

An Examination through Era Documents of
Social Justice Policy Evolution

No Longer Silent

American Federal
Governments Role in
Social Justice.

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The United States of America entered the 20th century the beneficiary of significant economic growth brought on by an unprecedented technological and industrial revolution. Beneath that glittering surface lay under-currents of deep social unrest the result of chaos unleashed by unrestricted markets exploiting labor abundance, random spontaneous growth uninhibited by any standards resulting in unsustainable or nonexistent infrastructure development, and the concentration of economic might squeezing out any threat of competition within the hands of a few. Immigrants were pouring in by the millions, and the agrarian based society of the past was bleeding its youth to the industry of the cities. Labor unrest and violence was shattering the conscience of the American people. Inner cities had become centers of squalor, disease, and crime. The ever present darkness of America's treatment of its African American descendants lurked within the penumbra of its brilliant display upon the world stage. A nation wrought from documents themselves borne of conflict was tearing at itself yet again, and lending credence to populist politicians reach for power, harnessing the yearnings of a population's discontent at its place in the world. There was injustice borne in economics and injustice borne of prejudice which tore at the soul of the dream that defines America and the nation's people demanded justice. The federal government of the United States of America would redefine its relationship with the American people by taking an active role in serving all of its citizens while still maintaining capitalist system values from which the nation's vitality and strength had been derived.

Often the policies and actions taken to reverse the depression in the 1930's are cited as the transition point for far greater government attention to and regulation of economic activity. While the depression provided both opportunity and necessity in altering the balance of power in negotiating economic policy, the foundation that formed the basis of the federal government's direct involvement in economic activity, generally the province of private industry, was formed in the early years of the 20th century. The 1890's through the 1920's saw a government economic policy of *Laissez-faire* slowly dissolve away as a result of the work of Progressives and the progressive movement. The corporate interests of large conglomerates involving railroads and oil amongst others would fall to the trust busting efforts of President Theodore Roosevelt at the forefront of the movement and carried on afterward by President William Taft. Prior growth of monopolies controlling entire segments of the production of goods and services had stifled competition and led to price fixing arrangements. The political and economic power of monopolies was so great that the immense power the federal government could wield was the only effective authority that could stand against the conglomerates. In 1904, J.P. Morgan, a financier heavily involved in industrial consolidation and railroads, controlled the Northern Securities Company and was the first major monopoly to experience the brunt of the new order that would be imposed on industry. In 1911, John D. Rockefeller, who owned The Standard Oil Company of New Jersey which controlled most of the production and refinement of petroleum products, followed J.P. Morgan into the maw of government trust busting efforts. Both saw their operations split into much smaller separate companies restricted from consolidation reducing the potential for price fixing, and opening the way for competition in the marketplace.

In addition to the trust busting efforts, President Theodore Roosevelt also felt compelled in 1902 to intervene in the efforts of striking workers against large corporate interests. The anthracite coal mine operators in Pennsylvania were struck by The United Mine Workers Union. In the past, the US government had generally lent its hand to the corporations against strike efforts. In October, 1902 the government under Roosevelt demanded arbitration to settle the strike with the threat of a government takeover of mining operations if settlement wasn't reached. Roosevelt's "Square Deal" arbitrated

settlement awarded miners a 10 percent pay increase, their workday was reduced to nine hours (from 10 hours), and the owners were not forced to recognize the United Mine Workers¹. There were no more major coal mining strikes until the 1920's. This was a radical departure from prior government involvement where the forces of government were used to quell strikes by force if necessary. The federal government under Theodore Roosevelt, and those that would follow, positioned the federal government in such a manner that workers were no longer subject strictly to the economic interests of their employer. Through these efforts the federal government was positioning itself as the final authority in the economic interest of the country.

Much of this transformation was the result of the reformist movement initiated by Progressives through the auspices of scientific management. David Trowbridge of Marshall University writes: "The progressive movement hoped to reduce government corruption and increase efficiency by appointing a new generation of college-educated experts to key government positions. In doing so, the Progressives were optimistic that government regulation could protect all members of society within the existing Capitalist system."² The voter was changing as well. America had moved from an agrarian base to a massive industrial powerhouse. This powerhouse demanded workers and they had been coming in by the millions from the farms and immigration. Many work place conditions were deplorable and the pay at or below subsistence level. These new voters demanded a living wage, a reduction in work hours, and safer work condition, and subsequently the government in fits and starts through policy began to reflect these demands. The Progressives pushed for policy where the change could take effect without destroying the capitalist system. This movement served as a backstop to the mythical siren call of equality through the soft tyranny of socialism promoted by populist leadership.

