


Fall 12-15-2014

Racial Politics of American History and the United Nations: The Impact of the Cold War on the Civil Rights Movement

Amy C. Cody

The College at Brockport, ms.amycody@gmail.com

Follow this and additional works at: http://digitalcommons.brockport.edu/ehd_theses

 Part of the [American Politics Commons](#), [Education Commons](#), [Human Rights Law Commons](#), [International Law Commons](#), [Law and Politics Commons](#), [Law and Race Commons](#), [Legal Theory Commons](#), [Organizations Law Commons](#), [Public Law and Legal Theory Commons](#), and the [State and Local Government Law Commons](#)

To learn more about our programs visit: <http://www.brockport.edu/ehd/>

Repository Citation

Cody, Amy C., "Racial Politics of American History and the United Nations: The Impact of the Cold War on the Civil Rights Movement" (2014). *Education and Human Development Master's Theses*. 526.
http://digitalcommons.brockport.edu/ehd_theses/526

This Thesis is brought to you for free and open access by the Education and Human Development at Digital Commons @Brockport. It has been accepted for inclusion in Education and Human Development Master's Theses by an authorized administrator of Digital Commons @Brockport. For more information, please contact kmyers@brockport.edu.

Racial Politics of American History and the United Nation:
The Impact of the Cold War on the Civil Rights Movement

Amy Cody

May 2015

A thesis submitted to the Department of Education and Human Development of the State
University of New York College at Brockport in partial
Fulfillment of the requirements for the degree of Master of Science in Education

TABLE OF CONTENTS

Title Page	1
Signature Page	2
Table of Contents	3
Introduction	4
Part 1	5
Part 2	28
Part 3	86
Bibliography	88

Part 1:
A Brief Historiography of the
1951 Civil Rights Congress' Petition to the United Nations

Genocide; acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, defined as such within the Convention on the Prevention and Punishment of the Crime of Genocide.¹ Three petitions drafted by African Americans have been presented to the United Nations within its history. One of those three differentiated itself in addressing specifically this Convention. In 1951, with the third petition to the United Nations went a much more radical accusation charging the United States government with the genocide of the African American race. Historians debate the true goals behind this Petition as a result of the historical context it was drafted and presented in. With anti-Communist hysteria defining the era within the United States, any form of criticism was considered subversive.

With the creation of the United Nations charter following the peace agreements of World War II, African American leaders saw this external organization as an avenue to pressure the government of the United States to change racial injustices that still plagued American society.² Following the end of WWII and the revelation of Nazi atrocities,

¹ Civil Rights Congress, *We Charge Genocide; The Historic Petition to the United Nations for Relief from a Crime of the United States Government against the Negro People*, (New York: International Publishers, 1970), xii.

² Azza Salama Layton, *International Politics and Civil Rights Policies in the United States, 1941-1960*, (Cambridge: Cambridge University Press, 2000), 48.

African American veterans and activists alike deemed Jim Crow not only a disrespectful homecoming to the nation's veterans but also a possibility for more horrendous behaviors as seen abroad. Ultimately three civil rights petitions were submitted to the United Nations including the 1951 petition. The first to request international aid was the National Negro Congress (NNC) in June, 1946. The second petition was drafted by the National Association for the Advancement of Colored People (NAACP) in October, 1947. Both of these petitions were co-authored by W.E.B. DuBois and both attacked the United States government for human rights violations which emphasized, "deplored poverty, poor schooling and housing and high black mortality rates."³ With the lack of the 1946 and 1947 petitions' accomplishments due to the United Nations deeming the problems presented within the two petitions as an internal affair for the U.S government to take care of, the Civil Rights Congress tried again in December of 1951. Offering a much more radical attack on the United States, the third petition dramatically distinguishes itself from the previous attempts by charging the United States government not with human rights violations, but with the documented assertions of genocidal behavior on behalf of the federal government against the African American race.⁴ The 1951 petition noted several violations previously mentioned within the NAACP 1947 petition, however what sensationalized the CRC's petition was that this petition set out to

³ Layton, *International Politics*, 48.

⁴ Carol Anderson, *Eyes Off the Prize: The United Nations and the African American Struggle for Human Rights, 1944-1955*, (Cambridge, UK: Cambridge University Press, 2003), 179.

prove government intent to suppress, oppress and deny African Americans their civil rights of justice and, in some cases, life.⁵

In regards to understanding the genocide accusations, one must note the United Nations definition of genocide within this Convention's outline. Article II as well as Article III of the Convention on the Prevention and Punishment of the Crime of Genocide; define what actions constitute a genocidal act. Both of these articles are documented within the CRC's petition. Article II states that, "genocide means any [acts] committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group."⁶ The acts referred to range from actual murder, to denying proper living conditions, to preventing births within a particular group. Whereas Article II outlined what "genocide" was defined as within the United Nations, Article III focuses on what would be punishable by this convention: the act of genocide, the conspiracy and or attempt to commit genocide as well as the complicity in genocide are decidedly punishable by the United Nations.⁷ Historians note that not only did the CRC set out to radicalize the charges against the United States in accusing governmental intent, but that the organization presented the Petition within the Cold War, which posed its own international issues.

In 1951 the Civil Rights Congress Petition was created and notably indorsed by William Patterson and Paul Robeson. The organization itself was founded in 1948 as an "amalgamation" of the National Negro Congress, the International Labor Defense and the

⁵ Anderson, *Eyes Off the Prize*, 179.

⁶ Civil Rights Congress, *We Charge Genocide*, xii.

⁷ Civil Rights Congress, *We Charge Genocide*, xii.

National Federation for Constitutional Liberties.⁸ Although the petition acted as an international declaration denying the United States of any and all forms of perfection specifically regarding human rights, the petition itself has been viewed and debated as a myriad of intentions. What one can not overlook is the communist hysteria that controlled the United States' public at the time of the petition's creation.⁹ Communism was an inescapable scapegoat for anything that questioned the United States government. In regards to the 1951 petition that so many within the United States government approached as a form of Red propaganda due to its heavy critical stance, a historical debate situates itself around the true intentions of the Civil Rights Congress and how, if at all, Cold War politics aided or impaired the international charge.

Historians agree that it is a form of progression regarding first the United Nations and then civil rights activists' response. This is exemplified first and foremost with the establishment of the United Nations Commission on Human Rights in February, 1946. The civil rights activist response was issued by DuBois and the NNC to submit the first United Nations petition on behalf of "African Americans, black Africans, and descendants of Africa in the West Indies seeking 'relief from oppression'" four months later.¹⁰ Resolved on believing in the external power of the United Nations as an overarching governing force, the NAACP asserted within its 155-page petition, *An Appeal to the World*, that the defined racial injustices were a potential threat to world

⁸ Gerald Horne, *Communist Front?: The Civil Rights Congress, 1946-1956*, (N.J.: Fairleigh Dickinson University Press, 1988), 13.

⁹ Anderson, *Eyes Off the Prize*, 183.

¹⁰ Layton, *International Politics*, 50.

peace and therefore was indeed an issue for the United Nations to solve.¹¹ Similarly, it was with the 1948 adoption by the United Nations members of the “Convention on the Prevention and Punishment of the Crime of Genocide,” that a new avenue into international politics for civil rights activists was presented.¹² The response to this United Nations organ was the Civil Rights Congress’ *We Charge Genocide* petition.

In distinguishing the 1951 United Nations petition authored by the Civil Rights Congress from the previous two petitions by civil rights organizations it is described within Azza Salama Layton’s book, *International Politics and Civil Rights Policies in the United States: 1941-1960* as an issue of strategy. Although the two previous petitions to the United Nations on behalf of the African American civil rights plight charged human rights violations, the CRC charged the United States with genocide against the African American people ultimately gaining a much greater form of international attention.¹³

In acknowledging the Red Scare instituted within the United States throughout the 1940s/1950s, Layton stresses the importance that a positive international image held within the United States government. Cold War politics, defined by the containment of communism behind the Iron Curtain and the feverish work to secure allies against the Soviet Union, the political conditions of the time, “improved the initial bargaining position of civil rights advocates.”¹⁴ Working with the past losses concerning the previous two United Nations petitions that were almost immediately tabled, the CRC was

¹¹ Layton, *International Politics*, 51.

¹² Layton, *International Politics*, 67.

¹³ Layton, *International Politics*, 64.

¹⁴ Layton, *International Politics*, 63.

encouraged to, “to present its petition [due to the] adoption by United Nations members of the Convention on the Prevention and Punishment of the Crime of Genocide in December 1948.”¹⁵ Using “Cold War politics” to their advantage, the 1951 petition charged the United States government with outright genocide of the African American people on an international scene as more or less a, “[strategy] to maintain that [bargaining] position and to achieve real social and political gains.”¹⁶ Essentially Layton argues that the petition, although it went nowhere within the United Nations legally, caused such a commotion internationally that it was indeed a strategic avenue to apply the necessary international pressure on the United States, via political embarrassment, for the civil rights organizations to achieve effective reforms.¹⁷

Intertwined throughout Layton’s work is a brief but detailed recognition of Paul Robeson’s role within the petition. The section within her work dedicated solely to the “Paul Robeson Challenge,” discusses the issues surrounding the CRC’s petition and Robeson’s role specifically within the politics that encapsulated the organizations activities. Unlike so many historians who have chalked the CRC’s work up to a communist front due to Robeson’s involvement and William Patterson’s communist membership, what Layton introduces within her work on the petition was Robeson’s acceptance and use of communism throughout this period. Of the positive uses communism presented and what Robeson acknowledged “most notably, [was] the

¹⁵ Layton, *International Politics*, 67.

¹⁶ Layton, *International Politics*, 63.

¹⁷ Layton, *International Politics*, 69.

treatment of minorities.”¹⁸ This in itself comes down to a strategic use of what the United States government was feverishly trying to battle. What Layton argues is that, “by exposing American racism to the world [in comparing the positive aspects of the despised communists to the United States government], Robeson was pushing for reforms,” and using, “communism as a vehicle to deliver relief from Jim Crow.”¹⁹ Summating her position, Layton states that the Petition was indeed a “magnificent embarrassment to the United States,” for it did outline the numerous genocidal incidents regarding the race relation.²⁰ Layton’s argument is not based on the existence of communism infiltrating and controlling the Civil Rights Congress itself, but rather that the CRC used communism as a strategy to push for the civil rights reforms previously unacknowledged by the federal government. The Petition itself is argued as a civil rights petition, however the way it was used within the international arena of the United Nations made the United States government assume and accuse red undertones. In many instances the USSR referenced the Petition to embarrass and silence the United States that was looking to take moral high-ground concerning human rights violations.²¹ Cold War politics therefore created the international stir around the 1951 Petition that worked towards a United States and international acknowledgement of the civil rights issue.

What historians have centered the historical debate around concerning the 1951 Petition is not the Cold War era it was drafted during but rather the real goals the Civil

¹⁸ Layton, *International Politics*, 66.

¹⁹ Layton, *International Politics*, 67.

²⁰ Layton, *International Politics*, 68.

²¹ Layton, *International Politics*, 69.

Rights Congress was trying to achieve in the creation and publication of the 1951 Petition. Whereas some historians view the petition as a genuine attempt to secure civil rights for African Americans, others look at the background of the penning organization to describe petition describing it rather as a form of communist propaganda. So what was this petition; black or red?

On one side of the coin there is the idea that the petition was put forth by the Civil Rights Congress, a Communist-front organization, in order to gain freedoms for the United States Communist Party (CPUSA). These gains would be achieved through the denouncement of the American justice system at home and abroad, and tainting the United States international image therefore silencing the U.S. accusations of Soviet human rights violations.²² Carol Anderson, author of 2003 publication, *Eyes Off the Prize*, argues that the 1951 Petition was used predominantly to further the Free-the-Communist-11 agenda within the United States justice system. Presenting this particular argument Anderson describes a political intent tainted by the communist party's influence within the Civil Rights Congress itself. Anderson argues within her book that the actions William Patterson took throughout his years in the CRC defending the imprisoned communist leadership, in specific regards to the *Genocide* petition, "made it clear that the [petition] was not about the needs of black people, but about those of the Communist Party."²³ Not only was the petition a form of pro-communist propaganda, but it is argued that this particular petition that charged the United States with the genocide

²² Anderson, *Eyes Off the Prize*, 183.

²³ Anderson, *Eyes Off the Prize*, 183.

may not even have had true intentions for the advancement of their civil rights. Anderson asserts that, “the Civil Rights Movement was launched with neither the language nor the mission it needed to truly achieve black equality,” following WWII.²⁴

With the end of the war, an opportunity was presented to African American leaders to “launch an offensive against the conditions of segregation and inequality in the United States.”²⁵ What is pertinent to understanding Anderson’s argument, describing the Petition as benefiting the Communist Party of the United States of American (CPUSA), is the author’s noted difference between human rights and civil rights.²⁶ Human rights were an attainable goal that organizations such as the NAACP fought to secure at home. Civil rights on the other hand, were unattainable at the time, but encouraged by the CPUSA for their front organizations to work towards.²⁷ It is the interactions between CRC leader William Patterson and notable Communists that galvanize her argument that the CRC did not truly care about attaining African American civil rights, but rather was following directions for the Communist Party. The disingenuous motives behind the civil rights petition then are presented as a product of Communist-ties that wanted only to call attention to the numerous injustices within the American justice system in hopes of freeing the eleven jailed party leaders.²⁸ Anderson describes *We Charge Genocide* not as a tool to be used to achieve of civil rights, but rather as a “deftly crafted Communist Party document that skillfully used the plight of

²⁴ Anderson, *Eyes Off the Prize*, Introduction.

²⁵ Anderson, *Eyes Off the Prize*, Introduction.

²⁶ Anderson, *Eyes Off the Prize*, Introduction.

²⁷ Anderson, *Eyes Off the Prize*, 182.

²⁸ Anderson, *Eyes Off the Prize*, 185-186.

African Americans to meet the major legal and financial objectives on the CRC's 'Free the Communist 11' agenda."²⁹ To further her analysis of the document Anderson reasserts that due to the lack of genuine civil rights aims, the "CRC was not fully prepared to use the Genocide petition to directly advance the cause of black equality," referring to importance placed on the Petition's distribution rather than on the rare ways to breach the United Nations Charter and place the Petition on its agenda.³⁰

Anderson formulates her argument around information pertaining to the petition itself. William Patterson who drafted the CRC petition is argued to have placed more of an importance on the circulation the *We Charge Genocide* literature above actually placing the petition on the United Nation's agenda. Anderson highlights the emphasis Patterson placed on the "[publication of his] 'bitter book [of] horrors,' well before he left the United States [for the UN meeting in Paris], and [its distribution] to his Communist allies in Eastern Europe, Britain and France."³¹ Anderson argues that due to the communist ties the CRC had publicly in a time when "anticommunism hysteria [took] its toll on the political Left," the CRC was ultimately out of financial backing.³² Due to the lack of funds required, "to finance the legal defense needs of the jailed American Communist party leadership," Anderson states that the CRC expanded its fight against civil rights injustices to include the race issue in attempts to regain allies [within the

²⁹ Anderson, *Eyes Off the Prize*, 185-186.

³⁰ Anderson, *Eyes Off the Prize*, 186.

³¹ Anderson, *Eyes Off the Prize*, 182.

³² Anderson, *Eyes Off the Prize*, 183.

community] and their financial power.³³ The *Genocide* petition therefore was used as a tool to garnish the African American support for the organization itself. What Anderson argues as her final analysis on the CRC petition is based around the NAACP and the CRC inter-organizational denouncement of each other throughout this historical period. Once Patterson's petition was publicized the leadership of the NAACP, specifically Walter White immediately lashed out not only at the document itself, but Patterson individually and the CRC as a whole. Argued by Anderson is the fact that, "*We Charge Genocide* was a deftly crafted Communist Party document that skillfully used the plight of African Americans to meet the major legal and financial objectives of the CRC's agenda."³⁴ To summate her argument, the "Red Negro was pitted against the American Negro," and no one really took into consideration the true issues and needs of the African American population.³⁵ Anderson therefore asserts that this petition was painted red due to the Communist-organizational ties, the leader and author of the Petition, William Patterson, as well as the various ways the CRC focused on internationally embarrassing the United States rather than focusing on placing the Petition on the United Nations agenda.³⁶

On the other side of the coin there is the "black" representation of this Petition. This argument, which is supported by several historians, asserts a more complex argument that takes the genuine civil rights efforts of the *We Charge Genocide* Petition

³³ Anderson, *Eyes Off the Prize*, 183.

³⁴ Anderson, *Eyes Off the Prize*, 185.

³⁵ Anderson, *Eyes Off the Prize*, 208.

³⁶ Anderson, *Eyes Off the Prize*, 182-183.

into the historical context of the time. Considering the anti-communist hysteria circulating the United States mid-1940s to the early 1950s, this approach argues that the Petition itself was an attempt to gain African American civil rights; however its motives were tainted by Communist-hysteria and a suppressive national backlash.

