be sufficient in the next session to prevent accomplishment. Of course, if we had the wholehearted advocacy of the administration, we could whip this great power trust.” The other problem for Boulder Dam advocates for much of the decade were southern Democrats in Congress, who were unclear why they should sign off on expensive federal investments that availed their own region very little. But moods toward federal flood control efforts changed drastically in 1927, after many months of unseasonable rainfalls coalesced into the worst flood in American history.²⁰⁵⁸

By April 1927, the Mississippi River would be moving three million cubic feet of water a second – three times more than the devastating flood of 1993 – and smashing through levees right and left. By the time the Great Mississippi Flood of 1927 had run its course, 27,000 square miles had been submerged – an area equivalent to the size of New England – causing anywhere from 246 to over a 1000 deaths, up to a billion dollars in damages, and leaving close to a million people homeless. Such an unprecedented disaster merited an unprecedented response. In seven

²⁰⁵⁷ Lowitt, 264-267, 351-352. “The Drama of the Colorado,” *The New Republic*, 147-149. Zinn, *La Guardia in Congress*, 132. In the notebook he kept while watching Senate debates in his role as Vice-President, Charles Dawes wrote that “[w]hen Boulder Dam is built, there should be on it somewhere a tablet to Senator Hiram Johnson, without whose untiring and able leadership it would have failed. I have never seen a man more faithful and effective in a hard fight than Johnson has been in this one.” Timmons, 254.

²⁰⁵⁸ Lowitt, 352-353. Johnson to Ickes, June 18, 1927. HLI Box 33: Hiram Johnson. Barry, *Rising Tide*, 16-17.

states – Kansas, Tennessee, Missouri, Illinois, Mississippi, Arkansas, and Louisiana – the Red Cross ran as many as 154 tent cities, temporarily housing close to 326,000 people, and offering food and clothing to another 312,000 more. And overseeing it all was the Great Engineer.²⁰⁵⁹

On April 22nd, 1927, Coolidge appointed Hoover the head of a special committee to oversee flood response efforts and then, having delegated the problem, fell back into his usual state of repose. Hoover, meanwhile, took on the cause with relish, seeing in the flood not only the type of grand relief and humanitarian effort he had been heading since the days of the War, but an amazing opportunity for both an engineer and a presidential candidate. For almost all of the next three months, Hoover – with his publicity bureau in tow – would guide the massive relief and reconstruction effort from the flood zone itself, drawing press reports that ranged from complementary to adoring. (“In the course of the next few weeks many representatives of magazines, newspapers, and feature syndicates will be in the flood area,” Hoover and Red Cross vice chairman James Fieser informed Red Cross personnel. “Give these writers every possible consideration.”)²⁰⁶⁰

“I am speaking to you from the temporary headquarters which we have established for the national fight against the most dangerous flood our country has ever known,” Hoover told America at the end of April, in his first-ever national radio address. “Everything humanly possible is being done by men of magnificent courage and skill.” This fight, Hoover informed the nation, was a “great battle which the engineers are directing. They have already held important levees against the water enemy” – the implication being, of course, that the Great

²⁰⁵⁹ Barry, *Rising Tide*, 16-17, 285-286.

²⁰⁶⁰ Barry, *Rising Tide*, 262, 273

Engineer was now the nation's general in this fight. Most of the battles over the next few months, however, went to the water enemy, leaving Hoover more often than not directing evacuation efforts – which he did quite capably. In late May, he told the president that “[a]ll population that could be flooded is already covered.” Then came the June rise, which flooded many areas all over again.²⁰⁶¹

Even when the water had its way, however, the press remained impressed by Hoover's “organizing and directing genius,” in the words of the *Boise Idaho Statesman*. In the words of the *Oakland Tribune*, Hoover was “the ablest and most efficient American in public life...In personal fitness for the presidency, there is no other American, even remotely, in Mr. Hoover's class.” From the field, the Commerce Secretary received summaries of this reporting two to three times a week from his staff, and saw it was good. If Coolidge chose not to run for office again, Hoover told an old Stanford friend, “I shall be the nominee, probably. It is nearly inevitable.”²⁰⁶²

True to form, once the immediate crisis had passed, Hoover ran the flood relief and reconstruction efforts as another exercise in voluntary association, this time on almost a national scale. “I made ninety-one local committees to look after the Mississippi flood,” he later recalled. “You say, ‘A couple of thousand people are coming. They've got to have accommodations. Huts, watermains, sewers. Streets. Dining halls. Meals. Doctors. Everything’...So you go away and they simply go ahead and do it. Of all those ninety-one committee there was just one that fell down.” To help secure access to credit for all the many affected farmers, Hoover worked to establish “reconstruction corporations” – private non-profit organizations backed by credit from businesses and elites in each state. When some states, such as Arkansas and Mississippi failed to

²⁰⁶¹ Ibid, 280-285.

²⁰⁶² Ibid, 287-289.

reach their expected quota of donations, Hoover had Coolidge sign a letter requesting “the business interests of America under the leadership of the Chamber of Commerce of the United States...to secure to these loan corporations subscriptions of capital.” He also urged the nation’s civic organizations and fraternal orders to raise money as well. As a result, ultimately Hoover was able to raise about \$13 million in credit.²⁰⁶³

But, as in instances prior – and in a few soon to come – these voluntary efforts fell short of addressing the real scale of the calamity. That \$13 million Hoover raised translated to less than \$20 per victim of the flood, and in Mississippi less than five percent of the amount of loans Hoover had predicted were ever made. “With due deference to Mr. Hoover,” said Franklin Roosevelt in New York, “I cannot believe that he really means that is adequate to meet more than the demands for the next few weeks.” Coolidge, meanwhile, refused to call Congress back into session to ask for a flood appropriation, incurring the wrath of several newspapers in flood-drenched areas. Suddenly, Silent Cal’s laconic leadership approach and tight fist over the federal government’s purse strings were less appetizing attributes than they had been in years past. “Either [Coolidge] has the coldest heart in America or the dullest imagination,” complained the *Paducah News-Democrat* to its Kentucky readers, “and we are about ready to believe he has both.” Not among the naysayers was the *New York Times*, who respected Coolidge’s stubbornness in this matter: “Fortunately, there are still some things that can be done without the wisdom of Congress and the all-fathering Federal Government.”²⁰⁶⁴

But there were some things that couldn’t. After the waters had passed through, it was clear to all that the previous Mississippi flood control system – or what remained of it after a

²⁰⁶³ Ibid, 366-370.

²⁰⁶⁴ Ibid, 372-374, 377.

losing battle against the tides – had been insufficient to stop calamity. So in March 1928, after deliberating on the best way forward – President Coolidge and the Senate soon agreed it was the cheapest plan, put forward by Major-General Edgar Jadwin of the Army Corps of Engineers – Congress very quickly passed the Mississippi Flood Control Act of 1928. Introduced by Senator Wesley Jones of Washington and Congressman Frank Reid of Illinois, this measure appropriated the unprecedented sum of \$325 million over ten years in federal funds – “the greatest expenditure the government has undertaken except in the World War,” noted the *New York Times* – to construct a new flood control system for the river.²⁰⁶⁵

Speaking as the Chair of the Committee on Flood Control, Congressman Reid argued that his committee thought “the construction of flood-control works dependent upon local contribution will result in the failure of the whole, and another disaster such as that which appalled the nation last year might happen.” The Senate agreed, and passed the bill unanimously. “There can be no doubt that the problem is here and that it is a national problem,” Borah had said while the flood waters raged, “and that the government should proceed in the most intelligent, effective, and speedy way possible to deal with it...The cost will be tremendous,” Borah conceded, but it had to be done.²⁰⁶⁶

When the Act came before Congress, Borah told constituents balking at the cost that “we should go about it something as we did in the building of the Panama Canal -- strip it of politics, dedicate it to public principles, and finish the job whatever it may cost.” “The national government itself must do this work and do it without faltering in the manner of expense,” Borah

²⁰⁶⁵ Barry, *Rising Tide*, 404-406. Martin Reuss, *Designing the Bayous: The Control of Water in the Atchafalaya Basin, 1880-1995* (Alexandria: US Army Corps of Engineers, 1998), 113-121.

²⁰⁶⁶ Ibid. William Borah, “For the Press,” May 5th, 1927. WJB Box 256: 1927-28: Mississippi Flood Control.

told another, “that is, whatever is absolutely essential to be expended should be expended.” The American Bankers Association agreed. “It is the profound conviction” of that organization, “representing 20,000 American banks, that the control of the Mississippi River is a national problem, should be solved by the nation, and that, cost no matter what it may be, should be borne exclusively by the nation.” Coolidge was less resigned to the idea of such a massive appropriation – Indeed, he thought it “the most radical and dangerous bill that has had the countenance of the Congress since I have been president.” But, after pressure from all sides, he signed his name to the legislation without ceremony on May 15th, 1928.²⁰⁶⁷

The Flood Control Act, said its House sponsor, “changes the policy of the federal government which has existed for 150 years...It is the greatest piece of legislation ever enacted by Congress.” Writing of the 1928 Act in *Rising Tide*, his history of the Great Flood, historian John Barry notes that “the law set a precedent of direct, comprehensive, and vastly expanded federal involvement in local affairs. In the broadest sense, this precedent reflected a major shift in what Americans considered the proper role and obligation of the national government, a shift that both presaged and prepared the way for greater changes that would soon come.”²⁰⁶⁸

If Coolidge, Borah, and the other longtime defenders of low government spending were dismayed by the massive outlays included in the Flood Control Act, they could have taken solace in a short book that came out the same year – *The Road to Plenty*, by William Trufant Foster and Waddill Catchings, two old Harvard friends who were now the president of Reed College and a financier for Goldman-Sachs respectively. While Congress had ventured onto the political path

²⁰⁶⁷ Ibid. Borah to Milton Clark, March 26th, 1928. WJB Box 256: 1927-28: Mississippi Flood Control. Borah to Walter Parker, December 12th, 1927. WJB Box 256: 1927-28: Mississippi Flood Control. Greenberg, 134-135.

²⁰⁶⁸ Barry, *Rising Tide*, 406-407.

that would dictate the coming decade, Foster and Catchings – although few noticed at the time – had concisely summed up the fundamental economic argument that would come into vogue.²⁰⁶⁹

In a number of books throughout the 1920's, including 1923's *Money*, 1925's *Profits*, and 1927's *Business Without a Buyer*, Foster and Catchings had delighted in being gadflies to the economics profession at large, poking holes in the conventional wisdom and offering cash prizes to anyone who could prove their alternative theories were wrong. ("Once more," began a review of *Business Without a Buyer*, "Messrs. Foster and Catchings are at their trick of placing a tack in the chair of that dignified old party, the Dismal Science, and are getting huge enjoyment out of the consternation thus caused to him and his followers.") In *The Road to Plenty*, composed as a layperson-friendly Socratic dialogue among several plain-spoken strangers on a train, Foster and Catchings argued that traditional economists had worried too much about problems of production and too little about consumption and purchasing power, even though experience had shown that increasing the former did not necessarily have any effect in the latter. Believing that if you "[l]ook after production, and consumption will take care of itself," Foster and Catchings wrote, economists had neglected the complicated "problem of getting products into consumers' hands at the rate at which such products could be produced."²⁰⁷⁰

To remedy this problem of purchasing power, government's primary economic responsibility was to "put more money into consumers' hands when business is falling off, and less money when inflation is under way." This was also in part because of a problem they deemed the "Paradox of Thrift." When times were tight, individuals and businesses both worked

²⁰⁶⁹ Schlesinger, *Crisis of the Old Order*, 135-136.

²⁰⁷⁰ Ibid. Edward S. Cowdrick, "The Dilemma of Thrift," *The Saturday Review*, July 9th, 1927, 959. William Trufant Foster and Waddell Catchings, *The Road to Plenty* (Boston: Houghton Mifflin, 1928), 152.

harder to save money -- but more money saved meant less money working in the economy and thus less economic activity. Saving – an individual good – became an detrimental to the overall functioning of the economy. Thus, “when business begins to look rotten,” Foster and Catchings prescribed “more public spending” through investments and public works. If that meant an increase to the national debt, so be it – “[I]t means scarcely more than that that people of the United States collectively owe themselves more money.” Meanwhile, the economy would grow, families would have money to spend, and “the greatest waste of all...the waste of idle plants and idle workers” would be bypassed.²⁰⁷¹

In the midst of Coolidge prosperity, Foster and Catching’s argument in *The Road to Plenty* attracted mostly just academic interest. “Too good to be true – You can’t get something for nothing,” Franklin Roosevelt wrote in the margins of his copy. Within a few years, however, like so many other of the reforms advocated or attempted by progressives in the Twenties, their prescient arguments about under-consumption, purchasing power, and counter-cyclical government spending would gain more adherents.²⁰⁷²

²⁰⁷¹ Ibid.

²⁰⁷² Ibid.

CHAPTER TWELVE: MY AMERICA AGAINST TAMMANY'S

PROGRESSIVES AND THE ELECTION OF 1928

"I did feel that the La Follette campaign served a definite purpose and had a great value in demonstrating again to both the old-line parties that there was a tremendous Progressive vote in the country which could not be safely disregarded. The effects of this lesson were certainly evident in the 1928 campaign when the choice of the voters was not between any ultra-conservatives (such as Harding and Coolidge) but between men who might be designated: the liberal conservative, Herbert Hoover, and the conservative liberal, Al Smith." – Donald Richberg²⁰⁷³

The presidential contest between Herbert Hoover and Al Smith might have been a chance to debate two emerging visions of governance – the associative model favored by the Great Engineer and the emerging welfare state being created in New York. It was not to be. When Smith – always an underdog amid Coolidge prosperity – chose to minimize his policy differences with the Republican candidate, that left cultural rather than political distinctions the focus of the election. The same forces that had wreaked havoc on the Democratic Party in 1924 now spilled out into politics at large. The final result in the election was virtually predetermined, but the journey there was ugly nonetheless.

The Republican Succession

Given the general prosperity, there were very few surprises in the 1928 election cycle, particularly as compared to the two previous presidential elections. This followed a pattern set in the 1926 midterms. Unlike in 1922, which saw voters rebelling against labor unrest, agricultural depression, and a struggling economy and had given progressives hope of a reaction against Normalcy setting in, 1926 saw some normal churn, but not nearly the same broad dissatisfaction with the Coolidge administration that had lifted progressive hearts four years earlier.

²⁰⁷³ Richberg, 139.

In the House, Republicans lost nine seats but retained a majority of over forty. The Senate saw stronger Democratic gains, with the party out of power picking up six seats. Republicans still held a slim 48-47 majority, but had lost nominal control of the Senate on account of the progressive tendency to align with the opposition when opportunities warranted. Among the new faces in the Senate were Democrats Robert Wagner of New York (who defeated James Wadsworth), Hugo Black of Alabama (replacing the retiring Oscar Underwood), and Alben Barkley of Kentucky. On the Republican side, former Wisconsin Governor John J. Blaine replaced Irvine Lenroot to serve alongside young Bob La Follette – who had taken his late father’s seat in 1925. Gerald Nye of North Dakota was also a relative newcomer, replacing Edwin Ladd after his death that same year. And Republicans Frank Smith of Illinois and William Vare of Pennsylvania both won seats that progressives would soon contest for campaign finance irregularities.²⁰⁷⁴

Returning to the Senate in 1926 were Democratic David Walsh of Massachusetts, elected to fulfill the remainder of Henry Cabot Lodge’s term after losing in 1924, and Republican Smith W. Brookhart of Iowa, who had been forced out earlier in the year due to his support of La Follette – Republicans in a punitive mood had joined Democrats in the suit contesting his close 1924 victory over Democrat Daniel Steck. Meanwhile, Wet referenda – either rolling back Prohibition enforcement or allowing for the sale of beer and wine – passed easily in New York,

²⁰⁷⁴ “J. Joseph Huthmacher, *Senator Robert Wagner and the Rise of Urban Liberalism*, (New York: Atheneum, 1968), 52-53. The Congress: Elections,” *TIME Magazine*, November 15th, 1926. “The Week,” *The New Republic*, November 10th, 1926 (Vol. 48, No. 623), 308-310. “Editorial Paragraphs,” “Mr. Coolidge, The Election, and the Future,” “The Outcome in Three States,” *The Nation*, November 17th, 1926 (Vol. 123, No. 3202), 495-498, 502.

Illinois, Wisconsin, and Nevada, and came very close to becoming law in the erstwhile dry stronghold of Colorado.²⁰⁷⁵

The *Nation* and *New Republic* were heartened by many of these developments, as well as the unprecedented fourth term victory for the Governor of New York. “Al Smith's popularity is undiminished and is unique in the history of American politics,” noted TNR approvingly. But they relished most of all David Walsh’s victory over Coolidge ally William Morgan Butler in the president’s home state of Massachusetts. That election, argued *The Nation*, “which has removed from the Senate one of the most harmful of our reactionaries, should set men’s tongues free in other camps also.” TNR called Walsh’s victory “a political fact of the first importance,” and noted it “had the appearance of a deliberate repudiation of the President by the Republican voters of his own state.”²⁰⁷⁶

But there was a touch of wishful thinking in much of this. While *The Nation* hoped “the strategic position of the Progressives” in the Senate would “promise a vigorous stirring in what would otherwise be an utterly arid political desert,” they also agreed they were “not so optimistic or inexperienced as to believe that we shall make great progress during the next two years.” TNR, in the end, noted the “country has gone somewhat wet and partly Democratic,” but otherwise the status quo had not much changed. “What has come to be a tradition of American politics has been fulfilled by the swing away from the party in power at the midterm voting.”

²⁰⁷⁵ Ibid. Finan, 192.

²⁰⁷⁶ “Mr. Coolidge, The Election, and the Future,” “The Outcome in Three States,” *The Nation*, November 17th, 1926, 498. “The Week,” *The New Republic*, November 10th, 1926, 308-310.

Despite some egg on the face of Coolidge for what had happened to Butler, “[t]his does not necessarily or even probably indicate a Republican defeat in 1928.”²⁰⁷⁷

While William Butler’s loss likely had very little to do with it, one of the only major bombshells of the 1928 cycle occurred ten months later, in the math classroom next to the president’s vacation-office at Rapid City High School, South Dakota on August 2nd, 1927 – four years to the day that Calvin Coolidge had ascended to the presidency. Given the anniversary, reporters asked Coolidge at a 9am press conference what he thought his biggest accomplishment was. “It is rather difficult for me to pick out one thing over another,” the president shrugged:

The country has been in peace during that time. It hasn’t had any marked commercial or financial depression. Some parts of it naturally have been better off than other parts, some people better off than other people, but on the whole it has been a time of a fair degree of prosperity. Wages have been slightly increasing... There has been a very marked time of peace in the industrial world... There has been considerable legislation which you know about, and which I do not need to recount. There have been great accomplishments in the finances of the national government, a large reduction in the national debt, considerable reduction in taxes.²⁰⁷⁸

The president also requested that reporters come back at noon, at which point “I may have a further statement to make.” When they did – making it 3pm on the East Coast, after the stock market had closed – Coolidge closed the classroom door behind them and asked the pool of White House reporters to line up single-file. He then gave each of them a small slip of paper reading: “I do not choose to run for President in nineteen twenty-eight.” When the journalists in attendance asked if the president had any further comment, Coolidge replied “None.” When Senator Arthur Capper, in attendance, told the president his statement had caused quite a

²⁰⁷⁷ Ibid.

²⁰⁷⁸ Burner, 190-191. Sobel, 368-370. Timmons, 258-259.

commotion, Silent Cal agreed. “Yes, so it seems,” he said, before leaving the building with a grin.²⁰⁷⁹

Immediately, political observers began speculating whether Coolidge, not unlike Woodrow Wilson in 1920, was hoping to be drafted by a grateful nation to a third term. “There is no doubt in my mind that Coolidge will be a candidate to succeed himself,” Hiram Johnson had said to Harold Ickes the year before. “[H]e will be re-nominated without difficulty, and then the split...will occur in the Democratic Party on the religious question, I feel very certain he will be re-elected.” Now that “the Sphinx has spoken,” Johnson thought “he spoke to leave the door ajar but that the American people have closed that door upon him.” Ickes concurred. “I am firmly of the opinion,” he replied, “that he didn’t choose to be a candidate again for president in the same sense that a girl doesn’t choose to be kissed when she is just dying to have her boyfriend put his arms around her and do that same thing...[Coolidge] decided to give out the statement that he did in the hope of stampeding public sentiment. He doubtless thought that the country would stand appalled at the very suggestion that it was to be deprived of his unexceptional and extraordinary services as president.”²⁰⁸⁰

From the contemporary vantage, however, signs suggest this was not the case. Asked the question in the 1930’s, Hoover argued that Coolidge definitely wanted out. “I know it from direct, positive, intimate, and complete discussion.” Edmund Starling thought the president was sick of the work involved and still heartsick over the death of his son. Grace Coolidge, who ostensibly knew the president better than anyone, gave two potentially apocryphal anecdotes in

²⁰⁷⁹ Ibid. “National Affairs: Shock,” TIME Magazine, August 15th, 1927. Greenberg, 136-138.

²⁰⁸⁰ Johnson to Ickes, July 6, 1926. HLI Box 33: Hiram Johnson. Johnson to Ickes, August 12, 1927 Box 33: Hiram Johnson. HLI. Ickes to Johnson, August 18, 1927. HLI Box 33: Hiram Johnson.

the decade to come about her husband's intentions at the time. In one, Coolidge told one of his Cabinet members, "[i]t is a pretty good idea to get out when they still want you." In the other, written in 1935, Coolidge apparently said, "I know how to save money. All my training has been in that direction. The country is in a sound financial position. Perhaps the time has come when we ought to spend money. I do not feel that I am qualified to do it." Coolidge had, according to Indiana Senator James Watson, said something similar to him: "I think I know myself very well. I fitted into the situation that existed right after the war, but I might not fit into the next one....From this time on, there must be something constructive applied to the affairs of government, and it will not be sufficient to say, 'Let business take care of itself.'" Writing on "Why I Did Not Choose to Run," for a Hearst publication in April 1929, Coolidge argued "it is difficult to conceive how one man can successfully serve the country for a term of more than eight years." Or, as Thomas Edison more simply put it, "He is getting sick of the job."²⁰⁸¹

Whatever motivated Coolidge to this decision, he was now officially out – opening the question of who in the Republican Party would succeed him. "It is generally understood that Mr. Hoover is the President's own choice," suggested *The New Republic* after Coolidge's announcement, overstating the case quite a bit. ("That man has offered me unsolicited advice for six years, all of it bad!" Coolidge had exclaimed in May of "Wonder Boy.") Otherwise, TNR thought, "Speaker Longworth seems to be making little headway. Mr. [Frank] Lowden has only the discontent of the Middle-Western farmers behind him," which were not often a swing vote in a Republican primary. "Mr. [Charles Evans] Hughes has said he would not be a candidate; he is sixty-five years of age, and would be seventy-one on leaving office. A far more serious contender, undoubtedly, is General Dawes." "In the back of my head is the notion that Dawes is

²⁰⁸¹ Ibid. Schlesinger, *Crisis of the Old Order*, 88. "The Coolidge Why," TIME Magazine, April 15th, 1929. "Shock," TIME, August 15th, 1927.

one of the strongest potential candidates in the country,” Ickes told Hiram Johnson. “I think I know that Dawes in his own heart believes that he is a man of destiny and will be president of the United States.”²⁰⁸²

But Vice-President Dawes didn’t seem to have much of the Hell and Maria about him. “I have had friends who have been President and it killed them,” he told his brother Henry. “I have no desire to end my life that way.” While obviously the presidency was a great honor, Dawes thought “the man nominated will be either Hoover or Lowden. Essentially, I think as they do and there is nothing I can do that I could not do.” In September 1927, at an event honoring John J. Pershing, Dawes offered many splendid encomiums to “our great war president, Woodrow Wilson, and his able Secretary of War, Newton D. Baker” – which was aberrant behavior for a contending Republican presidential candidate. Two months later, Dawes stated unequivocally that “I am not a candidate for the presidency. I favor the nomination of Frank O. Lowden, assuming President Coolidge is not a candidate.”²⁰⁸³

Dawes’ endorsement notwithstanding, Governor Lowden didn’t look to have much of a chance in 1928 either. If Lowden had been a candidate safely in the middle in 1920 – before his bid was inadvertently derailed by the Johnson-Borah campaign finance inquiry – in 1928 he had become the locus of agrarian discontent with the Coolidge administration, and the favorite candidate of McNary-Haugen supporters. But while Lowden quietly tested the waters in 1927

²⁰⁸² “The Week,” *The New Republic*, August 17th, 1927 (Vol. 51, No. 663), 318-319. Goldberg, 151. Ickes to Johnson, August 18, 1927. HLI Box 33: Hiram Johnson. Hiram Johnson thought Dawes was a factor too, especially since Hoover was what a later generation would call “wine-track.” “Hoover has now what he had had ever since he has been in the country – the internationalists and the upper crust,” wrote Johnson. “[B]ut down underneath, where there are just inarticulate people, he has not any strength at all. For some reason or other Dawes has captured the imagination of many, and in a stand-up and knock down fight, he could win in practically every state primary.” Johnson to Ickes, March 3, 1928. HLI Box 33: Hiram Johnson.

