

Civil Rights as Human Rights

While the Human Rights Commission worked on drafting the Declaration, some of those leading the struggle for civil rights in America believed that bringing the case of segregation in America before the United Nations would help draw international attention to their plight. They felt that a change in terminology—from “civil rights” to “human rights”—would align their struggle with that of other oppressed groups and colonized nations around the world. They hoped that the shift would bring pressure on the United States to live up to the ideals and freedoms inscribed in the American Constitution.

Nearly one million black men and women served in World War II, many of whom believed that wartime patriotism would earn them full parity with white Americans upon their return. They also hoped that the struggle to defeat Nazi racism would transform racism on American soil. They were wrong on both counts.

During the war, blacks began more forcefully to demand their citizenship rights. Weary of Jim Crow indignities, many Southern blacks refused to be segregated any longer on streetcars and buses, stood their ground when challenged, and thus provoked almost daily racial altercations. Blacks became less compliant with conventional rules of racial etiquette, finding small but symbolic ways to challenge the racial status quo. Black soldiers, frustrated by the constant racial abuse they suffered, began fighting back; the result was much interracial violence and many deaths.¹

The huge industrial boom, precipitated by military production, failed to benefit many black workers and factory owners. In the military, only a few black soldiers were allowed to assume combat roles or become officers. Enough was enough. Roosevelt’s Executive Order 8802 (see Part II), which banned government contractors from discriminating according to race, religion, or national origin, made a big difference. Within three years, two million blacks were reportedly working in the defense industry.

² Extraordinary as this presidential move was, however, the lives of black men and women were little improved when the war ended. Moreover, hostility toward black veterans increased at the end of the war. The attacks and violence were neither accidental nor simple crimes of passion (although passionate mobs were often involved). They were carried out by whites who were determined to put loyal American veterans “back in

their place” and to reinstate segregation. Eleanor was acutely aware of the explosive potential of this racial friction. But now that she was no longer a White House insider, how could she help? The return of these soldiers and their bitterly cold reception highlighted the need for uncompromising action. As the issue of civil rights was forced to the forefront, Eleanor used her popularity, connections, and influence to promote racial and social equality. She participated in conferences, fund-raisers, and public debates to raise awareness about America’s racial problem. She also joined the board of directors of several organizations, including the NAACP.

Frustrated by a country that could demand sacrifice in its moment of need and then turn its back when the crisis passed, black veterans sometimes took direct action. The results could be chilling:

In Alabama, when an African American veteran removed the Jim Crow sign on a trolley, an angry street car conductor took aim and unloaded his pistol into the ex-Marine. As the wounded veteran staggered off the tram and crawled away, the chief of police hunted him down and finished the job . . . In South Carolina, another veteran, who complained about the inanity of Jim Crow transportation, had his eyes gouged out with the butt of the sheriff’s billy club. In Louisiana, a black veteran who defiantly refused to give a white man a war memento was partially dismembered, castrated, and blow-torched...In Columbia, Tennessee, when African Americans refused to “take lying down” the planned lynching of a black veteran who had defended his mother from a beating, the sheriff’s storm troopers . . . “drew up their machine guns and tommy guns . . . fired a barrage of shots directly into the black area of town, and then moved in.”³

The events in Columbia, Tennessee, were indicative. In this town of 5,000 whites and 3,000 blacks, racial tensions actually subsided during the war. But when the returning soldiers did not accept the daily humiliations of Jim Crow laws, many whites reacted violently. The events began on February 25, 1946, when a dissatisfied black customer, accompanied by her navy veteran son, got into a fight with a radio repair clerk who refused to address their concerns and became abusive. The clerk was pushed out the window, an act for which both the veteran and his mother were arrested. After pleading guilty and paying their fine, the two headed home. Later that day, the son was arrested again on more serious charges but was bailed out and released again.

