

Poles and Jews: The Quest For Self-Determination 1919-1934

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Poland became an independent nation against all odds in the interwar period and retained her sovereignty from 1919 to 1939; hence the concept “interwar Poland.” The vicissitudes of her existence earned her the name of “God’s Playground.” [1] The Jews within her borders shared her history since 1240 C.E. Their freedoms during this period, unequaled in other places of Western Europe, earned Poland the Biblical allusion of “New Canaan.” [2] In contrast, some scholars have described Poland’s Jewry in the interwar Republic as being “On the Edge Of Destruction.” [3] That Polish Jewry was in distress is attested by the urgent visit of Mr. Neville Laski, a member of the British Joint Foreign Committee closely associated with the American Jewish Committee (AJC) and the Joint Distribution Committee, in 1934. [4] His August visit fell between two historical events framing Polish Jewry’s status: seven months before, in January of that year, Poland and Germany signed a bilateral non-aggression declaration and in September Colonel Josef Beck, as Foreign Minister, announced in Geneva, his country’s unilateral abrogation of the Minorities Treaty in force since 1919. The scholars listed below have studied separately either the birth of Poland and the imposition of the Minorities Protection Treaty, the rapprochement between Poland and Germany, or the situation of the Jews in Poland. However, they have paid scant attention to the nexus between the rise of Hitler, the rapprochement between Poland and Germany, the demise of the Minorities Protection Treaty, and the consequent worsening situation of Polish Jewry. [5]

The Polish government reluctantly accepted the signing of the Minorities Protection Treaty concurrently with the Peace Treaty in Paris on May 28, 1919, complaining that it was an intrusion in its internal affairs and sovereignty. Colonel Beck’s unilateral abrogation sixteen years later was therefore a confirmation of this long held stance. While the Polish government could not reject the Minorities Protection Treaty in 1919, it chose to do so unilaterally in 1934 because of its new political circumstances. The Polish-German rapprochement of that year restored in Poland’s eyes its own standing as an independent political agent that could act without consultation with its staunchest ally, France. In addition, the Polish government felt that it could protect itself against the threat of German aggression on its own while at the same time project itself to be in the same league as other great powers such as Britain, Russia, or France. By abrogating the Treaty unilaterally the government sent a clear message that it was a master of its own house.

However, that house was not in complete order as there were intractable political and social problems. In addition, the Polish government's treatment of its varied minorities deteriorated. Exploring in detail these international events and tying them up to the internal political, social, and economic situation in Poland, makes the task of assessing Polish Jewry's situation easier. It was indubitably threatened by both the internal situation in Poland and international political shifts of power, but most certainly not "on the edge of destruction." It is important to study the interwar period without taking into account Jewish annihilation during the Second World War. To do so casts a shadow that obscures actual events the record and produces a partisan historiography. [6] It behooves all historians working in this sensitive period to heed Michael Ignatieff's advice: "in no field of history does one wish more fervently that historians could write blind into the future." [7]

The purpose of this study is to explore the Jewish situation in Poland during the years when the Minorities Protection Treaty was accepted. This will be done by framing in the context of both the domestic and international events affecting the country in the same period. Such a study will make it clear that the September 1934 abrogation of the Minority Treaty was intimately connected to Poland's new relationship with Germany. The Polish government could ignore the treaty's stipulations as it had done all along without the need to denounce it in the international arena. Hitler's contempt toward for the League of Nations bolstered by the rapprochement served as a model for Poland to follow suit. Finally, Mr. Laski's visit anchors the political maneuvering that led the Polish government to renounce the Minority Treaty. The latter had been imposed by the Allies at the prodding of British and American Jews as insurance for the Polish Jews to be treated fairly. Sixteen year later, Mr. Laski, as a member of the same group, albeit not an original contributor to the Treaty's stipulations, was now a witness to its demise.

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The year 1934 opened with a coup of Polish diplomacy. War minister Josef Pilsudski, Foreign minister Colonel Josef Beck, and the newly appointed Envoy to Germany, Josef Lipski, engineered a careful rapprochement with Poland's erstwhile foe. Soon after Hitler walked out of both the disarmament conference in Geneva and the League of Nations, Pilsudski, Lipski, and Beck, conferring in Warsaw, agreed it was worthwhile to approach the Chancellor. Pilsudski directed his Envoy to convey the following communiqué:

Reflecting upon the present situation, the Marshal [meaning Pilsudski] declares Poland's security to be based directly upon these two elements namely: upon direct relationship with other states (in this instance, on Polish - German relations), and upon the collaboration of states within

the frame of the League of Nations. The Marshal describes this second element as a sort of reinsurance, ensuing from the fact that the states, as members of the League of Nations, are bound by obligations under the pact of the League of Nations, especially in the case of conflict. Therefore, the last decision of the Reich's government, resulting in [its] withdrawal from the League of Nations, deprives Poland of this second element of security. [8]

The Berlin- Warsaw diplomatic exchanges, surprisingly smooth and swift, culminated with the signing of a bilateral non- aggression pact. During his audience with the Chancellor on November 15, 1933, Lipski transmitted Pilsudski's measured words to both Hitler and Baron Constantin von Neurath. Within two weeks, on November 27, 1933, he was handed a draft of their new commitments. Simultaneously, Germany's Envoy, Hans von Moltke, presented the identical text to Pilsudski in Warsaw. Meanwhile, Col. Beck appeased the French ambassador. [9] The non-aggression pact was signed on January 26, 1934. [10] The most important paragraphs state:

Both governments announce to reach direct understanding on questions of any mutual nature whatsoever concerning their mutual relations. Should any disputes arise out of these agreements [and] not be solved by direct negotiations, they will in each particular case, on the basis of mutual agreement, seek a solution by other peaceful means without prejudice to the possibility of applying if necessary, such modes of procedure as are provided for such cases by other agreements in force between them. In no circumstances, however, will they proceed to use force in order to settle such dispute." [11]

The present declaration is to remain in force until its denouncement by one of the Contacting Parties, but this may not be done prior to expiration of ten years. [12]

Poland and Germany's respective parliaments ratified this declaration soon thereafter, and their representatives were raised to the rank of ambassadors within a few months. [13] The western powers reacted in a stunned, subdued manner because the pact eased fears of renewed hostilities. Meanwhile, to cement the rapprochement, Hitler sent Josef Goebbels to Warsaw in June 1934. Ostensibly invited to speak at the Association of Intellectual Cooperation on "National Socialism as a factor of European Peace," he met afterwards with Beck and von Moltke in a non- official reception. [14]

In the interim, on June 7, 1934, a group of four Rabbis (Kanal, Perelman, Langleben, and Fajner) visited Cardinal Kakowski in Warsaw with a petition. They wanted him to use his moral authority to stop “youthful outbursts,” and protect unfortunate Jews from suffering more violence. Their petition is worth quoting in full:

Your Eminence!

In the name of the rabbinate of the Polish Republic we turn to you in the following powerful matter. In Germany in the land of the of the Teutonic knights, from time immemorial Poland’s enemy, a horde of barbarous pagans has recently come to power warring against all the laws of God, trampling upon all the important principles of the Christian faith, persecuting all adversaries with cruelty unknown in human history, especially to the descendants of the land of Israel. The whole civilized world, and the princes of the Catholic Church, has condemned the monstrous actions of the Nazis in Germany. Unfortunately in Poland the land with the greatest number of God – fearing Catholic Christians, a certain faction, especially youth, is troubling us. Shamefully, calling themselves Polish nationalists, they modeled themselves after the example of the pagan Nazis. They attack defenseless people walking on the streets of Poland’s cities because they look Jewish. Without pity they bully, beat and injure them. Sometimes these ruffians encounter resistance from their innocent victims and they react with even more fury bringing shame to Poland’s old reputation for tolerance and God. We are convinced, Cardinal, that no true Polish Catholic can be utterly corrupt, that these youth have been momentarily deluded by the slogans of foreign enemies. At an appeal by their senses and certainly cease the persecution of the Jewish people which defames Poland’s good name. In the name of the Rabbis and Jews of this illustrious Republic, we entreat you, Cardinal, to issue a pastoral appeal about this to all Poland Catholics. Then peace and order will reign again in the land beloved by us all. May grace flow upon it.

Amen. [15]

The Rabbis were referring to the violence generated by the students’ “Green League” formed in 1931. Their platform called for all those belonging to the League not to buy from Jews, not to patronize their businesses in any way, not in commerce and not in law, and certainly not as social peers. They also called for the government to reinforce the *numerus clausus* restricting the entry of Jews in the universities they attended. [16] In addition, they distributed antisemitic pamphlets, posters and cartoons and the

number of violent incidents increased during their school holidays. They attacked Jews in Warsaw, Vilna, and Lemberg (See map Appendix 1). The police dispersed them, but within a few days they attacked again. [17]

These anti-Jewish riots were outright imitations of Nazi violence. [18] They spread like wildfire to other universities and by 1934 they had become a threat to the Jewish community as a whole. Indeed, anti-Jewish violence inspired non-radicalized youth to join the Green League and harass shopkeepers everywhere. These attacks escalated to Jewish homes under the excuse that the Jews “affronted” a Christian procession in Warsaw. The intensification of violence was triggered by the Goebbels’ visit to Poland. [19] While Polish Jews have suffered similar pogroms prior to the re-establishment of interwar Poland, the ferocity of these attacks during a peaceful period was unprecedented. Undoubtedly, these youths were imitating their counterparts in Germany. Hence the Rabbis’ pressing appeal to stop the terror.

However, the Cardinal did nothing of that sort and his response to the Rabbis’ plea is an important indicator of the role religion played in the complex interaction between Jews and Poles in this period. Whereas the 1921 Constitution guaranteed equal rights to all religions, article 114 declared the Roman Catholic faith to be in “a chief position among the enfranchised religions of the state.” [20] Most significantly, Cardinal Kakowski was one of the signatories of the Concordat with the Holy See in 1925. [21] His close relationship with Pious XI was implicit in his response to the Rabbis: he regretted the violence but railed at the same time against Jewish newspapers “infecting public culture with atheism.” [22] That allusion -meant for Jews directly tied to Communism- tainted also anyone politically active left of center. [23] Undoubtedly, his denunciation was devoid of a racist tenor; nonetheless it depicted Jews as an inimical force to Christianity and by extension the Polish state. The Cardinal’s response implied that Jewish behavior provoked Polish youth to use Nazi methods. Yes, he ruefully added it was “regrettable,” but apparently eminently necessary.

The Rabbis’ appeal also offers clues to the Polish-Jewish relationship. Their plea was typical of Jewish petitions since medieval times. Prior to emancipation, Rabbis or wealthy individuals served as intermediaries requesting protection or the rescission of a law that affected all the community. Political enfranchisement made intercession, or *Shtadlanut*, obsolete. Elected Jewish representatives to the Parliament, or Sejm, could effectively argue that the recent violence was in complete violation of both the clauses of the Minorities Protection Treaty and Poland’s own 1921 Constitution.

Mr. Laski’s June 1934 visit was therefore geared to assess the impact of these violations. He arrived in Poland after visiting the Jews in Austria, and was received by a young man named Cang who served as his guide. This young Jewish-Polish

journalist wrote for the *Manchester Guardian*, the *Jewish Chronicle* and the *Central News*. He obviously spoke English and was well versed on the current events and situation. [24] After walking through the streets of Warsaw and speaking with diverse members of the Jewish community, Laski was granted an audience with Colonel Josef Beck.

Actually, Mr. Laski had two important conversations that August morning. While waiting to be received by Colonel Beck, he was able to strike up a conversation with Beck's principal secretary Mr. Gwiazdowski. The secretary, a converted Jew, suggested that the solution to the pressing Jewish situation was emigration. Mr. Laski challenged him to be practical: "Where was the land, the money, the technical means and the will of the Polish Jews to leave Poland?" Gwiazdowski's silence spoke volumes. Mr. Laski then berated him by adding that the Jews of Poland had citizenship rights. Moreover, they were under the protection of the Minorities Treaty and there was absolutely no point in arguing about the validity of the Treaty. Undoubtedly, the Polish state had to abide by it. Moreover, the Jews of Western Europe were ready to compel the Polish state to comply. Gwiazdowski retorted that there was less antisemitism in Poland than in Germany. Upset at Gwiazdowski's disingenuousness, Mr. Laski compelled him to answer: "Do two blacks make a white?" Does the fact that Germany is [blatantly] antisemitic justify a similar penchant [for it] in Poland?" However, Mr. Laski elicited neither an answer nor any emotions from the Secretary. He essentially continued taking notes about the conversation. [25] As a converted Jew, Gwiazdowski no longer retained a staunch commitment to his coreligionists or their fate.

Apparently Mr. Laski's interview with Colonel Beck had a more subdued and formal tone. Prince Lubormski, served as a translator. Lubormiski greeted Laski in a most pleasant manner, informing him of his acquaintance with his brother Harold. [26] At the very outset of the conversation, Mr. Laski was assured that the Jews of Poland were treated fairly and that concerns about antisemitism were exaggerated. To this "well worn cliché," related Mr. Laski, "I answered with another well worn cliché: that the proof of the pudding was in the eating." He then praised the Pilsudski's government as more benign, but argued that nothing practical was truly being done to ameliorate the Jewish situation. Indeed, Mr. Laski remarked, "nobody could visit the Warsaw's Jewish quarters and argue that the Jewish community was not in distress." [27] Interestingly, Mr. Laski did not say anything to Col. Beck about the Minorities Treaty.

Finally, Mr. Laski spent another hour that afternoon speaking with the acting Prime Minister, Mr. Zawadski. The conversation covered the same ground, but Laski felt that he had better rapport with Zawadski than with Col. Beck: "...whether it was pre-agreement of courtesy or not, at any rate, I found that we were moving very much

along the same line at the close of the interview.” [28] Quite possible this was so because they were both able to speak privately in French with no intermediary.

The most remarkable conversation was with the Minister of the Interior, Mr. Zydram-Koscalkowski. He acknowledged that the poverty in the Jewish quarter was striking, but appealed to Mr. Laski to consider, too, the undeniable fact that Poland’s poverty contributed to Jewish pauperization. As for antisemitism, he acknowledged its irrefutable incidence as: “common in Poland and probably ineradicable and most parties used it for election purposes.” [Indeed] “Any party that favored the Jews would find itself in a precarious position, and added “*un grand nombre de Juifs sont communiste, mais ce n’est pas la politique, cest la misere.*” Delighted to hear his own perceptions validated, Mr. Laski politely encouraged him to take the next step: “could this be said in a public platform?” Zydram Koscalkowski did not take the hint. Actually, he warned against such a move: “no one would have the courage to say so publicly, even though it was absolutely true.” In the final moments of this interview, they deliberated about possible solutions to the present Jewish quandary; depressingly none emerged: Zydram Koscalkowski averred that emigration was impossible and that Zionism was a palliative. [29] Mr. Laski offered some clues to this gentleman’s exquisite frankness: He was married to a Jewess and had been governor of a province for four years. During his regime, Jews and non- Jews lived side by side in harmony. [30]

Mr. Zydram- Koscalkowski’s remarks about the party system were accurate. The Parliament, or Sejm, despite its diverse parties was totally dominated by the Nationalist Party, or Endecja. Its heady patriotism, imbued with a strong Catholic ethos, encouraged ethnic uniformity, barely tolerating the participation of other political groups. [31] Its preference for the Hassidic Agudath Israel Party hinged on this group’s narrow claims: religious protection as granted by article 110 in Section V of the 1921 Polish Constitution. Other Jewish parties were snubbed because they aimed at a broader range of political co-determination based also on the Constitution:

Article 95:

The Republic of Poland guarantees on its territory, to all, without distinction of extraction, nationality, language, race, or religion, full protection of life, liberty, and property.

Article 107:

Citizens have the right of presenting individual or collective petitions to all state and self-government representative bodies and public authorities.

Article 110:

Polish citizens belonging to national, religious, or linguistic minorities have the same rights as other citizens of funding, supervision and administering at their own expense, charitable, religious and social institutions, schools and other educational institutions, and of using freely therein their language, and observing the rules of their religion. [32]

Importantly, as the Jewish leadership stressed, these articles were backed by the stipulations of the Minorities Protection Treaty of 1919. These articles were incorporated almost verbatim in the Constitution with stipulations insuring civil, political, and religious rights to all the minorities in reconstituted Poland. [33]

However, Jewish leaders did not speak with one voice. Jewish parties were splintered in a multiplicity of political currents and lines of conflict. There were four Zionist parties: Orthodox Zionists, or Mizrachi (Conservative agenda combined with Modern Zionism), General Zionists (Democratic-liberalism geared to the Middle class and neutral to the issue of religion), Labor Zionists (with a socialist agenda) and Revisionists (fiercely Zionists with a Palestinian emigration agenda). In contrast, the Bund party was anti-Zionist and anti-Communist, anchoring itself on national territorial claims and the right to use the Yiddish language. Finally, there was an insignificant group of mostly former assimilated Austrian-Jews who advocated Polonization. [34] Unable to jettison these parties' insistent claims, the Sejm retaliated instead by not allocating money for their school budgets and not offering their students free rides on the trams. [35] Needless to say, Agudath's students did not confront such petty slights.