²⁰⁸³ Timmons, 258-260.

and 1928, he refused to put his name officially in contention, and believed – quite correctly – that Republicans would not insult the popular sitting president “by choosing the leading opponent of his farm policy.” When the Republican convention in Kansas City rejected a McNary-Haugen plank to the 1928 platform, Lowden – seeing the writing on the wall – asked that he not be considered as a candidate in the balloting. “Governor Frank Lowden was a man eminently fitted for the Presidency,” Hoover later wrote of him in his memoirs. “He should have been nominated in 1920 instead of Harding.” But, while calling Lowden “one of my most devoted friends,” the Great Engineer did not say the same of him in 1928.²⁰⁸⁴

And then there was Borah. For much of 1927, as Borah increasingly forsook the rest of the Senate progressives to decry the lax enforcement of Prohibition, his colleagues and others presumed the Idaho Senator was gearing up for a presidential bid at last. While “Borah lost much prestige in this last session,” Johnson told Ickes in 1926, “[o]utside of the Senate, I think he gained enormously with the ‘drys’, and is their pet advocate, and possibly their presidential candidate.” As such, “[t]here is a consensus of opinion here that Borah is an avowed candidate now, and I think he really is, but knowing him as I do, I am perfectly certain he will never come to the scratch.” Johnson was basically on the money. The Idaho Senator’s strategy was not unlike the frustrating waiting game he had played with J.A.H. Hopkins and the third party movement in 1924. While Raymond Robins worked to ascertain Borah’s level of support among progressive Republicans, Borah continued to send out mixed messages and play things close to the vest – “simply saw wood,” in his words – hoping for a deadlock at the convention that might rebound

²⁰⁸⁴ Robert Dallek, *Democrat and Diplomat: The Life of William E. Dodd* (New York: Oxford, 1968), 107-110. Hoover, 194.

to his favor. “The present outlook,” he told one of his longtime backers in March 1928, “is that no man will go to Kansas City with sufficiency to nominate.”²⁰⁸⁵

On account of this strategy, Borah’s behavior from the outside could seem erratic. In June of 1927 – two months before Coolidge officially bowed out – he emphatically and seemingly without reason endorsed the president. “I noticed that our friend from Idaho, just as he had a real opportunity...not only declared himself out, but announced his fealty to the president,” Ickes wrote to Johnson. “What a strange combination he is! I presume there will be nothing for our friend, Raymond, now but to seek another cruise upon the Mayflower and be reconverted.”²⁰⁸⁶

But as soon as Coolidge announced his retirement, Borah rushed to the telegraph to declare that the president’s choice “must be regarded as result of a profound conviction and a finality.” Now, he argued, “it would be a magnificent thing if the Republican party now in power would devote the next six months to legislation, to shaping and forming principles and polices instead of wrangling over individual candidates, in view of the pressing and important nature of the questions which now confront us” – those issues mainly being prohibition enforcement, flood control, and, to Borah, the return of the Continental Trading Company’s dirty money to the Republican party, which had been uncovered in the last round of Teapot Dome inquiries.²⁰⁸⁷

Three months later, Johnson reported that “the most intimate and confidential friend of Senator Borah” – Raymond Robins – had told former La Follette organizers “that Borah is a candidate for the presidency; [and] that he has the secret endorsement of certain progressive

²⁰⁸⁵ Johnson to Ickes, July 6, 1926. HLI Box 33: Hiram Johnson. Ashby, 261-263.

²⁰⁸⁶ Ickes to Johnson, June 2, 1927. HLI Box 33: Hiram Johnson.

²⁰⁸⁷ William Borah, Telegram, August 2nd, 1927. WJB Box 234: Newspapers.

elements in various Western states and of some of the former La Follette groups...at the appropriate time in the convention there may be a stampede for Borah.” Johnson thought this strategy was ridiculous, and said as much to Ickes the following June. Robins, Borah, and Outlawry advocate Salmon Levinson, he wrote, “have been snooping around for some months like the ‘Three Tailors of Tooley Street’ conspiring among themselves and keeping their plans for overturning the nation a deep, dark secret. They will all wind up, as usual, in the band wagon, and it does not make much difference what or whose band wagon it is.”²⁰⁸⁸

It is true that Robins, as usual, was trying to play a complicated hand. “While Borah will never be the president of these United States,” he told his sister, “no man can now be elected next November on the Republican ticket without his endorsement. And this bitter truth is now known to all the ablest masters of the political game in our America. So far has the drive of a Sober America [proceeded]...and for the outlawing of the war institution among the nations of the earth.” But if Borah was fooling himself, so was Robins, as he hinted in October 1927 when he noted that Borah was “least friendly to Hoover – possibly because the Hoover boom is growing very substantially.” And indeed, Borah’s intricate dance to become a potential dark horse was far too subtle, and his voice by now too erratic, to stand in the way of the formidable public relations machine Hoover had been building for years to acquire the Republican nomination.²⁰⁸⁹

From April 1927 until the end of the year, as he directed Red Cross camps, surveyed broken levees, and made time for sundry other flood-related photo opportunities – such as the

²⁰⁸⁸ Johnson to Ickes, November 5, 1927. HLI Box 33: Hiram Johnson. Johnson to Ickes, June 1, 1928. HLI Box 33: Hiram Johnson.

²⁰⁸⁹ Salzman, 328. Ashby, 266.

birth of triplets named Highwater, Flood, and Inundation in Opelousas, Louisiana – the Secretary of Commerce was a regular on the front-pages, radio broadcasts, and newsreels. This added boon only enhanced the public prestige Hoover and his department had worked to cultivate in the years before the Great Flood, including securing the endorsement of the Scripps-Howard chain, formerly La Follette supporters. In December 1927, Oswald Villard complained that newspaper reporters “see nothing to the Presidential contest now except the nomination of Hoover and Smith, with Hoover winning in an easy canter.” But, in an otherwise unflattering portrait of Hoover two months later, even Villard conceded that “I cannot see how he can be kept out of [the presidency], or how anyone can doubt that, barring a miracle and the open and avowed opposition of Calvin Coolidge, he will be the first Californian to occupy the White House.”²⁰⁹⁰

“It looks to me as if Hoover is likely to be nominated,” wrote Hiram Johnson, who had always despised the man, that same month. “This is because he has practically no opponent. Hoover has the only organized force, and apparently is the only one lavishly expending money. There is no other candidate either with organization or with an appeal to the imagination of our people.” Ickes felt much the same. The thought of “the democratic-republican-non-partisan citizen of sunny, Southern California leave me even colder than the thought of Hughes,” he grimaced. “I don’t like him and I never did,” But the signs of Hoover’s ascendance were clear. “I am willing to predict now that Raymond Robins will be found in a prominent seat on the Hoover bandwagon,” he told Johnson.²⁰⁹¹

²⁰⁹⁰ Burner, 193, 197-199. Oswald Villard, “Hoover to the Fore,” *The Nation*, December 21st, 1927 (Vol. 125, No. 3259), 700. Oswald Villard, “Herbert C. Hoover,” *The Nation*, February 29th, 1928 (Vol. 126, No. 3269), 234-237..

²⁰⁹¹ Johnson to Ickes, February 25, 1928. HLI Box 33: Hiram Johnson. Ickes to Johnson, October 8, 1927. HLI Box 33: Hiram Johnson. Ickes to Johnson, February 7, 1928. HLI Box 33: Hiram Johnson. For Ickes, this was the tell: “Raymond didn’t come in to see me and his reluctance to discuss the situation over the telephone reminded me of four years ago and eight years ago when he avoided me as if I had the small-pox after he had made up his mind to support Harding and Coolidge, respectively. Knowing Raymond as I do his avoidance of me...leads me to the

Robins wasn't the only one contemplating swallowing that bitter pill. By the time primary season rolled around, and even though many Senate Republicans desired a different standard-bearer than "Sir Herbert," Governor Lowden showed no strength outside of agrarian states and Hoover's front-runner status was virtually unchallenged. The Great Engineer soon won handily in California, Oregon, New Jersey, Massachusetts, Michigan, and Maryland, while favorite sons like Senator Guy Goff and Senate Majority Leader Charles Curtis took West Virginia and Kansas respectively.²⁰⁹²

In order to stymie the growth of any potential rivals, the Hoover campaign decided to contest favorites sons in Ohio and Indiana, to mixed results. In Ohio, Hoover looked to be losing to Senator Frank Willis, the former Governor and committed Prohibitionist who had taken Warren Harding's seat. "Personally, I have no fear of the results," Willis averred, although he was rather irritated the Scripps-Howard papers in Ohio were backing Hoover's candidacy. "In these times we hear much of chains – chain broadcasting, chain motion pictures, chain stores, chain newspapers, chains in international trade," the Senator proclaimed "The fact is, under the chain system...the great middle class of our people face all the time greater difficulties in maintaining its independent existence...Since when has the Republican Party come to the place where its candidates are to be dictated by a chain of newspapers that have never supported the Republican ticket?" William Borah, no doubt desiring to slow down Hoover's seemingly inexorable drive to the nomination and illustrate his kingmaker bona fides, indirectly backed

conclusion that he is ready to sing the praises of the man whom he particularly hated and denounced in unsparing terms ever since his return from Russia." Ickes to Johnson, February 7, 1928.

²⁰⁹² Hoover, 192. Burner, 193, 197-199. "Mr. Goff," TIME Magazine, April 16th, 1928.

Willis by going on the radio to emphasize the vital importance of the Eighteenth Amendment – an issue on which the very Dry Willis had intimated the Dry-on-paper Hoover was wanting.²⁰⁹³

At a March 30th campaign event, however, – as the Buckeye Glee Club unfortunately sang the “Farewell” refrain of a song called “The End of a Perfect Day” – Senator Frank Willis suddenly dropped dead backstage of a cerebral hemorrhage, clearing the path for a Ohio victory for Hoover. “Mr. Willis as school teacher, Governor, and Senator has given his life to honest, upright public service,” said Hoover in eulogy. “The passing of so conscientious a public servant is a matter of deep regret to every citizen.” Hiram Johnson, who sat next to Willis on the Senate floor, grumbled “Damn the politics! That’s what killed him.”²⁰⁹⁴

Two months later, Hoover entered the Indiana primary, where he faced the blustery Senator James Watson, who held the support of what remained of the Klan and who had publicly vowed to give Hoover a thumping. But, by then, the writing was on the wall. “If Herbert should by any chance carry the state,” wrote Bruce Bliven in *The New Republic*, his nomination would be so completely cinched that all fun would evaporate from the fight and the anti-Hoover alliance would literally crumble to pieces...Capturing Indiana would put Herbert’s nomination under the head of finished business, but he does not need the state.” In fact, Hoover lost the state, but, Bliven argued, “the fact that Hoover went into both Ohio and Indiana broke the rules of the game; but it also broke up the pretty plan to get enough states in hand, either in the favorite-son or the uninstructed class, to keep a majority against him in the convention.” Now, the Great Engineer’s nomination was virtually assured – a fact that was not lost on Borah. After the

²⁰⁹³ Burner, 197-199. Ashby, 266. “Candidates’ Row,” *TIME Magazine*,” February 27th, 1928.

“Candidates’ Row,” *TIME Magazine*,” March 19th, 1928.

²⁰⁹⁴ Ashby, 266. “End of Willis,” *TIME Magazine*, April 9th, 1928.

passing of Willis, the Idaho Senator wheeled fiercely into Hoover's camp, in order to maintain some sort of voice at the table moving forward. Hoover accepted the offer of Borah's aid. From the White House, meanwhile, Coolidge told Edmund Starling "They're going to elect that superman Hoover, and he's going to have some trouble."²⁰⁹⁵

On June 12th, when the Republicans gathered in Kansas City for their convention, Hoover was both a virtually unchallenged frontrunner for the nomination and a candidate that left many segments of the party, from the Old Guard to Wall Street to even some progressives, unenthused. "Dreariest and dullest of conventions," reported Oswald Villard. "That is what we who journeyed here have witnessed." The most outraged attendees were the western Republicans who had hoped Governor Lowden would mount more of a challenge – especially given the fact that Calvin Coolidge had vetoed the McNary-Haugen bill a second time only a few weeks before the convention. As Republicans arrived in Kansas City, they were greeted with a parade of 500 farmers, in overalls and straw hats, yelling "We Don't Want Hoover!" But even this seemed perfunctory to many observers. The Governor of Nebraska, Adam McMullen, had urged 100,000 farmers to make their wrath known at the convention. "[T]he demonstration of the embattled farmers was an absolute fizzle," said Villard. "Only a few hundred came – it was almost the worst time of year for farmers to leave home."²⁰⁹⁶

First, as always, came the Republican Party platform, many planks of which had been outsourced to William Borah to keep the Idaho Senator happy. As such, the platform endorsed the Kellogg-Briand pact "to renounce war as an instrument of national policy...as the first step in

²⁰⁹⁵ Bruce Bliven, "Washington Notes," *The New Republic*, May 9th, 1928. Ashby, 267-268. Greenberg, 139.

²⁰⁹⁶ Oswald Villard, "The Elephant Performs at Kansas City," *The Nation*, June 27th, 1928 (Vol. 126, No. 3286), 711-712. Ashby, 268-269.

outlawing war,” an idea that “has stirred the conscience of mankind.” It declared that the “improper use of money in governmental and political affairs is a great national evil” and that elections should be “clean, honest, and free from taint of any kind.” And it emphasized the importance of enforcing Prohibition in very Borahesque terms. Quoting both George Washington (“The Constitution which at any time exists until changed by the explicit and authentic act by the whole people is sacredly obligatory upon all”) and Abraham Lincoln (“We are by both duty and inclination bound to stick by that Constitution in all its letter and spirit from beginning to end”), the platform pledged “itself and its nominees to the observance and vigorous enforcement” of the Eighteenth Amendment.²⁰⁹⁷

Citing the changes in the economy since 1921, especially the lower tax rates and reduced national debt, the Republican platform also endorsed “without qualification the record of the Coolidge administration...No better guaranty of prosperity and contentment among all our people at home, no more reliable warranty of protection and promotion of American interests abroad can be given than the pledge to maintain and continue the Coolidge policies.” It also approvingly cited the “energetic action by the Republican Administration” in responding to the Mississippi flood, as a result of which “a great loss of life was prevented and everything possible was done to rehabilitate the people in their homes and to relieve suffering and distress.” The platform called for a federal anti-lynching law, continued immigration restriction, federal investments in commercial aviation and administration over radio. Recognizing an “agricultural program... national in scope,” it endorsed “adequate tariff protection to such of our agricultural products as are affected by foreign competition,” “vigorous efforts” to open overseas markets, and “measures

²⁰⁹⁷ Ashby, 268-269. Republican Party Platforms: "Republican Party Platform of 1928," June 12, 1928. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=29637>.

which will place the agricultural interests of America on a basis of economic equality with other industries to insure its prosperity and success.”²⁰⁹⁸

This last plank turned out to be the most controversial, especially after young Bob La Follette took the convention floor and made the case for this year’s Wisconsin platform, which among other things endorsed the McNary-Haugen bill. “He spoke with such good temper and once with such real wit that he easily won his audience,” Villard said of La Follette, echoing his glowing review of the Wisconsin planks four years earlier. “There is a general belief that he will be a big factor in the party in the years to come.” To fight La Follette’s brushfire, the convention stalwarts unleashed Borah, who in a thirty minute harangue called McNary-Haugen unconstitutional and Coolidge’s veto of it “the greatest benefit and the greatest favor which has been rendered to the American farmer.” The minority platform subsequently lost 806-278, prompting Governor Lowden to request his name not even be put into contention.²⁰⁹⁹

The dust-up over McNary-Haugenism aside, the platform, as usual, inspired very little passion from either its adherents or its critics. “[W]hile no worse than usual,” *The New Republic* deemed it “a mass of evasions and hypocrisies which certainly will not attract independent-minded unattached voters, and particularly if the Democrats have the sense to strike out boldly on some of the same issues.” After the convention, George Norris told *The Nation* that both the platform and its standard-bearer “will be a sad disappointment to every progressive citizen... [A]ny Republican who believes in honest government [should view] the controlling features of the convention with shame and disgust.” William Borah’s contributions to the platform and

²⁰⁹⁸ Ibid.

²⁰⁹⁹ Oswald Villard, “The Elephant Performs at Kansas City,” *The Nation*, June 27th, 1928, 711-712. Ashby, 269-271.

water-carrying for Coolidge, meanwhile, further irritated his former progressive allies. The Idaho Senator “never once raised his voice...to have any plank included which would condemn the Power Trust, whose sins were smelling to high heaven,” rued Norris. TNR remarked that “instead of being the flaming mouthpiece of the minority,” Borah was this time “not only with the majority, but one of its directing heads.”²¹⁰⁰

In terms of picking a nominee, the convention needed only one ballot, after which Herbert Hoover had 837 of 1089 votes, Frank Lowden 74, and Charles Curtis of Kansas 64. The party chose a vice-president just as quickly. Eastern conservatives had been hoping to enlist Massachusetts Governor Alvin Fuller, until one Senator of note said, “We’ll not put the Sacco-Vanzetti issue into *this* campaign.” (Wrote *The Nation*: “Though dead, yet shall they live.”) So, upon Hoover’s request and after he was nominated and pushed on the floor by Borah – who wanted a man of the West – the honor went instead to Curtis. As both Senate Majority Leader and an agrarian moderate who supported McNary-Haugen, but who had not voted to overturn Coolidge’s veto, Curtis could help placate some of the intraparty opposition roiling the convention. Only days before, Senator Curtis had made public statements ridiculing Hoover and encouraging the Republican party to look elsewhere – but he eventually accepted the vice-presidency when it was offered.²¹⁰¹

“It would be easy to exaggerate the seriousness of the dissention within the ranks of the Republicans,” argued the editors of *The New Republic* after the three day meeting had adjourned. But “the antagonism of the farmers, the passive dislike (at best) of some financial interests, the

²¹⁰⁰ “The Week,” *The New Republic*, June 27th, 1928 (Vol. 55, No. 708), 130-131. Ashby, 269-271.

²¹⁰¹ Burner 200-201. Ashby, 271. “Editorial Paragraphs,” *The Nation*, June 27th, 1928 (Vol. 126, No. 3286), 705. Villard, “The Elephant Performs at Kansas City,” 711-712.

active dislike of many politicians of his own party, are grave liabilities.” “No one who saw this convention meet and depart,” said Villard, “can pretend for an instant that the delegates are going back with their fighting clothes on. There was no cheering in the streets after the convention, no parading of joyous enthusiasts, no beaming delegates in the corridors of the hotels.”²¹⁰²

Even many progressives, some of whom used to count Hoover among their number, were left unenthused by the prospect of the Engineer-as-President. Whatever Hoover’s qualifications after the War, editorialized *The Nation*, “[w]e have seen him deteriorate since 1919 into the most ordinary of opinion-changing, favor-seeking, pussy-footing politician, jettisoning one after another all the views he held in 1919, as it seemed advantageous to do, and finally shutting up altogether. Now he has gratefully accepted the nomination from the reactionary wing of the Republicans with whom he said in 1920 he would have ‘nothing to do,’ upon a platform which does violence to every opinion he held” back then. Meanwhile, “[b]ehind Mr. Hoover stands the Republican Party and that fact alone ought to estop any liberal from voting for the Secretary of Commerce – even if he were everything that his greatest admirers assert that he is. It remains the party of privilege, of Big Business, of predatory wealth...It is still the party of Fall, of Harry Daughtery, of Denby, of Bill Vare, of Bascom Slemph, of Mellon...the Republican Party is merely the weapon and refuge of the masters of privilege.”²¹⁰³

The New Republic, much to the irritation of Hiram Johnson, had strongly backed Herbert Hoover’s dark horse bid eight years earlier, and in 1928 they were at first more sympathetic to

²¹⁰² “The Week,” *The New Republic*, June 27th, 1928, 130-131. Villard, “The Elephant Performs at Kansas City,” 711-712.

²¹⁰³ “Herbert Hoover Wins,” *The Nation*, June 27th, 1928 (Vol. 126, No. 3286), 708-709.

his candidacy than was *The Nation*. In nominating Hoover, TNR argued, “the Republicans have entrusted the responsibility of leadership to the member of their party who is best prepared for the work” and “the only vital ingredient in Republicanism which may serve as a positive leaven in the future conduct and policy of the party.” But the journal’s argument for Hoover was considerably more tempered than it was in 1920. Hoover, they conceded, was a Republican who believed that “the function of government in relation to business is to safeguard its essential interests, to respect its essential purposes, and even to encourage its essential activities” – in short, Hoover “believes in the subordination of government to business.”²¹⁰⁴

Business may be master, but unlike the Old Guard Republicans, TNR argued, Hoover at least believed that scientific-minded virtues like efficiency should guide the master’s hand. As Herbert Croly put it in a separate article, Hoover had won the nomination because “there was no alternative candidate upon whom the unplaced politicians, the suspicious big business men and the aggrieved agrarians could agree.” Nonetheless, “Mr. Hoover's nomination is really symptomatic of the triumph of business over traditional American politics. The predatory business which the progressives fought based its political calculations upon an alliance with the Old Guard, but the more successful business which Mr. Hoover represents,” said Croly, believed instead in the virtues of noblesse oblige and sound scientific management that guided the likes of Ford and Filene.²¹⁰⁵

In sum, Croly concluded, “Mr. Hoover has introduced into politics engineering method.” This line of argument echoed one put forward by George Soule in the magazine in December 1927. In a piece mostly sympathetic to Hoover, Soule argued that the Great Engineer was not

²¹⁰⁴ “Herbert Hoover and the Republican Party,” *The New Republic*, June 27th, 1928 (Vol. 55, No. 708), 133-135.

²¹⁰⁵ Herbert Croly, “How is Hoover?” *The New Republic*, June 27th, 1928 (Vol. 55, No. 708), 138-140.

progressive but practical – “He seems more like the well-trained head of a great industrial corporation...He will waste no time on lost causes, or causes which cannot win until his day is over.” Any antipathy businessmen felt toward Hoover, Soule argued, was misplaced, because “Mr. Hoover is too much like them to think or act very differently about large issue. He will do much to help the present industrial order in the United States to live up to its better possibilities. He will do little to change it as its rulers do not want it changed.”²¹⁰⁶

A businessman he may be, but the progressive journals thought that Hoover’s affinity for “conferences and cooperation to legislative compulsion,” in Villard’s phrase, could still be tested and found wanting as president. “As Secretary of Commerce he has helped business to conduct their existing affairs more methodically and successfully...But he has assumed little or no responsibility for any improvement in business method which was not quickly and demonstrably profitable to individual business men.” As President, Hoover may have to make decisions “which do not interest business men as individual producers and which may involve expenditures and sacrifices on their part...If his attitude toward these questions is as evasive and complacent as that of President Coolidge, the progressive opinion of the country will size up his proposed application of scientific method to economic processes as merely a hypocritical attempt to rationalize Mellonism, and will cease to cherish any hopes or illusions about him.” In other words, the nation might soon learn the limits of voluntary association, unless Hoover showed more resolve in the Oval Office than he ever had at Commerce.²¹⁰⁷

²¹⁰⁶ Ibid. Soule, “Herbert Hoover – Practical Man,” *The New Republic*, December 28th, 1927 (Vol. 53, No 682), 158-162.

²¹⁰⁷ Oswald Villard, “Herbert C. Hoover,” *The Nation*, February 29th, 1928 (Vol. 126, No. 3269), 234-237. “Herbert Hoover and the Republican Party,” *The New Republic*, June 27th, 1928 (Vol. 55, No. 708), 133-135.

First, of course, the Great Engineer had to get elected, against an opponent who had also sailed to his party's nomination despite much grumbling from many party regulars. "Hoover has gained his present position because he has had no opponent in reality, and he will be nominated for the same reason, unless Coolidge changes his mind." Johnson noted to Ickes in June, just before the Republicans met in Kansas City. "Smith will be nominated by the Democrats and there will then be a merry fight, bitter, disagreeable, and nasty, as are all contests where religion is involved." That's exactly what many Democrats were afraid of.²¹⁰⁸

The Available Man

Even more than the Republicans, the Democratic nominee of 1928 seemed almost foreordained – all the more so given that the general prosperity in many parts of the country meant the role was most likely one of sacrificial lamb. "Alfred E. Smith today," his hometown paper of record had said in 1925, as the Governor embarked on his third term, "is the most powerful leader the Democratic Party has ever had in the greatest State of the Union." After Smith won a similarly unprecedented fourth term in 1926, no other Democrat, to the consternation of many in the party, enjoyed such a national reputation.²¹⁰⁹

Smith was also, to use historian Donn Neal's apt phrase, "the Available Man." Smith had been the good soldier, it seemed his turn to be the nominee, and not picking him would be an

²¹⁰⁸ Johnson to Ickes, June 1, 1928. HLI Box 33: Hiram Johnson.