That night, an angry white mob gathered near the black neighborhood. Blacks, including armed veterans, organized to protect themselves against possible attack. When four police officers attempted to disperse the crowd,

they were shot and wounded. What followed was not uncharacteristic of the way law-enforcement agents reacted to racial tensions:

Within hours, state highway patrolmen and the state safety commissioner, Lynn Bomar, arrived in town. Together with some of the town's whites, they surrounded the Mink Slide [black] district. During the early morning of February 26, highway patrolmen first entered the district. The officers fired randomly into buildings, stole cash and goods, searched homes without warrants, and took any guns, rifles, and shotguns they could find. When the sweep was over, more than one hundred blacks had been arrested, and about three hundred weapons from the black community had been confiscated. None of the accused were granted bail or allowed legal counsel.⁴

According to prisoners' testimonies, three of the black prisoners were later taken for interrogation. Shots followed; one was injured, and the other two were killed. While the police officers claimed it was self-defense, fellow prisoners claimed that the men were executed in retaliation for their actions during the riots. Thurgood Marshall, the NAACP's leading lawyer, who would be the first African American to sit on the Supreme Court, immediately flew in with Walter White. They built a national defense committee (representing various organizations) whose mission was to provide funds and protection for the prisoners. They demanded that the alleged violations of black residents' civil rights be investigated. Walter White then approached Eleanor to co-chair the committee with Channing Tobias, and she immediately agreed. Though occupied with her work for the United Nations, Eleanor participated in the committee's defense efforts. In a letter she wrote with Channing Tobias to prospective donors, she summarized her views on the events. The men who were arrested, she argued, more than half of whom were recently discharged servicemen,

had been the innocent victims of race hatred and violence. The events which took place in Columbia on February 25th and 26th rose out of a dispute between a white shopkeeper and a Negro customer. They culminated in lynch threats, an armed invasion of the Negro district, wanton destruction of Negro property and wholesale arrests and beatings of Negro citizens.

5

Thurgood Marshall's spectacular defense saved many of the prisoners the injustice of long prison terms. But when he and others forced Tennessee Attorney General Tom C. Clark to investigate the actions of the National Guard unit and highway patrolmen who raided the black neighborhood, the results were deeply disappointing. Despite the fact that dozens of people witnessed the actions of the National Guard unit and patrolmen,

blacks were not allowed to testify, and the white officers did not cooperate. The record of this investigation, Marshall later wrote to Eleanor, showed “that none of the witnesses . . . could identify any person responsible for the property damage which occurred or for any other act prohibited by Federal laws.”⁶ When Marshall left town, the police followed him and his colleagues. He was arrested for alleged drunk driving and was almost lynched by white residents of Columbia.

Responding to the maelstrom of violence, representatives of the African American community turned to the United Nations. W. E. B. Du Bois, a highly accomplished scholar and activist (he was the first African American to receive a doctoral degree from Harvard), led a team of lawyers and scholars who submitted a brief to the human rights division in 1947. It was titled “An Appeal to the World: A Statement of Denial of Human Rights to Minorities in the Case of Citizens of Negro Descent in the United States of America and an Appeal to the United Nations for Redress.”

How, asked Du Bois, could the leaders of the United States seek to lead the free world while refusing to confront the injustices of racism in every American town and city? A “disastrous” policy, segregation, he wrote, had

repeatedly led the greatest modern attempt at democratic government to deny its political ideals, to falsify its philanthropic assertions and to make its religion to a great extent hypocritical. A nation which boldly declared “That all men are created equal,” proceeded to build its economy on chattel slavery; masters who declared race-mixture impossible, sold their own children to slavery and left a mulatto progeny which neither law nor science can today disentangle; churches which excused slavery as calling the heathen to god, refused to recognize the freedom of converts or admit them to equal communion. . . . [A] great nation, which today ought to be in the forefront of the march toward peace and democracy, finds itself continuously making common cause with race-hate, prejudiced exploitation, and oppression of the common man.⁷

America’s “high and noble words,” Du Bois concluded, had been “turned against it, because they are contradicted in every syllable by the treatment of the American Negro for three hundred and twenty-eight years.”⁸

“An Appeal to the World” was Du Bois’s plea for the international community to take notice of the ongoing discrimination, segregation, and racial violence in America. In writing and submitting it to the United Nations, Du Bois and his colleagues tried to shift from national and internal debate to an international and universal one. When arguing in

court and protesting on the street, African Americans were fighting to receive their civil rights: rights granted to all the citizens of the United States but denied to them. Du Bois and the NAACP believed that the United Nations' discussion of human rights was an opportunity to mobilize international public opinion for their cause and to align their plight with that of other oppressed people. This was neither the first nor the last such attempt to "internationalize" the injustices suffered by blacks.

