

National Action Conference for Civil Rights

April 19-20, 1942

Washington, D.C.

The National Federation
for Constitutional Liberties

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INTRODUCTION

Reproduced here in their original form are three documents.

The first two are documents detailing the proceedings, labeled Part 1, and the proposals for action, labeled Part 2, of the National Action Conference for Civil Rights. Both were mimeographed on 8½ by 11-inch typing paper and stapled together at their left margin as two separate items.

The third document is a printed four-page flyer from late 1941 or early 1942 designed to raise membership in and donations to the National Federation for Constitutional Liberties. It was printed in dark blue ink.

Each tells a poignant story.

It was the darkest hour in the history of American civil liberties in the twentieth century. Only four and a half months earlier, the Japanese sneak-attack on Pearl Harbor had plunged the United States into world war. Germany and Italy had joined the Japanese in declaring war on the United States, but the United States had not yet won a victory on the battlefield when the participants of this conference gathered.

Not yet a national organization, the American Civil Liberties Union had expelled from its ranks many civil rights activists because they were either members of the Communist Party or were not sufficiently hostile to it. Around the country, many civil rights activists were shocked by the unprincipled action of the ACLU. At a stroke, the ACLU had undermined what it espoused, as well as the position of thousands of activists who had risked their comfort, livelihood, freedom, physical safety, and even their lives to advance the cause of civil liberties in the United States. The response of these principled activists was to establish alternative organizations.

In Detroit, Michigan, the Conference for the Protection of Civil Rights (CPCR) was established in 1935. The organization's reach was wide; it supported a range of issues, from a strike of poultry workers, to social workers Henry Meyer and Milton Kemnitz in Washtenaw County who were fired for urging their clients and other workers to organize, to the sit-down strike at the Ford plant by the United Auto Workers. In fact, the CPCR allied itself with the infant UAW; the ACLU would not aid the UAW because it thought that the civil rights of the employers needed to be protected, too.

The CPCR became the Civil Rights Federation. Milton N. Kemnitz came out of the Washtenaw County social workers strike to become its executive secretary. The Reverend Owen A. Knox was its president. With many allies, they fought a large number of civil rights battles in Detroit and around Michigan in the late 1930s. Reverend Knox was invited to an organizing conference on

June 8 and 9, 1940, to found a national organization, and he became chairman of the resulting National Federation for Constitutional Liberties (NFCL) in June of 1941.

The NFCL was established in Washington, D.C. Milton Kemnitz moved to Washington to be its executive secretary, and Reverend Knox remained its chairman until his resignation in October of 1941.

The NFCL operated effectively by a series of “action letters” sent out from Washington, D.C., to individuals and organizations around the country. These letters gave the facts of a situation and asked the individuals and organizations to take specific actions to aid the cause of the individuals or organizations in peril.

By the spring of 1942, the NFCL had constituent groups in thirty states, and it planned a National Action Conference for April of that year. This was organization and planning that met with less than enthusiastic support of the FBI and many other authorities. However, the organizers persevered, and the conference came to fruition. As the name of the conference makes clear, the NFCL’s action theme was to be maintained and strengthened by the gathering in Washington.

The total registration for the conference numbered 159, of whom 109 were “official delegates.” In Washington, D.C., the government was gearing up to fight the war, and no hotel space was available, so the delegates were housed by sympathetic residents of the area. As Kemnitz noted in his opening remarks, the delegates could “show their appreciation to their hosts, the people of Washington, by helping them to win the right to vote, and by helping them to pass the pending civil rights bill which would outlaw Jim Crow in the Nation’s Capital.”

The document that came out of the conference labeled Part 2, the proposals for action, compartmentalized the concerns of the NFCL into the following sections: (1) Labor’s Rights, (2) The Rights of Franchise, (3) Discrimination Against Minorities, and (4) Freedom of Speech, Press, Assembly. The credentials report from Part 1 categorized the individuals as Trade Union, Civil Rights, Civil and Fraternal, Negro, Youth, and Miscellaneous, but the individual strands of the civil liberties were inextricably intertwined in the lives of the delegates, as in the case of Clinton Clark, a Negro Farm Union organizer from Natchitoches Parish, Louisiana.

Besides Jim Crow, the poll tax, and racial segregation, the NFCL fought for the rights of labor to organize and for the rights of activists to petition and hand out leaflets and against discriminatory treatment of racial, political, and religious minorities. It also fought against the rounding up of the Japanese Americans, which was then being legalized by the passage of a bill in Congress, and against discrimination of other foreign-born people.