To act as a counterargument for Carol Anderson's work, is Gerald Horne's work entitled *Communist Front? The Civil Rights Congress, 1946-1956*. Within his book Horne immediately condemns fellow historians that name the Civil Rights Congress incorrectly as a Communist Front. Although he states his astute awareness that many may disagree with his findings, Horne avidly denies the Civil Rights Congress as being anything near a "front" for communism but rather a group who was comprised of some communist members.³⁷ A staple in Horne's argument was the mass hysteria of anti-communism that plagued the years that the CRC functioned in. The term "communist front" was "tailored... to sweep within its ambit just about everyone who was not conservative."³⁸ Therefore the Red tag could and did describe every nuance that was disliked or acted as a critique of the United States government as was the case as Horne argues with the Civil Rights Congress' 1951 Petition.

Arguing against the red tag placed on the Civil Rights Congress, Gerald Horne asserts that the, "CRC was not the Communist Party, yet it performed militant and often successful tasks, which helped to attract such luminaries."³⁹ Arguing that it was,

³⁷ Gerald Horne, *Communist Front?: The Civil Rights Congress, 1946-1956*, (N.J.: Fairleigh Dickinson University Press, 1988), 19.

³⁸ Horne, *Communist Front?: The Civil Rights Congress*, 14.

³⁹ Horne, *Communist Front?: The Civil Rights Congress*, 17.

“because the CRC was... competing with the opposing forces,” of the United States government, “for the ‘hearts and minds’ of a considerable segment of the population,” it was easier to attach a communist stigma to any and all forces of criticism rather than approach the raised issues in a constructive but yielding manner.⁴⁰ Horne argues then the Petition drafted by the CRC as pure to its Civil Rights agenda and was “painted red” due to the structure of its complaints. It was because the petition was complaining about civil rights injustices in an international arena that the backlash of the Petition, claimed Communist subversions.⁴¹

While debating other historians as to the Red Tag placed on the CRC, Horne argues that it was due to William Patterson’s leadership role and his legal background that the CRC initially took on more cases dealing with civil rights questions.⁴² As in the past legal histories of the organizations that made up the CRC in 1946, the National Negro Congress petitioned the United Nations itself. With the merger of major civil liberties groups into the CRC, Patterson’s role within the organization was to focus the efforts of the organization more so on individual persons that required legal assistance due to the racial injustice that plagued the United States. Rather than disassociate itself with the Communist Party and their legal necessities, the CRC dedicated itself to being a “penultimate mass defense organization” that would defend any civil liberty case including the rights for the Communist Party.⁴³ What Horne does acknowledge is the fact

⁴⁰ Horne, *Communist Front?: The Civil Rights Congress*, 17.

⁴¹ Horne, *Communist Front?: The Civil Rights Congress*, 17.

⁴² Horne, *Communist Front?: The Civil Rights Congress*, 29.

⁴³ Horne, *Communist Front?: The Civil Rights Congress*, 19.

that a great deal of time and resources were put into the defense of the Communist Party leadership. However the historian counters the specifics with a definitive statement given by William Patterson stating that, “We [the CRC] are not defenders of the Communist Party. We are defenders of the rights of the Communist Party to propagate its philosophy.”⁴⁴ What Patterson was attempting to differentiate, which is the basis of Horne’s argument, is that the Communist Party and their constitutional rights were two separate statements to be considered by the public on the hunt for communists. The “crude simplifications” that Horne attributes with the commonality of describing the CRC as a communist front are attributed to the Red Scare that defined the era. Horne is specific in making clear that the communists did indeed play a role within the Civil Rights Congress, but did not control or dominate it by any means. Therefore the historian separates the 1951 petition charging genocide against the United States from any communist-encouraged subversive propaganda.⁴⁵ Intending for *We Charge Genocide* to have the impact of an *Uncle Tom’s Cabin* within the twenty-first century, Horne concludes his argument suggesting that the pro-civil rights petition did just that, not only in its sales and distribution, but also with the impact that he stresses as world-wide.⁴⁶

With the onset of the Cold War between the United States and the USSR, a new set of politics and concerns were created. According to historian Martha Biondi in her work *To Stand and Fight*, Cold War politics refer to the United States rallied containment of Communism abroad and its internal security measures guarding the nation from

⁴⁴ Horne, *Communist Front?: The Civil Rights Congress*, 102.

⁴⁵ Horne, *Communist Front?: The Civil Rights Congress*, 103.

⁴⁶ Horne, *Communist Front?: The Civil Rights Congress*, 169.

infiltrating Soviet communists. It is because of the tensions and the extreme competition between the two standing Superpowers during the post-war era that “Cold War politics” produced the anti-Soviet/anti-Communist mentality.⁴⁷ What is pertinent in analyzing the 1951 CRC Petition Biondi presents is not only the understanding of these two superpowers competing for world power, but also the internal precautions the United States took in safeguarding itself against the spreading communist domain.⁴⁸

In analyzing the numerous security measures enacted throughout the cold war, the two closely associated to the 1951 CRC Petition and how it was received were the Alien Registration Act of 1940 and the McCarran Internal Security Act of 1950. Both of these federal regulations were created and used with great ferocity throughout the 1940s and 1950s to minimize communist sympathies within the United States. The Alien Registration Act of 1940, or the Smith Act is defined as a “sedition law used to prosecute Communists.”⁴⁹ Within the provisions of the Act, it infers that anyone or any group with the intent to overthrow the government of the United States, to work towards or with any affiliate that has that goal in mind would be prosecuted for participating in such an illegal act.⁵⁰ The McCarran International Security Act of 1950, also known as the McCarran-Wood Act, created by Pat McCarran of the Senate Internal Security Subcommittee (SISS) and John Wood of the Un-American Activities Committee, required the registration of

⁴⁷ Martha Biondi, *To Stand and Fight: The Struggle for Civil Rights in Postwar New York City*, (Massachusetts: Harvard University Press, 2003), 184.

⁴⁸ Biondi, *To Stand and Fight*, 178.

⁴⁹ Biondi, *To Stand and Fight*, 139.

⁵⁰ Biondi, *To Stand and Fight*, 139.

the United States Communist Party (USCP) and its affiliate organizations, also known as “fronts,” with the Attorney General.⁵¹

Similarly, Jeff Woods, historian and author of *Black Struggle, Red Scare; Segregation and Anti-Communism in the South, 1948-1968*, argues that the idea that anti-communism became a tool for southern racist politicians to maintain the status quo of second-class citizenship for African Americans.⁵² Stating that with, “the more wartime changes [challenging] the racial status quo in the South more southerners homed in on the putative link between the black-liberation movement and international Communism.”⁵³

Woods emphasizes his connection between the red-conspiracy and the fight for civil rights by taking into consideration the men that created and maintained the House Un-American Activities Committee (HUAC) that became, “the nerve center of counter-subversive anti-Communism” throughout the lifespan of the Civil Rights Congress.⁵⁴ Martin Dies, a Texan Democrat “institutionalized” the concerns of the South following the initiation of the New Deal, in creating and receiving Congressional approval for HUAC in 1938. With Dies stepping down as chairman in 1944, HUAC was taken over by John Rankin of Mississippi. Rankin who became HUAC’s “spiritual leader” set the precedent for the committee with his own “claim to Americanism: his hatred of Negroes, aliens, liberals” that would later include any and all activists working for African

⁵¹ Robert Kenneth Carr, *The House Committee on Un-American Activities, 1945-1950*, (Ithaca: Cornell University Press, 1952), 193.

⁵² Jeff Woods, *Black Struggle, Red Scare: Segregation and Anti-Communism in the South, 1948-1968*, (Baton Rouge: Louisiana State University, 2004).

⁵³ Woods, *Black Struggle, Red Scare*, 26.

⁵⁴ Woods, *Black Struggle, Red Scare*, 26.

American rights.⁵⁵ What is important to note, as Woods points out, is that HUAC at the very beginnings was led by “racist demagogues” that distrusted foreigners, foreign ideas, and most importantly Negroes. The men that ran the Committee therefore maneuvered the committee to maintain the Southern accepted status quo.⁵⁶

With the onset of the Cold War, the USSR acting as the opposing Super Power of the mid twenty-first century, and the Hiss Case uncovering Soviet spies that had infiltrated the highest levels of the U.S. government, the red conspiracy was proving true within the United States.⁵⁷ From this, Woods asserts that southern congressmen piggy-backed on the newly relevant fear of communist infiltration to protect the *Southern-American* way of life. In order to work towards protecting the racial status quo, they used the, “traditional southern fear of black rebellion and the growing national fear of Communist subversion... [therefore wrapping] their region’s racial agenda in the American flag,” as well as tying, “southern security to national security.”⁵⁸ With Rankin’s ideals flowing through HUAC, the current racial disturbances were the fault of none other than the communist “octopus” whose tentacles stretched to include and support black radicalism.⁵⁹ Throughout the late 1940s HUAC’s disdain for any attempt to alter the racial status quo of the South resulted in intense investigations and ample charges of communism. With that being said, Woods goes on to describe the first government endorsed link between civil rights activism and Communism within the

⁵⁵ Woods, *Black Struggle, Red Scare*, 26.

⁵⁶ Woods, *Black Struggle, Red Scare*, 27.

⁵⁷ Woods, *Black Struggle, Red Scare*, 27.

⁵⁸ Woods, *Black Struggle, Red Scare*, 27.

⁵⁹ Woods, *Black Struggle, Red Scare*, 28.

Southern Conference on Human Welfare organization. This link caused the fragmentation of the organization in 1948 due to the crippling “weight” of the communist charges. Woods asserts this to be the jurisprudence necessary for HUAC to bring future civil rights activist groups up on red charges.⁶⁰

With racial reform being the equivalent of a “smoke screen for Marxist subversion,” following HUAC’s report on SCHW, the committee issued a second report in August of 1947 entitled, “Civil Right Congress as a Communist Front Organization.”⁶¹ With this report the committee went after the CRC in hopes of the organization having a similar demise. Woods does admit that the CRC was a conglomeration of not only members with strong communist ties but past organizations such as the National Negro Congress, the International Labor Defense, and the National Federation for Constitutional liberties. The report inaccurately describes the CRC as “a group solely devoted to the protection of Communist Party members who ran afoul of the law.”⁶² Where Woods attests to the organization defending communists within the United States, he also argues like Gerald Horne, that this was not the organization’s only goal. The Petition therefore being part of the CRC organization did not necessarily have to have Communist intentions. In regards to the CRC and the communists that were a part of the organization, Woods argues that the desire to maintain the racial status quo by southern congressmen through the legality of HUAC would formulate a society where, “truth would be reduced to molehills,” of membership, “while speculation [would be] expanded

⁶⁰ Woods, *Black Struggle, Red Scare*, 30-31.

⁶¹ Woods, *Black Struggle, Red Scare*, 28.

⁶² Woods, *Black Struggle, Red Scare*, 31.

into mountains,” of assumed communist activities.⁶³ Therefore Woods presents the argument that it was to the southern congressmen’s benefit to frame the 1951 Civil Rights Congress’ Petition as a form of communist propaganda that could easily be denounced rather than allow it to ruin their comfortable lifestyles.

In a pamphlet distributed in 1963 by the National Committee to Abolish the House Un-American Activities Committee, it is stated that the Communist title was still being used by the government and Southern racists alike, to suppress the growing Civil Rights Movement. The author of this pamphlet, Anne Braden, speaks of the detrimental affect “Communism” has on the growth of movement itself in a statement that,

We know that the advocates of civil rights are persistently called Communists. This has always been true, but it intensified during the 1950’s when Communist-labeling became a national pastime... the evidence is mounting that there is a direct cause-and-effect relationship [even now] between this labeling process and the shortage of people ready to act for integration.⁶⁴

In the pages of the pamphlet the issue is discussed using numerous examples of how as soon as the threat of a “Communist” title was brought up, many supporters or would-be supporters back away quickly from the Civil Rights Movement of the mid 1960s.⁶⁵

Although the National Committee to Abolish HUAC has acknowledged that fact, they also acknowledge that it has been a known tactic of the government and Southern racists alike since the early 1950’s. “It is this...that enables white Southerners to use communism as a nebulous scapegoat to which they can shift the guilt for the crimes of

⁶³ Woods, *Black Struggle, Red Scare*, 28.

⁶⁴ Anne Braden, *House Un-American Activities Committee: Bulwark of Segregation*, (Los Angeles: National Committee to Abolish the House Un-American Activities Committee, 1963), 4-5.

⁶⁵ Braden, *House Un-American*, 5-7.

their society.⁶⁶ A proposal as to how to defeat this tactic included the idea to separate Civil Rights and Communist ties completely however, Braden notes that, “when people start trying to prove what they are not, instead of what they are, they weaken themselves” as seen previously in the civil rights struggle in the late 1940’s, early 1950’s with the NAACP and CRC inter-organizational issues.⁶⁷ Although Braden is writing her pamphlet in the later years of the Civil Rights Struggle, the suppression of the staples to the Movement, such as the Highlander Folk School, the Freedom Rides of 1961, the Congress of Racial Equality (CORE), the Student Non-Violent Coordinating Committee (SNCC), and Dr. Martin Luther King Jr., all are accused by HUAC or its United States Senate counterpart, the Senate Internal Security Subcommittee (SISS), to be ““carrying on a fight for a Soviet America.””⁶⁸ What this pamphlet does note is the fact that although these government committees give weight to the Communist charges against civil rights activists, they were not the only organ within American society to do such, and certainly not the one to initiate said charges. It is rather an acknowledgement that,

Civil rights groups are challenging society as it is, and all through history those who want to keep things as they are have labeled advocates of changes as ‘subversives,’ ‘outsiders,’ and ‘traitors.’ To the white [racists] man on the street in the South, the word ‘communist’ means just those things.⁶⁹

It is this knowledge of the past history of civil rights activism and the strategic use of the Communist label, which proves necessary for the 1960’s civil rights movement to

⁶⁶ Braden, *House Un-American*, 7.

⁶⁷ Braden, *House Un-American*, 7.

⁶⁸ Braden, *House Un-American*, 9-12.

⁶⁹ Braden, *House Un-American*, 13.

continue on what the three petitions to the United Nations attempted to achieve.⁷⁰ What the Communist witch-hunt of the 1940's/1950s allowed was the segregationist role, "not as the defender of a corrupt Southern status quo, but as a guardian of the national security," that continued throughout the early 1960s.⁷¹ The CRC in the 1950s attempted to abolish not only the Smith Act, but to work alongside its allies in the National Lawyers Guild, to deem HUAC as an unconstitutional committee. This fight was taken up a decade later by the National Committee to Abolish HUAC that was established in 1960, later known as the National Committee Against Repressive Legislation, and today known as the Defending Dissent Foundation (DDF). The group used the same arguments that the CRC and the National Lawyers Guild had previously used. What this long history of the National Committee to Abolish HUAC proves is that CRC's fight against HUAC, the Smith Act and the McCarran Act were not necessarily Communist lead battles if other organizations that came about decades later, not labeled as subversive, used the same argument CRC had. The decade that followed the three petitions to the United Nations, learned the tactics of its suppressor. What is to be concluded then is that the historical period the Genocide Petition was presented in, complete with Communist-hysteria that could paralyze whole organizations, worked towards the denouncement of the 1951 Petition to a form of Communist propaganda.

Taking into consideration all aspects of the late 1940s, early 1950s McCarthyist era, Robbie Lieberman enters into the historiographical debate surrounding communism

⁷⁰ Braden, *House Un-American*, 13.

⁷¹ Braden, *House Un-American*, 14.

and the Civil Rights Congress. “Communism, Peace Activism, and Civil Liberties: From the Waldorf Conference to the Peekskill Riot,” an article written by Lieberman for the *Journal of American Culture*, focuses on the difference between two simple words; “peace” and “freedom.” What Lieberman presents within his article is the international debate that occurred over diction and the results it had on American politics.

Following the end of World War II and with the onset of the Cold War what is argued is that there came about an extreme difference between the intentions of a country focused on “peace” versus those of a country focused on “freedom.”⁷² The Soviet Union advocated peace over anything, which can understandingly be considered a valid goal considering that Europe was ravaged by the war and was going through a time of reconstruction. The United States however, took the side of “freedom” above anything else. This distinction ultimately put the two nations at odds. Anything having to do with peace was skewed to the extreme Left and was considered immediately in line with pro-Soviet actions, which in itself was seen as an un-American activity, ultimately identified as the workings of communist infiltration. The long delineation that became the rationality for many to be tagged as communist subversives took the difference between two words and instilled it upon American life. Lieberman quotes W.E.B. Dubois in stating, “Peacemakers shall be called communists,” and were therefore put under surveillance and considered “subversives.”⁷³ With the United States tightened security

⁷² Robbie Lieberman, "Communism, Peace Activism, and Civil Liberties: From the Waldorf Conference to the Peekskill Riot," *Journal of American Culture* (01911813) 18, no. 3 (1995): 59-65, *America: History & Life*, EBSCOhost; accessed October 6, 2008, 60.

⁷³ Lieberman, "Communism, Peace Activism, and Civil Liberties," 59.

questioning anything having to do with peace initiatives, “the communist peace offensive [that the United States resoundingly adopted] put American peace [and civil rights] organizations in a bind—trying to promote peace without being accused of being communist dupes.”⁷⁴ As a result Lieberman notes that several civil rights organizations separated from any and all communist ties, “causing painful rifts and weakened a number of [Civil Rights] organizations.”⁷⁵ Specifically Lieberman highlights the split between the NAACP and one of its founding fathers, W.E.B. Dubois, along with several civil rights establishments and Paul Robeson’s leadership.⁷⁶

Lieberman’s presents the argument that the communist tag accompanied any and all critics and activists within the United States that questioned the status quo. Lieberman therefore argues that Cold War politics and fears played a major role in the oversimplifications that created many of the red tags handed out to leaders of peace-seeking organizations throughout the era.