In an attempt to counteract the constant snubs and distinctive harassment in the Sejm, the General Zionists led by Yitzhak Gruenbaum banded with other non-Jewish minorities (Germans and some Slavs) to form a Minorities Bloc in 1922, as a response to the government's re-arrangement of political districts favoring the Nationalist Party, or Endecja. [36] The animosity between the Minorities Bloc and the Nationalist Party peaked with the election of the first President of the Republic. The ballots awarded this post to Gabriel Narutowicz, a socialist, chosen as candidate by the Minorities Block as well as the Left and Center. Endecja acrimoniously decried this legal victory: "Look what the Jews are imposing on us." [37] The ensuing diatribe, published in several newspapers, cost the fifty-seven years old President his life. He was assassinated while talking to the British Ambassador during the opening of the Zacheta Art Gallery. While Eligiuz Niewamowski allegedly acted alone, there is no question that Endecja bears the brunt of the responsibility for fostering this rancorous climate. [38]

This enduring visceral hostility between Endecja and the Jews is most immediately linked to the tensions surrounding the Fourth Duma elections of 1912 when the Jews did not support the party's candidate, Mr. Kurazewski. In retaliation, Roman Dmowski, Endecja's founder, called for an economic boycott which was later incorporated as a party-platform in interwar Poland. In addition, Dmowski envisioned an ethnically homogeneous and intensely Catholic Poland. He therefore supported the signing of the Concordat with the Holy See. [39] The boycott was a tool to achieve his twofold aims: to rally most Poles behind Endecja, and to make Jews so uncomfortable they would "voluntarily" decide to emigrate from Poland. Dmowski's antisemitic rhetoric is evident in his 1916 speech:

Why is there such dislike for the Jews in Poland? The Jews are the salt of the earth. It is necessary to court them. I will not go into whether they are the salt of the earth or not. Salt is a good condiment and if added to soup in measured amounts it brings out taste. But if too much is poured nobody can finish the soup. [40]

Elite books and popular newsletters carried Dmowski's message across the land. Arthur Gruszecki's novel *Prezbudzenie* (1916) picked up the theme by accusing Jews of lacking patriotism by wanting to dominate the land at the expense of Poles and Polishness. [41] Similarly, the newsletter *Gazetta Polska* carried as its masthead the rhyming logo "*Swoj do Swego po Swoje*" encouraging Poles to patronize only "their own." [42]

This "cold pogrom" channeled as an economic strangulation, albeit ambivalently applied, impoverished the most vulnerable members of the Jewish community, but drove away very few Jews. Many saw no reason to leave since they were citizens of Poland. Furthermore, they and their ancestors had shown loyalty by fighting alongside Polish forces in their attempts at liberation. But even those who heard the expulsion clarion there was no place to go. Most governments around the world closed their frontiers to new emigration throughout the interwar period. [43]

Mr. Laski's visit confirmed both the abject poverty of the majority in the Jewish community and the wishes to emigrate. His wandering around Warsaw's Jewish district permitted him to observe the wretchedness of its inhabitants: "Nothing that I have seen or heard [before] in any degree can picture what I saw with my own eyes." He interviewed, for example, a man about forty years old who eked a living as a sign-painter. He lived and worked out of one room shared with his wife and four children. His total earnings were 30 zlotys which only covered the rent. Mr. Laski observed a child sleeping on the doorstep because there was no room for him to sleep inside. Most of the district's homes were in disrepair and the hygienic conditions appalling. Finally, disheveled children wandered everywhere in these tenements. [44]

In desperation, many Jews asked Mr. Laski for certificates of emigration to Palestine. One young man thought that he would be permitted to emigrate from Poland if he had a wife. Could Mr. Laski provide him one? [45] He could not promise anything of that sort because the British restricted emigration to Palestine following a dispute between Arabs and Jews about access to the Western Wall in 1931. [46] Furthermore, the majority of Polish Jews barely eked out a living from their labors and few could afford travel expenses. In 1934, only 19,026 Polish- Jews managed to leave the country. [47]

The poverty of most Polish Jews stemmed from their concentration in the less modern sectors of the economy, but there was also an important middle class contingent ignored in Mr. Laski's report. According to the 1931 census there were about 3,113,933 million Jews, or 9.8% percent of the total population of Poland. [48] By 1934 it had grown to approximately 3,200,000. [49] The upper strata, mostly urban, were involved in commerce, trade and insurance. Jews also formed a large part of the intelligentsia: forty to fifty percent were lawyers and forty percent were doctors. They were also involved in the cultural life of both the Jewish and the Polish community. While there were a handful of industrialists, most Jews fell into the category of master craftsmen with small shops employing a few people, or self employed as petty traders: tailoring, leatherwork, book -binders, and bakers. [50] These craftsmen lived dispersed in small villages, or *shtetls*. Finally, in an unusual move, a handful of Galician Jews used their newly won legal right to buy land in these villages becoming landowners and peasants. [51] (See map Appendix 2).

According to Mr. Laski, bureaucratic discrimination exacerbated the pauperization of the Jews in the *shtetls*. Dealing with these corrupt officials was like running an obstacle course. A clear example was the discrimination against the approximately 30,000 Jewish bakers. Compelled by the government to modernize their machinery, many lost their businesses through their inability to obtain the necessary loans. In one case, a lucky baker obtained both a loan and a letter because he had been a baker in the army. A new impediment was soon invented however: he was told his bakery would have to function near a body of water. That meant a considerable physical dislocation and further expenses. Needless to say this baker joined the ranks of the impoverished. Laski recorded a similar harassment deriving from the payment of taxes. While the law permitted flexibility and discretion for those lagging behind, local officials resorted to bribery and extortion with impunity. Finally, while the government encouraged the formation of trade guilds, local guilds barred Jews from joining them. [52]

Another factor implicated in this impoverishment was the Jews' adherence to the strictures of Orthodox life. Mr. Laski's visit to schools and Yeshivot (religious academies) confirmed this fact: committed to just study Torah and Talmud, they could

not supplement their income except as teachers or rabbis. The facilities and living arrangements in these institutions were coarse and primitive. Many of these students slept on the floors of the schools. Mr. Laski justly perceived this lifestyle as injurious, but his own ambivalence is apparent. On one hand, he enjoyed his visit with these young men, and judged them to be “remarkably intelligent,” but on the other, he also depicted them as “odd” and their occupation as a “blind alley.” [53]

Undoubtedly, Jewish impoverishment was part and parcel of Poland’s own economic situation. Since its independence, the government had a difficult time establishing one currency system and stabilizing it. In addition, Poland’s population growth during this period was one of the highest in Europe. However, this instability was intimately tied to political atomization and its ensuing corruption. [54] As of 1925, of 92 registered political parties, thirty-two gained representation in the Sejm. Political stability, a leading indicator of an orderly society, appeared to be unattainable. In the first seven years the government formed 14 different cabinets. These parties’ representatives were educated prior to the reconstitution of Poland. As members of the either Russian, Polish and Austrian Parliaments their *modus operandi* had been always reactive to their governments oppressive policies. While this policy was appropriate then, it was obsolete as members of their own government. They spent more time bickering with one another than attending to the affairs of state. Their animosity and mindset were still entrenched in fighting pre-independence struggles with each other. [55] It was in this milieu that Jewish parties tried to enforce their minority rights to no avail.

The Sejm’s ineffectiveness led to Josef Pilsudski’s re-emergence and the subsequent coup of 1926. [56] He justified his new involvement in politics under the apt name of “*sanajca*” (literally meaning purification.) [57] The majority of Jews preferred a Pilsudski-dominated government because, unlike *Endecja*, it did not promote overt antisemitism. Indeed, their situation improved under the cabinet of Pilsudski’s appointee Kazimierz Bartel. He had a friendlier attitude toward all minorities. [58] During his government, steps were taken to revive Jewish trade, prohibit university quotas at the universities, and rescind the still extant Russian anti- Jewish laws. However, the cold pogrom was not dismantled. [59] Unfortunately, two factor undermined these positive developments. First, the Sejm, still dominated by *Endecja*, remained recalcitrant and made a mockery of purification. For example, encouraged by the new benign climate, the minorities published a newspaper called *Nation* in 1927. Within a few days Yitzhak Gruenbaum was mysteriously beaten in front of his house in Warsaw, and the German editor, a teacher by the name of Augusta Utta, was soon transferred to a forsaken province. [60] Secondly, the stock market crash of 1929, and the consequent world wide Depression, expunged the rest of the Bartelian promises.

Mr. Laski was able to talk with one of the members of the Sejm: Mr. Wislicki. He was an extremely prosperous merchant not touched by the Depression. He reiterated the distressed economic condition of the Jewish population. Apparently Mr. Laski associated the problem of discrimination with the subject of the Minorities Protection Treaty. Mr. Wislicki sidestepped the issue by remarking emphatically, “the Treaty would soon be liquidated by the Polish government, Poland would not be deterred from denouncing the Minorities Treaty merely because of her minorities [living] outside, or because of the Treaty of Versailles.” [61]

Mr. Wislicki’s casual forewarning of such an important political shift to a mere member of a NGO is at first surprising. Yet, prince Lubormiski’s allusion to Laski’s brother Harold offers an interesting clue. Since both Neville and Harold Laski worked in the highest echelons of government as barristers, this delicate message was meant to reach not only Mr. Laski’s Jewish audience, but also the British government itself. Quite possibly, it was a deft attempt to blunt its response to Poland’s challenge at Geneva.

As Mr. Wislicki predicted, Poland stunned the world again: Colonel Beck, on September, 13, 1934, announced his country’s stance on the Minorities Protection Treaty with a succinctly short statement:

My government is compelled to refuse as of today all cooperation in the matter of supervision of the application by Poland of the system of minorities protection, pending the implementation of a uniform system for protection of minorities. [62]

The key words in this defiant statement are “pending the implementation of a uniform system.” In other words, unless all countries across the world embraced similar Minorities Protection Treaties, Poland would no longer obey its statutes. The lack of universality touched the issue of fairness already debated by the Allies in 1919. However, weary about their own colonial concerns, the seemingly lucid argument failed to persuade the Allies. This crucial understanding of particularity versus universality haunted the authors of the Minorities Protection Treaty. Finally, as a way out of their quandary, they conjured a compromise: old states had a legacy of stability, but new states lacked it. Therefore, only “new” states would be required to incorporate a Minorities Protection Treaty. [63]

Poland protested this new interpretation. Indeed, interim Polish President Ignazy Paderewski had pleaded not to make them sign such a document since it infringed upon his country’s sovereignty. He also stalled on the eve of signing the Peace accords, to no avail. The French Premier, Clemenceau, tersely warned Paderewski of the dire consequences of procrastinating: the Allies won the war and it was up to them

to define the conditions of the Polish miracle. [64] Roman Dmowski, keenly aware of the inexorable quid pro quo, had advised Paderewski to sign first and worry later about the implications of compliance to the Minorities Treaty. [65] Furthermore, despite ratification, the Polish government had not published the text of this treaty in its official Gazzete until December 6, 1920. [66] This passive-aggressive behavior was a clear indication not only of hurt pride, but also of the government's unwillingness to meet its terms in the future.

In addition, the 1919 activism of Jewish groups formulating and lobbying for the enforcement of a Minority Protections Treaty affronted Polish sensibilities. [67] Although American and British Jews had no direct access to the Peace conference, except through President Wilson and his counsel, Col. House, they had introduced their own minorities-protection document. They took into account the following factors: extreme nationalism, antisemitism, the ongoing boycott, and the past history of Polish pogroms that were recurring. [68]

These new pogroms began because the Allies had not define Poland's borders with Russia. A Polish-Russian war, lasting until 1921, defined the new frontiers. The Polish Army, dressed proudly in blue uniforms, also dubbed "Hallerczy Boys" because of the name of its captain, fought valiantly and enlarged Polish territory. Josef Haller, an Austrian by birth and trained in France, had been allowed to form there the Polish army in exile and transfer it to Poland. However, Haller had also augmented his troops along the way with badly trained volunteers. Either by design or accident of war, the "Hallerczy Boys" had killed Jews not involved in the direct hostilities during these maneuvers; their neutrality was to no avail as many were accused of having sided with either the Russian or the Ukrainians. [69]

In the midst of the hostilities it was difficult to fathom how many Jews had been killed, but these cold-blooded murders were in the pattern of old pogroms and dubbed as such. The total tally of Jews killed was disputed by the parties involved in conformity with their own aim: Pilsudski minimized the incidents and the number of Jews killed, but a journalist by the name of Israel Cohen confirmed the events and characterized them as a pogrom. [70] The Allies, bent in preserving Poland's rebirth as a "cordon sanitaire" against Bolshevik ideology and Russian old-age imperialism, also toned down the nature of these incidents. [71] Pressed by American Jews to send a fact-finding commission, President Wilson assigned Henry Morgenthau to the task. [72] His return report had been tone down for the press. At any rate, Jewish organizations then used these recent pogroms as evidence that the Poles needed to be restrained. (See map Appendix 3). Actually, some individual Jews had even argued that Poland did not deserve its independence. This acrimonious debate over the extent of the pogroms and Jewish involvement in the Minorities Treaty continues to strain Polish-Jewish relationship up to this day. [73]

Nonetheless, these incidents had convinced the Allies of a categorical need for protection of minorities in all successor-states. [74] The League of Nations would assume responsibility for reinforcing the treaties. However, a remarkable hurdle needed to be surmounted: this proviso was decided before the League of Nations became a reality! It was not even clear if the members of the League's Council would accept to oversee such a minefield of future disputes. Indeed, Lord Balfour had predicted the obstacle to such an endeavor. [75] A softening criterion to make the task more palatable was agreed upon: any minority, which required the League of Nations' attention, would only address the League under the doctrine of "clean hands." In other words, this group could solve practical issues to enhance its socio/political welfare, but could not have an irredentist ulterior agenda. [76] However, it was also noted that resisting assimilation should not be construed as irredentist. [77] This fear of potential political conflagrations had watered down the sanctions of the League of Nations against wayward states. Furthermore, the Council's purposeful destruction of its own papers and records make it difficult to evaluate their performance adequately. [78]

The Minorities Protection Treaty and the League of Nations, despite the above iniquities, were both bold and courageous new designs in international law. Yet, many in-built setbacks had undermined their effectiveness. Chief among them was the United States' withdrawal from its initial commitment to help form a new order in Europe. The Senate's vote had not ratified either the Treaty or the United States' entrance into the League of Nations, robbing the latter of a chance to grow roots as a truly international system. [79] Championing at first Poland's rebirth, the United States had unceremoniously abandoned it and permitted it to become again, in Norman Davies's apt phrase, "God's Playground."

One example of this iniquity will suffice: the Germans' case in Polish Upper Silesia. Its German residents became, overnight and against their will, a minority. While many moved to Germany immediately, the German government had entreated many others to stay. The German government had argued that there was no point in uprooting themselves from their homes and the environment they knew so well. However, the hidden agenda is more convincing: they should stay there in the hope that one-day this land would return to its "rightful owners." Moreover, once Germany entered the League of Nations in 1926, it used this minority issue to browbeat Poland with a myriad of complaints. While many grievances- such as language and educational issues- were indeed accurate, others were intended to keep the issue of Germany's minorities alive. In this manner, Gustaf Stresemann became their advocate at the expense of Polish dignity. [80] On the other hand, even with this constant harassment, Poland learned too well to wait out these complaints until they lost their relevancy. Furthermore, Poland imputed any and all grievances to acts of disloyalty. [81]

Polish-Jews, acutely aware of the disloyalty card, understood that winning a case against the government in the League's Council was often a Pyrrhic victory with consequent reprisals back home. [82] Even if they won, the Polish government always found new legal maneuvers at the federal and local level to camouflage or nullify their non-compliance with the Minorities Protect Treaty. For example, the licenses of many thousands of shoemakers and tailors were taken away from them in 1927, due to a new prerequisite requiring a test on Polish history, geography and language. [83]

The situation of the German minority also deteriorated as a result of the Polish-German non-aggression pact in 1934. While Hitler allowed, the Stresemann's monetary compensation, albeit in a more reduce level, he was not their guardian anymore. Unrestrained, the Polish government also harassed them with impunity. [84] Indeed, the League of Nations did not receive any complaints from the German government and the grievance Council ceased its activities after 1934. [85] This paralysis perfectly captures the ineffectiveness of the whole system.