These changes in the early part of the 20th century served as the basis for an America where government would impose its power on the social and economic fabric of the nation. The implementation of policy directed at remedying the ills of the nation was initiated by a broad coalition of interests which formed the Progressive movement. They were intent upon eradicating the poverty and squalor where most citizens lived within the cities, and at providing a more equitable opportunity for income generation for the populous. Leadership not subject to corruption was a requirement and that was found in Theodore Roosevelt. This broad coalition of interests sought to arrest the masses of the nation from following a populist path, and the violence and social disruption that may have taken place. Government had now taken upon itself the responsibility of serving the interest of a broad base of America. The people of the nation demanded nothing less.

The depression of the 1930's had no equal. An economic hell burst from the bowels of poor risk management and speculation by business, banks, and consumers on the coattails of easy monetary policies of the Federal Reserve in the 1920's. This failure of government policy and private sector indulgence lead to crushing poverty, bank and business failures, foreclosures, soup lines, massive unemployment, and mass migration from the farm belt of the mid-west; a "winter of despair" had descended upon America. A popular song in 1931 titled "Brother, Can You Spare a Dime" gave voice

¹ Independence Hall Association in Philadelphia, "U.S. History Pre-Columbian to the New Millennium: *Progressives in the White House*," <http://www.ushistory.org/us/43c.asp>, (accessed November 23, 2012).

² David J. Trowbridge, "A History of the United States, Volume 2, v. 1.0.1": http://catalog.flatworldknowledge.com/bookhub/reader/7751?e=trowbridge2_1.0-ch06_s04#trowbridge2_1.0-ch04_(accessed November 23, 2012).

to the despair and despondence shared by the common man during the depression. Men who had fought in World War I were reduced to begging on the streets: “Once in khaki suits, gee we looked swell, Full of that Yankee Doodly Dum, Half a million boots went slogging through Hell, And I was the kid with the drum!” Men who had built the infrastructure of a nation: “Once I built a railroad, I made it run, made it race against time. Once I built a railroad now it’s done. Brother, can you spare a dime? Once I built a tower, up to the sun, brick, and rivet, and lime; Once I built a tower, now it’s done. Brother can you spare a dime?” Proud men reduced to begging; “They used to tell me I was building a dream, and so I followed the mob, When there was earth to plow, or guns to bear, I was always there right on the job. They used to tell me I was building a dream, with peace and glory ahead, Why should I be standing in line, just waiting for bread?”³ Franklin D. Roosevelt’s administration unleashed a variety of grandiose Keynesian economic theory initiatives to combat the seeds of the scourge ravishing America. Keynesian economics advocates public sector assistance and involvement in the economy, which is a significant departure from popular economic thought that preceded it — laissez-faire capitalism. Laissez-faire capitalism established that an unrestricted market would achieve balance on its own without public sector participation and regulation in the marketplace.⁴

The concepts encompassed by the Keynesian model were embraced by President Franklin D. Roosevelt through a number of programs to lessen the impact of the depression on working Americans. To address the needs of unemployed men, he established the Federal Emergency Relief Administration, the Civil Works Administration, the Civilian Conservation Corp, and the Works Progress Administration. The establishment of these agencies had no precedent in the Federal Government. There had been, however, substantial federal government involvement in the early part of the 20th century in regulating business interest and supporting worker’s interests. They served to prop up the worker as the engine of domestic economic growth both by relieving the suffering of poverty and restarting the cycle of the demand for goods and services. These initiatives served as a substitute for the employment no longer available from a private sector which had been decimated by the depression. The federal government was borrowing a page from Henry Ford who recognized that for workers to acquire automobiles they had to earn enough to purchase them. For domestic production to recover it would require enough demand to restart the engine of commerce.