As Milton Kemnitz noted in his report to the members, it was “a time when powerful forces are seeking to force a unity behind national policies,” and the NFCL represented a significant challenge to that unity. It bitterly contested the bill that would allow the herding of Japanese Americans into concentration camps. It contested the bill authorizing the FBI to engage in wire

taps in the interests of “national security”—a phrase that would eventually become discredited. And it bitterly contested segregation in the armed forces, in defense plants, and in society.

The NFCL rocked too many boats in water already made tempestuous by a world war in which the United States had won no victories. The delegates were brave, and their vision was compelling, but their organization was in for difficult times.

Reverend Knox was so against war and totalitarianism that he could not abide the general desire of the membership to side with the democracies and the communists to resist the Fascists, Nazis, and Japanese. However, the NFCL would not back Knox in his condemnation of American war policy; the delegates were patriots. Knox left the organization, and the power of the Detroit connection diminished. The strongest chapter was in New York City, and that is where the organization was moved. George Marshall became chairman.

Some of the New York members were noted for their work in other fields, including Dashiell Hammett, the novelist, and Joseph Curran, the playwright. Kemnitz moved to New York in August of 1942 and continued to serve as executive secretary, despite several years onboard ship as a member of the Merchant Marine on convoys in the North Atlantic and Mediterranean.

The NFCL increasingly became a New York organization, and Kemnitz was a Michigan man. In October of 1947, with one young child and a second on the way, he resigned as executive secretary and moved his family from New York City to Ann Arbor, Michigan.

In 1948, the Red Scare reached the point at which there were questions about anyone who had not outright condemned the communists in the 1930s and early 1940s. The NFCL became an organization to be investigated. Along with others, it was subpoenaed to appear before Congress. The usual practice was to send the executive secretary to refuse to answer the questions and to do jail time for contempt of Congress. But the chairman of the NFCL, George Marshall, stepped forward to take the oath and the Fifth Amendment and the inevitable prison sentence. Marshall was from a wealthy family and was totally committed to the cause he served.

The delegates to the National Action Conference for Civil Rights had a vision of an America that guaranteed to every individual the rights and liberties established in the Constitution. Their vision was the one that ultimately prevailed. Every law that they said was wrong in 1942 has been repealed. Every action they protested in 1942 the country now regrets. Every right they said should be established has been established as a right.

While we have endorsed the vision, we have forgotten the visionaries. Their fight was overshadowed by the fight on the battlefields that engaged millions of others. Their battles pale beside Midway and Normandy. No monuments have been erected to them. But we owe them a great debt, and they should not be forgotten.

NATIONAL
Action
CONFERENCE
for **CIVIL RIGHTS**

WASHINGTON, D.C.

APRIL 19-20

[PART 1]

THE NATIONAL FEDERATION FOR CONSTITUTIONAL LIBERTIES

1410 H Street N. W.

Washington, D. C.

INTRODUCTION.....NO BLACKOUT OF CIVIL RIGHTS

Everywhere throughout America the people have swung into action in defense of their civil rights. There is deep and mounting indignation at the attacks on Constitutional liberties. These attacks are directed at the people -- in homes, in factories, on farms, in organizations -- against freedom of speech, press and assembly; the right to organize and bargain collectively; the right to privacy of membership lists; the right to vote as you please; the right to freedom of worship and opinion. In the face of these attacks, the people have refused to give ground. They have moved forward, strong and unyielding, in defense of our American liberties which the forces of reaction, encouraged by the war hysteria, would destroy. The masses of the people demand, "NO BLACKOUT OF CIVIL RIGHTS!"

From the call to the National Action Conference

OPENING SESSION

The National Action Conference for Civil Rights, called by the National Federation for Constitutional Liberties, held its first session on Saturday morning, April 19, in the Chantilly Room of the Hotel Hamilton, Washington, D. C.

The Chairman, Reverend Owen A. Knox, opened the Conference with the following remarks:

"The distinguishing feature of this Conference is that it is an ACTION Conference. We want all discussion of concrete violations of civil rights to be conducted in terms of action to be taken by the Conference. For this reason, we suggest that we dispense with resolutions and summarize the Conference in terms of recommendations for action. There will be four sessions on the following subjects: 'Rights of Franchise,' 'Labor's Rights,' 'Discrimination against Racial, National and Religious Minorities' and 'Freedom of Speech, Press and Assembly.' As you will see from your program, certain specific points have been listed for discussion under each subject. These points were selected because they refer to major violations of civil rights. They do not preclude the introduction of other subjects. At each session, the discussion will be led by a panel. Because the method of conducting the panel discussion is different from the traditional method, I am going to ask Miss Alice Barrows, member of the Executive Committee of the National Federation for Constitutional Liberties, to explain the technique."