Meanwhile, Russia's imminent integration into the League of Nations system, also in 1934, raised Poland's fears that its small but sizable Russian minority, quiescent up to now, would soon acquire a champion. The Polish government envisioned the German humiliation nightmare repeating itself again: indeed, some historians argue that Russian admission to the League was the main trigger for Poland's unilateral abrogation of the Minorities Protection Treaty. [86]

However, Soviet Russia's entry into the League of Nations was clearly not the primary instigating factor in the abrogation. It is a well-known fact that Stresemann's unrelenting defense of the German minority forced Beck's predecessor, Foreign Minister A. Zaleski, to resign from his post in 1932. [87] It seems reasonable to assert that under those circumstances Poland would have more important reasons to withdraw. Instead, it endured the indignities and even acquiesced to solve some of its own blatant transgressions as a result of the League's arbitration. Therefore, a more plausible explanation for the unilateral abrogation is Poland's new relationship with Germany: emboldened by Hitler's own withdrawal from the League, Poland dared to defy it too. It purportedly proclaimed to regain its absolute sovereignty while shielding itself of further public indignities at the international level.

Nonetheless, Poland was vaguely aware that this new international position, albeit temporarily tenable, was extremely uncertain in the long run. Pilsudski's relief after the signing of the non- aggression pact purportedly "buying" ten years security confirms this assertion. Interestingly, Pilsudski also assumed an independent relationship with Russia. He sent Colonel Beck to Russia with reassurances that Poland intended to respect their 1932 bilateral agreements despite its new pact with

Germany. Colonel Beck successfully managed to extend the Russian pact for other ten years. [88]

Both Pilsudski and Colonel Beck were extremely proud of their brinkmanship. Without the help of France they had single-handedly wrestled their country from the starker political designs of both Germany and Soviet Russia. They hoped that the pacts they signed with each of these countries would prove to be a true *détente*. They were pleased to think that as of 1934 Poland was in charge of its own destiny. Barring omniscience, there was no way to detect later tectonic political shocks. Similarly, the Jewish minority, despite Poland's insidious political antisemitism, could not predict the future implications of this double-tracked international venture. Under the best of circumstances their situation would not deteriorate further, and at worst, they might suffer other pogroms; but they would nonetheless survive them.

Meanwhile, in a volatile era of competing nationalisms, Polish-Jewish discourse on self-determination remained embroiled in the antithetical quarrels about its criteria and significance. On one hand, it is important to remember that the Polish people once they were independent in 1919 resented any new interference with the way they wanted to handle their political and domestic affairs. Understandably, they looked forward to reconstitute themselves as a Catholic Polish country and the presence of Jews and other minorities appeared to be an insurmountable hindrance. At this moment in time, they had not taken into consideration that Jews dwelled with them for five centuries. On the other hand, the latter also considered Poland their own country and had no irredentist agenda. They hoped to be granted the same respect and self-determination the Poles wanted for themselves. They wanted the civic rights that the 1921 Constitution assured them they will have, but also respect and dignity as a diverse minority. This is what they understood by self-determination. Had the Jews felt there was no hope of improvement, they would not have had participated in neither the government's elections nor the Parliament.

However, the Poles did not care for the Jews' presence or their religion, and their rapprochement with the Holy See complicated the political tensions. Poles understood self-determination as uniformity: one ethnicity, one religion, and one political outlook. They were not alone; Hitler was advocating similar nationalistic notions. Granted, Poland's antisemitism was not the same level as Hitler's maniacal obsession. Yet, the Polish government allowed itself to be seduced by the use of similar violent tactics- in addition to an economic strangulation- fervently hoping Jews would emigrate. It is at this junction that both political antisemitism and racial antisemitism entwined. Witness, the word "pollution" in the Cardinal's speech: it was meant as an obvious attack against Jews' sympathies for Communism or Socialism, but it was also a borrowed term from racial notions. Furthermore, Jews, as victims of either cold or hot pogroms, did not stop to make this fine distinction between the two; although, of

course there are important differences between the two. Historians that read the tragic story of interwar Poland as linked with the Holocaust are conflating both antisemitic discourses and drawing what appear to be logical conclusions. Yet, it is prudent, as disciplined historians, to keep these two periods separate and not read the events backward: coercive emigration measures no matter how violent are not a "Final Solution," despite the intense hatred against Jews and Judaism that inspired them.

Mr. Laski's report highlighted these complex issues and put into perspective the mistreatment of the Jews and the reasons for it. Undeniably, Polish Catholic antisemitism and Nationalism - as expressed by the Endejca Party- were part of this explosive mixture. If in addition, the government permitted the racial discourse in Germany to filter in by allowing its youth to act like Nazi thugs, any hope of a Polish Jewish dialogue was lost. Mr. Laski's arrival coincided with these events, as the last shreds of compromise between Poles and Jews began to unravel. The abrogation of the Minority Protection Treaty proved to be a watershed.

* * *

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[1] Norman Davies, *God's Playground* Vol. 2. New York: Columbia University Press, 1992.

[2] Iwo Cyprian Pogonowski, *Jews In Poland: A documentary History* (New York: Hippocrene Books, 1993), p. 14. Poland was the only land to accept massive influx of Jews escaping from the Christian Crusades. In that period of peace and freedom they grew and cultivated a unique culture in a rare co-existence not evinced anywhere in Europe at that time. This religious toleration made Poland attractive to Jews for more than 500 years.

[3] Celia Heller, *On the Edge of Destruction* New York: Columbia University Press, 1977.

[4] *Encyclopedia Judaica*, "AJC." The American Jewish Committee is the oldest Jewish defense organization in the United States. It was established in 1906 to prevent the infringement of the civil and religious rights of Jews in any part of the world- including the United States. The men who worked on behalf of their co-religionists were prominent American- Jews of German extraction who formed this organization in the wake of the Russian pogroms of 1904. By 1931 the AJC counted 350 such volunteers under a small executive in New York. The Joint Distribution Committee was founded in 1914. As its name indicates it united several Jewish relief organizations belonging to the spectrum of religious denominations and labor. The main aim of the JDC was to help Jews in the country they inhabited: "The Jew Must be helped where he is." See, JDC Archive Bernhard statement of November 11, 1931. See also, H.H. Fisher, *America and the New Poland* (New York: Macmillan, 1928), p. 189. The JDC also helped non- Jews in 42 countries including interwar Poland.

[5] See, Antony Alcock, *A History of the Protection of Regional- Cultural Minorities in Europe* (New York: St. Martin Press, 2000), p.83. Richard Blanke, *Orphans of Versailles* (Lexington: Kentucky University Press, 1993), p. 195. Gordon Craig, *Germany: 1866- 1945* (Oxford: Oxford University Press, 1978), pp.680-682. Klaus Fischer, *Nazi Germany*(New York: Continuum, 1995), p. 405. Carole Fink, "Defender of Minorities: Germany and the League of Nations 1926-1933," in *Central European History* 5(4) 1972, p 357. Roman Debicki, *Foreign Policy of Poland* (New York: Praeger Publishers, 1962), pp. 77, 80,89. Oskar Halecki, *A History of Poland* p. 304R. F Leslie, Antony Polonski and Z. A. Pelcyski, *The History of Poland Since 1863* (Cambridge Cambridge University Press) p. 183. Peter Pulzer, *Germany- 1870- 1945* (Oxford: Oxford University Press,) p.141. Mark Mazover, *Dark Continent* (New York: Knopf, 1999), pp. 61-67. Dietrich Orlow, *A History of Modern Germany* (New Jersey: Prentice Hall, 1995), pp. 195-196. Antony Polonski, *Politics in Independent Poland* (Oxford: Clarendon Press, 1972), pp.384-385. Henry Roberts, "The Diplomacy of General Beck" in *The Diplomats: 1919-1939* Gordon Craig and Felix Gilbert ed. (New Jersey: Princeton University Press, 1953), pp. 579-614. Christian Raitz- von Frantz, *A Lesson Forgotten: Minorities' Problems and the League of Nations* (New York; St. Martin's Press, 1999) p.246. Jacob Robinson, Oscar Karbach, Nehemia Robinson, Marc Vichniak, *Were the Minorities treaties a Failure?* (New York: Antin Press, 1943), pp. 178, 179, 264. Richard Watt, *Bitter Glory* (New York: Hippocrene Books, 1982), pp. 323-327. Janus Zanowski, "La Systeme de Protection de minorities et la Pologne" in *Les Consequences Des Traités de Paix de 1919-1920 En Europe Centrale et Sud- Orientale* (Strasbourg, Association des Publications pres la

Universites de Strasbourg, 1987), p.200. Piotr Wandycz, *Polish Diplomacy* (London: Orbis Books, 1988), pp.23-24.

[6] On the Jewish camp: see Celia Heller, "On the Edge." See also, Isaiah Trunk," Der Economischer Antisemitismus in Poiln" in *Studies on Polish Jewry* Joshua Fishman ed. (New York: Yivo Institute for Jewish Research, 1974), pp. 1-98. (Yiddish). See also, David Cymet "Polish State Antisemitism as a major factor leading to the Holocaust" in *Journal of Genocide Research*, 1999 1(20), pp. 169-212. Finally see, Pawel Korzec, "Antisemitism in Poland as an Intellectual Social and Political Movement," in *Studies on Polish Jewry* Joshua Fishman ed. (New York: Yivo Institute for Social Research, 1974), pp.12-104. On the Polish camp: see, Norman Davies, op. cit., Andrezej Korbonski "Poland Between the Wars" in *The Columbia History of Eastern Europe in the Twentieth Century* (New York: Columbia University Press), p.234. In addition, it is important to contrast these two authors: Ezra Mendelsohn's fairer appraisal against Peter Stachura's ad-hominem attacks: Ezra Mendelsohn's "Interwar Poland: Good for the Jews-Bad for the Jews," in Chimen Abramsky, Maciej Jachimzyk and Antony Polonski ed. New York; Basil Blackwell, 1986), pp. 136-139. Peter Stachura's *Poland Between the Wars* New York: St Martin Press, 1988, and *Poland in the Twentieth Century* New York: St. Martin's Press, 1999. As a closure see, Pogonowski's op. cit. straightforward historical account. His work is a provocative bridge between all the above- mentioned authors. His exhaustive documentation supports some of the above authors' assertions while exposing others as extremely partisan.

[7] Quoted in Michael Bernstein, *Foregone Conclusion: Apocalyptic History* (Berkley: University of California Press, 1996), p. 16.

[8] *Josef Lipski: Diplomat in Berlin* Waclaw Jedrezewicz ed. (New York; Columbia University Press, 1968), pp. 95-96.

[9] Debicki, "Foreign Policy," p. 74. The Foreign Office at the Quai d'Orsay criticized Poland for not advising them about these diplomatic negotiations before they happened. However, the French, having just changed their own cabinet, had their own political internal problems. They were not in a strong position to argue or restrain the Poles in this issue.

[10] Lipski, "Diplomat," p. 100.

[11] *Documents on German Foreign Policy 1918-1945* (Washington: United States Government Printing Office, 1959), Section III, Vol. 2, p. 395.

[12] German Documents, p. 313.

[13] Debicki, "Foreign Policy," p. 77. The elevation to embassy level was on October 1934.

[14] Debicki, "Foreign Policy," p. 90.

[15] Ronald Modras, *The Catholic Church and Antisemitism in Poland, 1933-1939* (Chur, Switzerland: Harwood Academic Press, 1994), p. 348.

[16] Segal, "New Poland," p. 197-198. "Numerous clausus" refers to the regulation to accept student at the university only in the proportions of people living in the country. Yet, these radicals would have been more content by achieving a numerous nullus so that no Jews should take any class seats at all. The Polish government argued that the universities were autonomous bodies and that it could do nothing to prevent this type of policy. Yet, the government exercised a similar pressure against Jewish students independently of the universities. For example, twenty nine percent of Jewish students forced to study abroad in 1927 the government did not recognize their diploma once they returned and had to wait five years to take their examinations. In the interim they had no choice but to be idle or return abroad. See also, Heller, "On the Edge," p. 104. It was important to have this license because without it, there was no chance to employ apprentices, or helpers. Finally see, Watt, "Bitter Glory," p. 360. The exams were given only in Polish thereby excluding Yiddish speaking students who wanted to train in artisan schools.

[17] Isaiah Trunk, "Economische," p. 49.

[18] Modras, "Catholic Church," p. 33.

[19] Segal, "New Poland," p. 79.

[20] Modras, "Catholic Church," p. 27. See also 1921 Constitution of Poland Section V article 114.

<http://www.personal.engin.umich.edu/~zbiegnew//Constitutions/k1921.E.htm> (Dec. 2000)

[21] Modras, "Catholic Church," p. 37. Pope Pious XI signed the Concordat. As Archbishop Achilles Ratti he arrived in Poland in 1918 at the behest of Pope Benedict XV. At a later date Archbishop Kakowski elevated him to Nuncio, and Kakowski became a Cardinal. Ratti returned to Milan and was then elected Pope. He never lost interest Polish affairs and worked closely with the Church of Poland to preserve Polish Catholicism.

[22] Modras, "Catholic Church," p. 350.

[23] Modras, "Catholic Church," p. 352.

[24] Laski's file number 788, Poland. Center for Jewish History, New York City, New York. (hereafter referred to as AJDC Laski), p. 6

[25] AJDC Laski, p. 11.

[26] *Encyclopedia Judaica*, "Harold Laski." Mr. H. Laski, a Fabian socialist, was well placed in British politics. He later became the leader of the Labour Party.

[27] AJDC Laski, p. 12.

[28] AJDC Laski, p. 12.

[29] AJDC Laski, pp.12-13.

[30] AJDC Laski, p. 13. Mr. Laski does not mention the name of the mayor's town.

[31] Stachura, "National Identity," p. 66.

[32] *Ibid.*, Constitution (1921)

[33] Oskar Wagner, "Der Minderhetenschutzvertrag von 28, Juni 1919, und seine Bedeutung fur die Evangelische Kirche in Polen," in *Jarbucher fur Geschichte Ostoeuropas*, V.5 (1-2), 1957, pp.206-220.

[34] Segal, "New Poland," p. 182. See also, Heller, "On the Edge," pp.262-266.

[35] AJDC Laski, p. 9.

[36] Polonski, "Politics," p. 44. The Jews, a 9.8% of the total population, lived throughout the land. In contrast, the Germans (2.3%) lived in concentrated areas such as Upper Silesia and were skilled industrial workers. The Ukrainians (4%), mostly peasants, lived in concentrated areas such as Lwow, Tarnopol, and Lublin. While the Germans and Jews decided to cooperate with the government, the Ukrainians declined because they wanted independence and wanted to avoid a message of accommodation. There were other minorities such as Lithuanians (0.3%), Russians (0.2%), and Czechs (0.1%). There were even Polish speaking Moslems descendants of Tatar and Turkish prisoners of war, and Karaites, a schismatic group once part of Judaism.

[36] Paul Mendes-Flohr and Jehuda Reinharz, *The Jew In The Modern World* (Oxford: Oxford University Press, 1995) pp.444 -445. See also Bela Vago "The attitude toward the Jews as a criterion of the Left- Right Concept" in *Jews and Non- Jews in Eastern Europe* (New Brunswick: Transaction Books), p. 48 n.50.

[37] Watt, "Bitter Glory," p. 191. See also, Modras, "Catholic," p.28. Finally see, Polonski, "Politics," p 110. Father Kazimierz Lutlowski wrote those words in an article for *Gazetta Poranna*, on December, 1922.

[38] Stachura, "National identity," pp. 75-76. This author perceives the actions of the Minorities Block as "calculated antagonism to ethnic harmony." Is this not part of the give and take of a democratic system? Also, depicting Gruenbaum in unsympathetic terms and accusing him of kowtowing to the German leader Erwin Hasbach who later became a Nazi is unfair. How could Gruenbaum divine future allegiances? Stachura is bent in protecting Polish honor and therefore misses the opportunity to examine these complex issues in a balanced manner.

[39] Modras, "Catholic," p. 30.

[40] Alvin Marcus Fontaine, *Roman Dmowski: Party, Tactics and Ideology* (New York: Columbia University Press, 1980), p. 110.

[41] Magdalena Opalski and Israel Bartal, *Poles and Jews: a failed brotherhood*. (Hanover: Brandeis Press, 1992), pp. 141-142.