²¹⁰⁹ Finan, 190-191. To win his third term, Smith had decisively defeated Roosevelt – Theodore Roosevelt, Jr., that is. "Of course you saw how little Colonel Teddy in a weak and ineffective imitation of his father tilted a lance against Al Smith," Ickes wrote Hiram Johnson in 1927, when the president's son looked to score some early points against the likely Democratic presidential nominee. "Can you picture this valiant young member of the glorious Harding administration criticizing Al Smith or any one else on the basis of affiliation with a corrupt organization? His hand, smeared as it was with oil, must have had a very insecure grasp indeed on his lance." Ickes to Johnson, October 8, 1927. HLI Box 33: Hiram Johnson.

implicit endorsement of intolerance and an unsightly repudiation of the Jacksonian spirit that had always informed the Democracy. And while Al Smith, in one contemporary's words, was considered the candidate "of tenements, of municipal machines, invading foreigners, insolent wets, liberals, clubs, and New York – the forces deemed wicked and unholy," those selfsame urban forces would leave the party in droves if Al Smith were not the candidate. "[S]o far as Smith is concerned," said one Pittsburgh writer, "it looks very much to me as if the Democratic Party is in position of a man who 'damned if he does and damned if he doesn't.'" For the long-term good of the party, many came to conclude, the Governor had to be given his shot. "Governor Smith," argued one southern Democrat to writer Dixon Merritt, "is the greatest liability the Democratic Party has ever had":

If we nominate him, we shall lose some of the Southern States and we shall have a mean, hard fight in the others. If we don't nominate him, we shall lose the bulk of the Democratic votes in the North. Well, I'm for nominating him. We can afford to lose a lot of votes in the South, and I think they would come back later on. We can't afford to lose any votes in the North, and...they will be gone forever. Let's let him have the nomination and get it out of his system – and ours.²¹¹⁰

Even if party leaders concluded otherwise, there were few other options on the table. The natural choice for those Democrats opposed to Smith and all he represented had spent much of the past few years as he had the general election of 1924 – stewing and sulking in his tent. When William McAdoo did venture an opinion on the future of the Democratic party, it was usually in the direction of re-litigating 1924. "In my judgment," he wrote to a friend in April 1927, "we are in one of those situations where the only way out to victory is to fight – not harmony, which means a colorless truce for the time being, with inevitable disaster at the end. Haven't we had enough of that?" But as McAdoo had licked his wounds, his armies had scattered in search of

²¹¹⁰ Donn C. Neal, *The World Beyond the Hudson: Alfred E. Smith and National Politics* (Donn C. Neal, 1983, 2011: <http://www.donneneal.com/smithcontents.html>), "The Available Man," 9, 24-25. "The Contender," 6-7. Dixon Merritt, "Al Smith and the Doubtful Seaboard," *New Outlook*, Vol. 147 (1927), 398.

new leadership. Thus, in late 1927, McAdoo was forced to concede, “in the interests of party unity,” that he was not a candidate in 1928. Within the week, Democrats in eight Western states, all of which had gone for McAdoo last cycle, endorsed the Governor of New York.²¹¹¹

If not McAdoo, then who? William Jennings Bryan, the other natural choice for another Dry crusade, had perished in 1925. John W. Davis, the party’s standard-bearer in 1924, had already declared himself as a Smith delegate. Some of the party’s more formidable statesman, such as Cordell Hull of Tennessee, Joseph Robinson of Arkansas, former Secretary of the Navy Josephus Daniels of North Carolina, and Carter Glass of Virginia, hailed from the solid Democratic South and thus brought nothing to the table in terms of a national election. Newton Baker still held his credentials as Wilson’s Secretary of War, but no Democrat felt like running on the League of Nations all over again. Bernard Baruch supported Smith (and was Jewish). Governor Albert Ritchie of Maryland declared his candidacy in late 1927, but, while as wet as Smith, he was too conservative to inspire much interest, and, besides, the Eastern seaboard was already considered Smith country. Senator Burton Wheeler had bolted the party four years earlier, and Montana was hardly a springboard to national election.²¹¹²

That being said, Wheeler’s Montana colleague, Senator Thomas Walsh, did have a national reputation as the prosecutor of Teapot Dome and was anti-Smith besides: He disliked the Governor’s Wetness and feared a Smith bid would set back Catholics for “generations.” But, even though *The Christian Century* insisted that there was “a difference between a Montana Catholic and a Tammany Hall Catholic which the ordinary voter feels, even though it may elude

²¹¹¹ Neal, “The Contender,” 2. Murray, *The 103rd Ballot*, 271.

²¹¹² Murray, *The 103rd Ballot*, 272. Neal, “The Contender,” 2-4.

theological definition,” Walsh was Catholic nonetheless, and thus still carried much of the baggage Smith did to those whom religion mattered.²¹¹³

Another option was Senator James Reed of Missouri, who, expecting another Smith-McAdoo conflagration, had been actively campaigning for the nomination as a compromise choice since 1926. Except Reed had considerable baggage of his own. He had irritated Wilsonians by being an Irreconcilable, women by deriding Sheppard-Towner in highly sexist fashion, and McAdoo supporters by being the Senator who had encouraged oilman Edwin Doheny to announce his retainer of their man under oath. He was also a Wet, meaning that, like Walsh, he held much of Smith’s downside in certain regions of the country without having any of Smith’s upside in urban areas. In any case, Governor Smith made the Reed and Walsh candidacies moot by thumping them both in the California primary in May, garnering more votes in McAdoo’s home state than the two other candidates combined.²¹¹⁴

There was one other potential candidate, although most everyone knew he was a Smith supporter, and his health was a concern regardless. In fact, Franklin Roosevelt had been pushed to run for Senator of New York in 1926, in lieu of Robert Wagner – but Roosevelt had demurred, since “if I devote another two years to them I shall be on my feet again without my braces.” (Besides, he said, “I like administrative or executive work, but do not want to have my hands and feet tided and my wings clipped for six long years.”) When Carter Glass and Josephus Daniels reached out to FDR and his aide Louis Howe to see if there was any possibility Smith could be convinced to step aside for a Roosevelt run, Howe, in his words, “threw enough cold

²¹¹³ Neal, “The Contender,” 11-14.

²¹¹⁴ Neal, “The Contender,” 3-5, 11-14.

water on the idea to extinguish the Woolworth building.” Roosevelt himself also urged his old boss to back Smith, although he too recognized the quandary the party faced. “Strictly between ourselves,” Roosevelt told Daniels, “I am very doubtful whether any Democrat can win in 1928.”²¹¹⁵

By the time the Democrats arrived in Houston in June for their 1928 convention – even the venue was an indicator of Smith’s overpowering strength, since he could afford to be magnanimous – Smith’s nomination was a given, and the only thing left for the Governor’s campaign to do was to ensure that nothing remotely approaching the disaster that had happened in New York City four years earlier occurred in Texas. “Remember the Garden” echoed as both the unofficial and official mantra of the convention, reverberating through Claude Bowers’ well-received keynote speech – which *The Nation* predicted had been vetted by at least twenty different Democrats – and helping to constrain any outward displays of negative sentiment from the anti-Smith contingents. “A national political convention today is primarily a great advertising stunt,” commented *Nation* correspondent Louis Gannett of the proceedings. “Nothing is decided on the floor that has not already been decided in the hotel rooms; and the formal work of the entire week could be done in two hours. But the prolonged big show advertises the party; it advertises the candidates...it forces into display on the front pages of three thousand newspapers speeches which ordinarily would not get two inches next to department store advertising.” However prescient a critique of the next 75 years of American political conventions, Gannett’s words were no doubt music to the ears to Democrats only four years removed from the carnage of Madison Square Garden.²¹¹⁶

²¹¹⁵ Schlesinger, *Crisis of the Old Order*, 378-379.

²¹¹⁶ Neal, “The Contender,” 22. Murray, *The 103rd Ballot*, 272. “Editorial Paragraphs,” *The Nation*, July 11th, 1920 (Vol. 127, No. 3288), 27. Lewis Gannett, “The Big Show at Houston,” *The Nation*, July 11th, 1920 (Vol. 127, No.

The platform also worked to sidestep any of the pitfalls of the past. Beginning with another encomium to Woodrow Wilson, rehabilitated some after eight years of Republican rule, it argued that “government must function not to centralize our wealth but to preserve equal opportunity so that all may share in our priceless resources; and not confine prosperity to a favored few.” As such, it deplored “bureaucracy and the multiplication of offices and officeholders” and, more centrally, the political corruption unearthed by the continuing Teapot Dome revelations. Offering a Democratic rallying cry from another time, it argued that “[a]s in the time of Samuel J. Tilden, from whom the presidency was stolen, the watchword of the day should be: ‘Turn the rascals out.’” “The Republican Party,” railed the document, “offers as its record agriculture prostrate, industry depressed, American shipping destroyed, workmen without employment; everywhere disgust and suspicion, and corruption unpunished and unafraid.”²¹¹⁷

However bad the Republicans, the Democratic platform mirrored their opponents’ platform in important respects. It also called for campaign finance reform and government supervision of radio. It too endorsed the Outlawry of War and, in a turn of phrase that belied the earlier paean to Wilson, “freedom from entangling political alliances with foreign nations.” Echoing any number of speeches by Harding, Coolidge, and Hoover, it called for “efficiency and economy in the administration of public affairs,” “business-like reorganization of all the departments of the government,” and “substitution of modern business-like methods for existing obsolete and antiquated conditions.” The announced tariff policy – which promised “maintenance of legitimate business and a high standard of wages for American labor” –

3288), 34-35. The solemnity was a double-edged sword, since many radio listeners were looking for more of the riveting catastrophe that New York had been. Houston, by contrast – in the words of one Tammany delegate – “was the longest wake any Irishman ever attended.” Murray, *The 103rd Ballot*, 272.

²¹¹⁷ Democratic Party Platforms: “Democratic Party Platform of 1928,” June 26, 1928. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=29594>.

suggested both parties had finally reached agreement on this long-time bugaboo. (A disgruntled Newton Baker exclaimed that “McKinley could have run on the tariff plank and Lodge on the one on international relations.”) And, perhaps most importantly for this particular election, the plank on “law enforcement” – while attacking Republicans for “the remarkable spectacle of feeling compelled in its national platform to promise obedience to a provision of the federal Constitution, which it has flagrantly disregarded” – also promised “an honest effort to enforce the eighteenth amendment and all other provisions of the federal Constitution[.]” This was compromise language put forward by Carter Glass when, right out of the gate, Wet and Dry forces – the latter headed by host and young Texas governor Dan Moody, threatened to disturb the enforced harmony of Houston in the platform committee – which was being broadcast on the radio.²¹¹⁸

Where the platform differed from that put forward in Kansas City – perhaps to appeal to the 17% who had voted La Follette in 1924 – was usually in the progressive direction. Because “under Republican rule, the anti-trust laws have been thwarted, ignored and violated” and thus “the country is rapidly becoming controlled by trusts and sinister monopolies formed for the purpose of wringing from the necessities of life an unrighteous profit,” Democrats pledged “strict enforcement of the anti-trust laws and the enactment of other laws, if necessary, to control this great menace to trade and commerce.” Because “[u]nemployment is present, widespread,

²¹¹⁸ Ibid. Neal, “The Nominee,” 27. Herbert Eaton, *Presidential Timber: A History of Nominating Conventions, 1868-1960* (Glencoe: Free Press, 1964), 320. T.M. Burgess to Moody, July 3rd, 1928, Texas State Library and Archives Commission (<https://www.tsl.state.tx.us/governors/personality/moody-burgess.html>) “To Houston,” *TIME Magazine*, January 23rd, 1928.

and increasing,” it called for a plan whereby “during periods of unemployment appropriations shall be made available for the construction of necessary public works.”²¹¹⁹

With regard to water power, “title and control must be preserved respectively in the state and federal governments, to the end that the people may be protected against exploitation of this great resource and that water powers may be expeditiously developed under such regulations as will insure to the people reasonable rates and equitable distribution.” It argued that “interference in the purely internal affairs of Latin-American countries must cease,” specifically citing Mexico and Nicaragua. And in a long attack on Coolidge agriculture policy, the platform called for McNary-Haugenism in all but name. Because “[p]roducers of crops whose total volume exceeds the needs of the domestic market must continue at a disadvantage until the government shall intervene as seriously and as effectively in behalf of the farmer as it has intervened in behalf of labor and industry,” it read, there “is a need of supplemental legislation for the control and orderly handling of agricultural surpluses, in order that the price of the surplus may not determine the price of the whole crop.” This part of the platform had been worked out with George Peek, the former Republican president of the Moline Plow company who had become a spokesman for disgruntled agrarian interests, and who had left the Kansas City convention dissatisfied. He would later serve as the first head of the Agricultural Adjustment Administration under Franklin Roosevelt.²¹²⁰

This platform drew marginally better reviews than the Republican one from the progressive journals. “[D]espite various silences and inconsistencies, and the shameful

²¹¹⁹ Ibid.

²¹²⁰ Ibid. Neal, “The Campaigner,” 34-36.

compromise on the liquor issue,” *The Nation* found the platform “in the main in accord with Democratic tradition.” They were mostly alone on that front. “[T]he two platforms contain no difference which would be called an issue,” wrote Walter Lippmann. The only one he could find was that “the Republican [one] took longer to read.” TNR approved of the agriculture plank in particular, but also thought that “[i]f the denunciatory sections of the platform been omitted, and the customary genuflections to Jefferson and states’ rights were cut out, anyone who did not know might easily mistake this for a document the Hoover forces had drafted for Republicans.” This was especially noticeable with regard to prohibition, where the Democratic desire to avoid another Wet-Dry implosion was particularly pronounced. Even Al Smith thought the wording was “not on the level. It doesn’t say anything. It only dodges and ducks.” George Brennan, the Democratic boss of Chicago, didn’t get all the fuss anyway. “No sensible Democrat ought to worry,” he argued. “Only one person in 25,000 thinks and only one in 50,000 reads the party platform. Do you?”²¹²¹

The floor proceedings in Houston were as carefully orchestrated as the platform, with the biggest question for Smith’s team being how to ensure a state outside of Al Smith’s Northeast base put the Governor over the top. Since it was one of the only bright spots coming out of 1924, Franklin Roosevelt once again put Smith’s name into nomination – this time appearing in leg braces and a cane rather than the crutches of four years earlier, suggesting to many observers he was on the mend. It was time, Roosevelt beamed, to choose a candidate “who has the will to win – who not only deserves success but commands it. Victory is his habit – the happy warrior, Alfred E. Smith.” Once the balloting began, Smith had 724 $\frac{2}{3}$ votes – 8 $\frac{2}{3}$ short of two-thirds –

²¹²¹ “Governor Smith the Nominee,” *The Nation*, July 11th, 1928 (Vol. 127, No. 3288), 30-31. Murray, *The 103rd Ballot*, 276. Burner, 200. “The Democratic Platform,” *The New Republic*, July 11th, 1928 (Vol. 55, No. 710), 188-189. Neal, “The Nominee,” 27. “The Democracy,” *TIME Magazine*, July 2nd, 1928.

to just under 72 for Cordell Hull, 52.5 for Senator Walter George of Georgia, and 48 for James Reed, at which point former Senator Atlee Pomerene of Ohio called for his state to switch into Smith's column. So it was that, 102 ballots before a decision was made four years earlier, Governor Al Smith of New York became the nominee, the first time a non-incumbent had been chosen on one ballot since William Jennings Bryan in 1908. To avoid any trouble, the usual call for unanimity was dispensed with. Smith ended up with 849 ½ votes, well over the two-thirds – but George still had 52 ½, Reed 52, Hull just under 51, and Dry Texas financier Jesse Jones 43.²¹²²

Just as Hoover forces had looked to Charles Curtis, the Republican leader in the Senate, to help assuage continued grumbling over their nominee, Senate Minority Leader Joseph Robinson of Arkansas, a Protestant Prohibitionist, was chosen on his own first ballot as Vice-President to offset Smith's candidacy. As *The Nation* summed up the choice, Robinson was “a typical southern politician put on the ticket for the purpose of catching some guileless Drys.” “The naming of the Senator from Arkansas,” agreed TNR, “was clearly a sop thrown to the old South, forced to swallow such a bitter pill as Al Smith. It was not a necessary choice, and taking one of the Western progressive Democrats probably would have been better politics, but it was tactful.” All things considered, however, “[i]t was a hot, humid, but happy Houston,” reported *TIME*. “Discord waned. Celebrities furnished the atmosphere of a glorified picnic instead of a political dogfight.”²¹²³

²¹²² Murray, *The 103rd Ballot*, 272-273. Schlesinger, *Crisis of the Old Order*, 125, 380. Gannett, “The Big Show at Houston,” 35. Neal, “The Nominee,” 28. Eaton, 320. Slayton, 257.

²¹²³ “Editorial Paragraphs,” *The Nation*, July 11th, 1928 (Vol. 127, No. 3288), 127. “The Week,” *The New Republic*, July 11th, 1928 (Vol. 55, No. 710), 182-183. “The Democracy,” *TIME Magazine*, July 2nd, 1928. “Of Smith and Robinson,” *The Nation* argued: “Who says this is not an ideal team? Here is Smith, Catholic, Wet, and Tammany, linked in a trial marriage to Robinson, Protestant, Dry, and anti-Negro. The North and the South being thus joined together – hands across the Mississippi – let no man put them asunder, least of all an outlander from the Pacific Coast. All the Drys can happily vote for Robinson, all the Wets for Smith. All the believers in democracy can vote

Only at the end of the convention proceedings did the semblance of goodwill break down in earnest. After business had concluded on the third and final day, Senator Pat Harrison of Mississippi read a telegram from Smith to the convention, thanking them for their nomination and putting forward the basic themes of the coming campaign. In it, Smith declared he would enforce the law as the platform requested, but it was “well known that I believe there should be some fundamental changes...in national prohibition...I feel it to be the duty of the chosen leader of the people to point the way which, in my opinion, leads to a sane, sensible solution of a condition which...is entirely unsatisfactory to the great mass of our people.”²¹²⁴

The Drys on the floor were aghast by this breach of the truce – “This man lost no time in writing, ‘I have not changed my views on the liquor question,’ rued delegate Alice David of Oklahoma – and many left newly recommitted to the notion of defeating their own candidate. McAdoo said the telegram “absolves every Democrat from any obligation to support” the candidate, and before the day was out, Bishop Cannon of the Methodist Church had announced with the Anti-Saloon League that they would soon be convening an anti-Smith convention in Asheville, North Carolina. Neither a “subject of the Pope” nor an emissary from “the foreign-populated city called New York” would win in 1928, Bishop Cannon averred.²¹²⁵

The candidate likely knew the damage this inopportune telegram would cause, but while Roosevelt, among others, had urged him to “soft-pedal the booze question,” he thought the stand on principle was important. Smith told his advisors he’d just as soon “not be nominated as to

for Smith; all believe that Americans are not created free and equal if the shades of their skins are darker can vote for Robinson. Tweedledum, Tweedledee; Tweedledee, Tweedledum...Both ends against the middle; the middle against both ends. live the American republic!” “Editorial Paragraphs,” *The Nation*, July 11th, 1928 (Vol. 127, No. 3288), 127

²¹²⁴ Slayton, 258-259.

²¹²⁵ Ibid. Murray, *The 103rd Ballot*, 272-273, 289. Neal, “The Nominee,” 28-29, “The Campaigner,” 23.

stand for something that I don't believe in. Let them read the telegram before they call the roll, and if the convention nominates me after that, I have put them on notice as to what I am going to say in the campaign. On the other hand, if they don't want to nominate me after reading the telegram, that's all right with me." But, upon receiving Smith's missive, Senator Harrison declared, "My God...this will cause a riot!" and thought it best to wait until convention business was concluded.²¹²⁶

If it speaks to Governor Smith's sense of principle that he refused to run on such an obviously watered-down prohibition plank, it also suggests that the Governor and his closest advisors may have underestimated the vitriol many Democrats still harbored for Smith and what he stood for. In 1927, Smith, on the encouragement of advisors like Moskowitz and Roosevelt, had sent a letter to *The Atlantic Monthly* laying out his views of how his Catholicism intersected with his public service. This was in response to a polite but questioning article written in the *Monthly* by a Protestant New York City lawyer, Charles C. Marshall, and to address it, Smith relied on both Joseph Proskauer and Father Francis P. Duffy, an Irish-American pastor of some renown, to write the initial drafts. (Smith also ran the article first by Archbishop Hayes.) "I recognize no power in the institutions of my Church to interfere with the operations of the Constitution of the United States or the enforcement of the law of the land," Smith's response read. "I believe in absolute freedom of conscience for all men and in equality of all churches, all

²¹²⁶ Ibid. While Claude Bowers thought he saw the hand of Belle Moskowitz in Smith's Wet telegram, Franklin Roosevelt suspected the Governor's friend, Walter Lippmann, spurred the decision. "[I]t was the *World* which literally drive Al Smith into sending that fool telegram," Roosevelt remarked in 1930. "Al had every wet vote in the country, but he needed a good many million of the middle-of-the-road votes to elect him President...If Walter would stick to the fundamentals, fewer people would feel that the World first blows hot and then blows cold." Indeed, Lippmann had drafted the telegram. He also wrote Moskowitz after the convention had begun, saying "[t]hings are going so well in Houston that we must take full advantage of the excellent spirit which is developing. I have given a lot of thought to the telegram which the Governor proposes to send when he is notified of the nomination. The part dealing with prohibition seems to me fine." Slayton, 259. Steel, 247.

sects, and all beliefs before the laws as a matter of right and not as a matter of favor. I believe in the absolute separation of Church and State and in the strict enforcement of the provisions of the Constitution that Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.”²¹²⁷

Smith’s response to Marshall received praise from across the spectrum as a statesmanlike answer to the quandary. One Democrat deemed it “the most remarkable state paper...since Mr. Wilson dropped his pen,” while another, Thomas Walsh, just thought it “good plain Americanism.” Upon overhearing several positive responses to Smith’s letter on a train from New York City to the upstate, Senator Robert Wagner suggested that “the question is now beyond the stage of a serious issue...the Governor’s letter will forever remove religious rancor from political affairs.” More grist for this hopeful argument could be seen in Senate Democrats’ repudiation of Senator Thomas Heflin of Alabama. Heflin had been vocally opposed to Smith’s candidacy throughout the election cycle, arguing, among other things, that it “represented the crowning effort of the Roman Catholic hierarchy to gain control of the United States.” In January 1928, however, Senator Robinson returned Heflin’s fire on the floor, drawing the support of the Senate Democratic Caucus. Watching all of this play out, Michael Williams, the editor of the Catholic magazine *Commonweal*, argued in April 1928 that this “battle is over and done with.”²¹²⁸

²¹²⁷ Neal, “The Available Man,” 18-22. Finan, 194-195. “Joe, to tell you the truth,” Smith originally told Proskauer about the Marshall article, “I’ve read it; but I don’t know what the words mean. I’ve been a devout Catholic all my life and I’ve never heard of these bulls and encyclicals and books that he writes about. They have nothing to do with being a Catholic; I just don’t know how to answer such a thing.” Ellery Sedgwick, the editor of *The Atlantic Monthly*, conceded Marshall’s article had been “unreadably intelligent.” Finan, 194. Neal, “The Available Man,” 19.

²¹²⁸ Neal, “The Available Man,” 21-22. Finan, 195-196.

As such, it is entirely possible Smith didn't realize at the time how hard-set many southern and western Democrats remained to his coronation. Three weeks before the convention, Smith had even urged that Archbishop Hayes preside over the marriage of his daughter Catherine to a Republican lawyer. ("I hope the young couple won't have to kiss the Cardinal's toe as part of the ceremony," Louis Howe deadpanned to Franklin Roosevelt.) All the while, a fever was building in some areas of the country. "I'd rather see a saloon on every corner than a Catholic in the White House," remonstrated Dry Methodist evangelist Bob Jones to his congregation. "I'd rather see a nigger President than a Catholic in the White House," Jones said at another time. Photographs of the currently-under-construction Lincoln Tunnel were passed along anti-Catholic channels, with an explanation that this was the secret tunnel that would ferry the Pope from Rome to his new throne in Washington. The Klan-affiliated journal *Railsplitter*, meanwhile, averred that "[w]e now face the darkest hour in American history. In a convention ruled by political Romanism anti-Christ has won."²¹²⁹

In the genteel pages of the progressive journals, however, Smith's Wet telegram – and his refusal to endorse, in Heywood Broun's phrase, "a dry plank and a wink" – was generally received not as a declaration of war but an act of statesmanship. "The candor of Al Smith's telegram of acceptance," said Lewis Gannett in *The Nation*, "was a refreshing contrast to the mumbling of his supporters and of his political opponents at the convention. It was, to be sure, easy to be outspoken after the nomination, but at least Smith did not wait until after the election." Harold Ickes, still deciding who to vote for but leaning Smith, told Hiram Johnson he "liked his frank statement on the liquor question and I think it made a good impression generally." "Governor Smith has received warm praise in some quarters for his courage," said TNR. "When

²¹²⁹ Finan, 197-198. Murray, *The 103rd Ballot*, 276-278. Slayton, ix-x.

anyone in political life speaks out frankly on any controversial issue, it is something of an event.” That being said, everyone knew where Smith stood on the issue, so “[i]f he had kept silence, it could possibly have been interpreted as indicating any change of heart, and must therefore have been read as a mere cowardly equivocation. Governor Smith is not that sort of man.”²¹³⁰

And therein lied the potential strength of the Democratic campaign. As the Secretary of Commerce during a prosperous economy, Hoover clearly had the inside track – but many thought the Great Engineer a cold fish, too haughty to condescend to the practices of politics. And others believed, as *The Nation* had intimated, that Hoover had forsaken all of his laudable beliefs to win the nomination. Smith, on the other hand, was a known quantity. And – if one could bear his urban, Wet, Catholic proclivities, of course – the Governor was almost universally admired and respected as both a warm and competent fellow. Admittedly, Smith “as a good New Yorker, is as provincial as a Kansas farmer,” wrote H.L. Mencken, who, while agreeing with the Governor on matters of libation, nonetheless rarely gave out compliments freely. “His world begins at Coney Island and ends at Buffalo.” Nonetheless, the Sage of Baltimore argued, Smith “represents as a man almost everything that Maryland represents as a State. There is something singularly and refreshingly free, spacious, amiable, hearty, and decent about him...he will not lie, and he cannot be bought. Not much more could be said of any man.” Those who know Smith, concluded Mencken, “trust him at sight, and the better they know him the more they trust him. No man in American politics has ever had firmer friends among his enemies.”²¹³¹

²¹³⁰ Neal, “The Campaigner,” 46. Gannett, “The Big Show at Houston,” 34. Ickes to Johnson, July 7, 1928. HLI Box 33: Hiram Johnson. “The Week,” *The New Republic*, July 11th, 1928, 182-183

²¹³¹ Murray, *The 103rd Ballot*, 275. Neal, “The Contender,” 6-9. Mencken, *A Carnival of Buncombe*, 143, 201, 204, 208.