TECHNIQUE OF ACTION MEETING

(The following explanation of the technique of panel discussion is included in some detail here because it may be helpful to local groups in organizing their own conferences.)

Miss Barrows: "In order to understand this type of panel discussion, it is important to disabuse your minds entirely of the usual type. In the traditional panel, the members talk to each other or to the moderator, and at the end of the evening, when they have finished their private discussion on the platform, members of the audience are permitted to ask questions. The panel discussion of this Conference will not be conducted in that way.

"Since the purpose of each session is to get full discussion on each of the civil rights issues listed under the main topic, each panel member has been asked to be responsible for one particular topic. No panel member is permitted to make a speech. What he is supposed to do is to get his particular topic fully discussed by members of the audience and other members of the panel. In order to accomplish this, each panel member is permitted three minutes in which to give the background on which to raise a point for discussion or ask a question. He cannot take more than three minutes, but he can speak for three minutes as often as he wants to - always in order to stimulate discussion, not in order to tell the audience what he thinks. Members of the panel and members of the audience may break into the discussion at any time. Members of the panel may ask questions of the audience and vice versa. Although each member of the panel is responsible for discussion on one particular topic, it is not expected that one topic will be taken up and discussed and completed, and then another taken up. That would make the discussion formal, which is the last thing that a panel discussion should be. They should be like any conversation; one subject leads to another and at

times discussion reverts to a point taken up but not completed. It is the task of the moderator to encourage flexibility and prevent confusion.

"The advantages of this type of discussion are, first, that we make sure that every important issue is brought up and the different aspects of it discussed; second, this kind of panel discussion really does bring discussion from the floor. Third, the discussion of each issue can be pointed up to concrete recommendations for action.

"I should like to warn those of you who plan to organize panel discussions of this type that they require careful preliminary preparation if they are to be successful. When the Washington Committee for Democratic Action plans a panel discussion, three preliminary meetings are usually held by the moderator and the members of the panel. At the first meeting the organization of the discussion is considered and each person selects the topic he would like to discuss. At the second meeting each member reports on the material which he has collected and outlines the points he thinks should be brought out. The discussion that follows becomes an informal panel discussion and so is an example to the members of how the discussion should be carried on. At the third meeting, the members are expected to have their material well organized and ready for effective use. We have not been able to have such full preparation in connection with the forthcoming discussions because the delegates only arrived this morning, but they are so full of their subjects that I am sure that fact will make up for the lack of sufficient preliminary discussion.

"In conclusion, I would like to say that in my opinion the reason so many meetings are dull or ineffectual is that there seems to have grown up a tradition that a meeting is for the speakers, not the audience. Everything is done in terms of the speakers' convenience and comfort. The audience can only sit and take it. And how we do take it sometimes! But we are a democratic group and our idea is that meetings are for the audience, and that every possible effort should be made to break up this "sit and listen" tradition. And so in Washington we have developed this panel discussion technique which puts the burden on the members of the panel to stimulate discussion, to see that it is organized and that it heads up to some conclusion or action."

That panel discussions of the type just described did bring full discussion from the audience is shown by the fact that in an hour and a half's discussion of "Rights of Franchise," twenty-four different people in the audience, plus the five panel members, took part in the discussion.

ORGANIZATION OF COMMITTEES

Rev. Knox announced that Committees would be elected on the topics of the four sessions, and that a Committee on Organization would be elected. The four Committees consisted of members of the four panels and delegates elected from the floor. The members on each Committee varied from twelve to forty. These Committees met Saturday evening simultaneously to consider the recommendations for action which had been recorded at each session by a stenographic secretary. The final recommendations of the Committees were drafted Saturday evening, mimeographed Sunday morning and presented by the Chairmen of the Committees at the final session of the Conference Sunday afternoon, and copies provided for the delegates to take away with them.

After acceptance of the plan of organization of the Conference, the Chairman called upon the Secretary of the National Federation for Constitutional Liberties, Milton N. Kemnitz, for the report of the year's work of the Federation.

SECRETARY'S REPORT

We welcome you to Washington, the Nation's Capital, a city teeming now with newly arrived dollar-a-year men, an army of new and hopeful defense workers, bus loads of high school students, thousands of cherry blossom fans, all aggravating an already terrific housing shortage, making hotel space unavailable.