[42] Heller, "On the Edge," p. 44. See also, Modras, "Catholic," pp.22-24. The direct quote "father of Polish nationalist antisemitism" is according to Modras in Pawel Korzec Juifs en Pologne: La question Juive pendant L'entre-deux-guerres (Paris Fondation Nationale des Sciences Politiques, 1980), p. 33.

[43] Father Edward Flannery, *The Anguish of the Jews* (New York: Paulist Press, 1985), p. 200. See emigration issues in R.F. Leslie, Antony Polonski and Z. A. Pelicyski, *History- Poland*, p. 146.

[44] AJDC Laski, p. 6.

[45] AJDC Laski, p. 9.

[46] Robert Seltzer, *Jewish People-Jewish Thought* (New York: Macmillan, 1980), p. 658, and p.650. The underlying fear of many countries closing their frontiers was the importation of Bolshevism. Many prominent Jews were involved in the movement: Trotsky, Kamenev, Zinoviev. See also, William Rubinstein, *The Myths of*

Rescue (London: Routledge, 1997), p. 26. During and after the First World War, Britain enacted the Aliens Restriction Act which in effect abolished the notion of a refugee altogether. See also, p. 33. As in Britain, the USA's immigration legislation of 1924 ended America as an automatic place of refuge for any would be immigrant, not only Jewish ones. Finally see, p. 40. Rubinstein argues that these measures were not only as a protection for the countries that closed their frontiers, but also for those oppressed populations in successor states. Had there been a open door policy it would have encouraged those government to be more brutal to achieve that coveted goal of expulsing "undesirables."

[47] Heller, "On the Edge," p. 285. It is not clear in which countries did these Jews found a haven.

[48] Heller, "On the Edge," p. 71.

[49] AJDC Laski, p. 7.

[50] Leslie, "History-Poland," p. 144.

[51] Leslie, "History-Poland," p. 145.

[52] AJDC Laski,, p. 7.

[53] AJDC Laski, p. 9. See also p. 10. Indeed, on his interview with Mr. Mazur, head of the Warsaw community and a member of Agudath Israel, Mr Laski tried to convince him of the positive economic prospects if these yeshiva students trained as artisans. Mr. Mazur was not enthused. Laski, as an assimilated Jew, could not grasp the religious devotion of these Hasidim. No secular pursuit could take its place or interfere with Jewish learning. Frustrated, Laski's described Mr. Mazur's lack of enthusiasm for his scheme: "I felt as if I was talking to a stone." While Mr. Laski's advice seemed logical, Mr. Mazur's response was so steeled because he perceived this intervention as disrespectful.

[54] Leslie, "History-Poland," pp. 139-143. See also, Polonski, "Politics" p. 12. The immigration outlet was also closed for this surplus of unemployed non-Jewish Poles.

[55] Segal, "New Poland," pp. 20-24. See also, Leslie, pp. 147- 148.

[56] Leslie, "History-Poland," p. 158. The coup was accomplished in three days of fighting. About 500 people were killed and a 1,000 were wounded. See also Marian Mushkat, *Philosemitic and Aisemitic attitudes in Post Holocaust Poland* (Levinston:

Edwin Mellen Press, 1992), P. 15. All national minorities supported the coup, as did the socialists, the liberals, and the democrats.

[57] Leslie, "History-Poland," p. 160. See also, Watt, "Bitter Glory," pp. 207-209. A month prior to Pilsudski's coup there were food riots in Warsaw. Watt intimates that Pilsudski's semi-retirement was a result of Narutowicz's assassination. He is alleged to have said: "Serving under these people (meaning the nationalists) never!" Quite possible he was afraid of being assassinated too.

[58] Korzec, "Antisemitism," p. 65. n. 66. Bartel was associated with *Klub Pracy*. The latter adopted the following slogan as its banner: "Truly free is only he who is able to respect the freedom of others." See also, Modras, "Catholic Church," p. 58. Bartel was a Freemason.

[59] Leslie, History Poland," p. 162. See also, Watt, "Bitter Glory," p. 360. Finally see, Korzec, "Antisemitism," p. 63. In 1925 there had been a similar attempt under the Wladislaw Grabski cabinet in 1925-26. He agreed to help the Jews to bolster the precariousness of his cabinet. This agreement was called *Ugoda*. Grabski even acceded to let the Jews work on Sundays. However, nothing came out of these meetings because the agreement made with the Jews was not published in its totality in the official Gazette. Indeed, his cabinet fell the following year and Pilsudski took over. The latter never accepted the presidency, but retained the Army and War portfolio. The *Ugoda* was another example of *shtadlanut* - similar to the one attempted by the rabbis with Cardinal Kakowski in 1934. See also, Korzec, "Antisemitism," p. 63. Yitzhak Gruenbaum could not convince religious Jews that private arrangements by one section of the Jewish population with the government were not the proper way anymore. Actually, he left the country for a while as a protest. In turn, sectors of the Jewish community criticized him for the failure of the Minorities bloc. *Encyclopedia Judaica* "Yitzhak Gruenbaum" The Minorities Bloc folded in 1930, but Gruenbaum continued in the Sejm until 1932.

[60] Blanke, "Orphans," pp. 92-93.

[61] AJCD, Laski, .p. 14.

[62] Watt, "Bitter Glory," p. 329. Poland's non-compliance was just that: a message, The Polish government did not withdraw from the League of Nations, as Hitler had done. See also, Polonski, "Politics," p. 378. Polish public opinion seconded this abrogation. For example, the *Gazetta Warszawska* reacted by saying that Poland had not gone far enough. The next step should complete the process by depriving the Jews of their civil rights. While they would be allowed to continue living in the country, they would be severed from the political life of the country. See also, Modras, "

Catholic,” p. 176. The Catholic press seconded this opinion in newspapers like *Pro-Christo*, reminding its readers that “ Jews after all were the engineers of the Minorities Treaty.”

[63] Mazover, “Dark Continent,” p. 57.

[64] Lundgren-Nielsen, “Polish Problem,” p. 412.

[65] Wagner, “Minderheit,” p. 210.

[66] Robinson, “Minorities,” p. 281.

[67] For a detailed account see, Oscar Janowski, *The Jews and Minority Rights: 1898-1919* Columbia University Press, 1933.

[68] Von Frentz, “Lesson,” pp. 53, 66. The Allies did not accept all the articles recommended by the Jewish delegation. According to the British, some of these demands in protection of the Jews meant to institute “a state within a state.” Their rationale was based on the assumption that Jews in Poland would acculturate themselves successfully as they had done in America and Britain. However, this was a mistake because the majority of Polish- Jews observed their religion in the Hassidic tradition and they spoke only Yiddish. Mr. Laski’s observation of the Gerer Rebbe and Agudath’s behavior with the government confirms that British predictions were not appropriate for the Central European milieu. See also, Blanke, “ Orphans,” p.18. Polish diplomats were aware of the international damage of Dmowski’s antisemitic stance. They asked him to tone it down but he never relented.

[69] Levene, “War-Jews” p. 292. Paderewski, the interim President, justified these actions by claiming that: “they were just killing Bolsheviks.” Undoubtedly, “Bolsheviks” was a code word for Jews. See also, Lundgren-Nielsen, “ Polish Problem,” pp.302-303.

[70] Janowski, “Jews-Minority” pp. 277-327. Cohen’s account continues to be contested. In addition, the Jewish leadership was enormously divided over the scope and limits of protection.

[71] David Ryan, *US Foreign Policy* (New York: Routledge, 2000), p. 86. This was also true of President Wilson. He was extremely worried about Trotsky’s pronouncement and ideology.

[72] Lundgren-Nielsen, “Polish Problem,” pp. 346, and 372-373. See the interesting debate of American Jews’ misgivings on sending Morgenthau in this fact- finding

mission. Morgenthau himself resisted this appointment.. See Cymet, “Polish State Antisemitism,” p.117. Morgenthau’s visit to Pinsk.

[73] Stachura, “Poland,” p. 74. This author calls these incidents “apocryphal” and Jews “hysterical.” Furthermore, he insists, Jews were “disloyal” because they argued that maybe Poland should not be given independence. The charge of Communist ties and hence support for the Russians in the ongoing border disputes, is part of Stachura’s polemic. While there were indeed Communist Jews, they were a tiny minority and not very influential. What’s more, the number of Jews killed in these pogroms is much higher than the number of existing communists. On the other hand, see Cymet, “Polish State- Antisemitism,” pp.176-179. He cites personal diaries and related documents confirming the accuracy of these events. See also, Norman Davies, “Gods’s Playground,” p. 262. This author takes a middle of the road position: while there were indeed casualties, they were less than the Jews claimed them to be. Finally see, Pogonowski, “Jews,” p. 305. He denies both Stachura’s and Davies assertions of exaggerations by citing the higher figure of 70,000 killed and more than 50,000 wounded in hundreds of pogroms in different cities.

[74] Lundgren-Nielesen, “Polish Problem,” p. 343. See also, Wagner, “Minderheit” p. 208. There were several types of Minorities Protection Treaties: Czechoslovakia, Yugoslavia and Greece. Others were signed with Austria Bulgaria, Hungary and Turkey. The governments of Finland, Albania, Eastland, Letland and Lithuanians had to hand explanation about their treatment of minorities as a requirement to be accepted on the League of Nations. Other separate closed agreements were signed between single states. The most significant was the Polish Treaty, because it served as a model for the treaties signed subsequently.

[75] Robinson, “Minorities,” pp. 78-79. The League had no choice but to accept the challenge. The Tittoni Commission researched the legal implications of this issue. It concluded that the League of Nations was indeed liable because these legal transactions fell under the category of international agreements.

[76] Robinson, “Minorities,” p. 96.

[77] Robinson, "Minorities," p. 102.

[78] Robinson, “Minorities,” pp. 110, 133. The Minorities committee had three period of peak activity: 1921-1923, 1929, and 1934. It folded soon thereafter.

[79] See George Creel, *The War, The World and Wilson* (New York: Harper and Row, 1920), pp 32-346. The Senate killed on March 19, 1919. The Republicans were

bent on discrediting President's Wilson's record and prevent his re-election the following year.

[80] von Frentz, "Lesson," p.102. Stresemann used this issue to divert public opinion at home, but there is no denying either that the Poles were intent in Polonizing the area and make those German leave.

[81] Blanke, "Orphans," pp. 132-136,195.

[82] Robinson, "Minorities," p. 248. Yet, it also important to stress that The Jewish situation in Poland, despite the antisemitism and the economic boycott, enjoyed its bright spots. Touring the same Warsaw, perhaps on the other side of these dismal streets there was a small but powerfully cultured middle class. Mr. Laski would have observed successful educational activities, a Jewish national press, like the newspaper *Haynt*, teacher- training institutes, and theater performances, and Zionist schools. The scope of these activities is beyond the scope of this brief paper, but mentioning them balances Mr. Laski's bleak portrayal.

[83] Cymet, "Polish State Antisemitism," p. 181. See also, Segal, "New Poland" p. 180. Finally see, Watt, "Bitter Glory," p.360.

[84] Blanke, "Orphans," pp. 163, 195. See also, von Frentz, "Lesson," p.246. The German minority became in Hitler's eyes a bargaining chip for greater further political advantages.

[85] Robinson, "Minorities," p. 133.

[86] See Zanowski, "Le System," pp. 24-24.

[87] Fink, "Stresemann," p. 410. The A. Zaleski- Stresemann confrontation of 1928 is an example of Zaleski's ongoing frustrations. In that meeting he argued that most of the German complaints were of a trivial nature. In addition, Zaleski denounced the support given to the *Deutscher Volksbund* in Silesia. Stresemann interrupted him and contemptuously derided *his* interferences with the "sacrosant Minorities Treaty." A. Briand, the French Foreign Minister, privately chided Zaleski for allowing Stresemann to vent. All members knew of Stresemann's need to appear strong for domestic consumption. See also, Debicki, "Foreign Policy," p.67.

[88] Craig and Gilbert, "The Diplomats," p.595.

Lincoln, Labor and Liberation

By Antonia Etheart

The free labor ideology of the nineteenth century was grounded in the beliefs that Northern free labor was superior to Southern slave labor. The key factor that made this system unique was “the opportunity it offers wage earners to rise to property-owning independence.” [1] It was this free labor ideology and not the republicanism of the Revolutionary War era that caused slavery to be problematic by the time of the Civil War. This ideology was comprehensive—it had economic, social, moral, and political aspects. All facets of the theory need to be explored in order to fully understand how and why slavery became such an important issue.

Free labor became the center of the Republican ideology in 1852, with the foundation of the Republican Party. It was the result of the economically expanding, enterprising, and competitive society of the early nineteenth century. The word “labor” had slowly begun to take on new meaning. Previously, it meant only those who were involved in the production of goods. Society was strictly divided into two main groups, those who worked and those who profited from the work of others. By the 1840s, the wage-earning labor class was defined as the entire North. It was made up of those men who owned their own farms, worked their own soil, were educated, and most importantly, were independent. Free labor ideology drew few distinctions between classes. A laborer was a craftsman, a merchant, a small businessman, or a farmer. Northern society offered opportunities to all who sought them, and enabled most to achieve independence and property. Northerners believed this economy would lead to a more equal distribution of wealth, rather than aid the development of an upper class. They resented and were insensitive to the plight of the poor, because they believed this condition was due to a lack of efforts to better themselves. [2]

This concept of the dignity of labor was not new. Most Americans came from a Protestant background, in which “nobility of labor was an article of faith.” [3] In Calvinist theology, each man had a divine calling. In order to properly live life, each man should provide evidence that he was predestined to enter heaven. Wealth became a way of serving God on earth in the 17th, 18th, and 19th centuries. Labor was a religious value and many aspects of a successful work ethic were obligations. These beliefs were more concentrated in the Northeast. In Rochester, New York, in the 1830s for example, Charles Finney, an evangelist during the Second Great Awakening, took part in this spiritual revival. The Second Great Awakening is known as “a missionary crusade that transformed America”. [4] People who wished to slow the social and political change of

the Industrial Revolution and reinforce social control through Christian values organized this resurgence. They wished for modernity with Christian self-control. [5] Charles Finney's arrival in Rochester provided a solution to the "social disorder" and "moral confusion" the town was facing. [6] The town was encountering much uncertainty with its adjustment to a free labor economy. Therefore, industrial capitalist beliefs of the free labor ideology became attached to visions of a perfect moral order based on individual freedoms.

Republicans placed much emphasis on economic growth and social mobility. It was these main concepts that led Northerners to justify the supremacy of their society and extensively criticize the South. Held up to Northern standards, Southern life appeared wholly different and inferior, and seemed to pose a threat to the survival of their cherished economy. To Northerners, slavery was the very basis of all that was wrong with the South. Southern society seemed an unchangeable hierarchy dominated by the aristocracy of slaveholders. The economic superiority of free to slave labor became a major part of their argument against slavery. The conservative Bostonian Robert Winthrop remarked, "the South is, upon the whole, the very poorest, meanest, least productive, and most miserable part of creation..." [7] Republicans noted intricate statistical comparisons between the North and South, and free states took the lead in population growth, manufacturing, property values, agriculture, railroads, canals, and commerce. [8] These comparisons proved that slave labor was an inefficient failure. They were far more convincing than the moral arguments presented by abolitionists and defenders of the Republicanism in the Declaration of Independence. This is not to suggest, however, that morality was not at all inherent in the Republican free labor ideology.

Morality was certainly part of it, but to attribute that to be the main cause is to miss the complete theory. For example, most moral opposition was centered in specific parts of the North, such as rural and small town New England, areas of rural New York, Pennsylvania, and the Midwestern areas settled by New England migrants. This movement grew from the beliefs of three main groups—the Quakers, freed people of color, and Evangelicals. [9] Religiously oriented abolitionism had a profound effect in the 1830s represented by such activists as William Lloyd Garrison and Theodore Weld. They stressed the immorality of slavery and asked for its immediate abolition. As part of their arguments and speeches, these men spoke of the cruelties and injustices inflicted on slaves. Garrison's New England newspaper *The Liberator* became the vessel for much of the era's anti-slavery publications, such as Joshua Giddings' 1858 speech "American Fidelity" in which all opponents of abolitionist activities were branded

“infidels”. [10] Through these fighters for the cause, an extensive framework was developed and many peoples’ views were changed about slavery. In spite of this, not all Republicans shared this accepting attitude.