But if Smith was “frank, amiable, tolerant, modest, and expansive,” Hoover was a model in contrast. “No one likes him in Washington,” wrote Mencken. “He is too cautious, suspicious, secretive, sensitive, evasive, disingenuous. He is another Coolidge, only worse.” On another occasion, Mencken called him “one of the most transparent and vulnerable frauds in American history. The man is Republican only by a prudent afterthought...He looks hollow and is hollow.” If Smith’s candor about Prohibition was a liability, Hoover’s caution to Mencken was vile indeed. “His whole life has been spent among men to whom Prohibition is as loathsome as cannibalism,” he wrote. “He came from London, the wettest town in the world, to sit in the Harding cabinet, the wettest since the days of Noah. No one ever heard him utter a whisper against the guzzling that surrounded him. He was as silent about it as he was about the stealing.” (During the election, Carter Glass offered \$1000 to anyone who could find Hoover on the record as in support of Prohibition prior to the 1928 cycle. No one ever took it.) What Hoover excelled at, to Mencken, was publicity. “He knows how to work the newspapers...he is adept at the art of taking the center of the stage and posturing there profoundly...He went to the Mississippi in all the gaudy state of a movie queen, but came back with no plans to stop the floods there.”²¹³²

This presidential contest, therefore, was the Great Battle that Mencken had pined for in his *Notes on Democracy*. “The essential struggle in America, during the next fifty years, will be between city men and yokels,” he had argued. “The yokels have ruled the Republic since its first days – often, it must be added, very wisely. But now they decay and are challenged, and in the long run they are bound to be overcome.” Here at last, the sides had lined up against each other. “In the long run,” Mencken declared in his election overview, “the cities of the United States will have to throw off the hegemony of the morons. They have run the country long enough, and

²¹³² Ibid, 152, 197, 204, 209.

made it sufficiently ridiculous. Once we get rid of campmeeting rule we'll get rid simultaneously of the Klan, the Anti-Saloon League, and the Methodist Board of Temperance, Prohibition, and Public Morals...And we'll get rid, too, of those sorry betrayers of intelligence who, like Hoover and Borah, flatter the hookworm carriers in order to further their own fortunes.”²¹³³

“The coming Presidential campaign will be full of bitterness,” Mencken had predicted, “and...most of it will be caused by religion. I count Prohibition as a part of religion, for it has surely become so in the United States. The Prohibitionists, seeing all their other arguments destroyed by the logic of events, have fallen back upon the mystical doctrine that God is somehow on their side, and that opposing them thus takes on the character of blasphemy.” This undoubtedly made Smith’s road harder, but it was a fight, Mencken believed, he had to wage for the good of the nation. “Once the cities have liberated themselves from yokel rule, civilization will be free to develop in the United States. Today it is woefully hobbled by the ideas of peasants...No one wants to civilize the peasant against his will, but it is plainly against reason to let him go on riding his betters.”²¹³⁴

As was so often the case, Walter Lippmann agreed with Mencken’s diagnosis, if not necessarily the colorful prescription. “One cannot say that the new urban civilization which is pushing Al Smith forward into national affairs is better or worse than that older American civilization of town and country which dreads him and will resist him,” Lippmann had written in 1925. “But one can say that they do not understand each other, and that neither has yet learned that to live it must let live.” In terms of the usual state of politics, there was not much reason for

²¹³³ Ibid, 159, 213.

²¹³⁴ Ibid, 144, 154, 160-163.

the nation to be afraid of Smith, who was “really a perfectly conservative man about property, American political institutions, and American ideals. He believes in the soundness of the established order and in the honesty of its ideals.” “The brilliancy of Governor Smith’s administration,” Lippmann argued, “has not been due to its radicalism, but a kind of supremely good-humored intelligence and practical imagination about the ordinary run of affairs. He has made his Republican opponents at Albany look silly, not because he was so progressive and they were so reactionary, but because he knew what he was doing and they did not...He is what a conservative ought to be always if he knew his business.”²¹³⁵

Governor Smith’s “essential conservatism,” Lippmann thought, “makes it difficult to conceal the actual objection to him.” Smith had never advocated radicalism, or endorsed La Follette, or said much about peace. He had “no designs on the institution of matrimony, he does not read free verse, he probably never heard of Freud, and, if you inquired closely you would find, I think, that he did not accept the revelation according to Darwin. He is against prohibition and for free speech, but so are Elihu Root and Nicholas Murray Butler.” The arguments against Smith, Lippmann wrote, were “inspired by the feeling that the clamorous life of the city should not be acknowledged as the American ideal...The Ku Kluxers may talk about the Pope to the lunatic fringe, but the main mass of the opposition is governed by an instinct that to accept Al Smith is to certify and sanctify a way of life that does not belong to the America they love. Here is no trivial conflict.”²¹³⁶

Continuing the argument two years later, Lippmann wrote that the “Pope, the devil, jazz, the bootleggers, are a mythology which expresses symbolically the impact of a vast and dreaded

²¹³⁵ Lippmann, *Men of Destiny*, 2-5.

²¹³⁶ *Ibid.*, 5-6, 8-9, 29.

social change. The change is real enough. The language in which it is discussed is preposterous only as all mythology is preposterous if you accept it literally.” These concerns about Smith and the city life he represented, Lippmann argued, were an “animistic and dramatized projection of the fears of a large section of our people who have yet to accommodate themselves to the strange new social order which has arisen among them.” That new social order was now embodied by the Democratic Party candidate.²¹³⁷

Hoover v. Smith

The ethnic, religious, and cultural opposition to Smith’s candidacy was likely inescapable, and given the mood of national prosperity and the unrelenting antagonism of rural, Dry, and Protestant forces, Smith always faced an uphill battle in the general election regardless. But just as the Governor had aggravated the divide in Houston by taking an honorable course on Prohibition that nonetheless seemed to flaunt his disagreements with Drys, Smith and his campaign exacerbated these cultural tensions by giving the electorate little else with which to make a choice between the candidates.

It didn’t help Smith’s cause that Herbert Hoover well knew he had the easier road. “It was obvious, from the beginning of the campaign,” he later wrote, “that I should win if we made no mistakes. General Prosperity was on my side.” Accepting his nomination in August at his alma mater of Stanford University, his words broadcast over a network of 108 radio stations, the largest ever to that point, the Great Engineer reminded the nation of the unprecedented economic boom he had helped preside over. “We in America today,” Hoover declared in words that would echo cruelly through much of his subsequent presidency, “are nearer to the final

²¹³⁷ Ibid, 29.

triumph over poverty than ever before in the history of any land... Given a chance to go forward with the policies of the last eight years, and we shall soon, with the help of God, be in sight of the day when poverty will be banished from the nation.”²¹³⁸

To accomplish that, Hoover argued that “the most urgent economic problem of our nation today... agriculture” must be addressed. His prescription avoided what he thought to be the intrusive price-fixing of McNary-Haugen – Instead, Hoover, true to form, advocated a ‘wholesale reorganization of the farm marketing system upon sounder and more economical lines” and “the creation of a Federal farm board of representative farmers.” Otherwise, Hoover pledged to run an honest campaign and a presidency free of corruption. He endorsed federal water power projects, with the important presumption being they or the power they generated would eventually end up in private hands. He called for religious tolerance, noting his Quaker roots. And he called Prohibition “a great social and economic experiment, noble in motive and far-reaching in purpose” – thus coining the term “Noble Experiment” – that nonetheless had witnessed “grave abuses.” While “an organized searching investigation of fact and causes can alone determine the wise method of correcting them,” “Crime and disobedience to law cannot be permitted to break down the Constitution and laws of the United States,” and any attempt to weaken Prohibition laws would be tantamount to nullification.²¹³⁹

To no one’s surprise, the address was applauded in Republican papers and derided in Democratic ones. The *Portland Press Herald* thought it “an American document...based upon American ideals...in harmony throughout with American conceptions of human relations and of

²¹³⁸ Hoover, 198. Dawley, 334. “Hoover Formally Notified, Voices Issues,” *The New York Times*, August 12th, 1928.

²¹³⁹ “Hoover Formally Notified, Voices Issues,” *The New York Times*, August 12th, 1928.

American theories of government.” (Shorter version: Hoover was a real American, wink wink.) “We can trust him for the future,” argued the *Providence Journal*, “because he has never failed us in the past. He has proved equal to every task imposed on him.” Meanwhile, the *Arkansas Gazette* thought Hoover just asked for Republicans to get “a chance to redeem its bad enforcement record” on Prohibition, while “Republican farmers looking for a Moses to lead them out of the wilderness of agricultural depression will have to keep on looking.” Drawing the most attention from both sides of the aisle was Hoover’s paean to the Noble Experiment. “There was no question,” reported the *New York Times* of Hoover’s address, “that in the opinion of the throng prohibition was the real point of cleavage in the campaign of 1928.” “Here and nowhere else,” argued the *Springfield Republican*, “is an issue of major importance to the country being openly and squarely developed.”²¹⁴⁰

The editors of TNR, so high on the Great Engineer eight years previously, thought Hoover’s speech “appears to endorse without any uneasiness of conscience all of the President’s most dreary Coolidgisms. It flourishes the same misleading claims. It overflows in the same equivocal and meaningless generalities.” The only difference between the two men, the journal declared, was that, while Coolidge seemed to think “America is a finished Utopia, which, like one of Mr. Ziegfeld’s show girls, requires only to be exposed in order to be glorified.” Hoover’s America was “a Utopia still in the making.” But there were two flaws in the Great Engineer’s mold. First, “the business men upon whom [Hoover] counts for the realization of his Utopia are the creatures of the economic system rather than its master. They cannot become its master without entering into a much more generous partnership with the wage-earner and with the expert than they are now willing to accept.” To “awaken American business to a livelier sense of

²¹⁴⁰ “How the Press Sees Hoover Acceptance,” *The New York Times*, August 12th, 1928.

its public responsibilities...it requires less to be patted on the back and flattered than to be challenged and shocked into consciousness of its anti-social dangerous courses.” And second, *The New Republic* – taking up an argument that the journal’s detractors had made in 1920 – was not convinced that the business culture Hoover lionized actually made for better citizens. “The American economic system is not operated by growing conscious individuals nor does it breed or need individuality. What it does breed and need are human atoms who dance to the tunes of the mob.” So much for efficiency as the reigning progressive virtue.²¹⁴¹

In any case, having received the nomination, the Secretary of Commerce then adopted another Coolidgism that seemed to work rather well for the Republican ticket in 1924: For all intent and purposes, Hoover virtually retired from the field after Palo Alto, opting for the distant and above-the-fray statesmanship of a virtual incumbent. “I made only seven major addresses during the campaign,” Hoover admitted, and that included the acceptance address. “Have you ever seen quite such a campaign as Hoover is running?” an incredulous Harold Ickes asked Hiram Johnson in September. “Apparently he is betting on the simple proposition that the normal republican majority is so tremendous that he can sit still and still be elected in spite of all of the assaults of the enemy.” With thirty days to go until Election Day, TNR noted that “Hoover has made exactly one speech of importance since his acceptance of the nomination. He has not answered a single one of the challenges offered him by Governor Smith. He has not outlined a single issue more concretely than in his speech of acceptance – a document dealing largely in broad generalities...Why should anyone vote for Mr. Hoover?”²¹⁴²

²¹⁴¹ “Herbert Hoover’s Great Illusion,” *The New Republic*, August 22nd, 1928 (Vol. 56, No. 716), 3-4.

²¹⁴² Hoover, 198. Ickes to Johnson, September 27, 1928. HLI Box 33: Hiram Johnson. “Keeping Religion in the Campaign,” *The New Republic*, October 10th, 1928 (Vol. 56, No. 723), 191-192.

While the Great Engineer was silent, his surrogates and subordinates – as well as many disaffected Democrats – had an answer for that one. Hoover’s election meant a car in every home and “a chicken in every pot,” promised Republican posters and literature. “If you had these three men working for you,” one newspaper argued under a picture of Coolidge, Mellon, and Hoover, “would you fire them?”²¹⁴³

Governor Smith, accepting his own nomination eleven days later on a rainy day in Albany, hoped America might. There, he gave an eloquent summation of both his philosophy of government and the problems with the Republicans in power. “Government should be constructive, not destructive, progressive, not reactionary,” Smith argued over the airwaves of 112 stations – breaking Hoover’s recent record by four. “I am entirely unwilling to accept the old order of things as the best unless and until I am convinced that it cannot be made better.” Coolidge and his ilk, Smith argued, believed “that an elect class should be the special object of the government’s concern” – their focus was “not people, but material things...I have fought this spirit in my own State...I shall know how to fight it in the nation.”²¹⁴⁴

Arguing that it was a “fallacy that there is inconsistency between progressive measures protecting the rights of the people, including the poor and the weak, and a just regard for the rights of legitimate business,” Smith promised to “continue my sympathetic interest in the advancement of progressive legislation for the protection and advancement of working men and women,” including the “[p]romotion of proper care of maternity, infancy and childhood.” The candidate also disparaged Latin American adventurism, endorsed a McNary-Haugen approach to

²¹⁴³ Finan, 204. Neal, “The Campaigner,” 48-49.

²¹⁴⁴ Neal, “The Campaigner,” 12-14. Finan, 201-202.

agricultural reform without naming the bill, and – hoping that a states’ rights approach might help bring Southerners back into the fold – called for a “fearless application of Jeffersonian principles” to the Prohibition question – in other words, let states choose whether or not they wanted to be Wet or Dry in their own borders. It was “the speech of an honest man with an honest mind and a human heart,” declared Senator Walter George of Georgia, fulfilling his obligations to the party. “Practical as he is to the core, the speech of Governor Smith breathes the fine spirit of progress and reform.”²¹⁴⁵

As the Democratic platform plank on unemployment indicates, there was an emerging pushback against the prosperity argument on the left side of the party. “Under the Coolidge administration the rich have declared war on the poor,” former New York party chairman Herbert Claiborne Pell had said in January 1928. “Let them beware of the retaliation of those that they despise today.” But Governor Smith – animated by the inherent conservatism Lippmann had referenced and never one to question the foundations of the prevailing economic order – never endorsed that strategy any further than the guarded language of his nomination speech. Instead, Smith chose to minimize the economic differences between him and the Republican ticket, and attempt to illustrate to America that he would be as competent an administrator and steward of the economy as the Great Engineer.²¹⁴⁶

To that end, much to the consternation of his closest advisors, Smith chose as his campaign chairman John J. Raskob, the chief executive of DuPont and General Motors, and a well-known financier who had voted for Coolidge in 1924 – In 1929, he would pen an ill-timed

²¹⁴⁵ Ibid. “Washington Views Divided on Speech,” *The New York Times*, August 23rd, 1928.

²¹⁴⁶ Finan, 204-205. Schlesinger, *Crisis of the Old Order*, 125.

paean to prosperity entitled “Everybody Ought to be Rich.” Raskob certainly was. More to the point, as one journal put it, he was “very rich, very wet, and very Catholic, and besides that he is not a Democrat.” Nonetheless, Raskob had been a friend and major contributor of the Governor’s, and Smith, despite pleading from Moskowitz, Proskauer, and Roosevelt, chose to respect the loyalty. “It’s the only thing Raskob has ever asked of me,” Smith said in an echo of Warren Harding’s choice of Harry Daugherty years earlier, “and I’ve got to give it to him.” (In later years, Raskob would deny he asked for the job, and took it only because Smith implored him to.)²¹⁴⁷

Here again, Roosevelt thought, Smith was making a choice from principle where political expediency should have reigned. Choosing Raskob, he believed, was a “grave mistake” that would “permanently drive away a host of people in the south and west and rural east who are not particularly favorable to Smith, but up to today have been seeping back into the Party.” FDR seemed to have the right of it. Carter Glass, among others, thought the pick reflected Smith’s “not only...distaste, but an actual contempt for the South.” Along with further alienating Democrats worried about Smith’s Other-ness, the choice of Raskob helped to close down any hard-hitting economic critique of the Coolidge years, dismaying progressives and agrarians and removing one more possible source of differentiation between the two candidates.²¹⁴⁸

How could Al Smith possibly defeat Herbert Hoover and the Republicans, if the general national prosperity was conceded? Smith and his advisors had devised a three-part strategy. First,

²¹⁴⁷ Finan, 205-206.

²¹⁴⁸ Schlesinger, *Crisis of the Old Order*, 125-127. Neal, “The Campaigner,” 2. Burner, 204. Raskob, who argued in August that Smith would win by over 300 electoral votes, and just before election day that he would win by over 400, also plunged millions of dollars into resources that many thought a lost cause – most notably the Republican machine-controlled state of Pennsylvania. Neal, “The Campaigner,” 19-20.

by hewing close to the Republicans on economic matters and being more personable than Hoover otherwise, it was hoped Smith could break open the traditionally Republican Northeast, including his own state of New York. (This was why Smith insisted Raskob was a good choice to run the campaign – It soothed the financial masters of Wall Street and the Northeast corridor.) Second, it was assumed the Solid Democratic South would hold, and that disgruntled Prohibitionists still loathed the party of Lincoln and Reconstruction more than they did booze and the Pope. And third, agrarian discontent in the Midwest and West might work to pry away a few crucial states from the Republican column. On paper, it sounded like a workable strategy. Of course, not all would proceed according to plan.²¹⁴⁹

To help buttress his fortunes in the Empire State, as well as to cement his four-term legacy of reform there, Smith, in one of the more lasting legacies of his 1928 bid, looked to find a strong candidate for the governor's race in New York. So he turned to a man sympathetic to his worldview and a natural choice – Owen Young, the president of General Electric. Young, however, had no interest in the job, and so Smith turned to his second option. That would be financier Herbert Lehman, at which point New York Democrats reminded Smith that running on the same ticket as the man who would be the state's first Jewish governor was not an association the candidate needed at this juncture. While considering other potential candidates, the name of Franklin Roosevelt came up – but Smith thought his health wasn't up to it, and besides, as he told Francis Perkins, "the man hasn't got any brains. He couldn't possibly be Governor of New York." Even if the two had mended fences politically over the years, Smith still saw in Roosevelt

²¹⁴⁹ Neal, "The Campaigner," 21. Schlesinger, *Crisis of the Old Order*, 125. Among the political observers who thought the South would invariably fall into line was Mencken. "They will vote for [Smith]" he wrote, "because they (or their leaders) are hungry for jobs – because they will conclude, after due prayer, that is better to risk being sold down the river to the Pope and the Jesuits than to go on gaping at the swill-trough from afar, and mourning sadly like a calf taken away from its mamma." Mencken, *A Carnival of Buncombe*, 154.

the callow, condescending young Harvard man with the famous name who had first shown up in the Assembly all those years ago.²¹⁵⁰

In fact, the New York Governorship was something Franklin Roosevelt had very much coveted over a decade earlier. After losing the 1914 Senate primary to Tammany's candidate, a younger and more openly ambitious FDR had even mended fences with Charles Francis Murphy in order to secure the 1918 gubernatorial nomination. But when the World War broke out in 1917, Roosevelt could no longer leave his position as Assistant Secretary of the Navy without public opprobrium, and so Al Smith ascended to Albany instead. Even in 1928, Roosevelt – who was named head of the campaign's business outreach – still chafed at his role in the Smith organization. "I was treated by Raskob and Mrs. Moskowitz all the time I was there," Roosevelt said later in life, "as though I was one of those pieces of window dressing that had to be borne with because of a certain political value in non-New York areas." "Frankly," Roosevelt wrote a friend after the Raskob choice, "the campaign is working out in a way which, I, personally, should not have allowed and Smith has burned his bridges behind him." He soon gave the campaign job over to Louis Howe, who forged Roosevelt's name on anything that required a signature.²¹⁵¹

Two months before Election Day, however, Smith conceded that, just as in 1924 after the death of Charles Francis Murphy, he now needed Roosevelt. FDR, who at the time was rehabilitating in Warm Springs, Georgia, was averse to the idea, as were his closest aides. ("If

²¹⁵⁰ Finan, 236-237.

²¹⁵¹ Finan, 237-240. Schlesinger, *Crisis of the Old Order*, 125-127. "Some of Mr. Hoover's regulatory attempts are undoubtedly for the good of our economic system," one of Roosevelt's entreaties to business leaders read, "but I think the policy of Governor Smith to let businessmen look after business matters is far safer for our country." Schlesinger, 127.

they are looking for goat why don't Wagner sacrifice himself?" Howe telegraphed Roosevelt at one point.) At first, Smith accepted Roosevelt's demurral – "Okay, you're the doctor," he said. But, increasingly convinced that Roosevelt was the best and only option to put New York in the Democratic column, Smith called back with Herbert Lehman, the latter promising to help carry the load as Lieutenant Governor. ("Governor Trying to Reach You...Beware Greeks Bearing Gifts," Howe had warned.) When Roosevelt still hesitated, Smith simply asked if he would refuse the job if offered. Roosevelt didn't answer, and the next day, the New York State Convention chose him as their gubernatorial nominee. "Mess is No Name For It," telegraphed Howe. "For Once I Have No Advice to Give." Forsaking his fervent hope that Warm Springs could mend his condition, Franklin Roosevelt decided to play the good soldier. "The policies of the state as administered by Governor Smith are excellent now," he said as the gubernatorial candidate, "I may not be able to improve on them." To a friend years down the road, he said "I didn't want it. I wanted, much more to get my right leg to move!...But the moral pressure was too strong." Roosevelt's right leg would never move. But his choice would yield positive dividends regardless.²¹⁵²

In the meantime, Al Smith had much bigger problems below the Mason-Dixon line. Raskob and Smith had based their election strategy on the Solid South, and it is true that, in many ways, the Democratic Party's stranglehold on the region ran through deeper, darker soil than Smith's candidacy could possibly uproot. "Don't let Catholicism, don't let Prohibition, don't let propaganda of any kind blind you," argued one Mississippi Democrat. "There is only one issue in Mississippi – white supremacy, and crushing a Mississippi white and black Republican party in the making." As another put it, "I am going to vote for Al Smith because I

²¹⁵² Schlesinger, *Crisis of the Old Order*, 380-383. Finan, 241.

am a life long Democrat and because I am a Southern white man.” Party regulars emphasized the overriding importance of “Democratic supremacy” in the region and spread the tales that, Hoover had desegregated the Department of Commerce and, during his Mississippi relief efforts, both danced with a black woman in New Orleans and allowed blacks – “Hoover chocolates,” in the parlance of one South Carolina woman – to use white toilets. The Governor of North Carolina, Angus McLean, predicted – wrongly – that “the prominent Democrats of the South who are withholding their support from Governor Smith can be counted on the fingers of one hand.”²¹⁵³

At the same time, the South also saw some of the most vociferous anti-Smith propaganda, and not just from Bishop Cannon’s conference of disaffected Democrats in Asheville. Former McAdoo supporter and *Chattanooga News* editor George Fort Milton organized an anti-Smith “National Constitutional Democratic Committee” that eventually spread to seventeen states. Among the leading Southern Democrats to openly renounce Smith were former Senator Robert Owen of Oklahoma, Senator Furnifold Simmons of North Carolina, and the wife of Clem Shaver of West Virginia, who was National Party Chairman from 1924 to 1928. (Asked about his spouse’s apostasy by a reporter, the pro-Smith Shaver simply said, “Are you married?”) “If you vote for Al Smith,” the pastor of Oklahoma City’s largest Baptist congregation told his flock, “you’re voting against Christ and you will all be damned.” “Will Dry Protestants of the South Put Their Worst Foe in the White House?” blared one anti-Smith pamphlet. Schoolchildren in Daytona Beach, Florida were sent home with notices to give the parents, declaring that “[w]e

²¹⁵³ Neal, “The Campaigner,” 24, 27, 29, 31. Burner, 196, 206. In point of fact, Burner notes, “Hoover had shaken hands with a mulatto lady prominent in Washington’s black society and asked her whether she remembered their last dance in Washington.” Burner, 206.

must prevent the election of Alfred E. Smith to the presidency. If he is chosen President, you will not be allowed to have or read a bible.”²¹⁵⁴

Rumors also abounded throughout the region that Smith was an alcoholic himself, and that eyewitnesses had seen him falling down drunk at the Syracuse State Fair. One cartoon showed the candidate on a beer truck which read “Make America 100% Catholic, Drunk, and Illiterate.” This eventually prompted the bottom half of the ticket to respond. “The statement has been made that he is a drunkard,” said Joseph Robinson, drifting away from his prepared speech to a Labor Day crowd in Dallas, “There is not one word of truth in it.” Needless to say, if you are explaining why your standard-bearer is not an alcoholic, you are fighting a campaign on losing ground.²¹⁵⁵

Other southerners were not shy about wielding the biggest possible artillery against Smith. It was argued by Bishop Cannon and others that the candidate secretly wanted to end the traditional southern ways and bring about full racial equality. Belle Moskowitz had in fact been urging Smith to make in-roads with African-American voters, and she set up a meeting with the Governor and the NAACP’s Walter White in early 1928, at which White encouraged Smith to take a stronger stand against segregation and lynching and for civil rights. Smith was sympathetic, and asked for a statement which would show “that the old Democratic Party, ruled entirely by the South is on its way out, and that we Northern Democrats have a totally different approach to the Negro.” White subsequently penned such a statement, but Governor Smith never used it or said anything more on the matter – a decision Moskowitz said he later regretted. The

²¹⁵⁴ Neal, “The Campaigner,” 23. Murray, *The 103rd Ballot*, 278-279. Finan, 207. Slayton, ix-x.