Women suffered the ravages of the depression on a level at least equal to, if not greater than men. It was not uncommon for men to leave the household in search of work leaving the woman, often with children, to fend for themselves. Meridel Lesueur in “Women on the Breadlines” writes of the desperation, hunger, and fear woman experienced during the depression: “I am sitting in the city free employment bureau. It’s the woman’s section. We have been sitting here now for four hours. We sit here every day waiting for a job. There are no jobs. Most of us have had no breakfast. Some have had scant rations for over a year... No one dares think of the coming winter... Everyone is anxious to get work to lay up something for that long siege of bitter cold. But there is no work. Sitting in the room we all know it... We look at the floor dreading to see that knowledge in each other’s eyes. There is a kind of humiliation in it... It’s too terrible to see this animal terror in each other’s eyes.”⁵ The works programs also provided some employment for women. Additional programs were started to provide further benefits targeted primarily to women with children including the Public Works Administration

³ Yip Harburg - lyrics, Jay Gorney – music, *Brother, Can You Spare a Dime*, (1931).

⁴ Conjecture Corporation, “*What is Keynesian Economics?*,” <http://www.wisegeek.com/what-is-keynesian-economics.htm> (accessed November 23, 2012).

⁵ Meridel Lesueur, *Women on the Breadlines*, (1932), *New Masses* (January 1932).

for housing, and the Social Security Act, which included aid to dependent children, and unemployment insurance. President Roosevelt's administration in the interest of improving working conditions also imposed regulation upon the private sector which addressed union organization, minimum wages, child labor, anti-trust legislation and the 40 hour work week. These programs served to provide additional security to workers, limit the power and authority of industry over their labor force, and limit anticompetitive practices. The foundation of these practices had been established by Progressives at the beginning of the 20th century.

The addition of the Social Security Act was a commitment to every American that the Federal Government was taking upon itself the responsibility of insuring the economic welfare of working Americans. In a radio presentation to the public, Secretary of Labor Frances Perkins spoke of the new Social Security Act: "The social security measure looks primarily to the future and is only a part of the administration's plan to promote sound and stable economic life... While it is not anticipated as a complete remedy for the abnormal conditions confronting us at the present time, it is designed to afford protection for the individual against future major economic vicissitudes."⁶ In the true spirit of Keynesian economic theory, the public sector was assuming the role of benefactor to all Americans by assuring a consumer based society that the money cycle maintained its prime (public sector priming of the money cycle "pump" is a primary tenet of Keynesian economic theory). Frances Perkins adds in the radio address: "This is truly legislation in the interest of the national welfare. We must recognize that if we are to maintain a healthy economy and thriving production, we need to maintain the standard of living of the lower income groups of our population who constitute ninety per cent of our purchasing power. The President's Committee on Economic Security... was convinced that its enactment into law would not only carry us a long way toward the goal of economic security for the individual, but also a long way toward the promotion and stabilization of mass purchasing power without which the present economic system cannot endure..."⁷ The transition from Laissez-faire capitalism, which had begun to erode during the Presidency of Theodore Roosevelt, was complete. Funding for the social security program was in part a tax on the payroll of the eventual recipient and a separate tax on the employer. The worker contributed to their retirement program through the payroll tax. An ownership of the account concept developed from this tying the worker to their "account" held in trust by the Federal Government. The federal government had forged a direct link with every American by instituting this program. Americans would come to see the Federal Government as a direct benefactor in their retirement.

The Federal Government under President Franklin D. Roosevelt extended this concept of the American Government's assumption of the responsibility for freedom and economic order beyond its domestic shores. In a speech to Congress on January 6, 1941 he stated, "In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms. The first is freedom of speech and expression – everywhere in the world. The second is freedom of every person to worship God in his own way – everywhere in the world. The third is freedom from want – which, translated into world terms, means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants – everywhere in the world. The fourth is freedom from fear – which translated into world terms, means a world-wide reduction of armaments to such a point and in such a

⁶ Frances Perkins, *Speech on the Social Security Act*, (September 2, 1935), Frances Perkins, *Vital Speeches of the Day* (Pelham, NY: City News Publishing Co., (1935), 1: 792-94.