Many shared the nativist outlook, which included the complete renunciation of all immigrants of their Old World traditions. They desired all to share a commitment to assimilation of white America’s customs and beliefs. Many strongly maintained that races were not all created equal, but that a Protestant toleration of all ethnicities and religious groups was necessary. On the other hand, there were some who thought newcomers were to blame for the increasing social problems in urban areas. A nativist group, called the Know-Nothing Party, sought governmental regulation on the number of immigrants allowed into the nation. However, Republicans were against any sort of legislation by the United States government that would prohibit these groups from advancing economically or socially, if they desired to do so by their own will. William H. Seward, a leading Republican, as well as many others believed “that the combined influx of immigrant labor would help secure the free labor ideal of social mobility and a steadily improving standard of living for Americans”. [11] Restricting immigration conflicted with two major goals of the free labor ideology—free labor control of the Western territories, and Northern economic expansion.

Northerners became united in their free labor, anti-slavery beliefs in the mid nineteenth century. It was not a sudden resurgence of obligation to the Republicanism of the Declaration of Independence that began “all men are created equal”. The fathers of the country thought it best not to make any statement about slavery, in the political arena at least; because they were aware of the repercussions such an argument would have on the nation. During the making of the Constitution of 1787 it was noted many disapproved of the slave trade, but that the issue should be ignored. The representative from Connecticut was recorded by James Madison as saying “it was expedient to have as few objections as possible to the proposed scheme of government” and “he thought it best to leave the matter as we find it”, which was unhappily unresolved. [12] What was resolved at this meeting was “The migration or importation of such persons as the several States now existing shall think proper to admit, shall not be prohibited by the Legislature prior to the year 1808.” [13] George Washington did not endorse any mention of slavery because “believing as he did that slavery was a cancer on the body politic of America that could not at present be removed without killing the patient.” [14] Many politicians in the years following the Convention of 1787 claimed the Constitution endorsed slavery. John Laurance, representative of New York to Congress in 1790, argued certain provisions of the document recognized the existence of slavery

and provided temporary protection for those states wishing to import Africans, thereby condoning it.

Other legislation passed after 1800 acknowledged and supported slavery. Slavery and slave holding were created in areas of national jurisdiction as the United States began to expand westward. Slavery was permitted in the areas of Louisiana and Florida, and finally the Missouri Compromise (1820) allowed slavery to cross the Mississippi River. At this time, slavery was not allowed North of the southern border of Missouri, which was located at 36°30'. The annexation of Texas and the Compromise of 1850 only compounded Northern aggressions and belief in a conspiratorial Slave Power grew. By the passage of a more strict Fugitive Slave Law (part of the Compromise of 1850), and the decree of popular sovereignty in the new territories acquired through the Mexican War (1846-1848), many Northerners had had the proverbial “last straw”. The lands won from that war completed America’s desire for manifest destiny and included modern-day California, New Mexico, Nevada, Utah, and Arizona, for example. Popular sovereignty would allow the people in the territories to vote on whether they would enter the Union as slave or free states. [\[15\]](#) Any former faith in the republican ideals of the Revolution was long forgotten.

Many blacks—slave and free, rural and urban, artisan and field worker, illiterate and literate—tried to claim freedom on the grounds of Revolutionary ideals in the late eighteenth century. Around 1765, slave unrest was more intensive and widespread than any other period. Northern blacks, more concentrated in urban areas, which were mostly native-born and English speaking, were generally well versed in the ideology of the times. They cited the philosophical arguments that white revolutionaries were making in their own oppressive battles. [\[16\]](#) However, in the South, the commitment to slavery was much more involved, and few educated blacks there perceived the ideology of aristocracy.

Some blacks gained their freedom through services rendered in the Revolutionary War, in this manner consistent with the Republican ideals of the time. Many blacks fought on the side of the British and were promised their liberty, believing in the cause of their own freedom. [\[17\]](#) For example, Lord Dunmore, the royal governor of Virginia, was forced to recruit slaves due to the shortage of loyalists. When the war was being fought more in the South in 1778, many blacks flocked to the British lines. When the British left America at the end of the war, they carried thousands of former slaves to Great Britain, the West Indies, Canada, and Africa. Numerous slaves were freed by their British masters and eluded them and stayed in the country. Many blacks fought with Patriots as

well and earned their own freedom, some grateful masters freed their slaves, and occasionally states liberated individual slaves by special agreements. [\[18\]](#) Some politicians of the time actively pursued the issue of slavery as well. Benjamin Franklin signed a petition in 1790 that demanded the immediate liberation of slaves. [\[19\]](#) After the death of Benjamin Franklin, James Madison, touched by Franklin's commitment to the anti-slavery cause, wrote that he knew the neutral ground on which the national government stood was a violation of Revolutionary ideals. George Washington made elaborate provisions in his will to ensure that his slaves be freed upon the death of his wife. He also guaranteed that Mount Vernon be sold and part of the proceeds used to support his freed slaves and their children for several decades into the future. [\[20\]](#)

Despite some of these conflicting sentiments, the bottom line was that the Founding Fathers never intended that particular line of the Declaration of Independence to include *everyone*. In 1776, for example, when the Continental Congress had commissioned John Adams, Benjamin Franklin, and Thomas Jefferson to design a seal for the United States they produced an emblem depicting Americans of English, Scottish, Irish, French, German, and Dutch descent. [\[21\]](#) There were no blacks or Native-Americans in the picture. No statesmen ever endorsed, or even contemplated, a biracial society at that time. In the end, only property-owning white males were intended to be equal, because those were the only people allowed to vote. It wasn't until the fusion of free labor and Christian ideals in the early nineteenth century that all white males gained the right to vote and the "Era of the Common Man" began. [\[22\]](#) Northerners may have had many different beliefs about race, abolitionists, nativism, politics, and many other issues, but they were united in their belief in the free labor ideology. With the election of Abraham Lincoln, Americans could uphold a Republican president whose beginnings were in a simple log cabin. He said, "I am not ashamed to confess that 25 years ago I was a hired laborer, mauling rails, at work on a flat-boat—just what might happen to any poor man's son!" [\[23\]](#) But Lincoln claimed his belief in the improvement of his condition, which any free man could have had, was what gave him hope. The free labor system allowed this. Lincoln stated that lack of hope, energy and progress in the South was what divided the nation due to slavery. And although moral and social writers of the time, such as Harriet Beecher Stowe and her best-selling *Uncle Tom's Cabin* plucked many heartstrings, it was the economic manifestations of slavery that generated more controversy. George William Curtis observed:

There is very little moral mixture in the anti-slavery feeling of this country. A great deal is abstract philanthropy; part is hatred of slaveholders; a great part is jealousy for white labor, very little is consciousness of wrong done and the wish to write it. [\[24\]](#)

The Republican Party ideology was the comprehensive title of these elements. None of the above factors could stand alone; they melted into one another and emerged as the free labor creed. These beliefs surpassed the Revolutionary ideals of the Founding Fathers and they were the true roots of anti-slavery sentiments.

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[\[1\]](#) Eric Foner, *Free Soil, Free Labor, Free Men: the Ideology of the Republican Party Before the Civil War* (New York: Oxford University Press, 1995), IX

[\[2\]](#) Foner, 24

[\[3\]](#) Foner, 12

[\[4\]](#) Paul E. Johnson, *A Shopkeeper's Millennium: Society and Revivals in Rochester, New York, 1815-1837* (New York: Hill and Wang, 1978), 5

[\[5\]](#) Jeff Hall, Discussion taught at Binghamton University November 15, 2001

[\[6\]](#) Johnson, 135

- [7] Foner, 43
- [8] Professor Brendan McConville, "From Jacksonian Democracy to Sectional Conflict", lecture given at Binghamton University November 28, 2001
- [9] McConville, "The Abolitionists", December 3, 2001
- [10] Foner, 111
- [11] Foner, 235
- [12] Richard D. Brown, *Major Problems in the Era of the American Revolution, 1760-1791* (Boston: Houghton Mifflin Company, 2000), 409
- [13] Brown, 410
- [14] Joseph J. Ellis, *Founding Brothers: the Revolutionary Generation* (New York: Alfred A. Knopf, Publisher, 2000) 158
- [15] Kevin Tanner, "Sectionalism: 1850s", lecture given at Binghamton University December 5, 2001
- [16] Brown, 274
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Women and the Black Radical Tradition: Claudia Jones and Ella Baker

By Denise Lynn

On Christmas day 1964, Claudia Jones, only forty-nine years old, died alone in her London apartment. Over three hundred people attended her funeral on January 9, 1965 to commemorate the woman who spent her entire adult life agitating against oppression. “Visitors who come to London’s Highgate Cemetery see that next to the grave of Karl Marx there is the tombstone of Claudia Jones. Many wonder what earned her the honor of being buried beside the founder of scientific communism.”^[1] On the other side of the globe, Ella Baker, a leading African-American Civil Rights leader, was defending her theories of decentralized leadership. Tensions mounted in the movement when grassroots organizations rejected the ideas of central leadership and non-violence. One such organization, the Student Non-Violent Coordinating Committee (SNCC), founded in part, by the efforts of Ella Baker, became dedicated to Ella’s ideals of decentralized leadership, challenging the authority of high profile individuals in the Civil Rights Movement. In this paper I will examine the experiences of these two radicals.

Both Ella Baker and Claudia Jones spent their entire adult lives writing, speaking and debating the issues that African-Americans faced. These issues included racist oppression, class hierarchy and the roles of women. However, although they both confronted the same issues, they had divergent philosophies that shaped their political careers. Their individual ideas can be examined in terms of Winston James’ definition of radicalism and Cedric Robinson’s theory of the development of the Black Radical tradition. Although the radicalism of both Ella Baker and Claudia Jones fits within Robinson and James’ definitions, their unique experiences as women helped define their ideas and theories, and transform the role of women in the Black Radical tradition. In Winston James’, *Holding Aloft the Banner of Ethiopia*, he defines radicalism or radical politics as, “the challenging of the status quo either on the basis of social class, race (or ethnicity), or a combination of the two.”^[2] He goes on to articulate, in terms of the above definition, radicals. According to James radicals, therefore, “are avowed anti-capitalists, as well as adherents of varieties of Black Nationalism.”^[3] Included in this definition are those who have attempted to unite anti-capitalist and nationalist thought. Though James examined Black Radicalism in terms of Caribbean migrants in

the United States, his definition could be applied to native-born African-Americans as well.

However, before examining this definition in further detail, it is useful to examine Cedric Robinson's thoughts on Black Radicalism. In Robinson's book, *Black Marxism: The Making of the Black Radical Tradition*, the Black Radical tradition "emerged from the West's suppression of Europe's previous knowledge of the African (and its own) past." [4] According to Robinson, the radical tradition emerged out of the Atlantic Slave trade, along with a racial identity. The West, therefore, cannot claim to be the inspiration of the Black Radical tradition; instead it is the social cauldron. [5] Robinson claims that Radicalism emerged, not within European history, but rather on its periphery. It is a result of the contact between Europeans and Africans, however; it cannot be defined within European tradition. Rather, "it is a specifically African Response to an oppression emergent from the immediate determinants of European development in the modern era and framed by orders of human exploitation woven into the interstices of European social life from the inception of Western Civilization." [6] Simply put, it is the response of Africans, globally, to the industrial and imperial development of social behavior and thought of the West. Therefore, James' definition bodes well within Robinson's articulation of the specific historical development of Black Radicalism. Both anti-capitalism and nationalism emerged from this European development.

However, the weakness of both James and Robinson is their failure to recognize the unique impact of women in the Radical tradition. Though James does include women in his study, it is brief and weak, because it fails to examine the situation of African-American Women in terms of Western Civilization, a topic wholly outside the experiences of African-American men.

African-American women have had an entirely unique experience within the development of the West. As specific roles for white women developed, African-American women were relegated to the periphery of both womanhood and humanity. According to Angela Y. Davis, "as the ideology of femininity-a byproduct of industrialization-was popularized, white women came to be seen as inhabitants of a sphere totally severed from the realm of productive work." [7] The role of African-American women was entirely divergent from the emerging domestic ideology. According to Davis, "the economic arrangements of slavery contradicted the hierarchical sexual roles incorporated in the new ideology." [8] The role of slave women was in complete contrast to those of white women. This is best articulated in the responsibility of African-American women to reproduce the free labor

force. Throughout the southern United States, “state legislatures adopted the principle of *partus sequitur ventrem*—the child follows the condition of the mother.” [9] Ironically, this state imposed matri-lineage was later seen as the point of degradation for the African-American community. However, what is most significant is that white Western authority imposed an antithetical role on African-American women, which has affected their role in both Western society and the Black Radical Tradition.

In effect, African-American women are subject to triple oppression. First, from Western white male authority, second, they are relegated to second-class citizenship within their own community as a result of western influenced patriarchy. As a result, of divergent theories of womanhood, they are subject to second-class womanhood, in contrast to the domestic ideal of white women. Thus, the experiences of African- American female radicals are a byproduct of this triple oppression. Claudia Jones and Ella Baker were shaped in this context.

Claudia Jones was born in Trinidad on February 21, 1915, in the city of Port of Spain. Trinidad, at the time, was still a part of the British West Indies. Claudia’s family name was Cumberbatch, and it has been speculated that some of her father’s relatives at one time came to Trinidad from the neighboring island of Barbados. [10] Claudia was born while the Great War in Europe was raging over colonial rights in Africa and Asia. On February 9, 1924 Claudia, along with an aunt and three of her sisters, arrived in New York. Debarking from the *S.S. Voltaire* under the shadow of the Statue of Liberty, Claudia came to the United States to be with her parents who had already arrived. The family settled in the largely African-American Harlem, where many other Caribbean’s had already settled. There, her family faced many of the same problems native-born African-Americans faced, namely Jim Crow.

The Cumberbatch’s faced harder times, when Claudia was 12, her mother, a garment worker, “died of poverty and exhaustion as she worked at her machine.” [11] Mr. Cumberbatch was left to his own devices to raise Claudia and her three sisters. The Depression of 1929 hit especially hard in the Black Communities. One of Claudia’s friends recalled that Claudia:

Was quick and clever at school, but along with 5 million other young people, had to Leave school during the depression and go to work. Seeking jobs, and on the job, she Came smack up against discrimination at every turn. Instead of futile complaining, she Determined, as she said in a birthday speech... ‘*to develop an understanding of the Suffering of my people and my class and look for a way forward to end them...*’ [12] Claudia, like other black youth during the depression was forced to go to work. She worked, at times, as a sales girl and a factory worker. Her experiences as a youth

helped to develop her radicalism. However, the 1930's also saw mass actions on the part of global black communities that affected Claudia's future radical development. Both the 1936 invasion of Abyssinia by fascist Italian forces and the movement for the nine youths involved in the Scottsboro frame-up had an incredible political impact on Claudia. According to Angela Y. Davis, it was through her work in the Scottsboro Defense Committee that she became acquainted with members of the Communist party.[13]

At the age of 18, Claudia joined the Young Communist League (YCL). According to Claudia, it was her experiences as a youth that developed her political ideology: It was out of Jim Crow experiences as a young Negro woman, experiences likewise born

Of working class poverty that led me to join the young Communist league and to choose The philosophy of my life, the science of Marxism-Leninism-that philosophy that not Only rejects racist ideas, but is the antithesis of them.[14]

The Scottsboro case piqued the interest of many African-Americans in the Communist Party of the United States (CPUSA). According to Robin D. G. Kelley, "the Communist led ILD (International Labor Defense) attracted national attention for its defense of nine young black men accused of raping two white women near Paint Rock, Alabama." [15] Claudia began to rise in ranks within the CPUSA, by the time she was in her twenties, she became responsible for the party's Women's commission.

It was not until 1945 when a controversy within the CPUSA emerged, did Claudia become a well-known member of the party and an important voice for women. In 1945, Claudia published an article in *Political Affairs* entitled, "On the Right to Self-Determination for the Negro People in the Black Belt." Prior to this an ideological struggle emerged within the party ranks between Earl Browder and William Z. Foster over self-determination. Browder drew a line between, "the national liberation struggle of an oppressed nation" and its "nationalist" bourgeoisie, which "invariably subordinates itself to the interests of the oppressing imperialist power." [16] He raised the issue over whether African-Americans could be included in the communist working class consciousness or as a separate entity within the larger capitalist struggle. According to Paul Buhle, "the national question, the status of an oppressed group within a state or empire, tended by its very nature to raise questions about the entire Marxist Class analysis." [17]

Claudia's article emerged within this debate and had an impact on other black communists. In Harry Haywood's autobiography, *Black Bolshevik*, he claimed, "I was withdrawn-still reluctant to become involved in the inner-Party struggle. But I had seen

an article by Claudia Jones, a young black woman communist from the West Indies who had challenged Browder's line on the right to self-determination." [18] Haywood concluded, "The article had greatly stimulated my interest." [19] According to Haywood, the article sparked several issues within the debate and raised the issue of the interests of the black community. The article also articulated Claudia's own theories within radicalism, including the alliance of Black Nationalism and anti-capitalism. The article attacked Browder's revisionist views on the question of the African-American community. According to Claudia, "Even the worst enemies of the Communist Party cannot fail to admit that we have been in the forefront of the struggle for equality of the Negro People." [20] The CPUSA had previously been reputed as an organization concerned with the interests of African-American people. Since the Bolshevik revolution in Russia, the Communist International (COMINTERN) took special interests in African-Americans. In 1928, the sixth World Congress of the COMINTERN, "insisted that blacks concentrated in the black belt counties of the Deep South constituted an oppressed nation." [21] Browder challenged these by claiming that Marxist ideology did not recognize special interests, rather, African-Americans were not a separate oppressed class. Browder wanted to maintain a distinct class-consciousness, regardless of race and gender identity.