²¹⁵⁵ Ibid.

Chicago Defender still rallied to Smith's standard, arguing that "it would be striking a severe blow at intolerance, prejudice, and bigotry if Negroes should help send this Catholic gentleman to the White House. Whatever sins may be charged against the Catholics, it cannot be said they have aligned themselves with the Negro baiters and lynchers." That being said, in the election of 1928 Smith did not actively align himself against them either. To charges that Smith was "that most dreadful of persons, a 'nigger-lover,'" reported *The Nation*, "his managers have felt compelled to deny that he ever employed Negro stenographers or that he has appointed Negroes to any higher offices than the menial ones they fulfill in the South."²¹⁵⁶

Because of all this, an exhausted Smith ultimately had to go on a Southern swing late in the campaign to try to shore up the shaky region, which even the ever-enthusiastic Raskob thought was "a terrible confession of weakness." The trip was also seen as such an admission by the press, and did little to sway anyone regardless. On the way to down to Oklahoma in mid-September, the passage of Smith's train had been lit by the fire of burning crosses. "Joe, how did they know you were on this train?" he allegedly joked to Proskauer, a Jew. Inside, however, Smith seethed at this ultimate rebuff, and, believing that the time had arrived to take on the religion question directly, he rewrote his remarks for Oklahoma City to address the slurs. People like Oklahoma Senator Robert Owen, who had come out for Hoover, talk of Tammany as the reason why they opposed his candidacy, Smith argued, but "I know what's behind it. It's nothing more or less than my religion:"

Nothing could be so out of line with the spirit of America. Nothing could be so foreign to the teachings of Jefferson. Nothing could be so contradictory of our whole history. Nothing could be so false to the teachings of our Divine Lord himself. The world knows no greater mockery than

²¹⁵⁶ Neal, "The Campaigner," 30-32. Finan, 220. "Editorial Paragraphs," *The Nation*, October 31st, 1928 (Vol. 127, No. 3304), 438.

the use of the blazing cross, the cross upon which Christ died, as a symbol to install into the hearts of men a hatred of their brethren, while Christ preached and died for the love and brotherhood of man.²¹⁵⁷

Writing well after the campaign, Hoover said Al Smith “was a natural born gentleman... During the campaign he said no word and engaged in no action that did not comport with the highest levels.” That being said, he also argued that “Governor Smith unwittingly fanned the flame” of religion in his Oklahoma City speech. “[U]p to that moment,” Hoover – who was very conscious of being the first Quaker candidate for president – religion “had been an underground issue. The Governor thought that he would gain by bringing it out into the open.” Hoover was wrong on two counts. In fact, Smith was not so much eyeing the political outcome as making another stand on principle. “I felt deep in my heart,” he said years later, “that I would be a coward and probably unfit for the presidency if I were to permit [it] to go further unchallenged.” Second, religion was hardly an underground issue – it was arguably the foremost issue of the campaign. Hoover had already reprimanded one Republican committeewoman for trafficking in anti-Catholic arguments. “Whether this letter is authentic or a forgery, it does violence to every instinct I possess,” Hoover had said. “I resent it and repudiate it.” Resent it he might, but Hoover was also a savvy enough operator to know that Republicans didn’t need to fan flames that were already immolating Democratic prospects.²¹⁵⁸

²¹⁵⁷ Neal, “The Campaigner,” 30-32. Slayton, xii-xiii. Frank Graham, *Al Smith, American: An Informal Biography* (New York: Van Rees Press, 1945), 198-199. Finan, 216-217.

²¹⁵⁸ Hoover, 198, 208. Slayton, xii-xiii. Finan, 213. Hoover also argued that had Smith “been a Protestant, he would certainly have lost and might even have had a smaller vote...the religious issue had no weight in the final result” – it lost Smith votes in the South and won him votes in states like Massachusetts. While it is clear that Hoover was likely to win the election in any event, the idea that religion was irrelevant to the final outcome is no doubt overstated. After a painstaking statistical analysis of the election returns, historian Allan Lichtman argued that, in fact, Al Smith’s Catholicism was the preeminent issue of the campaign, overshadowing even the wet-dry and rural-urban divides. Hoover, 208-209. Allan Lichtman, *Prejudice and the Old Politics: The Presidential Election of 1928* (Chapel Hill: University of North Carolina Press, 1979).

As the flare-up in Oklahoma indicates, the Old South had no monopoly on prejudice, and the Midwest and West were also perturbed by what they envisioned from an Al Smith presidency. No less an authority than the Sage of Emporia, William Allen White, admitted as much. “As a Kansas farmer said to me,” White told a banquet audience in 1927, “No man will ever tell his beads in the White House.” When pressed by a local Monsignor on this position, White apologized “[i]f the remark gave offense to my hearers of the Catholic faith...in the future I shall be happy to change the phrasing of it. The remark that the man made, however, represents in its rustic phrasing a political fact...I shall be more than happy to see the day come when an honest and intelligent Catholic will have an equal chance as a candidate...Among intelligent thinking men religion has no place in politics. When I made the remark I was simply calling attention to the fact that unfortunately there are enough bigoted and unintelligent men to prevent an honest Catholic from being elected.”²¹⁵⁹

As someone who ran against the Klan for governor to express his contempt for their brand of intolerance, White’s pluralistic bona fides are in good standing. “I am, as you know, a Republican,” White wrote Franklin Roosevelt in February 1928, “but I admire Smith greatly. I think his is one of the important brains now functioning in American politics.” Nonetheless, when election season came around, White used equally apocalyptic language to deride the Democratic candidate. Specifically, White went on record arguing that “the whole Puritan civilization which has built a sturdy, orderly nation is threatened by Smith.” To White, Smith was an “urbanite with an an urbanity unrestrained...city born, city bred, ‘city broke’, city minded, and city hearted.” As an Assemblyman, White argued to one correspondent, “Smith

²¹⁵⁹ White to Monsignor D.E. Hunt, March 25, 1927. White, *Selected Letters*, 268.

voted not only with Tammany on the liquor question but on questions controlling gambling and prostitution. This does not mean Smith is a low fellow. On the contrary, I have the highest respect for his integrity, his courage, and his intelligence. But he is thoroughly Tammanized in spirit and in a moral point of view. And his courage, wisdom, and honesty will not prevent him for making such a record in the White House as Tammany would desire.” As such, White thought, “Smith is a menace to the country, for all his high qualities and in spite of them.”²¹⁶⁰

“William Allen White stubbed his toe badly,” argued *The Nation* of this outburst. “We are sorry to have to criticize so old and valued a friend, but Mr. White’s utterances can only have shocked all who read them.” Harold Ickes agreed. “I am afraid that our old friend...didn’t come out in his controversy with Al Smith with flying colors,” he told Hiram Johnson. Walter Lippmann urged White to recant this tirade, at which point White dropped the mention of prostitution and gambling and stood by the rest. When it was pointed out to White that the Harding administration had a more recent record of rampant corruption than Tammany did, the Sage of Emporia brazened his way out of the box. ““When corruption was exposed in the administration,” he fumed, “Coolidge immediately set the wheels going to punish the corruptionists. It was no business of Hoover to leave the Cabinet because Coolidge was prosecuting the corruptionists. Everyone must admit that Smith had no more hand personally in the corruption of Tammany than Hoover had in the corruption of the Harding administration. But the corruption of Tammany is a system.” Explaining the method to his madness, White told a

²¹⁶⁰ White to FDR, February 11, 1928. White, *Selected Letters*, 283-284. Slayton, x. Ashby, 273. White to Edward J. Woodhouse, July 20, 1928. White, *Selected Letters*, 285. “White surely is about the best thing that the Middle West and the small town in the Buick-radio age has produced,” Lippmann said of the Sage of Emporia to Herbert Croly. But “he made me feel as if defeating Al Smith had in it an enterprise about equivalent to heaving a stray cat out of the parlor. Intellectually, he’s able to comprehend, of course, that Smith is a real person, representing real things, but emotionally he’s no more able to comprehend the kind of things you and I feel than he would be if we suddenly announced that we’d embraced Buddhism.” Steel, 248.

friend, “I hate the religious fight being made on Smith. I have denounced it time and again. He seems now doomed to defeat. I shall regret that part of his defeat, though not all, nor indeed not much is due to bigotry. But I hoped he would be defeated on the wet issue with Tammany symbolizing it.”²¹⁶¹

Another notable critic of Smith in the Midwest was less nuanced about her conflation of the wet and religious issues. “To your pulpits!” former Assistant Attorney General Mabel Walker Willebrandt told a conference of Methodist leaders in Ohio. “There are 2000 pastors here. You have in your churches more than 600,000 members of the Methodist Church in Ohio alone. That is enough to swing the election. The 600,000 friends have friends in other States. Write to them. Every day and every ounce of your energy are needed to rouse the friends of prohibition to register and vote.” In fact, Willebrandt would later convert to Catholicism, but given the environment her remarks very easily seemed like a deliberate rousing of Protestant wrath against a Catholic candidate. Other Republican party officials were even less circumspect. In Alabama – belying Hoover’s argument that religion was a strictly underground phenomenon – Republican committeeman Oliver Street sent out over 200,000 pamphlets across the South condemning Smith’s religion.²¹⁶²

²¹⁶¹ “Editorial Paragraphs,” *The Nation*, August 15th, 1928 (Vol. 127, No. 3293), 148. Ickes to Johnson, August 24, 1928. HLI Box 33: Hiram Johnson. White to Myron S. Blumenthal, October 18, 1928. White, *Selected Letters*, 286-287. *The Nation* also called out White for being partisan to the point of nonsensical with regard to his fellow Kansan, Charles Curtis. “Some years ago [White] called Curtis a ‘nit-wit’; declared he ‘served the great interests’ in the Senate; demanded his defeat for reelection by Kansas... This year White appeared at the Kansas City convention demanding Curtis’s nomination for President and lauding him to the skies. Charley, the ex-archtraitor, had suddenly become the ideal man to head this country, and Mr. White backed his fellow Kansan’s candidacy by editorials praising him highly. Yet... when a reporter asked him if he still believed that Curtis was a ‘nitwit,’ Mr. White said Yes, that he stood by this description of him! Mr. White being a sincere teetotaler, this mystery is beyond us. We pass it on to the psychoanalysts.” Ibid.

²¹⁶² Finan, 214. Burner, 205-206.

Even in the Northeast, where the Governor enjoyed his strongest base of support, Smith faced the same set of interlocking cultural obstacles to his candidacy. One would be hard-pressed to find a more Catholic major city in America in 1928 than Boston, Massachusetts. Nonetheless, there reformer Elizabeth Tilton, who in her time had lobbied for Sheppard-Towner, the child labor amendment, protective legislation for women, and disarmament, thought the election a fight to the death “between two levels of civilization – the Evangelical, middle-class America and the big city Tammany masses... It is the old American, Puritan-based ideals against the new Latin ideals... It is the old stock agin the loose, fluctuating masses of the Big Cities. It is dry agin wet. It is Protestant against Catholic.” The night before the election, Tilton was moved to hysterics in her journal by the possibilities of a Smith victory. “My America against Tammany’s!” she cried. “Prairie, Plantation, and Everlasting Hills against the side-walks of New York! Women meeting on the street clasping my hand to cry, ‘We can not live if Hoover is not elected!... Women say, ‘We feel like night before our wedding!’ – Life held in terrifying suspension!”²¹⁶³

Ms. Tilton was not alone. “Everywhere one goes in the North,” *The Nation* reported at the end of October, “it is prejudice which seems to be electing Herbert Hoover – prejudice against the Pope; prejudice against Tammany Hall; prejudice against the man who waxes ungrammatical as he waxes eloquent; prejudice against his wife because she has not enjoyed the opportunities for leisure and culture that have been the good fortune of some Presidents’ wives; prejudice because Al Smith represents the immigrant part of our population.” Surveying the

²¹⁶³ Chambers, 142-143. Ashby, 260. Slayton, 214-215.

country as a whole, the magazine thought “[o]ne must go far back in our history before one comes across a similar era of Know-Nothingism, of rank, passionate prejudice.”²¹⁶⁴

Give the intensity of the reaction against him, even among citizens who agreed with the vast majority of his policies, Smith’s presidential bid was almost inevitably going to founder. But even without these cultural rifts drastically complicating matters, Smith and Raskob’s strategy for victory had serious problems. The plan to peel off Midwestern farmers from the Republican party, for example, was not proceeding as envisioned. For one, everyone well knew Smith hailed from the Sidewalks of New York, where not much farming tended to take place. When he was queried by reporters about “the needs of the states west of the Mississippi,” Smith joked, “What are the states west of the Mississippi?” For another, Smith’s strategy to toe the Coolidge-Hoover line on most economic matters made his feints toward McNary-Haugenism seem like the transparent political opportunism they mostly were. “If Al Smith starts out with the idea that he wants to do something for the farmers,” noted TNR, “but will not do anything which conservative business men might disapprove, he will land on the farm issue exactly where Herbert Hoover stands.”²¹⁶⁵

For yet another, Hoover had an additional ace-in-the-hole to blunt any forays made by Smith on the farm issue – the vocal endorsement of noted progressive straight-shooter William Borah. After Al Smith delivered a well-received speech on McNary-Haugen to farmers in Omaha, Borah, on a swing through the Midwest and West, took the lead on covering his candidate’s flank on agricultural matters, and witheringly exposed Smith’s previous nonchalance on the topic. “On the 27th day of January, 1927, after the McNary-Haugen bill had been up for

²¹⁶⁴ “The Dirtiest Political Campaign,” *The Nation*, October 31st, 1928 (Vol. 127, No. 3304), 440.

²¹⁶⁵ Burner, 204. Neal, “The Campaigner,” 37.

discussion for almost three years,” Borah told a Minneapolis crowd at one of these stops, “the governor had another idea at that time”:

I will read it to you...he says, ‘A chain of farms might help the situation.’ That is just what some of the farmers have been trying to get rid of, a chain of farms. Now, I do not claim that the idea came from Tammany. I think it was original. Then he goes on to say profoundly, ‘At least the business methods embodied in the situation would bring the only relief that I can possibly think of.’ The McNary-Haugen bill had not yet passed across his intellectual horizon. Again, he says, ‘When the farmer stops sitting on top of the world and begins thinking and keeping the rules of economics and business, he will begin to help himself.’...Again, he says, ‘I can’t think of any other way to help the farmer. The fact is they are the only ones who can save themselves.’ A Daniel come to judgment!²¹⁶⁶

Noting also that Smith had admitted “I don’t know a great deal about any of these plans” and, in the end, had called for the traditional political cop-out of a commission to study the problem, Borah declared “there is not a man living who can tell what Governor Smith’s position is upon the farm problem.” By contrast, Borah argued, “I doubt if there is a farmer within the sound of my voice tonight either here or elsewhere who would doubt the ability of Mr. Hoover to solve this problem...[B]ear in mind that Herbert Hoover has never set himself to the solution of any kind of an economic problem that he has not made good.”²¹⁶⁷

Other than George Peek and Democratic agrarians like Joseph Robinson, who explicitly endorsed McNary-Haugen by name at his campaign stops, there was one other spokesman of

²¹⁶⁶ Hoover, 198. “Smith as Political Expert,” *The New Republic*, October 3rd, 1928 (Vol. 56, No. 722), 164-166. Neal, “The Campaigner,” 40. “Borah Punctures Claim of Smith,” October 1st, 1928, 9-10. WJB Box 782: 1928 Speeches. After winning the election, Hoover telegraphed Borah saying “Now I can more fully appreciate the enormous effect of your support by the reports all through the West, I wish to record this preliminary appreciation” McKenna, 258.

²¹⁶⁷ “Borah Punctures Claim of Smith,” 12, 15. Borah, Smith argued in Chicago in response, “posed for altogether too many years as a great political advance agent of progress, a great progressive from the great wide open spaces of the West, talking for everything that is high and lofty. But the evidence today pretty clearly indicates that he is more interested in the success of his party than he is in the vindication of any principle that he ever espoused. He didn’t always think so much of Mr. Hoover.” Nonetheless, as with Senator Robinson’s indignant response to the Governor’s purported alcoholism, Smith engaging Hoover’s subordinate Borah, rather than Hoover himself, suggests Smith was losing the overall campaign. McKenna, 256-257.

note who thought Smith was the better option for farmers – Republican George Norris. After both conventions were complete, Norris had originally taken a pox-on-both-your-houses approach to the election. “Have the people any avenue by which they can bring about the defeat of the great political machines that always control our national conventions?” he complained in a letter to *The Nation*. “The ordinary suggestion is to organize a third party or run an independent candidate for President. This is a beautiful theory, but, for practical purposes, it is a will o’ the wisp”:

We are confronted with the antiquated and worse-than-useless electoral-college system of electing a President. The two old parties have complete organizations from the township to the White House. The great mass of people outside these organizations have nothing to do but choose between two evils.

I have tried several times to interest forward-thinking people in a campaign to abolish, by an amendment to the Constitution, this antiquated electoral-college system and to provide for a direct vote, but people do not seem to see the importance of it, and the machines of our great parties do all they can to conceal the true conditions. As it is, machines control both dominant parties, keep up a sham fight, arouse partisan feeling when they are only pulling monopoly chestnuts out of the fire. The campaign turns on false issues, and the people always lose.²¹⁶⁸

To Norris, the real question of the campaign was not McNary-Haugenism or prohibition, although both were important, but this: “Shall the great trusts, particularly the water-power trust, control the destiny of our republic? When this trust is in control it will take care of all subsidiary questions, like prohibition and farm relief” so that “none of these subsidiary questions will be solved for the benefit of the common folks.” When Smith continued to advocate for more of a federal, state, and municipal role in water power than Hoover, Norris jumped ship – something he did not even do for his old friend La Follette in 1924. “I had followed with intense interest his position on the development of water power in New York State while he was governor,” Norris later wrote. “I had been attracted to him by his liberal and farsighted position on that issue. I

²¹⁶⁸ Neal, “The Campaigner, 40-41. George Norris, “Correspondence,” *The Nation*, July 18th, 1928 (Vol. 127, No. 3289), 63-64.

knew where Mr. Hoover stood...He had demonstrated to my satisfaction that, whatever other claims he might have to a liberal outlook[,] on the question of conservation of American resources, he was most backward and reactionary.”²¹⁶⁹

This prominent defection clearly rankled Hoover, who even mentioned it in his memoirs years later. In his “effort to secure unity in action,” he wrote, “I had only a single failure, that being Senator Norris of Nebraska.” (In fact, Norris was not the only Republican to bolt – While Bob La Follette and, in the House, Fiorello La Guardia remained studiously neutral, Senator John J. Blaine of Wisconsin also endorsed Smith.) “As I disliked to see any break in our rank, I related the situation to his friend Senator Borah, who was actively supporting me. To my surprise, Borah broke loose in a tirade against Norris, admonishing me to pay no more attention to him. Norris was, in fact, a devoted socialist; certain left-wing women furnished funds for his elections and for the maintenance of a publicity bureau in Washington which constantly eulogized him.” At the time, Norris’s emphasis on water power so irritated the Great Engineer that he ventured down from his Herculean remove a fortnight before Election Day and – in exactly the type of break the Smith campaign had been hoping for all along – lost his temper.²¹⁷⁰

“There has been revived in this campaign,” Hoover told a crowd at Madison Square Garden on October 22nd, “a series of proposals which, if adopted, would be a long step toward

²¹⁶⁹ Norris, “Correspondence,” *The Nation*, July 18th, 1928, 63-64. Norris, 286-287. Another Senator who agreed with Norris on the primacy of the power issue was Hiram Johnson. “To me the most dangerous and menacing thing there is today in our American life,” he told Ickes in June 1928, “is the electric power trust.” Their actions, he argued, “call loudly for opposition, if not denunciation from every man who seeks the suffrages of our people” Johnson to Ickes, July 13, 1928. HLI Box 33: Hiram Johnson.

²¹⁷⁰ Hoover, 197-198. Zinn, *La Guardia in Congress*, 168-169. Neal, “The Campaigner,” 43. Smith, as Norris well knew, was not an advocate of complete public ownership. He had long been on record, however, for public development of water power, akin to the Boulder Dam model. Neal, “The Campaigner,” 43.

the abandonment of our American system and a surrender to the destructive operation of governmental conduct of commercial business”:

You cannot extend the mastery of the government over the daily working life of a people without at the same time making it the master of the people’s souls and thoughts...It is a false liberalism that interprets itself into the government operation of commercial business. Every step of bureaucratizing the business of our country poisons the very roots of liberalism – that is, political equality, free speech, free assembly, free press, and equality of opportunity. It is the road not to more liberty, but to less liberty.²¹⁷¹

“I have witnessed not only at home but abroad the many failures of government in business,” Hoover told the assembled. “I have seen its tyrannies, its injustices, its destructions of self-government, its undermining of the very instincts which carry our people forward to progress.” While reaffirming that regulation was necessary and laissez-faire was not an answer, Hoover declared that Smith’s policies with regard to water power, the farmer, and a host of other issues “would destroy political equality. It would increase rather than decrease abuse and corruption. It would stifle initiative and invention. It would undermine the development of leadership. It would cramp and cripple the mental and spiritual energies of our people. It would extinguish equality of opportunity. It would dry up the spirit of liberty and progress.”²¹⁷²

“The United States already was being infected from the revolutionary caldrons of Europe,” Hoover wrote in his memoirs to justify this address. “[T]he growing left-wing movement, embracing many of the ‘intelligentsia,’ flocked to Governor Smith’s support. I was determined that the Republican Party should draw the issue of the American system, as opposed to all forms of collectivism.” In this speech, Hoover actually coined the term “rugged individualism,” but although the words were not in Hoover’s prepared remarks, the takeaway in

²¹⁷¹ Hoover, 203-204.

²¹⁷² Ibid.

many corners was that Hoover had accused Smith of engaging in “State socialism,” particularly after Smith used that phrase to characterize the address. “The cry of Socialism,” Smith responded in Boston, “has been patented by the powerful interests that desire to put a damper on progressive legislation... To refer to the remedies for all these evils as State Socialism is not constructive statesmanship, it is not leadership, and leadership is what this country is hungry for today.”²¹⁷³

In an editorial entitled “Herbert Hoover – Conservative,” TNR called the Madison Square Speech “the first in his campaign which is, in, any degree worthy of the man’s reputation.” Instead of consisting “chiefly of evasive and non-contentious generalities,” Hoover had offered a “reasoned” and “deeply felt defense of the candidate’s conservatism in regard to the relation between government and business. If the Republican campaign had been conducted on this level from the beginning, we might have a really significant debate which would have distracted attention from the religious and social prejudices which have marred it.”²¹⁷⁴

Nonetheless, the MSG speech, the journal thought, also exposed Hoover not as some hard-headed engineer willing to tackle problems, but as a woolly-headed idealist who trafficked in vague generalities. (If TNR had ventured to notice, this had been clear since at least the publication of *American Individualism* in 1922.) “Mr. Hoover is just stupid enough not to see that his idealism is, in practice...[the] best shield and weapon” of “big-business interests,” the editors argued. “The balm of the words he uses makes him believe that they are, in some magic way, responsible for all the glories of our civilization. It renders him hesitant to admit the full

²¹⁷³ Hoover, 202. Finan, 221-223.