⁷ Frances Perkins, *Speech on the Social Security Act*, (September 2, 1935), Frances Perkins, *Vital Speeches of the Day* (Pelham, NY: City News Publishing Co., (1935), 1: 792-94.

thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor – anywhere in the world.”⁸ At the time, many of the nations of the world were at war. This speech was a call to the American people that America intended to be at the forefront of the battle against tyranny and it had a moral responsibility to do so. “That is no vision of a distant millennium. It is a definite basis for a kind of world attainable in our own time and generation. That kind of world is the very antithesis of the so-called new order of tyranny which the dictators seek to create with the crash of a bomb. To that new order we oppose the greater conception – the moral order.”⁹ America not only had a constitutional mandate to defend her own borders, but a moral mandate to ensure that tyranny would fail in its attempt to establish itself outside of those borders. World War I had seen America’s participation in opposition to tyranny. World War II would solidified America as the nation that the world would turn to oppose tyranny. The American people, through the US military, were to become the world’s arbiter for peace through force of arms.

The search for equality of African Americans in the United States of America at the turn of the 20th century had not made much headway since the Civil War. One could argue that there were more setbacks than progress in establishing equality; *Plessy v. Ferguson*, 163 U.S. 537 (1896) upheld separate but equal facilities to maintain segregation of the races, and *Cumming v. County Board of Education*, 175 U.S. 528 (1899) upheld a whites only education with no equal facilities for black Americans. White America was intent on keeping the races segregated particularly in the southern states. A new organization would arise to champion the push for equal rights for black Americans in 1909. “W. E. B. Du Bois met with supporters in 1905 at the Canadian side of the Niagara Falls and began an organization called the Niagara Movement. Four years later they joined with sympathetic white progressives to form the National Association for the Advancement of Colored People (NAACP).”¹⁰ This organization would be at the forefront of the fight for civil rights in America, but fruit of its efforts was not yet ready to bear. A critical mass of America had not yet formed and leadership within the government was not ready to make the commitment to change that would be required.

While the Federal Government’s involvement in labor and economic issues was well established by the end of the 1930’s, the most pressing social issue that remained had been avoided in the interest of maintaining the support of powerful southern democrats on legislation needed under the New Deal program. There was limited success in some areas of reducing employment discrimination in the defense industry in 1941 and some occasional successes in education opportunities in higher education through the efforts of the NAACP in the 1940’s, but neither Roosevelt or Truman were prepared to take on the powerful coalition of southern democrats who strongly opposed any equalization of the races.¹¹ Reform of the established social norm of the separation of the races would find some of its first support through the judicial system, and through large social demonstrations employing economic and moral arguments as a critical mass of open vocal support developed from both black and white supporters for racial equality. Like the economic transitions which required federal leadership from the executive and judicial branches of government to overcome the power of vested economic interest, the executive and judicial branches of government would be necessary to overcome the vested interest, and blatant social prejudice of white Americans, to secure racial equality for black Americans. As in previous efforts

⁸ Franklin Delano Roosevelt, *Four Freedoms*, President Franklin Delano Roosevelt’s Address to Congress, January 6, 1941

⁹ Franklin Delano Roosevelt, *Four Freedoms*, President Franklin Delano Roosevelt’s Address to Congress, January 6, 1941.

¹⁰ Alan Brinkley, *The Unfinished Nation*, Volume 6, (New York, McGraw-Hill, 2010), 534.

¹¹ Delaware Humanities Forum, “With all Deliberate Speed: *The Legacy of Brown v Board*,” <http://www.brownvboard.info/strategy.htm>, (accessed November 24, 2012).

supported by the NAACP, education was one of the first broad areas of encroachment that black Americans and their white supporters would use to begin chipping away at racial inequality. More than a decade prior to the Civil Rights Act of 1964, and the Voting Rights Act of 1965 was enacted, the Supreme Court Case *Brown v. Board of Education*, 347 U.S. 483 (1954) would stand as a major milestone in the efforts of Black Americans, their supporters, and the Federal Government to begin to integrate the races. The southern and border states were unwilling to consider segregation of the schools basing their arguments on the “separate but equal” doctrine adopted in *Plessy v. Ferguson*, 163 U.S. 537.¹² Chief Justice Warren wrote in the opinion of the Court supporting the need for and right of an education: “Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.”¹³ He continued by refuting the argument that separate could be equal: “To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone... Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law, for the policy of separating the races is usually interpreted as denoting the inferiority of the negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system... We conclude that, in the field of public education, the doctrine of “separate but equal” has no place. Separate educational facilities are inherently unequal.”¹⁴

In the spirit of Progressives from the early part of the century, regulation was integrated with enforcement. As this decision started to see its implementation in the school systems of America, southern governors would bar school doors, fail to enforce integration, or provide protection from white mobs barring the schools. The federal government sent in federal troops to enforce the integration of the schools. Federal authority had finally stepped into the breach. It had at last assumed the role of the final authority on the issue, and had at last acquired the social authority of a critical mass of support upon which the legislative and executive branch could extend its will of racial equality upon the dissenters. This would extend throughout the 1960’s with John F. Kennedy’s New Frontier initiatives, and Lyndon B. Johnson’s Great Society Programs.