Claudia emerged as a leading ideologue in the communist community. Her article articulated her ideas on the rights of self-determination within the black community, specifically the African-American community. Her nationalist sentiment emerged within her communist identity. She maintained that, "It was our understanding of the Negro Question as a *national* question, that is, as the question of a nation oppressed by American imperialism, in the ultimate sense as India is oppressed by British imperialism and Indonesia by Dutch imperialism." [22] African Americans were essentially an oppressed nation; her ideas echoed the 1928 COMINTERN Pact. "Every aspect of Negro oppression in our country stems from the existence of an oppressed nation, in the heart of the South, the Black Belt." [23] The oppression of African-Americans was a byproduct of imperialism. In essence, although she claimed that African-Americans were a separate nation within the larger nation, they had a specific identity as a result of western imperialism. Her theories also had a direct impact on the role of women within the communist party.

As a result of her involvement in the debate over self-determination, according to Rebecca Hill, "Claudia Jones emerged out of the Popular Front as one of its more obstreperous critics." [24] When she attacked Browder's position on self-determination, she did not stop at addressing the race question. She also attacked the party on issues

of sexism. “Claudia used the moment of internal rethinking, to question common Old Left assumptions about race, class and gender.” [25] Sexism, according to Claudia, was another form of fascism. Her goal was to, “inspire the growing struggles of American women and heighten their consciousness of the need for militant united front campaigns around the burning demands of the day, against monopoly oppression, against war and fascism.” [26]

A theory emerged out of women’s wartime (WWII) experiences. The theory, called the Fascist Triple K- (*Kinder, Küche, Kirche*-children, kitchen, church), was a critique of the domestic ideology that emerged in the post-War United States. Claudia claimed that, “The aim of this and other numerous anti-woman “theories” is to hamper and curb women’s progressive social participation, particularly in the struggle for peace.” [27] Claudia frequently compared the Fascist Triple K of Nazi Germany to the roles of American Women. Her belief that women’s assigned roles were a form of domestic fascism helped her to articulate the global struggle of women, and the specific need for the Communist Party to address those needs.

The fascist threat on women was, according to Claudia, “monopoly capitalism.” [28] The threat was in the form of popular culture. “We can above all expose the reactionary essence of monopoly capitalism, which on the one hand clouts the women with rocketing prices, housing shortages, hysterical threats of war; while, on the other, it woos them with free movies, speakers, etc., on the glories of American ‘free enterprise.’” [29] Capitalism, according to Claudia, lured American women into poverty and hysteria, while simultaneously offering them the promises of material wealth. This in essence, was a direct threat on the autonomy of women, as well as their value in a capitalist labor structure. Women, under this system, essentially had no value outside of the home. Domestic work had no productive value in the industrial economy; however, its purpose was to keep women away from the political sphere.

Claudia’s primary objection to the domestic ideology was that it failed to create class-consciousness among women. The propaganda following WWII encouraged the compulsory evacuation of women from industrial jobs. According to Rebecca Hill, “Communist Feminist writers objected to these representations by arguing that women had a right to work and to continue working after the war. This was one of the few ways in which Popular Front supporters tacitly argued against state agendas and policies during the war.” [30] Much of the objection to the Fascist Triple K was in response to the War in Europe. In her article commemorating the leadership of William Foster, Claudia Jones claimed that, “In formerly Nazi-occupied Europe, women resolved never again to return to the time when they were merely breeders of warriors.” [31] Her

statement alludes to both the fascist government of the Nazi's as well as the role of women as reproducers of free labor. In the case of Nazi's, it is soldiers, however, it is also an allusion to the reproductive responsibilities of African slaves. She continues her statement that the women also did not want to be merely, "objects of pleasure, according to the old motto: Kinder, Kirche, Küche." [32] The fascist triple K had roots not only in Nazi occupied Germany, but in African slavery as well. The fundamental problem was monopoly capitalism's claim on women. Claudia claimed that, "The Wall Street monopoly capitalists in their drive to aggressive world domination, atomic war and domestic fascism are seeking to align the masses of women with the war camp." [33] The threat of monopoly capitalists was a direct challenge to the Communist party.

Claudia's most fundamental concern was the role of black women. Her most insightful theory is on the activities of black women in radicalism. In a 1949 article she claimed that, "The capitalists know, far better than many progressives seem to know, that once Negro women undertake action, the militancy of the whole Negro people, and thus of the anti-imperialist coalition, is greatly enhanced." [34] She claimed that their radicalism is rooted in slavery. Similar to Robinson's theory of black radicalism, Claudia believed that the roots of militancy lay in the oppression imposed on Africans during slavery. Women especially, felt the brunt of these attacks. Claudia claimed that, "Historically, the Negro woman has been the guardian, the protector, of the Negro Family," she continues:

From the days of the slave traders down to the present, the Negro woman has had the responsibility of caring for the needs of the family, of militantly shielding it from the blows of Jim Crow insults, of rearing children in an atmosphere of lynch terror,

segregation, and police brutality, and of fighting for an education for the children. [35] African-American women have been responsible, according to Claudia, for the protection and rearing of children. More important, they have had to protect their children from the racism of the white community. This view of African-American women has a direct link to the fascism of capitalism. Claudia claimed that, "Nothing so exposes the drive to fascization in the nation as the callous attitude which the bourgeoisie displays and cultivates toward Negro women." [36] African-American women were not included in the domestic ideology because they were subject to bourgeois claims on their labor.

This is clear when one examines the large-scale exclusion of African-American women from the professions. They have traditionally been relegated to the domestic arena of

bourgeois domestic settings. Monopoly capitalism perpetuates this idea in propaganda that included the, “mammy who puts the care of children and families of others above her own.”_[37] This idea is reminiscent of antebellum slave holding families. African-American women, have since according to Claudia Jones, been forced back into the homes of whites, thereby forfeiting their domesticity within the African-American community. Claudia argued that this image must be combated in order to reject it as a, “device of the imperialists to perpetuate the white chauvinist ideology that Negro women are ‘backward,’ ‘inferior,’ and the ‘natural slaves,’ of others.”_[38]

Claudia adopted the fascist triple K theory to point out to the CPUSA their failure to address the needs of women, including African-American women. Claudia urged communists, like she had during the Browder debate, to recognize the issues of women and race within Marxist theory. As Lenin claimed, and Claudia Jones reiterated women, “can be at times the decisive part of the mass movement.”_[39] The conflict emerged after World War II when the CPUSA echoed the movement of the larger society and relegated women to domestic roles. The Communist Party also failed to organize women in industry as well as African-American domestic workers. Claudia complained that this was a fundamental failure of the party. In response to a draft resolution of 1948 to build up anti-monopoly and peace campaigns, she claimed that, “The resolution does not sufficiently stress the need for the people’s coalition to fight for the special social, economic and political needs of the masses of American women.”[40] She continued to claim that, “Nor does it emphasize the Party’s vanguard responsibility in organizing and winning working-class women to the anti-imperialist camp.”_[41] The most vital aspect of Claudia’s theory is the incorporation of women and issues of gender into the Communist party line. Her theories are an amalgam of the radical tradition defined by both Winston James and Cedric Robinson. Claudia Jones recognized the oppression of the working class, African-Americans and women in the context of the anti-capitalist movement. She simultaneously combined the concerns of Black Nationalism within the movement to combat class discrimination. She was also successful in incorporating the issues of women in the movement to oppose monopoly capitalism. Unfortunately, Claudia paid dearly for her radical ideologies.

In 1948, Claudia Jones, along with other avowed communists, was arrested on charges of seeking to, “overthrow the government by force and violence.”_[42] She was arrested as a result of the Smith Act, as well as the McCarran Act, which regulated immigration. Since Claudia was not a US citizen she was targeted under the McCarran Act. Eventually Claudia served a year sentence after fighting legal battles with the US

between 1948 and 1955. She was eventually deported to England where she continued her political agitation as a member of the Communist Party.

Although Claudia Jones was younger, she and Ella Baker were contemporaries in the movements for social agitation. Ella Baker was born on December 13, 1903 in Norfolk, Virginia. In 1911, she moved with her family to rural Littleton, North Carolina where they worked as farmers. As Ella would later explain, the church in her community became a base for the family and herself. She joined the church at nine years old because, she explains, “In an environment where aggressive leadership existed largely in the church, I responded to the church.”^[43] Despite the role of the church in her early life, Ella remained distant from the dogma, dubious of the Church’s role in the African- American community. “I am always happy to think,” she said, “that to some extent I was saved from the worst aspects of religiosity because my family was not emotional in its religion.”^[44] At an early age she was critical of the role of preachers, she believed that their sermons were rich with noise, but lacked substance. This critique would carry over to her later philosophies of organization.

Ella’s early years had a profound influence on her political development. Her grandparents, Mitchell and Betsy Ross had been slaves. She grew up listening to their stories; one in particular, however, sparked her interests. Her grandmother, Betsy Ross, was pressed by her master to marry someone she had no desire to marry. When Betsy refused, her master did not whip her, instead he sent her out of the house, to the fields. As Ella’s grandfather explained, “the master would not let her be whipped. No, sir. You know why? ‘Cause she was his daughter.”^[45] As the story goes, Betsy worked in the fields and attended social occasions for the slaves to flaunt her undaunted spirit. Her master intended on her marrying someone who was light skinned. According to Joanne Grant, in her biography of Ella Baker, “For Ella Baker this spoke of rebellion, particularly because it delineated the color lines: The mistress wanted the lighter skin tones to be perpetuated, but Ella Baker’s forebears said no.”^[46] These stories exposed Ella to the foundations of the Black Radical tradition, the rebelliousness of slaves against tyrannical masters.

Ella’s family had a profound influence on her political development. According to Charles Payne, she remembered the world of her childhood as a kind of “family socialism,” a world in which food and tools and homes were shared, where informal adoption of children was taken for granted, a world with a minimal sense of social hierarchy.^[47] This world influenced her later ideas of economic development and social equality within the African-American community. Her grandparent’s stories of

rebellion, and her mother's role in the church influenced her radical development, as she grew older.

Education was central to Ella's early years. Her mother insisted that she be properly educated, teaching her to read before she attended school. However, education for African-Americans was limited after Grammar school. Her mother sent her off to Shaw University in Raleigh, North Carolina. "She entered Shaw, not as a scholarship student but as one who had to work her way through the boarding school." [48] She went to Shaw in the fall of 1918, according to Barbara Ransby, at a time of political turmoil. It was the tail end of World War I and during the Wilson administration, the first southerner to be elected to the presidency since Reconstruction. "Ella also entered Shaw at a time when both black rights and women's rights were at important crossroads." [49] Woman's suffrage would be gained two years later, however; African-Americans, particularly women would continue to be systematically excluded from the franchise. The environment of Shaw opened up a new world for Ella. It was a Baptist school run by white benefactors. It was also the first black institution to enroll women. "The philosophy of the school's administrators emphasized humility and Christian service, but at the same time they reinforced many elitist assumptions about social class." [50] Ella finished her high school and college education at Shaw becoming the Valedictorian of her class. In 1927, she left the University and headed north to Harlem, New York.

Ella Baker's previous experiences as the granddaughter of ex-slaves and her college education broadened her worldview, however, when she reached Harlem she was exposed to a community rampant with political debate and cultural development. Ella immersed herself in the intellectual community of Harlem, attending lectures, participating in debates, and learning about theories of economic oppression and nationalism. Here she became acquainted with many African-American figures, including A. Phillip Randolph, James Weldon Johnson and George Shuyler. She also met some radical activists from the Caribbean, including Cyril Briggs. "Harlem exposed her to heated debates over fundamental ideas such as the relative merits of communism, socialism, and capitalism." [51]

The Great Depression of 1929 exacerbated conditions for the African-American Community. Ella Baker was no exception; the poor economic conditions of the community not only affected her financial well being, it also influenced her politics. "Subsequently, the economic dislocations of the Depression played an important part in her rejection of 'the American illusion that anyone who is determined can get ahead.'" [52] Ella began to formulate her ideas of community based

organizing. She realized that one could organize people around the grassroots. Baker's experiences in Harlem provided an organic learning experience. According to George Shuyler, "By force of circumstances her 'post-graduate' work has included domestic service, factory work and other freelance labors." [53]

The economic dislocations of the African-American community compelled Ella, along with Marvel Cooke, to investigate the impact on women in labor. The two went undercover for a day soliciting for domestic work on the street corners of New York. Their results were published in the November 1935 issue of *The Crisis*, entitled, "The Bronx Slave Market." According to Barbara Ransby, the article "reflected Ella's lucid assessment of the complex reality of race, gender and class in the lives of African-American women." [54] The women were forced to seek work on the street corners since employment agencies were limited in the area. To both Ella and Marvel Cooke, the scene resembled a slave auction block. In the article they claimed, "She who is fortunate (?) enough to please Mrs. Simon Legree's scrutinizing eye is led away to perform hours of multifarious household drudgeries." [55] Their direct allusion to *Uncle Tom's Cabin's* most notorious character insinuates the resemblance of slavery to the conditions of African-American women. The issue was domestic work, contested terrain for African-American women who had traditionally been relegated to that arena, and were forced to the streets to perpetuate their conditions. The depression struck African-American women especially hard and Ella Baker understood this. One of the solutions the women drew from their investigation was that domestic workers needed to be organized. This idea reflected Ella's socialist sympathies. Although she never identified herself as a Marxist she was aware that economic conditions played an enormous role in the lives of African-Americans.

Ella was not dedicated to one dogma, or philosophy of social change; rather, she believed that organization could radically affect society. "She combined the Black Baptist missionary values of charity, humility, and service with the economic theories of Marxists and Socialists of various stripes who advocated redistribution of wealth and a transfer of power from capitalist elites to the poor working classes." [56] This she believed could be accomplished on the community level. Ella combined her religious experiences as a youth and the influence of Harlem intellectuals to formulate a theory of grassroots organizing. She claimed that, "I think the nearest thing to an answer is having people understand their position and understand their potential power and how to use it. This can only be done, as I see it, through the long route, almost, of actually organizing people in small groups and parlaying those into larger groups." [57] Her

theories centered on the idea of de-centralized leadership. Although she appreciated the role of religion in the African-American Community, she recognized the roles of preachers as too central. A central figure often placed more emphasis on their own public development, instead of the development of the community.

To answer some of the problems of the Depression, and an experiment in Ella's theories of organizing, she along with her friend George Shuyler formed the Young Negro Cooperative League (YNCL). According to Ella, the organization's purpose was to, "accept with zest the opportunity which is now ours to prove to ourselves and others that the Negro can and will save himself from economic death." [58] Although the organization failed, it was an experiment in socialist organizing that Ella had experienced in the rural community she was raised in. It exhibited the ideals that Ella would dedicate the rest of her life to, namely grassroots organizing.

For the remainder of Ella's life she was involved in organizations such as the NAACP, SCLC and SNCC however, her political ideas could not be limited to one organization. Her experiences in some of the organizations radically altered her ideas on leadership and the roles of women. As one of the founding members of the Southern Christian Leadership Conference (SCLC), Baker witnessed first-hand the rise of charismatic leaders. However, she also realized that women were often excluded from public leadership roles. She claimed that, "I had known...that there would never be any role for me in a leadership capacity with SCLC. Why? First, I'm a woman. Also, I'm not a minister...The basic attitude of men and especially ministers, as to...the role of women in their church setups is that of taking orders, not providing leadership." [59] This fueled her criticism of centralized leadership. Ella believed that under the leadership of the SCLC, the voices of young people as well as women were being drowned out.