²¹⁷⁴ “Herbert Hoover – Conservative,” *The New Republic*, October 31st, 1928 (Vol. 56, No. 726), 287-288.

importance of the failures among our economic institutions. And it leads him to resort, when he is forced to mention these failures, to an easy optimism that everything will be improved if left to private initiative[.]”²¹⁷⁵

As such, it now seemed Al Smith was the engineer in the race, because his overriding desire was to solve problems. “His mind is not obfuscated with antique formulations of principle which are ill-suited to the necessities of twentieth-century civilization. If we are to have socialism by the Smith route, we shall have it by the logic of necessity, not by the argument of dogma.” What the speech exposed most of all, TNR argued, was that Hoover was no true friend to progressives. “[I]f progressive voters do not appreciate the immense superiority of Smith to Hoover on hydroelectric power,” they argued, “there is little hope for progressivism in the United States.” And “progressives who share any of the *New Republic*’s understanding of the word, ought to be finally convinced by the New York speech that Mr. Hoover is one of their worst, because one of their noblest, enemies.”²¹⁷⁶

To Smith advocates, Hoover’s “State Socialism” address seemed like it could be the opening the campaign desperately needed: At long last, the 1928 campaign seemed to be moving towards policy differences that didn’t involve drinking. “I think you will see a tremendous change in sentiment,” said John Raskob after Smith’s response in Boston. “If his program for the reduction of hours for women and children is Socialist,” said gubernatorial candidate Franklin Roosevelt, “we are all Socialists.” “Anybody in public life who goes ahead and advocates improvements is called a radical,” FDR noted, but Democrats had continued to win in New

²¹⁷⁵ “Herbert Hoover – Conservative,” 287-288. Neal, “The Campaigner,” 43

²¹⁷⁶ Ibid.

York, and “will keep on winning as long as it goes ahead with a program of progress.” A hopeful Amos Pinchot thought this back-and-forth might be “the opening gun of a bitter fight between democracy and plutocracy.” “On the one hand,” Mencken pointed out, Hoover “denounces every effort to hobble the water-power hogs as socialistic and tyrannical; on the other hand, he swallows calmly the intolerable contempt for private right that is Prohibition. On which side does he actually stand?” George Norris was also shocked by Hoover’s mask falling away. “How can any progressive in the United States support him now, after his Madison Square Garden address, in which he slapped every progressive minded man and woman in America in the face?” he asked. “My God, I cannot conceive it.” Former Children’s Bureau Chief Julia Lathrop, upon hearing of Hoover’s address, immediately refused to speak any further on behalf of the Republican ticket. Unfortunately for Smith, all of this was occurring with only two weeks to go before Election Day.²¹⁷⁷

Borah and Norris weren’t the only two erstwhile allies who found themselves on opposing sides in the election of 1928. The progressive community in many ways split against itself that year. In the social work community, one Mary Van Kleeck formed a pro-Smith committee that quickly drew the support of, among others, Lillian Wald. Although a Dry, Wald thought Hoover had surrounded himself at the Republican convention with men who, four years earlier, he had claimed “made him vomit.” She and her colleague John L. Elliot signed their

²¹⁷⁷ Hoover, 202. Finan, 223. Schlesinger, *Crisis of the Old Order*, 384. Mencken, *A Carnival of Buncombe*, 202. Lowitt, 411. Burner, 202. The real Socialist in the race, Norman Thomas, thought both Hoover’s original argument and Smith’s riposte were ridiculous. “Mr. Hoover,” Thomas said on the campaign trail, “calls his capitalism ‘rugged individualism’ and professes to find some peculiar virtue in the wasteful and chaotic mismanagement of coal, in our frantic real estate speculation, and in our gigantic corporations owned by irresponsible absentee stockholders. He ignores the waste, the tyranny, the threat of war which arise out of our attempt to control the essentials of modern life for us all under the law of the jungle. Governor Smith’s vindication of himself is more triumphant than he may think. If he is a socialist in the same sense as Hughes, Miller, and the other Republicans whom he cites, he is not even a progressive, let alone socialist.” “Editorial Paragraphs,” *The Nation*, November 7th, 1928 (Vol. 127, No. 3305), 466.

names to a pamphlet circulating among social workers that praised Smith as “a vital humanitarian” who would lead the way on labor and public health matters and end “hypocrisy and evasion” with regard to the Noble Experiment. “He is a realist, and a hard worker,” Wald and Elliot’s circular declared. “He has a genius for comprehending what social work is and he sees straight through unhindered by abstraction and academic proposals.”²¹⁷⁸

Of the 66 lengthy responses Wald and Elliot received, 17 were pro-Smith (including missives from Paul Kellogg and Edward T. Devine) and 45 were pro-Hoover, most notably the brief response from Jane Addams. (“Voting for Hoover but send good wishes for the Smith campaign.”) Others were less gentle. “I have the same contempt for social workers dabbling in politics that I do for ministers who do the same,” replied one South Carolina respondent. Besides, “wherever the Catholic Church rules, there is darkness, superstition, and deterioration.” Others lamented that Wald would “prostitute” herself for such an “arch” and “rather cheap politician,” particularly when there was a “constructive statesman” and “efficient, cultured, competent, experienced, tolerant Quaker” on the ballot. “By broadcasting your views in this unsolicited fashion you have alienated many of us who feel it is rather cheap to trade on your otherwise fine regard,” another read.²¹⁷⁹

Since Charles Curtis had introduced the Mott Amendment in the Senate, the National Woman’s Party – then under the chairmanship of Jane Norman Smith – moved to endorse the Hoover-Curtis ticket, setting off a similar round of infighting and recrimination among its membership. Emma Johnson, who had been active in the NWP since its founding, was among those who resigned, arguing that the Party had “grossly betrayed women.” “I could no more cast

²¹⁷⁸ Chambers, 140-141. Burner, 199.

²¹⁷⁹ Ibid.

a vote for the Republican Party,” explained socialist member Lavinia Dock, “than I could swallow a large, smooth, green caterpillar.”²¹⁸⁰

So it went along the line. A poll put together by TNR in October found that, along with traditional Democrats like Louis Brandeis and Walter Lippmann, Frederic Howe, Heywood Broun, and Charles Merz all supported Smith. So too did Clarence Darrow, who emphasized the prohibition issue, and Felix Frankfurter, who thought a Smith presidency would be a victory over religious zealotry and sectarianism. Besides, Frankfurter wrote, Smith’s “imagination, his generosity, his patient and pacific temperament, his humor, his charm, his flair for reality, his effectiveness in negotiation, are far better guarantees for a wise and tolerant dealing with other peoples than impatience and temper and a dogmatic belief in pre-war economic theories of national self-interest.”²¹⁸¹

While politically more aligned with Norman Thomas, John Dewey argued he was voting Democratic because a Smith presidency would have an important “humanizing social effect,” and help to introduce “some degree of frankness and of humane sympathy” in national life. As for Hoover, Dewey argued, “if he has any human insight, dictated by the consciousness of social needs, into the policies called for by the day-to-day life of his fellow human beings...I have never seen the signs of it. His whole creed of complacent capitalistic individualism and of the right and duty of economic success commits him to the continuation of that hypocritical religion

²¹⁸⁰ Cott, 262-264.

²¹⁸¹ Ashby, 275. Felix Frankfurter, “Why I Am For Smith,” *The New Republic*, October 31st, 1928 (Vol. 56, No. 726), 294-295.

of ‘prosperity’ which is, in my judgment, the greatest force that exists at present in maintaining the unrealities of our social tone and temper.”²¹⁸²

On the other hand, UMW president John L. Lewis elsewhere argued that Hoover was “the foremost industrial statesman of modern times” and needed to win so that “the unprecedented industrial and business prosperity which he inaugurated may be properly developed and stabilized.” The Lone Eagle, Charles Lindbergh, was a Herbert Hoover man, while the Sultan of Swat, Babe Ruth, batted for Al.²¹⁸³

For his part, Harold Ickes decided that, for the third time in a row, he would have to buck the party of Roosevelt. “I wish I could turn the clock back ten or fifteen years,” he told Hiram Johnson in August. “If I could I would tell the Republican Party, politely but firmly, to go to Hell and I would join up with Al Smith.” While hoping to remain silent through this year’s campaign, Ickes found himself increasingly drawn into the battle as passions flared. “The more I contemplate the bigotry and unfairness of the attacks on Smith the more difficult it is for me to keep from uplifting my voice in violent protest,” he wrote in September. Smith, Ickes thought, “made the impression on me of a keen, alert city man perfectly capable of taking care of himself. There was nothing of the conventional politician or statesman about him. He is a hard hitter who marshals his facts and lets them fly where they will do the most good.”²¹⁸⁴

²¹⁸² John Dewey, “Why I Am for Smith,” *The New Republic*, October 31st, 1928 (Vol.56, No. 727), 320-321.

²¹⁸³ Schlesinger, *Crisis of the Old Order*, 114. Mencken, *A Carnival of Buncombe*, 142.

²¹⁸⁴ Ickes to Johnson, August 24, 1928. HLI Box 33: Hiram Johnson. Ickes to Johnson, September 27, 1928. Box 33: Hiram Johnson. HLI Box 33: Hiram Johnson. Ickes to Johnson, October 24, 1928. HLI. Box 33: Hiram Johnson.

When Ickes saw that his fellow Chicago Jane Addams had come out for Hoover, he wrote her a polite letter pressing her on the endorsement. “I know something must be the matter with me because for the first time in my life I cannot follow the reasoning in a statement by you,” Ickes told her. “There seem to me to be so many reasons why Smith should be the preference of progressive and socially minded people and yet the preeminently progressive and socially minded person in all the world has declared for Hoover...Smith seems to me to be a really great man who has risen far superior to his environment while Hoover, with a better start and greater advantages, has receded somewhat. But the decisive thing with me is that so many bigots and all the snobs are against Smith.” To this, Addams responded in an equally friendly manner. “I may have been much influenced by my personal acquaintance with Mr. Hoover during my various visit in Europe immediately after the War,” she conceded. “It is always easy to rationalize a position one wishes to take...I will confess that I was very much disturbed by Hoover’s New York address, although when I saw him the other day in Washington I felt immensely reassured to his basic principles and intentions.”²¹⁸⁵

Ickes’ usual correspondent, Hiram Johnson, stayed regular as usual – although not without much grumbling. “[I]t is a difficult thing for me to campaign for our candidate,” he confessed to Ickes. “Many of the things which are of deepest interest to me and which I believe to be of gravest concern he apparently either doesn’t care for or is in opposition to my views. I am compelled, therefore, when I speak for him, as I do whenever I make a political speech, to use just one thing, the tariff.” Gifford Pinchot also felt caught between two unappealing choices, and he also stuck with Hoover. “I am thoroughly on record publicly as to my opinion of Hoover,” he

²¹⁸⁵ Ickes to Addams, October 22, 1928. HLI Box 29: Jane Addams. Addams to Ickes, October 28, 1928. HLI Box 29: Jane Addams.

told Ickes. and it happens to be my true opinion. I also have an equally definite opinion of Tammany Hall, and of the wetness of Al Smith. It is a hard time for a dry independent, and no mistake.”²¹⁸⁶

Disheartened by his own need to toe the party line, Johnson’s reaction to other progressive endorsements of Hoover ran from dismay to outright fury. Reading a pro-Hoover statement by Margaret Dreier Robins, Johnson told Ickes he “felt an infinite sorrow that one I had respected so much could indulge in such stuff.” But as usual, nobody drove Hiram Johnson so much to distraction as the Senator from Idaho. “Borah is a ‘good dog,’” he vented to Ickes, “and doing exactly what he is told to do – preaching prohibition where it was thought that may be effective, and refraining from mentioning prohibition where it is thought the mention of the matter might do harm – and never in any way saying aught in relation to corruption or the infamies of the power trust that can offend the most delicate sensibilities.” Alas, he groaned, “I am too old to be a Borah now, even though I might win the plaudits of every lousy newspaper in the country.” Ickes, per the norm, commiserated. “I have never liked Borah because I have never trusted him,” he told the Senator in early October. “But my feeling of contempt for him grows measurably every day.” By the end of the month, Ickes thought that “Borah has completely discredited himself in this campaign with liberal opinion everywhere. Of course, I never have believed in the man myself and it has irked me considerably to have had him held up during the

²¹⁸⁶ Johnson to Ickes, October 10, 1928, HLI Box 33: Hiram Johnson. Gifford Pinchot to Hoover, July 6, 1928. HLI, Box 38: Gifford Pinchot.

past few years as the supreme liberal by journals and individuals who should have known better.”²¹⁸⁷

It is true that Borah’s standing in the progressive community had taken a considerable hit. *The Nation*, who had pushed him for president in 1924, now called him the “sorriest figure” in the whole campaign. “Whatever influence Senator Borah had heretofore among the liberals of the country” wrote an enraged Oswald Villard “there is none left today.” For a man who had roundly attacked Hoover and the Old Guard in the past to “turn around now and go to the other extreme of adulating Mr. Hoover, and declaring that he is the one man above all others to lead the country, is just a trifle too nauseating. A man must have some convictions, some principles, some standards of consistency, or else there is no use whatsoever of anyone’s applying measuring sticks of character, of public honesty, yes, of plain intellectual decency.”²¹⁸⁸

Borah was surprised at the progressive reaction to his working for Hoover, since he legitimately thought the Great Engineer was the way forward. “He wants Smith beaten and beaten decisively,” Robins said of the Senator. “He really has the spirit for this fight apparently. He wants me to get in and drill.” In fact, after working the West on behalf of Hoover’s farm policy, Borah took it upon himself to continue the fight into the South, where he deplored Smith’s views on Prohibition and contrasted “the great party of Lincoln” with the sordidness of saloon-soaked Tammany Hall. Tammany, Borah reminded voters, had been opposed to immigration restriction, and would have let “the poorly paid races of Southwestern Europe to

²¹⁸⁷ Johnson to Ickes, October 20, 1928. HLI Box 33: Hiram Johnson. Johnson to Ickes, September 28, 1928. HLI Box 33: Hiram Johnson. Ickes to Johnson, October 2, 1928. HLI Box 33: Hiram Johnson. Ickes to Johnson, October 24, 1928. HLI Box 33: Hiram Johnson.

²¹⁸⁸ McKenna, 256-257. “Borah and Hoover,” *The Nation*, November 7th, 1928 (Vol. 127, No. 3305), 470-471.

enter this country. I can't conceive of anything more detrimental." Looking back on his Southern swing, Borah later deemed it "one of the finest campaign experiences in my whole life." "[T]hey are a wonderful people and they have a wonderful country," he effused.²¹⁸⁹

In the end, none of the major progressive journals came out for Hoover. For all the reasons earlier noted and in order "to seize upon promising progressive seedlings in the Democratic Party and try to fertilize them," TNR endorsed Smith. To those who would bring up the magazine's emphatic calls for a third party four years earlier, the editors simply said: "We can see no sign of such an upheaval in the near future." *The Nation* still adhered to the notion that both major parties "were corrupt and contemptible" and hoped its readers would stand for "a new and clean peoples' party" when the time came. In 1928, with the editors deadlocked on endorsing Al Smith or Socialist Norman Thomas, the journal praised them both, at the expense of the Great Engineer: "[T]o our readers we can again only appeal not to cast their ballots for Herbert Hoover." Paul Kellogg of *The Survey* similarly endorsed Thomas.²¹⁹⁰

And *The Crisis* held a symposium entitled "How Shall We Vote?" which carried essays supporting all three candidates. Hoover, argued John Hawkins of the Republican Colored Voters Division, had displayed his "willingness to administer any high office without discrimination and with even-handed justice." A President Smith, said New York City Commissioner Ferdinand Morton, "would be a fine victory for the cause of tolerance and fair play in America." As for W.E.B. DuBois, he suggested his readers vote for Thomas. "[W]hen I read the platform of the

²¹⁸⁹ Ashby, 272, 278-279.

²¹⁹⁰ Ashby, 275. "Progressives and Socialists," *The New Republic*, November 7th, 1928 (Vol. 56, No. 727), 315-316. Herbert Hoover Wins," *The Nation*, June 27th, 1928 (Vol. 126, No. 3286), 708-709. "The Dirtiest Political Campaign," *The Nation*, October 31st, 1928 (Vol. 127, No. 3304), 440.

Socialist Party and compare it with the Republican and Democratic platforms, there is absolutely no doubt in my mind but that this is the only platform before American people that has common sense or justice, reason or hope, written to it. It dares to mention Negro disfranchisement as a prime cause of reaction, fraud, and privilege, and it is right.” More than ever before in American history, the African-American vote was now un-tethered from the Republican Party.²¹⁹¹

If progressives had chosen the president, Al Smith would have been in a considerably better position on November 6th. According a poll of *Nation* subscribers, Al Smith outpolled Norman Thomas two-to-one, with Hoover coming in third. (“The vote now stands Smith 6804; Thomas 2780; Hoover, 2761; [William Z.] Foster 428; Will Rogers 26.” California and New York were Smith country, while the Midwest showed “little indication of a farmer revolt.”) The “object of the poll,” the journal argued, “was to bring out the political choice of the progressive-minded intelligent voters whose influence largely transcends their political strength...The only surprise for us has been the strength of the Hoover vote.” A *Literary Digest* poll – the same outlet that had eventually predicted the Coolidge landslide in 1924 – showed Hoover doing much better, even cutting into the solid South.²¹⁹²

Particularly after Hoover’s “state socialism” speech, much of the Smith camp seemed outwardly optimistic about the direction things were going. John J. Raskob, who had long been predicting an over-300 vote electoral victory for Smith, now revised that upward to a 402-vote landslide. “You’re absolutely wrong, Frances,” Belle Moskowitz admonished Frances Perkins when the latter confessed her doubts. “You’re absolutely wrong! It’s all right. We have intimate

²¹⁹¹ “How Shall We Vote?” *The Crisis*, November 1928, 385-386.

²¹⁹² “Editorial Paragraphs,” *The Nation*, October 31st, 1928 (Vol. 127, No. 3304), 437. “The Nation’s Presidential Poll,” *The Nation*, November 7th, 1928 (Vol. 127, No. 3305), 470-471.

reports that we're all right. The Governor feels absolutely sure!" Smith himself had said to Perkins that the intensity of his crowds seemed auspicious. "I know politics and I know political crowds," Smith told her. "I know political loyalties. I have never seen anything like this. This must mean something."²¹⁹³

It is hard to say how much of this was wishful thinking and how much was just attempts to maintain *esprit de corps*. Later Moskowitz, Proskauer, and Herbert Lehman all said that they knew their cause would end in defeat. In 1935, Smith wrote that he had really expected to win in November, but he was no political novice and, despite the intensity of crowds in the Northeast, part of him knew the score. Later in life he suggested that "we partly knew at the time" that Election Day was not going to pan out as Democrats hoped. And in *The Happy Warrior*, her affectionate remembrance of her father, Emily Smith Warner revealed in 1956 that Smith had told her and her alone before the results came in that the campaign would ultimately founder.²¹⁹⁴

But even Al Smith never predicted how badly it would turn out.

The Third Landslide

"We are saved!" exulted Boston reformer Elizabeth Tilton, she of the "My America against Tammany" talk, when the returns came in on Election night. "I feel this great Country, its presence, lying out there in the vast darkness, like a soft thing enveloped in sweet, misty night, immense but one in purpose for the Clean Man, the Free Man." The mood was less bright in Al

²¹⁹³ Finan, 226. Neal, "The Campaigner," 19-21.

²¹⁹⁴ Neal, "The Campaigner," 19-21. Emily Smith Warner, *The Happy Warrior* (New York: Doubleday, 1956), 209-228.

Smith's campaign offices at the General Motors Building in New York, where Emily Smith Warner was trying to confirm the returns with *World* editor Herbert Swope. "It is possible that these reports we are getting from down South are right?" she asked. "That's what is happening," apologized Swope. "But there is something else that bothers me even more...New York State. Your father is going to lose that too."²¹⁹⁵

John J. Raskob had been half-right. There had been a 400-vote electoral landslide, only not in Smith's direction. In fact, Herbert Hoover won 444 electoral votes, the most ever, and 40 states, as well as 21.4 million popular votes – six million more than Coolidge – constituting 58% of the vote. Smith, meanwhile, ended up with 87 electoral votes, eight states, 15 million votes, and 41% of the vote. The Governor had won 6.7 million more votes than John W. Davis in 1924 and carried the nation's thirteen largest cities, both firsts for a Democrat – but that seemed little consolation given all else. While the West had stayed Republican, Hoover had carved away Virginia, North Carolina, Florida, and Texas from the Solid South. In the Northeast, on the other hand, Smith won only Massachusetts and Rhode Island. Republicans also picked up seven seats in the Senate and thirty seats in the House, giving President-Elect Hoover a sizable governing majority on both ends of Congress. And in the cruelest blow of all, even as Franklin Roosevelt eked out a win by a 25,000 vote margin, Al Smith lost the Empire State by 100,000 votes.²¹⁹⁶

"Losing his own state," thought Smith friend and ally Walter Lippmann, "was more than he could stand." The day after the election, Al Smith announced he was retiring from American politics. "I will never lose my interest in public affairs, that is a sure thing. But as far as running

²¹⁹⁵ Chambers, 142. Finan, 227.

²¹⁹⁶ Burner, 207-208. Schlesinger, *Crisis of the Old Order*, 129, 384-385.

for office again is concerned – that’s finished.” When asked by the *World* why he had been beaten so decisively, Smith emphasized first the Coolidge prosperity, followed by contentiousness over Prohibition and his religion. To Frances Perkins, he was more forthright. “Well, I’ll tell you,” Smith said, “I don’t think we can allege the reason anywhere, or put the reason at any of these things. To tell you the truth, Commissioner, the time hasn’t come when a man can say his beads in the White House.” A thorough statistical analysis of the election results in 1979 by historian Allan Lichtman came to the same conclusion – Catholicism, more than anything else including Prohibition, had been the issue of the campaign. Thomas Walsh’s worst fear had come true. “The ‘Catholic’ question has been settled for good,’ one correspondent wrote the Senator. “No party will again risk that chance.”²¹⁹⁷

The Nation and *The New Republic* were mortified about what all the prejudice revealed about the American people. “We must confess to both disappointment and shame,” the editors of *The Nation*, wrote just before the election. “Disappointment that a campaign like this could not have been kept on a decent level, and shame that our nakedness is thus exposed to the world. We cannot but hang our heads when we think of the effect that all this will have upon foreign observers. They will once more say that we are a land of barbarians, and that, whenever we desist from the chase of the almighty dollar, we reveal an attitude of mind no whit different from that which led to the killing of the witches in Salem.” This, averred TNR, had been “the bitterest political fight in at least a generation...[A]n unprecedented number of voters will cast their ballots, not for a candidate but against one.” A decade that had begun amidst a wave of abnormal panic over the “Red Menace” approached its end with an outpouring of national revulsion

²¹⁹⁷ Finan, 228-230. Lichtman, 74.

towards the possibility of a Catholic president – It did not speak well for the possibility of enlightened public opinion, and no mistake.²¹⁹⁸

“Regret and conceal it as we may, religion had more to do with the overwhelming defeat of Governor Smith than any other one thing,” agreed George Norris soon after the election. “The madness of religious prejudice and hatred” – “the most abhorrent thing” in American life – had worked to “frighten misinformed people in regard to the dangers of a Catholic domination.” Worse, the anti-Catholicism of 1928, Norris argued, “has sown the seeds of hatred, prejudice and jealousy, and they will grow and bear fruit long after the present generation has passed away.” And all the while, Norris thought, “the greatest monopoly that ever existed,” the power trust, had laughed. Still, having broken from the Republicans in 1928, Norris “never felt so independent in my life. I am not sorry for what I did. I am proud of it, and I have been made so, to some extent at least, by the enemies who have jumped on me and the friends who have deserted me; but the main reason for my feeling of satisfaction, or one that really counts, is that I have an absolutely clear conscience on the subject.” Whatever had happened in 1928, Norris still believed “a great majority of our people are truly progressive and at heart believe in the fundamental principles for which the progressive group have fought.” Norris would continue the fight.²¹⁹⁹

Another progressive satisfied with his defection despite the final results was Harold Ickes. “It was a landslide for Hoover,” he said to Johnson, “although as one who voted for Smith, and has no regrets for so doing, I am able to derive some consolation from the size of Smith’s popular vote.” Like Johnson, who had said as early as September that Hoover would be elected

²¹⁹⁸ “The Dirtiest Political Campaign,” *The Nation*, October 31st, 1928 (Vol. 127, No. 3304), 440. “This Week,” *The New Republic*, November 6th, 1928 (Vol. 56, No. 727), 311.

²¹⁹⁹ Lowitt, 414-415. Finan, 230.

“due principally to the religious issue,” Ickes said there was no “doubt in my mind that the religious issue was the one that cut deepest.” As for the president-elect, Ickes didn’t “like Hoover any better than I ever did. I would like him better if he expressed a little pardonable human pleasure in the result, but his woodenlike expression indicates one or two things to me, either that he is immune to all human ordinary emotions or that he thinks he is a vice-regent of God divinely appointed to favor our country with the infallible administration that he doubtless proposes to give us.”²²⁰⁰

As for Johnson, he was disgusted and at the end of his rope with the one-issue politics of the time. “It is generally accepted that the big thing in our country is prohibition,” he told Ickes in March 1929, “and that any human being may be tattooed with every indecency and leprous with immorality, but will be cleansed of all his sins if he shouts loudly enough for the eighteenth amendment and the Volstead Act...No question of supremacy of a power trust; no evil of the orgy of stock gambling; no encroachment by special privilege upon the peoples’ rights to a country gone mad over liquor laws, and no domestic wrong will receive either attention or publicity.”²²⁰¹

Ickes shared Johnson’s frustrations with both Hoover and the ascendance of Prohibition. “I remarked to a friend of mind this morning,” he replied soon after inauguration day, “that it would be an irony of fate if this superintellect, this great engineer and administrator would have to face during his administration a business and financial depression after little Calvin Coolidge, possessed of no ability at all, was able to leave office with a record of abundant national

²²⁰⁰ Ickes to Johnson, November 8, 1928. HLI Box 33: Hiram Johnson. Johnson to Ickes, September 1, 1928. HLI Box 33: Hiram Johnson.