The brief was to be submitted on October 23, 1947, to Humphrey as the director of the human rights division and to Henri Laugier of the Secretariat. Walter White, a longtime civil rights activist and the executive director of the NAACP, asked Eleanor to be present.⁹ She declined:

As an individual I should like to be present, but as a member of the delegation, I feel that until this subject comes before us in a proper way, in a report to the Human Rights Commission or otherwise, I should not seem to be lining myself up in any particular way on any subject.¹⁰

She added: "It isn't as though everyone did not know where I stand."¹¹ For example, before taking up her duties at the United Nations, Eleanor had often identified racism directed at African Americans as intolerable. The situation had to change, and in 1942, she repeated demands she had made many times before—that every citizen of the United States should have the following rights:

- Equality before the law
- Equality of education
- Equality to hold a job according to his or her ability
- Equality of participation through the ballot in the government¹²

"We cannot force people to accept friends for whom they have no liking," she argued, "but living in a democracy, it is entirely reasonable to demand that every citizen of that democracy enjoy the fundamental rights of a citizen."¹³

In Eleanor's essay, "Abolish Jim Crow," she spoke about the need to align the ethical mission of the war with the struggle for justice at home, drawing parallels among the persecution of the European Jews, the Russian dissidents, and the American blacks.¹⁴ Moreover, since the war, Eleanor had often warned against the hypocrisy of condemning the Nazis for their racial policies while allowing the free reign of white supremacy in many areas of the United States. In a response to a member of President Truman's commission on civil rights, she repeated the comparison: "We cannot look down too much on the Nazis or the Communists, when

somewhere in our land things like this happen.”¹⁵ While Eleanor called for patience and for working within the system, but this did not mean that she went along with official decisions with which she disagreed: she knew how to dig in her heels and push back.

A case in point was the United States’ support for the formation of the state of Israel. In the aftermath of the Holocaust, Eleanor became convinced that this was the only appropriate response to horrific actions that had left six million Jews dead and had turned those who survived into unwanted, stateless refugees.¹⁶ So when the United States seemed as if it would withdraw its support for the formation of a Jewish state in Palestine, Eleanor threatened her resignation from the United Nations.¹⁷

But “The Appeal to the World” put Eleanor in a tough position. She believed that receiving petitions from anyone but a member state violated the guidelines for the Human Rights Commission. The commission had never been assigned any executive power at all. Both human rights standards and the institutions that would act to uphold them were yet to be created. Moreover, Eleanor anticipated complications. She knew that the Soviets would use “The Appeal to the World” for anti-American propaganda (which they later did). In that case, if Eleanor sided with the petitioners, she would be set against the government she represented, which was unthinkable.

Nevertheless, Eleanor continued to communicate with White and Du Bois. She also agreed to meet Du Bois in person to talk things over. In their conversation, recorded by Du Bois, Eleanor repeated her concern about the potential abuse of the petition by the Soviets, and she pointed out that if the Soviets and other countries continued to attack the United States for its racial policies, she would be forced to defend those policies—a situation she deeply resented. According to Du Bois’s account, Eleanor said that the situation “might be so unpleasant that she would feel it necessary to resign from the United States Delegation to the United Nations.”¹⁸ Du Bois’s uncompromising position eventually led to a crisis within the NAACP and to the termination of his service. In his place, on September 7, 1948, the NAACP sent Walter White to consult with the United States delegation. His close ties with Eleanor were well known, and the choice suggested that the NAACP expected that she would continue to support the organization’s mission.¹⁹

Citations

1: Michael J. Klarman, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (Oxford: Oxford University Press, 2004), 177.

2 : “The United States from 1920 to 1945,” Encyclopedia Britannica online.

3 : Carol Anderson, *Eyes Off the Prize: The United Nations and the African American Struggle for Human Rights, 1944–1955* (Cambridge: Cambridge University Press, 2003), 58–59. Riots.

4 : “Columbia Race Riots, 1946,” the Tennessee Encyclopedia of History and Culture website. We thank Elly Green and Allida Black for drawing our attention to Eleanor’s involvement in the Columbia riots.

5 : Eleanor Roosevelt and Channing H. Tobias, fund-raising letter for the National Committee for Justice in Columbia, TN, May 29, 1946, available at the [Eleanor Roosevelt Papers Project Website](#), accessed October 16, 2009.

6 : “Tom Clark to Eleanor Roosevelt, November 26, 1946,” in *The Eleanor Roosevelt Papers*, ed. Allida M. Black et al., (New York: Thomson Gales, 2007), 149.