One advantage of her position in the SCLC allowed her to organize others. She utilized her role to organize students; the result was the formation of the Student Non-Violent Coordinating Committee (SNCC). Unlike the SCLC, the students were not entirely satisfied with integration, which many had come to see as accommodationist. Rather, they wanted to force radical change. Dubbed, "Ella's Children," [60] the students of SNCC penetrated rural areas, organizing the young and women. According to Charles Payne, it became the organization Ella had longed to create. [61] SNCC, during the formative years, rejected centralized leadership and adopted Ella's ideas of group led organization. Ella claimed in 1960 that, "This inclination toward *group-centered leadership*, rather than toward *leader-centered group pattern* of organization was refreshing indeed to those of the older group who bear the scars of the battle." Ella

went on to claim that, “the disillusionment that come when the prophetic leader turns out to have heavy feet of clay.”[62] This was a biting attack of the leadership of other organizations including NAACP and SCLC. She claimed that SNCC was a refreshing alternative to older organizations simply because they were overshadowed by leaders who were invested in the approval of the white community.

In a 1966 interview, Ella Baker claimed that, “The NAACP, Urban League, etc., do not change society, they want to get in. It’s a combination of concern with the black goal for itself and, beyond that, with the whole society, because this is the acid test of whether the outs can get in and share in equality and worth.”[63] Her attacks of mainstream Civil Rights organizations reflected her goals of socialist organizing. The community was the base, according to Ella, and that base was the foundation for change in society. One reason Ella Baker’s role in Civil Rights has often been overshadowed is due to her inconspicuous position. She refused to take over leadership of organizations, including SNCC, because it refuted her ideals of community organization. She was dedicated to the rural communalism she was raised in, and suspicious of leaders who sought the limelight instead of community development. In her own words, “I hoped that inside of me there has always been the concept that the whole is greater than the part—that is the concept of developing a movement that involves people to the extent that they become knowledgeable about their own condition and were activated to do something about it.”[64] Ella brought her ideas to the community and subsequently radically altered the organization of the Civil Rights movement.

Ella’s influences were outside of traditional Western ideals. As Robinson claims, slavery and its cultural development on the periphery of Western thought influenced the Black Radical tradition. Ella drew her ideas from her family and its tradition rooted in slavery and resistance. She utilized these ideas to formulate a theory of community organizing that resembled her rural upbringing.

She was not, however; devoted to one theory of oppression. Although she was sympathetic to socialist ideals, she did not adopt their solutions. She was, according to Winston James’ definition of radicalism, anti-capitalist; however, she did not espouse radical communist insurrection. She also did not define herself in terms of Black Nationalism. Ella had contact with West Indians and was sympathetic to the plight of Abyssinians, however; she remained skeptical of nationalism. According to Barbara Ransby, “Ella Baker never espoused narrow nationalist ideas in the way that some contemporary movements did.”[65] She had an international outlook that was critical of colonialism, however, her ideals were far too eclectic to invest in Black Nationalist

ideas. Ella Baker remained dedicated to organization on the community level, even among poor whites, to combat the evils of capitalism and oppression.

Both Ella Baker and Claudia Jones spent their adult lives organizing for social justice, a justice that included African-Americans, women and the poor. Their theories, however eclectic, reflect Winston James' definition of radicalism. Both women recognized the evils of capitalism, specifically its affect on African-Americans. They both experienced the worst economic crisis of the early twentieth century, witnessing the impact of poverty and destitution on the working class and African-Americans. This contributed to their attacks on capitalism. However, the fundamental difference is that Claudia Jones adopted Marxist theories to combat class oppression and Ella Baker formulated community-based ideals of organization that reflect socialism, but adopted no specific dogma.

Claudia Jones remained a devout communist her entire adult life. Her dedication is evident when one visits the grave of Karl Marx. Right next to the founder of communism is Claudia Jones' gravesite, the inscription on her headstone reads, "Valiant fighter against racism and Imperialism who dedicated her life to the progress of socialism and the liberation of her own Black people." [66] Early in her life, Claudia developed a class and race consciousness that allowed her at an early age to adhere to Marxist philosophies. Her solution was a socialist uprising, this only, she believed, would liberate the masses of the oppressed from class, race and gender oppression. Although Ella Baker too had a distinct class and race consciousness, rooted in her upbringing, Ella did not believe in Marxist theory, she was in fact often a critic of the CPUSA. She admired their de-centralized committees that allowed for effective organizing, however, she did not believe in Marxist ideology. Instead, she created her own ideals of organizing that would forever impact the grassroots movement. Although she was already over fifty when she helped organize SNCC, she recognized the importance of young people and women in the movement for social justice. Her ideas of de-centralized leadership created a schism in the movement between organizations dedicated to non-violence, led by individuals and organizations committed to community organizing that became disillusioned by the violence of whites and the often ineffectiveness of non-violence.

Although Claudia Jones was also devoted to Black Nationalism, Ella Baker was suspicious of nationalist sentiments. Staying within the borders of the United States her entire life, Ella recognized the oppression of Blacks globally and often rallied to their support, however, she was not interested in nationalism. Claudia Jones was born in the West Indies and remained concerned about the state of Blacks in the international

arena. During her exile in London she became the editor of the *West Indian Gazette* and traveled often in support of equal rights, including a demonstration in South Africa against Apartheid.

Both of these women were also influenced by the role of Blacks and women as a result of the development of the Black Radical Tradition. Her grandparents who had lived their early lives in bondage more directly influenced Ella Baker. She heard their stories of resistance and struggle and developed her own ideals of radicalism based on their influence. Both women were also concerned with African-American women as domestics, reminiscent of slavery. They agitated for the recognition of women and their liberation from the homes of whites. Their ideas were rooted in the oppression of slavery, and the poor economic development of Blacks on both a global and a local level.

They were also both targeted by US officials as threats to the well being of the country. Some have argued that Claudia Jones imprisonment exacerbated her already failing health and contributed to her early demise. Although Ella Baker was older, she lived another twenty-two years after Claudia Jones. During her life, federal officials also investigated her. These investigations legitimize the impact of both Ella Baker and Claudia Jones. They were a threat not merely because they vocalized their objections to oppression, they also agitated others and influenced younger generations of activists. The most enduring impact of both women is that they forged a new role for women in social justice movements. Claudia Jones forced the CPUSA to recognize the influence of women and their role in the working class community and Ella Baker forged a new role for women and youths in the Civil Rights movement. Although they were dedicated to different and often divergent ideologies, Claudia Jones and Ella Baker helped to forge an important role for women within the Black Radical tradition. They became the voice for those who were often silenced and agitated not only for the recognition of women in the radical tradition, but for the recognition of the unique role women have played both in the development of the radical tradition and the development of ideologies within it.

[1] Thomas Elean, "Remembering Claudia Jones." *World Marxist Review* (March 1987), p. 67.

[2] Winston James, *Holding Aloft the Banner of Ethiopia: Caribbean Radicalism in Early Twentieth-Century America* (London: Verso 2000) p. 292.

- [3] James p292-anti-capitalists include socialists, communists, adherents and practitioners of other variants of Marxism, and non-Marxist anti-capitalists such as anarcho-syndicalists. Black Nationalists include emigrationists, pan-Africanists, Garveyites, black statehood supporters, or a combination of these.
- [4] Cedric Robinson, *Black Marxism: The Making of the Black Radical Tradition* (Chapel Hill: University of North Carolina Press 1983) p. 3.
- [5] Robinson p. 72.
- [6] Robinson p. 73.
- [7] Angela Y. Davis, *Women, Race & Class* (New York: Vintage 1981) p. 12.
- [8] Davis p. 12.
- [9] Davis p. 12.
- [10] Buzz Johnson, *"I Think of my Mother:" Notes on the Life and Times of Claudia Jones*. (London: Karia Press 1985) p. 2.
- [11] Johnson p. 6.
- [12] Johnson p. 7.
- [13] Davis p. 167.
- [14] Johnson p. 7.
- [15] Robin D. G. Kelly, *Hammer and Hoe: Alabama Communists During the Great Depression* (Chapel Hill: University of North Carolina Press 1990) p. 23.
- [16] Mark Solomon, *The Cry was Unity: Communists and African Americans, 1917-1936*(Jackson: University of Mississippi Press 1998) p. 83.
- [17] Paul Buhle, *Marxism in the USA* (London: Verso 1987) p. 123.
- [18] Harry Haywood, *Black Bolshevik: Autobiography of an Afro-American communist*. (Chicago: Liberator Press 1978) p. 543.
- [19] Haywood p. 543.
- [20] Claudia Jones, "On the Right To Self Determination For the Negro People in the Black Belt." *Political Affairs* (January 1946) p. 68. Claudia goes on to sight the Scottsboro case as evidence of the CPUSA's previous interests in the problems of African Americans.
- [21] Kelley p. 13.
- [22] Claudia Jones, "On the Right to Self Determination..." p. 69.
- [23] Claudia Jones, "On the Right to Self Determination..."p. 69.
- [24] Rebecca Hill, "Fosterites and Feminists, Or 1950's Ultra-Leftists and the Invention of AmeriKKKa." *New Left Review*, 228 (1998) p. 69.
- [25] Hill p. 75.

- [26] Claudia Jones, "International Woman's day and the Struggles for Peace." *Political Affairs*(March 1950) p. 34.
- [27] Claudia Jones, "International Woman's Day and..." p. 35.
- [28] Claudia Jones, "For New Approaches to our Work Among Women." *Political Affairs*(August 1948) p. 740.
- [29] Claudia Jones, "For New Approaches..." p. 740.
- [30] Hill p. 77.
- [31] Claudia Jones, "Fosters political and Theoretical Guide to our work among women." *Political Affairs*, (March 1951) p. 75.
- [32] Claudia Jones, "Fosters Political and..." p. 75.
- [33] Claudia Jones, "Fosters Political and..." p. 75.
- [34] Claudia Jones, "And End to the Neglect of the Problems of Negro Women!" *Political Affairs* (June 1949) p. 28.
- [35] Claudia Jones, "An end to the Neglect of..." p. 28.
- [36] Claudia Jones, "And end to the Neglect of..." p. 29.
- [37] Claudia Jones, "And end to the Neglect of..." p. 32.
- [38] Claudia Jones, "An end to the Neglect of..." p. 32.
- [39] Claudia Jones, "Fosters Political and..." p. 74.
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Racial Double Standards in Uncle Tom's Cabin

By Catherine Mountcastle

When Harriet Beecher Stowe published her novel *Uncle Tom's Cabin* in 1852, she gained instant notoriety. Her novel helped spread the reality of the cruelties and injustices of the American slavery system nationwide and eventually across the globe. However, Mrs. Stowe was not without critics. Shortly after the release of *Uncle Tom's Cabin*, William Lloyd Garrison, a famous abolitionist and founder of the *Liberator* published a scathing review of Stowe's novel arguing that her stance on slavery was a double standard. Stowe's novel clearly does contain racial double standards; however, this attributed to the novels popularity amid a northern white audience in the mid-nineteenth century.

William Lloyd Garrison was a well known abolitionist. His review of Stowe's novel may have seemed shocking at the time of its publication since both he and Stowe were abolitionists. However, his accusations of racial double standards throughout *Uncle Tom's Cabin* are not far fetched. One of Stowe's main criticisms throughout *Uncle Tom's Cabin* is that slavery is unjust to slaves. She finds slavery to be an evil which should be eliminated from American society. She obligates blacks to end their own enslavement. Her opinion on how blacks should end their enslavement is extremely passive. She advocates that blacks should remain obedient and subservient to their masters while remaining pious and faithful to God. In the end, blacks will gain a greater freedom than the physical world has to offer them. By having faith in God and refusing to act out violently against their masters despite the hardships that they may have to endure, they will eventually be rewarded with eternal salvation. Stowe embodies these ideas in the character of Tom.

Throughout Stowe's novel, Tom places his faith in the Lord and accepts his fate no matter what happens. An excellent example of Tom's unrelenting faith in the Lord and his refusal to act out violently against his master is his struggle with Simon Legree. Legree is an evil man and an extremely cruel master. However, no matter what he is threatened with Tom never physically fights back against Legree. This is demonstrated in *Uncle Tom's Cabin* prior to Tom's first beating. Tom says:

Mas'r if you mean to kill me, kill me; but as to raising my hand agin any one here, I shall never,--I'll die first! No! no! no! my soul an't yours, Mas'r! Ye can't buy it! it's

been bought and paid for, by one that is able to keep it;--no matter, no matter, you can't harm me! (Stowe 508).

These statements by Tom are a clear demonstration of Stowe's beliefs, which are expressed throughout the novel. Tom is defiant against Legree, but it is for the safety of another individual, another one of God's creatures. He never raises a hand in opposition to Legree, nor does he resist when Legree sends him to be whipped as punishment for his defiance. Instead, Tom boldly states his faith in the Lord, proclaiming that Legree may physically take his life, but he will never be able to own Tom's soul because his soul belongs to the Lord.

Garrison views Stowe's beliefs as a racial double standard. He states his opinion at the very beginning of his review of the novel when he writes, "we are curious to know whether Mrs. Stowe is a believer in the duty of non-resistance for the white man, under all possible outrage and peril as well as for the black man" (Garrison). In other words, if white people were to be enslaved and treated under the same conditions which black people were in the mid-nineteenth century, would Stowe still advocate non-violence and piety as a solution to the problem? He then continues by pointing out that the reason he believes she advocates nonviolence, obedience and piety by slaves are because they are black. I agree with Garrison's accusation. I think Stowe's beliefs stem primarily from her lack of first hand interaction with southern black slaves. She portrays her characters through the beliefs of a romantic racist. Stowe writes, "the negro, it must be remembered, is an exotic of the most gorgeous and superb countries of the world, and he has, deep in heart a passion for all that is splendid, rich and fanciful" (Stowe 253). This depiction of "the negro" is a perfect demonstration of Stowe's use of romantic racialism. She is making a generalization about an entire race. She views black people with the same stereotypes as most mid-nineteenth century white Americans did. What makes a black person different from a white person other than the color of their skin? It is easy to answer that question from a twenty-first century viewpoint. The answer is nothing. There is no difference between a black person and a white person except for the outside skin color. We are all human which means that blacks have the same mental capacity, same emotions same everything. However, in the ante-bellum time period the answer to the above question was much more difficult, because people truly believed that blacks were different from whites not only physically, but that they were inferior in intellect, morals, and maturity. I think that because Stowe was a white northern woman with little one-on-one contact between herself and southern slaves, she subconsciously prescribed to general stereotypes about black people and wrote them into her characters.

Garrison not only highlights that Stowe's romantic racial beliefs "is everywhere taken for granted, because the VICTIMS ARE BLACK" (Garrison), but he also argues against her religious stance when he asks:

Is there one law of submission and non-resistance for the black man, and another law of rebellion and conflict for the white man? When it is the whites who are trodden in the dust, does Christ justify them in taking up arms to vindicate their rights? And when it is blacks who are thus threatened, does Christ require them to be patient, harmless, long-suffering, and forgiving? And are there two Christs? (Garrison)

Garrison is addressing a main conflict which is present in *Uncle Tom's Cabin*. If God/Christ are supposed to be just and fair, how can they make one group of people "superior" to another? This issue is clearly addressed in *Uncle Tom's Cabin* when Marie St. Clare is waiting for Tom to prepare the horses in order attend church. During this scene in the novel, Stowe delves into Mrs. St. Clares thoughts and shares them with her audience. She writes:

perhaps as God chasteneth whom he loveth, he hath chosen poor Africa in the furnace of affection to make her the highest and noblest in that kingdom which he will set up, then every other kingdom has been tried, and failed; for the first shall be the last and the last first (Stowe 275).

Marie is rationalizing the fate of slaves by pondering whether or not God had a greater purpose for them. Religion is a conflicting struggle throughout the novel as certain characters embrace it and other characters reject it. Garrison brings up the issue of religion in *Uncle Tom's Cabin* because it seems hypocritical to say that slaves must behave and worship the Lord when in return for their piety they are beaten. However, it is okay for white people to beat a fellow human being, because they are white and the other is black. How can God allow that?

I think it is very interesting how Garrison places religion and violence together in his statement. It is very fitting when you apply it to the American Revolution. It was okay for us as white colonialists to fight against the British monarchy for our independence and for our religious freedom. However, Stowe seems to think that it is not okay for blacks to fight against whites in order to gain their independence and religious freedom. This is extremely hypocritical.

While I do agree with Garrison's arguments that *Uncle Tom's Cabin* is based on racial double standards, I think Stowe was very meticulous in how she presented her concepts to her white northern audience. In order for Stowe to get her message out to people, she had to create a novel that people would want to read. To do this, she had to make the issue of slavery palatable to her readers. Stowe had to prescribe to

romantically racial concepts in order to not offend her audience. Stowe's use of romantic radicalism worked. Her novel became a success across the world. However, the usage of romantic racialism in turn created racial double standards throughout the novel.