²²⁰¹ Johnson to Ickes, March 8, 1929. HLP, Box 34: Hiram Johnson, 1929-1930.

prosperity to his supposed credit. And yet I wouldn't be surprised if just this thing would happen." Ickes was also "particularly delighted that Franklin Roosevelt should have won for governor in New York." Other than the sheer *schadenfreude* of seeing a Roosevelt other than Teddy Jr. take the Empire State first, Ickes thought that FDR, if he maintained "a successful administration, may offer a leadership against Hoover four years from now that won't have to struggle against religious prejudice and social snobbery, although, personally, I wish it were in the cards for Al Smith to sweep the country in 1932. There would be a bit of poetic justice about that that would be very gratifying to me."²²⁰²

Ickes wasn't the only one whose hopes now turned to Franklin Roosevelt. "The one bright spot on this extremely dark horizon is the fact that you have been elected Governor of New York," former diplomat Sumner Welles wrote FDR. The Governor of Virginia, Harry Byrd, told Roosevelt he was "the hope of the Democratic party." He was also the hope of Al Smith, who thought he might be able to continue on in politics as the *eminence grise* of the Roosevelt administration. "I told him I'd come up every week if he wanted me to," Smith told Frances Perkins. "I could be there Monday and Tuesday. Those are the big legislative days. I could see people for him. I could deal with them. I could talk with the Republicans and Democrats. I could help him with a lot of things." He also suggested Roosevelt install Belle Moskowitz "right there in his own office. She can see people. She can arrange things. She can keep in touch with me, tell me what's going on. I can tell her what ought to be done." Roosevelt remained courteous to his former mentor – though he also complained to Perkins that Smith was

²²⁰² Ickes to Johnson, March 9, 1929. HLP, Box 34: Hiram Johnson, 1929-1930. Ickes to Johnson, November 8, 1928. HLI Box 33: Hiram Johnson.

calling every day offering unsolicited advice – but he was also determined to be his own man. It was his time now.²²⁰³

While many Democrats lapsed into despair after Smith's landslide loss, H.L. Mencken thought the candidate had done the Democracy a good deed, even in defeat. "Hoover could have beaten Thomas Jefferson quite as decisively as he beat Al," Mencken averred. "His judgment of the American people was cynical but sound...He let Al bombard them with ideas, confident that ideas would only affright and anger them. Meanwhile he did business behind the door with all the professional boob-squeezers, clerical and lay." The Hoover rout "did credit to his gifts as a politician," Mencken conceded. "But Al hogged all the glory as a statesman and a man." Now, he argued, the "future of the Democracy lies in following the furrow plowed by Al. As a feeble imitator of the Republican party it has no chance. But as a party of progress and enlightenment, dedicated to common sense, common rights, and common decency – as a refuge for all men and women who tire of government by frauds and fanatics, exploiters and hypocrites, theologians and corruptionists, clowns and knaves – as the complete anti-Hoover party it faces opportunities. Can it win? Maybe. But, win or lose, it can at least carry on a brave and uncompromising war against the rabble of Babbitts and Gantrys which now afflict the country."²²⁰⁴

As for Hoover's main progressive champion, William Borah was now in the catbird seat, even if *The Nation* now despised him. William Kenyon wrote the Senator after the election and deemed him "the conquerer of Texas... You reversed a great historical miracle and made water Republicans out of wine Democrats." Will Hays – master of Hollywood and servant of the

²²⁰³ Schlesinger, *Crisis of the Old Order*, 385. Another governor of note who came to power in 1928 was the new Governor of Louisiana, Huey Long. Long won the crucial Democratic primary in January against a split opposition.

²²⁰⁴ Mencken, *A Carnival of Buncombe*, 210, 213.

Continental Trading Company – told Borah “his speeches probably exerted a greater influence upon the electorate than was ever before exercised by a human voice in a political campaign.”²²⁰⁵

Borah accepted all these compliments, but his eye was fixed on the future. Affirming Hoover’s victory as “a blessing to the country,” he argued that “we have an opportunity to put the Republican party in a position where it can remain in power without much trouble for the next twenty years” – hopefully one that would listen to him more often. But when Hoover extended the offer of Attorney General or possibly even Secretary of State to the Idaho Senator, it was “grudgingly tendered and gleefully declined,” in the words of one reporter. Borah instead desired to remain in the Senate. “I have had a lot of fun out of dry champion Borah’s refusal an opportunity to track the demon rum into its lair and slay it with its naked hands,” Ickes mused to Hiram Johnson. “I wonder just why Hoover offered to appoint him Attorney General. This appointment and its declination only served to make Borah look ridiculous.” In any case, very soon into the Hoover administration, Borah – never happier than when playing the quixotic, principled insurgent of the Senate – was up to his old tricks again.²²⁰⁶

One of the Republicans who showered effusive praise on Borah for his campaigning was the Sage of Emporia. “What a brave old lion you are!” Will White exclaimed to the Senator. “How splendidly you waged the battle. You knew what the issue was when no one else did.” To White, that issue was definitively the Noble Experiment. “Mr. Hoover carried the South on prohibition,” he said to one correspondent. “It wasn’t religion. I was down there and I know.” To Louis Brandeis, White offered a longer and more forthright answer. “I think thousands of

²²⁰⁵ Ashby, 280-281.

²²⁰⁶ Ashby, 280. Burner, 209. Ickes to Johnson, March 9, 1929. HLP, Box 34: Hiram Johnson, 1929-1930.

western progressives balked at Smith,” he wrote, “first because he was going too fast; second because he zigzagged on the wrong side of traffic on prohibition; and third because he represented a strange, unfamiliar, and to many narrow minds, an abhorrent tendency in our national life. Partly it was religion that symbolized the distrust. But I think it was chiefly an instinctive feeling for the old rural order and the old rural ways...the old order holds fast in spite of our urban and industrial development.” When Brandeis asked him, “Shall we soon have another ‘great rebellion?’” White thought: “Probably not, I should say. We shall probably have a slow evolutionary adjustment of the blessings of prosperity...I hope will all my heart that the Hoover administration will mean just this, for I see no other immediate hope.”²²⁰⁷

White was not alone. “We were in a mood for magic,” recalled journalist Anne O’Hare McCormick. “We summoned a great engineer to solve our problems for us; now we sat back comfortably and confidently to watch the problems being solved.” By all accounts, the machine had been well-prepared for Hoover. “No Congress of the United States ever assembled on serving the state of the union,” Calvin Coolidge said in December 1928, in his last address to that body, “has met with a more pleasing prospect than that which appears at the present time.” The outgoing president pointed out that “[f]our times we have made a drastic revision of internal revenue system, abolishing many taxes and substantially reducing all others...One-third of the national debt has been paid, while much of the other two-thirds has been refunded at lower rates, and these savings of interest and constant economies have enabled us to repeat the satisfying process of more tax reductions.” Lower and lower tax rates, a budget brought to balance, little to no government intervention in business – “That is constructive economy in the highest degree,”

²²⁰⁷ White to Horace Mann, December 26, 1928. White, *Selected Letters*, 289. White to Brandeis, January 11, 1929. White, *Selected Letters*, 290.

President Coolidge averred. “It is the cornerstone of prosperity. It should not fail to be continued.” And with the economy humming along to these fiscal principles, it was now time for the Great Engineer to roll up his sleeves and go to work.²²⁰⁸

“It was the bitter experience of all public men from George Washington down,” Hoover wrote in his memoirs about his entering politics in 1919, “that democracies are at least contemporarily fickle and heartless.” In January 1929, as he prepared to embark on his presidency, he confessed similar doubt to the editor of the *Christian Science Monitor* in words that very much echoed Woodrow Wilson’s remark to George Creel on the way to Paris a decade earlier. “I have no dread of the ordinary work of the presidency,” Hoover said. “What I do fear is the result of the exaggerated idea the people have conceived of me. They have a conviction that I am some sort of superman, that no problem is beyond my capacity... If some unprecedented calamity should come upon the nation... I would be sacrificed to the unreasoning disappointment of a people who expected too much.”²²⁰⁹

But that is another story.

²²⁰⁸ Brinkley and Dyer, *The American Presidency*, 332. Brown, 23. Leuchtenburg, *Perils of Prosperity*, 201. Calvin Coolidge, “Sixth Annual Message to Congress,” December 4th, 1928. Reprinted at The American Presidency Project (<http://www.presidency.ucsb.edu/ws/index.php?pid=29569>)

²²⁰⁹ Hoover, 4. Burner, 210-211.

CONCLUSION: TIRED RADICALS

“It seems strange in the light of later experiences that we so whole-heartedly believed in those days, that if we could only get our position properly before the public, we would find an overwhelming response.” – Jane Addams, 1930²²¹⁰

“The old reformer has become the Tired Radical and his sons and daughters drink at the fountain of the American Mercury. They have no illusions but one. And that is they can live like Babbitt and think like Mencken.” – Norman Thomas, 1926.²²¹¹

“I have only lost my faith in man, not my pity for him. That is stronger than ever.” – Fremont Older, 1926²²¹²

“I tell you, it’s damned discouraging to be a reformer in the wealthiest land in the world.” – Fiorello La Guardia, 1928²²¹³

Guns aren’t lawful / Nooses give / Gas smells awful / You might as well live. – Dorothy Parker, 1926²²¹⁴

The Strange Case of Reynolds Rogers

On September 8th, 1932 – nearly three years after the October 1929 crash of the stock market that seemingly inaugurated Hard Times, and with the election campaign between embattled President Herbert Hoover and Governor Franklin Roosevelt of New York in full swing – the White House had some very strange news to report. Four days earlier, the President’s close friend and confidant, Colonel Raymond Robins, was supposed to meet with Hoover to discuss the urgent need for stronger enforcement of Prohibition, a case Robins had been making over the past nine months on a 286-city tour. But Robins never showed up. On September 3rd, he met a

²²¹⁰ Addams, *Second Twenty Years*, 134.

²²¹¹ Norman Thomas, “Where are the Pre-War Radicals?” *The Survey*, February 1, 1926, 563.

²²¹² Fremont Older, “Where are the Pre-War Radicals?” *The Survey*, February 1st, 1926, 560-561.

²²¹³ Murray, *The 103rd Ballot*, 261. Leuchtenburg, *The Perils of Prosperity*, 138. H. Paul Jeffers, *The Napoleon of New York: Mayor Fiorello La Guardia* (New York: John Wiley & Sons, 2002), 128.

²²¹⁴ Dorothy Parker, *Enough Rope* (New York: Liveright, 1926), 61.

friend for lunch at the City Club in New York, and was set to board the train to Washington DC. Robins had even left the forwarding address of his usual hotel, the Dodge, with the Club. But then, he had simply vanished.²²¹⁵

“Friends of ours in Washington and New York are helping us with the search for him,” Margaret Dreier Robins, obviously beside herself, told the press, “but I feel sure that bootleggers have at last carried out their frequent threats.” Mrs. Robins had seriously begun to worry when Raymond never contacted her on her birthday. In the meantime, federal agents began searching for leads. Robins’ luggage was still sitting in his room at the City Club in New York. A few acquaintances of Robins said they were sure they had seen him on the street back home in Chicago after the date he went missing but before it went public. “I was walking north and he was going south in State Street,” said one man who had known Robins for two decades. “I recognized him and said ‘Hello, Mr. Robins.’ He answered me and walked on.” Dry advocate Daniel Poling, with whom Robins had lunched in New York, thought this was impossible. “Colonel Robins has received many threats, but I think it is more probable that he is suffering from a temporary illness – amnesia.” Another close friend, a Dr. Fred Smith of White Plains, thought he might be on a “secret mission” of some kind. “The Colonel is a lone wolf,” Smith said. “He is accustomed to work alone when he wants some special bit of information.”²²¹⁶

The Secret Service followed up on the Chicago leads, but the trail was cold. A month later, Margaret Dreier Robins briefed Hoover herself on the search for Raymond. She remained

²²¹⁵ Salzman, 32. “White House Starts Hunt,” *The New York Times*, September 9th, 1932. W. Clark Medford, *Great Smoky Mountain Stories* (USA: Overmountain Press, 1966), 49-51.

²²¹⁶ Ibid. “Mrs. Robins Tells of Threats,” *The New York Times*, September 9th, 1932. “Search for Robins Centres in Chicago,” *The New York Times*, September 11th, 1932. “Poling Says Robins Was Not in Chicago,” *The New York Times*, September 13th, 1932.

sure bootleggers were involved, and told the press of threats Robins had received near their winter home in Florida. “I have such faith in his resourcefulness and persuasiveness that unless they have killed him without giving him a chance I feel he will come out of this in some way,” she said. “Since we were married, twenty-seven years ago, he has never left me for a day without letting me know where he was.” By the end of October, Robins’ friend from the Outlawry campaign, Salmon Levinson, said there was “little hope.” “President Hoover and Senator Borah of Idaho, his good friends, are aghast that such a thing could happen to a man of his prominence,” said Levinson, adding that Robins “had prepared a statement in favor of the re-election of President Hoover to be released within a few days after the date of his disappearance.” Otherwise, the man had simply fallen off the face of the earth.²²¹⁷

Even as the election of 1932 wended its way to its inevitable conclusion – Roosevelt demolished Hoover, winning 472 electoral votes, 42 states, and 58% of the vote – Colonel Robins’ bizarre disappearance remained a national news story. On November 11th, flipping through an issue of the rural newspaper *Grit*, thirteen-year-old Carl Byrd Fisher of Whittier, North Carolina showed the picture of the missing Robins to his father. “Dad, have you seen this man?” Carl asked. Carl’s father, a local shopkeeper in that small mountain town, did a double-take. “I surely have. That’s Mr. Rogers.”²²¹⁸

J.O. Fisher contacted Levinson, who contacted the authorities. A week later, two local Prohibition agents confronted Reynolds H. Rogers, a Kentucky mining engineer who had come to town two months earlier and settled in at the boarding house. Rogers was well-liked in the

²²¹⁷ Ibid. “Mrs. Robins Tells of Threats,” *The New York Times*, September 9th, 1932. “Search for Robins Centres in Chicago,” *The New York Times*, September 11th, 1932. “Poling Says Robins Was Not in Chicago,” *The New York Times*, September 13th, 1932.

²²¹⁸ Salzman, 32. Medford, 49-50.

small mountain community, despite seeming a bit of a strange bird. Other than giving speeches on behalf of world peace, Theodore Roosevelt's birthday, and the re-election of Herbert Hoover, the man spent most of his time hiking, prospecting, and sitting in a lookout he had constructed in an old oak tree. "How do you do, Colonel?" the federal agents asked Rogers, when they caught up with him. "Good morning," Rogers replied. "Why the Colonel?" The agents took a handwriting sample, which matched what they had from Robins. The next day, Robins' nephew, John Dreier, immediately identified his missing uncle, despite the two-month-old beard.²²¹⁹

Reynolds Rogers, nee Raymond Robins, was taken to a hospital in nearby Asheville, sixty miles east. In the pockets of his overalls were found several crumpled newspaper clippings about his disappearance. An overjoyed Margaret soon arrived with more Prohibition agents from Spartanburg, South Carolina, where she had been continuing the search. "I don't know this woman," said Raymond. "She must be mistaken." Robins was then transferred to a private mental hospital, where Margaret told the press she had "had a pleasant, friendly chat" with her husband, "but he did not recognize me as his wife." Otherwise, "he was well and healthy in every way." When the doctors asked Robins where his home was, he told them he had none. "I feel that I'm surrounded by four high walls," Robins said, "so impossibly high that I cannot get out." After two more days, with Mrs. Robins returning each day, Raymond at last had a breakthrough. "Margaret!" he cried, as she held his hand.²²²⁰

"I have come through a terrible experience," Robins said in a statement from he and Margaret's Florida winter home a month later, his memory and sanity restored. "Those who are

²²¹⁹ Ibid. "Col. Robins Fails to Recognize Wife," *The New York Times*, November 20th, 1932.

²²²⁰ Ibid. "Col. Robins Placed in Private Asylum," *The New York Times*, November 21st, 1932.

wise in matters of this sort assure me that the darkness that overtook me in the midst of my day's work was a provision of nature to save me from a serious collapse. Those who meet me in the future will be able to judge of my mental clarity. Those who have known my life in the past will not believe that I have been a quitter...In so far as there has been untrue and unfair comment, I forgive its authors and accept it as the cost of a life spent in battle for causes I hold dear."²²²¹

As far as anyone can tell, Robins' break with reality and amnesia were not faked. The Colonel's mother had suffered from schizophrenia, and he himself had epilepsy as a child, was prone to bouts of both mania and depression, and had suffered previous nervous breakdowns in 1914 and 1921. And along with Robins' rigorous schedule of trying to prop up the failing support for Prohibition, he was also serving as Chairman of the Board of the First National Bank of Brooksville, Florida, in which both his family assets and those of many close friends were invested. The Hoover years were not good years for banks, and Brooksville was no exception. In fact, Robins came very close to losing his and Margaret's home, Chinsegut Hill, until he worked with the Hoover administration to get it named a national sanctuary for wildlife study.²²²²

And then there was the matter of Hoover. Within a year of the Great Engineer's election, Robins saw a devastating loss to come in 1932. "Hoover has lost more of dominion and prestige in one short year – than I have before known to overtake any leader in American politics." As the

²²²¹ "Col. Robins Says He Is No 'Quitter,'" *The New York Times*, December 12th, 1932. In the same statement, Robins said his "last clear memory" was "leaving the City Club of New York to get a ticket and berth for Washington City where I was to see President Hoover...From then on for what seems to be now a considerable period there is a jumbled sense of pain in the head, danger, darkness, pursuit, and escape." From New York, Robins/"Rogers" apparently had gone right to Asheville, where he had been in the past, then took a bus west for Whittier. Salzman, 333. Medford, 50.

²²²² Salzman, 333-346.

Depression darkened, Robins was in a full rage about what he saw from the Great Engineer. “Hoover is a complete wash out as a political leader,” he told a friend. “[H]e has failed utterly as the Big Wisdom in the worst economic crisis I think I have ever known this country to suffer, he has been a lap or six behind on all relief and done nothing vital or creative after his first efforts to prevent cuts in wages and unemployment...He has alienated Labor, the Negroes, Women, all the Social Justice folks, and the most effective hard-boiled organization leaders along with Borah...and many others of liberal minds.” Quoting the words of a major Hoover fundraiser, Robins declared the president “a dead mackerel on the political shore shining and stinking in the pale moonlight that precedes his complete eclipse, leaving simply the memory of a bad smell.” Nonetheless, Robins was committed to the president, and so, before his episode, pledged “to walk and speak and write and work for the election of Herbert Hoover – to the hidden music of a dead march to an open political grave.”²²²³

The Progressive Revival

The music may be hidden, but the failure of Herbert Hoover’s presidency was there for all to see. “That the Hoover administration has come to a cropper seems to be the general feeling from end to end of the Republic,” Mencken wrote in May 1930. By the following year, Oswald Villard – who never much liked the man – thought “Mr. Hoover’s position is nothing less than tragic. If he is the sensitive, proud, and high-minded man that his intimate friends have certified him to be, it must seem to him that in his case the road to glory has led but to despair. For years he planned and worked and schemed and stooped to achieve the greatest gift the American people can bestow. It has turned to ashes in his hands. Not in my thirty-four years of journalistic experience has any President so failed to impress or to win the public.” “He is a tragic figure, one

²²²³ Salzman, 347-349.

to be pitied,” Villard concluded, “and his own unhappiness appears mirrored in every counterfeit presentment which reaches an entirely unresponsive public”²²²⁴

Now the fate of America – indeed, the entire world – rested in the hands of Franklin Delano Roosevelt who, other than promising that Happy Days Are Here Again, had run a campaign as carefully modulated as Al Smith’s had been occasionally intemperate. Writing of the Democratic candidate two months before Election Day, the editors of *The New Republic* detected a “philosophical opportunism at the base of the candidate’s thought. He has not made up his mind whether we are headed toward collectivism or away from it. To him it is sufficient to suggest particular programs for particular situations, regardless of the general goal. If one of these programs pleases the radicals and another the conservatives, so much the better for his chances of election.”²²²⁵

Indeed, Franklin Roosevelt’s New Deal would be remembered, in the words of Richard Hofstadter, as “a chaos of experimentation,” as the president applied all the many different schools of reform available to him – from the associationalism of Hoover and the central planning of the War to the regional planning of George Norris and the social welfare legislation of Al Smith and Frances Perkins – to try to jumpstart the economy and alleviate the suffering of American families. There was often a sense of flying without a map or compass which some progressives found intensely aggravating. “We seemed doomed to try out everything,” William Borah complained to a constituent in 1934. But after Republicans were decisively beaten – again – in the midterms that same year, Borah conceded the New Deal was the only game in town.

²²²⁴ Mencken, *A Carnival of Buncombe*, 214. Oswald Villard, “The Tragedy of Herbert Hoover,” *The Nation*, June 24th, 1931 (Vol. 132, No. 3442), 671-672.

²²²⁵ Roosevelt Steps Left and Right, *The New Republic*, September 28th, 1932 (Vol. 72, No. 930), 164.

“[W]hat were the people offered?” he told TIME. “People can’t eat the Constitution.” George Norris, a much more vigorous proponent of the New Deal than his Idaho colleague, had led the formation of a National Progressive League for Roosevelt in 1932, which included among its ranks former Republicans like Fiorello La Guardia, Julia Lathrop, Grace Abbott, and John L. Lewis. He was more sanguine about the experimentalism at the heart of the New Deal, and saw no other possible way forward. Asked in 1936 how Abraham Lincoln would respond to the Depression, Norris said, “Lincoln would be just like me. He wouldn’t know what the hell to do.”²²²⁶

Even if he wasn’t wedded to any one school of reform, Roosevelt considered himself an heir of the progressive tradition, surrounded himself with like-minded individuals, and often tied his work back to the fights of the 1920s. “A comparative study of the Progressive platform of 1924 and the policies enacted into law by Franklin Roosevelt and his New Deal,” historian Kenneth Mackay wrote in 1947, “would indicate that, perhaps unintentionally, much of the latter was plagiarized. The Progressives get no credit line for the TVA, the ‘rapidly progressive’ income (and inheritance) tax schedules, the Wagner Labor Relations Act, the various New Deal aids to agriculture, the Securities Exchange Commission, and the abolition of child labor.” Yet, he notes, all of these were part of the 1924 La Follette-Wheeler platform. In fact, the plagiarism was quite intentional. “If Franklin had not been a Roosevelt,” Rexford Tugwell said of his boss, “I am quite certain he would have liked to be a La Follette.”²²²⁷

²²²⁶ Alan Brinkley, *The End of Reform: New Deal Liberalism in Recession and War* (New York: Vintage Books, 1995), 5. Kevin C. Murphy, “A Lion Among the Liberals: Senator William Edgar Borah and the Rise of New Deal Liberalism,” Harvard University A.B. thesis, 1997. (<http://www.kevincmurphy.com/williamborah.htm>) Otis Graham, *An Encore for Reform: The Old Progressives and the New Deal* (Oxford University Press: 1967), 103-105, 126.

²²²⁷ Mackay, 258. Patrick Maney, “Joe McCarthy’s First Victim,” *Virginia Quarterly Review*, Summer 2001, 529-536. (<http://www.vqronline.org/articles/2001/summer/maney-joe-mccarthys-first/>)

Similarly, to staff his administration and serve as advisors, Roosevelt turned to the progressives he knew and admired from the La Follette and Smith candidacies and other fights of the 1920s, most notably Frances Perkins as Secretary of Labor (and, on the advice of Hiram Johnson, who turned it down) Harold Ickes as Secretary of the Interior, but also Donald Richberg, John Commons, Felix Frankfurter, Basil Manley, Mary Dewson, Paul Kellogg, Grace Abbott, John A. Ryan, and countless other rank-and-file reformers who had worked to keep the flame alive. “[M]any of the very men who are now engaged in aiding President Roosevelt,” wrote Congressman J.E. Watson of Indiana during the New Deal, “were in Wisconsin at that time [in 1924] helping La Follette.”²²²⁸

Perhaps no other progressive supporters were as enthused by the New Deal as the reformers, many of them women, who had fought for so long to see a stronger federal role in ensuring social welfare. Although Florence Kelley and Julia Lathrop both perished in 1932 before these efforts reached culmination, as did Jane Addams in 1935, Lillian Wald was there to bear witness for her long-struggling friends and colleagues. “I...see many things developing,” she said as Social Security wended its way through Congress, “that I feared we would live a long time to see throughout this country.” “What was the New Deal anyhow?” Frances Perkins later said, “Was it a political plot? Was it just a name for a period in history? Was it a revolution? To all these questions I answer ‘No.’ It was something quite different...It was, I think, basically, an attitude. An attitude that found voice in expressions like ‘the people are what matter to

²²²⁸ MacKay, 259, 297. Chambers, 254-257. McGerr, 316.

government,’ and ‘a government should aim to give all the people under its jurisdiction the best possible life.’”²²²⁹

This conception of government, born in the settlement houses and the social work conferences, and nurtured through the adverse climate of the 1920s, became central to the New Deal and to liberalism thereafter. “Perhaps you may ask, ‘Does the road lead uphill all the way?’ a triumphant Grace Abbott told a graduating class of women in 1934 of the reformer’s life, “And I must answer, ‘Yes, to the very end,’ But if I offer you a long, hard struggle, I can also promise you great rewards.” Grace Abbott, Wald, Norris – these progressives got to enjoy those rewards. After decades of hard work and lonely struggle, they saw their efforts reach culmination.²²³⁰

But many did not. And even for those who did, the struggle changed them and their philosophy for good.