Communism infiltrated the United States. From these presented arguments it can be confirmed that communism, whether it was a valid political gain in United States government, or simply in the ever present fear and suspicion that defined the era, communism did indeed infiltrate the United States. Whereas the historiography of the Civil Rights Congress’s 1951 petition to the United Nations may put into question the true intentions of the organization, what is not underestimated by any means is the fear that Cold War Politics instilled within the American public. Some argue that the

⁷⁴ Lieberman, "Communism, Peace Activism, and Civil Liberties," 64.

⁷⁵ Lieberman, "Communism, Peace Activism, and Civil Liberties," 59.

⁷⁶ Lieberman, "Communism, Peace Activism, and Civil Liberties," 61.

organization put this intricate form of international politics to work to the CRC's advantage. Tainting the United States image of perfection, it is argued, could have had the potential to create a dynamic of give and take between civil rights organizations and the United States government in regards to civil rights reforms. What cannot be argued is that with the fusion of Cold War Politics, the Red Scare and the publication of the United States' tarnished civil rights record, the CRC seize the international spotlight. Still up for historical debate are the true intentions behind the Civil Rights 1951 petition itself.

Part 2:

Racial Politics of American History and the United Nation:

The Impact of the Cold War on the Civil Rights Movement

Genocide; acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, defined as such within the United Nation's Convention on the Prevention and Punishment of the Crime of Genocide.⁷⁷ Historically, only three petitions have been written and presented to the United Nations by African American organizations. Out of those three, one specifically and uniquely addressed the Convention on the Prevention and Punishment of the Crime of Genocide. In 1951, the third petition to the United Nations went a much more radical accusation charging the United States government with the genocide of the African American race. Historians debate the true goals behind this petition as a result of the historical context it was drafted and presented in. With anti-Communist hysteria defining the era within the United States, any form of criticism was considered subversive. This thesis will argue that the Petition authored by William Patterson, presented by himself and Paul Robeson and supported by W.E.B. DuBois, was a civil rights endeavor that garnered extreme federal backlash, tainting the Petition's sincerity with the accusations of communist ideals in attempts of silencing the shameful truth.

With the creation of the United Nations charter following the peace agreements of World War II, African American leaders saw this external organization as an avenue to

⁷⁷ Civil Rights Congress, *We Charge Genocide; The Historic Petition to the United Nations for Relief from a Crime of the United States Government against the Negro People*, (New York: International Publishers, 1970), xii.

pressure the government of the United States to change racial injustices that still plagued society.⁷⁸ Following the end of WWII and the revelation of Nazi atrocities, African American veterans and activists alike deemed Jim Crow not only a disrespectful homecoming to the nation's veterans but also a possibility for more horrendous behaviors as seen abroad. The first to request international aide was the National Negro Congress (NNC) in June, 1946. The second petition was drafted by the National Association for the Advancement of Colored People (NAACP) in October, 1947. Both of these petitions were co-authored by W.E.B. DuBois and both attacked the United States government for human rights violations which emphasized, "deplored poverty, poor schooling and housing and high black mortality rates."⁷⁹ With the lack of the 1946 and 1947 petitions' accomplishments due to the United Nations deeming the problems presented within the two petitions as an internal affair for the U.S government to take care of, the Civil Rights Congress tried again in December of 1951. Offering a much more radical attack on the United States, the third petition dramatically distinguishes itself from the previous attempts by charging the United States government not with human rights violations, but with the documented assertions of genocidal behavior on behalf of the federal government against the African American race.⁸⁰ The 1951 petition noted several violations previously mentioned within the NAACP 1947 petition, however what sensationalized the CRC's petition was that this petition set out to prove government

⁷⁸ Azza Salama Layton, *International Politics and Civil Rights Policies in the United States, 1941-1960*, (Cambridge: Cambridge University Press, 2000), 48.

⁷⁹ Layton, *International Politics*, 48.

⁸⁰ Carol Anderson, *Eyes Off the Prize: The United Nations and the African American Struggle for Human Rights, 1944-1955*, (Cambridge, UK: Cambridge University Press, 2003), 179.

intent to suppress, oppress and deny African Americans their civil rights of justice and, in some cases, life.⁸¹

The Petition opens with the Convention of the Prevention and Punishment of the Crime of Genocide Article II and Article III that outline the convention's definition of genocide. Quoting Justice Robert H. Jackson's opening statements of the Nuremberg Trials, stating "the wrongs which we seek to condemn and punish have been so calculated, so malignant, and so devastating, that civilization cannot tolerate their being ignored, because it cannot survive their being repeated."⁸² The drafters of the CRC Petition saw these statements as synonymous to the current civil rights injustices within the United States.⁸³ The introduction, written by William Patterson, presents the Petition as one specifically focusing on African American civil rights, but also the principle of racial injustice as a global concern.⁸⁴ "Respectfully submitted by the Civil Rights Congress as a service to the peoples of the world, and particularly the lovers of peace and democracy in the United States of America," *We Charge Genocide* was duly submitted to the United Nations.⁸⁵

What created this approach to the United Nations? Historians agree that it is a form of progression regarding first the United Nations and then civil rights activists' response. This is exemplified first and foremost with the establishment of the United Nations Commission on Human Rights in February, 1946. The civil rights activist response was issued by DuBois and the NNC to submit the first United Nations petition on behalf of

⁸¹ Anderson, *Eyes Off the Prize*, 179.

⁸² Civil Rights Congress, *We Charge Genocide; The Historic Petition to the United Nations for Relief from a Crime of the United States Government against the Negro People*, (New York: International Publishers, 1970), xii.

⁸³ Civil Rights Congress, *We Charge Genocide*, xi.

⁸⁴ Civil Rights Congress, *We Charge Genocide*, xi.

⁸⁵ Civil Rights Congress, *We Charge Genocide*, xvi.

“African Americans, black Africans, and descendents of Africa in the West Indies seeking ‘relief from oppression’” four months later.⁸⁶ Resolved on believing in the external power of the United Nations as an overarching governing force, the NAACP asserted within its 155-page petition, *An Appeal to the World*, that the defined racial injustices were a potential threat to world peace and therefore was indeed an issue for the United Nations to solve.⁸⁷ Similarly, it was with the 1948 adoption by the United Nations members of the “Convention on the Prevention and Punishment of the Crime of Genocide,” that a new avenue into international politics for civil rights activists was presented.⁸⁸ The response to this United Nations was the Civil Rights Congress’ *We Charge Genocide* petition.

In regards to understanding the genocide accusations, one must note the United Nations definition of genocide within this Convention’s outline. Article II as well as Article III of the Convention on the Prevention and Punishment of the Crime of Genocide: define what actions constitute a genocidal act. Both of these articles are documented within the CRC’s petition. Article II states that, “genocide means any [acts] committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.”⁸⁹ The acts referred to range from actual murder, to denying proper living conditions, to preventing births within a particular group. Whereas Article II outlined what “genocide” was defined as within the United Nations, Article III focuses on what would be punishable by this convention: the act of genocide, the conspiracy and or attempt to commit genocide as well as the complicity in genocide are decidedly

⁸⁶ Layton, *International Politics*, 50.

⁸⁷ Layton, *International Politics*, 51.

⁸⁸ Layton, *International Politics*, 67.

⁸⁹ Civil Rights Congress, *We Charge Genocide*, xii.

punishable by the United Nations.⁹⁰ Historians note that it is not only did the CRC set out to radicalize the charges against the United States in accusing government intent, but that the organization presented the Petition within the Cold War, which posed its own international issues. The tensions between the two Superpowers that were left standing, economically, socially and politically after WWII, were galvanized in 1947 when the USSR politically supported the NAACP's petition within the United Nations.⁹¹ This act in itself set the bar for the U.S. versus USSR mud slinging competition regarding civil rights/human rights violations. While the United States attacked the Soviet Union for human rights violations within its satellite states, the USSR used the civil rights petitions drafted by the people of the United States to prove hypocrisy within the United Nations.

With the onset of the Cold War between the United States and the USSR, a new set of politics was created. Cold War politics refer to the United States rallied containment of Communism abroad and its internal security measures guarding the nation from infiltrating Soviet communists. It is because of the tensions and extreme competitions between the two standing Superpowers during the post-war era that "Cold War politics" produced the anti-Soviet/anti-Communist mentality.⁹² What is pertinent in analyzing the 1951 Petition is not only the understanding of the two world powers put up against each other fighting for world power, but also the internal precautions the United States took in safeguarding itself against the spreading communist domain.⁹³

Although there are numerous security measures enacted throughout the cold war, the two closely associated to the Petition are the Alien Registration Act of 1940 and the

⁹⁰ Civil Rights Congress, *We Charge Genocide*, xii.

⁹¹ Layton, *International Politics*, 52.

⁹² Martha Biondi, *To Stand and Fight: The Struggle for Civil Rights in Postwar New York City*, (Massachusetts: Harvard University Press, 2003), 184.

⁹³ Biondi, *To Stand and Fight*, 178.

McCarran Internal Security Act of 1950. Both of these federal regulations were created and used with great ferocity throughout the 1940s and 1950s to minimize communist sympathies within the United States. The Alien Registration Act of 1940, or the Smith Act, is defined as a “sedition law used to prosecute Communists.”⁹⁴ Within the provisions of the Act, it infers that anyone or any group with the intent to overthrow the government of the United States, to work towards or with any affiliate that has that goal in mind would be prosecuted for participating in such an illegal act.⁹⁵ The McCarran International Security Act of 1950, also known as the McCarran-Wood Act, created by Pat McCarran of the Senate Internal Security Subcommittee (SISS) and John Wood of the Un-American Activities Committee, required the registration of the United States Communist Party (USCP) and its affiliate organizations, also known as “fronts,” with the Attorney General.⁹⁶

While historians generally agree on this context, they debate the legitimate goals the Civil Rights Congress was trying to achieve in the creation and publication of the 1951 Petition. Whereas some historians view the petition as a genuine attempt to secure civil rights for African Americans, others look at the background of the penning organization to describe petition describing it rather as a form of communist propaganda. So what was this petition; black or red?

On one side of the coin there is the idea that the petition was put forth by the Civil Rights Congress, a Communist-front organization, in order to gain freedoms for the United States Communist Party (CPUSA). These gains would be achieved through the

⁹⁴ Biondi, *To Stand and Fight*, 139.

⁹⁵ Biondi, *To Stand and Fight*, 139.

⁹⁶ Robert Kenneth Carr, *The House Committee on Un-American Activities, 1945-1950*, (Ithaca: Cornell University Press, 1952), 193.

denouncement of the American justice system at home and abroad, and tainting the United States international image therefore silencing the U.S. accusations of Soviet human rights violations.⁹⁷ Carol Anderson, author of 2003 publication, *Eyes Off the Prize*, argues that the 1951 Petition was used predominantly to further the Free-the-Communist-11 agenda within the United States justice system. Anderson asserts that, “the Civil Rights Movement was launched with neither the language nor the mission it needed to truly achieve black equality,” following WWII.⁹⁸

With the end of the war, an opportunity was presented to African American leaders to “launch an offensive against the conditions of segregation and inequality in the United States.”⁹⁹ What is pertinent to understanding Anderson’s argument, describing the Petition as benefiting the CPUSA, is the author’s noted difference between human rights and civil rights.¹⁰⁰ Human rights were an attainable goal that organizations such as the NAACP fought to secure at home. Civil rights on the other hand, were unattainable at the time, but encouraged by the CPUSA for their front organizations to work towards.¹⁰¹ It is the interactions between CRC leader William Patterson and notable Communists that galvanize her argument that the CRC did not truly care about attaining African American civil rights, but rather was following directions for the Communist Party. The disingenuous motives behind the civil rights petition then are a product of Communist- ties that wanted only to call attention to the numerous injustices within the American justice system in hopes of freeing the eleven jailed party leaders.¹⁰² Anderson describes

⁹⁷ Anderson, *Eyes Off the Prize*, 183.

⁹⁸ Anderson, *Eyes Off the Prize*, Introduction.

⁹⁹ Anderson, *Eyes Off the Prize*, Introduction.

¹⁰⁰ Anderson, *Eyes Off the Prize*, Introduction.

¹⁰¹ Anderson, *Eyes Off the Prize*, 182.

¹⁰² Anderson, *Eyes Off the Prize*, 185-186.

We Charge Genocide not as a tool to be used to achieve of civil rights, but rather as a “deftly crafted Communist Party document that skillfully used the plight of African Americans to meet the major legal and financial objectives on the CRC’s ‘Free the Communist 11’ agenda.”¹⁰³ To further her analysis of the document Anderson reasserts that due to the lack of genuine civil rights aims, the “CRC was not fully prepared to use the Genocide petition to directly advance the cause of black equality,” referring to importance placed on the Petition’s distribution rather than on the rare ways to breach the United Nations Charter and place the Petition on its agenda.¹⁰⁴ Anderson therefore asserts that this petition was painted red due to the Communist-organizational ties, the leader and author of the Petition, William Patterson, as well as the various ways the CRC focused on internationally embarrassing the United States rather than focusing on placing the Petition on the United Nations agenda.¹⁰⁵

On the other side of the coin there is the “black” representation of this Petition. This argument, which is supported by several historians, asserts a more complex argument that takes the genuine civil rights efforts of the Petition into the historical context of the time. Considering the anti-communist hysteria circulating the United States mid 1940s to the early 1950s, this approach argues that the Petition itself was an attempt to gain African American civil rights; however its motives were tainted by Communist-hysteria and a suppressive national backlash.

Arguing against the red tag placed on the Civil Rights Congress, Gerald Horne asserts that the, “CRC was not the Communist Party, yet it performed militant and often

¹⁰³ Anderson, *Eyes Off the Prize*, 185-186.

¹⁰⁴ Anderson, *Eyes Off the Prize*, 186.

¹⁰⁵ Anderson, *Eyes Off the Prize*, 182-183.

successful tasks, which helped to attract such luminaries.”¹⁰⁶ Arguing that it was, “because the CRC was... competing with the opposing forces,” of the United States government, “for the ‘hearts and minds’ of a considerable segment of the population,” it was easier to attach a communist stigma to any and all forces of criticism rather than approach the raised issues in a constructive but yielding manner.¹⁰⁷ Horne argues then the Petition drafted by the CRC as pure to its Civil Rights agenda and was “painted red” due to the structure of its complaints. It was because the petition was complaining about civil rights injustices in an international arena that the backlash of the Petition, claimed Communist subversions.¹⁰⁸ Although he states his astute awareness that many may disagree with his findings, Horne avidly denies the Civil Rights Congress as being anything near a “front” for communism, but rather a group who was comprised of some communist members.¹⁰⁹ A staple in Horne’s argument was the mass hysteria of anti-communism that plagued the years the CRC functioned in. The term “communist front” was “tailored... to sweep within its ambit just about everyone who was not conservative.”¹¹⁰ Therefore the Red tag could and did describe every nuance that was disliked or acted as a critique to the United States government including the 1951 CRC Petition.

While debating other historians as to the Red Tag placed on the CRC, Horne argues that it was due to William Patterson’s leadership role and his legal background that the CRC initially took on more cases dealing with civil rights questions.¹¹¹ As in the

¹⁰⁶ Gerald Horne, *Communist Front?: The Civil Rights Congress, 1946-1956*, (N.J.: Fairleigh Dickinson University Press, 1988), 17.

¹⁰⁷ Horne, *Communist Front*, 17.

¹⁰⁸ Horne, *Communist Front*, 17.

¹⁰⁹ Horne, *Communist Front*, 19.

¹¹⁰ Horne, *Communist Front*, 14.

¹¹¹ Horne, *Communist Front*, 29.

past legal histories of the organizations that made up the CRC in 1946, the National Negro Congress petitioned the United Nations itself. With the merger of major civil liberties groups into the CRC, Patterson's role within the organization was to focus the efforts of the organization more so on individual persons that required legal assistance due to the racial injustice that plagued the United States. Rather than disassociate itself with the Communist Party and their legal necessities, the CRC dedicated itself to being a "penultimate mass defense organization" that would defend any civil liberty case including the rights for the Communist Party.¹¹² What Horne does acknowledge is the fact that a great deal of time and resources were put into the defense of the Communist Party leadership. However the historian counters the specifics with a definitive statement given by William Patterson stating that, "We [the CRC] are not defenders of the Communist Party. We are defenders of the rights of the Communist Party to propagate its philosophy."¹¹³ What Patterson was attempting to differentiate, which is the basis of Horne's argument, is that the Communist Party and their constitutional rights were two separate statements to be considered by the public on the hunt for communists. The "crude simplifications" that Horne attributes with the commonality of describing the CRC as a communist front are attributed to the Red Scare that defined the era. Horne is specific in making clear that the communists did indeed play a role within the Civil Rights Congress, but did not control or dominate it by any means. Therefore the historian separates the 1951 petition charging genocide against the United States from any communist-encouraged subversive propaganda.¹¹⁴ Intending for *We Charge Genocide* to have the impact of an *Uncle Tom's Cabin* within the twenty-first century, Horne

¹¹² Horne, *Communist Front*, 19.