7 : W. E. B. Du Bois et al., “Statement on the Denial of Human Rights to Minorities in the Case of Citizens of Negro Descent in the United States of America and an Appeal to the United Nations for Redress” (1948), 5–6, *Eleanor Roosevelt Papers*, United Nations Publications, box 4581

8 : Du Bois et al., “Statement on the Denial of Human Rights to Minorities in the Case of Citizens of Negro Descent in the United States of America and an Appeal to the United Nations for Redress,” 6.

9 : Joseph P. Lash, *The Years Alone* (New York: Norton, 1972), 57–58.

10 : Elida Black et al., *The Eleanor Roosevelt Papers*, 634.

11 : Ibid. In her important book, historian Carol Anderson also criticized Eleanor for siding with the Truman administration in suppressing the “Appeal to the World.” Anderson argued that despite Eleanor’s reputation for protecting minorities’ rights, she was unsupportive of NAACP leadership and blocked the petition in the Human Rights Commission. Anderson concludes her book about the failure of the United Nations to address the rights of America’s blacks between 1945 and 1955 by saying that Eleanor’s actions “spoke volumes about her priority.” Eleanor, she continued, “was in complete agreement with the State Department,” which, Anderson argued, was deeply racist. Eleanor’s work at the HRC , Anderson contended, was designed to “erect a formidable barrier between the

oversight abilities of the UN and the horrific conditions in the African American communities.” See Anderson, *Eyes Off the Prize*, 96–98, 112, 175.

12 : Eleanor Roosevelt, “Race, Religion and Prejudice,” *New Republic* 106 (May 11, 1942): 630, available at the [Eleanor Roosevelt Papers Project website](#), accessed October 19, 2009.

13 Eleanor Roosevelt, “Race, Religion and Prejudice,” *New Republic* 106 (May 11, 1942): 630, available at the [Eleanor Roosevelt Papers Project website](#), accessed October 19, 2009.

14 : Eleanor Roosevelt, “Abolish Jim Crow,” *New Threshold*, August 1943; reprinted in *Courage in a Dangerous World*, ed. Black, 139–40.

15 : Elida Black et al., *The Eleanor Roosevelt Papers*, 593.

16 : Historian Michelle Mart explained that in Eleanor’s mind, an independent state was “the one place where they will have a status where they will feel again that sense of belonging to a community which gives most of us security.” She argued that Americans as a nation must respond to the needs of the refugees, “the greatest victims of this war”: “[O]ur consciences can hardly be clear at the news of their suffering.” Eleanor Roosevelt’s quotes are from her *My Day* column from November 7, 1945. See Michelle Mart, “Eleanor Roosevelt, Liberalism, and Israel,” *Shofar* 24 (2006): 68.

17 : “Eleanor Roosevelt to George Marshall, March 22, 1948,” and “Eleanor Roosevelt to Harry Truman, March 22, 1948,” *Eleanor Roosevelt Papers*, UN Publications, 774–75. Truman did not accept Eleanor’s resignation. In her letter to Truman, Eleanor also criticized his attempt to restore the prewar “balance of power” rather than engage the Soviet Union in an open political dialogue. She felt that this policy undermined the role of the United Nations and could very well lead to another war, adding: “No one won the last war, and no one will win the next war.”

18 “W. E. B. Du Bois to Walter White, July 1, 1948,” in *The Eleanor Roosevelt Papers*, ed. Black, 863. On December 8, Eleanor informed White, who traveled with the United States delegation as a consultant, that Jonathan Daniels was going to present a new proposal to the United Nations Sub-Commission on the Prevention and the Protection of Minorities. When the Soviets demanded that this subcommission accept the NAACP’s “Appeal to the World,” Daniels voted against it. White continued to argue that only an independent international court of human rights could make a difference in cases where states refused to investigate and improve

the treatment of minorities. The United States delegation did not accept his position at that time. Ibid., 681–83.

19 Elida Black et al., The Eleanor Roosevelt Papers, 863–64.

Related Content

Audio

Justice & Human Rights

UDHR Workshop Day 3 Overview

Welcome to Day 3. Today we'll focus on reasons human rights was controversial in the post-war United States and why "civil" rights, instead, became the focus. This session will also model a literacy strategy known as close read activity.

[Add or Edit Playlist](#)

<https://www.facinghistory.org/universal-declaration-human-rights/civil-rights-human-rights>

Copyright © 2019 Facing History and Ourselves. We are a registered 501 (c) (3) charity. [Privacy Policy](#)

Our headquarters are located at:
16 Hurd Road, Brookline, MA 02445
[Accessibility Feedback](#)