Confessions of the Reformers

While Raymond Robins’ flight into the persona of Reynolds Rogers was a particularly pronounced reaction to the pressures of the time, Robins was far from the only reformer to battle a seemingly merciless onslaught of despair. “Few indeed are the progressives of my generation,” wrote Donald Richberg in 1929, “who have survived the bludgeoning of these years.” Reading through their letters and writings during this period, the pervasive sadness is inescapable. “We are in the midst of a season of pessimism, verging at times on despair,” Borah wrote in 1922.

²²²⁹ Graham, 103. “Social Security Pioneers: Frances Perkins,” Social Security Administration (<http://www.ssa.gov/history/fpbiOSSA.html>).

²²³⁰ Chambers, vii, 258.

Two years later, as the Teapot Dome revelations unfurled, Borah told a friend the situation in Washington “is very deplorable and very demoralizing. I have felt for the last few weeks more keenly and more firmly than every that I would like to get out. I can’t see anything much ahead in the matter except dreary, hard work and not much in the way of results...The whole thing seems rotten to the core.” “There is no short road to Justice and Mercy in this Republic,” lamented Florence Kelley similarly after the *Adkins* decision in 1922. By 1927, as the nation seemed in full retrenchment, she told John Commons that “keeping the light on is probably the best contribution that we can make where there is now Stygian darkness.”²²³¹

In 1921, Hiram Johnson confessed his own depression to Harold Ickes, and how the “constant defeats with dwindling support in each, are utterly destroying what standing I have. I cannot help it though...I have got to go ahead in just the same fashion in which I am acting.” Four years later, Ickes argued “progressives...don’t exist anymore except in a few states like Wisconsin. I don’t see any immediate prospect of a resurrection of the progressive party. We are still suffering from the moral reaction that hit us after the war and there doesn’t seem to be any leader in sight to rally us or any issues on which such a leader, if he existed, could rally us.” As it was, Ickes thought, “the reactionaries are in full control...[U]ntil the people generally think there is something more worthwhile in life than making money politically we will go along the path we are now following. It seems to me the only thing to do is to wait for the pendulum to reach the limit of its swing in the reactionary direction and wait for it to begin to come down again. That it will do is inevitable, but when it will do so no one can foretell.”²²³²

²²³¹ Murray, *The 103rd Ballot*, 264. Borah to Glenn Frank, December 13th, 1922. WJB Box 140: Newspapers. Borah to John W. Hart, March 1st, 1924. WJB Box 153: John W. Hart. Chambers, 73-76.

²²³² Johnson to Ickes, July 2, 1921. HLI Box 33: Hiram Johnson. Ickes to Benjamin F. Proctor, February 15, 1925. HLI, Box 36: P Miscellany.

Later that year, Ickes felt even worse. “I am doing nothing politically because I don’t know what to do or where to turn,” he told Johnson, to whom he confided because “[o]f all the old progressive crowd you are the only one to whom I can express myself with the utmost frankness...I am not cheerful over the present situation or future prospects as I can envision them.” Johnson understood completely. “Gifford likes you and me now,” he replied. “He sees us (pardon me for saying this of you; I mean it rather of myself) as dead himself politically and he has no way to turn in his political sepulcher except to those who are moldering with him.” Two years later, Johnson reiterated to Ickes that “the political world has passed us by and...our political philosophy has become...quaint and bizarre.”²²³³

“God, how I would like to get out and raise hell for righteousness!” William Allen White swore in 1926, “instead of which I sit in my office and write unimportant editorials and go to my house and write unimportant books, with the gorge kicking like a mule all the time.” The following year, he told Gifford Pinchot that “[w]e have got to sink lower before we rise higher. Prosperity must break. We must get out of our timidity complex. Lord! Heaven! How scared we are of change for the better. Stability is our God and until we change our Gods we won’t change our attitude toward living. I’m pretty hopeless.” George Norris – who thought heavily about just up and resigning from the Senate – informed *The Nation* in 1927 that “I am on the downhill side – sometimes, I think, traveling rapidly. The end cannot be very many years in advance. I think I have, to a great extent, run my race.” “It is pretty poor pickings for a man who doesn’t believe in

²²³³ Ickes to Johnson, July 17, 1925. HLI Box 33: Hiram Johnson. Johnson to Ickes, July 20, 1925. HLI Box 33: Hiram Johnson. Johnson to Ickes, June 2, 1927. HLI Box 33: Hiram Johnson.

having the big fellows control everything,” Gifford Pinchot shrugged in 1928. “[T]imes change and the wheel will eventually revolve. In the meantime we have got to grin and bear it.”²²³⁴

The two bestsellers of 1929, Walter Lippmann’s *A Preface to Morals* and Joseph Wood Krutch’s *A Modern Temper*, also attest to this crisis of the progressive spirit. Some who could not stand to look into that existential abyss turned instead to the comfort of religion. “The sum of the whole matter is this,” wrote Woodrow Wilson in 1923’s *The Road Away from Revolution*, his last published work. “[O]ur civilization cannot survive materially unless it be redeemed spiritually. It can be saved only by becoming permeated with the spirit of Christ and being made free and happy by the practices which spring out of that spirit.” *New Republic* editor and founder Herbert Croly, searching for the wellspring of virtue in a materialistic age, also retreated into mysticism and spiritualism during the decade. Assessing these late-period writings after Croly’s death in 1930, Edmund Wilson thought Croly was, not very successfully, attempting “to explain to his own rational intelligence this mysterious spring of spiritual power.” He was trying to “make it possible for us to maintain that faith in human life which, in the America of our day, the comfortable, the brutalized, the timed, the hopeless and pleasure-drugged, the fatigued and machinery-driven, seem pressing on every hand, and within ourselves, to destroy.”²²³⁵

Faith in humanity is exactly the quality that the experience of the decade took away from the progressives. Before the War, the foundations of progressivism as a civic philosophy were that Man can – and should – be improved, that politicians should act to uphold the public

²²³⁴ White to Theodore Roosevelt, Jr., July 15, 1926. White, *Selected Letters*, 261. White to Gifford Pinchot, June 3, 1927. White, *Selected Letters*, 273. Frederic Babcock, “Norris of Nebraska,” *The Nation*, December 21, 1927 (Vol. 125, No. 3259), 705. Gifford Pinchot to Ickes, July 15, 1928. HLI, Box 38: Gifford Pinchot

²²³⁵ Woodrow Wilson, “The Road Away from Revolution,” (New York: Atlantic Monthly Press, 1923). Christopher Lasch, “Herbert Croly’s America” *New York Review of Books*, July 1965. Edmund Wilson, “H.C.,” *The New Republic*, July 16th, 1930 (Vol. 68, No. 815), 268.

interest, and that the great mass of people, if public opinion were duly educated and accurate information provided, would come to embrace progressive principles by sheer force of reason. By the end of the decade, all those beliefs had attenuated to a vast degree. In short, the very foundations of the progressive worldview had crumbled.

One of the definitive statements of this disillusionment with what had been the basic tenets of progressivism is Frederic Howe's 1925 book *Confessions of a Reformer*. "Facts were of little value," Howe wrote, citing Wilson's experience at Versailles in 1919. "Paris had all the facts in the world. Van-loads of facts. Tons of expert reports – an army of experts. Men did not believe in the truth. They lied quite frankly...[T]hinking things through I began to see similarities, parallels, universal conditions. The scholar had failed at home as he had failed abroad. Facts were of little value; morality did not guide men." This was eye-opening for Howe. "The one thing I had clung to all these years was a belief in my class convinced by facts":

It was mind that would save the world, the mind of my class aroused from indifference, from money-making, from party loyalty and coming out into the clear light of reason. I now began to see that men were not concerned over the truth. It did not interest them when economic interests were at stake. The mind was as closed to facts as a safety-deposit vault. There was a sign outside: 'Do not enter here.'²²³⁶

"The world had not been saved by morality," Howe concluded. "Apparently it had little to hope for from the human mind." Having pronounced the death of reason and educated public opinion, Howe also determined, with regret, that the public interest was a ridiculous abstraction. "Bankers thought as bankers, railway-owners as railway-owners, railway employees thought as railway employees...Men did not think disinterestedly in politics; they followed their economic interests. They were moved by elemental motives. Like the amoeba going out for food, man went

²²³⁶ Howe, 318-322.

out for the things he wanted; sought to satisfy his wants by a minimum of effort. That was universal in nature. Moral professions were weaker than instinctive desires.”²²³⁷

Instead of fighting for a public interest, Howe argued, progressives should in the future align themselves with the working man and woman. “Labor could not serve privilege... as privilege could only be enjoyed by the few. By necessity labor would serve freedom, democracy, equal opportunity for all... The place for the liberal was in labor’s ranks.” The death of the public interest was not an easy moment for Howe. “The new truth that a free world would only come through labor was forced on me. I did not seek it; did not welcome it. But it crowded into mind and demanded tenancy as the old occupants gave notice to leave.”²²³⁸

Howe was far from the only progressives to come to these conclusions. When it came to the demise of public opinion, even the charitable Jane Addams noted in 1930 that “it seems strange in the light of later experiences that we so whole-heartedly believed in those days, that if we could only get our position properly before the public, we would find an overwhelming response.” The decade just had not borne this belief out. “It is a striking commentary of our times, wrote Samuel McCune Lindsey on the 25th anniversary of the National Child Labor Committee in 1929, “that at first the committee was not incorporated, for the reformers of the

²²³⁷ Howe, 323, 334.

²²³⁸ Howe, 324-325. In the *Survey* symposium, Howe made the same point again in different language. “It was the distinction, I think, of our particular brand of reformers, those who contributed to this symposium, that we believed in the human mind. We preached, we wrote, we were scientific-minded. And we produced facts in abundance... We have enough facts, fully established facts, to end poverty, to make our farm land flourish like a garden, to put us all in decent homes, if we only needed facts... Yet I have never known a business man to be converted by facts against his interest to the public ownership of street railways. I would find it difficult to enumerate a half-dozen men who were converted to my ideas against their own economic interest as a result of a score of books, hundreds of speeches, and a mass of printed articles. No, the human mind does not work when men’s economic interests are involved. It stalls. The fact-finding, laboratory method has scarcely more value than the evangelical in the advance of social justice.” Frederick Howe, “Where are the Pre-War Radicals: A Response,” *The Survey*, April 1st, 1926. 33-34, 50-52.

new century believed its task would soon be accomplished once the American public was informed of the facts. The public has been informed – and child labor persists.”²²³⁹

In a February 1926 symposium held by *The Survey* on Frederic Howe’s *Confessions* – entitled “Where are the Pre-War Radicals?” – many other reformers were less politic and more emphatic about the lessons that had been forced on them. “A large part of pre-war radicalism,” argued labor reformer George Alder, “dealt with political machinery intended to make the mass power of the uninformed common man apply to problems which he was incompetent to decide. This program is no longer appealing.” “One must always remember that human beings do not reason,” admonished Clarence Darrow. “They live from their emotions and so far as they do reason, this is controlled by their emotions. They are patriotic when they are getting plenty to eat and begin to grumble when times are hard.” As Will White put what he had come to believe more bluntly elsewhere, the “majority of Americans are morons.”²²⁴⁰

Even getting plenty to eat was no assurance of a progressive mindset. “I thought all that was necessary to bring about a mild millennium was to raise wages,” sighed municipal reformer Fremont Older. “Improved living conditions would give the poor a chance to express these fine qualities that I felt they possessed, and there would be no further difficulty in quickly making the world a finer place to live. The high wages came...and what happened? The workers became more conservative. They bought automobiles, lived in better houses, dressed better, and acquired the habits of the well-to-do.” It was “a bad time for those who believe the people have any rights

²²³⁹ Addams, *Second Twenty Years*, 134. Chambers, 46.

²²⁴⁰ George Alger, “Where are the Pre-War Radicals,” *The Survey*, February 1st, 1926, 561-562. Clarence Darrow, “Where are the Pre-War Radicals,” *The Survey*, February 1st, 1926, 566. Murphy, *Meaning of Freedom of Speech*, 176.

in their Government,” Hiram Johnson lamented in 1925. “The psychology of ‘economy’ has twisted and distorted idealism and altruism.” Thanks to “the fat materialism of a corrupt age,” John Haynes Holmes argued similarly in 1927, “[o]ur people are fat, corrupt, contented.”²²⁴¹

The ACLU’s Roger Baldwin had also once believed “the old American faith that privileged classes could be controlled by the ‘Public.’” But “[m]ost of us have since been as disillusioned as Howe. There is no ‘Public’; the ‘People’ as a political party are unorganizable.” It was time, he argued, to stop believing in “a phantom public” and realize that “the only power that works is class power.” This, of course, is what the Socialist contributors to *The Survey*’s symposium had been arguing all along. Howe “discovered in Paris what was perfectly patent in New York,” scoffed Morris Hillquit, ‘that the world was ruled by an exploiting class’...and that there was but one class of people who could change that order.” Where Hillquit was caustic, an aging Eugene Debs, in the last year of his life, remained defiant. “We refuse to become discouraged over a temporary set-back in our own country,” Debs wrote in his contribution. “We are where we always were – just as radical, just as confident, just as determined...In three years we will present the American people with an American Socialist Party greater, stronger, more militant and more aggressive than we have had before.”²²⁴²

Even some of the non-Socialists thought all the progressive pearl-clutching was overwrought. “Has the movement become a class struggle?” replied Burton Wheeler. “It has always been a class struggle. Every economic struggle is a class struggle. It does not matter

²²⁴¹ Fremont Older, “Where are the Pre-War Radicals?” *The Survey*, February 1st, 1926, 560-561. Johnson to Ickes, July 20, 1925. HLI Box 33: Hiram Johnson. Chambers, x.

²²⁴² Roger Baldwin, “Where are the Pre-War Radicals?” *The Survey*, February 1st, 1926, 560. Morris Hillquit, “Where are the Pre-War Radicals?” *The Survey*, February 1st, 1926, 562. Eugene Debs, “Where are the Pre-War Radicals?” *The Survey*, February 1st, 1926, 559.

whether it has for its base the divinity of kings or the divinity of dollars.” Arthur Garfield Hays, reflecting on the depression afflicting his fellow reformers later in life, argued that “[m]any liberals, succumbing to an easy cynicism, moved over into the sneering section” during the Twenties. The problem, thought Hays, was that progressives were so invested in their theory of change they missed the positive transformations occurring in American life underneath their nose – People were happier, freer. As for himself, “I have no belief in any system as a system, whether it is called Capitalism, Socialism, Communism, or anything else. The liberal takes the world as he finds it; he will take any means to ameliorate bad conditions and improve society.”²²⁴³

In 1919, years before *The Survey*'s symposium and soon before his untimely death, Walter Weyl had written an essay entitled “Tired Radicals” which anticipated at least some of the disillusion of his generation in the decade to come. “[E]ven in good times, age deals harshly with radicals,” Weyl reminded his readers – “long before a man’s arteries begin to harden, he sees things more as his father and grandfather saw them.” Eventually, these Tired Radicals “become sensible, glacially sensible. They become expert in the science of Impossible; they know better than anyone else why every thing is Impossible because have they not failed in every thing?” This was not a new problem. This was all part of the natural order of things. “There is no use crying over those who are graduated out of Radicalism,” said Weyl. “for the young trees grow where the old trees die.”²²⁴⁴

²²⁴³ Burton Wheeler, “Where are the Pre-War Radicals?” *The Survey*, February 1st, 1926, 561. Hays, *City Lawyer*, 246, 250.

²²⁴⁴ Walter Weyl, *Tired Radicals and Other Papers* (New York: B.W. Huebsch, 1921), 9-14.

The progressives who seemed most content in the *Survey*'s symposium were the ones who held in mind Weyl's wisdom. "There is no use crying because our particular medicine is not needed forever," said Norman Hapgood. "Other jobs approach, and they will be seen by other men." "The flowers of last spring have withered and passed away, and the radicals of ten years ago have for the most part gone to seed," wrote Basil Manly in similar fashion. "But fear not. Since the dawn of creation each spring has brought new crops of wild flowers – and weeds. So likewise the years will in due course bring forth anew, as from the dawn of History, new men and women in ever increasing numbers who will lift up their eyes to the light and devote at least the spring time of their lives to making this a happier and more beautiful world." The founder of the muckraking journal *McClure's*, John S. Phillips even had a vague notion of what form the new liberalism might take. "Out of the present materialism, penetrating and impregnating all classes in these days of widespread luxuries and indulgences, will arise other liberals," he wrote. "I have an idea that this will be born of spiritual hunger rather than material deprivation. Man cannot live by automobiles and bathrooms alone."²²⁴⁵

Of course there would be more generations of reformers – indeed, only six years after the *Survey*'s litany of despair, many of the same progressives would take central roles in the "encore for reform" that was the New Deal. But the decade of War, Harding Normalcy, and Coolidge Prosperity had exacted a heavy toll on progressivism as both a movement and a public philosophy. The abiding Emersonian faith in the cleansing powers of democracy, the belief that public opinion on its own could and would effect positive change – these yielded to an embrace of government-by-experts and a more robust appreciation for civil liberties. The perhaps naïve

²²⁴⁵ Norman Hapgood, "Where are the Pre-War Radicals," *The Survey*, February 1st, 1926, 560. Basil Manly, "Where are the Pre-War Radicals," *The Survey*, February 1st, 1926, 564. John S. Phillips, "Where are the Pre-War Radicals," *The Survey*, February 1st, 1926, 566.

idea of a public interest, which could be articulated and then heeded by the people's representatives, was – after the obvious ascendance of the business class during the Coolidge years – subsumed by the notion of a broker state that instead mitigated among competing interests. The critical progressive emphases on citizenship and developing and retaining each individual's capacity of self-government faded, while the importance of providing welfare and justice to all, and entitling each citizen to his or her pursuit of happiness, all moved to the fore.

For better or worse, when progressivism lost these abiding central faiths, it also lost much of its ambitions. “It wasn't that *today* was any finer in 1919 than in 1932,” said John Dos Passos. “It was that in 1919 the tomorrows seemed vaster.” That same year, Franklin Roosevelt re-read the writings of Wilson and was surprised at the breadth of their scope. “It is interesting, now, to read his speeches,” he noted. “What is called ‘radical’ today, and I have reason to know whereof I speak, is mild compared to the campaign of Mr. Wilson.” Through the power of Ideals, progressives of that generation had tried to change the world, and, inevitably, a materialistic, fallen world changed them instead. “I do not now expect my plans for the world will ever be realized,” said Howe in 1926. “That is too much to ask. Every other man and woman wants a different world from that which I want. And they may have an equal right to have it.”²²⁴⁶

Instead of working to end war forever, or to mold better citizens, providing that equal right to pursue one's own path, wherever it may lead, would become the democratic project in the decades to come. As progressivism became New Deal liberalism, reformers that worried less

²²⁴⁶ Carter, 5. McGerr, 318. Howe, “Where are the Pre-War Radicals: A Response,” Chambers, x. “Possibly,” Howe mused, “if the entire American people were to follow its own individual desires, we would be a happier America, possibly a more richly endowed America, a more quickly reformed America. . . . Possibly too if we biologically followed our own wants and instincts we would correct quite naturally even the economic and political wrongs of the world.” Ibid.

about the potential of Humankind and more about the needs of actual men and women was in many ways a welcome change. But the diminished scope of the tempered progressive project carried over into other realms as well. Progressives, who once thought they could “subdue the power and arrogance of organized capitalism and remold it to the democratic patterns of the rights of man,” wrote John Haynes Holmes in 1927, now “have no confidence anymore – no confidence that we were ever justified in having confidence!” As historian Alan Brinkley shows in *The End of Reform*, the New Dealers would make one more go at this project. But, after attempting many different strategies to rein in capitalism between 1933 and 1937, or at least to bend it to the service of a sounder political economy – they would lose confidence as well, settling instead on an acknowledgment of the established order, in the hopes that, under responsible stewardship, it would continue to provide ever-expanding prosperity.²²⁴⁷

To be sure, every generation faces their own bout with disillusionment, from the Radical Republicans who saw Reconstruction fail and Jim Crow rise to the liberals and radicals of the Sixties who watched the Great Society tear itself apart in Chicago, Memphis, Watts, and Vietnam. In 1953, almost thirty years after his father wondered if democracy would ever work and seven years after he lost the Wisconsin Republican primary to Joe McCarthy, Bob La Follette Jr. ended his life with a pistol his father had given him, bringing a sad conclusion to the tale of the Fighting La Follettes. In any decade of American life, fighting for progressive change is always an uphill endeavor, and the shadows of despair are never far away.²²⁴⁸

²²⁴⁷ Chambers, x. Brinkley, *The End of Reform*.

²²⁴⁸ Maney, “Joe McCarthy’s First Victim.”

At the same time, the disenchantment of these progressives represents a truly unique moment in the American story. A generation of reformers who had grown up in the Victorian era were forced to confront not just the collapse of their beliefs and idealism after the War, but the sudden emergence of a twentieth century world of cars, communication, consumerism, popular culture, and advertising that arguably looks more like our own world today, almost a century later, than the world of their youth. The world that created them would never return.

In fact, while history invariably tends to rhyme and analogies can be drawn from any period, the 1920s – with the notable exception of the national drive for disarmament – arguably speak more to life in the contemporary United States than any other decade in the first half of the last century. Then as now, we live in an America driven by popular, youth, and consumer culture, being transformed by new technologies, and emphasizing the pursuit of happiness. Once again, we are grappling with issues such as fears of terrorism and unrestricted immigration, the corporate corruption of government, and the appropriate role of civil liberties in American life. Once again, the popular and advertising-reinforced sense of general prosperity masks the economic troubles being faced by millions of Americans.

Having forsaken the welfare state affirming path of Eisenhower, Nixon, and even Reagan, today's Republican Party proudly embraces as the pathway to prosperity the Harding-Coolidge-Mellon philosophy of low taxes, balanced budgets, limited government, and minimal interference with the prerogatives of business. Meanwhile, the Democratic Party, strangely reluctant to embrace its success in the New Deal and the Great Society, now veers back and forth between its diminishing Smith wing, which advocates a limited but important federal role in

securing the general welfare, and its ascendant Hoover wing, which calls for business-friendly public-private partnerships and a slightly more progressive version of the low-tax, no-deficit Republican philosophy. Not unlike 1928, one of the presidential candidates in 2012 was viewed by half the nation as a welcome avatar of a new, multicultural America coming into being, and by a significant minority as a dangerous, possibly even un-American harbinger of foreign values. Once again, from the near-collapse of Wall Street in 2008 to the undeniable signs of a warming planet in 2013, there are sizable hints that the current state of affairs is dancing on a precipice, and another Great Crash beckons. And once again progressives, having recently hoped they had arrived at a moment of profound change in American life, now find themselves embattled and embittered, trying to conserve former gains and searching for a way forward.

So turns the wheel of history. One can imagine the Sage of Baltimore having a grand laugh about it all. Mencken, naturally, was not invited to the *Survey's* symposium on *Confessions of a Reformer*, but he had his own answer for disillusioned progressives of his generation nonetheless. "Life may not be exactly pleasant," he wrote in April 1928, "but it is at least not dull. Heave yourself into Hell today, and you may miss, tomorrow or next day, another Scopes trial, or another War to End War, or perchance a rich and buxom widow with all of her first husband's clothes. There are always more Hardings hatching. I advocate hanging on as long as possible." If Mencken's caustic enjoyment of the world's ironies isn't enough to sustain in dark times, there is always the consciousness that previous generations – in the 1920s, before, and after – carried the torch of progressivism and persevered, and that, for their legacy and our world, there is much work left to be done.²²⁴⁹

²²⁴⁹ Marion Elizabeth Rodgers, "Introduction," in Mencken, *Notes on Democracy*, 19. Frederick Howe, "Where are the Pre-War Radicals: A Response," *The Survey*, April 1st, 1926. 33-34, 50-52.

“[O]ur kind of reformers will not reappear because the conditions that made up what we were have gone,” Frederic Howe replied to his fellow progressives at the end of the 1926 symposium.

“The reformer of tomorrow will fight with a different background.” He or she “will, I think, fight for substantially the same thing, for the things we fought for relate to the right to live. And the people must fight for the right to live or the people must die. There is no other alternative.”²²⁵⁰

²²⁵⁰ Howe, “Where are the Pre-War Radicals: A Response,” *The Survey*, April 1st, 1926. 33-34, 50-52.

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