Delegates at this conference may show their appreciation to their hosts, the people of Washington, by helping them to win the right to vote, and by helping them to pass the pending civil rights bill which would outlaw Jim Crow in the Nation's Capital.

Since its inception last June, the Federation has grown in influence and in the number of groups which it is able to move. These organizations are scattered over 30 states from coast to coast.

In defense of the rights of labor, we have marshalled the support of fair-minded people the country over in behalf of the Ford workers, against the terrorism of Ford's Nazi labor policy; in behalf of the Union of Mine, Mill and Smelter Workers against FBI persecution of its leadership in the Tennessee copper strike; on behalf of the State, County and Municipal Workers and teachers against the witch-hunting of legislative investigating committees; on behalf of government workers against high-handed inquisitions and arbitrary dismissals; on behalf of labor everywhere against lawless terrorism and violence.

In our fight against discriminatory treatment of minorities, we have fought Jim Crow; opposed attacks on Jehovah's Witnesses; resisted persecution of political minorities through the jailing of their leaders and active workers; opposed the violent denial of the rights of petition to anti-conscription forces; opposed legislation permitting FBI wire tapping; condemned discrimination against the foreign born. We have sought to help the people to keep their right to express themselves freely and without coercion and intimidation.

In all of these efforts, we have been only as strong as your support of our work. Our assistance to the victim of an act of tyranny or violence, our opposition to an undemocratic policy has been only as effective as you, in your organizations throughout the country have made it.

In some cases we have won.

Planters in Natchitoches Parish, La., plotted to take Clinton Clark, a fearless Negro Farm Union organizer, and a delegate at this conference, from the jail where he had been unlawfully held. They plotted to lynch him. But the Louisiana Farm Union, the Southern Negro Youth Congress, the National Negro Congress and other organizations with the Federation's help saved Clinton Clark, saved him from lynching. And Clinton Clark will go back from here to continue to organize the farmers of Louisiana for better living conditions.

Washington police violently attacked an anti-conscription prayer vigil

on Capitol Hill, last September. They constantly interfered with the rights of opponents of the Burke-Wadsworth bill to express their opposition. Against these police attacks on civil rights, the Federation entered the courts of the District of Columbia and won a reaffirmation of the basic American rights of the people to distribute leaflets, carry picket signs and assemble in public places without interference. Thus the great decisions of the Supreme Court in *Hague vs. CIO* and other cases in which the civil rights of our people were clearly established were made effective in the Nation's Capital. The Federation then called upon the mayors of over 400 cities to take note of this victory and to change local ordinances abridging those rights so that they too would conform with the Bill of Rights.

In Reading, Pa. the bail in the cases of election workers for a minority political party were reduced from \$5,000 to \$300. You did that.

At Lewistown, Ill., "treason" cases against four political workers were dropped ~~when~~ the local prosecuting official heard from you that people the country over were opposed to his illegal persecution of innocent men and women.

In Birmingham, Alabama, the police department stopped its use of ordinance 4902 which gave them illegal powers of arresting anyone without warrant and without charges, when you let Mayor Green know that the American people will not permit wholesale illegal arrests to continue without protest.

Sometimes we have won.

But there are many unfinished jobs.

Margaret November does not have her job in the War Department. She was fired two weeks after she became secretary of the CIO organizing committee, in that important government department. She has not yet been reinstated.

Senator Lenus Westman in Washington State has never occupied the seat to which his neighbors in Snohomish County elected him last fall. The Senators in the State Senate refused to seat him. They said that Westman is opposed to the war and therefore, despite the fact that the great majority of the voters in his district elected him, he cannot be seated in the Senate. If we act, Westman will be seated. We have a job to do.

Members and sympathizers of the Communist Party face persecution today because of their political beliefs. This persecution takes the form of singling them out for technical violations of the law for which others are not prosecuted. Thus in the case of Sam Adams Darcy, a communist faces severe punishment for an insignificant technical offense. Thousands of others, including Charles Johnson, Treasurer of the State of California, violated the same technical provisions of the law, but no action has ever been contemplated against them. Earl Browder, Communist Party Secretary, is today confined in Atlanta Penitentiary serving a cruel and unusual punishment for a technical violation of which numerous others, equally guilty, have gone unpunished. No one can doubt that his conviction was based upon his political views. Here, too, there is a job to be done.

In Congress the legislative hopper is stuffed with hundreds of bills born of the animus of labor-hating legislators, many from poll-tax states. The Vinson