William Lloyd Garrison's complaint of racial double standards in *Uncle Tom's Cabin* is a valid argument. I agree that Mrs. Harriet Beecher Stowe upholds a different set of morals for white people as compared to black people. However, I believe that this dichotomy of values for blacks versus whites is a result of the author's desire to appeal to an audience in order to have her opinions voiced to the public and make them aware of the cruelties of slavery.

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Buck v. Bell: A Case Study

By Scott Polirstok

During the early twentieth century, the United States was enduring significant social and economic changes due to its transformation into a commercial and industrial world power. As the need for labor escalated within many urban areas, millions of Europeans emigrated from Southern and Eastern Europe with the hopes of capitalizing upon these employment opportunities and attaining a better life. Simultaneously, many African-Americans migrated from the rural South into major cities, bearing the same intentions as those of the European immigrants. The presence of these minority groups generated both racial and class fears within white middle and upper class Americans. The fervent ethnocentrism resulting from these fears, coupled with the Social Darwinist concepts of Herbert Spencer, would ultimately spur the American eugenics movement. Originating from the theories of Sir Francis Galton, the cousin of Charles Darwin, eugenics is the study of human heredity and genetic principles for the purposes of improving the human race by limiting the proliferation of defective gene pools. Charles Davenport, the founding father of the American eugenics movement, was one of many elite Americans advocating for the incorporation of the ideals of this new "science" into society. The work of Davenport, which became known as eugenic principles, would not only have an impact on public education, but a legal impact as well. By 1931, thirty state legislatures had passed involuntary sterilization laws that targeted "defective strains" within the general population, such as the blind, the deaf, the poor, and the feebleminded. Virginia, one of these states, held the position that involuntary sterilization would not only benefit the overall welfare of society, but would promote both the health and happiness of the sterilized individual as well.

In contrast to the "negative" eugenics position of the state of Virginia, involuntary sterilization laws emphasizing breeding restrictions for society's "unfit" neither benefit the welfare of the individual nor that of society for several moral and legal reasons. The legal validity of these involuntary sterilization laws would be challenged within the Supreme Court case of *Buck v. Bell*. In September of 1924, at the age of eighteen, Carrie Buck, an illegitimate daughter of an allegedly feebleminded woman, was admitted to the Virginia's State Colony for Epileptics and the Feebleminded. Six months earlier, the Virginia State Legislature decisively passed their involuntary sterilization bill authorizing the Superintendents of five state institutions to petition for the permission to sterilize inmates. Buck, who had a mental age of nine and an I.Q.

of about fifty, had already given birth to an illegitimate child herself, who was allegedly feeble-minded as well. At the time, the Superintendent of the State Colony, Dr. A. S. Priddy, petitioned for permission to sterilize this woman for fear that Buck would have more mentally defective children. The statute had provided that each Superintendent needed to receive permission from a special Board of Directors of that institution, who would hear the grounds for sterilization and determine whether or not to follow through on the operation. Priddy faced immense pressure from state officials to petition for sterilization, as they were cognizant that the law would be challenged eventually. Therefore, they were eager to make this the test case, during the height of the eugenics movement, in order to see if the law would hold up in court.

Following the approval of the State Colony's Board of Directors on the sterilization petition offered by Priddy, Buck immediately appealed the decision to the local Circuit Court of Amherst County. Judge Bennet Gordon, presiding over the Circuit Court, upheld the constitutionality of the Virginia statute and decreed that the sterilization must take place within ninety days. Analogous to the decision of the local circuit court, the Virginia Supreme Court of Appeals, under the ruling of Judge Jesse West, unanimously upheld the legality of the involuntary sterilization statute, which thwarted Buck's second effort to prevent the operation from occurring. Due to the first two court decisions, Buck then appealed her case to the United States Supreme Court in February of 1926. While the Court had elected not to hear any previous sterilization cases in the past, they chose to accept the appeal of Buck and subsequently heard the case of *Buck v. Bell* (Bell was the current Superintendent of the Colony in April of 1927). Within this case, the Court faced the question of whether or not the Virginia statute authorizing involuntary sterilization had denied Buck the right to due process of law and the equal protection of the laws under the Fourteenth Amendment.

I. P. Whitehead, representing the interests of Buck, based his argument to the Supreme Court on the violation of her Fourteenth Amendment rights. Whitehead offered a multi-dimensional argument by displaying reasons why the involuntary statute failed to benefit either society or the individual. Whitehead argued that a forced salpingectomy, a surgical procedure involving the cutting of the Fallopian tubes, was a direct violation of the constitutional right of bodily integrity. He cited the case *Munn v. Illinois* as a precedent, which defined what was meant by "deprivation of life". According to the precedent, deprivation of life did not only apply to life itself literally, but also more broadly to all of those limbs and faculties by which life is meant to be enjoyed. As Whitehead claimed, "The inherent right of mankind to go through life without mutilation of organs of generation needs no constitutional declaration." Therefore, Whitehead contended that a forced salpingectomy would fall into the category of unjustifiably depriving Buck of a full and rich life. Whitehead then disputed the arbitrariness of the sterilization process as a breach of equal

protection, since various "natural" classes within society will be governed by different sets of rules. Moreover, within his argument, Whitehead asserted that should the Court allow the Virginia statute to stand as valid, there would be no limit to the powers of the State to divest itself of individuals who did not meet its standards. As Whitehead declared, "In the place of the constitutional government of the fathers we shall have set up Plato's Republic."

Whitehead certainly provided an adequate and effective argument for why the Court should rule in favor of the interests of Carrie Buck. Unquestionably, Whitehead's arguments highlighting "deprivation of life" and "Plato's Republic", reflected both the societal and individual problems inherent in maintaining the statute. The efforts of Whitehead were indeed at a disadvantage, since the case was heard at the height of the eugenics movement. Although judges are required to remain impartial and unbiased, the implementation of the eugenic doctrines was primarily advocated for by upper-class, white males. This description undeniably fit all nine of the Justices on the bench of the Supreme Court. While it is certainly doubtful that any of the laudable Supreme Court Justices were ardent eugenicists, it would not be inconceivable to assume that they could have been somewhat influenced by the ideology of the "new science". Even though Whitehead's overall argument was not without flaw, it was still very effective in targeting the detrimental aspects of the involuntary sterilization statute for both individuals and the society at large.

Contrastingly, Aubrey Strode, the counsel representing the State Colony, opened his legal defense by introducing the issue of cruel and unusual punishment. Since the plaintiff never officially made a formal charge stating that her Eighth Amendment right had been violated, it is puzzling that the defense would even bring the matter into consideration. However, citing the case of *Hart v. Commonwealth* as precedent, Strode maintained that a sterilization operation did not violate a constitutional provision forbidding the administration of cruel and unusual punishment, as there would be no serious pain inflicted or a substantial danger to life as a consequence of this medical procedure. Following his claim that the Eighth Amendment was in no way violated within this case, Strode argued that the implementation of an involuntary sterilization statute, which was analogous to a compulsory vaccination statute, was a legitimate exertion of the State's police powers. As Strode stated, "The precise question therefore is whether the State, in its judgment of what is best for the appellant and for society, may through the medium of the operation provided for by the sterilization statute restore her to the liberty, freedom, and happiness..." In essence, the core of Strode's argument was that involuntary sterilization creates a symbiotic relationship between the individual and society such that the individual will benefit from sterilization through the "restoration" of his/her respective liberty, while

society will benefit because they will no longer have to deal with supporting future generations of deficient children.

In stark contrast to that of Whitehead, Strode did not offer a legitimate argument for the purposes of defending the interests of the Virginia statute, on the grounds that he had misconstrued the meaning of human rights. Strode argued that a feeble-minded individual will benefit from having his/her lost liberty "restored" following a sterilization procedure. In other words, a feeble-minded individual who had not as yet been sterilized, did not have any liberty as a sexual being because of the fear of producing children who would be mentally deficient. However once sterilized, the individual and society could be free of the fear of producing defective children and hence liberty would be "restored". This presumption stands in direct conflict with the inherent ideals of natural law and the equal rights of all individuals, which serve as the foundation of our nation. Strode further discredited his own argument by posing the question, "Who then is to consent or decide for this appellant whether it be best for her to have this operation?." Here, within his own opinion defending eugenics, Strode still questioned where the authority lied when deciding whether or not a person should be sterilized. Perhaps he resorted to stating this question instead of providing an answer for it because by addressing the limitless power of the state, he could only weaken his position in defense of the Virginia State Colony.

After hearing the arguments of both Whitehead and Strode, the Supreme Court reached their decision on May 2, 1927. The Court had ruled in favor of the State Colony by a margin of eight to one. The author of the majority opinion, Justice Oliver Wendell Holmes, Jr., stressed that Buck's challenge could not be against the sterilization procedure itself, because the process afforded Buck several appeal opportunities prior to the actual operation. Therefore, Holmes asserted, the essence of Buck's challenge lay against the constitutional validity of the law. Holmes held that the Virginia statute did not violate any provisions of the Constitution, by maintaining the notion that sterilization laws were beneficial to both the individual and the society at large. Holmes claimed, "It is better for all the world, if instead of waiting to execute degenerate offspring for crime, or let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind." Here, Holmes held the presumption that the offspring of feeble-minded individuals would ultimately resort to a life of crime, or suffer from being unable to care for themselves; therefore, through the implementation of sterilization laws, society could protect those deficient individuals from having to endure these hardships. In order to strengthen his opinion on how sterilization laws ultimately benefit society, Holmes applied the precedent of *Jacobson v. Massachusetts* (1905).

Within *Jacobson*, a case in which Holmes himself supported the majority ruling of Justice Harlan, a Massachusetts law authorized cities to require residents to be

vaccinated against smallpox. However, Jacobson, a resident of the city of Cambridge, refused to comply with the requirement on the grounds that a mandatory vaccination law was in violation of his Fourteenth Amendment right. Analogous to the court's decision within Jacobson, which upheld the validity of mandatory vaccination laws in the interest of societal welfare, Holmes maintained that within Buck, that the involuntary sterilization laws were a legitimate exercise of the state's police power with the sole intention of protecting public health and the safety of its citizens.

Comparable to the argument of Strode, the opinion of Holmes contending that involuntary sterilization laws were both beneficial to the individual and society can be conclusively undermined. Within cases when an individual's fundamental rights are at stake, a higher level of judicial scrutiny must be employed. Holmes had exercised this level of judicial scrutiny through his renowned dissents within the First Amendment protection cases including *Abrams v. United States* and *Gitlow v. New York*. Holmes, regarded as "The Great Dissenter", consistently argued that an anarchist who had been urging general strikes against the government was still protected by rights guaranteed through the First Amendment of the Constitution. Paradoxically, Holmes acknowledged rights existing within both the *Abrams* and *Gitlow* cases, but failed to consider the inherent rights at stake within *Buck*. While the objective of a utilitarian, such as Holmes, is to strive to achieve the greatest available good, one must recognize the staunch distinction between a "rule" utilitarian from an "act" utilitarian. An "act" utilitarian would support any action that would benefit the greatest good, even if it meant infringing upon human rights. Conversely, a "rule" utilitarian would look to follow what is right morally, such as preserving human rights, which subsequently would maximize utility and create the greatest good. The fact that Holmes conceded that individual rights must be considered, within *Abrams* and *Gitlow*, is evidence that his thinking is consistent with a "rule" utilitarian. However, a "rule" utilitarian would never advocate an opinion supporting a eugenic philosophy at the expense of violating human rights. As Whitehead had stated, Carrie Buck had a right to bodily integrity which was derived from doctrines of natural law and unjustifiably violated by the state of Virginia. Under no circumstance would she, as an individual, have been better off having that inherent right stripped away from her.

Besides the opinion of Holmes infringing upon the natural rights of Carrie Buck, he was also wrong to contend that society would benefit from involuntary sterilization laws. Within his opinion, Holmes made the parallel between mandatory vaccination laws and involuntary sterilization laws, holding that both would benefit and protect society. However, there is actually a prominent difference between these two types of laws. Mandatory vaccination laws are very socially useful as a public health measures to prevent the spreading of fatal diseases throughout the population. Unquestionably, once someone is properly vaccinated for a disease, there is absolutely no chance of

that individual contracting that respective disease. In fact, Holmes used the analogy within his opinion that involuntary sterilization laws could be viewed as a form of vaccination itself. "The principle that sustains compulsory vaccination is broad enough to cover cutting the Fallopian tubes." These laws, when applied, will serve to "vaccinate" the population as a whole against future offspring who are unfit and thereby create a healthier society. However, unlike a legitimate vaccine, the involuntary sterilization laws are not foolproof. It is untrue that sterilization of the mentally deficient would guarantee the elimination of all future generations of feeble-minded individuals. Many retarded children may be born from two completely healthy and normal parents. Similarly, physically and mentally normal children may be born from two feeble-minded parents. Due to this fact, which was not even mentioned within the opinion of Holmes, the assumption that society can be forever cleansed of the mentally retarded through sterilization is erroneous. Moreover, cleansing society of defective gene pools beginning with feeble-mindedness is dangerous, and determining where to draw the line on what constitutes defect delivers society into the hands of a fascist like Adolf Hitler.

This very issue of determining what or who is defective is a flaw in Holmes' decision. Holmes' decision can be criticized because he "allegedly" held Buck's daughter to be feeble-minded. One should note that Buck's daughter had been officially labeled feeble-minded after only one month following conception, solely because her mother had been mentally deficient. However, according to Ruth Macklin of the Albert Einstein College of Medicine, "It was discovered that the child had died of smallpox in the second grade but at that time she was a brighter-than-average student who was doing perfectly well." The fact that Buck's daughter was a mentally competent second grader only reinforces the fact that a retarded parent was capable of having a completely healthy and normal child. This evidence clearly contradicts Holmes' historic statement that "three generations of imbeciles are enough", as Buck's daughter was clearly not a third generation imbecile. Due to the fascist nature of eugenics where the power of the state is limitless, as mentioned by Whitehead, one cannot overlook the chance that Buck's daughter might still have been sterilized had she lived beyond eight years, due to her initial diagnosis.

Despite all of the flaws within the opinion of Holmes, Carrie Buck was officially sterilized in 1928. The only dissenter within the case, Justice Pierce Butler, offered no opinion. The fact that Butler offered no opinion really damaged the credibility of any opposition against the majority ruling. Butler's lack of rationale explaining why he chose to dissent was detrimental to those standing against the eugenics movement, as there was nothing legally stated concerning how dangerous eugenics laws could be upon society. Coupled with Butler's inadequate dissent, the decision of Holmes was responsible for invigorating the American eugenics movement. Following *Buck v.*

Bell, involuntary sterilization statutes spread across the nation like wildfire. According to Edward Larson of The Johns Hopkins University, "The annual average number of operations performed under compulsory sterilization statutes in the United States jumped tenfold, from 230 during 1907-27 to 2,273 during the 1930s."

The Buck decision had a huge impact upon the fundamental right to privacy; it questioned whether or not feeble-minded women had the fundamental right to reproduce. Issues in Buck concerning who should be allowed to reproduce, along with the presence of eugenics movement advocating forms of birth control, would pave the way for other "fundamental right to privacy cases" in the future including the well-known *Griswold v. Connecticut* and *Roe v. Wade*.

Buck v. Bell would eventually be overturned fifteen years later within *Skinner v. Oklahoma*. Here, Oklahoma's Criminal Sterilization Act allowed the state to sterilize a person who had been convicted three or more times of respective felonies. Justice Douglas, author of the unanimous majority opinion, held that the Oklahoma recidivist statute was in violation of the Fourteenth Amendment and its Equal Protection Clause. *Skinner* overturned *Buck* on the grounds that the latter violated the basic civil right to procreate. Justice Douglas had viewed procreation as one of the fundamental rights requiring the judiciary's strict scrutiny. It is very interesting to note that the way in which eugenics had been perceived at the times when important court cases involving sterilization were brought, ultimately impacted on how the court ruled. The case of *Buck* had been brought before the court at the height of the eugenics movement in 1927, and to no one's surprise, the law was upheld. Conversely, the case of *Skinner* was brought to the court at a very low point in the American eugenics movement around the time of the atrocities committed by Adolf Hitler and Nazi Germany during 1942, and not surprisingly the law was repealed.

Despite the fact that the decision of Holmes was eventually overturned, Carrie Buck along with thousands of other feeble-minded Americans were victims to an immorality that was sanctioned by individual states and upheld by the Supreme Court. In looking back at that time, clearly neither the individual nor society benefited from these involuntary sterilization laws. It is interesting to note how such attitudes toward individuals with mental handicaps have changed over time. Since the late 1950's in this country, the movement toward civil rights and later the movement for women's rights have contributed greatly to the thinking and legislation governing the rights of the handicapped including their reproductive rights.

Notes

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