¹¹³ Horne, *Communist Front*, 102.

¹¹⁴ Horne, *Communist Front*, 103.

concludes his argument suggesting that the pro-civil rights petition did just that, not only in its sales and distribution, but also with the impact that he stresses as world-wide.¹¹⁵

The other aspect in arguing the Petition as a pursuit of Civil Rights versus communist propaganda is where Azza Salama Layton and Jeff Woods weigh in. Within each historian's arguments surrounding the 1951 Petition, the authors stress the impact that Cold War politics and the communist fear within the United States had on any act that stepped outside of the accepted status quo. Jeff Woods, historian and author of *Black Struggle, Red Scare; Segregation and Anti-Communism in the South, 1948-1968*, argues that the idea that anti-communism became a tool for southern racist politicians to maintain the status quo of second-class citizenship for African Americans.¹¹⁶ Stating that with, "the more wartime changes [challenging] the racial status quo in the South more southerners homed in on the putative link between the black-liberation movement and international Communism."¹¹⁷

Woods emphasizes his connection between the red-conspiracy and the fight for civil rights by taking into consideration the men that created and maintained the House Un-American Activities Committee (HUAC) that became, "the nerve center of counter-subversive anti-Communism" throughout the lifespan of the Civil Rights Congress.¹¹⁸ Martin Dies, a Texan Democrat "institutionalized" the concerns of the South following the initiation of the New Deal, in creating and receiving Congressional approval for HUAC in 1938. With Dies stepping down as chairman in 1944, HUAC was taken over by John Rankin of Mississippi. Rankin who became HUAC's "spiritual leader" set the

¹¹⁵ Horne, *Communist Front*, 169.

¹¹⁶ Jeff Woods, *Black Struggle, Red Scare: Segregation and Anti-Communism in the South, 1948-1968*, (Baton Rouge: Louisiana State University, 2004).

¹¹⁷ Woods, *Black Struggle*, 26.

¹¹⁸ Woods, *Black Struggle*, 26.

precedent for the committee with his own “claim to Americanism: his hatred of Negroes, aliens, liberals” that would later include any and all activists working for African American rights.¹¹⁹ What is important to note, as Woods points out, is that HUAC at the very beginnings was led by “racist demagogues” that distrusted foreigners, foreign ideas, and most importantly Negroes. The men that ran the Committee therefore maneuvered the committee to maintain the Southern accepted status quo.¹²⁰

With the onset of the Cold War, the USSR acting as the opposing Super Power of the mid twenty-first century, and the Hiss Case uncovering Soviet spies that had infiltrated the highest levels of the U.S. government, the red conspiracy was proving true within the United States.¹²¹ From this, Woods asserts that southern congressmen piggy-backed on the newly relevant fear of communist infiltration to protect the *Southern*-American way of life. In order to work towards protecting the racial status quo, they used the, “traditional southern fear of black rebellion and the growing national fear of Communist subversion... [therefore wrapping] their region’s racial agenda in the American flag,” as well as tying, “southern security to national security.”¹²² With Rankin’s ideals flowing through HUAC, the current racial disturbances were the fault of none other than the communist “octopus” whose tentacles stretched to include and support black radicalism.¹²³ Throughout the late 1940s HUAC’s disdain for any attempt to alter the racial status quo of the South resulted in intense investigations and ample charges of communism. With that being said, Woods goes on to describe the first government endorsed link between civil rights activism and Communism within the

¹¹⁹ Woods, *Black Struggle*, 26.

¹²⁰ Woods, *Black Struggle*, 27.

¹²¹ Woods, *Black Struggle*, 27.

¹²² Woods, *Black Struggle*, 27.

¹²³ Woods, *Black Struggle*, 28.

Southern Conference on Human Welfare organization. This link caused the fragmentation of the organization in 1948 due to the crippling “weight” of the communist charges. Woods asserts this to be the jurisprudence necessary for HUAC to bring future civil rights activist groups up on red charges.¹²⁴

With racial reform being the equivalent of a “smoke screen for Marxist subversion,” following HUAC’s report on SCHW, the committee issued a second report in August of 1947 entitled, “Civil Right Congress as a Communist Front Organization.”¹²⁵ With this report the committee went after the CRC in hopes of the organization having a similar demise. Woods does admit that the CRC was a conglomeration of not only members with strong communist ties but past organizations such as the National Negro Congress, the International Labor Defense, and the National Federation for Constitutional liberties. The report inaccurately describes the CRC as “a group solely devoted to the protection of Communist Party members who ran afoul of the law.”¹²⁶ Where Woods attests to the organization defending communists within the United States, he also argues like Gerald Horne, that this was not the organization’s only goal. The Petition therefore being part of the CRC organization did not necessarily have to have Communist intentions. In regards to the CRC and the communists that were a part of the organization, Woods argues that the desire to maintain the racial status quo by southern congressmen through the legality of HUAC would formulate a society where, “truth would be reduced to molehills,” of membership, “while speculation [would be] expanded into mountains,” of assumed communist activities.¹²⁷ It was to the southern

¹²⁴ Woods, *Black Struggle*, 30-31.

¹²⁵ Woods, *Black Struggle*, 28.

¹²⁶ Woods, *Black Struggle*, 31.

¹²⁷ Woods, *Black Struggle*, 28.

congressmen's benefit to frame the Petition as a form of communist propaganda that could easily be denounced rather than allow it to ruin their comfortable lifestyles.

Azza Salama Layton argues that the petition was a strategic avenue to apply the necessary international pressure on the United States, via political embarrassment, for the civil rights organizations to achieve effective reforms.¹²⁸ Intertwined throughout Layton's work is a brief but detailed recognition of Communist Party member and Soviet advocate, Paul Robeson's role within the petition. Unlike so many historians who have chalked the CRC organization up to a Communist front due to Robeson's involvement and William Patterson's communist membership, what Layton introduces within her work is Robeson's acceptance and use of communism effectively throughout this period. Of the positive uses communism presented and what Robeson acknowledged "most notably, [was] the treatment of minorities."¹²⁹ Layton argues that, "by exposing American racism to the world [in comparing the positive aspects of the despised communists to the United States government], Robeson was pushing for civil rights reforms."¹³⁰ Summating her position, Layton states that the Petition was indeed a "magnificent embarrassment to the United States," for it did outline the numerous genocidal incidents regarding the race relation.¹³¹ The Petition itself is argued as a civil rights petition, however the way it was used within the international arena of the United Nations made the United States government assume and accuse red undertones. In many instances the USSR referenced the Petition to embarrass and silence the United States that was looking to take moral

¹²⁸ Layton, *International Politics*, 69.

¹²⁹ Layton, *International Politics*, 66.

¹³⁰ Layton, *International Politics*, 67.

¹³¹ Layton, *International Politics*, 68.

high-ground concerning human rights violations.¹³² Cold War politics therefore created the international stir around the 1951 Petition that worked towards a United States and international acknowledgement of the civil rights issue.

Although Carol Anderson's thesis is evidently a rarity among historians devoted to this subject, her argument is not to be dismissed. What lead this author to deem the Petition as communist propaganda? What stops future historians from claiming her argument as truth? What research on Anderson's argument has produced is an argument that intertwines Horne, Woods and Layton's arguments into one that works to counter the claim that the Petition was created to push the Free-the-Communist-11 agenda. In analyzing the primary sources, the previous work done by the organizations that made up the CRC, and the autobiographies of William Patterson and Paul Robeson, a thesis is constructed to argue that the Petition works towards the acquisition of civil rights.¹³³ This thesis will also take into consideration the Cold War timeframe the Petition was presented in as well as the ways in which the United States may have responded to the Petition following the international embarrassment its presentation produced. What this thesis set out to prove is that, in essence, it was easier for the United States government to explain the charges proposed by a radical organization as a threatening form of communist propaganda rather than as a disgraceful truth. To work towards this gain, the United States enlisted the help of Walter White and the NAACP, in disproving the CRC's Petition as well as proving the organization's subversion. Where the evidence lies to counter the communist charges is in a multitude of resources. In examining William

¹³² Layton, *International Politics*, 69.

¹³³ Civil Rights Congress, *We Charge Genocide*.

Patterson's life, his associates as well as the CRC's organizational past, many of the communist associations of the Petition can be exposed and eradicated.

Traveling the world, and experiencing different cultures, William Patterson realized that the fight for civil rights was not isolated to just the United States. This realization created a legal fire within Patterson that propelled his career as a lawyer.¹³⁴ As early as 1919, Patterson began the fight for civil liberties assisting in the 1919 Big Steel strike's legal defense in Pittsburgh that had been organized by William Z. Foster, who would later become president of the CPUSA.¹³⁵ Following his work there, Patterson became partner in Dyatt, Hall and Patterson law firm that was known as one of the leading Black Firms in the United States.¹³⁶ In his mid thirties, Patterson met world renowned entertainer, only to turn civil rights activist in later years, Paul Robeson. Patterson, just as Robeson, was a member of the Communist Party.¹³⁷

William Patterson had close ties with the Communist Party very early on in his life. However it was in the historic defense campaign to save convicted Italian, white, assumed communists, Sacco and Vanzetti that Patterson "first joined actively with the progressive men and women who were participating in the struggle [to find that his] closest associates...were communists."¹³⁸ It was during his work on this case that Patterson made connections with extreme leftists including the radical labor organizer Ella Reeve Bloor, American writer and poet, Dorothy Parker who was later blacklisted by HUAC and novelist Mike Gold, who published the book *Jews Without Money* that

¹³⁴ William Patterson, *The Man Who Cried Genocide; An Autobiography*, (New York: International Publishers, 1971), 15.

¹³⁵ Horne, *Communist Front*, 34.

¹³⁶ Horne, *Communist Front*, 34.

¹³⁷ Patterson, *The Man Who Cried Genocide*, 86.

¹³⁸ Patterson, *The Man Who Cried Genocide*, 7.

described his life growing up in lower Manhattan as well as his hope for a Marxist “messiah” to come and alter the United States capitalist society.¹³⁹ What Patterson took from this legal defeat following the execution of both defendants was that, regarding communism, “the conscience of Communist man has no color.”¹⁴⁰ He further states that,

When I saw that the Communist Party was taking the lead in the struggle for the rights of minorities and of labor, exposing the role of imperialism in conquest and war, I found that my constant concern with the racist issue became an integral part of the broader struggle for human rights everywhere.¹⁴¹

Patterson was indeed a communist, but he was also a member of the International Labor Defense (ILD) organization following the Sacco and Vanzetti trials. In 1949 when the Civil Rights Congress was created and Patterson named the National Executive Secretary, he became determined to follow in the foot steps of the ILD, in extending the defense of human rights to all that requested assistance stating that, “unless there is equality of opportunity and rights for all, the ‘law and order’ of ruling class America becomes tyranny.”¹⁴² The insight into socialism had opened Patterson’s eyes to the extensive fight for civil rights.

The creation of the Civil Rights Congress is questionable. Created in 1946, as an “amalgamation” of the National Negro Congress (NNC), the International Labor Defense (ILD) and the National Federation for Constitutional Liberties (NFC), the former organizations had been deemed Communist-lead organizations. Therefore in the creation of the CRC, each organization brought with it communist ties as well as active members that also happened to be members of the Communist party.¹⁴³ Although it would be easy

¹³⁹ Horne, *Communist Front*, 34.

¹⁴⁰ Patterson, *The Man Who Cried Genocide*, 7.

¹⁴¹ Patterson, *The Man Who Cried Genocide*, 9.

¹⁴² Patterson, *The Man Who Cried Genocide*, 12.

¹⁴³ Horne, *Communist Front*, 13.

to merely mention two of the major organizations that merged with the NFC to create the Civil Rights Congress in 1946/1947, it would be doing a great disservice to the hard work and reputation the organizations brought to the CRC to not go into at least a brief description of their pasts.

The National Negro Congress (NNC) described by Gerald Horne as the, “heart of the CRC,” had previous experience in defending and pursuing African American civil rights.¹⁴⁴ The NNC, founded in 1936, was the source of Communist suspicions fostered by the National Association of the Advancement of Colored People (NAACP) early on. A. Phillip Randolph, NNC president, openly admitted to having Communists within the group. NAACP leadership therefore believed that the organization was, “a black manifestation of the Kremlin’s directive,” for the Communist party to infiltrate the United States.¹⁴⁵ The NNC history also includes presenting the first petition to the United Nations against the United States with the charge of human rights violations in 1946.¹⁴⁶

The International Labor Defense (ILD) group is also described as a major player in creating the Civil Rights Congress. In accordance to Gerald Horne’s anatomical analogy, the ILD served the CRC as its limbs.¹⁴⁷ Creating an, “impressive infusion of skill and talent into the CRC,” the ILD’s contribution, “included their former Vice President William Patterson, activist Max Yergan, and entertainer Paul Robeson.”¹⁴⁸ ILD is all too often associated with Communist activities and therefore proved to be a bitter-sweet addition to the new organization.

¹⁴⁴ Horne, *Communist Front*, 29.

¹⁴⁵ Anderson, *Eyes Off the Prize*, 20.

¹⁴⁶ Layton, *International Politics*, 49.

¹⁴⁷ Horne, *Communist Front*, 29.

¹⁴⁸ Horne, *Communist Front*, 30.

Although the organizations from which the Civil Rights Congress was birthed had communist ties similar to William Patterson's past, these associations do not, and should not be allowed to define the intent of the organization's 1951 Petition. In Patterson's own words, regardless of the ILD/communist ties, the realization that the African American plight for civil rights in the United States was not one of solitude, created the determination of the organization to, "make of the CRC a fighter for Black Liberation."¹⁴⁹

Leading up to the 1951 Petition, the Civil Rights Congress had their hand in a number of civil rights cases. Taking up the call to provide legal assistance for all, the organization took part in cases including the defense of the Scottsboro Boys, Willie McGee, the Trenton Six, and the Martinsville Seven.

The case of the Scottsboro Boys began March 25, 1931. It was on a forty-seven car freight train that a fight broke out between young men. When "some white lads telegraphed ahead that they had been jumped and thrown off the train," by several African American boys, Paint Rock, Alabama sheriffs arrested the accused youth at the closest station that neared Scottsboro Alabama. Once arrested, two girls, Victoria Price and Ruby Bates, added rape charges against the nine young men. In a physical examination of the two girls by a doctor in the area proved no bruising, only a small amount of semen in each of them that was concluded to be at the very least a day old.¹⁵⁰ "One of the young girls later reversed her testimony and told a court that she and the other girl had fabricated the rape story to protect themselves from prosecution on a

¹⁴⁹ Patterson, *The Man Who Cried Genocide*, 156.

¹⁵⁰ Patterson, *The Man Who Cried Genocide*, 127.

morals charge.”¹⁵¹ The girls of “dubious” character had said enough in their initial charges for the nine young men to be convicted of the crime.

The case was taken on by the International Labor Defense organization, following a guilty verdict by an all white jury and death sentences for all nine of the “boys.”¹⁵² In order to garner international attention and protests for the case ILD National Secretary Louis Engdahl left for Europe leaving in his absence, William L. Patterson in charge of the operation at home.¹⁵³ In Patterson’s own words, the ILD’s participation in the case “seemed to... mark the beginning of a new era in the fight for Negro rights.”¹⁵⁴ It is noted that within the press releases of the time, the ILD was referred to as, “the Communists;” Patterson also complied in the reference of the organization as such.¹⁵⁵ It should also be noted that it was within this historic case that the NAACP first made its stand against the ILD they considered a “Communist-front group.” May 1, 1934, Walter White of the NAACP issued a press release stating that, “the NAACP... had no connections whatsoever with the efforts of Communist groups or with the ILD in the case and that it would have no such connection.”¹⁵⁶

The case took seventeen years to win during which four of the victims were acquitted in July of 1937.¹⁵⁷ With five remaining in jail, the mid 1940s saw four of the five paroled however the last of the Scottsboro Boys, Heywood Patterson (no relation to William Patterson) remained. In July, 1948 Heywood Patterson escaped the Alabama prison only to be re-arrested two years later on June 27. Under a clause, “in the

¹⁵¹ Civil Rights Congress, *Civil Rights Congress Tells the Story*, (Massachusetts: The Congress, 1950), 35.

¹⁵² Patterson, *The Man Who Cried Genocide*, 128.

¹⁵³ Patterson, *The Man Who Cried Genocide*, 126.

¹⁵⁴ Patterson, *The Man Who Cried Genocide*, 126.

¹⁵⁵ Patterson, *The Man Who Cried Genocide*, 133.

¹⁵⁶ Patterson, *The Man Who Cried Genocide*, 136.

¹⁵⁷ Civil Rights Congress, *Civil Rights Congress Tells the Story*, 35.