Martin Luther King in August 1963 stood before hundreds of thousands of marchers and live television to deliver a speech of such power and eloquence that it stands as one of the great speeches of recorded history. In it he addresses the failure of America to live up to its promise of freedom and justice for all: “In a sense we have come to our nation’s capital to cash a check. When the architects of

¹² Ibid.

¹³ *Brown v. Board of Education*, 347 U.S. 483 (1954), Appeal from the United States District Court For the District of Kansas, Syllabus

¹⁴ Ibid.

our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.”¹⁵ With that Martin Luther King laid forth before the Federal Government a gauntlet that could not be denied. This march on Washington with 200,000 to 300,000 participants was a demonstration of the support that had been engendered by the movement for racial equality. It had come too far, with too much sacrifice to be turned. While moral authority lay with the masses, its sanction had to be given the final authority of law, law with the will to enforce, and that was to come from the only power with the resources to ensure that it became the law of an entire nation... the Federal Government. The movement for racial equality laid upon the doorstep of the Federal Government that final responsibility to take action now to ensure that all future generations full and equal rights without regard to race: “It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked “insufficient funds.” But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check – a check that will give us upon demand the riches of freedom and the security of justice.”¹⁶ The status quo of racial inequality would not fall easily. White Americans bent with the arthritis of prejudice, or fear, or power, or economic interests would not easily acquiesce to the demands of racial equality. But finally a nation would face its moral hypocrisy and see that it could no longer turn away from this injustice. The United States of America would at last use the words that spurred a revolution, that inspired a nation, that created a government like no other before it, and eliminate a scathing social injustice which should never have become a part of the fabric of America, “We hold these truths to be self-evident, that all men are created equal...”¹⁷

¹⁵ Martin Luther King, Jr., *I Have a Dream*, Speech delivered to the March on Washington, August 28, 1963.

¹⁶ Martin Luther King, Jr., *I Have a Dream*, Speech delivered to the March on Washington, August 28, 1963.

¹⁷ The Declaration of Independence, July 4th, 1776

Bibliography

Brinkley, Alan, *The Unfinished Nation*, Volume 6, (New York, McGraw-Hill, 2010), 534.

Brown v. Board of Education, 347 U.S. 483 (1954), Appeal from the United States District Court For the District of Kansas, Syllabus

Conjecture Corporation, "What is Keynesian Economics?" <http://www.wisegeek.com/what-is-keynesian-economics.htm> (accessed November 23, 2012).

Declaration of Independence, July 4th, 1776

Delaware Humanities Forum, "With all Deliberate Speed: *The Legacy of Brown v Board*," <http://www.brownvboard.info/strategy.htm>, (accessed November 24, 2012).

Harburg, Yip - lyrics, *Brother, Can You Spare a Dime*, Jay Gorney - music (1931)

Independence Hall Association in Philadelphia, "U.S. History Pre-Columbian to the New Millennium: *Progressives in the White House*," <http://www.ushistory.org/us/43c.asp>, (accessed November 23, 2012).

King Jr., Martin Luther, *I Have a Dream*, Speech delivered to the March on Washington, August 28, 1963

Lesueur, Meridel, *Women on the Breadlines*, (1932), *New Masses* (January 1932).

Perkins, Frances, *Speech on the Social Security Act*, (September 2, 1935), Frances Perkins, *Vital Speeches of the Day* (Pelham, NY: City News Publishing Co., (1935), 1: 792-94.

Roosevelt, Franklin D., *Four Freedoms*, President Franklin Delano Roosevelt's Address to Congress, January 6, 1941

Trowbridge, David J., "A History of the United States, Volume 2, v. 1.0.1": http://catalog.flatworldknowledge.com/bookhub/reader/7751?e=trowbridge2_1.0-ch06_s04#trowbridge2_1.0-ch04_ (accessed November 23, 2012)