Lindbergh's kidnapping law," the F.B.I had "the authority to seize and return escaped prisoners who cross state lines."¹⁵⁸ The Civil Rights Congress branch of Detroit who worked in Heywood Patterson's defense in 1950, "denounced the use of the statute as 'enforcement of a new fugitive slave law by the F.B.I agents as agents for the jailers and lynchers of the South.'¹⁵⁹ With the Civil Rights Congress working for Heywood Patterson's freedom, the bail for his release was quickly negotiated and paid. Using connections throughout the nation the CRC was able to pressure the Governor of Michigan Mennen Williams into not signing extradition papers, therefore denying the return of Patterson to Alabama and accomplishing freedom for the last of the Scottsboro Boys.¹⁶⁰

In a trial that lasted less than one day, concluding a two and a half minute deliberation, thirty-five year old Willie McGee was found guilty of raping Mrs. Troy Hawkins of Mississippi, and duly sentenced to death.¹⁶¹ The frame-up case was founded on charges by Mrs. Hawkins that McGee had raped her while her sick child was in the bed with her and her husband and other children slept in the room next door. McGee was arrested, held "incommunicado" for thirty-three days and after being severely beaten, signed a confession that was later used in court against him.¹⁶² McGee's conviction was appealed to the Mississippi States Supreme Court and later to the United States Supreme Court by the Civil Rights Congress. The legal proceedings of this case, the appeals, acquittals, re-trials, and re-convictions garnered in total, three times tried, convicted and

¹⁵⁸ Civil Rights Congress, *Civil Rights Congress Tells the Story*, 35.

¹⁵⁹ Civil Rights Congress, *Civil Rights Congress Tells the Story*, 36.

¹⁶⁰ Civil Rights Congress, *Civil Rights Congress Tells the Story*, 36.

¹⁶¹ Civil Rights Congress, *Civil Rights Congress Tells the Story*, 34.

¹⁶² Patterson, *The Man Who Cried Genocide*, 157.

sentenced to death, and the date of McGee's "electrocution four times set."¹⁶³ Following Governor Fielding Wright's demand, "that the [CRC] delegation leaves the state," it was within the legal defense of the McGee that Jackson Police beat national CRC officer Aubrey Grossman in his hotel room in attempts to scare the organization out of town.¹⁶⁴ Regardless of evidence presented by the CRC that Mrs. Hawkins had, "forced McGee to maintain intimate relations with her for several years by [specifically] threatening him with a rape accusation," the defense did not prove to be victorious. The fifth attempt at a stay of McGee's execution was denied. Willie McGee, an African American veteran, a husband and father of four was electrocuted in March on 1951.¹⁶⁵

The Trenton Six case, or the "Northern Scottsboro," was initiated by the murder of William Horner, a second-hand furniture dealer in Trenton, New Jersey on January 27, 1948. Six men, having no previous connections with one another were arrested on February 6, 1948.¹⁶⁶ As described in a 1950 CRC publication, the six men were systematically beaten for days on end, drugged and forced into submitting their "confessions."¹⁶⁷ With the six men arrested, "none of [them matching] the teletype descriptions the police had sent out," the guilty verdict was cast forty-eight days later.¹⁶⁸ The trumped up charges and confessions, that the police chief in questioning admitted, "I knew the truth and I insisted Collis English [one of the accused] made a confession in line with the truth as I conceived it to be."¹⁶⁹ Of the three eyewitnesses to the murder not one of them placed any of the six defendants at the scene. One of the witnesses was the

¹⁶³ Patterson, *The Man Who Cried Genocide*, 157.

¹⁶⁴ Patterson, *The Man Who Cried Genocide*, 157.

¹⁶⁵ Patterson, *The Man Who Cried Genocide*, 158.

¹⁶⁶ Patterson, *The Man Who Cried Genocide*, 167.

¹⁶⁷ Civil Rights Congress, *Civil Rights Congress Tells the Story*, 30.

¹⁶⁸ Patterson, *The Man Who Cried Genocide*, 168.

¹⁶⁹ Civil Rights Congress, *Civil Rights Congress Tells the Story*, 30.

common-law wife of Horner who was beaten by the men who killed her husband. Her description of the night's events never included six men, but rather three men, "white or light-skinned."¹⁷⁰ As the Civil Rights Congress' defense team noted, "only one, James Thorpe, is light-skinned." In describing Thorpe, his right arm had been amputated days prior to the crime, leaving him not only severely weakened by pain, but also uniquely descriptive.¹⁷¹ Of all the men on trial, each of the six had an alibi and witnesses to swear to it. In accordance with the falsified motives that the six men tried to rob Horner, \$1,500 was found in his pocket of the deceased.¹⁷² Although the case was clearly a frame-up collaborated by the police and the presiding judge, instigated by a corrupt press, the jury announced the six men's guilt and the judge quickly sentenced them to the death penalty.

When the Civil Rights Congress' publication came out in 1950, the article on the Trenton Six was clear to state that the decision of September 1948, still held true to the day and although the men had yet to be put to death, they still sat in the death house of a Trenton prison. The Civil Rights Congress charged the Trenton case as, "an attempted lynching—Northern Style—by men in court robes and police uniforms."¹⁷³ With the assistance of the CRC's legal defense team including O. John Rogge, William Patterson, and Emmanuel Bloch, the case made it up to the New Jersey Supreme Court. It was not until February 24, 1955, seven years after the fact, that four of the Trenton Six were acquitted of the charges. Due to the length of the case, one of the six died in prison and another had been re-sentenced.¹⁷⁴

¹⁷⁰ Civil Rights Congress, *Civil Rights Congress Tells the Story*, 31.

¹⁷¹ Civil Rights Congress, *Civil Rights Congress Tells the Story*, 31.

¹⁷² Civil Rights Congress, *Civil Rights Congress Tells the Story*, 31.

¹⁷³ Civil Rights Congress, *Civil Rights Congress Tells the Story*, 33.

¹⁷⁴ Patterson, *The Man Who Cried Genocide*, 168.

Similar to the Trenton Six was the trial of the Martinsville Seven accused of raping a white woman, previously known to have been a prostitute. Seven African American men were picked up by the police, charged with the crime and were forced to confess to the crime, later repudiated in court.¹⁷⁵ What propelled Patterson to create the brochure, “Genocide under Color of Law,” that would eventually turn into the international Petition of 1951, was a trip with Mrs. Josephine Grayson of Virginia to visit her convicted and condemned husband in a Richmond prison. It was on that trip that Patterson noticed, aside from the trumped up charges against the seven men, the percentage of black inmates in comparison to the outlandishly small percentage of white inmates. Following this visit, and the failure in the initial defense of Mr. Grayson, Patterson with his CRC staff turned to the nation’s Attorney Generals of each state, “calling for statistical information regarding the Black inmates and their conditions in the prisons.”¹⁷⁶ It was from these returned surveys that Patterson’s fears were revealed as truth for “there was not a single state in the union in which the Black prison population was not in excess of the Black man’s percentage of the general population.”¹⁷⁷ Although Patterson’s brochure had attempted to stay the executions of these seven men, in particular Mr. Grayson, the eldest of the men convicted, the pamphlet never made it to press. All seven of the convicted men were executed before any further legal action could be pursued. The research and sentiments would still be put to use though. Instead of defending seven however, this time the material would be used in the defense of hundreds. This anecdote of Patterson’s past legal experience not only works towards understanding where the CRC developed the idea of genocidal charges, but also points to

¹⁷⁵ Patterson, *The Man Who Cried Genocide*, 161.

¹⁷⁶ Patterson, *The Man Who Cried Genocide*, 167.

¹⁷⁷ Patterson, *The Man Who Cried Genocide*, 167.

the fact that Patterson was stirred into action by an African American, yet again, being executed for a crime never committed.

What these cases add up to is a fairly strong civil rights record for the Civil Rights Congress. Where the CRC runs into trouble initially in defending these cases as civil rights victories is with the press, and the NAACP. The *TIME* publication specifically portrayed and referred to Civil Rights Congress as a subversive organization as early as December of 1947.¹⁷⁸ The article “Black List,” focused on the 1947 report by Attorney General Tom Clark that listed the updated communist organizations within the United States.¹⁷⁹ Clark’s list included the National Council of American-Soviet Friendship, which William Patterson frequently corresponded with, as well as the Civil Rights Congress that at the time was under the leadership of George Marshall. The CRC was noted as being, “the courtroom defender of avowed Communists” within the article.¹⁸⁰ *TIME* also covered the cases of the Trenton Six, the Martinsville Seven and Willie McGee asserting that these case, “to Communists all over the world... had become surefire propaganda, good for whipping up racial tensions at home and giving U.S. justice a black eye abroad.”¹⁸¹ With *TIME* and the Attorney General’s subversive list including the CRC, the legal defense for the defendants in the Foley Square Trial of 1948, later known as the Free-the-Communist-11 case, did not deter any of the CRC’s Communist accusations.

Defending the Communist-12 opened the group up for extreme criticism and easy accusations of Communist subversion. On July 20, 1948, “after a sixteen month

¹⁷⁸ “Black List,” *TIME*, 15 December 1947.

¹⁷⁹ “Black List,” *TIME*, 15 December 1947.

¹⁸⁰ “Black List,” *TIME*, 15 December 1947.

¹⁸¹ “Justice and the Communists,” *TIME*, 14 May 1951.

investigation of Communist activities in America [a Federal Grand Jury] indicted twelve members of the National Committee of the Communist Party,” for “conspiring” to subvert the government of the United States.¹⁸² The trial took over nine months and was based around the provisions of the Alien Registration Act, also known as the Smith Act of 1940. The defense argued that the Smith Act was an “unconstitutional attack on free speech... and a grave distortion of government function since no overt acts were charged.”¹⁸³ The guilty verdict for eleven of the twelve accused was seen as a victory for the Smith Act.

It was within this case in particular that the Civil Rights Congress was tagged as an official threat to both the U.S government and HUAC therefore disregarding the organization’s civil rights past. In May of 1951, the CRC published *The Case of the 11 Communist Leaders; A Fact Sheet Prepared by the Civil Rights Congress*, which outlined the case in specifics, working towards educating the American public on not only the charges and proceedings of the case itself, but also the use and dangers associated with the Smith Act.¹⁸⁴ Citing notables such as George Bernard Shaw and Professor Albert Einstein, along with statements made by the National Lawyer’s Guild and the American Civil Liberties Union. The CRC publication worked towards the denouncement of the Smith Act.¹⁸⁵ The “Real Issues” that the publication outlined following the prosecution of the eleven, was the fact that “for the first time in U.S. history, the government has tried to outlaw a political party and a body of ideas, [attempting] to silence by intimidation a large section of the American people who fight courageously for peace, Negro rights and

¹⁸² Civil Rights Congress, *Civil Rights Congress Tells the Story*, 51.

¹⁸³ Civil Rights Congress, *Civil Rights Congress Tells the Story*, 51.

¹⁸⁴ Civil Rights Congress, *The Case of the 11 Communist Leaders; A Fact Sheet Prepared by the Civil Rights Congress*, (The Congress: May, 1951), 1.

¹⁸⁵ Civil Rights Congress, *The Case of the 11 Communist Leaders*, 2-3.

the demands of labor.”¹⁸⁶ The Foley Square “frame-up” was therefore concluded to be a “test case... [with which] the administration seeks to drive a wedge into the American people’s will of peace and freedom.”¹⁸⁷ No longer was it politically acceptable to demand peace with the Soviet Union, or peace within the United States without one’s freedoms being threatened. As with any CRC publication, the last lines of the fact sheet focused on “The Action” that included urging any and all members of the American public to send letters to the administration protesting the verdict of the case, demanding the reversal of the 11 Communists’ convictions and demanding the declaration of the Smith Act as unconstitutional.¹⁸⁸ The adherence to defending the Communist-11, and desired annihilation of the Smith Act were two actions that were considered to define of the Civil Rights Congress as a Communist-front group.

This is proven within Carol Anderson’s work regarding the Civil Rights Congress’ 1951 Petition. Considering the history of the organization as indicative of their future and/or motivations for the 1951 Petition, one of Anderson’s major arguments with against the CRC, aside from their initial Communist ties lay in the CRC’s desire to abolish the Smith Act. Anderson takes a statement made by Patterson in August of 1951 regarding the fight against the Smith Act as a first priority, followed by the fight for Negro Rights out of context. Although this statement was made by Patterson, what Anderson admits in the footnotes of her argument is that “emphasis [was] added” to this particular document.¹⁸⁹ Taking the entire primary source document that this quote was lifted from into consideration, the proof is in the continuation of the quote, along with

¹⁸⁶ Civil Rights Congress, *The Case of the 11 Communist Leaders*, 4.

¹⁸⁷ Civil Rights Congress, *The Case of the 11 Communist Leaders*, 4.

¹⁸⁸ Civil Rights Congress, *The Case of the 11 Communist Leaders*, 4.

¹⁸⁹ Anderson, *Eyes Off the Prize*, 209.

supplementary correspondences and CRC *Bulletin* news reports discussing similar grievances with the Smith Act. Patterson explains in these correspondences that the Smith Act served as a potential threat to any and all civil rights groups working towards shifting the accepted status quo.¹⁹⁰ As early as 1950 the Civil Rights Congress was working against the Smith Act. Noted in a CRC publication, *Civil Rights Congress Tells the Story*, the forward written by William Patterson deems the, “passage of the McCarran and Smith Acts [as] signs, not of the strength of government reaction, [to safeguard its people] but a reaction to a fear of the growing consciousness and strength of the people.”¹⁹¹ In the CRC Chapter *Bulletin* of October 12, 1951 Patterson encourages members to write to the Supreme Court Justices denouncing the Smith Act. Patterson writes, that “the fight to save the Bill of Rights and the 13th, 14th and 15th Amendments to the Constitution must first of all be directed towards the repeal of the Smith Act.”¹⁹² As discussed previously, the formation of HUAC worked towards eliminating civil rights threats to the Southern American lifestyle. The Smith Act took on a very similar standing. The Act, if allowed an extended lifetime, could be used to list any organization that criticized the government or worked towards the achievement of African American civil rights as a subversive organization, therefore denying the group any form of legality. Patterson makes this point evident in stating that the persecutions under the Smith Act “are McCarthyism carried into practice.”¹⁹³

¹⁹⁰ Patterson Correspondence, *CRC Papers*, Part 2, Reel 2.

¹⁹¹ Civil Rights Congress, *Civil Rights Congress Tells the Story*, Introduction.

¹⁹² “The Supreme Court’s Refusal to Review,” October 12, 1951, *CRC Papers*, Part 3, Reel 2, 00262-00264.

¹⁹³ “The Supreme Court’s Refusal to Review,” October 12, 1951, *CRC Papers*, Part 3, Reel 2, 00262-00264.

Consequently the fight against the Smith Act also needed to include “the struggle to expel McCarthy, whose provocations against minority groups and leaders in the struggle for democracy [incited] Klan and mob violence in many forms.”¹⁹⁴ Citing the Smith Act as a form of police state legislation, the CRC in a Chapter *Bulletin* explains that Tom Clark’s subversive “list includes virtually any organization which fights for the rights of the Negro people, organized labor, or political minorities.”¹⁹⁵ Therefore it is not only because the Smith Act was targeting communism in the United States that Patterson and the CRC rallied a fight against it, but rather it was because of the potential threat the Act could hold in suppressing any minority group that made it was a necessary battle to head. The “Action” section that followed the anti-Smith Act explanation, describes in its uneven type-face to oppose the act, fueled by a quote from Abraham Lincoln stating that, “public sentiment is everything... With public sentiment nothing can fail; without it nothing can succeed.”¹⁹⁶ Although the Smith Act seemed to be a definitive loophole for the status quo to be maintained, the realization of this threat and the organization’s actions to oppose its legality would hopefully prove victorious in protecting their right to fight for civil rights.

Similarly the National Lawyers Guild also worked towards the abolition of the Smith Act stating that the Act “authorizes the Attorney General to determine in secret, the loyalty of every American associated with others in a common cause affecting public

¹⁹⁴ “The Supreme Court’s Refusal to Review,” October 12, 1951, *CRC Papers*, Part 3, Reel 2, 00262-00264.

¹⁹⁵ “The Subversive Lists: Blueprint for Witch-Hunting,” May 28, 1951, *CRC Papers*, Part 3, Reel 2, 00142-43.

¹⁹⁶ “The Subversive Lists: Blueprint for Witch-Hunting,” May 28, 1951, *CRC Papers*, Part 3, Reel 2, 00142-43.

welfare.”¹⁹⁷ The act consequently “stigmatizes” organizations as disloyal and subversive.”¹⁹⁸ It is this stigma that the Civil Rights Congress tries to ward off in explaining itself as a defense organization for all suppressed minorities within the introduction to the Genocide Petition.¹⁹⁹ To define itself as a civil rights activist group, the Civil Rights Congress works towards denouncing the stigma that the Smith Act worked to produce. Instead of having the civil rights organizations shut down due to a Communist-title placed on it, it is because Patterson sees the Smith Act as another facet of government repression to maintain the status quo, that he reverts back to the CRC’s brochure, “Genocide Under Color of Law” to initiate further investigations into the United States crimes of genocide. The United States’ short comings in race relations and civil freedoms are therefore reported within the 1951 Petition. Fearing that there would always be a loophole for the suppression of the African American making, “the protest actions of those who are denied their rights called ‘lawlessness,’ and their suppression [becoming] the order of the day,” Patterson went forward with the Petition, on the memories Mr. Grayson’s case, to protect the African American, that bigotry controlled.²⁰⁰

Although the Universal Declaration of Human Rights had passed within the United Nations, Patterson noted within this timeframe that the United States Delegation headed by Tom Connally abstained from voting, therefore never truly ratifying the declaration.²⁰¹ The United Nations Charter, much like the United States Constitution and Preamble spoke of “we the peoples,” but was never trusted by Patterson for he saw

¹⁹⁷ “Statement of Policy on the Civil Rights,” National Lawyers Guild, 1949 found in *CRC Papers*, Part 3, Reel 2, 00872.

¹⁹⁸ “Statement of Policy on the Civil Rights,” National Lawyers Guild, 1949 found in *CRC Papers*, Part 3, Reel 2, 00872.

¹⁹⁹ Patterson, *The Man Who Cried Genocide*, 175.

²⁰⁰ Patterson, *The Man Who Cried Genocide*, 12.

²⁰¹ Patterson, *The Man Who Cried Genocide*, 173.

history repeating itself. Instead of white racists making sure that “we the people,” was not to include African Americans within the United States full citizenry, what Patterson feared was that “the whites in power, who had besmirched the Constitution by practicing racism in its name, were not likely to do more than pay lip service to the United Nations Charter.”²⁰² The fact that the United States delegation had not ratified the declaration did nothing to curtail his fears. It was due to this realization that Patterson knew that the U.N., “its organs and agencies could not, by themselves, effect any fundamental change in human relations within any of the member states,” however also acknowledged the impact that this politically-damning Petition could potentially have internationally.²⁰³ The “UN rostrum was the center of the world stage” and therefore could be used “instrumentality” to lift the “Negro Question to its highest dimension.”²⁰⁴ The CRC would use the United Nations, as two previous organizations had done in the past, to publicize the plight for African American civil rights. In drawing parallels between Nazi Germany and the United States Jim Crowisms, Patterson connected the “cover of law” that allowed Hitler his reign of terror and the “cover of law” that allowed the lynch mobs to terrorize African Americans.²⁰⁵ Armed with the information compiled on death rates, civil rights injustices and human rights violations that included higher disease and death rates for African Americans, Patterson differentiated the Civil Rights Congress’s petition by charging the United States government with Genocide against the African American race.

²⁰² Patterson, *The Man Who Cried Genocide*, 170-171.

²⁰³ Patterson, *The Man Who Cried Genocide*, 175.

²⁰⁴ Patterson, *The Man Who Cried Genocide*, 172.

²⁰⁵ Patterson, *The Man Who Cried Genocide*, 170.

There is not much that can be written to argue the actual Petition as being Communist propaganda. Whereas news commentators and committees made claims before its presentation and to extremes after the fact, the actual words within the document speak only towards the endeavor of attaining African American civil rights. In effort to “prove a bipartisan conspiracy of every branch of city, state and federal government”²⁰⁶ against African Americans, the body of the Petition is organized into five parts; the Opening Statement, The Law and the Indictment, the Evidence, the Summary and Prayer and the concluding Appendix of the document. Part three of the Petition as well as the Appendix is what is considered to be truly impressive. In the evidence presented within part three of the Petition, the Petition goes through each Article defining Genocide that the Convention adopted, categorizing the crimes committed against the African Americans within each component of the Article. Article II (a) therefore states that genocide is defined as the killing of members of a group. Under this title, year by year, from 1946 to 1951, the murders of African Americans are listed with a description of their murder. Calling attention specifically to, “the slayings of Willie McGee... and the Martinsville Seven,” that the Supreme Court had the power to stay their executions, “under the Fourteenth Amendment, guaranteeing the due process of law and equality before the law, which those executed never in fact received.”²⁰⁷ Also listed below Article II (a) were the cases that, “the Federal Government was asked to intervene under the Fourteenth and Fifteenth Amendments, but refused.”²⁰⁸ It is therefore argued throughout the pages of just this singular component of Article II that, “if these two amendments had

²⁰⁶ Patterson to Foster, November 16, 1951, *CRC Papers*, Part 2, Reel 1.

²⁰⁷ Civil Rights Congress, *We Charge Genocide*, 58.

²⁰⁸ Civil Rights Congress, *We Charge Genocide*, 58.

been enforced [by the Federal Government] few of the slayings on the basis of race would have occurred.”²⁰⁹

The longest section of the evidence presented in part three of the Petition was under the title of Article II, part b: the crime of causing serious bodily harm and mental harm to members of said group. The forty-nine pages that follow under this heading included the negative psychological effects that inadequate housing and Ku Klux Klan terror had on the African American race. It is in this section that the Petitioner make clear that these reports had already been received and discussed within the United States government, with no resulting action to speak of. A government report issued in 1948 is therefore referenced by the CRC and referred to as compliancy with genocide.²¹⁰ The government report referenced by the Petition concluded that “the mental harm done to the Negro people of the United States by the conditions forced upon them is incalculable.”²¹¹ The Petition works towards the acknowledgement by whom ever its audience was to be, of the injustices and atrocious behavior the African Americans were subjected to on a day to day basis. Defining this petition from the previous two is the use of the government report and similar resources to accompany every argument made, with the numerous ways the United States government was made aware of the issue, yet avoided a resolve.

In the Petition also, is the information that initiated William Patterson’s work on the documentation of discrimination within the justice system of the United States. Tucked in the Appendix of the Petition is a graph that illustrates in numbers, dates and names the amount of white men versus African American men that were accused, convicted and executed for the crime of rape. It is within this table however that the gross

²⁰⁹ Civil Rights Congress, *We Charge Genocide*, 58.

²¹⁰ Civil Rights Congress, *We Charge Genocide*, 78.

²¹¹ Civil Rights Congress, *We Charge Genocide*, 79.

data proves the harsher punishments dolled out to African Americans for this crime. In the Baton Rouge sample case, from the data taken from death warrants, the total number of white men executed for alleged rape in Louisiana from 1900-1950 totaled two, the total commuted; two.²¹² The total number of African Americans executed in Louisiana from 1900-1950 for alleged rape totaled 40, three of which were army personnel executed at a U.S. army camp. The total number of persons commuted totaled three.²¹³ Patterson was adamant that with the evidence compiled within the Petition that the United States Government would be indicted for each life lost to racism due to the Federal silence that defined and allotted the terror of lynch mobs to rule the African American way of life.²¹⁴ It is because of the events that closed WWII, the horrendous crimes committed against humanity by the Nazis, that the charge of Genocide held such clout and caused so much international intrigue.

Carol Anderson, in her assertion that the Petition was Communist-inspired points out the fact that Patterson focuses a great deal of time and energy on distributing the Petition in book form throughout the world. Arguing that Patterson's effort to have the book distributed world-wide proved to be an,

oversight reflecting the low priority that he initially placed on having the petition reviewed by the UN... telling labor leader Ben Gold that it did not matter whether the Petition was placed on the UN's agenda or not.²¹⁵

This thesis can not speak to the Gold/Patterson correspondence that is referenced by Anderson; however what is necessary to point out is that the correct steps in approaching the United Nations conventions had been done before- twice, to no avail. What was

²¹² Civil Rights Congress, *We Charge Genocide*, 218.

²¹³ Civil Rights Congress, *We Charge Genocide*, 219.

²¹⁴ Civil Rights Congress, *We Charge Genocide*, Introduction.

²¹⁵ Anderson, *Eyes Off the Prize*, 182.

strategically planned then was the presentation of the Petition to the United Nations with the international support fostered by world-wide intrigue concerning the United State race relations. What can be agreed upon is the amazing amount of correspondences William Patterson penned in the months leading up to his début at the U.N. conference in Paris. Contacting countries that ranged from France, England, the USSR, and India to associates in the World Federation of Trade Unions in West Berlin and Czechoslovakia, Patterson did indeed work towards mass distribution of the Petition and his international associates aided his accomplishment tremendously.²¹⁶

In a letter from his associate Ferdinand C. Smith, Assistant Secretary of the World Federation of Trade Unions, Smith notified Patterson that he was having the Genocide Petition translated “for the benefit of various groups.”²¹⁷ Other correspondences in the months prior to the United Nations Conference were to be accompanied by a copy of the Petition. Many copies of the Petition that were sent abroad did not make it to their noted destinations. In a number of letters to and from Patterson’s correspondences world-wide, weeks after the book was to arrive overseas, the would-be-recipient would write to Patterson to report it missing.²¹⁸ The response to this issue was one not seen since the French Revolution in which banned books of the era were traded only through “marrying” or “larding” one book with another to cross official lines. The Genocide Petition, in book form, would be sent, “under separate cover,” mirroring the “cloaked trade” of revolutionary France.²¹⁹ Where the original copies were was a mystery; however the issue was avoided concerning smaller shipments of the Petition by sending

²¹⁶ Ferdinand Smith to Patterson, November 28, 1951, *CRC Papers*, Part 2, Reel 2, 00196-00197.

²¹⁷ Ferdinand Smith to Patterson, September 21, 1951, *CRC Papers*, Part 2, Reel 2, 00192.

²¹⁸ J. Bour to Patterson, December 5, 1951, *CRC Papers*, Part 2, Reel 2, 00259.

²¹⁹ Patterson to Phillip Stein, November, 29 1951, *CRC Papers*, Part 2, Reel 2, 00193.

the books “married.” Several months later when arriving in Paris for the U.N. Conference, the sixty copies of the Petition Patterson had sent over to be distribute, mysteriously never made it.²²⁰ Patterson’s correspondence and eagerness to publicize the Petition does not speak to a trivial concern with the proceedings of the Petition in the United Nations but rather to a new approach to breaching the United Nations’ barriers that the first two petitions experienced. What the interception of the Petition being shipped over seas show is the acknowledgment that the Petition’s distribution did indeed pose a threat to the United States government.

In a letter written to William Foster, President of the CPUSA, Patterson is elated to inform his friend of the work he and the CRC had done in regards to the Petition.²²¹ It is this relationship between Foster and Patterson that works to connect the Petition and the Communist Party. Although Patterson describes the short comings of the document in structure, noting the lack of an index and a “failure to deal more exhaustively with the psychological effects of the manifold forms of Jim-Crow, segregation and its accompanying terror upon the Negro people,” he states that “this volume has decisive importance ideologically and enormous organizational value... stimulating as well as enriching the thinking of many.”²²² Patterson in this letter refers back to the anti-Semite mentality that plagued Nazi Germany and created through the oppression and exploitation of the Jewish population, “a disastrous moral stamina... destructive to their will to struggle even when their own interests are threatened.” Seeing and arguing the beginning steps of Nazi Germany as synonymous with the segregationist United States, Patterson views this work as a way for the public to understand the African American

²²⁰ Patterson, *The Man Who Cried Genocide*, 186.

²²¹ Patterson to Foster, November 16, 1951, *CRC Papers*, Part 2, Reel 1.

²²² Patterson to Foster, November 16, 1951, *CRC Papers*, Part 2, Reel 1.

struggle for civil rights before it was too late. In regards to the distribution of the Petition, what Patterson explains within his letter to Foster is not the lack of interest in presenting the Petition to the United Nation, but rather another aspect of the possible success for pursuing Civil Rights. The success of the Petition's distribution would make this Petition "a remarkably effective weapon, [spreading] one of the sharpest ever produced."²²³

This letter although does not note the ways in which the Petition will make it through the guarded avenues of the United Nations, what it does speak to are the motivations of the CRC in its actions to further expand, explain and galvanize the fight for African American civil rights within the United States. What could potentially deter a historian from focusing on the context of the November letter itself is the fact that the letter's recipient was the President of the CPUSA and his thoughts on the Petition were requested by Patterson. What can not be debated however is the timeframe which this request was made as well as the past relationship between the two men. The letter was sent to Foster November 16, 1951. The United States Conference that Patterson was to present the Petition at was in mid-December, not nearly enough time to make major changes or additions to the document. Therefore the correspondence between the two old friends can be argued as just an update with the request for one's thoughts as a sign of not only true friendship, but respect.

The United States press by mid-November was already aware of the Petition and the international plans the CRC had in store for their publication. In a press release issued on the 20th of November the CRC was already defending their charges of Genocide and the accusations of Communist involvement. The accusations were made by ABC network radio commentator, Drew Pearson. Pearson charged the Petition as a, "Communist

²²³ Patterson to Foster, November 16, 1951, *CRC Papers*, Part 2, Reel 1.

propaganda book,” warning that, “its publication would be followed by a ‘Communist charge’ before the United Nations that ‘our Southern states are guilty of mass murder.’”²²⁴ But where did the “Communist” charge enter the arena? Pearson had no knowledge of the correspondences between Patterson and Foster; therefore the only other accusation of Communist-ties came from the 1947 HUAC list that denoted the CRC as a “subversive” organization, and the organizational legal assistance in the Communist-11 case. What this shows is that the communist title that HUAC placed on the organization would stick with the CRC regardless of what goals the organization was attempting to accomplish. To Pearson’s statement Patterson retorted within the press release that,

Our petition does not only charge lynching in Southern States, we assert and prove with hundreds of cases which occurred during the past five years, that under a conspiracy of government, Negroes in every section of the United States are lynched legally and extra-legally... we challenge you, as well as those State Department officials who are obviously behind *your* propaganda drive, to refute one charge in our petition, to find one case in our genocide petition which can be challenged for its veracity.²²⁵

What the early onset of public criticism of the Genocide Petition and the questioned CRC motives indicate is the fact that the Petition itself did not really ever have a chance of being seen by the public as an avenue for pursuing civil rights. Making the 1947 HUAC subversive list, as well as defending the Communist-11, overshadowed the long line of civil rights work the CRC had accomplished in its past.

The original plan of having known American activists, W.E.B. DuBois and Paul Robeson present the Petition to the United Nations, gaining the shock value associated with the two men’s histories, failed. With DuBois’ arguably favorable decision to sit this one out, and the revocation of Robeson’s passport by the United States authorities, the

²²⁴ Press Release, November 20, 1951, *CRC Papers*, Part 1, Reel 26, 00040-41.

²²⁵ Press Release, November 20, 1951, *CRC Papers*, Part 1, Reel 26, 00040-41.

Petition was to be presented by Patterson abroad and Robeson within the United States on December 17, 1951. Once in Paris, Patterson sent a detailed letter to both Mr. Luis Padilla Nervo, the President of the General Assembly of the United Nations, as well as a copy to Mr. Trygve Lie, Secretary General of the United Nations and Mrs. Eleanor Roosevelt who served as Chairlady of the Commission on Human Rights. It is within these letters that Patterson detailed the petitioner's knowledge that the United States,

is not party to the 'Convention of the Prevention and Punishment of the Crime of Genocide... aware as well, that a proposed Article was rejected [from the Convention's charter] which would have allowed the Human Rights Commission to initiate an inquiry on receipt of complaints from individuals, groups and non-governmental organizations.²²⁶

Acknowledging the fact that the CRC's Petition was not necessarily valid due to a United Nations' Charter technicality that allowed only government organizations to present petitions of the crimes of genocide, it is explained that the CRC still attempts the presentation of this Petition due to the "authority to investigate violations of human rights [that] lies... in the statement of the general purposes and principles of the United Nations."²²⁷ The loophole within the Charter of the United Nations is why in 1948 the NAACP's Petition, *An Appeal to the World*, had to be presented to the United Nation's agenda by the USSR.²²⁸ What can be questioned regarding the rejection of the Article referenced by Patterson in these letters are the motives for which it was indeed rejected by the United States, therefore safeguarding the United Nations from non-government accusations.²²⁹

²²⁶ Patterson to Nervo, December 18, 1951, *CRC Papers*, Part 2, Reel 2, 00668-00669.

²²⁷ Patterson to Nervo, December 18, 1951, *CRC Papers*, Part 2, Reel 2, 00668.

²²⁸ Brenda Gayle Plummer, *Rising Wind; Black Americans and U.S. Foreign Affairs, 1935-1960*, (Chapel Hill: University of North Carolina Press, 1996), 182.

²²⁹ Anderson, *Eyes Off the Prize*, 180.

Several days following his arrival in Paris, Patterson was instructed by the United States Embassy to surrender his passport. In a cable to New York from Paris, Patterson declared, “he would refuse to surrender his passport” as well as “refuse to accommodate,” the United States Embassy officials who had threatened him with the search of his hotel room and seizure of his passport by force. It is within the Telepress that followed this cable that the CRC affirms,

The State Department is revealed not only as an enemy of the Negro people, but this effort to stop the hearing of [the] Petition to the United Nations is also seeking to destroy the right of all colonial and oppressed colored people throughout the world to seek relief under the United Nations Convention of genocide.²³⁰

With the upcoming holiday recess of the United Nations, Patterson fled to Budapest using a “gray card” given to him by associates within the French Communist Party.²³¹ No longer possessing a valid passport, Patterson was concerned with his re-admittance to France deeming the United States’ actions as an attempt of preventing his submission of “the charges orally to the U.N.,” ‘gagging’ the Petition’s submission.²³² With the failure to gain a foreign supporter to propose the Petition to the United Nations agenda, prospects of the presentation and acceptance of the Petition deteriorated. However the racists South would prove to be helpful. It was a final blow in the Southern United States that re-invigorated the international interest in the U.S. and race relations.

Groveland, Florida was subjected to extreme acts of violence in 1949 when white racists “ramped through the black sections of town burning African American,” homes

²³⁰ Telepress, December 26, 1951, *CRC Papers*, Part 2, Reel 2, 00611-00612.

²³¹ “Patterson in Hungary as U.S. Tries to Gag ‘Genocide’ Petition Submission,” *Bulletin*, January 4, 1952, 3, *CRC Papers*, Part 3, Reel 2, 0029.

²³² “Patterson in Hungary as U.S. Tries to Gag ‘Genocide’ Petition Submission,” *Bulletin*, January 4, 1952, 3, *CRC Papers*, Part 3, Reel 2, 0029.

disregarding the women and children inside.²³³ Out of all of the crimes committed that evening, the real-estate lost, the death tolls mounting, the only crime charged within the hours of rioting, was the rape of a white woman.²³⁴ Supposedly gang raped in a ditch by four African American men, the charges of the case indicate a complete frame-up. The husband of the woman, “ who had supposedly ran to get help during the attack, actually hung out with the sheriff’s detectives for several hours before mentioning that his wife was being raped.”²³⁵ Four African Americans were picked up and charged with the crime, one of which was killed by sheriffs before even getting to jail.²³⁶ In 1951, mid-December with the U.S. Supreme Court’s overturning the convictions and demanding a change in a new trial’s venue, while in transport Samuel Shepherd and Walter Irvin, two of the accused, were ordered out of the car. Sheriff Willis McCall, “obviously convinced that justice had been denied... unloaded his guns in their backs.”²³⁷ McCall claiming the two men were trying to “escape,” mysteriously had both boys handcuffed, on their knees when the crime was committed. Although the crime was widely publicized, McCall was fully exonerated for seriously injuring Irvin and murdering Shepherd in cold blood.²³⁸ Harry T. Moore, State Director of Florida’s NAACP, “publicly challenged the United States government to ‘rein in the Klan and bring the cowards to justice.’”²³⁹ Christmas night, 1951, was a night that would further galvanize the Genocide Petition within the United Nations. That nigh Florida Klan members “detonated a bomb directly underneath,” the bedroom where Mr. and Mrs. Harry T. Moore slept the holidays

²³³ Anderson, *Eyes Off the Prize*, 176.

²³⁴ Anderson, *Eyes Off the Prize*, 176.

²³⁵ Anderson, *Eyes Off the Prize*, 176.

²³⁶ Anderson, *Eyes Off the Prize*, 176.

²³⁷ Anderson *Eyes Off the Prize*,, 177.

²³⁸ Anderson, *Eyes Off the Prize*, 178.

²³⁹ Anderson, *Eyes Off the Prize*, 195.

away.²⁴⁰ Mr. Moore died instantly, however his wife survived for three days succumbing finally to her severe burns.²⁴¹ This event proved at home and specifically abroad that the law and order of the United States worked not towards protecting the innocent but evading justice when regarding white activism. The Moore's attack on Christmas Day by the Klan reinvigorated Patterson, the CRC, as well as their claims of genocide and their cry for international help;" The bomb that sent Mr. and Mrs. Harry Moore to eternity was exploding for all the world to hear."²⁴² The Civil Rights Congress used the Moore's murders as "Genocide: Exhibit A... [and] linked the American Embassy's attempt to seize Patterson's passport with [the government's] need to keep the slaughter of African Americans hidden, 'behind the cotton curtain.'"²⁴³

After news of the murders on Christmas night were publicized throughout Europe, Patterson who was still in Paris advocating the acceptance of the Petition by the U.N. was greeted with two offers from non-Eastern bloc countries to demand the Petition's placement on the agenda of the United Nations Commission on Human Rights. In a press release on January 6, 1952, the CRC reports this news stressing the fact that the countries were non-Eastern bloc or significantly non-Communist/non-Soviet states.²⁴⁴ Although the countries were not reported by name, the fact that other countries were intrigued by the race relations within the United States is evident in this press release. The Genocide Petition unfortunately never made it any further in the United Nations than the previous two. However it was because of the mass distribution and international intrigue that this

²⁴⁰ Anderson, *Eyes Off the Prize*, 196.

²⁴¹ Anderson, *Eyes Off the Prize*, 196.

²⁴² Anderson, *Eyes Off the Prize*, 199.

²⁴³ Anderson, *Eyes Off the Prize*, 199.

²⁴⁴ Press Release, January 6, 1952, *CRC Papers*, Part 1, Reel 25.

Petition succeeded in giving the United States civil rights campaign an international black eye.

The response to the Petition, William Patterson and the Civil Rights Congress varied. Three main components of the public response to the Petition include the newspaper reports on the organization, before and after the Petition's submission, the NAACP and the inter-organizational issues between themselves and the CRC, and the State Department that is blamed quite heavily for skewing the goals of the Petition in pursuing African American civil rights to instead be charged as Communist-propaganda.

The newspapers have always proven to be a source of opposition to the Civil Rights Congress. As previously stated, *TIME* articles were strongly biased against the CRC and beginning as early as 1947, only a half year past the creation of the CRC, the *New York Times* ran articles warning people of the dangers looming around the corners from civil rights activities.²⁴⁵ In the February 26, 1947, page three report, "10 Ways to Mark Communists," subversive actions were described to include,

offering criticism only of American, British, French and Chinese policies and offering no criticism of the Soviet policies, nor ever critical of communism or the Communist Party... [and/or] continually appearing as sponsor or co-worker of such known Communist-front groups as the ... Civil Rights Congress, the National Negro Congress.²⁴⁶

The Civil Rights Congress response to this particular accusation was notably reported by the *New York Times* but unlike the previous article that was viewed on page three, the reaction piece printed in March of 1947, was not found until page twenty-six. In this particular article the Civil Rights Congress denies the Communist charges pointing out its

²⁴⁵ "10 Ways to Mark Communists Given: Friends of Democracy Offer a Formula for Identifying American Members," *New York Times*, 26 February 194, 3.

²⁴⁶ "10 Ways to Mark Communists Given: Friends of Democracy Offer a Formula for Identifying American Members," *New York Times*, 26 February 194, 3.

long history of civil rights work. Pleading guilty only to, “a readiness to defend and support all those victimized by the Thomas-Rankin committee [of HUAC].”²⁴⁷ Similarly an August 1947 page two report, “Civil Rights Group Called Red ‘Front,’” announced the HUAC official report that described the Civil Rights Congress as a Communist-front group, “engaged in a campaign of vilification against the American Government.”²⁴⁸ Again the CRC’s response was found a month later on page twelve, making the statement in a single column of print that the report was “nonsense as usual... a potpourri of hearsay, falsification of fact and hostility to the process of democracy.”²⁴⁹

The *New York Times* has played a precarious role in the news reports surrounding the CRC Petition of 1951 as well. A *New York Times* article the day after the Petition was presented reported a “Left-Wing” organization presented a petition to the United Nations charging “the mass destruction of American Negroes and urged international redress.”²⁵⁰ The news source included commentary by Dr. Raphael Lemkin, a Yale University professor that assisted in the creation of the United Nations Genocide Convention. Lemkin notes that the CRC was listed on the Attorney General’s list as subversive and Communist-controlled believing therefore that “the accusations [within the Petition] were a maneuver to divert attention from the crimes of genocide committed against Estonians, Latvians, Lithuanians, Poles and other Soviet-subjugated peoples.”²⁵¹

The publication also reported and followed the case of the void placed on Patterson’s passport after he refused to hand it in to the United States Embassy when requested, but surprisingly printed a statement submitted by the CRC asking for the

²⁴⁷ “To Protect Civil Rights,” *New York Times*, 13 March 1947, 26.

²⁴⁸ “To Protect Civil Rights,” *New York Times*, 13 March 1947, 26.

²⁴⁹ “Civil Rights Group Denies Red Charges,” *New York Times*, 1 September 1947, 12.

²⁵⁰ “U.S. Accused in U.N. of Negro Genocide,” *New York Times*, 18 December 1951, 20.

²⁵¹ “U.S. Accused in U.N. of Negro Genocide,” *New York Times*, 18 December 1951, 20.

public to protest the actions of the State Department in “their [suppression of the] hearing of this Petition.”²⁵² In regards to the case of Patterson’s passport, the *New York Times* published articles at least every month as updates on the events. Although found further back in the paper, the reports were still printed which is more than some other publications can claim. In one article from January 1, 1952 the ending paragraph states that the, “United States and United Nations officials were silent... on charges made in Budapest that [Patterson] was being muzzled before the United Nations.”²⁵³ For the majority of the reports made within the *New York Times*, with the exception of the comments added to an initial news report on the Petition in which the publication referenced Professor Lemkin, the news source stuck to the facts as opposed to opinions.

Just as Patterson assumed when he first met with a reporter working for the *New York Times*, major United States news sources, “didn’t [really] give the historic event any big play.”²⁵⁴ Rather, as seen within the *New York Times*, the publications that did cover the actual events of the United Nations Convention and the Petition did so very discreetly, in the back pages of the paper. Constructive reporting was therefore seen in more intimate news sources including the Communist-Party newspaper the *Daily Worker*, the *Black Dispatch* and a very poor showing by the *Pittsburgh Courier*. Although Patterson had a very good relationship with the editor of the *Pittsburgh Courier*, as evident through the numerous correspondences between the two leading up to the Petition’s submission, with the Christmas bombing of the Moore’s home in Florida, the paper unfortunately carried very little coverage of the proceedings within the United Nation concerning the Petition. In late February 1952 the publication did begin to report

²⁵² “‘Rights’ Agent’s Passport Reported Voided by U.S.,” *New York Times*, 25 December 1951, 15.

²⁵³ “W.L. Patterson Says U.S. Bars Him At U.N.,” *New York Times*, 1 January 1952, 10.

²⁵⁴ Patterson, *The Man Who Cried Genocide*, 198.

on the passport issue and indictment of William Patterson for contempt, however their preoccupation with the events in Florida can be argued as an avenue for the Communist hysteria to take over the public's opinions.²⁵⁵

To add to Communist-hype, the coverage of the CRC Petition by the *Daily Worker* did not calm any of accusations. A February 4, 1952 article encouraged protesting racial persecution of any kind, but specifically question the rights the State Department has to confiscate William Patterson's passport; "The loss of a passport is a denial of [the right to have their case heard in freedom without molestation], and can only raise doubts in the rest of the world as to whether or not those who removed the passport have not something they wish to keep hidden."²⁵⁶ The editor of the *Black Dispatch*, Roscoe Dunjee, "hailed William Patterson" as an aggressive leader, similar to Patrick Henry, in fighting the second class citizenry allotted to African Americans. In an editorial reprinted and highly publicized by the CRC Chapter *Bulletins*, Dunjee encourages "Negro America to emerge from the shadow," in the support of Patterson, the CRC and their *We Charge Genocide* petition.²⁵⁷

In a similar manner, the *Chicago Enterprise* book review editor issued his own editorial on the Petition. Due to the format to which it was published, many commentators such as book reviewers had the opportunity to comment on the Petition. William Henry Huff, *Chicago Enterprise* reviewer notes in his review the impressive sales of the book, the necessity for a fourth edition to be printed due to its demand, as well as the several languages that had their own edition of the Petition which included

²⁵⁵ "Passport Denial," *Pittsburgh Courier*, 28 February 1952.

²⁵⁶ "Race Persecution," *Daily Worker*, February 4, 1952, in *CRC Papers*, Part 2, Reel 2, 00376.

²⁵⁷ "'Black Dispatch' Editor Hails Patterson," *Bulletin*, April 11, 1952, *CRC Papers*, Part 3, Reel 2, 00095.

French, Spanish, Chinese, Czechoslovak, and Hungarian.²⁵⁸ Claiming the book as, “a must for all who desire to know what is going on right here in America,” the editor does carefully note that, “we [the *Chicago Enterprise*] cannot go all the way with the organization which put forth this petition... we do not agree with them in all things, but it would be foolish to score facts simply because they are put forth by that organization.”²⁵⁹ Therefore the *Chicago Enterprise* is stating the necessary mentality when considering this Petition as an assumed form of Communist-propaganda. Although one may not agree with the group presenting the Petition for whatever reason, the facts presented within the Petition itself are still the facts working to attain African American civil rights.

The lack of major newspaper coverage by publicly known sources such as the *New York Times*, accompanied by the opinionated *TIMEs* articles, makes it even harder to ascertain the proof for Carol Anderson’s argument that the Petition itself was a form of Communist propaganda. What is written about more frequently however in the years following the publication of the Petition, were the HUAC hearings, the indictment of William Patterson and the international strife the Petition created. Therefore is one to assume that this is the focus of those who argue the Petition as communist propaganda? Because of the negative backlash the Petition received, were the motives and the Petition itself therefore deemed subversive even though the document was encouraged by the unjustified execution of an African American? Even though the Petition stated in explicit evidence the hundreds of crimes committed against African Americans with the knowledge of the U.S. Government? It is easy to argue the CRC organization as

²⁵⁸ “Chicago Editor Lauds ‘Genocide’ as ‘Must For All,’” April 17, 1952, found in *CRC Papers*, Part 1, Reel 26.

²⁵⁹ “Chicago Editor Lauds ‘Genocide’ as ‘Must For All,’” April 17, 1952, found in *CRC Papers*, Part 1, Reel 26.

Communist or not for there is evidence that can be focused on specifically to prove either side of the argument. However, the backlash following the Petition by HUAC and the State Department can not and should not be indicative of the motives of the Petition itself for there are many other factors that play into the public response to the CRC and their Petition.

As early as November 23, 1951 the “panic in the State Department” was reported in the CRC’s publication the *Bulletin*.²⁶⁰ Reporting that, “the State Department was working overtime in a frantic effort to discredit and, if that proved impossible, to hush up our exposure of the government’s crime of genocide.”²⁶¹ The article references Drew Pearson as the “notorious State Department mouthpiece,” and his comments as, “typical misinformation and outright lying which mirrors in all its frenzy the acute terror the government now fears.”²⁶² The CRC’s encouraged action against the slanderous comments of Pearson and the State Department were to sell as many copies of the Petition as possible. Price cuts on large numbers of books ordered and posted sales of each of the CRC branches worked towards encouraging the sale as a way to “hold the offensive” against the State.²⁶³

The State Department proved time and time again to be a major source of opposition to the Civil Rights Congress. Aside from confiscating necessary passports, and attempts at silencing the Genocide petition, the State Department proved dangerous in the inter-organizational issues between the NAACP and the CRC. With the NAACP on its side, the State Department had no trouble tainting the motives behind the Petition to a

²⁶⁰ Civil Rights Congress, *Bulletin*, November 23, 1951, *CRC Papers*, Part 3, Reel 2, 00254-00255.

²⁶¹ Civil Rights Congress, *Bulletin*, November 23, 1951, *CRC Papers*, Part 3, Reel 2, 00254-00255.

²⁶² Civil Rights Congress, *Bulletin*, November 23, 1951, *CRC Papers*, Part 3, Reel 2, 00254-00255.

²⁶³ Civil Rights Congress, *Bulletin*, November 23, 1951, *CRC Papers*, Part 3, Reel 2, 00254-00255.

malicious and destructive red. The U.S. State Department therefore proved itself to be “far from non-existent or passive in this development of African American thought and identity in the Cold War.”²⁶⁴

The initial split politically speaking between the NAACP and the CRC is a cause and effect issue. Going back to NAACP intergenerational drama, it was due to a personal vendetta against W.E.B. DuBois, that Walter White in charge of the NAACP turned the organizations back on the co-founder. White’s efforts to withhold legal resources from DuBois, who was being charged by the State Department for not registering as a foreign agent, set the tone for organization’s future, one that was to be in-line with the State. HUAC would inevitably question the NAACP’s motives if the organization was to assist DuBois, who was considered a subversive. This would jeopardize the validity of the organization as a whole and any future civil rights work they had hoped to do.²⁶⁵ The NAACP therefore decided that, “instead of using international pressure to force the American government to end the repression of blacks... there was much more to be gained by aligning with the Truman administration to beat back Soviet charges of racial discrimination in the United States.”²⁶⁶ “The NAACP’s leadership was,” enthusiastically embraced by the U.S government, “because of its need to project a cause of ‘freedom’” at home as well as abroad.²⁶⁷ The relationship between the two was therefore mutually beneficial. One would not be listed as subversive and therefore might possibly have an

²⁶⁴ Lucas, Scott. “Approaching Race and ‘Americanism:’ The NAACP and the State in the Early Cold War,” *Cross Routes, the Meanings of "Race" for the 21st Century*, edited by Paola Boi and Sabine Broeck, 114.

²⁶⁵ Anderson, *Eyes Off the Prize*, 173.

²⁶⁶ Anderson, *Eyes Off the Prize*, 175.

²⁶⁷ Lucas, “Approaching Race and ‘Americanism,’” 115.

attempt to gain civil liberties for African Americans and the other would have an African American ally to push in front of an international audience if necessary.

One of the first issues that split the NAACP and the CRC was their individual relationship to U.S. foreign policy in the Early Cold War.²⁶⁸ The NAACP backed the United States entry into the Korean War whereas CRC member Paul Robeson, a year prior had made a historic stand in stating or was misrepresented in stating that African Americans would not fight against the Soviet Union given the necessity due to the unjust race relations at home, not abroad. The Statements made at the World Peace Conference in Paris, 1949 by Robeson were twisted to that extent. In his personal memoirs, Robeson admits to questioning “whether or not Negroes should fight for people who kick them around,”²⁶⁹ noting particularly that the “American Red Cross labeled blood destined for Korea by race.”²⁷⁰ However it was with the statement that the line was drawn between the two African American entities. The NAACP, just as it had done with DuBois, distanced themselves from and openly criticized both Robeson and the CRC. “As the mercury of the Cold War thermometer plunged,” the left-wing critics of any U.S. policy, “made it easy for many government officials to assume,” Soviet sympathies.²⁷¹ With the statement made by Robeson, a known Communist, his associates within the CRC was quickly suspected of Communist-subversion to extremes.

“What accounts for the shift in the NAACP’s outlook...can only be understood as part of a much broader development in American society and foreign policy: the development of the State-private network,” which is where the NAACP came into the

²⁶⁸ Lucas, “Approaching Race and ‘Americanism,’”115.

²⁶⁹ Paul Robeson, *Here I Stand*, (Boston: Beacon Press, 1988), 42.

²⁷⁰ Plummer, Brenda Gayle. *Rising Wind: Black Americans and U.S. Foreign Affairs*,204.

²⁷¹ Thomas Borstlemann, *The Cold War and the Color Line: American Race Relations in the Global Arena*, (Cambridge: Harvard University Press, 2001), 77.

State Department's international strategy.²⁷² With the United States Government's international relations policies "[relying heavily] upon private groups to promote the American way of life, as well as its foreign policy, at home and abroad," the NAACP played an alluring role in the response to the Civil Rights Congress' Petition.²⁷³ The alignment of the NAACP with the U.S. government created a very black and white dynamic, not of race, but on the pretense that you are either with us, or against us with the Soviet Union as your ally and our enemy. With HUAC already placing the CRC on its subversive list, the NAACP had no leeway to sympathize with any of the CRC's actions. The CRC was deemed a Communist-front group by the government and therefore the NAACP adopted the same attitude.

In the months before the CRC submitted its Petition, Patterson sent a copy to Walter White of the NAACP whose review of the Petition was published in the December 7, 1951, *CRC Chapter Bulletin*.²⁷⁴ In the review, White affirms the accuracy of the charges to be "carefully documented ones taken from non-Communist and anti-Communist sources," the NAACP *Appeal to the World* being one of them.²⁷⁵ However the NAACP national secretary goes on to assert that the Petition would be used by Soviets to prove United States civil rights violations, of which the U.S. was trying to charge the USSR with. White therefore argues that of the, "sins of the Nation against the Negro—and they are many and gruesome—genocide is not among them," agreeing with the CRC that there is a civil rights issue within the United States, but attempting to cushion the international blow the United States was to receive following the publication and presentation of the

²⁷² Lucas, "Approaching Race and 'Americanism,'" 115.

²⁷³ Lucas, "Approaching Race and 'Americanism,'" 115.

²⁷⁴ Walter White, "Walter White Review 'We Charge Genocide,'" *CRC Papers*, Part 3, Reel 5, 00766.

²⁷⁵ Walter White, "Walter White Review 'We Charge Genocide,'" *CRC Papers*, Part 3, Reel 5, 00766.

Petition. Following the publication and distribution of the Petition, Walter White, titled the “patriotic Negro leader... issued a ‘scathing blast’ at the CRC for publishing Communist propaganda... at the behest of the State Department.”²⁷⁶ What must be stated though is the fact that White knew about, read and reviewed the CRC’s petition previously. At that time, White’s review was his reaction to the Petition with the acknowledgement that the CRC had carefully researched the violent crimes it cited as evidence.²⁷⁷ If White was to have such a vocal response to the Petition, why was his “scathing blast” so much more damning than initial book review? The change of heart and temper therefore can be chalked up to the relationship the NAACP had with the State Department. It was not necessary for a “scathing blast” to be issued before the international distribution of the Petition, only after to discredit the work and the organization that penned it. The State Department should not be underestimated in the role it played throughout the months revolving around the CRC Petition.

The NAACP also takes a role in the inter-workings of the United Nations itself. Once in the Palais Chaillot where the United Nations Convention was meeting, Patterson describes within his memoirs his interactions with Channing Tobias who proved to be a force of government opposition to the Petition and the CRC as well due to his strategic appointment to the delegation based on race. Tobias, who had once affiliated with a subversive organization, was now described “in the words of one State Department official as, ‘ an outstanding colored man’ who could help the U.S. counter Soviet ‘propaganda’ about the brutal treatment of African Americans.”²⁷⁸ In a quiet exchange of words between the Patterson and Tobias, he questioned Patterson’s attack on his own

²⁷⁶ Anderson, *Eyes Off the Prize*, 186.

²⁷⁷ Anderson, *Eyes Off the Prize*, 187.

²⁷⁸ Anderson, *Eyes Off the Prize*, 188.

government to which Patterson replied, “it’s *your* government and my country... I am fighting to save my country’s democratic principles from destruction by your government.”²⁷⁹ The delegates that accompanied Eleanor Roosevelt that year to the United Nations include three noteworthy African Americans, including Channing Tobias, Ralph Bunche and Edith Sampson who Patterson had known from decades before. Sampson who was not scheduled to be at the Conference at all, was called, “in specifically... to undo any damage caused by the Genocide Petition.”²⁸⁰ Later Sampson would go on to be a cookie-cutter African American for the State Department that would travel Europe, “rhapsodizing about the beauty of America, the land of opportunity, and then declare that all the horror stories about lynching and segregations were just a pack of Soviet lies.”²⁸¹ The State Department played a tremendous role in denouncing the crimes the CRC accused the United States for committing. Determining the ways the press reported the news of the Petition, striking the fear of a Communist-label on any CRC sympathizer became the ways of the Department following the publication of the Genocide Petition. Damage control became its main focus, maintaining a pristine image in the international arena was top priority in winning the Cold War. It is therefore this mentality that works towards Historians categorizing the Genocide Petition as Communist-influenced instead of looking at the past civil rights cases the CRC took part in defending, and the actual statements within the historic Petition. The State Department controlled the definition of what a good American did, therefore following the 1951 Petition, as seen in the actions of the NAACP, and Edith Sampson, denouncing the CRC

²⁷⁹ Patterson, *The Man Who Cried Genocide*, 189.

²⁸⁰ Anderson, *Eyes Off the Prize*, 192.

²⁸¹ Anderson, *Eyes Off the Prize*, 203.

and its Petition as the feared acts of Communist subversion became the necessary evil to maintain the United State's international hierarchy.

In a pamphlet distributed in 1963 by the National Committee to Abolish the House Un-American Activities Committee, it is stated that the Communist title was still being used by the government and Southern racists alike, to suppress the growing Civil Rights Movement. The author of this pamphlet speaks of the detrimental affect "Communism" has on the growth of movement itself in a statement that,

We know that the advocates of civil rights are persistently called Communists. This has always been true, but it intensified during the 1950's when Communist-labeling became a national pastime... the evidence is mounting that there is a direct cause-and-effect relationship [even now] between this labeling process and the shortage of people ready to act for integration.²⁸²

In the pages of the pamphlet the issue is discussed using numerous examples of how as soon as the threat of a "Communist" title was brought up, many supporters or would-be supporters back away quickly from the Civil Rights Movement of the mid 1960s.²⁸³

Although the National Committee to Abolish HUAC has acknowledged that fact, they also acknowledge that it has been a known tactic of the government and Southern racists alike since the early 1950's. "It is this...that enables white Southerners to use communism as a nebulous scapegoat to which they can shift the guilt for the crimes of their society."²⁸⁴ A proposal as to how to defeat this tactic included the idea to separate Civil Rights and Communist ties completely however, Braden notes that, "when people start trying to prove what they are not, instead of what they are, they weaken themselves" as seen previously in the civil rights struggle in the late 1940's, early 1950's with the

²⁸² Anne Braden, *House Un-American Activities Committee: Bulwark of Segregation*, (Los Angeles: National Committee to Abolish the House Un-American Activities Committee, 1963), 4-5.

²⁸³ Braden, *House Un-American Activities*, 5-7.

²⁸⁴ Braden, *House Un-American Activities*, 7.

NAACP and CRC inter-organizational issues.²⁸⁵ Although Braden is writing her pamphlet in the later years of the Civil Rights Struggle, the suppression of the staples to the Movement, such as the Highlander Folk School, the Freedom Rides of 1961, the Congress of Racial Equality (CORE), the Student Non-Violent Coordinating Committee (SNCC), and Dr. Martin Luther King Jr., all are accused by HUAC or its United States Senate counterpart, the Senate Internal Security Subcommittee (SISS), to be ““carrying on a fight for a Soviet America.””²⁸⁶ What this pamphlet does note is the fact that although these government committees give weight to the Communist charges against civil rights activists, they were not the only organ within American society to do such, and certainly not the one to initiate said charges. It is rather an acknowledgement that,

Civil rights groups are challenging society as it is, and all through history those who want to keep things as they are have labeled advocates of changes as ‘subversives,’ ‘outsiders,’ and ‘traitors.’ To the white [racists] man on the street in the South, the word ‘communist’ means just those things.²⁸⁷

It is this knowledge of the past history of civil rights activism and the strategic use of the Communist label, which proves necessary for the 1960’s civil rights movement to continue on what the three petitions to the United Nations attempted to achieve.²⁸⁸ What the Communist witch-hunt of the 1940’s/1950s allowed was the segregationist role, “not as the defender of a corrupt Southern status quo, but as a guardian of the national security,” that continued throughout the early 1960s.²⁸⁹ The CRC in the 1950s attempted to abolish not only the Smith Act, but to work alongside its allies in the National Lawyers Guild, to deem HUAC as an unconstitutional committee. This fight was taken up a

²⁸⁵ Braden, *House Un-American Activities*, 7.

²⁸⁶ Braden, *House Un-American Activities*, 7.9-12.

²⁸⁷ Braden, *House Un-American Activities*, 13.

²⁸⁸ Braden, *House Un-American Activities*, 13.

²⁸⁹ Braden, *House Un-American Activities*, 14.

decade later by the National Committee to Abolish HUAC that was established in 1960, later known as the National Committee Against Repressive Legislation, and today known as the Defending Dissent Foundation (DDF). The group used the same arguments that the CRC and the National Lawyers Guild had previously used. What this long history of the National Committee to Abolish HUAC proves is that CRC's fight against HUAC, the Smith Act and the McCarran Act were not necessarily Communist lead battles if other organizations that came about decades later, not labeled as subversive, used the same argument CRC had. The decade that followed the three petitions to the United Nations, learned the tactics of its suppressor. What is to be concluded then is that the historical period the Genocide Petition was presented in, complete with Communist-hysteria that could paralyze whole organizations, worked towards the denouncement of the 1951 Petition to a form of Communist propaganda.

No where in the Petition is communism mentioned. The document simply proves with facts, figures and the blood of countless innocent African Americans that the United States government's inaction fit the defined description of genocide as laid out in the Genocide Convention of the United Nations. It was because of a technical yet strategic rejection of an Article in the original drafts of the United Nations' Charter that barred the Civil Rights Congress from presenting its Petition to the international court. Further, the Petition proven to be a document demanding civil rights redress in the United States, the State Department backlash on the Petition and the CRC taint the image of the Petition in the eyes of the American public. Therefore it should be declared that it was the lack of positive, informative press on the presentation of the Petition to the United Nations, assisted by the denouncement of the CRC by the NAACP, a renowned African American

organization and the Communist fears that defined the McCarthy era in United States history that paints the black Petition red.

What can be learned from the history surrounding the Genocide Petition is the idea that activists should always question the status quo disregarding the trivial consequences it may have. In Patterson's day he risked the negative stigma that was associated with being a Communist to present the truth and demand redress, if nothing else causing an international stir that would pressure the U.S. government to do something in regards to the race relations. Robeson on the other hand loved Communism and his Communist title, and therefore lived outside of that fear, using his title to create international intrigue in his person and his beliefs. The Communist tag worked in the 1940s, '50s and '60s. Martin Luther King was said to have trained at a Communist school following his entrance into the Civil Rights Movement; billboards were dedicated to picturing him in those classes.²⁹⁰ Any time an issue was raised demanding rights or pointing to the imperfections of the land of the free, the communist tag would be placed and subsequently the argument silenced from the general public's ear. In times of such anti-communist fear, a time where anything could be deemed subversive, those who depended on the State's approval for their livelihood distanced themselves from communist activities. The less subversive, the safer one's paycheck was. What that proves is that it was an easy out for the United States government at the time. Crying Communist silenced any and all denigration. It was a tactic known to work and therefore was used until the fear disappeared. However if any aside from the motivations of the Petition was to be learned from this thesis, it is to never underestimate the State

²⁹⁰ Woods, *Black Struggle*, 146.

Department, for the Communist of the mid-twentieth century is the Islamic extremist of today, and who he/she is to be tomorrow, only they can decide.

Part 3: Educational Resource

To better serve the historical community, a condensed version and access to the research for the thesis examining the historical implications of the 1951 Civil Rights Congress' (CRC) petition to the United Nations has been created via webpage. To access the site, please visit <http://1951unpetition.wordpress.com>. This site has been created in efforts to make the research material more accessible to students and teachers alike. The site goes through the history of the civil rights activist group, a history of the multiple attempts to petition the United Nations for aid in the race wars America was facing as well as the history of the 1951 petition itself. On an additional page of the site there are also resource links that can connect the viewer specifically to the United Nations committee for genocide to use as a reference and to ground the CRC's approach to this committee and the UN to gain equal rights for the African American race.

The choice to create this website as the approach to connect to current teachers and students was based on the growing media-centered world. With students demanding instant access to information, the creation of the webpage was considered in reaching the broadest audience in a manner that would be not only efficient and respectful of their time. This website is not only convenient but a way to get a much needed historical awareness out to the community at large. With this particular research, what is interesting is that so few Americans; teachers and students, know about the petition or even the civil rights group. With this resource there is a higher probability that when students or teachers research civil rights petitions they will be introduced to a new historical approach that they had not previously considered; the CRC and the United Nations.

If the act itself is taken into consideration, petitioning the United Nations is a very unique approach to gaining equal rights. The intent of this research, as well as online access, is to educate the community on the various legal avenues civil rights organizations attempted in order to peacefully gain equal rights. In addition to that, the research goes into the ways in which global politics and the threat of communism impacted not only the CRC's work but the overall civil rights movement. This site is intended to be a quick but very useful resource for students and teachers alike.

Bibliography

Primary Sources

Braden, Anne. *House Un-American Activities Committee: Bulwark of Segregation*. Los Angeles: National Committee to Abolish the House Un-American Activities Committee, 1963.

Civil Rights Congress (U.S.). *Civil Rights Congress Tells the Story*. [s.l.]: The Congress, 1950.

Civil Rights Congress (U.S.), Dale Reynolds, and Eric Gallagher. *Papers of the Civil Rights Congress*. Black studies research sources. Frederick, MD: University Publications of America, 1989.

Civil Rights Congress (U.S.). *We Charge Genocide; The Historic Petition to the United Nations for Relief from a Crime of the United States Government against the Negro People*. New York: International Publishers, 1970.

National Association for the Advancement of Colored People. *Papers of the NAACP. [Reel 16, Group II, Series A]General Office Files*. NAACP, 1950-1951.

Patterson, William L. *The Man Who Cried Genocide; An Autobiography*. New York: International Publishers, 1971.

Robeson, Paul. *Here I Stand*. Boston: Beacon Press, 1988.

Secondary Sources

Anderson, Carol. *Eyes Off the Prize: The United Nations and the African American Struggle for Human Rights, 1944-1955*. Cambridge, UK: Cambridge University Press, 2003.

Biondi, Martha. *To Stand and Fight: The Struggle for Civil Rights in Postwar New York City*. Cambridge, Mass: Harvard University Press, 2003.

Borstelmann, Thomas. *The Cold War and the Color Line: American Race Relations in the Global Arena*. Cambridge, Mass: Harvard University Press, 2001.

Carr, Robert Kenneth. *The House Committee on Un-American Activities, 1945-1950*. Cornell studies in civil liberty. Ithaca: Cornell University Press, 1952.

Horne, Gerald. *Communist Front?: The Civil Rights Congress, 1946-1956*. Rutherford,

N.J.: Fairleigh Dickinson University Press, 1988.

Layton, Azza Salama. *International Politics and Civil Rights Policies in the United States, 1941-1960*. Cambridge: Cambridge University Press, 2000.

Lucas, Scott. "Approaching Race and 'Americanism:.' The NAACP and the State in the Early Cold War." In *Cross Routes, the Meanings of "Race" for the 21st Century*, edited by Paola Boi and Sabine Broeck, 112-124. FORECAAST, v. 9. Münster: Lit, 2003.

Plummer, Brenda Gayle. *Rising Wind: Black Americans and U.S. Foreign Affairs, 1935-1960*. Chapel Hill: University of North Carolina Press, 1996.

Woods, Jeff. *Black Struggle, Red Scare: Segregation and Anti-Communism in the South, 1948-1968*. Baton Rouge: Louisiana State University, 2004.

Contemporary Periodicals

Black Dispatch

Chicago Enterprise

Daily Worker

New York Times

Pittsburgh Courier

TIME